

## Bat Roost Assessment Report

**65 St Mary's Gardens,  
Mellor,  
Blackburn  
BB2 7JP**

**30.07.2019**



**Report prepared by:  
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## **Summary**

In July 2019 Batworker consultancy was commissioned to undertake a survey of 65 St Mary's Gardens, Mellor, Blackburn BB2 7JP to assess the potential for use by bats.

A daytime survey was carried out on 23<sup>rd</sup> July 2019 in order to support plans to extend the property including keying into an existing roof.

**No evidence was recorded to suggest bats were roosting within the building.**

**No bats were observed or recorded using the building for roosting.**

**The building is considered to be of negligible potential for roosting bats.**

**The surveyor considers survey effort to be reasonable to assess the roost potential of the building and no further survey work is deemed appropriate.**

**The surveyor does not consider the proposed development and change of use is likely to result in a breach of the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) therefore the proposed development does not require an EPS Licence (EPSL) to proceed lawfully.**

## Introduction

In July 2019 Batworker consultancy was commissioned to undertake a survey of 65 St Mary's Gardens, Mellor, Blackburn BB2 7JP to assess the potential for use by bats.

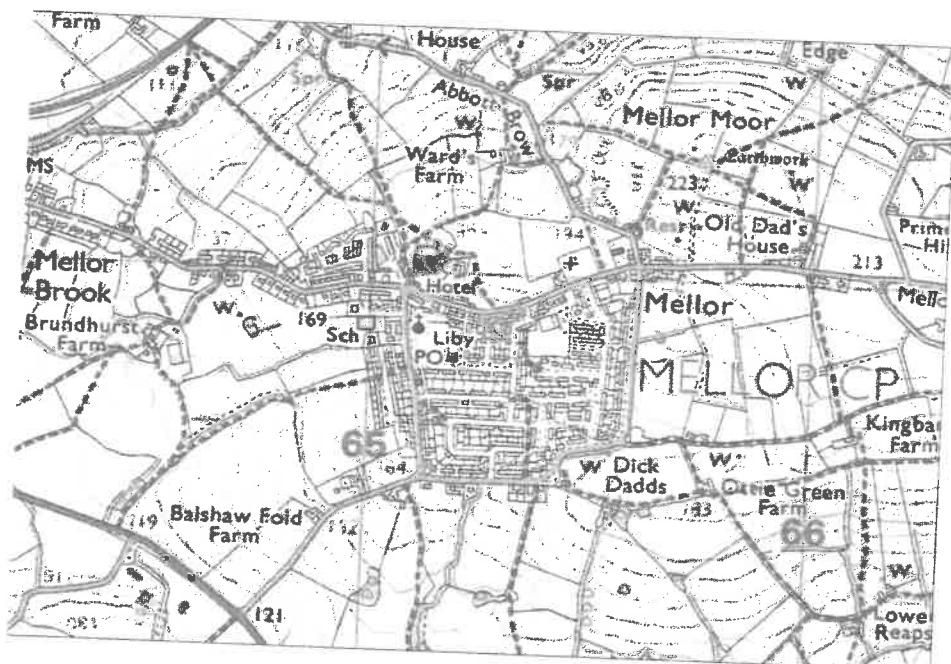
A daytime survey was carried out on 23<sup>rd</sup> July 2019 in order to support plans to extend the property including keying into an existing roof.

### **Survey and Site Assessment**

### **Objectives of the survey**

The survey was carried out to determine roost potential of the building, current usage by bats, and other protected species, of the site and to establish status of the bat species using the site prior to development work being carried out.

### **Survey site location**

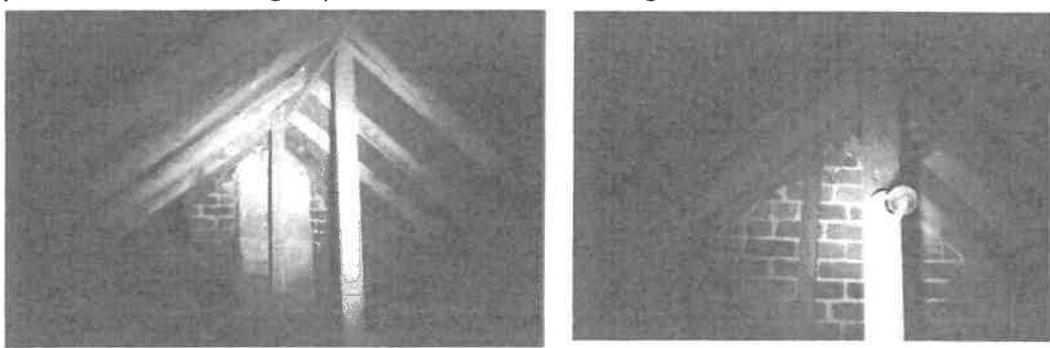


A central grid reference for the site is SD6526830836

### Site/Habitat description

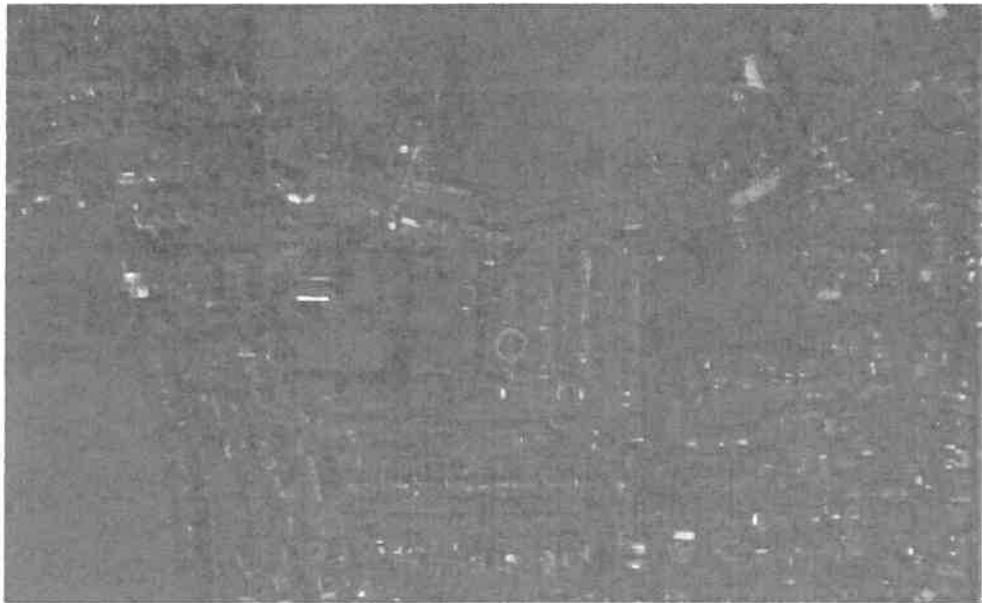


The property consists of a semi-detached two-storey brick built house with double pitched tiled roof. A single-storey extension is present to the end gable building with a single pitch tiled roof. External walls are in good condition, pointed and well sealed with no obvious cracks or crevices. The property has loft space with roof tiles lined with a bituminous roofing felt, close inspection of roofing revealed no lifted or missing slates and well sealed ridge tiles. Lead flashing where present is close fitting. UPVC soffits are close fitting and well sealed.



Overall the building offers negligible roosting potential.

### **Surrounding habitat.**



The property is located within the village of Mellor with mature domestic gardens and adjacent to an area of greenspace with some deciduous tree cover. Connectivity to the wider landscape is good.

Overall foraging potential for bats can be considered low to moderate.

### **Pre Existing data on local bat species**

A search of the MAGIC website revealed no bat EPS licence applications within a 1km radius. East Lancashire Bat Group hold no records within 1 km.

From personal experience of surveying for and researching bats in Lancashire, Yorkshire and Cumbria, the following species were considered.

Common Pipistrelle – known to roost on sites where suitable foraging habitat is available.

Soprano Pipistrelle – known to roost on sites where suitable foraging habitat is available.

Whiskered/Brandt's – species often found roosting in buildings close to woodland.

Natterer's – a typical upland bat with foraging bats being recorded high on heather moorland. Often roosting in barns.

Daubenton's – a species commonly associated with aquatic habitats.

Long Eared bat – a woodland species which has been recorded foraging over in bye meadows and rough grassland sites. Often roosting in barns.

## **Field Survey Methodology**

### **Visual inspection**

An inspection was carried out to search for and identify potential feeding perches, roosting opportunities and signs of bat use both internally and externally. The visual inspection focussed on searching for feeding remains and bat droppings both within the building and on external walls. Crevices and other potential roost sites were investigated for smear/grease marks, lack of cobwebs, urine staining.

Equipment used included:

- ! Lupine Pico LED torch
- ! SeeSnake CA 300 video endoscope
- ! Opticron close focusing binoculars

### **Personnel**

All surveys were conducted by Dave Anderson MSc, Natural England Science, Education and Conservation bat licence holder (2015-15784-CLS-CLS - Survey Level 2) a bat surveyor and ecologist with 20 years experience.

### **Survey Summary**

| <b>Survey</b> | <b>Date</b> | <b>Timings</b> |
|---------------|-------------|----------------|
| Visual        | 23.07.2019  | 1 Hour         |

### **Survey constraints**

Access to all areas of the exterior of the building was possible and good visual inspection at ground level was possible.

Evidence of bat activity such as bat droppings or staining on external walls and surfaces is frequently removed by the action of wind and rain; apparent absence of evidence is therefore evaluated with caution. In many situations it is not possible to inspect every location where bats are present therefore it should be assumed that an absence of bat evidence does not necessarily equate to evidence that bats are absent.

Some species such as pipistrelle sp bats are opportunistic and it is possible for individuals to be found during works, even where surveys have had negative results during preliminary and activity surveys.

## Results

### Visual Inspection – Bats

The property was observed to be well maintained and well sealed. No obvious potential roost features were observed.

No evidence of bats – droppings, feeding remains, staining was observed on external features.

### Visual Inspection – Nesting birds

No evidence of nesting birds was observed.

### Evaluation of the results

The property was assessed as offering negligible roost potential. No evidence of use by bats was recorded.

Based on the results of the survey it is considered that development can take place without resulting in a breach of the Habitat Regulations.

| Suitability | Description<br>Roosting habitats  | Commuting and foraging habitats   |
|-------------|---|---|
| Negligible  | Negligible habitat features on site likely to be used by roosting bats.   | Negligible habitat features on site likely to be used by commuting or foraging bats.  |
| Low         | A structure with one or more potential roost sites that could be used by individual bats opportunistically. 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 or hibernation*).                 | Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitats.          |
|             | A tree of sufficient size and age to contain PBFs but with none seen from the ground or features seen with only very limited roosting potential*.   | Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.  |
| Moderate    | A structure or tree 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 – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed). | Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or felled back gardens.   |
| High        | A structure or tree with one or more potential roost sites that are obviously suitable for use by large 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.   | Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. |
|             |   | High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland.                |
|             |   | Site is close to and connected to known roosts.   |

From Bat Survey Guidelines 3<sup>rd</sup> Edition

## Conclusion

**No evidence was recorded to suggest bats were roosting within the building.**

**No bats were observed or recorded using the building for roosting.**

**The building is considered to be of negligible potential for roosting bats.**

**The surveyor considers survey effort to be reasonable to assess the roost potential of the building and no further survey work is deemed appropriate.**

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## E Bibliography

|  |                             |
|--|-----------------------------|
| Barn Owls and Rural Planning Applications                                    | Barn Owl Trust 2009         |
| Barn Owl Survey Methodology and Techniques for use in Ecological Assessments | Shawyer, C. August 2011     |
| Bat Mitigation Guidelines  | Natural England 2006        |
| Bat Survey Guidelines 3rd Edition  | Bat Conservation Trust 2016 |
| Bat Workers Manual 3 <sup>rd</sup> Edition                                   | JNCC 2004                   |

## **Bats and the Law**

**Wildlife and Countryside Act 1981**, principally those relating to powers and penalties, have been amended by the Countryside and Rights of Way Act 2000 (CRoW Act). The CRoW Act only applies to England and Wales.

### **Section 9(1)**

It is an offence for any person to intentionally kill, injure or take any wild bat.

### **Section 9(4)(a)**

It is an offence to intentionally or recklessly\* damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection.

(\*Added by the CRoW Act in England and Wales only)

This is taken to mean all bat roosts whether bats are present or not.

### **Section 9(4)(b)**

It is an offence to intentionally or recklessly\* disturb any wild bat while it is occupying a structure or place that it uses for shelter or protection.

(\*Added by the CRoW Act in England and Wales only)

## **The Conservation (Natural Habitats, &c.) Regulations 1994**

### **Section 39(1)**

It is an offence

- (a) deliberately to capture or kill any bat
- (b) deliberately to disturb any bat
- (d) to damage or destroy a breeding site or resting place of any bat.

The difference between this legislation and the Wildlife and Countryside Act 1981 is the use of the word 'deliberately' rather than 'intentionally'. Also disturbance of bats can be anywhere, not just at a roost. Damage or destruction of a bat roost does not require the offence to be intentional or deliberate.

## **Barn Owls and the Law**

### **Part 1 of the Wildlife and Countryside Act (1981)**

(1) Subject to the provisions of this Part, if any person intentionally (or recklessly as amended by the CRoW Act, 2000) (a) kills, injures or takes any wild bird; (b) takes, damages or destroys the nest of any wild bird while

that nest is in use or being built; or (c) takes or destroys an egg of any wild bird. he shall be guilty of an offence.

(5) Subject to the provisions of this Part, if any person intentionally- (a) disturbs any wild bird included in Schedule 1 while it is building a nest or is at, on or near a nest containing eggs or young; or (b) disturbs dependent young of such a bird, he shall be guilty of an offence and liable to a special penalty.

**Countryside and Rights of Way (CRoW) Act (2000)**

**Part III Nature conservation and wildlife protection**

**74 Conservation of biological diversity**

(1) It is the duty of—(a) any Minister of the Crown (within the meaning of the Ministers of the [1975 c. 26.] Crown Act 1975), (b) any Government department, and (c) the National Assembly for Wales, in carrying out his or its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biological diversity in accordance with the Convention.

**SCHEDULE 12 AMENDMENTS RELATING TO PART I OF WILDLIFE AND COUNTRYSIDE ACT 1981**

1. In section 1(5) of the 1981 Act (offence of intentional disturbance of wild birds) after "intentionally" there is inserted "or recklessly".

**The Natural Environment and Rural Communities Act (2006)**

**PART 3, (40): Duty to conserve biodiversity**

(1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

(3) Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.