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1.0 Introduction & Reason for Survey

- 1.1 As part of a proposed Planning Application regarding a garage within the grounds of 'Overleigh', Whaley Bridge, an inspection and assessment was undertaken in relation to bats and breeding birds. The site owner, Mr J Gilbert commissioned the inspection and report, and it is understood that the proposals for the garage involve the building to be demolished to make way for future development. As part of the Local Authority's Planning Policies ecological surveys are generally required, particularly where a specially protected species is or may be present and could be affected by the proposals for which the Application seeks consent.
- 1.2 The aim of the inspection was to initially ascertain if the property is of value to bats or nesting birds; if potential was found to be high or the results of the survey were inconclusive then recommendations would indicate the requirement for nocturnal observations to be undertaken at the site during the breeding season of bats. (May – August) If bats were subsequently found during those detailed surveys and may be affected by the work then a European Protected Species Licence would be required to proceed with the development.
- 1.3 The optimum time to investigate buildings for evidence of a bat roost is May – August, however that is not to say they cannot be inspected and assessed outside of that time and frequently the results can be conclusive, which can save time and expense for Planning Applicants but it should be borne in mind that equally the inspection can be inconclusive.

2.0 Protected Species

- 2.1 All British bats and their roosts are afforded protection under the 1981 Wildlife & Countryside Act (as amended) and are listed in Schedule 2 of the Conservation of Habitats & Species Regulations 2010. When dealing with cases where a European Protected Species (all UK bats) may be affected, a planning authority is a competent authority within the meaning of the Regulation 7 of the 2010 Regulations and therefore has a statutory duty to have due regard to the provisions of the Regulations in the exercise of its functions.
- 2.2 Guidance is contained in Planning Policy Statement 9 (PPS9) on the consideration that should be given to Protected Species where they may be affected by development. Furthermore PPS9 paragraphs 5.34 & 5.35 identifies that bats are highly dependant upon built structures and new developments/conversions can take account of this by incorporating roosts into such structures. Furthermore where a European protected species may be affected by development then a licence to derogate from the Conservation of Habitats & Species Regulations 2010 would be required. Licences applications are processed and issued by Natural England subject to certain criterion being met.
- 2.3 Guidance is contained in Planning Policy Statement 9 (PPS9) on the consideration that should be given to Protected Species where they may be affected by development. Furthermore PPS9 paragraphs 5.34 & 5.35 identifies that bats are highly dependant upon built structures and new developments/conversions can take account of this by incorporating roost provision into such structures. Furthermore where bat/s or a roost** may be affected by development then a licence to derogate from the Conservation of Habitats & Species Regulations 2010 would be required. Licences applications are processed and issued by Natural England subject to certain criterion being met.

2.4 Use of Buildings by Bats

- a) Summer breeding roost.
- b) Hibernation.
- c) Transitional or temporary roost.

Roost selection is often closely correlated to suitable foraging habitat within a reasonable commuting distance from the roost and different sites are used depending upon insect densities and abundance, climatic conditions can also affect their ability to successfully forage. All British bats are insectivorous.

** The term roost is generically referred to as a place that bat/s use for the any of the above reasons, however it should be noted that under the Conservation of Habitats & Species Regulations 2010 (Regulation 41) the term roost is not used but refers to "*a breeding site or resting place of such an animal*" which essentially is the same and is afforded legal protection. The roost, breeding site or resting place of bats, which ever terminology is used is legally protected whether or not bats are in occupation.

- 2.5 All wild birds (with only minor exceptions) and their nests whilst being built or containing eggs or dependant young are protected under the Wildlife & Countryside Act 1981 (as amended). Birds listed on Schedule 1 e.g. Barn owls are afforded a greater level of protection. Where nesting birds are present then work should be timed outside of the nesting season (March – August) so as to avoid disturbance and subsequently committing an offence.
- 2.6 Barn owls (*Tyto alba*) are a specially protected as a Schedule 1 Part 1 species under the 1981 Wildlife & Countryside Act (as amended), which gives protection to barn owls at all times. The main points in relation to nest sites are: "It is offence to intentionally or recklessly disturb them at or near a nest containing eggs or young. Intentionally damage or destroy a barn owl nest whilst in use or being prepared for use. It is also an offence to intentionally or recklessly disturb dependant young of a wild barn owl."
- 2.7 Within buildings adaption to artificial nest boxes occurs given that suitable habitat exists within feeding range and linear features such as hedgerow, ditches or watercourses are present as links to other areas, which allows the expansion of young barn owls looking for territories. The boxes can serve both as a breeding site and as a place for general roosting or shelter.
- 2.8 Barn owls are essentially a bird of the open countryside, particularly where rough grassland exists, which supports their main prey by way of small mammals and successful breeding is heavily dependant upon 1) a secluded nest site and 2) a plentiful supply of prey being available. It is possible that loss of an occupied nest site can have an adverse affect even if other alternative sites were made available. Thus where possible it is always preferable to retain an occupied site and not take the approach of providing an alternative in a different location.

3.0 Protected Species in Derbyshire

- 3.1 Up to eight bat species have been regularly recorded in Derbyshire most of which use built structures, notably occupied residential properties, for roosting. The most frequently encountered species is the Pipistrelle bat (*Pipistrellus*) and its abundant status in Derbyshire is reflected throughout the UK.

- 3.2 The number of breeding barn owls within Derbyshire is not high, which is a situation that is mirrored throughout most of the UK and they are constantly under threat from loss of habitat and nesting opportunities.

4.0 Survey Methodology

- 4.1 The survey was conducted on the 4th May 2011 when the building was inspected for potential places that may be of value to bats and if evidence of use was present. A loft space is absent and therefore the survey focused on internal floors and walls, which included a search for signs of use with a high powered torch. The search mainly includes looking for droppings or remains of prey items; additionally the exterior of the building was inspected with the aid of close focusing binoculars to search for any gaps or stains, which can be present when regular use of an ingress point is made by bats that may be accessing gaps into roost chambers.
- 4.2 The survey was conducted at a time when bats will generally have returned to their summer roosts to form maternity colonies, which is the optimum time to investigate buildings/structures for evidence of use. Following the survey the results, conclusions and recommendations are based upon surveyor experience and knowledge of bat ecology.
- 4.3 A number of factors are used for the survey methodology, which include:-
- Knowledge of bat/bird species relevant to the site location
 - Nature of the immediate and surrounding habitat in relation to foraging opportunities
 - Condition of the building
 - Presence/absence of roost/nesting potential
 - Value of roost/nesting potential – if present
- 4.4 During the survey the surrounding habitat was assessed in relation to bats as very often roost selection is closely correlated with the surrounding habitat; the exterior of the building, trees and shrubs were inspected for signs of nesting birds.

5.0 Constraints

- 5.1 The survey was conducted within the breeding season of bats, which is the optimum time to conduct surveys. In relation to assessing the level of bat roost potential a full investigation and appraisal of the building was achievable. Therefore, no survey constraints were present in the gathering of information on which to base conclusions and recommendations.
- 5.2 The inspection for nesting birds was conducted in tandem with the investigation for bats when most will birds will be actually nesting or in the process of nest building/mating/territorial activity.

6.0 Results

- 6.1 The garage within the grounds of 'Overleigh' for which the survey was undertaken is currently being used for car and general storage purposes, it is one of several structures within the grounds and they are located in an urban environment on the outskirts of Whaley Bridge with agricultural and open pasture land located to the north and east of the site.
- 6.2 The immediate and surrounding habitat is represented by a number of ornamental tree specimens around the site and to the perimeter with additional mature residential gardens within close proximity. Open pasture, agricultural land and woodland can be located approximately 0.15 kilometres to the north of the building and a tree lined railway line is situated approximately 0.10 kilometres south of the building. The previously identified habitat can be considered as being of high value for the species for which the survey was undertaken, i.e. bats and breeding birds. Where such habitat is present close to buildings then the percentage use of those buildings, by bats, increases given that roost opportunities are available and vice versa.
- 6.2 The garage is in a reasonable condition, but considered somewhat dated and not in keeping with the remainder of the buildings within the grounds. It is of brick construction with external render finish to all elevations and a slate pitched roof. The structure is to dimensions of approximately 7 metres long x 3.5 metres wide x 3.5 metres high; it is light filled and open to the ridge and therefore potential is significantly reduced for loft dwelling bats; typically Brown Long Eared. (*Plecotus auritus*), which is a species that favours large dark loft spaces that allows unrestricted free flight.
- 6.3 During the internal inspection of the garage, traditional bitumen underfelt is absent, and the roof lining is partial breathable membrane and partial boards, which will generally increase potential for crevice dwelling bats such as the Pipistrelle (*Pipistrellus*) whereby they often roost between the two materials, subject to external access being available. Breeding roosts of Pipistrelle bats are proportionally higher in occupied residential dwellings where the warm, dry conditions favour the requirements of a maternity colony; however other structures are also used for other purposes such as hibernation or transitional use. Throughout the search of the building no evidence of any bat species was found.
- 6.4 During the external inspection of the garage, the ridge was found to be tight fitting with no opportunities for bats but minor gaps exist beneath the slate, which could offer some potential for access; however, bat roost potential considered not to be significant. At the east elevation of the building two small gaps were noted between the render and the roof slate; the gaps and the space inside were subjected to a detailed inspection with the aid of torch light, which resulted in no recent or historic evidence of use by way of droppings within the gaps; additionally staining that can be created by regular ingress along with droppings was absent on the light coloured external render.
- 6.5 Due to the low potential of the garage a data search of local bat group records was not requested.
- 6.6 Although the habitat located to the north and east of the structure is particularly suitable for barn owls, typical nesting opportunities are absent within the building and no evidence of use by this species was noted. Furthermore, evidence of use by more common bird species within the garage was also absent.

7.0 Conclusions

- 7.1 From the survey results it can be concluded that the garage for which the survey was conducted offers no realistic potential for loft dwelling bats due its open and light filled nature and no evidence of use was found within in the garage, on external elevations or beneath the roof slates at the roof verge that would suggest recent or historic bat use.
- 7.2 The minor areas identified under the slates and at the verge offer only minor potential for crevice dwelling bats and are on the cold facing easterly aspect which is not particularly productive for maternity colonies. Although a small degree of bat roost potential is present it is considered not be to a sufficient level that would instigate nocturnal surveys.
- 7.3 There are no implications in relation to barn owls that would prevent the demolition of the building taking place and the proposals would not result in the loss of a site that is used by barn owls for roosting or breeding. The building is not currently being used by more common nesting birds.

8.0 Recommendations & Implications

- 8.1 As bat roost potential was found to be low, evidence of bats was conclusively found to be absent and bats are out of hibernation it is recommended that at the roof verges all gaps of 15mm and above are immediately and effectively sealed to prevent the possibility of bats occupying the gaps before the building is demolished. However, if bat droppings (See Figure 1) were noted on the render then the gaps should not be sealed and advice sought from a bat ecologist. Purely, as a further precautionary measure it is also recommended that the removal of the roof slates should be removed in a controlled and careful manner; they should be vertically lifted and observations conducted at all times for the presence of bat/s or evidence of use e.g. droppings. The roof slates will need to be retained as if bat/s or evidence of a roost is/are located the slates are to be replaced and the area made good to its previous condition to retain access and a roost for bats.
- 8.2 It should be noted that if bat/s or evidence of a roost is located during the removal of slates then demolition would be delayed until such time that a European Protected Species Licence (EPSL) is applied for and granted to allow work to commence which would affect bat/s or a roost. The licence application will include mitigation to provide opportunities for any bat species identified using the property. Thus it will be beneficial to ensure that this work is undertaken well in advance of demolition.
- 8.3 Furthermore if evidence of a roost was found it is probable that there would be time implications in relation to the work commencing as nocturnal surveys would be required to gather specific information over the breeding season which is May – August. Several visits may be required as bats, particularly Pipistrelle, often have more than one roost and do not necessarily occupy a single roost over the entire breeding season.
- 8.4 Opportunities for bats in new or existing buildings can be of conservation benefit and suggestions for that purpose are contained in Appendix II
- 8.5 There are no recommendations or implications in relation specially protected birds and the proposed work as potential for nesting is absent within the building.



Figure 1: Typical bat droppings

APPENDIX I Site Photographs



Garage proposed for demolition



Minor gaps at east verge where gaps should be immediately sealed

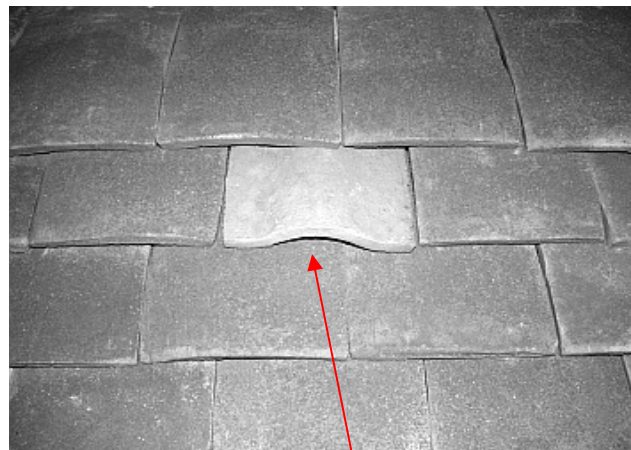
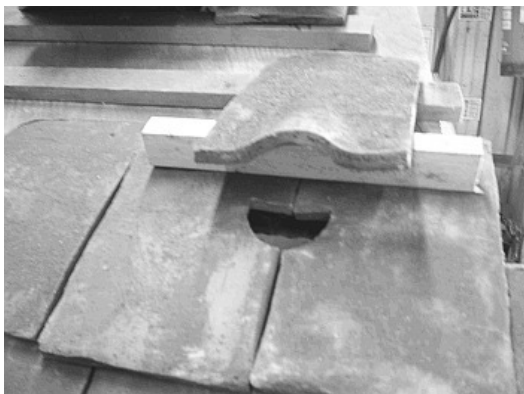
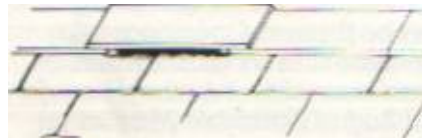
APPENDIX II

Bat Roost Suggestions



1FQ bat box

Access in ridge tiles



This area needs to be coarse to allow bats to cling and crawl under tile/slate

'Overleigh', Eccles Road, Whaley Bridge, High Peak, Derbyshire, SK23 7EL

Inspection & Assessment in Relation to Bats & Breeding Birds

