



Scotstone
Crackington Haven, Cornwall

Bat and Nesting Bird Visual Survey
and Ecological Walkover

Ref:
BE1099

Date:
6th February 2024

Prepared by:
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For:
Mr and Mrs Waters



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1. INTRODUCTION

It is proposed to demolish a detached garage and construct a new dwelling at Scotstone, Crackington Haven, Bude, Cornwall, EX23 0JH. The OS Grid ref is SX 15331 95776.

Planning approval was granted in May 2021 (PA21/01641) but has since lapsed. Bright Environment Ltd was commissioned by Mr and Mrs Waters in January 2024 to carry out a visual bat and nesting bird survey and ecological walkover survey to inform the new planning application. The aim of the survey was to identify whether bats or nesting birds are present and identify any other ecological constraints that should be considered. Opportunities for ecological gain are also identified.

Bats and nesting birds are legally protected (see Appendix 1).

2. SURVEY METHODOLOGY

The ecological baseline of the site was assessed through a desk study and site survey.

2.1 Desk study

A desk study to identify whether the site lies within a statutory designated site of nature conservation importance was undertaken. This involved the use of Magic Map (www.magic.gov.uk). Due to the small size of the site ecological records from the biological records centre were not obtained.

2.2 Walkover site survey

A walk-over survey of the site was carried out on 6th February 2024 to:

- identify the habitats present within the site according to the Phase 1 Habitat Survey methodology (JNCC, 1993) and compile a list of dominant and rare vascular plants. A full species lists was not compiled.
- undertake a preliminary faunal survey / habitat assessment to identify the presence or the potential of the site to support legally protected species or species of conservation importance.
- assess the ecological 'importance' of any hedges using the criteria in the Hedgerows Regulations 1997 (if applicable).

2.3 Visual bat and nesting bird survey

The suitability of the building and surrounding habitats to support bats and nesting birds was made.

A detailed search of the interior and exterior of the building was carried out using a high powered torch to illuminate all areas thought suitable for bats and nesting birds. Any accessible cracks and crevices were investigated with the use of a torch and endoscope.

The survey involved looking for bats and nesting birds and for evidence of their use, including droppings, pellets, staining, liming, feathers and feeding remains. Survey details are shown in Table 1.

The survey methodology adopted follows the guidance given in 'Bat Surveys for Professional Ecologists – Good Practice Guidelines' (Collins, 2023) and 'Barn owl survey methodology and techniques for use in ecological assessment' (Shawyer, 2011).

2.4 Baseline evaluation

Evaluation of the ecological baseline for the site was undertaken following the framework provided by CIEEM (2018). The biodiversity value of ecological features is assessed according to various characteristics; including non-statutory designations, rarity, threat, diversity (species-richness), connectivity and size of populations. Each ecological feature is assigned a biodiversity value at the following geographical scale:

- International or European
- National (England)
- Regional (South West)
- County
- Local

2.5 Identification of impacts and mitigation

Assessment of impacts was undertaken following the framework provided by CIEEM (2016). The impacts magnitude, duration, reversibility, likelihood and nature (positive or negative) are described. Consideration to cumulative impacts is also given. Impacts are then assessed as being significant or not significant upon each valued ecological feature.

Mitigation measures to avoid or reduce impacts are included. To ensure proposed mitigation measures are adopted; Bright Environment consulted with the owner to agree achievable measures.

Any residual impacts, post mitigation are identified.

2.6 Personnel

Author: This report was prepared by Dr Janine Bright. Dr Bright has been a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) since 2001 and has been a Chartered Environmentalist (CEEnv) since 2005. Dr Bright has a BSc in Environmental Science and a PhD in Ecology. She has worked as an ecological consultant since 1999.

Surveyors: Dr Bright. Protected species licenses: dormice (2016-21698-CLS-CLS), bats (2015-13156-CLS-CLS survey level 2).

2.7 Limitations

Access within the site was good and there are no notable limitations to report.

As ecological features can change over time it is recommended that this report is valid until March 2025.

Table 1 Survey details.

Date	Type of survey	Personnel - bat licence number	Weather conditions
6.2.24	Visual bat and nesting bird survey and ecological walkover	Dr Janine Bright 2020-49235-CLS-CLS	Dry, breezy, full cloud. Temp 11C

3. SURVEY RESULTS

3.1 Designated sites of nature conservation value

The site is not a designated site of nature conservation importance.

There are two designated sites within 1km of the site; Crackington and Hill Down Valley County Wildlife Site (CWS) is 225m to the west of the site and Higher Crackington CWS is 400m to the northeast (see Figure 1). County Wildlife Sites (CWS) are designated by the Cornwall Wildlife Trust and Cornwall County Council. They are designated in accordance with a set of criteria (ERCCIS & CWT, 2010). Although not statutory designations, they are given greater protection through the planning process with respect to development. They are prime sites for wildlife in Cornwall, having been identified as supporting species, groups of species or habitats of at least county importance.

These designated sites are shown on Figure 1. There are no tree preservation orders associated with the site.

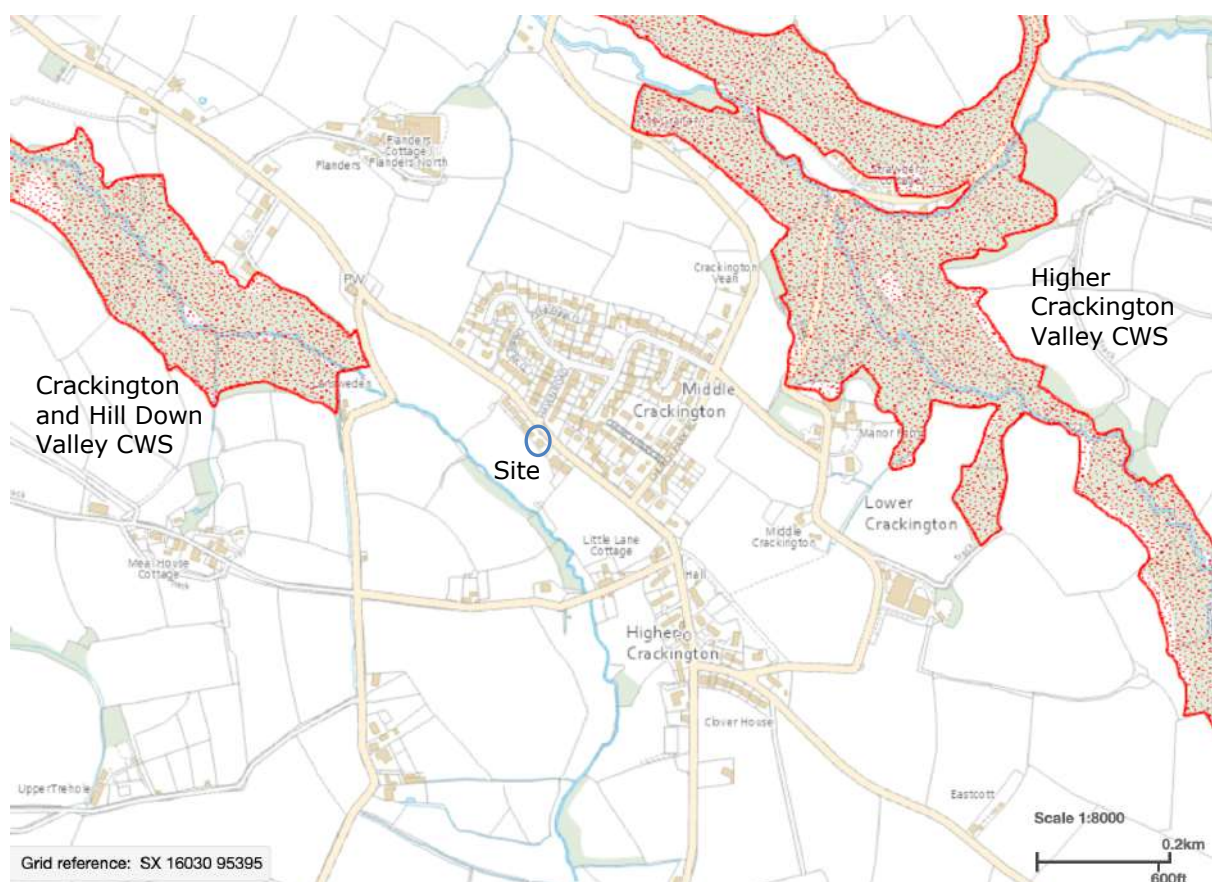


Figure 1. Designated sites within 1km of the site.

3.2 Habitat description

The garage to be demolished is a detached single garage constructed of concrete block. It has a mono-pitch roof. The roof covering is corrugated pressed cement fibre. There is a metal roll-up door. There is a lean-to, derelict conservatory on the south elevation. This is timber framed; no roof is present, and the remnant side walls are corrugated Perspex sheet.

The site is bound to the south by a concrete block wall. A neighbouring outbuilding and timber fence mark the west boundary. The north boundary is marked by a Cornish hedge and a stone garden wall. Between the garage/derelict greenhouse and the boundary concrete wall is a concrete path. The driveway is tarmac and there is small area of disturbed lawn with some ornamental garden shrubs around the edges.

The north boundary Cornish hedge is constructed of earth and stone and supports a diverse native flora including holly, bramble, hart's-tongue fern, herb robbery and ivy. The hedgerow does not qualify as 'ecological important' according to the criteria specified in the Hedgerows Regulations 1997. However, hedgerows are listed as a priority habitat for conservation in the county and UK (Biodiversity Action Plans) BAPs. They can provide valuable habitat for wildlife including birds, reptiles, invertebrates and mammals; and provide corridors via which wildlife can travel through agricultural landscapes, linking larger areas of semi-natural habitat. The hedge within the site is of low local biodiversity value being in a residential setting.

None of the other habitats within the site are of biodiversity value.



Photograph 1. Garage and driveway. Photograph 2. Garden area, Cornish hedge & fence.



Photograph 3. Roadside of Cornish hedge.

3.3 Visual bat survey results

No evidence of bats was found within the garage to be demolished. The building has no/negligible potential as a bat roost and as a thorough search was carried out, no further surveys for bats are required. There are no other potential bat roost features within the site.

3.4 Nesting bird survey results

No evidence of nesting birds was found at the time of the survey and it is considered unlikely that any evidence was overlooked.

3.5 Ecological walkover assessment

The site is not within a designated site for nature conservation. The site does not include any tree preservation orders.

The Cornish hedge marking part of the north boundary is of low local biodiversity value. None of the other habitats are of biodiversity value.

The potential of the habitats to support notable species/populations or legally protected species was assessed. No evidence of nesting birds was found but it is possible that birds could nest within the structures or garden shrubs and hedge before the works commence.

The internal habitats within the site do not have the potential to support reptiles due to lack of cover and recent disturbance. The north boundary Cornish hedge has the potential to support reptiles (namely slow worm and common lizard).

With the exception of the potential for nesting birds, there are no further ecological constraints/receptors that require further investigation or consideration.

4. ECOLOGICAL IMPACTS, MITIGATION AND MONITORING

4.1 Details of proposed works

It is proposed to demolish the garage and construct a new dwelling. The existing access will be utilised, and no removal of Cornish hedge is proposed. It is assumed that most/all of the garden habitats will be disturbed or removed, and that the development will involve re-landscaping.

The likely ecological impacts of the proposed development are considered below, along with suitable mitigation and requirements for further survey and monitoring. An assessment of the residual impacts is given at the end of this section.

4.2 Impacts and proposed mitigation

There will be no impacts on designated sites of nature conservation importance or the features for which they have been designated.

In accordance with the 'Bat Surveys for Professional Ecologists – Good Practice Guidelines' (Collins, 2023); sufficient survey effort has been employed to demonstrate the absence of roosting bats at the site. In the unlikely event that bats are discovered during the works, they must not be handled and works must stop immediately and advice sought from Bright Environment Ltd (Tel 07974 204078) or Natural (Tel 0300 060 3900).

No evidence of nesting birds was found at the time of the survey. It is possible that birds could nest in the building, garden shrubs and hedge before the works commence. The nests (while in use or being built) and eggs of all wild birds are protected against taking,

damage and destruction under the Wildlife and Countryside Act 1981 (as amended). A search for nesting birds will be carried out before works commence. If active nests are found, works in the vicinity of the nest will be delayed until dependant young have fledged.

The Cornish hedge has the potential to support reptiles. This hedge will not be impacted by the proposals.

The proposed development has the potential to damage a hedgerow (that is of low local biodiversity value) during the construction phase through the potential inappropriate movement of vehicles and the storage of materials. The north boundary hedgerow will be protected during construction activities by the erection of a protective fence installed 0.5m from the base of the hedge. Hedgerows may also be degraded during the '*operational*' phase of the development through '*domestication*'. A change of a hedgerow from an agricultural boundary to a domestic boundary is treated as a 50% loss of habitat due to domestication and degradation impacts (in accordance with Biodiversity SPD). There is no change of use at this site. The Cornish hedge currently marks the boundary between a road and domestic garden.

4.3 Proposed biodiversity gain

In compliance with the Biodiversity Supplementary Planning Document (SPD) and to achieve biodiversity gain the new dwelling will include one bee brick, one integral bird feature and one integral bat block. The bee brick will be installed on the south-facing wall 1-2m above ground level. Bee bricks contain multiple cavities for bees to lay their eggs and are integral to a building (see photograph 4). The bat block will be installed flush with the wall surface (as shown in Photograph 6) and sited near the roof in a dark location. A sparrow terrace (photograph 5) will be included in the new structure. Ideally this should be integral and installed flush with the wall surface.

The landscaping schemes should, where possible, seek to use native species of local providence. They should aim to increase structural diversity within the site, with areas of short grass, long grass, shrubs and trees. Where possible, landscaping schemes should include log and stone piles/features, which are of value for wildlife.



Photograph 4. Example bee brick



Photograph 5. Sparrow Terrace.



Photograph 6. Green and Blue' bat block and built in woodstone bat box `.

4.4 Further survey

No further surveys are required.

4.5 Monitoring requirements

No monitoring is required.

4.6 Residual impacts

If the above biodiversity gain is implemented then the overall impacts will be long term minor positive due to the inclusion of wildlife boxes.

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Appendix 1 Summary of relevant legislation, policies and case law

Bats

All British bat are European protected species and are afforded full protection under UK and European legislation, including the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Together, this legislation makes it illegal to:

- Intentionally kill, injure or capture a bat;
- Intentionally or recklessly disturb a bat;
- Intentionally or recklessly damage, destroy or obstruct access to a place of shelter or breeding (for example, bat roosts), and this applies regardless of whether the species is actually present at the time (for example, a bat roost used in the winter for hibernation is protected throughout the year, even during the summer when it is not occupied).
- Possess or transport a bat or any part of a bat, unless acquired legally;
- Sell, barter or exchange bats, or parts of a bat.
- Intentionally handle a wild bat or disturb an bat whilst using a place of shelter/ breeding unless licensed to do so by the statutory conservation agency (Natural England).

Barbastelle, Bechstein's, noctule, soprano pipistrelle, brown long-eared, greater horseshoe and lesser horseshoe bats are priority species for conservation on the UK BAP and protected under the NERC Act 2006. Barbastelle, pipistrelle, greater and lesser horseshoe bats are county priority BAP species (CBI, 2004).

Case Law

There are several case laws in Britain relating to the duty of developers and planning authorities with respect to wildlife, resulting in several key principles summarised in the table below:

Case / Appeal	Providing support for
Morge v Hampshire County Council (2011)	'Disturbance' under the Conservation Regulations 2010 applies to an activity likely to impact negatively on the local population of a European Protected Species.
R v Cheshire East Council 'The Woolley Case' (2009)	Regarding European Protected Species, Local Authorities must apply the 'three tests' under the Conservation Regulations 2010 when deciding on planning applications: that there is no satisfactory alternative, there is an appropriate reason for the development, and that the development will not affect the favourable conservation status of protected species present.
APP/P9502/A/08/207010 5 (Appeal decision, Brecon, 2008)	Para 18: Local Planning Authorities cannot condition provision of a mitigation scheme; detailed mitigation must be provided prior to determination.

APP/C0820/A/07/204627
1 (Appeal decision,
Padstow, 2007)

Para 18: Full survey information must be provided prior to determination; not just for protected species, but also for BAP species (in this case corn buntings).

R v London Borough
Council Bromley (2006)

Para 30: Environmental Impact Assessment required at outline planning stage.

R v Cornwall County
Council 'The Cornwall
Case' (2001)

Surveys for protected species cannot be conditioned; must be undertaken prior to determination.

Barn owls and other birds

The nests and eggs of all wild birds are protected against taking, damage and destruction under the Wildlife and Countryside Act 1981. Barn owls are given greater protection against disturbance while breeding under Schedule 1 of the Act.

National Planning Policy Framework 2012

The National Planning Policy Framework (NPPF) sets out national planning policy that is committed to minimising impacts on biodiversity and providing net gains in biodiversity where possible. Under NPPF, local planning authorities have an obligation to promote the preservation, restoration and recreation of Priority habitats, ecological networks and the protection and recovery of Priority species as identified under the Natural Environment and Rural Communities Act (2006). Section 118 of the NPPF also requires enhancements for biodiversity. The NPPF also recognises the wider benefits of ecosystem services.