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Susan Brazendale,
Innellan,
Moor Lane,
Wiswell,
BB7 9DG

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1/3/12

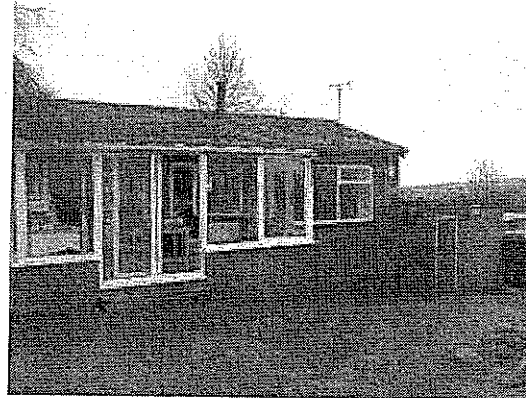
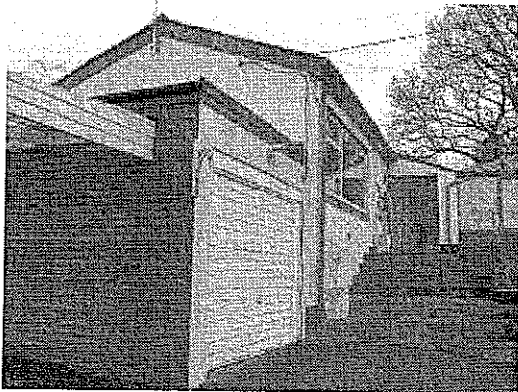
Re: Innellan, Moor Lane, Wiswell - Bat Survey

Introduction.

I was asked to assess the importance of this building to bats as part of the planning process prior to the roof being raised and it possibly being extended to the west.

I made a daytime visit on 27/2/12 to undertake a preliminary survey of the building, assess its likely importance to bats and advise whether or not a precautionary approach or further survey work is needed. It is always my objective to carry-out my work in a manner consistent with accepted Good Practice Guidelines (Bat Conservation Trust, 2007) and consistent with the code of practice of the IEEM. I have a bat conservation, science, education and training licence from Natural England, number 20120037.

This is a modern-style detached bungalow in a rural location:



It is situated in a tree/hedge-lined lane in an area of good bat habitat

*specialist in the requirements of bats for roosting and feeding
natural england licenced – bats (conservation, science and education) and barn owls
member of the institute of ecology and environmental management (ieem)
b tech (hons) - environmental science: applied ecology & environmental management*

The pipistrelle bat (2 species but especially *Pipistrellus pipistrellus*) is common and widespread in the area. Additional species likely to occur within 3kms are the brown long-eared, Daubenton's, noctule, whiskered/Brandt's and Natterer's.

The findings were very straight-forward, so please forgive me not using my more formal reporting layout.

Bats and the Law.

All British bats and their roosts are legally protected under the Wildlife and Countryside Act of 1981 (as amended) and the EC Habitats Directive of 1992 as implemented by the 2010 Conservation of Habitats and Species Regulations. (Further information is available via <http://www.legislation.gov.uk/>)

As a result of these two pieces of legislation, amongst other things it is an offence to intentionally or recklessly kill, injure or capture bats, disturb bats or damage, destroy or obstruct access to bat roosts. Doing so can result in a custodial sentence. Fines of up to £5000 per bat can be issued in cases of non-compliance with the law. Bat roosts are protected whether or not bats are present at the time.

Under the European legislation, it is necessary for a development to maintain the favourable conservation status of bats in their natural range. This has generally been interpreted as meaning no net loss of roosts, and it is expected that roosting provision for bats will be made better than or equal to whatever is being lost to development. Wider environmental issues such as changes to feeding and commuting habitat, and lighting, also require consideration. However, the term "roost" in this context, tends to be interpreted to exclude places used opportunistically on a single occasion by just one bat.

Under English legislation (the Wildlife and Countryside Act, as above), a "bat roost" is described as "any structure or place which any wild [bat]... uses for shelter or protection".

Implications.

Where a development will potentially impact on the favourable conservation status of bats in their natural range, a European Protected Species Licence is required before the roost can be interfered with in any way. It takes approximately 7 weeks for these to be issued once the application has been submitted. The application includes a Method Statement, and this along with the licence itself forms a legally binding document.

European Protected Species licences are issued providing planning permission has been granted, where appropriate.

Three conditions have to be met in order to obtain a licence and planning authorities are now required to apply the same 3 tests before granting planning consent:

- That the development is necessary for the purpose of "preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment";
- 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 in their natural range".

Accordingly, planners must now satisfy themselves before issuing planning consent that they have enough information to conclude that either the project will not have a negative impact on the favourable conservation status of bats, or if it seems likely it will, then appropriate mitigation and compensation measures will be employed to ensure this does not occur.

The mitigation and compensation measures would include appropriate timing and methodology for the work including details of how the bats will be provided-for in the long term.

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Natural England, the Government body responsible for administering the law relating to bats, have issued guidelines to planners on how to proceed with respect to bats (<http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/advice.aspx>).

Outside the planning system, the onus is on developers/members of the public, to have sufficient investigations undertaken to satisfy themselves (and the authorities in the event of a subsequent investigation), that their actions are unlikely to be in contravention of bat legislation. Where this is in doubt it is necessary to seek appropriate advice and licencing before commencing any work on site.

N.b. It should always be remembered that bats often roost in places not anticipated by a lay person, such as modern buildings, trees with cavities and bridges. Some leave no signs in lofts, as they roost underneath external features such as roof slates, ridges, weather-boarding and cladding.

In the case of a building, tree or other feature not already known to be a bat roost, if bats are found during the course of work, contractors are legally obliged to stop work and seek advice. This should be from an appropriately experienced and licenced bat ecologist. Assuming good-quality bat survey work had been carried-out before the commencement of the project, and its recommendations followed, it would be unlikely that the discovery of bats during the course of the work would be considered to be "reckless" interference.

Additional Relevant Legislation and Policy.

Section 40 of the Natural Environment and Rural Communities Act (NERC) of 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', which relates to section 74 of the Countryside and Rights of Way Act 2000 (CROW).

The aim of the biodiversity duty is to raise the profile of biodiversity in England and Wales, so that the conservation of biodiversity becomes properly embedded in all relevant policies and decisions made by public authorities.

Accordingly, certain more vulnerable habitats and species are the subject of National and/or Local Biodiversity Action Plans. Some bat species are covered by such plans. (<http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habssandspeciesimportance.aspx> provides more information)

Since 2005, National Planning Policy sets out planning policies on protection of biodiversity and geological conservation through the planning system, via PPS9 (Planning Policy Statement 9). This gives planning authorities guidance with respect to biodiversity, including protected species. Its contents are required to be taken into account in the planning process.

Survey and Findings.

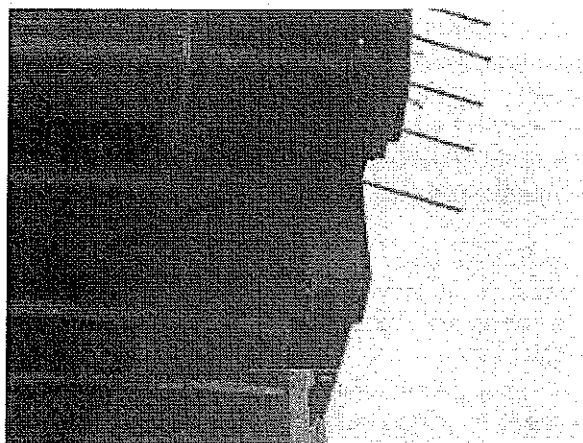
As far as possible, I surveyed the building inside and out with the aid of ladders, million candle-power torch and binoculars.

The loft contains a thick layer of fairly new, clean, insulating material and the roof is lined with bitumastic felt. I am told the insulating material was laid down before last summer.

The loft is lower at the western-end and this end was inspected only using million candle powered torch and binoculars from alongside the central chimney.

There was no evidence to suggest use by bats in the eastern part of the loft and no evidence could be seen at the western end. It could be seen that the cavity walls have been filled with foam insulation.

Externally the eaves are well sealed, except for at the north-west corner where bats can get behind the gable-end fascia from the side of the house:



There is a lesser gap at the south-western corner:



Currently there are undisturbed cobwebs at this end.

There is quite a lot of moss growth on the roof at the eastern end and roofing material is level and even, lacking significant gaps to allow bats to roost beneath it. The ridge is well pointed. Mortar-work is starting to deteriorate at the eastern-gable ridge-end but currently it appears sound enough to still prevent bat access under the ridge.

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Conclusions.

N.b. In arriving at these conclusions I am using my judgement as a licenced bat worker of over 20 years standing, with a wide range of experience of bat behaviour and activity as both a volunteer and a consultant.

There was no evidence to suggest bats have roosted in the loft.

Externally, bat access does not seem to be possible except behind the west-facing fascia.

This is a poor time of year to be looking for active signs of use by bats as they hibernate during the winter.

As this is a plain fascia, the walls have been cavity-filled and there were no obvious signs of bats in the loft, the likelihood of use by a maternity colony of pipistrelle bats - the species that tends to favour this sort of opportunity - is probably quite low, though the building is in a high-risk location for use by bats.

There is a slightly higher risk of some use by individuals or small numbers of bats at any time of year, including a territorial male in autumn with a small number of females in attendance.

Implications.

Although the building overall is low risk and the likelihood of significant use of the western fascia is quite low, as use by a maternity colony or territorial male cannot be completely ruled-out, and the building is in a high-risk location, work should not start in summer or autumn without a check that bats are absent first.

If bats were found, a more detailed Method Statement would be required to cover the timing and methodology of the work, but the development should be able to go ahead in accordance with the Method Statement without it being of detriment to the favourable conservation status of bats.

As pipistrelle bats often change roosts frequently and it would be hard to be sure no bats ever roost here, it would be good practice to ensure bats are still able to return to roost when the work is done. This is easily achieved by installing a commercially available, purpose-made, self-contained roost unit in the west-facing gable wall, towards the eaves. See Appendix 1 for examples.

Recommendations.

Do not start work between the months of May and October inclusive without a bat activity survey within the 24 to 48 beforehand to confirm as far as possible the absence of bats.

If at any time a bat or droppings that may have come from a bat are found, work **must** stop immediately. As far as practicable the feature that was sheltering the bat/s should be replaced. Further advice **must** then be sought before work continues, either from myself another bat consultant, even if the bat has flown off.

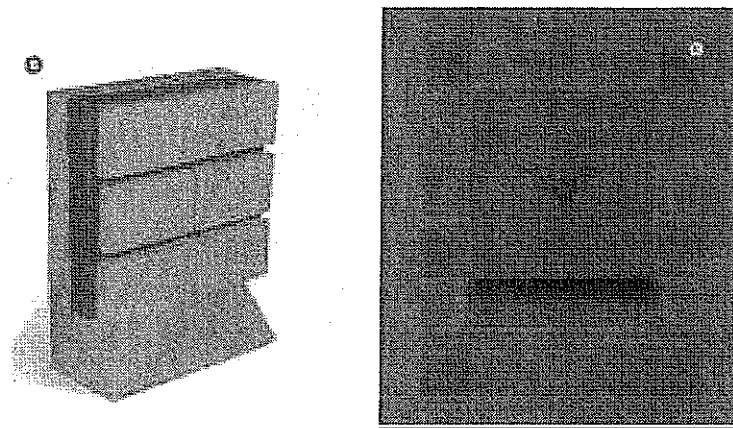
Install a bat roost unit in the western gable wall towards the eaves when the roof is raised and/or the property is extended.

If the work is delayed beyond 2012, have the survey work up-dated in summer 2013.

© Angela Graham. March 2012

Appendix 1 – examples of bat roost units

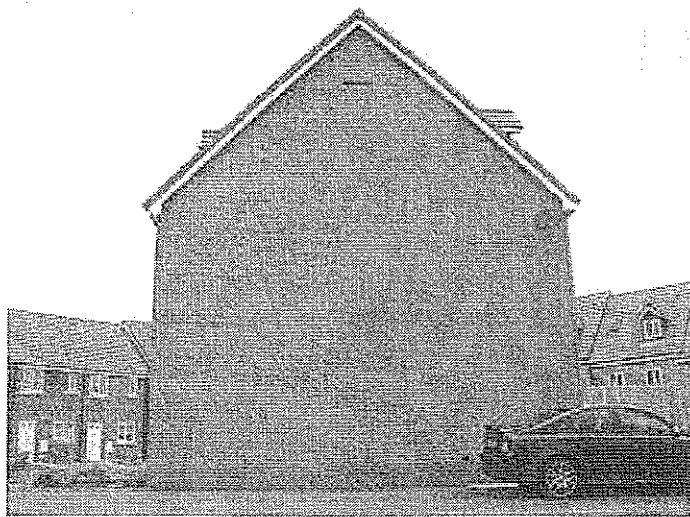
Ibstock:



Above - Ibstock roost units

N.b. red-brick and other brick-type units are available without the bat logo

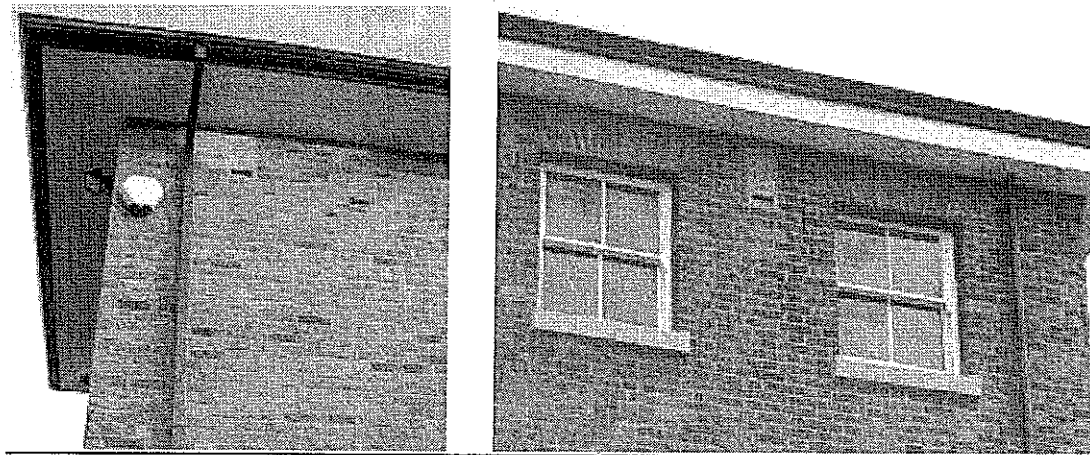
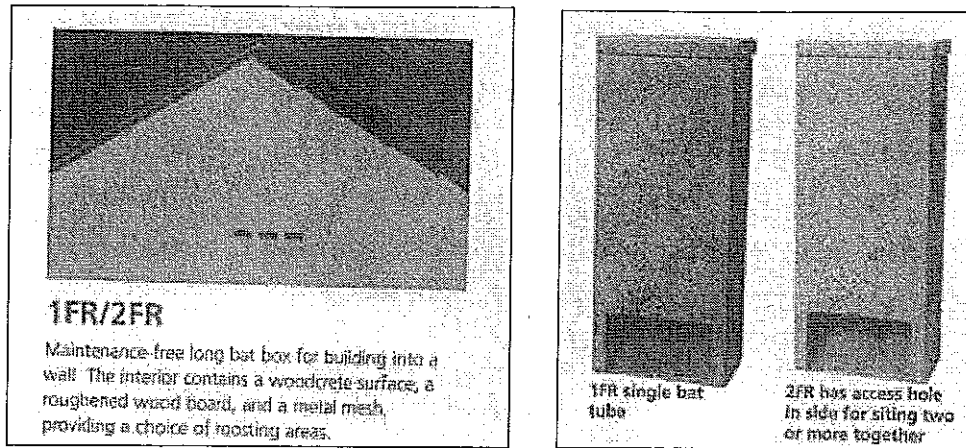
These boxes can be ordered direct from the manufacturer



Above: 3 x Ibstock units. Photo © Angela Graham

Schwegler 1FR/2FR

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Above: single Schwegler 1 FR. Photo © Angela Graham

Suppliers of Schwegler woodcrete bat boxes:

Woodcrete box, 'breathable' woodcrete.
C.I. Wildbird Foods Ltd, The Rea, Upton Magna, Shrewsbury, SY4 4UB Tel: 01743 709555

Schwegler 'woodcrete' boxes, hibernation boxes and standard wooden boxes (various sizes for different species), with siting information

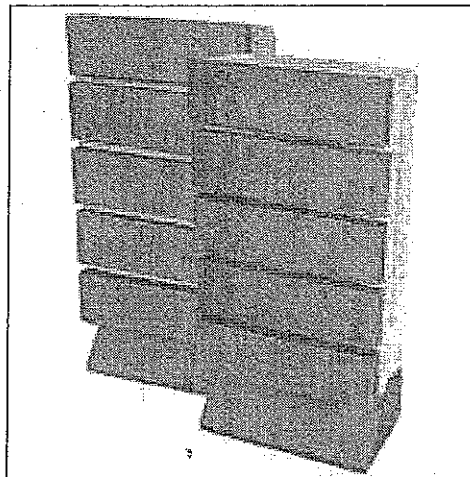
Alana Ecology Ltd, The Old School, Church Street, Bishop's Castle, Shropshire SY9 5AE
E-mail: info@alanaecology.com Web: <http://www.alanaecology.com> Tel: 01583 630173

Schwegler 'woodcrete' boxes - full range Jacobi Jayne & Co Hawthorne Cottage, Maypole Hoath, Canterbury, Kent CT3 4LW
E-mail: enquiries@jacobi-jayne.com Web: www.wildbirdfoods.com Tel: 01227 860388 Fax: 01227 860531

Additional supplier - Envisage Wildcare 01793 724848, sales@envisage-wildcare.co.uk

EcoSurv

"Designed to be built into an exterior wall and is available in a variety of faces to match the building. Standard facings of red or blue brick - ideal for new builds - are normally available from stock, or boxes can be made to your specific requirements with a face of brick, stone, timber, or plain (for rendering). Supplied unpointed."

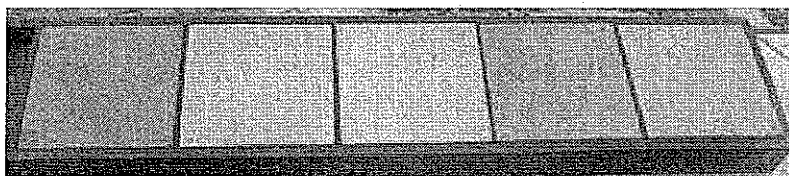


Available from Alana ecology

Forticrete



Above and below - standard colours available. Others available to order



Photos above © Angela Graham

"Forticrete's boxes have been designed to be fitted to your property easily. Suitable for new build construction or renovation work where there is a requirement to provide a habitat for Pipistrelle bats"

<http://www.forticrete.co.uk/products/184/bat-boxes.html>