Devon Wildlife Checklist A1 Protected and priority species (relates to question 13a in the planning application form).

A tick or cross must be placed in all boxes in column two (shaded) and then, where there is a tick, all other boxes in that row. Where species are present please email this form to Devon Biodiversity Records Centre - DBRC@dbrc.org.uk.

Location: Mill Farm Barn, Cheriton Fitzpaine, EX17 4BD 6 digit NGR: SS864081 / SS8649608110

Date of Survey: 24th June 2022

Name of surveyor: C.N.Wills BSc (Hons) NE Survey Class License Nos: 2016-23490-CLS-CLS & CL29/00307

Species - terrestrial, intertidal, marine	Walkover shows that suitable habitat present and reasonably likely that the species will be found? Tick or cross	Detailed survey needed to clarify impacts and mitigation requirements?	Detailed survey carried out and included?	Species Present or Assumed to be present on site Indicate with P or A and name the species	Impact on species?	Detailed Conservation Action Statement included? Sets out actions needed in relation to avoidance / mitigation / compensation / enhancement	EPS offence committed? Three tests met?	Grid reference for specific location of species (if required for large sites)
Bats (roost)	 evidence of bats noted within the building and on external walls 	Yes	Yes	P – Common Pipistrelle and Brown Long-eared	recommendations are followed	Yes	Not with mitigation	
Bats (flight line / foraging habitat)	- occasional feeding over Site	Yes	Yes	P – Common Pipistrelle, Brown Long-eared, Soprano Pipistrelle	Not if recommendations are followed	Yes	No	
Dormice	Х							
Otters	X							
Great crested newts (*check consultation zone)	X							
Cirl buntings (*check consultation zone)	X							
Barn owls	x							
Other Schedule 1 birds	x							
Breeding birds	- low potential for opportunistic nesting only	At time of development	No	A – multiple species	Not if recommendations are followed			
Reptiles	- low potential for individual creatures only	No		A – Common Frog, Toad, Slow Worm	Not if recommendations are followed			
Native crayfish	X							
Water voles	X							
Badgers	X							
Other protected species	X							
UK BAP priority species	X							
Devon BAP key species	Х							
Invasive species	х							

Devon consultation zones for cirl buntings and great crested newts - http://www.devon.gov.uk/index/wildlife.htm

UK BAP priority species - http://jncc.defra.gov.uk/page-5717

Devon BAP key species - http://www.devon.gov.uk/dbap-section_e.pdf (note that this list is currently being updated)

A.2 Designations / important habitats / sites of geological importance (relates to questions 13 b & c in the planning application form) A tick or cross must be placed in all boxes in column two and then, where there is a tick, all other boxes in that row.

Designation Terrestrial, intertidal, marine	Within site or potential impact. Tick or cross	Name of site / habitat	Detailed Conservation Action Statement included in report? Sufficient information included in order for the LPA to undertake an HRA?	Habitat balance sheet included (showing area of habitats lost, gained and overall net gain)	Relevant organisation consulted & response included in the application?
Statutory designations					
European designations - Special Area of Conservation (SAC), Special Protection Area (SPA) and RAMSAR site or within Greater Horseshoe consultation zone	x		LPA is unlikely to be required to carry out HRA as there will be no habitat impacts on the integrity of the SAC		
Site of Special Scientific Interest (SSSIs)	х				
Marine Conservation Zone (MCZ) (not before 2012)	х				
Local Nature Reserve (LNR)	X				
Non statutory wildlife designations					
County Wildlife Site (CWS)	x				
Ancient Woodland	X				
Ancient Trees	X				
Special Verge	X				
UK BAP Priority habitat	x				
Local Biodiversity Network (mapped by Devon Wildlife Trust / through Green Infrastructure work)	x				
Non statutory geological designation					
County Geological Site (CGS or RIGS)	х				

Checklist – Devon Householder / Building Application with only bat roost / bird nesting issues

Ecological Consultant: Colin N Wills
Date: 14th July 2022

1. Impact assessment / survey effort		
Have all required impact assessments / surveys been done within the last 12 months, <u>and</u> does it meet national guidance_requirements? If there have been any deviations from national guidance, please select No in the right-hand column.	Yes: X Dates:19/8/21 10/5/22 25/5/22 24/6/22	No:
2. Ecological impacts		
2a. Proposal impacts on bats / birds and mitigation measures are specified.	Yes (conditions needed) X	No (no condition needed)
2b. Proposal has other ecological impacts which the LPA needs to consider (inc. potential impacts from internal or external lighting)?	No: X	Yes:
2c. Is the proposal, with mitigation, likely to result in an offence under the Conservation of Habitats and Species Regulations, therefore requiring a licence from Natural England?	Yes: X (go to 2d)	No: (go to 2e)
2d. If YES (an offence is likely) Does the roost meet any of the following criteria* Three or fewer roosts are impacted by the proposal, and The proposal will have a low or temporary impact, and The proposal only effects: - Low conservation status roosts for low numbers of: Common Pipistrelle, Soprano Pipistrelle, Brown Long-eared, Whiskered, Brandt's, Daubenton's, Natterer's, and/or - Feeding, day, night and/or transitional roosts for low numbers of Serotine and/or - Day and/or transitional roosts for low numbers of Lesser Horseshoe *note that these criteria are used by Natural England for the Low Impact Bat Class Licence CL21 2e. If NO (an offence is not likely) Does the roost meet any of the following criteria:	Yes: X	No:
Maternity or hibernation roost Greater Horseshoe Bat roost Grey Long-eared Bat roost More than three species of bat found in small numbers	No (none are met)	Yes (one or more are met) X
2f. Does the proposal potentially impact on Barn Owls or other Schedule 1 birds?	No: X	Yes:
3. Expertise		
Are you, the ecological consultant, registered under either the Level 1 or the Level 2 Bat Survey Class Licence? Licence number: 2016-23490-CLS-CLS	Yes: X	No:
Are you a member of CIEEM or a Registered Consultant under Annex B of the Low Impact Class Licence for bats (under Annex C or D for a Serotine or Lesser Horseshoe roost where relevant)?	Yes:	No: X CIEEM pending

Source: DCC Wildlife and Geology Planning Guidance January 2022

Ecological Consultant - Colin N Wills

PEA SURVEYS - SITES - BUILDINGS - REPORTS

1 South Street, Denbury, Newton Abbot, Devon TQ12 6DH

14th July 2022

MILL FARM BARN

CHERITON FITZPAINE

EX17 4BD



Mitigation Method Statement – Bats and Nesting Birds (Ecological Mitigation and Enhancement Strategy)

- 1.0 Background
- 1.1 Bats Further survey work, results and comment
- 1.2 Other Species
- 1.3 Impacts

Delivery Information

- 2.0 National Planning Policy Framework, NPPF 2019
- 2.1 Bats Summary of protection precautions, enhancement and mitigation strategy
- 2.2 Other Species Summary of protection precautions, enhancement and mitigation strategy

3.0 Works to be undertaken by the Ecologist or suitably experienced person

4.0 Works to be undertaken by the Developer/Landowner

Maintain or create bat access Nesting birds and other species Maps/plans Timetable

1.0 Background

Planning Permission to create a single storey extension at Mill Farm Barn, Cheriton Fitzpaine, is going to be sought from the Local Planning Authority; however, due to the presence of protected species (bats), an Ecological Mitigation and Enhancement Strategy (EMES) is required to enable the LPA to determine the application.

This document will satisfy the Local Planning Authority that:

- Impacts on Protected Species have been assessed and mitigated
- Works will be timed to avoid impacts on the Protected Species where possible and will be covered by an EPS licence from Natural England
- Suitable mitigation and compensatory features will be created within the scheme ensuring no *net loss* of roosting features
- The ecological functionality of the building will be maintained and enhanced going forward

Mill Farm Barn is a converted bank barn of solid stone construction under a natural slate roof. The walls are partially rendered, and a modern sunroom has been created to the south-western aspect which was renovated in 2012.

The rear aspect has Velux windows which serve the bedrooms and the stairwell, with a small single-storey wood-clad extension extending into the garden which is the subject of the planning application.

1.1 Bats

The initial survey carried out in August 2021 confirmed roosting activity by at least one species of Bat, with the building highly likely to host a maternity colony of (probably) Common Pipistrelle Bats.

Inspection of the exterior of the building found that there were a large number of potential access points for bats such as the gaps between slates resting on the barge boards, gaps between slates and flashing gaps around the Velux windows and verges of the wood-clad extension. Closer examination noted numerous bat droppings especially to the north-eastern gable and first-floor window with wear markings visible around a purlin.

Further droppings were noted on the roof of the adjacent garage/shed, with the owners reporting that they regularly see bats flying within the garden area.

A few droppings were noted within the voids to the sides of the roof, but apical areas were not visible due to the vaulted nature of the upstairs rooms.

<u>Legislation:</u> Due to recent dramatic declines in numbers, all bats and their roosts are fully protected under the 1981 Wildlife and Country Act (as amended), and through inclusion in Schedule 5 and under The Conservation of Habitats and Species Regulations 2019. This legislation makes it an offence to intentionally kill, injure, possess, take, disturb or destroy their place of shelter.

In this situation, unmitigated works to create the extension would lead to disturbance and potential destruction of a roost, which would be unlawful.

Further survey work was recommended as per the national guidelines [BCT, 2016] and carried out as below which established the presence of a Common Pipistrelle maternity roost, and an occasional roost for a single Brown Long-eared Bat within the building.

Date	Surveyors	Equipment	Observation	Emergences
19th August 2022	C.Wills	High power	numerous bat droppings were	-
Internal Inspection		torch, ladder,	noted especially to the north-	
90% cloud, dry,		binoculars	eastern gable and first-floor	
Calm, 19.5°C			window with wear markings	
			visible around a purlin.	
			Further droppings were noted on	
			the roof of the adjacent garage.	
10 th May 2022	C.Wills	Batbox Duets	68 Common Pipistrelles emerged	68 x Pp
1st Emergence	D.Wills	Batbox IIID	from gable verge slating above	
Survey	H.Wills	EchoMeter	the fascia at the north-east end of	
5% cloud, dry,		Touch 2 Pro	the building.	
Calm, 16.5 – 14°C		Anabat Express		
25 th May 2022	C.Wills	Batbox Duets,	22 Common Pipistrelles emerged	22 x Pp
2nd Emergence	D.Wills	EchoMeter	from apex of the barge board of	
Survey	H.Wills	Touch 2 Pro	north-east elevation.	1x Pa
95% cloud, dry,			2 Soprano Pipistrelles	
Light breeze, 15.3 –			investigating the fascia at the	
13°C			north-east elevation.	
			1 Brown long-eared observed	
			emerging from the verge of the	
			wooden cladding of the	
			bathroom.	
24 th June 2022	C.Wills	Batbox Duets,	1 Common Pipistrelle emerged	1 x Pp
3 rd Emergence	D.Wills	EchoMeter	from the tile verge at the north-	
Survey	H.Wills	Touch 2 Pro	east gable end.	
50% cloud, dry,				
Calm, 16.1 – 13.3°C				

Surveys were carried out and or designed by Colin N. Wills, Natural England Survey Class Licence Nos: 2016-23490-CLS-CLS & CL29/00307 and David F. Wills, ACIEEM, Natural England Survey Class Licence Nos: 2015-11658-CLS-CLS, CL29/00179. Helen Wills is a highly experienced bat surveyor.

1.2 Other Species

Bird nesting although no nesting activity was observed, potential exists for small bird nesting within the roof structure.

Under present UK legislation birds and their nests are fully protected under the Wildlife and Countryside Act 1981, which makes it an offence to intentionally kill, injure or take any wild bird. It is an offence to intentionally take, damage or destroy the eggs, or young or nest, of any bird whilst it is being built or in use.

General potential for low numbers of **reptiles and amphibians** such as Common Frogs, Toad and Slow Worms was noted for the wider agarden areas surrounding the house.

All UK native reptiles and amphibians are also protected under the Wildlife and Countryside Act 1981 from 'reckless harm' and developers are legally obliged to ensure that all reasonable efforts are made to protect such creatures from harm during development works.

No further survey work is deemed necessary regarding the above species; however, reasonable avoidance precautions as noted below will be required during the project.

1.3 Impacts

Although the roosts of individual roosting bats of common species such as Common Pipistrelles and Brown Long-eared Bats are considered to be of low conservation status, the presence of a large breeding colony of Common Pipistrelles means that the roost is of moderate conservation status [Mitchell-Jones, 2004]

The *net loss* of bat roosts which could result from the unmitigated proposal would be contrary to the laws regarding bats including the Wildlife and Countryside Act 1981, Habitats Regulations 2019 and the National Planning Policy Framework 2019 which requires that development should <u>protect</u> and enhance biodiversity.

The unmitigated proposal <u>may</u> also lead to the *loss of nesting opportunities* for small garden and hedgerow birds such as House Sparrows and Bluetits.

Negative impacts on individual reptiles and amphibians may also occur if the Site (proposal zone and development zones) are not appropriately prepared prior to works beginning on Site.

An EPS licence (bats) will be required from Natural England once planning permission for the scheme has been obtained, and before any works can take place to the areas of the building supporting the roosts and their surroundings.

The recommendations made within this Mitigation Method Statement should be appropriately conditioned within planning consent.

With reference to the Defra Magic Website, it was noted that no other EPS licences have been granted within meaningful proximity to Mill Farm Barn, which in this case is within 2km.

Delivery Information

The National Planning Policy Framework February 2019

The Revised National Planning Policy Framework February 2019 requires that sustainable development should <u>protect and enhance</u> the natural environment by minimising impacts and providing *net gains* for biodiversity, whilst preventing risk from pollution. Conservation or enhancement of existing biodiversity and creation of further opportunities is thus encouraged through the policy. In practice, local planning authorities will require avoidance and mitigation of impacts on protected species and habitats such as roosts and compensation for lost or disrupted habitat features within the proposal.

2.1 Bats – Summary of protection precautions, enhancement and mitigation strategy

Once planning permission and the EPS licence have been granted, works will progress create the extension in the late autumn once the Common Pipistrelle maternity colony has dispersed and the Brown Long-eared is least likely to be present.

No re-roofing is planned for the main body of the house where the Pipistrelles are accessing the roof, so future access should be maintained as existing.

Roofing works for the proposed extension will be of similar design and materials to the existing, and therefore bat roosting opportunities will be replicated within the extended roof structure like for like.

This will involve the use of <u>traditional bitumastic F1 underfelt</u> (no 'breathable membranes' will be permitted within the extension as they are made of a compressed fibre material which can be harmful to bats by causing entanglement) and the insertion of 2 no. bat slates (or suitably accessible ridge tile accesses) within the ridge area of the new roof, will be provided to create additional access and roosting opportunities within the new roof as well as assisting with ventilation.

The Ecologist is to carry out a 'toolbox talk' for the contracted staff, to explain about the bat roosts, best practice 'bat friendly' soft demolition techniques and the correct procedure to follow if a bat is found prior to commencement of works.

Impacts on roosting bats will be mitigated through careful timing of works and the provision of a temporary bat box on Site, which will provide a compensatory roosting opportunity, and serve as a safe receptacle for any individual bats found during the soft stripping of the area of roof and subsequent works.

External lighting:

Some species of bat are light averse, and as the Site is located within a hitherto darker area of good quality habitat, it is important to ensure that light pollution will not erode the quality of the nocturnal environment.

External and ambiance lighting should be avoided where possible, especially in the areas around the roost entrances and kept to a minimum where it is absolutely necessary with shielding cowls or downward baffles to ensure that only the target area is illuminated. The use of PIR sensors on short timers and infra-red security technology can help to reduce the amount of unnecessary illumination at night.

This comment should not be seen as an endorsement of further bat survey work or lighting modelling as this would be disproportionate in this case.

The above proposals are designed to maintain the bat population at a favourable conservation status within the Site. The proposals will provide a long-term secure environment for bats, and it is possible that the roosting opportunities for bats will be enhanced.

Diagrams to show the position of 2 ridge bat slates (red) within the new extension and a Sparrow nesting terrace (blue) within the extension gable.



Drawings courtesy of E J Taylor Architectural Surveyors

2.2 Other Species – Summary of protection precautions, enhancement and mitigation strategy

Nesting Birds

The nesting season is between the beginning of March and the end of August, and nesting may take place at any time within this period.

Under present UK legislation birds and their nests are fully protected under the Wildlife and Countryside Act 1981, which makes it an offence to intentionally kill, injure or take any wild bird. It is an offence to intentionally take, damage or destroy the eggs, or young or nest, of any bird whilst it is being built or in use.

Although under the terms of the EPS licence works will only be permitted to take place

during a period outside of the nesting season, a check of the building and adjacent garden for nesting birds should be made before any preparatory work takes place over the summer months, and if nesting activity is discovered, the nesting area should be protected and all works in the area of the nest should be delayed until the young birds have fledged.

Further ecological enhancement will be created through the provision of an externally mounted House Sparrow terrace on the north-east elevation (shown in blue, above).

Reptiles and amphibians are similarly protected from 'reckless harm' under the Act, and site preparation must ensure that all long grass and garden shrub cover is removed from the proposal zone and associated areas required for storage of materials before mid-October because after this time reptiles will begin to go into hibernation and may not re-emerge until late May.

Grass and ornamentals should be carefully removed by hand in a phased approach, working away from the house and into the body of the garden. This will ensure that any resident individuals will be able to escape into shelter. Once the site is clear, it must be regularly mown and thereby rendered as unfavourable for reptiles and amphibians as possible, to ensure that they will not be harmed when demolition and construction begins. Groundworks and trenches must be regularly checked for wildlife which has become trapped and marginal areas around stored materials must also be kept cut back to reduce the possibility of individuals taking up residence amongst building materials and being later harmed. As the Site has open boundaries with more favourable habitats for reptiles and amphibians away from the dwelling and proposal zone, it is not considered proportionate to carry out any translocation works or installation of protective fencing in this case.

It is also not considered necessary to provide any additional enhancements for reptiles and amphibians, such is the wealth of habitat potential off Site within the adjacent field margins.

3.0 Works to be undertaken by Ecologist

Once both planning permission and the EPS licence are in place, works to strip the current the affected area of roof can take place in the late Autumn.

At this time of the year the majority of bats will have dispersed but individual bats may still be found. Disturbance of these individuals and destruction of their roosts will be covered by the EPS licence.

Due to the potential for individual bats to be present, the Ecologist must be present during the stripping of the roof to remove any bats found and relocate them into a temporary bat roost located on Site.

The following best practice will be followed:

Ecologist will liaise with the building contractor and contracted staff prior to the commencement of works, to ensure they are fully aware of the possible presence of bats and their legal protection status. Contractors must not handle bats. A copy of this Method Statement and the contact details of the Ecologist will be available on site at all times. Before any works begin, the Ecologist will give the contracted staff a 'Toolbox Talk' outlining the bat use of the building, appropriate working practices and avoidance techniques which will be employed throughout the project.

If any individual bats are encountered by builders during works when the Ecologist is not present, works in the immediate vicinity will cease and the bat/bats allowed to disperse of their own accord, or, if required, the licensed Ecologist will be contacted to carefully remove the bat using gloved hands and release it into a safe area such as a temporary bat box provided for this purpose, away from the immediate works.

In the unlikely event of a bat being injured, it will immediately be taken into care and passed to a local bat carer for assessment and rehabilitation.

Advise on the location and creation of the bat access slates in the ridge.

Visit site on completion of works and prior to removal of scaffolding to check that all bat access has been implemented and is available for bats to use.

4.0 Works to be undertaken by the developer/ Landowner

Create Bat Access

Numbers of Common Pipistrelle Bats have been noted to be roosting within the north-eastern gable of the roof and a single Brown Long-eared Bat within the north-western aspect. Opportunities for roosting bats must be created within the scheme to ensure that there will be no *net loss* of biodiversity on Site through the proposal which will create an extension where bat activity has been identified.

Works will not commence until the EPS licence permitting the works has been obtained. Contact Ecologist before works are due to start to arrange 'Toolbox Talk'.

Soft Stripping of the roof must be overseen by a suitably experienced Ecologist throughout the removal of these roosting features.

All elements will be carefully removed by hand and checked on both sides for a roosting bat, all underfelt will be carefully checked and battens and underfelt carefully removed to avoid crushing any individual roosting bats in hidden crevices.

The new roof will be accessible to bats via 2 no. bat slates created in the ridge areas marked on the elevations above. The ridge tiles will be mortared and not screwed. No dry ridge system will be employed, so sticky tapes, strips or fillers which remain tacky will be used throughout the build. This is to prevent bats from potential future harm. Only traditional bitumastic F1 underfelt will be used in the repair of the old roof and creation of the new roof as modern BRM (breathable roofing membranes) have been demonstrated to be detrimental to roosting bats by causing entanglement in their fibrous matrix.

Contact the Ecologist during construction of the roof to advise on the creation of the bat slates.

Outside lighting around the development should be kept to an absolute minimum and where necessary of low-lumen down-lighter variety, to ensure that upward light spill onto the roost features is prevented.

The choice of recessed cone light fittings within the extension will also help to reduce light spill from within the building.

Once the roost access points have been created, it is not envisaged that any regular maintenance will be required; however, any future timber treatment should only be applied over the winter months and be of an approved aqueous permethrin product (see Natural England Guidance) which is 'bat friendly'.

It is the owner's intention to retain and maintain the bat access points within the development as permanent bat roosting opportunities.

Timetable: Estimated as PP and EPS Licence not yet obtained

Time of year	Proposed action	Impact on bats and mitigation		
End of Sept/beginning of Oct 2022	Commence groundworks and begin erection of extension following clearance of Site regarding reptiles and nesting birds.	No bats will be affected by the works.		
Beginning of October 2022	Erection of scaffolding, soft stripping of the affected roof section, roof alterations and joining works.	Bat roosts will have been destroyed under licence and temporary and permanent roosting features will be available for use if required. Therefore, no negative impact on bats.		
March 2023	Works to complete the roof and ceilings should be complete and scaffolding removed.	Works complete prior to bats returning; no impact on bats.		
End of March 2023	Check by Ecologist	Assess bat access		

Site Location: Mill Farm Barn, Cheriton Fitzpaine, EX17 4BD

NGR: SS864081 / SS8649608110



References:

Google Maps

Bat Surveys for Professional Ecologists, 3rd Edition, Bat Conservation Trust 2016

Bat Mitigation Guidelines, A Mitchell-Jones, English Nature, 2004

The Revised National Planning Policy Framework February 2019

www.Streetmap.co.uk

Defra Magic Website

<u>Useful Contacts:</u>

Bat Conservation Trust www.bats.org.uk www.froglife.org

Integrated nest boxes: http://www.birdbrickhouses.co.uk/brick-nesting-boxes/nesting-boxes/www.nhbs.com/equipment/integrated-bird-boxes

https://www.nhbs.com/4/bird-boxes

Bats and Artificial Lighting in the UK, 2018, Bat Conservation Trust and Institute of Lighting professionals (available for free download online)

Please note:

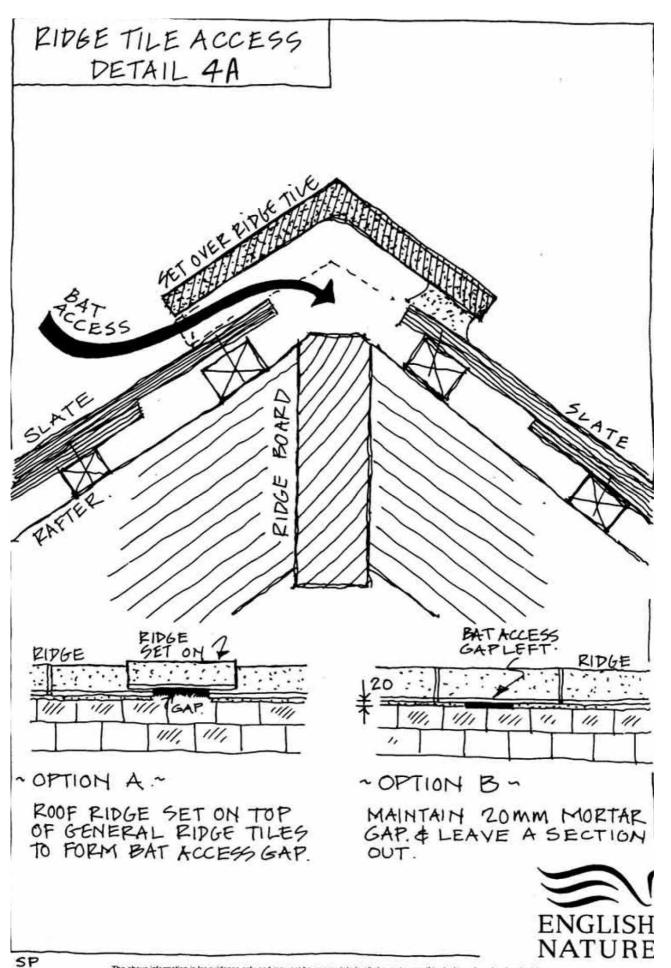
The results of an ecological assessment intended to inform a planning application are generally valid for 12 months from the date of surveys; however, please bear in mind that wildlife has its own priorities and rhythms dictated by many factors. This survey can only serve as a snapshot of the ecological conditions on Site on the dates of survey. No liability may therefore be inferred upon the surveyor for protected species not recorded during the surveys, or subsequently found to be present on site.

Bats have the ability to roost in very small spaces, consequently it is possible that individuals may be missed during the survey as not every crevice or void can be fully inspected.

As the county of Devon supports most of our 17 species of bats, an inspection is made for all bat species which are likely to be found within buildings, and the surrounding habitat of each site is assessed for the likely potential to support breeding, commuting and foraging bats, and this also informs the survey.

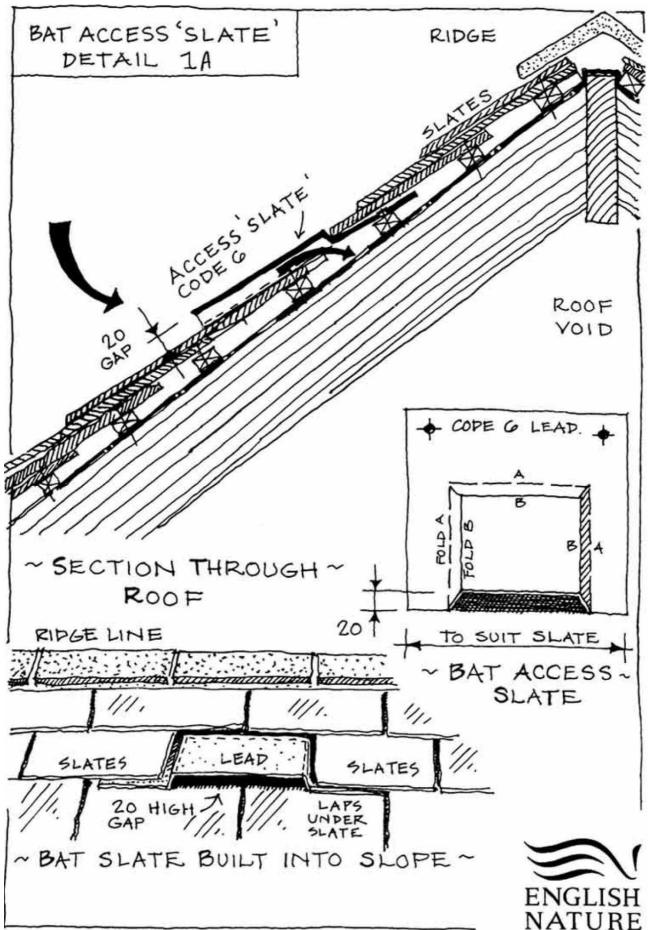
A data search has not been carried out as bats are highly mobile creatures and it is assumed that numerous bat species are likely to be present in the vicinity, and this was taken into consideration whilst surveying the site. It is therefore unlikely that a data search would provide any additional meaningful information.

Proportionality in survey effort and professional judgement in the assessment of potential for protected species on a site-specific basis are in line with BS:42020:2013; guidelines for ecological survey from CIEEM and Bat Survey Good Practice Guidelines, BCT 2012 & 2016.



The above information is for guidance only and may not be appropriate in all circumstances, if in doubt seek professional advice.

English Nature Cumbria Team, Juniper House, Murley Moss, Oxenholme Road, Kendal LA9 7RL. Tel: 01539 792800 Fax: 01539 792830 Email: cumbria @english-nature.org.uk



5 P The above information is for guidance only and may not be appropriate in all circumstances, if in doubt seek professional advice. English Nature Cumbria Team, Juniper House, Murley Moss, Oxenholme Road, Kendal LA9 7RL. Tel: 01539 792800 Fax: 01539 792830 Email: cumbria @ english-nature.org.uk