PRELIMINARY BAT ROOST ASSESSMENT

104-106 Station Road, Earl Shilton
Leicestershire

Report
2nd December 2024

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S & Y Motors

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QUALITY ASSURANCE

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DATE	VERSION	PREPARED BY	CHECKED AND APPROVED BY
02.12.2024	Final	Anna Dudley MCIEEM Principal Ecologist	Mike Sharp MCIEEM Principal Ecologist / Director

The information which we have prepared and provided is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

Every reasonable attempt has been made to comply with BS42020 (Biodiversity: Code of practice for planning and development); the CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017) and Bat Conservation Trust's Bat Surveys for Professional Ecologists: Good practice guidelines 4th edition (Collins, 2023). If compliance has not been achieved, justification/explanation has been given.

VALIDITY OF REPORT

The results of this assessment are valid for a maximum of two years from the date it was carried out (October 2024). Should the required further surveys be delayed beyond this date, this survey should be updated to determine any changes in the status of the site; it should also be noted that regulatory authorities may require updated surveys within a shorter timescale than two years.

The evaluation and recommendations within this report are based on the proposed development information provided by the client (as detailed in Section 4 of this report). If the development proposals change, the report will need to be reviewed to determine if all recommendations remain appropriate.

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CONTENTS

SUMMARY

- A Preliminary bat Roost Assessment was undertaken in November 2024 at 104-106 Station Road, Earl Shilton, Leicestershire. The survey was required to support an outline planning application to demolish the existing buildings to facilitate the construction of a small residential development.

- The purpose of this report is to identify and describe the potential impacts of the works on bats; to identify the need for further surveys; to determine whether a Natural England protected species licence application is required in relation to bats; and to outline the mitigation, enhancement and compensation measures required to ensure compliance with nature conservation legislation and planning policy, and to address any potentially significant ecological effects. Impacts on other protected species are considered.

- There are two buildings on site. The main building is a brick-built structure, which supports a garage and a hand car wash business. The main portion of the building has a shallow pitched roof clad with insulated corrugated metal cladding. The forecourt canopy, clad with corrugated asbestos-type material, is attached to a parapet wall on the garage's front elevation. Smaller extensions to the rear of the main building have flat or shallow pitched roofs clad with corrugated metal sheeting. There are no separate roof spaces within the main building. The outbuilding is a small structure constructed from blockwork, with a hatch in the roof forming the only access. The main building is considered to have 'negligible' suitability for roosting bats in the active season and 'very limited' suitability for hibernating bats. The outbuilding is considered to have 'none' suitability for roosting bats during the active and hibernation seasons.

- In line with industry standard guidelines (Collins, 2023), no further surveys were required of the buildings on site.

- Whilst no roosts were confirmed during the surveys, precautionary working measures are provided to ensure no breaches in legislation occur in the highly unlikely event that a bat is found during the proposed works.

- There is potential for common nesting birds (e.g. pigeon) to use the buildings on site and precautionary working measures are provided to ensure no breaches in legislation occur.

1 INTRODUCTION

1.1 Background

A Preliminary bat Roost Assessment was carried out of buildings at 104-106 Station Road, Earl Shilton, Leicestershire, LE9 7GB on 20th November 2024. The site is located at an approximate central OS grid reference of SP 4637 9737. The surveys and assessments were required in connection with proposals to obtain outline planning permission for the demolition of the existing structures to facilitate the construction of a small residential development.

The client has confirmed that no previous ecology or bat surveys have been completed at the property.

1.2 Personnel

The surveys and reporting were led by Anna Dudley MCIEEM of Swift Ecology Ltd. Anna is employed as a Principal Ecologist with Swift Ecology Ltd and is an experienced habitat surveyor and holder of Natural England survey licences for bats (Class Licence reference 2017-32147-CLS-CLS) and great crested newt (Class Licence reference 2015-16315-CLS-CLS). Anna graduated from Aberystwyth University in 2005 and has over 15 years' experience working as a consultant ecologist. Anna has undertaken numerous preliminary ecological appraisals, botanical surveys (FISC Level 4), preliminary roost assessments (bats) and surveys for protected species including great crested newt and otter, and has prepared subsequent reports with appropriate recommendations. Anna is experienced in the use of the UK Habitat Classification and of Biodiversity Net Gain metrics, and has attended several courses on biodiversity net gain and the use of different biodiversity metrics, run by CIEEM and UKHab Ltd.

1.3 Ecological Context

The site, roughly 0.13 ha in size, is dominated by building and hard surfacing, supporting a garage and hand car wash business. It is located within a residential area of the small town of Earl Shilton, with open countryside roughly 300 m to the south-east, 750 m to the north and 940 m to the south-west. The site has no direct connectivity to the open countryside and is surrounded by houses and gardens to the north, west and south, with Station Road marking the eastern boundary, beyond which are further residential properties. The countryside that surrounds Earl Shilton is a mix of arable and permanent pasture with boundary hedgerows, and scattered field ponds. There are no large woodlands in the surrounding area.

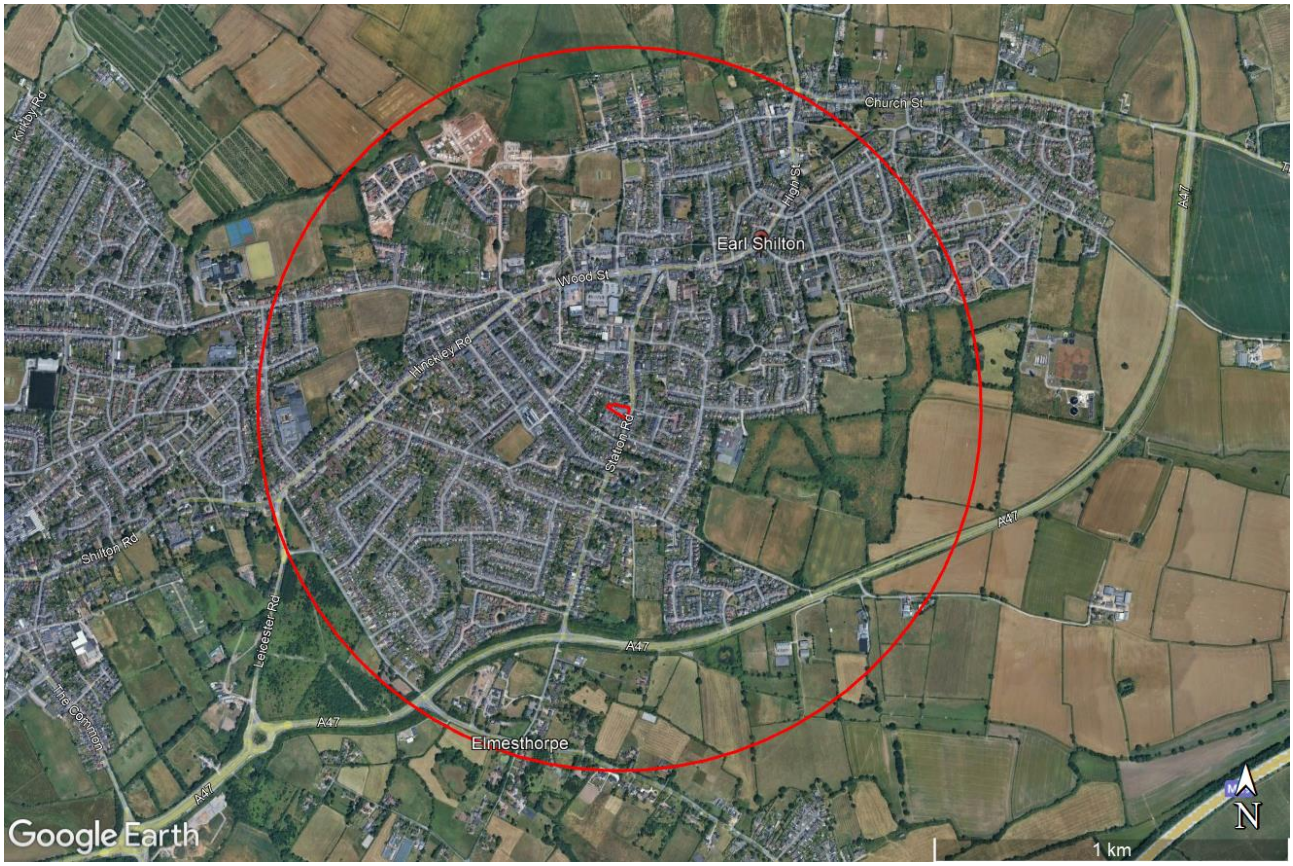

Figure 1.1: Location of site, outlined in red, within the context of the wider area (with 1 km radius indicated).

Figure 1.2: Approximate site boundary outlined in red.

1.4 Purpose of Report

The purpose of this report is to identify and describe the potential impacts of the works on bats; to identify the need for further surveys; to determine whether a Natural England protected species licence application is required in relation to bats; and to outline the mitigation, enhancement and compensation measures and any licensing requirements to ensure compliance with nature conservation legislation and planning policy, and to address any potentially significant ecological effects. The report also provides information on the legislative requirements relating to bats. In addition, impacts on other protected species are considered.

The legal protection and planning policies relevant to the species mentioned in this report are detailed in Appendix 1.

2 METHODS

2.1 Background Data Search

A background data search was undertaken in November 2024 by Leicestershire and Rutland Environmental Records Centre (LRERC) for records of bats within a 2 km radius of the site.

Reference was also made to Natural England's MAGIC website[1] for records of granted Natural England protected species bat licences within a 2 km radius of the site.

2.2 Preliminary Bat Roost Assessment

2.2.1 General

The survey was undertaken on 20th November 2024 by Anna Dudley of Swift Ecology Ltd. Weather conditions at the time of the survey are shown in Table 2.1. The survey covered everything within the site's red line boundary (see Figure 1.2, Section 1).

Table 2.1: Survey conditions

Date	Approximate start time	Weather conditions
20.11.2024	10:30	A cold (3°C), dry and sunny day (<5% cloud), with a cool breeze (Beaufort F2-3).

2.2.2 Assessment of Bat Roost Potential: Buildings

The buildings were assessed for their potential to support bats or bat roosts according to industry standard guidelines (Collins, 2023). This involves a consideration of various factors including:

- Light levels
- Temperature regime and protection from weather
- Access to the interior of the building or to other suitable roost sites
- Potential roost sites
- Building construction
- Habitat context

Based on these factors, an assessment was made of whether the buildings might support bats, and the type and number of roosts that might be present. The buildings were assigned a roost potential category (Collins, 2023) according to the criteria outlined in Table 2.2 below, based on the results of the assessment.

[1] https://magic.defra.gov.uk/MagicMap.aspx

Table 2.2: Guidelines for assessing the potential suitability of buildings/structures for roosting bats (based on Collins, 2023).

Potential Suitability	Description – Roosting habitats in structures
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).
Negligible	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site but could be used by individual hibernating bats).
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only such as maternity and hibernation – the categorisation in this table is made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.

Independent of the assessment of the potential of the structure to support roosting bats, structures were also identified as 'Confirmed roosts' where the presence of bats was established (e.g. based on presence of bats, or evidence of use such as droppings, carcasses, etc.).

2.2.3 Assessment of Hibernation Roost Potential

The building was also specifically assessed for its potential to support hibernating bats which involves a consideration of various factors including:

- the suitability of features to support roosting bats or to allow access for roosting bats;
- the temperature and humidity conditions likely to be present within the structure during the winter period, and the suitability in this respect for it to be used by hibernating bats;
- the surrounding habitat in terms of its potential for use by bats outside of the hibernation period for commuting and/or foraging purposes (i.e. is it reasonable that bats are familiar with the area and therefore may be aware of suitable roosting locations within the site); and
- the presence of known roosts within the structure or adjacent structures or surrounding area during the active season.

Based on these factors, an assessment was made of whether the building might support hibernating bats following guidance provided in Collins, 2023. Winter roosting potential was assigned as either:

- 'Classic hibernation site';
- 'Non-classic hibernation site';

- 'Very limited'; or
- 'None'.

2.2.4 Survey for Signs of Bats

A detailed inspection was made of the exterior and interior of the buildings for any evidence of bat use, such as live or dead bats, droppings, scratch marks, staining and prey remains (e.g. moth or butterfly wings), and in some cases the absence of cobwebs. Large quantities of cobwebs in roof voids or at access points tend to be suggestive of no bat use, although this evidence is not conclusive.

Features identified as possible bat access points or potential roosting locations were thoroughly searched where possible, using powerful torches, binoculars and an endoscope to facilitate the process. Ladders were available to enable more detailed inspection of cracks and crevices as far as access allowed.

2.3 Limitations

The Preliminary Roost Assessment was undertaken in good light and weather conditions; all parts of the site and buildings, were fully accessible for survey purposes and there were no obvious constraints.

Much of the ground floor of the building was in regular use by the businesses that occupy the building, but the first-floor rooms were used only rarely and any evidence of bats would have likely remained undisturbed in the areas, if present. No recent sweeping or other cleaning had been undertaken of the first-floor rooms, which were fully accessible.

A Preliminary Roost Assessment cannot rule out bat presence, as bats may roost in areas that are not accessible other than by a destructive search.

3 RESULTS

3.1 Background Data Search

LRERC hold 169 records of at least eight bat species (brown long-eared bat *Plecotus auritus*, common pipistrelle *Pipistrellus pipistrellus*, Leisler's bat *Nyctalus leisleri*, a *Myotis* species, Nathusius' pipistrelle *P. nathusii*, noctule *N. noctula*, serotine *Eptesicus serotinus* and soprano pipistrelle *P. pygmaeus*) within the 2 km search radius. Of these records, the closest record is of a common pipistrelle, made in 2013, roughly 300 m to the east; no further details are provided for this record. The nearest confirmed roost is a pipistrelle species roost (record made 2003), located roughly 420 m to the north of the site; a dead female juvenile bat and fresh droppings were found at this location. Roosts for brown long-eared bat and common pipistrelle, as well as unidentified bat species, have also been confirmed within the 2km search radius.

A summary of the data search results (publicly available records only) is illustrated in Appendix 2. The full data search is available on request.

Reference to Natural England's MAGIC website, which holds records of granted protected species licences, identified no licences for bats within a 2 km radius of the site.

An absence of records does not mean that a particular species is not present, merely that it has not been recorded. Many species records are not obtainable from the sources utilised and therefore there may be further undetected records for such species on the study site or in the local area.

3.2 Assessment of Habitats

The site is dominated by buildings and hardstanding, with vegetation limited to a small area (roughly 15 m^2) of sparse scrub, comprising bramble *Rubus fruticosus* agg. and buddleia *Buddleja davidii*, growing over some stored items to the north-west of the building. The site offers negligible foraging opportunities for bats, and there is little adjacent vegetation that would provide cover or suitable flight paths for bats to enter or exit from roosts within the buildings (should they be present).

The gardens that surround the site are generally small and often dominated by grass, with a few gardens supporting trees, whilst others appear dominated by hard surfacing. The gardens that abut the site are surrounded by the local road network and have no direct connectivity to open countryside in the wider area. Overall, the habitats in the immediate vicinity of the site (i.e. within 250 m) are considered to have low suitability for foraging and commuting bats. Habitats in the nearby countryside (i.e. 250 m to 1 km to the south-east) are considered to have moderate suitability for foraging and commuting bats due to the presence of thick hedgerows and some areas of less managed grassland, that provide commuting features (hedges) and higher quality foraging habitats (native hedges and grassland).

Residential streets and the A47 have some streetlighting along nearby sections within a 1 km radius and the M69 motorway is located some 1.9 km to the south-west. Areas of streetlighting

and major roads are likely to provide a partial barrier to bats movements within the surrounding landscape.

3.3 Preliminary Roost Assessment

3.3.1 Building Descriptions

The site is dominated by a large brick-built building that supports a garage business, with some portions of the building and site used by hand car wash company. There is also a small outbuilding at the very western extent of the site. These buildings are described further below.

Main Building

The original part of the building has a shallow, pitched roof (eaves at approx. 5 m high), which is clad with corrugated insulated metal sheeting with plastic skylights and is supported by metal framework (Plates 3.1-3.3, and 3.5). The walls are constructed of double-skin brickwork with no, or limited wall cavity. Internally, the building has some two-storey sections at the eastern end, where there are office and storage spaces for the associated workshop within the open single-storey section of the building (Plates 3.8-3.10). The first floor room are built into the roof and have a maximum height of approx. 2 m at the ridge. This building has several large folding doors to allow vehicles into the workshops, as well as several standard doors and windows for the offices and toilet facilities.

There is a brick parapet wall on the eastern elevation, onto which joins the canopy over the garage forecourt. It is constructed from single-skin corrugated sheeting (resembling asbestos), with metal horizontal and vertical support beams. For additional support, the horizontal beams extend into the walls of the garage to the west, and the adjacent house to the north.

To the rear (west) of the building, there is a large single-storey extension to the workshop area (the internal space is continuous with the workshop in the original section) with further large folding doors for vehicle access, and windows to allow in natural light (Plates 3.3-3.4 and 3.6). This extension has a flat roof constructed of corrugated metal sheets, partially clad externally with roofing felt (Plate 3.11) and supported by metal beams. There is wooden barge board at the eaves, and the walls are built with external brickwork and internal painted blockwork.

There are further low extensions on the west and north elevations of the large extension. The larger northern extension is used as a storeroom for the workshop, is accessible from inside the building, but also has external doors that provide an emergency exit for the workshop (Plates 3.4-3.6). This has a single-skin, slightly sloping, metal corrugated roof, with a mix of wood and uPVC bargeboard, and walls constructed from brick (Plate 3.12). The smaller, western extension (Plates 3.3 and 3.7) is only accessible from outside, and is constructed from single-skin blockwork. The slightly sloping roof on this section is clad with corrugated metal sheeting, supported by wooden beams, and is lined internally with a breathable roofing membrane (Plate 3.13). It is used for storage of equipment.

Plate 3.1: Eastern and southern elevations of main building

Plate 3.2: Garage forecourt and canopy, and adjacent house

Plate 3.3: Extensions to rear of the original structure

Plate 3.4: Dense ivy on the western elevation

Plate 3.5: Northern elevation of original building section, with part of northern extension visible

Plate 3.6: Northern elevations of the large extension and storeroom

Plate 3.7: Small extension on western end of building

Plate 3.8: Internal view of the workshop area in the original building

Plate 3.9: Staircase to upper floor

Plate 3.10: Internal view of first floor of the original building

Plate 3.11: Internal view of workshop extension

Plate 3.12: Internal view inside small storeroom on northern elevation

Plate 3.13: Internal view of small western extension

Outbuilding

The small outbuilding at the western end of the site has blockwork walls and a slightly sloping roof covered with felt (Plate 3.14). Around the roof there is wooden bargeboard. The building is small, being roughly 1.8 m high, by 2 m wide and 3 m long. There are no windows or access points visible within the walls, and it is likely it can only be accessed via the hatch in the roof (Plate 3.15).

Plate 3.14: Storage building

Plate 3.15: Roof of storage building, showing probable access hatch in roof

3.3.2 Assessment of Bat Roost Potential and Survey for Signs of Bats

Main Building

External features

The brickwork on the original building is in moderate to good condition, with occasional areas of missing mortar, especially on the northern and eastern elevations (Plate 3.16-3.17). There are some holes in the brickwork, possibly from missing vents (Plates 3.19-3.20). There are further gaps on the eastern elevation around the folding door, where wooden inserts (possibly associated with a previous door) have rotted away, and where the metal beams of the forecourt canopy extend into the parapet wall, and also where the canopy's beams extend into the wall of the adjacent house (Plate 3.21). These features may provide crevices large enough for use by individual bats opportunistically. There is a gap between the wooden lintel and metal folding door on the east elevation; whilst possibly just large enough for bats to access, it is not considered a

suitable roosting location for bats due to the extremes of temperature that would be experienced by animals in contact with the metal frame. No other potential roosting locations for bats were noted on this part of the building.

Where these gaps were safely accessible for a detailed inspection, most were found to be shallow and do not provide sufficient shelter for roosting bats. Where gaps led into deeper cavities, large enough for one or two bats at most, most were filled with cobwebs, indicating no recent use by bats. No bats or evidence of bat use (e.g. bat droppings) were found within any of these cavities.

The brickwork is in better condition on the large extension, although there is gap next to the lintel over the western-most folding door, which extends into a crack in the brickwork (Plate 3.22). The gap by the lintel may be large enough to provide space for an individual bat, but the crack appears too small to be accessible by a bat. There are also further potential gaps where the wooden bargeboards are coming away from the walls; inspection of these gaps with a torch and binoculars found most gaps are filled with thick cobwebs, suggesting no recent use by roosting bats. There are also some gaps were the roofing felt is lifted, although these gaps are quite open and thus unlikely to provide a suitable sheltered roosting location for bats.

The walls of the other extensions are in good condition with no visible crevices that could be used by roosting bats. The western end of the northern extension is covered with thick ivy *Hedera* sp. that may hide suitable roosting locations, but reduces their suitability for bats should any be present. There is no clear gap beneath the wooden barge board that could be used by roosting bats. Gaps under roof corrugations of the western extension would allow bats to access this part of the building; however, there are no suitable roosting crevices inside. No evidence of roosting bats was recorded during the inspection of either of these extensions.

Plate 3.16: Missing mortar on northern elevation (main section) that leads into a small crevice in the wall (indicated with arrow)

Plate 3.17: Possible crevice in between the two skins of the wall at the northern end of the parapet wall

Plate 3.18: Possible gap between mesh and brickwork that may provide bats with access into the original building

Plate 3.19: Hole into wall on eastern elevation of original section

Plate 3.20: Gaps at top of folding doors and between lintel and door frame (indicated by arrows), and where rotten wood has created gap into a small cavity between brick skins (circled)

Plate 3.21: Example of gap between canopy beam and the brickwork of the adjoining house

Plate 3.22: Gap around lintel on main extension, leading to shallow crack in brickwork (indicated with arrows)

Internal features

Gaps at the top of the folding garage doors may provide bats with access into the building (Plate 3.23). However, the construction of the building means there are few or no potential roosting crevices inside. The workshop area has high levels of ambient light from the windows and skylights, which further reduces the likelihood of these parts of the building being used by roosting bats. Much of the building is in regular use by the staff, but the infrequently used storage areas on the first floor have cobwebs on the roof beams and ceiling, suggesting no recent disturbance of these areas by people, bats or other fauna.

The construction of the building is such that it lacks areas that provide stable temperature and humidity conditions likely to be used by hibernating bats.

Summary

No bats were observed and no evidence of bat use (e.g. droppings, scratch marks or urine staining) was noted during the external or internal inspections of the building, although some features were too high to fully inspect.

Overall, the building is considered to have 'negligible' suitability for roosting bats during the bat activity season, due to the limited number and extent of the potential roosting features present, the low quality of habitat immediately surrounding the building for foraging and commuting bats, and because other buildings in adjacent areas are likely to provide higher quality and more suitable roosting locations. This building is also considered to have 'very limited' suitability for hibernating bats.

Plate 3.23: Daylight visible at top of folding doors

<u>Outbuilding</u>

The small outbuilding has no potential roost features for bats visible during the external inspection and no potential access points for bats to gain access into the interior. Overall, it is considered to fit within the 'none' category for roost suitability in both the bat activity and hibernation seasons.

3.4 Other Species

An old nest, constructed from twigs, was noted on a metal support beam for the forecourt canopy where a small piece of chicken wire is visible either side of the beam (Plate 3.24). The construction, size and location of the nest suggests it was built by a pigeon species *Columba* sp. A further possible nest was noted inside a cavity created by corrugated asbestos-type material panels on the south-eastern corner of the main building (Plates 3.25-3.26). Twigs were visible in the gaps between the corrugations and the horizontal board that would provide a base for the nest, suggestive of a nest. Dense ivy growth on the north-western corner of the building may provide nesting opportunities for small songbirds, such as robin *Erithacus rubecula* (Plate 3.4).

The building is not considered to support roosting locations of void nesting species such as swift *Apus apus* and house sparrow *Passer domesticus*, as no suitable voids were recorded.

Due to the built of nature of the site and the immediate surroundings, and the relatively impermeable boundaries where the site abuts residential gardens, it is considered unlikely that other protected species will utilise the site.

Plate 3.24: Location of old, probable pigeon, nest (circled)

Plate 3.25: Location of twigs (circled) inside corrugated panels, that may represent an old nest– see also Plate 3.26

Plate 3.26: Location of twigs, possibly suggestive of an old nest location

4 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development will comprise the construction of a small residential development, with associated access, car parking and gardens. A proposed site layout, to be submitted for outline planning, is provided in Figure 4.1.

Figure 4.1: Extract from Proposed site plan – 104/6 Station Road, Earl Shilton, LE9 7GB. Drawing by Peter Browne Design, Ref: 0001 PBD XX 01 DR A 1021 Rev C, 15.10.2024.

5 EVALUATION AND IMPACT ASSESSMENT

5.1 Bats

5.1.1 Habitats

There are records of bat roosts within 2 km of the site, and records of at least eight bat species within the local area. The site supports negligible foraging opportunities for bats. The site is surrounded by residential housing with relatively small gardens, with the local road network dividing these habitats from the semi-natural habitats that surround Earl Shilton. The absence of high quality habitat in close proximity to the site, further reduces the likelihood that bats will use the site.

The site currently supports negligible vegetation and the proposals have the potential to increase the amount of vegetation on site, and thus provide some foraging and commuting habitat for bats, where none currently exists, especially if vegetation is sensitively designed.

The site is likely to have some limited lighting at night, although it will likely receive some light spill from its surroundings, especially along the eastern edge by Station Road. A new residential development will likely increase the level of lighting across the site, and if lighting is not sensitively designed it has the potential to adversely impact any use of the site and immediate surroundings by bats (although such impacts are considered relatively unlikely given the low quality of these habitats for commuting or foraging bats).

5.1.2 Roost suitability

The main building is considered to have 'negligible' suitability for roosting bats during the bat active season, and 'very limited' suitability for hibernating bats. The outbuilding is considered to fit within the 'none' category for roost suitability in both the bat activity and hibernation seasons.

In accordance with survey guidelines, no further surveys are recommended for either building. It is considered that the proposed works will not result in the loss of any bat roosts and thus will not impact on roosting bats.

As it is very difficult to prove complete absence of bats from a building, precautionary measures are provided in Section 6.1.

5.2 Birds

At least one old bird nest was noted during the survey, and it is therefore likely that birds will nest in the main building in the future. In the absence of mitigation, if nesting birds are present at the time of demolition this would result in breaches of the legislation which protects nesting birds. Precautionary measures during demolition are provided in Section 6.2. The nesting opportunities present are relatively limited and it is considered that their loss will not result in a significant loss of nesting opportunities in the local area.

The outbuilding is small and lacks nesting opportunities, and no adverse impacts are predicted as a result of its demolition.

6 CONCLUSIONS AND RECOMMENDATIONS

6.1 Bats

6.1.1 Demolition

The survey results have confirmed the likely absence of roosting bats from all buildings on site. Despite this, the occasional presence of roosting bats cannot be entirely ruled out. To avoid any breaches in legislation the following precautionary measures must be followed:

- During the site induction, all site workers will be made aware of the possibility of finding bats and the procedure to follow should they be found during the demolition works.
- In the unlikely event that a bat is found during demolition works, contractors must cease work immediately and advice will be sought from a suitably qualified ecologist. Telephone numbers of such will be held on site (01926 642541, 07825 329028 or 07786 317722).
- Should any bats fall out of structures or be injured, they will be gently placed in a secure ventilated box (*e.g.* a cardboard box) by the contractor and left in a cool dark place, until appropriate advice can be sought. Bats should not be handled without gloves.

6.1.2 Lighting

To avoid impacts during works, the following mitigation measure is required:

- There will be no additional nocturnal illumination of the site during demolition works.

Any new lighting of the final development must be designed and sited keep artificial lighting to a minimum, and so minimise the impact of the development on nocturnal wildlife, including bats. Suitable measures may include the use of appropriate luminaires (i.e. LED luminaires with no UV components, and warmer colours (i.e. more yellow/orange, ≤2700 Kelvin) and peak wavelengths higher than 550 nm), use of luminaires with an upward light ratio of 0 %, and use of security lighting with motion sensors and short (1 minute) timers.

Further information on sensitive lighting can be found in '*Guidance Note GN08/23: Bats and artificial lighting in the UK*' (ILP & BCT, 2023) and '*Guidance Note 9/19 Domestic exterior lighting: getting it right!'* (ILP & BCT, 2019).

6.2 Nesting Birds

The future presence of nesting birds in the main building cannot be ruled out, so the following working measures will be followed to avoid breaches of legislation:

- To avoid committing an offence, any demolition works beginning during the main nesting bird season (March to August inclusive), will be immediately preceded by a nesting bird check by a suitably qualified ecologist. If there are breeding birds present, works that might disturb the nest cannot continue until the chicks have fledged and left the nest. Suitable buffer zones to protect any active nests will be advised by the ecologist and their advice followed thereafter.
- Works carried out between October and February will not require a nesting bird check; however, feral pigeon may nest year-round and care should be taken to check for feral pigeon nests prior to demolition. Should any nests be found, works that might disturb the

nest cannot continue until the chicks have fledged and left the nest; a suitably qualified ecologist must be contacted for advice.

6.3 Biodiversity Gain

The Environment Act (2021), Natural Environment White Paper (2011) and National Planning Policy Framework (2023) require that development results in net gains for biodiversity, with the Environment Act requiring a minimum of a 10% net gain in biodiversity value of the site post-development (calculated using the statutory biodiversity metric tool). Biodiversity Net Gain (as set out in the Environment Act 2021) is mandatory for major and minor applications[2], with some exceptions. In this case, the development site is dominated by built environment and the area of vegetation present is less than 25 m^2. As a result, the application is exempt from mandatory Biodiversity Net Gain under the 'developments below the threshold' exemption[3].

Despite being exempt from mandatory biodiversity net gain, planning policy and legislation still require that developments demonstrate ecological enhancements. This could be achieved through the installation of features for use by birds into the walls of the new houses. Integrated bird boxes are designed to require no maintenance and will last for the lifetime of the building. These features should be targeted at protected or priority species that are known or likely to occur in the area and that are commonly associated with the built environment, e.g. house sparrow, starling and swift.

Various nest boxes are available, with examples provided in Appendix 3 .

[2] https://www.gov.uk/guidance/understanding-biodiversity-net-gain
[3] https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments#developments-below-the-threshold

7 RELEVANT LITERATURE

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APPENDIX 1 – LEGISLATION AND PLANNING POLICY

A1.1 Introduction

This section briefly lists legal protection/planning policy applying to the species mentioned in this report. It does not comprehensively reflect the text of the legislation/policy and it should not be relied upon in place of it. The following documents are relevant:

- The Wildlife and Countryside Act 1981 (as amended);
- The Countryside and Rights of Way (CRoW) Act 2000 (in England and Wales);
- The Natural Environment and Rural Communities (NERC) Act 2006;
- The Conservation of Habitats and Species Regulations 2017, as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019;
- Environment Act 2021;
- Biodiversity 2020: A strategy for England's wildlife and ecosystem services (DEFRA, 2011), which underpins the UK Post-2010 Biodiversity Framework (JNCC & DEFRA, 2012);
- The Natural Environment White Paper (England) (DEFRA, 2011);
- National Planning Policy Framework (MHCLG, 2023); and
- Hinckley and Bosworth Borough Council Local Plan 2006 to 2026.
- Hinckley and Bosworth Local Plan 2020 – 2041 (draft).

A1.2 Legislation

A1.2.1 Bats

All species of British bat (*Vespertilionidae* and *Rhinolophidae*) are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), and receive some limited protection under Section 9. These species are also all listed as protected species in Schedule 2 of The Conservation of Habitats and Species Regulations 2017, as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which gives them full protection under Regulation 43.

It is also an offence to set and use articles capable of catching, injuring or killing such species (for example a trap or poison), or knowingly cause or permit such an action.

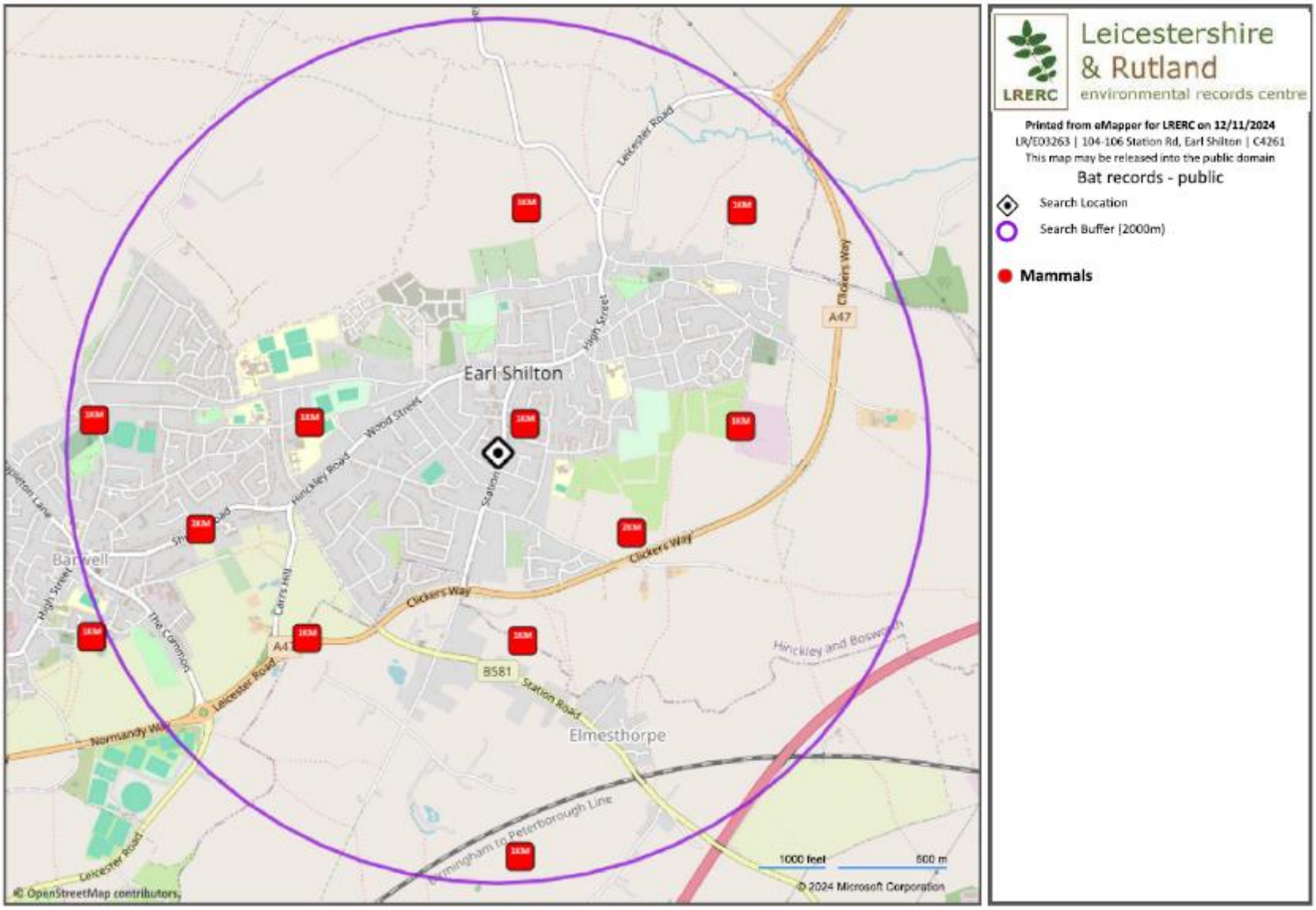
Seven species of British bat are listed as species of principal importance for the purpose of conserving biodiversity in England under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

A1.2.2 Birds

All species of bird are protected under Section 1 (1) of the Wildlife and Countryside Act 1981 (as amended). Certain species are listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) and receive protection under Section 1(5). There are special penalties where offences are committed for any Schedule 1 species.

Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 includes 49 bird species which are of principal importance for the purpose of conserving biodiversity in England.

APPENDIX 2 – PUBLIC BAT RECORDS WITHIN 2 KM



APPENDIX 3 – ENHANCEMENT MEASURES

Birds

Suitable bird box products to be integrated into areas of walling include:

- Schwegler 1SP sparrow terrace
- Habibat terraced sparrow box
- WoodStone build-in house sparrow nest box
- Vivara Pro WoodStone house sparrow nest box
- Habibat starling box
- Schwegler swift box No. 16
- Schwegler Lightweight Swift Box Type 1A
- Ibstock integral swift box

Boxes must be installed in accordance with manufacturer's instructions, at eaves height or above, on north or north-west facing elevations.

Figure A3.1: Schwegler 1SP sparrow terrace (left) and Habibat terraced sparrow box (right)

Figure A3.2: WoodStone Build-in House Sparrow Nest Box (left) and Vivara Pro Estrella WoodStone Build-in House Sparrow Nest Box (right)

Figure A3.3: Habibat starling box (left) and Schwegler swift box No. 16 (right)

Figure A3.4: Schwegler Lightweight Swift Box Type 1A (left) and Ibstock swift box (right)