Preliminary Roost Assessment

2 Salmon Hall Cottages
Howden-le-Wear
County Durham
Christian Salisbury

FE-089-001-400-R-01-V1

January 2021

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Client:	Christian Salisbury
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1 Executive Summary

Introduction

FALCO Ecology Ltd. was commissioned by Steven Salisbury on behalf of Christian Salisbury to undertake a Preliminary Roost Assessment at 2 Salmon Hall Cottages in Howden-le-Wear on the 18 December 2020.

The purpose of this report is to provide a pre-development record of the suitability of the surveyed building to support roosting bats and any evidence of bat roosts.

The surveyed building was a semi-detached one-bedroom residential property which was constructed prior to 1861. The surveyed building had been completely gutted internally for to renovation works and was not occupied by the owner at the point at which the survey was undertaken.

Methodology

Data Search

A data search from following web recourses included The Government's Multi-Agency Geographic Information for the Countryside or 'MAGIC' website, Google Earth Pro, North East England Nature Partnership and the Durham Bat Group website.

Field Survey

The survey consisted of an internal inspection of the roof void and a walk around the internal area of the surveyed building. An external inspection was undertaken from ground level around the surveyed building to locate potential bat access points.

Limitation

It was not safe to fully inspect the eaves within the roof void due to the unsafe joists; however, first floor ceiling had been replaced and new loft insulation installed so it was unlikely to find evidence of roosting bats in the eaves of the roof void. It is considered that this limitation did not affect the outcome of the report.

Results

Data Search

Two granted EPSM Licence for bats was returned within 2km of the surveyed building (MAGIC 2020). These included the destruction of a breeding and resting site for common pipistrelle. Other EPSM Licenses in the local area included the following species; brown long-eared, Brandt's, whiskered, natterer's and soprano pipistrelle. However, it is not known how many Low Impact Class Licenses have been issued within the local area.

Field Survey

<u>Bats</u>

No confirmed evidence of roosting bats was recorded during the survey. Potential craw marks were recorded on the ridge beam within the roof void; however, no droppings were recorded in the old cob webs on the ridge beams or on the section of old loft insulation. The surveyed building was being completely renovated at the time of the survey. Potential bat access points included gaps in the brick mortar on the front aspect gable wall and on the rear aspect of the shared chimney. Potential roost features included potential voids in the exterior walls. No gaps were recorded on the wall tops above the proposed development location.

<u>Breeding Birds</u>

No active nests were recorded within or on the surveyed building during the survey; however, historical nests were recorded within the roof void of the surveyed building during the survey.

Assessment

Evaluation

Bats

It is considered that the surveyed building had **low** suitability to support a day roosts of a small number of common and widespread species (common/soprano pipistrelle). It is unlikely that a maternity roost would be present within the potential roost features present at the time of the survey. Furthermore, it is considered that the surveyed building had **negligible** suitability to support hibernating bats.

Breeding Birds

No active or historic bird nests were recorded within or on the surveyed building during the surveys.

Impact

Bats

The two potential roost features would not be destroyed as part of the proposed development; however, may require repair in the future. Works related to the proposed development are considered to have a negligible potential to disturb any potential roosting bat. Construction works should be undertaken following the Precautionary Method Statement provided within this report to minimise the potential of disturbance.

It is considered that the proposed development would have a **negligible** impact on the conservation status of bat species at a local, regional or national level.

Breeding Birds

The impact of the proposed development will result in a **negligible** impact on breeding birds.

Required Actions

Survey Requirements

No further bat surveys are recommended as part of this planning application. It is considered that the likelihood of detecting a potential roosting bat during one bat activity survey (following BCT guidelines) would be extremely low.

Client Responsibility

It is the responsibility of the Client to ensure that any building contractor are aware that potential roost features (within the gaps of the brick mortar on the front aspect gable wall and the rear aspect of the shared chimney) which are present within the surveyed building.

Recommendations

To fulfil the NPPF requirement for Biodiversity Net Gain, an integrated bat box will be installed on the rear aspect of the proposed development. The bat box would be an Build-in WoodStone or similar and situated near the wall top and at least 3m from ground level.

2 Introduction

2.1 Background

2.1.1 FALCO Ecology Ltd. was commissioned by Steven Salisbury on behalf of Christian Salisbury (hereon referred to as the "Client") to undertake a Preliminary Roost Assessment (hereon referred to as the "survey") at 2 Salmon Hall Cottages (hereon referred to as the "surveyed building").

2.1.2 The purpose of this report is to provide a pre-development record of the suitability of the surveyed building to support roosting bats and any evidence of bat roosts. The suitability of the surrounding habitats to support foraging bats is included within this report. Evidence of breeding birds within/on the surveyed building is also included within this report.

2.2 Surveyed Building Description and Location

2.2.1 The surveyed building was a semi-detached one-bedroom residential property, which had been completely gutted internally for to renovation works. The first-floor ceiling had also been removed and new plaster board and loft insulation installed. Remnants of old loft insulation were still present within the roof void. The surveyed building was not occupied by the owner at the point at which the survey was undertaken.

2.2.2 The address of the surveyed building was 2 Salmon Hall Cottages, Howden-le-Wear, County Durham, DL15 8DH. The central Ordnance Survey grid reference for the surveyed building was NZ 15714 33729 and was ~130m above sea level. The location of the surveyed building is shown in Figure 1 (page 4).

2.2.3 The surrounding habitats of the surveyed building was dominated by pasture farmland, woodland blocks, and sub-urban area of Howden-le-Wear. Howden Beck runs ~45m downslope from the surveyed building and this beck is lined with mature Alder trees. The surrounding area of the surveyed building with a 500m and 1km buffer are shown in Figure 2 (page 4).

2.2.4 The surveyed building was within the administrative area of Durham County Council.

2.3 Development Proposals

2.3.1 It is proposed to add a two-storey extension to the rear and rear side of the surveyed building. The extension will have a flat roof which will be ~1ft above the existing wall top. However, the existing roof will not be altered, as part of the proposed development. Internal renovations included the stripping back the walls to brick and wooden lattes and installing a new ceiling on the first floor. The architectural drawings of the proposed development are shown in Appendix 1.

2.3.2 The proposed development has the potential to disturb roosting bats or destroy bat roost locations if present within the surveyed building.

Figure 1: Surveyed building.

© Google Earth. Imagery Date: 27/05/2018.

Figure 2: Surrounding habitats.

© Google Earth. Imagery Date: 27/05/2018.

2.4 Survey and Reporting Objectives

2.4.1 The surveys comprised of a preliminary roost assessment and bat activity surveys. These were undertaken by FALCO Ecology and included the following objectives:

- Establish if the surveyed building is used by roosting bats;
- Record evidence of use by bats;
- Record locations of Potential Access Points ('PAPs');
- Record locations of Potential Roost Features ('PRFs');
- Provide recommendations for further bat surveys where required;
- Obligations for the Client to consider if confirmed bat roost(s) are located; and
- Observations of old and active bird nests within/on the surveyed building was also recorded.

2.5 Legislation

2.5.1 UK Legislation (specifically related to England) relating to bats are fully documented in Appendix 3; however, in summary all bats and their roosts are protected under UK legislation. **This legislation makes it an offense to deliberately disturb, damage or destroy a bat roost. An unlimited fine and/or six months imprisonment may be given per offense.**

2.5.2 Active bird nests (nests under construction, nest with eggs or young) are fully protected from deliberate and reckless destruction under the Wildlife & Countryside Act 1981 (as amended). Furthermore, Schedule 1 species, such as barn owl *Tyto alba*, are protected from deliberate or reckless disturbance at the nest site or of dependant young.

3 Methodology

3.1 Desktop Study

Data Search

3.1.1 A data search from following web recourses was used:

- The Government's Multi-Agency Geographic Information for the Countryside or 'MAGIC' website, which provides details of:
    - Statutory sites designated for their ecological interest;
    - Priority habitats including deciduous woodland that are likely to support roosting and foraging bats; and
    - local European Protected Species Mitigation (EPSM) Licenses that had been granted.
- Google Earth Pro was utilised to assess the habitats surrounding the surveyed building for their suitability to support foraging, commuting and roosting bats;
- North East England Nature Partnership; and
- Durham Bat Group website[1].

Consultation Data

3.1.2 Consultation data is not included as part of this report as no evidence of recent bat roosts was present within the roof void. Furthermore, the location of the proposed development on the surveyed building is extremely unlikely to impact roosting bats. Given the local of the surveyed building and the surrounding habitats it is considered that the majority of bat species listed in paragraph 4.1.6 would be present in the local area.

3.2 Preliminary Roost Assessment

3.2.1 The exterior of the surveyed building was surveyed from ground level using high powered binoculars (Swarovski EL 10x42) and a Ledlenser MT-6 torch to locate any PAPs. The interior inspection of the surveyed building included an inspection of the roof void. The surveyed building was not occupied at the time of the survey; however, it was considered that bats would not be present within the living area of the surveyed building due the renovation works and therefore was not thoroughly surveyed.

3.2.2 A Ledlenser MT-6 torch and a Ridgid CA-300 endoscope was used to inspect accessible crevices that were deemed as potentially PAPs or PRFs. Photos taken during the survey of the surveyed building are shown in Appendix 2.

3.2.3 The survey followed the guidance for assessing buildings as set out within the Bat Conservation Trust (BCT) Guidelines (Collins 2016) and shown in Table 1 (page 7).

[1] Durham Bat Group covers the Durham County Council administrative area.

The survey was undertaken by Adrian George on the 4 January 2021 in suitable weather conditions.

Table 1: Guidelines for assessing potential roost features.

Suitability	Description
Negligible	Negligible habitat features on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individuals bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitats to be used on a regular basis or by large numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure or tree with one or more potential roost sites that are obviously used by large numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
Confirmed	A bat or bats or evidence of roosting bats observed within the building/tree.

3.2.4 All UK bats have been found to be roosting in buildings; however, some bats prefer buildings more than others. Furthermore, many species prefer unique aspects of a roost feature within a building. Bats that utilise buildings for roosting can be separated into four categories and are described in Table 2 (BCT 2015).

Table 2: Roost features in buildings that various bats prefer.

Roost Type	Species
Crevice dwelling bats (These are often hidden from view)	Common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, Nathusius' pipistrelle *Pipistrellus nathusii*, Brandt's bat *Myotis brandtii* and whiskered bat *Myotis mystacinus*
Roof-void dwelling bats (maybe seen on roof timbers)	Serotine *Eptesicus serotinus*, Leisler's bat *Nyctalus leisleri*, Daubenton's bat *Myotis daubentonii*
Bats that need flight space in certain types of roost	Natterer's bat *Myotis nattereri* and brown long-eared bat *Plecotus auritus*
Bats that need flight space and flying access into the roost	Greater Horseshoe *Rhinolophus ferrumequinum* and Lesser Horseshoe *Rhinolophus hipposideros*

3.3 Breeding Bird Assessment

3.3.1 An inspection of the surveyed building to identify any nest material from former bird nests was undertaken during the survey. Nest material varies depending upon individual species, for example a house sparrow *Passer domesticus* may use small twigs, grasses and leaves; however, a house martin *Delichon urbicum* construct a nest using mud. Furthermore, some species are crevice nesters (house sparrow) whilst other are open nesting on external walls (house martin).

3.4 Surveyor's Experience

Adrian George

3.4.1 Adrian is an experienced ecologist who has undertaken bat surveys on a range of developments including residential properties, small to large scale wind farms, solar farms, power lines and water pipelines. Bat surveys have been undertaken throughout England, Wales and Scotland. Adrian holds a Class 2 Natural England (CL18 2017-32910-CLS-CLS) and a Scottish Natural Heritage bat licence. Adrian is a full member of the Chartered Institute of Ecology & Environmental Management (CIEEM) and a member of the Northumberland Bat Group.

3.5 Limitations

3.5.1 MAGIC Maps provides a digital database of the issued European Protected Species Mitigation licences within England; however, no digital online records are available for Low Impact Class licenses. Therefore, it is plausible that further impacts on local bat roosts, either breeding or resting locations, have been approved by Natural England within the local area.

3.5.2 The Client informed the surveyor that the beams within the roof void were weak and unlikely to fully support a person's weight. Therefore, the roof void was surveyed from the large central beam and an area of chipboard which had been previously installed. The majority of the first-floor ceiling had been removed and renewed with new loft insulation. Not being able to access the corners of the roof void was not considered necessary to detect evidence of bat roosts.

3.5.3 It is considered that these limitations did not affect the overall outcome of this report.

3.5.4 The details within this report will remain valid for a period of 12 months. Beyond this period, it is recommended that a new review of the ecological conditions of the surveyed building are undertaken.

4 Results

4.1 Desktop Study

Data Search

Statutory Designated Sites

4.1.1 The surveyed building was not situated within a statutory designated site and no statutory designated site was present within 2km of the surveyed building.

Priority Habitats

4.1.2 The closest priority habitat of deciduous woodland was situated only ~170m east of the surveyed building and other blocks of deciduous woodlands, wood pasture & parkland were present throughout the local area.

4.1.3 The habitats within the local area of the surveyed building provided optimal foraging habitats, including tree lined streams and woodland, and roosting locations within period properties (located in Howden-le-Wear) and mature trees.

EPSM Licenses

4.1.4 Two granted EPSM Licence for bats was returned within ~2km of the surveyed building (MAGIC 2020). Both licenses included the destruction of a breeding and resting place for common pipistrelle (~1.2km north northeast and ~2km north), both within Crook. Within 5km of the surveyed building, other licenses have been issued for soprano pipistrelle, Brandt's, whiskered, natterers and brown long-eared bats.

4.1.5 It is not known how many Low Impact Class Licenses have been issued within the local area.

Local & Regional Status of Species

4.1.6 There were 17 bat species recorded in the UK, of which 11 had been recorded in County Durham. Only eight bat species had been recorded breeding within the county. Their abundance within the county is stated on the Durham Bat Group website (Durham Bat Group 2015) and was as follows:

- Brandt's bat – rare;
- Whiskered bat – reasonably widespread but localised;
- Natterer's bat – rare;
- Daubenton's bat – very widespread;
- Noctule – widespread;
- Leisler's – rare with three records;
- Serotine – very rare, two unconfirmed reports;
- Brown long-eared bat – reasonably widespread but localised;
- Common pipistrelle – common and widespread;
- Soprano pipistrelle – common; and

- Nathusius pipistrelle – rare with no maternity roosts known.

4.1.7 All the above species, with the exception of Leisler's and Serotine, are listed as a Durham Priority Species (NEENP 2019).

4.2 Preliminary Roost Assessment

External Inspection

4.2.1 The surveyed building had a hip and valley roof type with a gable end on the front (northeast) aspect. The roof had synthetic roof tiles and a wet ridge with clay ridge tiles. The roof tiles appeared to be tight and no mortar appeared to be missing around the ridge tiles. The brick chimney had a lead apron which appeared to be tight fitting; however, the base on the neighbouring side of the shared chimney had various different materials from multiple repair jobs. Several gaps in the chimney brick mortar were recorded and these provided PAPs for roosting bats. The watershed stones on the front gable had renewed mortar with no visible gaps.

4.2.2 The surveyed building was constructed with sandstone brick on the front aspect. The side and rear aspect walls were rendered. The exterior walls were presumed to be solid given the depth of them and the age of the property. Furthermore, it is presumed that the exterior walls had a rubble infill. Gaps in the brick mortar were recorded on the front aspect wall within the gable apex, which provided PAPs for roosting bats.

4.2.3 The doors and windows were Unplasticized Polyvinyl Chloride (uPVC) framed and appeared to be well sealed.

4.2.4 A porch was present on the side aspect which was constructed with a breeze block base and a uPVC frame. The porch had a shallow sloping roof which had a bitumen felt roof and no gaps were observed within the porch structure.

4.2.5 A single storey extension which formed the kitchen was present on the rear aspect. This was constructed with brick and a few gaps in the brick mortar was recorded; however, an inspection with the endoscope confirmed that the gaps did not form or lead to cavities within the wall.

4.2.6 No evidence of roosting bats (droppings) was recorded on the exterior of the surveyed building.

Internal Inspection

4.2.7 No bats or recent evidence of roosting bats, such as droppings were recorded within the roof void of the surveyed building. The ridge beam appeared to have claw marks in it; however, the ridge beam was covered in cob webs which appeared to have been present for many years. Furthermore, the roof tiles had been renewed at some point in the past and breathable roofing membrane (BRM) was present. No damage was recorded to the BRM, such as from clawing, was recorded during the survey. The old loft insulation was piled to one side of the roof void and this was checked for evidence of bat droppings, although none were found. Dust was present on the purlins and hip post supports and no bat droppings were recorded on these either.

4.2.8 The Client informed the surveyor that they had recently blocked up the larger holes leading into the roof void, which were potentially where birds were gaining access into the roof void for nesting. It is considered unlikely that bats have recently used the roof void for roosting.

4.2.9 A summary of the potential access points and potential roost features are shown in Table 3.

Table 3: Potential access points and potential roost features per elevation.

Elevation	Potential Access Points	Potential Roost Features
Front aspect	• Gaps in brick mortar of the exterior wall in the apex.	• Within the potential rubble filled void in the solid wall.
Side aspect	• None.	• None.
Rear aspect	• Gaps in the brick mortar of the shared chimney.	• Any potential void in the chimney stack brickwork.

4.3 Breeding Bird Assessment

4.3.1 Historic bird nest material was recorded within or on the surveyed building during the survey.

5 Assessment

5.1 Evaluation

Bats

5.1.1 No evidence of roosting bats was recorded within the roof void or on the exterior of the surveyed building. Potential claw marks were present on the ridge beam within the roof void; however, these are considered to be historical. The internal renovation works may have removed evidence of roosting bats within the roof void, although the cob webs that were present appeared to be very old and no bat droppings were recorded in them or on the old loft insulation. Furthermore, the surveyed building appears on the Ordnance Survey County Series 1861 map (Old Maps 2021), thus any potential claw marks could be very old. Whilst there are low suitability PRFs on the front aspect of the surveyed building and within the shared chimney, it is considered that the construction and position of the proposed development will not destroy a bat roost and is very unlikely to cause disturbance to roosting bats if present on the days when the proposed walls are tied into the existing exterior walls. The potential roost features are considered to offer day roost potential to a small number of bats at most. Bats can have several day roost locations that they use depending on environmental conditions and it is unlikely that a single bat activity survey, in line with BCT guidelines, would locate an infrequently used potential day roost.

5.1.2 It is considered that the surveyed building has **low** suitability to support a day roost of a small number of bats on the front aspect gable wall and within the shared chimney only. Furthermore, it is considered that the surveyed building had **negligible** suitability to support hibernating bats.

Breeding Birds

5.1.3 No active bird nests were recorded within or on the surveyed building during the surveys. Given that the Client has blocked up the holes into the roof void, it is unlikely that birds will be able to gain access to the roof void for future nesting.

5.2 Impact

Bats

5.2.1 The construction works related to the proposed development, particularly the tying in of the walls, have a **negligible** potential to disturb a day roost on the front aspect of the surveyed building or in the chimney. Therefore, construction works will follow a Precautionary Method Statement as outlined in Section 8.

5.2.2 It is considered that the proposed development would have a **negligible** impact on the conservation status of bat species at a local, regional or national level.

Breeding Birds

5.2.3 The impact of the proposed development will result in a **negligible** impact on breeding birds.

6 Required Actions

6.1 Survey Requirements

6.1.1 No further bat surveys are considered to be required as part of this proposed development. If the plans of the proposed development alter, then the impact assessment should be revised.

6.2 Client Responsibility

6.2.1 It is the responsibility of the Client to ensure that the building contractors are made aware that potential roost features (gaps in brick mortar on the front aspect and shared chimney on the rear aspect) are present within the surveyed building.

6.3 Mitigation Measures

6.3.1 All works, particularly related to the proposed development will follow the Precautionary Method Statement as outlined in Section 8.

7 Recommendations

7.1.1 In order to fulfil the latest National Planning Policy Framework which includes biodiversity net gain, it is recommended that an integrated bat box, such as a Build-in WoodStone as shown in Figure 3 or similar, is built into the wall of the proposed development. The front of the box can be rendered or painted to match the surrounding wall. If rendered, then the entrance hole dimensions must remain the same (height and width). The bat box should be situated near the wall top on the rear aspect of the proposed development, as shown in Figure 4, and be approximately 3m or higher above ground level.

Figure 3: Example of an integrated bat box[2]

[2] Picture sourced from www.nhbs.com

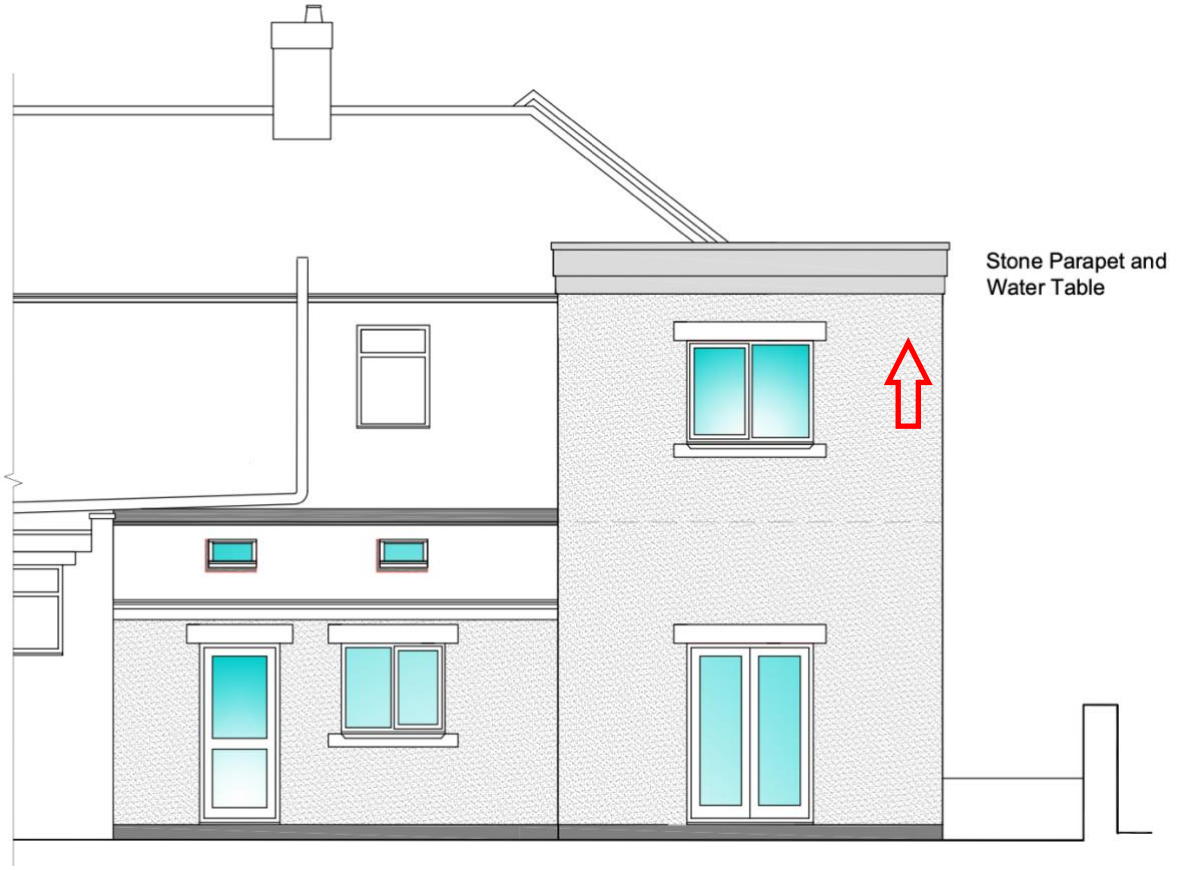

Figure 4: Proposed integrated bat box location.

8 Precautionary Method Statement

Roosting bats

Method

8.1.1 Although no roosting bats were recorded within the surveyed building during the survey, there remains the potential that roosting bats may be encountered during the proposed works, depending on the timings of the proposed works. Therefore, to mitigate against a bat activity survey, works will be undertaken following this Precautionary Method Statement.

8.1.2 It is strongly recommended that the Client or building contractor has a closer inspection of the wall top of the side and rear elevations where the proposed development is to be constructed. The inspection should focus on locating any gaps along the wall tops where bats have the potential to gain access. Any gap with a height of at least a BIC pen and approximately two fingers (~4cm) wide will require further inspection by a Bat Ecologist (i.e. FALCO Ecology) to establish if the gap is used by roosting bats or not.

8.1.3 If a bat or evidence of bats are found during the construction works, then works will **STOP**. The Bat Conservation Trust or a Bat Ecologist will be contacted for professional advice before any works re-commence. It is a criminal offense to deliberately or recklessly destroy a bat roost or disturb a roosting bat under the Wildlife & Countryside Act 1981 (as amended).

Timing

8.1.4 The surveyed building had negligible suitability to support hibernating bats and the surveyed building had a very low potential to support small numbers of bats on the front aspect wall and within the shared chimney on a presumably infrequent basis. The impact of the proposed development works is considered as negligible and therefore, the works related to the proposed development could be undertaken throughout the year, with no timing restrictions.

Bats and Identification of Bat Roosts

8.1.5 UK bats are relatively small, and the body of the common pipistrelle is only the size of a human thumb. Figure 5 (page 17) shows the size of a closely related nathusius pipistrelle in the hand during a monitoring program under licence from Natural England.

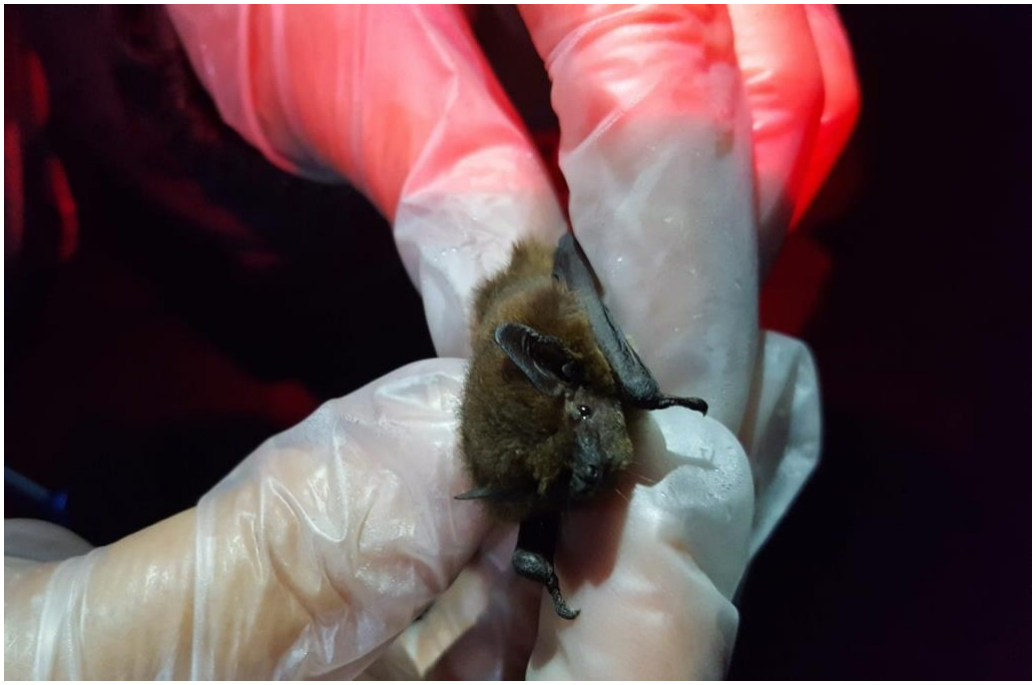

Figure 5: Nathusius pipistrelle in the hand.

8.1.6 Figure 6 and Figure 7 (page 18) show examples of bat droppings which indicates the presence of a bat roost location. Bat droppings, which will crumble to dust when rubbed between fingers, can be easily identified from mouse droppings, which are hard and generally do not crumble easily. Bat droppings are generally 1.5-2mm wide by 7-9mm long.

Figure 6: Example of bat droppings between slates (removed) and roof underlay, next to a roof valley.

Figure 7: Example of bat droppings in eaves.

9 References

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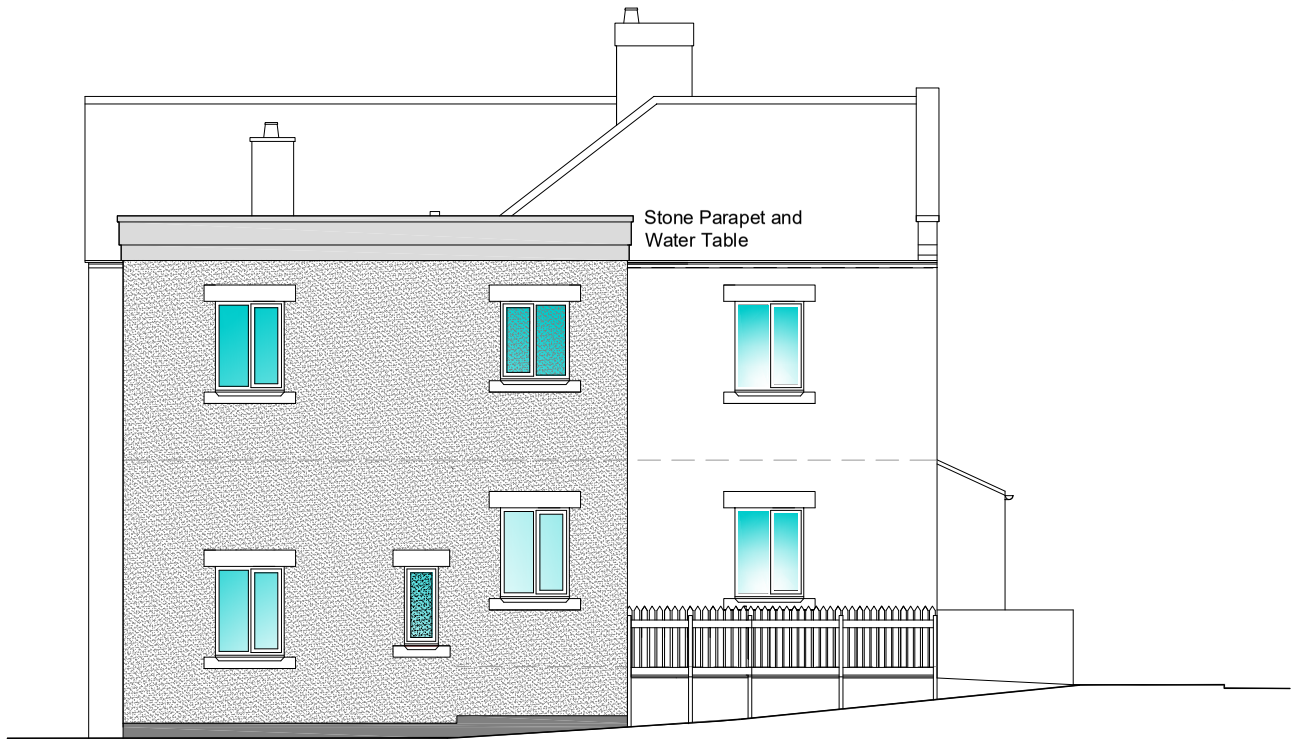
The Bat Conservation Trust. 2015. Bats in Buildings. [Online]. [Accessed 14 July 2020]. Available from https://cdn.bats.org.uk/pdf/Bats_and_Buildings.pdf?mtime=20181101151310

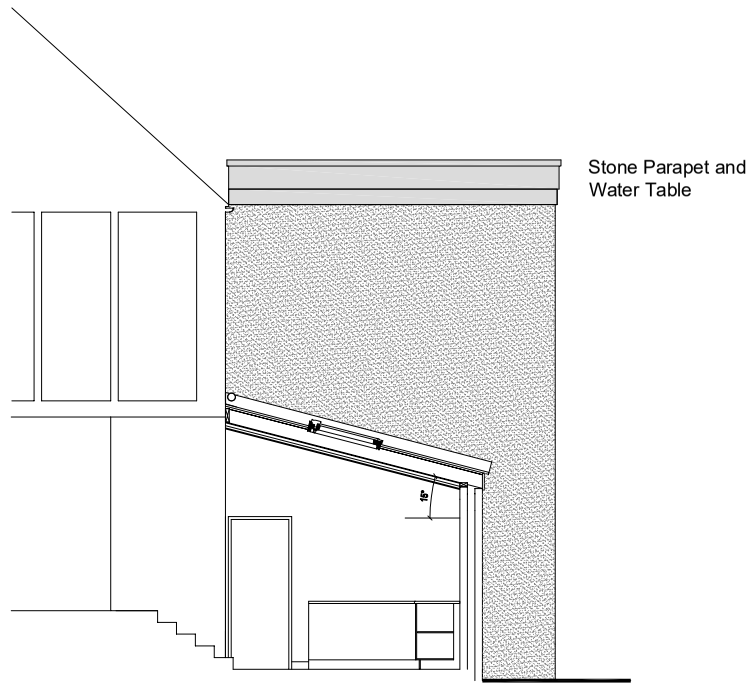
Appendix 1 – Architectural Drawings

South West



South East

North East



North West

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REVISIONS

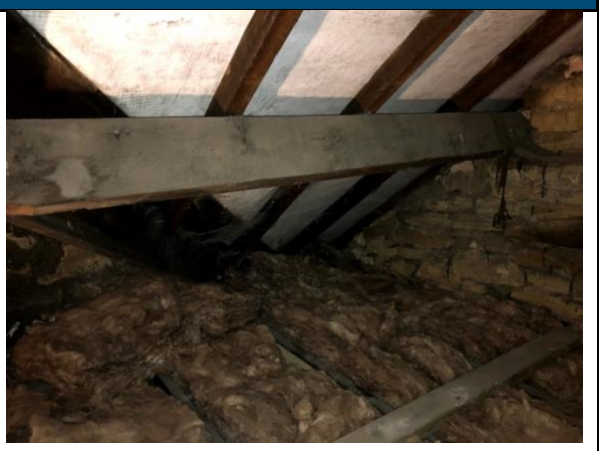
PROJECT:	Works to No 2 Salmon Hall Cottages Howden-Le-Wear Crook DL158BH				
DRAWING:	Elevations as Proposed			SCALE: 1:100	PAPER: @A3
CLIENT:					DRAWN: DO
JOB NO: 1674	DRAWING NO: 200_01	REVISION:	ORIGINATION DATE: 24-11-20	DRAWING STATUS: Design	CHECKED:

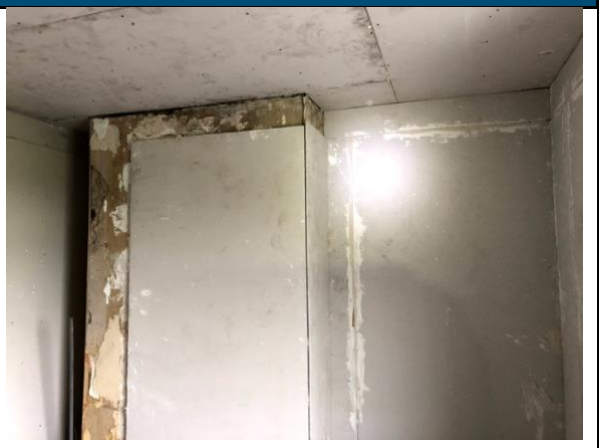
Appendix 2 – Surveyed Building Photos

Ref.	Description	Photo
1	Front aspect	
2	Side aspect	
3	Rear aspect	

Ref.	Description	Photo
4	Single storey extension on rear aspect	
5	Porch on side aspect	
6	Synthetic roof tiles and wet ridge with clay ridge tiles	

Ref.	Description	Photo
7	Shared chimney PAPs • Gaps within the brick mortar	
8	Front aspect gable wall PAPs • Gaps within the brick mortar	
9	Roof void with new first floor ceiling and breathable roofing membrane	

Ref.	Description	Photo
10	Newly installed loft insulation	
11	Hanging cobwebs from single ridge beam	
12	Potential historic claw marks on the ridge beam; however, no damage/snagging on the adjacent BRM. No droppings were recorded within the cobwebs or on the pile of old loft insulation.	

Ref.	Description	Photo
13	Front bedroom renovation with new insulated plasterboard	
14	Stairwell	
15	Ground floor front room	

Ref.	Description	Photo
16	View southeast from the surveyed building	
17	View southwest over the nearby Howden beck	
18	Nearby priority habitat at Fir Tree Grange	

Appendix 3 – Environmental Legislation & Convention Relating to Bats

Introduction

The UK has ratified a number of Conventions and implemented legislation pertaining to the protection of bats, either independently or as member state of the European Union. These are defined and summarised below.

Lists of threatened, endangered and extinct species are also provided, together with a summary explanation of each.

Bern Convention (1982)

The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) was adopted in Bern, Switzerland in 1979, and was ratified in 1982. Its aims are to protect wild plants and animals and their habitats listed in Appendices 1 and 2 of the Convention and regulate the exploitation of species listed in Appendix 3. The regulation imposes legal obligations on participating countries to protect more than 1000 animals.

To meet its obligations imposed by the Convention, the European Community adopted the EC Birds Directive (1979) and the EC Habitats Directive (1992 – see below). Since the Lisbon Treaty, in force since 1st December 2009, European legislation has been adopted by the European Union.

The UK Post-2010 Biodiversity Framework

The UK Post-2010 Biodiversity Framework was published in July 2012 and supersedes the Biodiversity Action Plan which lists and prioritises habitats and species and sets national targets to be achieved. The UK Post-2010 Biodiversity Framework includes all the species formally listed under the old UKBAP. The Environmental Departments of all four governments in the UK work together through the Four Countries Biodiversity Group.

The former UKBAP identified 391 'Priority' Species Action Plans (SAPs) and 162 Local Biodiversity Action Plans. Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level) and are usually drawn up by a consortium of local Government organisations and conservation charities.

UKBAP Bat priority species include Barbastrelle Bat, Bechstein's Bat, Soprano Pipistrelle, Noctule, Brown Long-eared Bat, Greater Horseshoe Bat and Lesser Horseshoe Bat.

Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals or 'Bonn Convention' was adopted in Bonn, Germany in 1979 and came into force in 1985. Participating states agree to work together to preserve migratory species and their habitats by providing strict protection to species listed in Appendix I of the Convention. It also establishes agreements for the conservation and management of migratory species listed in Appendix II.

In the UK, the requirements of the convention are implemented via the Wildlife & Countryside Act 1981 (as amended), Wildlife (Northern Ireland) Order 1985, Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and the Countryside and Rights of Way Act 2000 (CRoW)

The UK has currently ratified four legally binding Agreements under the Convention, one of which is the Agreement on the Conservation of Populations of European Bats (EUROBATS).

National Planning Policy Framework (2018)

Following the publication of the first revision of the National Planning Policy Framework (NPPF) in March 2012, Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation (2005) has been withdrawn. However, ODPM 06/2005: Biodiversity and Geological

Conservation – Statutory Obligations and their impact within the Planning System (the guidance document that accompanied PPS9) has not been withdrawn and, where more detailed guidance is required than is given within the NPPF, local planning authorities will continue to rely on ODPM 06/2005. The NPPF has been revised and was published in July 2018 and an update with clarifications was released in February 2019

The purpose of the NPPF is to contribute to the achievement of sustainable development which includes an environmental objectives - *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

This guidance requires local planning authorities (planning policies and planning decisions) to take account of the conservation of protected species when determining planning applications and makes the presence of a protected species a material consideration when assessing a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Furthermore, the NPPF 2018 includes the requirement for developments to *improve biodiversity* including ecological *net gain*. In the case of European Protected Species such as bats, planning policy emphasises that strict statutory provisions apply (including the Conservation of Habitats and Species (Amendment) Regulations 2012), to which a planning authority must have due regard.

Where developments requiring planning permission are likely to impact upon protected species it is necessary that protected species surveys are undertaken and submitted to meet the requirements of paragraph 98 of ODPM Circular 06/2005 which states that:

'*The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat*.'

Species of Principal Importance in England

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of habitats and species which are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions.

The S41 list includes Barbastrelle Bat, Bechstein's Bat, Soprano Pipistrelle, Noctule, Brown Long-eared Bat, Greater Horseshoe Bat and Lesser Horseshoe Bat.

The Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017 came into force on 30th November 2017. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales.

Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I or II of the Habitats Directive respectively) to the European Commission. These sites, if ratified by the European Commission, are then

designated as Special Protection Areas (SPAs) within six years. The 2012 amendments include that public bodies help preserve, maintain and re-establish habitats for wild birds.

The Regulations also make it an offence to deliberately capture, kill, disturb or trade in the animals listed in Schedule 2, which include all horseshoe bats *Rhinolophidae sp.* and all common bats *Vespertilionidae sp.*

Wildlife and Countryside Act 1981 (as amended)

This is the principal mechanism for the legislative protection of wildlife in the UK. This legislation is the chief means by which the 'Bern Convention' and the Birds Directive are implemented in the UK. Since it was first introduced, the Act has been amended several times.

The WCA makes it an offence to:

- deliberately capture, injure or kill a bat;
- intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats;
- damage or destroy a bat roosting place (even if bats are not occupying the roost at the time);
- intentionally or recklessly obstruct access to a bat roost; and
- possess or advertise/exchange/sell a bat (alive or dead) or any part of a bat.