

MERTHYR VALLEY HOMES

DEMOLITION OF 6 GARAGES AT PINE CLOSE, GURNOS ,MERTHYR TYDFIL

BUILDING INSPECTION REPORT (PROTECTED SPECIES)

October 2023



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SUMMARY

Soltys Brewster Ecology were commissioned by Merthyr Valley Homes, (the client) to undertake a building inspection at 6 garages at Pine Close, Gurnos to identify any ecological constraints associated with the proposed demolition.

Consultation with SEWBRc was not required to provide ecological context for the site although the Local Authority Ecologist was consulted for any known bat records which would need to be considered in order to determine the application.¹

The daytime external inspection of the block of garages found some features suitable for use by bats including gaps in the brickwork, damaged fascia coverings and raised/missing roofing felt. The garages are located in a built-up area of Merthyr, surrounded by houses on the north, east and western elevation and a road (Poplar Way) to the south. Adjacent habitats consist of amenity grassland. Connectivity i.e. trees/scrub from and around the site is limited.

Considering of the location of the garages, the updated Bat Conservation Trust Bat Survey Guidance (2023)² and discussion with the LPA Ecologist the garages are considered to be of negligible potential to support roosting bats.

Under best practice guidelines (BCT 2023), structures of negligible potential require no further action with respect to bats.

Although no nesting birds (or evidence of historic nests) were identified during the time of the survey, as the roofing works are programmed during the spring, a follow up inspection (by an ecologist or appointed contractor) for nesting birds would be recommended to establish if any active bird nests were present prior to the start of works. Under the Wildlife & Countryside Act 1981 (as amended) all wild birds are protected against killing or injury and their nests against damage or destruction whilst they are in use or being built. If an active nest was identified, it would have to remain in place until such time as it was no longer in use.

This report details the methodology and results of the building inspection conducted. It draws conclusions and makes recommendations for enhancements for biodiversity that could be made within the proposal.

¹ Email correspondence from LPA dated 12 October 2023

² BCT Bat Surveys for Professional Ecologists Good Practice Guidelines. (2023)

INTRODUCTION

- 1.1. Soltys Brewster Ecology were commissioned by Merthyr Valley Homes to undertake an internal/external building inspection of 6 garages located at Pine Close, Gurnos, Merthyr Tydfil. The garages are located in the middle of the Gurnos estate with houses present to the north, east and west of the garages.
- 1.2. In order to inform the application for demolition (Planning Ref P/23/0193), a daytime building inspection survey to establish any implications for protected species is required. The current report presents the findings of an external/internal building inspection survey to identify any evidence of use by bats or nesting birds and advise on any required further survey, mitigation or licensing associated with the demolition works.

2.0 METHODOLOGY

- 2.1. In order to establish the baseline ecological conditions on site, an external/internal building inspection survey were undertaken in September 2023. The scope of survey work was based on best practice guidelines at the time (BCT, 2016³).

Desk study

- 2.2. Following consultation with the LPA ecologist, a data search via the South East Wales Biodiversity Record Centre (SEWBReC), was not required. Using Google Maps (and Google Streetview) habitats including scrub/woodland/Parkland and any trees which could provide commuting corridors that are located within 1km of the site were marked on a plan (regularly mown amenity grassland and built up areas are considered sub-optimum were excluded). The areas have been identified based upon surveyor experience and previous experience of bat activity surveys within 1km of the site.

Building Inspection Survey

- 2.3. The fieldwork was undertaken on 27 September by a suitably experienced & licensed ecologist⁴ and comprised of an external check of all visible elevations of the garages to identify Potential Roost Features (PRF) and any direct evidence (e.g. droppings, nest material etc.) of bats or nesting birds. An internal

³ These guidelines have recently been updated and the most up to date guidance has been considered as part of the current report.

⁴ Full Member of the Chartered Institute of Ecology & Environmental Management (MCIEEM) with experience of bat survey work (NRW bat licence no: S089154/1)

inspection of all accessible areas was also undertaken. The survey aimed to establish the potential of the garages to support roosting bats (or nesting birds) and identify any further survey requirements to inform the demolition works.

- 2.4 External survey at the site involved the use of binoculars/high powered torch to identify possible access/entry points into the building and aimed to identify any evidence of use by bats such as droppings, staining, prey remains etc. The survey was undertaken from ground-level around the exterior of the site building.
- 2.5 An endoscope was used to check any gaps both internally and externally for evidence of bats.
- 2.6 The surveyor searched for roost evidence (droppings, staining etc.) as described above and an assessment of the buildings potential to support nesting birds was also undertaken. The scope of the bat inspection survey, including timing, survey effort etc., was based on guidelines published by the Bat Conservation Trust (BCT, 2016 & 2023).

- **Known or confirmed roost**
- **High** - A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
- **Moderate** – A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status;
- **Low** – A structure with one or more potential roost sites that could be used by individual bats opportunistically;;
- **Negligible** – Negligible habitat features on site likely to be used by roosting bats.
- **None**- No habitat features on site likely to be used by any roosting bats at any time of the year.

Constraints

- 2.7. Asbestos was present in the cement of two of the garages therefore these areas were not inspected with the endoscope.

3.0 RESULTS

- 3.1 Figure 1 shows potential suitable habitat for commuting/foraging/roosting bats in the locality.⁵ The nearest optimum habitat-woodland/scrub was approximately 300m north east of the site adjacent to Pen Y Dre School. There is a large area of amenity/short grassland (this may provide a food resources e.g. insects for foraging bats), houses and a road (Goitre Lane) separating the garages to the nearest site.

Figure 1-Habitats potentially suitable for foraging/roosting.



Building Inspection Survey

- 3.2 A summary of the site features and building inspection survey is provided in the following sections with further detail included in the notes and supporting photographs in Appendix I. No external evidence of bats was identified at the garages although some PRF's were present including gaps/ damaged fascia coverings and raised/missing lead flashing. Given the limited features identified, in combination with the lack of suitable habitat connectivity to the wider landscape the garages are considered to be of Negligible potential for roosting bats.

⁵ This is not intended to be a definitive plan of suitable bat habitats in the area. Only to be used to demonstrate the lack of habitat connectivity to and from the site to habitats that would be preferable to bat.

3.3 The 6 garages are connected and constructed of concrete/brick with felt roof which appeared to be attached to the internal plyboard with bitumen paint and/or nailed. There does not appear to be any cavity wall present. Although the garages have been occupied⁶ until recently some of the fascia coverings are in a worse state of repair than others with exposed woodwork and damaged felt present.

3.4 Immediately adjacent to the frontage of the garages are two lighting columns (Plate 1) and to the rear there is a communal garden which consists of short amenity grass (Plate 2).

Plate 1-Lighting columns on the front elevation of the garages.



Plate 2-Communal garden to the rear of the garages.



⁶ Pers comm. Merthyr Valley Homes

Other species/Habitat noted

3.5 There were no signs of nesting material identified within the garages. However, there were suitable nesting opportunities/access points. A False widow spider *Steatoda nobilis* was noted in the corner of garage 1.

4.0 LEGISLATION, POLICIES AND PLANS

- 4.1 The following legislation relating to bats and nesting birds is considered of relevance to the area surveyed and to the proposed roof replacement works at the church.

Environment (Wales) Act, 2016

- 4.2 Part 1 of the Environment Act Wales came into force in May 2016 and sets out the approach to planning and managing natural resources at a national and local level with a general purpose linked to statutory 'principles of sustainable management of natural resources' defined within the Act.

Section 6 - Biodiversity and resilience of ecosystems duty

- 4.3 Section 6 of the Act places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'.

Section 7 - Biodiversity lists and duty to take steps to maintain and enhance biodiversity

- 4.4 This section lists living organisms and types of habitat in Wales which are considered of key significance to maintaining and enhancing biodiversity in relation to Wales. The Welsh Ministers are required to take all reasonable steps to maintain and enhance the living organisms and types of habitat included in any list published under this section, and encourage others to take such steps.

Legislation Pertaining to the Protection of Bats

- 4.5 Under Annex II of the *Council Directive 92/43/EEC 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora* (EC Habitats Directive) some bat species are listed as of Community Interest, the conservation of which requires designation of Special Areas of Conservation (SACs); Under Annex IV of the EC Habitats Directive all bat species are listed as of Community Interest, in need of strict protection. In England and Wales, the EC Habitats Directive has been transposed into law in 1994 and, following recent amendments is set out in the *Conservation of Habitats & Species Regulation 2017* to give bats, their breeding sites and resting places a high level of strict protection making it an offence (subject to certain specific exceptions) to deliberately capture or kill/injure a bat, to damage or destroy a place used for shelter or protection or to deliberately disturb a bat in such a place. Case Law has placed an onus on local planning authorities to satisfy 'three tests' under the Habitats Directive when determining applications

that could affect European Protected Species. Essentially, these three tests are: i) that there is no satisfactory alternative; ii) that the proposed development is in the over-riding public interest (including those of a social or economic nature) and iii) the proposed development would not adversely affect the Favourable Conservation Status of the species locally

- 4.6 Bats are also afforded protection within England and Wales under the Wildlife and Countryside Act 1981 (as amended); Countryside and Rights of Way Act 2000; Natural Environment and Rural Communities Act 2006.

Legislation Pertaining to Birds

- 4.7 Under the Wildlife & Countryside Act 1981 (as amended) all wild birds are protected against killing or injury and their nests against damage or destruction whilst they are being built or contain eggs/dependent young.

Local Planning Policy

- 4.8 The Replacement Local Development Plan (2016-2031) underwent examination in Public in 2019 and was adopted by Council on 29th January 2020. Policies relevant to the proposed works are outlined below:

Policy EnW2: Internationally and Nationally Protected Sites and Species

Development proposals likely to affect protected species will only be permitted where it is demonstrated that:

- 1. The population size, range, distribution and long-term prospects of the species will not be significantly adversely impacted;*
- 2. There is no suitable alternative to the proposed development;*
- 3. The benefits of the development clearly outweigh the adverse impacts on the protected species; and*
- 4. Appropriate, avoidance, minimisation, mitigation, compensation and enhancement measures are provided.*

5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 The site inspection surveys have established that there was no evidence of current use by bats at the garages.

5.2 Under best practice guidelines (BCT 2023), structures of Low potential are described as:

“A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats).”

The garages were initially considered to be of Low potential however, following an assessment of the surrounding habitats i.e. housing, amenity grassland and poor quality/poor connectivity to the wider landscape, these are considered to be sub optimum for bats (also consultation with the LPA Ecologist who has confirmed there is limited bat activity recorded in the area). Therefore, in accordance with best practice guidelines, the assessment has been downgraded to Negligible potential (see Section 2.6). Therefore, no further surveys are required however a precautionary approach to demolition will be undertaken.

5.3 A precautionary approach to the re-roofing works would be recommended to include the following:

- Contractors briefed prior to the start of roofing works (Toolbox Talk) on the likelihood that birds or bats could be present and the action to take if a bat were discovered. In the unlikely event that a bat were discovered at any point during removal of existing roof, all work will stop immediately and an ecologist contacted for advice on how to proceed;
- Removal of roofing felt, fascia's and associated coverings to be undertaken using hand-held tools (crowbars, claw hammers etc.) with an ecologist retained 'on call'.
- Timings of works are not considered to be a constraint however; the demolition works are programmed from the spring 2024 therefore at a time of year where bats are least vulnerable i.e. not hibernating or with young.

5.4 As the roofing works would be proposed during spring, a follow up inspection for nesting birds would be recommended to establish if any active bird nests were present. Under the Wildlife & Countryside Act 1981 (as amended) all wild birds are protected against killing or injury and their nests against damage or destruction whilst they are in use or being built. If an active nest was identified, it would have to remain in place until such time as it was no longer in use.

Bird and Bat boxes ecological enhancement

- 5.5 Consideration should be given to providing ecological enhancement as part of the demolition application. Given the nature of the proposed works i.e. demolition of existing garages and replacement car parking this would not be obtainable on site. Alternative locations to provide enhancement should be considered, either owned by Merthyr Valley Homes or at a Local Authority Owned (and managed) site for example Taf Fechan Nature Reserve ⁷
- 5.6 A single bat box to provide a localised enhancement as part of the works is recommended. Examples of boxes are as follows:
- Beaumaris Woodstone Bat box: <https://www.nhbs.com/beaumaris-woodstone-bat-box>
 - Low-profile Woodstone Bat box: <https://www.nhbs.com/low-profile-woodstone-bat-box>
- 5.7 Two bird boxes to provide a localised enhancement as part of the works is recommended. Examples of boxes are as follows:
- <https://www.nhbs.com/vivara-pro-seville-32mm-woodstone-nest-box>
 - <https://www.nhbs.com/vivara-pro-seville-28mm-woodstone-nest-box>
 - <https://www.nhbs.com/vivara-pro-woodstone-house-sparrow-nest-box>

⁷ This would need to be agreed with the LA.

REFERENCES

Bat Conservation Trust (2023) *Bat Surveys for Professional Ecologists – Good Practice Guidelines*. Bat Conservation Trust, London.

Bat Conservation Trust (2012). *Landscape and Urban Design for Bats and Biodiversity*. Bat Conservation Trust, London.

MAGIC . 2023. <https://magic.defra.gov.uk/>

MTCBC. *Replacement Local Development Plan*. 2016-2031

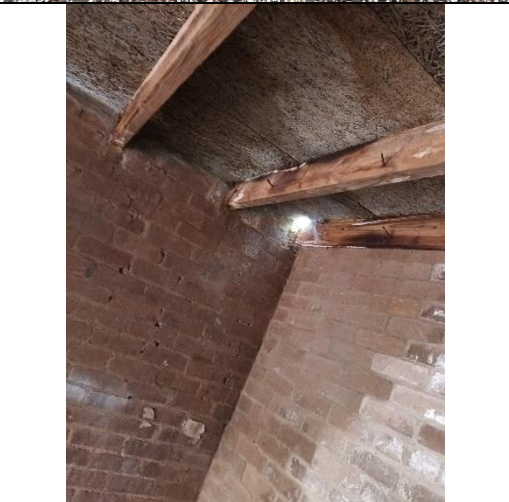
APPENDIX I SITE NOTES & PHOTOGRAPHS (May 2023)

PINE CLOSE GARAGES, GURNOS, MERTHYR TYDFIL

Daytime building inspection notes

27 September 2023

Dry, windy, 16°C

Description	Photograph
Garage 1	
Missing fascia covering on southern elevation exposing wooden beams/plyboard. Large gap in SE corner.	
Uncovered vent leading into the garage-these vents connect all 6 garage's.	
Gap south western corner of the garage-light ingress noted internally.	

False widow spider <i>Steatoda nobilis</i> noted.	
Wooden board attached to the internal wall. This was checked using a high powered torch and endoscope.	
No fascia covering to the rear of the property exposing brickwork. Location of damaged roof consistent with area of light ingress observed internally..	
Garage 2	
Gap >5cm between wooden facias covering and wall.	

Open/uncovered internal vent between the adjacent garages.	
Small gap <5cm between 1oodend beam and rear internal wall of the garage. This was checked using a high powered torch and endoscope.	
Gap between wooden fascia to the rear of the garage (western elevation) and the wall.	
Garage 3	
Debris present in this garage. No signs of droppings on any of the surfaces noted. Gap between wooded fascia covering and wall above garage doors. Area of raised felt adjoining the next garage.	
Garage 4	

Debris present in this garage. No signs of droppings on any of the surfaces noted. Gap between wooded fascia covering and wall above garage doors.	
Felt and wooden batten has come away from the brickwork leaving a large gap. Gaps in roofing felt present along the length of the front of the garage.	
Garage 5	
Clean garage. Guttering and felt has dropped on the from of the garage exposing the plyboard ceiling.	
Internal vents have been covered with plastic sheet.	
Garage 6	

Plastic fascia covering intact on the front/side and rear of the garage.	
Vent covering present,	
Very few gaps present between plastic fasci and wall.	