Checklist - Devon Householder / Building Applications with only bat roost / bird nesting issues **(please note that the Devon Wildlife Trigger Table must also be filled in a submitted)**

To speed up assessment by the LPA, this form should be completed by the Ecological Consultant and submitted at the beginning of the Ecology Report.

Ecological consultant: **Lakeway Ecological Consultancy Ltd – Chris Turner MCIEEM**

Date: 16/09/2024

1. Impact assessment / survey effort		
Have all required impact assessments / surveys been done within the last 12 months, and does it meet national guidance requirements? If there have been any deviations from national guidance, please select No in the right-hand column.	Yes ☒ Dates: 05/08/2024, 09/09/2024, 13/09/2024	No ☐
2. Ecological impacts		
2a. Proposal impacts on bats / birds and mitigation measures are specified.	Yes (conditions needed) ☒ No (no conditions needed) ☐	
2b. Proposal has other ecological impacts which the LPA needs to consider (inc. potential impacts from internal or external lighting)	No ☐	Yes ☒
2c. Is the proposal likely to result in an offence under the Conservation of Habitats and Species Regulations?	Yes (go to 2.d) ☒ No (go to 2.e) ☐	
2d. If YES (an offence IS likely) Does the roost meet any of the following criteria*: • Three or fewer roosts are impacted by the proposals, and • The proposal will have a low or temporary impact, and • The proposal only affects: - Low conservation status roosts for low numbers of: common pipistrelle, soprano pipistrelle, brown long-eared, whiskered, Brandt's, Daubenton's Natterer's and/or - Feeding, day, night and/or transitional roosts for low numbers of serotine and/or - Day and/or transitional roosts for low numbers of lesser horseshoe. *note that these criteria are used by Natural England for the Low Impact Bat Class Licence CL21	Yes ☒	No ☐
2e. If NO (an offence is NOT likely) Does the roost meet any of the following criteria: • maternity or hibernation roost • greater horseshoe bat roost • grey long-eared bat roost • more than three species of bat found in small numbers	No (none are met) ☐	Yes (one or more are met) ☐
2f. Does the proposal potentially impact on barn owls?	No ☒	Yes ☐
3. Expertise		
Are you, the ecological consultant, registered under either the Level 1 or the Level 2 Bat Survey Class Licence? If 'Yes', please enter your licence number below	Yes ☒	No ☐
Level 2 Class Licence: 2015-12878-CLS-CLS **Bat Low Impact: WML-CL21 RC150 Annex B, C, D** **Barn Owl Class Licence CL29/00578**		
Are you a member of CIEEM or a Registered Consultant under Annex B of the Low Impact Class Licence for bats (or under Annex C or D for a serotine or lesser horseshoe roost where relevant)?	Yes ☒	No ☐

Queen Elizabeth II Pavilion, Fremington, Devon

Ecological Impact Assessment

A report on behalf of

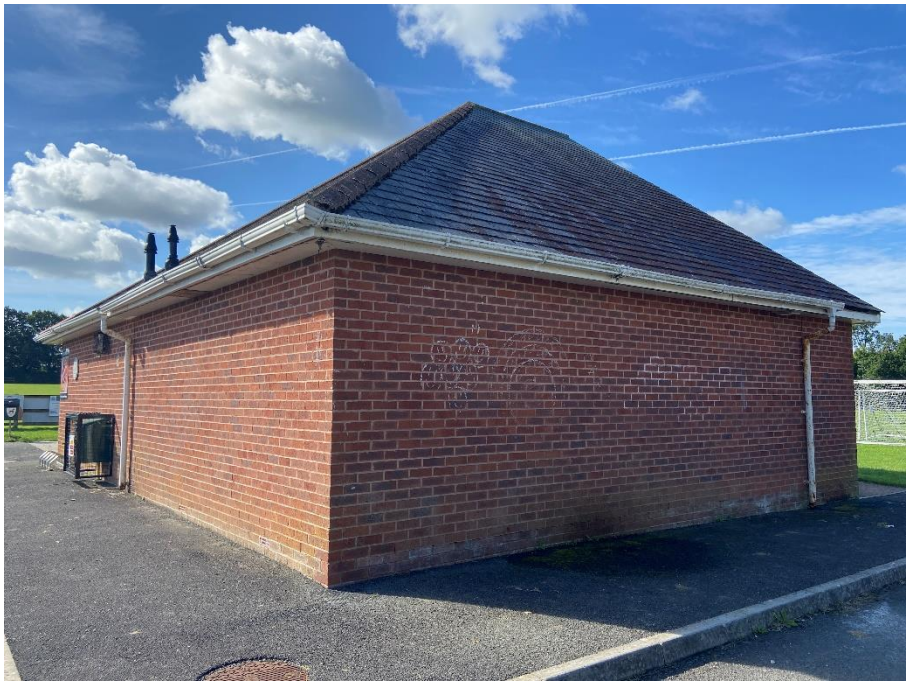
Fremington Parish Council

Type of document (Version)	-
Revisions	
Report reference	24-774-EcIA-CT
Issue date	16 September 2024
Document prepared by	Chris Turner BSc MCIEEM
Quality control/ checked by	Ruth Testa MSc MCIEEM
Information Valid for	One year from the date of the report

www.lakeway-ecological.co.uk
T: 01837 218 016 **M:** 07957 111 541
E: enquiries@lakeway-ecological.co.uk
Lakeway Ecological Consultancy Ltd trading as Lakeway Ecology registered number 13142929
Registered Office: Farthing Cottage, 12 North Street, North Tawton, Devon, EX20 2DE

Site Details

Site name	Queen Elizabeth II Pavilion
Site location	Fremington, Devon
Central OS grid reference	SS 53143 31807
Client	Fremington Parish Council
Report title	Ecological Impact Assessment



The content of this report that has been provided by Lakeway Ecological Consultancy Ltd. is true and has been prepared and submitted in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. Its contents are compliant with British Standard BS42020: 2013 Biodiversity Code of Practice for Planning and Development.

This report has been prepared for the exclusive use of the stated client. Unless otherwise agreed in writing by Lakeway Ecological Consultancy, no other party may use, make use of or rely on the contents of the report. No liability is accepted by Lakeway Ecological Consultancy for any use of this report, other than for the purposes for which it was originally prepared and provided.

Lakeway Ecological Consultancy has exercised due care in preparing this report. It has not, unless specifically stated, independently verified information provided by others. No other warranty, express or implied, is made in relation to the content of this report and Lakeway Ecological Consultancy assumes no liability for any loss resulting from errors, omissions or misrepresentation made by others.

Any recommendation, opinion or finding stated in this report is based on circumstances and facts as they existed at the time that Lakeway Ecological Consultancy undertook the work. Nothing in this report constitutes legal opinion. If legal opinion is required, the advice of a qualified legal professional should be secured.

Contents

Appendices

1 INTRODUCTION

This document has been produced by Chris Turner BSc MCIEEM of Lakeway Ecological Consultancy Ltd. It presents an Ecological Impact Assessment for Queen Elizabeth II Pavilion, Fremington, Devon (central OS grid reference: SS 53143 31807). The works were commissioned by Fremington Parish Council.

The area within the application boundary is hereafter referred to as the 'Site'.

1.1 Context

Proposals include the extension of the existing building to provide additional changing rooms. Plans are shown on the accompanying drawings issued by Woodward Smith Chartered Architects. This will involve the removal of c.100m^2 of modified grassland in poor condition.

1.2 Aims and Objectives

1.2.1 Field Survey Aims

The survey information contained within this report aims to:

- Establish whether the works will impact protected species, primarily bats and nesting birds.
- Characterise any bat roosts present.
- Identify and provide context for any other protected species which may be impacted by the proposals.
- Identify opportunities for biodiversity enhancements.

1.2.2 Report Objectives

The objectives of this report are to:

- Provide the client with sufficient information to fully inform them of their obligations.
- Present an assessment of the likely (significant) effects of the proposed development on ecological features.
- Allow the Local Planning Authority (LPA) to ascertain whether the proposal accords with relevant planning policy and legislation; and,
- Allow the LPA to write planning conditions (where necessary) to secure mitigation, compensation and enhancement measures.

Recommendations have been detailed following the biodiversity mitigation hierarchy in accordance with NPPF paragraph 175 (a) which states:

"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."

This report sets out additional measures which provide enhancements on the Site with the aim of providing a net-gain for biodiversity, in line with National and Local planning policy.

Relevant wildlife legislation is provided in **Appendix 1**.

1.3 Personnel

All written and survey work was carried out/ supervised by Principal Ecologist Chris Turner. Chris has been an ecological consultant for 12 years and has a specialism in bat mitigation and conservation. Chris is a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM) and is bound by their professional Code of Conduct. Chris is registered to use a Level 2 class licence to survey for bats since 2013 (Natural England ref: 2015-12878-CLS-CLS), is a registered consultant on Natural England's Bat Mitigation Class Licence (WML-CL21 – ref: RC150) and is a registered consultant on Natural England's Bat Earned Recognition Scheme (WML-CL47 – AL2 Ref: BER0046).

This report has been peer reviewed by Ruth Testa MSc MCIEEM. Ruth has 16 years professional experience of ecology and wildlife conservation in both the voluntary and private sectors. She has extensive experience of carrying out quantitative and qualitative ecological surveys, and both writing and peer reviewing ecological reports. Ruth is registered to use a Level 1 class licence to survey for bats (2023-11531-CL17-BAT).

2 SITE DESCRIPTION

2.1 General

The Site comprises a brick building surrounded by hardstanding. A carpark lies to the east and Tews Lane Playing Field surrounds to the west and south. A hedgerow lies c.10m north of the building, connecting the Site to the semi-natural habitats a short distance to the west. The site lies on the western edge of Bickington, to the south-west of Barnstaple in North Devon. A location plan is provided as **Diagram 1** below. Photographs are included in the text.

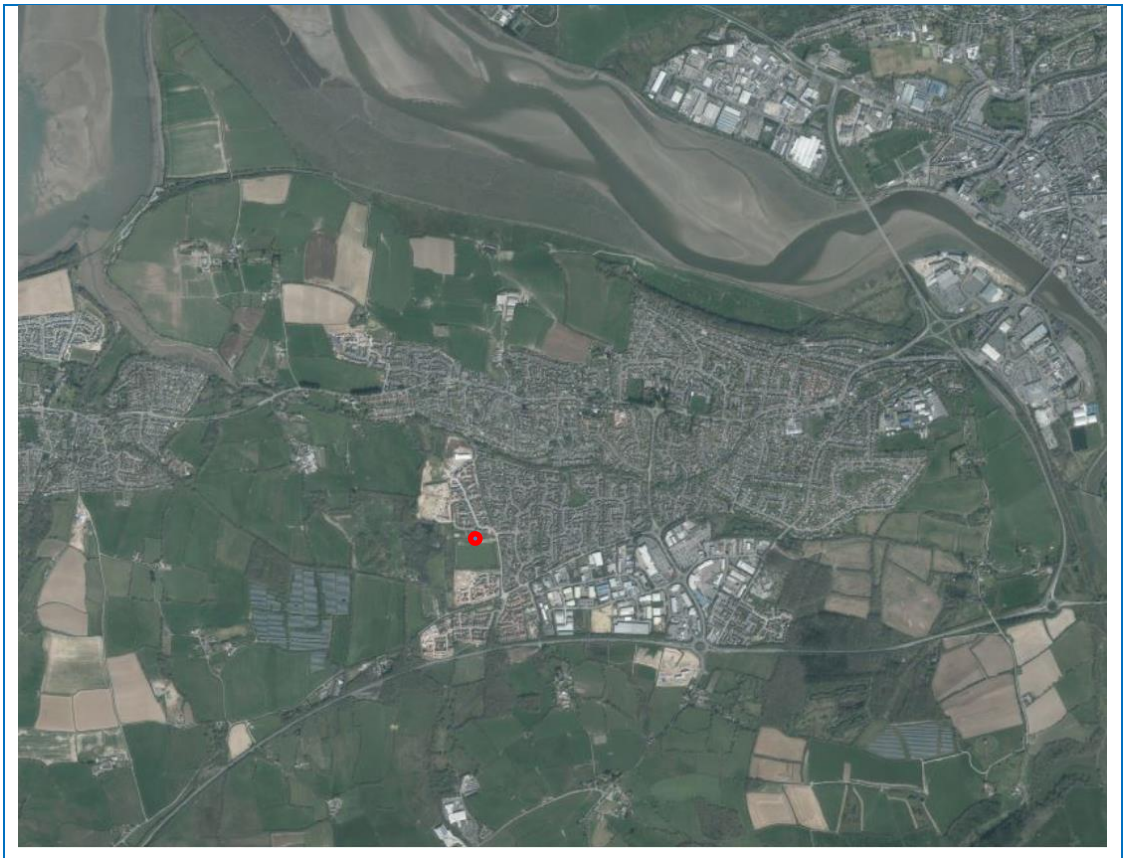
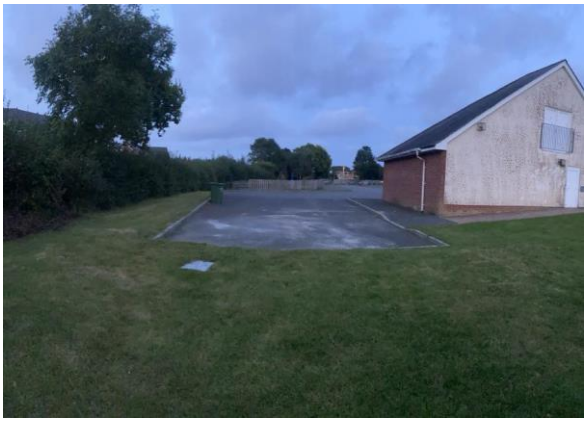
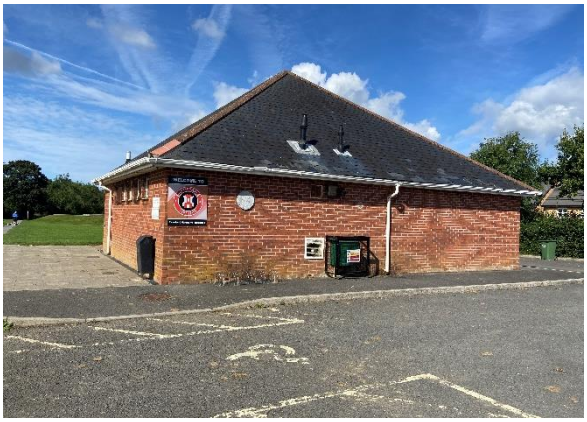


Diagram 1: Site Location (© Bing Maps)

2.2 Building Description

The building comprises a single storey brick building with a hipped roof and gable to west elevation. The roof is covered with flat tiles, with concrete ridge and hip tiles. Plastic soffits and fascias occur at the eaves and a plastic barge is present at the western gable.

Photograph 1	Photograph 2
	

3 METHODS

3.1 Desk Study

The following sources were searched on 1st September 2024 to provide geographical context and to assess whether the proposals have the potential to impact other protected species or sites:

- The Government's mapping website MAGIC (https://magic.defra.gov.uk/) was used to search for internationally designated sites within 10km, and for European Protected Species licences issued by Natural England in the surrounding area since 2008, over a 2km radius.
- MAGIC was also searched for priority habitats and statutory sites designated for nature conservation within 2km.
- The Devon Environment Viewer (http://map.devon.gov.uk/DCCViewer) was used to search for priority habitats and statutory sites designated for nature conservation within 2km.
- Aerial photography (https://wtp2.appspot.com/wheresthepath.htm) was reviewed to assess connectivity between the Site and areas in the local landscape which may be of importance for protected species (wildlife corridors).

3.2 Field Survey

3.2.1 Preliminary Roost Assessment

The structure was assessed for its potential to support roosting bats on the 13th September 2024, to update original survey findings (Richard Green, 2020). The survey was carried out by Principal Ecologist Chris Turner BSc MCIEEM. Chris is registered to use a Level 2 class licence to survey for bats (Natural England ref: 2015-12878-CLS-CLS).

The structure was assessed externally for signs of bats and points where bats could gain access. Close focusing binoculars, a Rigid CA300 Endoscope and high-powered torch were used where appropriate. A

search was made for features which could provide suitable roosting spaces for bats, such as gaps beneath roof coverings, gaps around windows and door frames. Any direct signs (such as droppings stuck to walls) as well as features of potential value to bats were noted on hand drawn maps.

A systematic search was made of all internal areas for the presence of bats, potential roosting sites and evidence such as bat droppings, carcasses and feeding remains (insect fragments).

In line with best practice guidance (Collins, 2023), the structure was prescribed a category based on its potential to support roosting bats as detailed in **Table 1**.

Table 1: Bat Roost Potential (as detailed in Collins, 2023)

Potential Suitability	Description
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).
Negligible	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
Low	A structure with one or more potential roost sites that could be used opportunistically at any time of year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/ or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats
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.
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 potential to support high conservation status roosts e.g. maternity or classic cool/ stable hibernation sites.
Roost	Bats and/or evidence of bats found

3.2.2 Evening Emergence Surveys

As bats were previously found roosting beneath a tile on the west elevation of the building and the building presented potential access points, being previously assessed as having **moderate** suitability for roosting bats, two evening emergence surveys were conducted, following best practice guidelines (Collins 2023) on the dates detailed in **Table 2**. **These surveys were carried out to update original survey work.**

Table 2: Emergence Survey Details

Date	Sunset time	Start time	Survey length (time)	Weather	Personnel	Equipment used
05/08/2024	20:55	20:40	1 hour 45 min	20°C, 100% cloud cover, light drizzle wind (Beaufort) W F2-3.	Samantha Spears P Spears	Echometer Touch
09/09/2024	19:43	19:26	1 hour 45 min	Dry, 13ºC, 40% cloud cover, wind W F2.	Samantha Spears P Spears	Echometer Touch

Two experienced surveyors were positioned around the building with a clear view of any potential access points. The surveys commenced 15 minutes before sunset and continued for approximately one and a half

hours after sunset, covering the usual emergence times of UK bat species. All surveys were completed during suitable weather conditions of at least 10°C temperature at the start of the survey, dry and with light winds, but for a period of light drizzle at the start of the first survey. As bats were active, this is not considered to be a significant constraint.

3.2.3 Night Vision Aids

Current guidance states the use of Night Vision Aids (NVA) (Infra-red or thermal cameras) as standard, with strong justification in cases where they have not been used. There is an expectation that evidence of the use of NVAs is a requirement from Natural England when applying for derogation licences.

The full detail of use of NVAs is provided in Appendix 3, with locations on Figure 1. Equipment used:

- Canon AX70 digital camcorder with 1 inch CMOS, recording in HD (35mbps) and with infra-red filter set at the appropriate point of the survey.
- Nightfox XB5 940nm low glow infrared torch (minimum two per camera).
- IR Illuminator 30LED 850nm floodlight with 100m range (if needed to infill light large buildings).
- Neweer 7 inch HD screen attached to camera to watch in real time once light conditions are too dark for surveyors to reliably view exit points.

Footage is reviewed in real time where emergences/ bat activity is not clear, and watched in real time by surveyors for at least the last half hour of each survey, or where conditions dictate. Any periods where a surveyor leaves the NVA unattended is noted on survey forms so that these parts of the footage can be reviewed, to ensure that no bats were missed. In the case where a NVA is deployed unmanned, all footage is watched back in real time for that NVA. Footage is viewed on minimum 24 inch HD monitor using VLC media player. All footage is stored on external hard drives and screen shots of the darkest part of the survey are included in Appendix 3, to show field of view and clarity of image.

NVAs are deployed to cover all elevations of a building, or all areas where there are potential access points, as assessed during the Preliminary Bat Roost Inspection. Where the full building/Site is not covered, rationale for the deployment/ locations of NVAs/ surveyors is given.

As our general method is to have one camera per surveyor location (unless noted in Appendix 3), the surveyors are responsible for species ID from recording bat detectors, to avoid the need for a dedicated bat detector to be connected to each NVA. This ensures that peripheral bat activity is also recorded by surveyors, and relies on the skill of trained bat surveyors.

3.3 Nesting Bird Survey/ Other Protected or Notable Species

The structure was inspected for evidence of and potential for nesting birds.

The Site and immediate surroundings were assessed for the presence of and potential for other protected, notable, or invasive species which could be impacted by proposals.

4 LIMITATIONS

Care has been taken to ensure that balanced advice is provided on the information available and collected during the study periods, and within the resources available for the project. However, the possibility of important ecological features being missed due to survey timings, absence during surveys or the year of survey cannot be ruled out. In addition, the lack of evidence or records of protected species on Site does not preclude their presence from Site.

Whilst three common pipistrelle bats were thought to have emerged during the survey in 2020 (Richard Green Ecology, 2020), it was not clear exactly where they may have emerged from as there did not appear to be a suitable gap in the area previously identified. No bats emerged during 2024 and so the previous results have been relied upon for characterising the roost.

5 RESULTS

5.1 Desk Study

The search of https://magic.defra.gov.uk/ returned four records of EPS licences granted within 2km of the Site since 2008. These all related to dormice, with no records of EPS (Bats) licences.

- 1km south-east a licence was granted in 2019 to allow the destruction of a breeding site of dormice.
- 1km south-east a licence was granted in 2014 to allow the destruction of a resting place of dormice.
- 1km south a licence was granted in 2014 to allow the destruction of a breeding site of dormice.
- 1km south-east a licence was granted in 2013 to allow the destruction of a breeding site of dormice.

Braunton Burrows Special Area of Conservation (SAC) lies 6.2km to the west of the Site. This 1340ha site is of international importance, designated for Annex I habitats 'white dunes', 'grey dunes', 'dunes with Salix repens ssp. argentea (*Salicion arenariae*) and 'humid dune slacks' and Annex II species petalwort *Petalophyllum ralfsii*. The SAC is of **international** importance.

Taw-Torridge Estuary Site of Special Scientific Interest (SSSI) lies 1.8km north of the Site. The SSSI is designated for its overwintering and migratory populations of wading birds. In addition, rare plants grow along its shorts. This site is of **national** importance.

Claypit Covert County Wildlife Site (CWS), an area of rough grassland, pools, scrub and woodland, is located approximately 90m west of the site, at the western boundary of the playing fields.

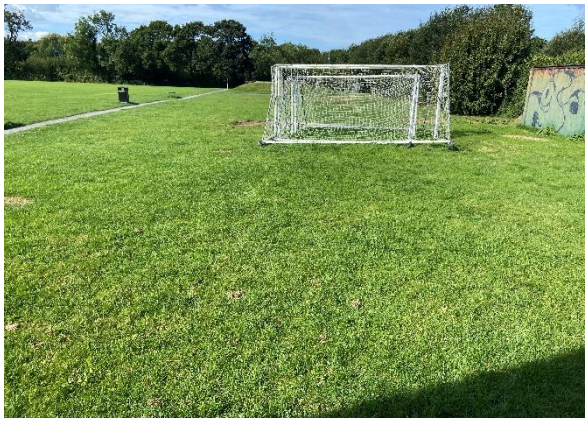
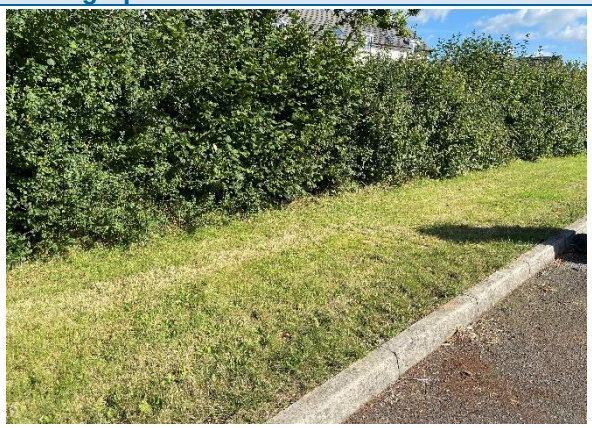
The Site does not lie within any consultation zones for protected species and no Habitats of Principal Importance (HPI under the NERC Act 2006) are present within the development boundary.

Owing to the small scale of the proposals, and limited impacts, contained within an area of hardstanding it is considered that consultation with the Local Biological Records Centre would add little value to the assessment.

5.2 Field Survey

The habitats within the curtilage of the Site and where potential impacts are predicted are of **negligible** conservation importance, comprising hardstanding and modified grassland (Photograph 3) in poor condition (regularly mown). The hedgerow (Photograph 4) running along the northern Site boundary is a HPI and is of **local** importance for nature conservation. This will remain unaffected.

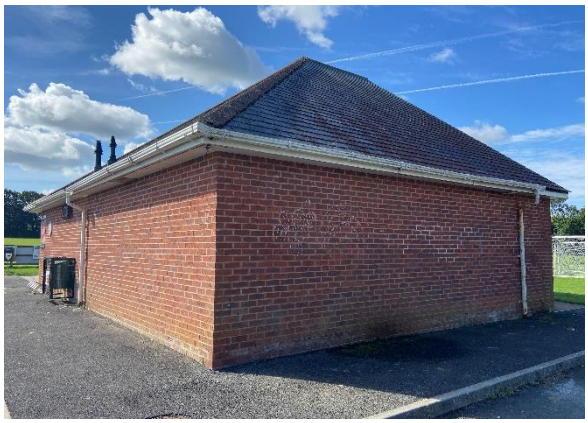
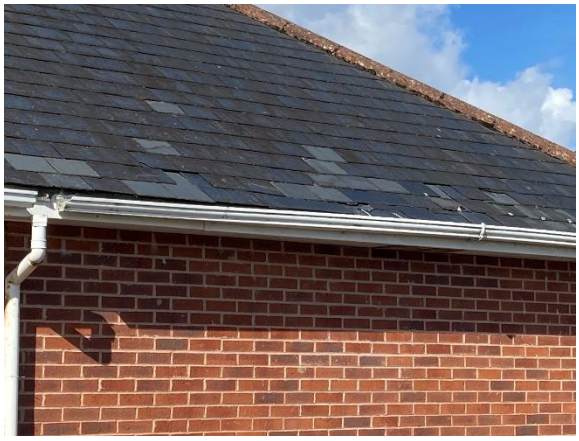
The grassland is species-poor, dominated by perennial rye grass *Lolium perenne* and annual meadow grass *Poa annua*, with white clover *Trifolium repens*, common daisy *Bellis perennis*, dandelion *Taraxacum* agg. and creeping buttercup *Ranunculus repens* present. The grassland across the majority of the area and wider playing field is of similar composition and is regularly mown to a height of 50mm.

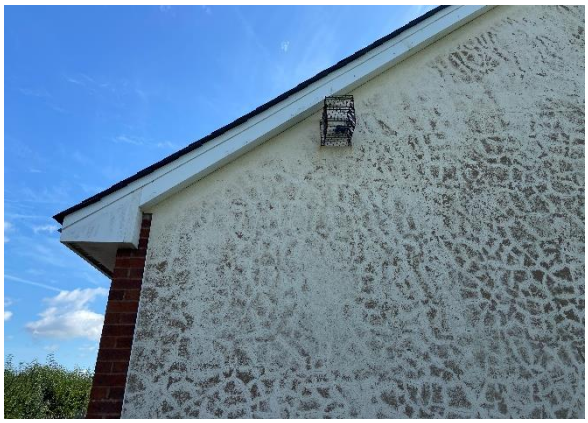
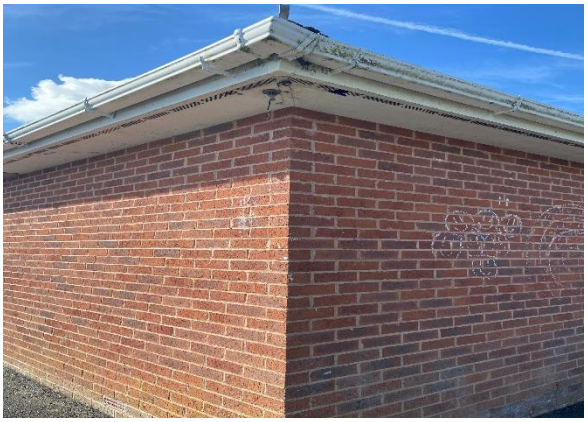
Photograph 3	Photograph 4
	

5.2.1 Preliminary Roost Assessment

Externally, a small number of potential bat access points were noted, particularly at the western gable end. The remaining building presented negligible potential ingress points for bats and no evidence of bats was found inside the building. Findings were in line with Richard Green's report of 2020, but in our opinion, roosting potential was low rather than moderate. Detail is provided in Table 3.

Table 3: Summary of Results

Description	Photographs	Category
Roof covering is generally intact, with tiles flush to one another and ridge/ hip tiles tight to surrounding tiles. Negligible potential ingress points for bats noted, even where tiles were missing lower down the roof pitch. Insufficient space (less than 10mm) for bats to access. Soffits and fascias were generally in sound condition, tight to the wall and to the underside of tiles.	 	Moderate (previous assessment), low, Lakeway's assessment

Vented soffits generally in sound condition, but for one hole on northeastern corner, considered unsuitable for roosting bats.		
The emergence point previously identified was inspected with binoculars and it was not clear whether there was a suitable gap for roosting bats to enter, but presume that the gap is still available.		
No evidence of bats was found in or on the building.		

5.2.2 Evening Emergence Surveys

No bats emerged from the building during either survey, but bat activity was recorded during each visit as summarised below and shown on **Figure 1.**

Visit 1 – 5th August 2024

No bats emerged from the building surveyed but both surveyors recorded low levels of foraging and commuting passes from common pipistrelle *Pipistrellus pipistrellus* and soprano pipistrelle *Pipistrellus pygmaeus.*

Visit 2 – 9th September 2024

No bats emerged from the building surveyed but both surveyors recorded low levels of foraging and commuting passes from common pipistrelle and soprano pipistrelle.

5.2.3 Nesting Bird Survey

No birds' nests were noted and the building presented negligible potential for nesting birds.

5.2.4 Other Protected/ Notable Species

The presence of badger, dormice, reptiles or other protected species is considered extremely unlikely owing to the limited extent of the proposals and the nature of the habitats present. Other protected species are not considered further.

6 FURTHER SURVEY WORK

It is considered that the survey effort reported above is sufficient to provide an assessment of the likely significant effects of the development proposals on ecological features and to inform the mitigation strategy detailed below. No further ecological survey work is considered necessary in order to determine the current planning application and the results are considered valid for one year.

If there are any changes to the proposals or if any significant amount of time has passed since the date of this report, a re-appraisal may be required.

7 IMPACT ASSESSMENT AND MITIGATION

7.1 Designated Sites

No impacts are predicted to designated sites owing to the small scale of the proposals and the distance of the Site from any designated sites.

7.2 Habitats

There will be a loss of 100m^2 of modified grassland in poor condition. This loss is not considered ecologically significant but in line with government guidance, a 10% Biodiversity Net Gain must be secured for all developments (if not exempt). An area of 112m^2 to the north of the building will be enhanced from modified grassland in poor condition to other neutral grassland in moderate condition as demonstrated in the accompanying Biodiversity Metric (Lakeway 2024).

7.3 Bats

The following bat roost was found in 2020 in the area to be impacted by development. Its conservation importance has been identified in line with CIEEM's Bat Mitigation Guidelines (2023) (**Appendix 3**).

Species and number	Roost type	Location and notes	Conservation Importance
Common pipistrelle *Pipistrellus pipistrellus* (3)	Day	At apex of western gable end	Site

The roost is of relatively low conservation significance, comprising low numbers of non-breeding individuals, and there is no evidence that bats had returned in 2024.

Nevertheless, extending the building will result in the destruction of the bat roost and risks killing or injuring bats; activities which would be an offence under current legislation and would have an adverse effect on the favourable conservation status of local bat populations. These impacts cannot be avoided or mitigated and therefore, **a licence will be required from Natural England to derogate from an offence being caused.**

The species (one) and number of roosts found (one) mean that the site could be registered under the Bat Mitigation Class Licence (Low impact). This licence takes a minimum of ten days to be processed by Natural England and allows works to be carried out at any time of year (hibernation potential was negligible)

Alternatively, the Site could be registered under Natural England Bat Earned Recognition Class licence or a full EPS Mitigation licence could be secured.

7.3.1 Mitigation/ Compensation

Once planning permission has been granted and a licence has been secured, the works will commence under the supervision of the ecologist named on the licence. As there are no maternity roosts present and the building presented low hibernation potential, there will be no timing constraints to start of works. An updated walkover would be undertaken prior to applying for the licence, which would aim to establish whether the situation has changed regarding roosting bats and would provide sufficiently recent data to inform Natural England.

The licence would be applied for under reasons of Overriding Public Interest (IROPI) and is used to allow activities which would otherwise be an offence under current legislation. Further details are provided in **Appendix 4**.

Compensatory roosts will form a part of the licence application and mitigation strategy. Measures are shown on the accompanying planning drawings.

Compensation will comprise:

- 2 x lead bat slates installed in the new roof section, with an area (c.1m^2) beneath each access having a piece of type 1F bitumen felt framed off from the surrounding roof, to allow safe roosting in the tile/ felt gap but preventing bats from coming into contact with breathable roofing membrane, which can entangle and trap bats.

Local bat populations forage and commute along the northern boundary. Inappropriate lighting risks causing a barrier to foraging bats. Additional lighting, if required, must be carefully placed to avoid illuminating the northern hedgerow. Best practice guidance detailed in Guidance Note 08/23 - Bats and Artificial Lighting in the UK (BCT, ILP, 2023) should be followed when siting lights both on and within buildings. Furthermore, security lighting will point downwards and be set on motion sensor with short duration (30s or less). This will ensure that no light barriers are introduced to foraging and commuting bats.

7.3.2 Mitigation/ Compensation Summary

- A mitigation licence will be required before any works can be undertaken.
- The ecologist will provide a toolbox talk to contractors, highlighting the importance of bat roosts and talking through the method of hand dismantling of roosting areas.
- All works must be under the supervision of the Ecologist named on the licence.

7.4 Nesting Birds

As no evidence of active or historical nests were found, no adverse effects are predicted.

8 ENHANCEMENTS

The avoidance, mitigation and compensation described above aims to ensure no net-loss in biodiversity caused by development, with a 10% net gain demonstrated in habitats. Additional enhancements are recommended, in line with local and national policy. This will comprise:

- 2 x Integrated sparrow terraces under the eaves on the north elevation of the extended building

Additional landscaping/ deterrent planting to the south of the building should include plants from the RHS Plants for Pollinators list[1].

9 CONCLUSIONS AND RECOMMENDATIONS

The survey effort carried out to date is considered sufficient to characterise the bat roosts found within the buildings on Site and to provide an assessment of the impacts of the proposals on local bat populations. **An EPS (Bats) licence will be needed prior to commencement of works.**

Strict order of works under licence, coupled with supervision of works at key points and proportionate compensation will ensure that local bat populations are maintained at a Favourable Conservation Status in their natural range.

Enhancing a patch of modified grassland within the ownership of the sport field will ensure a 20.1% uplift in BNG, as shown in the accompanying metric.

[1] https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators

10 REFERENCES

Bat Conservation Trust/ Institute of Lighting Professional (2023) *Guidance Note 08/23 - Bats and Artificial Lighting at Night.* Bats and the Built Environment Series.

BSI (2013) BS42020: 2013 *Biodiversity. Code of practice for planning and development*. British Standards Institution, London, UK.

CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal* version 1.2. Chartered Institute of Ecology and Environmental Management, Winchester.

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

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

DEFRA (2011) *Biodiversity 2020: A strategy for England's wildlife and ecosystem services*.

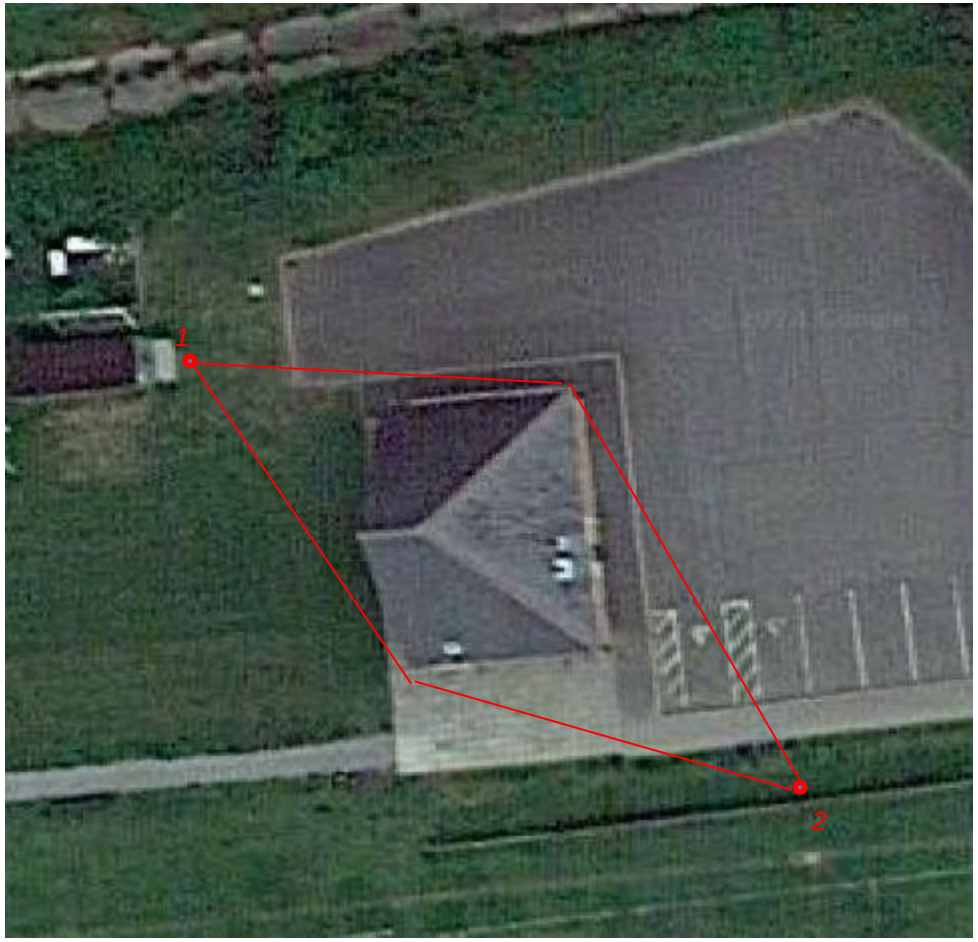
Dietz & Kiefer (2014) *Bats of Britain & Europe.* Bloomsbury.

Lakeway Ecology (2024) BNG Assessment, Tews Lane Playing Field, Fremington.

Reason, P.F. and Wray, S. (2023). *UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats*. Chartered Institute of Ecology and Environmental Management, Ampfield.

Richard Green Ecology (2020) *Ecological Impact Assessment – Queen Elizabeth II Sports Facility, Barnstaple.*

Figure 1 – Survey Results



1 ● *Camera & surveyor location & field of view*

Appendix 1 – Protected Species Legislation

Bats

All species of bat and their breeding sites or resting places (roosts) are protected under Regulation 41 of The Conservation of Habitats and Species Regulations 2017 and Section 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence for anyone to:

- Deliberately capture, kill or injure a bat;
- Intentionally or recklessly to disturb a bat or group of bats in a roost;
- Damage or destroy any place used by bats for shelter, (whether they are present or not);
- Intentionally or recklessly obstruct access to a bat roost;
- Possess, or offer a bat (dead or alive) or part of a bat for sale or exchange.

Licences to permit illegal activities relating to bats and their roost sites can be issued for specific purposes. These are sometimes called 'derogation licences' or 'European Protected Species EPS' licences. These are issued by the relevant Statutory Nature Conservation Organisation (SNCO) under the Habitats Regulations e.g. Natural England (NE) in England.

Habitat and Species Legislation

Species and habitats receive legal protection in the UK under various legislation, including:

- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Conservation of Habitats and Species Regulation 2019 (EU Exit);
- The Countryside Rights of Way (CRoW) Act 2000;
- The Hedgerows Regulations 1997;
- The Protection of Badgers Act 1992; and
- The Natural Environment and Rural Communities (NERC) Act 2006.

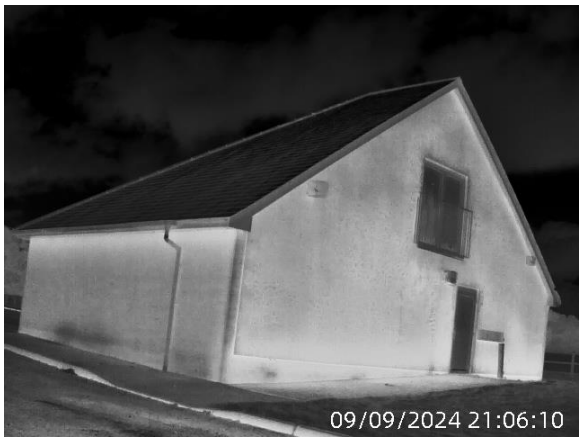
Where relevant, this report takes account of the legislative protection afforded to specific habitats and species.

Appendix 2 – Details of Night Vision Aid Use

Two NVAs were deployed during each survey with the locations shown in Figure 1. All elevations were covered both by cameras and by surveyors and footage was reviewed as necessary. Where camera locations were the same over all surveys, only one screenshot has been provided of the darkest part of the survey.

Limitations

None noted

Camera location and notes	Darkest Part of Survey
1 – Track IR TK612 thermal camera	
2– Canon XA70 and 2 x Nightfox XB5 torches	

Appendix 4 – Relative Importance of Bat Roosts

The conservation importance of bat roosts depends upon the rarity of the species found, the roost type and geography. The table below is reproduced from the 2023 Bat Mitigation Guidelines (Reason et al, 2023) and highlighted boxes indicate the importance of the bat roosts found on Site.

Common pipistrelle day roosts, individual bats of common species

	Roost category: note this table relates to VALUATION and does not mean that all such sites are 'places of shelter' as referenced in the W&CA or Habitats Regulations. Inclusion in this table does not indicate that a licence would be required; this would be driven by roost status, any impacts and the likelihood of an offence.						
Conservation status/ distribution	Feeding perches; night-roosts; Individual or very small occasional/ transitional/ opportunistic roosts	Non-breeding day roosts (small numbers of species)	Mating sites (excluding individual trees and larger swarming sites); small numbers of hibernating bats	Larger transitional roosts	Hibernation sites[d]	Autumn swarming sites [largely, vesper species which hibernate underground	Maternity sites[c]
Widespread all geographies	Site	Site	Site	Site/Local	District/County [Larger hibernation sites rare in the UK]	District/County [Very large pipistrelle swarming sites as yet unknown in the UK91, but see **Section 6.7**	Unlikely to exceed District importance unless colonies are atypically large; importance increased for assemblages.
Widespread in many geographies, but not as abundant in all	Site	Site	Site, dependent on local distribution [For *Myotis*, see swarming site column]	District	District/County importance dependent on size[b] and number of species	County/Regional importance dependent on size[b]; importance increased for larger sites that serve larger numbers/species	Unlikely to exceed County importance unless colonies are atypically large; importance increased for assemblages.
Rarer or restricted distribution	Site (very well-used night roosts may be of District importance for some species)	Site/Local/District, dependent on local distribution	Site/Local/District, dependent on local distribution	District	District/County importance dependent on size[b] and local distribution; increased value for assemblages.	County/Regional importance on sizeb and local distribution; increased value for assemblages.	County/Regional importance on sizeb and local distribution; increased value for assemblages.
Rarest Annex II species and very rare	Site (very well-used night roosts may be of District importance for some species)	Site/Local/District, dependent on local distribution	Site/Local/District, dependent on local distribution	District	County/Regional importance on size[b] and local distribution; increased value for assemblages	County/Regional importance on sizeb and local distribution; increased value for assemblages.	County/Regional importance on size[b] and local distribution' increased value for assemblages.

Appendix 4 – Bat Licensing Information

During the licencing process there is a requirement to demonstrate that the application meets the 'Three Tests' under the Conservation of Habitats and Species Regulations 2017 (as amended). If met, these tests provide for derogations via the licensing process which allow what would under normal circumstances be illegal acts to take place legally. When considering planning applications local authorities also have a duty to consider whether it is likely that these tests can be met and therefore the likelihood of the EPS licence being granted by Natural England.

The three tests are as follows:

1. Regulation 53(2) (e) states: a licence can be granted for the purposes of "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".

2. Regulation 53(9) (a) states: the appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative".

3. Regulation 53(9) (b) states: the appropriate authority shall not grant a licence unless they are satisfied "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range."

The three tests will be met in this case as follows:

- The licence would be applied for under 'other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'. More space is needed to service users of the sports field.
- It is considered that there is no satisfactory alternative to the works, as the building is too small for current demand.
- The project will not be detrimental to the population of bats in their natural range, because proportionate mitigation measures will be put in place to allow bats to continue to roost on Site, secured by EPS derogation licence.

lakeway
ecological consultancy