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**Protected Species Report for Bats**

Langett

London Road

Cheltenham

GL54 4HG

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Methods used to prepare this report, including those carried out in the field followed The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct.

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# 1 INTRODUCTION

- 1.1 Cotswold Environmental was instructed to carry out a Preliminary Roost Assessment (PRA) and three subsequent nocturnal bat surveys at Langett, Cheltenham GL54 4HG. The site is located at approximate National Grid Reference (NGR): SO 98681 19815.
- 1.2 Development proposals are described as extensions and remodelling of the existing dwelling. A planning application will be submitted to Cotswold District Council.
- 1.3 This report provides survey data based on field visits that were carried out during April, May and June 2020. The purpose of the survey was to assess the buildings for their suitability to support roosting bats and to ascertain evidence of any bat roosting. During the daytime assessment the buildings were also surveyed for nesting birds. The field visit results provide information to determine the potential ecological impact the proposed development may have on roosting bats and nesting birds, and to inform the level of further survey effort and mitigation required to comply with relevant nature conservation policies and legislation. This report lists the survey methodology, limitations, discussion and actions. Weather conditions during the survey are shown in Table 4.
- 1.4 Langett is a detached stone-built single-storey residential dwelling situated in the rural setting of Cheltenham, Gloucestershire. The site lies 4.5 km south-east of Cheltenham town centre and 15.3 km east of central Gloucester. The M5 is located 9.3 km west of Langett. Figure 1 shows the site location and Figure 2 shows a site map.
- 1.5 One building was surveyed during the assessment.

## Survey Objectives

- To establish suitability for bats.
- Ascertain evidence of bats.
- Determine the potential ecological impact the proposed development will have on bats.
- Inform the level of further survey effort that is required.

## 2 METHODOLOGY

### Desk Study

- 2.1 A records search was undertaken using desktop resources including the Multi-Agency Geographic Information for the Countryside<sup>1</sup> (MAGIC) resource. MAGIC was used to search for records of designated sites, habitats and granted European Protected Species Licenses (EPSLs) within a 2km radius. Google Earth<sup>2</sup> was also used to study the nearby landscape.

### Preliminary Bat Roost Assessment

- 2.2 Ecological consultant Tom Charlton (Natural England Bat Survey Licence number 2018-34622-CLS-CLS) carried out the PRA on Monday 6<sup>th</sup> April 2020.
- 2.3 Survey effort was completed in line with official assessment guidelines<sup>3</sup> and largely followed that recommended by the Chartered Institute for Ecology and Environmental Management (CIEEM)<sup>4</sup> and British Standard Code of Practice<sup>5</sup>. The assessment followed the standard methodology. The site was searched using visual encounter survey techniques. Potential bat movement corridors and movement barriers were assessed and noted. During the site visit where possible, all areas of the buildings were internally and externally examined for evidence of bats. The building survey included an internal and external assessment using a powerful torch and endoscope where required.
- 2.4 Internally, the buildings were assessed using a powerful torch beam to scan the walls and flat surfaces for droppings and other signs of bat activity. Feeding remains such as moth and butterfly wing concentrations were also surveyed for. All holes and crevices considered by the surveyor as likely to be used as a bat roost were examined to ascertain presence or absence of bats.
- 2.5 Externally, visual ground inspections of all elevations were undertaken using binoculars and a telephoto lens. Photographs were taken to capture likely features of ecological value to bats and birds i.e. missing tiles, damaged or missing mortar, exposed gable ends, gaps within soffit board, rotten timber and other potential entry points. Other external aspects of the building were surveyed, including windows, window sills, external doors and the ground within close proximity of the structure was thoroughly inspected for bat droppings and feeding remains.

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<sup>1</sup> Multi-Agency Geographical Information for the Countryside (MAGIC). Crown Copyright and database rights [2015]. Ordnance Survey 100022861. Available at: <http://www.magic.gov.uk/>

<sup>2</sup> [https://www.google.co.uk/intl/en\\_uk/earth/](https://www.google.co.uk/intl/en_uk/earth/)

<sup>3</sup> Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edn. Bat Conservation Trust, London.

<sup>4</sup> CIEEM (2015) Guidelines for Ecological Report Writing. CIEEM, Winchester.

<sup>5</sup> British Standards Institution (2013) BS 42020:2013. Biodiversity – Code of practice for planning and development. British Standards Institution, London.

**Table 1: Guidelines summary for assessing potential bat roost suitability**

Suitability	Description of building, tree or structure
Negligible	Negligible habitat features on site likely to be used by roosting bats
Low	A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, potential roost sites not suitable for larger numbers or regular use (i.e. maternity or hibernation).
Moderate	A structure or tree with one or more potential roost sites that could be used by bats, but unlikely to support a roost of high conservation status.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time.
Confirmed roost	Evidence of bats or use by bats found.

## Nocturnal Bat Surveys

- 2.6 Three nocturnal bat surveys were carried out on Langett following recommendations from the PRA. Ecologists Tom Charlton (bat licence number 2018-34622-CLS-CLS), Kayleigh Stewart and Jason Skinner completed the dusk emergence surveys on 9<sup>th</sup> May 2020 and 11<sup>th</sup> June 2020. A dawn re-entry survey was carried out by the same persons on 27<sup>th</sup> May 2020.
- 2.7 During the dusk emergence survey, surveyors took up separate static positions 15 minutes prior to and 1.5 hours after sunset. During the dawn re-entry survey, surveyors took up the same positions 1.5 hours prior to and 15 minutes after sunrise. Surveyors were positioned to view all visible external areas of the building (fig. 2). Visual observations of bats were noted, and bat species were identified using bat detectors. The information recorded included weather, timings, whether bats emerged or re-entered the building, direction of travel, species and activity e.g. foraging, commuting. Equipment used during the nocturnal surveys included 3 x Echo Meter Touch II recording devices coupled to Android and Apple devices, 3 x heterodyne bat detectors and 1 Anabat Express static recording device. An infrared imaging system comprising a Sony HDR-HC3 and 2 x IR illuminator floodlamps was used to strengthen the survey data.

## Static Monitoring

- 2.8 One Anabat static recording device was deployed in Langett between 28<sup>th</sup> May and 2<sup>nd</sup> June 2020. Results were analysed using Analook software in order to identify the bat species where possible.

## Inspection for Birds

- 2.9 The survey also included an inspection for evidence of common nesting birds. Inside the building, artificial light was used to search for birds, dead birds, dead chicks, nesting material and eggs.

## Limitations

- Local biological record searches were not obtained.
- Bat droppings deposited in or around the exterior degrade quickly due to weather. The presence of bats or their roost must not be disregarded in the absence of droppings.
- Lack of suitable flooring prevented safe and thorough assessment of the loft void.
- A small loft element was not accessible due to lack of entry point through dividing wall
- For Health & Safety purposes ladders were not used to gain close views of the external roof structure. All external aspects of the building were assessed from ground level.
- Many bat species in the UK are crevice-dwelling bats and as such, are difficult to find during PRAs.

## 3 RESULTS

### Desk Study

Langett lies within the boundaries of the Cotswolds – an Area of Outstanding Natural Beauty (AONB). Further to this, according to the MAGIC website there is one statutory designated site that exist within 2km of the site boundary. No non-statutory sites exist within 2km (see limitations).

**TABLE 2: SITE DESIGNATIONS**

Site Name	Designation	Distance	Direction	Relevant Information
Lineover Wood	SSSI	876 m	South	Ancient and Semi-Natural woodland, notable for beetles and butterfly including pearl-bordered fritillary.

*SSSI = Site of Special Scientific Interest*

### Local Habitats

- 3.1 The proposed development site is located within a rural setting 4.5 km south-east of Cheltenham town centre. The wider environment consists of grazing pastureland and arable fields bounded by mature hedgerows. According to the MAGIC website, a substantial block of Ancient Replanted woodland known as Dowdeswell Wood lies 71 m north-east of Langett, and a 37-ha block of conifer woodland lies adjacent to the eastern site boundary at a distance of approximately 8 m. Further to this, a number of blocks of deciduous woodland surround the site within a 2 km radius. Sites comprising good quality semi-improved grassland lie to the south and south-west, lowland meadow to the west, and lowland calcareous grassland to the south-west and south-east within 2km of Langett. There are several running and standing waterbodies within a 2 km radius, and of particular note is Dowdeswell Reservoir located 83 m east of the site.

### Granted European Protected Species Licences within 2km

- 3.2 According to the online MAGIC database, no EPSLs for bats have been granted within a 2 km radius of the development site.

## Preliminary Bat Roost Assessment Results

- 3.3 The grounds of Langett comprise a 3-bedroom bungalow, integral single garage, gravel driveway and front and rear gardens. The PRA and all subsequent information pertain to the bungalow only.
- 3.4 Langett is a single-storey, stone block-built and currently unoccupied residential dwelling supporting a pitched timber-framed roof clad with slate roof tiles. The roof is underlined with plastic membrane and bitumen felt. The building comprises three bedrooms, two bathrooms, a lounge, dining room, kitchen, entrance hall, conservatory, loft void and single integral garage.
- 3.5 Externally, the roof tiles and ridge tiles are in good condition without any obvious slips or raises. Gaps were noted beneath plastic fascia and UPVC soffit edging the roof on the north, east and west elevations. The stone-block walls of the structure were largely in good condition, though a small number of cracks caused by failed mortar surrounded the garage door. All windows were tightly-fitted and closed at the time of the assessment.
- 3.6 Internally, the living quarters of the building are in good condition and offer little in the way of roosting opportunities for bats. A small portion of the ceiling area above the doorway leading from the kitchen to the dining room had collapsed as a result of a water leak, though no openings leading from the loft into this area of the house were present.
- 3.7 The loft void could be accessed for assessment via a loft-hatch and ladder. Due to a lack of suitable flooring, not all of the loft void could be safely and thoroughly surveyed. The roof is lined with a plastic breathable membrane and bitumen felt, both of which are loosely attached in some areas. The floor had a thick layer of loft insulation. The loft is split into two elements by a dividing wall – a main element, and smaller element located at the eastern end. The smaller loft void element was visible but could not be accessed due to lack of entry points past the dividing wall, therefore it was not thoroughly inspected. Exposed timber beams and purlins of the roof structure could be utilised by perch-feeding bats, though mortice joints were tightly fitted without any obvious gaps. Multiple areas of daylight were visible at the roof edge that would allow bats to gain entry into both elements of the loft.
- 3.8 Evidence of bats discovered during the survey consisted of a fine scattering of approximately 40 small droppings at the eastern end of the main loft element. Further to this, scatterings of droppings of various ages were discovered within the smaller loft element. Droppings were collected from both elements of the loft void and sent for DNA analysis.

**Table 3: Weather conditions during the preliminary roost assessment**

Date	Start	Finish	Temp °C	Wind	Cloud	Rain	Notes
06/04/2020	12:00pm	13:40pm	14	Calm	50 %	Dry	N/A

## Nocturnal Bat Survey Results

### Survey One (Dusk Emergence)

- 3.9 During the first nocturnal survey, completed on the 9th May 2020, five species of bat were recorded - common pipistrelle (*Pipistrellus pipistrellus*), Soprano pipistrelle (*Pipistrellus pygmaeus*), lesser



horseshoe (*Rhinolophus hipposideros*), brown long-eared (*Plecotus auritus*) and noctule (*Nyctalus noctula*). Activity largely consisted of commuting activity along the eastern boundary of the property by common pipistrelle, soprano pipistrelle, brown long-eared and lesser horseshoe. At no point during the survey were any bats observed emerging from or re-entering the building.

#### Survey Two (dawn re-entry)

- 3.10 During the second nocturnal survey, completed on the 27th May 2020, five species of bat were recorded: common pipistrelle, soprano pipistrelle, Brandt's (*Myotis brandti*), brown long-eared and noctule. Activity largely consisted of foraging activity by the common pipistrelle within the rear garden area and at the eastern boundary of the property. Two soprano pipistrelle were observed re-entering the building through gaps beneath fascia board located on the south-east facing gable end, and one Brandt's was observed making exploratory flights around UPVC fascia at the same end of the building before re-entering.

#### Survey Two (dusk emergence)

- 3.11 During the third nocturnal survey, completed on the 11th June 2020, six species of bat were recorded– common pipistrelle, soprano pipistrelle, brown long-eared, serotine (*Eptesicus serotinus*), Brandt's and noctule. Activity consisted of foraging activity by common pipistrelle and soprano pipistrelle along the eastern boundary of the property. Two commutes by serotine were observed, passing over the building in a westerly direction. A single Brandt's bat was observed exiting the building from beneath UPVC fascia edging the roof of the south-eastern gable end.
- 3.12 Weather conditions during the surveys are presented in Table 4 and nocturnal survey results are presented in Table 5.

**TABLE 4: WEATHER CONDITIONS DURING NOCTURNAL SURVEYS**

Date	Start	Finish	Sunrise/Sunset	Temp °C	Wind	Cloud	Rain	Notes
09/05/2020	20:20	22:25	20:46	22	Calm	30%	Dry	N/A
27/05/2020	03:29	05:15	04:59	13	Light breeze	90%	Dry	N/A
11/06/2020	21:10	23:00	21:27	13	Calm	90%	Dry	N/A

**TABLE 5: NOCTURNAL EMERGENCE/RE-ENTRY RESULTS**

Date	Time	Species	Activity/Notes
27/05/2020	05:12	Soprano pipistrelle	Re-entry beneath UPVC soffit, south-eastern end.
	05:16	Soprano pipistrelle	Re-entry beneath UPVC soffit, south-eastern end.
	05:26	Brandt's	Exploratory flights around UPVC fascia on south-

			eastern gable end, before re-entering beneath UPVC fascia.
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Date	Time	Species	Activity/Notes
11/05/2020	21:47	Brandt's	Emergence from beneath UPVC fascia. South-eastern gable end.

## Bat Dropping Analysis

- 3.13 Analysis of bat droppings collected from the main loft void and smaller loft element during the PRA was completed by SureScreen Scientifics Ltd and confirmed as being deposited by soprano pipistrelle.

## Static Recording Results

- 3.14 An Anabat Express static recording device was deployed within the loft void for a period of five nights. Low numbers of *Myotis* sp. calls were recorded during this period, with a maximum of five calls recorded on a single night made between 21:00-22:00 and 04:00-05:00. No other bat species were recorded during this period.

## Bird Inspection Results

- 3.15 No Evidence of nesting birds was discovered during the assessment.

## 4 INTERPRETATION AND RECOMMENDATIONS

- 4.1 A daytime assessment was commissioned with a view to assess a 3-bedroom residential dwelling for its potential to support roosting bats. The surveyed building is currently unoccupied.
- 4.2 The site is located within a rural setting approximately 4.5 km south-east of Cheltenham town centre. Surrounding Langett, the wider environment largely consists of grazing pastureland and arable fields bounded by mature hedgerows, which provide excellent connectivity to the wider landscape as well as feeding and commuting opportunities for bats. Blocks of deciduous, ancient replanted and conifer woodland surround the site, all of which will inevitably support a diversity of wildlife and offer potential to support roosting, foraging and commuting activity for bats, notably a substantial block of Ancient Replanted woodland known as Dowdeswell Wood, located 71 m north-east of Langett. Local water bodies would provide foraging opportunities, notably Dowdeswell Reservoir lying 83 m east of Langett.
- 4.3 The site is located within the boundaries of the Cotswolds – an Area of Outstanding Natural Beauty (AONB). The site does not lie within any further statutory or non-statutory sites. One designated site – Lineover Wood SSSI - is located within a 2 km radius. The proposals are considered small-scale and

therefore, provided that habitats are not subjected to the inappropriate use of lighting, no impacts to nearby habitats are anticipated.

- 4.4 Bats could easily achieve access into the loft void through a number of openings surrounding the roof edge. Internally, exposed timber joists and purlins of the roof structure provide value to perch-feeding bats, and gaps beneath loosely-fitted bitumen and plastic membrane lining the roof hold value for crevice-dwelling bats. Externally, Potential Roosting Features (PRF's) for bats noted during the assessment included gaps between fascia surrounding the roof edge, and openings to UPVC soffit.
- 4.5 Evidence of bats discovered during the assessment consisted of fresh and old small bat droppings discovered within both elements of the loft void. No bats were observed during the daytime assessment. Droppings collected from both elements of the loft were sent for DNA analysis and confirmed to be those of soprano pipistrelle.
- 4.6 Taking the above into account, Langett was confirmed as being utilised by bats for roosting. In the absence of appropriate mitigation and compensation, any bats utilising the surveyed building may be disturbed, injured or killed during the proposed works and any roosts would be destroyed. Subsequently, three nocturnal surveys – two dusk emergence and one dawn re-entry – were undertaken in May and June 2020, during which two soprano pipistrelle were observed re-entering the building during the second nocturnal survey, and a single Brandt's bat was observed re-entering the building during the second nocturnal survey, and emerging from the building during the third nocturnal survey.
- 4.7 Over the course of the three nocturnal surveys completed in May and June 2020, seven species of bat were recorded utilising the grounds of Langett for both commuting and foraging activity, in particular along the eastern site boundary by common and soprano pipistrelle, brown long-eared and lesser horseshoe. This indicates that the surrounding habitats are exploited by bats, and it is therefore considered any inappropriate use of nocturnal lighting could have a detrimental impact on these bats.

## **Roost locations and characterisation (See Roost Location Map, Fig 3.)**

### **Brandt's (*Myotis brandtii*)**

- 4.8 A single Brandt's bat was observed emerging from and re-entering the building through an opening beneath UPVC fascia edging the south-eastern gable end of the building during the second (dawn) and third (dusk) nocturnal surveys. The emergence/re-entry point was identified as beneath UPVC fascia located on the south-eastern gable end. Whilst no droppings of *Myotis* sp. was discovered during the PRA, identification was concluded through analysis of recorded calls from the nocturnal surveys using Sonobat software, coupled with the close proximity of the building to woodland of which Brandt's bat are strongly linked to. Taking the above into account, it is considered that Langett is being utilised as an infrequent day roost by one Brandt's bat.

### **Soprano Pipistrelle (*Pipistrellus pygmaeus*)**

- 4.9 Two soprano pipistrelle were observed re-entering the property through a gap beneath UPVC soffit during the second (dawn) survey, accessing a roosting site located on the south-eastern end of the

main house element. Soprano pipistrelle droppings discovered within the loft void suggests that this species may occasionally enter the eastern loft element, though no calls from this species were recorded during static monitoring. Taking the above into account, it is considered that Langett is being utilised as an infrequent day roost by two soprano pipistrelle.

4.10 Analysis of bat droppings samples collected from within the loft void during the PRA were confirmed as being those of soprano pipistrelle.

4.11 As the proposed development will result in the loss of day roosts of soprano pipistrelle and whiskered/Brandt's bat, a European Protected Species Licence (EPSL) will be required from Natural England in order for the development to lawfully proceed. Natural England expect three tests to be satisfied before a EPSL can be issued. These tests are as follows:

- There is no satisfactory alternative.
- The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- The action authorised preserved public health or public safety or other imperative reasons of overriding public interest including those of the social or economic nature and beneficial consequences of primary importance for the environment.

4.12 Following good practice guidelines, we recommend no works are carried out until a EPSL has been issued by Natural England. A robust mitigation and compensation strategy and subsequent EPS licence application coupled with supporting method statement and relevant maps should be submitted to Natural England in good time ahead of the development commencing.

4.13 A low-level lighting scheme should be implemented during and after construction to avoid indirect disturbance to bats and other nocturnal animal species that may exploit local habitats. We recommend that:

- During the construction phase, works are not carried out after dusk and do not commence until after dawn. It is strongly recommended that generators and machinery that emit significant noise levels are not left to run through the night.
- Light spill is controlled and if lighting is required at night, hooded shields are fitted to
- prevent spill onto nearby habitats that are likely to support wildlife.

## Birds

4.14 No bird nests were discovered during the assessment, though the loft void was considered to hold value for nesting birds. We recommend that works commence outside of the bird-nesting season, which generally runs from late February to late August. If works are planned within this period, they should only be carried out following an ecologist's assessment to confirm the absence of nesting birds.

## APPENDIX A: LEGISLATION SUMMARY

### National Planning Policy Framework 2019

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2019) states: Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

### **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**

The Conservation of Habitats and Species Regulations 2017 (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.

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.

## Bats

In England and Wales, bats and their roosts are protected under the Conservation of Species and Habitats Regulations 2010 (as amended), and the Wildlife & Countryside Act 1981 (as amended). Taken together, this legislation makes it an offence to:

- Deliberately capture (or take), injure or kill a bat
- Intentionally or recklessly disturb a group of bats where the disturbance is likely to significantly affect the ability of the animals to survive, breed, or nurture their young or likely to significantly affect the local distribution or abundance of the species whether in a roost or not
- Damage or destroy the breeding or resting place of a bat
- Possess a bat (alive or dead) or any part of a bat
- Intentionally or recklessly obstruct access to a bat roost
- Sell (or offer for sale) or exchange bats (alive or dead) or parts of bats

A roost is defined as being 'any structure or place that is used for shelter or protection', and since bats regularly move roost site throughout the year, a roost retains such designation whether or not bats are present at the time.

## Birds

All common wild birds are protected under The Wildlife and Countryside Act 1981 (and as amended). Under this legislation it is an offence to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while it is in use or being built
- Take or destroy the egg of any wild bird
- Certain rare breeding birds are listed on Schedule 1 of The Wildlife and Countryside Act 1981 (and as amended). Under this legislation they are afforded the same protection as common wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs/unfledged young.

## APPENDIX B: MAPS

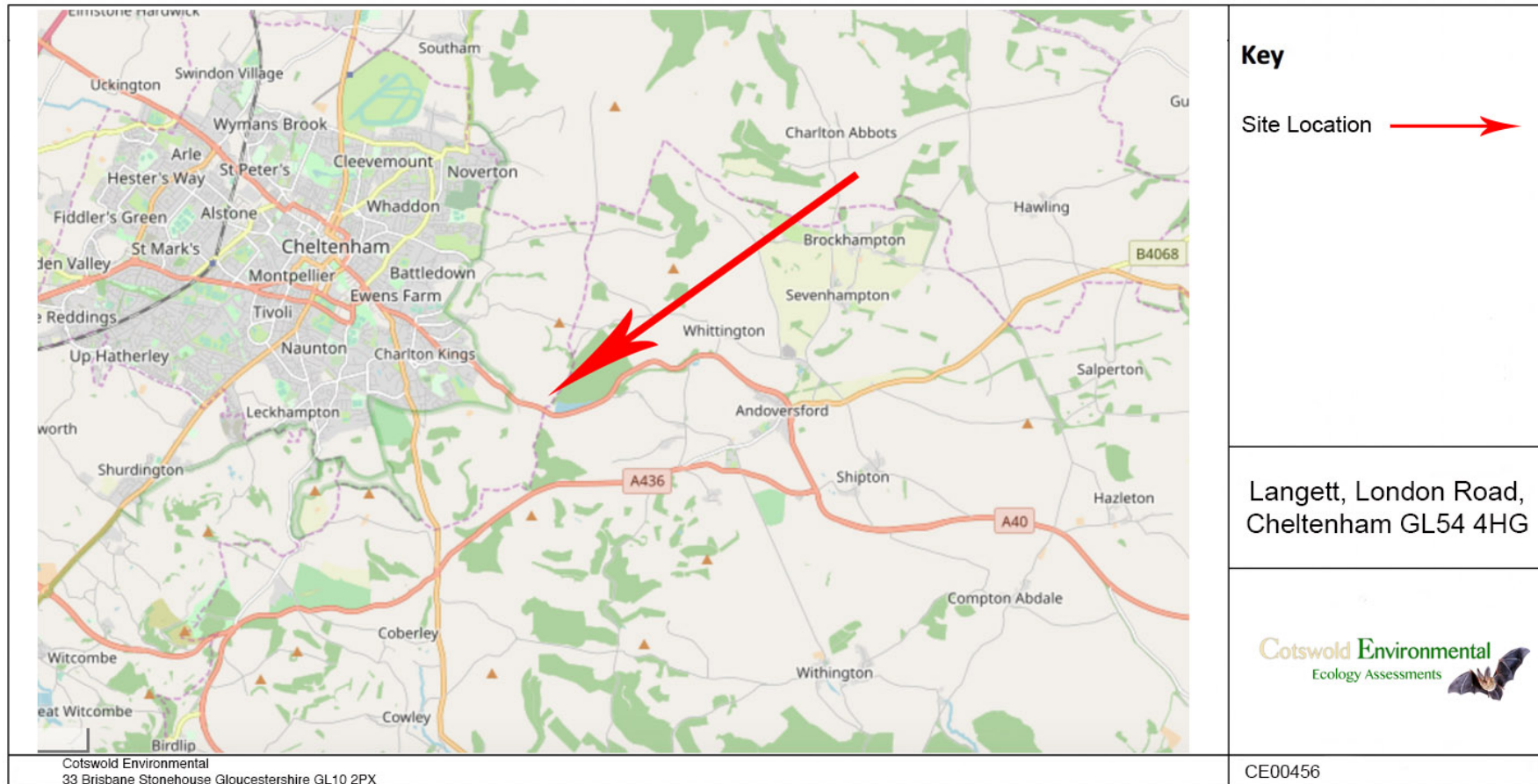


Figure 1: Site location map





Figure 2: Site Map



Figure 3: Emergence/re-entry locations

## APPENDIX C: SITE IMAGES



**Photo 1: Red line highlights south-facing elevation of surveyed building.**



**Photo 2: Red line highlights north-facing elevation of surveyed building.**



**Photo 3: Red arrow points to opening beneath soffit. Eastern gable wall.**



**Photo 4: Red arrows point to gaps beneath plastic fascia. Western gable wall.**



**Photo 5: Red arrows point to daylight visible within the loft void.**



**Photo 6: Red arrows point to exposed timber joists and purlins of roof structure within loft void.**



**Photo 7: Red arrows point to bat droppings discovered on work top in main loft element.**



**Photo 8: Bat dropping discovered in main loft element.**



**Photo 7: Red arrow points to location of two soprano pipistrelle re-entries beneath UPVC fascia at south-eastern end.**



**Photo 8: Red arrow points to location of Brandt's bat emergence and re-entry on south-western gable end.**