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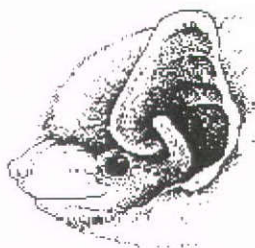
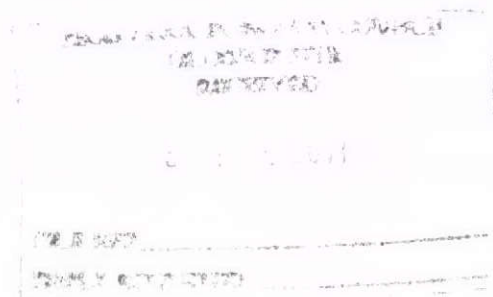
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Protected Species (Bat & Bird) Report

Birch House, Birch Vale, New Mills

17th March 2011



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Summary

No signs of bats were found in the buildings.
No owls use the buildings for nesting.
No special Protected Species licence will be required.

1. Introduction

- 1.1. This report, on behalf of John Church Planning Consultancy, sets out the findings of a bat and bird survey at the industrial and other buildings set between Quarry Road and Sitch lane in New Mills, known as Birch House (SK020870)
- 1.2 These are a collection of industrial units, wooden stables and a mobile home. The former were used for slaughtering and processing farm animals.
- 1.3 A survey was required due to plans to develop the site.
- 1.4 Legislation protects bats and their roosting places, and other Protected Species. Advice and licences must be obtained before disturbing bats or damaging their roosts. This report sets out suggested mitigation.

2. Methodology

2.1 The survey was carried out on 17th March 2011 by Phil Richardson and Jalna Donaldson, both licensed bat workers. This is a time when signs of last summer's use of buildings by bats and birds will still be apparent in many situations.

2.2 Weather: calm, overcast, sunny intervals. Temperature of 7°C.

2.3 The building survey consisted of searching in daylight externally and internally using torches, ladders, endoscope and binoculars for

- bat droppings
- stains around roosting places and entrance points
- urine marks
- prey remains
- areas devoid of cobwebs
- live or dead bats
- suitable cracks and crevices for bats to enter

Interpretation of such findings, coupled with over 30 years of experience of bats' roosting habits (six of which were as the National Trust's bat conservation officer), can provide evidence or indications of roosting positions, roost use, roost size and species of bats present. They also give an indication of potential use by bats if no bats are present, especially when linked to external features of landscape, geographical situation and aspect.

The surveyor has over 40 years experience of birds and surveys, having been the BTO Regional Representative for Northamptonshire for 30 years and organising surveys on their behalf.

- ❖ **Low probability of bat interest.** Buildings in this category fall in to two main types: Generally well maintained without cracks and crevices, no gaps between bargeboard or soffit and wall or without an attic space. Or those which contain some or all of the above features, but are both draughty and thick in cobwebs or contain strong odours such as solvents, diesel etc.

It must be borne in mind that a building from this latter group can become suitable for bats due to refurbishment. This often happens to houses once the attic space has been cleaned and under-felted prior to timber treatment.

Trees with low bat interest are usually young trees without any deadwood or holes. Most conifers fall into this category as they are usually planted as a crop and are then felled prior to becoming old, although once old age is attained as in a landscape tree, suitable bat roosts may develop.

No licence is required for development to a building classified as Low probability of bat interest

- ❖ **Medium probability of bat interest.** The buildings here contain many sites suitable for roosting bats although no obvious signs were recorded during the

survey. In exposed conditions on large buildings the signs of bat usage such as droppings and urine marks can be obliterated by heavy rain. Occasionally a light scattering of droppings will be recorded in an attic or a semi derelict building, which is considered by the surveyor unsuitable for use as a bat roost. The medium probability of bat interest category can be used based on the surveyor's experience.

Whilst no licence is required for development to a building classified as Medium probability of bat interest, it is often best practice to conduct sensitive roof stripping or architectural salvaging to minimise any possible disturbance

Trees in this category will have holes, cracks and crevices and lose bark suitable for roosting bats but no obvious roost signs such as staining and droppings at entrances.

- ❖ **High probability of bat interest.** This group includes buildings with known roosts or signs of bat occupancy such as droppings and staining at a roost entrance. The description of high probability buildings will also contain an indication as to the time of the year when it will be occupied by bats i.e. Summer – nursery roost. Winter – hibernation

Trees here will contain all the obvious roost features such as holes, cracks and crevices and loose bark but will also contain staining and droppings at the roost entrance or have been identified as a roost via a visual sighting of an exiting bat.

If the building or trees fall in to the high probability group then the area of bat interest should be identified on site with the contractors to ensure that work does not affect the bats roost.

If it is thought the work will have a direct effect on the bat roost and is unavoidable then advice must be sought from the Species Officer for Natural England (formerly English Nature and DEFRA).

3. Results and assessment

The industrial units, perhaps up to 50 years old, are constructed of concrete block with corrugated asbestos roofs, the horse stabling is mainly wooden and mostly modern, and the mobile home is perhaps 20 years old. The building plan is in the Appendix.

3.1 Mobile home/wooden chalet

This is basically a large caravan with plastic walls and some wooden planks added making it appear as a wooden chalet. A small entrance porch has been built around the main door. It is jacked up off the ground and still has its wheels in place.



View from the west

3.1.1. Internal survey

The unit is decorated and furnished, and has been used until recently as accommodation. The glazed windows and door allow in light to every room. There are no suitable bat roosting places in any wall or on the ceiling.

3.1.2. External survey

The slightly pitched roof has no crevices that could be used by bats and no signs of bats are present. The eaves are slight and well-sealed allowing no bat access points. The walls are mostly plastic sheets with some timber planks. There are no suitable gaps that bats could use for roosting behind the planks and no signs of bats are present. This mobile home is not used by bats and there are no bat signs.

Low probability of bat interest

There are two mature trees adjacent to the mobile home on the south side with large obvious cavities on the north sides (one is an oak). If these two trees are to be trimmed or felled as part of the development then it would be sensible to first ensure no bats are using them.

3.2. Horse stabling

There are four wooden structures on this plot. The southern two are both shelters, open to the west. The northern one is a wooden barn with a hayloft used for stabling and storage, and the other is a short row of wooden horse stables with stable doors and windows in the north wall.



View from the west

3.2.1. South shelters

These have walls of unlined wooden planks, and an unlined corrugated metal roof. Being open on one side makes the inside light and draughty. Inside there are no suitable roosting places for bats and no bat signs. Outside the roof and walls hold no roosting opportunity for bats. There are no bat signs. Neither is suitable for roosting bats

Low probability of bat interest

3.2.2. Stable row



View from the north

This short wooden row of stables has unlined wooden plank walls. The corrugated asbestos roof is closely lined with insulating boards. The stables are in regular use by horses, so are regularly disturbed. Inside the stables are all light due to the doors and windows in the north wall.

Inside there are no signs of bats nor any suitable roosting places. There are no bat droppings or other signs on any stored materials.

Outside the roof has no suitable crevices that bats could utilise for roosting. The wooden walls have no suitable crevices either. There are no bat signs.

Low probability of bat interest

3.2.3. Wooden barn

The lower walls are brick and concrete block, with wooden walls above. Doors are present in the west and south walls. The east half of the ground floor is open on the south side. There is a hay loft floor present at eaves height. The unlined roof is corrugated metal sheets.

Internally there are no suitable bat roosting places in the two ground floor areas. The floor has no signs of bats on it or on any stored goods.

Upstairs the hay loft is small with a ridge height of 2m. Plenty of light enters through gaps along the ridge, up the stair well and around a hay loft door. There are no suitable bat roosting places on the underside of the metal roofing sheets or in the unlined wooden walls. Cobwebs on the roof underside show no bat activity. There are no bat signs on the wall or the floor.

Low probability of bat interest

3.3. Industrial Unit 1.

This is constructed of brick and concrete block walls with a corrugated asbestos roof. The south end of the unit is used as offices and the north-west corner houses a small furnace. Access to the units is via roller shutter doors in the south and east walls, with a wooden door for the offices which has glazed windows in the east and south wall.



View from the east

3.3.1. Internal survey

The majority of the interior is an empty shell, open from the floor to the underside of the roof.

The corrugated asbestos sheet roof is partly lined with insulation panels but provides no suitable roosting places for bats and there were no bats signs. The western section has skylights making the interior light.

The block walls have no suitable crevices for bats, and there are no bat signs.

The floor has no bat signs on it or on stored goods.

The office section is still in use and furnished accordingly. There are no suitable places for bats to enter or roost.

Throughout there is a pervading smell from the previous use of this building.

3.3.2. External survey.

The corrugated asbestos roof has no crevices that bats could use for roosting. There is no boxing at the eaves that bats could utilise.

The walls are solid and painted with no crevices that bats could use. Overall there are no bat signs.

Low probability of bat interest

3.4. Industrial Unit 2.

This has a similar construction to Unit 1. This unit has no offices, just an open shell inside. The roofs of this unit have skylights allowing in plenty of light and are constructed of unlined corrugated asbestos sheets. Roller shutter access doors are present in the east wall. There is an open shelter on the west end, again with a corrugated asbestos roof.



View from the east

3.4.1. Internal survey

The roof has no roosting crevices for bats and is unsuitable for bat roosting.

The solid walls have no roosting opportunities for bats.

The floor has no signs of bats on it.

The smell from its previous use is still present.

3.4.2. External survey.

The roof is unsuitable for bats

The solid block walls have no suitable crevices for bats to use.

There are no bat signs.

Low probability of bat interest

4. Mitigation and conclusions

No bats use any of these buildings for roosting.

The industrial buildings are unsuitable due to their design (solid walls, corrugated asbestos used for roof with little lining, too light). In addition both have a pervading smell associated with the previous use.

The mobile home has no crevices that bats could use for roosting and bats would be unable to gain access inside, which is too light for bats anyway.

The wooden stables are too open, too light and draughty, and too used by horses and humans to be useful for bats as roosting places, particularly when there are better places on offer in the nearby town.

An emergence survey is not necessary for any of these buildings because there are no crevices that could not be thoroughly investigated during the daytime survey.

No special bat licence will be required for developing these buildings.

No barn owls nest in, or other Protected Species use the building, therefore no European Protected Species licence will be required to develop it.

This survey is valid for the time of the survey and gives an indication of the way the bats have, or have not, used the building in the recent past.

Appendices

1. Bat legislation

The Wildlife and Countryside Act 1981 (WCA) transposes into UK law the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention). Amendments were made under the Countryside and Rights of Way (CROW) Act 2000 which added the word "recklessly". All species of bats are listed under Schedule 5 of the 1981 Act so it is an offence to

- intentionally kill, injure or take a bat
- possess or control any live or dead specimens or anything derived from a bat
- intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for that purpose

The Conservation (Natural Habitats &c.) Regulations 1994 (amended 2007) (the Habitats Regulations) transpose into UK law Council Directive 92/43/EEC of 1992 (often referred to as the Habitats Directive). All bats are listed under Annex IV and some (horseshoe bats, Bechstein's and barbastelle) are also listed under Annex II which relates to Special Areas of Conservation. These Regulations make it an offence to

- deliberately capture, injure or kill a bat
- deliberately disturb bats in a way as to be likely significantly to affect the ability of any significant groups of bats to survive, breed or rear or nurture their young, or to affect the local distribution of abundance of that species
- damage or destroy a breeding site or resting place of a bat
- keep, transport, sell or exchange, or offer for sale or exchange a live or dead bat or any part of a bat.

Penalties are fines of up to £5000 per bat and up to 6 months custodial sentence. The CROW Act made these arrestable offences.

Exceptions and licenses

- A defence that the action was "the incidental result of a lawful operation and could not reasonably have been avoided" was removed in 2007.
- Licenses can be obtained to disturb bats or damage a roost from Natural England, formerly the department known as Department of Environment, Food and Rural Affairs (DEFRA).
- Licences can also be obtained for scientific study and conservation through Natural England.

2. Extract from *Bat Mitigation Guidelines 2004*, English Nature.

Conservation significance	Roost status	Mitigation/compensation requirement (depending on impact)
Low ↓ High	Feeding perches of common/rarer species	Flexibility over provision of bat-boxes, access to new buildings etc. No conditions about timing or monitoring
	Individual bats of common species	
	Small number of common species. Not a maternity site	
	Feeding perches of Annex II species	Provision of new roost facilities where possible. Need not be exactly like-for-like, but should be suitable, based on species' requirements. Minimal timing constraints or monitoring requirements
	Small numbers of rarer species. Not a maternity site	
	Hibernation sites for small numbers of common/rarer species	Timing constraints. More or less like-for-like replacement. Bats not to be left without a roost and must be given time to find the replacement. Monitoring for 2 years preferred
	Maternity sites of common species	
	Maternity sites of rarer species	Timing constraints. Like-for-like replacement as a minimum. No destruction of former roost until replacement completed and usage demonstrated. Monitoring for at least 2 years
	Significant hibernation sites for rarer/rarest species or all-species assemblages	
	Sites meeting SSSI guidelines	Oppose interference with existing roosts or seek improved roost provision. Timing constraints. No destruction of former roost until replacement completed and significant usage demonstrated. Monitoring for as long as possible
	Maternity sites of rarest species	

Appendix 3. Plan of buildings

