

received
22nd Jan 2020

Miss A Woodruff
C/o Sherburn
Beechthorpe
Waddington
BB7 3HT

20th January 2020

Dear Miss Woodruff

**Proposed development at Sherburn, Beechthorpe, Waddington, BB7 3HT – Planning
Reference: 3/2020/0015**

Thank you for your request for a bat survey in relation to a proposed development at the above site. I understand that the proposal is for a new entrance porch, new dormers, removal of existing chimney and the demolition of an existing garage to construct a new garage building.

Background and Qualifications

The survey was carried out Pat Waring and Janette Gazzard.

Pat is a licensed bat worker (Class 2 licence), a Registered Consultant of the Bat Low Impact Class Licence, a Chartered Environmentalist and a full member of the Chartered Institute of Ecology and Environmental Management, with a Bachelor of Science degree in Biology.

Pat has been working as an ecological consultant for over twenty two years, most recently as Director of Ecology Services UK Limited. This work includes provision of expert advice, guidance and training to bodies such as Statutory Nature Conservation Organisations, Local Planning Authorities and Lancashire, Yorkshire and North Wales Police Authorities, as well as the delivery of professional training courses about bats at a national level.

Pat has recognised and extensive experience and knowledge of ecological survey, monitoring, condition assessment and impact assessment techniques. He has extensive knowledge of bat ecology relating to built structure and trees including the requirements and condition necessary for bats roosting. He also has recognised skills relating to bat surveys and assessment.

Janette is a full member of Chartered Institute of Ecology and Environmental Management, with a Bachelor of Science degree in Environmental Management.

Janette has over sixteen years' experience working in ecology and nature conservation, including roles as a Senior Ecologist for a large multidisciplinary company and as a lead adviser for Natural England throughout the North West of England. She has a range of demonstrable skills including habitat surveys, ecological appraisals, protected species, conservation management advice and condition assessments, as well as extensive experience of bat surveys of built structures and trees.

Pat Waring and Janette Gazzard meet the requirements for knowledge, skills and practical experience as outlined in the CIEEM technical guidance, Chartered Institute for Ecology and Environmental Management (2013) *Competencies for Species Survey: Bats*. CIEEM, Winchester, Hants.

Advisory Note

The information in this letter represents the professional opinion of an ecological consultancy and does not constitute professional legal advice. You may wish to seek professional legal interpretation of the wildlife legislation associated with this area of work.

The information, opinion and advice that Ecology Services UK Ltd has prepared are true, and have been prepared in accordance with the CIEEM Code of Professional Conduct. Ecology Services UK Ltd confirms that the opinions expressed are our true professional bone fide opinions.

Ecology surveys are time-limited; as a rule survey findings can generally be relied on for the season in which surveys took place. However, mobile species such as bats and birds may increase or decrease in numbers and change behaviours over time. Statutory agencies will often accept survey results for 12-18 months, but this varies around the country.

Ecology Services UK Ltd personnel make a professional judgement as to how long the results of our surveys will remain current. Advice and recommendations as regards currency and its impacts on decision making are included in relevant sections below.

Methodology

In order to assess the likelihood of bats being present at the proposed development site, a daytime inspection of the building and surroundings was carried out on 17th January 2020.

Observations were made from ground level, as well as from telescopic ladders, to examine potential roost features. An endoscope, although available, was not required on this occasion. A 1000 lumens Led Lenser x21 torch and close-focussing Zeiss Victory FL 8x42 binoculars were also used as aids to visibility.

It is recognised that limiting the survey to a single visit in one month does not take account of bat activity on the site through the whole of the active season (April to October) or at other times of the year.

The survey was compliant with the current best practice guidance, as detailed in Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn)*. The Bat Conservation Trust, London.

Results

Sherburn is a semi detached bungalow, currently unoccupied. The walls are part constructed of brick and render and part stone. The hipped roof is tiled with a dense covering of moss, including at the ridge. There are no visible gaps associated with the roof.

The door and windows are a mix of timber framed and upvc and all are sealed with no visible gaps. There are timber soffits around the roof edges which are in poor condition (timbers have started to de-laminate) but the seal between the soffit and wall top is almost all tight with no suitable gaps. There are gaps below the soffits in areas associated with the chimney stack (west elevation) and bay window (south elevation). Although the gaps at the chimney stack and bay window are a suitable size for use by bats, access for bats is severely limited, whereby both chimney and window structures prevent fly in and fly out access for bats, thus significantly reducing their overall suitability of use to negligible.

The roof void is a large uncluttered space, underlined with bitumastic hessian liner with timber roof supports and ridge beam. The floor is boarded and roof space is open and clean, with no signs of use from bats or birds.

The single storey garage is located in the rear garden. It is constructed of concrete panel walls with a dual pitched asbestos roof. There is a metal garage door and windows on both sides of the concrete wall panels, making the internal space light. The garage is used for storage. There are a small number of gaps associated with roof edges and a gap in the concrete wall but potential for use by bats is negligible and the potential for use by nesting birds is regarded as low.

Cotoneaster, a non native invasive plant species, is present within a border immediately adjacent to the garage building.

The bungalow and garage buildings lie within a residential area with managed front and rear gardens and a concrete driveway and paths. There are back to back gardens with walls, garden plants, shrubs as well as occasional small trees nearby. Other buildings (dwellings, garages and garden sheds) lie immediately adjacent and in close proximity. The levels of artificial lighting are expected to be moderate based on the density of housing and street lights. The immediate surroundings provide high potential shelter and foraging resources to local bat and bird populations.

Bats

No bats or signs of bats were found during the site inspection.

Potential roosting features for bats are:

Night roosting

Negligible – there are no suitable night roosting features

Day roosting

Negligible – the soffit gaps associated with chimney and bay window are regarded as unsuitable for use by bats

Hibernation roosting

Negligible - the soffit gaps associated with chimney and bay window are regarded as unsuitable for use by hibernating bats.

A negligible assessment in the above examples reflects the condition of the features and their environment. It is our professional judgement that no further surveys for bats are warranted, at this time.

Nesting birds

No bird nests or signs of nesting birds were found during the survey.

There is some potential for nesting birds to make use of the garage building if it is left undisturbed for long periods during the nesting season (February –September).

Other species

There is no evidence of any other protected species. The proposed development site is considered unsuitable to support other protected species as a result of current use of the site and the availability and condition of habitats present.

Advice and Recommendations

Bats

It is advised that there is no evidence to suggest that bats pose a constraint to the proposed development at any time of the year.

It is advised that the proposed development site is within a high value landscape for bats. As a precaution, dismantling of the roof structures should be carried out carefully by hand.

It is advised that if bats are found at any time during the development, work must stop until advice has been sought from an appropriately experienced Ecologist. If the development will affect bats, a licence may be required and suitable mitigation put in place.

Rationale for advice

The survey has provided no evidence of bat roosts; however bats are small, opportunistic animals that may exploit a wide range of niches at any time of the year. The proposed development site lies within a wider area that offers high potential roosting and foraging resources to bats.

Bats and their roosts are protected under UK and European legislation. Roost sites are protected even if bats are not present at the time of the survey.

Nesting birds

It is advised that nesting birds could utilise the garage building (gaps associated with roof edges) throughout the nesting season (February to September). It is therefore advised that demolition works to the garage are either undertaken outside the nesting bird season, or if works cannot be avoided during this period, a pre-commencement check is carried out by an ecologist.

It is advised that all personnel involved in works to the garage building and its surroundings should be carefully appraised of issues regarding nesting birds by an appropriate person, so that all works are undertaken with a clear understanding about legal aspects, precautions to be adopted and what to do if an active nest is found.

It is advised if nesting birds are found in the building or in close proximity during development works, it will be necessary to delay works or seek advice as to whether or not any development can proceed lawfully at that time. Under these circumstances, work must stop until advice has been sought from an appropriately experienced Ecologist.

Bird species which nest in gardens and buildings are likely to occur within the proposed development site during the nesting season. The proposed development has potential to disturb nesting birds if they are making use of the building.

Under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition certain species such as the barn owls are included under Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependant young. Offences against birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) are subject to special penalties.

If nesting birds are present, plans will need to show how offences will be avoided during the proposed development. Work will have to be programmed around the nesting season to minimise disturbance.

There is no provision under the Wildlife and Countryside Act 1981 (as amended) for licensing the disturbance of nesting birds (other than feral pigeons) or the destruction of nests, which are in use, for the purpose of development. If enforcement action were taken, the developer would need to rely on the 'incidental result of an otherwise lawful operation' defence if it were not possible to avoid an offence being committed. This defence can only be tested in court and it is therefore important to ensure all possible

mechanisms for avoiding an offence are considered.

Non Native Invasive Plant Species

It is advised that works on site will have to take account of non native invasive species present on site i.e. cotoneaster.

As the development will result in an amount of disturbance, working methods must be adopted in order to prevent non native plant species from establishing within the vicinity or causing them to spread and grow in the wild.

Rationale for advice

Plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).
Section 14(2) of the Wildlife and Countryside Act 1981 (as amended) prohibits 'planting' or 'causing to grow' in the wild of any plant listed in Part 2 of Schedule 9.

Other protected species

There are no constraints in relation to other protected species.

For this site, it is recommended that if proposed works are not undertaken within 12 months of the ecology survey, advice should be sought as to the need for further surveys at that time.

If you would like any further advice or guidance in relation to this site, please do not hesitate to contact me.

Yours sincerely



Janette Gazzard
MCIEEM Senior
Ecologist
Ecology Services UK Ltd
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View of front elevation (lhs) and rear elevation (rhs) of bungalow



View of closed timber soffit (lhs) and internal view of roof void with timber supports and bitumastic liner (rhs)



View of garage building (lhs) and internal view of garage (rhs)



Close up image of cotoneaster growing adjacent the garage (lhs) and view of rear garden showing managed lawn, neighbouring gardens and other buildings nearby (rhs)

Summary of issues and advice

Issues (bats)	Action required
Further surveys	No further surveys required at current time.
European Protected Species licence (bat licence)	Not required
Bat Low Impact Class licence	Not required
Timing constraints	Not required
Method statement for contractors	Not required
Advice for contractors	The proposed development site is within a high value landscape for bats. As a precaution, dismantling of any roof structures should be carried out carefully by hand.
Bats found during development	If bats are found at any time during the development, work must stop until advice has been sought from an appropriately experienced Ecologist Work.

Issues (birds)	Action required
Further surveys	No further surveys required at current time.
Timing constraints	Either: 1. Work outside nesting season (February to September) or 2. Commission a pre-commencement survey for nesting birds if works must take place within the nesting season.
Method statement for contractors	Not required at the current time. Requirement will depend on the methods adopted to address timing constraints.
Advice for contractors	All personnel involved in refurbishment works should be carefully advised about nesting birds by an appropriate person, so that all works are undertaken with a clear understanding about legal aspects, precautions to be adopted and what to do if nesting birds are found.
Nesting birds found during development	Work must stop until advice has been sought from an appropriately experienced Ecologist.

Issues (non native species)	Action required
Further surveys	No further surveys required at current time.
Timing constraints	Not required
Method statement for contractors	Not required
Advice for contractors	All personnel involved in the proposed development should be carefully advised about non native species by an appropriate person, so that all works are undertaken with a clear understanding about legal aspects and precautions to be adopted.

