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ECOLOGICAL IMPACT ASSESSMENT REPORT

**TY CAMBRIA, 29 NEWPORT RD, CARDIFF
CF24 0TP**

RHOMCO

Document Ref: WWE26121 REV A | 05/08/2026

Client:	Rhomco
Site/Job:	Ty Cambria, 29 Newport Rd, Cardiff CF24 0TP
Report title:	Ecological Impact Assessment Report
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Grid Reference:	ST 19055 76830
Survey date(s):	PRA: 03/09/2025
Surveyed by:	Shannon Phillips, Beth Lewis

VERSIONING AND QUALITY ASSURANCE

Status	Date	Author	Reviewed by	Approved by
REV A	06/08/2026	Beth Lewis ACIEEM Consultant Ecologist Shannon Phillips ACIEEM Consultant Ecologist	Misho Baxendale MCIEEM Principal Ecologist	Misho Baxendale MCIEEM Principal Ecologist

DISCLAIMER

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The evidence which we have prepared and provided is true and has been prepared and provided in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

Purpose
Wildwood Ecology was commissioned by Rhomco (the client) to undertake an Ecological Impact Assessment (EclA) at Ty Cambria, 29 Newport Rd, Cardiff, CF24 0TP. The site is subject to a pre-application submission and subsequent full planning application for demolition and replacement with a Purpose-Built Student Accommodation (PBSA) scheme.
Work undertaken
A Preliminary Ecological Appraisal (PEA) was undertaken, consisting of a desk study and a Preliminary Roost Assessment survey of the onsite building, carried out in September 2025, following the Chartered Institute of Ecology and Environmental Management (CIEEM) Preliminary Ecological Appraisal (2017) guidelines. A Preliminary Roost Assessment (PRA) was undertaken at the onsite building, consisting of a desk study and field survey carried out on 03/09/2025 following best practice in line with the Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edn. (Collins 2023). The onsite structure contained to features with potential for roosting bats, though these were classified as highly suboptimal, and the overall building was assessed as having negligible suitability for roosting bats. Therefore, no bat emergence surveys were considered necessary.
Impacts and Effects
Due to the proposed works, it is likely that in the absence of mitigation there will be adverse effects on the following ecological features: • foraging and commuting bats; • nesting birds; and • individual mature and immature urban street trees. With proposed mitigation in place there are no expected impacts on the ecological features identified.
Recommendations Compensation and Enhancements
Mitigation measures during the demolition phase of the proposed development are required as follows: • pre-works check by a suitably qualified ecologist with an endoscope, of Potential Roost Features 1 and 2, to determine bat presence/absence prior to removal. Ideally, the pre-works inspection would be undertaken within the bat active season between May- September; • it is recommended that a BS5837 tree survey is undertaken and an Arboricultural Method Statement produced by a suitably qualified arboriculturist, to demonstrate the feasibility of retaining adjacent street trees and how the above-ground and below-ground structures of the trees will be protected throughout the demolition and construction phases of work, with Arboricultural Clerk of Works where deemed necessary;

¹ CIEEM (2019). *Advice Note: On the Lifespan of Ecological Reports and Surveys*. Chartered Institute for Ecology and Environmental Management, Winchester.

- should demolition take place in nesting bird season (March to August), a nesting bird check will be required (with particular consideration given to roof nesting species e.g. gulls);
- no night-time working; and
- any excavations not to be left open overnight, alternatively covered and with a shallow slanted ramp to provide a means of escape to any trapped wildlife.

Mitigation measures during the operational phase of the proposed development are required as follows:

- sensitive lighting strategy by an ecologist; and
- habitat management plan.

Conclusions

Providing that the recommendations outlined in this report are implemented in full, the proposed development will adequately mitigate, compensate, and enhance the protected, priority and notable habitats and species within and adjacent to the site.

This report will remain valid for a maximum period of 18 months from the date of the last survey¹ - i.e. until 03/03/2027. In the case of certain exceptions, data may only be valid for 12 months, examples include:

- where a site may support existing or new features which could be used by mobile species, such as bats and birds, within a short timeframe;
- where bats and birds were present onsite or in the wider area, and can create new features of relevance to the assessment; and
- where country-specific or species-specific guidance dictates otherwise.

Further surveys may be required to update the site information if planning is not obtained, or works do not commence within this time period.

¹ CIEEM (2019). *Advice Note: On the Lifespan of Ecological Reports and Surveys*. Chartered Institute for Ecology and Environmental Management, Winchester.

1 INTRODUCTION

- 1.1 Wildwood Ecology was commissioned by Rhomco (the client) to undertake an Ecological Impact Assessment (EclA) at Ty Cambria, 29 Newport Rd, Cardiff CF24 0TP (the site), centred at grid reference: ST 19055 76830.
- 1.2 This report has been written in cognisance of the CIEEM Guidelines on: Ecological Report Writing and Ecological Impact Assessment, with full survey methodology provided in the appendices.

Site description

- 1.3 The aerial image of the site (Figure 1) showed that the site consisted of a multi-storey building formerly used as offices. The site was situated in the centre of the city of Cardiff and was bordered by mature and immature urban street trees (outside of the site boundary).



Figure 1 - Aerial image of the site. Red line shows the site boundary. Image used under licence (@2025 Google). Figure created: 30/07/2026.

Proposed development

- 1.4 The building is proposed for demolition and will be subject to a pre-application submission and subsequent full planning application for demolition of the current building and replacement with a Purpose-Built Student Accommodation (PBSA) scheme.

Data collected

- 1.5 Data from the following sources was used to inform this report:
 - Desk study undertaken on 03/09/2025 including:

- *South-East Wales Biodiversity Records Centre (SEWBReC)*; and
- Multi-Agency Geographic Information for the Countryside (MAGIC).
- Preliminary Roost Assessment (PRA) survey undertaken on 03/09/2025.
- No further surveys were carried out.

1.6 Full information on the data sets and search buffers used can be found in the appendices.

Purpose of this report

- 1.7 The purpose of this report is to provide sufficient information for the local planning authority to fully assess the ecological impacts of the proposed development.
- 1.8 Key objectives are to identify:
- the likely ecological constraints associated with the proposed development;
 - mitigation measures likely to be required, following the 'Mitigation Hierarchy'; and
 - opportunities for the proposed development to deliver ecological enhancement.

Limitations and assumptions

- 1.9 The following limitations relevant to this assessment were noted:
- 1.10 A visual inspection of the exterior of the building was limited due to the height of the building. Scaffolding had already been erected onto the eastern front that was inaccessible during the current survey, also restricting external inspection of this section of the building. However, as these areas were of the same age and construction as the rest of the building, which was found to offer negligible suitability for roosting bats, this limitation is not considered a serious constraint.
- 1.11 In addition, the netting surrounding the scaffolding would likely exclude bats and birds from the building, meaning that any features present would not be accessible by roosting bats or nesting birds.
- 1.12 Access to the highest roof was not possible due to safety concerns regarding the ladder. This is not considered a serious constraint as the construction of the building was visible and a potential roosting feature on this section of the building was noted from the lower roof.
- 1.13 No other limitations were encountered, or assumptions made during either the desk study or the field survey and it is considered that with the access gained and recording undertaken an accurate assessment of the site's ecological importance has been made.

2 RESULTS

Links to the surrounding landscape

2.1 The site had negligible connectivity to the surrounding landscape, with limited scattered trees. The wider landscape as urban, comprising residential and commercial properties. Several streetlights were present on the roads surrounding the structure and the surrounding roads were tree-lined. The wider landscape was therefore considered to be of low suitability for light-averse roosting bats.

Desk study

Designated sites

2.2 There were two internationally designated statutory sites (Special Areas of Conservation (SAC), Special Protections Areas (SPA), and RAMSAR sites) requiring special consideration within 10km:

- Severn Estuary SAC/SPA/RAMSAR was 4km to the south; and
- Cardiff Beech Woods SAC was 8.2km north.

2.3 One nationally designated statutory site was identified within 2km: Penylan Quarry Site of Special Scientific Interest (SSSI), located approximately 2km to the north-east.

2.4 There was one non-statutory site within 1km of the site: Blackweir & Dock Feeder Site of Importance for Nature Conservation (SINC) 584m north-west.

Light pollution

2.5 The site was in an urban area with moderate to high levels of light pollution (VIIRS Data Base, 2024).

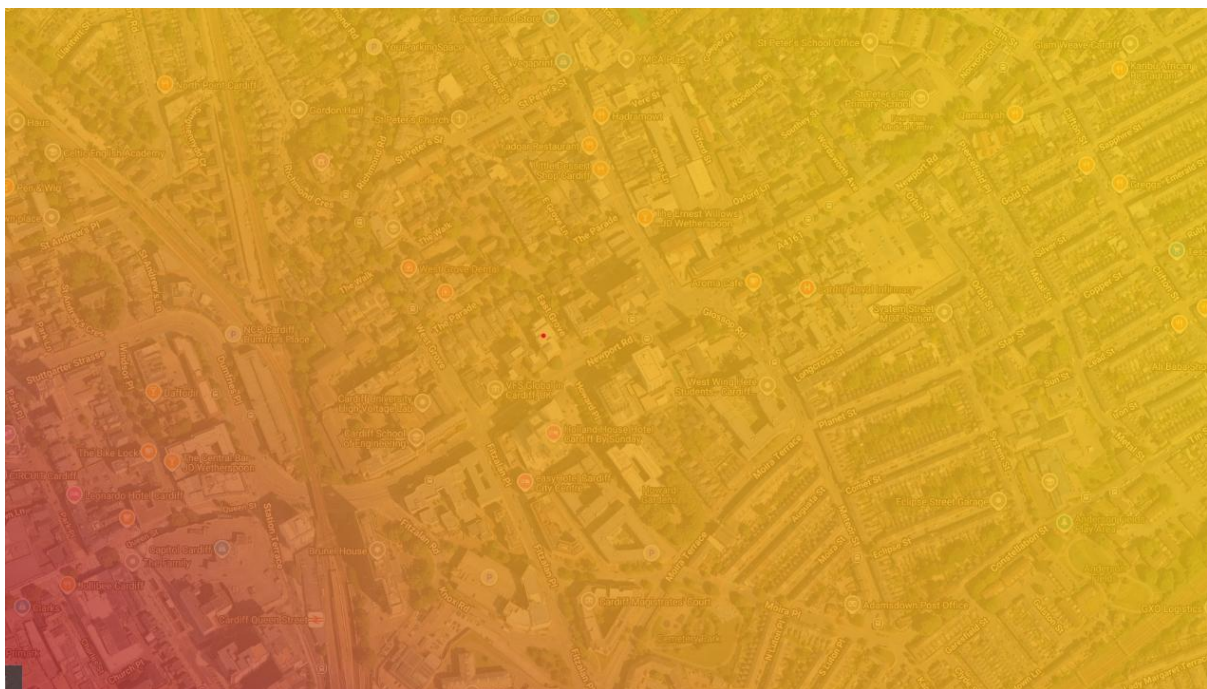


Figure 2 - Light pollution map with red dot indicating the site. Created 30/07/2026.

Habitat Regulations Assessment (HRA) Screening

- 2.6 The site was situated within the zone of influence (Zol) of two international designated sites (Severn Estuary SAC and Cardiff Beech Woods SAC).
- 2.7 Due to the proposed construction of new student accommodation, there could be an increase in recreational impacts to the nearby SACs resulting in visitors from the new dwellings to the SACs which, in combination with other developments within the Zol, could result in an adverse effect on the integrity of the SAC. The River Severn in particular is vulnerable to recreational impacts as a result of disturbance to breeding wetland bird populations from dog walkers and visitors to the SAC. The Zol for the Severn Estuary has been identified as 12.6km from visitor surveys.
- 2.8 That said, given that the development is for a PBSA and that students may be more reliable on public transport, the distance to the SAC may be a greater barrier to recreational impacts, reducing the need for a HRA.
- 2.9 Engagement with Natural Resources Wales may be required to determine the need for an HRA and options for mitigation.

Priority and notable habitats

- 2.10 There were no priority habitats, including ancient woodland, within or adjacent to site.

Priority and protected species

- 2.11 87 bat records within 2km from the past 10 years were returned from the South East Wales Biodiversity Records Centre (SEWBReC). This includes 13 roost records, including two maternity roosts for soprano and common pipistrelle. The nearest bat roost was a pipistrelle day roost recorded 220m from the site.
- 2.12 The local records centre returned 33 records of Schedule 1 bird species within 2km from the past 10 years. Of these, peregrine, black redstart and barn owl are species known to habitually nest in buildings and roof spaces.

Field survey – Preliminary Roost Assessment

2.13 A PRA survey was undertaken at the site on 03/09/2025, led by Shannon Phillips ACIEEM Consultant Ecologist and Beth Lewis ACIEEM Consultant Ecologist. Survey details can be found in Table 1.

Table 1 - Field survey timings and conditions.

Date	Weather conditions			
	Temp [°C]	Cloud cover [Oktas]	Wind speed [Beaufort scale]	Rain
03/09/2025	16	3/8	3	Intermittent drizzle

2.14 Descriptions of the structure surveyed during the PRA are summarised in Table 2. Structure locations can be seen in Figure 3.

Table 2 - Structures surveyed during the PRA.

Structure reference	Building description	Development plans
A	The structure was a multi-storey building formerly used as offices. The exterior as comprised of concrete panels. No cracks within concrete panels were identified and mortar was in good condition. There were numerous windows on each floor and elevation, these were in metal frames, which were flush to the external walls. Netted scaffolding was present on the eastern side of the building during the survey, limiting access to and inspection of this section. The netting may also prevent and restrict bats from entering or leaving any roosting features, if present. However, as noted in the constraints section, this area was of the same age and construction as the rest of the building, which offered negligible roosting suitability, so this limitation is not considered significant. A ground level car park was present to the northeast of the structure. This was open to the elements – the lower section walls were comprised of brick and mortar, and the top section was barred metal fencing. A large metal shutter door was present on the northern elevation of the building. The walls and ceilings of the car park were well sealed with no features present to support roosting bats. Netting covered the ceiling of the car park to prevent birds from nesting. No potential access points into the interior were identified. The roof structures were flat and comprised of bitumen felt. The roof of the structure at the top of the building had lead flashing.	Demolition and redevelopment



Figure 3 - Structure locations and suitability for roosting bats

2.15 Survey results, including the suitability the structure for roosting bats and a description of potential roost features, can be found in Table 3.

Table 3 – Structure information and survey results.

Structure reference	Suitability for bats	Hibernation suitability	Potential roost features and evidence of use identified
A	Negligible	Negligible	The building was assessed as having negligible suitability for roosting bats. The only potential roosting features identified were raised lead flashing on the top roof (PRF1 and PRF 2, see appendix V for photographs). These features were considered sub-optimal and unlikely to provide sufficient depth, shelter, protection, or thermal stability to function as a permanent roosting feature. The opening of the gap was measured at approximately 1cm – 2cm which is considered unlikely to be used by bats except opportunistically by small crevice-dwelling species such as common and soprano pipistrelle. The structure was therefore not thought to offer features likely to be used by roosting bats on a regular basis or to support a roost of high conservation concern. The building was also not considered suitable for bat swarming, due to the limited number of suitable features, its relatively low height, and the presence of taller surrounding buildings that were likely to offer more appropriate swarming opportunities. The building had negligible suitability for hibernating bats. The basement level was exposed to the elements, and the ceiling was fully sealed.

2.16 Adjacent habitat features were not likely to be used by foraging and commuting bats due to the lack of connectivity i.e., the trees adjacent to the building were not connected to any treelines or woodland.

Ground Level Tree Assessment (GLTA)

2.17 The trees adjacent to the site were not assessed for their suitability for roosting bats, as it was understood from the current plans that they are to be retained. However, indirect impacts during demolition and construction could affect bat roosts if they were present in retained trees (e.g. vibration, noise, lighting, dust deposition). A GLTA may be required prior to demolition to assess the trees' suitability for roosting bats. Depending on the outcome of this assessment, further bat surveys may be required.

3 IMPACTS AND EFFECTS

- 3.1 The following discussion and assessment are provided to ensure compliance with legislation and planning policy (see Appendices).

Impacts of the proposed development

- 3.2 The proposed development will result in the demolition of Building A and the construction of a new 23-storey student accommodation building.
- 3.3 Due to the proposed works, it is likely that in the absence of mitigation there will be adverse effects on the following designated sites, habitats, and species:
- individual roosting bats;
 - foraging and commuting bats;
 - nesting birds; and
 - individual mature and immature urban street trees.
- 3.4 A summary of impacts and effects can be found in Table 4.

Table 4 - Summary of potential impacts

Ecological feature	Potential impacts and effects	Cause of impact	When will impacts occur?
Roosting bats	Killing / injury of a bat opportunistically using Potential Roost Features PRF 1 or PRF 2, destruction of a roost.	Removal of lead flashing	Demolition phase
Foraging and commuting bats	Increased light levels	Additional lighting	Construction phase / Operational phase
Breeding birds possibly nesting onsite	Destruction of an active nest	Demolition	Demolition phase
Mature urban street trees	Damage to above-ground and below-ground structures of the trees	Physical damage to stem and branch structures due to use of heavy machinery near retained trees, compaction of root environment, contamination of soil by chemicals and fuel, dust deposition on leaves.	Demolition / Construction phase

4 RECOMMENDATIONS, COMPENSATION AND ENHANCEMENTS

- 4.1 No significant impacts or effects on important ecological features are anticipated to result from the proposed development. Consequently, no further recommendations or compensatory measures are proposed.
- 4.2 Due to these resulting impacts and effects, the following recommendations and/or compensation measures are suggested:

Recommendations / compensation measures

Designated sites

- 4.3 Designated sites in the vicinity of the site were sufficiently well separated so that no impacts on their designated features were anticipated as a result of the proposed development, **in-line with core policy 23 of Cardiff Local Plan.**

Priority habitats

- 4.4 In the absence of mitigation, the proposed development could impact on the retained mature street trees during demolition and construction. It is recommended that a BS5837 tree survey is undertaken and an Arboricultural Method Statement produced by a suitably qualified arboriculturist, to demonstrate the feasibility of retaining adjacent street trees and how the above-ground and below-ground structures of the trees will be protected throughout the demolition and construction phases of work, with Arboricultural Clerk of Works where deemed necessary;
- 4.5 The proposed development will not likely impact any other habitats.

Bats

- 4.6 Due to the sub-optimal suitability of Features 1 and 2 to support bats, a pre-works inspection by a suitably qualified ecologist with an endoscope is thought proportionate to determine bat presence/absence prior to removal. Ideally, the pre works inspection would be undertaken within the bat active season between May- September.
- 4.7 Features (e.g. lead flashing) will be soft-stripped by hand and checked for bats prior to demolition.
- 4.8 **If a bat, or evidence of bats, is found during the pre-works assessment, works must cease immediately and an ecologist should be contacted. A European Protected Species Licence (EPSL) from Natural Resources Wales (NRW) would then be required before works can proceed.**
- 4.9 All UK bats are nocturnal species, and some species are light-averse (horseshoe bats, brown long-eared and Myotis particularly so). Artificial lighting of foraging and commuting routes is known to act as a barrier to bats and fragment otherwise suitable habitats, causing a negative impact on their local populations. Although some or all of the above listed light-averse species were not observed to commute at and around the site, it is still prudent to reduce as much additional light spill as possible to avoid impacting upon any, if any, foraging and commuting bats that might be present.

- 4.10 As areas of the site will require new lighting, a sensitive lighting plan will be produced, demonstrating consideration for bats with dark flight lines retained to ensure the proposed development would not have a detrimental effect on bats commuting/ foraging along nearby habitat. The external works for the proposed development will be undertaken during daylight hours only.
- 4.11 Suggestions for mitigating the light impact on bats are outlined in Guidance Note 08/23 - 'Bats and artificial lighting in the UK; Bats and the built environment series' (The Bat Conservation Trust, BCT, and the Institution of Lighting Professionals, ILP). These are summarised in the appendices.

Birds

- 4.12 If buildings or habitats suitable for nesting birds are to be removed, then works will take place outside of the bird nesting season. In the event that clearance work has to be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a nesting bird check will be required; carried out by a suitably qualified person. Active nests will be protected by a suitable buffer, as directed by the ecologist, until the young have fledged, as confirmed by the ecologist.
- 4.13 The roof provided good nesting habitat for gull species; therefore, deterrents e.g. netting and spikes must not be installed on the new building.

Hedgehog/other small mammals

- 4.14 Following demolition, during the construction of the new building, there could be impacts on hedgehog or urban fox.
- 4.15 Any excavations should be covered overnight or fitted with a ramp to allow any trapped wildlife to escape and pipes will be capped. Any onsite chemicals are to be properly stored away within a locked shed/ building overnight to avoid any spillage.

Enhancements

- 4.16 Local authorities have a duty to seek to maintain **and enhance** biodiversity in the exercise of their functions.
- 4.17 Native species of local provenance, or ornamental species with known wildlife value, shall be used for all new planting on site. Artificial turf shall not be used in any circumstances, as it adversely affects ecological value, and does not support habitat creation or biodiversity enhancement.
- 4.18 Further onsite habitat retention, creation or enhancement may be required as part of the required net benefit for biodiversity (NBB):
- Ensure light spill is effectively managed in onsite and offsite habitat in order to for nocturnal species (such as badger and bats).
 - Where possible, any offsite habitat creation occurs within the B-Lines initiative, a nationwide network of 'pollinator pathways' aimed at ensuring pollinator populations do not face adverse impacts resultant from habitat fragmentation.

- Use of native species of local provenance and avoidance of non-native species in any planting areas.
- Should plans change and any trees need to be removed, they will be replaced at a ratio of at least 3:1 in line with Planning Policy Wales – Ed. 12.
- Incorporation of a well-designed SuDS (Sustainable Drainage Systems), such as rain gardens or green roofs.

4.19 The proposed development plans indicate several areas within the new building that could incorporate the following habitat creation.

- First floor:
 - Wildflower planting – Sedum supply ‘wildflower seeds for green roofs’, or equivalent UK mix if this particular brand is not available, will be used;
- Seventh floor:
 - Multi-stem trees – naturally compact species that tolerate shallow planting, high winds and urban pollution – common hazel, common hornbeam, field maple, and silver birch.
 - Shrubs (native species or ornamental species of known wildlife value) – provide year-round shelter and sustenance for insects, birds etc – barberry, dwarf juniper, elder, guelder rose, heather, honeysuckle, and lavender.
 - Herbaceous perennials:
 - low growing – selfheal, biting stonecrop, bird’s-foot trefoil, sea campion, and thyme; and
 - upright and mid-height – viper’s bugloss, kidney vetch, oxeye daisy, small scabious, yarrow,
- 15th floor:
 - Shrubs – as above;
 - Native hedgerow – compact, tough and wind-tolerant species - dog rose or guelder rose (c.15%), field maple (c.20%), hawthorn (c.50%), and hazel (c.15%);
 - Wildflower planting – as above; and
 - Insect posts and bee hotels.
- 23rd floor:
 - Shrubs – as above; and
 - Herbaceous perennials – as above.

4.20 Insect posts and bee hotels will be incorporated into each floor with habitat creation (they must be placed at 1 to 1.5 from the ground onto stable wall, fence post or tree, ideally on a south/south-east aspect, and be within 100 to 300 metres of flowering plants). Solitary bees have a short foraging range and prefer food sources close to their nests;

4.21 A SuDS scheme can be a tool for enhancing local biodiversity and supporting wildlife, and contribute to Net Benefit to Biodiversity (NBB) and Green Infrastructure (GI) by:

- Enhancing existing habitats and species in the local area;
- Providing multi-functional green infrastructure;
- Helping to delivering local biodiversity objectives;
- Connecting habitats, thereby supporting wider ecosystem resilience and climate change adaptability; and
- Creating new, diverse, self-sustaining local ecosystems.
- Examples of SuDS features could include green roofs, ponds, rain gardens, bioretention areas, filter strips, swales, attenuation basins and wetlands.

4.22 SuDS will consider the species that may already be present on or near a site and existing habitats such as woodland, scrub, or grassland will be retained or created to provide refuge for wildlife. Including flowering native species will encourage pollinators, which will in turn provide a food source for birds, bats and other small mammals.

4.23 Additionally, ongoing management of SuDS is likely to be required, with wildlife as a key objective. A Habitat Management Plan may be needed to detail maintenance actions with consideration for any protected species and habitats on site. Further information and guidance regarding SuDS and biodiversity can be found at:

- https://www.susdrain.org/delivering-suds/using-suds/benefits-of-suds/Biodiversity_and_ecology
- <https://www.wwt.org.uk/uploads/documents/2019-07-22/1563785657-wwt-rspb-sustainable-drainage-systems-guide.pdf>
- https://freshwaterhabitats.b-cdn.net/app/uploads/2024/01/UCL_FHT_pond_conservation_guide.pdf

4.24 A Habitat Management Plan is recommended to detail how the created habitats onsite will be managed.

4.25 Bird nesting boxes and bat roosting boxes will be incorporated within newly constructed buildings and boundary features with boxes, recommended at a rate of two per floor (NB it is not necessary that each floor has two boxes placed upon it, but that the equivalent number be applied across the development, and at a ratio of 50:50 to bat and bird boxes). Note that the total number of boxes to be installed could be reduced by the installation of boxes which support larger number of individuals (e.g. maternity roost boxes).

4.26 The following bird and bat box enhancements are recommended:

- A range of box types will be used to provide opportunities for a number of species. The following designs are recommended (or similar, if they are not available) (Suggested locations are shown in Appendix III Figures 4-7).
 - Bats – inbuilt bat boxes. E.g. Ibstock Bat Box B, Ibstock Bat Box C, Schwegler 2FR bat rube, Wildcare Integrated Eco Bat Box, Habitat bat boxes and access tiles (various faces);

- Birds - sparrows (Woodstone Sparrow Nest Box, Schwegler 1SP Sparrow Terrace, Wildcare House Sparrow Nest box);
 - Birds - swifts (S brick, Vivara Pro Woodstone Swift Box, Ibstock Swift Eco, Cambridge Swift Brick, Schwegler 1A, Schwegler 18, Schwegler 16, Schwegler 1MF); and
 - Birds - house martins and swallows (Woodstone single chamber house sparrow, Esco House Martin Nest Box, Eco Swallow Nest Bowl, Woodstone House Martin Nester, Schwegler No.9B Double House Martin Nest, Schwegler 10 Swallow Nest).
 - Integrated swift nest bricks will be installed in clusters 2-3 in the north, east and west gable ends or close under the eaves away from windows and doors, at a height of 4m+, with clear flight access and no protruding ground floor roofs such as garages. [Swift Bricks - Cheap & Easy!](#)
- 4.27 Parapets should also be installed on roof terraces, particularly where these do not form part of common or public areas, to provide shelter for gull species that are likely to nest on the building. Bird deterrent measures, such as netting or spikes, must not be used.

5 CONCLUSION

- 5.1 Providing that the requirements outlined within this report are implemented in full, the proposed development will be able to proceed and there will be no long-term effects on the designated sites, habitats and species discussed within this report.

APPENDIX I: SURVEY METHODS

PRA

The buildings within the site were subject to a PRA. This is an external and internal building inspection survey, the purpose of which is to search for bats/evidence of bats and assess the likelihood of bats being present and the need for further survey and/or mitigation.

A systematic search was made of the building and the ground, especially below suitable access points where present. Such features include window sills, windowpanes, walls, tiles, weather boarding, lead flashing, eaves, behind surfacing materials and under tiles, and other cracks and crevices that provide protection from the elements. Such features are known to be used by roosting bats.

The building inspection included searching for the following evidence of roosting bats:

- roosting bats within crevices or free-hanging;
- bat corpses e.g. on the floor, in uncovered water (header) tanks or other containers in roof voids;
- bat droppings beneath roosting features;
- feeding remains e.g. moth/butterfly Lepidoptera spp. wings and beetle Coleoptera spp. wing casings;
- scratch marks and characteristic staining from urine and/or fur oil beneath roosting features e.g. on roofing timbers and walls within roof voids;
- 'clean' gaps associated with bat roosts;
- bat-fly Nycteribiid spp. pupal cases;
- droppings, corpses, feeding remains and/or bat-fly pupal cases beneath roof insulation, which indicates use by bats before the insulation was installed; and
- clean swept floors, which may indicate evidence has been removed.

The internal building inspection included searching for the following evidence of roosting bats:

- roosting bats within crevices or free-hanging, bat corpses including in uncovered water tanks or other containers in roof voids;
- bat droppings, scratch marks or staining beneath roosting features, and 'clean' gaps associated with bat roosts;
- feeding remains e.g. moth/butterfly Lepidoptera spp. wings and beetle Coleoptera spp. wing casings;
- bat-fly Nycteribiid spp. pupal cases;
- evidence beneath roof insulation, which indicates use by bats before the insulation was installed;
- clean swept floors, which may indicate evidence has been removed;

- gaps within the structure of the building, for example: light ingress in the roof indicating access points to the outside; between the roof lining and roof covering; within the structure of walls and suitable access points to cavity or rubble-filled walls; around the structure of chimneys or within disused chimneys; and around lintels;
- suitable locations for free-hanging bats and/or night/feeding perches e.g. timber beams; and
- cool areas suitable for torpor or hibernation e.g. cellars.

The following equipment was used for the bat survey:

- elevation and baseline drawings of the building or structure;
- binoculars
- powerful torch to illuminate dark corners from the ground
- a ladder;
- collection pots and labels for corpses and droppings; and
- camera to record evidence and suitable roosting sites.

APPENDIX II: PROPOSED DEVELOPMENT PLAN

02 Amenity

2.1 Amenity Principles

The amenity strategy has been developed to support a high-quality student living environment, aligned with the requirements of Cardiff Council's Student Accommodation Supplementary Planning Guidance, including the provision of a minimum 5sqm of shared amenity space per bed within cluster flat living, dining and kitchen (LDK) areas.

Amenity is distributed vertically throughout the building, creating a series of distinct spaces that support different aspects of student life:

- **Ground floor - Active wellbeing and arrival:** A dedicated gym and active amenity offer a visible, accessible facility at the base of the building, contributing to a welcoming and activated street presence. In combination with ground floor commercial/community uses, this creates an animated relationship with Newport Road.
- **7th floor - Lifestyle and study-focused amenity:** A dedicated shared amenity level provides spaces for study, collaboration, social interaction and informal activity. External amenity at this level extends around the building perimeter, creating opportunities for outdoor study, relaxation and socialising, supported by active internal spaces.
- **Upper levels - Community and shared experience:** The uppermost amenity spaces provide a distinctive communal destination, taking advantage of the building's height and commanding views across Cardiff. These spaces are designed to foster connection, wellbeing and a sense of community, providing residents with a memorable shared experience.

The overall approach creates a balanced amenity offer that supports both individual wellbeing and collective living. A combination of cluster flat LDK provision, shared internal spaces and external amenity opportunities will establish Ty Cambria as a distinctive, values-led student residence that encourages **connection, healthy living and a strong sense of belonging.**



Internal and External Amenity
Look and Feel

6.2 Breaking Down Massing

The building form is intentionally broken down into two primary architectural orders, reflecting the building's position within the townscape.

The northern shoulder provides a transition between the larger-scale development along Newport Road and the finer grain of the neighbouring conservation area. Its architectural expression is more measured, with a consistent façade rhythm and restrained material approach.

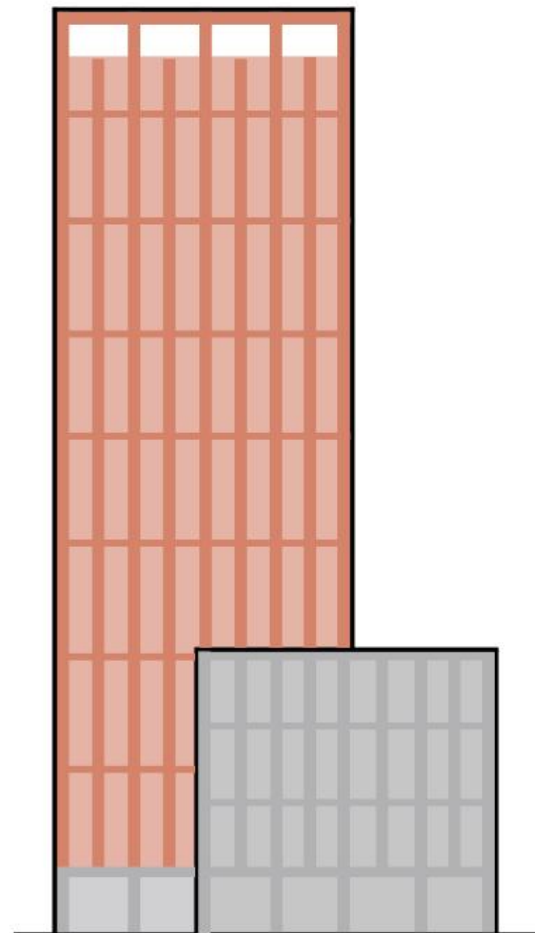
The tower element provides a vertical marker at the corner, reinforcing the importance of this location within longer views along Newport Road. The increased vertical emphasis gives the building presence while maintaining a proportionate relationship with the surrounding streetscape.

The distinction between these elements is not achieved through arbitrary changes in form, but through controlled variation in:

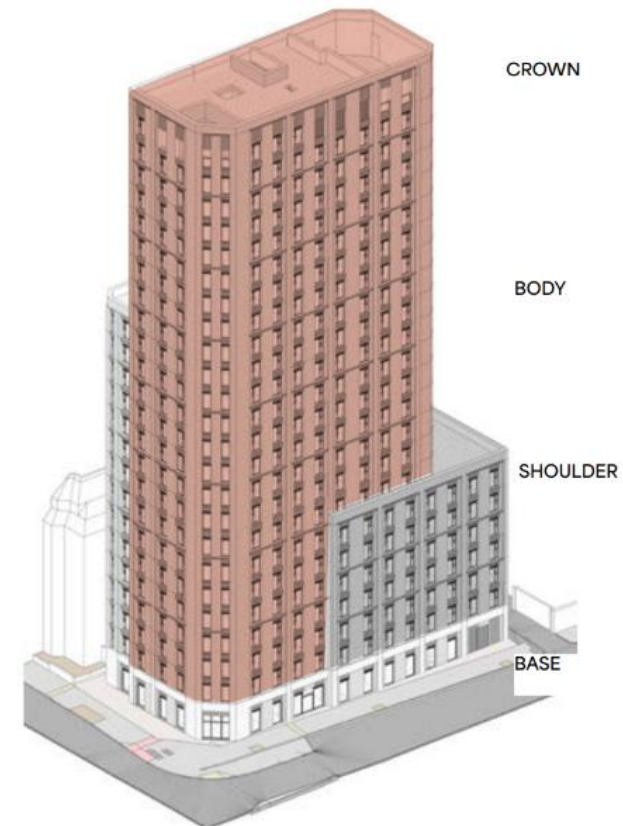
- façade rhythm;
- vertical emphasis;
- material tone;
- opening proportions; and
- corner articulation.

Together, these elements create a building that reads as a collection of carefully proportioned components rather than a single oversized volume.

The chamfered corner conditions are central to this strategy. These soften the transition between elevations, reduce perceived bulk and create moments of architectural focus. Internally, these locations provide opportunities for enhanced amenity spaces, allowing the external expression of the building to connect with the experience of occupants.



Facade Principles Diagram



Working Axonometric

6.6 Material Strategy and Contextual Response

The material strategy responds directly to the character of Newport Road and the relationship with the Tredegarville Conservation Area.

The proposed palette uses brick as the primary façade material, reflecting the established architectural character of Cardiff while providing a durable and timeless expression.

The Newport Road frontage adopts a stronger civic character through richer red brick tones and complementary detailing. This reinforces the building's principal elevation and supports its role within longer views.

The northern shoulder adopts a more restrained palette, using warmer and more muted tones to provide a softer transition towards the finer grain of the neighbouring conservation area.

Material variation is used to reinforce architectural hierarchy rather than create contrast for its own sake.

Key principles include:

- durable and robust materials appropriate for a prominent urban location;
- variation in tone to distinguish building elements;
- carefully considered detailing at junctions and corners;
- use of depth and shadow to enhance material performance.

The result is a façade that is contemporary while responding sensitively to the established architectural language of the surrounding area.



Working Elevations



Material Palette

Key

- Planning application boundary
- Grand design
- Woolfson Institute

Scale

0m 1m 2m 3m 4m

R.B.I.A.

www.rbi.a.co.uk

Project
171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 78

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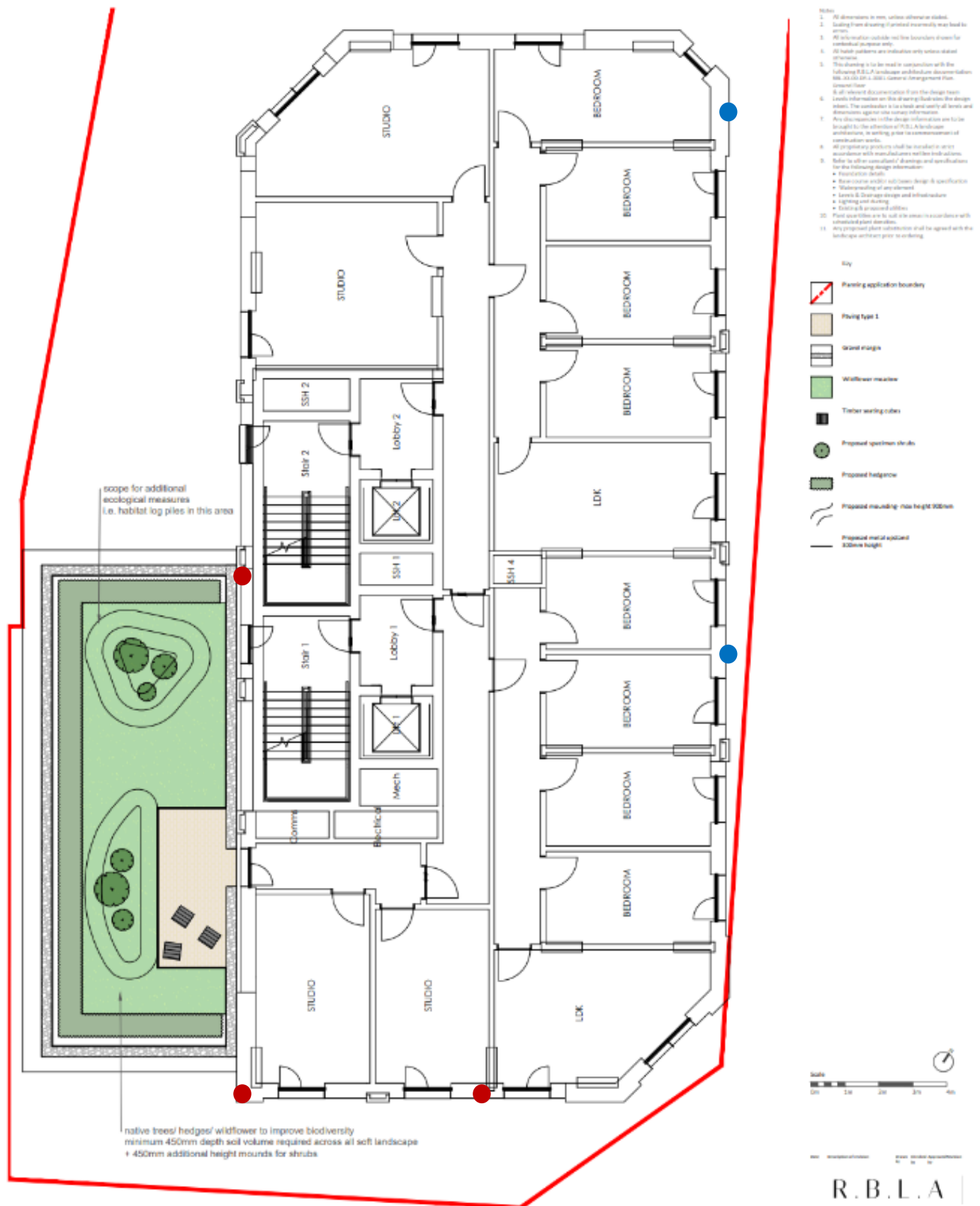


Figure 6 - 15th floor. Red circles – inbuilt bat box. Blue circles – cluster of inbuilt swift boxes

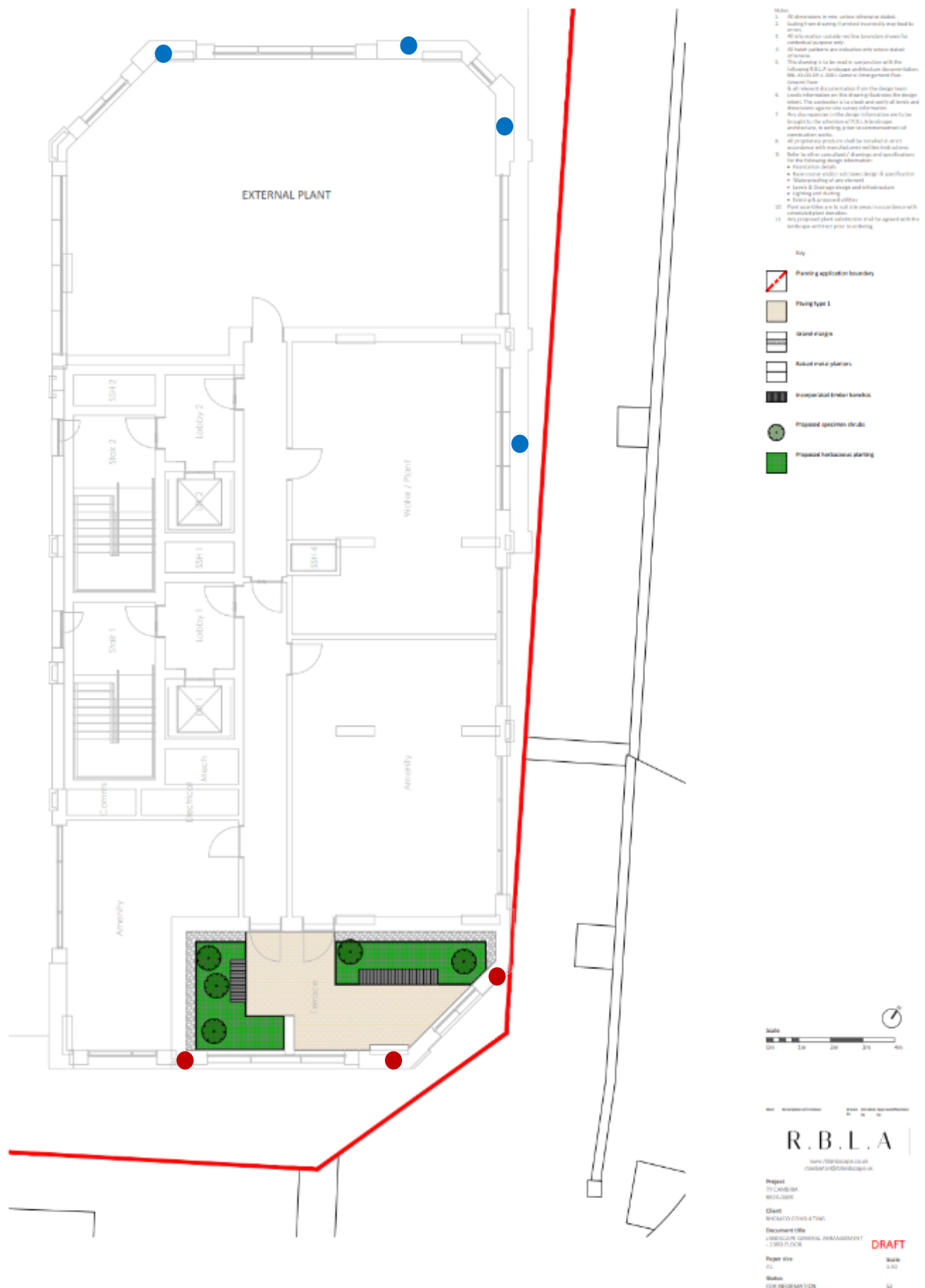


Figure 7 - 23rd floor. Red circles – inbuilt bat box. Blue circles – cluster of inbuilt swift boxes

APPENDIX V: SURVEY IMAGES



Figure 8 - View of southern side.



Figure 9 - Scaffolding present on eastern side.



Figure 10 - Example of exterior walls and windows.



Figure 11 - View of roof.



Figure 12 – Potential Roost Feature (PRF 1) raised lead flashing.



Figure 13 – Potential Roost Feature (PRF 2) of raised lead flashing.



Figure 8 – Example of netting within car park.



Figure 9 – View of interior.

APPENDIX VI: SPECIES LIST

The site name: Ty Cambria, 29 Newport Rd, Cardiff CF24 0TP **Provided by:** Wildwood Ecology

Grid reference: ST 19055 76830 **Verified by:** Beth Lewis

[illegible]

APPENDIX VII: FULL METHODOLOGY

This report has been informed by the following, with detailed methodology provided in Appendix I:

- Full desk study and records search; and
- Preliminary Roost Assessment survey.

This report has been written in cognisance of the CIEEM Guidelines on: Ecological Report Writing, Preliminary Ecological Appraisal, Preliminary Roost Appraisal and Ecological Impact Assessment.

A desk study was undertaken in relation to the site. The sources consulted and the type of information obtained are summarised below.

Source	Information and data sets	Search buffer from the site centre/boundary
South East Wales Biodiversity Records Centre (SEWBReC)	• Protected and priority species. • Non-statutory designations	• (2km) • (1km)
Multi-Agency Geographic Information for the Countryside (MAGIC)	• International statutory designations • National statutory designations • Bat consultation zones/core + juvenile sustenance zones	• (10km) • (2km) • (4km)

The search buffers were sufficient to cover the Zone of Influence (ZoI) of the proposed development in relation to Protected and Priority species and designated sites.

The impact of the proposed development on the biological integrity of nearby designated protected sites has been fully considered.

Assessing ecological importance

The assessment of the importance of sites, habitats and species were made with reference to CIEEMs guidelines for EclA, where possible. These guidelines provide consistency in the approach to evaluating the importance of the ecological features within a site and the effects or impacts a proposed development will have on them.

Firstly, the sites, habitats and species were assessed using a framework which assigns a level of geographical importance to ecological features. This framework incorporates a wide range of legislation and governmental guidance in assessing each feature's importance.

Next, the effects/likely effects of the proposed development were predicted, considering different stages and activities within the development process. These effects/likely effects were then assessed for their significance, based upon the importance of the site, habitat or species being assessed. The assessment of effects/likely effects significance is considered before and after the proposed mitigation to give an overall indication of significance.

The importance of specific ecological receptors (sites, habitats or species) is assigned according to their level of importance using the following terms:

- International Importance;
- UK Importance;
- National Importance (i.e. England/Northern Ireland/Scotland/Wales);
- Regional Importance;
- County Importance;
- District Importance (or Unitary Authority, City, or Borough);
- Local or Parish Importance; and
- Of Importance within the site (the zone of influence or a larger defined area).

Contributor information

The PRA was undertaken by Shannon Phillips Consultant Ecologist and Beth Lewis ACIEEM Consultant Ecologist. The report was written by Beth Lewis ACIEEM Consultant Ecologist. The report was reviewed and approved by Misho Baxendale Principal Ecologist MCIEEM & MArborA.

APPENDIX VIII: LIGHTING GUIDANCE

As foraging and commuting bats were confirmed to be present on or close to the site, Guidance Note 08/23 - 'Bats and artificial lighting at night' (The Bat Conservation Trust, BCT, and the Institution of Lighting Professionals, ILP) will be followed:

All luminaires will lack UV elements when manufactured. Metal halide, compact fluorescent sources will not be used.

LED luminaires will be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.

A warm white light source (2700Kelvin or lower) will be adopted to reduce blue light component.

Light sources will feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats (Stone, 2012).

Internal luminaires can be recessed (as opposed to using a pendant fitting - See Figure 5) where installed in proximity to windows to reduce glare and light spill.

Waymarking inground markers (low output with cowls or similar to minimise upward light spill) to delineate path edges (see Case Study 1).

Column heights will be carefully considered to minimise light spill and glare visibility. This will be balanced with the potential for increased numbers of columns and upward light reflectance as with bollards.

Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control, will be considered - See ILP GN01.

Luminaires will always be mounted horizontally, with no light output above 90° and/or no upward tilt.

Where appropriate, external security lighting will be set on motion sensors and set to as short a possible a timer as the risk assessment will allow. For most general residential purposes, a 1 or 2 minute timer is likely to be appropriate.

Use of a Central Management System (CMS) to light on demand.

Use of motion sensors for local authority street lighting may not be feasible unless the authority has the potential for smart metering through a CMS.

The use of bollard or low-level downward-directional luminaires is strongly discouraged. This is due to a considerable range of issues, such as unacceptable glare, poor illumination efficiency, unacceptable upward light output, increased upward light scatter from surfaces and poor facial recognition which makes them unsuitable for most sites. Therefore, they will only be considered in specific cases where the lighting professional and project manager are able to resolve these issues.

Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed. However, due to the lensing and fine cut-off control of the beam inherent in modern LED luminaires, the effect of cowls and baffles is often far less than anticipated and so will not be relied upon solely.

APPENDIX IX - BIBLIOGRAPHY

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APPENDIX X: PLANNING POLICY AND LEGISLATION

The following planning policy and legislation relating to nature conservation and biodiversity status are considered of relevance to the current proposal.

Planning and biodiversity (Wales)

Local Authorities have a requirement to consider biodiversity and geological conservation issues when determining planning applications under the following planning policies.

Planning Policy Wales – Edition 12 (2024) and Technical Advice Note 5 (2009)

Planning Policy Wales (Edition 12, February 2024) sets out the land use planning policies of the Welsh Government, integrating with the Environment (Wales) Act (2016). The advice contained within Planning Policy Wales (PPW) is supplemented for some subjects by Technical Advice Notes (TANs).

Section 6.2 of Planning Policy Wales (Edition 12) describes how elements of Green Infrastructure should be incorporated into new developments. Paragraph 6.2.12 states: “A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.”

Section 6.4 of Planning Policy Wales outlines how all developments should achieve net benefit for biodiversity by implementing the DECCA framework. Paragraph 6.4.5 states: “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non- native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable and demonstrable benefit, primarily on or immediately adjacent to the site. The step-wise approach outlined below is the means of demonstrating the steps which have been taken towards securing a net benefit for biodiversity. In doing so, planning authorities must also take account of and promote the resilience of ecosystems, in particular the following attributes, known as the DECCA Framework:

- diversity between and within ecosystems;
- the extent or scale of ecosystems;
- the condition of ecosystems including their structure and functioning;
- the connections between and within ecosystems; and
- adaptability of ecosystems including their ability to adapt to, resist and recover from a range of pressures likely to be placed on them through climate change for example.”

Section 6.4.15 outlines how the step-wise approach should be applied to all new developments. This has been summarised below:

Avoid

"The first priority for planning authorities is to avoid damage to biodiversity in its widest sense (i.e. the variety of species and habitats and their abundance) and ecosystem functioning."

Proposals in statutory designated sites are, as a matter of principle, unacceptable and therefore must be excluded from site searches undertaken by developers. This principle also extends to those sites containing protected species and habitats which are irreplaceable and must be safeguarded."

Minimise

"When all locational, siting and design options for avoiding damage to biodiversity have been exhausted, applicants, in discussion with planning authorities, must seek to minimise the initial impact on biodiversity and ecosystems."

Restore/mitigate

"Where, after measures to minimise impact, biodiversity and ecosystems could still be damaged, or lost through residual impacts, the proposed development should mitigate that damage."

"Effective mitigation or restoration measures should be incorporated into the design proposal following the consideration of steps one and two above. Mitigation or restoration measures must be designed to address the specific negative effects by repairing damaged habitats and disturbed species. They should seek to restore in excess of like for like, accounting for disturbance and time lags for the recovery of habitat and species, and in every case, mitigation or restoration measures should seek to build ecosystem resilience within the site and where possible the wider area."

Compensate onsite

"When all the steps above have been exhausted, and where modifications, alternative sites, conditions or obligations are not sufficient to secure biodiversity outcomes further on-site/immediately proximate, as a last resort off-site compensation for unavoidable damage must be provided."

"Off-site compensation should normally take the form of habitat restoration, or habitat creation, or the provision of long-term management agreements to enhance existing habitats and deliver a net benefit for biodiversity."

"The Green Infrastructure Assessment should be used to identify suitable locations for securing off-site compensation."

"Where compensation for specific species is being sought, the focus should be on maintaining or enhancing the population of the species within its natural range."

"Any proposed compensation should be place based, take account of the Section 6 Duty (Biodiversity and Resilience of Ecosystems Duty), the DECCA framework and appropriate ecological advice from the local authority Ecologist, NRW or a suitably qualified ecologist."

Compensate offsite

"Each stage of the step-wise approach must be accompanied by a long term management plan of agreed and appropriate avoidance, minimisation, mitigation/restoration and compensation measures alongside the agreed enhancement measures."

Refuse planning permission

"Finally, where the adverse effect on biodiversity and ecosystem resilience clearly outweighs other material considerations, the development should be refused."

Paragraph 6.4.42 states that Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a **minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost**. Where a woodland or a shelterbelt area is lost as part of a proposed scheme, the compensation planting must be at a scale, design and species mix reflective of that area lost. In such circumstances, the planting rate **must be at a minimum of 1600 trees per hectare for broadleaves, and 2500 trees per hectare for conifers**.

TAN 5 (Welsh Government, 2009) specifically provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. The TAN provides advice for local planning authorities on the key principles of positive planning for nature conservation; nature conservation and Local Development Plans; nature conservation in development management procedures; development affecting protected internationally and nationally designated sites and habitats; and development affecting protected and priority habitats and species.

Under Section 2.4 within the TAN 5, 'when deciding planning applications that may affect nature conservation local planning authorities should':

- Pay particular attention to the principles of sustainable development, including respect for environmental limits, applying the precautionary principle, using scientific knowledge to aid decision making and taking account of the full range of costs and benefits in a long term perspective;
- Contribute to the protection and improvement of the environment, so as to improve the quality of life and protect local and global ecosystems, seeking to avoid irreversible harmful effects on the natural environment;
- Promote the conservation and enhancement of statutorily designated areas and undeveloped coast;
- Ensure that appropriate weight is attached to designated sites of international, national and local importance;
- Protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans;
- Ensure that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation;
- Ensure that the range and population of protected species is sustained;

- Adopt a step-wise approach to avoid harm to nature conservation, minimise unavoidable harm by mitigation measures, offset residual harm by compensation measures and look for new opportunities to enhance nature conservation; where there may be significant harmful effects local planning authorities will need to be satisfied that any reasonable alternative sites that would result in less or no harm have been fully considered.

Future Wales: The National Plan 2040

Policy 9 of Future Wales: The National Plan 2040 (Resilient Ecological Networks and Green Infrastructure) states: "In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit) the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, naturebased approaches to site planning and the design of the built environment."

Policy 30 of Future Wales: The National Plan 2040 (Green Belts in the South West) states: "The Welsh Government supports the use of Strategic Development Plans to identify and establish green belts to manage urban form and growth in the South West, particularly around Swansea Bay and Llanelli."

Policy 34 of Future Wales: The National Plan 2040 (Green Belts in the South East) states: "The Welsh Government requires the Strategic Development Plan to identify a green belt to the north of Cardiff, Newport and the eastern part of the region to manage urban form and growth. The Strategic Development Plan must consider the relationship of the green belts with the green belt in the West of England. Local Development Plans and development management decisions should not permit major development in the areas shown for consideration for green belts, except in very exceptional circumstances, until the need for green belts and their boundaries has been established by an adopted Strategic Development Plan."

Wellbeing of Future Generations (Wales) Act 2015

The Wellbeing of Future Generations (Wales) Act 2015 aims to create:

- A globally responsible Wales;
- A prosperous Wales;
- A resilient Wales;
- A healthier Wales;
- A more equal Wales;
- A Wales of cohesive communities; and
- A Wales of vibrant culture and thriving Welsh language.

As part of the National Well-being Indicator Framework, 46 wellbeing indicators have been identified including Healthy Ecosystems (43) and Biological Diversity (44). These indicators have been identified as central to all seven of the goals that the Wellbeing of Future Generations (2015) Wales Act has set out to achieve.

The Future Generations Commissioner for Wales acts as a guardian for the interests of future generations in Wales, supporting 48 public bodies in assuring sustainable development (defined as acting “in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”) in line with each of the seven wellbeing goals. The public bodies listed within the act include Natural Resources Wales, Local Authorities and National Park Authorities. Therefore, planning proposals submitted to the aforementioned parties should be in aligned with the goals listed within the Wellbeing of Future Generations (Wales) Act 2015, and should aim to have a positive impact on the indicators identified with the National Well-being Indicators Framework.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (see below), but some ‘intentional’ acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. signal crayfish and American mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and *Rhododendron ponticum*) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to ‘wild animals’; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are ‘defences’ provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonably avoided, or actions within the living areas of a dwelling house.

Licensing: certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence – e.g. bat surveys.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (which are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994.

These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function – i.e. when determining a planning application.

There is no defence that an act was the incidental and unavoidable result of a lawful activity.

Licensing: it is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Species protection

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- deliberately kill, injure or capture a bat;
- deliberately disturb bats; and
- damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- obstruct access to any structure or place which any bat uses for shelter or protection; or
- disturb any bat while occupying a structure or place which it uses for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural Resources Wales, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species

Regulations 2017 (as amended). All wild birds, their nests and eggs are protected it an offence to:

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

The law covers all species of wild birds including common, pest or opportunistic species.

Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act.