



4 Brookthorpe Road, Walshaw, Bury, BL8 3AD

Bats: Building Assessment

Simply Ecology Limited

Ref: SE/CHRO001/01

October 2022

For:

**The Intelligent Design Centre,
Eagle House,
5-11 Eagle Street,
Accrington,
BB5 1LN**

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Control Sheet

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1.0 INTRODUCTION

1.1 Background Information

1.1.1 In September 2022, Simply Ecology Limited was commissioned by The Intelligent Design Centre to undertake a Building Assessment for bats at 4 Brookthorpe Road, Walshaw, Bury, BL8 3AD (OS grid reference SD780116). See Plan 1 and Plan 2 for an aerial view of the Site.

1.2 Aims

1.2.1 The aims of this ecological assessment were to:

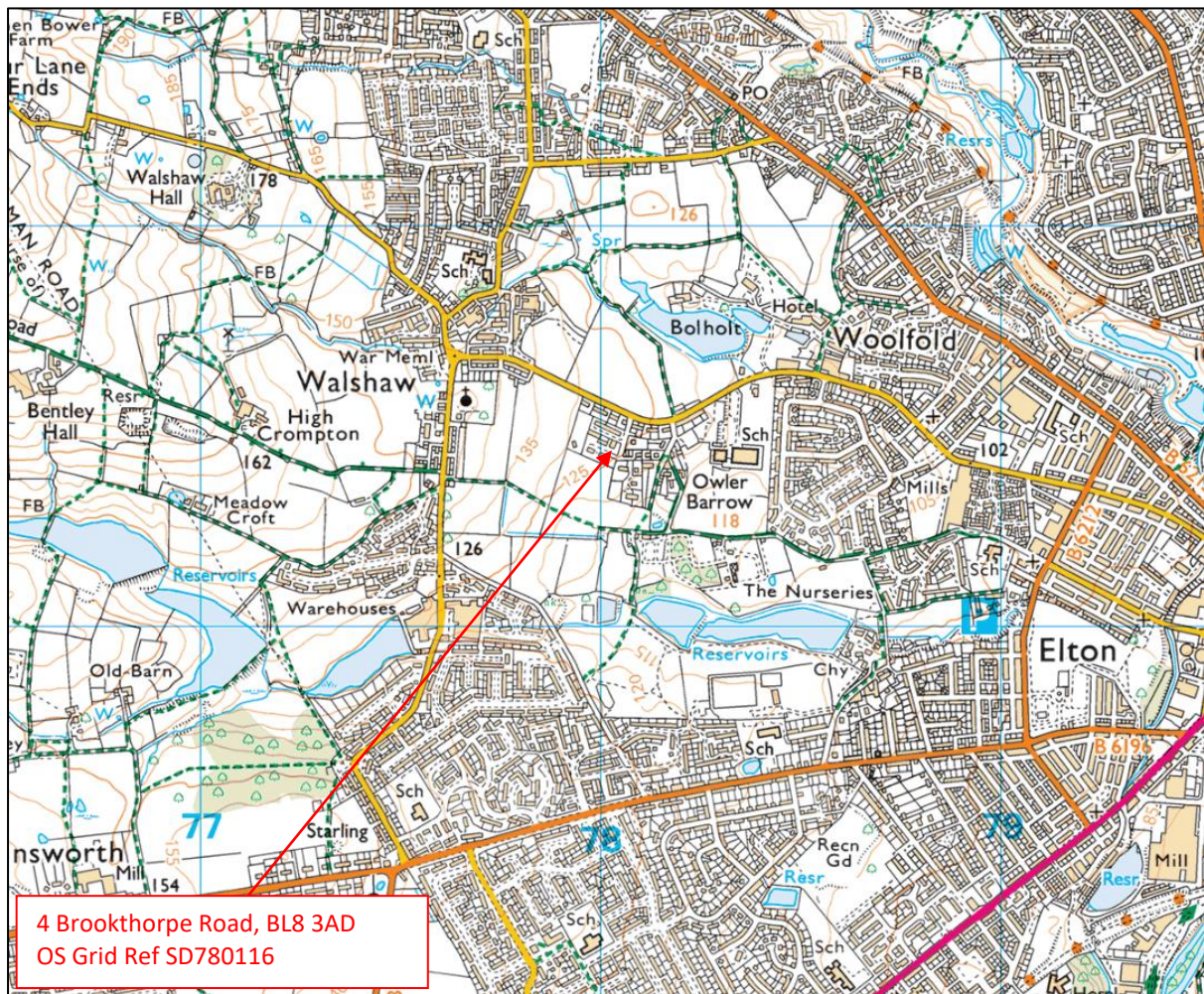
- To provide clear advice to the client, the Local Planning Authority and third parties, on the nature conservation value of the site and surrounding area.
- To confirm the presence or absence of protected species, with a particular emphasis upon bats, within the proposed development site.
- To enable the client to comply with legislation afforded to protected sites and species.
- To highlight the presence of any habitats or species of ecological importance, including Habitats and Species of Principal Importance (NERC Act, 2006).
- To identify any ecological constraints on future development.
- To establish the need for any further surveys and assessments.
- To make nature conservation recommendations.

1.2.2 To achieve this, an appraisal of the building and any protected species on the site was undertaken on 30th September 2022. This submission presents the results of the survey at the site.

1.3 Site Description and Proposed Works

1.3.1 The residential property was set amongst a small number of detached and semi-detached properties. There is open farmland to the west with the large market town of Bury to the east. The surrounding habitats represent satisfactory potential conditions for bats; there are limited good quality foraging opportunities in the surrounding area although there are watercourses and small wooded areas with mature trees; to the south lies Elton Vale with a small woodland and the Elton Brook along with several open water bodies and to the north is Walshaw Brook and further water bodies.

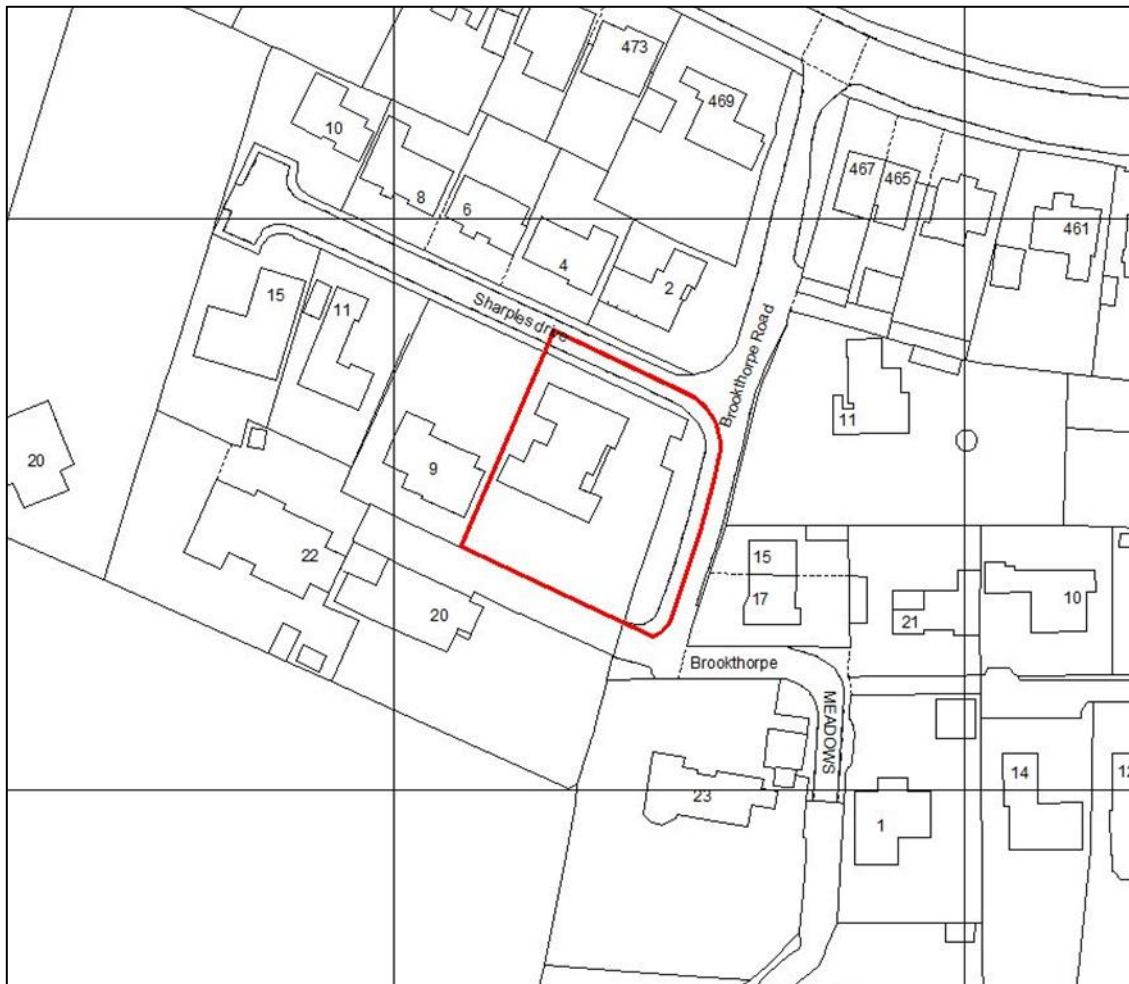
- 1.3.2 Simply Ecology Limited has carried out numerous bat surveys in the area and the building survey was undertaken with the understanding that significant numbers of bats are not encountered locally. An online search of the Multi Agency Geographical Information Centre (www.magic.gov.uk) MAGIC identified only six licence planning applications related to common pipistrelle roosts in the local area (within 2km).
- 1.3.3 The surveys described in this report were commissioned to inform a planning application to demolish and replace the existing residential property.



Plan 1: Site location.



Plate 1: General view of the residential property from the south.



Plan 2: Site Location Plan.



Plan 3: Aerial view of the Site.

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. 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.

2.2.2 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 30th September 2022. 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.

3.0 SURVEY RESULTS

3.1 Bat Building Inspection

- 3.1.1 The target building (see Plate 2) was a detached residential bungalow with a pitched and hipped roof and a partially rendered finish to the external red brick walls. The property was not occupied at the time of the Preliminary Roost Assessment but was found to be in satisfactory condition and generally well maintained although the interior had been stripped.



Plate 2: General view of the detached residential bungalow from the rear.

- 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 and hipped roof was in generally satisfactory condition and had a light moss cover effectively sealing gaps between or under tiles and no significant Potential Roost Features (PRFs) were noted (see Plate 3).
- 3.1.4 The roof pitches of overlapping cement tiles that were intact with no signs of slipped or missing tiles (see Plate 4). These type of roofing materials inter-lock, and so there were no reasonable gaps between them that bats could use.
- 3.1.5 The verges were in a poor condition with gaps in the mortar (see Plate 5 and Plate 6). However, endoscopic examination found that the gaps led to extensive spaces beneath the tiles (see Plate 7). These open voids were drafty and not considered suitable for crevice dwelling bats and offered no roosting potential.

- 3.1.6 The barge boards and soffits were generally intact with no roosting potential. Where there was recent damage to the boards and the soffits of the south east gable, this only allowed access to the underside of the tiles and, as above, the space was not considered suitable for roosting crevice dwelling bats (see Plate 9).
- 3.1.7 The brickwork and the render on the external walls were intact with no apparent gaps (see Plate 10).
- 3.1.8 The window and door frames were intact, and these offered no roosting opportunities (see Plate 11).
- 3.1.9 The walls and flat surfaces around the building were thoroughly and systematically searched for evidence of bat activity but none was found. The rough rendered surface of the walls provided an ideal substrate for droppings to adhere to and these would have easily been observed, however no signs of bats were discovered (see Plate 12).

Internal

- 3.1.1 The roof void was found to be a single space open to the roofing timbers (see Plate 13) and the underside of the roof was covered by roofing membranes which precluded direct observation of the underside of the tiles.
- 3.1.2 The roofing membranes were found to be generally intact (see Plate 14 and Plate 15) although there were small gaps in the membranes (see Plate 16) but these were considered to be too small to allow bats (if present) to access the loft void. A search under the roofing membrane failed to find any accumulations of droppings or other evidence of bats. This was perhaps not surprising given the fact that the roofing tiles were considered tight and so access would not have been possible. The lack of any signs of bats corroborated this finding.
- 3.1.3 The internal aspects of the gable walls were in good condition with no gaps in the mortar although gaps along the top of the walls were considered to have roosting potential (see Plate 17).
- 3.1.4 The survey found that the internal void was heavily cobwebbed throughout, indicating that any recent bat activity was unlikely (see Plate 18).
- 3.1.5 Finally, the brick walls, exposed timber support structures and the flat surfaces within the loft space were thoroughly and systematically searched, but no evidence of bat activity was found (Plate 19 and Plate 20).



Plate 3: The ridge and flat tiles were tightly overlapping and there were no significant PRFs or roosting potential.



Plate 4: The roof pitches were intact with no slipped or missing tiles and offered roosting opportunities.



Plate 5: Gaps were noted in the mortar of the verges which were inspected more closely to see if they offered opportunities.



Plate 6: Missing mortar in the verges opened to extensive spaces under the tiles.



Plate 7: The gaps in the verges led to extensive spaces under the roof pitches that were not suitable for roosting crevice dwelling bats.



Plate 8: The soffits were generally tightly sealed with no gaps.



Plate 9: Recently damaged barge boards and soffits were noted but were not considered to offer any roosting potential.



Plate 10: The external walls were in good condition with no gaps in the brickwork or the render.



Plate 11: The windows and doors were intact and well sealed with no roosting potential.



Plate 12: There was no evidence of bat activity on the walls or flat surfaces around the building.



Plate 13: The loft void was open to the roof roofing timbers and the roofing membranes.



Plate 14: The membrane was generally intact with no gaps apparent. No evidence of bats were present behind them.



Plate 15: The older felt membrane were also generally intact.



Plate 16: In some places along the ridge, the membranes were damaged but these did not gave any potential access to the internal void.



Plate 17: Locations such as the top of the gable walls offered roosting potential but no signs of bats were present.

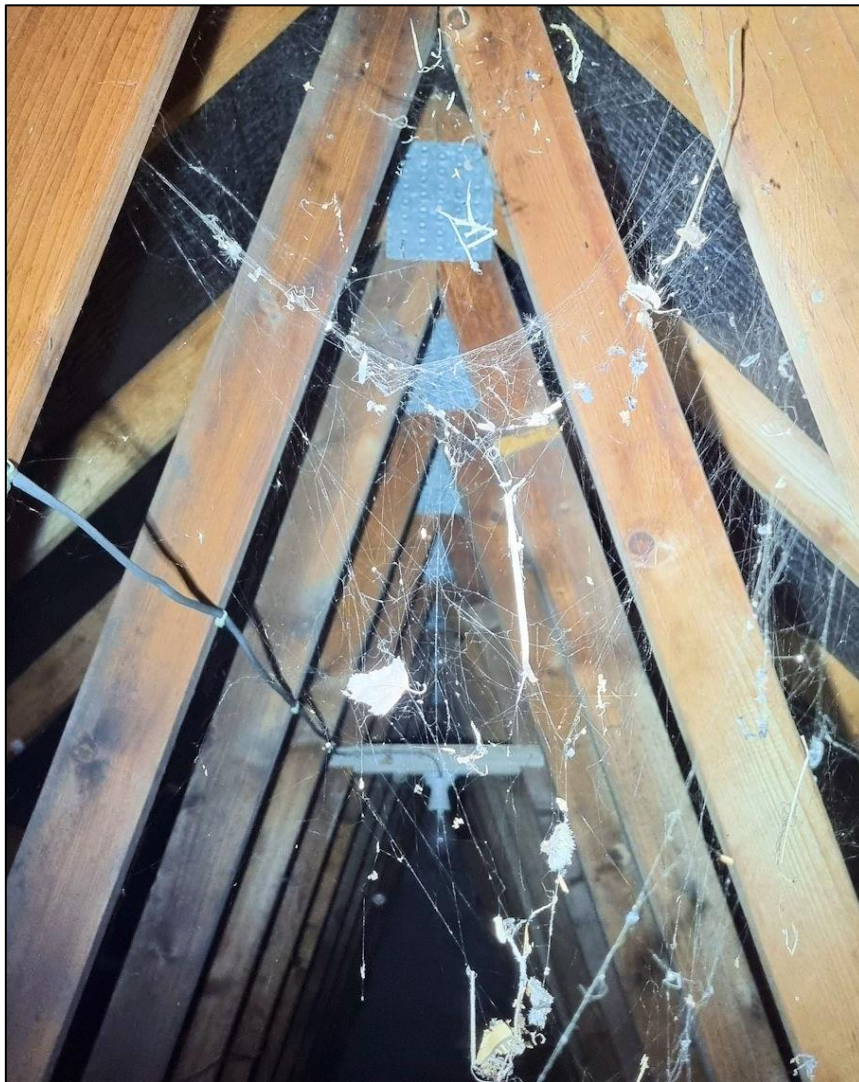


Plate 18: Much of the internal void was heavily cobwebbed suggesting that frequent or recent bat activity was unlikely



Plate 19: There was no evidence of bat activity on the internal gable walls.



Plate 20: There was no evidence of bat activity on the flat surfaces within the loft space

- 3.1.1 **In summary**, the target building was a single detached residential building which was assessed for signs of bat activity and potential roost features. All of the typical areas which support PRFs and bat roosts, such as the tiled roof, the roof edges and the external brickwork and render, were intact with no opportunities for roosting bats were identified. No significant PRFs were identified across the building. Further, there was no evidence of bat activity internally or externally.
- 3.1.2 It was considered that the proposed demolition would NOT impact any potential roosts directly, or indirectly.
- 3.1.3 Although there was no evidence of bat activity there were indications that bird nesting had previously occurred through some of the larger voids around the roof edge (see Plate 21). This

finding this supported the conclusion that the internal space was accessible from outside the roof.



Plate 21: Evidence of nesting in the void above the garage.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Overview

- 4.1.1 In August 2022, Simply Ecology Limited was commissioned by the Intelligent Design Centre to undertake a Preliminary Roost Assessment for bats at 4 Brookthorpe Road, Walshaw, Bury, BL8 3AD. It is understood that the proposed works is to demolish and replace the existing residential property.

4.2 Bats

- 4.2.1 A bat scoping survey of the residential property was undertaken. The survey found that the building was unoccupied at the time of survey and was in a satisfactory state of repair. Although the property had been subject to internal strip of the fixtures of fittings this did not pose a constraint to the bat survey as none of the Potential Roosting Features for bats had been affected. The inspections found that the property had no significant Potential Roost Features as there were no suitable gaps under roof tiles or in the verges, soffits or eaves. Some fairly large openings were present at the roof edges but these were too large for crevice dwelling bats and were also used by nesting birds. A thorough external and internal search of the building for signs of bat activity found no evidence of bats.

- *It is advised* that all demolition works can continue with no need for any supervision by the Appointed Ecologist. No Natural England licence is necessary in this instance as no impact upon any bat roost is predicted. This is due to the lack of any signs of current or historical use of the building by bats. **Reason:** This will deliver compliance with: Section 9 (1 & 4) of The Wildlife & Countryside Act 1981 (as amended), Part 3 (43; 1 & 2) of The Conservation of Habitats and Species Regulations 2017, Section 11 (179 & 180) of the National Planning Policy Framework (2021) and The Environment Act 2021.

4.3 Breeding Birds

- 4.3.1 Although the site is highly unlikely to support a notable assemblage of birds in a local context due to its limited extent and nature of the habitats present, it is possible that the site is used by small numbers of breeding birds and a bird nest was identified in the roof space above the garage.
- *It is recommended that* all demolition works 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 demolition 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. **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>

The Environment Act 2021

<https://www.legislation.gov.uk/ukpga/2021/30/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.