

Non-licensed
Bat Mitigation Method Statement
for
Baytree House,
Belchamp St Paul.



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Survey Commissioned by:	Mr James Mortlock
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Disclaimer

The findings detailed in this report are based on evidence from thorough survey, where every effort has been taken to provide an accurate assessment of the site at the time of the survey. No liability can be assumed for omissions or changes after the survey has taken place.

This report was instructed by Mr James Mortlock, and following the brief agreed. Aspen Ecology has made every effort to meet the client's brief.

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1 Introduction

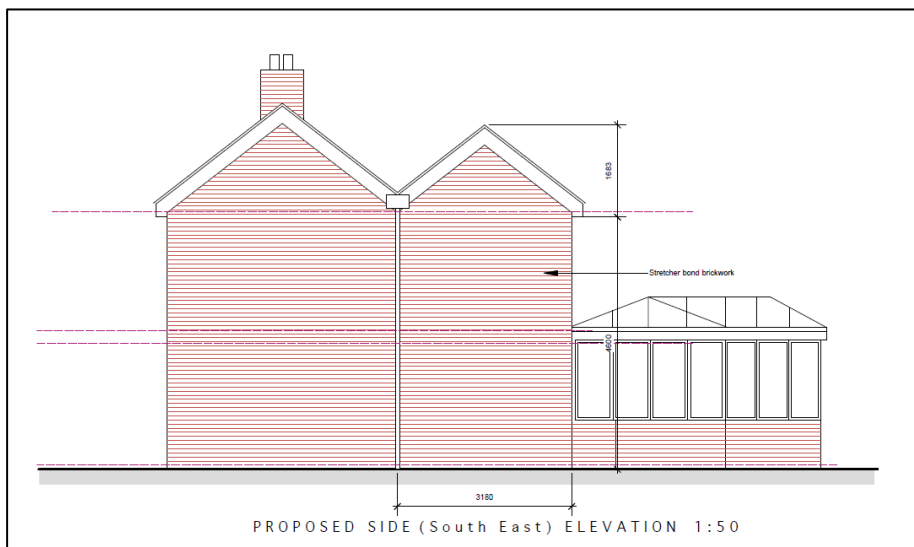
1.1 Proposed development and Planning Context

The proposed development involves: the construction of a new first floor rear extension to the property (Planning reference: 21/02201/HH). The existing and proposed south east elevations are shown below in Figures 1.1 and 1.2.

Figure 1.1 Existing South-east elevation



Figure 1.2 Proposed South-east elevation



The proposals were granted planning permission on the 19th August 2021.

1.2 Scope

This Method Statement is provided to minimise the risk of causing harm or disturbance to the maternity roost of *Myotis sp.* likely Natterer's bats, using the main loft void during the summer maternity season.

Bats are strictly protected under UK legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019)¹, and the Wildlife and Countryside Act, 1981²). Four UK species are also listed under Annex II of the Habitats Directive (including the barbastelle).

Seven species; barbastelle, noctule, brown long-eared, soprano pipistrelle, greater horseshoe, lesser horseshoe and Bechstein's bat are Species of Principal Importance in England (SPIE) - formerly UK Biodiversity Action Plan Priority (BAP).

This method statement should be read in conjunction with the Bat Survey report for the property and provides details of the working methods and precautionary techniques to be used during the proposed roof works to allow discharge of Condition 4 of the Planning Permission.

2 Background Information

2.1 Survey Results

Surveys undertaken by Aspen Ecology in 2021 found that the House is used by moderate numbers of breeding *Myotis sp.* likely Natterer's bats.

- Up to twelve *Myotis sp.* bats were recorded emerging from and returning to roosts within the loft void of the House. The emergence/re-entry point was located behind the ornate timber bargeboard on the south eastern gable. Bats are using spaces beneath insulation on the floor of the loft and potentially within gaps between external slates and internal felt lining on the south western elevation for roosting.

Surveys covered the optimal survey season, including the maternity roosting period. *Myotis sp.* bats usually hibernate in underground locations, no bats were recorded within the loft during the internal inspection in January and there are no cavity walls within the Main House; therefore, it is considered unlikely that the House is used by hibernating bats.

2.2 Impacts

The proposed works that have the potential to impact roosting bats are the tying in of the new roof to the existing roof structure and the removal and replacement of external timber bargeboards on the existing gables.

¹ HMSO (2019) The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations. HMSO, London.

² HMSO (1981) Wildlife and Countryside Act. HMSO, London.

The bat roost will be retained without modification as the process of tying in the new roof will essentially require disturbance at eaves level only and therefore the void area (size, orientation, materials) will not be altered. External timber bargeboards will be replaced like for like to ensure bats can still access the roost site as existing.

The construction of the new extension above the existing single storey extension to the rear is not considered likely to impact bats. During the activity surveys, bats were only recorded emerging and re-turning to roost via the south-eastern gable and evidence internally within the loft void suggests that the roost uses the space beneath insulation of the floor of the loft predominantly and potentially between external slates in internal felt lining on the south western elevation occasionally. Therefore, works associated with the external construction of the new extension walls is not considered to impact bats.

3 Legislative Requirements

3.1 Persons Responsible for Nature Legislation Compliance

The Site Manager will be responsible for nature conservation legislation compliance. These duties are detailed in Section 4 – Control of Works below.

4 Control of Works

To ensure that the works are undertaken in accordance with this Mitigation Method Statement a series of control measures will be utilised. These measures include:

1. The application of Natural England licences where applicable.
2. The appointment of an ecological project manager.

4.1 Legislative

The proposed works that have the potential to impact bats will be carried out at a time when it is unlikely for bats to be present (Dec-March). Although a maternity roost is present within the loft void, bats are unlikely to be present at the time of works and the roost site will be retained *in situ* and unaltered, therefore a Natural England Bat Mitigation Licence will not be required for the works.

4.2 Ecological Supervision

A suitably qualified ecologist will be appointed to supervise removal of features that could impact bats (if present at the time of works). The project ecologist will:

- Provide advice to contractors on how best to minimise impacts on wildlife throughout the construction phase of development;
- Be the main point of contact should any issues relating to ecology arise during construction;
- Make the relevant people aware of any ecological issues that occur during the construction phase;

- Give Toolbox Talks (where necessary) on protected species and sensitive features to contractors carrying out work to sensitive features;
- Supervise removal of features used by bats (removal of the first two to four courses of slates prior to tying-in of the new roof and removal and replacement of timber bargeboards on the south eastern elevation).

The Project Ecologist will be provided with updated programme of works to determine watching brief requirements and associated ecological issues.

If the Project Ecologist or appointed representative identifies any issues in relation to ecology or considers that the Bat Mitigation Method Statement is not being adhered to at any point during construction, the client will be contacted and measures will be taken to resolve any issues. If the client/contractors identifies any ecology issues, the Project Ecologist will be contacted for advice immediately.

4.3 Current Site Conditions

This Bat Mitigation Method Statement has been prepared based on ecological information collected in 2021 and is considered to be up to date.

4.4 Risk Assessment of Construction Activities

4.4.1 Removal of timber bargeboards

Potential Impacts

The roosting bats are accessing the roost within the loft void via gaps associated with the timber bargeboards on the south eastern elevation. Replacement bargeboards will need to replicate any access points or bats may be prevented from accessing their roost in the spring/summer of 2022.

Measures to Minimise Impacts

A suitably experienced bat licensed ecologist will supervise the hand removal of timber bargeboards on the south eastern elevation. Works will only be undertaken when bats are unlikely to be using the roost within the loft void (between December 2021 and March 2022).

- The existing bargeboards will be inspected and any depressions/worn areas that bats could use for access will be noted and carefully examined.
- Contractors will replicate any access points (as described above) exactly including location and depth to allow bats to continue to access the bat roost via the south eastern gable.
- If any timber treatment products are required to be used on the new bargeboards these should follow Natural England Technical Information Note TIN092, which lists currently approved remedial timber treatment chemicals and products that can be used where there are bat roosts.

The bat licensed ecologist will supervise the reinstallation of the bargeboards to ensure that gaps created provide access where necessary.

4.4.2 Removal of the first two to four courses of slates on the north eastern elevation

Potential Impacts

Removal of slates on the north eastern elevation has the potential to disturb bats temporarily during the time of works if undertaken at a time when bats are present (April-September).

Measures to Minimise Impacts

A suitably experienced, bat licensed ecologist will supervise the hand removal of slates on the north eastern elevation. Works will only be undertaken when bats are unlikely to be using the roost within the loft void (between December 2021 and March 2022).

- Slates will be removed by hand one at a time and lifted vertically (not slid), carefully off the roof so that the space beneath can be inspected by the bat licensed ecologist.
- Once all slates (the first two-four courses only) have been removed in this manner and declared free of bats the roof works can be completed.

If at any time a bat is found all works should stop and the project ecologist informed, to advise on the best way forwards.

Prior to the start of any works at the site a suitably qualified and licensed ecologist will inspect the loft void of the Main House to ensure that there are no bats present, this check will be undertaken in November/ December 2021 when it is considered unlikely that the *Myotis sp.* maternity roost will be present. If any bats are found to be using the loft space at this time works will need to be postponed until a Natural England Mitigation Licence is obtained for the site.

All works involving the existing roof and bargeboards will be completed before the 1st April 2022 to allow the bats to return to use the roost within the loft void. Other works to the exterior and interior of the extension may extend beyond this date, but are unlikely to impacts roosting bats.

4.5 Timeframes and Responsibility for Implementation

This Bat Mitigation Method Statement will be implemented at the outset of development and will be adhered to until completion of all construction works. The persons responsible for ensuring that the Method Statement is adhered to at each phase have been allocated.

Table 2. Timeframes and responsibility for Implementation

Bat Phase	Mitigation	Start date	End date / duration	Responsible Person
Pre-start of works	loft check	November/ December 2021	Single visit	Project Ecologist/ Client
Removal of timber bargeboards		Between December 2021 and March 2022 – ecological supervision required	One week	Contractors supervised by the Project Ecologist
Removal of slates on the north eastern elevation and tying in the new roof		Between December 2021 and March 2022 – ecological supervision required	Two weeks	Contractors supervised by the Project Ecologist
Construction (works affecting the existing roof and bargeboards)		October 2021	March 2022	Contractors/ Client
Completion of works affecting the exiting roof and bargeboards		Before 1 st April 2022	-	Contractors/ Client

5 Appendix A – Legislation

5.1 Habitat Regulations

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) into English law, making it an offence to deliberately capture, kill or disturb wild animals listed under Schedule 2 of the Regulations. It is also an offence to damage or destroy a breeding site or resting place of such an animal (even if the animal is not present at the time).

5.2 Wildlife & Countryside Act

The Wildlife and Countryside Act 1981³, as amended by the Countryside and Rights of Way Act (CRoW) 2000 and the Natural Environment and Rural Communities Act (NERC) 2006⁴, consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive), making it an offence to:

- Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, or its dependent young while it is nesting;
- Intentionally kill, injure or take any wild animal listed under Schedule 5 to the Act; intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any wild animal listed under Schedule 5 to the Act; intentionally or recklessly disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection;
- Pick or uproot any wild plant listed under Schedule 8 of the Act.

Sites of Special Scientific Interest (SSSI) are designated under this Act.

Special Protection Areas (SPA) are strictly protected sites, designated under the Birds Directive, for rare and vulnerable birds and for regularly occurring migratory species.

5.3 Natural Environment & Rural Communities Act

The NERC 2006 places a duty on authorities to have due regard for biodiversity and nature conservation during the course of their operations.

5.4 Biodiversity Action Plans

The UK Biodiversity Action Plan (UKBAP)⁵ was organised to fulfil the Rio Convention on Biological Diversity in 1992, to which the UK is a signatory.

There is no longer a UK Biodiversity Action Plan; this has been replaced by the UK Post-2010 Biodiversity Framework (2012). The England Biodiversity Strategy has been replaced by

³ HMSO (2000) Countryside and Rights of Way (CRoW) Act. HMSO, London.

⁴ HMSO (2006) Natural Environment and Rural Communities Act (NERC Act) HMSO, London.

⁵ UK BAP from URL <http://jncc.defra.gov.uk/page-5717>

Biodiversity 2020: A strategy for England's wildlife and ecosystem services⁶. As a result, the BAP process has been devolved to local level with each county deciding its own way forward.

⁶ Defra (2011) Biodiversity 2020: A strategy for England's wildlife and ecosystem services.