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Client: A. Irwin

South West Ecology

Ecology Report

Prestons

Disclosure

The information, opinion, and advice which I have prepared and provided is true and has been prepared and provided in accordance with the CIEEM's Code of Professional Conduct and the British Standard for Biodiversity – Code of Practice for Planning and Development (2013). I confirm that the opinions expressed are my true and professional bona fide opinions.

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1.0 INTRODUCTION

1.1 Background

SWE Limited was commissioned to undertake a protected species survey of a modern extension to a single detached Grade II listed house and a shed at Prestons, Colebrook, Devon, EX17 5DL (Ordnance Survey grid reference SX 778996). The survey was required to support a planning application for an extension to a single storey 21st Century extension to the rear of the house, and extension and conversion of the adjacent shed as per Drawing No. 0003 (Steve Eastland Design Ltd). The main house including its thatched roof would not be impacted by the proposal.

1.2 Report Purpose

The purpose of this report is to:

- provide an ecological assessment through consideration of a Preliminary Roost Assessment (PRA);
- identify the ecological constraints in relation to the proposed development;
- identify, where required, the need for protected species surveys;
- identify the mitigation measures which are required, where necessary, to ensure compliance with nature conservation; and
- identify appropriate enhancement and compensation measures which could be incorporated into the conversion design, in line with local and national planning policy.

This report has been written in accordance with the guidance produced by the Chartered Institute of Ecology and Environmental Management (CIEEM) 2017[1].

1.3 Report Lifespan

In accordance with CIEEM guidance[2] this report, and the results of the ecological survey contained within, remains valid for 12 months.

[1] CIEEM (2017) *Guidelines on Ecological Report Writing*. Chartered Institute of Ecology and Environmental Management, Winchester.
[2] CIEEM. 2019. On the Lifespan of Ecological Reports and Surveys. Advice Note. April 2019.

1.4 Author

The author of this report, Dr S. Holloway, has over twenty-five years' professional experience of ecology, environmental management, and nature conservation in the private, public, and voluntary sectors. He has worked extensively throughout the UK on projects relating to bats, including wind farms, quarries, and residential/industrial development. Dr Holloway is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and is a Chartered Environmentalist (CEnv).

All work was undertaken in accordance with the CIEEM recommendations, the most up-to-date and relevant survey guidance available at the time (Bat Conservation Trust 2016), and in compliance with BS:42020:2013 Biodiversity. Code of Practice for Planning and Development.

2.0 RELEVANT LEGISLATION[3]

2.1 Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) 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[4] 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). Species include all bats.

The Habitats Regulations 2017 will continue to implement the Habitats Directive and certain elements of the Birds Directives in England. The Habitats Regulations 2010 have been amended ten times since they were last consolidated (in 2010) and are likely to remain in place for some time now that the UK has exited the EU.

2.2 Wildlife & Countryside Act 1981

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act (CRoW) 2000 and the Natural Environment and Rural Communities Act (NERC) 2006, 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 e.g. all bat species;
- 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; or

[3] Please note that the summary of relevant legislation provided here is intended for general guidance only. The original legislation should be consulted for definitive information.

[4] Disturbance, as defined by the Conservation of Habitats and Species Regulations 2010, includes in particular any action which impairs the ability of animals to survive, breed, rear their young, hibernate or migrate (where relevant); or which affects significantly the local distribution or abundance of the species.

- Intentionally or recklessly disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection.

2.3 Natural Environment & Rural Communities (NERC) Act 2006

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

Section 41 of the Act requires the publication of a list of species which are of principal importance for the purpose of conserving biodiversity. The Section 41 list is used to guide authorities in implementing their duty to have regard to the conservation of biodiversity. The following bat species are listed in Section 41: soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared *Plecotus auritus*, lesser horseshoe *Rhinolophus hipposideros*, greater horseshoe *Rhinolophus ferrumequinum*, noctule *Nyctalus noctula*, barbastelle *Barbastella barbastellus* and Bechstein's *Myotis bechsteinii*.

3.0 METHODOLOGY

A Preliminary Roost Assessment (PRA) of the buildings (Figure 1) was undertaken on the 8th September 2021 in line with Bat Conservation Trust (BCT, 2016)[5] guidance. An update survey was conducted on 27th July 2023. The PRA involved a detailed external and internal inspection of the extension and shed to compile information on the potential and actual bat entry/exit points; potential and actual bat roost locations; and evidence of bats such as droppings. The weather at the time of the 2023 survey was overcast, with no wind and 21^0C.

The exterior of the buildings was visually assessed for potential bat access points and evidence of bat activity, using binoculars where necessary. Features, such as small gaps/ crevices beneath eaves, along the ridges or within the stonework; lifted or missing tiles; or gaps around doorways which had potential as bat access points into the building were sought. Evidence that these potential access points were actively used by bats typically would include staining within gaps and/ or bat droppings or urine staining under gaps and/ or on walls. These signs were recorded wherever they were present. The presence of cobwebs and general detritus within the features were also recorded as these indicate that potential access points were likely to be inactive.

The internal space of the shed was assessed for evidence of bat activity, or potential roost features (the extension did not contain a roof space). Evidence, including droppings and urine staining, was sought beneath features that bats may use for roosting and/ or as an access point. Features included gaps within mortise joints, above beams and lintels and gaps within walls. The presence of a bat roost is typically indicated by the presence of live/ dead bats; a concentration of, or scattered bat droppings; food remains, for example moth and butterfly wings; scratch marks; and fur, or urine stains.

The buildings were assessed for their potential to support roosting bats, with the buildings categorised according to the description shown in Table 1 below.

A search for historic evidence of nesting birds (e.g. active nests, feathers, old nesting material, eggs or pellets) was conducted during the PRA.

A Clulite red-filtered torch, a Pulsar Helion 2 XP50 Pro thermal camera, angled mirror, and close-focussing binoculars were used as required during the survey.

[5] Collins 2016. Bat Surveys for Professional Ecologists. Good Practice Guidance. 3rd Edition.

Table 1. Description of the categories used to classify building bat roost potential and the survey effort required.

Bat Roost Potential	Description	Survey effort required to determine the likely presence or absence of bats
Negligible	Negligible features likely to be used by roosting bats.	No further surveys required.
Low	A structure with one or more potential roost features that could be used by individual bats opportunistically. However, these potential sites do not provide enough space, shelter, protection and /or appropriate conditions to be used on a regular basis by larger numbers of bats.	One or two dusk emergence and/or pre-dawn surveys between May and September (but only if features will be affected by the proposals).
Moderate	A structure with one or more potential roost features 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.	Two of three dusk emergence and/or pre-dawn surveys between May and September (but only if features will be affected by the proposals).
High	A structure with one or more potential roost features 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.	Three dusk emergence and/or pre-dawn surveys. Optimum period – May – August. Two surveys within the optimum period. At least one surveys should be a pre-dawn survey.
Confirmed	Contains features confirmed to be used by roosting bats either by historic records or evidence recorded during the survey.	Surveys required to establish the status of the roost. Generally, three dusk emergence and/or pre-dawn surveys. Optimum period – May – August. Two surveys within the optimum period. At least one surveys should be a pre-dawn survey.

3.1 Limitations

This report is based on the evidence recorded at the site at the time of the survey.

Bats and birds are highly mobile species groups and therefore the findings and assessments provided should be regarded as a ‘snapshot’ of activity during part of the season.

4.0 RESULTS

The details of the assessment are provided in Table 1. The property was set within a garden in a rural location with extensive woodlands to the north and west and agricultural land to the south. The landscape was of high value for commuting/foraging bats.

Table 1. Building description and protected species evidence

Photos	Description
External view of the extension and main house.  **The 'shed'** 	**Extension** A block-built modern extension with no roof space. The lean-to walls were rendered and included glazed windows and doors to the northeast elevation. A timber barge board edged the roof and was sealed. The sloping roof consisted of slate with a uPVC gutter. The roof included 4 No. skylights. There were no gaps or crevices suitable for roosting bats or nesting birds to the roof slates or roof ends. No evidence of roosting bats or nesting birds was found. The extension was classified as having **negligible potential for roosting bats.** **Shed** A timber plank shed with a pitched roof overlaid with corrugated metal sheeting. The rear wall abutted onto a cobb barn but was not connected internally. The shed was used for storage. The ridge timbers were heavily cobwebbed. There were no signs of roosting bats or nesting birds within the shed. The shed was classified as having **negligible potential for roosting bats.**

5.0 ASSESSMENT

The results of the survey were assessed in accordance with current legislation.

No evidence of roosting bats or nesting birds was found within the extension with no suitable points of ingress. Given the lack of evidence found and in accordance with the Bat Conservation Trust (2016) and English Nature (2004) guidelines, no further survey or mitigation for bats is required. No mitigation is required for nesting birds.

No evidence of roosting bats or nesting birds was found within the shed. The shed was considered unsuitable for bats although it may be used by for nesting by birds such as wren in the future. No further survey or mitigation for bats is required. With respect to birds the initial conversion works to the shed should not take place between 1st March and 31st August inclusive, unless a careful, detailed check for active birds' nests has been conducted immediately before works commence. Any birds nesting must be left to complete breeding (i.e. until all dependant juveniles have fledged)

In accordance with local and national planning policy a degree of biodiversity enhancement is needed within all developments regardless of size. It is recommended in this instance that 2 No. external sparrow terrace nest boxes are affixed to the northern or eastern aspects of the extensions just beneath the eaves, or onto the main house walls. There are a variety of boxes available, for example the Vivara Pro Woodstone House Sparrow Nest Box or equivalent. The proposed extensions are unsuitable for enhancement for roosting bats.

6.0 CLOSURE

This report has been prepared by SWE Limited with all reasonable skill, care, and diligence, and taking account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

The information presented in this report provides guidance to reduce the risk of offences under UK law. However, SWE is not a legal practice and disclaims any responsibility to the client and others for actions that lead to offences being caused, whether or not the guidance contained in this report is followed. Interpretation of UK legislation is presented in good faith; however, for the avoidance of doubt, we recommend that specialist legal advice is sought.

This report is for the exclusive use of A. Irwin; no warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SWE.

SWE disclaims any responsibility to the client and others in respect of any matters outside the agreed scope of the work.