

ALUCO ECOLOGY LTD

**TAMELLA, BOTLEY
BAT EMERGENCE SURVEY**

JUNE 2024

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1.0 INTRODUCTION

1.1 Background

- 1.1.1 The site, located at Tamella, The Bridleway, Botley, grid reference SU50427,12888. The proposals are to demolish existing bungalow and garage and replace with a new dwelling.
- 1.1.2 A preliminary ecological appraisal of the site and proposed development was undertaken by Ecosupport in July-August 2023 (see Ecosupport, 2023). This set out potential ecological features, assessment of the development, and mitigation recommendations, including requirement for a single emergence survey on site.
- 1.1.3 This report details an emergence survey of the site undertaken on the 11 June 2024.
- 1.1.4 No bat emergence was recorded during survey.

1.2 Development Details

- 1.2.1 A detailed scheme for the site has been developed, and this is reproduced at **Figure 1 & 2** below.



Figure 1: Existing Site Layout with Red Line Boundary (Imagery copyright Google Earth)



2.0 SURVEY METHODOLOGY

2.1 Introduction

2.1.1 A preliminary ecological survey of the site was undertaken on 05 July 2023 by Ecosupport (see Ecosupport, 2023). This included internal and external access to the dwelling and garage, and a review of bat roost potential. A recommendation of this report was to undertake an emergence survey on site to fulfil best practice survey methodologies (Collins ed. 2016, now updated to Collins ed. 2023).

2.1.2 An emergence survey was undertaken on the 11 June 2024.

2.2 Legislation

2.2 Bats are protected under the Wildlife & Countryside Act and the Habitat Regulations (see **Technical Appendix 1**).

2.3 Bat Survey Methodology

2.3.1 The aim of a bat survey is to evaluate the potential suitability of the proposed development site in relation to bat use and bat roosts using the Bat Survey Guidelines (Collins ed, 2023), which provide guidance on assessing and evaluating development sites and features for bat roost potential. The potential for structures to support roosting or breeding bats is evaluated under the protocol for the visual internal and external inspection (with the categories; Negligible, Low, Moderate, High or Confirmed Roost).

2.3.2 Survey to assess the site for bats and bat roosts was carried out in July 2023 (Ecosupport, 2023). This involved a survey for any roosting bats or signs that could indicate the use of the building by bats and for potential roost sites and roost access points, the details of which are set out in the preliminary ecological appraisal (Ecosupport, 2023).

2.3.3 Emergence survey work was undertaken having regard to best practice guidelines for emergence survey (Collins ed. 2023). This included two survey positions to provide building coverage at locations identified as allowing good sight lines to ensure potential bat roost features were visible. The survey included use of Echometer Touch 2 Pro, Anabat SD1 and Batbox Duet detectors. A single emergence survey was undertaken by GarethKnass LLB (hons) MSc MCIEEM and Graham Long FRS.

2.3.3 As part of the survey guidelines, use of night-time visual aids (NVAs) was undertaken having regard to guidance from the Bat Conservation Trust (Fawcett Williams, 2021; BCT, 2022). The survey used a HIKMicro Falcon Thermal imaging device and a Nightfox Whisker on both survey positions in addition to the two surveyors.

3.0 SURVEY RESULTS

3.1 Inspection

- 3.1.1 The buildings on site were examined in the preliminary ecological appraisal, and the conclusions stated (see Ecosupport, 2023 at para. 4.2.2):

“To summarise, the dwelling is of brick construction with a clay tiled roof. The loft space had been converted. It was found to be of Low potential for roosting bats due to a number of lifted tiles and gaps between wooden cladding on the rear of the dwelling.

The garage was also of brick construction with a clay tiled roof. One of the walls had collapsed and has been boarded up. This has led to a number of gaps between the brickwork as well as there being lifted roof tile. Therefore, the garage was found to be of Low potential for roosting bats.”

3.2 Emergence Survey

- 3.2.1 A single emergence survey was undertaken on 11 June 2024.
- 3.2.2 The survey results are set out in **Table 1** and **Figure 3** below. A total of four species of bat were recorded on the survey; Common Pipistrelle *Pipistrellus pipistrellus*, Soprano Pipistrelle *Pipistrellus pygmaeus*, Noctule Bat *Nyctalus noctula* and Long-eared Bat *Plecotus cf. auritus*.
- 3.2.3 No emergence was recorded from site. A Common Pipistrelle was recorded early in the survey just off site to the east, in woodland where a couple of buildings are present. Foraging activity was highest in this woodland area, and later when darker over the garden on site and the adjacent lane. Up to 2 Common Pipistrelle were present at one time and singles of the other three species recorded. Aside from the 1-2 Common Pipistrelle on the edge of the site and off-site woodland area, activity was generally quite low.
- 3.2.4 Screengrabs of the NVA screens are provided at **Technical Appendix 2**.

Table 1: Bat Survey Results

Survey	Weather	Results Summary
11/06//2024 Emergence Survey	Cloud 6/8 Wind NW1 Temp 15-13c Precip – 0	Summary: No emergence from buildings Rear Garden: 21:18 PP to east in woodland – early emergence likely nearby 21:19-21:43 PP F in woodland/site edge 21:37-end PP 1-2 F rear end of garden 22:09 NN P 22:17 PA P rear end of garden Front Garden: 21:18-21:43 PP to east in woodland 21:32 PP F x 2 in woodland and along lane 21:44-21:47 PP F in front garden 21:50 PP F by driveway 22:07 PP F 22:09 NN P 22:21 PS P along lane 22:29 PPx2 front garden

Key:

PP = Common Pipistrelle, PS = Soprano Pipistrelle, NN – Noctule, PA = Long-eared Bat.

E = Emerge, P = Pass, F = Foraging, C = Commuting, HxS = Heard not seen



Figure 3: Bat Emergence Survey Results 11-06-2024

4.0 SUMMARY

- 4.1 A preliminary ecological appraisal was undertaken on site in 2023 (Ecosupport, 2023). This recorded the buildings on site as being of low potential to support bats
- 4.2 This appraisal has been supplemented by a single bat emergence survey, which did not record evidence of bat emergence from the buildings on site.
- 4.3 The preliminary ecological appraisal set out a number of mitigation recommendations to enhance the development proposals for bats and other ecological features. This includes Ibstock bat brick 'B' that will be incorporated into the new dwelling.
- 4.4 It is further recommended that an update pre-demolition survey should be undertaken prior to works commencing, as rarely can bat presence be ruled out entirely (see Collins ed 2023 for bat survey seasonality).

5.0 REFERENCES

BCT (2022) Interim Guidance Note: Use of night vision aids for bat emergence surveys and further comment on dawn surveys

Collins Ed (2016) Bat Surveys Good Practice Guidelines. 3th Edition. Bat Conservation Trust

Collins Ed (2023) Bat Surveys Good Practice Guidelines. 4th Edition. Bat Conservation Trust.

Fawcett Williams (2021) Thermal Imaging: Bat Survey Guidelines, in association with BCT 2021

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Technical Appendix 1
Wildlife & Countryside Act
Habitats Regulations and Schedule 2 Species
Natural Environment & Rural Communities Act 2006

WILDLIFE & COUNTRYSIDE ACT 1981 (AS AMENDED)

The Wildlife and Countryside Act 1981 (as amended) (WCA) is the principle legislation in Britain for the protection and conservation of our wildlife and its habitats of national importance. The legislation adopts a habitat and species based approach to nature conservation. Habitats and some species are protected in designated Sites of Special Scientific Interest (SSSI). Other species are afforded some protection from harm or disturbance by way of inclusion in either Section 1 (birds), Schedule 1 (specially protected birds), Schedule 5 (specially protected animals) or Schedule 8 (specially protected plants).

Law Relating to Protected Species

The WCA provides protection to such species in Part 1 of the Act. These sections provide protection from intentionally:

- damaging, destroying or obstructing access to any structure or place of shelter or protection of a schedule 5 animal, or disturbs any such animal whilst it is occupying a structure or place it uses for that purpose
- killing, injuring or taking any animal listed in Schedule 5
- Having in possession or control any live or dead wild bird or egg, or any wild animal in Schedule 5, or trading in any animal under Schedule 5.

Exemption and licences for development can be obtained in certain circumstances. Protected species are also a material consideration in planning applications.

Disturbance & Recklessness

The Countryside and Rights of Way Act 2000 (CRoW Act 2000) adds to protected species legislation in the WCA. The lesser test of 'Recklessness' is added to the protection from disturbance in three circumstances. These are:

- disturbance to Schedule 5 animals in their place of shelter/protection, and
- disturbance to the places of shelter/protection of Schedule 5 animals.

This addition means that any person who deliberately takes an unacceptable risk or fails to notice an obvious risk is falls under the Section irrespective of intention. The CRoW Act also provides greater protection to SSSIs from operations (and non operations) of owners, occupiers and third party users of the SSSI.

For further information see: <https://www.legislation.gov.uk/ukpga/1981/69>

HABITAT REGULATIONS 2017

General

The Conservation of Habitats and Species Regulations 2017 ('The Habitat Regulations') consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

European Protected Species

Species listed under Annex II of the Habitats Directive were formally afforded protection by the Habitat Regulations. European protected species include the great crested newt, dormice and all species of bats. The provision relating to wild animal offences is reproduced below:

Protection of certain wild animals: offences

43.—(1) A person who—

- (a) deliberately captures, injures or kills any wild animal of a European protected species,
 - (b) deliberately disturbs wild animals of any such species,
 - (c) deliberately takes or destroys the eggs of such an animal, or
 - (d) damages or destroys a breeding site or resting place of such an animal,
- is guilty of an offence.

(2) For the purposes of paragraph (1)(b), disturbance of animals includes in particular any disturbance which is likely—

(a) to impair their ability—

- (i) to survive, to breed or reproduce, or to rear or nurture their young; or
 - (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate;
- or

(b) to affect significantly the local distribution or abundance of the species to which they belong.

(3) It is an offence for any person—

- (a) to be in possession of, or to control,
 - (b) to transport,
 - (c) to sell or exchange, or
 - (d) to offer for sale or exchange,
- anything to which this paragraph applies.

(4) Paragraph (3) applies to—

- (a) any live or dead animal or part of an animal—
 - (i) which has been taken from the wild, and
 - (ii) which is of a species or subspecies listed in Annex IV(a) to the Habitats Directive;
- and

- (b) anything derived from such an animal or any part of such an animal.
- (5) Paragraphs (1) and (3) apply regardless of the stage of the life of the animal in question.
- (6) Unless the contrary is shown, in any proceedings for an offence under paragraph (1) the animal in question is presumed to have been a wild animal.
- (7) In any proceedings for an offence under paragraph (3), where it is alleged that an animal or a part of an animal was taken from the wild, it is presumed, unless the contrary is shown, that that animal or part of an animal was taken from the wild.
- (8) A person guilty of an offence under this regulation is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.
- (9) Guidance as to the application of the offences in paragraph (1)(b) or (d) in relation to particular species of animals or particular activities may be published by—
 - (a) the appropriate authority; or
 - (b) the appropriate nature conservation body, with the approval of the appropriate authority.
- (10) In proceedings for an offence under paragraph (1)(b) or (d), a court must take into account any relevant guidance published under paragraph (9).
- (11) In deciding upon the sentence for a person convicted of an offence under paragraph (1)(d), the court must in particular have regard to whether that person could reasonably have avoided the damage to or destruction of the breeding site or resting place concerned.

Section 44 provides certain defences to the above.

The granting of a licence under Part 5 Section 55 of the Habitat Regulations

In order to carry out a lawful operation (e.g. development work which has full planning permission) that may result in any of the offences above, it is necessary to obtain a licence from Natural England to allow the operation to proceed.

However, in accordance with the requirements of the Habitats Regulations, a licence can only be issued after the following conditions have been satisfied:

- *that there is no satisfactory alternative, and*
- *that the action authorized will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*
- *that the action is required in preserving 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;*

Full planning permission is required to apply for a Natural England 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.

Plans and Projects & Designated Sites

The Regulations provide procedure whereby designated SAC or SPA and other European Protected Sites are afforded protection from plans and projects that may be likely to have a significant effect on the Features for which these sites are designated. Where a significant effect is considered likely in combination with other projects an appropriate assessment is required to be undertaken. Details of this procedure can be found at Part 6 of the Act onwards, see link below.

For Full details of the 2017 Habitat Regulations see:

http://www.legislation.gov.uk/uksi/2017/1012/pdfs/uksi_20171012_en.pdf

NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

This Act places a specific duty to conserve biodiversity on all public bodies, including Local Planning Authorities. In order to aid with this process Section 41 of the Act requires the Secretary of State to publish lists of living organisms and habitats which are of principal importance for the purpose of conserving biodiversity. These are the national Biodiversity Action Plan (BAP) lists, and BAP projects are also undertaken at a County, Borough or District level.

For further information see: <https://www.legislation.gov.uk/ukpga/2006/16/part/3>

Technical Appendix 2

Site Visit 11 June 2024



Thermal on Rear of Main dwelling



Nightfox Whisker Front of Dwelling