



**Mark Tunmore BSc, MCIEEM**

The Boat House, Church Cove, Lizard,  
Helston, Cornwall, TR12 7PH

T: 01326 290287

M: 0797 9013257

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## 1. INTRODUCTION

### 1.1 Background

Cove Ecological Surveys was instructed by Chloe Pitt of Laurence Associates to carry out an update of a bat and nesting bird survey at a detached house in St Agnes, West Cornwall, on behalf of the owners, Peter and Rachael Coles. The survey was requested in preparation for a planning application to demolish the building and build a replacement dwelling in the footprint. An initial assessment was carried out on 11 October 2022, which identified the building as holding negligible potential for roosting bats using the national survey guidelines (Collin, 2016). An additional visit was carried out by Scott Barron on 27 November 2023 to update the findings.

### 1.2 Site description

The survey site (SW721515) consisted of a detached two-storey building known as 'Above the Beach', with a built-on garage, located next to the beach in Trevaunance Cove, St Agnes, TR5 0RZ (Figures 1, 2 & 4). The structure was stone-built with smooth rendered walls and had a hipped roof made up of slates (Figure 3). The roof slates and the ridge were tightly fitted with no broken slates or suitable gaps for roosting bats. A wooden fascia was present on all sides of the building, which was tightly fitted and meshed at the bottom thus offering no potential for roosting bats.



**Figure 1.** Southern and eastern elevations of the building, November 2023.

The western side of the property faced a wall at the bottom of a steep bank above, creating a sheltered area at the back of the house. An outside shower was located here (Figure 2), accessed by a wooden door beside the garage (Figure 7).

Above the main entrance to the building on the east side of the property was a pitched porch (Figure 1 & 5) with a slate roof and boxed area in the roof of the porch but there were no visible features that may have given bats access to any void present within the porch.

A substantial roof void was present in the property, accessed via a hatch on the first-floor balcony. The void was approximately 2.5m high with a layer of fiberglass insulation on the floor and bitumen felt on the roof. A

covered water tank was present and the network of trusses created a cluttered environment, which would not be naturally attractive to bats.



**Figure 2.** Western aspect of the property, including outside shower (October 2022).



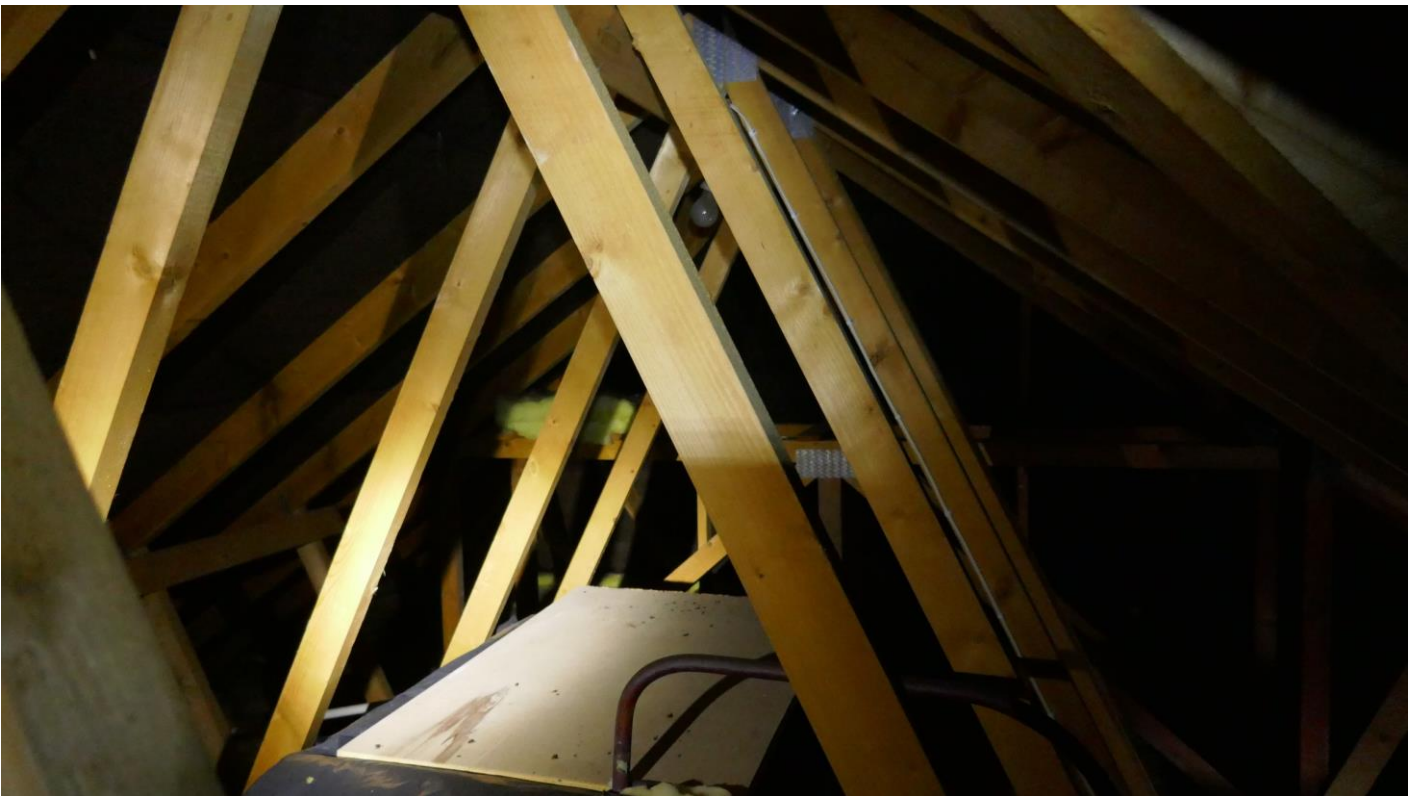
**Figure 3.** Roof on western aspect of the building (October 2022).



**Figure 4.** Northern and eastern aspect of the building with built-on garage (November 2023).



**Figure 5.** Porch above entrance door on eastern aspect of the building (October 2022).



**Figure 6.** Roof void (October 2022).



**Figure 7.** Garage (October 2022).



**Figure 8.** Gap present at the wall top of the garage.

A built-on garage was present on the north side of the building with an ‘up and over’ door allowing access within. The building had a pitched slate roof and partially rendered walls. A single broken slate was present on the eastern pitch of the roof which could potentially have allowed bats access to the space below but the rest of the roof and ridge was tightly fitted with no suitable gaps for roosting bats. A window was present on the north side of the building which allowed light penetration within. A wooden fascia was present, which was grilled at the bottom and did not provide any suitable roost features. On the north-east corner of the building, beside the door, a small gap was present between the soffit and the top of the wall where mortar was missing. This was approximately 6cm x 2cm in size and was large enough to allow bats access to the interior of the building. The interior of the garage was open to the rafters, the roof lined with bitumen felt and no roof void was present. This would have made any bats or evidence of their presence easy to find.

The building was located at the bottom of a small valley leading north from the village of St Agnes in West Cornwall. It was perched above the beach and at the bottom of a steep bank covered in scrub. The surrounding landscape consisted of coastland with areas of scrub and narrow strips of woodland, and inland a network of small fields and hedgerows. The building was in an exposed location and unlikely to be very attractive for bats although there is some suitable foraging habitat present.

No garden was present within the grounds and the area outside the house was graveled with some encroachment of low-growing vegetation.

### **1.3 Proposed works**

It is proposed to demolish the building and to build new residential accommodation in the footprint.

### **1.4 Aims of the survey**

The aims of the survey were to assess the potential for the building to support roosting bats, and to search for any evidence of use. Evidence of nesting birds was also assessed.

## 1.5 Evaluation

The potential of the site for roosting bats is categorized using the terms specified in *Bat Surveys for Professional Ecologists* (Collins, 2016), assigning suitability to one of four categories specified below:

- Negligible. Negligible habitat features on site likely to be used by roosting bats.
- Low. A structure with one or more potential roost sites that may be used by individual bats opportunistically but which does not provide appropriate conditions to be used regularly or by large numbers of bats.
- Moderate. A structure with one or more potential roost sites that could be used by bats but is unlikely to support a roost of high conservation value.
- High. A structure with one or more potential roost sites with obvious suitability for use by large numbers of bats on a more regular basis.

## 2. METHODS

### 2.1 Summary of methods

A visual survey was carried out, searching for evidence of bat use, including droppings, feeding remains and staining from urine or grease from fur. A high-powered torch was used to examine all parts of the buildings, including behind fascia boards. An endoscope was used to inspect gaps and crevices for roosting bats.

A visual search was also carried out for evidence of nesting birds: presence of nests, accumulation of droppings or alarm calls from birds.

### 2.2 Surveyor information

The survey was carried out by Mark Tunmore (Natural England license number 2015-14995-CLS-CLS), who has been a licensed bat worker since 2008 and has worked extensively upon development projects in Cornwall and other parts of the UK.

## 3. RESULTS

### 3.1 Summary

No evidence of bats or nesting birds was found and it was possible to thoroughly search the property. No obvious change in the condition of the building had taken place since the 2022 visit.

In the absence of any evidence of bats and considering the exposed nature of the immediate surroundings it is unlikely that roosting bats are present.

### 3.2 Assessment

With reference to the Bat Conservation Trust's updated *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2023) the building is assessed as holding negligible potential for roosting bats.

## 4. LEGISLATION AND POLICY

### 4.1 Bats

As a result of the substantial declines in bat populations that have taken place over the last century bats are legally protected by domestic and European legislation. All British bats are European Protected Species (EPS), listed under Annex IV (a) of the EC Habitats Directive. They receive legal protection under the Conservation of Habitats and Species (amendment) (EU Exit) Regulations 2019. Additional legal protection is afforded under Section 9 of the Wildlife and Countryside Act (as amended by the Countryside and Rights of Way Act 2000), all British Bats being listed under Schedule 5 of the Act. In combination this makes it an offence to:

Intentionally kill, injure or take a wild bat

- Intentionally or recklessly damage, destroy or obstruct access to a wild bat roost (regardless of whether bats are present at the time or not)
- Intentionally or recklessly disturb a wild bat while it is occupying a structure or place it uses for shelter or protection

Since 2007 it is no longer a valid defence to show that the killing, capture or disturbance of a species covered by the Conservation Regulations or the destruction or damage of their breeding sites or resting places was the incidental or unavoidable result of an otherwise lawful activity.

### 4.2 Nesting birds

All nests and eggs of wild birds are protected under Part 1 of the Wildlife and Countryside Act 1981 (and amendments).

### 4.3 Planning policy

The National Planning Policy Framework (NPPF) 2021 sets out government policy with regard to the consideration of biodiversity in planning decisions. The presence of a protected species is a material consideration when a planning authority is considering a development proposal that would be likely to cause harm to the species or its habitat. The NPPF states that if significant harm from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.

Under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 local authorities have a duty to have regard to the conservation of biodiversity in England when carrying out their normal functions, which includes consideration of planning applications. The England Biodiversity List was published in compliance with section 41 of the Act and includes 941 species which make up the UK Biodiversity Action Plan Priority Species list. This includes seven of the UK's bat species (listed below).

The UK Biodiversity Action Plan (UK BAP) is the national strategy developed in response to the Convention on Biological Diversity signed in Rio in 1992. It identified the species requiring priority action to address their causes of decline and take action to maintain and conserve their biodiversity. Listed bats are:

- Barbastelle *Barbastella barbastellus*
- Bechstein's Bat *Myotis bechsteinii*
- Noctule *Nyctalus noctula*
- Soprano Pipistrelle *Pipistrellus pygmaeus*
- Brown Long-eared Bat *Plecotus auritus*
- Greater Horseshoe Bat *Rhinolophus ferrumequinum*



- Lesser Horseshoe Bat *Rhinolophus hipposideros*

## 5. RECOMMENDATIONS

In keeping with the national bat survey guidelines (Collins, 2023) befitting a negligible potential roost site, combined with professional judgement, no further surveys are required and works can proceed with caution.

In the unlikely event that a roosting bat is discovered during the demolition of the building, the bat should be left in situ, work stopped and contact made with the bat ecologist for further advice.

- Purpose-made, self-contained roost features such as bat-bricks, tubes and boxes can be provided. Integrated features that are built into walls and facades of buildings are preferable to externally mounted bat boxes because they offer a permanent space for bats with little maintenance and potentially better thermal properties. Boxes should be put as high and as close to the eaves as possible in sheltered places, ideally on a south or south-westerly aspect. Further information can be found at [http://www.bats.org.uk/pages/accommodating\\_bats\\_in\\_buildings.html](http://www.bats.org.uk/pages/accommodating_bats_in_buildings.html)
- It is possible to make specific provision for wildlife within new accommodation by the incorporation of dedicated roosting / nesting features. Cornwall Council (2018) requires that all new *residential* units provide at least one bat or bird box / brick. In addition, bee bricks should be provided at a rate of one for every two residential units. A number of products including bat-bricks, access slates / tiles, bird nest boxes and bee bricks are commercially available and can easily be built into the new development. Appropriate products should be specified on more detailed development plans with the input of an ecologist.

Under the Environment Act recently passed into law (HM Government, 2021) there is a legal requirement for all development requiring planning permission to deliver at least a 10% Biodiversity Net Gain (BNG). Provision is made for this in terms of planning policy under NPPF (2021) in the Cornwall Local Plan (Cornwall Council 2016). Best practice guidance for developers is provided in the Cornwall Planning for Biodiversity Guide (Cornwall Council, 2018).

**It is recommended that a Schwegler 1SP Sparrow terrace or equivalent be fitted to the building. A bee brick should also be fitted on the southern aspect of the building at approximately 1m height.**

A precautionary approach to nesting birds must be adopted during building works. Birds may nest between March and September inclusive and if any nests are found within 5m of the works then activity must cease until nesting has finished.

## 6. REFERENCES

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

**Collins, J.** (ed.), 2023. *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (4<sup>th</sup> edition). Bat Conservation Trust, London.

**Cornwall Council**, 2016. <https://www.cornwall.gov.uk/media/22936789/adopted-local-plan-strategic-policies-2016.pdf>

**Cornwall Council**, 2018. Cornwall Planning for Biodiversity Guide <https://www.cornwall.gov.uk/media/v1roqk0x/planning-for-biodiversity.pdf>

**HM Government**, 2021. The Environment Act.

