Hone Ecology
Ecological & Protected Species Surveys

BAT ROOST POTENTIAL BUILDING ASSESSMENT REPORT (2021)
106 Bexley Road, Erith DA8 3SP

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Executive summary

Introduction	This survey has been undertaken to determine the potential for roosting bats within a Victorian brick residential house at 106 Bexley Road, Erith DA8 3SP, and is an update survey to one undertaken on 12th December 2017 (Hone Ecology, 2017). Proposed plans for the property comprise alterations to the existing building and extension to the rear to provide 13 residential apartments with associated parking. Bats use numerous roosting locations all of which are protected. All species of bat are afforded legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (See Appendix A). All species of bat are European Protected Species (EPS).
Results	The site comprised a Victorian residential house located on a Bexley Road with a pitched roof. It was surrounded by patio paving and small area of lawn to the rear and gravel parking area at the front of the property. There was a recently constructed open sided summer house in the rear garden. The site is bordered by fences and scattered trees to the east and west, and abuts a section of the Erith Quarry and Fraser Road Site of Importance for Nature Conservation (SINC) to the north. The wider area is urban development, with sections of wooded areas to the north. No signs of roosting bats were identified within either the residential building or summerhouse. All areas could be searched.
Conclusions	Bats are unlikely to be using the property owing its lack of potential roosting opportunities, due to the recent renovations and repairs to the property. Bats are also unlikely to be using the summerhouse in the garden of the property, due to the sub-optimal roosting conditions provided by the construction. As all areas of the residential building and summerhouse could be searched and no evidence of roosting bats or potential roost features were identified, the potential for disturbing a roosting place or space of a bat on either building should be considered to be **negligible.** **Recommendations**
Recommendations	No further surveys are recommended. In the unlikely event a bat is identified during works, works should cease in that area and a licenced bat worker should be contacted. This survey is valid for 12 months if works are delayed for longer, then a new survey should be undertaken.
Enhancements and Opportunities	• Placement of one bat roost box on the proposed building at the rear to provide additional roosting opportunities. • To provide further net biodiversity gains on the site, it is recommended that a native species hedge be planted along the northern property boundary to create nesting potential for garden birds. Additionally, bird boxes can be erected on the building.

1.0 Introduction

1.1 This survey has been undertaken to determine the potential for roosting bats within a Victorian brick residential house at 106 Bexley Road, Erith DA8 3SP, and is an update survey to one undertaken on 12th December 2017 (Hone Ecology, 2017). Proposed plans for the property comprise alterations to the existing building and extension to the rear to provide 13 residential apartments with associated parking.

1.2 Bats use numerous roosting locations all of which are protected. All species of bat are afforded legal protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (See Appendix A). All species of bat are European Protected Species (EPS).

Survey Location

1.3 The surveyed building is located at OS Grid reference TQ 50533 77889.

Survey Objectives

1.4 The purpose of this report is to provide the evidence that an assessment has been made as to the potential for the building and garden trees in question to support roosting bats in order to demonstrate compliance with wildlife legislation protecting bats and planning policy.

The key objectives of this survey are as follows:

- assess the presence or likely absence of roosting bats within building on site.
- identify signs of roosting bats in the form of staining, droppings, feeding remains or the bats themselves, within roof voids, cavities and joints that could be accessed by bats if roosting bats are found to be present on the site, give an indication of the species present.
- recommend further mitigation and surveys to determine access, confirm species and numbers where assessed as necessary and suggest potential enhancements.

Survey Limitations

1.5 It should be noted that this survey, whilst carried out in accordance with current best practice, identifies the potential for the building to be used by roosting bats and is not considered to be a full emergence /ingress survey. Knowing this, this survey should be regarded however as a robust recognised method of building assessment. It is possible that on occasion, despite best effort, bats may be found on site after works commence; if this is the case, advice should be sought immediately from a suitably qualified ecologist on the best course of action to take.

2.0 Methodology

2.1 The survey described below has taken due regard of the Bat Conservation Trust Bat Survey Good Practice Guidelines 2016 and recognised as a robust survey methodology.

2.2 The survey was undertaken by experienced surveyor Julie Merrett on 30th June 2021, authorised as an accredited agent under bat licence 2015-12576-CLS-CLS.

Building inspection

2.3 An internal inspection was undertaken where possible inspecting all roof voids and potential roosting locations with a high powered torch, digital endoscopic camera and ladder looking for signs of bats in the form of staining, droppings, feeding remains and bats themselves. This was followed by an external inspection of the building looking for potential ingress points through soffits, eaves, missing roof tiles/slates, brickwork and windows.

2.4 Web-based resources were consulted to identify designated nature conservation sites within or immediately adjacent to the site surveyed, and Natural England licence applications for bats within 1km. Multi-Agency Geographic Information for the Countryside was consulted.

Table 1 below shows the potential suitability descriptions used for this survey.

Table 1: Guidelines for assessing the potential suitability of sites for bats (BCT, 2016)

Suitability	Description Roosting habitats	Commuting and foraging habitats
Negligible	Negligible habitat features on site to be used by roosting bats	Negligible habitat features on site likely to be used by commuting or foraging bats
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bates (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.	Habitat that could be used by small numbers of commuting bats for example, a fragmented hedgerow or un-vegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
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).	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
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 due to their size, shelter, protection, conditions and surrounding habitat.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.

3.0 Results

3.1 The site comprised a Victorian residential house located on a Bexley Road with a pitched roof. It was surrounded by patio paving and small area of lawn to the rear and gravel parking area at the front of the property. There was a recently constructed open sided summer house in the rear garden. The site is bordered by fences and scattered trees to the east and west, and abuts a section of the Erith Quarry and Fraser Road Site of Importance for Nature Conservation (SINC) to the north. The wider area is urban development, with sections of wooded areas to the north (Figure 1).

Building Assessment

3.2 The building was three-storey with the loft converted into a bedroom, and constructed of brick with slate tile pitched roof (Plates 1,2 and 3). There was also a modern construction brick and slate tile construction open-sided summer house in the rear garden, which it is understood is to be demolished as part of the planned works (Plate 4).

Plate 1: Front (north aspect) of building.

Plate 2: Rear (south and west aspects) of the building.

Plate 4: South and east aspects of the building.

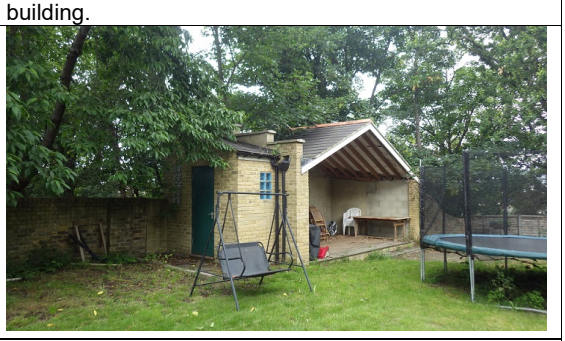


Plate 5: Open sided summer house.

External

3.3 Externally the residential property brick work was in good condition owing to repointing of the property approximately 5 years previous. The roof had been converted and recently sated. The slate tiles were in place and in good condition lacking potential gaps, as were the roof ridge tiles. The soffits were all in good condition and lacked any gaps. There was one hole in the brickwork (Plate 5) and a broken windowsill (Plate 6), both of which were investigated with a torch and found not to be suitable for features for roosting bats. No signs of bats in the form of droppings feeding remains or bats themselves were identified externally.

Plate 5: Cavity in brickwork. Part of ventilation apparatus.

Plate 6: Broken section of windowsill on front of building.

Internal

3.4 Internally the loft area of the property had been converted (Plate 7) so any roof cavities were minimal at the extremities of the roof. No signs of bats were identified within the top floor roof area.

Plate 7: Loft conversion interior.

Summerhouse

3.5 The summerhouse (Plate 4) was of modern construction of brick and slate tile roof. The brickwork and roof were in good condition, with no potential roost features observed externally. The building was open on one side, allowing natural light and wind inside, and providing sub-optimal conditions for roosting bats. No signs of bats in the form of droppings, feeding remains, staining or bats themselves were observed internally or externally on this building.

Bat licence records (MAGIC DEFRA)

3.6 No bat licence records were identified within 1km of the site.

Designated sites

3.7 The closest wildlife designated site is located adjacent the northern boundary of the site/ garden boundary comprising part of the former BxBI04 Erith Quarry and Fraser Road Site of Importance for Nature Conservation (SINC grade 1). The SINC comprises only a small part of what was a larger former quarry site which is now undergoing development. The remining section of this designation comprises a mature sycamore tree line with ivy and bramble scrub dominant. A bat survey of the Erith Quarry and Fraser Road SINC in 2014 found bat presence to be low with common pipistrelle bats being the dominant species recorded. Proposed plans will be constrained to the walled, fenced site boundary around the property which is elevated above the SINC which lies several metres below the northern boundary wall. Therefore it should be considered that the proposed plans are unlikely to affect the integrity of the species and habitats present within the adjacent SINC.

4.0 Conclusions

4.1 Bats are unlikely to be using the property owing its lack of potential roosting opportunities, due to the recent renovations and repairs to the property. Bats are also unlikely to be using the summerhouse in the garden of the property, due to the sub-optimal roosting conditions provided by the construction.

4.2 As all areas of the residential building and summerhouse could be searched and no evidence of roosting bats or potential roost features were identified, the potential for disturbing a roosting place or space of a bat on either building should be considered to be **negligible.**

5.0 Recommendations

5.1 The following recommendations are based on the principles of established survey techniques and comply with relevant best practice guidelines set out by the Chartered Institute for Ecology and Environmental Management (CIEEM).

5.2 Due to the negligible potential for roosting bats assessed for both the residential building and summerhouse, no further surveys are recommended.

5.3 It is understood that as the slate tiles are new any works which require their removal will be undertaken by hand to retain the slate tiles. In the unlikely event a bat is identified during these works, all works should cease in that area and a licenced bat worker should be contacted.

5.4 This survey is valid for 12 months if works are delayed for longer, then a new survey should be undertaken.

Enhancements and Opportunities

5.5 Ecological enhancements should where possible be incorporated into the proposed development to contribute towards the objectives of planning legislation identified within the National Planning Policy Framework (NPPF).

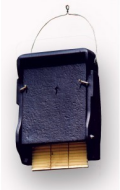
5.6 In accordance with the above plan: “Plan policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests” and together with the Natural England & Rural Communities Act 2005, places a statutory duty to promote biodiversity and minimise impacts of a development upon ecology.

5.7 Furthermore, in accordance with the principles of NPPF, developments should contribute towards the degree of connectivity between natural habitats and avoid the effects of habitat fragmentation and isolation. These networks of habitats provide valuable routes or stepping-stones for the migration, dispersal and genetic exchange of species within the wider environment. Existing networks, where possible, should be strengthened by, or integrated within, new developments.

5.8 As per Hone Ecology (2019), enhancements across the site could include:

- Placement of one bat roost box on the proposed building at the rear to provide additional roosting opportunities. The Schwegler 1FF Bat box is sufficiently spacious to allow colonial bats to use as either a roost or nursery. Since the 1FF is open at the bottom, allowing droppings to fall out, it does not need cleaning and is therefore especially suitable for hanging in inaccessible places. http://www.wildcareshop.com/bat-box-65.html

Schwegler 1FF Bat Box.



- To provide further net biodiversity gains on the site, it is recommended that a native species hedge (such as hawthorn) be planted along the northern property boundary to create nesting potential for garden birds. Additionally, bird boxes can be erected on the building.

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Figures

Figure 1: Aerial image of site with area of buildings surveyed in red.

Appendix A Legislation

The following is a summary of wildlife legislation and planning policy relevant to protected plant and animals species in the UK.

The sections on legislation have been extracted from the Joint Nature Conservation Committee's website and the Department of the Environment, Food and Rural Affairs website.

The Conservation of Habitats and Species Regulations 2010 (as amended)

The Conservation of Habitats and Species Regulations 2010 consolidate all the various amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994 in respect of England and Wales. The 1994 Regulations transposed Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law. The Regulations came into force on 30 October 1994. In Scotland the Habitats Directive is transposed through a combination of the Habitats Regulations 2010 (in relation to reserved matters) and the 1994 Regulations. The Conservation (Natural Habitats, &c) Regulations (Northern Ireland) 1995 (as amended) transpose the Habitats Directive in relation to Northern Ireland.

The amendments relate to the protection status of European protected species covered by the Habitats regulations. Taken together it is an offence to undertake the following acts with regard to European Protected Species:

(a) deliberately capture, injure or kill any wild animal of a European Protected Species;

(b) deliberately disturb animals of any such species in such a way as to be likely to significantly affect:

> *(i) the ability of any significant group of animals of that species to survive, breed, or rear or nurture their young, or*
>
> *(ii) the local distribution or abundance of that species;*

(c) deliberately take or destroy the eggs of such an animal; or

(d) damage or destroy a breeding site or resting place of such an animal.

An offence will only be committed if the deliberate disturbance is likely to **significantly affect** a **significant group** of animals of that species' ability to survive, breed, or rear or nurture its young or **significantly affect** the local distribution or abundance of that species.

Any biological definition of what constitutes a significant group of animals should take into account the local abundance of the species, its behaviour and the circumstances in which the disturbance takes place. Species that tend to be solitary, **such as dormice**, probably never form significant groups of adults, but a family group with dependent young could constitute such a group, particularly if the species is rare in the area.
The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb or trade in the animals listed in **Schedule 2** or damage or destroy a breeding site or resting place of such an animal; or pick, collect, cut, uproot, destroy, or trade in the plants listed in **Schedule 4**. However, these actions can be made lawful through the granting of licences (European Protected Species Licence) by the appropriate authorities (Natural England in England and Countryside Council for Wales). Licences may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that:

- **Regulation 44 (2)(e)** the development is 'in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'.
- **Regulation 44 (3)(a**) there is 'no satisfactory alternative'.

- **Regulation 44 (3)(b)** the action 'will not be detrimental to the maintenance of the population of the species at favourable conservation status in their natural range'.

To apply for a licence, the following information is required:

- The species concerned.
- The size of the population at the site (note this may require a survey to be carried out at a particular time of the year).
- The impact(s) (if any) that the development is likely to have upon the populations.
- What measures can be conducted to mitigate for the impact(s).

Amendments to the Habitats Regulations for England and Wales and the new Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 came into force on the 21st August 2007. Both Regulations revised the definition of deliberate disturbance of European Protected Species.

The Wildlife & Countryside Act (as amended) 1981

The Wildlife & Countryside Act 1981 (as amended) is the principal piece of UK legislation relating to the protection of wildlife. It 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) in Great Britain.

The Act makes it an offence (with exception to species listed in Schedule 2) to intentionally kill, injure, or take any wild bird or their eggs or nests. Special penalties are available for offences related to birds listed on **Schedule 1**, for which there are additional offences of disturbing these birds at their nests, or their dependent young. The Secretary of State may also designate Areas of Special Protection (subject to exceptions) to provide further protection to birds. The Act also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity.

The Act makes it an offence (subject to exceptions) to intentionally kill, injure, or take, possess, or trade in any wild animal listed in **Schedule 5**, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places. The Act also prohibits certain methods of killing, injuring, or taking wild animals listed in **Schedule 6**.

The Act makes it an offence (subject to exceptions) to pick, uproot, trade in, or possess (for the purposes of trade) any wild plant listed in **Schedule 8**, and prohibits the unauthorised intentional uprooting of such plants.

The Act contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in **Schedule 9**. It also provides a mechanism making any of the above offences legal through the granting of licences by the appropriate authorities.

The Countryside & Rights of Way Act 2000

The Countryside and Rights of Way Act 2000 (CRoW) was passed to provide additional levels of protection for wildlife whilst also strengthening the protection afforded to Sites of Special Scientific Interest. The CRoW act now makes it an offence to ‘recklessly’ harm the majority of species listed on the Schedules of the Wildlife and Countryside Act.

The Act places a duty on Government Departments and the National Assembly for Wales to have regard for the conservation of biodiversity and maintain lists of species and habitats for which conservation steps should be taken or promoted, in accordance with the Convention on Biological Diversity **(Section 74)**.

Schedule 12 of the Act amends the Wildlife and Countryside Act 1981, strengthening the legal protection for threatened species. The provisions make certain offences 'arrestable', create a new offence of reckless disturbance, confer greater powers to police and wildlife inspectors for entering

premises and obtaining wildlife tissue samples for DNA analysis, and enable heavier penalties on conviction of wildlife offences.

Natural England & Rural Communities Act 2006

The Natural England & Rural Communities Act 2006 (NERC) is designed to help achieve a rich and diverse natural environment and thriving rural communities through modernised and simplified arrangements for delivering Government policy.

It was created to make provision in connection with wildlife, sites of special scientific interest, National Parks and the Broads; to amend the law relating to rights of way; to make provision as to the Inland Waterways Amenity Advisory Council; to provide for flexible administrative arrangements in connection with functions relating to the environment and rural affairs and certain other functions; and for connected purposes.

NERC carries an extension of the CRoW Act biodiversity duty to public bodies and statutory undertakers to ensure due regard to the conservation of biodiversity.

The Badger Act 1992

In the UK, badgers are primarily afforded protection under the Protection of Badgers Act 1992. This makes it illegal to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so and to intentionally or recklessly interfere with a sett. Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it.

Badgers also receive limited protection under Schedule 6 of the Wildlife & Countryside Act 1981 (as amended). This outlaws certain methods of taking or killing animals.

Under Section 10 (1)(d) of the Protection of Badgers Act 1992, a licence may be granted by Natural England to interfere with a badger sett for the purpose of development, as defined by Section 55(1) of the Town & Country Planning Act 1990.

Section 3 of the Protection of Badgers Act 1992 defines interference as:

a) Damaging a badger sett;
b) Destroying a badger sett;
c) Obstructing access to, or any entrance of, a badger sett;
d) Causing a dog to enter a sett; or
e) Disturbing a badger when it is occupying a badger sett.

The Wild Mammals Act 1996

The Wild Mammals (Protection) Act (1996) makes it an offence for any person to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

The Abandonment of Animals Act 1960

The Abandonment of Animals Act comes into force when an animal is abandoned, whether permanently or not, in circumstances likely to cause unnecessary suffering. With regards to development, this has implications when translocations of animals are proposed. As such, care must be taken to ensure that any receptor sites are suitable for the species in terms of habitat and carrying capacity in order that minimal stress and suffering is imposed upon the animal(s) concerned.

The Hedgerows Regulations

The Hedgerows Regulations 1997 were introduced to protect hedgerows of importance from destruction. The Regulations define a hedgerow as, ‘a row of bushes forming a hedge with the trees growing in it’. The law however does not clarify the difference between a line of trees and a hedgerow.

However the legislation does not apply to any hedgerow (even if it is within the list above) which is 'within or marking the boundary of the curtilage of a dwelling house'.

For the Regulations to be applicable, the hedgerow must be at least 20 metres in length and less than 5 metres wide. A hedgerow is deemed to be important if it is more than thirty years old and meets at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

If a hedgerow that qualifies under the Regulations is to be removed, the landowner must contact the Local Planning Authority (LPA) in writing by submitting a hedgerow removal notice. The LPA then has a period of 42 days to decide whether or not the hedgerow meets the importance criteria of the regulations.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the view of central Government on how planners should balance nature conservation with development and helps ensure that Government meets its biodiversity commitments with regard to the operation of the planning system. It is a key objective of NPPF to:

"promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.

NPPF states that development plan policies and planning decisions should be based upon up-to-date information about the environmental characteristics of their areas, including biodiversity. It also states that the aim of planning decisions should be to prevent harm to biodiversity conservation interests and to "promote opportunities for the incorporation of beneficial biodiversity and geological features within the design of development.

Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that the development cannot be reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity interests, which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.

Biodiversity Action Plans

Biodiversity Action Plans (BAPS) set out actions for the conservation and enhancement of biological diversity at various spatial scales. They consist of both Habitat Action Plans (HAPs) and Species Action Plans (SAPs).

The UK BAP was the UK's response to the 1992 Convention on Biological Diversity in Rio de Janeiro. Following a review in 2007 a list of 1149 priority species and 65 priority habitats has been adopted, which are given a statutory basis for planning consideration under Section 74 of the CRoW Act 2000.

Red Data Books

Red Data Books (RDB) is an additional method for determining rarity of species and is often seen as a natural progression from Biodiversity Action Plans.

RDB species have no automatic legal protection (unless they are protected under any of the legislation previously mentioned). Instead they provide a means of assessing rarity and highlight areas where resources may be targeted. Various categories of RDB species are recorded ranging from RDB 1 (endangered) through to RDBX (extinct). As with Biodiversity Action Plans, where possible, steps should be taken to conserve RDB species, which are to be affected by development.