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Dusk Survey Results

July 2025

Lovely Hall
Lovely Hall Lane
Blackburn
BB1 9EQ

National Grid Reference: SD 6783 3351

Document Title	Dusk Survey Results
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Prepared by	Tyrer Ecological Consultants Ltd

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Executive Summary

As part of a previously granted planning application and application for listed building consent with Ribble Valley Borough Council at Lovely Hall in Blackburn (termed 'the site'), Tyrer Ecological Consultants carried out an Inspection and Assessment in Relation to Bats and Breeding Birds in March 2020.

This inspection categorised the building as pertaining to '**High**' bat roost suitability, and thus three dusk/dawn emergence/re-entry surveys were undertaken in May – June 2020, which ascertained that the building was host do a Day roost of small numbers of common pipistrelle bats and a single *Myotis sp.* A European Protected Species Licence (EPSML) was thus applied for and granted for the development.

However, following a delay in works proceeding, planning lapsed, and the date of licensable works contained within the EPSML was missed. As such, an updated planning application and application for listed building consent was proposed in 2025. In addition, the previously granted EPSML was no longer valid, and thus an updated EPSML was likely to be required prior to any works. Given the time that had elapsed since the original 2020 survey effort, updated dusk emergence surveys were required to inform an updated EPSML.

Tyrer Ecological Consultants were therefore re-commissioned to undertake updated surveys in May and June 2025, in accordance with the now relevant Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th ed. (2023).

Bats

Based on the results gathered during the 2025 dusk surveys, the building is ascertained to be host to three Day roosts supporting low numbers of common pipistrelle bats, and one Day roost supporting low numbers of soprano pipistrelle bats. In addition, the non-target garage extension is also host to a soprano pipistrelle bat Day roost.

A new EPSML will be required from Natural England for the proposed development to legally proceed.

A Mitigation Scheme to inform the EPSML application, and to demonstrate to the Local Authority that the favourable conservation status of the species identified can be maintained, has been provided in ***Section 6.0*** *of this report.*

Survey Validity

Bat emergence/re-entry surveys are typically **valid for a period of 12 – 18 months**; Ideally, the survey data should be from the most recent optimal survey season before a planning or licence application is submitted, however this is at the discretion of the Local Planning Authority and/or Natural England. Should your planning application not achieve consent, or a licence application (where required) not be applied for within this time period, updated surveys may be required.

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1.0 Background & Introduction

1.1 As part of a previously granted planning application and application for listed building consent with Ribble Valley Borough Council (Refs: 3/2020/0852[1] and 3/2020/0853[2]) at Lovely Hall in Blackburn (termed 'the site'), Tyrer Ecological Consultants carried out an Inspection and Assessment in Relation to Bats and Breeding Birds in March 2020.

1.2 The survey was commissioned by PPY Design Ltd; proposals entailed the reroofing of the central and western areas of the building alongside the installation of an en suite shower room. See **Figure 1.1** for a site location plan.

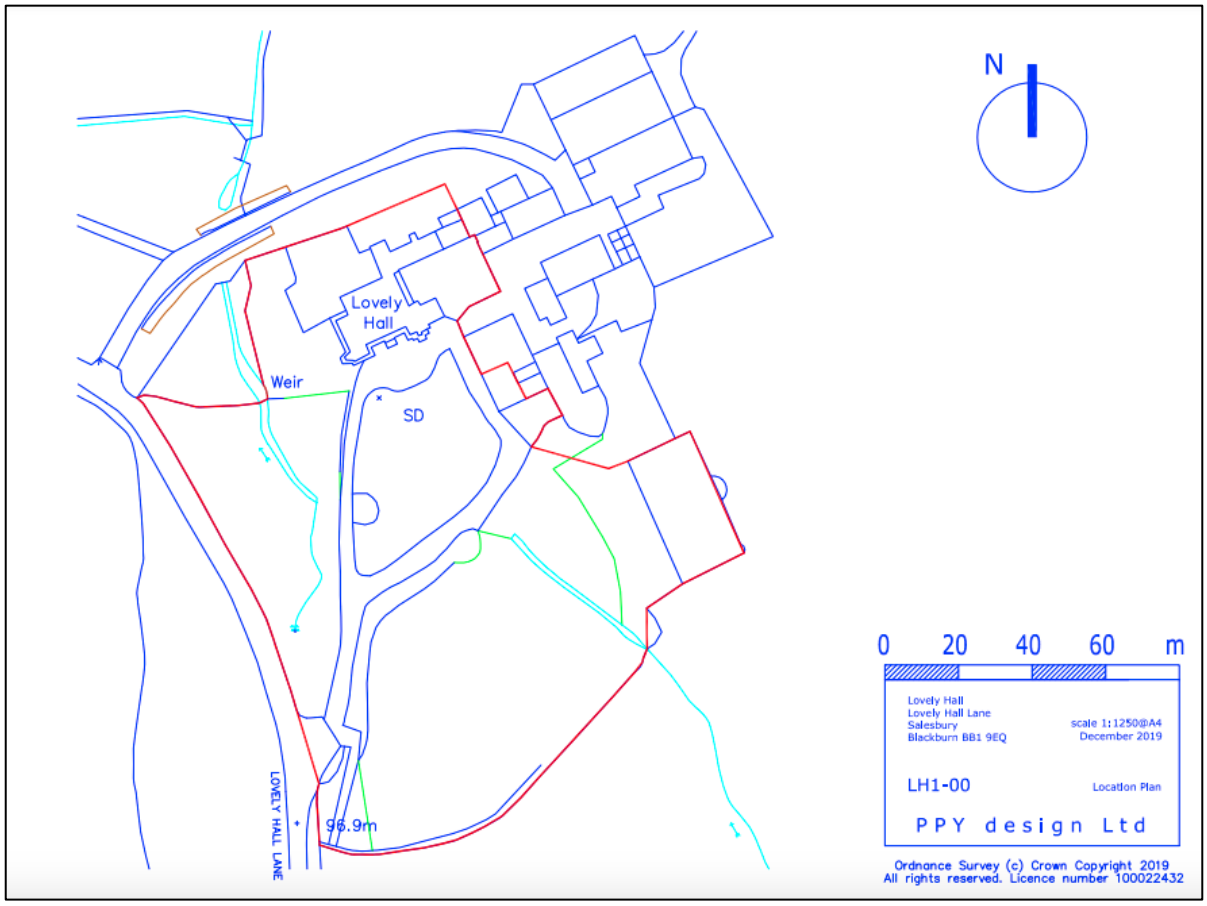


Figure 1.1 – *Site location plan © PPY Design Ltd*

1.3 Included within the inspection was a Preliminary Roost Assessment (PRA) of any built structures and trees on site in relation to bats. Based on the findings of the PRA, Lovely Hall was duly categorised as pertaining to '**High**' bat roost suitability, in accordance with the then relevant Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd ed. (2016) (see **Figure 1.2** overleaf for a BCT guidance extract).

[1] See: https://webportal.ribblevalley.gov.uk/planningApplication/32320
[2] See: https://webportal.ribblevalley.gov.uk/planningApplication/32321

Table 7.3 Recommended minimum number of survey visits for presence/absence surveys to give confidence in a negative result for structures (also recommended for trees but unlikely to give confidence in a negative result).

Low roost suitability	Moderate roost suitability	High roost suitability
One survey visit. One dusk emergence or dawn re-entry survey[a] (structures). No further surveys required (trees).	Two separate survey visits. One dusk emergence and a separate dawn re-entry survey.[b]	Three separate survey visits. At least one dusk emergence and a separate dawn re-entry survey. The third visit could be either dusk or dawn.[b]

Figure 1.2 – *2016 BCT extract on 'High'' suitability survey implications*

1.4 As such, Tyrer Ecological Consultants were re-commissioned to undertake the three recommended dusk/dawn emergence/re-entry surveys in May – June 2020. These surveys concluded that the building was host do a Day roost of small numbers of common pipistrelle (*Pipistrellus pipistrellus*) bats and a single *Myotis sp.*

1.5 Following these surveys, a European Protected Species Licence (EPSML) was applied for and granted, which detailed a mitigation scheme to be implemented at the site post-development to legally allow impacts to the aforementioned Day roosts and maintain the favourable conservation status of the species mentioned, with a work schedule detailing the period within which the works had to completed included within the licence documentation.

1.6 However, following a delay in works proceeding, planning lapsed, and the date of licensable works contained within the EPSML was missed. As such, an updated planning application and application for listed building consent was proposed in 2025, entailing the same proposals as previously. In addition, the previously granted EPSML was no longer valid, and thus an updated EPSML was likely to be required prior to any works. Given the time that had elapsed since the original 2020 survey effort, updated dusk emergence surveys were required to inform an updated EPSML.

1.7 Tyrer Ecological Consultants were therefore re-commissioned to undertake updated surveys in May and June 2025, in accordance with the now relevant Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th ed. (2023) (see **Figure 1.3**).

Table 7.2. Recommended minimum number of survey visits for presence/absence surveys to give confidence in a negative result for structures (also recommended for trees but unlikely to give confidence in a negative result).

Low roost suitability or PRF-I	Moderate roost suitability	High roost suitability or PRF-M
One survey visit. One dusk emergence survey[a] (structures). No further surveys required (trees).	Two separate dusk emergence survey visits[b].	Three separate dusk emergence survey visits[b].

Figure 1.3 – *2023 BCT extract on 'High' survey implications*

1.8 Following the results of the first two updated surveys, in combination with the historic survey data, it was considered that enough information was gathered with which to accurately categorise the building's use by bats. As such, the third of the recommended surveys was not undertaken, as it was deemed unnecessary.

1.9 The surveys aimed to identify the presence or reasonably conclude the absence of bats within the buildings. The results, conclusions and recommendations following the survey, including any indicative mitigation to inform an application to Natural England for an updated EPSML will be supplied within this report.

1.10 This report should be read, understood and presented to the local authority as an additional document to **Appendix I** (see Contents page).

2.0 Bats – Legislation & Policy

2.1 All British bats and their **roosts are afforded full protection under the Wildlife & Countryside Act (1981) (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations (2019) (EU Exit). When dealing with cases where an EPS (all UK bats) may be affected, a planning authority is a competent authority within the meaning of Regulation 7 of the Regulations, and therefore has a statutory duty, as the local authority, to have due regard to the provisions of the Regulations in the exercise of its functions.

2.2 Uses of Buildings by Bats

a) Summer breeding roost, and day/occasional roost (May – August)
b) Hibernation roost (October – March)
c) Transitional or temporary roost (other months)

2.3 Roost selection is often closely correlated to suitable foraging habitat within a reasonable commuting distance from the roost and different sites are used depending upon insect densities and abundance; climatic conditions can also affect their ability to successfully forage. All British bats are insectivorous.

*** The term roost is generically referred to as a place that bat/s use for the any of the above reasons, however it should be noted that under the Conservation of Habitats and Species Regulations (2019) (EU Exit) (Regulation 43 (d) the term roost is not used but refers to "a breeding site or resting place of such an animal" and is afforded legal protection. The roost, breeding site or resting place of bats, which ever terminology is used is legally protected whether or not bats are in occupation.*

2.4 Up to 11 bat species have been regularly recorded within Lancashire to date, many of which use built structures, notably occupied residential buildings, for roosting. The most frequently encountered bat species is the common pipistrelle (*Pipistrellus pipistrellus*) and its abundant status in Lancashire is reflected throughout the UK.

Policy

2.5 Guidance for Local Authorities: Extract from Office of the Deputy Prime Minister – Circular 06/2005:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

2.6 Paragraph 193 of the National Policy Planning Framework (as revised in December 2024) states:

"When determining planning applications, local planning authorities should apply the following principles:
a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons[3] and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

2.7 The Ribble Valley Borough Council Core Strategy (2008 – 2028) echoes this national focus on biodiversity within Policy EN4, titled 'Biodiversity and Geodiversity', stating:

"The Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats and help develop green corridors. Where appropriate, cross-Local Authority boundary working will continue to take place to achieve this.

Negative impacts on biodiversity through development proposals should be avoided. Development proposals that adversely affect a site of recognised environmental or ecological importance will only be permitted where a developer can demonstrate that the negative effects of a proposed development can be mitigated, or as a last resort, compensated for. It will be the developer's responsibility to identify and agree an acceptable scheme, accompanied by appropriate survey information, before an application is determined. There should, as a principle, be no net loss of biodiversity.

These sites are as follows:

- *Sites of Special Scientific Interest (SSSIs)*
- *Local Nature Reserves (LNRs)*
- *Local Biological Heritage sites (CBHs)*
- *Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)*
- *Local Geodiversity Heritage Sites*
- *Ancient Woodlands*
- *Lancashire Biodiversity Action Plan priority habitats and species*
- *European Directive on Protected Species and Habitats - Annexe 1 Habitats and Annexe II Species*
- *Habitats and Species of Principal Importance in England*

With respect to sites designated through European legislation the Authority will be bound by the provisions of the relevant Habitats Directives and Regulations.

For those sites that are not statutorily designated and compensation could be managed through a mechanism such as biodiversity off-setting via conservation credits."

[3] For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat

3.0 Survey Methods

3.1 Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th ed. (2023) edition states:

"*The guidelines do not aim to either override or replace knowledge and experience. It is accepted that departures from the guidelines (e.g. either decreasing or increasing the number of surveys carried out or using alternative methods) are often appropriate The guidance should be interpreted and adapted on a case-by-case basis according to site-specific factors and the professional judgement of an experienced ecologist. Where examples are used in the guidelines, they are descriptive rather than prescriptive."*

3.2 Relative to the above the survey protocol has been determined using the collective and long standing experience of Tyrer Ecological Consultants Ltd and knowledge of the specific nature of the site.

Survey Protocol

3.3 The timing of the surveys took place in May and June 2025, thus within the time period when bats are within their active and breeding season, when bats are within a highly active and social stage, maternity colonies of pregnant females have formed at established breeding sites, and when certain species are starting to give birth to pups.

3.4 In accordance with Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th ed. (2023), it is specified that:

"*The bat active period is generally considered to be between April and October inclusive*", though the period of **May – August** is the optimal most productive period that Natural England accept bat surveys and grant EPSMLs in relation to bats.

3.5 Typically only surveys within this period are accepted by licensing authorities, as the results of these surveys are used to inform an EPS licence application or a non-licensable Precautionary Working Method Statement (PWMS).

3.6 Where bats are roosting, they are likely to be detected by the ecologists who are trained in the use of bat detector hardware and call analysis software, and specifically how to detect bats and to correctly identify / disseminate bat calls.

3.7 When considering survey protocol, the decisions about whether dusk or dawn surveys are selected are based on the extensive experience of Tyrer Ecological Consultants Ltd, the nature of the building and species that can be anticipated as being present either at the property or in the locality as well as any visual limitations at the survey site.

3.8 Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th ed. (2023), it is specified that:

"Roost re-entry visits prior to dawn are no longer routinely recommended for presence/absence surveys due to the risk of bats returning early and being missed … As return times appear to be far more variable (Andrews & Pearson, 2022)."

3.9 In this case, the bat roost potential that exists at Lovely Hall presents no problems for dusk observations; if a building is complex, or observations were restricted, or species that are difficult to detect at dusk are suspected then dawn surveys would be conducted where appropriate. At the site there are no visual constraints and to date there is no evidence to suggest the presence of such species.

3.10 Survey protocol should not be determined by parties who are 1) not familiar with the site 2) do not have a sufficient level or experience in relation to the undertaking of dusk / dawn bat surveys.

3.11 The number of surveys and surveyors was adequate relative to the roost potential that was identified on attendance of the site, i.e. **'High'** (though as stated in Section 1.0 only two surveys were undertaken), and requiring four surveyors to accurately monitor potential roost features (PRFs) across the structure. Surveyor credentials are provided in **Table 3.1** below:

Table 3.1 – Surveyor credentials

Surveyor(s)	Experience	Surveyor Credentials
Mr. J. Pescod ACIEEM	7 years	• Principal Ecologist with extensive training and experience, • MRes Advanced Biological Sciences, BSc (Hons), • Holder of a Natural England Bat Level 2 Survey Class Licence CL18 (2025-13116-CL18-BAT).
Mr. H. Mulligan Qualifying CIEEM	3 years	• Consultant Ecologist and BNG Lead with a range of training and experience, • MBiolSci in Biological Sciences (Zoology), • Accredited agent on the Natural England Class 2 Bat License (CLS-14227) of Mrs. K. Wilding.
Mrs. R. Fawcett	1 year	• Office administrator at Tyrer Ecological Consultants Ltd, • Seasonal consultant with experience of undertaking professional bat surveys.
Miss T. Hesketh	5 years	• Experienced Seasonal Ecologist with a range of training and experience, • BSc (Hons.) Biology and MSc Conservation Management (a CIEEM accredited course), • Holder of a Natural England Bat Level 2 Survey Class Licence (2025-13054-CL18-BAT)
Mrs. K. Swift	10+ years	• Seasonal ecologist who has extensive experience undertaking professional bat surveys, • Holder of Natural England Class 2 Bat Licence (CLS-22801).
Mr. M. Smith	7 years	• An experienced seasonal consultant with experience of undertaking professional bat surveys.

3.12 Surveyors were strategically positioned so that all elevations with bat roost potential could be observed without limitation. The surveyors were aided by full spectrum electronic bat detectors including the Anabat Scout, Elekon Batlogger M & M2, Echometer EM2 Pro, Peersonic RPA3, or equivalent detectors which enable the locating and recording of the high frequency calls that are emitted by bats; echolocation calls were analysed the next day using, Anabat Insight, Kaleidoscope, BatExplorer, Sonobat or equivalent computer software to verify field observations.

3.13 Elevations were also surveyed via the use of a Night Vision Aid (NVA) Camera (Panasonic HC-VXF990, Canon XA35 or Canon XA70) or Nightfox Whisker Night Vision Binoculars with additional illumination provided by infra-red (IR) lighting (for example Nightfox Arc, Nightfox XB5, or additional IR floodlights) where deemed necessary by the attending ecologist(s) – recordings would be subject to review the following day to identify emergences / flight lines and species / abundance.

Survey Limitations

3.14 Following the completion of the further surveys, having carefully considered the results and conclusions derived from all surveys to date, no significant constraints were experienced that might hinder the gathering of ecological data on which to base sound conclusions and recommendations.

4.0 Results

4.1 Two dusk emergence surveys were undertaken at the site, during May & June 2025 by four surveyors at any one time. **Table 4.1** shows survey timings and weather conditions, whilst **Table 4.2** alongside **Figures 4.1 – 4.7** document the results of the dusk surveys.

Table 4.1 – Survey date, times and weather conditions

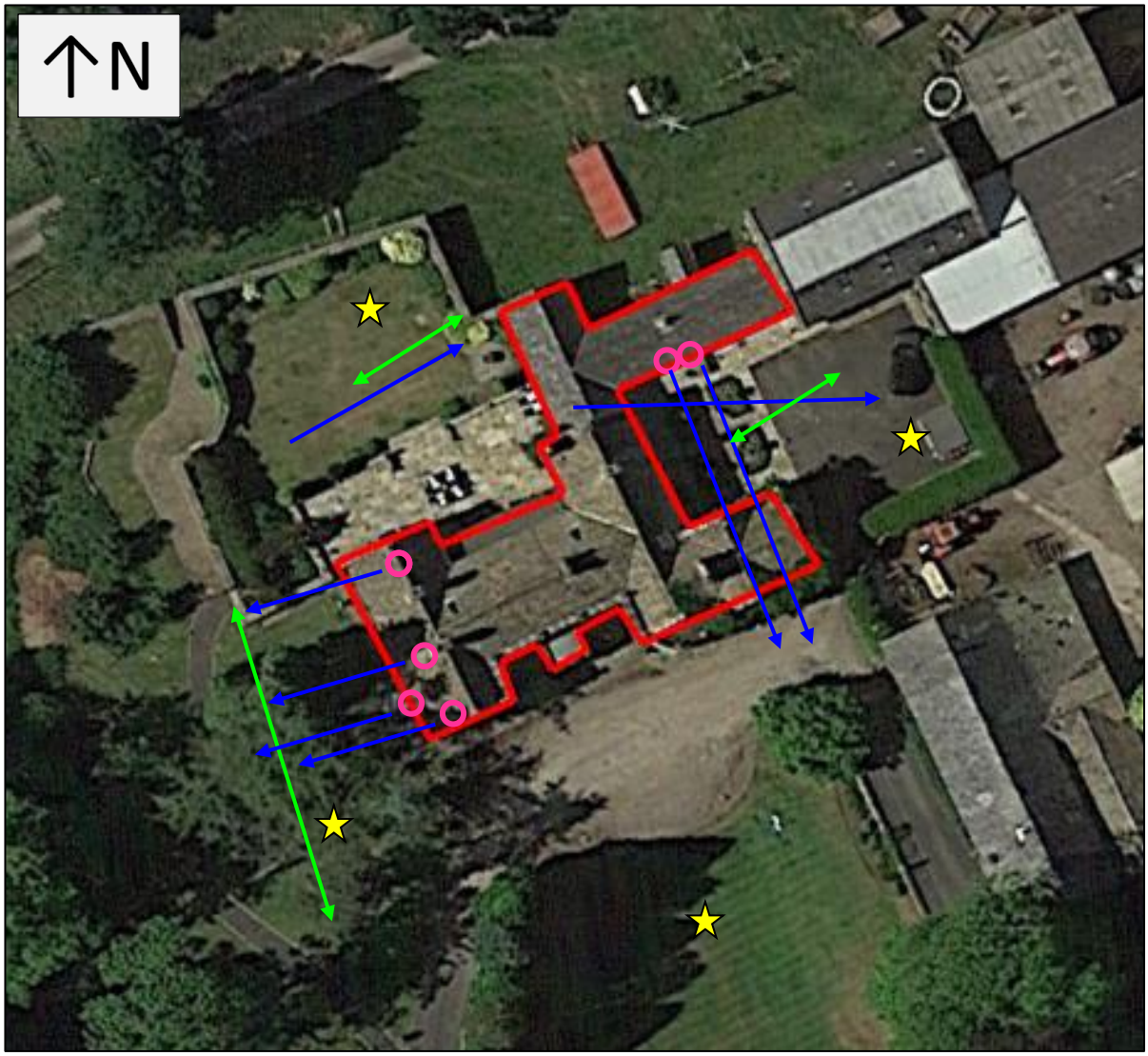
Times of Survey	Date	Weather Conditions
Dusk survey 1 2045 – 2235	15/05/2025	**Sunset: 2105:** Dry, Light air 1/12 Beaufort), 10% cloud cover Start temp: 12ºC End temp: 10ºC
Dusk survey 2 2114 – 2304	05/06/2025	**Sunset: 2134:** Dry, Light air (1/12 Beaufort), 90% cloud cover Start temp: 11ºC End temp: 10ºC

Table 4.2 – Dusk survey results

Survey Dates	Time	Activity
15/05/2025	2045 – 2235	**Summary: Emergence of four common pipistrelle bats from three separate emergence points to the west and north-east of the building (EP1, EP2 & EP4), and emergence of four soprano pipistrelle bats from three separate emergence points to the west and north-east of the building (EP3, EP5 & EP6).** 2125 hrs: A common pipistrelle (CP) emerged from a lifted ridge tile to the south of the northernmost chimney on the western roof pitch before commuting west. **EP1** 2125 hrs: A CP emerged from a lifted stone tile to the south-east of the western roof pitch before commuting west. **EP2** 2129 – 2145 hrs: A CP foraged to west of building 2129 – 2136 hrs: Two soprano pipistrelles (SP) emerged from the open eaves to the north of the dormer window on the western roof pitch before foraging to west of the building. **EP3** 2130 hrs: Two CP emerged from beneath a slipped slate above a door to the south of the north-eastern roof pitch, before commuting south. **EP4** 2133 hrs: An SP emerged from the open eaves to the west of the north-eastern roof pitch, before commuting south. **EP5** 2136 hrs: An SP emerged from a slipped tile in the centre of the western roof pitch, close to the ridge, before commuting west. **EP6**

Survey Dates	Time	Activity
		2139 – 2156 hrs: An SP occasionally foraged in and commuted through the courtyard to the east of the building. 2142 hrs: Two SP social called to west of building. 2143 – 2228 hrs: Up to two SP and a CP sporadically foraged and commuted at north of building. 2205 – 2216 hrs: A Daubenton's (Daub) was heard but not seen at west and east of site. General activity comprised of frequent foraging and commuting by a single common pipistrelle bat and two soprano pipistrelle bats, alongside passes by a Daubenton's bat and a brown long-eared bat.
05/06/2025	2114 – 2304	**Summary: Emergence of six common pipistrelle bats from four separate emergence points to the west and north-east of the building (EP3, EP5, EP7 & EP8), and emergence of one soprano pipistrelle bat from the west of the building (EP10). In addition, two soprano pipistrelle bats also emerged from the adjoined garage (non-target building) (EP9).** 2134 hrs: A CP emerged from beneath a ridge tile on the central roof pitch, before commuting south. **EP7** 2134 – 2251 hrs: CPs foraged constantly to south of building in garden. 2138 – 2150 hrs: A CP emerged from beneath a lifted stone tile to the north-west of the western roof pitch before immediately re-entering and re-emerging later. **EP8** 2145 – 2156 hrs: Two CPs emerged from the open eaves to the north of the dormer window on the western roof pitch before foraging to west of the building. **EP3** 2147 – 2157 hrs: Two CP emerged from the open eaves to the south of the eastern roof pitch, before commuting south. **EP5** 2147 – 2200 hrs: A CP and an SP sporadically foraged to west of site. 2202 – 2218 hrs: Two SP emerged from the open eaves to the east of the garage at the north-east of the building (non-target building). **EP9** 2207 hrs: An SP emerged from a lifted ridge tile to the south of the southernmost chimney on the western roof pitch before commuting west. **EP10** 2218 – 2304 hrs: Two SP and one CP frequently foraged at west of building. 2218 – 2230 hrs: CP sporadically commuted and foraged at north of site.

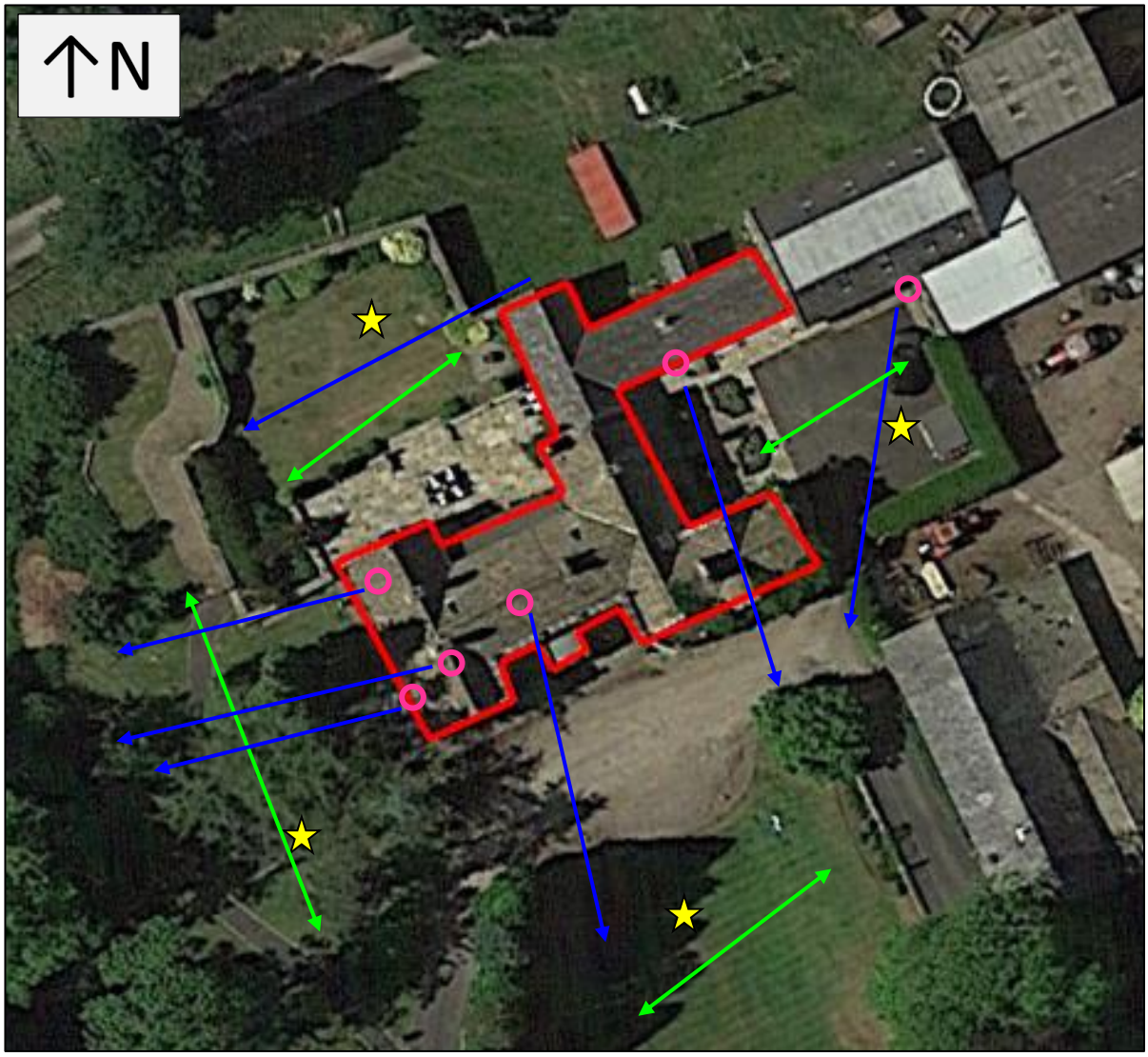
Survey Dates	Time	Activity
		2215 hrs: Two SPs emerged from **EP3**. 2236 hrs: A brown long-eared (BLE) was heard but not seen at south of site. 2246 hrs: A BLE foraged to the east of the building. 2253 hrs: A BLE was heard but not seen at north of site. General activity comprised of constant foraging by a common pipistrelle bat and two soprano pipistrelle bats, with a brown long-eared bat sporadically foraging.



Dusk Survey 1 – 15/05/2025

Key			
	Surveyed structure		Foraging activity
	Surveyor positions		Commuting activity
N	Directional compass		Emergence point

Figure 4.1 – *Visual Aid – Dusk survey results with Key*



Dusk Survey 2 – 05/06/2025

Key			
	Surveyed structure		Foraging activity
	Surveyor positions		Commuting activity
N	Directional compass		Emergence point

Figure 4.2 – *Visual Aid – Dusk survey results with Key*

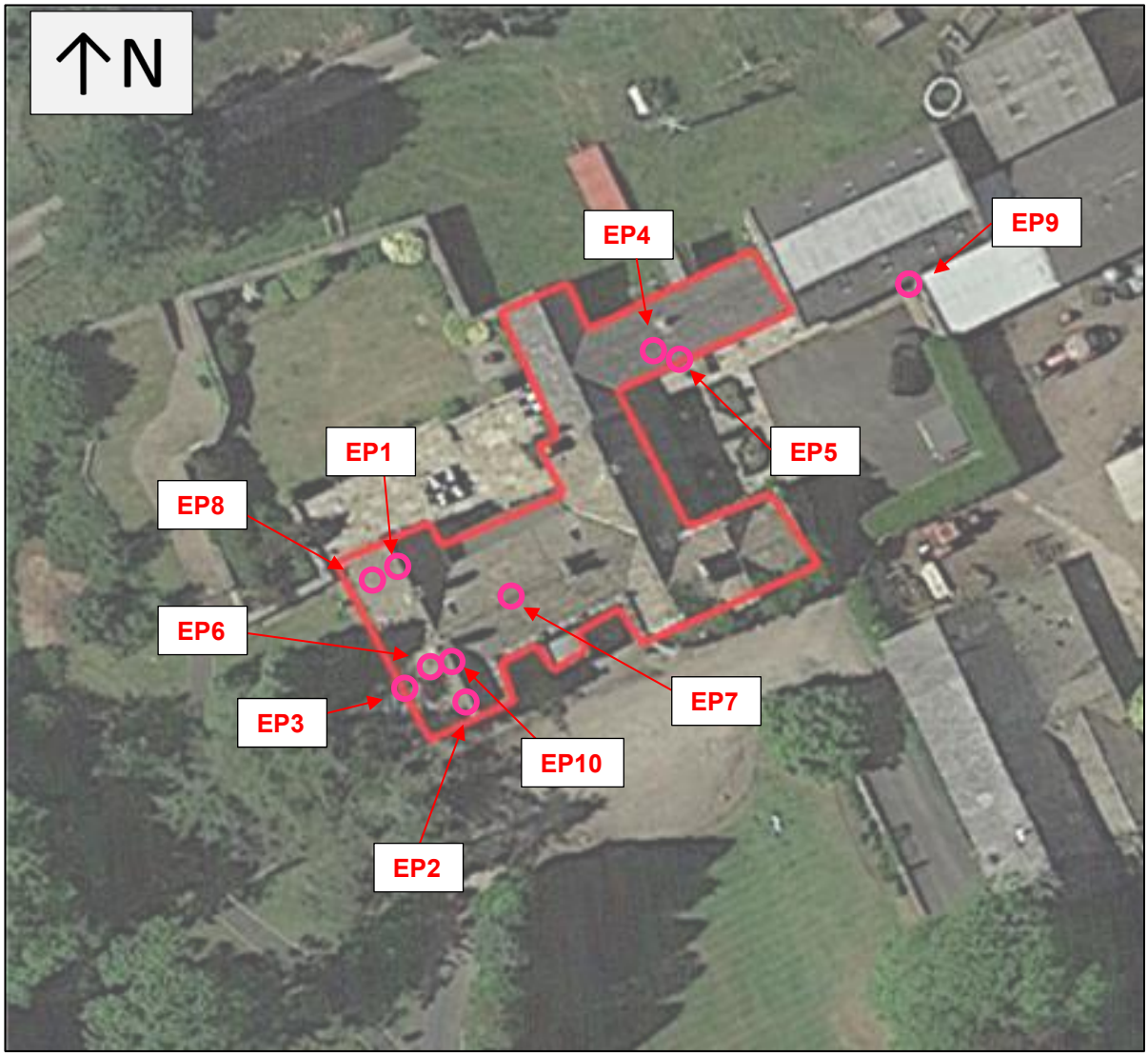


Figure 4.3 – *Location of emergence points © Google Earth Pro 2020*

Figure 4.4 – *Location of Emergence Points 1, 2, 3, 6, 8 & 10 on western roof pitch (**EP1, EP2, EP3, EP6, EP8 & EP10**)*

Figure 4.5 – *Location of Emergence Points 4 & 5 on north-eastern roof pitch (**EP4 & EP5**)*

Figure 4.6 – *Location of Emergence Point 7 on central roof pitch (EP7)*

Figure 4.7 – *Location of Emergence Point 9 on non-target garage extension (EP9)*

5.0 Conclusions & Recommendations

5.1 Based on the results gathered during the dusk surveys, the building is ascertained to be host to three Day roosts supporting low numbers of common pipistrelle bats and one Day roost supporting low numbers of soprano pipistrelle bats. In addition, the garage extension to the north-east is host to a Day roost supporting two soprano pipistrelle bats, though is understood to not form part of the proposals.

5.2 Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th ed. (2023) describes a Day roost as the following:

Day roost: *"A place where individual bats, or small groups, rest or shelter in the day during the summer."*

5.3 For clarity, the roost categorisations, locations and access points have been provided in **Table 5.1** below, alongside the site status assessment and the conservation significance[4] of the roost:

Table 5.1 – Roost locations and access points at Lovely Hall

Structure Reference	Species	Count	Roost Location	Access Points	Site Status Assessment	Conservation Significance
Lovely Hall	Common pipistrelle	5	Between tiles and roof lining of western roof pitch	EP1 – beneath lifted ridge tile to south of northernmost chimney EP2 – beneath lifted stone tile to south-east EP3 – open eaves to north of dormer window EP8 – beneath lifted stone tile to north-west	Day	Site
Lovely Hall	Common pipistrelle	1	Between tiles and roof lining of central roof pitch	EP7 – beneath a central ridge tile	Day	Site
Lovely Hall	Common pipistrelle	4	Between slates and roof lining of north-eastern roof pitch	EP4 – beneath slipped slate above a door EP5 – open eaves to south	Day	Site

[4] As extracted from **Reason, P.F. & Wray, S.** 2023. UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Chartered Institute of Ecology and Environmental Management, Ampfield

Structure Reference	Species	Count	Roost Location	Access Points	Site Status Assessment	Conservation Significance
Lovely Hall	Soprano pipistrelle	4	Between tiles and roof lining of western roof pitch	EP3 – open eaves to north of dormer window EP6 – beneath slipped tile close to ridge EP10 – beneath lifted ridge tile to south of southernmost chimney	Day	Site
Garage extension (non-target)	Soprano pipistrelle	2	Between tiles and roof lining	EP9 – open eaves	Day	Site

5.4 Proposals involve the re-roofing of the western and central areas of the building.

5.5 Based on the above, impacts to a protected species will need to be addressed from both a conservation and legal perspective, along with the application of appropriate mitigation before any works can take place. A European Protected Species Mitigation Licence (EPSML) will be required to legally impact upon places that are actively used for breeding, rest or shelter (roost) by bats, **however, before a licence can be applied for all planning issues need to be resolved.**

5.6 In order that the LPA can implement its obligations under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579), appropriate and proportionate mitigation will need to accompany the planning application which will demonstrate that the "*favourable conservation"* of the species concerned can be maintained.

5.7 Additionally, it should be noted that installation of new lighting as part of a development scheme that exceeds current levels may have a negative impact upon foraging / commuting bats confirmed as present in the vicinity, particularly if increased light spillage occurs in areas currently valued and relatively free from illumination. There are several measures that can be used to offset impacts upon bats, where lighting is unavoidable; these include, however are not limited to: the light source used and luminaire design, and accessories to direct light at its intended target. Numerous software programmes are currently available which can be used inform lighting plans, demonstrating how lighting decisions will illuminate a site. the reader is referred to the Bat Conservation Trust's 'Bats and Artificial Lighting at Night' guidelines (August 2023) for further information.

6.0 Mitigation

6.1 From the evidence gained during the surveys, the use of the site is considered to be of '**Site**' level significance relatable to common pipistrelle and soprano pipistrelle bats and their current conservation status (as according to current EPS mitigation licencing applications); the proposed mitigation is proportionate to that use. However, if at any time that assessment is revised to a higher level, then the mitigation will also be accordingly revised.

6.2 The following procedures and mitigation recommendations are designed to allow the Local Planning Authority (LPA), in association with their ecological advisors, to determine a Planning Application where a European Protected Species has been identified and will be affected by the work for which the Planning Application seeks consent.

6.3 In addition, Local Planning Authorities, in accordance with the obligations placed upon them by way of their duties under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579), have to take into consideration the presence of a European Protected species (EPS) before determination of an application where it / they have been identified.

6.4 The LPA will consider the mitigation in relation to the potential success of a Natural England licence application and if, in their opinion, the mitigation is considered as being appropriate, or if it is over and above what is required; if they determine that the mitigation is appropriate, then **a Planning Condition should be attached**, requiring the roost provision to be implemented. If the LPA consider that the mitigation is over what is necessary but require "enhancement" as part of their Local Biodiversity / Net Gain Planning Policies, this should be included in the terms of Consent. The acting bat ecologist, in this case, deems the proposed new roost creation as appropriate and not over and above what is required.

6.5 Notwithstanding that Planning Consent is granted, or equally if the work is undertaken outside of the planning system, whereby projects that do not require planning consent may affect bats or their roost (including disturbance), it does not absolve the applicant, site owner, developer or any other party involved with the work from ensuring that an application is made for a European Protected Species Licence to legally undertake work that will affect bat(s) or their roost(s). If work is undertaken without a licence and bat(s) or their roost(s) is/are affected, then a breach of current wildlife legislation will occur, for which penalties are severe.

6.6 Under Regulation 53(1) and 56(3)(a) of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579), a licence is required prior to disturbing bats or destroying / damaging or obstructing any place that is used by bats as a resting place or breeding site. The licence is issued by the EPS Licensing Team of Natural England.

Summary of Mitigation

6.7 With the central and western sections of the building set to be re-roofed, it is acknowledged that the presence of roosting bats needs to be addressed from both a legal and conservation perspective. For the purposes of this report**, it is considered that the roosts located within the western and central roof pitches will be subject to destruction**; as such, there is a necessity to pursue an alternative solution.

6.8 The mitigation proposals outlined in this report are seen to form the most productive way forward that will retain long term roosting opportunities for bats and minimise disturbance whilst also enabling the client to undertake the proposed works.

6.9 Commuting routes are generally located to the borders of the site, particularly to the west and south, where mature trees, open grassland and a waterbody coincide with an absence of

illumination. The key commuting routes will be retained at the post-development stage, with no landscaping proposed. As such, the works are considered to entail a net neutral impact on the commuting routes to the boundaries of the site.

6.10 To ensure that bats are not left without a roost while works take place that could displace bats from their roost at the building, two tree-mounted receptor roosts will need to be installed at the site. The tree-mounted boxes should be Schwegler 2F[5] (or suitable equivalent – to be agreed with the express consent of the ecologist). Receptor roosts serve as a receiver unit for if bats must be captured and translocated to it by the licensed ecologist during the works schedule. The receptor roosts should be installed and be in place prior to any deconstruction works and be within a reasonable distance and line of sight of the existing roost(s). The bat boxes will be retained post works to serve as a permanent roost provision following the works (see **Figure 6.1** overleaf).

Works to be undertaken by the Ecologist

6.11 **Licence Application:** A protected species licence from Natural England (NE) will be applied for by a suitably qualified Ecologist, subsequently the 'Named Ecologist', in conjunction with the applicant, which will provide details of the measures undertaken to maintain the favourable conservation status of the bats present on site. This could take the form of either an A13 bat mitigation licence or could utilise the Earned Recognition (ER) scheme to streamline the process and improve the outcome for both bats and the client.

6.12 **Toolbox Talk:** Once a protected species licence is in place, at the pre-commencement stage the Named Ecologist (or accredited agent) is to undertake a site induction 'Toolbox talk' to the Licensee and all contractors on possible bat presence and discuss document features taken from the licence, i.e. licence, method statement, mitigation figures and work schedule to be kept on site for the duration of the work.

6.13 **Pre-commencement Check**: Prior to any work being undertaken the presence / absence of bats, as far as is possible, will be established by the Named Ecologist (or accredited agent) undertaking a thorough investigation of the areas at which bats have been observed using the site. This will involve a thorough inspection of these areas during dismantling using endoscopes and / or narrow-beam torch, as necessary, and will involve a soft strip at the local areas of interest, as necessary, which involves the careful lifting, inspecting and removal of components.

6.14 **Timing Implications:** No timing implications are necessary in relation to the Day roosts on site.

6.15 **Ecological Clerk of Works:** The Named Ecologist (or their accredited agent) will supervise careful dismantling of all places of bat roost interest. In addition, at the Named Ecologist's discretion, wherever opportunities for bats exist in other areas of the building, supervised dismantling / inspections will extend to these areas with strategies for safely removing bat(s) applied. All dismantling of potential roost features will be undertaken during favourable weather conditions (above 9ºC, low wind).

6.16 **Exclusion:** Where crevices are extensive, or where it cannot be conclusively ascertained that bats are absent from a crevice, exclusion devices may be fitted for a period of 3 days and 3 nights, or longer, at the Named Ecologists discretion – this is where material is placed over the entrance area(s) of a roost allowing bats a means of escape whilst preventing them from re-accessing. This method will only be adopted if necessary, and exclusion fitted cavities will only be filled in following this process.

[5] See: https://www.nhbs.com/2f-schwegler-bat-box-general-purpose

6.17 **Capture:** Any bats located by the Named Ecologist (or accredited agent) will be removed, placed in a secure box with soft tissue and transferred into the receptor roosts that will have been previously erected as indicated below. If bats are in ill-health they will be taken into care by a previously nominated bat carer. **Only once it has been conclusively established by the Named Ecologist that bat(s) are absent can works continue to completion.** In the unlikely event that bats are found outside of supervision time, then as legal requirement and conditions of the licence, work will immediately cease, and the named Ecologist will be contacted for further advice; contractors must not touch, handle or in any way cause bats to move without ecological supervision.

Works undertaken by the contractor

6.18 Four Day roosts of common and soprano pipistrelle bats were identified at Lovely Hall. However, it is understood that the north-eastern section of the building, host to a Day roost of soprano pipistrelle bats, is not to be re-roofed as part of the proposals, and thus can be retained. In addition, a Day roost of soprano pipistrelle bats was identified on the garage extension, though it is understood that this structure will not be affected and thus this roost can also be retained.

6.19 As such, it is considered that three Day roosts of common and soprano pipistrelle bats located to the west and centre of the building, two of which have multiple access points, will be destroyed during the proposed works. As these sections of the building which are host to the roosts must be re-roofed to facilitate the proposed development, which will lose the existing gaps, retention or modification of the aforementioned roosts is not possible.

6.20 As such, it is considered that the most feasible and productive approach in terms of maintaining the favourable conservation status of the identified species roosting on site is to integrate novel roosting provision back into one of the proposed structures on site. Given that the works entail re-roofing, it is considered that new roosting provisions can be incorporated close to the existing access points and roost locations. The following measures will be undertaken at the site, in tandem with the proposed retention of the receptor roost:

- New roosting provision will be re-created in the form of seven access points for bats within the tiles, six of which will be placed on the western roof pitch and one on the central roof pitch, as close to the emergence points identified during the surveys (see **Figure 6.1**) as possible. Bat access vents[6] will be integrated into the stones tiles when reroofing to create ingress points to the roof lining, thus recreating the existing opportunities for bats,

- It is understood that the north-eastern roof pitch and garage will be unaffected by the proposed works, however, should these areas of the building be affected three further access points must be created. These will be positioned on the south-facing elevation of this section, to consist of one further access vent and two bat bricks[7] (see **Figure 6.1**). The bat bricks will be installed under the eaves with the entry hole at the top to make an inconspicuous access point,

- As part of this roost creation process it is imperative that traditional bitumen 1F roofing felt will be used as the chosen local underfelt/roof lining as opposed to any breathable roofing membrane (BRM). Modern breathable roofing membranes (BRM) entrap bats through wear and tear in the synthetic polymers used to protect the breathable membrane causing injury and death to bats.

[6] See: https://www.leadworx.com/product-category/bat-access-tiles/
[7] See: https://www.nhbs.com/bat-brick?bkfno=197697

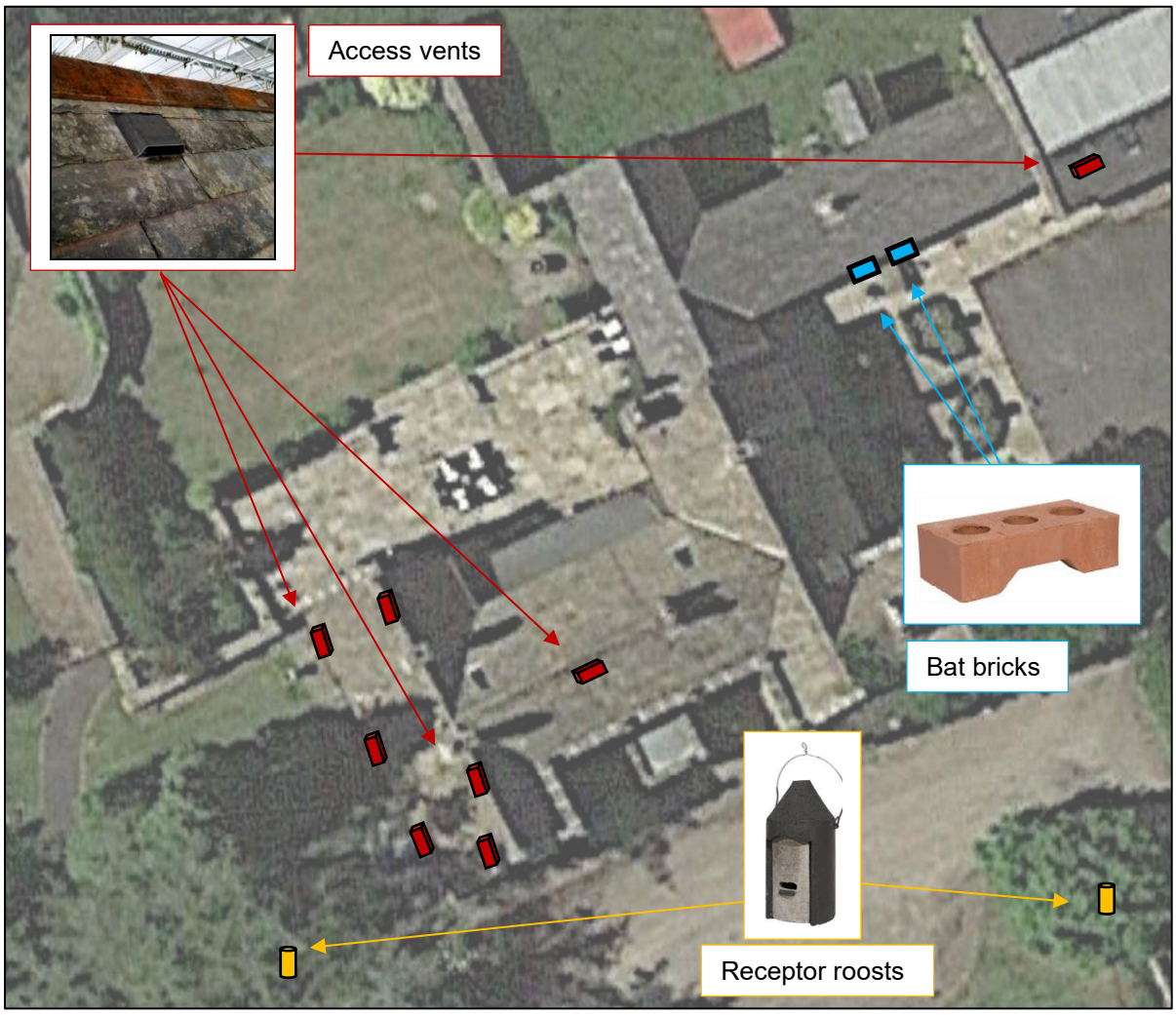


Figure 6.1 – *Proposed location of receptor roost and mitigation measures over satellite imagery © Google Earth Pro 2020*

6.21 This mitigation proposed is subject to the approval of the Natural England EPS team who may influence the terms of this mitigation; all proposed roost provisions outlined hereafter will be dedicated for bats and permanent.

6.22 No post-development monitoring is required for the roost given that they are 'Day roosts' of 'Low' significance, as stated following current guidance (Bat Mitigation Guidelines) concerning Day roosts / low significance roosts.

6.23 Lighting must not be directed at or close to the roost areas nor will it affect nearby foraging places or flight lines. The lighting plan recommended above should take into account the proposed roosting mitigation, and all flight lines to and from these features should be unilluminated at key times.

7.0 References

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Appendix I: *Lovely Hall – Inspection & Assessment in Relation to Bats and Breeding Birds*
(Tyrer Ecological Consultants Ltd, April 2020)

Appendix II: *Lovely Hall – Dusk-Dawn Survey Results* (Tyrer Ecological Consultants Ltd, August 2020)