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**Preliminary Ecological Appraisal  
Bat Roost & Nesting Bird Survey**

**Summerhayes Care Home  
Sandford  
Crediton EX17 4LN**

**Report #11922/GLE**

**November 2022**



**On Behalf of**

**Summerhayes Care Home**



**Disclaimer:** This report was produced based on the baseline ecological data collected from the proposed development site on the dates stated. Green Lane Ecology cannot be held responsible for any changes in this baseline data that may affect the proposed works.

A Preliminary Ecological Appraisal (PEA) has been requested with regards to the planning application for an extension to the south east elevation of the existing building which will involve the demolition of an existing lean-to veranda roof and the conversion of a small disused apartment at the side of the main building which will involve the removal of the existing flat roof. The main roof void of the property will not be affected by the proposal.

As buildings are commonly used by roosting bats and nesting birds; a PEA was required to ensure that the legislation which protects them will not be contravened (see Appendix I).

A daytime assessment and inspection of the structures to be affected and the zone of influence was conducted by Peter Nuttall (MCIEEM. BSc hons) bat licence #2015-11009-CLS; a suitably qualified and experienced ecologist on the 27<sup>th</sup> October 2022.

**Table 1:** Photographs of the structures that will be affected.

Description	
<p>The existing lean-to veranda roof to be removed and location of the proposed extension.</p>	
<p>The existing lean-to veranda roof to be removed and location of the proposed extension.</p>	

The front elevation of the existing apartment.



The rear elevation of the existing apartment.



Internal view

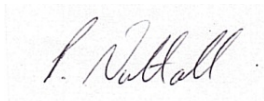


No bats or evidence of bats was observed and no potential roost features (prf's)/access points (pap's) were identified; neither structure appears to offer any roosting opportunity for bats. The proposal will not result in a significant increase in light levels to have an adverse affect of the local bat population and therefore they need no further consideration.

The veranda roof does not appear to offer much opportunity for nesting birds although the Ivy growing on the existing apartment may be suitable for some species. As a result nesting birds must be considered against disturbance typically between March-August inclusive during nest building and nesting to avoid contravening the legislation which protects them. If found in an area where they are likely to be disturbed; the author of this report should be contacted on how to proceed legally.

The National Planning Policy Framework (NPPF) (see Appendix I) seeks to maintain and enhance biodiversity within planning policies and decisions with regards to new development; bat/bird features should be incorporated in to the design of the extension to address this requirement (see Appendix II).

If the recommendations in this report are followed; it is reasonable to conclude that the proposal can proceed without contravening any wildlife legislation and no further protected species surveys are required.



Peter Nuttall (MCIEEM, BSc hons)

## REFERENCES

Institute of Environmental Assessment (1995). *Guidelines for Baseline Ecological Assessment*. E & F. N. Spon, Chapman & Hall, London.

Joint Nature Conservation Committee (2004) *Bat Workers Manual 3<sup>rd</sup> Edition*  
A.J. Mitchell-Jones, A.P. McCleish.

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

## Appendix I: Relevant legislation

The following link is to the The Conservation of Habitats and Species Regulation 2017 which may have relevance in part to the proposed works <http://www.legislation.gov.uk/uksi/2017/1012/contents/made>

The National Planning Policy Framework (NPPF February 2019) seeks to maintain and enhance biodiversity within planning policies and decisions. Specific sections of particular relevance include:

### Habitats and biodiversity

174. To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity<sup>56</sup>; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation<sup>57</sup>; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

175. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts),

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<sup>54</sup> *English National Parks and the Broads: UK Government Vision and Circular 2010* provides further guidance and information about their statutory purposes, management and other matters.

<sup>55</sup> For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

<sup>56</sup> Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

<sup>57</sup> Where areas that are part of the Nature Recovery Network are identified in plans, it may be appropriate to specify the types of development that may be suitable within them.

adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>58</sup> and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

176. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites<sup>59</sup>; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

## Legislation affecting wild birds

All wild birds, their nests and eggs are protected under Section I of the Wildlife and Countryside Act 1981 (WCA) (as amended) and the Countryside and Rights of Way Act 2000 extended to this protection. This makes it an offence to:

- intentionally 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, damage or destroy the egg of any wild bird; or to
- Have in one's possession or control any wild bird (dead or alive) or egg or any part of a wild bird or egg which has been taken in contravention of the Act or the Protection of Birds Act 1954 (this includes items taken or killed before the passing of the Act).

In addition, further protection is afforded to those wild bird species listed on Schedule 1, prohibiting any intentional or reckless disturbance to these species while it is nest building, or at a nest containing eggs or young, or to recklessly disturb the dependent young of such a bird.

## Legislation affecting bats

All bats are given full protection in the UK through the Wildlife & Countryside Act 1981 (WCA) (as amended) and the Conservation of Habitats and Species Regulations 2010. The above legislation can be summarised thus (Mitchell-Jones and McLeish, 2004):

- *Intentionally or deliberately kill, injure or capture (or take) bats*
- *Deliberately disturb bats (whether in a roost or not)*
- *Recklessly disturb roosting bats or obstruct access to their roosts*
- *Damage or destroy roosts*
- *Possess or transport a bat or any part of a part of a bat, unless acquired legally*
- *Sell (or offer for sale) or exchange bats, or parts of bats*

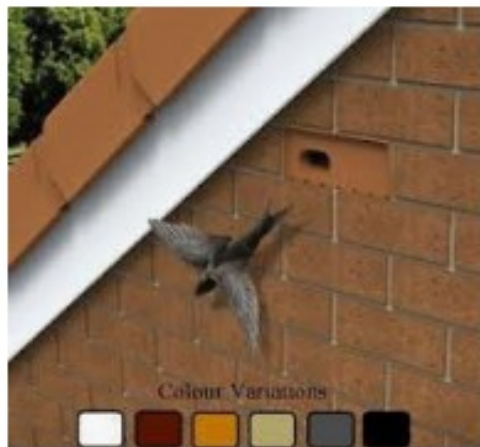
The word 'roost' is not used in the legislation, but is used here for simplicity. The actual wording is 'any structure or place which any wild animal...uses for shelter or protection' (WCA), or 'breeding site or resting place' (Habitats Regulations). As bats generally have both a winter and a summer roost, the legislation is clear that all roosts are protected whether bats are in residence at the time or not.

**APPENDIX II:** Examples of ecological enhancement to address the requirement of NPPF.

Bird boxes can be attached to external walls or built in.

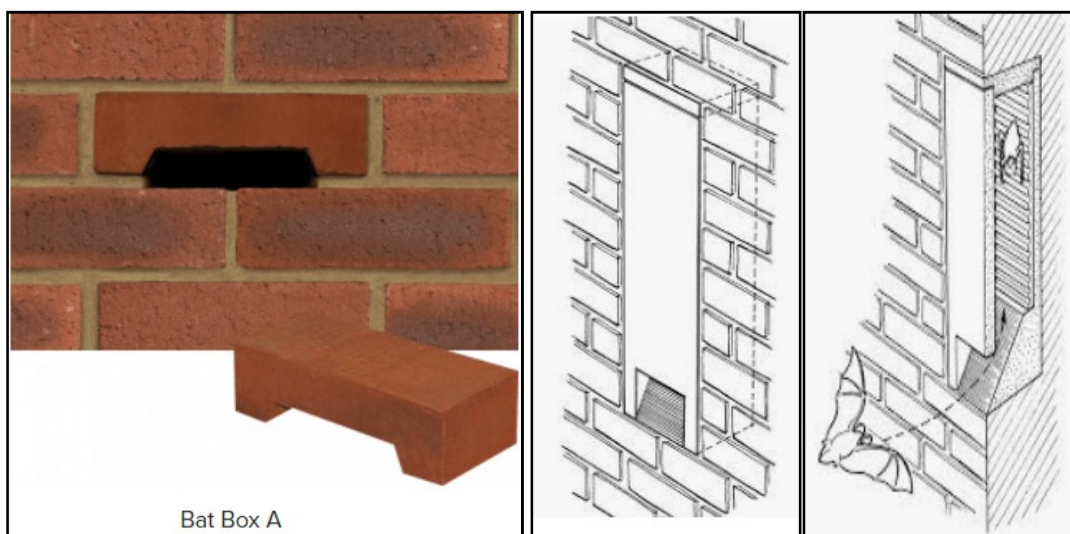


Swift boxes should be considered to increase nesting opportunity for this declining species.



Brick Box RSPB Conservation ...

Bat bricks/tubes can be incorporated into external walls.



Bat Box A