

# PRELIMINARY ROOST & NEST ASSESSMENT PRNA

Anchor Paddock  
Batchelors Lane, Holt, Wimborne, Dorset  
BH21 7DS

GR: SU 03152 06459

Local Planning Authority: Dorset Council

April 2024



Ecological Surveys Ltd  
Director – Paul Diamond

2024/04/01/Anchor Paddock/PRNA/1 and 2

## Contract Details

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<b>Architect/Planning Consultant</b>	Planning Base Ltd - James Cain	
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# 1. Executive Summary of Findings

## 1.1 Summary of Results - Bats

The structure is potentially suitable for bats during the active season, generally accepted as April – September inclusive.

*Sufficient potential roosting features (PRF) were identified during the survey which could not be discounted for the presence of crevice dwelling bats. These PRF features were identified within the Zone of Impact (Zoi) relating to the proposed project brief.*

## 1.2 Structure Surveyed & Assessed.

*An Outbuilding*

## 1.3 Building Assessment Criteria – as defined by Bat Conservation Trust.

- **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).

*(Source – Bat Conservation Trust UK Bat Mitigation Guidelines – Reason, P.F. and Wray, S. 12023.)*

## 1.4 Summary Conclusion – Bats

*The findings within this PRNA report are not sufficient to obtain planning permission for proposed works as unmitigated or unlicensed works might impact a potential bat roost, causing either disturbance/harm or death to bats within, thus breaking the law. Significant harm to recorded species & habitats must be avoided, firstly through the project design, whenever feasible, or through mitigation or compensation – as applicable.*

*Further data must therefore be collated about the status of the property and roosting bats.*

If evidence or potential for bats has been recorded – additional surveys will provide appropriate data which includes:

- *Bat Species likely present.*
- *Numbers likely present.*
- *Type of roost likely present.*

This information indicates the specific route mitigation must take to ensure bats are protected from disturbance harm or death during works and furthermore, informs the type of European Protected Species Licence (EPSL) required to legally proceed with the proposed project.

## 1.5 Legislative Advisory - Bats

Advice should always be taken from an ecologist to determine whether an offence would be triggered in a particular circumstance. Given the complexities of the law, advice may also need to be sought from a specialist lawyer to determine whether an offence would be triggered in a particular circumstance.

It is the opinion of ESLtd that the following applies:

- *All features associated with the possible occupation of bats must now be retained until the results of the Bat Emergence Surveys are known.*

- This includes: - ALL features offering crawl space for crevice dwelling bats.
- Neither the developer NOR ANY OTHER associated agencies are to block, seal, fix, modify, install new features, remove features, including but not limited to:
  - Exterior – any tiles, lead flashing, chimney, fascia, soffits, barge boards, gaps in masonry, cracks, hanging tiles, window lintels, windows or frames or sills.
  - Interior: - ceilings, void, insulation, lining, supports, ridge beams – as applicable.

### 1.6 Phase 2 Survey Requirement.

Unless an opportunity exists to redesign the project to AVOID ALL & ANY impacts to the features identified as offering roosting value, the following is a requirement:

- Two Bat Emergence Surveys, to ascertain the usage of the property onsite by bats in order that the appropriate mitigation and compensation will be implemented.
- It is the client's responsibility to ensure that these Bat Emergence/Re-entry Surveys are commissioned and are undertaken.
- Emergence/Re-entry Surveys will be undertaken between May and August each year. It may be possible for surveys to extend into September too. It is never too soon to arrange emergence/re-entry surveys, even if they cannot be undertaken for several months. This is because the emergence survey season, in particular May and June, are usually exceptionally busy for bat surveyors.

A fully compliant Bat Emergence Survey Report (BESR) will be provided following the Bat Emergence Surveys which details the appropriate mitigation which must be undertaken, why, how and when, and the type of EPSL, if required.

### 1.7 Summary of Results – Birds

Absence of nesting

- Nesting material active or inactive is not recorded within the development zone:
- The presence of bird species within the development zone is not recorded.

### 1.8 Summary Conclusion

As nesting was not recorded, there is no requirement to replace nesting sites. Mitigation is therefore not a requirement for birds.

If nests, whether completed or in the process of being built, are found on site, any works with the potential to damage or destroy the nest, eggs or young birds, must stop until the birds have completed breeding. This includes any activity that could potentially cause an adult bird to desert the nest resulting in death or egg failure. Nesting sites should be inspected only by experienced ecologists.

- Any disturbance of a breeding bird on Schedule 1 is an offence, regardless of whether this impacts upon the breeding attempt. These nests can only be visited by an ecologist with a licence for the specific species concerned.
- Birds might nest on machinery or scaffolding and other temporary site structures. If this happens the equipment cannot be used until the birds have finished nesting and such areas might need to be sealed off to prevent disturbance.

### 1.9 Enhancement – Bats & Birds

As a minimum, LPAs now expect any new structure to include bat roost or bird nesting provision under the National Planning Policy Framework July 2021.

The assessment of which provision (Bat or Bird) provides greatest value to the site is reliant upon the results of the Bat Emergence Surveys.

### 1.10 Further Onsite Species

Ecological Surveys Ltd has a professional obligation to record and report protected species which might or will be affected by the proposed works onsite. As a courtesy to the client/developer, ESLtd will highlight where mitigation or further surveys will be necessary to protect species in order that the client/developer does not accidentally contravene the law.

On this occasion, no additional species are considered to be at risk as a result of proposed demolition works

### 1.11 Summary Conclusion

Habitat onsite considered to be of commuting or foraging import for bats will be detailed within the Bat Emergence Survey Report and mitigation provided regarding its protection, retention or replacement as per applicable legislation.

### 1.12 Legislative Advisory

Further Additional Protected Species/Habitats - Protected Species - Legislative Context at: [www.gov.uk/guidance/protected-species-how-to-review-planning-applications](http://www.gov.uk/guidance/protected-species-how-to-review-planning-applications)

## 2. Project Details

### 2.1 Illustrated Proposal & Description of the Proposed Project.

- *The proposal brief includes demolition of an existing outbuilding for the retention of a dormer extension.*
- *The proposed works pose a constraint in terms of potential for roosting or disturbance to roosting.*

## 3. Area of Proposed Development

The Area of Proposed Development (outlined in red) is the area that will be affected by the changes caused by activities associated with this project.



### 3.1 Associated Nearby Habitat – 1km distance.

#### Assessment of adjacent & surrounding habitat: Bats

Internationally or nationally designated sites for bats/or with bats as part of the designation:

➤ N/A

Habitats suited to commuting &/or foraging bats:

- *Mature hedgerow, line of trees, deciduous woodland, ancient woodland, Holt Heath National Nature Reserve, Holt and West Moors Heaths SSSI, Bournemouth Greenbelt*

Offsite to onsite connectivity assessment:

- *The mature hedgerows and lines of trees on site connect well with the BAP deciduous woodland and Queens Copse/Holt Forest ancient woodland approx. 270m east of the site, which further connects with the wider landscape.*

#### Assessment of adjacent & surrounding habitat: Birds

Habitats suited to foraging and nesting birds:

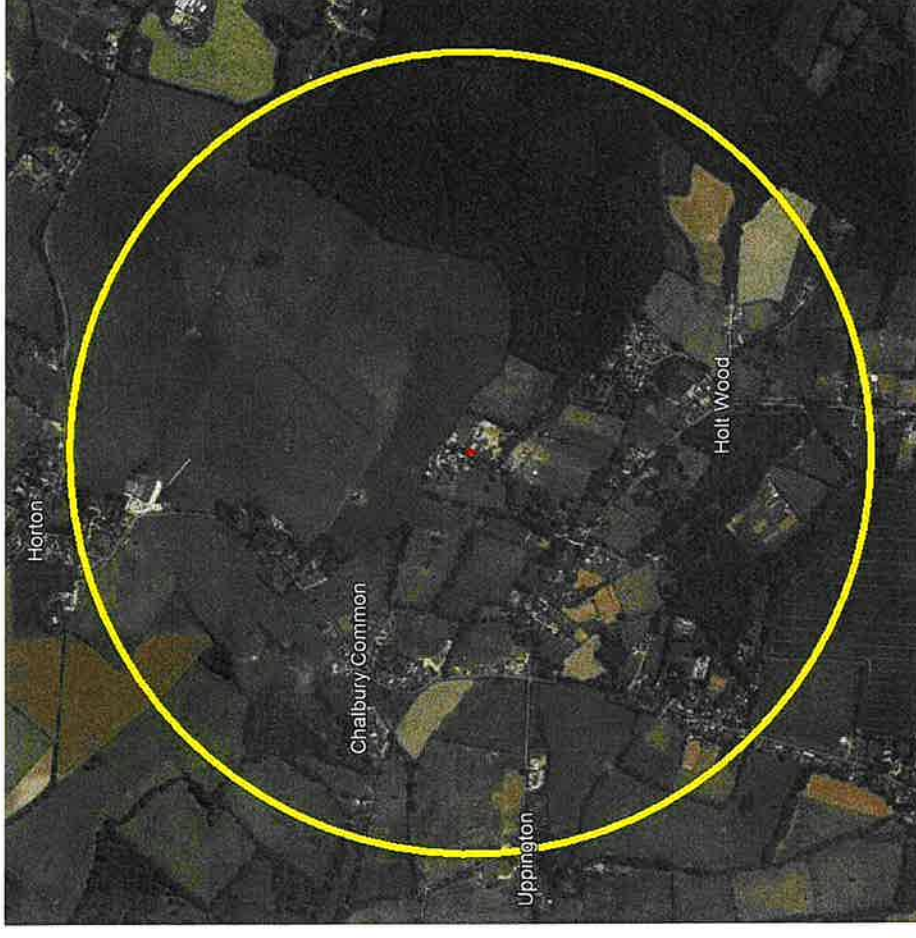
➤ *As above.*

Species known in the area:

➤ *Redwing, Woodlark*

Offsite to onsite connectivity assessment:

➤ *As above.*





## 3.2 Building Assessment

**External Features:** *The outbuilding has wooden cladding on the northern, eastern, and southern aspects, and corrugated metal on the western aspect. The front side of the roof (eastern aspect) is covered in interlocking tiles and the rear side of the roof (western aspect) is covered in plain tiles. There are warped and missing tiles particularly on the rear roof with bat access and roosting potential. The verges of the tiles are also not sealed and therefore have bat access and roosting potential. There are further gaps within missing mortar under ridge tiles.*

**External Features offering Evidence or Potential Roosting Feature (PRF)** Refer to photo images below.

*Evidence recorded:*

- *Not recorded*

*Potential Recorded:*

- *Lifted, missing and slipped roof tiles, unsealed verges, missing mortar on ridges*

**Internal Features:** *The interior of the outbuilding is converted and rendered. The lining of the roof is therefore not visible.*

**External Nesting:**

- *Absent*

**Internal Nesting:**

- *Absent*

**Associated Habitat onsite at risk of Impact – bats.**

- *N/A*

**Associated Habitat onsite at risk of Impact – birds.**

- *N/A*



The front (eastern aspect) of the surveyed outbuilding



The rear (western aspect) of the surveyed outbuilding



Lifted, missing and slipped roof tiles



Unsealed verges of the tiles



Missing mortar on ridges



The interior of the outbuilding is converted and rendered

## 4. Assessment & Results

### 4.1 Constraints

- ▶ *The interior void could be accessed, therefore it is not known whether this offers opportunity for, or contains evidence of, bats or birds within cavity walls, wall tops or along central beams, or chimney stacks.*

### 4.2 Assessment of Structure

- ▶ *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).*

### 4.3 Rationale with Respect to Assessment Criteria:

- ▶ *There are warped and missing tiles particularly on the rear roof with bat access and roosting potential. The verges of the tiles are also not sealed and therefore have bat access and roosting potential. There are further gaps within missing mortar under ridge tiles. However, due to the relatively low height of potential roosting features, it is considered unlikely that this structure would support a roost of high conservation importance and therefore is not considered to have High potential.*

### 4.4 Assessment of Habitat Features

- ▶ *Continuous habitat connected to the wider landscape that could be used by bats for flightpaths such as mature hedgerows and lines of trees linked to ancient woodland and BAP deciduous woodland.*

### 4.5 Known Roosts – adjacent or immediate area.

- ▶ *MAGiC was consulted. EPSL licences: none within 1km.*
- ▶ *Data records for bat species have not been recorded within 1km*

### 4.6 Predicted Impact to Protected Habitat/Species.

Negative impacts on bats that can arise from the proposed activities as per Description of intended works: demolition of the outbuilding.

Bats	Roosting Habitats	Flight Paths & Foraging Habitats
<ul style="list-style-type: none"><li>▶ <i>Physical disturbance.</i></li><li>▶ <i>Noise or vibration disturbance through, for example, increased human presence or use of noise- or – vibration generating equipment.</i></li><li>▶ <i>Injury/mortality (e.g. in roost during destruction or through collision with road/rail traffic</i></li></ul>	<ul style="list-style-type: none"><li>▶ <i>Loss of roost.</i></li></ul>	<ul style="list-style-type: none"><li>▶ <i>N/A</i></li></ul>

#### 4.7 Assessment of the parameters for different impacts of the proposed project.

- *Is it a positive or negative impact.*  
*Unmitigated works might result in a negative impact to bats.*
- *What is the extent of the impact? What area does it cover?*  
*Confined solely to the structure and includes the demolition of the structure.*
- *What is the magnitude or size of the impact?*  
*Potential loss of roosting site/s – roost characteristic not yet determined.*
- *What is the duration of the impact? How long will it last?*  
*To be determined post Bat Emergence Surveys.*
- *What is the timing and frequency of the impact?*  
*To be determined post Bat Emergence Surveys.*
- *How do the impacts differ throughout the process from pre-construction, through construction to operation (and dismantling and restoration of some projects).*  
*To be determined post Bat Emergence Surveys.*

The LPA will consult the associated planning documents submitted with this application to ensure the understanding of the works within this report reflects those submitted as the final Illustrated Proposal.

The in-combination of suitable roosting features, suitable value commuting and foraging habitat and associated habitat features indicate that unmitigated activity undertaken onsite as per the Illustrated Proposal will result in a negative impact to a known roost/potential un-documented roosts.

#### 4.8 Rationale: Birds

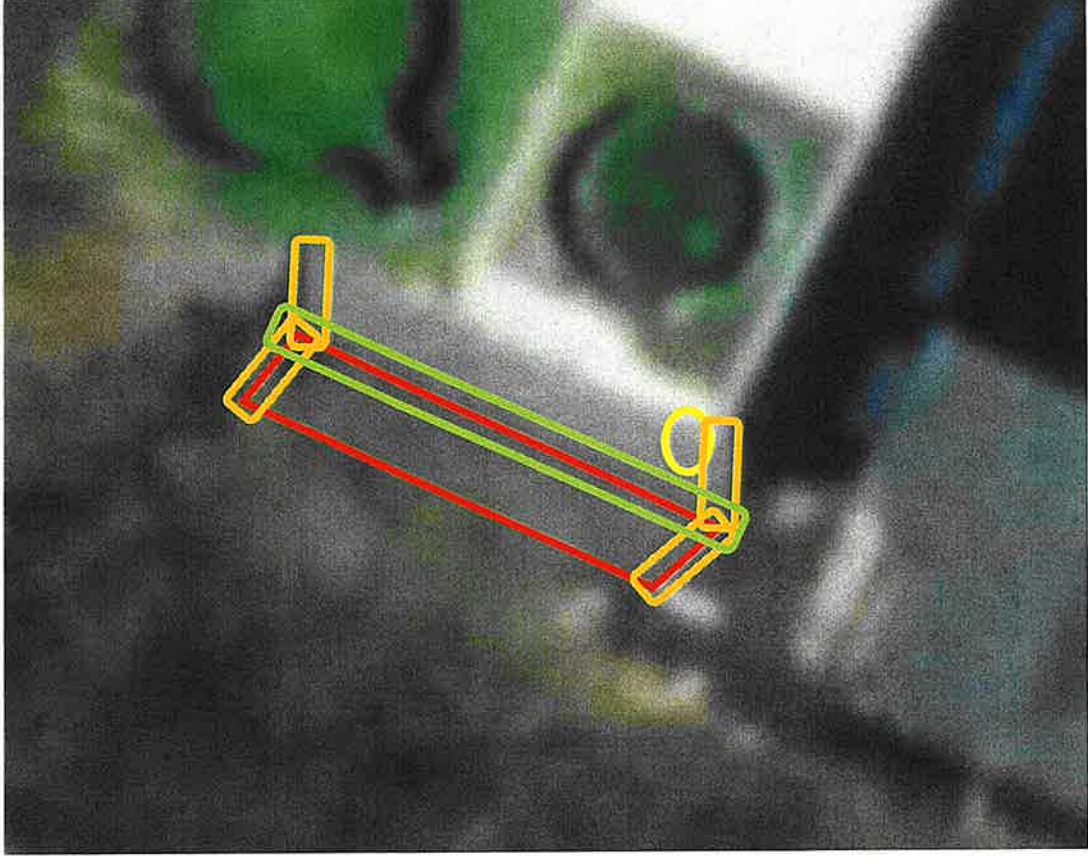
- *Nests and nesting material were not recorded. Bird droppings, whitewash, pellets, nesting materials, birds, dead or alive, and potential for nesting was considered. No evidence of past nesting/present nesting/active nesting was recorded.*
- *Features generally and specifically associated with birds are not evident.*
- *Active future nesting could nonetheless occur upon external walls (for example, by House martins) or on roof areas (gulls), or within any voids, in which case, the nesting provision must be replaced following works of the same functionality – e.g. House Martin provision if House Martins nest.*
- *A Phase 2 Bird Survey is not considered proportionate in this instance where mitigation can be effectively applied.*

#### 4.9 Habitat Map - Assessment

The below indicates the Potential Roost Features and/or scope of features within the Zol.

##### PRF Identified/Roost

- 1 1  
Lifted, missing and slipped roof tiles throughout the rear roof
- 2 2  
unsealed verges
- 3 3  
Missing interlocking roof tile
- 4 4  
missing mortar under ridge tiles (Throughout)



## 5. Mitigation

### 5.1 Bat Mitigation & Advisory

Under the National Planning Policy Framework (NPPF), Local Planning Authorities (LPAs) 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). Local Planning Authorities will seek to produce a net gain in biodiversity by requiring developers to design wildlife into their plans and to ensure that any unavoidable impacts are appropriately mitigated for. Mitigation is the process of replacing any ecological / biodiversity losses because of development. LPA 'Building Control' will ensure that Mitigation / Enhancement measures have been implemented as per recommendations.

- ▶ *Potential for roosting has been recorded.*

The ingress and usage of the sites by the bats onsite is yet to be fully determined. However, the developer must now comply with the legal protection of potential onsite protected species.

All features associated with the possible occupation of bats must now be retained until the results of the Bat Emergence Surveys are known.

This includes: - ALL features offering crawl space for crevice dwelling bats. ALL features offering free flight.

Neither the developer NOR ANY OTHER associated agencies are to block, seal, fix, modify, install new features, remove features, including but not limited to:

- ▶ **Exterior** – roof tiles, verges, ridge tiles.
- ▶ **Interior:** - N/A

### 5.2 Bat Emergence Survey Requirements

Emergence Surveys are a requirement if a development proposal is likely to negatively affect bats or their roost habitats.

In this case, it is considered that roost habitat is at risk from the proposed project works.

With reference to national guidelines, to give confidence that bats are absent, between one bat emergence survey for low suitability buildings to three bat emergence surveys for high suitability/ confirmed roosts may need to be undertaken.

- *In this case, two emergence surveys are required.*

To inform the planning proposal so it can avoid harming bats as much as possible, surveys must:

- ▶ *be carried out in the most recent, appropriate season - except if licensing policy 4 is used,*
- ▶ *identify the bat species and size of population,*
- ▶ *identify the type of roost and its importance, and any access points used by bats to enter the roost,*
- ▶ *identify important flight routes and foraging areas used by bats close to proposed developments,*

Survey work can also include:

- ▶ *roost inspection,*
- ▶ *recording site emergence or re-entry,*
- ▶ *recording bat activity and back-tracking,*
- ▶ *trapping and radio tagging,*

To avoid possible effects on bats and their roosts, developers could redesign the proposal to:

- *leave bat roosts in place,*
- *alter the timing of works,*
- *change the methods of working.*

However, where this is not possible, mitigation and compensation measures that are proportionate to the likely effect on the bat species present must be applied. The proposal could:

- *keep some existing roof voids and roosting places,*
- *create new roosting places within the existing building,*
- *create new roosting places in different buildings,*
- *redesign lighting to avoid roost entrances and foraging habitats.*

If the destruction of a bat roost is unavoidable, the following applies:

- *there must be no net loss of roost sites,*
- *roost types will be replaced on a like-for-like basis,*
- *the affected bat population must be able to continue to function as before works occurred.*

### 5.3 Bird Mitigation

It is possible that bird nests could also be newly established in association with this site during future bird nesting seasons. The bird nesting season generally extends from March to August inclusive. Although, depending upon the species, geographical area and the weather conditions, nesting can extend outside this period and it is the nesting behaviour that must be observed, not the supposed time frame, as collared doves (*Streptopelia decaocto*) and barn owls (*Tyto alba*) have been observed to nest in every month of the year.

All British birds and their nests are protected whilst in use; therefore, if a nest is found during construction work, all activity must cease within proximity and ecological advice (Tel: 01503 240846 or 07736 458609) sought immediately.

Listed buildings might be prohibited from erecting features on the external facings of buildings. If this applies, any mitigation for bird nesting should be applied to any viable structure in the vicinity.

## 6. Enhancement

The National Planning Policy Framework (NPPF) sets out the UK Government's national policies on enhancement of biodiversity and promotion of ecosystem services through the planning system. Under NPPF, Local Planning Authorities (LPAs) 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). LPAs will therefore seek to produce a net gain in biodiversity by requiring developers to design wildlife into their plans and to ensure that any unavoidable impacts are appropriately mitigated for. As a minimum LPAs now expect any new structure to include bat roost or bird nesting provision.

- ▶ *Specific Enhancement for the site overall will be determined post Bat Emergence/Re-entry Survey Results and detailed within the final Bat Emergence/Re-entry Survey Report. Enhancement will therefore be specific and responsive as to whether birds and bats or other require additional support.*



## 7. Conclusions

The following concludes from the results from the Preliminary Roost and Nest Assessment. Bats are considered first, followed by birds.

The presence of bats has not been established/proven at the point of the Preliminary Roost and Nest Survey.

Features have been identified as offering both opportunity and suitability for roosting bats to be at risk from unmitigated works onsite.

The roosting potential, as per the criteria from the Bat Conservation Trust, is assessed as:

- *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).*

With these PRF features recorded onsite: -

- *Warped and missing roof tiles, missing mortar along verges, missing mortar under ridge tiles*

An assessment of the external habitats onsite, as per the criteria from the Bat Conservation Trust, recorded the following:

- *Continuous habitat connected to the wider landscape that could be used by bats for flightpaths such as mature hedgerows and lines of trees connected to ancient woodland and BAP deciduous woodland.*

Specific habitat which might be impacted by works at this site include:

- *Hedgerows and trees part of a commuting and foraging habitat are unlikely to be impacted by the demolition of the outbuilding.*

The site is not close to and/or connected to known roosts.

An assessment of the perceived impacts concludes that unmitigated works undertaken as per the Illustrated Proposal for this project, *might* have a negative and detrimental effect upon bat roosts within the scope of the works and include:

- *Physical disturbance.*
- *Injury/mortality (e.g. in roost during destruction or through collision with road/rail traffic)*
- *Loss of roost.*

The findings within this PRNA report are therefore not sufficient to obtain planning permission for proposed works as the status for the presence/absence of bats must be appropriately ascertained. The PRNA survey has determined that sufficient opportunity exists and that to proceed with unmitigated works might/will cause disturbance harm or death to bats, thereby leaving the developer or other agencies associated with the proposed works, vulnerable to noncompliance of the law and legislation for the protection of this species.

Works are prohibited that would otherwise cause any roosting features to be lost in the interim.

Two Bat Emergence/Re-entry Surveys are required to ensure the appropriate mitigation and compensation is put in place for bats onsite. Mitigation and compensation cannot be properly determined for bats until the results of the Bat Emergence/Re-entry Surveys are known and have been fully reported and assessed.

The assessment concludes past or present nesting BIRDS is not proven.

Unmitigated works/development at this site, at this present time, are considered unlikely to cause disturbance, harm or death to protected species: birds. Mitigation for birds is therefore not a requirement.

Enhancement for this site will be reserved until all further surveys are concluded with results known and assessed. The results will determine appropriate enhancements for the site overall and give due regard to both bats and birds and/or other species. Enhancement / Mitigation may be subject to Conditioning within any granting of Planning Permission.

LPA 'Building Control' will ensure that Mitigation / Enhancement measures have been implemented as per recommendations.

It should be noted it is possible that bats may on occasion utilise restricted and concealed spaces, such as upon wall tops, within deeper cracks or crevices or even within wall cavities of a structure with their subsequent field signs remaining concealed. Therefore, it is always possible that bat roosts/roosting locations may remain unidentified. Bird locations and access are usually less concealed, however, in each instance of bats and birds, 'Good Practice' which abides by law and legislation must always be applied prior to and throughout the development procedure. It is also possible that any alteration to the structure or structures on site, might render an unsuitable structure, suitable. Examples could include storm damage or partial completion of works which create opportunities for bats or birds to enter a structure.

## 8. References

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- Waring, S. (2012). *Bats & Breathable Roofing Membranes*. University of Reading. [www.batsandbrms.co.uk](http://www.batsandbrms.co.uk).
- Wildlife & Countryside Act 1981, as amended. HMSO.

## 9. Appendices

### Notice

Ecological Surveys Limited was commissioned to undertake an Internal / External Bat and Protected Species Scoping Survey of the above site proposed for development. This report details the results and conclusions of this survey with due diligence to associated legislation and policy.

The developer must comply with legislation to protect onsite & offsite habitats & species.

**Bats** – International Law: The UK is a contracting party to the 1979 Convention on the Conservation of European Wildlife and Natural Habitats (commonly referred to as the Bern Convention). The Bern Convention has been described as the “*European treaty for the conservation of nature*”.

Its provisions with regards to bats are transposed into law as follows: *in England and Wales via the Conservation of Habitats and Species Regulations 2017 (as amended) (the England and Wales Habitats Regulations) and the Wildlife and Countryside Act 1981 (as amended) (the W&CA)*;

Regulation (Reg.) 43 of the England and Wales Habitats Regulations makes it an offence to:

- o *deliberately capture, injure or kill a bat;*
- o *deliberately disturb bats (which includes any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate or to affect significantly the local distribution or abundance of the species to which they belong);*
- o *damage or destroy a breeding site or resting place of a bat;*
- o *or possess, control, transport, sell or exchange, or offer for sale or exchange, any live or dead bat or part of a bat or anything derived from a bat or any part of a bat.*

Under Section 9 of the W&CA (s.9(4)(b), 9(4)(c) and 9(5) only), it is an offence (in relation to bats) to:

- o *intentionally or recklessly disturb a bat while it is occupying a structure or place of shelter or protection;*
- o *intentionally or recklessly obstruct access to any structure or place used by a bat for shelter or protection;*
- o *or*
- o *sell, offer or expose for sale, or have in their possession or transports for the purpose of sale, any live*
- o *or dead bat or any part of, or anything derived from a bat (or be responsible for adverts suggesting the intention to do this).*

**Birds** - All wild birds, their nests and young are protected throughout England and Wales by the Wildlife & Countryside Act 1981 (as amended).

- o *It is illegal to kill, injure or take any wild bird, or damage or destroy the nest or eggs of breeding birds. The legislation applies to all bird species, common and rare. In addition to the protection afforded to all wild birds, rarer or particularly vulnerable species listed on Schedule 1 of the 1981 Act, such as the barn owl, receive enhanced protection when breeding.*
- o *Schedule 1 species, including their dependent young, are protected from intentional or reckless disturbance whilst at or near the nest, in addition to the protection afforded the more common species.*

The results of this survey are deemed to be valid for 12 months from date of survey, where the works undertaken, and the boundary of the site remain as indicated. If development works are to be carried out

after this time has elapsed, or amendments are made to the boundary line which affect alternative structures or additional features commonly associated with bats, an updated survey will be required.

This survey was undertaken with all proper and reasonable skill and care in a professional manner and in accordance with accepted standards, methodologies and guidelines.

This report is based on the evidence recorded at the site at the time of the survey. The information gathered is considered sufficient to provide an assessment of the ecological interest on the site and justify the recommendations provided in this report.

**Birds** - All wild birds, their nests and young are protected throughout England and Wales by the Wildlife & Countryside Act 1981 (as amended).

It is illegal to kill, injure or take any wild bird, or damage or destroy the nest or eggs of breeding birds. The legislation applies to all bird species, common and rare. In addition to the protection afforded to all wild birds, rarer or particularly vulnerable species listed on Schedule 1 of the 1981 Act, such as the barn owl, receive enhanced protection when breeding.

Schedule 1 species, including their dependent young, are protected from intentional or reckless disturbance whilst at or near the nest, in addition to the protection afforded the more common species.

All wild bird species, their eggs and nests are protected by law. You must always try to avoid harming birds or to use measures which do not kill or injure them before considering taking harmful action.

In most cases you should be able to avoid harming wild birds by:

- timing your work to avoid the breeding season
- using a range of methods that deter but don't harm them

In exceptional cases the law allows [certain exemptions to permit legal activities](#) (such as a development with planning permission) and where avoiding harm isn't possible. You may also be able to get a licence from Natural England for certain activities if you need to remove wild birds because they're causing problems.

### What you must not do.

You're breaking the law if you:

- intentionally kill, injure or take wild birds
- intentionally take, damage or destroy a wild bird's nest while it's being used or built
- intentionally take or destroy a wild bird's egg
- possess, control or transport live or dead wild birds, or parts of them, or their eggs
- sell wild birds or put them on display for sale
- use prohibited methods to kill or take wild birds

Some birds, [known as 'schedule 1 birds'](#), eg barn owls, have extra legal protection. For these bird species it's also an offence to do the following, either intentionally or by not taking enough care:

- disturb them while they're nesting, building a nest, in or near a nest that contains their young
- disturb their dependent young.

You could get an unlimited fine and up to 6 months in prison for each offence if you're found guilty.

### Activities that can harm birds.

These activities can affect wild birds, particularly during breeding season:

- trimming or cutting trees, bushes, hedges and rough vegetation
- renovating, converting or demolishing a building
- creating disturbance, eg noise, lighting and vibration
- taking actions to prevent problems, eg shooting birds or removing nests

### When you can get a licence

- There are no licensing purposes to permit development or construction but there are ways you can continue development or construction when birds are present. These activities should rely upon the legal exemptions. You must make sure that you can comply fully with the terms of the exemption so that you don't break the law.
- You can [apply for a licence](#) from Natural England in certain circumstances and for certain problems.
- Licences are available for disturbing or harming birds for a limited number of reasons that include:
  - preserve public health and safety
  - preserve air safety
  - do work for science, education or research
  - prevent damage to crops or animal feed
  - conserve plants and animals (including other wild birds)
  - prevent damage to fisheries
  - take part in photography, falconry, keeping or breeding birds

Get more information:

Find out what's involved for [construction that affects protected species](#).

Find out what ecologists and local planning authorities can do for surveys and planning mitigation measures for wild birds.

Published 13 October 2014. Last updated 29 March 2015

### References

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

&

UK Bat Mitigation Guidelines – Reason, P.F. and Wray, S. (2023).

UK Bat Mitigation Guidelines: a guide to impact

assessment, mitigation and compensation for developments affecting bats. Version 1.1.

Chartered Institute of Ecology and Environmental Management, Ampfield.

### Legislative Context

Habitats Regulations (transposing the EC habitats Directive: Conservation of Habitats and Species regulations 2010 (as amended) & Wildlife & Countryside Act 1981 (as amended).

### Relevant Planning Policy

National Planning Policy Framework (NPPF) (GOV>UK,2021a) especially Ch. 15 Conserving & Enhancing the Natural Environment.

Circular 06/05: Biodiversity & geological Conservation – Statutory Obligations & their Impact within the Planning System (GOV.UK,2005)

National Planning Practice Guidance Natural Environment (GOV.UK,2019) (para 10 – 35)

## Survey Trigger – Bats.

A Bat Survey is ordinarily triggered when there is to be:

Conversion, modification, demolition or removal of buildings (including hotels, schools, hospitals, churches, commercial and derelict buildings) which are:

- *Agricultural buildings (e.g. farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams.*
- *Buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water.*
- *Pre-1960 detached buildings and structures within 200m of woodland and/or water.*
- *Pre-1914 buildings within 400m of woodland and/or water.*
- *Pre-1914 buildings with gable ends or slate roofs, regardless of location.*
- *Located within, or immediately adjacent to woodland and/or immediately adjacent to water.*
- *Dutch barns or livestock buildings with a single skin roof and board-and-gap or Yorkshire boarding if, following a preliminary roost assessment, the site appears to be particularly suited to bats.*
- *At the behest of the LPA / County Ecologist.*
- *Further details of other triggers can be found below.*

### Development and Planning Trigger for Bat Surveys

Development and planning trigger list for bat surveys, which can be adapted to local circumstances (taken from the Association for Local Government Ecologists (ALGE) template for biodiversity and geological conservation validation checklists 2007, available from <http://alge.org.uk/publication/index.php>).

**(1)** Conversion, modification, demolition or removal of buildings (including hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:

- Agricultural buildings (e.g. farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams;
- Buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water;
- Pre-1960 detached buildings and structures within 200m of woodland and/or water;
- Pre-1914 buildings within 400m of woodland and/or water;
- Pre-1914 buildings with gable ends or slate roofs, regardless of location;
- Located within, or immediately adjacent to woodland and/or immediately adjacent to water;
- Dutch barns or livestock buildings with a single skin roof and board-and-gap or Yorkshire boarding if, following a preliminary roost assessment, the site appears to be particularly suited to bats.

**(2)** Development affecting built structures:

- Tunnels, mines, kilns, ice-houses, adits, military fortifications, air-raid shelters, cellars and similar underground ducts and structures; unused

- industrial chimneys that are unlined and brick/stone construction;
- Bridge structures, aqueducts and viaduct (especially over water and wet ground).

**(3) Floodlighting of**

- Churches and list buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water;
- Any building meeting the criteria listed in (1) above.

**(4) Felling, removal or lopping of:**

- Woodland;
- Field hedgerows and/or lines of trees with connectivity to woodland or water bodies;
- Old and veteran trees that are more than 100 years old;
- Mature trees with obvious holes, cracks or cavities, or that are covered with mature ivy (including large dead trees).

**(5) Proposals affecting water bodies:**

- In or within 200m of rivers, streams, canals, lakes, reed beds or other aquatic habitats.

**(6) Proposal located in or immediately adjacent to:**

- Quarries or gravel pit;
- Natural cliff faces and rock outcrops with crevices or caves and swallets.

**(7) Proposals for wind farm developments**

- of multiple wind turbines and single wind turbines (depending on the size and location) (NE TIN 051 – undergoing updates at the time of writing)

**(8) All proposals in sites where bats are known to be present<sup>1</sup>**

- This may include proposed development affecting any type of buildings, structures, features or location.

Notes:

<sup>1</sup> : Where sites are of international importance to bats, they may be designated as SACs. Developers of large sites 5-10km away from such SACs may be required to undertake a HRA.



## Survey Objectives & Methods

### Proportionality

When planning/undertaking surveys, it is important to take a proportionate approach. The type of survey or suite of surveys undertaken, and the amount of effort expended should be proportionate to the predicted impacts of the proposed planned activities on onsite species (bats/birds) but it needs to be recognised that robust surveys are fundamental to understanding what those impacts are.

A PRNA is a detailed inspection of the exterior and interior of a structure to look for features that bats and birds could use as entry/exit roosting and nesting and to search for signs and indications of bats and birds. The survey is to determine the

The PRNA aims and objectives are generally to determine:

- *The presence of, or past use of the site by, any species of bat.*
- *The presence of, or past use of the site by, barn owl, or other nesting birds.*
- *The site's potential for use by any of the above.*
- *Collect robust data following good practice guidelines to allow an assessment of the potential impacts of the proposed development on bat populations both on and offsite:*
  - *Potential and actual bat roosting locations,*
  - *Evidence of bats found,*
  - *Roosting locations,*
  - *And the number of ecologists required for subsequent surveys.*
- *Any other ecological issues/concerns relating to the proposal.*
- *The need for additional surveys to determine how protected species could be impacted and the actions of avoidance, mitigation, compensation and enhancement.*
- *Assist clients in their statutory obligations.*

Collect information about the proposed activities and the site (Chapter 4). Is there a reasonable likelihood that bats could be impacted?

Yes

Identify the survey area, define aims and objectives of survey work. Design and implement PEA (Chapter 4) and/or PRA (Chapter 5) and/or GLTA (Chapter 6) to achieve aims and objectives. Report as required (Chapter 10). Could bats be negatively impacted by the proposals such that further work is needed in relation to legislation, licensing or planning?

Yes

Identify the likely impacts, the ZoI, which/how impacts will be avoided and the survey area. Define aims and objectives of survey work. Design and implement further bat surveys to achieve aims and objectives (considering species, project and habitat-specific methodologies as appropriate) (Chapters 4 to 9). Analyse data (Chapter 10) and report as required (Chapter 11). Are bats present and likely to be negatively impacted by the proposals such that further work is needed in relation to legislation, licensing or planning?

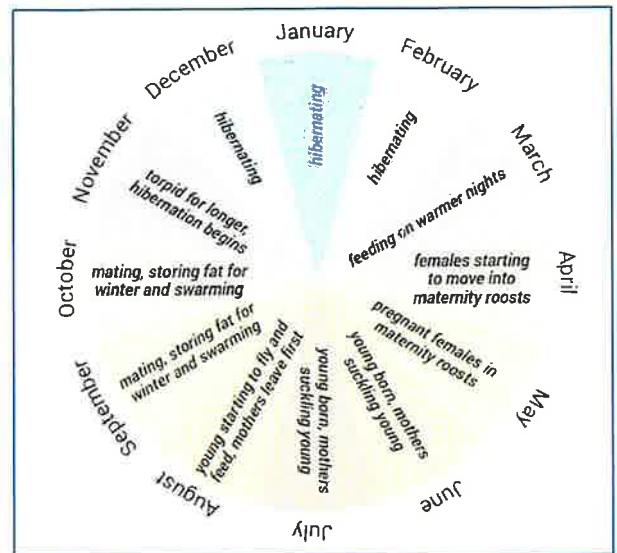
Yes

No

Is there sufficient data to carry out a thorough impact assessment and design a mitigation, enhancement and monitoring strategy for the proposal as it currently stands?

When assessing a structure for the presence / potential presence of **bats**, two distinct considerations are necessary.

- *Is the structure occupied or potentially suitable for bats during the active season, generally accepted as April – September inclusive?*
- *Is the structure occupied or potentially suitable for bats during the less active period (October - November and March) or during the Hibernation period (December – February inclusive)?*



*Bat Annual Life Cycle (Source – Collins, J. ed) (2023) Bat Surveys for*

When assessing a structure for the presence / potential presence of **birds**, the following considerations are necessary.

- *Is the structure actively occupied by nesting birds or has it been in the past?*
- *Will the proposed project works destroy a nesting site? In which case, appropriate mitigation for replacing the nesting site must be undertaken, dependent upon the occupying species.*

#### Internal & External Inspection

The aim of the survey was to assess levels of usage of specific structures or potential for usage by bats and birds through the presence of actual animals or their field signs. The survey was conducted with the aid of

- *Head and hand-held torches,*
- *An endoscope,*
- *Close-range binocular/monocular,*
- *Bat-box Duet and*
- *A digital camera.*

Images and samples (where available) were taken for supporting evidence.

**Interior:** - The interior spaces are checked for light ingress and access points for bats and birds. Bat droppings, insect prey remains, urine stains, oil stains from bats repeatedly moving over a small area and polishing the surface and the potential presence of bats either dead or alive was considered.

Bird droppings, whitewash, pellets, nesting materials, birds, dead or alive, and potential for nesting are considered, including areas hidden from sight.

**Exterior:** - The building exteriors are searched visually using binoculars or a close range monocular and photographed with a digital zoom camera for field evidence of bats or birds, with particular attention being paid to sheltered areas such as window ledges and pipes where bat/bird droppings might lie undisturbed from the weather and areas hidden from sight.

## Impacts

The following are considerations when assessing impacts.

### Bats

- Physical disturbance.
- Noise or vibration disturbance through, for example, increased human presence or use of noise- or – vibration generating equipment.
- Lighting disturbance.
- Injury/mortality (eg in roost during destruction or through collision with road/rail traffic)

### Roosting Habitats

- Modification of access point to roost either physically or indirectly, for example, lighting or removal of vegetation.
- Modification of access point to roost either physically for example by roof removal, or indirectly, for example, changed temperature, humidity, ventilation or lighting regime.
- Loss of roost.

### Flight Paths & Foraging Habitats

- Modification of flight paths or foraging habitats either physically or through disturbance, e.g. light spill/noise.
- Severance of flight-paths (fragmentation)
- Loss of foraging habitats

In identifying potential impacts on bats, the entire project life cycle will be considered, including:

- pre-development impacts or advance works (e.g. ground investigations involving drilling or digging, asbestos survey, early vegetation clearance, or measures to secure derelict buildings);
- construction impacts (not just land take, but scaffolding, piling, building works and construction-related traffic, noise and light);
- operational impacts (e.g. the ongoing disturbance from public access, exposure to new predators<sup>26</sup>, new lighting, collision mortality from trains or road traffic, or deadwood removal because of increased public access); and
- decommissioning impacts (such as removal of structures, disturbance or waste issues).

Different parameters exist to assess the different impacts of the project.

- Is it a positive or negative impact.
- What is the extent of the impact? What area does it cover?
- What is the magnitude or size of the impact?
- What is the duration of the impact? How long will it last?
- What is the timing and frequency of the impact?
- How do the impacts differ throughout the process from pre-construction, through construction to operation (and dismantling and restoration of some projects).

## Rationale: Bats

### Exterior Features

The building exteriors were searched visually using binoculars or a close range monocular for evidence of bats, with particular attention being paid to:

- sheltered areas such as window ledges and pipes where bat droppings might lie undisturbed from the weather and areas hidden from sight,
- windowsills, windowpanes, walls, guttering, lead flashing,
- behind peeling paintwork or lifted rendering,

- *hanging tiles, weatherboarding, eaves, soffit boxes, fascias, lifted lead flashing (particularly around chimneys,) gables,*
- *gaps under felt (including those with a flat roof,)*
- *under tiles/slates,*
- *in existing bat boxes,*
- *gaps in mortar, brickwork/stonework – to rubble-filled walls/cavity walls.*

#### *Interior Features*

The interior spaces were checked for light ingress and access points for bats. Bat droppings, insect prey remains, urine stains, oil stains from bats repeatedly moving over a small area and polishing the surface and the potential presence of bats either dead or alive was considered, including areas hidden from sight.

#### *Interior void*

- *Ridge and hip beams and other roof beams,*
- *Mortice and tenon joints,*
- *All beams (free hanging bats)*
- *Joists,*
- *The junction of roof timbers, especially where ridge and hip beams meet,*
- *Roofing felt,*
- *Wood or interior cladding,*
- *Insulation, floor*
- *Walls*

#### *Interior Rooms (as applicable)*

- *Window features, as appropriate and where accessible.*
- *Floor & surfaces,*
- *Behind panelling,*
- *In lintels above doors,*
- *Behind peeling paper*
- *Behind pictures*
- *In cupboards*
- *Fireplaces*

Classification Criteria

Potential Suitability	Roosting Habitats in Structures	Potential Flight-Paths & Foraging Habitats
<b>None</b>	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e. no habitats that provide continuous lines of shade/protection for flight-lines or generate/shelter insect populations available to foraging bats).
<b>Negligible</b>	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.	No obvious habitat features on site likely to be used as flightpaths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
<b>Low</b>	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions (P) 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 <sup>16</sup> ).	Habitat that could be used by small numbers of bats as flightpaths such as gappy hedgerow or unvegetated stream, but isolated i.e. not very well connected to the surrounding landscape by other habitat.  Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
<b>Moderate</b>	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).	Continuous habitat connected to the wider landscape that could be used by bats for flightpaths such as lines of trees and scrub or linked back gardens.  Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland, or water.
<b>High</b>	A structure with one or more potential roost sites that are obviously suitable 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(b), and surrounding habitat.  These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flightpaths such as river valleys, streams, hedgerows, lines of trees and woodland edge.  High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses, and grazed parkland.  Site is close to and connected to known roosts.

BCT do not define how many bats are estimated to be potentially present in the low/moderate/high categories.

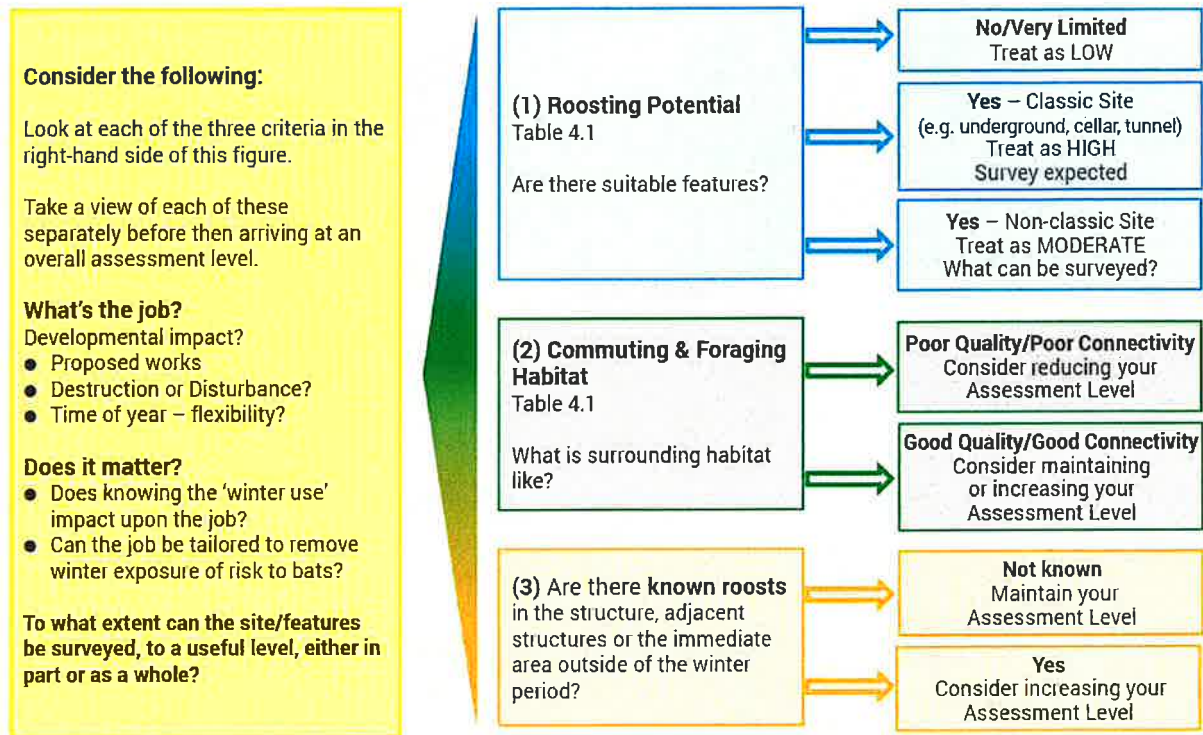
It should be noted that the grading system above only reports on the situation at the time of survey; should bat activity levels change after the initial survey, or should the buildings be modified (for example if roof tiles are removed or fascia boards develop cracks), the category may need revision.

**Non-Classic Hibernation Roost**

The following Flow Chart combines the guidance from the latest iteration of Bat Surveys for Professional Ecologists: Good Practice Guideline (4<sup>th</sup> Edition) Collins, J. (ed) (2023) Bat Conservation Trust, London and the recently issued Mitigation Guidance issued by CIEEM and providing guidance on mitigating impacts to

roosts and the process to adhere to best practice for EPSL applications and when works can be undertaken without an EPSL.

Figure 4.1. A rationale for undertaking an assessment of roosting potential for winter roosting in non-classic hibernation sites (e.g. most buildings).



Classic hibernation sites are straightforward to ascertain and if present, will always be surveyed to a greater or lesser degree based on the other factors.

The starting position for surveyed structures even if considered not to have suitable features is 'Low'. If the other factors in the table are considered, this means a structure previously considered not to have hibernation potential under previous guidance, will be assessed as low, moderate or even high.

Structures assessed as offering *High* potential will need to be surveyed throughout the winter.

Guidance now suggests that alternative 'complementary methods' of surveying include the use of automated bat detectors being left in situ – however (and the latest Mitigation guidance points this out), this might record bats passing rather than roosting so is by no means a conclusive method of establishing presence.

As a minimum, physical surveys should usually be spread four weeks apart during what are predicted to be the coldest months of the year in question. Cold weather in the week preceding the surveys is likely to result in larger numbers of bats entering hibernacula.

If these surveys reveal *interesting results* (e.g. rare or edge-of-range species, species assemblages, larger numbers of bats) then guidance states that it may be necessary to carry out further surveys over and above these, to identify bats moving around between sites.

Additionally, automated / static surveys for winter activity within structures with a *moderate to high* likelihood of bats being present should be undertaken over a minimum of two weeks per survey each month from November to March.

**Optimum season for works in different types of roosts.**

[Source - UK Bat Mitigation Guidelines – 2023 – V1.1 [www.cieem.net](http://www.cieem.net)] The period of works may be extended if the way in which the bats use the site is well understood.

Roost type	Months to avoid	Optimum period for carrying out works (some variation between species and weather-dependent)
Maternity	May-August (potentially September)	September to end April
Hibernation (not used for swarming)	November to March	April to end October [see also 6.2.14 <i>et seq</i> ]
Hibernation and swarming site	August to March (key); potentially July until April	April to July (potentially later, depending on site and nature of works)
Mating/swarming: not used for hibernation	August to October (key); potentially July until mid-November Also April-early May in at least some species	Mid-November – end March (potentially later, maybe species - specific). Broader restrictions if site also used for hibernation: see above
Non-breeding summer roost	None	No restrictions – assuming bats can be excluded if present in small numbers or otherwise safely managed

The paragraph references below relate to the document: UK Bat Mitigation Guidelines – 2023 – V1.1 [www.cieem.net](http://www.cieem.net)]

a. See Section 6.9 for the timing of bat exclusions.

b. *Furmankiewicz et al., 2013*

6.2.10. Similarly, whilst Table 6.1 sets out the ‘optimum season’ for works affecting winter roosts, this applies most usefully to what might be called ‘classic’ hibernation sites, i.e. sites providing cool stable conditions which tend to support larger numbers of hibernating bats (or possibly smaller numbers, but over several years). However, many bats do not use such sites during the winter months, instead roosting individually or in small numbers in buildings (particularly pipistrelles) or in trees. In addition, when prevailing conditions are favourable, many bats are frequently found in thermally unstable roost sites and not necessarily in hibernation torpor.

6.2.11. It would therefore not be appropriate to avoid all work to any building or trees which could support a bat during the winter months as, whilst bats may be found almost anywhere (e.g. under roof tiles, soffits, wall-plates, or cladding that provide PRFs), they are not everywhere. Preventing all works to structures and trees for the entirety of the period November to March in case a winter-roosting bat could be present, however low the risk, is therefore impractical and disproportionate. For instance, for large-scale Local Authority roofing projects (thousands of properties in any year), it is simply not possible for all roof-strips to

be carried out only in spring and autumn. For trees, the winter period is the most common for forestry operations (Davidson-Watts, pers.comm.).

6.2.12. Repeated disturbance to hibernating bats can seriously deplete their food reserves but, as noted by Mitchell-Jones (2004), unless significant numbers of hibernating bats are known to be present, there is no advantage in requesting a deferment of scheduled building works. It is therefore important to assess hibernation potential when determining whether works can safely continue during colder weather. This assessment (and the supporting rationale) should be fully documented, and updated whenever new information comes to light (i.e. survey data).

6.2.13. For working on trees in winter, particularly in woodland, an understanding of the likely value of the roost resource in all seasons would be part of the approach to survey and assessment, and is covered in revisions to published UK bat survey guidance (Collins, 2023). However, the SNCBs' current position is that an identified tree roost cannot be removed in winter, even when it can be demonstrated that bats are absent from a roost (see para 6.5.19) (6.5.19. The process of blocking/excluding PRFs in autumn so that trees can be felled in the subsequent winter maybe necessary to work around seasonal licensing restrictions)

6.2.14. An assessment of 'non-classic' winter potential is not always undertaken for the purposes of planning. In addition, the vast majority of re-roofing works (by far the largest category of works affecting such 'non-classic' hibernation sites) do not require planning consent. This section is therefore included to guide such an assessment, prior to winter working on any type of site where 'non-classic' features may be present (i.e. most types of building)

6.2.15. For 'non-classic' hibernation sites, particularly those within/behind external features of buildings or cavity walls, the extent to which they can be surveyed is limited. Often only a destructive search would be definitive, and therefore counterproductive. A static detector placed outside a structure might pick up bats flying past on warmer nights rather than confirm winter use. This may give a useful understanding of winter bat activity if a number of buildings are being affected but is unlikely to be helpful in relation to a specific building.

6.2.16. For void-dwelling species which can linger into winter (notably brown long-eared bat, serotine) but not always visibly so (e.g. where there is deep insulation obscuring joists or the peak of the void is well above head height, preventing close inspection), visual inspections supported by static detectors within the void, during conditions which include periods suitable for bats to be active (Park, Jones & Ransome, 2000)<sup>47</sup>, (Hope & Jones, 2013), can indicate continued presence or almost-certain absence. It is important that the detectors are there for a sufficiently long period, to be judged by the prevailing conditions, but not fewer than five suitable days. Daily temperatures within the void and ambient external temperatures should be monitored.

6.2.17. A rationale for undertaking a winter assessment is shown below in **Figure 6.1** (with thanks to Neil Middleton, BatAbility Courses & Tuition). The results of this assessment should guide the approach to mitigation, notably timing restrictions. The assessment should consider: the suitability of features to support roosting bats or to allow access for roosting bats; the temperature and humidity conditions likely to be present within the structure during the winter period and the suitability in this respect for it to be used by hibernating bats; the surrounding habitat, in terms of its potential for use by bats outside of the hibernation period for commuting and/or foraging purposes (i.e. is it reasonable that bats are familiar with the area and therefore may be aware of suitable roosting



locations within the site); and the presence of known roosts within the structure, or adjacent structures, or surrounding area during the active season.

6.2.18. The last point should be informed by surveys undertaken at other times of the year, where possible.

6.2.19. If works are required that could in principle affect bats, a risk-based approach is required, dependent on the likelihood of encountering bats, the status of the work, and weather/temperatures experienced. The likelihood of species other than pipistrelles should be considered (brown long-eared bats and whiskered bats are the next most commonly found under external features). The rationale for continuing in adverse conditions should be recorded.

6.2.20. Consideration should also be given as to whether any proposed works would constitute a single disturbance event (likely to be tolerable) or carries a risk of repeated disturbance/arousal (ideally to be avoided).

6.2.21. Where the assessment determines that the likelihood of finding bats in winter is negligible or low, then works should be able to proceed without any temperature restrictions. Any bats found would be treated as 'unexpected finds'<sup>48</sup>. Records of bats (or evidence that bats have been present) should be collated to inform future approaches to working in the hibernation season (see APPENDIX 7).

<sup>47</sup> Park et al. (2003) note that bats arouse periodically from hibernation even when they are unlikely to feed, drink or mate (and thus may not leave the roost); that arousals are normally synchronised to dusk so that foraging opportunities can be exploited if they arise; and that the minimum temperature thresholds for the flight of many insects can be as low as 8°C. Hope and Jones (2013) found similar patterns of arousals linked to dusk in Natterer's bats. Avery (1985) showed that pipistrelles will leave hibernation to feed in any winter month during the period of hibernation, and on a third of all winter nights.

<sup>48</sup> This would also be the case if surveys had not previously established the presence of an opportunistic/transitional roost for which a licence had been sought, as it is not possible to apply for a licence on a precautionary basis.

6.2.22. Where the assessment determines that the likelihood of finding bats in winter is moderate, but that only very small numbers of bats are likely to be found (if any, based on an understanding of how bats appear to be using the site in question), then risk of harm for any torpid bats found can be reduced by only stripping roofs when: it is dry/calm; and temperatures are no lower than 8°C for at least an hour or two from dusk on 3-4 consecutive nights (which would be sufficient for bats to be active and to feed).

6.2.23. In addition (and as for works at other times of the year): the works should be covered by a method statement appropriate to the level of risk (see Section 6.10); care facilities for any bats found should be in place (see 6.9.17)

6.10. Precautionary working method statements (PWMSs)

6.10.1. A licence is not always necessary. Good practice and avoidance measures are promoted by all the UK SNCBs to minimise the impact of a proposed activity on wildlife, and in particular EPS, to avoid committing offences. Licensing should be seen as the last resort where all other alternative ways of avoiding impacts on the species have been discounted.

6.10.2. The need for a licence may be avoided through appropriate timing (see Section 6.2), or where

working methods are in place to ensure the roost is not impacted. For example: the roost is not directly affected, connectivity to adjoining habitat can be maintained, and there is a buffer within which plant and materials are not stored or active nearby; or low-impact refurbishment works are undertaken in the same building as the roost, but the roost and its access are left intact, and working methods avoid disturbance (see 2.5.6) even when the roost is occupied.

6.10.3. Another example where a non-licensable approach to works can be adopted includes buildings of ‘low potential’ with no evidence of use, but where the presence of a bat (or very low numbers of bats) cannot be ruled out even where the requisite number of surveys have been completed. In these circumstances, a precautionary approach to design and construction methods is sensible.

The following information has been extracted from Collins, J. (ed) (2022) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition) The Bat Conservation Trust, London* to inform upon the assessment.



Note on Figure 5.1: In some situations, bats may use the same structure throughout the year and in these situations, both arms of the flow chart need to be fully considered