C.B.E. Consulting

Protected Species Survey
23 Bradgate Road
Hinckley
Warwickshire
(SP 438 945)

DEVELOPMENT
SERVICES

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On behalf of:
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Report Contents

Contents

1. Introduction
    - 1.1 Site Description and Location
    - 1.2 Neighboring Land Uses
2. Survey Context
    - 2.1 Protected Species
    - 2.2 Legal Constraints
3. Survey Methodology
4. Survey Findings
5. Conclusions and Recommendations

Appendices

Appendix 1 - Site Location Plan
Appendix 2 – Photographs of external and internal structures
Appendix 3 – Proposed development details
Appendix 4 – map of nearby sites with known ecological interest

1. Introduction

1.1 Site Description and Location

The site being appraised comprises of detached, brick built residential house located at NGR SP 438 945. The building has a tiled pitched roof segregated into four divided pitches all of which are internally linked. The building is of significant size with an open internal roof structure of wooden beams and no internal dividing walls. The building has a twin wall brick structure with an internal wall void between the brick courses. Whilst the roof area is lagged the tiles have no under-felting or sarking.

An inspection of the site, the immediate surrounding area and the internal structure of the building was carried out on 21 January 2010.

The objective of this survey is to identify any evidence or indication that the building is being used by protected species, in particular Bats and Birds. This information is required to provide baseline ecological information utilizing appropriate survey methodology to determine whether any potential ecological impact may arise from the partial redevelopment of the building to facilitate an extension to the property. A planning application is to be submitted to the Local Planning Authority to this effect.

1.2 Neighboring Land Uses

The house is situated in an established residential area that is well lit to the front. However, to the rear (north east) is a large open parkland area. The site has a number of mature and semi-mature trees and whilst there are no water features within the property the neighbouring houses have mature trees and one to the north has a large open pond. Within the surrounding land lies a mosaic of habitats including woodland edge, ponds and open grassland. The habitat would appear to be of reasonably good quality in terms of providing foraging for bat and bird species at the rear of the property.

Discussion with the occupier confirms that bats are rarely seen in the vicinity of the house at twilight. The garden to the front and rear are lighted with large external security lights that will not encourage bats.

2. Survey Context

2.1 Protected Species

Available records within the National Biodiversity Network have been reviewed to identify any published records of protected species within the 10km square occupied by the site. Records obtained from the Leicestershire Environmental Records Centre for a site only 400m away have been reviewed to identify any published records of protected species within the 1km square occupied by the site.

It is clear from the data reviewed that the property at Bradgate Road site is not close to any sites of significant biological importance. The nearest sites of ecological interest are a pond located 250m to the west that is of parish level importance and the large area of parkland to the north and east of the property.

There are records of bat species within the 1km grid square occupied by the property. Records of Brown Long-eared bat (Plecotus auritus), Pipistrelle (Pipistrellus sp.) and Whiskered bat (Myotis mystacinus) are recorded present in the parkland to the east of the site. There are records of Daubentons bat (Myotis daubentonii) sighted in land to the north west of the site where there are ponds. None of the sightings or records are in the immediate vicinity of Bradgate Road.

Following an appraisal of the existing published information the site was surveyed by inspection. The inspection took into consideration the structure of the building, the history and use of the building, and the environmental context of the building. During the survey of the site, observations and identification or signs of any species protected under Part 1 of the Wildlife and Countryside Act 1981 were noted.

Unrestricted access, both internally and externally, was obtained to all areas of the structure using ladders where necessary. Evidence suggests that the interior spaces of the loft and roof of the building have remained relatively undisturbed for some considerable period prior to the survey thus ensuring any physical evidence of bats and birds has been retained.

The inspector has made a determined effort to access and inspect every part of the building and surrounding site during this ground level and climbing inspection. The inspector cannot be held responsible for parts of the building structure that may have been inaccessible to the inspector due to services or structural restrictions within the building, or any other restriction that could compromise the safety of the inspector or prevent unrestricted access. The client must accept that the inspector will remain impartial to all parties involved and the results of the survey may not be in the best interests of the client.

The surveyor, C Barker is a Chartered Environmentalist, and member of the Bat Conservation Trust (BCT) and Lincolnshire Bat Group (Natural England Bat Warden Licence ref: 225) and has 12 years of experience in surveying buildings, trees and structures for Bats.

2.2 Legal Constraints

Legislation Protecting Bat Species:

The **Wildlife and Countryside Act 1981** (as amended) **(WCA)** transposes into UK law the convention on the conservation of European wildlife and natural habitats (commonly referred to as the Bern convention). The 1981 act has been amended several times, most recently by the **Countryside and Rights of Way (CRoW) Act 2000** which added 'recklessly' to S9(4) (a) and (b). All species of bats are listed on schedule 5 of the 1981 Act, and therefore subject to the provisions of section 9, which makes it an offence to:

- Intentionally kill, injure or take a bat [section 9(1)]
- Possess or control any live or dead specimen or anything derived from a bat [s9(2)]
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat [s9(4)(a)]
- Intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for that purpose [s9(4)(a)]

The Conservation (Natural Habitats) Regulations 1994 (the habitats regulations) transpose into UK law council directive 92/43/EEC of 21st May 1982 on the **Conservation of Natural Habitats and of Wild Fauna and Flora** (often referred to as the 'Habitats [and Species] Directive)'. All bats are listed in Annex iv of the directive and some are also listed in Annex ii. The latter Annex relates to the designation of Special Areas of Conservation (SACs) and covers Greater and Lesser Horseshoe Bats, Barbastelle and Bechstein's Bats. Inclusion on Annex iv ('European protected species') means that member states are required to put in place a system of strict protection as outlined in Article 12; this is presented through inclusion on Schedule 2 of the Regulations. Regulation 39 makes it an offence to:

- Deliberately capture or kill a bat [Regulation 39(1)(a)]
- Deliberately disturb a bat [Regulation 39(1)(b)]
- Damage or destroy a breeding site or resting place of a bat [R.39(1)(d)]
- Keep, transport, sell or exchange, or offer for sale or exchange a live or dead bat or any part of a bat [R.39(2)]

The above legislation makes it an offence to intentionally or recklessly damage, destroy or obstruct access to a site used by bats whether bats are present at the time or not.

Where there is a risk that a bat roost may be present, it is incumbent upon the owner to commission a survey to identify the possible presence of a bat roost before instructing any work that may potentially impact upon the roost to commence. Failure to do so and in the event of disturbing a roost site and upon conviction is an offence. The maximum penalty for committing offences relating to bats or their roosts can amount to imprisonment for a term not exceeding six months or to fines of up to Level 5 on the standard scale under the Criminal Justice Act 1982/1991 (i.e. £5000 in April 2001) per roost or bat disturbed or killed, or to both.

Bats are also protected within the **Wildlife and Countryside Act 1981** (and as amended by Schedule 12 of the Countryside and Rights of Way Act 2000 and

by the Conservation Regulations 1994 under Section 39[1]). Bats receive a special mention here as this mammal is currently at threat from extinction in the UK and for this reason they are legally protected. Bats occur naturally in trees and buildings using them for a variety of purposes. British bats show a preference for habitats and locations associated with broadleaved woodlands and water. In addition, they select linear features in the landscape for foraging and commuting. Buildings and trees may contain bats or may contain a bat roost, even if not occupied during winter months.

Legislation Protecting Birds:

The **Wildlife and Countryside Act 1981** (as amended) **(WCA)** is the primary legislation affecting wild birds in England, Scotland and Wales. In January 2001 the **Countryside and Rights of Way (CRoW) Act 2000** included amendments which strengthened the law in England and Wales. As a result of the amendments, all birds, their nests and eggs, are protected by law and it is an offence, with certain exceptions, to:

- Intentionally kill, injure or take any wild bird
- Intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being constructed
- Intentionally take or destroy the egg of a wild bird
- Intentionally (or recklessly in England and Wales only) disturb and wild bird listed on Schedule 1 while it is nest building, or at (or near) a nest containing eggs or young, or disturb the dependent young of such a bird.

3 Survey Methodology

The initial survey involved a visual external inspection of the building to be surveyed and the immediate surroundings to place the building in the context of the local environment. The inspection included assessment of nearby mature trees close enough to the property to potentially be impacted by any extension. The visual inspection comprised an assessment of the buildings from all accessible sides using professional high quality binoculars 10 x 25 magnification to establish if any access points for bats or birds were present and identify any external indications such as stains, wearing around holes etc. that indicate the potential presence of these species.

In addition to potential access points the weather proofing capabilities of the building were also considered during the initial external inspection. Potential access points were noted.

Where evidence of potential access points has been identified, these features have been targeted for further detailed investigation at close quarters. This close up inspection is vital as bats at this time of year spend long periods of time inactive and are in hibernation.

After identifying any external target points for closer inspection the internal structure of the building was similarly assessed to identify areas where bats and birds might find appropriate areas in which to roost or nest. Bats in particular may roost at any time of year in locations such as voids behind beams and slats, fissures, knot holes, gaps between bricks, void behind roofing felt etc.

A potential bat roost site is to be inspected for overt evidence of bat presence and occupation. This could present as:

- Staining around a cavity, fissure, void or split caused by oils secreted by the bat into its fur
- Scratching on timbers and joists caused by the bat in the act of take off and landing
- Bat droppings and feeding debris in and around the access point or below the feeding roost
- Urine stains below a possible entrance site or within the entrance to a cavity. The urine also smells heavily of ammonia which is distinctively identifiable at close quarters
- Possible audible noises during daylight of bats chattering especially in hot weather
- Flies around entrance of possible roost which may be attracted to bat guano
- The lack of cobwebs around a possible entrance site may also suggest occupation, but of course does not directly confirm bat presence.

Any potential roost features with the above evidence and not fully visible to the naked eye will then be subjected to a visual inspection using a torch or Endoscopic Fiberscope with illumination as appropriate.

4. Survey Findings

4.1 Evidence indicating the presence of Bats

There are relatively few potential access points for bats and birds within the building as the roof tiles, eaves and soffit boards are in excellent condition and have few significant gaps as shown in **photograph 1.**

The only significant gaps noted is a gap behind the soffit board potentially allowing access to the loft eaves directly in front of a window at the rear of the property and small gap in the roof tiles close to the roof pitch at the northern gable end. Both were noted for internal inspection. Inspection with binoculars did not identify any evidence of access by bat or bird species. The gap in the soffit board looked clean and the window below was clear of any bat droppings. The occupant of this particular room was questioned and no droppings have previously been seen either on the window or the window frame / sill. This indicates bats are not using the potential gap to access the roof or soffit.

Internally there is no evidence for the activity of bats. Access within the loft was sufficient to enable the internal facing of the soffit board at the rear of the property to be inspected and no evidence of access by bat species was identified. There are no bat droppings within the loft on any of the surfaces. **Photographs 2** and **3** show detail of the internal structure of the loft area and **photograph 4** shows the detail of the underside of the roof tiles. As there is neither felt nor sarking behind the roof tiles the entire loft could be inspected easily. All the beams are exposed and the pitch roof void is accessible to view. No evidence of bat activity was found anywhere within the loft area.

The brickwork around the building is in good condition without any open cracks and fissures where cement has fallen out that could provide ideal roosting opportunities for solitary bats. Whilst the roof of the building provides potentially good roosting opportunities there is no evidence of any activity.

There is a single large semi-mature Yew tree (Taxus bacatta) on the north boundary of the property immediately adjacent to the location proposed for the extension. Inspection of this indicates it is far from ideal as a bat roosting location and there is no evidence of any suitable cracks, fissures or knot holes.

4..2 Evidence indicating the presence of Birds

There visual inspection did not identify any nests within the roof and access for birds would be restricted to only small species. No evidence of bird activity was seen during the survey and there is no guano within the loft. An inspection of nearby trees, including the Yew tree noted above, revealed no sign of any abandoned nests.

5 Conclusion and Recommendations

It is my opinion, based on the inspection of the building carried out on 21 January 2010 and the evidence seen, that the property is not presently being, nor has recently been, used by bats for roosting or birds for nesting. The lack of any evidence of activity internally in the form of droppings *supports the view* that there is no significant activity by bats within the property. The lack of evidence, however, is *indicative only.*

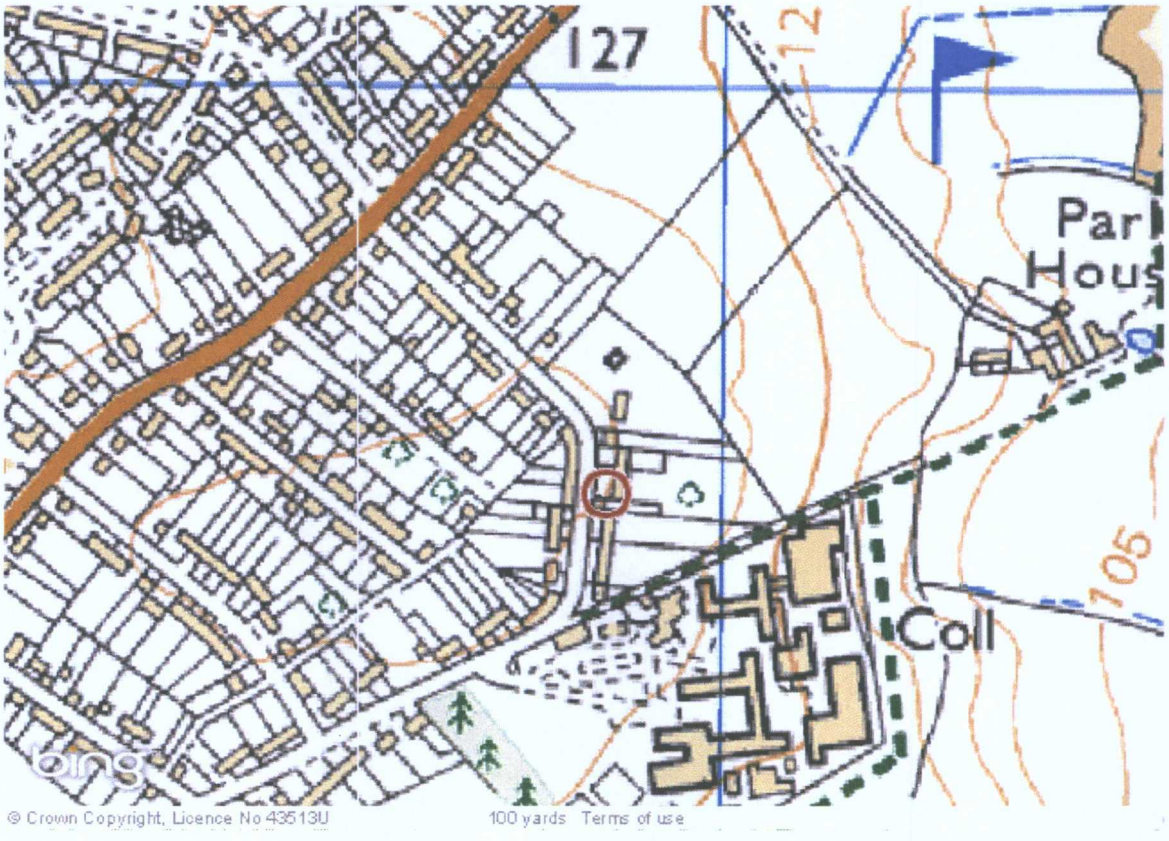
The small scale of the redevelopment is, in my opinion, not likely to have a significant impact on the local ecological environment and result in the compromising of any roost or nesting habitat.

I recommend that in the event the development of the property proceeds, either a brief inspection of the roof area to be affected is carried out immediately prior to works starting, or, if possible, the tiles in this location should be stripped and left off for 24 hours at the commencement of works just to ensure there is no possibility of a solitary bat using the space as a temporary summer roost being hurt.

Christopher Barker CEnv
CBE Consulting

Appendix 1 - Site Location Plan

Map of **Hinckley, United Kingdom**



Appendix 2 – Photos of the Building being surveyed

1.Exterior of the front of the building



1. Loft interior photograph – south spine loft



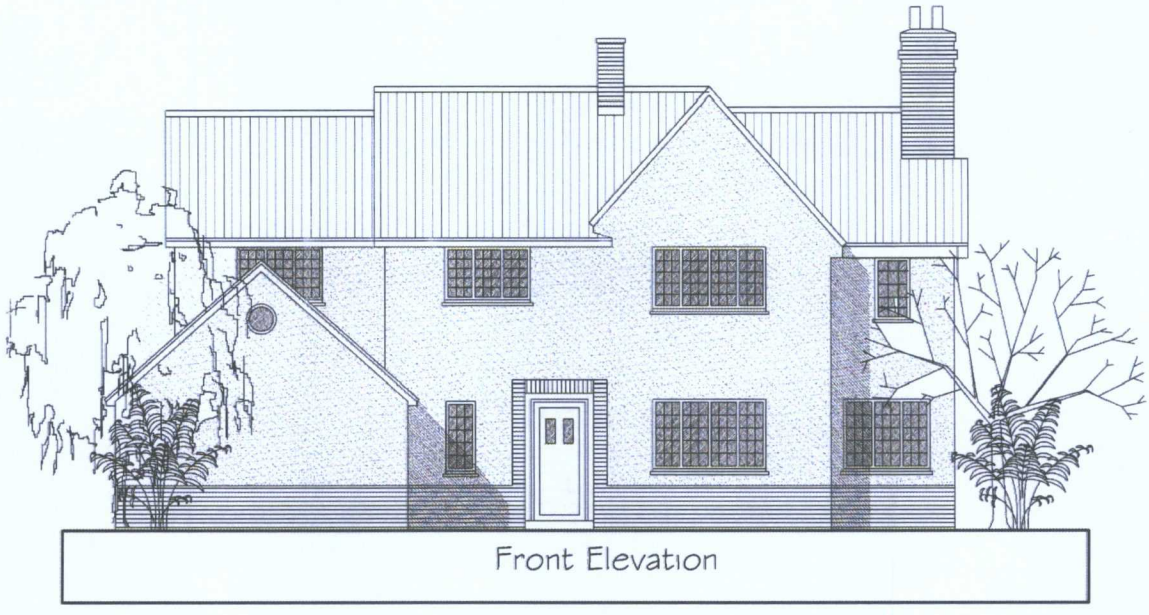


2. Loft interior photograph – east lateral



3. Loft interior photograph close up of slate underside

Appendix 3 – Proposed Development Details



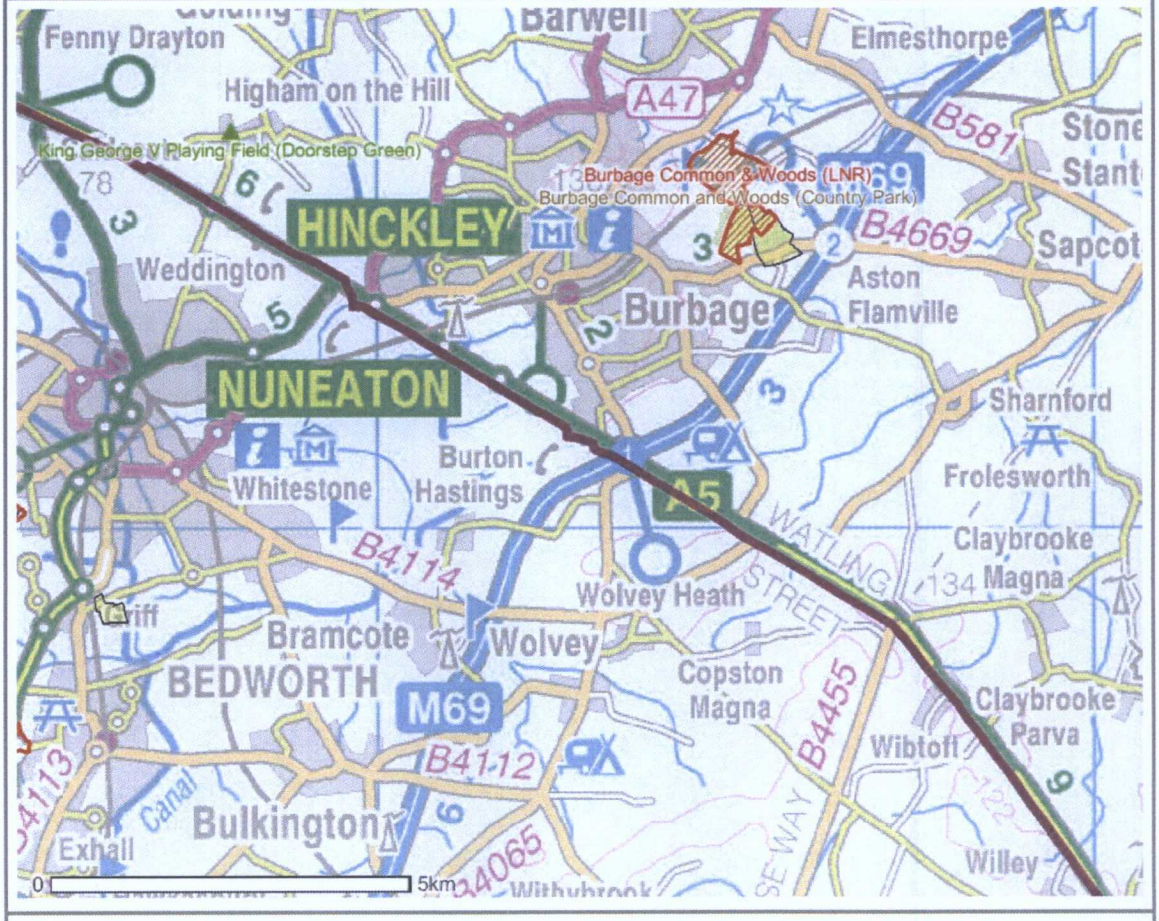
Architects Design Drawing for comparison with Photograph 1.

Appendix 4 – map of nearby sites with known ecological interest

NATURAL ENGLAND

Nature on the Map

Sites of Ecological interest



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