

## Devon Wildlife Checklist (to be filled in by the ecological consultant and included in the front of the Wildlife Report)

### A.1 Protected and priority species (relates to question 13a in the planning application form).

A tick or cross must be placed in all boxes in column two (shaded) and then, where there is a tick, all other boxes in that row. Where species are present please email this form to Devon Biodiversity Records Centre - [DBRC@dbrc.org.uk](mailto:DBRC@dbrc.org.uk).

1. Location: Hind Street Gallery, Ottery St Mary Grid reference for centre of site (6 digit): SY097954 Planning Application reference: Unknown

Name of surveyor and consultancy: Tamsin Lee (Lee Ecology)

Date that surveys carried out: 16/4/2024

Sent to DBRC: N/A

Species - terrestrial, intertidal, marine	Walkover shows that suitable habitat present and reasonably likely that the species will be found? Tick or cross	Detailed survey needed to clarify impacts and mitigation requirements?	Detailed survey carried out and included ?	Species Present or Assumed to be present on site Indicate with P or A and name the species	Impact on species?	Detailed Conservation Action Statement included?  Sets out actions needed in relation to avoidance / mitigation / compensation / enhancement	EPS offence committed? Three tests met?	Grid reference for specific location of species (if required for large sites)
Bats (roost)	x							
Bats (flight line / foraging habitat)	x							
Dormice	x							
Otters	x							
Great crested newts (*check consultation zone)	x							
Cirl buntings (*check consultation zone)	x							
Barn owls	x							
Other Schedule 1 birds	x							
Breeding birds	x							
Reptiles	x							
Native crayfish	x							
Water voles	x							
Badgers	x							
Other protected species	x							
UK BAP priority species	x							
Devon BAP key species	x							
Invasive species	x							

- Devon consultation zones for cirl buntings and great crested newts - <http://www.devon.gov.uk/index/wildlife.htm>
- UK BAP priority species - <http://jncc.defra.gov.uk/page-5717>
- Devon BAP key species - [http://www.devon.gov.uk/dbap-section\\_e.pdf](http://www.devon.gov.uk/dbap-section_e.pdf) (note that this list is currently being updated)

**A.2 Designations / important habitats / sites of geological importance (relates to questions 13 b & c in the planning application form)**

A tick or cross must be placed in all boxes in column two and then, where there is a tick, all other boxes in that row.

Designation	Within site or potential impact. <small>Tick or cross</small>	Name of site / habitat	Detailed Conservation Action Statement included in report ?	Habitat balance sheet included (showing area of habitats lost, gained and overall net gain)	Relevant organisation consulted & response included in the application?
<b>Terrestrial, intertidal, marine</b>					
<b><i>Statutory designations</i></b>	x				
European designations - Special Area of Conservation (SAC), Special Protection Area (SPA) and RAMSAR site or within Greater Horseshoe consultation zone	x		Sufficient information included in order for the LPA to undertake an HRA?		
Site of Special Scientific Interest (SSSIs)	x				
Marine Conservation Zone (MCZ)	x				
Local Nature Reserve (LNR)	x				
<b><i>Non statutory wildlife designations</i></b>					
County Wildlife Site (CWS)	x				
Ancient woodland	x				
Special Verge	x				
UK BAP Priority habitat	x				
Local Biodiversity Network (mapped by Devon Wildlife Trust / through Green Infrastructure work)	x				
<b><i>Non statutory geological designation</i></b>					
County Geological Site (CGS or RIGS)	x				

- List of UK BAP priority habitats - <http://jncc.defra.gov.uk/page-5718>

Table headings last updated: 22nd September 2014



**DAYTIME BAT & NESTING BIRD  
SURVEY REPORT**

HIND STREET GALLERY, OTTERY ST MARY

for

KAY TREGENNA ARCHITECTS

April 2024

**Lee Ecology**  
Leigh Cottage  
East Leigh, Crediton  
Devon, EX17 6LJ

## CONTRACT SHEET

**Kay Tregenna Architects**  
**Hind Street Gallery, Ottery St Mary**  
**Daytime Bat & Nesting Bird Survey Report**

Contract No.	Project Contact/Author	Issue No.	Date of Issue
00LE804	Tamsin Lee Ecological Consultant	01	15 April 2024

***Disclaimer***

Please Note that all reasonable care and attention is made by Lee Ecology to produce reports and advice to a high, professional standard. However, no responsibility is accepted for any consequences howsoever caused, by the release of this report to third parties.

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## **1. SUMMARY OF RESULTS & RECOMMENDATIONS**

### ***1.1 Results***

1. The proposal includes extending and remodelling the property, which will include raising the roof height to accommodate a second floor. The survey site is centred on Ordnance Survey National Grid Reference SY 097 954.
2. A daytime bat and nesting bird survey was undertaken by an experienced and appropriately licensed ecologist from Lee Ecology on 15 April 2024. Weather conditions at the time of survey were largely dry, clear and breezy with an average ambient temperature of 16<sup>0</sup>C.
3. The subject building is a mid-terrace small commercial building, located within the town of Ottery St Mary. The site is surrounded by residential and commercial development with town amenities, parkland, water courses and agricultural land in the wider landscape.
4. No bats were seen in situ. No evidence of bats was recorded on the day.
5. No impact on bat foraging/commuting behaviour, on the local scale, is anticipated as a result of the proposed development. The impact of lighting is considered to be low due to the scale of the proposal and also due to the fact that the building is situated within a developed area.
6. No active bird nesting was confirmed on the day of survey. The site is not considered suitable for barn owls.
7. No trees, hedgerows or water bodies are to be directly affected by the proposal. No vegetation is present on site.

## **1.2 Recommendations**

The following recommendations are made to ensure compliance with wildlife legislation (e.g. the Wildlife and Countryside Act 1981 as amended, the Conservation of Habitats & Species Regulations 2010), biodiversity legislation (e.g. the Natural Environment and Rural Communities Act 2006), government guidance and best practice (e.g. UK Biodiversity Action Plan).

1. Based on the survey findings to date, and applying proportionality, it is considered reasonably *unlikely* that the proposed works will impact upon bats or their roosts at the site, and on this basis recourse to further survey work and/or an EPS licence is considered unnecessary at this juncture. Due to the highly mobile nature of bats a precautionary approach is nevertheless recommended to ensure compliance with the strict UK and European legislation affecting bats and their roosts (see recommendations, below).
2. All works should be undertaken sensitively so as to minimise the impacts of noise, dust and vibration.
3. In the unlikely event that bats are found during these works, all works will need to halt until consultation has been made with an ecologist and Natural England. The bat should not be handled and should be left to disperse of its own volition (the material under which it was found should be replaced gently). Guidance is provided in the Appendix, for contractors, regarding tell-tale signs of bat occupation.
4. No development work should take place in proximity to an active bird's nest (only if applicable at time of works). For reference, the bird nesting season is recognised as generally being between March-August inclusive. The site should be checked by a suitably qualified ecologist immediately prior to works commencing only if there is any doubt as to the status of nesting birds on site. The ecologist will be able to identify any nesting birds and advise of appropriate



safe working distances. Nests are deemed inactive once the young have fully fledged and there is no sign of adults bringing nesting material/food to the nest or sitting on eggs.

5. In line with current planning policy to ensure there is a biodiversity net gain on site, the proposal should seek to provide enhancement in the form of a single integrated bat roosting feature (e.g. bat roosting tube). The integrated bat feature should be placed on an elevation where it will be warmed by the sun and away from any direct artificial light and not obscured by vegetation/buildings etc (i.e. clear flight access available). It should be installed at height (at least 4 metres above ground), ideally near to eaves level (or near a gable end apex) and away from window ledges etc, to reduce risk of predation from cats. Based on the current proposal plan, it is recommended that the bat feature be placed on the western elevation of the new extension as no windows are present on this side, which will reduce indirect light spillage. Please refer to the Appendix for examples of general enhancement features.
  
6. The results of this survey (on a standalone basis) are deemed to be valid for 12 months from date of issue. If development works are to be carried out after this time has elapsed an update check will be required to ascertain the site's current status (i.e. change in habitats, condition of buildings, species present etc.). Please be aware that, because the natural environment is dynamic, ecological reports generally have a limited period of validity. Many statutory authorities now regard one year as the maximum time that should elapse before a report will need to be updated (this time period may vary depending on the Local Planning Authority in question).

## 2. INTRODUCTION

### ***2.1 Scheme Background***

The proposal includes remodelling and extending the subject building. This bat and nesting bird survey has been commissioned to provide supporting information on the possible presence of protected species at the site and direct appropriate further works including additional surveys, mitigation, compensation and licensing if required.

### ***2.2 Survey Objectives & Limitations***

The objectives of the survey were:

1. to carry out a bat and nesting bird survey of the site in order to determine the possible presence of these species in relation to planning requirements;
2. to provide a concise written report of the results, making any appropriate recommendations to ensure compliance with wildlife law and recognised best practice.

The daytime survey was undertaken in the month of April; it is recognised that field signs of bats can be identified by an experienced ecologist at any time of year (see Mitchell-Jones, 2004).

Bat activity surveys are often required to supplement daytime survey findings and are normally undertaken in the summer months (May – September inclusive). These surveys are beyond the scope of this current commission and are considered unnecessary at this juncture.

### 3. METHODS

#### 3.1 Daytime Bat Survey

One licensed ecologist (bat licence registration number 2015-13745-CLS-CLS) undertook this survey on 16 April 2024 following the methods recommended by the Bat Conservation Trust and Natural England (BCT, 2016; Mitchell-Jones, 2004).

Equipment included a head torch, ladder, camera and binoculars.

A diurnal inspection was made for any bat field signs or evidence of bat roosting. Signs of bat activity may include droppings, feeding remains, absence of cobwebs, vocalisations, staining, scratch marks, odour and live/dead bats.

**Table 1: Guidelines for assessing the potential suitability of proposed development sites for bats (taken from Table 4.1 of 'BCT's Bat Surveys for Professional Ecologists: Good Practice Guidelines' (2023)).**

Potential suitability	Description of roosting habitats in structures
None	No habitat features on site likely to be used by any roosting bats at any time of year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).
Negligible	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
Low	A structure with one of more potential roost sites that could be used by individual bats opportunistically at any time of year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats).
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation – the categorisation described in this

	table is made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure with one or more potential roost sites that are obviously for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.

### ***3.2 Nesting Bird Survey***

Signs which indicate use by nesting birds may include concentrated droppings, feathers, nesting material, increased bird activity, eggs/egg shells and live/dead chicks.

## 4. RESULTS

### ***4.1 Bat & Nesting Bird Survey***

#### *4.1.1 General Site Description*

The subject building is a mid-terrace small commercial building, located within the town of Ottery St Mary. The site is surrounded by residential and commercial development with town amenities, parkland, water courses and agricultural land in the wider landscape.

#### *4.1.2 Hind Street Gallery*

The building is currently in use on an occasional basis. The first floor is subject to significant natural light penetration through the presence of three skylights (all intact), a window at the rear of the building [closed, intact] and glazed frontage at the front elevation [intact]. The underside of the corrugated metal roof is lined with timber. Electric lighting is in place.

The internal rooms are considered unsuitable for roosting bats. No evidence of bats was noted internally.



Plate 1: View of first floor (facing north)



Plate 2: View of first floor (facing south)



Plate 3: Ground floor (facing south)



Plate 4: Ground floor (facing north)



Plate 5: Front elevation (facing south)



Plate 6: Front elevation (facing south-east)

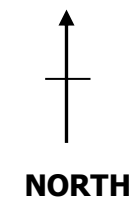
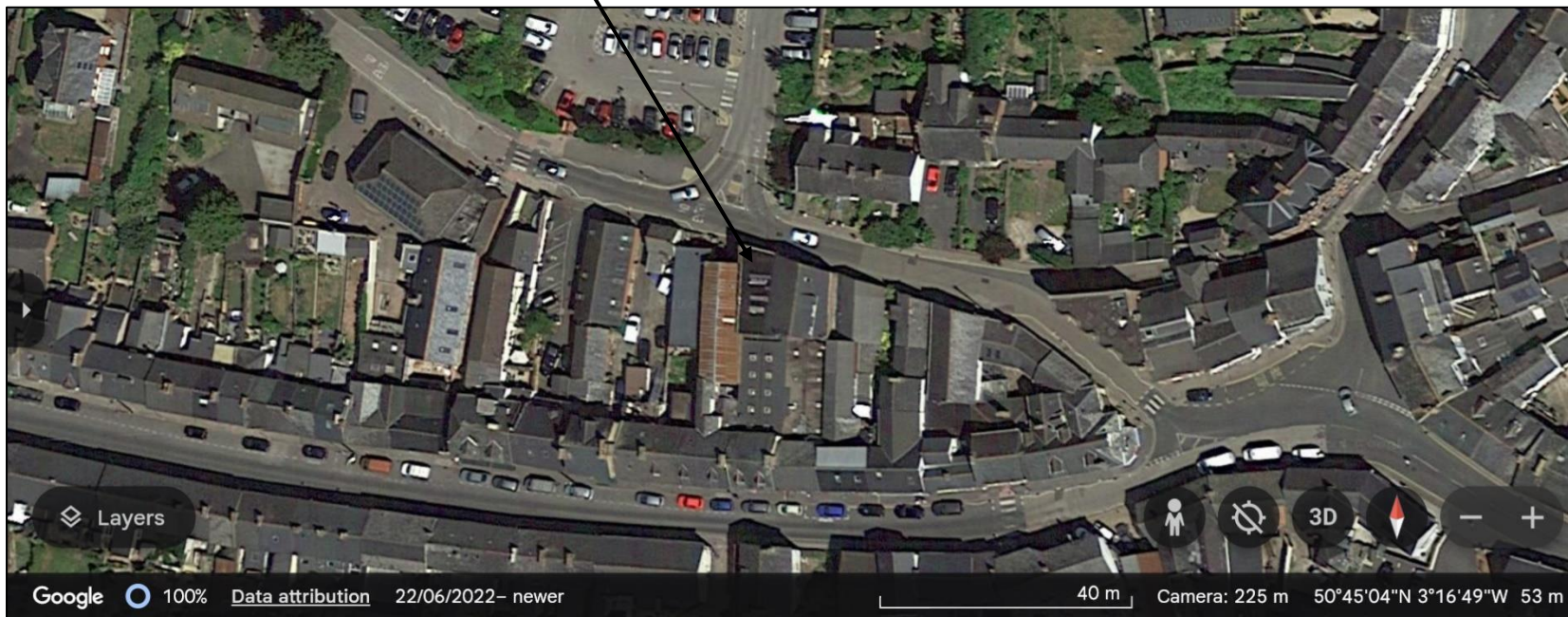


Plate 7: Rear elevation (facing north)

The two-storey building is a narrow, brick-built structure with a mono-pitched corrugated metal roof. No soffits, fascias or areas of cladding are present.

No obvious evidence of bat occupation or active bird nesting behaviour was recorded on the day.

### 4.1.3 Location Plan



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**Please note:** this plan is intended only to indicate the approximate location of features and should therefore, not be treated as an accurate scale plan.  
Images sourced from Google Earth.



## 5. DISCUSSION OF IMPACTS

No evidence of a bat roost was recorded on the day. Higher quality roosting habitat is likely to be present in the wider environment. Based on the survey findings and *applying proportionality* no further survey work is recommended at this juncture.

No evidence of current use by barn owls was identified on the day of survey. The site is not considered suitable for barn owls. No evidence of [other] current bird nesting activity was recorded on the day. Please note an absence of bird nesting activity at the time of survey does not denote an absence of bird nesting activity in the future. No significant impact on foraging and/or commuting bats is anticipated; no formal lighting scheme is to be implemented.

Please be aware that nesting birds *may* occur around the site during the summer months and care will be required to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

## 6. REFERENCES & BIBLIOGRAPHY

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Hutson, A.M. (1993). *Action plan for the conservation of bats in the United Kingdom*. London: The Bat Conservation Trust.

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Joint Nature Conservation Committee (2004). *Bat Worker's Manual* (3<sup>rd</sup> Edition). Joint Nature Conservation Committee, Peterborough, UK.

Mitchell-Jones, A.J. (2004). *Bat Mitigation Guidelines*. English Nature, Peterborough, UK.

Shawyer, C. R. (2011). *Barn Owl Tyto alba Survey Methodology and Techniques for use in Ecological Assessment: Developing Best Practice in Survey and Reporting*. IEEM, Winchester.

*The Conservation of Habitats and Species Regulations 2010*. HMSO, London.

*The Natural Environment and Rural Communities Act (NERC) 2006*. HMSO, London.

*The Wildlife and Countryside Act 1981 (as amended)*. HMSO, London.

## **7. QUALIFICATIONS & EXPERIENCE**

### **Tamsin Lee BSc (Hons) MSc MCIEEM**

Tamsin holds a BSc (Hons) in Zoology from the University of Bristol and an MSc in Environmental Conservation Management and has experience of a wide variety of ecology surveys. Her fieldwork skills include protected species surveys (reptiles, great crested newts, bats, dormice etc.), reptile translocations, butterfly surveys, phase 1 habitat surveys as well as various studies of terrestrial and marine life outside of the UK. Tamsin is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and holds survey licenses for bats, barn owls, and dormice within England. She has been registered with the Bat Conservation Trust (BCT) as a bat carer and is a member of various wildlife groups.

## 8. APPENDIX

### ***8.1 Ecology & Legal Protection***

#### *8.1.1 Bats*

There are seventeen species of bats recorded as resident in the UK (one of these, Alcathe's bat (*Myotis alcathoe*) has only been discovered as resident in 2010); these species are split into two families, the Rhinolophidae or "horseshoe bats" and the Vespertilionidae or "vesper bats". The greater mouse-eared bat (*Myotis myotis*) was previously thought to be extinct as a UK mammal species until a single individual was discovered in 2002 at a known hibernation site in Sussex, this species is currently regarded by the Bat Conservation Trust as a vagrant/occasional winter visitor. All British bats are insectivorous, feeding on a wide range of invertebrates including gnats, beetles, spiders and moths. Bats have declined in range and numbers in the UK, due primarily to loss of roosts and suitable habitats (JNCC, 2004) as a result of agricultural intensification and development. All British bats use high frequency sound (range 20 - 130 kHz approx.) as a form of echolocation. This allows bats to orientate themselves within their environment, detect and catch prey and communicate with other bats. Healthy bats are solely nocturnal with 'peaks' of activity particularly noted around dusk and dawn during the late spring and summer months.

Bats will utilise a wide variety of structures for the purposes of roosting, including mature trees, caves, mines, buildings (both modern and ancient), bridges and tunnels. They are also commonly known to use purpose-built bat boxes and even empty bird nest boxes. Different types of roost are used by bats at different times of year; the most significant roosts sites are typically maternity and hibernation sites. Maternity roosts, where large numbers of female bats congregate to give birth and rear their young, are typically associated with warm, sheltered conditions. Hibernation sites are characterised by stable temperatures and high humidity. The use of roosts is rather unpredictable (although some species appear to be more 'loyal' to roosts than others), particularly amongst tree-roosting species, but female bats are typically loyal to maternity roosts.

The Conservation of Habitats and Species Regulations 2017 transpose the stipulations of Council Directive 92/43/EEC (“The Habitats Directive”) into UK Law. European Protected Species (EPS), which include bats, are listed in Annex IV of the Habitats Directive, and are thus afforded strict protection. Some bat species are regarded as being of higher conservation concern in a European context, and these are listed under Annex II of the Habitats Directive. The habitats of species listed on Annex II may be candidates for the designation of Special Areas of Conservation (SACs). Annex II bat species include the barbastelle, Bechstein’s and the two horseshoe bats. It should be noted that there is no longer a defence of harmful actions being “the incidental result of an otherwise lawful operation” for EPS. Specifically, the following actions are prohibited under this legislation:

- deliberate capture, injury or killing;
- deliberate disturbance likely significantly to affect population survival, breeding, rearing young, local distribution or abundance;
- damage or destruction of a breeding site or resting place;
- possessing, controlling transporting, selling or exchanging, or offering for sale or exchange, any bat or any part of a bat or anything derived from one.

The Wildlife and Countryside Act 1981 (WCA) provides protection to all British bat species. The WCA has been amended several times but was most recently strengthened by the Countryside and Rights of Way (CRoW) Act 2000, the Natural Environment and Rural Communities (NERC) Act 2006 and by the Conservation of Habitats and Species Regulations 2017 (above). The WCA specifically prohibits intentional or reckless damage of roosts. Sites known to be used by roosting bats are regarded as roosts regardless of whether they contain bats at the time of survey. This is based on the fact that bats will use several different roost sites throughout the year.

The NERC Act consolidates the requirements of the CRoW Act in placing duties upon government agencies, including local authorities, to ensure the conservation of Biodiversity.

### *8.1.2 Nesting Birds*

All wild birds are protected under part 1 of the Wildlife and Countryside Act, 1981.

Therefore, in the UK it is an offence to:

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

To avoid committing an offence no works should be carried out on a structure/ feature that is being used by nesting birds. Nesting is deemed to be over when the young have fully fledged.

Certain species, which are listed in Schedule 1 of the Wildlife and Countryside Act, receive special protection. In these cases any form of intentional or reckless disturbance when they are nesting or rearing dependant young, constitutes an offence.

## ***8.2 How to Identify Field Signs of Bats***

The following notes are provided as a guide for site workers and operatives if they come across field signs that give rise to suspicion of bats in particular (it is assumed that all site operatives can identify bird nests and bird droppings).

Signs of bat activity may include (English Nature 2002; Mitchell-Jones 2004; JNCC 2004) the following:

- Droppings – Fresh droppings are soft and black, becoming lighter in colour as they age. Bat droppings typically contain fragments of insect exoskeleton and crumble (unlike those of small rodents, which typically harden with time). Bat droppings differ significantly from those of birds in that they have a distinctive 'bullet' shape and have none of the associated white uric acid powder associated with bird faeces. Bat droppings will stick to surfaces including walls, windows and window ledges. They may also become caught in cobwebs below a roost site or feeding perch.
- Feeding remains - these include the discarded wings of flying invertebrates, which may accumulate under a well-used feeding perch. Some species, such as the brown long-eared bat, favour moths of the noctuid family. Hence the accumulated wings of these moths assist in suggesting the presence of this bat.
- Oil staining - the fur of bats may leave an oily residue on surfaces close to occupied roost sites and access/egress points.
- Diurnal vocalisations - these are most pronounced at larger roost sites during periods of hot weather.
- Absence of cobwebs - a well used bat roost and its access points are typically clear of cobwebs.
- Scratchings - scratch marks produced by the claws of many bats may be apparent close to the access point for a well-used roost.
- Dead bats.
- Tracks in dust.
- Odour – most bats have a distinctive odour and certain species, such as the

noctule and soprano pipistrelle, are noted for their pungent roosts resulting from their urine scent marking activity and oily fur.



### ***8.3 General Examples of Integrated Bat Enhancement Features***

#### Bat Tube



1FR Schwegler Bat Tube – designed to be built into walls. Photos show example of tube integrated into a block wall and bat access created within a timber clad wall.

**8.4 General Examples of Enhancement Features for Birds**



Robin nest box (Schwegler 2H)



Barn owl nest box



Traditional bird box.



Sparrow nesting terrace.

