

Ecological Impact Assessment - Bats and Birds

1A, 1B, 1C & 1D Market Place and Flat 1 & 2 Market Cross
Maisonettes, Market Place, Alnwick, Northumberland,



Client: Roflow Limited

Date: 15th June 2023

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Local Planning Authority:	Northumberland
Planning application reference:	
Report reference:	TE2023-NU18631332/EclA/Ver-1.0
Grid Reference:	NU 1863 1332
what3words:	https://w3w.co/kipper.ultra.clumped

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Desk Study Field Survey Dates	March 2023 23/03/2023 26/05/2023 12/06/2023

VERSIONING AND QUALITY CONTROL

Status	Version	Author	Reviewed by	Date
Final	1.0	Tim Sexton, BSc Hons	Debbie Goldsmith	15 th June 2023

DISCLAIMER

This report has been prepared by Tyne Ecology for Roflow Limited solely as an Ecological Impact Assessment for Bats and Birds. Tyne Ecology accepts no responsibility or liability for any use that is made of this document other than by the client for the purposes for which it was originally commissioned and prepared.

The evidence which we have prepared and provided is true, and in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

LONGEVITY

Survey data should ideally be from the last survey season before a planning or licence application is submitted, although the length that survey data remains valid should be decided on a case-by-case basis and is dependent upon several factor (Collins, 2016).

If development works do not begin within eighteen months to two years of the date of the last survey (12/06/2023), an update survey may be required in accordance with guidance in BS 42020:2013¹ and CIEEM (2019), to determine if conditions and evidence of bat use has changed since described in the current report.

¹ As set out in Section 6.2.1, Point 7 which states that ecological information should not normally be more than two/three years old, or as stipulated in good practice guidance.

SUMMARY

Brief and Site Location	<p>This report presents the findings of an Ecological Impact Assessment (EcIA) for bats and birds of 1A, 1B, 1C, 1D, Flat 1 and 2 Market Cross Maisonettes at Market Place, Alnwick, Northumberland, NE66 1HS (Ordnance Survey Grid Reference centred at: NU 1863 1332), referred to in this report as B1.</p> <p>The lean-to building on the west is referred to as B1, the central building as B2 and the building to the east as B3. B1 is not having any external or internal works done as it is being boarded up internally from B2 and is remaining to be used by the current shop owners based below.</p>
Proposed Works	Plans are to convert existing flats into holiday lets.
Work undertaken	<p>A preliminary roost assessment (PRA) for bats and birds was undertaken by Tyne Ecology in March 2023.</p> <p>The PRA determined that buildings had moderate suitability for supporting roosting bats.</p> <p>Two bat surveys were undertaken:</p> <p style="padding-left: 40px;">Dusk emergence survey was undertaken on 26/05/2023. Dusk emergence survey was undertaken on 12/06/2023.</p>
Survey Results	No bats were observed roosting in the buildings.
Requirements for Additional Surveys	No further surveys required.
Recommendations for bats	<p>As the occasional/opportunist bat can turn up at any time, works must be undertaken following the Precautionary Working Method Statement provided within this report (see Appendix II) to ensure that no bats are killed, injured, or disturbed and no roost sites are damaged, destroyed, or have access to them obstructed.</p> <p>Should bats be found during the development, work must cease immediately, and a suitably licenced and experienced ecologist must be contacted for advice. Reason: Bats and their roosts are protected by law.</p> <p>As an enhancement for biodiversity a bat box (e.g. Beaumaris https://www.wildcare.co.uk/beaumaris-bat-box.html) should be installed near the eaves on the south elevation of B2/B3.</p>
Recommendations for birds	Works should avoid the breeding season March to August. If this period cannot be avoided a nesting bird check must be undertaken by a suitably experienced ecologists immediately prior to commencing works. If active nests are found works must cease until after young have fledged.
Impacts on other protected/priority species and habitats	The development is restricted to the existing footprint of the existing property and no ecological constraints regarding other protected/priority species and habitats were noted.

Conclusions	Providing the recommendations given within this report are successfully implemented, the proposed development can proceed without detriment to the maintenance of the population of bats at a favourable conservation status and without impacts on other protected/priority species and habitats.
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Contents

1	INTRODUCTION	1
2	METHODOLOGY	2
3	RESULTS	5
4	INTERPRETATION AND ASSESSMENT	10
5	CONCLUSIONS AND RECOMMENDATIONS	12
6	REFERENCES	13
	APPENDIX I: PRA/FIELD SURVEY PLAN	14
	APPENDIX II: BAT SURVEY PLAN - ROOSTS AND FLIGHT LINES	15
	APPENDIX III: PROPOSED DEVELOPMENT PLAN	16
	APPENDIX IV: DESKTOP SURVEY	17
	APPENDIX V: FIELD SURVEY PHOTOGRAPHS	21
	APPENDIX VI: SPECIES LIST	25
	APPENDIX VII: PRECAUTIONARY WORKING METHOD STATEMENT	26
	APPENDIX VIII: PLANNING POLICY AND LEGISLATION	27

List of Figures

Figure 1: Aerial image of the site (red dot denotes the site). Image used under licence (Google 2023). Imagery date 21/03/2023. Purpose of this report	1
Figure 2: FOV of IR camera - west/south elevation.	8
Figure 3: FOV of IR camera - south elevation.	9
Figure 4: FOV IR camera - south elevation.	9
Figure 5: Survey map showing building and position of surveyors.	14
Figure 6: Bat survey plan - roosts and flight lines	15
Figure 7: Proposed development plan.	16
Figure 8: Designated statutory sites.	17
Figure 9: Non-statutory sites.	18
Figure 10: Priority habitats.	19
Figure 11: Granted EPSLs.	20
Figure 12: B1 - north/west elevation	21
Figure 13: B2/B3 - north elevation	21
Figure 14: B1/B2/B3 - south elevation.....	21
Figure 15: B1/B2/B3 - east elevation.....	21
Figure 16: B2 - internal	21
Figure 17: B2 - internal	21
Figure 18: B2 - internal - wall cavity gap	22
Figure 19: B2 - internal - butterfly wings.....	22
Figure 20: B3 - internal - east side	22
Figure 21: B3 - internal - west side	22
Figure 22: B3 - area below bird nest	22
Figure 23: B1 - gaps under end slates	22
Figure 24: B1 - gaps in stones on chimney	23
Figure 25: B2 - gaps under eaves.....	23
Figure 26: B2 - gaps under ridge tiles.....	23
Figure 27: B2 - gaps under/between flashing, under hanging tiles and top of the valley of the dormer	23
Figure 28: B2 - holes in the wall	23
Figure 29: B3 - gaps above window frames.....	23
Figure 30: B3 - internal - light entering under eaves on south elevation.....	24
Figure 31: B3 - area where bird is nesting.....	24
Figure 32: Surroundings.....	24

List of Tables

Table 1: Sources of biodiversity and ecological records.	2
Table 2: Summary of guidelines for assessing the potential suitability of proposed development sites for bats (from Collins 2016).	3
Table 3: Summary of guidelines for assessing bat habitat suitability (from Collins 2016).	3
Table 4: Surveyor information.	4
Table 5: Summary of designated sites within 1km of the site	5
Table 6: Granted EPSMLs (bats) within 2km of the site	5
Table 7: Priority habitats within 1km of the site.	5
Table 8: Historical bat records within 2km of the site.	6
Table 9: Summary of weather conditions during the field survey	6
Table 10: Description of building/trees	6
Table 11: PRA Results	7
Table 12: Survey timings and weather conditions.	8
Table 13: Bat activity survey results. SS±xx refers to the time in minutes before/after sunset and SR±xx refers to the time in minutes before/after sunrise.	8

Table 14: Suitability of surveyed structures/trees for bats and nesting birds.

10

1 INTRODUCTION

- 1.1 Tyne Ecology was commissioned by Roflow Limited (the client) to undertake an Ecological Impact Assessment (EcIA) for bats and birds of 1A, 1B, 1C, 1D, Flat 1 and 2 Market Cross Maisonettes at Market Place, Alnwick, Northumberland, NE66 1HS (Ordnance Survey Grid Reference centred at: NU 1863 1332) referred to in this report as B1.
- 1.2 Plans are to convert existing flats into holiday lets.
- 1.3 The principal author of this report is Tim Sexton who holds a Natural England Bat Licence Level 2 no: 2020-44753-CLS-CLS. He has 19 years' experience of surveying for bats and has qualifying membership of the Chartered Institute of Ecology and Environmental Management (CIEEM), membership no: 17054.

Site description

- 1.4 The site is within the town of Alnwick, Northumberland, in a built-up area 500m south of the River Aln. The wider landscape consists mainly of open farmland with pockets of woodland.



Figure 1: Aerial image of the site (red dot denotes the site). Image used under licence (Google 2023). Imagery date 21/03/2023.

Purpose of this report

- 1.5 This report aims where possible to provide sufficient information for the local planning authority to fully assess the potential ecological impacts of the proposed development on bats and birds, or alternatively, to identify what further information is required to fully inform the scheme.
- 1.6 Surveys have been used to establish the need for, and extent of, any mitigation or compensation measures required as part of the proposed development.

2 METHODOLOGY

Desk study

- 2.1 A biodiversity desk study was undertaken in relation to the site in March 2023. The sources consulted and the type of information obtained are summarised in Table 1 below.

Table 1: Sources of biodiversity and ecological records.

Source	Information requested (search buffer from site centre/boundary)
Multi-Agency Geographic Information for the Countryside (MAGIC) ²	Statutory Sites (1km) Priority Habitats (1km) EPSMLs (2km)
Environmental Records Information Centre North East	Bat records (2km) Non-statutory Sites (1km)

- 2.2 The search buffers are considered sufficient to cover the potential zone of influence (Zoi)³ of the proposed development.
- 2.3 The impacts of the proposed development on the biological integrity of any nearby designated protected sites have been fully considered.
- 2.4 A search was undertaken for previous ecological survey information for the site via the local authority planning portal⁴.

Preliminary roost assessment

- 2.5 A field survey was undertaken on the 23/03/2023.
- 2.6 An assessment of the structures/trees to be impacted by the development was undertaken in accordance with the latest published best practice guidance (Collins, 2016).
- 2.7 Structures were externally and internally inspected for bats and their signs with the aid of a Petzl ACTIK® CORE ACTIVE torch, PRAKTICA Falcon 8x40 binoculars and a Bosch Inspection endoscope.
- 2.8 The suitability of structures/trees on-site for bats to roost in was assessed, along with a systematic search for signs of bats (e.g. droppings, moth/butterfly wings, scratch marks, staining) or actual bats that were present. Particular attention was paid to the roof areas, with searches for gaps in walls, gaps between beams and joists, droppings stuck to the walls, floors, or other surfaces, or feeding remains below beams.
- 2.9 Bat droppings, if found, were collected for DNA analysis.
- 2.10 In addition, structures/trees were classified according to suitability for bats, based on the presence of features within them and / or landscape, see Table 2 below.
- 2.11 The site habitats were assessed for suitability for bats, see Table 3 below.
- 2.12 Evidence for barn owls and other breeding birds was recorded along with any other ecological constraints.

² <https://magic.defra.gov.uk/>

³ <https://www.biodiversityinplanning.org/wp-content/uploads/2019/12/BDS-Guidance-final.pdf>

⁴ <https://publicaccess.northumberland.gov.uk/online-applications>

Table 2: Summary of guidelines for assessing the potential suitability of proposed development sites for bats (from Collins 2016).

Suitability	Description of roosting habitats	Number of activity survey visits required
Negligible	Negligible habitat features on site likely to be used by roosting bats.	None
Low	A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, potential roost sites not suitable for larger numbers or regular use (i.e. maternity or hibernation).	One, in the period May to August
Moderate	A structure or tree with one or more potential roost sites that could be used by bats, but unlikely to support a roost of high conservation status	Two, in the period May to September with at least one of the surveys between May and August
High	A structure or tree with one or more potential roost sites obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time.	Three, in the period May to September with at least two of the surveys between May and August
Confirmed roost	Evidence of bats or use by bats found	Minimum of two surveys to characterise the roost in the period May to September with at least one of the surveys between May and August

Table 3: Summary of guidelines for assessing bat habitat suitability (from Collins 2016).

Suitability	Description of commuting and foraging habitats
Negligible	Negligible habitat features on-site likely to be used by commuting and foraging bats.
Low	<p><u>Commuting Habitat</u> Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or un-vegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat.</p> <p><u>Foraging Habitat</u> 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.</p>
Moderate	<p><u>Commuting Habitat</u> 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.</p> <p><u>Foraging Habitat</u> Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.</p>
High	<p><u>Commuting Habitat</u> 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.</p> <p><u>Foraging Habitat</u> 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.</p> <p><u>Proximity to Known Bat Roosts</u> Site is close to and connected to known roosts.</p>

Surveyor information

2.13 The PRA was undertaken on the 23/03/2023 by Rachel Galler, BSc Honours degree, who is an Accredited Agent against bat survey licence Level 2 (Class Licence) 2020-44753-CLS-CLS. She has five years of experience surveying for bats.

Limitations and constraints

2.14 No limitations or constraints were encountered, during either the desk study or the field survey. It is considered that with the access gained and recording undertaken that an accurate assessment of the sites ecological value with regard to bats and birds has been made.

Bat emergence/re-entry surveys

2.15 Two bat surveys were undertaken of the building by three surveyors observing all potential roost features.

2.16 Surveyors were equipped with a night vision aids (NVAs) - infrared video camera (Nightfox Whisker) and/or thermal camera (Hikmicro Lynx 15/Guide IR Pro 19). Video was reviewed in real time using VLC viewer. Without the use of NVAs any bats emerging 45 mins after sunset would not have been visible and reviewing camera footage confirms surveyor observations.

2.17 The positions of surveyors and NVAs are shown in Appendix II: Bat Survey Plan.

2.18 Surveyors were equipped with full spectrum bat detectors (Anabat Scout), survey recording sheets and pens. Each bat detector used by surveyors (numbered/initialled) was recorded.

2.19 A note was made of all bat activity recorded including (where appropriate) roost access points, species, time of emergence/re-entry, direction of flight, behaviour (foraging or commuting) and use of landscape features.

2.20 Analysis of bat recordings was made using Sonobat 30 United Kingdom.

Surveyor information

2.21 Table 4 below shows details of surveyors undertaking each survey, their position and bat detector used.

Table 4: Surveyor information.

Surveyor	Licences & Experience	Survey(s)	Location/Detector
Ken Wright	6 years' experience surveying for bats.	Dusk 26/05/2023	1/5
		Dusk 12/06/2023	1/5
Jamie Wood	2 years' experience surveying for bats.	Dusk 12/06/2023	2/3
Martin McGregor	5 years' experience surveying for bats.	Dusk 12/06/2023	3/6
		Dusk 26/05/2023	3/10
Jeanette Bryden	18 years' experience surveying for bats.	Dusk 26/05/2023	2/3

Limitations and constraints

2.22 No limitations or constraints were encountered, during the bat emergence/re-entry surveys.

3 RESULTS

Desk study

Designated sites - statutory

3.1 There are no statutory sites within 1km, see Table 5 below.

Designated sites - non-statutory

3.2 There is one non-statutory sites within 1km of the site, see Table 5 below.

Table 5: Summary of designated sites within 1km of the site

Site name	Designation	Description/ reason for designation	Distance & direction (approx.)
Hulne Park	LWS	Only one remaining of three parks that once surrounded Alnwick Castle in Northumberland.	380m NW

3.3 There are no protected areas (SSSIs or SACs) designated for their bat populations within 1km of the site.

Protected species

3.4 A search of the magic.gov.uk database for granted European Protected Species Mitigation Licences (EPSMLs) for bats, within a 2km radius of the site, found roosts have been destroyed under licence (see Table 6 below).

Table 6: Granted EPSMLs (bats) within 2km of the site

Case reference of granted application	Approx. distance from site (m)	Bat Species Effected	Licence Start Date:	Licence End Date:	Impacts allowed by licence
2017-28688-EPS-MIT	460m NW	BRAN,C-PIP, S-PIP	21/04/2017	31/08/2022	Damage and destruction of resting place
EPSM2010-2247	1000m S	C-PIP	19/04/2011	31/08/2012	Destruction of resting place
2018-37722-EPS-MIT	1500m S	C-PIP, Other, S-PIP	11/12/2018	07/12/2023	Damage and destruction of resting place
2014-1768-EPS-MIT	1600m S	C-PIP	31/07/2014	30/07/2019	Destruction of resting place

Priority habitats

3.5 A search of the magic.gov.uk database found priority habitats within 1km of the site, see Table 7 below.

Table 7: Priority habitats within 1km of the site.

Habitat	Distance & direction of nearest (approx.)
Wood-pasture and Parkland	130m N
Deciduous woodland	200m NE

Historical bat records

3.6 Bat records held by the Local Environmental Records Centre (LERC) within 2km of the site are summarised in Table 8 below.

Table 8: Historical bat records within 2km of the site.

Common name	Scientific binomial	Records
	Chiroptera	88 records
	Vespertilionidae	10 records, 4 roosts, closest within 400m
	Pipistrellus sp.	9 records, 4 roosts (max count 100)
Common pipistrelle	Pipistrellus pipistrellus	35 records, 11 roosts (max count 14)
Soprano pipistrelle	Pipistrellus pygmaeus	24 records, 13 roosts (max count 347)
	Nyctalus sp.	3 records
Noctule	Nyctalus noctula	8 records
Myotis	Myotis sp.	5 records
Whiskered/Brandt's Bat	Myotis mystacinus/brandtii	12 records, 5 roosts, closest within 500m, (max count 3)
Natterer's Bat	Myotis nattereri	3 records, 1 roost within 400m (max count 1)
Brown Long-eared Bat	Plecotus auritus	8 records

Previous surveys

3.7 A search of the local authority planning portal found no previous surveys for this site or adjacent properties.

Preliminary roost assessment

3.8 Prevailing weather conditions during the field survey are summarised within Table 9 below.

Table 9: Summary of weather conditions during the field survey

Date	Weather conditions			
	Temp [°C]	Cloud cover [Oktas]	Wind speed [Beaufort scale]	Precipitation
23/03/2023	9	2	1	Nil

3.9 A description of the structures/trees inspected during the PRA are given in Table 10 below.

Table 10: Description of building/trees

Building/Tree Reference	Building/Tree type/section	Description	Development plans
B1	End terrace	A two-storey building with a pitched slate roof. The building construction is a combination of sandstone and brick with timber window frames. The second storey is used as a staff area for the salon based directly below.	No direct development. This area is to be boarded off from B2 and to remain

B2	Mid terrace	<p>A two-storey building with a pitched clay tile roof and two dormer windows to the south of the building.</p> <p>A sandstone and brick construction, with timber window frames.</p> <p>Internally, it has timber beams, and the roof has timber sarking.</p>	Internal development/ conversion
B3	Mid terrace	<p>A two-storey building with a pitched slate roof and rendered walls. It has single glazed windows with timber frames. Directly below is a derelict shop.</p> <p>Internally, the roof has timber beams, and the east side has a breathable membrane lining, the west side of the roof has exposed mortar welded slate.</p>	Internal development/ conversion

3.10 The results of the Preliminary Roost Assessment (PRA) are given in Table 11 below

Table 11: PRA Results

Building/Tree Reference	Evidence of use by bats	Bat signs and internal and external Potential Roost features (PRFs) & access points	Evidence of birds
B1	None	<p>A number of gaps were found that could allow access for bats:</p> <p>Gaps under end slates</p> <p>Gaps in stone on the chimney on west elevation</p>	None
B2	Feedings remains	<p>Gaps under eaves</p> <p>Gaps under ridge tiles and at the top of the dormer valleys</p> <p>Gaps under flashing and hanging tiles of the dormer window</p> <p>Holes in the wall on the south elevation</p>	None
B3	None	<p>Gaps above window frames on north and south elevations</p> <p>Internally, light entering under eaves on south elevation</p>	Droppings and eggshell on the floor beneath hole in the ceiling

3.11 The site is of moderate suitability for commuting and foraging bats. The areas in close proximity are mainly streets and buildings, however, there are suitable habitats within 1km that are good for foraging and commuting.

Other protected/priority species

3.12 No other protected species/priority habitats were noted on-site or in close proximity.

Bat Emergence/Re-entry Surveys

Timing and conditions

3.13 The survey timings and weather conditions during the surveys are shown in Table 12 below.

Table 12: Survey timings and weather conditions.

Date	Type	Survey Timing			Conditions [Start/Finish]			
		Start	End	Sunset/ Sunrise	Temp [°C]	Cloud Cover [Oktas]	Wind Speed [Beaufort]	Rain
26/05/2023	Dusk	21:11	23:15	21:26	11/11	5/8	0/0	Nil
12/06/2023	Dusk	21:30	23:30	21:45	16/14	2/0	1/1	Nil

3.14 The results of the bat emergence surveys are summarised in Table 13 below.

Table 13: Bat activity survey results. SS±xx refers to the time in minutes before/after sunset and SR±xx refers to the time in minutes before/after sunrise.

Survey type and date	Roosts / points of interest	General observations
Dusk emergence 26/05/2023	No bats were observed emerging from the buildings.	Only common pipistrelles were recorded during the survey, the first at 22:01 (SS+35). 45 recordings of common pipistrelle were made during the survey. One bat was seen commuting from the north early in the survey.
Dusk emergence 12/06/2023	No bats were observed emerging from the buildings.	Only a small number of common pipistrelles were recorded during the survey, the first at 22:32 (SS+47). 3 recordings of common pipistrelle were made during the survey. One bat was seen briefly foraging around the rear courtyard.

3.15 Bat flight lines in and around the site can be seen in Appendix II: Bat Survey Plan.

3.16 Field of views of NVAs are shown below in Figures 2-5 below (screen grabs taken from IR cameras at darkest period of the survey).



Figure 2: FOV of IR camera - west/south elevation.



Figure 3: FOV of IR camera - south elevation.



Figure 4: FOV IR camera - south elevation.

4 INTERPRETATION AND ASSESSMENT

4.1 The following interpretation and assessment are provided to ensure full compliance with both UK and European legislation and both local and national planning policy (see Appendix VIII).

Designated sites

- 4.2 There is one designated site within 1km of the site, see Table 5.
- 4.3 There are no protected areas (SSSIs or SACs) designated for their bat populations within 1km of the site.
- 4.4 Given the scale of the proposed development, there will be no impacts on designated sites as a result of the development.

Preliminary roost assessment (PRA) for bats (and nesting birds)

4.5 Based on the results of the PRA, an assessment of the potential suitability of the on-site buildings for bats and nesting birds could be made (see Table 14 below).

Table 14: Suitability of surveyed structures/trees for bats and nesting birds.

Structure/Tree Reference	Suitability / confirmed use	
	Bats	Nesting birds
B1	Moderate	Confirmed

Bats

- 4.6 The building B1/B2/B3 have a number of gaps that could be allow access for bats to roost.
- 4.7 No droppings were found which would indicate that if bats are present, it is in small numbers.
- 4.8 Potential feeding remains (butterfly wings) were found within B2.
- 4.9 The roof structure is lined in places and could provide suitable structures for maternity roosts.
- 4.10 The habitats in immediate proximity of the site are of low suitability for bats, however, there are numerous records of bats in the local area, including four bat roosts that have been destroyed under licence within 2km. There are suitable habitats within 1km of the site that would allow for good commuting and foraging.
- 4.11 In consideration of these factors the building is considered to have moderate suitability for bats.
- 4.12 The planned works could result in destruction/obstruction of roosts, and if present, death/injury, or disturbance of bats.

Birds

- 4.13 There was evidence of nesting birds within the building and other potential gaps. Feral pigeon was observed within a hole in the ceiling in B3, there was a large number of droppings and an eggshell on the floor directly below.
- 4.14 Active nests could be destroyed by works if they are undertaken during the bird breeding season March to August inclusive.

Bat Emergence/Re-entry Surveys

- 4.15 No bats were seen to emerge/enter buildings to roost.
- 4.16 No impacts are anticipated to bats or their roosts from the proposed development.

Other Protected/Priority Species/Habitats

4.17 No other ecological constraints regarding other protected/priority species and habitats were noted.

5 CONCLUSIONS AND RECOMMENDATIONS

Designated Sites

5.1 The development will not impact designated sites.

Bats

5.2 No bat roosts were found in buildings.

5.3 No further surveys are required.

5.4 As the occasional/opportunist bat can turn up at any time, and there are roosts nearby, works must be undertaken following the Precautionary Working Method Statement provided within this report (see Appendix II) in order to ensure that no bats are killed, injured, or disturbed and no roost sites are damaged, destroyed, or have access to them obstructed

5.5 Should bats be found during the development work must cease immediately and a suitably licenced and experienced ecologist must be contacted for advice.
Reason: Bats and their roosts are protected by law.

5.6 As an enhancement for biodiversity a bat box (e.g. Beaumaris <https://www.wildcare.co.uk/beaumaris-bat-box.html>) should be installed near the eaves on the south elevation of B1.
Reason: The Local Planning Authority has a duty 'minimising impacts on and providing net gains for biodiversity' under the NPPF (July 2021).

Birds

5.7 Works should avoid the breeding season March to August. If this period cannot be avoided a nesting bird check must be undertaken by a suitably experienced ecologists immediately prior to commencing works. If active nests are found works must cease until after young have fledged.
Reason: All wild bird species, their eggs and nests are protected by law.

Overall conclusion

5.8 Providing the recommendations given within this report are successfully implemented, the proposed development can proceed without detriment to the maintenance of the population of bats at a favourable conservation status and without impacts on other protected/priority species and habitats.

6 REFERENCES

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

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Mitchell-Jones, A.J., & McLeish, A.P. Ed., (2004) *Bat Workers' Manual* (3rd Edition). Joint Nature Conservation Committee, Peterborough.

Mitchell-Jones, A.J. (2004) *Bat Mitigation Guidelines*. Natural England, Peterborough.

APPENDIX I: PRA/FIELD SURVEY PLAN



Figure 5: Survey map showing building and position of surveyors.

APPENDIX II: BAT SURVEY PLAN - ROOSTS AND FLIGHT LINES

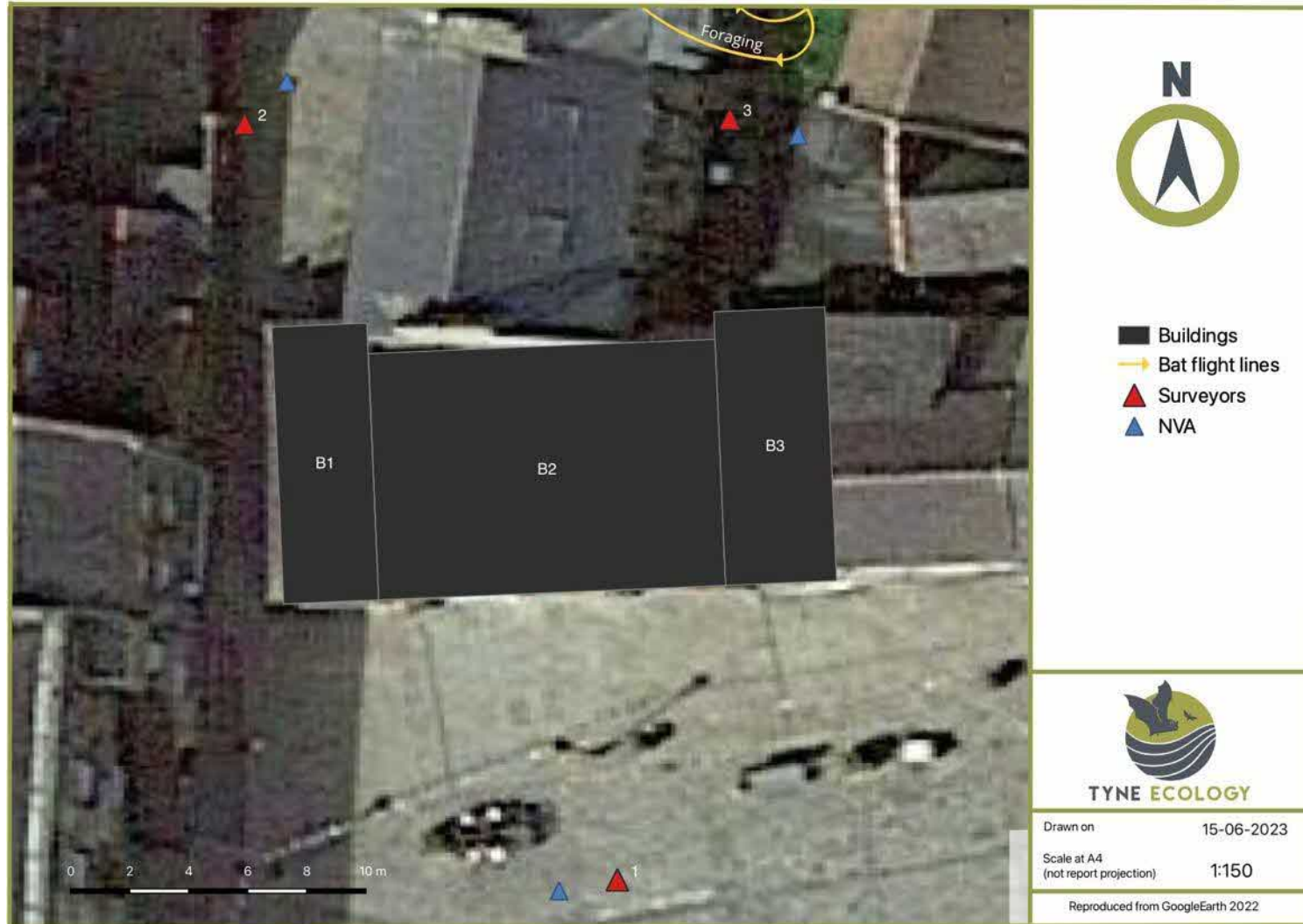


Figure 6: Bat survey plan - roosts and flight lines

APPENDIX III: PROPOSED DEVELOPMENT PLAN

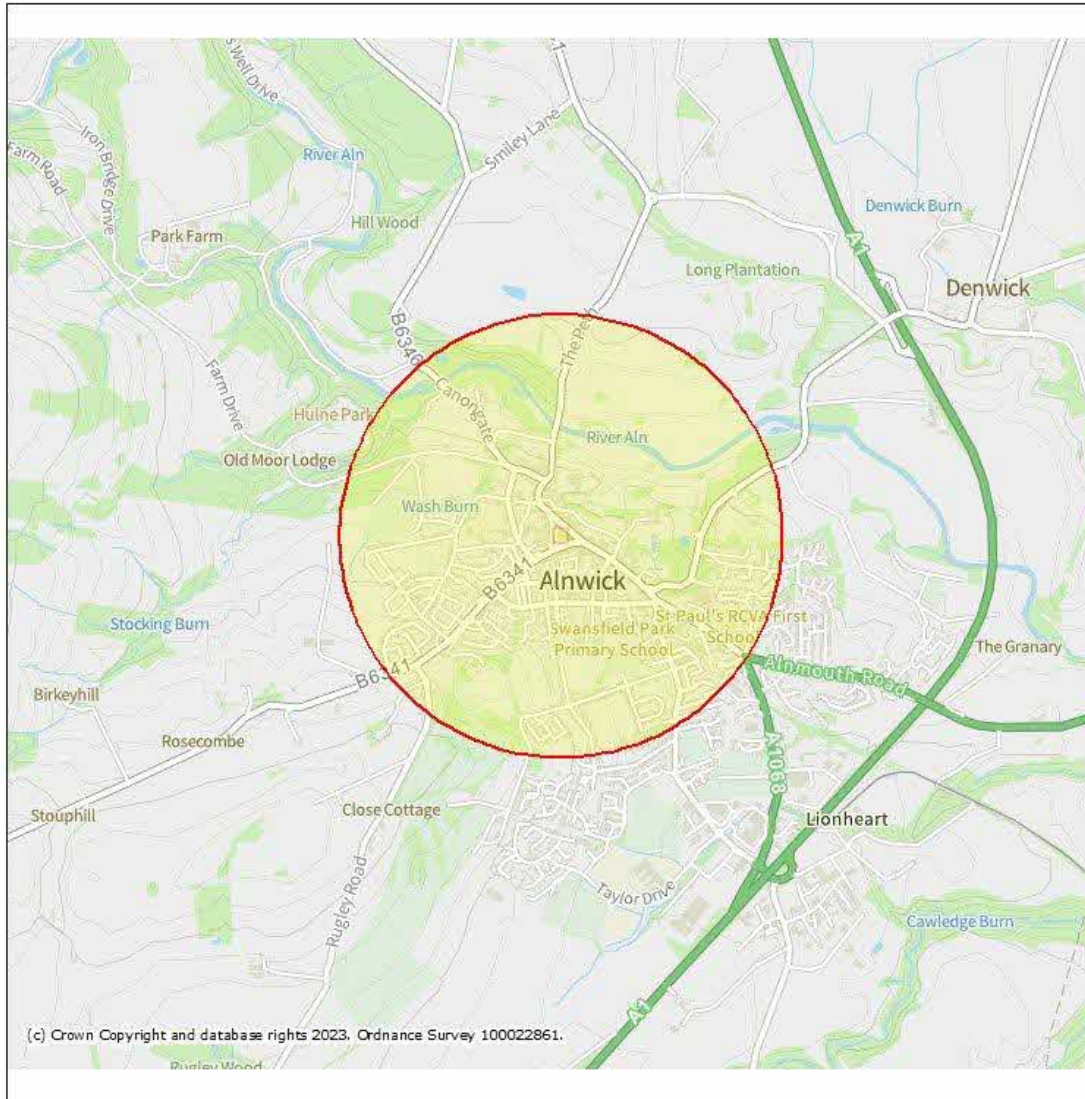


Figure 7: Proposed development plan.

APPENDIX IV: DESKTOP SURVEY

MAGIC

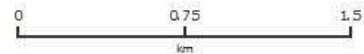
Statutory sites



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Legend

-  Areas of Outstanding Natural Beauty (England)
-  Local Nature Reserves (England)
-  National Nature Reserves (England)
-  Ramsar Sites (England)
-  Sites of Special Scientific Interest (England)
-  Special Areas of Conservation (England)
-  Special Protection Areas (England)



Projection = OSGB36

xmin = 413500

ymin = 610900

xmax = 423700

ymax = 615600

Map produced by MAGIC on 21 March, 2023.

Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

Figure 8: Designated statutory sites.

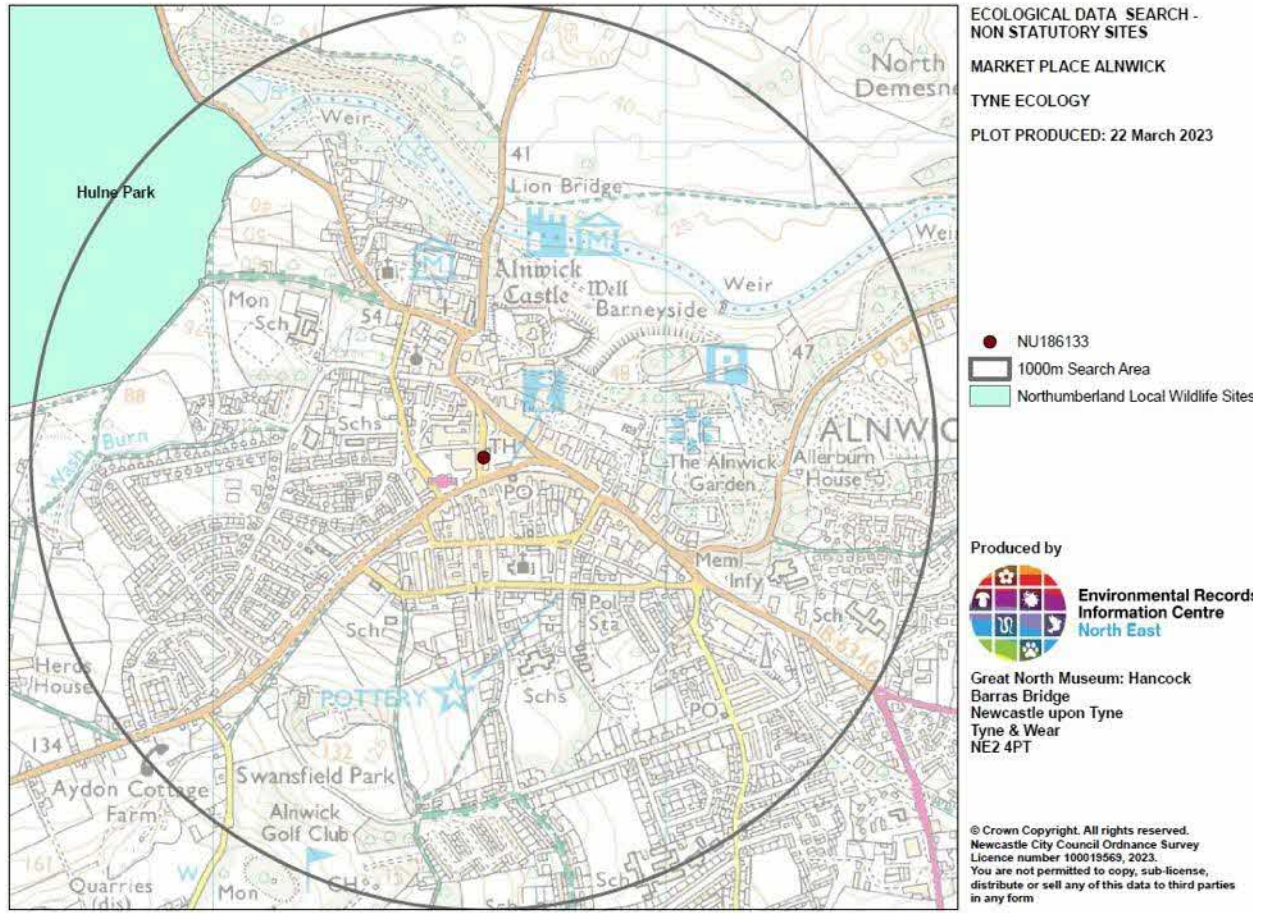


Figure 9: Non-statutory sites.

MAGiC

Habitats

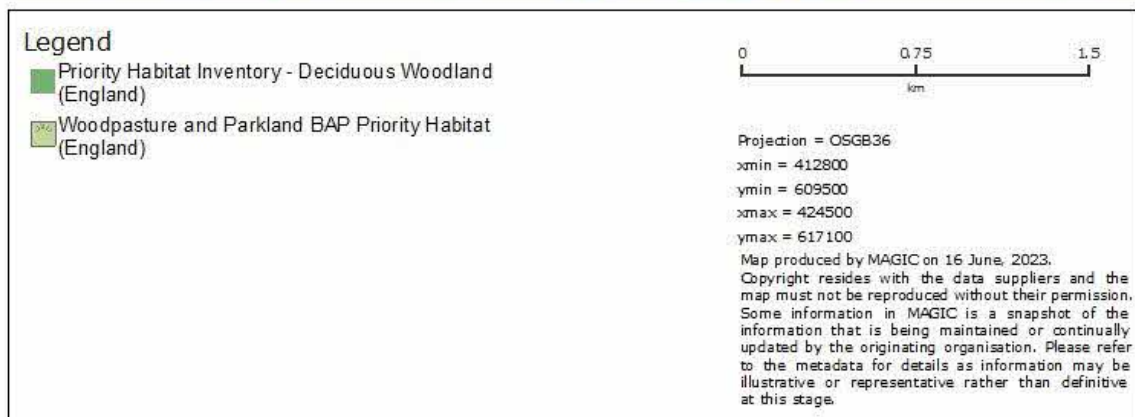
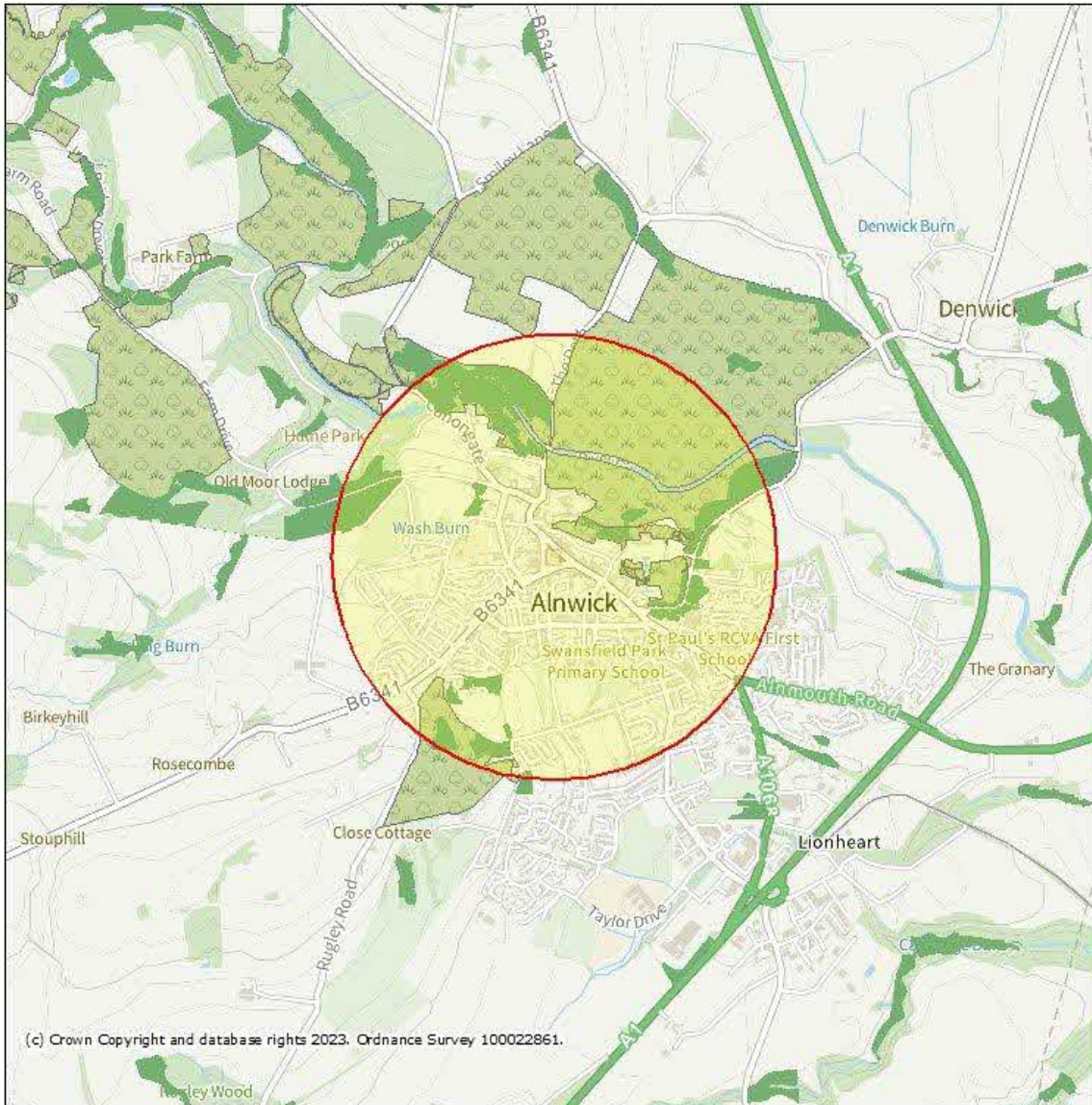
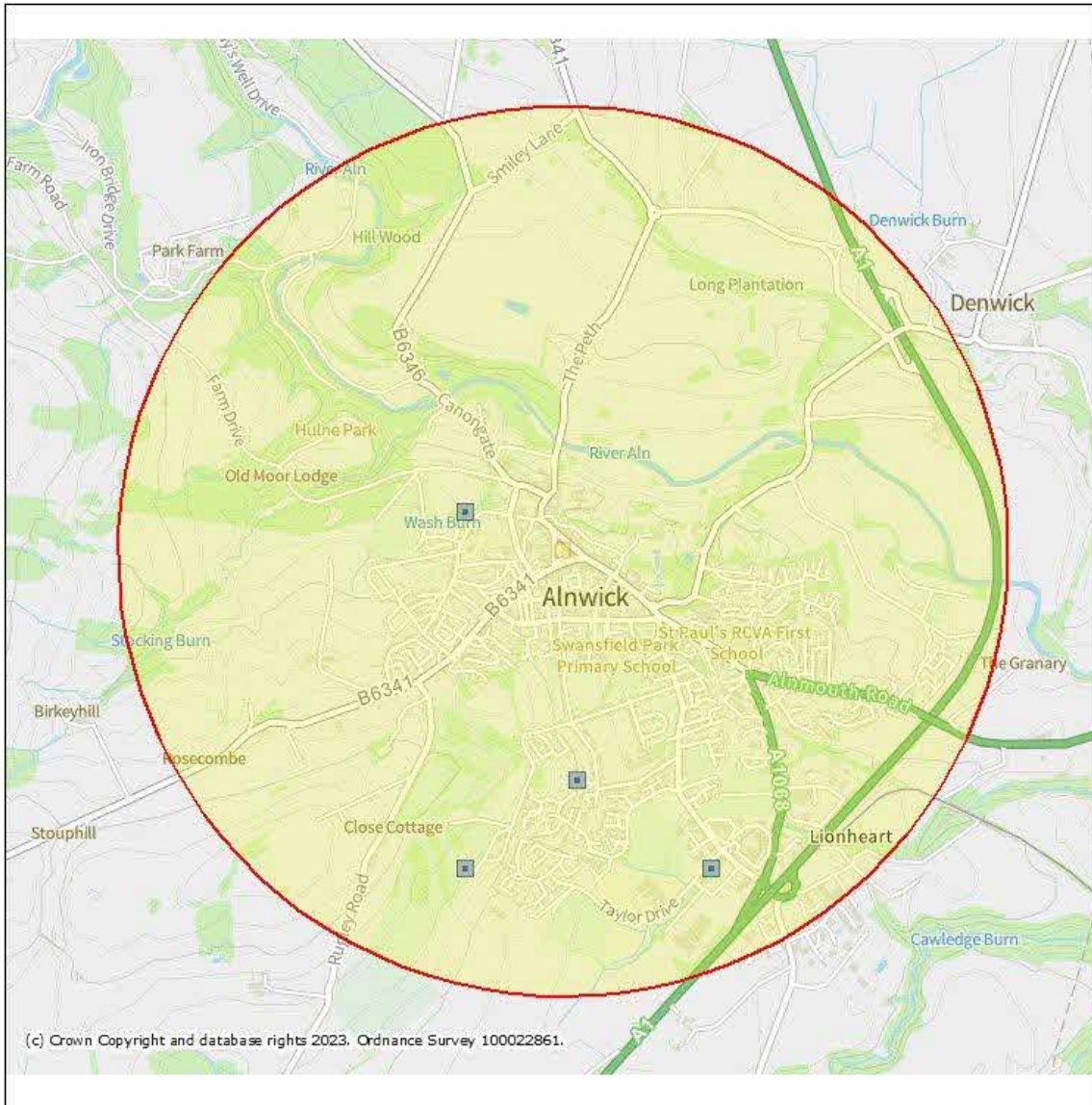


Figure 10: Priority habitats.

MAGiC

EPSMLs



Legend
Granted European Protected Species Applications (England)

- Amphibian
- Bat
- Cetacean
- Invertebrate
- Other Mammal
- Plant
- Reptile

0 0.75 1.5
 km

Projection = OSGB36
 xmin = 413500
 ymin = 611000
 xmax = 423700
 ymax = 615600

Map produced by MAGIC on 21 March, 2023.
 Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

Figure 11: Granted EPSMLs.

APPENDIX V: FIELD SURVEY PHOTOGRAPHS



Figure 12: B1 - north/west elevation



Figure 13: B2/B3 - north elevation

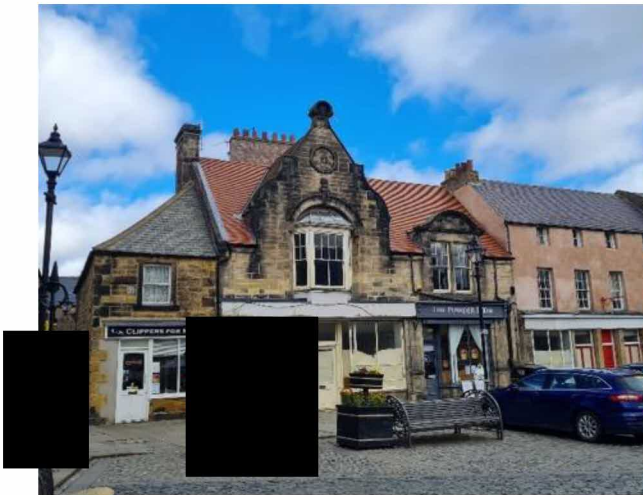


Figure 14: B1/B2/B3 - south elevation



Figure 15: B1/B2/B3 - east elevation



Figure 16: B2 - internal



Figure 17: B2 - internal



Figure 18: B2 - internal - wall cavity gap



Figure 19: B2 - internal - butterfly wings



Figure 20: B3 - internal - east side



Figure 21: B3 - internal - west side



Figure 22: B3 - area below bird nest



Figure 23: B1 - gaps under end slates



Figure 24: B1 - gaps in stones on chimney



Figure 25: B2 - gaps under eaves



Figure 26: B2 - gaps under ridge tiles



Figure 27: B2 - gaps under/between flashing, under hanging tiles and top of the valley of the dormer



Figure 28: B2 - holes in the wall



Figure 29: B3 - gaps above window frames



Figure 30: B3 - internal - light entering under eaves on south elevation



Figure 31: B3 - area where bird is nesting



Figure 32: Surroundings

APPENDIX VI: SPECIES LIST

To be submitted to the Local Environmental Records Centre.

Site Name: Alnwick Market Place
Grid Ref: NU 1863 1332
Survey Dates: May/June 2023

Submitted by: Tyne Ecology
Verified by: Tim Sexton

Common name	Scientific Name (if known)	Comment
Common pipistrelle	Pipistrellus pipistrellus	

APPENDIX VII: PRECAUTIONARY WORKING METHOD STATEMENT

The following precautions are necessary to ensure that no bats are killed, injured, or disturbed and no roost sites are damaged, destroyed, or have access to them obstructed. They are also aimed at avoiding disturbance of nesting birds.

Bats commonly roost in roofs. They may be present under roof tiles, ridge tiles and at wall tops or within crevices behind fascias. All species of bats are strictly protected by law. Damage or destruction of a bat roost is a criminal offence.

Birds often nest at eaves in roofs. All species of breeding birds, their nests (whilst active), eggs and chicks are also protected by law.

These recommendations must be followed by all of those working on the site:

- Should any bats or evidence of bats be found, work must stop immediately, and the project ecologist contacted.
- Should nesting birds be found, nests must be protected until young have fledged.
- Site contractors must be made aware of the law around bats and nesting birds.
- Roofing features including slates, felt, flashing and fascia boards must be removed by hand, carefully checking for bats.
- Any external paint used should be checked to ensure it will not cause harm to bats or birds.

Failure to follow these recommendations could result in a criminal offence being committed.

APPENDIX VIII: PLANNING POLICY AND LEGISLATION

The following local and national planning policy and both primary and European legislation relating to nature conservation and biodiversity status are considered of relevance to the current proposal.

Planning and biodiversity

Local Authorities have a requirement to consider biodiversity and geological conservation issues when determining planning applications under the following planning policies.

National Planning Policy Framework July 2021

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, July 2021) states:

Planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- (c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- (f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Legislation and biodiversity

Certain species of animals and plants found in the wild in the UK are legally protected from being harmed or disturbed. These species are listed in the Wildlife and Countryside Act 1981 (as amended) or are named as European Protected Species (EPS) in the Conservation of Habitats and Species Regulations 2017. These two main pieces of legislation have been consulted when writing this report and are therefore described in detail within this section.

Other relevant legislation and policy documents that have been consulted include - The Countryside and Rights of Way Act 2000; Natural Environment and Rural Communities Act 2006; The Hedgerow Regulations 1997; Biodiversity Action Plans, both UK-wide (UKBAP) and Local plans (LBAPs), and The National Planning Policy Framework (NPPF).

There is also legislation that legally protects certain animals - for example, the Protection of Badgers Act (1992) protects badgers and their setts, and the Deer Act (1991) places restrictions on actions that can be taken against deer species.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (see below), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. Signal Crayfish and American Mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and *Rhododendron ponticum*) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonably avoided, or actions within the living areas of a dwelling house.

Licensing: certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence - e.g. bat surveys.

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 came into force on the 01/01/2021 and are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994.

These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function - i.e. when determining a planning application.

There is no defence that an act was the incidental and unavoidable result of a lawful activity.

Licensing: it is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Species protection

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017, making it an offence inter alia to:

- Deliberately kill, injure or capture a bat;
- Deliberately disturb bats;
- Damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- Obstruct access to any structure or place which any bat uses for shelter or protection; or
- Disturb any bat while occupying a structure or place which it uses for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural England, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017. All wild birds, their nests and eggs are protected it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any such bird whilst it is in use or being built; or
- take or destroying an egg of any such wild bird.

The law covers all species of wild birds including common, pest or opportunistic species.

Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act.