

**35 Carbone Hill: Outline Bat Mitigation Strategy
June 2018**

‘NETHERWOOD’

**35 CARBONE HILL
NORTHAW, HERTFORDSHIRE**

BAT MITIGATION STRATEGY



2018

CLIVE HERBERT

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Bat Mitigation Strategy

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1. INTRODUCTION

1.1 Instructions

Amphibian, Reptile & Mammal Conservation Limited were contracted by Mr. Oktay Yilmaz on 9th April 2018 to produce an Outline Bat Mitigation Strategy for the proposed development of the detached property of 'Netherwood', 35 Carbone Hill, Northaw, Hertfordshire EN6 4PN, situated at approximately National Grid Reference TL 2944 0390.

That Strategy was required to support an extant planning application (Reference: 6/2018/0457/HOUSE) for the "erection of a first floor rear extension, roof alterations and 2no. rear Juliet balconies following demolition of a conservatory and outbuildings. Change of external materials, replacement windows and installation of new front access and exit gates".

This original Outline Bat Mitigation Strategy was based on the assumption that a roost of Brown Long-eared Bats (*Plecotus auritus*) only was present in the property.

A key recommendation of the Outline Bat Mitigation Strategy was that a series of dusk emergence and dawn re-entry surveys were completed before any works to the roof were undertaken and this follow up survey work was commissioned to be completed in the bats' active season in May and June 2018.

1.2 Background

The Preliminary Bat Roost Assessment (PRA) was conducted according to the current 'best practice' standards as published in the 'Bat Surveys for Professional Ecologists – Good Practice Guidelines' (Bat Conservation Trust, 2016) and the Standing Advice to Local Planning Authorities (Natural England, 2012).

There was full access to all parts of the proposed development footprint and standard 10 x 40 binoculars together with an endoscope were available, where appropriate, to inspect the exterior and interior of the building.

The PRA was completed on 8th November 2017. The internal inspection of the loft void located numerous Brown Long-eared Bat droppings throughout the main area of the roof space: Droppings were not concentrated in any particular section of the loft void which is suggestive of pre-emergence internal flight within the roof space.

No bats were directly observed and there was no external evidence of their presence, although this may have been lost to the autumn weather.

Follow-up dusk emergence and dawn re-entry bat surveys were recommended in the PRA report to be undertaken during suitable weather conditions during the bats' active season from May to August 2018.

it was also recommended that an Outline Bat Mitigation Strategy was drafted to support the extant planning application.

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Full details of the property, together with internal and external photographs, are given in the original PRA report and this Strategy should be read in conjunction with that report in order to obtain a complete understanding of the site.

1.3 Constraints

The original Outline Bat Mitigation Strategy was prepared using information only from the PRA visit in November 2017 and in advance of results from the recommended dusk emergence and dawn re-entry surveys.

This final Bat Mitigation Strategy incorporates the results from those follow up surveys.

It is therefore considered that there are no constraints applicable to this final Strategy.

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2. MITIGATION STRATEGY

2.1 Further survey requirements

As recommended in the Preliminary Roost Assessment (Herbert, 2017), a full series of dusk emergence and dawn re-entry surveys were required to be undertaken in bats' active season in order to determine whether a roost was still extant in the property.

Those recommended surveys were completed in May and June 2018, and have been separately reported (Herbert, 2018).

It is therefore considered that no further survey work at the property is now required.

2.2 Mitigation

The bat activity survey, completed at dusk and dawn in May and June 2018, did not locate the presence of any active bat roost in the building.

In the absence of an extant bat roost, the following is therefore now proposed:

i) A 'Development Licence' is not required from Natural England for the proposed works to proceed.

ii) As no bats were observed emerging from the property during the dusk emergence / dawn re-entry surveys then, as stated in the original Outline Mitigation Strategy, destruction, damage or disturbance of the roof may proceed by adopting the 'precautionary principle'. Namely, a SQE, holding a Class 2 bat survey licence that will enable them to handle an unexpected bat(s), should be present during any works to the roof in case a bat(s) is found that needs to be retained and released after dusk.

iii) As stated in the original Outline Mitigation Strategy, biodiversity gain can be achieved by incorporating suitable bat access points within the main roof areas through the provision of four ridge tiles with specially moulded access points, together with no lining behind these 'bat tiles', for bats to utilise in the future.

iv) No further mitigation is deemed proportionate in the absence of a confirmed roost during the 2018 bat activity surveys.

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3. LEGISLATION

3.1 Bats

The Wildlife & Countryside Act is the primary legislation by which biodiversity is protected within the UK. Protected fauna and flora are listed under Schedules 1, 5 and 8 of the Act. These include all species of bats which are listed on Schedule 5 and are afforded protection subject to the provisions of Section 9.

A person will be guilty of an offence if they:

- (1) intentionally kill, injure or take any wild animal included in Schedule 5,
- (2) have in their possession or control any live or dead wild animal included in Schedule 5 or any part of, or anything derived from, such an animal,
- (4) intentionally or recklessly -
 - (a) damage or destroy any structure or place which any wild animal specified in Schedule 5 uses for shelter or protection;
 - (b) disturb any such animal while it is occupying a structure or place which it uses for shelter or protection; or
 - (c) obstruct access to any structure or place which any such animal uses for shelter or protection.
- (5) Subject to the provisions of this Part,
 - (a) sell, offer or expose for sale, or have in his possession or transports for the purpose of sale, any live or dead wild animal included in Schedule 5, or any part of, or anything derived from, such an animal; or
 - (b) publish or cause to be published any advertisement likely to be understood as conveying that they buy or sell, or intends to buy or sell, any of those things,
- (6) In any proceedings for an offence under subsection (1), (2) or (5)(a) relating to an act which is mentioned in subsection (1), (2) or (5)(a), the animal in question shall be presumed to have been a wild animal unless the contrary is shown.

The Conservation of Habitats and Species Regulations (2010) transposes the Habitats Directive (Council Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora into UK domestic law.

It provides protection for sites and species that are assessed to be of conservation importance across Europe. Under this legislation it is an offence to deliberately capture, kill or injure any species listed in Schedule 2 or to damage or destroy their breeding sites or places of shelter.

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It is also an offence to deliberately disturb these species in such a way that it is likely to significantly impact on their local distribution or abundance or affect their ability to survive, breed and rear or nurture their young.

Where applicable, all of the above legislation applies to all life stages of a species.

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4. REFERENCES

- BCT 2016. *Bat Surveys for Professional Ecologists – Good Practice Guidelines*. 3rd edition, Bat Conservation Trust, London.
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- Natural England 2012. *Standing Advice to Local Planning Authorities*.
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