TYNE ECOLOGY

Daytime Bat Walkover Survey

Don Villa, Don Gardens, West Boldon NE36 0QE



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Date: 13th September 2024

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Desk Study | Field Survey Dates	September 2024| 09/09/2024

VERSIONING AND QUALITY CONTROL

Status	Version	Author	Reviewed by	Date
Final	1.0	Rachel Galler	Tim Sexton	13th September 2024

DISCLAIMER

This document has been prepared by Tyne Ecology for Steve Walker solely as a Daytime Bat Walkover Survey 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, 2023).

If development works do not begin within eighteen months to two years of the date the last site survey (09/09/2024), an update survey may be required in accordance with guidance in BS 42020:2013[1] 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.

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SUMMARY

Brief and site location	This report presents the findings of a Daytime Bat Walkover (DBW) survey for bats and birds of a detached two-storey house with a garage at Don Villa, Don Gardens, West Boldon NE36 0QE (Ordnance Survey Grid Reference centred at: NZ 3482 6110). The house is referred to in this report as B1.
Planned development	Plans are for a full height extension over the garage on the north east gable of B1.
Survey methodology	The DBW comprised a daytime internal and external inspection of buildings on-site, searching for signs of bats and nesting birds. The survey 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.
Survey assessment for bats	The building (B1) was considered to have **low suitability** for bats.
Foreseen impacts on bats	Bat roosts could be destroyed/obstructed, and bats disturbed/harmed during works, if present.
Recommendations for bats	Following professional guidelines (Collins 2023) one presence/absence survey should be undertaken between May and August. Three surveyors using night vison aids (NVAs) will be required to observe all potential roost access points in the building. **IMPORTANT: To avoid committing a criminal offence, no work should be carried out prior to these survey(s) being undertaken. This is to ensure no bat roosts present are destroyed/obstructed and no bats are disturbed/harmed.**
Survey assessment for birds	No gaps were found that could provide access for nesting birds.
Foreseen impacts on birds	None
Recommendations for birds	If active bird nests are found works impacting the nest site must cease until young have fledged.
Survey assessment for other protected/priority species/habitats	No ecological constraints regarding other protected/priority species and habitats were noted.
Foreseen impacts on other protected/priority species/habitats	None
Recommendations for other protected/priority species/habitats	None

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Conclusions	A further survey is required to fully assess impacts of the planned development on bats.

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1 INTRODUCTION

1.1 Tyne Ecology was commissioned by Steve Walker (the client) to undertake a Daytime Bat Walkover Survey (DBW) of a detached two-storey house with a garage at Don Villa, Don Gardens, West Boldon NE36 0QE (Ordnance Survey Grid Reference centred at: NZ 3482 6110). The house is referred to in this report as B1.

1.2 Plans are for a full height extension over the garage on the north east gable of B1.

1.3 The principal author of this report is Rachel Galler who is an Accredited Agent against bat survey licence Level 2 (Class Licence) 2020-44753-CLS-CLS and holds qualifying membership of the Chartered Institute of Ecology and Environmental Management (CIEEM).

Site description

1.4 The site is in a private residential area in the village of West Boldon, South Tyneside.



Figure 1: Aerial image of the site (red dot denotes the site). Image used under licence (Google 2024). Imagery date 10/09/2024

Purpose of this report

1.5 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.

1.6 The result of the DBW 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.

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2 METHODOLOGY

Desk study

2.1 A biodiversity desk study was undertaken in relation to the site in September 2024. 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) https://magic.defra.gov.uk/	• Statutory sites (1 km) • Priority habitats (1 km) • EPSLs (2 km)
Environmental Records Information Centre North East (ERIC NE) https://ericnortheast.org.uk/	• Bat records (2 km) • Non-statutory sites (1 km)

2.2 The search buffers are sufficient to cover the potential zone of influence (ZoI) of the proposed development (CIEEM, 2017).

2.3 The impacts of the proposed development on the biological integrity of any nearby designated protected sites have been fully considered.

2.4 A search was undertaken for previous ecological survey information for the site via the local authority planning portal; https://www.southtyneside.gov.uk/article/1548/Search-and-comment-on-planning-applications/.

Field survey

2.5 A field survey was undertaken on the 09/09/2024.

2.6 An assessment of the structures to be impacted by the development was undertaken in accordance with the latest published best practice guidance (Collins, 2023).

2.7 Structures were externally and internally inspected for bats and their signs with the aid of a Petzl ACTIK® CORE ACTIVE torch, PRAKTICA Falcon 8x40 binoculars and a Bosch Inspection endoscope.

2.8 The suitability of structures 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 The potential suitability of structures/trees onsite for bats was assessed following professional guidelines (Collins, 2023). See Table 2 and 3 below.

2.11 Evidence for barn owls and other breeding birds was recorded along with any other ecological constraints.

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Table 2: Summary of guidelines for assessing the potential suitability of proposed development sites for bats (Collins, 2023)

Suitability	Description of roosting habitats	Number of activity survey visits required
None	No habitat features on site likely to be used by any roosting bats at any time of the year.	None
Negligible	No obvious habitat features on site likely to be used by roosting bats.	None
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year.	One, in the period May to August
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status.	Two, in the period May to September with at least one of the surveys between May and August
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat. These structures have the potential to support high conservation roosts.	Three, in the period May to September with at least two of the surveys between May and August
Confirmed roost	Evidence of bats or use by bats found	Minimum of two surveys to characterise the roost in the period May to September with at least one of the surveys between May and August

Table 3: Summary of guidelines for assessing bat habitat suitability (Collins, 2023)

Suitability	Description of commuting and foraging habitats
None	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year.
Negligible	No obvious habitat features on site likely to be used as flight-paths or by foraging bats.
Low	Habitat that could be used by small numbers of bats as flight-paths such as a gappy hedgerow or unvegetated stream, but isolated.
Moderate	Continuous habitat connected to the wider landscape that could be used by bats for flight-paths such as lines of trees and scrub or linked back gardens.
High	Continuous, high-quality habitat that is well-connected to the wider landscape that is likely to be used regularly by bats for flight-paths such as river valleys, streams, hedgerows, lines of trees and woodland edge.

Surveyor information

2.12 The DBW was undertaken on the 09/09/2024 by Rachel Galler BSc Honours degree who is an Accredited Agent against bat survey licence Level 2 (Class Licence) 2020-44753-CLS-CLS. She has six years of experience surveying for bats and holds qualifying membership of the Chartered Institute of Ecology and Environmental Management (CIEEM).

Limitations and constraints

2.13 No limitations or constraints were encountered on the survey. It is considered that with the access gained and recording undertaken that an accurate assessment of the site's ecological value with regard to bats and birds has been made.

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3 RESULTS

Desk study

Designated sites

3.1 No statutory sites were found within 1 km of the site.

3.2 Seven non-statutory sites were found within 1 km of the site:

- **Downhill Old Quarry LWS. GLS.** Approx. 640 m South.
- **Mount Pleasant Marsh LWS.** Approx. 610 m Southwest.
- **Boldon Lake LWS.** Approx. 650 m Southwest.
- **Turners Hill LWS.** Approx. 900 m Southeast.
- **Make Me Rich Meadow LWS.** Approx. 360 m Southwest.
- **River Don West Boldon LWS.** Approx. 210 m North.
- **River Don North Road LWS.** Approx. 140 m Southwest.

Protected species

3.3 A search of Defra MAGIC found no records of European Protected Species Licences that have been granted for bats within 2 km of the site.

Priority habitats

3.4 A search of the magic.gov.uk database found priority habitats within 1 km of the site, see Table 5 below.

Table 4: Priority habitats within 1 km of the site

Habitat	Distance & direction of nearest (approx.)
Lowland fens	690 m SW
Traditional Orchard	230 m SE
Deciduous woodland	250 m SW

Historical bat records

3.5 Bat records within 2 km of the site have been provided by the Local Environmental Records Centre (ERIC NE) and are summarised below:

- **Common pipistrelle**
  There were 35 records found including 13 roosts, the nearest was approx. 1350 m from the site at Make me Rich Farm. The nearest flight record was approx. 630 m from the site.
- **Soprano pipistrelle**
  There was 1 roost record found, approx. 1780 m from the site at Elliscope Farm.
- **Pipistrelle species**
  There were 5 records found of which 3 were roosts, the nearest with a count of 68 bats was approx. 1970 m from the site at Holland Park Drive. The nearest flight record was approx. 280 m from the site.
- **Natterer's Bat**
  There was 1 roost record found, located at Dipe Lane, West Boldon (no distance given).
- **Bats**
  There were 6 generic bat flight records found, the nearest was approx. 1600 m from the site at Wilmslow Close.

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Previous surveys

3.6 A search of the local authority planning portal found no previous ecological surveys for this site.

Field survey

3.7 Prevailing weather conditions during the field survey are summarised in Table 6 below.

Table 5: Summary of weather conditions during the field survey

Date	Weather conditions			
	Temp [°C]	Cloud cover [Oktas]	Wind speed [Beaufort scale]	Precipitation
09/09/2024	13	8	2	None

Description of surveyed buildings

House (B1)

3.8 A detached brick built two-storey house with rendered walls and pitched roof with concrete tiles.

3.9 There was a two-storey double-pitched extension on the north with an asymmetric gable, and an open single-storey extension with a flat roof on the north elevation. Internally, the single-storey extension had a chipboard ceiling with timber rafters.

3.10 The guttering was metal, and the fascia/window frames/bargeboards were woodgrain effect composite.

3.11 There was a small double-pitched slate roof outbuilding with a lean-to to the west of B1, and a double-pitched porch on the south elevation of B1.

3.12 Internally, the roof had recently been replaced within 2 months with a new breathable membrane. The rafters, beams and struts were timber and there was mineral wool insulation. There was evidence of previous roof structures within the loft space prior to the two-storey extension on the north. There were timber battens that had previously had slate directly nailed on and areas with expanding insulation foam were still present.

Garage

3.13 A brick built garage with rendered walls and a double-pitched roof with concrete tiles.

3.14 The windows were double glazed with uPVC frames, and the bargeboard/fascia were woodgrain effect composite.

3.15 The garage adjoins the east gable of B1 and had a double door for access on the south elevation.

3.16 This roof had also recently been replaced within 2 months with new tiles and a breathable membrane.

Assessment of buildings

External Inspection

House (B1)

3.17 There were gaps under the fascia on the NE elevations of the house and extension.

3.18 The roof had slightly lifted tiles on the NE corner of the extension.

Garage

3.19 There were gaps under the bargeboard/fascia on the east gable.

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3.20 There were gaps between the tiles on the south elevation.

Internal inspection

3.21 No bats droppings or other signs of roosting bats were found.
Note: Absence of evidence is not evidence of absence - only presence/absence surveys can evidence presence/absence.

Habitats on and around the site

3.22 There was a large garden with hedges and trees to the north and south of the property, and it was linked to neighbouring gardens with mature trees nearby.

Nesting Birds

3.23 No gaps were found that could provide access for nesting birds.

Other protected/priority species

3.24 No ecological constraints regarding other protected/priority species and habitats were noted.

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4 INTERPRETATION AND ASSESSMENT

4.1 The following interpretation and assessment are provided to ensure full compliance with both UK and European legislation and both local and national planning policy, see Appendix V.

Designated sites

4.2 The scale and nature of the planned development will not have any impacts on designated sites.

Daytime Bat Walkover Survey (DBW) for bats (and nesting birds)

4.3 Based on the results of the DBW, an assessment of the potential suitability of the on-site buildings for bats and nesting birds could be made and are given in Table 7 below.

Table 6: Suitability of surveyed structures/trees for bats and nesting birds

Structure/tree Reference	Suitability / confirmed use	
	Bats	Nesting birds
B1/Garage	Low	Negligible

Bats

4.4 In consideration of the following factors B1/B2 are assessed to have low suitability for bats:

- The buildings have a small number of gaps that could allow access for bats to roost. There were gaps between tiles, under end tiles and under fascia boards of both B1 and B2. These gaps could offer potential roost sites for individual crevice dwelling bats opportunistically at any time of the year. The gaps could also give access between the tiles and underfelt and into the ridge.
- The construction of B1/B2, pitched with tiles and underfelt covering the roof, means that evidence of roosts could be hidden
- The roof has very recently been replaced on both buildings meaning any likelihood of evidence of bats, if previously present, was not visible.

4.5 The habitats in immediate proximity of the site have good foraging and commuting potential for bats. There is a deciduous woodland within 250 m of the site, with good connections along wildlife corridors in the area.

4.6 Absence of droppings and other signs of bats would indicate that if bats are present, it is in small numbers on an occasional basis.

4.7 The new extension will tie into the existing roof at the east gable of the B1 and B2 roof is to be removed. These are areas where gaps were found, and the development work could result in disturbance/harm to any bats present and could destroy or obstruct roosts.

4.8 There were records of bats and bat roosts in the area including 17 pipistrelle roosts, 1 with a count of 68 bats, within 2 km. The nearest flight record is that of a common pipistrelle 630 m from the site.

Nesting Birds

4.9 The works will not impact nesting birds.

Other Protected/priority habitats and species

4.10 There will be no impacts on other protected/priority habitats and species.

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5 CONCLUSIONS AND RECOMMENDATIONS

Designated sites

5.1 The development will not impact designated sites.

Bats

5.2 Following professional guidelines (Collins 2023) one presence/absence survey should be undertaken between May and August.

5.3 Three surveyors using night vison aids (NVAs) will be required to observe all potential roost access points in the building.

Birds

5.4 In the event that birds are found nesting in areas impacted by the development, works impacting the nest site must cease until the young have fledged.

Reason: All wild bird species, their eggs and nests are protected by law.

Other protected species

5.5 None

Overall conclusion

5.6 An additional survey must be undertaken to fully assess impacts of the proposed development on bats.

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6 REFERENCES

Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). The Bat Conservation Trust, London.

CIEEM (2017) Guidelines for Preliminary Ecological Appraisal

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

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

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, Dec 2023)

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APPENDIX I: SURVEY PLAN

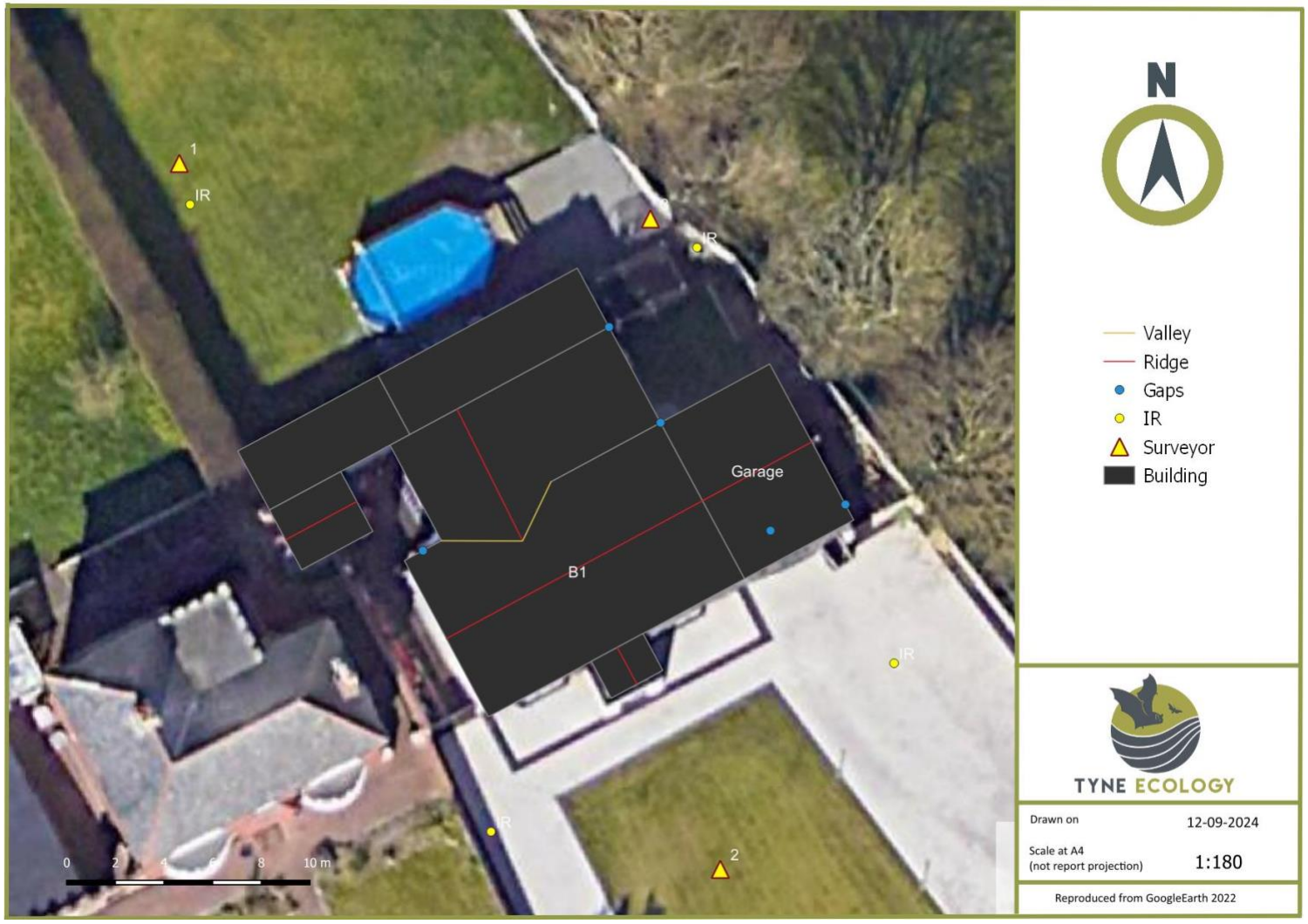
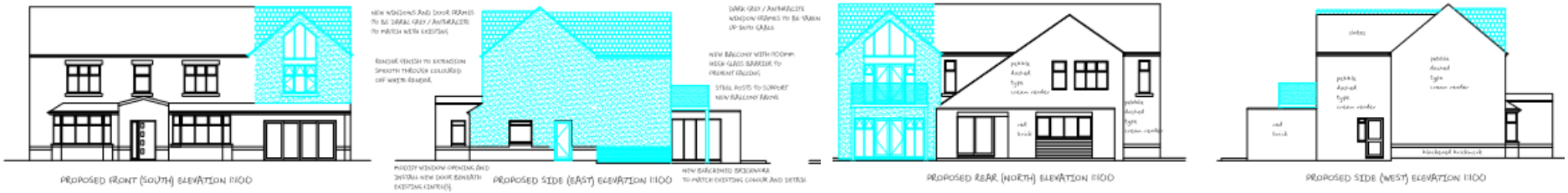


Figure 2: Survey plan

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APPENDIX II: EXISTING AND PROPOSED DEVELOPMENT PLANS



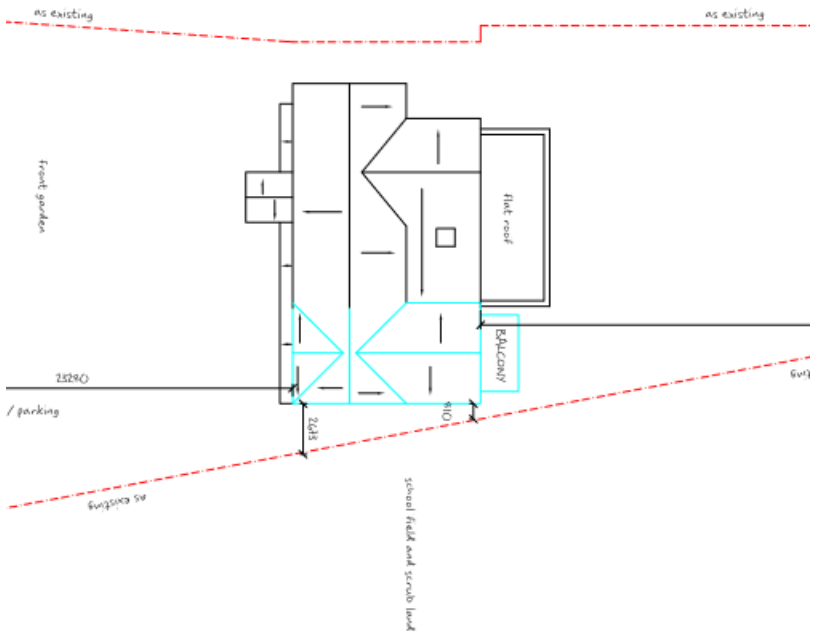


Figure 3: Proposed plans

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APPENDIX III: DESKTOP SURVEY

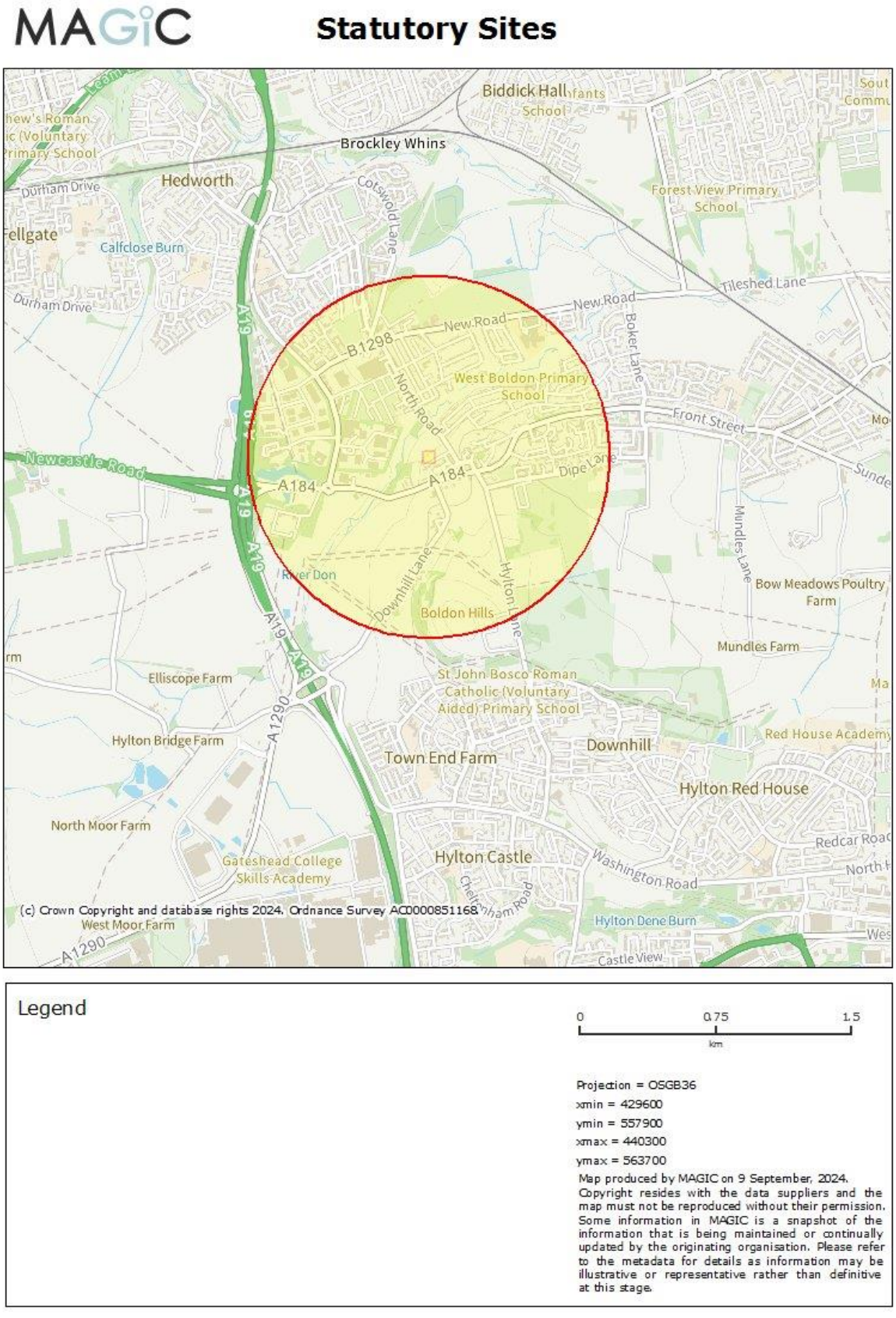


Figure 4: Designated statutory sites

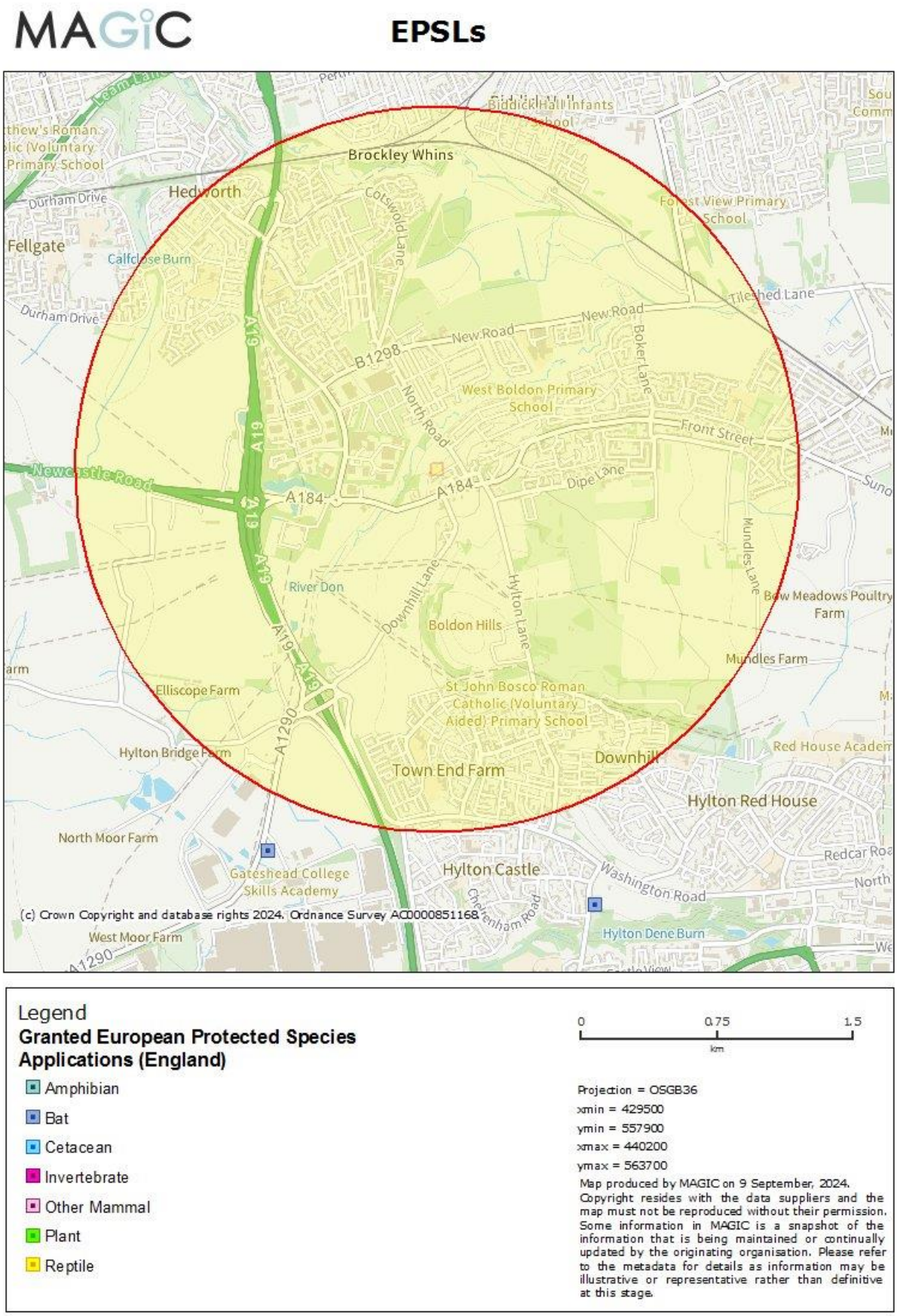


Figure 5: Granted EPSLs

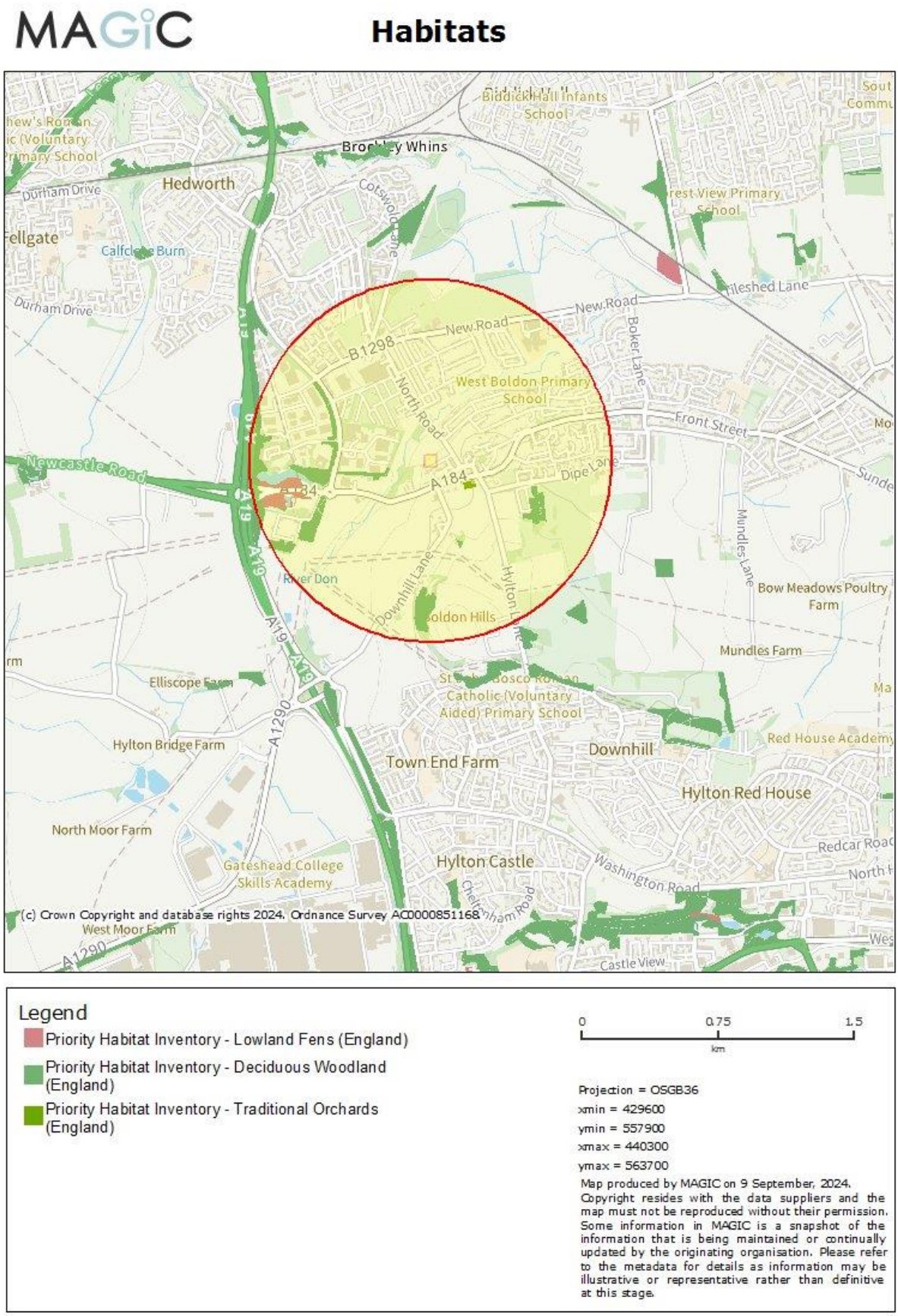


Figure 6: Priority habitats

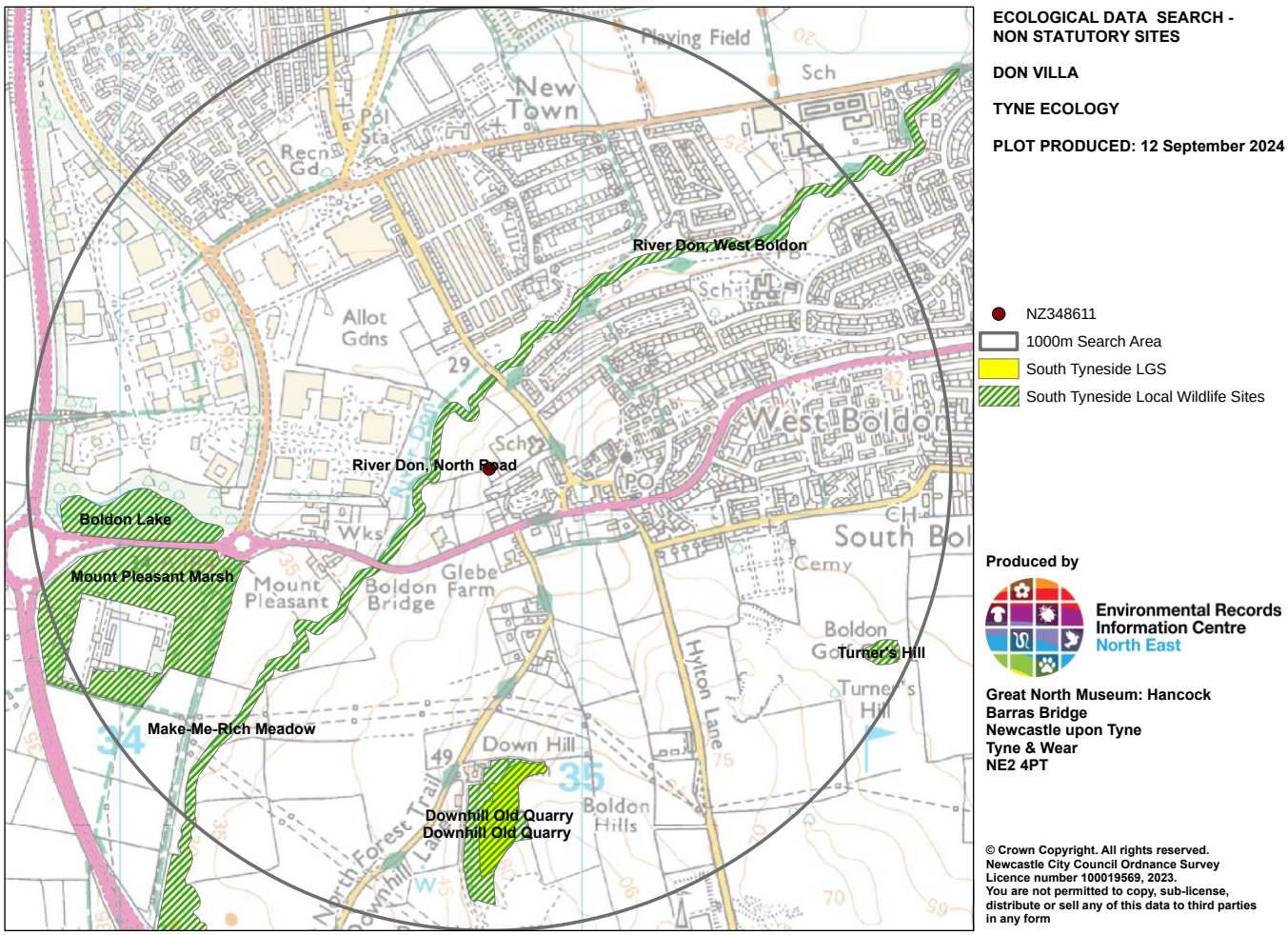


Figure 7: Non-statutory sites

APPENDIX IV: FIELD SURVEY PHOTOGRAPHS



Figure 8: B1/garage - south east elevation



Figure 9: Garage - north/east elevation



Figure 10: B1/garage - south elevation



Figure 11: B1 - south/west elevation and open extension



Figure 12: Outbuilding



Figure 13: B1 - internal



Figure 14: B1 - north asymmetric extension - internal



Figure 15: Open extension - internal

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Figure 16: Garage - internal



Figure 17: Surroundings - garden to the north



Figure 18: Surroundings - garden to the south



Figure 19: gaps under fascia on NE corner



Figure 20: B1 - lifted end tiles on extension



Figure 21: B1 - gaps under fascia



Figure 22: Garage roof



Figure 23: Garage - gaps under east gable end bargeboard

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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 2023

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.

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Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (see below), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

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

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonable avoided, or actions within the living areas of a dwelling house.

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

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.

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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 (Amendment) (EU Exit) Regulations 2019, 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 (Amendment) (EU Exit) Regulations 2019. 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.

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