



Falinge Park Hall, Falinge Park, Rochdale OL12 6JE

Bats: Building Inspection and Activity Surveys

Simply Ecology Limited

Ref: SE/RBCQ001/01

June 2024

For:

**Rochdale Borough Council,
Number One Riverside,
Smith Street,
Rochdale,
OL16 1XU**

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Control Sheet

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Version History

Version	Date	Modified by	Approved by	Comment/Reason(s)
1	22/01/2024	N/A	JR	First Issue
2	29/06/2024	PW	JR	Addition of Activity Survey results and Bat Mitigation/Compensation

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1.0 INTRODUCTION

1.1 Background Information

1.1.1 In December 2024, Simply Ecology Limited was commissioned by Rochdale Borough Council to undertake a surveys for bats at Falinge Park Hall, Falinge Park, Rochdale OL12 6JE (OS grid reference SD891141). See Plan 1 for Site location and Plan 3 for Site Plan.

1.2 Aims

1.2.1 The aims of this ecological assessment were to:

- Identifying potential structures of the buildings that could be used by bats.
- Identifying if there was any evidence of bats around the buildings.
- Providing an assessment of the likely importance of the site for bats and their conservation.
- To confirm the presence or absence of protected species, with a particular emphasis upon bats, within the proposed development site.
- To enable the client to comply with legislation afforded to protected sites and species.

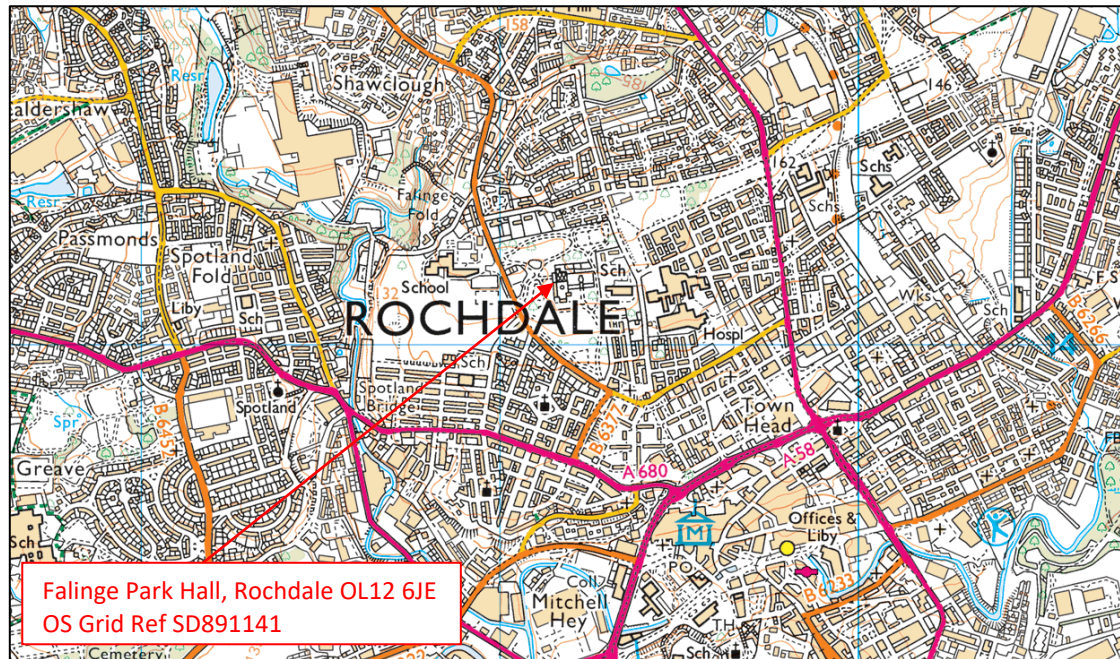
1.2.2 To achieve this, an appraisal of the building and any protected species on the site was undertaken on 12th December 2023. Follow up night-time activity surveys of the buildings were carried on 7th May and 4th June 2024. This submission presents the results of the surveys at the site.

1.3 Site Description and Proposed Works

1.3.1 The Site was located in Falinge Park, to the north of the town centre of Rochdale. The late 18th century buildings were originally the pavilions and stables attached to the main Hall, only the façade of which remains. The surveyed buildings had a footprint of approx. 550m².

1.3.2 The buildings sit within a public park which has mature trees (see Plate 1) and a small water body which offer good immediate foraging opportunities. Beyond the park, the landscape is dominated by urban development although there are pockets of land with good foraging with small, wooded areas including Foot and Hollows Woods and the River Spodden to the west of the Site (see Plan 1).

- 1.3.3 The surveys described in this report were commissioned to inform proposals to undertake reroofing and repair works to these buildings (see Plan 4 and Plan 5).
- 1.3.4 Prior to carrying out such works the local planning authority is obligated to ensure that there is no net loss of biodiversity. This submission presents the results of the survey at the site.



Plan 1: Site Location.



Plan 2: Falinge Park Site Plan



Plan 3: Site Plan with surveyed buildings outlined in red.



Plate 1: General view of the stonework east pavilion at Falinge Hall.



Plate 2: The buildings sit within Falinge Park with mature trees providing good foraging opportunities.

Plan 5: Proposed Floor and Roof Plans.

2.0 SURVEY METHODOLOGY

2.1 Bat Building Inspection

2.1.1 An inspection of the buildings on the site was specifically carried out to search for bats. The building survey was undertaken in accordance with the standard methods described in the 'Bat Worker's Manual' (JNCC 2004) and 'Bat Surveys – Good Practice Guidelines' (BCT 2023). In accordance with best practice, the survey comprised the following elements:

- An inspection of the exterior of the building to look for obvious signs of bat activity (such as droppings) and assessing the potential for entry/exit into the property. Lighting was provided by a Shadowhawk 20,000 lumen LED torch and Black Diamond Men 325 lumen headlamp. Any cracks or inaccessible areas were inspected using a ProVision PV-636 endoscope and/or a DJI Mini 3 camera drone.
- An internal inspection of voids was also undertaken to determine whether bats were present, to look for signs of activity (such as discarded prey items and droppings) and to assess potential suitability for bat species. Lighting was provided by a 20,000 lumen LED torch and 325 lumen headlamp.

2.1.2 The following signs were searched for, as these would indicate bat presence:

- Staining around a hole, caused by natural oils in the bats' fur.
- Stains beneath a hole, caused by bat urine.
- Scratch marks around a hole, caused by bat claws.
- Bat droppings beneath a hole.
- Audible squeaking from within a hole, especially on hot days or at dusk.
- Insects (especially flies) around a hole.

2.1.3 An assessment of the surrounding habitat quality for bats was carried out by walking the area on foot and later from reference to OS maps aerial images (Bing Maps). These searches were used to identify important land use and habitat features known to be favoured by bats.

2.1.1 Where there was evidence bat presence found (e.g., droppings found below a cavity, bats heard inside a feature or observed flying to or from a feature) or actual bat presence, the feature was categorised as a **confirmed** roost.

- 2.1.2 Unless a bat roost was confirmed, once surveyed each structure was categorised into one of four categories, namely high, moderate, low or negligible suitability according to its **potential** to support roosting bats. These categories are determined in line with Bat Conservation Trust guidelines for assessing habitat and feature suitability (see Table 1).
- 2.1.3 Subsequent advice/action would depend on the findings of the building surveys. If potential was found, then subsequent bat activity surveys would be required in accordance with standard methods described in the 'Bat Worker's Manual' (JNCC 2004) and 'Bat Surveys – Good Practice Guidelines' (Bat Conservation Trust 2023).

2.2 Bat Activity Surveys

- 2.2.1 Surveys were undertaken in accordance with the standard methods described in the 'Bat Worker's Manual' (JNCC 2004) and 'Bat Surveys – Good Practice Guidelines' (BCT 2023). In accordance with best practice, the survey comprised the following elements:
- Emergence Survey: Two night-time visits were undertaken to determine if bats were emerging from the building and to assess levels of activity. Activity during the time around and post sunset was observed visually and using Wildlife Acoustics EM Touch with iPads for recording. This equipment not only records the bats but also uses automatic ID software to identify those bats detected.
 - During the surveys, the observers stood at appropriate locations, which were judged to provide the best coverage of the building. From this location, the observers would be expected to hear and also see any bats emerging from the building where roosts were anticipated or likely.
 - Surveys were carried out using night vision aids (NVAs) to support the visual observations and to record emerging bats. These were Canon XA10HD camcorder in infrared mode, Nightfox Red HD Infrared (IR) night vision goggles and a Sony handycam with zero lux nightshot) in combination with IR illumination to enhance observations.

Table 1: Guidelines for assessing the potential suitability of proposed development sites, using BCT Good Practice Guidelines (BCT 2023).

Potential Suitability	Description	
	Roosting habitats in structures	Commuting and foraging habitats
None	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)
Negligible	No obvious habitat features on site likely to be used by roosting bats although an 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 by commuting or foraging bats although an element of uncertainty remains for bats with non-standard behaviour.
Low	A structure or a tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only limited potential (aligns with BS8596: 2015 Surveying for bats in trees and woodland (BSI, 2015).	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated i.e. not very well connected to the surrounding 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.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection conditions (e.g. temperature, humidity, height above ground level, light levels, levels of disturbance) and surrounding habitat but unlikely to support a roost of high conservation status – the assessments in this table are made irrespective of species conservation status, which is established once presence is confirmed).	Continuous habitat connected to the wider landscape that could be used by bats for commuting 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.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by a larger number of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat	Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats 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 watercourse and grazed parkland

2.3 Personnel

- 2.3.1 All surveys were undertaken by Philip Wright MSc CIEEM. Philip is an Ecologist with Simply Ecology Limited who obtained his first degree in Biology from the University of Bath and an MSc in Ecology and Conservation from Lancaster University. He is a member of the North Lancashire Bat Group and is in his seventh season of bat surveying. His wider experience includes conducting botanical surveying and habitat management work with the RSPB and with the Wildlife Trust for Lancashire, Manchester and North Merseyside.
- 2.3.2 Night time activity surveys and report verification was by Jason Reynolds MSc MCIEEM. Jason started Simply Ecology Limited in 2007. Jason is an experienced ecologist who has been continuously employed in the field of nature conservation since 1995 (28 years' experience) and has a wealth of experience in both the statutory nature conservation agencies and private consultancy. During his career has worked in Conservation Officer roles for the Joint Nature Conservation Committee, English Nature, Environment Agency, Cumbria Wildlife Trust and Durham Wildlife Trust prior to setting up Simply Ecology ecological consultancy in 2007, where he is the Lead Ecologist. He has an MSc from The University of Aberdeen and his thesis investigated the relationship between habitat type and complexity and the foraging behaviour of Pipistrelle bats. Jason holds protected species survey licences for all British bats, white-clawed crayfish and great crested newts.
- 2.3.3 Field assistance with the night-time activity surveys was provided by Richard Lowe, Olivia Leversedge and Lucy Thirlwell.
- 2.3.4 Richard Lowe BSc (Hons) PGCE. Richard studied Environmental Management at The University of Central Lancashire and graduated in 1996. He has worked as an ecologist since that time in a variety of consultant roles, including as a Senior Ecologist at ERAP and latterly as a freelance contractor. Richard holds a great crested newt science and education licence. He has a broad range of experience of ecological survey and reporting knowledge, covering habitat mapping, protected species surveys and Environmental Impact Assessments. Richard is also an enthusiastic environmental educator, and regularly takes out school groups in Lancashire for the RSPB in his role as a Field Teacher.
- 2.3.5 Olivia Leversedge BSc (Hons) CIEEM has three seasons' experience conducting emergence, re-entry, hibernation and transect surveys in both urban and rural settings and is a member of South Lancashire Bat Group.

- 2.3.6 Lucy Thirlwell (BSc) has volunteered with the North Lancashire Bat Group for 3 years undertaking bat box monitoring, maternity roost counts and hibernation surveys. She assists with rescue and rehabilitation of bats as well as bat handling training for ecologists.

2.4 Timing and Constraints

- 2.4.1 The building survey was undertaken on 12th December 2023. The timing of the building inspection to search for signs of bats posed no constraints as building inspections can be undertaken at any time of year. An assessment of a building's potential to support bats can therefore be made according to evidence found, building condition, location and the experience of the surveyor.
- 2.4.2 Due to the poor condition of some buildings, there was no possibility of internal access and in some areas suspended ceilings meant that inspection of the underside of the roof was not possible, but, with consideration of the other features of the buildings, this was not considered to prevent a robust conclusion about the potential of the buildings to support roosting bats.
- 2.4.3 The night-time activity surveys of the site were carried on 7th May and 4th June 2024. The surveys were undertaken during the period when bats are known to be active and the weather conditions were considered satisfactory to observe and record any activity of these species at the site (see Table 1). There were no significant obstructions to vision anywhere around the buildings and it was possible to get excellent sight-lines of the structures.

Table 2: Weather conditions during the bat surveys.

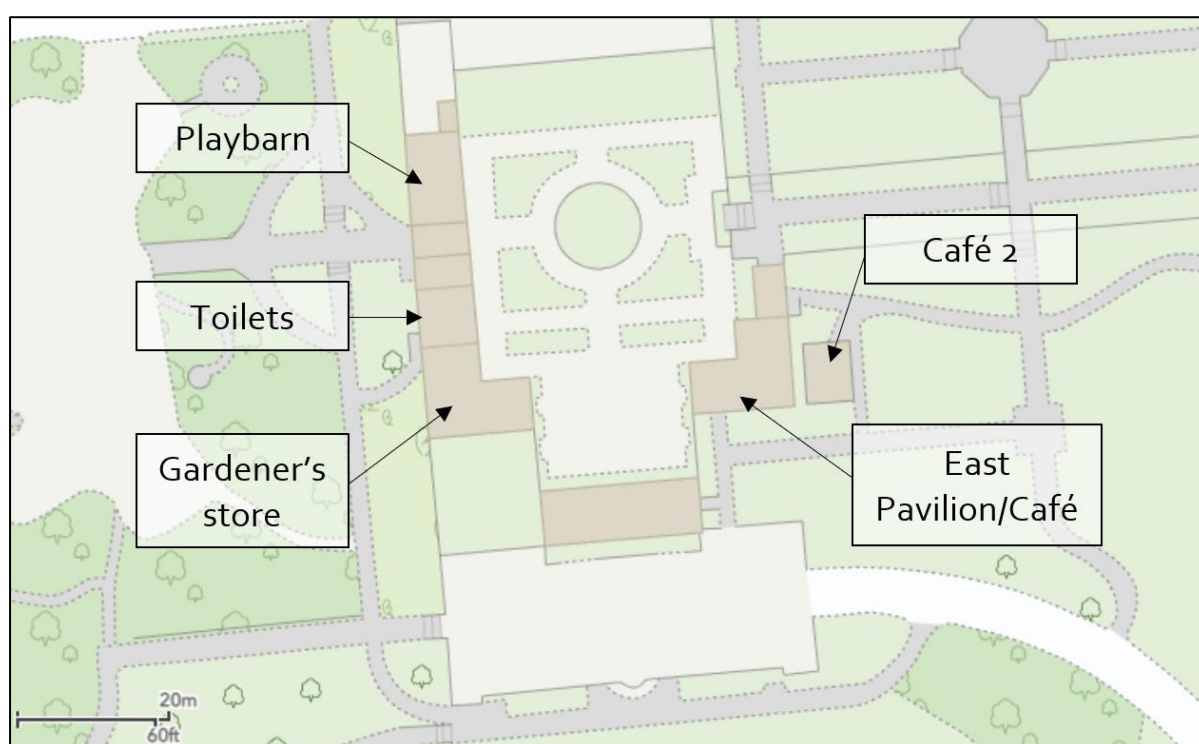
Survey date	Temp at the start of survey	Sunset	Start and finish times	Weather
07/05/2024	14 °C	20:52	20:32 - 22:00	80% cloud cover, still and dry.
04/06/2024	8 °C	21:38	21:15 – 23:00	0% cloud cover, light breeze and dry after rain

3.0 SURVEY RESULTS

3.1 Overview of External Inspection

3.1.1 The buildings were variously of dressed and pointed stone, brick and blockwork. Predominantly the buildings had pitched roofs of overlapping slates although some had pent roofs of corrugated sheeting. The buildings were subject to an external and internal survey for evidence of the presence of bats.

3.1.2 Some of the buildings were in use at the time of survey although their use was partially constrained by their condition.



Plan 6: Layout of the Site, with surveyed buildings identified.

3.1.3 Following a thorough and systematic survey of the buildings, an appraisal of their potential to support roosting bats was made. A 'traffic light' system of generic guidance is provided to clearly indicate to the client the nature of risk associated with bats in each part of the building (see Table 3).

- 'Green light' indicates that no further bat surveys are necessary and the works can commence.
- 'Amber light' indicates that absence of bats cannot be proven, so further investigations are necessary.

- 'Red light' indicates confirmed signs of bats **OR** areas where only summer time bat surveys will suffice to demonstrate presence or absence of bats.

- 3.1.4 Externally, there were opportunities for bat roosting throughout, in the form of gaps under roof tiles, under fascia and in the brickwork for example, across the buildings on Site (see Plate 3 to Plate 24).
- 3.1.5 Apart from the café, all buildings were considered to have at least some potential for roosting bats and one had **evidence of roosting found during the external inspection** (see Plate 9a-c).
- 3.1.6 **In summary**, the site contained numerous buildings which were assessed for signs of bat activity and potential roost features. Numerous PRFs were identified across the various structures, and the suitability of the buildings and the local habitats for bats was considered to be moderate - high. Furthermore, evidence for the use of the Site by bats, in the form of droppings, was found on the west facing wall of the gardener's store/workshop building.
- 3.1.7 Given the presence of droppings, the numerous PRFs and the known presence of bats in the wider landscape, it was not possible to rule out the possibility that bats might use the structures for roosting.

Table 3: Scoping assessment of buildings' potential to support roosting bats.

Building Number	Image	Structure for bats	Potential for bats
#1- East Pavilion		Brick and dressed stone building with a tiled, pitched roof. The internal single void open to wooden sarking boards. Generally intact but with gaps under roof tiles, in the eaves and that allowed access to the internal space.	Amber light: Absence of bats cannot be proven, activity surveys required.
#2 – Café 2		A simple, single storey flat roofed brick-built building. Intact with only narrow gaps under the fascia that offered negligible opportunities for roosting. There were no apparent access points to the internal spaces of the building.	Green light: no further bat surveys are necessary.

#3- Gardener's Store		A double height brick and stone built building with a pitched and hipped roof of slate tiles. Externally, there were numerous gaps under the ridge and hip tiles and there were gaps under slipped and missing tiles. There were more gaps under the fascia boards and, on the western elevation, gaps in the eaves. Droppings were apparent on this aspect of the building (see Plate 9). Where there was internal access (see Constraints) there was a loft void where the underside of the roof as with rafters and roofing membrane visible – the membrane was in fair condition with no apparent access from outside roof.	Red light: confirmed signs of bats; summer time bat surveys were required to determine presence or absence of bats.
#4 – Toilet block		Single height, brick built building which a pent roof of corrugated sheeting. Externally, there were gaps under the fascia boards, in the brickwork and around the stone lintels of the boarded up windows. Internally, access was limited (see Constraints). In places the ceiling had begun to collapse due to rain damage but there were no obvious access points to the internal space for bats.	Amber light: Absence of bats cannot be proven, activity surveys required.

#5 - Playbarn		Double height, brick stable block with a pitched and hipped roof of overlapping tiles. Externally, there were gaps under the ridge tiles and around the large doors which had some roosting potential or offered access to the internal spaces. Internally, the building was, in effect, two separate spaces; to the south there was a discrete loft void where the underside of the roofing membrane and the timber roof supports were visible. To the north the internal space was open to the vaulted ceiling and the underside of the roof was not visible.	Amber light: Absence of bats cannot be proven, activity surveys required.
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3.2 Bat Building Inspection Plates



Plate 3: General view of the roof of the buildings to the west of the site.



Plate 4: The roof ridges were intact but had gaps beneath the tiles that offered roosting opportunities.



Plate 5: Similarly, the hips had small gaps apparent offering potential.



Plate 6: Many of the pitches were intact with no slipped or missing tiles.



Plate 7: However, particularly on the west pavilion, there were areas of slipped and broken tiles gaps.



Plate 8: The roof edges were generally intact although there were gaps beneath the fascia on the newer roof of the East Pavilion.

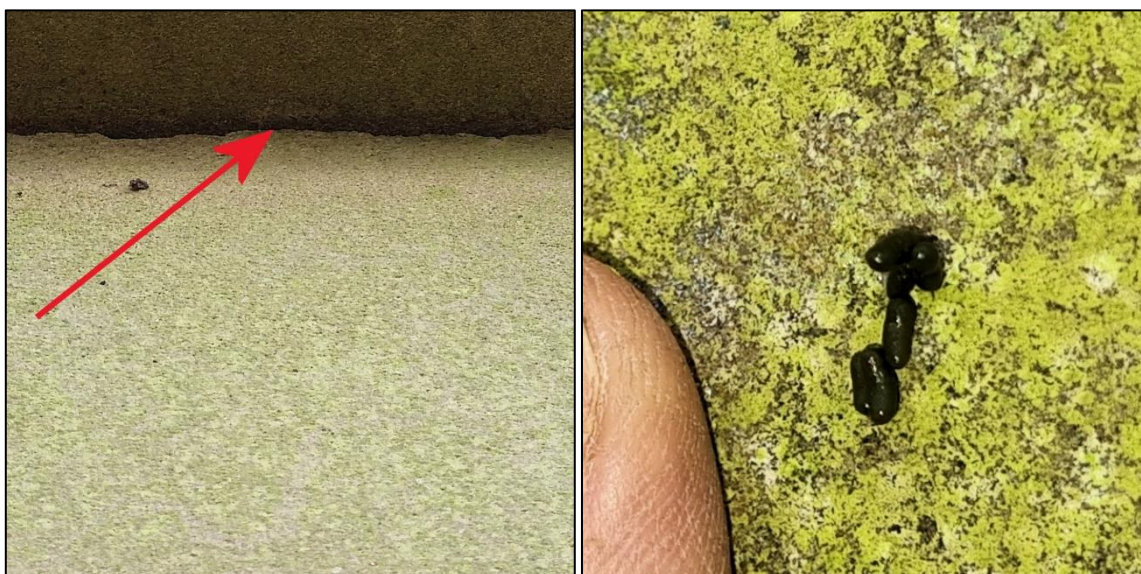


Plate 9a-c: There were notable gaps at the top of the stonework walls - a collection of fresh bat droppings was noted below a gap on the west facing pavilion wall.



Plate 10: The brick and stone blockwork walls themselves were generally intact.



Plate 11: Although mostly intact there were gaps in the pointing of the brick walls that offered roosting potential.

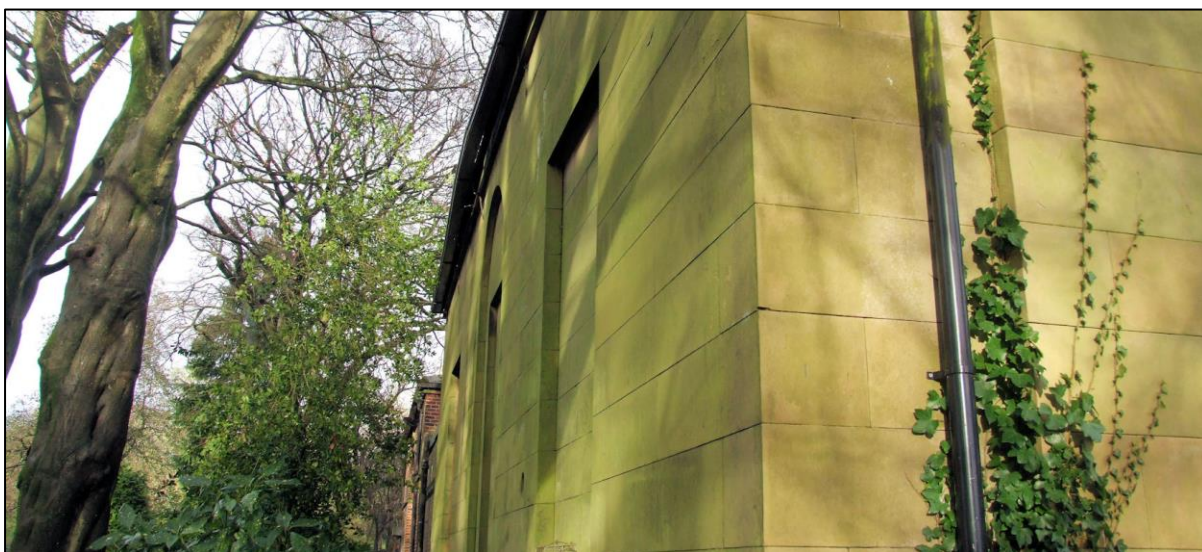


Plate 12: The dressed stone walls had snug joints with no roosting potential.



Plate 13: Although the door frames across the buildings were generally intact, there were large gaps around the doors of the Playbarn that offered potential access to the internal space.



Plate 14: The window and frames had no significant gaps and offered no roosting or access potential for bats.

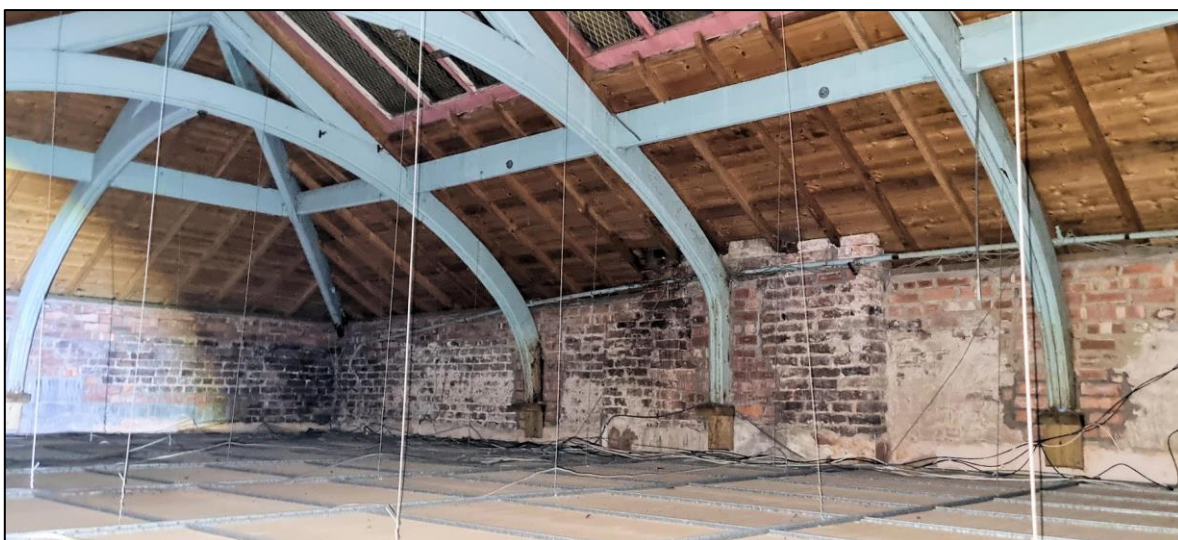


Plate 15: The loft voids were varied in structure and condition, here in the East Pavilion with sarking.



Plate 16: The southern end of the Playbarn had a roof void open to the roofing timbers and membrane.



Plate 17: In the west pavilion the roofing timbers and roofing felt were exposed.



Plate 18: The internal void of the Playbarn was a single space open to a vaulted ceiling.



Plate 19: The underside of the roof of the toilet block was not visible due to the plastered lath ceiling.



Plate 20: The internal walls of the voids had no evidence of bat activity.

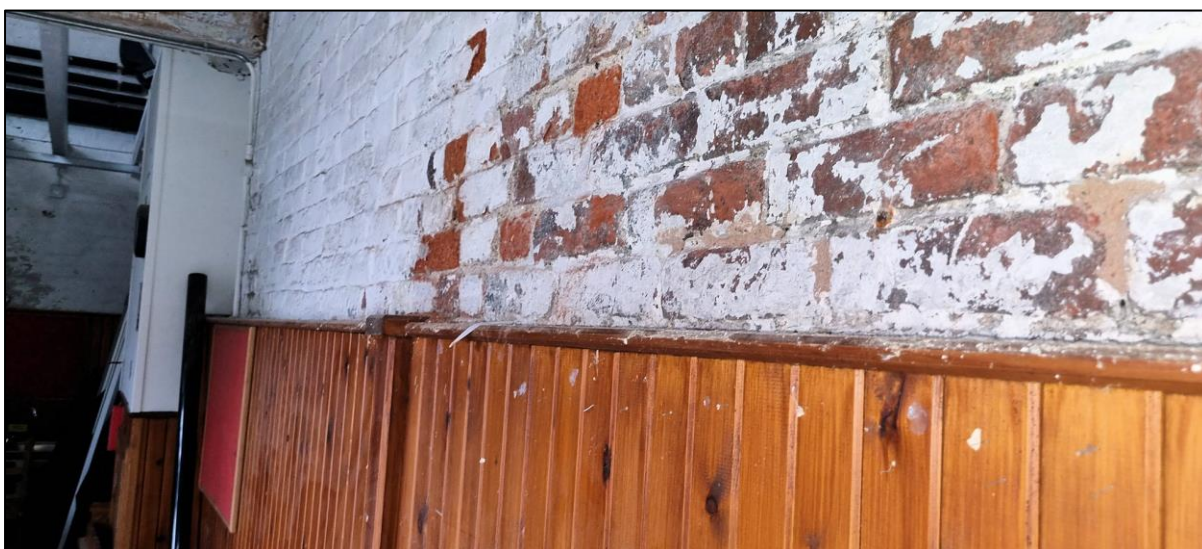


Plate 21: The internal walls of the Playbarn had no evidence of bat activity.



Plate 22: The flat surfaces within the internal voids had no evidence of bat activity.



Plate 23: The suspended ceiling of the east pavilion was intact and prevented bats accessing the rooms below.



Plate 24: Similarly, the suspended ceiling of workshop was intact.

3.3 Dusk Bat Activity Survey #1

- 3.3.1 The dusk bat activity survey of the site was conducted on the 7th June 2024 and commenced 20:32. Only one bat species was recorded during the survey - common pipistrelle (*Pipistrellus pipistrellus*). Very low levels of activity were recorded with infrequent foraging passes recorded around the buildings and in the trees to the west. No more than 3x bats were heard/seen flying at the site at any one time.
- 3.3.2 At 21:03 common pipistrelle activity was recorded; the bat was not seen but did not emerge from the buildings.
- 3.3.3 At 21:08 a common pipistrelle was seen to emerge from a roost beneath flashings on a west facing wall of the East Pavilion (see Plate 25).
- 3.3.4 Pipistrelle foraging was recorded around the buildings and trees until 21:25 and then declined as bats moved away. This is typical behaviour of bats foraging near their roosts.

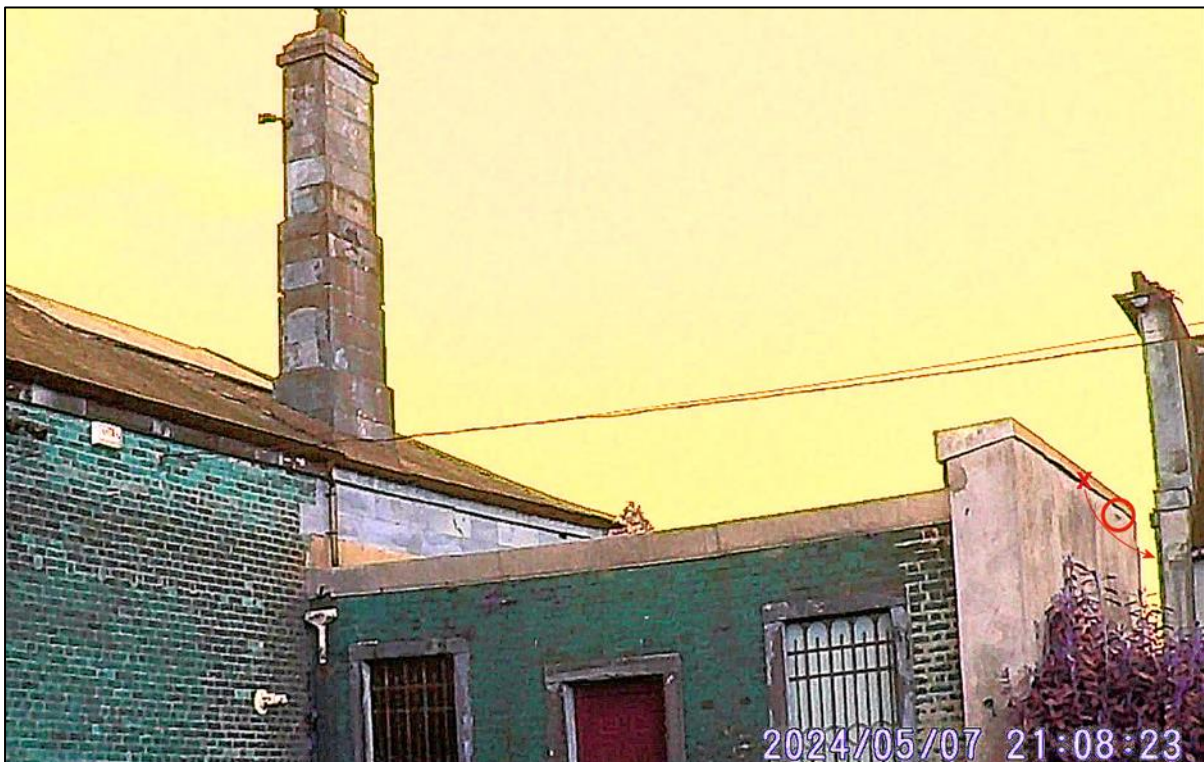


Plate 25: A single common pipistrelle emerged from a roost behind fascia on west facing wall (see Plate 8).

- 3.3.5 No further emergencies were observed and activity continued around the trees to the west of the Playbarn with up to 3 bats observed at any time.
- 3.3.6 **In summary**, low levels of bat activity were recorded and **a single common pipistrelle was observed emerging** from the fascia on the west face of the East Pavilion.

3.4 Dusk Bat Activity Survey #2

- 3.4.1 The second dusk activity survey was undertaken on the 4th June 2024 starting at 21:20; only low levels of bat activity were recorded. Only two bat species were recorded during the survey - common and soprano pipistrelle.
- 3.4.2 At 21:55 a common pipistrelle was recorded over the trees to the west of the target buildings, the bat was not seen but did not emerge from the buildings. Common pipistrelle foraging passes were recorded over the trees throughout the survey, albeit infrequently, until 22:32.
- 3.4.3 At 22:04 a common pipistrelle was observed flying from the east to the west but had not emerged from the target buildings. Further observations and recordings of common pipistrelle were made, although these were predominantly brief and distant, until the end of the survey at 23:00.
- 3.4.4 Passes of soprano pipistrelle were also recorded at the site at 22:28 but these too were brief and distant
- 3.4.5 Although only single common pipistrelle were observed flying at the site, social calls and pitch shifting echolocation calls were recorded, indicative of more than bat being present.
- 3.4.6 Very low levels of activity were recorded and no bats were seen to exit the building.
- 3.4.7 **In summary**, very low levels of activity were observed during the second emergence survey at the Site, with only common pipistrelle and soprano pipistrelle were recorded and no bats were seen to emerge from the buildings.
- 3.4.8 **Overall**, only low levels of common and soprano pipistrelle activity were recorded across the surveys, with activity concentrated over the trees to the west. However, **a single common pipistrelle roost was identified** on the target buildings

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Overview

4.1.1 In December 2024, Simply Ecology Limited was commissioned by Rochdale Borough Council to undertake a surveys for bats at Falinge Park Hall, Falinge Park, Rochdale OL12 6JE. It is understood that the proposed works are to undertake reroofing and repairs to the buildings on site.

4.1 Bats

4.1.1 A bat scoping survey of the buildings was undertaken. Some buildings were in use and heated at the time of survey with some were un-used and in a poor state of repair. The buildings were subject to a thorough external and internal survey.

4.1.2 The search for Potential Roost Features included features such as ridge and roof tiles, eaves and verges and numerous suitable gaps were identified; consequently, the buildings were considered to offer moderate to high roosting suitability. Furthermore, evidence of bat activity was also found on the west facing external wall of the store/workshop in the form of multiple droppings associated with a feature that offered roosting opportunities.

4.1.3 Further night-time activity survey confirmed that a single common pipistrelle (*Pipistrellus pipistrellus*) was roosting beneath the flashings on the west facing aspect of the Café/East Pavilion. Mitigation will be required in order to gain Local Planning Authority permission and subsequent Licensing from Natural England prior to the conversion works going ahead.

4.1.4 Given the known location of the roost it is believed that the proposed works will result in the loss of a single common pipistrelle day roost.

4.1.5 Given the known location of the roost, without mitigation, the proposed extension works could result in impacts upon a day roost for 1x common pipistrelle, a common and widespread species of bat.

- *It is recommended that* a Natural England licence will be necessary in this instance as there will be a small impact upon a known bat roost within the building. Appropriate working methods and mitigation will be necessary and these are detailed in Section 5.0 **Mitigation and Compensation**: Mitigation and Compensation. It is **ESSENTIAL** that the client understands the obligations placed upon them to only carry out these works **AFTER** planning permission has been granted and **WORKING JOINTLY WITH THE APPOINTED**

ECOLOGIST once the necessary Natural England licence has been granted. Reason: This will deliver compliance with: Section 9 (1 & 4) of The Wildlife & Countryside Act 1981 (as amended), Part 3 (43; 1 & 2) of The Conservation of Habitats and Species Regulations 2017 and Section 15 (180-188) of the National Planning Policy Framework (2023).

5.0 MITIGATION AND COMPENSATION

5.1 Mitigation

5.1.1 The mitigation strategy for this site has been designed to meet the test of there being no adverse effect on the favourable conservation status of the bat population affected by the proposed work. National Planning Policy and legislation requires that mitigation addresses the impacts picked up by the site assessment, as follows:

- Quantitative characteristics: There should be no net loss of roost sites, and in fact where significant impacts are predicted there will be an expectation that compensation will provide an enhanced resource compared with that to be lost. The reasoning behind this concept is that the acceptability of newly created roosts by bats is not predictable.
- Qualitative characteristics: the plans should aim to replace like with like. As an extreme example, it would be unacceptable to replace maternity roosts with hibernation sites.
- Functional characteristics: compensation should aim to ensure that the affected bat population can function as before. This may require attention to the environment around the roost.

5.1.2 As it is an offence to destroy or disturb a bat roost it is advised that this work must take place under the terms of a derogation licence issued by Natural England and the mitigation measures to provide alternative roosting sites to replace those destroyed and **MUST** be implemented to ensure legal compliance.

5.1.3 The mitigation measures recommended to the client are as follows; the proposed development will result in loss of an existing roost:

- This could impact upon a day roost for 1x common pipistrelle in the verges on the east facing gable. Therefore, mitigation measures will be required to address associated impacts. Mitigation and compensation strategies are laid out below to enable the planning application to be determined without having a detrimental impact upon bats.

5.2 *In-situ* retention of roosts

5.2.1 It is anticipated that the conversion works will result in the temporary loss and disturbance of the existing roost but that retention of the roost will be possible.

5.3 Impacts on existing roosts

- 5.3.1 Without mitigation, the works are likely to result in the destruction or disturbance of a day roosts for 1x common pipistrelle, which would not be legally compliant. This would have a detrimental impact on small numbers of common and widespread protected bat species.

5.4 Mitigation - Planned timing of works

- 5.4.1 It is considered that the building had no suitable features for hibernating bats, but as good practice the roofing work should avoid taking place during the winter (November to February inclusive) because if bats were found, then the risk of negative impacts would be highest as they are at their most vulnerable. The best times for building or re-roofing operations are spring and autumn.
- 5.4.2 Due to the small number of bats and the possibility of carrying out exclusion, no capture or direct disturbance of bats will be required at this site. Instead, the careful planning and timing of the works to occur between March to October (inclusive) will ensure that direct impacts upon bats will be avoided.

5.5 Mitigation – Exclusion

- 5.5.1 Prior to works being carried out on a given area of the building, bats should be excluded from the known roost location. This should comprise the following elements:
- 5.5.2 A tool-box talk will be delivered to the contractors by the ecologist for this project, so any queries can be fully answered prior to the commencement of work on areas where bats are and could be roosting.
- 5.5.3 No capture of bats is likely to be necessary at this site. Good information on the presence of a bat roost and activity patterns was gathered during the night time surveys. We consider it possible to exclude bats entirely from the working area due to the discrete locations where the affected bat roost was observed and the simple nature of the roost entrance.
- 5.5.4 The licensed ecology personnel will undertake a program of excluding any bats from the roost to be affected.

5.5.5 The exclusion will consist of using a small and light weight one-way plastic bag type exclusion device, pinned over the roost entrance as detailed in the Bat Workers Manual Page 89 (see right; JNCC, 2004).

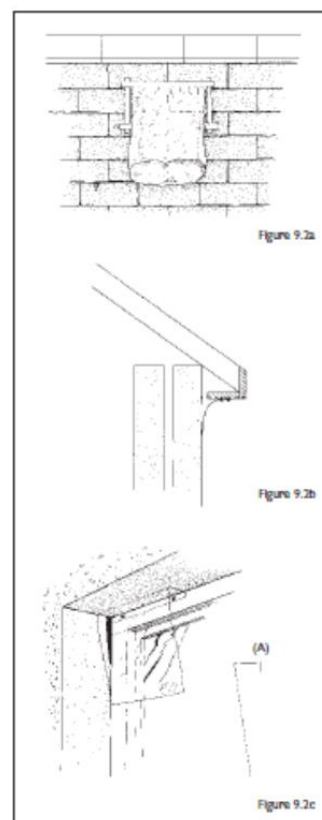
5.5.6 The exclusion apparatus will be left in situ for a minimum of 5 nights of suitable weather conditions (night temperatures above 6° Celsius). Following this period, a repeat emergence survey and endoscopic examination will confirm the absence of bats.

5.5.7 Since the bat will have been effectively excluded, any bat present will have been able to move to the newly installed bat boxes or to roosts off-site. Therefore, with this effective strategy in place, any demolition or works around the roost area can take place without having a detrimental impact on local bat populations.

5.5.8 Once the bat has been excluded, any subsequent works will commence immediately in the presence of a licensed bat surveyor. The licensed bat handler or suitably experienced person (Accredited Agent) will remain on site as the works takes place and for the duration of the period that the roosting area is exposed. In the unlikely event that bats are found during work, (which must then continue in order to weather proof the building), then bats will be removed by hand by the licensed bat handler or suitably experience person (Accredited Agent) and kept in a suitably secure dark box until they can be relocated by hand into the newly installed roosts.

5.5.9 If bats are found elsewhere during the course of the remaining works, all work will stop and the ecological consultant for this project Jason Reynolds Tel: 07754 538437 will be informed prior to work re-commencing. Bats may be removed from high-risk areas by hand, kept in a secure cardboard box with coverings in a quiet area of the site then released at night at the site on warm.

5.5.10 Any injured/sick bats that need treatment for will be delivered to a well-known bat carer, Gail Armstrong, 1 Bottoms Lane, Silverdale, Carnforth, Lancashire. Gail has several bats in her care at any one time and regularly deals with sick and injured bats. Any bats found which are sick and or injured and it is judged that they need external care will be assessed on site and if



necessary, taken to Gail Armstrong for treatment. The risk of sick or injured bats being found at the site is however considered to be negligible.

5.6 Compensation/New roost provision – a strategy for the short and long term

- 5.6.1 In order to compensate for any loss of the small bat roost in the west facing verge, it is advised that roost provision is built into the building redevelopment. This can be incorporated into the developed property in the form of gaps in the verges or underneath the tiles of the roof of the Café.
- 5.6.2 It will be straightforward to incorporate crevice roosts under the flashings of the building similar to the existing gap (see Plate 8) and their creation will be overseen by the Appointed Ecologist. It is anticipated that these roost locations will ensure long term provision for year-round roosting bats. These gaps in the verges will compensate for the loss of the day roost.
- 5.6.3 It is essential that temporary bat roost accommodation is provided on site prior to redevelopment of the building (see Plate 26). This would be in the form of 1x bat box, to be fitted at least 4m above ground on a nearby tree or wall. This should face south-west, south or south-east. If any bats are found during the commencement of construction, then they would be put into the bat box.



Plate 26: 1x tree or wall mounted bat roost will be installed prior to any redevelopment works.

5.7 A notice for contractors

- 5.7.1 In order to cover any residual risk that bats could be present, the following precautionary actions are advised:
- 5.7.2 The contractors should be observant during the work for bats. Bats are opportunistic and may make use of gaps opened up during the work.
- 5.7.3 In the event that any bats are found during the remainder of the works, the client (and any sub-contractor) is reminded of their protected legal status. All works must cease immediately until advice on how to proceed has been sought from the Appointed Ecologist.
- If it is absolutely necessary to remove a bat to avoid it being harmed, gloves should be worn. It should be carefully caught in a cardboard box and kept in the dark in a quiet place until it can be released at dusk near to where it was found, or moved to an undisturbed part of the building, with outside access, and placed in a location safe from predators. **THIS MUST ONLY BE DONE FOR WELFARE CIRCUMSTANCES.** The legal protection afforded to bats does not make this an admissible way to destroy a bat roost. The Appointed Ecologist will advise on steps necessary to ensure legal compliance and working under license if a bat roost is found.

5.8 Post development site maintenance and management

- 5.8.1 Any bat roost locations provided shall not be altered or destroyed without the appropriate statutory mechanisms being followed. Maintenance will not be required as the purpose-built compensation measures stated above are designed for the long term.
- 5.8.2 The site will remain in the management control of the current owners who will be responsible for site management.

5.9 Population monitoring

- 5.9.1 Due to the small number of bats and the limited impact predicted, in line with Natural England Guidelines, no monitoring is planned.

5.10 Mechanism for ensuring site safeguard of mitigation/compensation and post-development management and monitoring works

- 5.10.1 On the basis of survey information, specialist knowledge of the species concerned and understanding of the planning and legal system, we consider that there is no requirement for

the use of a mechanism to ensure delivery of the recommendations of this report other than that which is already required under a Natural England licence.

6.0 REFERENCES

Bat Conservation Trust (2023). *Bat Surveys for Professional Ecologists – Good Practice Guidelines*. Bat Conservation Trust, London.

Joint Nature Conservation Committee Mitchell-Jones, A.J. & McLeish, A.P. [Eds.] (2004). *The Bat Workers Manual (3rd edition)*. Joint Nature Conservancy Council, Peterborough.

Conservation of Habitats and Species Regulations 2017 (as amended)

<https://www.legislation.gov.uk/uksi/2017/1012/contents/made>

Countryside and Rights of Way (CROW) Act

<https://www.legislation.gov.uk/ukpga/2000/37/contents/2023-10-17>

Environment Act 2021

<https://www.legislation.gov.uk/ukpga/2021/30/contents>

National Planning Policy Framework 2023

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf

Natural Environment and Rural Communities Act 2006

http://www.opsi.gov.uk/acts/acts2006/ukpga_20060016_en_1

Wildlife and Countryside Act 1981

<http://www.legislation.gov.uk/ukpga/1981/69/contents>

ANNEX A: STATUTORY AND PLANNING CONTEXT

- A.o.1 The client is advised that many species of British wildlife are legally protected. The following section provides a brief overview of the protection afforded to species commonly encountered during development. The Recommendations at the end of this report will advise as necessary, but it is also useful for the client to have an understanding of the legal protection as this helps to ensure that the law is complied with.

A.1 Badgers

- A.1.1 Badgers are protected under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) (WCA), and the Protection of Badgers Act 1992. It is illegal to:
- Kill, injure, take, possess or cruelly ill-treat a badger or to attempt to do so;
 - Interfere with a badger sett by damaging or destroying it;
 - Obstruct access to or any entrance of a badger sett;
 - Disturb a badger when it is occupying a sett
- A.1.2 A badger sett is “any structure or place that displays signs indicating current use by a badger”. Natural England, the Government’s statutory nature conservation body, classifies a sett as active if it has been occupied within the last 12 months.
- A.1.3 Operations that might cause disturbance of an active sett entrance can be carried out under licence from Natural England. If any badgers are found during the course of the survey, this will be highlighted in this report.

A.2 Birds

- A.2.1 All wild birds are protected against killing or injury under The WCA 1981 (as amended). This protection extends to bird’s nests during the breeding season, which makes it an offence to damage or destroy nests or eggs. Birds that are listed on Schedule 1 of the Act receive additional protection against intentional or reckless disturbance during the breeding season. This makes it an offence to disturb these species at or near to their nesting site.

A.3 Protected Species (includes bats, otter, hazel dormouse, great crested newts, and others)

- A.3.1 The client is advised that all bats and great crested newts are European Protected Species (EPS). These EPS are protected under legislation in England and Wales via the Conservation of Habitats and Species Regulations 2017 (as amended) (Regulation 43). A full list of PS is provided in Schedule 2 of the Regulations. In addition, these PS also receive the protection of the Wildlife and Countryside Act 1981 (as amended) in respect of Section 9 (4)(b & c) and (5).
- A.3.2 If both national and international legislation are taken together, the legislative protection afforded to these species makes it an offence to:
- Intentionally/ deliberately kill, disturb, injure or capture them.
 - Intentionally or recklessly damage, destroy or obstruct access to any breeding site or resting place.
 - Possess or control any live or dead specimen or anything derived from a European Protected Species.

- A.3.3 If an activity is likely to result in any of the above offences, derogation from the legal protection can be issued in the form of a European Protected Species licence issued by Natural England. Licences for development purposes are issued under The Conservation of Habitats and Species Regulations (2017) and only allow what is permitted within the terms and conditions of the licence. If any EPS are found during the course of the survey, this will be highlighted in this report.

A.4 Protected Mammals and Reptiles (includes water vole, red squirrel, reptiles and others)

- A.4.1 All native reptiles and a variety of British mammals also receive protection under The WCA 1981 (as amended). Schedule 5 of The WCA lists animals that are protected. The degree of protection varies. Water voles and red squirrel are examples of species with full protection. The Act makes it an offence to intentionally kill, injure, take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.
- A.4.2 All native reptiles in the UK are protected. The commoner species such as grass snake, common lizard, slow worm and adder are protected only from unlawful killing and injuring. In practice this may require a reptile protection scheme before implementing a planning permission but no specific licence is required. Sand lizard and smooth snake listed as EPS (see A3.3 above).
- A.4.4 If any protected species are found during the course of the survey, this will be highlighted in this report.

A.5 Non-native invasive species

- A.5.1 A number of non-native plant species growing wild in the UK are listed on Schedule 9 of the WCA due to their invasive nature and the detrimental impact they can have on native habitats and wildlife. This legislation makes it an offence to plant or otherwise cause to grow in the wild any plant species which is included in Part II of Schedule 9.
- A.5.2 This legislation should be considered during site clearance works which could lead to the spread of Schedule 9 listed plant species from the site if plant material is not properly handled and disposed of. Development proposals should also consider the removal of invasive species from areas of site that would otherwise remain unaffected by works in order to avoid the risk of these invasive plants spreading from the site in the future and enhance habitats within the site. This would in turn free up space for wildlife friendly planting, prioritising use of native species within planting schemes where appropriate.

A.6 Planning Considerations

- A.6.1 When considering each planning application, the presence of protected species, such as those listed above, is a material consideration which must be fully considered by the Local Authority when granting planning permission. If a licence from Natural England is required, then prior to issuing any planning consent, the local planning authority will need to be satisfied that there is no reason why such a licence would not be issued. Therefore, in reaching the planning decision the local planning authority will need to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017. The three licensing tests given in the Regulations must be considered. In summary, these are that:
1. The development is required for the purpose of:
 - Preserving public health or public safety;

- For other imperative reasons of over-riding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
 - For preventing serious damage to property.
2. There is no satisfactory alternative.
 3. The proposal will not be detrimental to the maintenance of the population of the species at a favourable conservation status.
- A.6.2 All necessary information would need to be provided to the planning authority as part of the planning application in order to address the above tests.
- A.6.3 The Natural Environment and Communities Act (NERC Act) 2006 extended the biodiversity duty set out in the Countryside and Rights of Way (CROW) Act to public bodies and statutory undertakers to ensure due regard to the conservation of biodiversity. The Duty is set out in Section 40 of the Act, and states that:
- "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"
- A.6.4 The Duty applies to all local authorities, community, parish and town councils, police, fire and health authorities and utility companies. Section 41 (S41) of this Act (the 'England Biodiversity List') also requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. This list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40(1) of the Act.
- A.6.5 Also, a key piece of policy which Local Authorities must follow the National Planning Policy Framework (NPPF) which provides guidance on the interpretation of the law in relation to wildlife issues and development. For each development proposal considered by the Local Planning Authority the NPPF states that the authority must aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

UK Biodiversity Action Plan (UK BAP)

- A.6.6 The UK BAP, which was first published in 1994, was the UK government response to the 1992 Convention on Biological Diversity. It sets priorities for nationally important 'priority species' and 'priority habitats'. Each species and habitat action plan has costed actions and targets, and is used to inform the compilation of national lists such as the Section 41 List described above.