

INTERNAL MEMORANDUM

To: David Cross
From: Matt Davies (Ecologist)
Ext: 5278
Memo number: 1
Date of previous memo: -
Date: 17/07/2023

SUBJECT: P/23/0131 | Demolition of existing school and construction of a new school building within the existing site, including sports facilities and associated landscaping, access and engineering works, temporary staff car park, construction compound and classrooms during construction | Bishop Hedley High School Gwaunfarren Road Penydarren Merthyr Tydfil CF47 9AN

A collection of school buildings, hardstanding and amenity grassland areas with hedgerows, treelines and scattered trees. Close to grassland, woodland, scrub and stream habitat in Galon Uchaf Park found to the north west of the site.

Documents submitted in support of the above application:

1. Preliminary Ecological Assessment & Bat Survey. Bishop Hedley Catholic School. Ecological Services Ltd. Version V3.0. Date 31st May 2023.
2. BCA-ATK-XX-RP-Z-000002_Planning Pre App Report-compressed.pdf
3. Bat Survey: Bishop Hedley Catholic School (Southern Site), Merthyr Tydfil, CF47 9AN. Ecological Services Ltd. Version V1.0. Date May 2023.
4. Ecological Impact Assessment. Project: Bishop Hedley Catholic School, Merthyr Tydfil. Ecological Services Ltd. Version V1.0. Date 1st June 2023.
5. Drawing Title: Site Wide Planting Plan. Drawing number: BCA -ATK -XX -XX -DR - LA -423013. Revision P02. Date: 16/02/23
6. External Lighting Dwg No. 6914-MCP-ZZ-XX-DR-E-9000-A0P

Comments

A. Full details of the development scheme

- i. Page 14 – *'Any proposals which affect trees within the tree line along the eastern boundary of the site and all areas shown as woodland will require additional survey work to establish their potential roosting use by bat species.'*
- ii. Page 23 – *'It is **anticipated** that at least some of the habitat currently found within the site boundary will be retained as part of any development proposals.'*

NB Document 2 indicates that much of the existing habitat will be retained post-development, but this needs to be confirmed.

- iii. Page 17 – *‘Any works which affect the hedgerows, small wooded areas and tree line along the eastern boundary will require consideration to the potential impacts to reptile species. It is considered likely that species deterrent measures to ensure reptiles are not harmed during works would be sufficient. However **details can be finalised once the development proposals are known.**’*
- iv. Page 24 – *‘Any impacts to these habitat types will require a reptile mitigation strategy to be agreed and implemented as part of the development works.’*

There are several references within Document 1 regarding further information that will be provided (see A i-iv above). Full details need to be provided in order to allow the ecologists to make meaningful comments. Reports will be amended as appropriate. A Reptile Mitigation Strategy will be submitted for approval prior to determination of planning permission.

B. Bats

- i. In May 2022, the Bat Conservation Trust (BCT) published an Interim Guidance Note: *Use of night vision aids for bat emergence surveys and further comment on dawn surveys.*

The guidance note specifies that all professional surveys should be supported by night vision aids (NVAs) and the rationale provided in reporting if they are not used. This is a step up from the existing bat survey guidelines (3rd edition), which specifies only that night vision aids can be used as a complementary technique.

It appears that NVAs were not used in the bat activity surveys undertaken (as detailed in Documents 1 and 3). There will therefore either need to be additional surveys including the use of NVAs, or a robust justification for their omission.
- ii. Documents 1 and 3 state that the onsite buildings have some, albeit very low, suitability for hibernating bats. Using the precautionary principle, demolition works to sensitive parts of the buildings will be undertaken outside of the hibernation season and some bat boxes suitable for hibernation will be incorporated within the proposed new buildings as compensation for any opportunities lost.
- iii. Of those trees earmarked for removal to facilitate the development, the Preliminary Ground Level Roost Assessment results identify x1 tree with moderate suitability for roosting bats (T7) and x1 tree plus x4 tree groups (T11, and G10, G20, G27 and G57) with low suitability.

The EcIA report does not document how these decisions were reached regarding the suitability or otherwise of those trees to be removed. Photographs and detailed descriptions will be made available in evidence.

A PRF inspection survey of T7 will be required *prior to determination* of planning. The result of this survey will determine the next course of action. If bats or their signs are encountered, a derogation licence from NRW will be required in order to remove the tree within the law. If no bats or evidence of bats is found, a second PRF survey will be undertaken immediately prior to felling.

Trees will be removed outside of the hibernation season as there is a chance of bat presence during this period. The bird breeding season can be avoided by removing the trees in late summer/early autumn. NB in the event that maternity use is identified following the PRF inspection survey of T7, the maternity season will also be avoided for tree removal.

- iv. A derogation licence from NRW will be required in order to undertake the works to Building B1. The following advisory notice will be added to the decision notice should planning permission be granted:

Warning: A European Protected Species (EPS) Licence is required for this development. *This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>*

C. Lighting

- i. Dark routes must be provided north-south and east-west across the site. There must also be dark routes to any proposed bat roost provision (integrated bat boxes).
- ii. Document 6 is a horizontal lighting plan for the proposed development, but further information is required. The information as set out in Step 5 of the BCT/ILP guidelines (<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>), pages 21 and 22 is required. This will include, but not be limited to, *'The contours (and/or coloured numbers) for 0.2, 0.5, 1, 5, and 10 lux clearly shown as well as appropriate contours for values above these ... Each contour plan should be accompanied by a table showing their minimum and maximum lux values.'*

- iii. An equivalent plan for the 'current' lighting set up is required for comparison with the proposed lighting plan.
- iv. The specification of all luminaires will comply with the guidelines, for example in terms of colour temperature (<2700K) and wavelength.
- v. The internal school lighting will also comply with the guidelines.
- vi. Lighting will be strictly limited only to where and when it is necessary – details required.

D. Other

- i. A Landscape and Ecological Management Plan (LEMP) will be required. Examples of the content required below.
 - o Specification of all new habitat to be created (species, seed mixes etc) will be included, together with a planting and establishment plan.
 - o All species [so, including the grass seed mixes] will be native species of local (if not Welsh provenance).
 - o Retained habitat will be specified and mapped. Protection measures for all retained habitat during construction will be included in the LEMP and also in the CEMP for the scheme.
 - o There will be a habitat maintenance and management plan that will be followed for at least the lifespan of the new school. This will include all habitat onsite (retained, newly created, inc. SuDS scheme habitat).
 - o All enhancement measures will be included. For example, the models of all bat and bird boxes will be specified (they will be of an integrated design). All enhancement measures will be marked on relevant drawings, plans and elevations for the site.