

22 Oakwood Road

Chandlers Ford, Hampshire

Preliminary Bat Survey

December 2022



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SUMMARY

A planning application is being submitted to Eastleigh Borough Council to allow the raising of the roof to create a first floor at the existing bungalow at 22 Oakwood Road, Chandlers Ford, Hampshire.

In order to determine potential ecological impacts of the proposals a preliminary bat survey was completed at the property by 4Woods Ecology Ltd, during December 2022.

The survey involved a search of the loft space and building exterior. No evidence of any bat roosts was found, and the building is considered to have 'Negligible' potential suitability for bat roosts due to the lack of potential access gaps.

It is therefore unlikely that bats will be affected by the proposed building work, and further bat surveys are not considered necessary in order to inform the impact assessment.

Based on the current assessment, an EPS 'bat' license and mitigation measures are therefore not considered necessary to allow the proposed building work to proceed in accordance with current UK legislation. However, contractors must be made fully aware that in the unlikely event any bats are incidentally discovered, work must stop immediately and further advice should be obtained from an ecologist.

Ecological enhancement measures (as required by planning policy) are included in the proposals, in the form of x2 general bird boxes to be installed on mature trees at the front of the property.

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1.0 Introduction

1.1 Background

Planning consent is being sought to allow alterations to an existing bungalow at no. 22 Oakwood Road, Chandlers Ford, Hampshire (SU437 218) (**Map 1**). The proposals involve:

- Raising the existing pitched roof;
- Installing a first floor within the pitched roof area of the bungalow.

In order to provide information regarding potential ecological impacts of the proposals a bat survey of the property was considered necessary.

4Woods Ecology Ltd was subsequently commissioned by Mead Home Improvements to undertake a preliminary bat survey of the property, to assess whether the proposals had potential to affect bats and to advise on the need for any further surveys/mitigation, as well as ecological enhancements.

1.2 Legislation & Policy

1.2.1 Legislation relating to Bats

In summary, all native bat species in the UK are fully protected from harm/disturbance, and their roost sites (including access points) are protected from damage, via:

- The Wildlife & Countryside Act, 1981 (as amended) (through inclusion on Schedule 5); and
- The Conservation of Habitats and Species Regulations 2017 (as amended). (aka '*The Habitats Regulations*')

Further details of the legislative protection afforded to bats are provided at **Appendix I**.

1.2.2 Biodiversity Action Plans / Species of Principal Importance

Following UK devolution, the UK Post-2010 Biodiversity Framework was set up in 2012, and succeeds the previous UK BAP. This sets out the aims and

activities required to achieve identified targets to halt the decline in biodiversity across the various countries that make up the UK.

Lists of Priority species and habitats were devised for the purposes of the previous UK BAP, which were identified as most threatened in the UK and required action plans to aid their recovery. These lists remain an important reference source and have been used to revise the statutory lists of priorities for England and the other countries of the UK, to allow for a country-level approach rather than UK-wide as before.

The Countryside & Rights of Way (CROW) Act, 2000 requires that Government departments have regard to the purpose of conserving biological diversity in accordance with the Biodiversity Convention 1992 and to promote the action required to further the conservation of species published on Biodiversity Action Plans (BAPs).

Further, The Natural Environment and Rural Communities (NERC) Act (2006) places a duty upon public bodies in England and Wales (including Local Planning Authorities) to have regard to the purposes of conserving biodiversity in exercising their functions. A list of 'habitats and species of principal importance for the conservation of biodiversity in England' was drawn up, as required by the NERC Act, to help guide decision-makers in this respect. The list includes all the habitats and species listed in the UK Biodiversity Action Plan as requiring action, with the addition of Hen Harrier.

Bat species of principal importance or priority species (as revised in 2012 for England) include Soprano Pipistrelle bat, Brown Long-eared Bat, Barbastelle, Bechstein's bat and Noctule.

1.2.3 Planning Policy

National Planning Policy

The Government's planning policies for England, including how the Natural Environment should be considered, are contained within the National Planning Policy Framework (NPPF), as revised most recently in July 2021 (www.gov.uk/guidance/national-planning-policy-framework).

Underpinning the entirety of the NPPF is a clear presumption in favour of sustainable development.

The guidance encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Local planning authorities are also instructed to apply the following principles when determining a planning application:

- 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) ...opportunities to improve biodiversity in and around developments should be 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.

The Government's Planning Practice Guidance contains up to date (last updated 2021) guidance on implementing the requirements of the NPPF (www.gov.uk/guidance/natural-environment). The guidance states that planning authorities need to consider the potential impacts of development on protected and priority species. Natural England's standing advice on protected species provides the LPA with advice on dealing with protected species issues. The guidance states that an ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Even where an EIA is not needed, the guidance indicates that an ecological survey might still be appropriate, for example, where protected species may be present or where biodiverse habitats may be lost. LPAs should require ecological surveys only where clearly justified.

The ODPM Circular 06/2005 contains further administrative guidance on the application of the law relating to planning and nature conservation in England, and should be read in conjunction with the NPPF and PPG. The Circular advises that the *'presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.'*

It is also stated in the Circular that it is *'essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'*. However, it is also noted that *'developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development'*.

Local Plan Policy : Eastleigh Borough

The following policies are contained within the current Adopted Eastleigh Borough Local Plan 2016-2036 (adopted April 2022):

Policy DM11,

Nature conservation - General Approach

1. The Council will work with statutory and voluntary agencies and developers, and will determine planning applications, to:

a. protect, conserve and enhance all:

i. international, national and local nature conservation designations; and

ii. networks of natural habitats and features, including the Local Ecological Network, Priority Biodiversity Areas and Priority Biodiversity Links, watercourses, wetland complexes, woodland trees, and trees and hedgerows important to biodiversity and local character; and facilitate their adaptation to climate change wherever possible;

b. assist in achieving national, county and local biodiversity targets as set out in Biodiversity Action Plans (BAPs);

c. seek a net gain of biodiversity on all development sites (including sites for redevelopment) through the protection, enhancement and connection of existing and provision of new habitats and features of nature conservation interest compatible with the native biodiversity characteristics of the Borough, having regard to local geodiversity and soils; and

d. contribute to major elements of the PfSH Green Infrastructure Strategy and other strategies for the provision and enhancement of multifunctional green infrastructure including green routes, ecological networks and biodiversity enhancements (see strategic policy S9).

Priority habitats, protected and priority species and the local ecological network

5. Development will not be permitted if it is likely (either individually or in combination with other developments) to have a direct or indirect adverse effect on priority habitats, protected or priority species, or on the local ecological network unless it can be demonstrated that:

- a. there are no alternative solutions;*
- b. the adverse effects are unavoidable;*
- c. measures are taken to mitigate or, as a last resort, compensate for the adverse effects;*
- d. there is an overall biodiversity net gain; and*
- e. if there are any residual adverse effects, the benefits of the development clearly outweigh the adverse effects on priority habitats, priority and protected species, and the local ecological network.*

Surveys

8. Development will not be permitted unless it can be demonstrated that:

- a. there have been thorough habitat and species surveys;*
- b. the great crested newt strategic survey and strategy have been considered in all developments within 500m of a great crested newt pond; and*
- c. the strategic bat trapping survey has been considered in all developments within the locality of a woodland or connected habitat networks.*

2.0 Methodology

2.1 Desk study

An OS map and aerial photograph of the local area were examined to assess presence of potential bat foraging/commuting habitat in the surrounding area, in order to aid overall assessment of the potential suitability for bat roosts.

The governmental website, www.magic.defra.org.uk, was searched for any information relating to previous EPS bat licenses granted for development projects within 1.5km of the application site.

2.2 Bat Survey

2.2.1 Preliminary (Phase 1) Bat Survey/Assessment

A daytime bat survey/assessment of the property was completed by Su Forster BSc PGDip MCIEEM (Natural England Bat class licence WML-CL18, level 2, Reg. no. 2015-13744-CLS-CLS) during 8 December 2022.

The loft space of the bungalow was fully searched for any evidence to indicate use by bats. This was completed using strong torchlight.

In addition, the exterior of the property was assessed for potential bat roost sites and access gaps on all sides, and any signs to indicate their use by bats. This was completed at ground level, using binoculars and strong torchlight.

Signs that might indicate the presence of a bat roost could include:

- Bat droppings – e.g. in the loft, on walls, tiles, windows, on the ground below a potential access point etc;
- Dark staining at well-used roost sites or exit points;
- Urine streaking beneath a roost exit point/roost site;
- Scratch marks, worn surfaces or areas clear of webs at bat roost sites or exit points.
- Feeding remains (e.g. moth wings)

The site and surrounding area were also generally assessed for their likely value to foraging bats to aid in the overall assessment.

An overall assessment of the potential suitability of the property for bat roosts, based on Table 4.1 of the published Bat Conservation Trust bat survey guidelines (Collins 2016), was completed, using the following suitability levels: High, Moderate, Low, Negligible (see **Appendix II**). The assigned level is then used to determine whether any further surveys are necessary, or the extent of surveys required, based on minimum survey effort detailed in the guidelines, and in the context of the proposed work.

2.2.2 Limitations of Bat Survey

Since bats may regularly move between different roost sites (particularly to satisfy their varying requirements at different times of the year), a bat survey

often concentrates on searching for evidence to indicate that a potential roost site is used by bats at any time of the year. While such evidence (e.g. droppings) may be found within the building interior (e.g. loft space), any evidence left on external surfaces of a building may be quickly removed through weathering. This means that bats using any hidden crevices, such as beneath tiles, are likely to be missed during a daytime survey/assessment.

3.0 Results of Survey

3.1 Desk Study

The property is located within a large estate of medium density residential properties. The properties in this area generally have medium-sized gardens but with frequent mature trees, while larger gardens containing frequent mature trees extend the east of the site. Collectively these gardens could provide reasonably good bat foraging habitat (i.e. moderate potential suitability – see **Appendix II**).

A search of the Governmental website indicates that x3 sites have been subject to an EPS 'bat' license for work affecting bat roosts (resting places only), within 1.5km of the application site, affecting Brown Long-eared Bat, Common Pipistrelle, Soprano Pipistrelle, Serotine. The nearest licensed site is around 223m from the application site. (www.magic.defra.gov.uk).

3.2 Results of Bat Survey

3.2.1 Description of Building / Assessment of Bat Roost Potential

The single-storey, modern bungalow has brick cavity walls, with pitched tiled roof, and is in very good condition.

The roof has a covering of large flat concrete tiles, which are all tightly-fitting. A couple of gaps between tiles to the front/eastern elevation were noted but are considered to be too small or blocked (with moss/mortar) to be used by bats. Lead flashing around the single central chimney is tightly-fitting. The eaves have uPVC soffits which are tight to the wall, with no gaps. The roof verges are all well sealed with mortar. The roof valley is also well sealed with mortar, with no gaps. Bargeboards exist at the two main gables (north and south), with a wide gap behind, however, these gaps are dead-ended with no further gaps at the top of the walls and therefore these areas are unsuitable as potential bat roost sites.

A loft space exists throughout the pitched roof, with bitumen underfelt lining beneath the tiles. The main (original) loft measures around 1.6m tall, is largely uncluttered and part-boarded, with loose polystyrene insulation at ceiling level. The underfelt was found to be intact throughout, except for a single hole towards the centre beneath tightly-fitting tiles.

A more recent extension to the front has a slightly lower loft height at around 1.5m tall, is cluttered with a trussed rafter construction, and has insulation board present at ceiling level.

A large single-storey, flat-roofed extension exists to the rear, which will not be affected by the proposed building work. This extension has timber walls above a brick plinth, and felt roof, which is all in very good condition with no holes/gaps.



Front/eastern elevation



*Rear/western elevation
(with flat roofed extension)*



Front gable showing sealed verges



Tightly-fitting roof tiles throughout



*Dead-ended gap behind bargeboards on
side gables*



Main loft space

3.2.2 Evidence of Bat Roosts

No evidence of any bat roosts or bat activity was found either within the loft space or on the exterior.

4.0 Discussion

4.1 Interpretation of Findings

No potential bat access gaps could be found at this bungalow, which is in very good condition and could be easily searched. No evidence of any bat activity was found.

As a result the building is considered to have *negligible* potential suitability for bat roosts (Collins, 2016 – see **Appendix II**).

4.2 Impact Assessment

Based on current findings, it is considered unlikely that bats would be affected by the proposed building work.

4.3 Legal Considerations

In summary, bats are legally protected from disturbance/harm and their roost sites (including access points) are legally protected from damage (**Appendix I**). If the proposed work is reasonably likely to result in such impacts (i.e. result in an offence), a licence can be obtained from Natural England (subject to certain conditions) to allow the proposed work to proceed lawfully.

Based on present findings and assessment of the potential for impact, a license is not considered necessary to allow the proposed building work to proceed.

However, note that it is rarely possible to rule out future presence of bats entirely at any building. Consequently, in the very unlikely event any bats are incidentally discovered, work must stop immediately and further advice obtained from an ecologist, to ensure compliance with the legislation.

4.4 Recommendations

4.4.1 Mitigation

Based on the current assessment a bat mitigation strategy is not considered necessary during the building work.

In the very unlikely event any bats are discovered during the work, contractors must follow the advice at **Section 4.3**, above.

4.4.2 Ecological Enhancement

Given the very small scale of the proposals, minimal ecological enhancement requirements are considered appropriate, as follows:

- X2 general bird boxes to be installed on the tall, mature trees to the front of the property.

[Note. The boxes should be positioned at around 2-3m high (avoiding any branches that may be used by cats to catch emerging birds), in a sheltered location to avoid overheating in the sun or prevailing wind direction]

5.0 Conclusions

The preliminary bat survey/assessment of no. 22 Oakwood Road indicates that the property has a *negligible potential suitability* for bat roosts to occur, and as such no further dusk or dawn bat emergence/re-entry surveys are considered necessary in order to inform the impact assessment (in accordance with current bat survey guidelines – Collins, 2016).

Based on this current assessment an EPS license is not considered necessary to allow the proposed building work to be completed and bat mitigation measures are not required. However, in the very unlikely event that any bats are incidentally discovered, work must stop immediately and advice obtained from an ecologist.

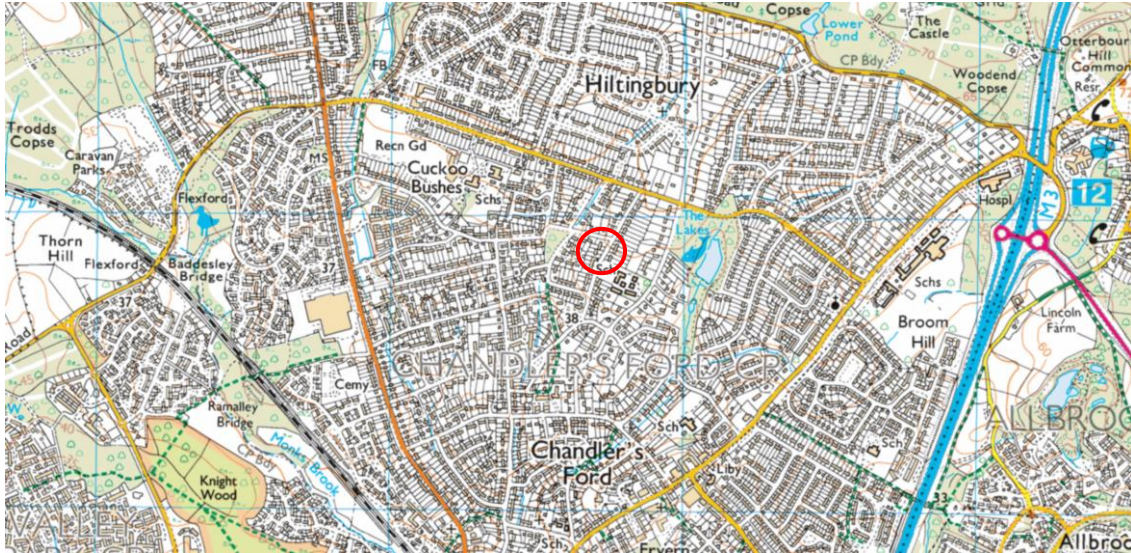
In accordance with current planning policy, some form of ecological enhancement should be provided as part of the proposals. The following is therefore proposed:

- Installation of x2 general bird boxes on the mature trees to the front of the property;

6.0 References

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

22 Oakwood Road, Chandlers Ford, Hampshire
Map 1 – site location



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Appendix I

LEGISLATION RELATING TO BATS

All native species of bat in the UK are afforded full legal protection via:

- The Wildlife & Countryside Act, 1981 (as amended) (through inclusion on Schedule 5);
- The Conservation of Habitats and Species Regulations 2017 (as amended).

In summary, these legislative instruments make it an offence, with certain exceptions, to carry out the following:

- Damage/destroy a bat roost (breeding site or resting place);
- Deliberately kill, injure or capture bats;
- Deliberately disturb bats (whether in a roost or not);
- Intentionally or recklessly disturb bats while they are occupying a bat roost.
- Intentionally or recklessly obstruct bat access to a roost site.

A bat roost may be any structure a bat uses for breeding, resting, shelter or protection. It is important to note that since bats tend to reuse the same roost sites, legal opinion is that a bat roost is protected whether or not the bats are present at the time.

Under The Conservation of Habitats and Species Regulations 2017, with respect to the *deliberate disturbance* offence, the legislation states that in particular this would be any disturbance which is likely –

- a) to impair their ability -
 - (i) to survive, to breed or reproduce, or to rear/nurture their young; or
 - (ii) to hibernate or migrate; or
- (b) to affect significantly the local distribution or abundance of that species.

The Wildlife & Countryside Act, 1981 (as amended) retains defences in law, in particular where *'the act was an incidental result of a lawful operation and could not reasonably have been avoided'*.

Also, under this legislation it is a defence to a charge of disturbing a Schedule 5 species if the action took place within a dwelling-house. This defence cannot be relied on, except in the living-area of a dwelling-house, unless Natural England have been notified and allowed a reasonable time to advise on whether the proposed operation should be carried out and, if so, the method to be used

(For full details and exact wording of the legislation refer to: The Habitats and Species Regulations 2017(as amended) and The Wildlife & Countryside Act 1981(as amended)).

Licences for development-related Activities

Where a lawful operation (e.g. development work which has full planning permission) is required to be carried out but which is likely to result in an offence under the Habitats Regulations 2017 (as amended), a licence may be obtained from Natural England to allow the operation to proceed. However, in accordance with the requirements of the Regulations, a licence can only be issued where the following requirements are satisfied:

- The proposal is necessary *'to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'*;
- *'There is no satisfactory alternative'*;
- The proposals *'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'*.

Full planning permission is required to apply for a licence (where such a consent is necessary for the work to be carried out). In addition, a method statement which details the survey results, methodology of work to be undertaken, mitigation and compensation measures, must be submitted to Natural England with the licence application.

For those situations where a low impact is predicted, an application can be made to use the Bat Mitigation Class Licence (BLICL), subject to meeting the required criteria.

Bats which are Incidentally Discovered During Works

Where a satisfactory survey has resulted in no evidence of bats being found so that a licence is not deemed necessary, and bats are then incidentally discovered during building work, it is essential that work stops immediately and further advice is obtained from an ecologist/bat worker. An assessment should then be completed to determine whether the work could proceed without committing an offence. A licence should be applied for if it is not possible to avoid committing an offence.

Appendix II

TABLE 4.1 OF BAT SURVEY GUIDELINES (COLLINS, 2016)
Assessment of potential suitability of a site for bats

Table 4.1 Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape, to be applied using professional judgement.		
Suitability	Description Roosting habitats	Commuting and foraging habitats
Negligible	Negligible habitat features on site likely to be used by roosting bats.	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions^a and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation^b). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential.^c	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. 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	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions ^a and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).	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. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure or tree 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 ^a and surrounding habitat.	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. 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. Site is close to and connected to known roosts.

^a For example, in terms of temperature, humidity, height above ground level, light levels or levels of disturbance.

^b Evidence from the Netherlands shows mass swarming events of common pipistrelle bats in the autumn followed by mass hibernation in a diverse range of building types in urban environments (Korsten *et al.*, 2015). This phenomenon requires some research in the UK but ecologists should be aware of the potential for larger numbers of this species to be present during the autumn and winter in large buildings in highly urbanised environments.

^c This system of categorisation aligns with BS 8596:2015 Surveying for bats in trees and woodland (BSI, 2015).