Preliminary Roost Assessment and Nocturnal Bat Survey Report

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Site:
134-135 High Street
Marlborough
Wiltshire
SN8 1HN

June 2023

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Methods used to prepare this report, including those carried out in the field followed The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct.

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Document Number:	CE00936

Primary Surveyor Experience

Jason Skinner – 7 years professional ecological experience, primarily involved with bats and reptiles through consultancy and assisting on research projects. Experienced with small-scale and large-scale development projects and named ecologist on multiple bat mitigation licences. Co-author of peer-reviewed research papers on reptiles and amphibians. Member of BBCARG and Staffordshire Bat Group.

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1 INTRODUCTION

1.1 Cotswold Environmental Ltd was instructed to carry out a Protected Species Survey for bats and nesting birds, as well as subsequent nocturnal bat survey effort, at 134-135 High Street, Marlborough, Wiltshire SN8 1HN. The site is located at approximate National Grid Reference (NGR): SU 18800 69195.

1.2 Development proposals are described as the conversion and possible extension of rear units for residential use (See Fig 2. Site Map). A planning application will be submitted to Wiltshire Council in due course.

1.3 This report provides survey data based on field visits that were carried out in November 2022, and May and June 2023. The purpose of the daytime survey was to assess the buildings for their suitability to support protected species and to ascertain evidence of any protected species including bats and nesting birds. The field visit results provide information to determine the potential ecological impact the proposed development may have on protected species, and to inform the level of further survey effort and mitigation required to comply with relevant nature conservation policies and legislation. The evaluation and findings in this report can be used by Wiltshire Council in their view of the planning application. Survey result should be considered valid for a period of 12-18 months, subject to consultation with the Local Planning Authority and/or Natural England.

1.4 The National Planning Policy Framework (NPPF) (July 2021) sets out the government planning policies for England and how they should be applied. Chapter 15: Conserving and Enhancing the Natural Environment, is of particular relevance to this report as it relates to ecology and biodiversity. The Government Circular 06/2005, which is referred to by the NPPF, provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

1.5 The surveyed buildings are situated to the rear of the Superdrug store, located in Marlborough town centre, approximately 60 m to the north-west of Marlborough Town Hall. The site location is shown in Fig. 1: Site Location Map.

1.6 Two adjoining Grade II listed adjoining buildings, located to the rear of 134-135 High Street, Marlborough were surveyed during the assessment. These are referred to within this report as buildings B1 and B2. The survey boundary is shown in Fig. 2: Site Map.

Survey Objectives

- To determine suitability for protected species
- Ascertain evidence of protected species.
- Determine the potential ecological impact the proposed development will have on protected species
- Inform the level of further survey effort that is required.

2 METHODOLOGY

Desk Study

2.1 A records search was undertaken using desktop resources including the Multi-Agency Geographic Information for the Countryside[1] (MAGIC) resource. MAGIC was used to search for records of designated sites, habitats and granted European Protected Species Licenses (EPSLs) within a 2km radius. Google Earth[2] was also used to study the nearby landscape.

Biological Records Searches

2.2 Local Biological records for bats were requested from Wiltshire and Swindon Biological Records Centre (WSBRC). Returned data searches were from within a 2 km radius of the survey boundary.

Preliminary Bat Roost Assessment

2.3 Ecological consultant Jason Skinner (NE Class 2 Bat Survey licence 2020-50774-CLS-CLS) carried out the protected species survey on Tuesday 15th November 2022.

2.4 Survey effort was completed in line with official assessment guidelines[3] and largely followed that recommended by the Chartered Institute for Ecology and Environmental Management (CIEEM)[4] and British Standard Code of Practice[5]. The assessment followed the standard methodology. The site was searched using visual encounter survey techniques. Potential bat movement corridors and movement

[1] Multi-Agency Geographical Information for the Countryside (MAGIC). Crown Copyright and database rights [2015]. Ordnance Survey 100022861. Available at: http://www.magic.gov.uk/
[2] https://www.google.co.uk/intl/en_uk/earth/

[3] Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edn. Bat Conservation Trust, London.
[4] CIEEM (2015) Guidelines for Ecological Report Writing. CIEEM, Winchester.
[5] British Standards Institution (2013) BS 42020:2013. Biodiversity – Code of practice for planning and development. British Standards Institution, London.

barriers were assessed and noted. During the site visit, where possible, all areas of the building were internally and externally examined for evidence of bats. The building survey included an internal and external assessment using a powerful torch and endoscope where required.

2.5 Internally, the buildings were assessed using a powerful torch beam to scan the walls and flat surfaces for droppings and other signs of bat activity. Feeding remains such as moth and butterfly wing concentrations were also surveyed for. All holes and crevices considered by the surveyor as likely to be used as a bat roost were examined to ascertain presence or absence of bats.

2.6 Externally, visual ground inspections of all elevations were undertaken using binoculars and a telephoto lens where required. Photographs were taken to capture likely features of ecological value to bats and birds i.e. missing tiles, damaged or missing mortar, exposed gable ends, gaps within soffit board, rotten timber and other potential entry points. Other external aspects of the building were surveyed, including windows, windowsills, external doors and the ground within close proximity of the structure was thoroughly inspected for bat droppings and feeding remains.

Table 1: Guidelines summary for assessing potential bat roost suitability

Suitability	Description of building, tree or structure
Negligible	Negligible habitat features on site likely to be used by roosting bats
Low	A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, potential roost sites not suitable for larger numbers or regular use (i.e. maternity or hibernation).
Moderate	A structure or tree with one or more potential roost sites that could be used by bats, but unlikely to support a roost of high conservation status.
High	A structure or tree 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.
Confirmed roost	Evidence of bats or use by bats found.

Nocturnal Bat Surveys

2.7 Three dusk nocturnal bat surveys were carried during May and June 2022 following recommendations from the preliminary survey. Survey effort was carried out by ecologists Tom Charlton MSc MRSB (NE class 2 bat survey licence number 2018-34622-CLS-CLS), Jason Skinner (NE Class 2 Bat Survey licence 2020-50774-CLS-CLS), and Kayleigh Stewart.

2.8 Nocturnal bat survey effort was completed in line with official assessment guidelines[6] as well as interim guidance notes issued by the Bat Conservation Trust in May 2022[7].

2.9 During the surveys, surveyors took up separate static positions 15 minutes prior to and 1.5 hours after sunset (see Site Map: Fig. 2). Visual observations of bats were noted, and bat species were identified using bat detectors. The information recorded included weather, timings, whether bats emerged or re-entered the building, direction of travel, species and activity e.g. foraging, commuting. Equipment used during the nocturnal surveys included Echo Meter Touch II recorders coupled to Apple tablets and heterodyne bat detectors Three infrared camera systems (SANNCE and Sony FDR AX53 models) coupled with infrared lighting (Night Fox XB5 850nm and 940nm models) were used to strengthen the survey data.

2.10 Recorded bat calls were analysed using Kaleidoscope 5.1.9i where required.

2.11 Temperatures were recorded onsite using an Elitech RC-51 Temperature Logger.

Inspection for Birds

2.12 The survey also included an internal and external inspection of the surveyed buildings for evidence of common nesting birds as well as notable and protected species. Inside the buildings, artificial light was used to search for birds, dead birds, dead chicks, nesting material and eggs.

2.13 All accessible elements of the surveyed buildings containing nesting potential were checked to see if the development would have any adverse effects on nesting birds. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (as amended). An active nest is one that is being built, containing eggs or chicks, or on which fledged chicks are still dependent. Birds within Schedule 1, such as barn owl, are also protected from disturbance during the nesting period.

2.14 The presence of notable and protected bird species and any signs indicative of their past and present use was taken into consideration during the inspection of the building. Likely perches and nesting locations were checked, and all ledges and cavities were examined for nesting debris where accessible (see limitations).

[6] Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edn. Bat Conservation Trust, London.

[7] Interim Guidance Note: Use of night vision aids for bat emergence surveys and further comment on dawn surveys Bat Conservation Trust, May 2022 [Online] [Accessed 1st June 2022] https://cdn.bats.org.uk/uploads/pdf/Interim-guidance-note-on-NVAs-May-2022-FINAL.pdf?v=1653399882

Limitations

- Bat droppings deposited in or around the exterior degrade quickly due to weather. The presence of bats or their roost must not be disregarded in the absence of droppings.
- Many bat species in the UK are crevice-dwelling bats and as such, are difficult to find during PRAs.
- The north-east facing roof aspect of the main building (B1) was not visible from ground level due to the building's proximity to the property boundary.

3 RESULTS

Desk Study

Designated Sites

3.1 The site lies within The North Wessex Downs Area of Outstanding Natural Beauty (AONB) and according to the MAGIC database, two statutory designated sites occur within a 2 km radius of the survey site. Information pertaining to these is shown in table 2 below. No non-statutory sites occur within the same radius.

Table 2: Site Designations

Site Name	Designation	Distance	Direction	Relevant Information
River Kennett	SSSI	1.5 km	East	A 111-ha site of biological interest
Savernake Forest	SSSI	1 km	South-East	A 915.6-ha area of biological interest

SSSI = Site of Special Scientific Interest

Biological Records

3.2 A local biological records search for bats was obtained from Wiltshire and Swindon Biological Records Centre (WSBRC) for a 2 km radius of the survey boundary.

3.3 WSBRC returned a list of 572 records for bat comprising fourteen species from within a 2km radius of the survey site: common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared *Plecotus auritus*, Noctule *Nyctalus noctula*, serotine *Eptesicus serotinus*, Daubenton's *Myotis daubentonii,* Natterer's *M.nattereri* whiskered *M.mystacinus*, Brandt's *M.brandtii*, Bechstein's *M.bechsteinii*, Barbastelle *Barbastella barbastellus*, greater horseshoe *Rhinolophus ferrumequinum*, and lesser horseshoe *Rhinolophus hipposideros*, as well as further records of

unidentified bat. Additionally, one record for a grounded parti-colored bat *Vespertilio murinus* of unknown origin was returned, though this species is considered a vagrant species to the UK.

3.4 Notable records include a whiskered bat found grounded at a location 40 m to the south-east of the survey site, as well as multiple recent and historic records of 8 species from Savernake Tunnel – a disused railway line – located 1.6 km to the south-east.

Local Habitats

3.5 The property is located within the centre of Marlborough and surrounded by development to the south-east. However, to the north and west lies an expansive area of residential gardens that feature scattered mature trees. Further afield, residential development gives way to large areas of recreational grassland such as playing fields and The Common. Beyond the town, arable fields and grazing pasture dominates the surrounding environment, featuring mature hedgerows and areas of deciduous woodland, the most notable being Savernake Forest (see Table 2: Site Designations) which occurs 1 km to the south-east. Savernake Forest covers approximately 1800 hectares, comprised of Ancient and Semi-Natural and Ancient Replanted woodland and is a site that is well known for its historic veteran trees. The closest block of woodland however, exists 250 m south of the site, alongside the River Kennett at Priory Gardens. Use of the MAGIC database also identified two parcels of Woodpasture and Parkland (BAP Priority Habitat), the closest occurring 527 m to the south-west at Marlborough College. Further notable habitats within a 2 km radius include a parcel of Lowland Calcareous Grassland 1.4 km north-west at Rough Down and the River Og and River Kennet – The Kennett running 250 m to the south-east of the site.

Granted European Protected Species Licences (EPSLs) within a 2km Radius

3.6 In addition to the biological records search and according to the Magic website, one EPS licence for bats has been granted within a 2km radius of the survey site, located at a site 1.5 km south-east of the site and granted in 2010 for common pipistrelle *Pipistrellus pipistrellus*, brown long-eared *Plecotus auritus* and soprano pipistrelle *P.pygmaeus*.

Preliminary Bat Roost Assessment Results

Building Assessment

3.7 The surveyed buildings comprise two adjoining two-storey structures constructed with brick-built elevations and pitched roofs clad in plain clay tiles (see Fig. 2: Site Map). Both buildings feature a

wooden fascia at the eaves and all previously existing windows and doors to the south-west facing elevations have been bricked up.

3.8 B1: The main building adjoins the neighbouring flat-roofed structure to the south-east and features two chimneys, sub-divided rooms over two floors and a loft void within the roof. The loft void is centrally divided with the north-westerly roof section featuring a double ceiling. Access is via a single ground floor entrance door and six windows to the first floor are featured on the north-east facing elevation.

3.9 Externally, the brick walls were largely in good condition overall, although areas with missing mortar were noted at the north-west facing gable end wall. In addition, raised tiles to the south-west facing roof aspect and gaps under lead flashing surrounding the chimney that could be exploited by bats for roosting were noted and gaps behind the wooden fascia were discovered on both front and rear elevations. Furthermore, missing sections of mortar between ridge tiles were also noted during the assessment, providing access to the interior of the building that could be exploited by void dwelling and perch feeding species of bat. All windows and doors were closed and appeared to be well sealed on the day of the survey. The north-east facing roof aspect was not visible for external assessment (see limitations).

3.10 Internally, the building features a divided loft void that features bitumen felt underlining and exposed timber rafters and purlins. **A concentration of approximately 10 small bat droppings of varying ages were discovered near the dividing wall within the loft void of B1.**

3.11 B2: The adjoining structure is attached at the north-west facing elevation of the main building (B1) and features a dormer window to the north-east facing elevation and a small single storey extension with a pitched roof to the north-west facing gable end wall. The first floor of the two-storey structure has a vaulted ceiling which opens the roof to the apex internally. Two windows and an entrance door are located on the north-east facing elevation and the building does not feature a loft void or enclosed roof space.

3.12 Externally the brick walls and plain clay tiles appeared to be in good condition, although the dormer window and roof verges presented multiple features that could be exploited by crevice dwelling species of bat such as; missing sections of mortar, gaps between hanging tiles, gaps under lead flashing and spaces between wooden board covering the window.

3.13 Internally the roof features a vaulted ceiling on the first floor and no entry points were noted during the assessment that could provide ingress to the interior. The small single storey extension features bitumen felt underlining with exposed timber rafters, however, no bat droppings, feeding remains or further evidence of bat presence was discovered.

Table 3: Weather conditions during the preliminary roost assessment

Date	Start	Finish	Temp °C	Wind	Cloud	Rain	Notes
15/11/2022	10:30	12:15	12	Calm	100 %	Dry	N/A

Nocturnal Survey Results

Survey One

3.14 During the first nocturnal survey, completed on the 8th of May 2023, one species of bat was recorded - common pipistrelle *Pipistrellus pipistrellus*. Activity comprised low numbers of commuting passes by individual common pipistrelle recorded at the south-western elevations of the surveyed buildings. The first call recorded from this species was made at 21:02 h and the final call at 21:38 h. No foraging activity was observed, and bat activity levels were not considered to be significant. Notably, **at no point were any bats observed emerging from or re-entering the surveyed building.**

Survey Two

3.15 During the second nocturnal survey, completed on the 22nd of May 2023, three species of bat were recorded - common pipistrelle, serotine *Eptesicus serotinus*, and brown long-eared *Plecotus auritus*. Activity started at 21:25, comprising irregular commuting passes by low numbers of individual common pipistrelle, as well as intermittent foraging by the same species adjacent to the south-west facing elevation. Furthermore, a single, brief commuting pass by serotine was observed at the south-west facing elevations of the surveyed buildings at 21:58h.

3.16 **At 21:23h, one brown long-eared bat emerged from beneath fascia board located at south-west facing elevation of survey building B1 before dispersing in a westerly direction.** No other bat species were recorded during the survey effort.

Survey Three

3.17 During the third nocturnal survey, completed on the 5th of June 2023, three species of bat were recorded - common pipistrelle, noctule, and brown long-eared *Plecotus auritus*. Activity started at 21:27h, comprising brief commuting activity by common pipistrelle which continued until 22:39h. Sporadic foraging activity by low numbers of bats of the same species was observed during this period, notably at the south-west facing elevation of the surveyed buildings. Furthermore, a single commuting brown long-eared bat was recorded 21:27 h, and one non-visual recording by one noctule was made at 21:57 h. No other bat species were recorded, and **at no point were any bats observed emerging from or re-entering the surveyed building.**

TABLE 4: WEATHER CONDITIONS DURING NOCTURNAL BAT ACTIVITY SURVEYS

Date	Start	Finish	Sunrise/ Sunset	Temp °C	Wind	Cloud	Rain	Notes
08/05/23	20:25	22:30	20:41	12	Calm	75%	Previous showers throughout day	n/a
22/05/23	20:45	22:40	21:02	16	Still	10%	Dry	n/a
05/06/23	21:00	22:50	21:19	13	Calm	0%	Dry	n/a

Bird Inspection Results

3.18 No evidence of nesting birds was discovered within the surveyed buildings during the assessment.

4 INTERPRETATION AND RECOMMENDATIONS

4.1 A daytime assessment was commissioned with a view to assess two adjoining buildings located to the rear of 134-135 High Street, Marlborough for their potential to support protected species, notably roosting bats and nesting birds. The survey boundary is shown in Figure 2: Site Map. Work proposals are described as the renovation and conversion of the buildings to residential dwellings.

4.2 As part of the desk study, online resource MAGIC was checked for granted EPS licences and statutory and non-statutory designated sites. Results from the online desk study showed that one EPSL for bats had been granted within a 2km radius. Furthermore, two statutory designated sites occur within the same radius. However, the proposals are considered small-scale, and therefore, provided that the surrounding habitats are not subjected to the inappropriate use of nocturnal lighting, no impacts to nearby habitats beyond the site boundary are anticipated as a result of the development proposals.

4.3 The site is situated within a centrally located urban location, adjacent to neighbouring historic development. The site is also immediately surrounded by gardens with nearby linear features including scattered mature trees, roads and riparian habitat that will undoubtedly offer value to foraging and roosting bats and would provide excellent connectivity to nearby blocks of woodland occurring within a 2 km radius, most notably Savernake Forest SSSI, which is likely to support a rich diversity of wildlife, including bat populations of various species. Furthermore, records returned by WSBRC from within a 2 km indicate that the surrounding environment is exploited by bats, with a total 14 species (13 native, 1 vagrant) species recorded from the local area.

Building Assessment

4.4 Potential Roosting Features (PRFs) noted during the assessment included gaps and crevices within the walls and roofs of the buildings and damage to structural features such as dormer windows, that provide value to both crevice dwelling species of bat, which may utilise gaps for shelter, particularly within the fabric of the roof structure and void dwelling/perch feeding species, which can use these external features to access the exposed timbers and bitumen felt underlining of the interior.

4.5 During the inspection a small concentration of bat droppings were discovered within B1. Subsequently, **B1 was deemed as a confirmed roost**. In addition, due to B2s' proximity to the roost and the PRFs outlined above, **B2 was considered to hold high potential** for roosting bats. Therefore, it was recommended that prior to any works commencing, **three nocturnal surveys should be undertaken on the buildings** to gather further information and to ascertain presence/absence of bats, with the surveys undertaken during the optimal survey period. Three surveyors were used to cover the necessary survey areas where potential roosting features and emergence points were present, supported with use of infrared cameras.

4.6 During the nocturnal survey effort, four common and widespread bat species were recorded utilising the wider environment, with activity dominated by commuting and foraging common pipistrelle the south-western elevation of the buildings. Results indicate that local bat populations of various species exploit surrounding habitats, though taking into consideration the 14 bat species recorded from within a 2 km radius of the site, overall diversity is considered low. This may be attributed to sites' urban location and well-luminated surroundings including adjacent street lighting (see Photo 22), deterring more light-sensitive species.

4.7 During the second nocturnal survey, **one brown long-eared bat was observed emerging from the loft element of survey B1** via a gap located beneath fascia board at the south-west facing elevation, before dispersing into the wider environment in a westerly direction. The emergence location is shown in Site Images: Photo 20. As such, no works are to be carried out until a EPSL/Bat Mitigation class Licence has been issued by Natural England. A robust mitigation and compensation strategy and subsequent EPS licence application coupled with supporting method statement and relevant maps should be submitted to Natural England in good time ahead of the development commencing. Further information pertaining to roost characterisation is provided in Point 4.11.

4.8 **At no point during the nocturnal survey effort were any bats observed emerging from or re-entering survey building B2.** As such, we conclude that roosting by bats within survey building B2 can be reasonably discounted. All workers should be vigilant and mindful of bats during works upon this building, taking extra care at all times during development. In the unlikely event that bats are discovered, work should cease immediately and Cotswold Environmental should be contacted on: 07557539979. It

should be noted that further works would not be able to lawfully proceed without confirmation from Natural England, and bats should not be handled at any time for legal reasons. If bats are discovered during works, Natural England will potentially restrict development until further surveys have been completed and a full mitigation and compensation strategy has been designed. It is likely that, if bats are discovered, a European Protected Species Licence (EPSL) will be required from Natural England.

Roost Characterisation

4.9 Results of the nocturnal surveys indicate that survey building B1 is being utilised as an infrequent day roost by one brown long-eared bat, with the roosting location identified as within the building's loft element and emergence location situated at the building's south-west facing elevation. The low numbers of droppings within the concentration discovered during the daytime assessment are consistent with the observations of the nocturnal survey effort. An outline mitigation plan is detailed below.

Licence and Mitigation

4.10 As the proposed development will result in the loss of one day roost for a brown long-eared bat, a European Protected Species Licence (EPSL) will be required from Natural England in order for the development to lawfully proceed. This must be issued prior to the commencement of development works and may be applied for following successful planning approval. The site would also qualify for a 'Low Impact' Bat Mitigation Class Licence. Natural England expect three tests to be satisfied before a EPSL can be issued. These tests are as follows:

- There is no satisfactory alternative.
- 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.
- The action authorised preserved public health or public safety or other imperative reasons of overriding public interest including those of the social or economic nature and beneficial consequences of primary importance for the environment.

4.11 Regarding the derogation test '*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'*, the following consideration has been given:

- Brown long-eared bat are widespread across the UK and common throughout the county of Wiltsthire. In addition to this, the mitigation strategy set out in this report has been designed in such a way to provide future roosting provisions specifically for this species, and to promote enhancements for other bat species in the area.

4.12 The mitigation set out in this report is to ensure the safeguarding of brown long-eared bat and to additionally promote net gain at the site, in line with the current National Planning Policy Framework (NPPF) (July 2021).

4.13 In accordance with The Bat Mitigation Guidelines 2004, there are no timing constraints associated with occasionally used roosts and as such the works will be scheduled to commence following granting of the EPS Licence from Natural England. In the event that proposed plans change then the level and specifics of mitigation may change. Therefore, a licenced bat ecologist should be consulted.

4.14 Using data collected from nocturnal surveys in May and June 2023, based on B1 supporting a day roost for one brown long-eared bat, the recommended RAMs and Mitigation Strategy in support of the EPSL would include the following:

4.15 Before any aspect of the roof can be impacted, such as the removal of flashing, fascia, soffit, tiles etc., a bat-licensed ecologist must:

- Prior to stripping or any aspect of the roof, one bat box should be installed upon a mature tree/pole mounted within the grounds of the site. At least one Schwegler 1FF (or similar) should be used. Bat boxes should be installed no less than 4m from ground level and not face north. The bat box will provide provisional roosting space for any bats that are found during the licensed supervision (i.e. roof strip). They will also provide suitable roosting habitat for other bats in the area.

- Prior to the commencement of the proposed works, a bat-licenced ecologist will carry out a final inspection inside the building to check for the presence of any bats. If any are found, a program of passive measures should be carried out (to be described fully in the EPS licence application / Method Statement).

- All contractors working on the proposed development must be briefed on the legal protection afforded to bats and their places of shelter and on how to proceed if a bat is discovered during the course of the work.

- Works must be undertaken slowly, by hand and with care. This includes taking such precautions as removing tiles carefully, checking beneath for the presence of bats before being discarded. A licenced bat worker should carry out a watching brief when critical works are carried out, such as when tiles and other key roofing components are removed from the roof. The client will provide secure scaffolding or a cherry picker in order for the ecologist to safely inspect the roof.

- The supervising ecologist bat worker will continue the watching brief until the building is declared free of bats. Any bats found during this period will be safely removed by the ecologist and placed in the bat box. If in the unlikely event a bat is discovered after the ecologist is no longer supervising, works should halt immediately and the appointed ecologist responsible for the licensed works must be contacted for advice. If you are not able to reach the ecologist, then contact The Bat Conservation Trust: 0845 1300 228. Never handle bats for legal and Health & Safety purposes.

Compensation Enhancements

4.16 It is considered that that key compensation and mitigation elements linked to such a licence to ensure the favourable conservation status (FCS) of bat species concerned (Regulation 53(9)(b) should include the following mitigation strategy:

4.17 **Breathable membranes such as Tyvec pose a risk to bats due to entanglement and therefore must not be used in conjunction with bat mitigation proposals**. Only traditional Type 1F bitumen roofing felt can be used for bat mitigation which will be a condition of the EPSL. Additionally, any replacement timbers should be untreated to prevent any form of toxic impacts to bats.

4.18 To compensate for the loss of a brown long-eared bat day roost, two bat tiles will be added to the south-west facing roof pitched of building B1. There are a number of options with regards to bat tiles, and include the following:

Modified Slates

4.19 Slate modifications are made from code 6 lead with a prising 20mm gap, providing adequate access / roosting space for crevice-dwelling bats.

Bat Tile (non-slate)

4.20 A variety of alternative options are available for bat tiles. They can be purchased from companies such as NHBS: www.nhbs.com.

4.21 Bat tiles should be situated approximately 0.75m below the ridge tile.

4.22 Furthermore, one bat box (Schwegler 1FF or similar) will be affixed to a mature tree/pole mounted within the site grounds prior to works commencing, to be utilised as a a temporary receptor during licensed supervision should any bats be discovered. It is recommended that this bat box is then to be retained following works, as a form of biodiversity enhancement on site under obligations of the NPPF (July 2021).

4.23 Once completed, bat mitigation features are to be checked by an appropriately licensed and experienced bat consultant prior to works being completed so that changes can be made if necessary. Mitigation will also need to be signed-off on completion by the licensed bat consultant. Once the works are complete, if required, a compliance letter can be provided to Wiltshire Council at their request.

Nocturnal Lighting Scheme

4.24 A low-level lighting scheme must be implemented during and after construction to avoid indirect disturbance to bats and other nocturnal animal species that may exploit local habitats. Measures must be taken to ensure nocturnal animals are safeguarded from inappropriate use of light and noise throughout the hours of night during the construction period, as well as to protect important commuting corridors for bats. Any external lighting installed as part of the development must be used in accordance with Guidance Note 8: Bats and Artificial Lighting[8].

4.25 Sensitive lighting strategy measures during the construction period are as follows:

- Works must not be carried out after dusk and must not commence until after dawn.
- Generators and machinery that emit significant noise levels must not be left to run after dusk.
- LED lighting sources must be used, which generally have a narrower and more directional beam.
- Light spill must be controlled and if lighting is required at night, hooded shields must be fitted to prevent spill onto nearby habitats that are likely to support wildlife, including nearby trees and hedgerows.
- Lighting must not be directed towards any bat or bird compensation features.

4.26 In addition to the above, when selecting appropriate external lighting, the following specifications should be taken into consideration:

- Any external lighting incorporated into the proposed development should be LED luminaires due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
- Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats[9].

[8] https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/

[9] Stone, E.L. (2013) *Bats and lighting: Overview of current evidence and mitigation*

Birds

4.27 No evidence of nesting was discovered during the survey effort, and no impacts to nesting birds are anticipated as a result of the proposed development. In the unlikely event that any nesting birds or suspected nesting activity is discovered prior to works commencing, works must cease and Cotswold Environmental Ltd contacted for further advice.

APPENDIX A: LEGISLATION SUMMARY

National Planning Policy Framework July 2021

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2021) states: Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this

Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife. Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (see below), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. Signal Crayfish and American Mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and *Rhododendron ponticum*) or otherwise deliberately causing them to grow in

the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity. There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonable avoided, or actions within the living areas of a dwelling house.

Licensing

Certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence – e.g. bat surveys.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (which are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994. These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function – i.e. when determining a planning application. There is no defence that an act was the incidental and unavoidable result of a lawful activity.

It is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a ‘development licence’ may be required.

Bats

In England and Wales, bats and their roosts are protected under the Conservation of Species and Habitats Regulations 2017 (as amended), and the Wildlife & Countryside Act 1981 (as amended). Taken together, this legislation makes it an offence to:

- Deliberately capture (or take), injure or kill a bat
- Intentionally or recklessly disturb a group of bats where the disturbance is likely to significantly affect the ability of the animals to survive, breed, or nurture their young or likely to significantly affect the local distribution or abundance of the species whether in a roost or not
- Damage or destroy the breeding or resting place of a bat
- Possess a bat (alive or dead) or any part of a bat
- Intentionally or recklessly obstruct access to a bat roost
- Sell (or offer for sale) or exchange bats (alive or dead) or parts of bats

A roost is defined as being 'any structure or place that is used for shelter or protection', and since bats regularly move roost site throughout the year, a roost retains such designation whether or not bats are present at the time.

Birds

All common wild birds are protected under The Wildlife and Countryside Act 1981 (and as amended). Under this legislation it is an offence to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while it is in use or being built
- Take or destroy the egg of any wild bird

Certain rare breeding birds are listed on Schedule 1 of The Wildlife and Countryside Act 1981 (and as amended). Under this legislation they are afforded the same protection as common wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs/unfledged young.

APPENDIX B: MAPS



Figure 1: Site location map



Figure 2: Site Map

APPENDIX C: SITE IMAGES



Photo 1: View of survey buildings B1 and B2



Photo 2: B1 - Ivy covered SW facing elevation



Photo 3: B1 - Gap under lead flashing surrounding chimney base.



Photo 4: B1 - Gap behind wooden fascia



Photo 5: B1 -NW facing gable end wall showing gaps under lead flashing



Photo 6: View of slate roof tiles cladding south-eastern kitchen element E2.



Photo 7: B1 - Exposed rafters within loft void



Photo 8: B1 - Bitumen felt underlining



Photo 9: B2 - NW facing gable end



Photo 10: B2 - Pitched roof extension



Photo 11: B2 - Hanging tiles to dormer



Photo 12: B2 - Gaps in verge mortar



Photo 13: B2 - Hanging tiles to dormer



Photo 14: B2 - NW facing gable end which was absent of PRFs.



Photo 15: B2 - First floor interior showing vaulted ceiling



Photo 16: Close up of droppings found within B1 loft void



Photo 17: Example infrared camera view, B1, south-west facing elevation.



Photo 18: Example infrared camera view, B2, south-west facing elevation.



Photo 19: Example infrared camera view, B1, north-east facing elevation.



Photo 20: Red arrow points to location of BLE emergence at south-west facing elevation.



Photo 21: Internal view of B1 loft element showing daylight visible through gaps at south-west facing elevation.



Photo 22: Street lighting occurring adjacent to the north-western elevation.