



**Woodbury South Building, Bury College,
Market Street, Bury, BL9 0BG**

Bats: Preliminary Roost Assessment

Simply Ecology Limited

Ref: SE/GTHQ002/01

April 2023

For:

**Gardiner & Theobald LLP,
Merchant Exchange,
17-19 Whitworth Street West,
Manchester,
M1 5WG**

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Control Sheet

	Name	Position
Author:	Philip Wright MSc CIEEM	Ecologist
Checked and Approved by:	Jason Reynolds MSc MCIEEM	Director

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1.0 INTRODUCTION

1.1 Background Information

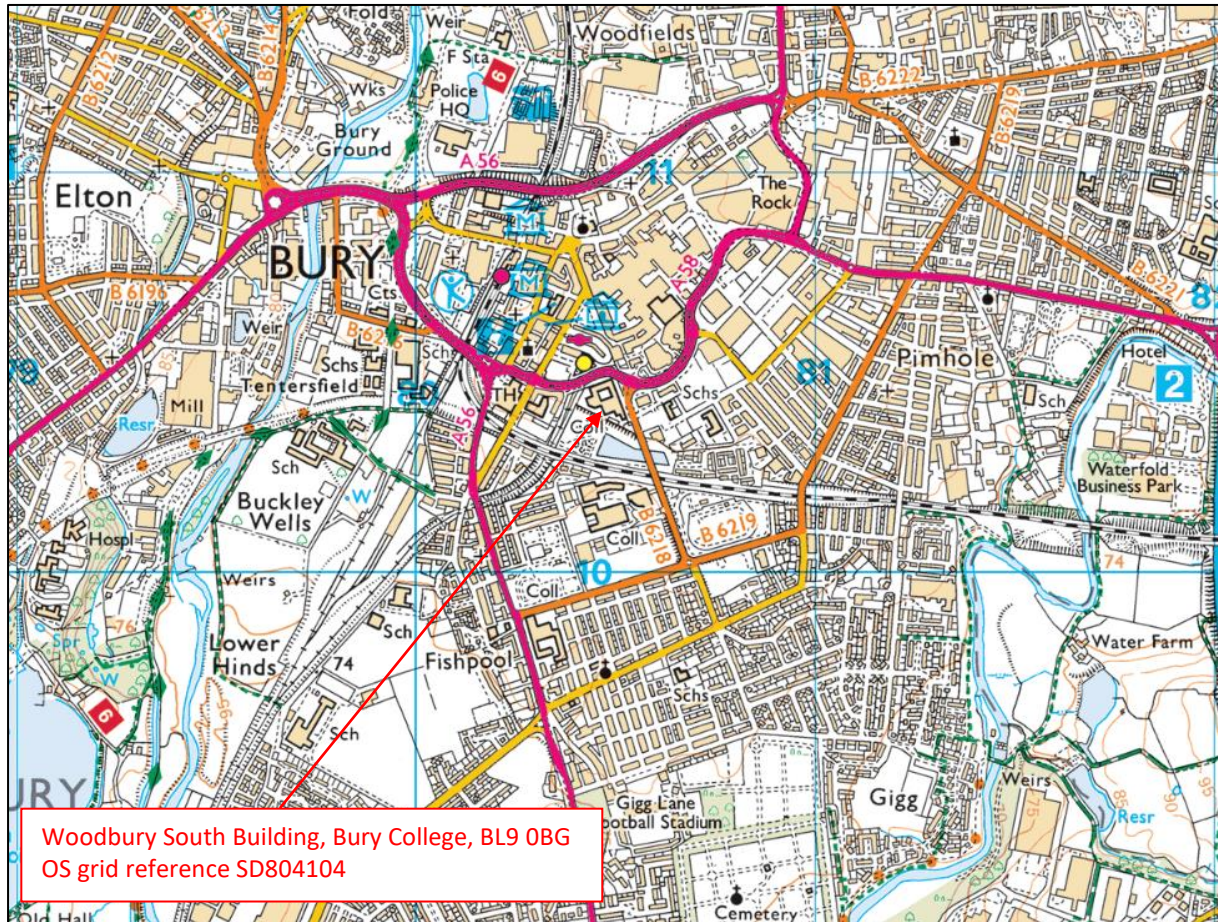
- 1.1.1 In March 2023, Simply Ecology Limited was commissioned by Gardiner & Theobald LLP to undertake a Building Assessment for bats at Woodbury South Building, Bury College, Market Street, Bury, BL9 0BG (OS grid reference SD804104). See Plan 1 for Site Location, Plate 2 for an aerial view of the site and Plan 2 for the Existing Site Plan.

1.2 Aims

- 1.2.1 The aims of this survey were to gather up-to-date information on the presence of bats at the site. This involved:
- Identifying potential structures of the buildings that could be used by bats.
 - Identifying if there was any evidence of bats around the buildings.
 - Providing an assessment of the likely importance of the site for bats and their conservation.
 - Advising the client in relation to the proposed development and any impacts upon bats in order to ensure legislative compliance.
- 1.2.2 To achieve this, an appraisal of the building and any protected species on the site was undertaken on 16th March 2023. This submission presents the results of the survey at the site.

1.3 Site Description and Proposed Works

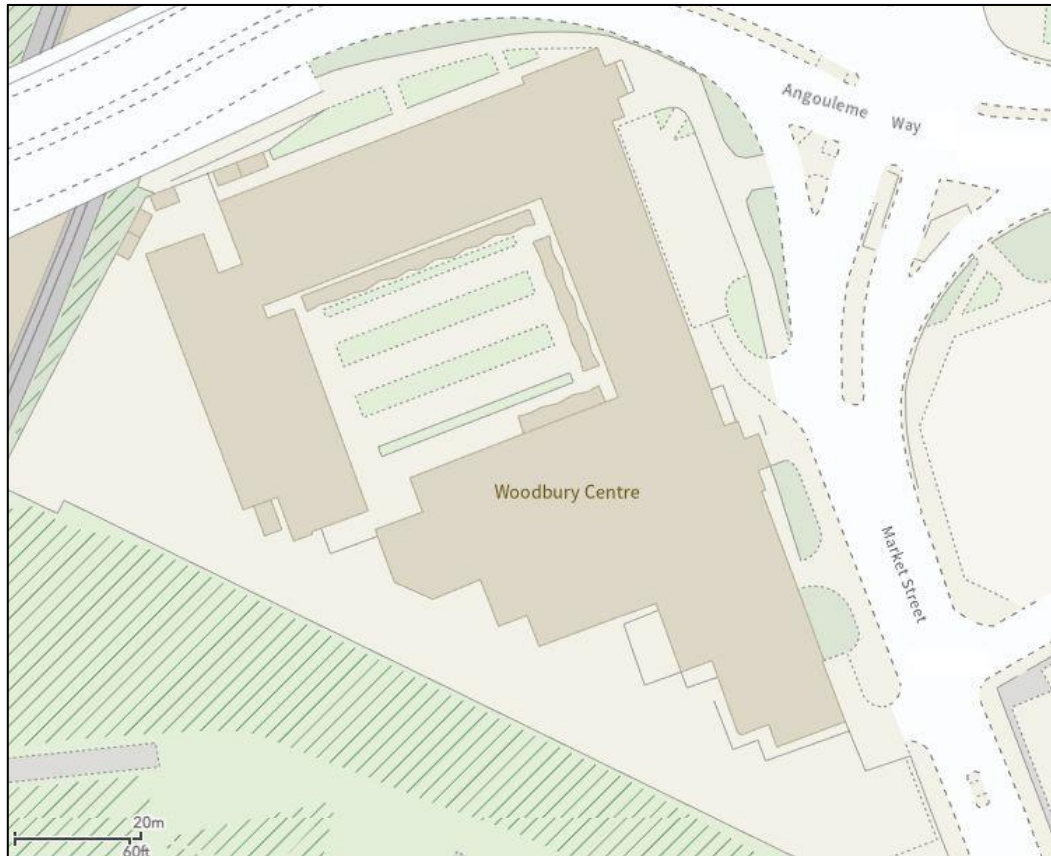
- 1.3.1 Woodbury South building is one of a number of Bury College educational facilities, set in the heart of Bury, Greater Manchester. The local environment is principally a developed landscape comprising both residential and commercial buildings. Whilst much of the local habitat is suboptimal for bats, Townside Site of Biological Interest (SBI) lies just to the south of the Woodbury buildings and is known to support foraging bats. There are several other features which represent suitable conditions for bats with foraging opportunities; these include numerous semi-mature trees and watercourses at Pyramid Park and Manchester Road Park to the south and the River Irwell which runs south, ~850m to the west.
- 1.3.2 The surveys described in this report were commissioned to inform a planning application to demolish a small collection of buildings and enclosures in the south west corner of the site and reconfiguration of the existing internal space (see Plan 3).



Plan 1: Site Location.



Plate 1: Aerial view of the Woodbury South complex, Bury College (from Wilson Mason RIBA Stage 2 Concept Design Report 2022).



Plan 2: Existing Site Plan



Plan 3: Proposed Works Areas.

2.0 SURVEY METHODOLOGY

2.1 Bat Building Inspection

2.1.1 An inspection of the building on the site was specifically carried out to search for bats. The building survey was undertaken in accordance with the standard methods described in the 'Bat Worker's Manual' (JNCC 2004) and 'Bat Surveys – Good Practice Guidelines' (BCT 2016). In accordance with best practice, the survey comprised the following elements:

- An inspection of the exterior of the building to look for obvious signs of bat activity (such as droppings) and assessing the potential for entry/exit into the property. Lighting was provided by a Bikehut 1600 (1600 lm). Any cracks or inaccessible areas were inspected using a ProVision PV-636 endoscope and a PK Pro pole camera.

2.1.2 Subsequent advice/action would depend on the findings of the building surveys. If potential was found, then subsequent bat activity surveys would be required in accordance with standard methods described in the 'Bat Worker's Manual' (JNCC 2004) and 'Bat Surveys – Good Practice Guidelines' (Bat Conservation Trust 2016).

2.2 Personnel

2.2.1 The survey was undertaken by Philip Wright MSc CIEEM and Philip Roskell MSc.

2.2.2 Philip Wright is an Ecologist with Simply Ecology Limited who obtained his first degree in Biology from the University of Bath and an MSc in Ecology and Conservation from Lancaster University. He is a member of the North Lancashire Bat Group and is in his sixth season of bat surveying. His wider experience includes conducting botanical surveying and habitat management work with the RSPB and with the Wildlife Trust for Lancashire, Manchester and North Merseyside.

2.2.3 Philip Roskell is an Ecologist with Simply Ecology Limited who obtained his BSc Ecology and Conservation degree from Lancaster University in 2022 and has since completed an MSc Ecology by Research degree where he studied white-throated dippers. Since graduating from his MSc at Lancaster University, Philip has been working as a freelance ecologist and has gained experience assisting Simply Ecology with a variety of ecological surveys including bats, badgers and great crested newts; he is now employed by Simply Ecology. Philip also has experience in report writing and producing maps using GIS software. All surveys were undertaken by Philip Wright MSc CIEEM. Philip is an Ecologist with Simply Ecology Limited obtained his first degree in Biology from the University of Bath and an MSc in Ecology and Conservation from Lancaster University. He is a member of the North Lancashire Bat Group

and is in his sixth season of bat surveying. His wider experience includes conducting botanical surveying and habitat management work with the RSPB and with the Wildlife Trust for Lancashire, Manchester and North Merseyside.

- 2.2.4 Report verification was by Jason Reynolds MSc MCIEEM. Jason started Simply Ecology Limited in 2007. Jason is an experienced ecologist who has been continuously employed in the field of nature conservation since 1995 (27 years' experience) and has a wealth of experience in both the statutory nature conservation agencies and private consultancy. During his career has worked in Conservation Officer roles for the Joint Nature Conservation Committee, English Nature, Environment Agency, Cumbria Wildlife Trust and Durham Wildlife Trust prior to setting up Simply Ecology ecological consultancy in 2007, where he is the Lead Ecologist. He has an MSc from The University of Aberdeen and his thesis investigated the relationship between habitat type and complexity and the foraging behaviour of Pipistrelle bats. Jason holds protected species survey licences for all British bats, white-clawed crayfish and great crested newts.

2.3 Timing and Constraints

- 2.3.1 The building survey was undertaken on 16th March 2023. The timing of the building inspection to search for signs of bats posed no constraints as building inspections can be undertaken at any time of year. An assessment of the building's potential to support bats can therefore be made according to evidence found, building condition, location and the experience of the surveyor.
- 2.3.2 There was no direct observation of the underside of the roof as the building had vaulted ceilings. However, the lack of direct access did not pose a constraint in terms of reaching a robust conclusion about the potential for bats of the target building.

3.0 SURVEY RESULTS

3.1 Bat Building Inspection

- 3.1.1 The target buildings (see Plate 2) comprised a collection of buildings and ancillary enclosures. The main building was of red brick with a pitched, slate-tiled roof and areas of flat roof with external plant. The building was in use at the time of the Preliminary Roost Assessment and was found to be in generally satisfactory condition and maintained throughout.



Plate 2: General view of the target building from the South.

- 3.1.2 The building was subject to an external and internal survey for evidence of the presence of bats.

External

- 3.1.3 The pitched roof was generally in satisfactory condition (see Plate 3) although there were Potential Roost Features (PRFs) noted with gaps in the mortar beneath the ridge tiles (see Plate 4).
- 3.1.4 The flat slates on the roof pitches were intact although there were several partially slipped tiles and there were gaps noted under some of the tiles which offered opportunities for roosting (see Plate 5).

- 3.1.5 The coping stones on the gable ends had gaps between the stones and between the coping and the brickwork (see Plate 6 and Plate 6). Elsewhere, the coping stones were well mortared and these areas offered no roosting potential (see Plate 8).
- 3.1.6 The flat roof areas and the external plant were not found to have any roosting potential and, in some areas, had bird netting that prevented access to much of the south facing gable and the plant itself (see Plate 9).
- 3.1.7 The fascia around the target building appeared intact and offered no roosting opportunities (see Plate 10).
- 3.1.8 The soffits of the south facing aspect of the adjacent building were found to be poorly sealed with gaps that offered roosting opportunities (see Plate 11). Similarly, the partial cladding to these aspects was found to have gaps beneath the offered roosting potential (see Plate 12).
- 3.1.9 The brickwork was intact with no apparent gaps in the mortar (see Plate 13).
- 3.1.10 The window and door frames were intact and these offered no roosting opportunities (see Plate 14 and Plate 15).
- 3.1.11 A number of vents were also noted but these were found to have internal mesh preventing access to the internal spaces of the building (see Plate 16).
- 3.1.12 The flat surfaces around the building were thoroughly and systematically searched for evidence of bat activity. Droppings were found on the coping stones (see Plate 17) but they could not be confirmed as bat droppings; given their location however, there is considered that there was a reasonable likelihood that they were.
- 3.1.13 Finally, the walls of the building were also searched for evidence of bat activity. The rough surface of the walls provided an ideal substrate for droppings to adhere to and these would have easily been observed, however no further evidence of bats was discovered.



Plate 3: The pitched roof was generally intact.



Plate 4: Whilst the roof was intact, gaps beneath the ridge tiles offered roosting opportunities.



Plate 5: Gaps were noted beneath the flat tiles that offered further roosting opportunities.



Plate 6: The gaps between the coping stones offered roosting potential.



Plate 7: There were gaps noted at the junction between the walls and the end coping stones offering roosting potential.



Plate 8: The mortar beneath the coping stones was generally intact and offered no roosting opportunities.



Plate 9: Elsewhere there were areas of flat roof with external plant; these areas offered no roosting potential.



Plate 10: The fascia were intact with no PRFs and no roosting opportunities.



Plate 11: Soffits on the adjoining building were not well sealed and offered roosting potential.



Plate 12: Cladding on the adjacent building was also found to have gaps beneath offering roosting potential.

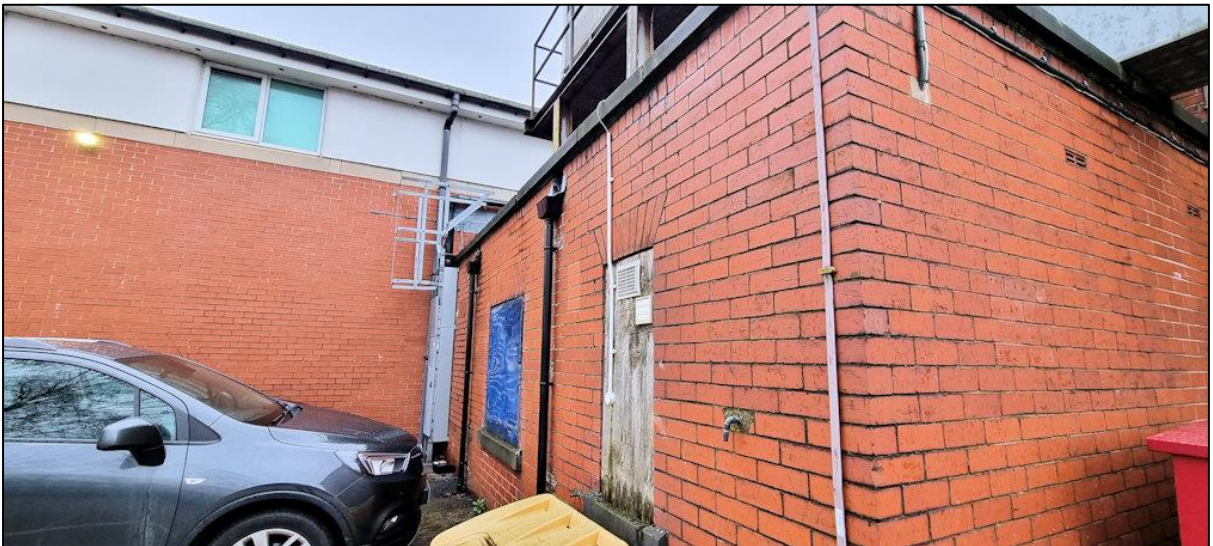


Plate 13: The brickwork was generally intact with no significant gaps in the mortar.



Plate 14: Windows and doors were intact and well-sealed with no roosting potential.



Plate 15: Windows to the front aspect of the complex were also well sealed and had no bat roosting potential.



Plate 16: Vents had internal mesh preventing access for bats to the internal spaces.



Plate 17: Droppings were noted on the coping stones but were not confirmed as bat droppings.



Plate 18: There was no evidence of bat activity on the walls or flat surfaces around the building.



Plate 19: Bird netting around the external plant effectively excluded bats from some areas.

Internal

- 3.1.14 There were no roof voids within the building with the upper floors having vaulted ceilings (see Plate 20) and the lower floors had suspended ceilings (see Plate 21).
- 3.1.15 There were no internal teaching spaces or thoroughfares with any suitability for roosting bats or other protected species areas (see Plate 22).
- 3.1.16 **In summary**, the target building was assessed for signs of bat activity and potential roost features. Whilst PRFs were identified across the building, including beneath ridge and flat tiles, there was no evidence of bat activity internally or externally. Taking into account the features present the building was considered to have MODERATE potential to support for roosting bats and therefore 2 night time bats surveys with 2 surveyors will be required.



Plate 20: The upper floors had vaulted ceilings with no access to the underside of the roof.



Plate 21: The ground floor had suspended ceilings and no potential for roosting bats.



Plate 22: Internally, there were no suitable areas for roosting bats within the areas for reconfiguration.

3.2 Breeding birds

- 3.2.1 A single nest was identified within the roof top plant (see). No other nests were identified elsewhere on the building or on the flat roofs.



Plate 23: A single nest with fresh dry moss was identified within the rooftop plant.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Overview

- 4.1.1 In March 2023, Simply Ecology Limited was commissioned by Gardiner & Theobald LLP to undertake a Building Assessment for bats at Woodbury South Building. It is understood that the proposed works include demolition of an existing building and some internal reconfiguration of the remaining building.

4.2 Bats

- 4.2.1 A bat scoping survey of the building was undertaken. The survey found that the building was in use at the time of survey and was in a satisfactory state of repair. A thorough survey of building, both inside and out, was completed with the aid of a Mobile Elevated Working Platform. The survey found that the external features of the roof contained some Potential Roost Features. These were considered to confer possibilities for bats to access the roof space. These included features such as gaps in the mortar under ridge tiles, gaps under slate tiles and within the brickwork. However, despite a thorough and comprehensive search, both inside and out, no definitive evidence of bat activity was found.
- 4.2.2 Nonetheless, the proposed demolition of the target building could have the potential to affect any roost of protected bat species.
- 4.2.3 The location of the site is significant with its proximity to suitable habitats, including Townside SBI and the mature trees that line the local waterways; these are considered some foraging and commuting habitats for bats. Activity surveys previously undertaken by Simply Ecology in the local area (at the former Peel Health Centre, now the site the Health and Digital Centre) recorded a common pipistrelle roost and low levels of bat activity¹.
- 4.2.4 Given the potential roost features, the suitability of the proposed development site, the potential connectivity to the wider landscape and the known presence of bats in the locality, the only possible conclusion in line with the BCT guidelines was that further survey information is required and the building was afforded MODERATE potential for supporting bats. This will provide information to understand the bat activity at the site and to establish the species and number of bats present.
- *It is recommended* that night-time bat surveys during the summer of 2023 are conducted in order to establish the nature of bat activity in the roof space. Only then

¹ Simply Ecology - Bury College - Former Peel Health Centre Bury - Bat Survey Annex - October 2020.

can the Local Planning Authority be in possession of the necessary information in relation to bats, which are a material consideration within the planning process.

Reason: This advice is in accordance with the Bat Conservation Trust guidelines in order to deliver legal compliance. All UK bat species are protected by The Wildlife and Countryside Act (1981) (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended).

4.3 Breeding Birds

4.3.1 Given the presence of a nest on the external plant and the possibility of nesting on the flat roofs on the building, the existing site clearly presents opportunities for breeding birds.

- *It is recommended* that all demolition work should be carried out outside of the bird breeding season (March to August inclusive). Where this is not possible, a suitably qualified ecologist should carry out a check to confirm the absence of nesting birds immediately prior to works commencing. If a bird nest in current use is discovered, then an appropriate buffer zone around the nest should be created where works can only continue after the nest is vacated. This should be implemented by way of a Planning Condition. **Reason:** This will ensure that no offences are committed under The Wildlife and Countryside Act 1981 (as amended). The bird-nesting season is generally regarded to extend between March and August inclusive.

5.0 REFERENCES

Bat Conservation Trust (2016). *Bat Surveys – Good Practice Guidelines*. Bat Conservation Trust, London.

Joint Nature Conservation Committee Mitchell-Jones, A.J. & McLeish, A.P. [Eds.] (2004). *The Bat Workers Manual (3rd edition)*. Joint Nature Conservancy Council, Peterborough.

National Planning Policy Framework 2021:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1004408/NPPF_JULY_2021.pdf

Natural Environment and Rural Communities Act 2006:

http://www.opsi.gov.uk/acts/acts2006/ukpga_20060016_en_1

Conservation of Habitats and Species Regulations 2017 (as amended):

<https://www.legislation.gov.uk/uksi/2017/1012/contents/made>

Wildlife and Countryside Act 1981:

<http://www.legislation.gov.uk/ukpga/1981/69/contents>

ANNEX A: STATUTORY AND PLANNING CONTEXT

- A.0.1 The client is advised that many species of British wildlife are legally protected. The following section provides a brief overview of the protection afforded to species commonly encountered during development. The Recommendations at the end of this report will advise as necessary, but it is also useful for the client to have an understanding of the legal protection as this helps to ensure that the law is complied with.

A.1 Badgers

- A.1.1 Badgers are protected under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) (WCA), and the Protection of Badgers Act 1992. It is illegal to:
- Kill, injure, take, possess or cruelly ill-treat a badger or to attempt to do so;
 - Interfere with a badger sett by damaging or destroying it;
 - Obstruct access to or any entrance of a badger sett;
 - Disturb a badger when it is occupying a sett
- A.1.2 A badger sett is “any structure or place that displays signs indicating current use by a badger”. Natural England, the Government’s statutory nature conservation body, classifies a sett as active if it has been occupied within the last 12 months.
- A.1.3 Operations that might cause disturbance of an active sett entrance can be carried out under licence from Natural England. If any badgers are found during the course of the survey, this will be highlighted in this report.

A.2 Birds

- A.2.1 All wild birds are protected against killing or injury under The WCA 1981 (as amended). This protection extends to bird’s nests during the breeding season, which makes it an offence to damage or destroy nests or eggs. Birds that are listed on Schedule 1 of the Act receive additional protection against intentional or reckless disturbance during the breeding season. This makes it an offence to disturb these species at or near to their nesting site.

A.3 Protected Species (includes bats, otter, hazel dormouse, great crested newts, and others)

- A.3.1 The client is advised that all bats and great crested newts are European Protected Species (EPS). These EPS are protected under legislation in England and Wales via the Conservation of Habitats and Species Regulations 2017 (as amended) (Regulation 43). A full list of PS is provided in Schedule 2 of the Regulations. In addition, these PS also receive the protection of the Wildlife and Countryside Act 1981 (as amended) in respect of Section 9 (4)(b & c) and (5).
- A.3.2 If both national and international legislation are taken together, the legislative protection afforded to these species makes it an offence to:
- Intentionally/ deliberately kill, disturb, injure or capture them.
 - Intentionally or recklessly damage, destroy or obstruct access to any breeding site or resting place.
 - Possess or control any live or dead specimen or anything derived from a European Protected Species.

- A.3.3 If an activity is likely to result in any of the above offences, derogation from the legal protection can be issued in the form of a European Protected Species licence issued by Natural England. Licences for development purposes are issued under The Conservation of Habitats and Species Regulations (2017) and only allow what is permitted within the terms and conditions of the licence. If any EPS are found during the course of the survey, this will be highlighted in this report.

A.4 Protected Mammals and Reptiles (includes water vole, red squirrel, reptiles and others)

- A.4.1 All native reptiles and a variety of British mammals also receive protection under The WCA 1981 (as amended). Schedule 5 of The WCA lists animals that are protected. The degree of protection varies. Water voles and red squirrel are examples of species with full protection. The Act makes it an offence to intentionally kill, injure, take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.
- A.4.2 All native reptiles in the UK are protected. The commoner species such as grass snake, common lizard, slow worm and adder are protected only from unlawful killing and injuring. In practice this may require a reptile protection scheme before implementing a planning permission but no specific licence is required. Sand lizard and smooth snake listed as EPS (see A3.3 above).
- A.4.4 If any protected species are found during the course of the survey, this will be highlighted in this report.

A.5 Non-native invasive species

- A.5.1 A number of non-native plant species growing wild in the UK are listed on Schedule 9 of the WCA due to their invasive nature and the detrimental impact they can have on native habitats and wildlife. This legislation makes it an offence to plant or otherwise cause to grow in the wild any plant species which is included in Part II of Schedule 9.
- A.5.2 This legislation should be considered during site clearance works which could lead to the spread of Schedule 9 listed plant species from the site if plant material is not properly handled and disposed of. Development proposals should also consider the removal of invasive species from areas of site that would otherwise remain unaffected by works in order to avoid the risk of these invasive plants spreading from the site in the future and enhance habitats within the site. This would in turn free up space for wildlife friendly planting, prioritising use of native species within planting schemes where appropriate.

A.6 Planning Considerations

- A.6.1 When considering each planning application, the presence of protected species, such as those listed above, is a material consideration which must be fully considered by the Local Authority when granting planning permission. If a licence from Natural England is required, then prior to issuing any planning consent, the local planning authority will need to be satisfied that there is no reason why such a licence would not be issued. Therefore, in reaching the planning decision the local planning authority will need to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017. The three licensing tests given in the Regulations must be considered. In summary, these are that:
1. The development is required for the purpose of:
 - Preserving public health or public safety;

- For other imperative reasons of over-riding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
 - For preventing serious damage to property.
2. There is no satisfactory alternative.
3. The proposal will not be detrimental to the maintenance of the population of the species at a favourable conservation status.
- A.6.2 All necessary information would need to be provided to the planning authority as part of the planning application in order to address the above tests.
- A.6.3 The Natural Environment and Communities Act (NERC Act) 2006 extended the biodiversity duty set out in the Countryside and Rights of Way (CROW) Act to public bodies and statutory undertakers to ensure due regard to the conservation of biodiversity. The Duty is set out in Section 40 of the Act, and states that:
- "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"
- A.6.4 The Duty applies to all local authorities, community, parish and town councils, police, fire and health authorities and utility companies. Section 41 (S41) of this Act (the 'England Biodiversity List') also requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. This list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40(1) of the Act.
- A.6.5 Also, Local Authorities must follow the National Planning Policy Framework (NPPF) which provides guidance on the interpretation of the law in relation to wildlife issues and development. For each development proposal considered by the Local Planning Authority the NPPF states that the authority must aim to conserve and enhance biodiversity. If significant harm 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.

UK Biodiversity Action Plan (UK BAP)

- A.6.6 The UK BAP, which was first published in 1994, was the UK government response to the 1992 Convention on Biological Diversity. It sets priorities for nationally important 'priority species' and 'priority habitats'. Each species and habitat action plan has costed actions and targets, and is used to inform the compilation of national lists such as the Section 41 List described above.