

Preliminary Roost Assessment - Bats and Birds

38 College Road, Hebburn, NE31 2LY



Client: Andrew & Lisa Jones

Date: 2nd December 2021

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VERSIONING AND QUALITY CONTROL

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DISCLAIMER

This document has been prepared by Tyne Ecology for Andrew & Lisa Jones solely as a Preliminary Roost Assessment Report for bats and birds. Tyne Ecology accepts no responsibility or liability for any use that is made of this document other than by the client for the purposes for which it was originally commissioned and prepared.

The evidence which we have prepared and provided is true, and in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

LONGEVITY

Survey data should ideally be from the last survey season before a planning or licence application is submitted, although the length that survey data remains valid should be decided on a case-by-case basis and is dependent upon several factor (Collins, 2016).

If development works do not begin within eighteen months to two years of the date the last site survey (02/12/2021), an update survey may be required in accordance with guidance in BS 42020:2013¹ and CIEEM (2019), to determine if conditions and evidence of bat use has changed since described in the current report.

¹ As set out in Section 6.2.1, Point 7 which states that ecological information should not normally be more than two/three years old, or as stipulated in good practice guidance.

SUMMARY

Brief and Site Location	This report presents the findings of a preliminary roost assessment survey for bats and birds of a semi-detached house at 38 College Road, Hebburn, NE31 2LY (Ordnance Survey Grid Reference centred at: NZ 3088 6297) referred to in this report as B1.
Proposed Works	Plans are for a 2-storey extension over the garage on the west gable.
Survey Methodology	The preliminary roost assessment comprised a daytime internal and external inspection of buildings on-site, searching for signs of bats and nesting birds. The inspection provides a preliminary assessment of the potential of the site to support roosting bats and nesting birds. Other ecological constraints were also noted such as the likelihood of presence of other protected and priority species.
Results of Preliminary Bat Roost Inspection	B1 had no gaps that could allow access for roosting bats. The building B1 is within a low suitability area for foraging and commuting bats.
Suitability of the Building to Support Roosting Bats	The building B1 was considered to have negligible suitability for roosting bats.
Evidence of Nesting Birds	There was no evidence of nesting birds.
Requirements for Additional Surveys	No further surveys required.
Predicted Impacts of Development on Bats and Nesting Birds	None.
Licensing Requirements for Bats	None.
Conclusions	The proposed development can proceed without detriment to the maintenance of the population of bats at a favourable conservation status and without impacts on other protected/priority species and habitats.

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1 INTRODUCTION

- 1.1 Tyne Ecology was commissioned by Andrew & Lisa Jones (the client) to undertake a Preliminary Roost Assessment (PRA) for bats and birds of a semi-detached house at 38 College Road, Hebburn, NE31 2LY (Ordnance Survey Grid Reference centred at: NZ 3088 6297) referred to in this report as B1.
- 1.2 Plans are for a 2-storey extension over the garage on the west gable.
- 1.3 The principal author of this report is Tim Sexton, who holds a BSc Honours degree in Environmental Studies, Natural England Bat Licence Level 2 no: 2020-44753-CLS-CLS, and qualifying membership of the Chartered Institute of Ecology and Environmental Management (CIEEM), membership no: 17054.

Site description

- 1.4 The site is in Hebburn, a small town situated on the south bank of the River Tyne in South Tyneside.
- 1.5 The site is on the urban edge with woodland and Pelaw Quarry Pond local nature reserve directly to the south east of the site.



Figure 1: Aerial image of the site (red dot denotes the site). Image used under licence (Google 2021). Imagery date 05/11/2021.

Purpose of this report

- 1.6 The purpose of this report is to provide sufficient information for the local planning authority to fully assess the potential ecological impacts of the proposed development, or to identify what further information is required before a full assessment can be made.

- 1.7 The result of the PRA has been used to inform whether further surveys are required, or to establish the need for, and extent of, any mitigation or compensation measures required as part of the proposed development.

2 METHODOLOGY

Desk study

- 2.1 A biodiversity desk study was undertaken in relation to the site in December 2021. The sources consulted and the type of information obtained are summarised in Table 1 below.

Table 1: Sources of biodiversity and ecological records.

Source	Information requested (search buffer from site centre/boundary)
Multi-Agency Geographic Information for the Countryside (MAGIC) ²	• Designated Sites (1km) • Priority Habitats (1km) • EPSLs (2km)
Durham Bat Group	• Bat records (2km)

- 2.2 The search buffers are considered to be sufficient to cover the potential zone of influence (Zoi)³ of the proposed development.
- 2.3 The impacts of the proposed development on the biological integrity of any nearby designated protected sites has been fully considered.
- 2.4 A search was undertaken for previous ecological survey information for the site via the local authority planning portal⁴.

Field survey

- 2.5 A field survey was undertaken on the 02/12/2021
- 2.6 An assessment of the structures/trees to be impacted by the development was undertaken in accordance with the latest published best practice guidance (Collins, 2016).
- 2.7 Structures/trees were externally and internally inspected for bats and their signs with the aid of a Ledlenser P7 torch, Leica 8x32 BN close focussing binoculars, and a Ridgid CA-350 endoscope.
- 2.8 The suitability of structures/trees on-site for bats to roost in was assessed, along with a systematic search for signs of bats (e.g. droppings, moth/butterfly wings, scratch marks, staining) or actual bats that were present. Particular attention was paid to the roof areas, with searches for gaps in walls, gaps between beams and joists, droppings stuck to the walls, floors or other surfaces, or feeding remains below beams.
- 2.9 Bat droppings, if found, were collected for DNA analysis.
- 2.10 In addition, structures/trees were classified according to suitability for bats, based on the presence of features within them and / or landscape, see Table 2 below.
- 2.11 The site habitats were assessed for suitability for bats, see Table 3 below.
- 2.12 Evidence for barn owls and other breeding birds was recorded along with any other ecological constraints.

² <https://magic.defra.gov.uk/>

³ <https://www.biodiversityinplanning.org/wp-content/uploads/2019/12/BDS-Guidance-final.pdf>

⁴ <http://planning.southtyneside.info/Northgate/PlanningExplorer/Generic/SearchProperty.aspx>

Table 2: Summary of guidelines for assessing the potential suitability of proposed development sites for bats (from Collins 2016).

Suitability	Description of roosting habitats	Number of activity survey visits required
Negligible	Negligible habitat features on site likely to be used by roosting bats.	None
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).	One
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	Two
High	A structure or tree with one or more potential roost sites obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time.	Three
Confirmed roost	Evidence of bats or use by bats found	Minimum of two surveys to characterise the roost

Table 3: Summary of guidelines for assessing bat habitat suitability (from Collins 2016).

Suitability	Description of commuting and foraging habitats
Negligible	Negligible habitat features on-site likely to be used by commuting and foraging bats.
Low	<u>Commuting Habitat</u> Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or un-vegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. <u>Foraging Habitat</u> Suitable but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	<u>Commuting Habitat</u> Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. <u>Foraging Habitat</u> Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	<u>Commuting Habitat</u> Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. <u>Foraging Habitat</u> High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. <u>Proximity to Known Bat Roosts</u> Site is close to and connected to known roosts.

Surveyor information

- 2.13 The PRA was undertaken on the 02/12/2021 by Tim Sexton who holds a Natural England Bat Licence Level 2 no: 2020-44753-CLS-CLS. He has 17 years' experience of surveying for bats and has qualifying membership of the Chartered Institute of Ecology and Environmental Management (CIEEM), membership no: 17054.

Limitations and constraints

- 2.14 Historical bat records from Durham Bat Group not received.

3 RESULTS

Desk study

Designated sites - Statutory

3.1 There is one statutory sites within 1km, see Table 4 below.

Designated sites - Non-statutory

3.2 There are no non-statutory sites within 1km of the site, see Table 4 below.

Table 4: Summary of designated sites within 1km of the site

Site name	Designation	Description/ reason for designation	Distance & direction (approx.)
Pelaw Quarry Pond	Local Nature Reserve	Pond, grassland and woodland are home to a wealth of animals, plants and insects.	140m S

3.3 There are no protected areas (SSSIs or SACs) designated for their bat populations within 1km of the site.

Protected species

3.4 A search of the magic.gov.uk database for granted European Protected Species Mitigation Licences (EPSMLs) for bats, within a 2km radius of the site, found 2 roosts have been destroyed under licence (see Table 5 below).

Table 5: Granted EPSMLs (bats) within 2km of the site

Case reference of granted application	Approx. distance from site (m)	Bat Species Effected	Licence Start Date:	Licence End Date:	Impacts allowed by licence
2014-4508-EPS-MIT	1170m E	C-PIP	06/11/2014	28/02/2019	Destruction of a resting place.
EPSM2012-4730	1720 NE	C-PIP	20/08/2012	01/09/2014	Destruction of a resting place.

Priority habitats

3.5 A search of the magic.gov.uk database found priority habitats within 1km of the site, see Table 6 below.

Table 6: Priority habitats within 1km of the site.

Habitat	Distance & direction (approx.)
Deciduous woodland	80m S

Historical bat records

3.6 Not received from Durham Bat Group.

Table 7: Historical bat records.

Common name	Scientific binomial	Records
-	-	-

Field Survey

3.7 Prevailing weather conditions during the field survey are summarised within Table 8 below.

Table 8: Summary of weather conditions during the field survey

Date	Weather conditions			
	Temp [°C]	Cloud cover [Oktas]	Wind speed [Beaufort scale]	Precipitation
02/12/2021	1	4	5	Nil

3.8 A description of the structures/trees inspected during the PRA are given in Table 9 below.

Table 9: Description of building/trees

Building/Tree Reference	Building/Tree type/section	Description	Development plans
B1	Semi-detached house	A detached 2-storey house of brick with a pitched roof with clay tiles. UPVC windows and doors and UPVC soffit box around the eaves. There is a single storey garage on the gable which has a pitched roof with clay pantiles and UPVC soffit around the eaves. The attic was boarded out and fully accessible. The roof is two years old (ref: client conversation). Internally the roof has timber sarking.	Gable end extension over the garage.

3.9 The results of the Preliminary Roost Assessment (PRA) are given in Table 10 below.

Table 10: PRA Results

Building/Tree Reference	Evidence of use by bats	Bat signs and internal and external Potential Roost features (PRFs) & access points	Evidence of birds
B1	None.	No gaps were found that would allow entry for bats to roost.	None.

3.10 The site is of low suitability for commuting and foraging bats with no linear features of trees or hedgerows leading from the property.

4 INTERPRETATION AND ASSESSMENT

- 4.1 Plans are for a 2-storey extension over the garage on the west gable.
- 4.2 The following interpretation and assessment is provided to ensure full compliance with both UK and European legislation and both local and national planning policy, see Appendix V.

Designated sites

- 4.3 There is one designated site within 1km of the site, see Table 4.
- 4.4 There are no protected areas (SSSIs or SACs) designated for their bat populations within 1km of the site.
- 4.5 Given the scale of the proposed development, there will be no impacts on designated sites as a result of the development.

Preliminary roost assessment (PRA) for bats (and nesting birds)

- 4.6 Based on the results of the PRA, an assessment of the potential suitability of the on-site buildings for bats and nesting birds could be made and are given in Table 10 below.

Table 11: Suitability of surveyed structures/trees for bats and nesting birds.

Structure/Tree Reference	Suitability / confirmed use	
	Bats	Nesting birds
B1	Negligible.	Negligible.

Bats

- 4.7 The building B1 has no gaps that would allow entry for roosting bats and is considered to have negligible suitability for bats.
- 4.8 The immediate habitat in the locality is of low suitability for foraging and commuting bats.

Nesting Birds

- 4.9 No evidence was found for nesting birds.
- 4.10 B1 has negligible suitability for nesting birds, having no gaps.

Protected/priority habitats and species

- 4.11 The development is restricted to the existing footprint of the property.
- 4.12 No other ecological constraints regarding other protected/priority species and habitats were noted.

5 CONCLUSIONS AND RECOMMENDATIONS

- 5.1 Tyne Ecology was commissioned by Andrew & Lisa Jones (the client) to undertake a Preliminary Roost Assessment (PRA) for bats at 38 College Road, Hebburn, NE31 2LY.
- 5.2 Plans are for a 2-storey extension over the garage on the west gable.
- 5.3 The scale of the development and distance from designated sites (see Table 4) should ensure that there are no impacts on their designated features as a result of the proposed development.
- 5.4 The PRA assessed the building B1 as having negligible suitability for roosting bats.

Recommendations

Bats

- 5.5 No further surveys required.

Overall conclusion

- 5.6 The proposed development can proceed without detriment to the maintenance of the population of bats at a favourable conservation status and without impacts on other protected/priority species and habitats.

6 REFERENCES

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

BSI (2013) BS 42020:2013 Biodiversity - Code of practice for planning and development. British Standards Institution, London.

CIEEM (2019) Advice Note on the Lifespan of Ecological Reports and Surveys <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>

CIEEM (2020) Guidelines for Accessing, Using and Sharing Biodiversity data in the UK. <https://cieem.net/wp-content/uploads/2016/03/Guidelines-for-Accessing-and-Using-Biodiversity-Data-March-2020.pdf>

Mitchell-Jones, A.J., & McLeish, A.P. Ed., (2004) Bat Workers' Manual (3rd Edition). Joint Nature Conservation Committee, Peterborough.

Mitchell-Jones, A.J. (2004) Bat Mitigation Guidelines. Natural England, Peterborough.

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, July 2021)

APPENDIX I: SURVEY MAP

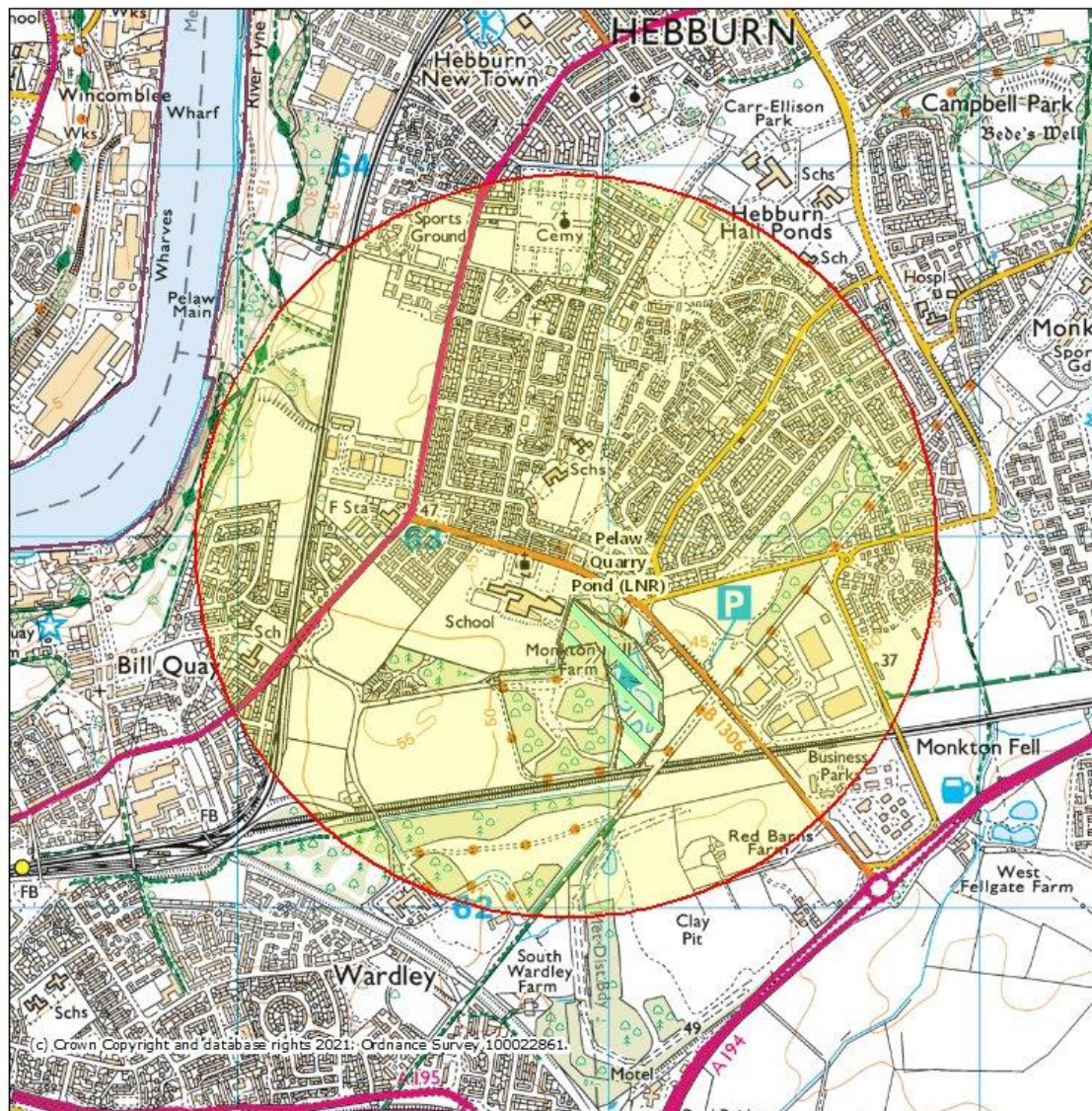


Figure 2: Survey map.

APPENDIX III: DESKTOP SURVEY

MAGiC

Statutory Sites



Legend

Local Nature Reserves (England)

National Nature Reserves (England)

Ramsar Sites (England)

Sites of Special Scientific Interest Units (England)

Favourable Condition

Unfavourable Recovering

Unfavourable no change

Unfavourable Declining

Part Destroyed

Destroyed

Not Assessed

0 0.45 0.9
km

Projection = OSGB36

xmin = 427700

ymin = 561200

xmax = 434000

ymax = 564700

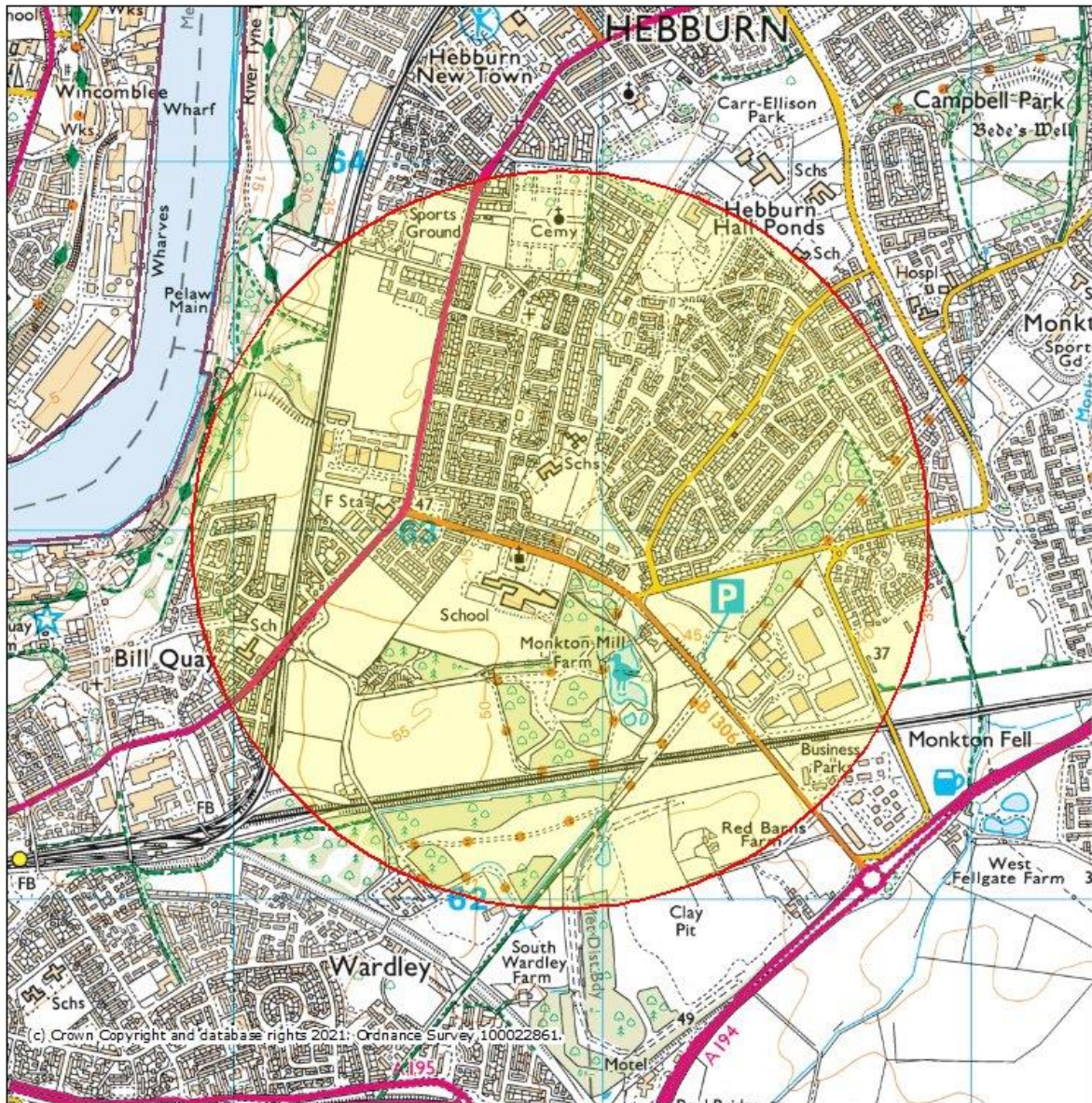
Map produced by MAGIC on 1 December, 2021.

Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

Figure 4: Designated statutory sites.

MAGiC

Non-statutory Sites



Legend

RSPB Reserves (GB)

0 0.45 0.9
km

Projection = OSGB36

xmin = 427700

ymin = 561200

xmax = 434000

ymax = 564700

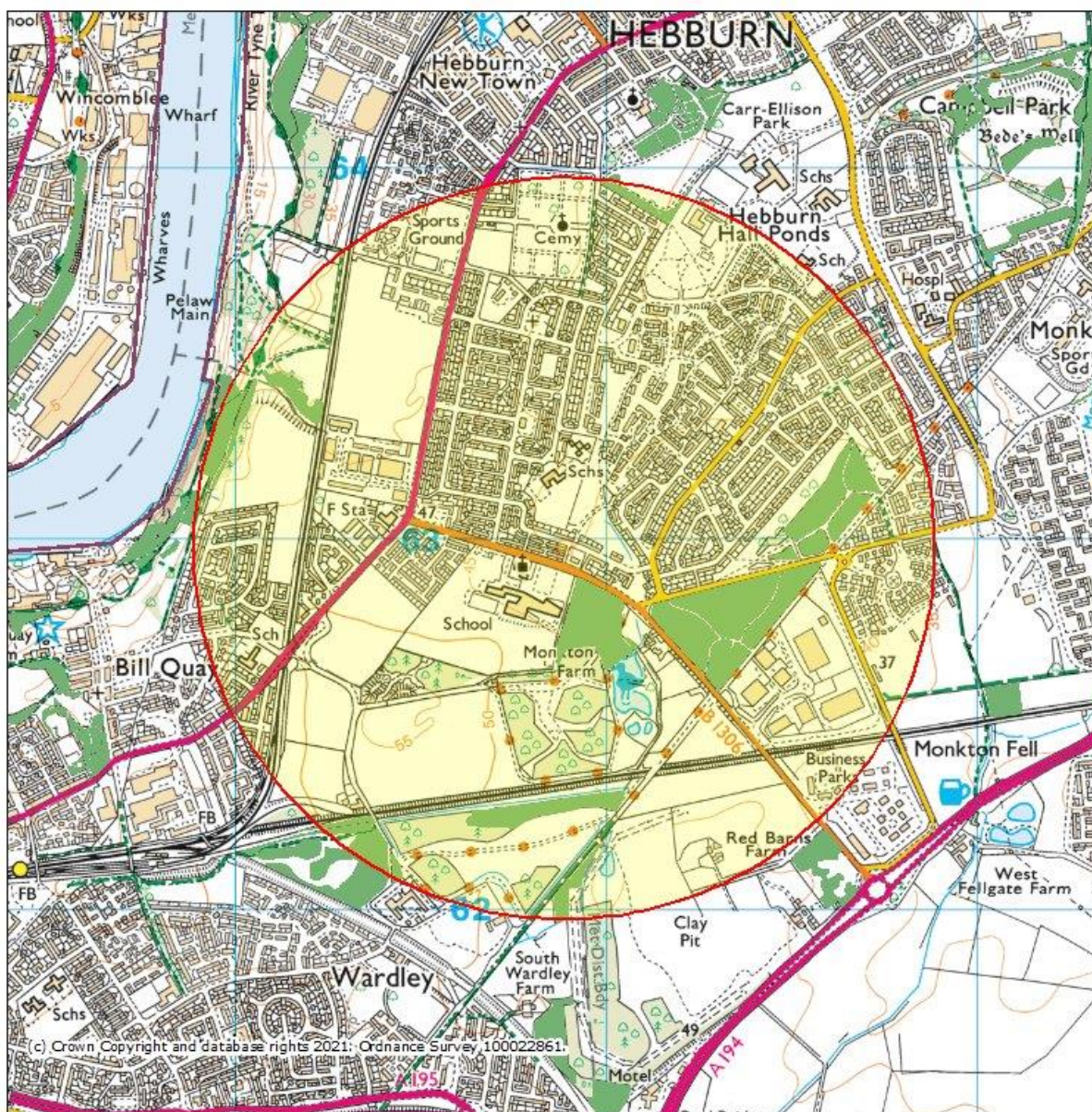
Map produced by MAGiC on 1 December, 2021.

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Figure 5: Designated non-statutory sites.

MAGiC

Habitats



Legend

Priority Habitat Inventory - Deciduous Woodland (England)

0 0.45 0.9
km

Projection = OSGB36

xmin = 427700

ymin = 561200

xmax = 434000

ymax = 564700

Map produced by MAGiC on 1 December, 2021.
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Figure 6: Priority habitats.

MAGiC

EPSMLs

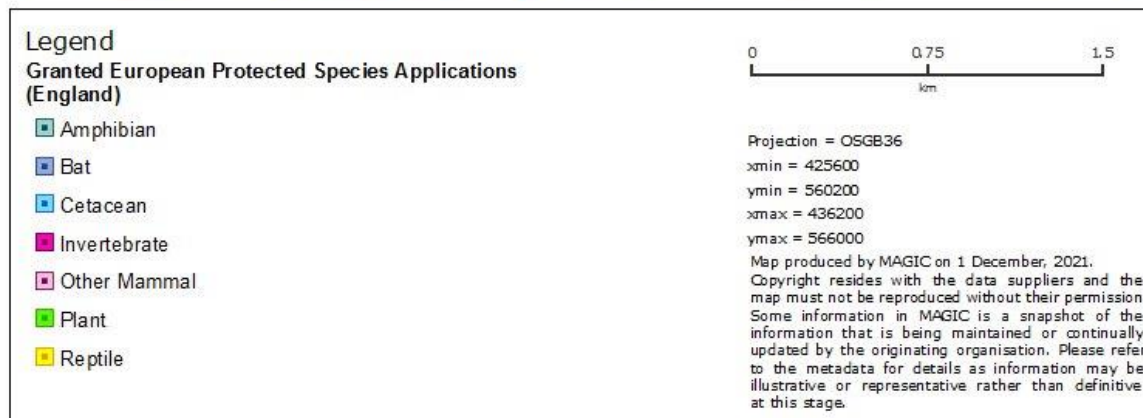
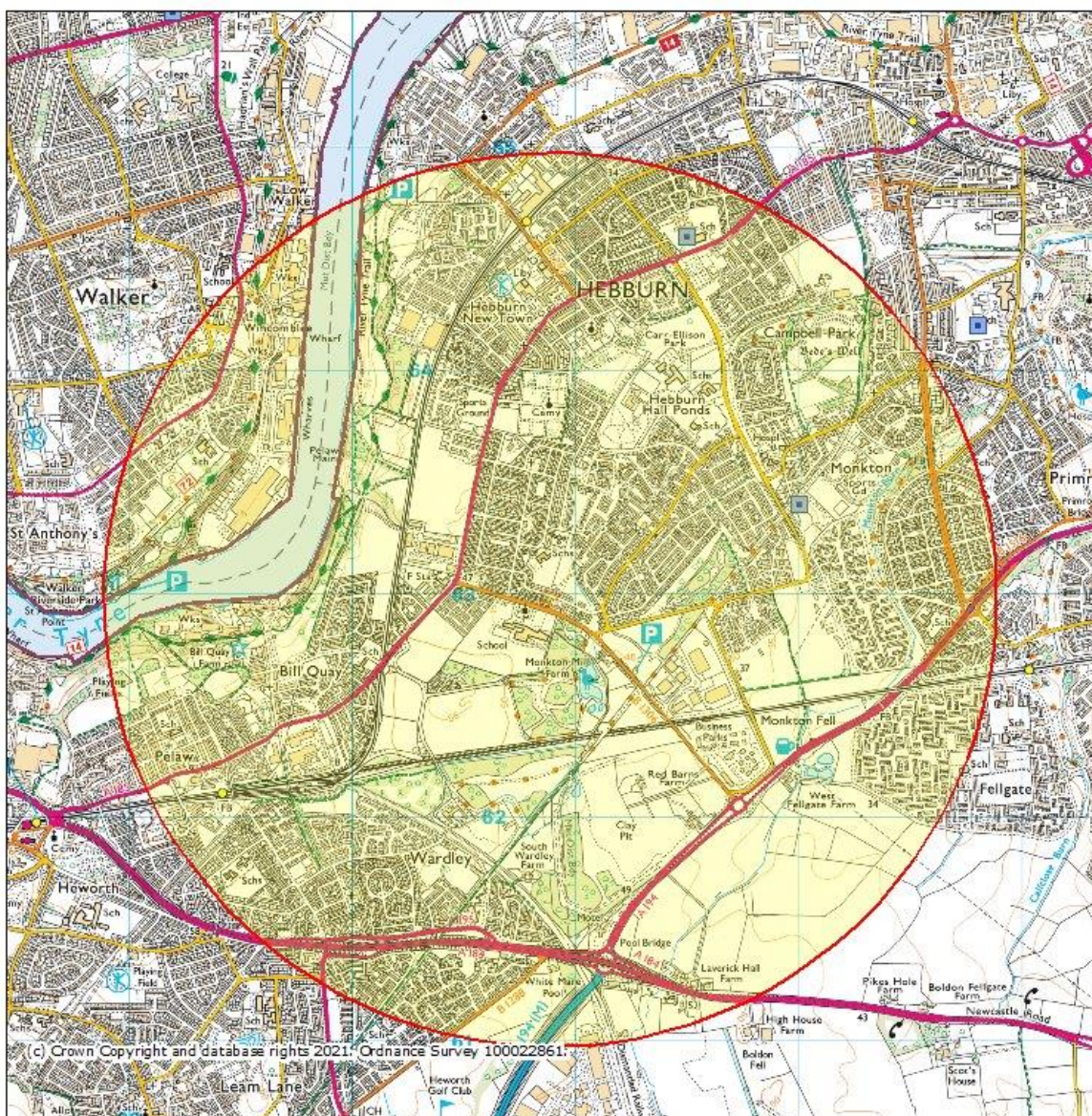


Figure 7: Granted EPSLs.

APPENDIX IV: FIELD SURVEY PHOTOGRAPHS



Figure 8: B1 - front elevation.



Figure 9: B1 - gable end/garage.



Figure 10: B1 - rear elevation.



Figure 11: B1 - soffit box of the main house.

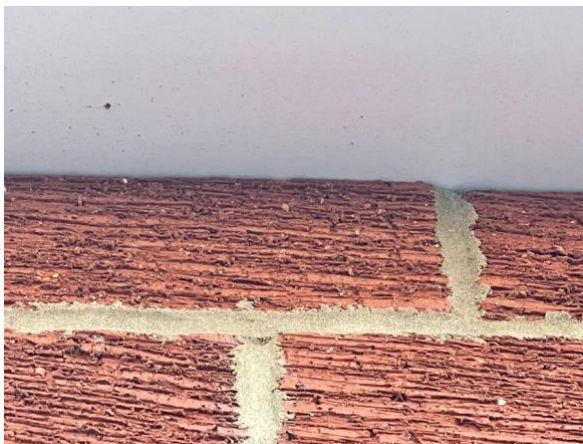


Figure 12: B1 - soffit box of the garage.



Figure 13: B1 - attic.

APPENDIX V: PLANNING POLICY AND LEGISLATION

The following local and national planning policy and both primary and European legislation relating to nature conservation and biodiversity status are considered of relevance to the current proposal.

Planning and biodiversity

Local Authorities have a requirement to consider biodiversity and geological conservation issues when determining planning applications under the following planning policies.

National Planning Policy Framework 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.*

Legislation and biodiversity

Certain species of animals and plants found in the wild in the UK are legally protected from being harmed or disturbed. These species are listed in the Wildlife and Countryside Act 1981 (as amended) or are named as European Protected Species (EPS) in the Conservation of Habitats and Species Regulations 2017. These two main pieces of legislation have been consulted when writing this report and are therefore described in detail within this section.

Other relevant legislation and policy documents that have been consulted include - The Countryside and Rights of Way Act 2000; Natural Environment and Rural Communities Act 2006; The Hedgerow Regulations 1997; Biodiversity Action Plans, both UK-wide (UKBAP) and Local plans (LBAPs), and The National Planning Policy Framework (NPPF).

There is also legislation that legally protects certain animals - for example, the Protection of Badgers Act (1992) protects badgers and their setts, and the Deer Act (1991) places restrictions on actions that can be taken against deer species.

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 reasonably 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.

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 came into force on the 01/01/2021 and 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.

Licensing: 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.

Species protection

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017, making it an offence *inter alia* to:

- Deliberately kill, injure or capture a bat;
- Deliberately disturb bats;
- Damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- Obstruct access to any structure or place which any bat uses for shelter or protection; or
- Disturb any bat while occupying a structure or place which it uses for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural England, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017. All wild birds, their nests and eggs are protected it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any such bird whilst it is in use or being built; or
- take or destroying an egg of any such wild bird.

The law covers all species of wild birds including common, pest or opportunistic species.

Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act.