


Subject	Preliminary Roost Assessment (Commentary)
Site Name	Harlech Court, Bute Terrace, Cardiff, CF10 2FE
Title / Description	Commentary on PRA
Client	The Draycott Group
Clients Ref	
CEC Ltd Ref	

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1 INTRODUCTION

1.1 Background

Following a Preliminary Roost Assessment (PRA) of Harlech Court by Acer Ecology Ltd¹, Celtic Ecology and Conservation Ltd was asked by The Draycott Group to attend site and inspect the site in respect of bats and provide a second opinion on the advice and recommendations contained therein to be submitted in support of an application to Cardiff Council to demolish Harlech Court on Bute Terrace in Cardiff in south Wales (NGR: ST 18708 76067; **Figures 1 & 2**).

This technical note is intended to be a record of a site visit on 5th May 2024 held at Harlech Court and to provide the requested second opinion.

1.2 Site description

The site is comprised of a six storey building, Harlech Court (Plates 1 -4), on Bute Terrace in the centre of Cardiff. The multi-storey building was constructed during the 1970's and is of concrete and glass under a flat roof. It rises above the former Porters Bar (Plates 5 – 7), itself originally a Victorian canal side customs house, a two storey stone built building under a flat roof which acts as a "podium" car park. There are a number of ancillary buildings: an electrical sub-station (Plate 8) and a pump house (Plate 9).

The ground floor of the multi storey building is built of concrete (Plates 10 – 12) and is integrated into the building behind the Porters façade. Internally, the multi-storey building is given over to classrooms and offices (Plate 13), mostly all now disused or used for general storage. A number are still used for education / teaching purposes. All windows are intact. The flat roof (Plate 14) is open and exposed and in a generally good state of repair.

The external glass cladding shows signs of damage and repair. One panel is missing (Plate 15); others are boarded over with plywood sheets.

The sub-station is of fibreglass and steel construction, is single storey and no more than 3m x 2m. The roof is flat.

The pump house (interior at Plate 17) is a single storey structure under a flat, presumed bitumen felt, roof. There are plywood fascias on all elevations, of which only the northern is free of dense overshadowing vegetation. The fascias appear to be in a generally intact but showing signs of damage (Plate 18).

There is a fire escape staircase to the rear (south) of the multi-storey building. It is of an all steel construction enclosed by steel walls and roof. There is a very small boiler room on the eastern elevation of the multi-storey building (Plate 19). This has a mono pitched slate roof, the pine end of which is not protected by bargeboards, fascias, soffits or cement.

1.3 Proposed work

It is understood that Harlech Court, the former Porters bar and ancillary buildings will be demolished and replaced with a multi-storey development of up to 30 floors to provide approximately 345 domestic apartments with commercial units and parking.

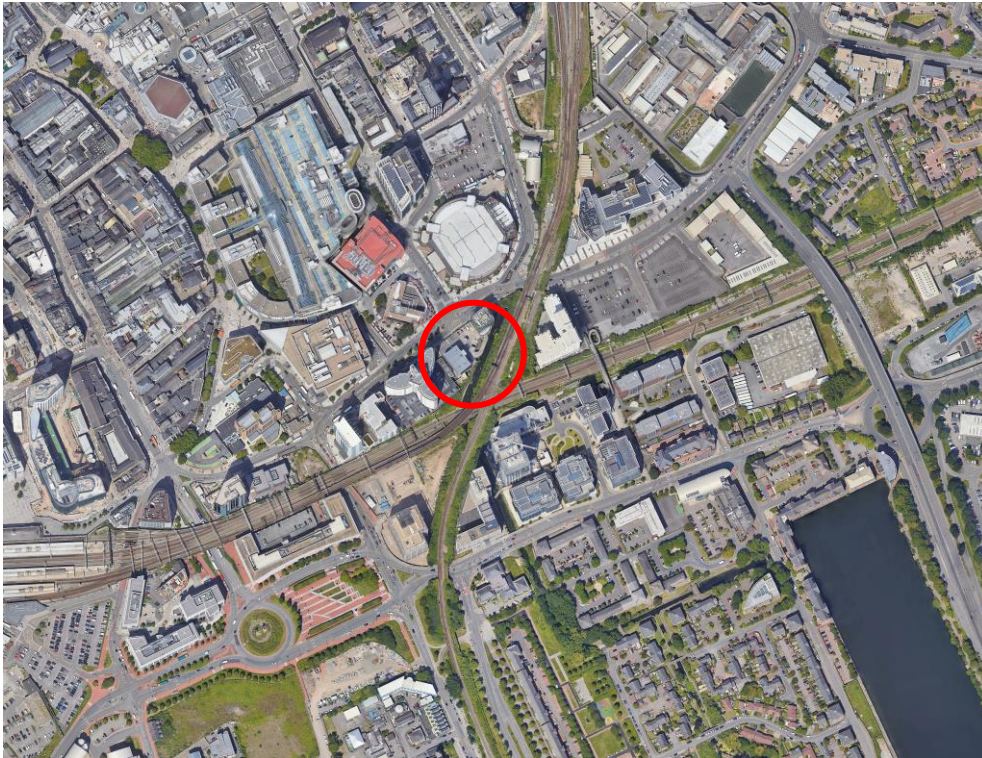
¹ Harlech Court, Cardiff - Preliminary Roost Assessment (Acer Ecology, December 2023)

TECHNICAL NOTE

Subject Commentary on a Preliminary Roost Assessment of Harlech
Court Assessment in Respect of Bats

Date 19.06.2024

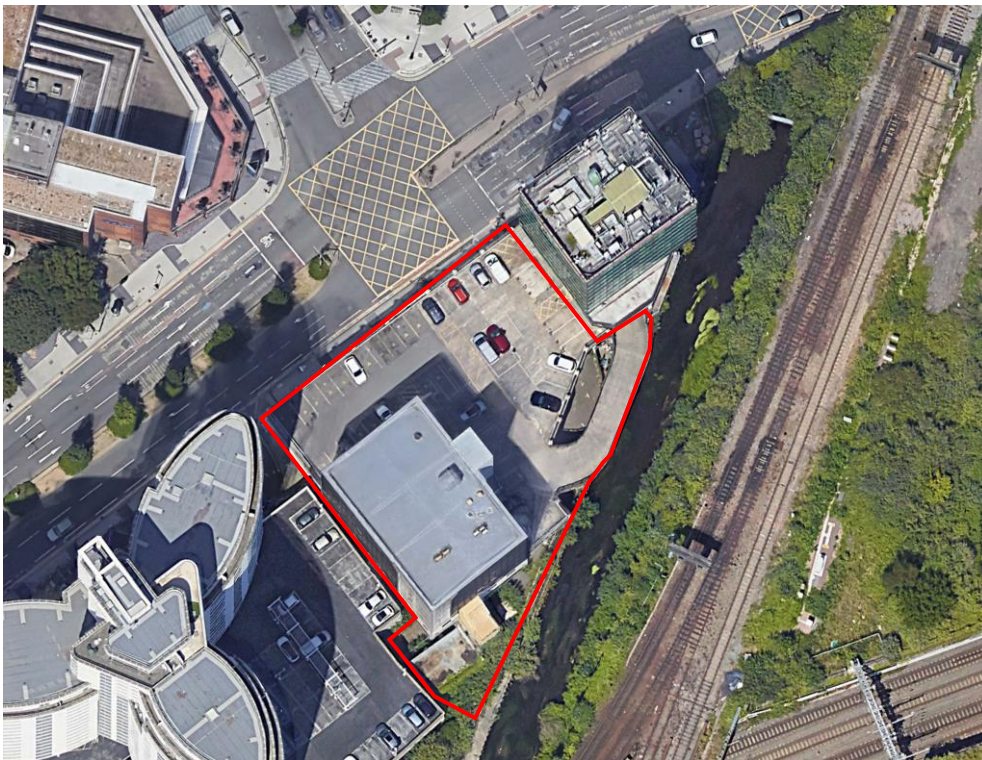
Figure 1 – site location (circled in red)



1.4

(Image courtesy of Google Earth)

Figure 2 –work site detailed location – approximate area outlined red



(Image courtesy of Google Earth)

2 ECOLOGICAL ISSUES

In a development of this nature the ecological constraints usually revolve around bats and breeding birds. These were assessed in the PRA by Acer Ecology.

In addition, there is a section of the former Docks Feeder Canal immediately adjacent to the development site. Therefore the aquatic environment will have to be taken into account.

A summary of relevant legislation is provided at **Appendix A**.

The buildings were subject of an external inspection by a bat licensed ecologist on 5th May 2024 to assess the potential of the buildings to support bats. The assessment also aimed to identify any features that may be used by bats. The assessment was subjective and based primarily upon the buildings' structure, current use, location and the presence (or otherwise) of suitable roosting locations within them. The assessment involved a brief scan of the buildings' exterior from close range. The inspections included:

- checking the exterior of the structures for locations that appeared potentially suitable for use by bats as roosts or as access points to roosts further inside the buildings; and
- closer inspection of such locations for bats and signs of use by bats.

In addition to features of interest, evidence of bats was searched for including:

- Live and dead bats;
- Bat droppings;
- Staining below PRFs;
- Characteristic scratches;
- Smell of bats and/or droppings; and
- Noise (squeaking) made by bats.

3 RESULTS: VISUAL INSPECTION & ASSESSMENT

3.1 Constraints

The height of the multi-storey building made it difficult to get a good view of the outside of the majority of the structure.

There were no other constraints on the assessment.

3.2 Desk study

No desk study was undertaken to inform this Technical Note.

No desk study was included in the Acer Ecology PRA; this maybe because further surveys were recommended which, it could be argued, would negate the need for such a component. However, its inclusion could have proved useful when completing the site assessment and determining the need for further surveys.

3.3 Visual inspection

3.3.1 Evidence

Neither bats nor evidence of bats was observed during the survey undertaken by Acer Ecology, nor in May 2024.

3.3.2 Potential access points

The Acer Ecology PRA (section 3.2.3) identified a number of access points:

B1a

There are numerous potential access points for bats to enter the interior. Bats could gain entry through the gaps in the metal grates (see Photo 1) and ventilation gaps (see Photo 7).

B1b

There is one potential access points for bats to enter the interior. Bats could gain entry through the roof access point (see Photo 38).

B1c

There are numerous potential access points for bats to enter the interior. Bats could gain entry through the vapour control layer (see Photo 19), under slipped roof tiles (see Photos 21 and 22) and under the raised fascia (see Photo 18).

B2

There are two potential access points for bats to enter the interior. Bats could gain entry through the gap in the external wall (see Photo 28) and the broken timber door (see Photo 26).

B1d

No potential access points were recorded during the survey. The external walls are in good condition, windows and doors are fitted tightly to their frames which in turn fit tightly to their respective apertures. This has resulted in there being no gaps of sufficient size to permit bats to gain access to potential roost sites.

B3

There is one potential access point for bats to gain access to the interior. Bats could gain entry through the gap in the mesh underneath the eaves (see Photo 36).

3.3.3 Potential roost features

The Acer Ecology PRA identified a number of potential roost features:

B1a

The following potential roost features were recorded:

- PRF 1 – Gaps between external walls and door frames (see Photo 40);
- PRF 2 – Crack in rendering (see Photo 41);
- PRF 3 – Gaps behind notice board (see Photo 42);
- PRF 4 – Ventilation gaps (see Photo 7);
- PRF 5 – Gap underneath window frame (see Photo 43); and
- PRF 6 – Gap in rendering underneath security light (see Photo 44);

• B1b

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- The following potential roost features were recorded:
 - PRF 1 – Exposed corrugated metal sheeting (see Photo 45);
 - PRF 2 – Crevices between breezeblocks (see Photo 45);
 - PRF 3 – Missing glass panels on southern rear and western side (see Photo 14);
 - PRF 4 – Raised lead flashing (see Photo 46);
 - PRF 5 – Torn rubber coating (see Photo 47);
 - PRF 6 – Raised fascia (see Photo 47); and
 - PRF 7 – Netting (see Photo 48).

B1c

The following potential roost features were recorded:

- PRF 1 – Gap above roof in rendering (see Photo 18);
- PRF 2 – Raised fascia (see Photo 17);
- PRF 3 – Raised lead flashing (see Photo 20);
- PRF 4 – Missing roof tiles (see Photos 21 and 22);
- PRF 5 – Raised/slipped roof tiles (see Photos 21 and 22); and
- PRF 6 – Exposed vapour control layer (see Photo 19).

B1D

- There were no potential roosting features identified internally or externally.

B2

The following potential roost features were recorded:

- PRF 1 – Dense ivy coverage (see Photo 24);
- PRF 2 – Raised fascia (see Photo 23);
- PRF 3 – Raised metal trim (see Photo 39);
- PRF 4 – Gaps around door frame (see Photo 26 and 49);

B3

The following potential roosting feature was recorded:

- PRF 1 – Gap underneath the eaves (see Photo 36).

4 DISCUSSION

No suitability was ascribed in the Acer Ecology PRA to the various potential access points and potential roost features observed. The only assessment made was presented when detailing the overall suitability of each building for various broad groupings of bats as defined by their general access requirements and roosting preferences. No mention was made in the assessment of a number of features particular to the site including:

- The architectural style of the buildings and materials used. With the exception of the Porters façade, the buildings are all of concrete and glass. The sub-station is a metal box on the south side of the site with partial shade provided by some young butterfly bushes. A number of potential roost access points were noted, but with no assessment of the materials at those locations e.g. the hole under the windowsill of B1a – the windowsill is metallic and is therefore much less likely to be used by bats.
- The construction methodologies of the multi-storey buildings. Cast and poured concrete methodologies result in very few opportunities for bats.
- The overall levels of disturbance associated with the buildings (use as a school, bar, pumphouse and storage etc.). While the use has ceased within the last four weeks, it is likely that bats will have started using the building for roosting purposes since the use ceased. The use of the areas to the rear of Porters Bar for outdoor seating at night would likely have resulted in high levels of noise and light.
- Location – Harlech Court is located in a city centre location. With the exception of the very short section of Dock Feeder Canal and the railways to the south of the buildings, there is no natural vegetation in the vicinity. This provides extremely poor bat foraging habitat. Bats may, however, utilise the railway corridors for dispersal and commuting purposes.
- Lighting - the site is in an urban location and is surrounded by lights. The buildings are themselves subject of security lights which, the author is informed, are on during all periods of darkness, are not on timers and are not fitted with any baffles or shields. Until recently, the area to the rear of Porters Bar was used for outdoor seating and therefore lit at night.
- Bird netting - the rear elevations of the building below the podium parking level are netted (Plate 18) to prevent birds accessing potential roosting locations on the building. While bats are small enough to fly through the holes in such nets, it is more likely that they would be caught and tangled in them.
- Predators – gulls are known to predate bats. The presence of large numbers of gulls were observed in the vicinity of Harlech Court. Gull nests were observed on the roof of the multi-storey section of the building (Plate 19) and within the wall cavities around the missing glass panel on the building's southern elevation. The presence of an outdoor bar and dining area would have only encouraged their presence. The numbers of such predators would likely discourage bats from using the area.
- Pigeons were also noted to be using the buildings for nesting and roosting purposes. While pigeons are unlikely to predate bats, their presence may cause disturbance at the potential roost entrances noted.
- The pumphouse contains machinery which is running 24 hours a day emitting high frequency white noise. While bats may become habituated to the noise, it is perhaps less likely that they would choose to roost in such a building.

- The vegetation around the pumphouse building is very dense and bats are unlikely to be able to fly through it (the author could not get through it to observe the rear and side elevations). The ivy on the walls is thin stemmed and dense leaved, resulting in a likely barrier to bats rather than sheltering a roost access point.

The Acer Ecology PRA provided assessment of potential summer roosts by groupings of bats based on roost preferences (crevices, voids etc.) and size. No connection between species and tolerances to anthropomorphic features, particularly lighting and noise, was made. For example, horseshoe and *Myotis* species bats are known to be particularly intolerant of lighting and will generally avoid lit areas wherever possible. Again, the presence of a well-lit, noisy bar and dining area would be likely to put these species off.

The presence of a hole in the metallic grill over a ventilation screen in the front of the Porters façade could indeed provide a roost access point; however, during the May 2024 site visit, access was possible to the internal areas of the building where it was observed that the grill fronts an (either steel or aluminium) air conditioning duct, unsuitable for use by bats. Bute Terrace is also a well-lit and busy four lane road opposite a road junction.

5 CONCLUSION

The buildings provide only a limited number of potential roosting opportunities. There are also a large number of factors which would go against the buildings being used by bats.

Taken together, this would result in the building being classified as being of a negligible to low potential to and for roosting bats.

In addition, the ability to undertake an accurate emergence survey of the buildings would appear to be generally low, given the height of the multi-storey section and the amount of vegetation around the lower levels

6 RECOMMENDATIONS

It is recommended that:

1. The building is demolished in strict accordance with a method statement to ensure that in the unlikely event of numbers of any species of bats being found in any of the buildings, they can be kept safe from harm;
2. The demolition will take place under the supervision of a suitably licensed and experienced ecologist to ensure compliance with the method statement;
3. The demolition, currently scheduled for September, will avoid the main maternity season and the breeding bird season. Working at other times is possible, but it is likely that breeding birds will be present. Any in-use nest of any bird species must be retained *in situ* until such time as it has been vacated naturally and all young have reached independence.
4. In the event that bats are found, all relevant works will cease and not resume until Natural Resources Wales has been consulted. It is likely that a development licence would be required prior to any resumption of work. Mitigation would be required, the extent of which can only be determined in light of the findings and consultation.

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5. The use of such a method statement would ensure the protection of birds and other protected species;
 6. The un-culverted section of Dock Feeder Canal should be protected from pollution incidents during the demolition and subsequent re-development of the site; and
 7. The final development should include features designed to enhance biodiversity, including bats. These features can only be determined on completion of final design proposals.

6.1 GENERAL

General requirements:

- 1) All site personnel will be made aware of the potential for bats and protected species to be present on the site and what to do in the event that a bat or bat roost is found.

TECHNICAL NOTE

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Date 19.06.2024

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APPENDIX A – PHOTOS

Plate 1 – multi storey building (north elevation)

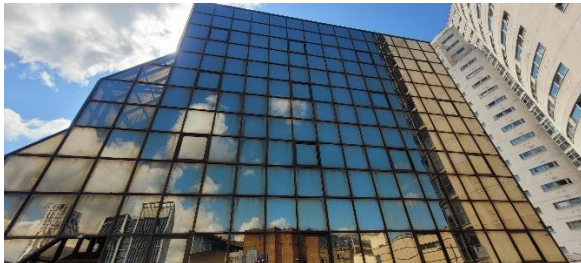


Plate 2 - multi storey building (west elevation)

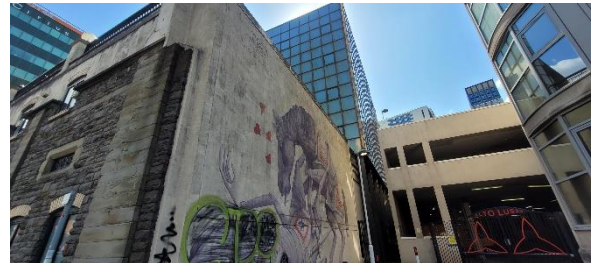


Plate 3 - multi storey building (south elevation)



Plate 4 - multi storey building (east elevation)

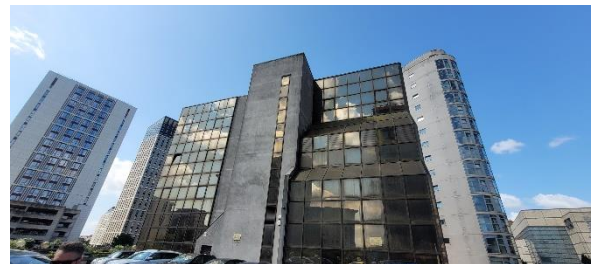


Plate 5 – Porters Bar front elevation (eastern end)

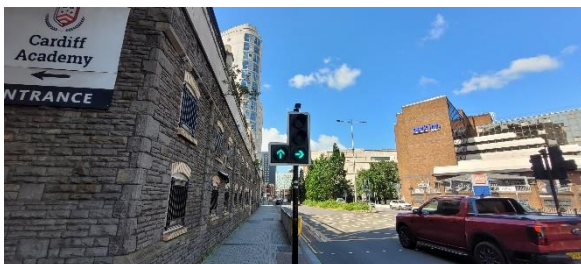


Plate 6 – ventilation grill on Porters front elevation



Plate 7 - Porters Bar front elevation (western end)

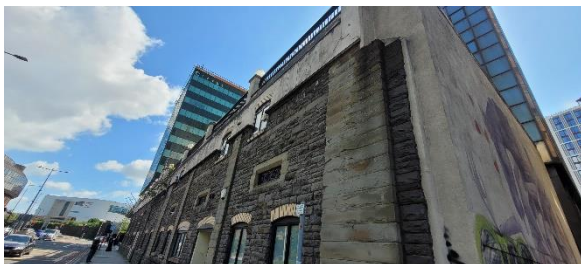


Plate 8 – sub-station building



TECHNICAL NOTE

Subject Commentary on a Preliminary Roost Assessment of Harlech
Court Assessment in Respect of Bats

Date 19.06.2024

Plate 9 – Pumphouse (damaged fascia)



Plate 10 – Multi-storey lower floor (entrance ramp)



Plate 11 - Multi-storey lower floors (entrance to school)



Plate 12 - Multi-storey lower floor (bar and dining area)



Plate 13 – classroom & storage



Plate 14 – flat roof of multi-storey building



Plate 15 – Missing panel on south elevation

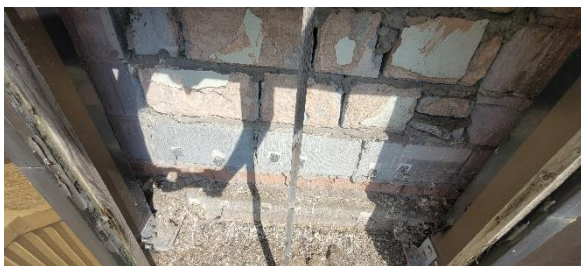


Plate 16 – Interior of pumphouse



Plate 17 – Lean to on east side of multi-storey building



Plate 18 - Anti-bird netting



TECHNICAL NOTE

Subject Commentary on a Preliminary Roost Assessment of Harlech
Court Assessment in Respect of Bats

Date 19.06.2024

Plate 19 – gulls nest on flat roof



TECHNICAL NOTE

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APPENDIX B – LEGISLATION

CONSERVATION OF HABITATS AND SPECIES (AMENDMENT) (EU EXIT) REGULATIONS 2019

Prior to the 31st January 2020, European Union legislation required that member states designate sites for the protection of habitats and species included in the annexes of both Council Directive 92/43/EC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the Habitats Directive) and Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). This legislation was implemented in the UK by the Conservation of Habitats and Species Regulations 2017 (“the Habitat Regulations”). This results in sites being designated as Special Areas of Conservation (SACs) and Special Protection Areas respectively (SPAs).

Following the UK’s exit from the European Union on 31st January 2020, the law responsible for continuing to implement this legislation through the transition period is The Conservation of Habitats and Species (Amendment) (EU EXIT) Regulations 2019. All legislation within the Conservation of Habitats and Species Regulation 2017 still apply within the UK under the amendment to the 2017 regulations until otherwise notified.

Working in protected sites or disturbing protected species is possible as long as consent has been issued by Natural Resources Wales (NRW).

It is possible to undertake damaging activities under the auspices of a Protected Species Licence issued by NRW which provides a derogation from the Regulations, meaning that an otherwise illegal operation carried out under licence is lawful.

WILDLIFE & COUNTRYSIDE ACT 1981

The Wildlife & Countryside Act 1981 (as amended) is the legislation for England and Wales for nature conservation, making it an offence to:

- Intentionally or recklessly disturb, kill or injure a bat either in or out of a place of shelter (roost);
- Intentionally or recklessly obstruct access to a roost or otherwise disturb it; and
- Intentionally or recklessly damage or destroy a roost.

The legislation also protects all birds, their nests and eggs, and it is an offence to:

- Intentionally kill, injure or take a wild bird;
- Intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built; and
- Intentionally take or destroy the egg of any wild bird.

In addition, birds listed on Schedule 1 of the Act, such as the red kite (*Milvus milvus*), are afforded further protection, and it is an offence to:

- Intentionally or recklessly disturb the bird whilst nest building or while at (or near) a nest with eggs or young; and
- Disturb the dependant young of such a bird.

THE ENVIRONMENT (WALES) ACT, 2016

The Environment (Wales) Act 2016 requires that all public authorities, when carrying out their functions in Wales, seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”.

This ensures that biodiversity is an integral part of the decisions that public authorities take in relation to Wales. It also links biodiversity with the long-term health and functioning of our ecosystems, therefore helping to align the biodiversity duty with the framework for sustainable natural resource management provided in the Act.

In Wales, this legislation replaces and enhances the Natural Environment and Rural Communities Act (2006) which sought to raise the profile of biodiversity and to make sure that it is considered in all local authority decisions by ensuring that “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”.

Other elements of NERC 2006 may still apply.

THE WELLBEING OF FUTURE GENERATIONS ACT 2015

The Wellbeing of Future Generations Act became law in April 2015 and is concerned with improving the social, economic, environmental and cultural well-being of Wales.

It will make the public bodies in Wales listed in the Act think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach.

To help public bodies achieve the same vision, the Act puts in place seven well-being goals. Linked to the goals a set of National Indicators are currently under development to help measure whether we are achieving the goals including the Resilient Wales goal.

Resilient Wales' goal

'A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).'

The Well-being of Future Generations Act recognises the importance of nature and its biodiversity. The resilient Wales' goal will help with nature recovery objectives in Wales.

The Act establishes a statutory Future Generations Commissioner for Wales to support the public bodies listed in the Act to work towards achieving the well-being goals.

The Act also establishes Public Services Boards (PSBs) for each local authority area in Wales. PSBs are tasked with improving the economic, social, environmental and cultural well-being of its area by working to achieve the well-being goals.

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