Michael Gavaghan Wildlife Consultancy

BAT SURVEY REPORT

Bat & Bird Scoping Survey Report

The Haven

Ref: CS15

9th April 2010

Surveyor: Mr. Matthew James Haydock (MIEEM)

Natural England Bat Licence Number: 20091044

Assistant: Mr. Michael Gavaghan

Executive Summary

This report has been prepared in relation to the identification and location of protected bat and bird species at the proposed rear extension of a dwelling at The Haven, Watery Lane, Sheepy Magna, Atherstone, CV9 3RG (Grid Ref: SK 3315 0242). The area surrounding the building consists of rural landscape including linear features such as hedgerows, tree lines, mixed age Broad-leafed woodland and water bodies all of which are correct features and resources for bats.

An initial site inspection was undertaken to evaluate the dwelling suitability for bats and barn owls/birds, by inspecting the exterior and interior of the building to identify suitable entry points and roosting/nesting sites. During the interior inspection time was also spent searching for signs to confirm bat and barn owls use such as nests and insect remains and pallets in the case of barn owls and oil staining, droppings, and insect remains for bats.

It was found that The Haven, Watery Lane, Sheepy Magna, Atherstone, CV9 3RG, provided sufficient potential for bat opportunities in the form of access to the interior of the roof space, this was identified due to the sufficient gaps along the soffits and raised and dislodged roofing tiles. During the internal inspection of the roof space all the brick work was in good condition. The surveyor was unable to check between the roof and roofing felt where bat droppings could gather, as no bat detector survey was carried out due to the timing constraints with bats being to emerge from hibernation. It is normally advised, as a site safe guard measure, that a dusk & dawn bat detector survey is carried out between May – September (Optimal Bat Activity) when bats are active to fully confirm the presence & absence of bats.

1 INTRODUCTION

1.1 Site description

1.2 Proposed works

1.3 Aims of study

2 METHODOLOGIES

2.1 Desk study

2.2 Field survey

3 RESULTS

3.1 Desk study

3.2 Field survey

3.2.1 Habitat description

3.2.2 Internal/External survey

3.2.3 Maps

3.2.4 Photographs

4 ASSESSMENTS

4.1 Constraints on study information

4.2 Potential impacts

4.3 Legislation and policy guidance

5 RECOMMENDATIONS AND MITIGATION

5.1 Further survey

5.2 Biodiversity Improvements

5.2.1 Compensation for roost sites.

5.2.2 Compensation for foraging and commuting habitat.

5.2.3 Requirement for Habitats Regulations (EPS) licences

6 SUMMARIES

7 REFERENCES

8 APPENDIX

1 INTRODUCTION

1.1 Site description

The Haven, Watery Lane, Sheepy Magna, Atherstone, CV9 3RG is located in an rural location, the gardens to the property consist of hedgerows, insect attracting plants and grassed lawns. The building itself is pre 20th century brick/rendered and tiled roofing. The surrounding landscape is of woodlands, hedgerows, commercial, residential properties and water bodies, all of which hold the correct resources for bats.

1.2 Proposed works

The proposed works that are to be carried out on The Haven will be development of a new extension connecting onto the existing dwelling which will effect the roof space therefore having the potential to have a negative impact on bats if present.

1.3 Aims of study

The aims and objectives of the documented surveys were to determine the following information:

Bats

- Establish the probability of roost sites and bats being present at the proposed redevelopment of the out building.
- The roost status.
- Suitable food resources and habitat requirements.
- If roost site found provide an impact assessment.

Barn Owls

- Establish whether or not barn owls were using the site.
- Locate nest sites if present.
- What types of activities were shown within the redevelopment site.
- Suitable food resources and habitat requirements.
- Provide an impact assessment if Barn Owls are present.

Birds

- Establish whether or not birds were using the site.
- Locate nest sites.
- What types of activities were shown within the redevelopment site.
- Suitable food resources and habitat requirements.
- Provide impact assessment.

The information was subsequently used in conjunction with the knowledge of the proposed redevelopment at the site to determine:

- What impact the redevelopment is likely to have on any protected species found at the site.
- The need for any licence application to be made in respect of activities concerning protected species.
- Recommendations for any mitigation measures that would be required.

2 METHODOLOGY

2.1 Desk study

A database search was carried out on the National Biodiversity Gateway to establish the presence of species of bats locally.

2.2 Field survey

Mr Mathew Haydock, Ecologist. Natural England Bat Survey Licence Number: 200901044. Full Member of IEEM (Institute of Ecology and Environmental Management) Mr. Michael Gavaghan

Table 1 – Weather Conditions and date of the Scoping Survey

09.04.2010 Dry, slight breeze, approx air temperature on completion of survey 13.2ºC, Cloud Cover 40%,

Day time inspection

An internal and external inspection of the building/s was carried out to identify any possible exit and entry points of bats and to search for evidence of bats such as bat droppings, urine staining or feeding signs on the ground or stuck to the external walls.

Within the buildings particular attention was paid to areas suitable to support roosting bats, including joints and crevices within the beams and gaps between roofing materials. Field signs that would indicate the presence of bats were searched for. These included:-

- bat droppings on the floor and walls of the buildings;
- feeding remains (particularly butterfly & moth wings) usually on the floor of buildings;
- Evidence of urine staining around possible roost entrances;
- Presence of areas cleared of cobwebs;
- Oily stains around possible roost entrances

An internal and external inspection of the building/s was carried out to identify any possible exit and entry points of barn owls and birds and to search for evidence of barn owls and birds such as pallets nesting new and old, feeding platforms and insect remains. Field Signs that would indicate the presence of barn owls or birds were searched for. These included:-

• White splashing or pallets on the floor and walls of the buildings;

• Nest debris. Barn owls do not build nests but nesting areas may contain nestling fluff and pellet debris.

• Potential entrance points. The minimum entrance hole size required for barn owls to gain access to a building is 7cm by 7cm or cracks, crevices missing windows.

• Suitable nesting platforms. Barn owls need a level area to lay their eggs usually over 3 metres in length and over 3 metres off the ground. Typical nesting places include tops of walls, between bales and attic floors.

• Barn Owl and bird sounds

3 RESULTS

3.1 Desk study

The Biodiversity Record searched revealed that species of bats has been recorded near The Haven.

3.2 Field survey

3.2.1 Habitat description

The immediate landscape around The Haven consists of a rural, location consisting of pastoral fields, scattering of semi to mature trees, woodlands, water bodies, residential housing and commercial buildings which provide the correct resources for bats to survive.

3.2.2 Internal External survey

External Inspection

The Haven is a pre 20th century brick cottage which is currently used as a dwelling. The investigation found that the brick walling of the building showed very little in the way of providing cracks or crevices for bats to inhabit or to gain access to the interior. All the doors of the building and windows were all intact preventing any access for bats or birds to utilize, the soffit showed some areas of crevices which bats could utilize, also the roofing provided raised and dislodged roofing tiles which bats could use to gain access to the internal roofing of the building

The roofing of the building which is gable ended did show some access opportunities for bats.

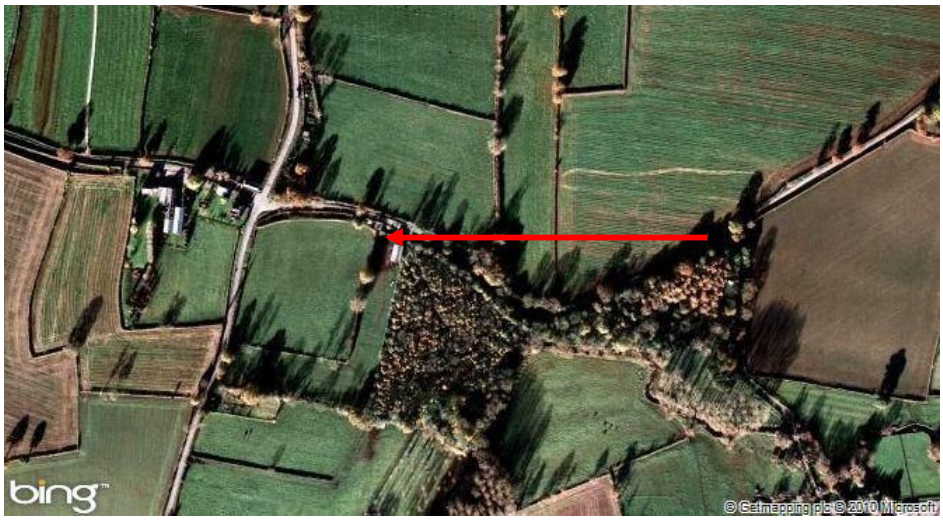
No bat droppings, scratch marks or oil marks from fur were evident during the external inspections (to note external environment can remove evidence of bat activity).

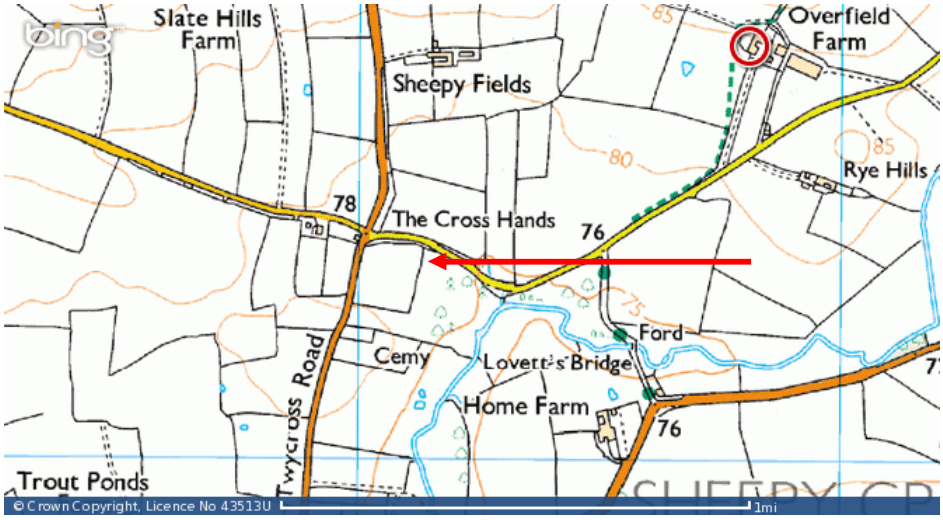
Internal Inspection

The internal inspection of the confined loft space consisted of an open plan design with roofing insulation. The roof space is constructed of rafters (purling design) with lining of felt, this preventing any thorough inspection for bat evidence i.e. bat droppings in-between the roofing and the felt. The brick work of the internal building showed some potential for bat utilization as possible roosting opportunities, the roof space was fairly clear of cob webs and the gable ends did show 5cm crevices providing potential roosting opportunities during the inspection no bat droppings, scratch marks or oil marks from fur were evident during the internal inspections.

3.2.3 Maps

Site location indicated by red arrow





3.2.4 Photographs

Plat 1: External view Of were proposed extension is to go



Plate 2: External View Showing raised tiles



Plate 3: Internal View



Plate 4: Internal view of potential roosting opportunity



4 ASSESSMENTS

4.1 Constraints on study information

As bats are emerging from hibernation it was not possible to undertake a bat detector activity survey.

4.2 Potential impacts

Until a more in-depth assessment has been conducted in the form of an activity survey it will be unclear if any impact will occur towards bats.

4.3 Legislation and policy guidance

Planning Policy Statement 9 makes it a requirement for local authorities to consider biodiversity and geological conservation when determining planning applications.

All UK bats and their roosts are protected by law. Since the first legislation, introduced in 1981, that gave strong legal protection to all bat species and their roosts in England, Scotland and Wales, additional legislation and amendments have been implemented in all countries within the UK. For all countries of the UK therefore, the legal protection for bats and their roosts may be summarized as follows:

You will be committing a criminal offence if you:

1. Deliberately* capture, injure or kill a bat
2. Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats
3. Damage or destroy a bat roosting place (even if bats are not occupying the roost at the time)
4. Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat
5. Intentionally or recklessly obstruct access to a bat roost

**In a court, 'deliberately' will probably be interpreted as someone who, although not intending to capture/injure or kill a bat, performed the relevant action, being sufficiently informed and aware of the consequence his/her action will most likely have.)*

Defences include:

1. Tending/caring for a bat solely for the purpose of restoring it to health and subsequent release
2. Mercy killing where there is no reasonable hope of recovery (provided that person did not cause the injury in the first place - in which case the illegal act has already taken place).

Penalties on conviction - the maximum fine is £5,000 per incident or per bat (some roosts contain several hundred bats), up to six months in prison, and forfeiture of items used to commit the offence, eg vehicles, plant, machinery.

Please refer to the legislation for the precise wording - the above is a brief summary only.

Licencing

Licences to permit illegal activities relating to bats and their roost sites can be issued for specific purposes and by specific licensing authorities in each country. These are sometimes called 'derogation licences' or 'European Protected Species' licences, and are issued under the Habitats Regulations. It is an offence not to comply with the terms and conditions of a derogation licence. If you carry out work affecting bats or roosts without a licence, you will be breaking the law.

Who needs to take particular note of the legislation?

- Property owners/householders
- Woodland owners and managers, and owners of individual trees.
- Arboriculturalists and foresters
- Pest controllers.
- Planning officers.
- Building surveyors
- Architects
- Property developers
- Demolition companies
- Builders
- Roofers
- Ecological consultants

Which legislation is relevant for bats and roosts?

The Wildlife & Countryside Act 1981 (WCA) was the first legislation to provide protection for all bats and their roosts in England, Scotland and Wales. (Earlier legislation gave protection to horseshoe bats only.) It was amended several times with significant amendments being made by the Countryside and Rights of Way Act 2000 in England and Wales, and by the Nature Conservation (Scotland) Act 2004 in Scotland. These acts strengthened the WCA by adding the word 'recklessly' to the offences of intentional damage, destruction or obstruction of a roost, and to disturbance of a bat. The Scottish legislation went a step further in 2004 by also adding recklessly to the offence of intentionally killing, injuring or taking a bat. The 1981 Act is mirrored in Northern Ireland by the Widllife (Northern Ireland) Order 1985. In the Isle of Man it is mirrored by the Wildlife Act 1990 (as amended), and a further amendment to the IoM legislation is in progress at the time of writing. In Jersey the Conservation of Wildlife (Jersey) Law

2000 protects bats. Legislation covering the Bailiwick of Guernsey is still in progress at the time of writing.

In 1992 the European Union's Council Directive on The Conservation of Natural Habitats of Wild Fauna and Flora (better known as the Habitats Directive) came into being, covering a range of plant and animal species, and all EU countries had to implement this. This Directive gave rise to stronger protection for all UK bats, roosts, and the wider habitats of some bat species too. In England, Scotland and Wales this Directive was implemented by The Conservation (Natural Habitats, &c.) Regulations 1994 (better known as the Habitats Regulations), and in Northern Ireland by the 1995 Northern Ireland Regulations.

2007 amendments:

The Habitats Regulations have been amended several times since 1994, most significantly in 2007 and most recently in 2009. The title (and wording) of the amendments is slightly different for each country because of each country's previous legislation and because of the differing legal systems (England and Wales have the same legal system, but Scotland and Northern Ireland differ). The 2007 amendments to the Habitats Regulations are implemented by the following statutory instruments for each country:-

- For England and Wales - The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 - S.I. 2007/1843
- For Scotland - The Conservation (Natural Habitats, &c.) Amendment (No.2) (Scotland) Regulations 2007 - S.I. 2007/80
- For Northern Ireland - The Conservation (Natural Habitats, &c.) (Amendment) Regulations (Northern Ireland) 2007 - S.R. 2007/345

Despite the slightly different wording, the protection is virtually the same in all UK countries, with all bats and their roosts covered by strong legal protection. The Habitats Regulations amendments in 2007 had the effect of removing bats from all the provisions of the Wildlife & Countryside Act in Scotland and Northern Ireland, and from most of the provisions of this Act in England and Wales. The protection of bats and roosts therefore now rests mostly with the amended Habitats Regulations.

(The 2007 Habitats Regulations amendments strengthened the Regulations by removing the Agriculture and Animal Health Act defences, the dwelling house defence, the 'incidental result of an otherwise lawful operation' defence, and the defence that enabled certain actions to take place to prevent serious damage. These defences were removed to bring the Habitats Regulations more into line with the EU Habitats Directive. It also made non-compliance with a derogation licence a criminal offence.)

2008/9 amendments:

The most recent amendments to the Habitats Regulations are implemented by the following statutory instruments for each country:

- For England and Wales - The Conservation (Natural Habitats, &c.) (Amendment) (England and Wales) Regulations 2009 - S.I. 2009/6
- For Scotland - The Conservation (Natural Habitats, &c.) Amendment (No.2) (Scotland) Regulations 2009 - S.I. 2008/45
- For Northern Ireland - The Conservation (Natural Habitats, &c.) (Amendment) Regulations (Northern Ireland) 2009 - S.R. 2009/8

In these recent amendments the main changes are modifcation of the wording of disturbance offences, and the addition of specific protection for hibernating and migrating bats.

5 RECOMMENDATIONS AND MITIGATION

5.1 Further survey

The initial bat scoping survey was carried out to identify potential bat opportunities such as roosts. The roofing and loft space of the Cottage did show a number of potential access and roosting opportunities this being between the roofing and roofing felt which could not be inspected. Also from the biodiversity record search that was conducted it was identified that bats have been recorded locally to the area. It is not considered that the work will have an impact on bats unless bats are present, however efforts must be undertaken to ensure that bats are not harmed and roosts not destroyed if present. During the redevelopment process, therefore to be able to evaluate in more detail if bats are present or absent it would be required to conduct a dusk & dawn bat detector survey (Bat Conservation Trust Best Practice Guidance) in the survey period May to September. This would be to evaluate if there are any adverse effects from redevelopment on protected species in this case bats.

5.2 Biodiversity Improvements

5.2.1 Compensation for roost sites.

The erection of bat and bird boxes could be incorporated into the redevelopment, which would help maintain and even enhance the conservation status of the local bat and bird population. Bat and bird boxes can be supplied and/or can be brought from Jacobi Jayne and Company

Examples of a bat roost, house martin nests and sparrow boxes.

Bat Box



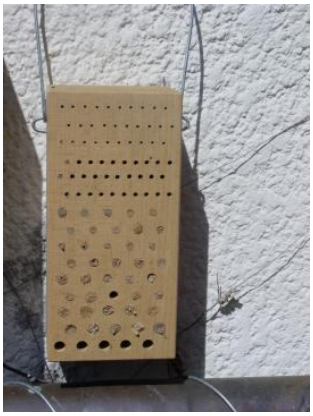
Sparrow Nest Box



Bat Box incorporates into wall Boxes



Insect Attracting



5.2.2 Compensations for foraging and commuting habitat.

Shrubs and Climbers

The introduction of native climbers and shrub planting within the proposed redevelopment site will create new habitats. Planting shrubs such as *Pyracantha rogersiana, Lonciera nililda*, which are fruit baring plants more examples can be found in *appendix B* these kinds of shrubs and climbers would provide fruit for mammal such as bats as these plants attract insects which are bats main food recourse also the plants would provide food towards birds and provide shelter from predators.

Plantation of Standard Size Trees

The plantation of native standard trees which can be found in *appendix B* could be incorporated into the redevelopment of the site which will provide food and nesting opportunities for birds and insects for the long term. The trees which could be planted in the long term would provide more roosting opportunities for bats and nesting for bird.

External Lighting

It would be recommended that any external lighting should be downward facing to minimise disturbance to bats this would also attract foraging bats into the area therefore increase bat activity and biodiversity..

5.2.3 Requirement for Habitats Regulations (EPS) licences

Until a further assessment is conduct by use of a bat detector survey it will be unclear if an impact will occur towards bats if any and that a Bat development licence to be required.

6 SUMMARY

During the survey of The Haven which does hold the correct recourses for bat to live, no evidence was identified in the form of bat droppings, stainage or carcasses. Although no evidence was identified the building it did show potential for possible bat roosts between the roofing's and interior roofing felt, also the surrounding landscapes provided sufficient resources for commuting and foraging therefore it would be recommended to conduct a dusk & dawn bat detector survey as a site safe guard before any redevelopment works takes place.

7 REFERENCES

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