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Dusk Survey Results

July 2024

Project Ref: PR-0247-24

Summerseat Engine Room

Rowlands Road

Bury

Greater Manchester

BL9 5PZ

National Grid Ref: SD 79438 14439



Summerseat Engine Room, Rowlands Road, Bury, Greater Manchester, BL9 5PZ
Dusk Survey Results in Relation to Bats

Document Title	Dusk Survey Results
Project no.	PR-0247-24
Issue no.	1.0
Prepared for	PPY Design
Prepared by	Tyrer Ecological Consultants Ltd

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Survey Dates	Dusk 1	02/05/2024	Dusk 2	23/05/2024
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Review Date	23/07/2024			
Approved by	Mrs K Wilding CEnv MIEMA ACIEEM			
Date of Issue	23/07/2024			

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Executive Summary

As part of a proposed planning application at Summerseat Engine Room off Rowlands Road, Bury, Tyrer Ecological Consultants Ltd were previously commissioned to undertake a daytime preliminary roost assessment in relation to bats with an inclusive inspection for breeding birds in 2007, followed by three dusk / dawn emergence / re entry surveys in 2007 and again in May 2012. However, due to a further timelapse the results of the prior surveys are now considered as being out of date and therefore updated observations were undertaken in May 2024.

Bats

The site, Summerseat Engine Room, was originally categorised in 2007 as pertaining to 'High' bat roost suitability in line with the then appropriate Bat Conservation Trust Guidelines (2006), and therefore two dusk emergence and one dawn re entry survey was undertaken at the site in 2007 and 2012 which resulted in the conclusive emergence of small numbers of Common pipistrelle bats along with acoustic data obtained from a deployed static device which demonstrated call from both Pipistrelle & Whiskered bats.

*From the 2007 and 2012 dusk survey results, it was concluded that whilst using best practice survey methodology, Summerseat Engine Room was host to a **day roost for two species**.*

Updated surveys have now been conducted at the site during May 2024, it is evident that some internal work has been undertaken prior to the commencement of the updated observations, however, during the pre dusk inspection scattered Pipistrelle droppings were located. During the dusk surveys one Common Pipistrelle was identified as emerging from the building and thus it can be concluded that the structure is still being used as a day roost for a single bat.

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 The site, Summerseat Engine Room, was originally categorised in 2007 as pertaining to 'High' bat roost suitability in line with the then appropriate Bat Conservation Trust Guidelines (2006), and therefore two dusk emergence and one dawn re entry survey was undertaken at the site in 2007 and 2012 which resulted in the conclusive emergence of small numbers of Common pipistrelle bats along with acoustic data obtained from a deployed static device which demonstrated call from both Pipistrelle & Whiskered bats. The site was subsequently categorized as offering a day roost for both species.
- 1.2 Due to a delay in time from the previous surveys and as part of a proposed new planning application, Tyrer Ecological Consultants were commissioned by PPY Design to undertake further updated observations following the recommendations previously provided. The survey effort comprised of two dusk emergence surveys, as it has previously been established that the building is not host to a maternity roost, instead a confirmed day roost. Furthermore, as internal works have commenced the potential is reduced and therefore now classified as offering a moderate categorisation as opposed to high potential. Additionally, 2024 now represents the third season of bat surveys at this site, which is considered sufficient in order to establish the use of the building by this species.
- 1.3 It is understood that the proposal involves the demolition of the existing structure and the re-development of the site to provide a restaurant and bar.
- 1.4 Tyrer Ecological Consultants Ltd were therefore re-commissioned to undertake the further bat surveys; the surveys (two dusk emergence surveys) were carried out in May 2024 in accordance with current Bat Conservation Trust (BCT) Guidelines (moderate potential) during the active season of bats (see **Figure 1.1**).

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 1.1 - Extract from *Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines*, 4th ed. (2023)

- 1.5 The results, conclusions and recommendations following the survey, including any indicative mitigation to inform an application to Natural England for a European protected species mitigation licence (EPSML), where necessary, will be supplied within this report.
- 1.6 This report should be read, understood and presented to the local authority as an additional document to **Appendix I** (see Contents page).
- 1.7 In accordance with *Biodiversity Net Gain: Good practice principles for development* (CIEEM *et al*, 2019), measures have been recommended proportionate to anticipated impacts to ensure that the proposed development results in a biodiversity net gain.

2.0 Bats - Legislation & Policy

2.1 All British bats and their ****roosts**¹ are afforded protection under Schedule 5 of the Wildlife & Countryside Act (1981) (as amended) and are listed in Schedule 2 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579). When dealing with cases where a European Protected Species (EPS) (all UK bats) may be affected, a planning authority is a competent authority within the meaning of the Regulation 7 of the Regulations, that 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 Use of Buildings by Bats

- a) Summer breeding roost (May-August)
- b) Hibernation roost (October-March)
- c) Transitional or temporary roost (Mainly spring/summer months)

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.

2.3 Up to 11 bat species have been recorded in Greater Manchester, most of which use built structures for roosting. All bats (*Chiroptera*) are fully protected by UK legislation. The most frequently encountered bat species is the common pipistrelle (*Pipistrellus pipistrellus*) and its abundant status in Greater Manchester is reflected throughout the UK.

Policy

2.4 Paragraph 186 of the National Policy Planning Framework (as revised in December 2023) 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 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

¹ ****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.

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."

2.5 The Core Strategy for Bury borough Policy EN6 states:

"The Council will seek to ensure that proposals for new development minimise impacts on the Borough's natural assets including its biodiversity, geology, geomorphology, natural water resources and soils and, in the case of biodiversity, provide net gains where possible. Where there is potential for new development to have an impact on any of the Borough's natural assets, applicants will be expected to apply the sequential approach as outlined in national planning policy on biodiversity and geological conservation and provide evidence that any potential impact has been fully assessed and that, where potential impacts have been identified, measures have been taken to avoid, mitigate or compensate. When assessing the potential impact of a development on natural assets, the Council will take into account the following:

Biodiversity

- a) The effect on habitats and sites of international, national, regional or local importance as identified in relevant national guidance, the Greater Manchester Biodiversity Plan, the Local Sites register for Greater Manchester and Borough Habitat Surveys;*
- b) The effect on land contributing towards and/or enabling the enhancement of the Borough's wildlife corridor network as identified in the Ecological Framework for Greater Manchester and forming part of Bury's Green Infrastructure network;*
- c) Whether the proposal can contribute to development of one of the Borough's identified Ecological Enhancement Areas as identified under Spatial Policy EN5;*
- d) The impact on any priority species;*
- e) The irreplaceable nature of certain habitats such as Ancient Woodland"*

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."

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

3.2 The timing of the surveys took place in May thus within the main active period of bats, at a time when maternity colonies have formed / returned to summer roosts and bats are in a highly active and social stage.

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 considered the most optimal owing to the likelihood of detecting a greater range of roost types namely Maternity and Summer roosts; 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).

In this case, the bat roost potential that exists at the Summerseat Engine Room 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 can 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.

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)."

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

3.3 The number of surveys and surveyors was adequate relative to the roost potential that was identified on attendance of the site i.e. 'Moderate' and requiring two surveyors to accurately monitor potential roost features (PRF's) on the building at any one time.

3.4 Surveyors were strategically positioned so that all elevations with bat roost potential, as described in the daytime report, could be observed without limitation. The surveyors were aided with Anabat SD2, Batlogger M & M2, Echometer EM2, Peersonic RPA3, or equivalent

electronic bat detectors that enable the locating and recording of the high frequency calls that are emitted by bats; echolocation calls were analysed the next day using Analook, Kaleidoscope, BatExplorer or equivalent computer software to verify field observations. Where deemed appropriate by the attending ecologists, elevations were also surveyed via the use of a Night Visual Aid (NVA) Camera (Panasonic HC-VXF990) or Nightfox Whisker Night Vision Binoculars – recordings would be subject to review the following day to identify emergences / flight lines and species / abundance.

Survey Limitations

- 3.5 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 on 2nd May and 25th May 2024 by two surveyors; surveyor credentials have been given within **Table 4.1**. **Tables 4.2 – 4.3** alongside **Figures 4.1 – 4.2** document the results of the dusk surveys.

Table 4.1 - Surveyor Credentials

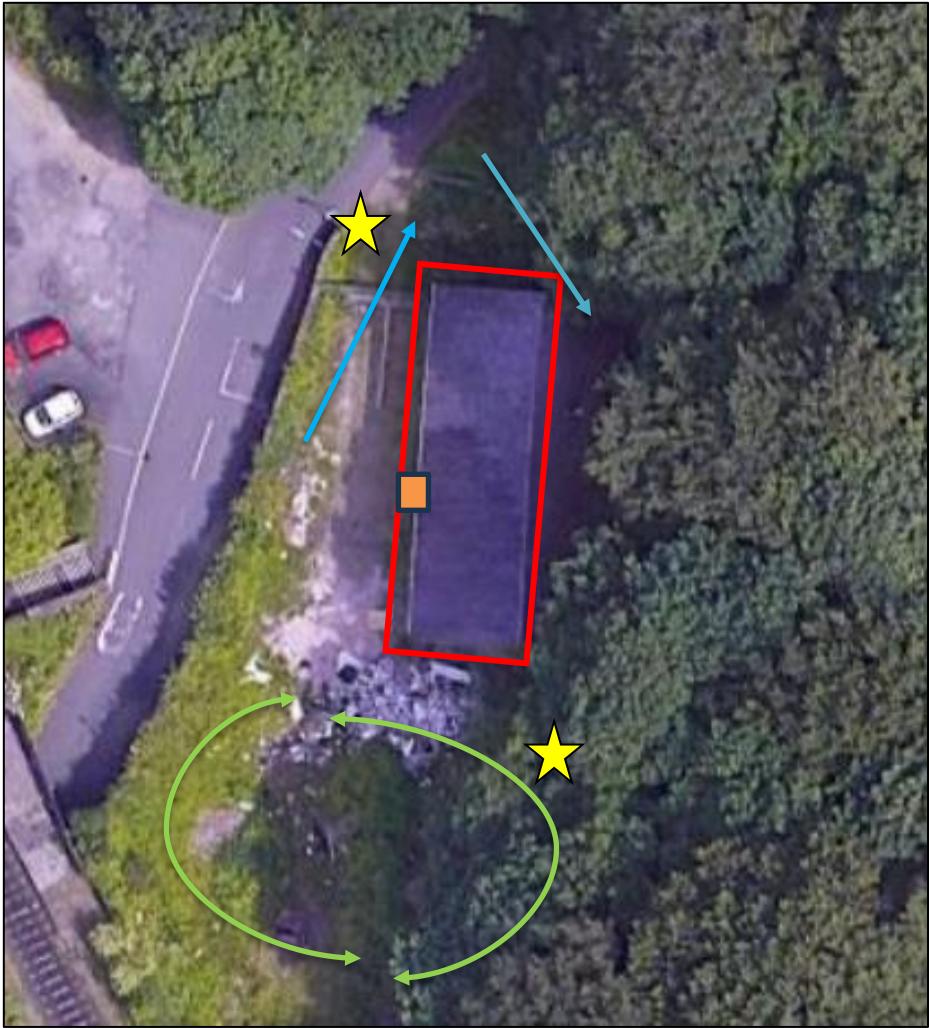
Surveyor(s)	Experience	Surveyor Credentials
Mr. H. Mulligan Qualifying CIEEM	2 years	Consultant Ecologist with a range of training and experience. MBiolSci in Biological Sciences (Zoology), Qualifying CIEEM Accredited agent on the Class 2 Natural England bat licence of Mrs. K. Wilding (CLS-14227). Accredited agent on the Natural England Great Crested Newt: CL08 Class 1 licence (2022-106040-CL08-GCN) of Mr. D. Burrows. Holder of a FISC Level 3 (2023).
Dr. R. King MCIEEM	15 + years	Seasonal Consultant at Tyrer Ecological Consultants Ltd. Natural England Great Crested Newt License (Class 1) held since 2007 (2015-18633-CLS-CLS) Natural Resources Wales Great Crested Newt Licence SO88579/1 held since 2015
Mr. J. Wright	1 year	A seasonal surveyor with experience of undertaking professional bat surveys and additionally holds a BSc in Biology and MSc in Zoology. Current PhD candidate at Manchester Metropolitan University.
Miss. A. Hamer	2 years	An experienced Ecologist working as a sub-contractor for Tyrer Ecological Consultants who holds a Natural England Class 1 bat licence (2021-54008-CLS-CLS)

Table 4.2 – Survey date, times and weather conditions

Times of Survey	Date	Weather Conditions
Dusk survey 1 2045 – 2235	2 nd May 2024	Sunset: 2105: Dry, Light air, 75% cloud cover Start temp: 14 °C End temp: 11 °C
Dusk survey 2 2057 – 2250	23 rd May 2024	Sunset: 2117: Dry, Calm, 100% cloud cover Start temp: 13 °C End temp: 11 °C

Table 4.3 – Dusk Survey Results

Dusk Survey	Time	Activity
02/05/2024	2045 – 2235	Summary: Emergence of a single common pipistrelle from eaves on the western elevation. 2050 hrs: Emergence of a single common pipistrelle (CP) from the eaves on the western elevation. 2105 - 2134 hrs: Regular CP foraging and commuting passes along the southern elevation. 2110 – 2127 hrs: Regular CP commuting passes along the northern elevation. General activity consisted of regular foraging and commuting by common pipistrelle.
23/05/2024	2057 – 2250	Summary: No emergence activity observed for the duration of the survey. 2129 hrs: Commuting pass by a single CP from the southwest to the northeast. 2140 – 2153 hrs: Occasional passes by a single CP heard but not seen, likely along railway to south. 2153 – 2206 hrs: Regular foraging passes by a single CP heard but not seen, likely along railway to south. 2214 hrs: Single commuting pass by a Myotis sp. bat heard but not seen, likely along woodland to the east. General activity consisted of regular commuting and foraging by a single common pipistrelle and a single pass by a Myotis sp. bat.



Dusk Survey 1 – 02/05/2024

Key			
	Site Boundary		Commuting activity
	Surveyor Positions		Emergence location
	Foraging activity		Directional compass

Figure 4.1 - Visual Aid - Dusk Survey Results with Key



Dusk survey 2 – 23/05/2024

Key			
	Site Boundary		Commuting activity
	Surveyor Positions		

Figure 4.2 - Visual Aid - Dusk Survey Results with Key



Figure 4.3 – *The location of the emergence of a single common pipistrelle from survey 1, marked in red.*

5.0 Conclusions & Recommendations

- 5.1 From the dusk survey results, it can be concluded that whilst using best practice survey methodology, Summerseat Engine Room is ascertained to host a **single day roost of one common pipistrelle (*Pipistrellus pipistrellus*) bat**, under the eaves on the western elevation.
- 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 The bat activity during the surveys was limited to an emergence by a common pipistrelle bat, foraging and commuting by small numbers of common pipistrelle, and a single commuting pass by a Myotis sp bat.
- 5.4 The current proposals involve the demolition of the building and the re-development of the site to provide a restaurant and bar. This will result in the destruction of a day roost of common pipistrelle, which will need to be addressed from both a conservation and legal perspective along with the application of appropriate mitigation. A European Protected Species Mitigation Licence (EPSML) will be required to legally destroy 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.
- 5.5 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.
- 5.6 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 free from illumination such as illumination of boundary features. 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. Refer to the Bat Conservation Lighting Guidelines for further strategic information if applicable.

6.0 Indicative Mitigation

- 6.1 From the evidence gained during the dusk surveys, the use of the barn by bats is considered to be of 'low' level significance relatable to common pipistrelle bats and their current status (as according to - English Nature: Bat Mitigation Guidelines 2004); 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 advisers, 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.

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.

- 6.3 The LPA need to consider the mitigation in relation to the potential success of a Natural England licence application and/or 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 deems the proposed new roost creation as appropriate and not over and above what is required.

- 6.4 **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 Natural England development 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.

- 6.5 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.
- 6.6 The demolition of the building is the key component of the applicant's plans for the site; however, it is acknowledged that the presence of roosting bats needs to be addressed from both a legal and conservation perspective.

The mitigation proposals outlined in this report are seen to be the most productive way forward, as retention is not considered an option, that will retain long term roosting opportunities for bats.

- 6.7 To ensure that bats are not left without a roost while the work takes place one Greenwood single crevice bat box (or suitable equivalent) will be erected on a suitable tree in proximity to the survey area (See **Figure 6.1**). The box will serve as a receptor bat box for if bats have to be captured by hand and translocated to it by a suitably licenced Ecologist or named agent during the works schedule; it will be retained permanently following the works and should be east facing to ensure adequate sun exposure.



Figure 6.1 – Proposed location of receptor bat box []

Assigned Ecological Clerk of Works - EcOW

- 6.8 At the pre-commencement stage a suitably qualified Ecologist is to undertake an induction 'toolbox talk' on possible bat presence and present/discuss document features taken from the license i.e. License, Method Statement, Mitigation Figures and Work Schedule to be kept on site for the duration of the work.

Prior to any work being undertaken the presence/absence bats as far as is possible will be established by undertaking detailed investigation of the areas at which bats have been observed using the building, at any internal crevices within the barn and the area under the guttering. The ecologist will supervise careful dismantling of all places that will be removed as part of the proposed work which have been identified as offering roost access or roost potential at the ecologist's discretion. In addition, wherever opportunities for bats exist in other parts of the building the supervised dismantling will extend to these areas with strategies for safely removing bat(s), as long as a maternity colony is considered not to have taken up occupancy of the building.

All dismantling of roost features will be undertaken during favourable weather conditions.

An increase in external lighting is expected during the conversion; should additional lighting be installed it must be directed away from any bat roost access points, flight paths and foraging areas.

Mitigation proposed is subject to the approval of the Natural England EPS team; all proposed roost provisions outlined hereafter will be dedicated for bats and permanent.

6.9 Work undertaken by the Ecologist

Capture/Exclusion: Once an EPSML licence is in place the contractor will provide a safe means of access to allow the ecologist to investigate the confirmed roost area for bat presence at the Summerseat Engine Room.

In addition, wherever opportunities for bats exist in other parts of the building the supervised dismantling will extend to these areas at the discretion of the ecologist in attendance. In the event of bat(s) being present, it/they will be removed, placed in a secure box with soft tissue and immediately transferred into a receptor bat box that will have previously been erected on a tree nearby as indicated in **Figure 6.1**. Once it has been established by the ecologist that bat(s) are absent the building works will continue to completion.

In the unlikely event that bats are found outside of supervision time, then as legal requirement and conditions of the granted licence work will immediately cease and the ecologist contacted for further advice; contractors must not touch, handle or in any way cause bats to move.

6.10 Work undertaken by the Contractor

The works will result in the loss of a day roost of common pipistrelle, and as such, prior to the start of the works and in accordance with the required EPSML. The below mitigation measures are indicative and to be finalised subject to the provision of development plans during the EPSML application:

- Consideration was given to providing mitigation within the western aspect where the bat was observed to emerge. However, given the proposed plans in combination with the fact this area will be an illuminated car park, then new roosting provision will instead be created to the southern gable of the property at a distance of 1 metre down from the gable apex. The existing ivy coverage will be removed from the southern aspect to allow the facilitation of the mitigation. This area will then be lined with a traditional bitumen underfelt with rough sawn timber cladding fixed to vertical battens with several gaps of 15 - 18mm to allow access for crevice dwelling species between the timber cladding and the underfelt. Several horizontal battens will also be affixed on top of the felt whereby the cladding can be affixed, however, there must be gaps between these battens in order to allow the bats to move freely behind the cladding / underfelt (**Figure 6.2**)
- The roost will be permanent and dedicated for bats. Lighting in this area must not be directed at or close to the roost areas nor will it affect nearby foraging places or flight lines.



Arrangement of southern gable elevation coarse or grooved sheet timber, vertical battens and bitumen felt, horizontal battens followed by timber cladding



Figure 6.2 – *Indicative cladding designs that will need to be installed on the southern gable elevation*

7.0 References

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