



Bat Emergence and Re-entry Surveys

Land at The Blue Bell Inn, 39 High Street and No's 37 High Street and 2A Main Street, Desford,
Leicester, LE9 9JF

Central England Co-operative and Everards Brewery Ltd

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation, and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary, and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

Executive Summary

Arbtech Consulting Ltd was instructed by Central England Co-operative and Everards Brewery Ltd to undertake Bat Emergence and Re-entry Surveys (BERS) at Land at The Blue Bell Inn, 39 High Street and No's 37 High Street and 2A Main Street, Desford, Leicester, LE9 9JF (hereafter referred to as "the site"). The survey was required to inform a planning application for change of use from café (Class E) and residential (Class C3) to convenience food store (Class E), alongside demolition of existing single-storey element to rear of 37 High Street/2A Main Street and store to rear of public house, erection of two-storey side extension to 37 High Street/2A Main Street, alongside two-storey rear and single-storey rear extensions and improvements to existing car park and associated landscaping (hereafter referred to as "the proposed development").

The following is work you will need to commission to comply with planning policy and legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 2 of this report.

Feature	Survey Results Summary	Impact Assessment	Recommendations
Building 1	A likely absence of roosting bats is confirmed from building 1. No bats were observed exiting or entering the building, nor flying within close proximity to the building.	Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on bats in this location as a result of the proposed development. However, bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time. If there is a long delay in works occurring, over 6 months, a further inspection may be required. The proposed development may include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.	In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice. A low impact lighting strategy will be adopted for the site during and post-development, which is detailed in Table 2.
Birds	Birds could use the ornamental shrubs for nesting.	Ornamental shrubs will be removed and/or pruned during construction. The loss of such habitats is likely to be inconsequential to local bird populations owing to their low value and the presence of more extensive habitat locally. However, the proposed development could result in the destruction or the disturbance and subsequent abandonment of active bird nests.	Shrub clearance or pruning should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the vegetation should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.

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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Central England Co-operative and Everards Brewery Ltd to undertake Bat Emergence and Re-entry Surveys (BERS) at Land at The Blue Bell Inn, 39 High Street and No's 37 High Street and 2A Main Street, Desford, Leicester, LE9 9JF (hereafter referred to as "the site"). The survey was required to inform a planning application for change of use from café (Class E) and residential (Class C3) to convenience food store (Class E), alongside demolition of existing single-storey element to rear of 37 High Street/2A Main Street and store to rear of public house, erection of two-storey side extension to 37 High Street/2A Main Street, alongside two-storey rear and single-storey rear extensions and improvements to existing car park and associated landscaping (hereafter referred to as "the proposed development"). A plan showing the proposed development is provided in Appendix 1.

The aim of the BERS was to determine the presence or likely absence of roosting bats and to characterise any roosts present. This has been undertaken with due consideration to the "Bat Surveys for Professional Ecologists — Good Practice Guidelines" publication (Collins, 2016).

The BERS have been informed by a Preliminary Ecological Appraisal and Preliminary Roost Assessment (PEA PRA) which was completed by Lizi Pimlott BSc (Hons) MSc MCIEEM MRSB on 5th June 2023. Lizi holds Natural England survey licences for bats (class 2 ref: 2016-22843-CLS-CLS). B1 is concluded to have low roost value for bats, specifically due to the presence of a small number of gaps on the roof which could be utilised by crevice dwelling species. Due to the urban location of the site with limited connecting green space, this is likely to be restricted to occasional or transient use by small numbers of urban tolerant species such as pipistrelles. The building is unsuitable for void dwelling species due to a lack of accessible voids.

1.2 Site Location and Landscape Context

The site is located at National Grid Reference SK 47891 03376 and has an area of approximately 0.2ha comprising the grounds of the Blue Bell Inn and a separate building containing a café and a residential dwelling. The site lies to the north of High Street in central Desford, surrounded by urban development. Green space in the immediate vicinity is limited to gardens and street trees but this gives way to arable land with boundary trees, ditches, and hedgerows approximately 180m north. The wider landscape surrounding Desford is overwhelmingly agricultural with scattered settlements and occasional small pockets of woodland and ponds. A site location plan is provided in Appendix 2.

1.3 Scope of the Report

This report provides a description of the bat activity observed and recorded during BERS. The aim of the surveys was to determine the presence or likely absence of bats and to characterise any roosts present including species, number of individuals, number, and location of roost access points, and to gain an understanding of how bats use the site. The report provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any mitigation proposals, including a European Protected Species Licence (EPSL), where appropriate, to achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- BERS of the built structure has been undertaken to determine the presence or likely absence of bat roosts.
- An outline of potential impacts on any confirmed or unidentified roosts has been provided, based on the proposed development.

- Recommendations for mitigation have been made, along with advice on the requirements for a European Protected Species Licence (EPSL) application if appropriate.
- Opportunities for the enhancement of the site for roosting, foraging and commuting bats have been set out.

2.0 Methodology

2.1 BERS

One BERS, comprising a single dusk emergence survey was undertaken of building 1, as per the recommendations from the Preliminary Roost Assessment. The survey involved two surveyors positioned around the building ensuring that all elevations and roof sections with suitable roosting features could be clearly observed. Particular attention was paid to the areas of the building identified as providing suitable access points to bat roosts. Each surveyor was assigned an area of the building to observe for the duration of the survey.

Surveyors used heterodyne and frequency division bat detectors, and Echo Meter Touch detectors connected to iPads or Android tablets. Bat echolocation calls recorded during the surveys were analysed using Wildlife Acoustics sound analysis software Kaleidoscope V3.1.7 when required. The Echo Meter Touch includes an auto ID function for bat species; however, this is not 100% accurate and further post-survey sound analysis is often required to confirm species that could not be identified by the auto ID software during the survey. Surveyors also used head torches, survey record sheets and pens/pencils for recording all activity observed during the surveys. Each surveyor was also provided with a handheld radio for communication between surveyors to assist with confirming ambiguous bat activity e.g., a bat emergence or a bat passing over the building.

One infrared recording kit was set up to monitor the building during the BERS. This comprised Nightfox Red Goggles set up on a tripod with two separate infrared lamps to provide additional illumination. Analysis of the footage was subsequently undertaken to detect roosting activity.

Dusk emergence surveys commenced 15 minutes before sunset and continued for 1½ - 2 hours after sunset – depending upon bat activity and surveyor visibility.

Surveys were completed during optimal weather conditions i.e., when temperatures were above 10°C, with no rain or strong winds (greater than 5m/s), as these adverse weather conditions can impact upon bat emergence and foraging behaviour. Periods of high moon illuminance (>80%) were also avoided insofar as possible as this can reduce bat activity.

2.2 Surveyors

A total of two surveyors were used to cover building 1. The name, bat licence details or level of bat survey experience and the designated position of each surveyor during each survey is detailed in the tables in Section 3.1 below and shown on the plan in Appendix 3.

2.3 Bat Roost Characterisation

When bat roosts are present, the bat surveys undertaken at a site facilitate the characterisation of the roost type. This allows for appropriate mitigation and compensation to be designed to inform a European Protected Species Licence (EPSL) application to Natural England.

The definitions of bat roost types are provided below, taken from the *Bat Mitigation Guidelines* (English Nature, 2004) and the Bat Conservation Trust (BCT) publication *Bat Surveys for Professional Ecologists – Good Practice Guidelines* (Collins, 2016).

Day roost: a place where individual bats, or small groups of males, rest or shelter in the day but are rarely found by night in the summer.

Night roost: a place where bats rest or shelter in the night but are rarely found in the day. May be used by a single individual on occasion or it could be used regularly by the whole colony.

Feeding roost: a place where individual bats or a few individuals rest or feed during the night but are rarely present by day.

Transitional / occasional roost: used by a few individuals or occasionally small groups for generally short periods of time on waking from hibernation or in the period prior to hibernation.

Swarming site: where large numbers of males and females gather during late summer to autumn. Appear to be important mating sites.

Mating sites: sites where mating takes place from later summer and can continue through winter.

Maternity roost: where female bats give birth and raise their young to independence.

Hibernation roost: where bats may be found individually or together during winter. They have a constant cool temperature and high humidity. Sites where hibernating bats have been confirmed by appropriate survey effort should be classed as 'hibernation confirmed'.

Satellite roost: an alternative roost found in close proximity to the main nursery colony used by a few individual breeding females to small groups of breeding females throughout the breeding season.

Other: roost types are interchangeable and not always easy to classify according to the nuances of certain species.

2.4 Limitations

This survey follows best practice guidance to confirm presence or likely absence of roosting bats and where present, characterise the roost. However, this information is collected at finite dates and times, and provides an indication of the conditions on site only. The use of the building, and the site as a whole by bats, at all times cannot be established based on this information.

Bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time.

There were no specific limitations to the survey.

3.0 Results and Evaluation

3.1 Survey Results

The results of the survey are provided in the table below and shown on the plan in Appendix 3.

Table 1: Survey results

Date		05/07/2023	
Building inspection prior to survey		The external roost features identified during the PRA were subject to an inspection prior to the BERS to check for evidence of roosting bats. No droppings were observed attached to the exterior of the building.	
Start and end times.		21:15 – 23:00 Sunset: 21:30	
Weather conditions		Start: Temp: 16°C Relative Humidity: 69% Cloud Cover: 70% Wind: 6mph Rain: None	End: Temp: 14°C Relative Humidity: 84% Cloud Cover: 80% Wind: 0-5mph Rain: None
Surveyor (position) As shown in Appendix 3		Nick Smith – 2 years bat survey experience - Position 1 – observing the north-western and southern elevation and roof structure of B1. Georgia Knight - 1 year's bat survey experience - Position 2 – observing the north-eastern elevation and roof structure of B1	
IR position As shown in Appendix 3		Position 1 - observing the north-eastern elevation and roof structure of B1.	
Building reference	Surveyor position	Notes/observations: There were no emergencies or re-entries observed during the survey or detected on the IR footage post-survey. Low levels of bat species were observed foraging and commuting around the property in very low numbers.	
B1	1	At 22:00 a common pipistrelle was seen to pass south to north. Noctules passing overhead in low numbers were detected and one myotis species passed at 22:03.	

B1	2	The first bat activity was a soprano pipistrelle at 21:50 which was heard but not seen. A common pipistrelle was observed flying south to north in front of the building at 22:05. Activity was very low for the remainder of the survey with no visible passes and pipistrelles and noctules detected.	
Building reference	IR position	Notes/observations: The IR footage was studied post survey and no emergences were observed.	
B1	2	The infrared camera was adjacent to surveyor 2 position due to the additional features. No bats were observed exiting the building or re-entering during the survey. No emergences seen. No bat activity seen. Intermittent recording from IR camera. No footage between 22:03-22:18. Glare from streetlight turned on at 21:36 in bottom right of camera view, does not impact view of the building. From 22:47-22:59 lighting in area impairs view of features on building.	
Other observations		No birds were observed within or around the perimeter of the building during the survey.	

4.0 Conclusions, Impacts and Recommendations

Taking the field survey results into account, Table 2 presents an evaluation of the value of the building for roosting bats in relation to the proposed development which will comprise the application for change of use from café (Class E) and residential (Class C3) to convenience food store (Class E), alongside demolition of existing single-storey element to rear of 37 High Street/2A Main Street and store to rear of public house, erection of two-storey side extension to 37 High Street/2A Main Street, alongside two-storey rear and single-storey rear extensions and improvements to existing car park and associated landscaping.

Table 2: Evaluation of buildings on site for roosting bats

Building Ref	Survey Results Summary	Impact Assessment	Recommendations	Biodiversity Enhancement Opportunities ¹
Building 1	A likely absence of roosting bats is confirmed from building 1. No bats were observed exiting or entering the building, nor flying within close proximity to the building.	Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on bats in this location as a result of the proposed development. However, bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time. If there is a long delay in works occurring, over 6 months, a further inspection may be required. The proposed development may include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.	In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice. A low impact lighting strategy will be adopted for the site during and post-development, which will include the following measures: • Light spill on to surrounding vegetation around the boundary should be avoided. • Use narrow spectrum light sources to lower the range of species affected by lighting. • Use light sources that emit minimal ultra-violet light. • Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue shortwave length content they should be of a warm / neutral colour temperature <4,200 kelvin. • Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal. • Light spill will be reduced via the use of low-level lighting used in conjunction with hoods, cowls, louvers, and shields. Lights will also be	The installation of two bat boxes at the site will provide additional roosting habitat for bats. The bat boxes will be installed on retained buildings or any tall fence posts installed along the site boundary near vegetation. Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light. The bat boxes will be a specification suitable for crevice dwelling bats like pipistrelles such as Improved Crevice Bat Box by NHBS or a similar alternative brand.

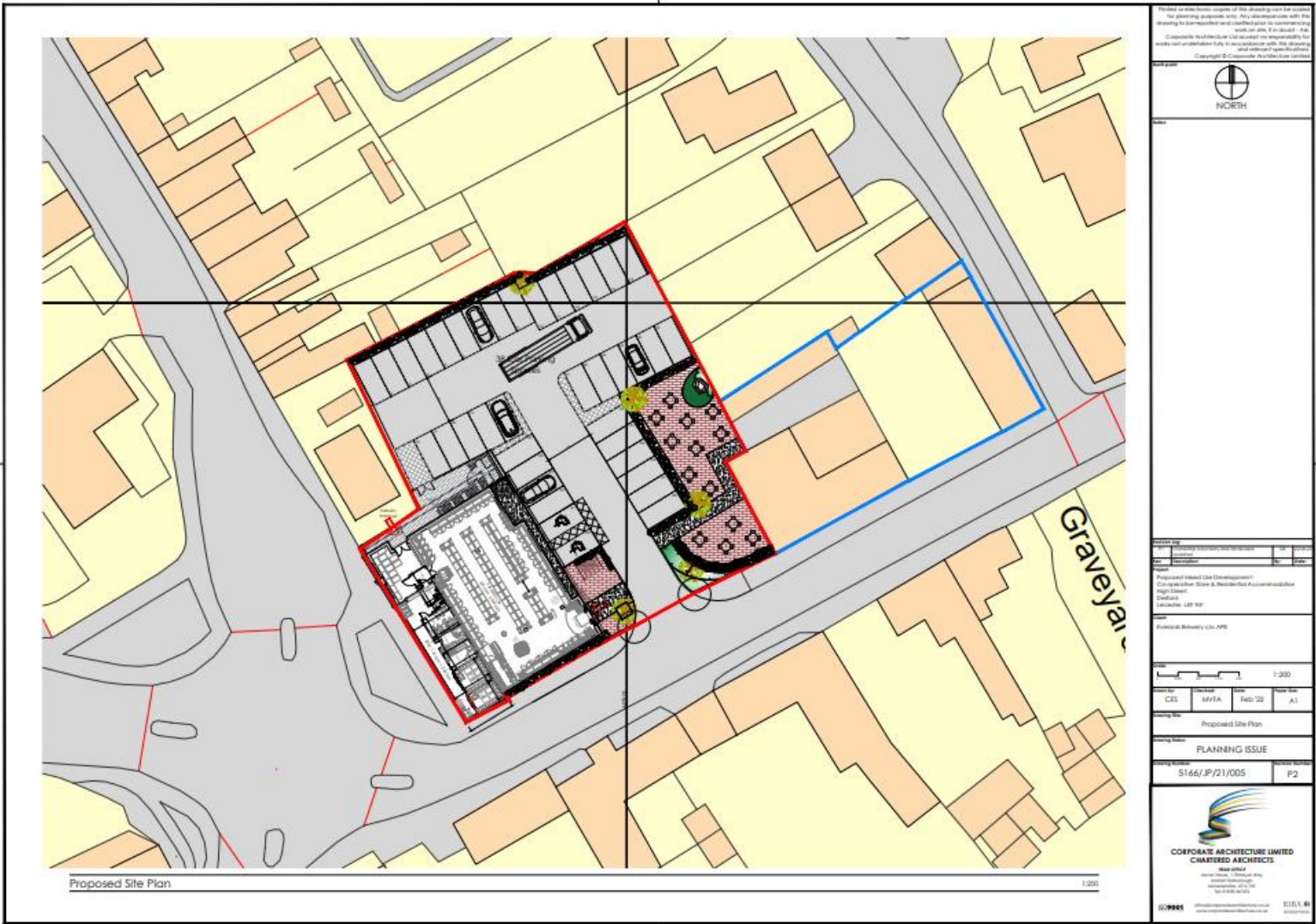
¹ The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021).

			directional to ensure that light is directed to the intended areas only. • External lighting will be on PIR sensors that are sensitive to large objects only (so that they are not triggered by passing bats) and will be set to the shortest time duration to reduce the amount of time the lights are on. • Wall lights and security lights will be 'dimmable' and set to the lowest light intensity settings. There are several products on the market that allow the control of the light intensity and the duration that the lights are on. All lighting on the developed site will make use of the most up to date technology available.	
Birds	Birds could use the ornamental shrubs for nesting.	Ornamental shrubs will be removed and/or pruned during construction. The loss of such habitats is likely to be inconsequential to local bird populations owing to their low value and the presence of more extensive habitat locally. However, the proposed development could result in the destruction or the disturbance and subsequent abandonment of active bird nests.	Shrub clearance or pruning should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the vegetation should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.	The installation of two bird boxes at the site will provide additional nesting habitat for birds. The bird boxes should be installed on the new food store or the pub. The bird boxes should be positioned on an external wall 3m above ground level where they will be sheltered from prevailing wind, rain, and strong sunlight. A specification suitable for common bird species such as blue tits or robins should be chosen.

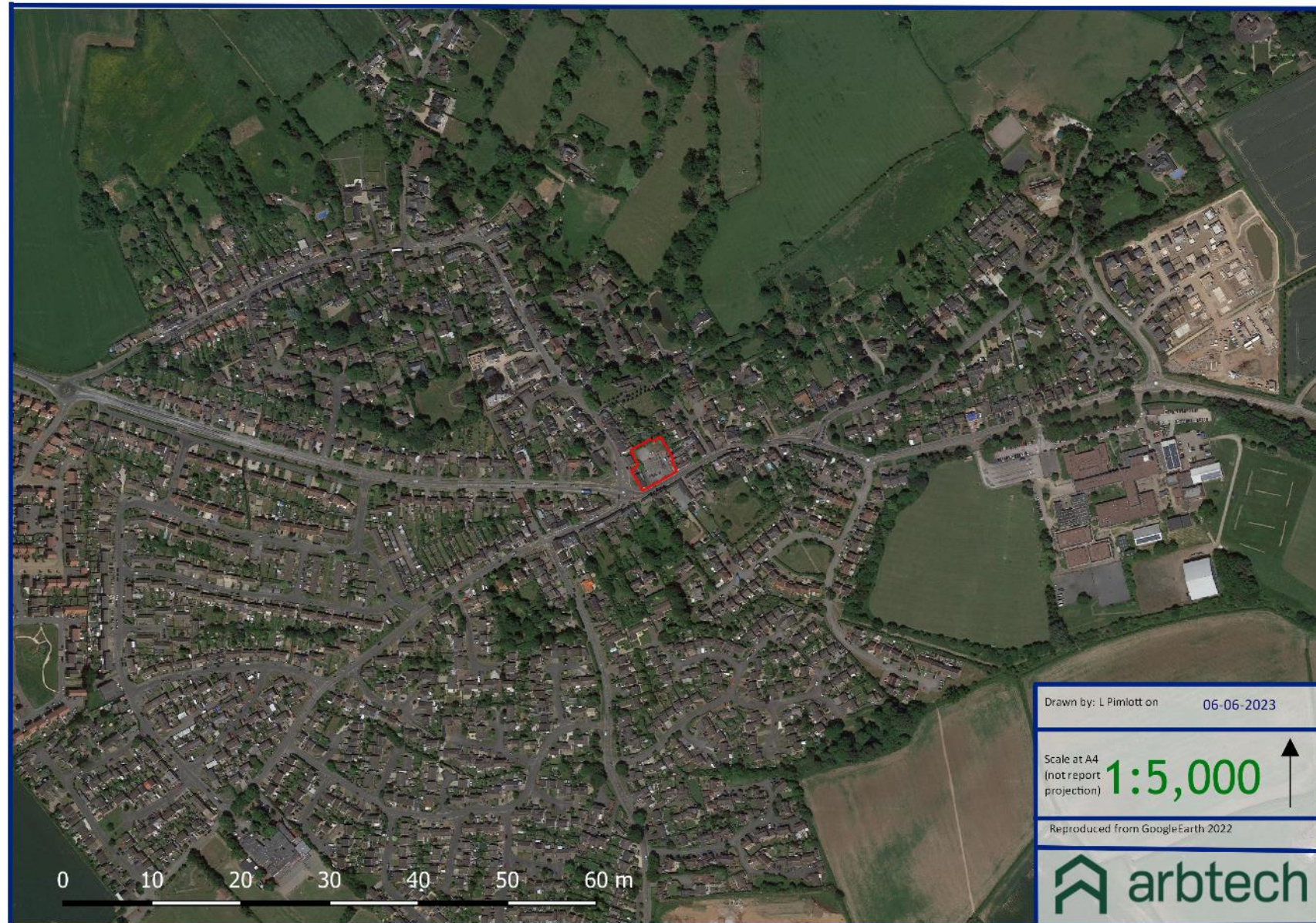
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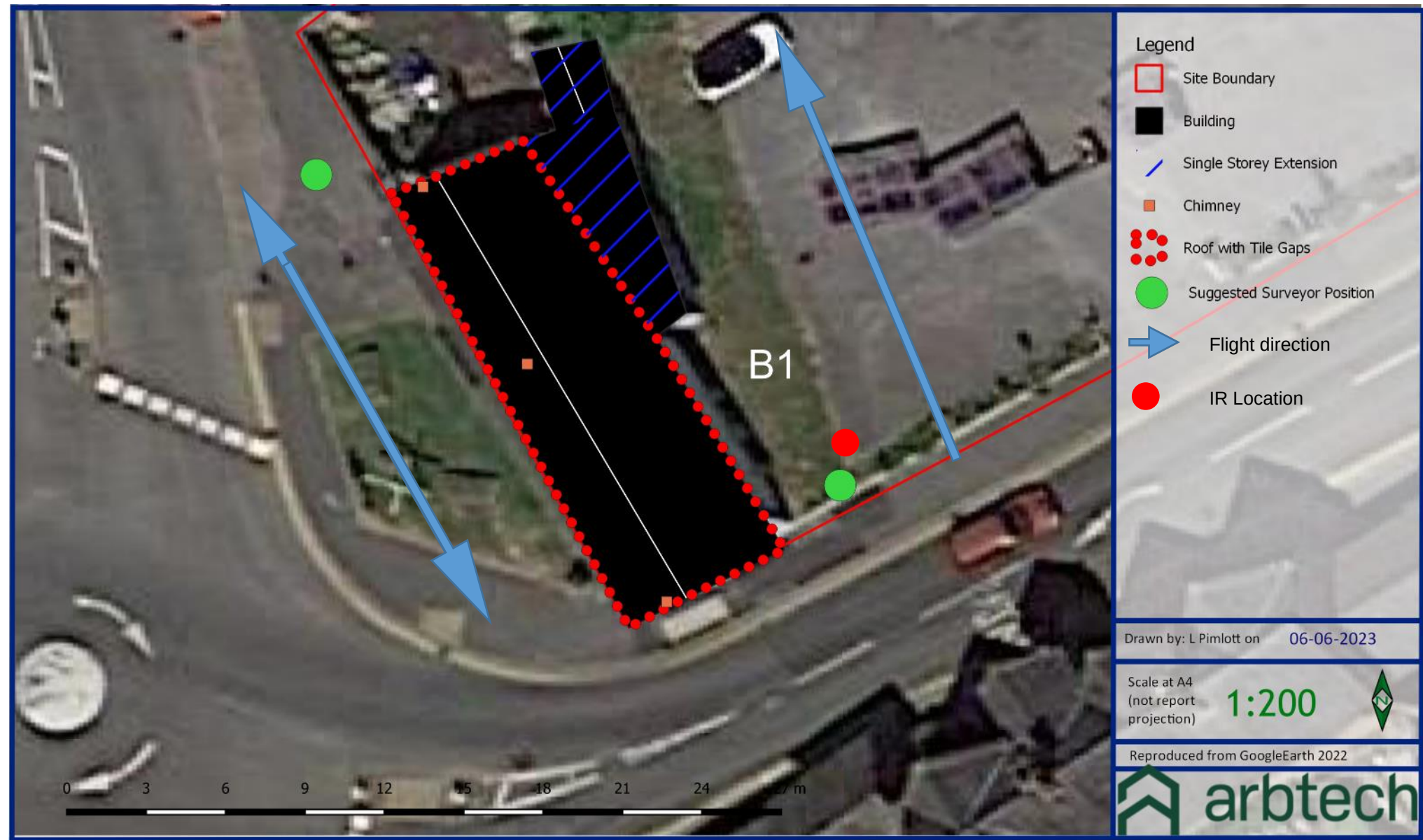
Appendix 1: Proposed Development Plan



Appendix 2: Site Location Plan



Appendix 3: BERS Plan



Appendix 4: Legislation and Planning Policy Related to Bats

LEGAL PROTECTION

All species of bat are fully protected under *The Conservation of Habitats and Species Regulations 2017* (as amended) through their inclusion on Schedule 2.

Regulation 43: Protection of certain wild animals - offences

(1) A person is guilty of an offence if they:

- (a) Deliberately captures, injures, or kills any wild animal of a European protected species,
- (b) Deliberately disturbs wild animals of any such species,
- (c) Deliberately takes or destroys the eggs of such an animal, or
- (d) Damages or destroys a breeding site or resting place of such an animal,

(2) For the purposes of paragraph (1) (b), disturbance of animals includes in particular any disturbance which is likely—

- (a) To impair their ability:
 - (i) To survive, to breed or reproduce, or to rear or nurture their young; or
 - (ii) In the case of animals of a hibernating or migratory species, to hibernate or migrate; or
- (b) To affect significantly the local distribution or abundance of the species to which they belong.

Bats are also protected under the *Wildlife and Countryside Act 1981* (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering, or exposing for sale, possession or transporting for purpose of sale

NATIONAL PLANNING POLICY

National Planning Policy Framework 2021

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration, and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by Natural England will be required for works likely to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g., survive, breed, rear young and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficiency/success to be monitored. The legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded *de facto* protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost (Garland & Markham, 2008).

There are 17 species of bat breeding in England and Natural England issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

Licences are issued for specific purposes stated in the Regulations, if the following three tests are met:

- The purpose of the work meets one of those listed in the Habitats Regulations (see below);
- That there is no satisfactory alternative;
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range

The Habitats Regulations permits licences to be issued for a specific set of purposes including:

- include preserving public health or public safety or 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;
- scientific and educational purposes;
- ringing or marking; and,
- conserving wild animals.

Development works fall under the first purpose and Natural England issues bat mitigation licences for developments.

EUROPEAN PROTECTED SPECIES POLICIES

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.