48 Lower Street Stroud Stroud Gloucestershire

Preliminary Roost Assessment

February 2024

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Prepared by:	(NE Bat Licence No. 2015-10870-CLS-CLS)			
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1-0	Issued to Client		06 Feb 2024
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1. Introduction

- 1.2 A listed building consent/planning application is proposed for external works to the building, specifically, re-roofing, replacement windows and installation of solar panels together with internal works comprised of alteration to internal walls and removal of asbestos.
- 1.3 The purpose of this Preliminary Roost Assessment is to:
 - Identify protected species issues that may exist in relation to bats (and nesting birds)
 which could influence the development proposals;
 - Assess possible ecological constraints to the development regarding bats (and nesting birds) and make preliminary recommendations for mitigation and enhancement opportunities;
 - Provide information on relevant legislation; and
 - Where necessary, specify further survey work that may be required.



2. Legislation and Planning Policy

Bats

- 2.1 All British bats are protected under both UK law; Wildlife and Countryside Act 1981 (WCA) (as amended), and European law (The Habitats Directive); which is transposed into law in England and Wales by The Conservation of Habitats and Species Regulations 2017 ('Habitats Regulations').
- 2.2 Schedule 5 of the WCA affords protection against:
 - Intentional or reckless disturbance of bats or obstruction of any structure or place used for shelter or protection; and
 - Selling, offering or exposing for sale (alive or dead, including parts or derivatives).
- 2.3 Schedule 6 states that bats cannot be killed or taken by certain methods, such as traps and nets, poisons, automatic weapons, electrical devices, smoke/gases etc.
- 2.4 All British species of bat are listed on Schedule 2 of the Conservation of Habitats and Species Regulations 2017 as a European Protected Species (EPS) of animal. Regulation 41 (1) of the Regulations makes it an offence to:
 - Deliberately capture, injure or kill an EPS;
 - Deliberately disturb an EPS;
 - Deliberately take or destroy the eggs of an EPS;
 - Damage or destroy a breeding site or resting place of an EPS; or
 - To be in possession of an EPS, or to control, to transport, to sell or exchange, or to offer for sale or exchange.
- 2.5 Some rare bat species, namely Greater Horseshoe Bat *Rhinolophus ferrumequinum*, Lesser Horseshoe Bat *Rhinolophus hipposideros*, Barbastelle *Barbastellus barbastellus* and Bechstein's *Myotis bechsteinii*, are afforded greater protection under European legislation, being listed under Annex II of the EC Habitats Directive which lists species whose conservation requires the designation of Special Areas of Conservation (SACs).

Brexit Changes to the Habitats regulations

2.6 The UK exited the European Union (EU) on 31 January 2020 and entered a transition period until the end of 2020. For England, amendments to the Habitats Regulations are largely limited to 'operability changes' that will ensure the regulations can continue to have the same working effect after the transition period. Most of these changes involved transferring functions from the European Commission (EU) to the appropriate authorities in England and Wales. All other processes or terms in the Habitats Regulations remain unchanged and existing guidance is still relevant¹.

¹ https://cieem.net/brexit-changes-to-the-habitats-regulations/



Legislation and Planning Policy

- 2.7 Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network. The Habitats Regulations have created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes:
 - Existing SACs and SPAs
 - New SACs and SPAs designated under these Regulations
- 2.8 Any references to Natura 2000 in the Habitats Regulations and in guidance now refers to the new national site network¹.

Birds

- 2.9 All wild birds are protected under The WCA 1981 (as amended). Under this legislation it is an offence to:
 - Kill, injure or take any wild bird;
 - Take, damage or destroy the nest of any wild bird while it is in use or being built; and
 - Take or destroy the egg of any wild bird.
- 2.10 Certain rare breeding birds are listed on Schedule 1 of The WCA 1981 (as amended). Under this legislation they are afforded the same protection as other wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs/unfledged young.

Planning Policy

National Planning Policy

- 2.11 The relevant adopted policy at the national level is set out in the National Planning Policy Framework (NPPF)² which sets out the Government's planning policies for England and how these are expected to be applied.
- 2.12 The NPPF replaced Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation (2005), however, the accompanying guidance, ODPM Circular 06/2005 Biodiversity and Geological Conservation³, currently remains extant (see paragraph 2.17 below).
- 2.13 Paragraphs 179 to 182 of the NPPF² set out the key principles of ensuring that the potential impacts of planning decisions on biodiversity are fully considered. These include:
- 2.14 Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; and
- 2.15 Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

³ https://assets.publishing.service.gov.uk/media/5a78c5e7ed915d04220653ab/147570.pdf

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf



- 2.16 The NPPF states that when determining planning applications, local planning authorities should apply the following principles:
 - If significant harm to biodiversity resulting 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:
 - Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
 - Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
 - Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 2.17 The NPPF provides guidance as to the protection of statutorily designated sites, including international sites, National Nature Reserves (NNRs) and SSSIs, as well as non-statutory regional and local sites. The NPPF also addresses development and wildlife issues outside these sites and seeks to ensure that planning policies minimise any adverse effects on wildlife.
- 2.18 Paragraphs 98 and 99 of ODPM Circular 06/2005 Biodiversity and Geological Conservation³ state:
 - The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat; and
 - It is essential that the presence or otherwise of protected species, and the extent that
 they may be affected by the proposed development, is established before the planning
 permission is granted, otherwise all relevant material considerations may not have been
 addressed in making the decision.

Local Planning Policy

2.19 Relevant planning policies will exist at the local level. A review of local planning policy has not been undertaken as this is beyond the scope of this Preliminary Bat Assessment.



Legislation and Planning Policy

Biodiversity Action Plans and Species of Principal Importance

- 2.20 Following The Convention on Biological Diversity in (1992), the UK BAP⁴ was published. The aims and objectives of the plan were to preserve and enhance the biological diversity of the UK through implementation of Habitat Action Plans (HAPs) and Species Action Plans (SAPs) for habitats and species that are priorities for conservation in the UK. This has cascaded down for inclusion on a number of Local Biodiversity Action Plans (LBAPs), including the county of Gloucestershire⁵.
- At the Nagoya UN Biodiversity Summit in October 2010, a new 'Strategic Plan' to drive action on biodiversity under the Convention on Biological Diversity was agreed, providing a new global vision and direction for biodiversity policy. From this, England has revised its biodiversity strategy, publishing priorities under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006, which lists Habitats of Principle Importance (HoPIs) and Species of Principle Importance (SoPIs) for the purpose of conserving biodiversity.
- 2.22 From 2012 the Gloucestershire Local Nature Partnership (LNP) have now 'moved towards a more integrated landscape-scale approach to biodiversity conservation with the aim of recovering habitats and species as well as the ecosystems and services that they underpin.
- 2.23 This new ecosystem approach to delivery places greater emphasis on achieving biodiversity targets through habitat-based delivery by establishing coherent and resilient ecological networks'. In doing so, the Gloucestershire LNP promotes those species in Gloucestershire included on the section 41 list.
- 2.24 Where relevant SoPIs will be referenced in the report.

⁴ http://jncc.defra.gov.uk/page-5705

https://www.gloucestershirenature.org.uk/biodiversity-action-plan-bap



3. Methods

Building Searches

Bats

- The building searches were undertaken on 01 February 2024 by with over 19 years professional experience and Natural England (NE) bat survey licence holder (Bat Class Licence Registration No. 2015-10870-CLS-CLS). At the start of the survey the weather was cloudy, dry with a gentle breeze and temperature of 07°C.
- 3.2 An assessment of the building was made in terms of its suitability to support roosting bats. The survey consisted of a visual inspection of the interior and exterior of the building for evidence of bat use and followed standard methodologies set out in Bat Surveys for Professional Ecologists⁶, UK Bat Mitigation Guidelines⁷ and the Bat Workers Manual⁸.
- 3.3 A number of factors were considered, when assessing the suitability of the building to support bat roosts including: internal conditions; presence of features suitable for use by crevice dwelling bats; proximity to foraging habitats or cover; and potential for disturbance.
- 3.4 Externally, the building was carefully examined for evidence of bat use, and a visual inspection undertaken of structures such as windows and window ledges, gaps within the brickwork, lead flashing, fascia boards and slates, including droppings and staining from fur-oil or urine.
- 3.5 The internal survey of the building followed a similar approach, with a search made for bat droppings, prey residues (such as fly or moth wings) and urine stains, and any bats that may be present. Particular attention was given to dark, sheltered locations such as roof voids, gaps within beams and internal rooms.
- The survey was aided by the use of ladders, close-focusing Opticron DISCOVERY WP PC 10x42 binoculars, Panasonic Lumix DMC-SZ3 digital camera, Eazyview Tradesman Record Inspection Camera, Fenix TK26R torch, and Clulite CB2-L1 Clubman Deluxe torch, where necessary. Dimensions were also recorded using a Leica Disto D2 Laser Distance Measurer.
- 3.7 The roosting potential of the building was classified into one of the following categories:
 - High Roosting Potential Buildings with significant roosting potential, either because they
 contain a large number of suitable features or those features present appear optimal;
 - Moderate Roosting Potential Buildings with moderate roosting potential, with roosting features appearing less suitable; and
 - Low or Negligible Roosting Potential Buildings with few, if any, features suitable for roosting.

⁸ Mitchell-Jones, A. J. and McLeish, A. P., 2004. *Bat Workers' Manual*. 3rd Edition. JNCC, Peterborough

⁶ Collins, J. (ed.), 2023. Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). Bat Conservation Trust, London

⁷ Reason, P.F. and Wray, S., 2023. *UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats*. Chartered Institute of Ecology and Environmental Management, Ampfield

8 Mitchell Jacob A. Lead Malacish A. B. 2004. Battle development (2015) 1980. Battle de



Birds

3.8 The building was searched for features that would provide suitable nesting sites for birds during the breeding season (March to August), as well as signs of use by nesting birds, typically old nests and old concentrations of faecal deposits associated with a breeding site.

Limitations and Constraints

- 3.9 The survey was designed to provide a preliminary assessment of the value of the Site for bats (and birds). Observations made within the survey area aim to establish the potential of the area to support these species that are protected by law and through planning policy. The survey was not designed to determine the presence or absence of these species.
- 3.10 The habitat and its associated wildlife are likely to change over time with the seasons. A single visit of this type only provides a snapshot of the Site's wildlife potential.



4. Results

Site Description and Context

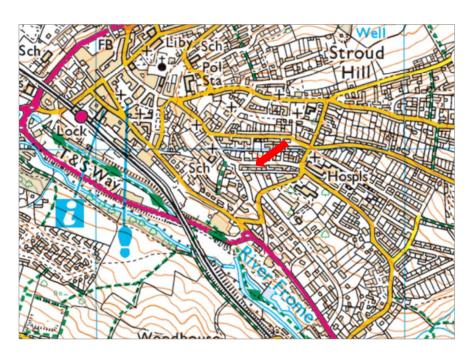
- This is a suburban site located approximately 1km west of Stroud town centre in Gloucestershire (Fig. 1 and Fig 2). The Site itself is dominated by Buildings and Hardstanding together with the overgrown/unmanaged rear garden (Plate 1, Plate 2 and Plate 3).
- 4.2 The Site is surrounded by residential properties immediately to the north, south, east and west which are dominated by broadly similar habitat. Based on inspection of online mapping and aerial imagery the wider vicinity within a 2km radius of the Site is dominated by Buildings and Hardstanding comprised of Stroud town together with Grassland (including Unimproved Limestone Grassland), moderately well-connected Hedgerows and Scattered Broad-leaved Trees together with some limited Arable.
- Six separate blocks of ancient woodlands occur within a 2km radius of the Site⁹, the nearest of which are Proud Grove/Abbey Wood, an unnamed wood and Claypits Wood 1.5km northeast, 1.5km east and 1.5km southeast of the Site respectively. The nearest Running Water (River Frome) and Standing Water (Thames and Severn Canal) are both located 0.3km southwest of the Site.
- 4.4 NE recognises 120 bio-geographic zones termed 'Natural Character Areas', which are defined by geology, landscape character and habitats. The Site lies within the Cotswolds Natural Character Area No. 107¹⁰.
- 4.5 The natural character of the Cotswolds is largely a combination of geology, farming and woodland (with scrub forming a mosaic with woodland and pasture along the scarp). The pattern of cropped land in a mosaic with grassland, woodland and boundary features. Woodland is concentrated and defines the scarp slope.
- 4.6 Approximately 4% of the land cover across the Cotswolds supports semi-natural woodland. Small isolated farm woods and shelter belts characterise the dip slope. Larger estate woodland feature in some areas. The Natural Area supports a nationally significant resource of unimproved limestone grassland.

CLIENT: BRUNTON YOUNG DESIGN ON BEHALF OF EMMAUS GLOUCESTERSHIRE - FEBRUARY 2024

⁹ <u>https://magic.defra.gov.uk/MagicMap.aspx</u>

http://publications.naturalengland.org.uk/file/4868690241650688





Site Location shown on 1:25,000 Ordnance Survey Mapping Figure 1: © 2024 Microsoft. Image courtesy of Ordnance Survey



Figure 2: Aerial Image of Site Location Imagery © 2024 Google, Imagery © 2024 Airbus, CNES / Airbus, Getmapping plc, Infoterra Ltd & Bluesky, Maxar Technologies, Map Data © 2024



Building Searches - Bats

- The Site was previously part of a Grade II listed former public house, The New Inn (48 50 Lower 4.7 Street) 11 and was constructed in the early 1800's. Part of the original building (no.48) is now comprised of a terraced house. The building has two floors with a pitched main roof with two brick chimneys and a dormer on the S pitch together with a pitched roof over the later extension on the S elevation. All the roofs are covered with slates. A single-storey brick section of the building with a sloped roof is located on the southeast corner of the building (Plate 1, Plate 2 and Plate 3)
- The original part of the house has coursed limestone walls and reconstituted, stone block walls 4.8 (partly rough-cast rendered) on the extension to the rear south elevation. The windows are either wooden frames and metal casements or uPVC. Two single wooden doors are present; one door on the north (front) elevation and one door on the south (rear) elevation.



Plate 1: View of the North Elevation of the House



Plate 2: View of the South Elevations of the House

¹¹ https://historicengland.org.uk/listing/the-list/list-entry/1267687?section=official-list-entry





Plate 3: View of the Rear Garden Looking South

4.9 The building is described in further detail with any features that were recorded in Table 1 below together with the results of the building searches and accompanying photographs. A plan is provided in Appendix 1 showing the location on the building that the main potential roosting features (PRF's) were recorded. The overall roosting potential of the building is also provided. Red arrows indicate potential roosting features (PRF's) that were recorded during the building searches. All measurements given are approximate.



Table 1: **Description and Results of the Building Searches**



Cont.

Cont.











- Two brick chimneys at either end of the pitch of main roof with no obvious gaps/crevices; some potential opportunities in gaps under lead flashing at base of chimneys but could be limited due to relatively small size of gaps that are present
- No bats, droppings or bird nests

Potential ingress/egress and possible roosting opportunities present across all parts of the building under roof slates, lead flashing, wooden soffit/fascia's and dormer window

Negligible roosting opportunities in the internal fabric of the building



Building Searches – Birds

4.10 No bird nests were recorded during the building searches; however, the buildings may provide some potential nesting opportunities within the external fabric of the building where suitable ingress/egress may be present.



5. Discussion and Recommendations

Bats

- There is a risk that the proposed external and/or internal works to the house including asbestos removal could result in impacts to roosting bats through injury, killing or harm, either directly or indirectly through damage and/or loss of roost sites and potential disturbance triggering the legislation protecting these fauna.
- 5.2 An outline strategy to avoid, mitigate or compensate for each of these potential impacts, and to enhance the ecological value of the Site, is set out below.
- In order to determine the presence of absence of bats and whether mitigation to avoid impacts is required two dusk emergence surveys of the house. If roosting bats are recorded using the building during the dusk emergence surveys a further dusk emergence survey will be needed to characterise the roost in accordance with guidance⁶.
- Despite the relatively small size of the house, due to the configuration of the roofs and the presence of PRF's across all the roofs together with the potential for impacts across the whole building, four surveyors (or equivalent) are recommended for adequate coverage of all the relevant part of the building during the dusk emergence surveys.
- All the surveys would need to be undertaken during the optimum period (May to August) in accordance with best practice guidance ^{6,7,8}.
- 5.6 The dusk emergence surveys would allow the design of a suitable mitigation and licensing strategy (if required), together with enhancement measures to inform development proposals for the Site in accordance with planning policy and legislative requirements.
- 5.7 The survey work should be accompanied by a full data search for bat records with Gloucestershire Centre for Environmental records (GCER). The known presence of important habitats, rare species, known roosts, or species that have already been identified as at risk from impacts should be considered from the outset⁶. The aim of the pre-survey data search is therefore to collate existing information from and around the proposed development site on bat activity, roosts and landscape features that may be used by bats⁸.
- 5.8 Preliminary recommendations are given below as a general guide to what the mitigation and enhancement strategy may potentially include. These preliminary outline recommendations can only be finalised after the surveys have been completed:
 - The Client will make all Contractors aware of bats prior to any works undertaken as part
 of the proposed planning application <u>including asbestos removal</u>;
 - Initial 'tool box' talk by a licensed ecologist to contractors detailing how to recognise a bat and what to do if one is found in an area close to the works;
 - Have a licensed bat worker present to supervise the works, as appropriate, and protect any bats encountered;

Discussion and Recommendations



- Works in the vicinity of roosts, if present, and PRF's should be undertaken by hand during spring or autumn when bats are least sensitive to disturbance;
- Incorporate one or two Habibat 001 internally mounted bat boxes¹² (or similar) in the
 walls of the buildings in appropriate locations to provide compensatory roosting
 opportunities for crevice-dwelling bats, if present, and/or some proportionate biodiversity
 enhancement in line with planning policy requirements through the provision of long-term
 optimal roosting opportunities. Alternatively, bat access slates and/or ridge access slates
 on any suitable areas of roofing could possibly be used (see Appendix 2 for designs of
 these features¹³);
- Non-Bitumen Coated Roofing Membranes (formerly known as Breathable Roof Membrane (BRM)) should not be used as this can act as a tangling hazard for bats¹⁴.
 Only bituminous 1F felt should be used;
- Lighting should be directed away from the bat roost features as well as mature trees, hedges and any buildings supporting roosting bats. The lighting should be on a motion sensor and should have a downwards deflector;
- Keep noise and dust levels to a minimum; and
- Conduct post development monitoring surveys, if required.
- 5.9 If the emergence/re-entry surveys confirm there are bat roosts present in the house it will likely be necessary to apply for an EPS development license from NE prior to the commencement of any works (once planning permission has been granted). NE has a 30 working day turnaround on EPS licence applications although it is understood there are significant delays due to resourcing issues.

Birds

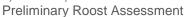
- 5.10 All nesting birds are protected under the WCA 1981 (as amended) whilst the nest is being built or in use. Certain species are afforded additional protection from disturbance by being included in Schedule 1 of the Act.
- 5.11 If the proposed works commence during the bird breeding season (March to August inclusive) in the event that any active nests are found, then a suitable buffer would be left around the nest until after the chicks have fledged as advised by an appropriately qualified and experienced ecologist.
- 5.12 To provide some further proportionate biodiversity enhancement in accordance with planning policy a suitable nest box for House Sparrow *Passer domesticus* could be provided within the proposed development thereby providing enhanced long-term nesting opportunities.
- 5.13 Preliminary recommendations are given below as a general guide to what nest boxes may be included. These recommendations can only be finalised after the bat surveys have been completed.

13 Designs by S. Cristopher Smith MRICS, MSc, CEnv

¹² http://www.habibat.co.uk/category/bat-boxes

¹⁴ https://www.bats.org.uk/our-work/buildings-planning-and-development/non-bitumen-coated-roofing-membranes







Discussion and Recommendations

 One nest box suitable for House Sparrows (e.g. Vivara Pro Woodstone House Sparrow Nest Box¹⁵). The nest box should be mounted at the 1st or 2nd storey level preferably on a northern elevation at a minimum height of 2m near to areas of soft landscaping such as shrub planting and grassed areas.

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https://www.nhbs.com/vivara-pro-woodstone-house-sparrow-nest-box

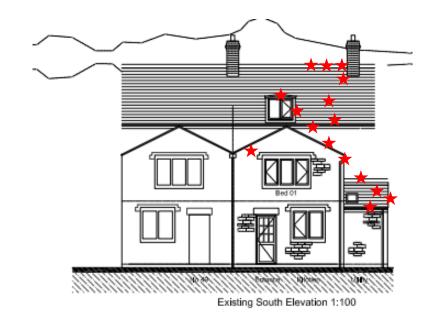


6. Conclusions

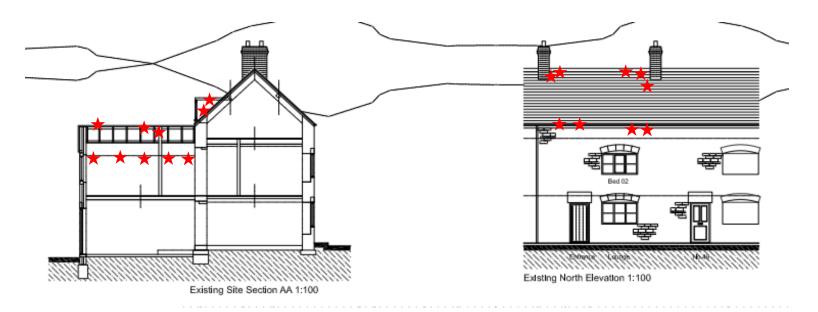
- Provided the strategy outlined above is implemented, it is concluded that the proposal should not result in adverse impacts to bats (or birds).
- 6.2 The proposals could provide some proportionate biodiversity enhancement and contribute to the conservation of a number of SoPIs, if present, by providing enhanced roosting opportunities for bats and/or and nesting opportunities for birds. As such, the proposed development would be in accordance with legislative requirements and planning policy.



Appendix 1 Location of PRF's



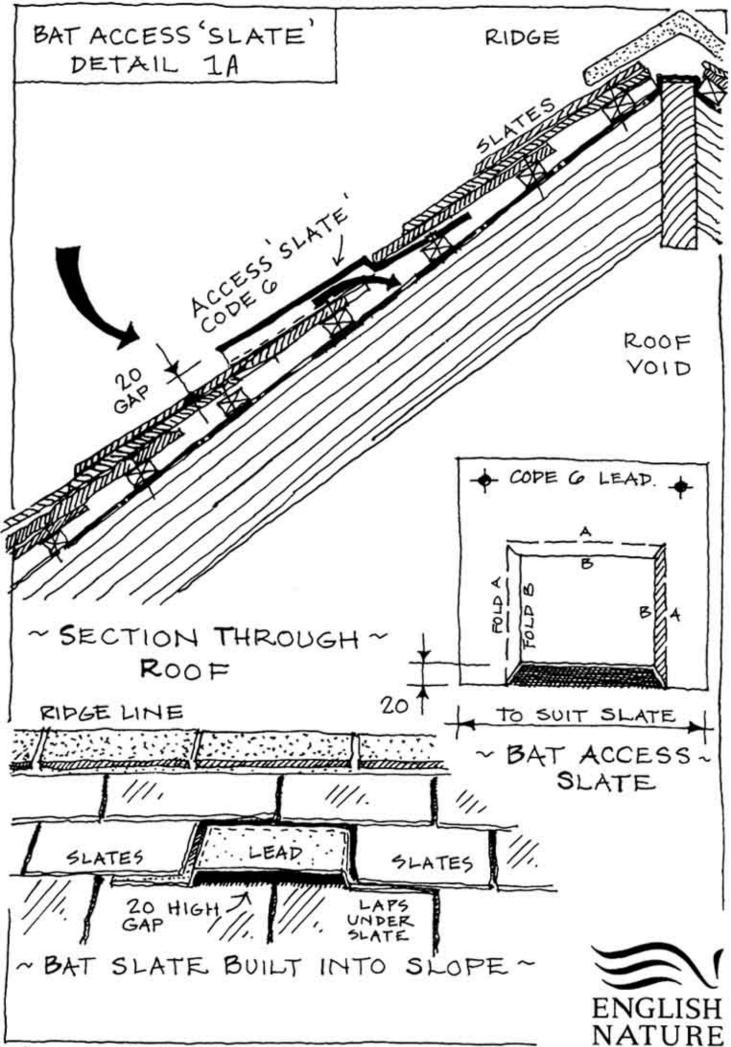
★ Main Potential Roost Features
(PRF's)*



Drawings courtesy of © Brunton Young Design

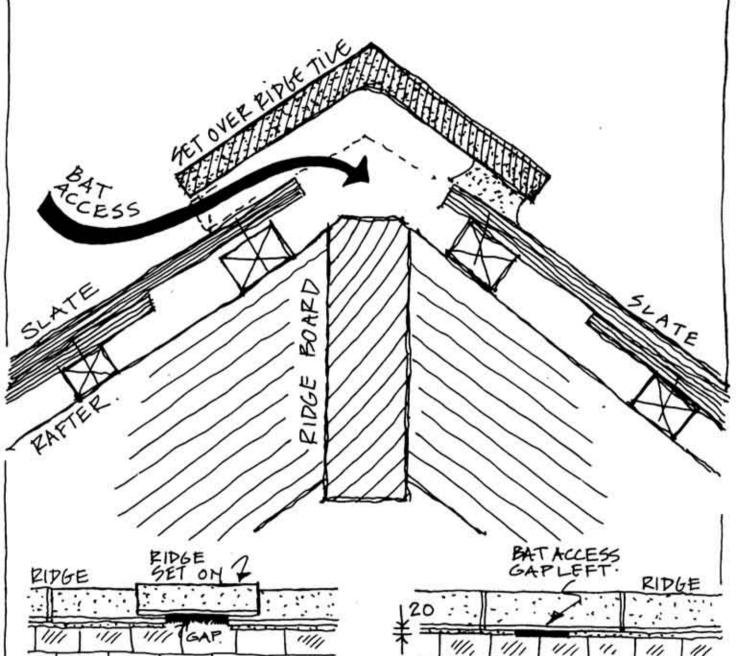


Appendix 2 Bat Access Slate and Ridge Tile Access Designs



5 P The above information is for guidance only and may not be appropriate in all circumstances, if in doubt seek professional advice. English Nature Cumbria Team, Juniper House, Murley Moss, Oxenholme Road, Kendal LA9 7RL. Tel: 01539 792800 Fax: 01539 792830 Email: cumbria @ english-nature.org.uk

PIDGE TILE ACCESS DETAIL 4A



~ OPTION A .~

ROOF RIDGE SET ON TOP OF GENERAL RIDGE TILES TO FORM BAT ACCESS GAP. ~ OPTION B ~

MAINTAIN ZOMM MORTAR GAP. & LEAVE A SECTION OUT.

