



# Ben Jones

**ECOLOGY**

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Ludlow  
Shropshire  
SY8 1AE

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Whilst surveyors make every reasonable effort, Ben Jones Ecology cannot guarantee that all protected species have been identified and survey results are definitive. Many species are cryptic and transitional in habit.

Reports are considered valid for two years for planning purposes, after which time further survey information may be required.

Ben Jones Ecology can provide advice and support for recommendations and planning conditions.

The use of this report or survey data for any form of formal submission to an NGO or other authority implicitly implies acceptance of the terms and conditions.

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# **1 Executive Summary**

## **1.1 Purpose of the Report**

Ben Jones Ecology was commissioned by Carter Jonas on behalf of the client, Mr S Dalsan, to undertake a preliminary roost assessment of 6&7 The Bullring, Ludlow to provide supporting information for the conversion of the upper floors into apartments.

The survey report has these principal aims:

- To provide an initial assessment of the ecological value of the site in local context.
- To identify potential ecological constraints relating to the development, and recommend measures to avoid, reduce or manage negative effects, and to provide a net ecological gain.

## **1.2 Methodology**

The appraisal included a desktop study for nearby designated sites and previously recorded protected species and a site visit undertaken at the site, OS grid reference SO51227471 on 19<sup>th</sup> January 2024 by Ben Jones.

## **1.3 Key Impacts and Mitigation Measures**

The desktop study revealed scarce bats in the surrounding 2km, with several records within Ludlow and on its borders. It was considered that the site could provide potential habitat for bat and bird species, however, and these should be the main focus of the ecological appraisal.

The site comprises the upper floors of a brick building. The ground floor is Rickards & Son Ironmongers. The upper floors have previously been living accommodation but have become used for retail storage in recent years.

No evidence of bats was found inside, and no potential access features were found on the exterior of the building. No further surveys are considered necessary, and the site will be appropriately enhanced for roosting bats post-development.

No signs of recent or old nests were found inside. The site will be enhanced for nesting birds by including a range of artificial nest boxes post-development.

## **1.4 Conclusion**

It is recommended that the biodiversity value of the site will be enhanced post-construction with the inclusion of bat and bird boxes as per sections 6.3 and 6.4 of this report. There are no ecological constraints to the development as currently proposed.

## **2 Introduction**

This report has been compiled by Ben Jones BSc (hons) MSc who has 8 years' experience conducting ecological appraisals.

For full details of surveyors and licences please see Appendix A.

### **2.1 Project Background**

Ben Jones Ecology was commissioned by Mr Dalsan to conduct a survey to determine the presence of protected species and potential for the damage or destruction of habitats of value. This forms part of the site assessment required to convert the upper floors of 6&7 The Bullring, Ludlow.

### **2.2 Purpose of the Report**

This report aims to:

- Identify the key ecological constraints to the proposed development relating to priority habitats and species and protected species (HMSO, 1981).
- Inform planning to allow significant ecological effects to be minimised or avoided where possible.
- Allow any necessary mitigation or compensation measures to be developed following the mitigation hierarchy.
- Identify the opportunities offered by a project to deliver ecological enhancement (Ministry of Housing, Communities and Local Government, 2021).
- Provide information to assist landowners with avoiding committing legal offences in relation to wildlife (HMSO, 2000)

The development triggers the requirement for a preliminary bat survey as it involves the modification of pre-1960 buildings and structures within 200m of woodland and/or water.

### **2.3 Site Context and Location**

The site is located in central Ludlow, OS grid reference SO51227471. It is set in an urban environment surrounded by the rest of the town on all sides. There is generally poor connectivity to and from site, but the site is a short distance from St Laurence's Church and Ludlow Castle, both of which will be valuable for local bat and bird species.

### 3 Methodology & Constraints

Broad methodologies for data collection and interpretation were informed by PEA guidance (CIEEM, 2017). Full details can be found in Appendix B.

#### 3.1 Desk Study

The desk study provides contextual information such as the site’s proximity to designated areas and previously granted licences (Natural England, 2018). Previously recorded species in the vicinity are obtained from local records centres (NBN).

#### 3.2 Field Survey

##### 3.2.1 Date and Survey Conditions

**Table 3.1. Survey conditions**

Date	Time	Equipment Used	Weather
19/01/2024	10:00	Camera, strong torch, 12x55 monocular	Cold, clear sky, dry
<b>Comments</b>	One surveyor used. All undated photographs in this document were taken on this date by the author unless otherwise stated.		

##### 3.2.2 Habitats

The habitats on site were assessed for their potential to support protected species and therefore assist in the determination of site value.

The site had not been subject to any form of specific management, maintenance or cleaning and was in a natural redundant state.

#### 3.3 Species Survey

##### 3.3.1 Bats

An assessment of the suitability of site to support roosting bats was conducted following best practice guidance looking for evidence of roosting or potential access points (Collins, J. BCT, 2023). There were no constraints to this methodology.

##### 3.3.2 Birds

An assessment of the suitability of site and its surrounds to support nesting birds was conducted, looking for current/old nests and listening for bird calls. There were no constraints to this methodology.

##### 3.3.3 Other Species

An assessment of the suitability of site and its surrounds to support non-bat mammals and other species groups such as reptiles, amphibians and invertebrates was scoped out at the desktop stage as the development would not impact them even if they were close by. The conversion proposed is entirely internal and does not require groundworks.

## 4 Baseline Ecological Conditions

### 4.1 Nearby Features of Importance

#### 4.1.1 Designated Sites

The map from Natural England presented in Figure 4.1 indicated that the site is within 1km of three designated areas.

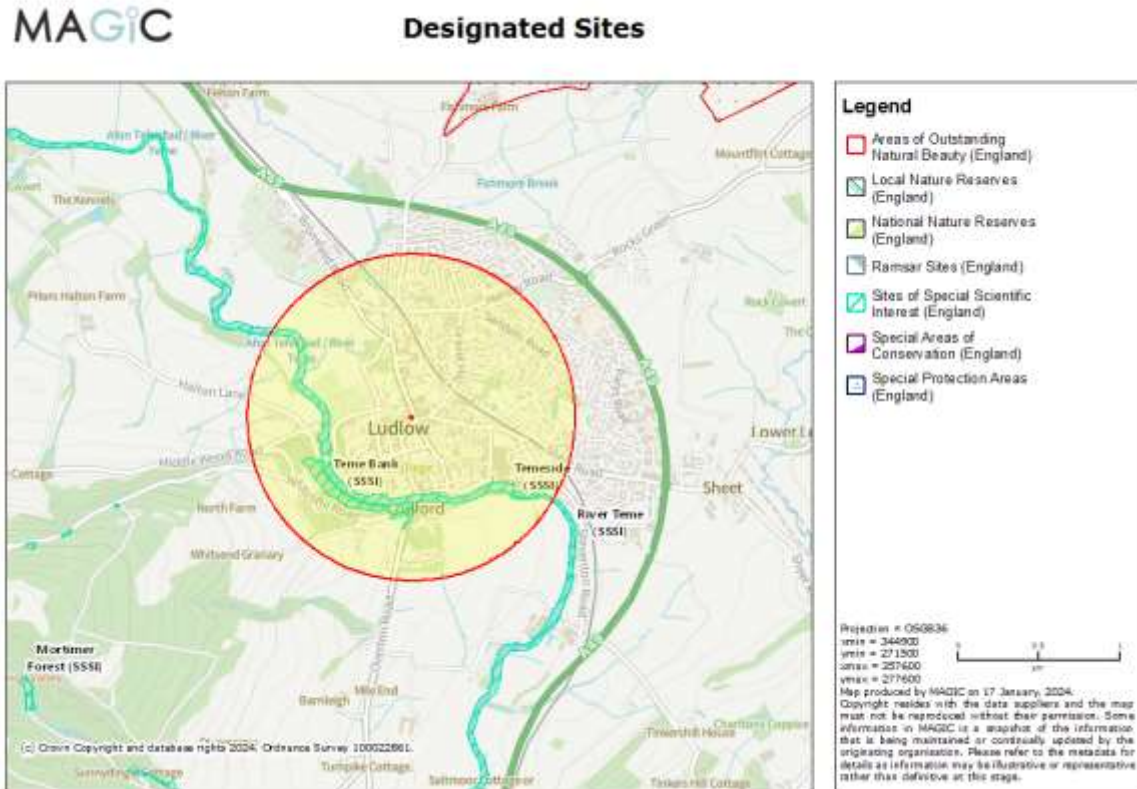


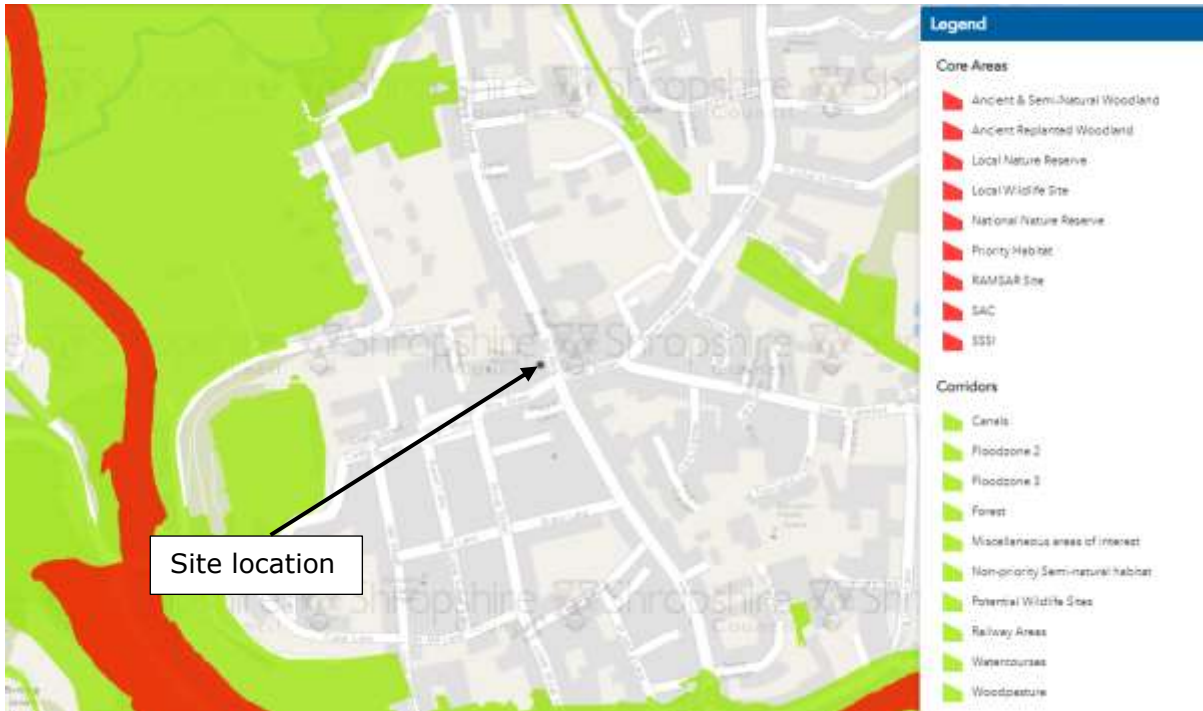
Figure 4.1. Identifying any designated areas near site, a 1km buffer is shown

Table 4.1. Details of statutory designated sites within 1km

Type of Designation	Site Name & Ref	Reason for Designation	Distance & Direction
Statutory - SSSI	Teme Bank	Rocky outcrops with significant fossil records	600m Southwest
Statutory - SSSI	River Teme	Biologically rich river type with several species listed in Schedule 5 of WCA 1981	500m West and South
Statutory - SSSI	Temeside	River cliff with significant fossil records	780m Southeast



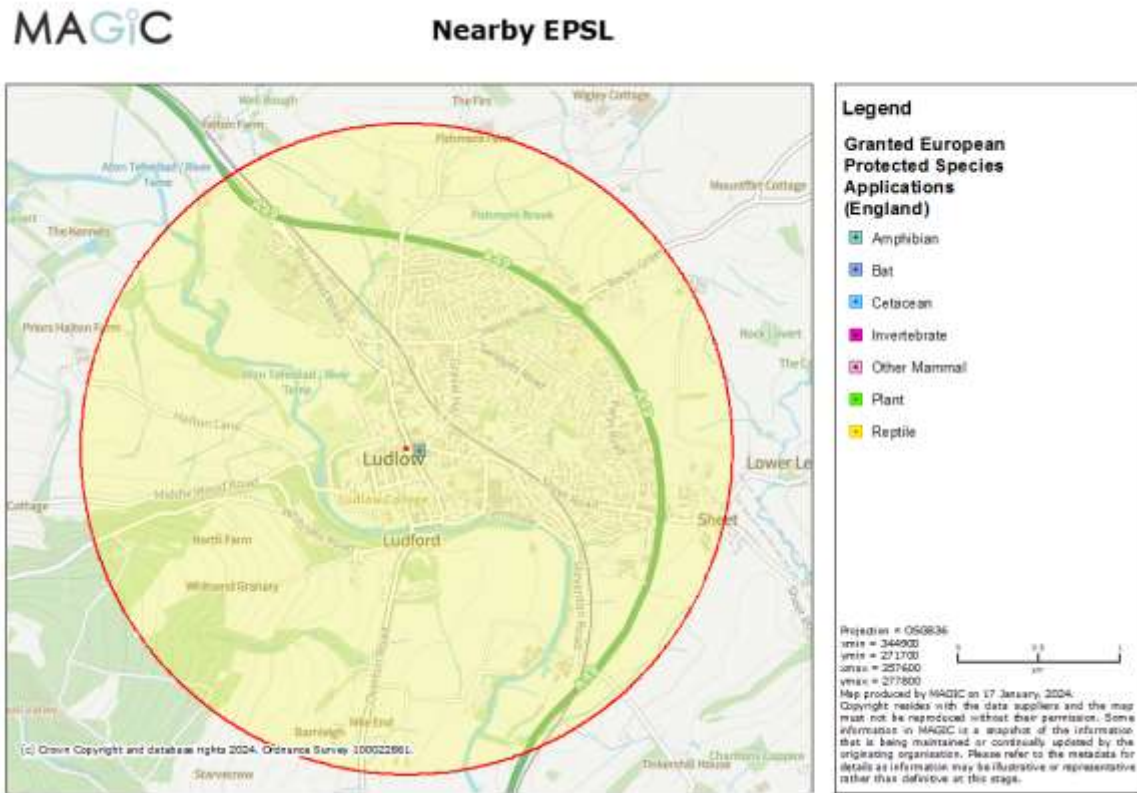
The proposed development site is not situated within a core area or corridor according to the Shropshire Environmental Network.



**Figure 4.2. Shropshire Environmental Network map**

### 4.1.2 Nearby European Protected Species Licences

There is one previously granted EPS licence within 2km of the site, details of which are presented in Appendix D.



**Figure 4.3. Showing EPS licences within 2km of site**

## 4.2 Habitats on Site

6&7 The Bullring, Ludlow, is a pair of brick buildings with clay tile roofs set in the centre of Ludlow. There are sealed loft spaces beneath some parts of the roofs, but the proposed conversion is limited to the first and second floors, and will not necessitate the alteration of these lofts or the roof. Some parts of the building toward the western side are fully accessible up into the roof space.



**Figure 4.4. Site frontage from east**



**Figure 4.5. Example storage in former residential areas**



**Figure 4.6. Inside parts of rooms open to roof**

## 4.3 Bats

### 4.3.1 Records

Records of bats within 2km include Daubenton's bat (*Myotis daubentonii*), whiskered bat (*M. mystacinus*), common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*P. pygmaeus*), brown long-eared bat (*Plecotus auritus*) and lesser horseshoe bat (*Rhinolophus hipposideros*).

The nearest records are of lesser horseshoe bats but are provided with only a low accuracy grid reference, centred approximately 300m north of site, recorded most recently in 2014. The closest records of all other species are along the western boundary of Ludlow.

Bat species data was provided to the NBN Atlas by SEDN under a CC-BY licence.

### 4.3.2 Field Observations

All accessible parts of the building were checked for evidence of bats and none was seen. The roofs were lined with bitumen hessian which was in good condition. Where the roofs could be seen the tiles were well set with no suitably raised or missing tiles that might provide bats access.



**Figure 4.7. Roof seen over western part of building**



**Figure 4.8. Well sealed roofs on eastern frontage**

## **4.4 Birds**

### **4.4.1 Records**

Records of birds within 2km include common passerine species such as blue tit (*Cyanistes caeruleus*) and house sparrow (*Passer domesticus*) but all bird species records are provided with poor OS Grid reference accuracy and so specific locations cannot be determined.

Bird species data was provided to the NBN Atlas by SEDN under CC-BY licence.

### **4.4.2 Field Observations**

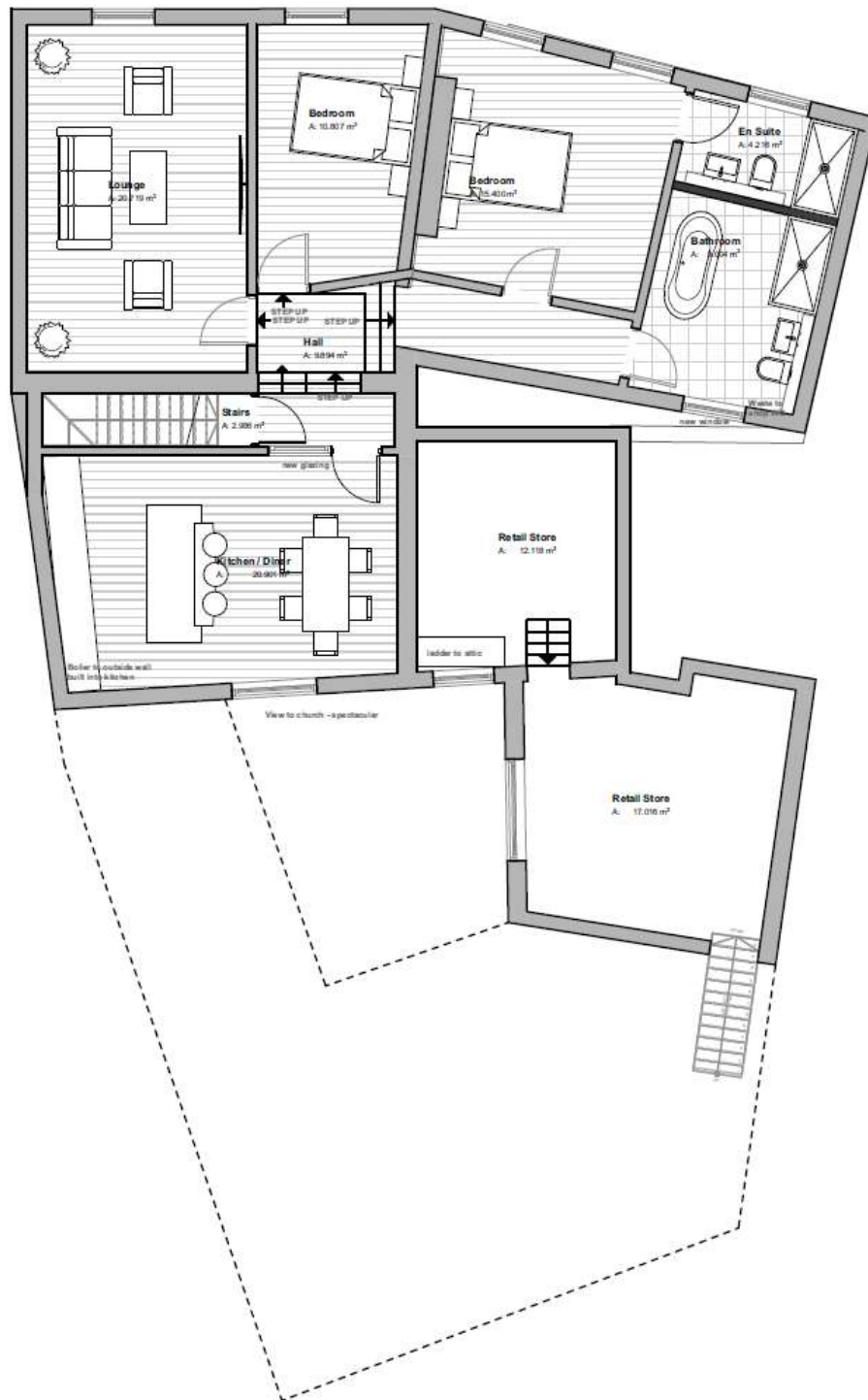
No recently active or old nests were present in the building. The well-sealed nature of the building as previously described will also prevent birds gaining entry. No sign of exterior nesting birds was seen.

## 5 Description of Proposed Development

The current plans are for the conversion of the first and second floors to residential. This may require alterations to the roof over the kitchen, but plans have not yet been developed to that level of specificity.



Figure 5.1. Proposed first floor plans



**Figure 5.2. Proposed second floor plans**

## **6 Impacts, Enhancements and Mitigation**

### **6.1 Nearby Features of Importance**

Figure 4.1 shows that there are three designated sites within a 1km zone of influence around this development. Two of these sites are designated for their fossil record and one is the river itself. No negative impact on any of these sites could reasonably be expected from a small-scale conversion such as that proposed here. No further consideration is required.

### **6.2 Habitats on Site**

The development as proposed will not result in the loss of any habitats of principal importance listed in Section 41 of the NERC Act (HMSO, 2006), further consideration will therefor only be paid at a species level.

### **6.3 Bats**

#### **6.3.1 Impacts**

No evidence of bats was found inside, and no potential roost access features were present on the exterior of the building. No negative impact is considered likely from the development as proposed.

#### **6.3.2 Enhancements**

Due to the location in the centre of Ludlow town, it is not considered reasonable to erect bat boxes as an enhancement. The building is street lit and surrounded by urban landscape of limited value for local bats. Placement of a box that is unlikely to be utilised is wasteful and therefore not recommended.

### **6.4 Birds**

#### **6.4.1 Impacts**

Work at this site will not include anything that might impact nesting birds based on the findings of this survey. However, new nests can be constructed on building exteriors and beneath eaves quickly in the summer months.

#### **6.4.2 Mitigation**

1. The developer will be responsible for ensuring no nesting birds will be impacted by the proposed development, either by timing the work for outside of the nesting season (1<sup>st</sup> March to 31<sup>st</sup> August inclusive) or if this is not possible, after a visual inspection within 24hours prior to the development commencing shows no birds are nesting.
2. Should a nesting bird be found, a 4m buffer will be left around the nest, and no further disturbance conducted until the young have fledged and the nesting bird season has finished, which is March to August inclusive.

#### **6.4.3 Enhancements**

As with the statement in section 6.3.2, there is limited scope for installation of bird boxes on this site and so none are being recommended at this stage.



## **7 Concluding Remarks**

The survey has focussed on the potential habitats or protected species to be damaged or destroyed as part of this development.

No evidence of protected species was found on or around the site. The development can proceed without the loss of habitat of significant value, and without the loss of the favourable conservation status of any protected species. As there is no evidence of protected species within and around the development site, there is no requirement to address the three tests under Regulation 55 of The Conservation of Habitats and Species (HMSO, 2019).

The enhancements provided in sections 6.3 and 6.4 of this report will be followed. There are no ecological constraints to the development as currently proposed.

## Appendix A – Surveyor Details

**Table A.1. Details of surveyors’ experience and licences held**

Name	Membership of associations/ experience	Licenses
<p><b>Ben Jones</b> <b>BSc(hons) MSc</b></p>	<p>Senior Consultant MCIEEM Ben has a degree in Marine and Freshwater biology and a Master’s degree in “Managing the Environment”. He has 9 years’ experience conducting environmental appraisals and phase 2 surveys for bats and newts in England and Wales.</p> <p>As a member of the CIEEM he is bound by professional conduct.</p>	<p>Holder of survey licenses for bats and newts in England and Wales.</p> <p><u>England:</u> Bats - 2017-29112-CLS-CLS GCN - 2016-25209-CLS-CLS <u>Wales:</u> Bats - S091847/1 GCN - S091242/1</p>
<p><b>Logan Maggs</b> <b>BSc(hons)</b> <b>Of Barns</b> <b>Ecology</b></p>	<p>Senior Consultant Logan has a degree in Conservation and Land Management. He has over 10 years’ experience conducting environmental appraisals and phase 2 surveys for bats and newts in England and Wales.</p>	<p>Holder of survey licenses for bats and newts in England and Wales.</p> <p><u>England:</u> Bats - 2016-24901-CLS-CLS GCN - 2017-29218-CLS-CLS <u>Wales:</u> Bats - S091096/1</p>

## Appendix B – Methodology

### Desk Study

**Table B.1. Data sources**

Organisation/Resource	Information Assessed
<b>Freely available online species datasets (NBN Atlas)</b>	Protected/Priority Species records (2km)
<b>MAGIC website</b>	International statutory designations (1km) <ul style="list-style-type: none"> <li>• Special Protection areas (SPA)</li> <li>• Special Areas of Conservation (SAC)</li> <li>• RAMSAR sites</li> </ul> National statutory designations (1km) <ul style="list-style-type: none"> <li>• Sites of Special Scientific Interest (SSSI)</li> <li>• National Nature Reserves (NNR)</li> </ul> EPS Licenses for protected species (2km)

The National Biodiversity Network (NBN) Atlas was checked to identify the protected species that have formally been recorded in the area. This was considered proportionate to the size of the development, as the Shropshire Environmental Data Network (SEDN) provides most of its records to the NBN.

A search on Multi Agency Geographic Information for the Countryside (Magic Maps) determined nearby designated areas. The map is presented in Section 4.1.

### Field Survey

The level of survey is aimed to identify field signs of or habitats with the potential to support protected species and therefore assist in the determination for detailed phase 2 surveys.

Determination of Ecological Value is based on the general criteria provided by CIEEM (2017).

**Table B.2. Criteria of ecological values**

Ecological Value	Description and Examples
<b>High</b>	Habitats or features that have high importance for nature conservation, such as statutory designated nature conservation sites of international or national importance or sites maintaining viable populations of species of international or national importance (e.g., Red Data Book species; European protected species).
<b>Medium</b>	Sites designated at a county or district level, e.g., Local Wildlife Site (LWS), ancient woodland site, ecologically 'important' hedgerows or ecological features that are notable within the context of a region, county or district (e.g., a viable area of a Priority Habitat or a site that supports a viable population of a priority species).
<b>Low</b>	Sites of nature conservation value within the context of a parish or neighbourhood, low-grade common habitats, such as arable fields and improved grasslands and sites supporting common, widespread species.

## Species Surveys

### Bats

Features on site were assessed for potential for bat roosts, foraging and commuting.

An external assessment of all structures on site was undertaken to determine potential roost features (PRF). The potential suitability of the structures assessed was assigned a rating of None, Negligible, Low, Moderate or High in accordance with table 4.1 of Bat Surveys for Professional Ecologists: Good Practice Guidelines 4<sup>th</sup> edition.

An internal assessment of all structures was undertaken by a suitably licensed surveyor for evidence of roosting bats such as droppings, feeding remains and staining.

Daytime surveys were conducted with the aid of a strong torch and a 12x55 monocular. Bat species may leave little evidence of their presence.

Evidence for the presence of bats includes:

- Holes, cracks and rot holes used as roosts, marked by streaks of urine and faeces.
- Smoothed, darkened edges where bats have rubbed and left natural body oils when entering and exiting a space.
- Faeces under a roof access point, a well-used feeding point or a resting spot.
- Feeding signs such as discarded insect wings under a feeding point.
- Lack of cobwebs around eaves, roof spaces, beams or ceilings where routes are kept clear by bats or presence of droppings in a cobweb.
- Presence of roosting or dead bats in or behind any object.

### Birds

Searching for evidence of nesting birds, including barn owls, involved looking for:

- Presence of nests
- Collections of droppings and/or feathers
- Highly distinctive droppings or splats under roosting points.
- Presence of owl pellets/feathers
- Listening for bird song
- Recording bird activity

## Appendix C – Policy

The following areas of policy and legislation are of relevance to ecology and provide context to the surveys conducted. Findings presented in this report are in line with the following:

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – as listed in:

- Schedule 2. European protected species of animals

The Wildlife and Countryside Act (1981) – as listed in:

- Schedule 1. Birds protected by special penalties at all times
- Schedule 5. Protected animals

Countryside and Rights of Way Act (2000)

Environment Act (2021) – Part 6 – Nature and Biodiversity

Natural Environment and Rurally Communities (NERC) Act (2006)

National Planning Policy Framework (2018)

Policy 15 – Conserving and Enhancing the Natural Environment

Biodiversity 2020 – A strategy for England’s wildlife and ecosystem services (2011)

ODPM Circular 06/2005: Biodiversity and Geological Conservation

Shropshire Core Strategy (2010): Policy CS17 – Environmental Networks

### Bats

All bat species are protected under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which implements the EC Directive 92/43/EEC in the United Kingdom. It is an offence, with certain exceptions, to:

- Deliberately capture or kill any wild animal of a European Protected Species.
- Deliberately disturb any such animal.
- Damage or destroy a breeding site or resting place of such a wild animal.
- Keep (possess), transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of a European Protected Species, or any part of, or anything derived from such a wild animal or plant.

A person found guilty of an offence is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine or to both.

Seven bat species are on the UK Biodiversity Action Plan and are listed as Species of Principal Importance under the provisions of the Natural Environment and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (NPPF) states that to minimise impacts on biodiversity and geodiversity, “*planning policies should... promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations*”.

## **Birds**

Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), birds, their nests and young are all protected from damage, particularly during the breeding season. The Act allows for fines or prison sentences for every bird, egg or nest destroyed. It makes it an offence to:

- Intentionally kill, injure or take any wild bird.
- Take, damage or destroy the nest of any wild bird whilst it is in use or being built.
- Take damage or destroy the egg of any wild bird.
- 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.

Some bird species are included in the UK and local BAPS and are recognised as species of principal importance for nature conservation in accordance with section 41 of the NERC Act 2006. Such species and their habitats receive protection through the provisions of the NPPF.

## Appendix D – Nearby Protected Species Data

Table D.1. EPS Licence Data within 2km

Case reference	Species group	Species	County	Licence start date	Licence end date	Impact on a breeding site?	Allow damage of breeding site?	Allow damage of a resting place?	Allow destruction of breeding site?	Allow destruction of a resting place?	Impact on a hibernation site?	NERC agreement reference
EPSM2013-5708	Bat	C-PIP	Shropshire	11/03/2013	31/08/2014	N			N	Y	Unknown	Unknown

## Appendix E - Bibliography

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