



## Preliminary Roost Assessment

Ellington Place, 10 Ellington Road, Muswell Hill, London, N10 3DG

Gary Clarke

| Status   | Issue | Name                                                         | Date       |
|----------|-------|--------------------------------------------------------------|------------|
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## Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

## Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, paragraph 174 of the National Planning Policy Framework for England.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

## Executive Summary

Arbtech Consulting Limited was instructed by Gary Clarke to undertake a Preliminary Roost Assessment (PRA) at Ellington Place, 10 Ellington Road, Muswell Hill, London, N10 3DG (hereafter referred to as “the site”). The survey was required to inform a planning application for the demolition of existing buildings and the subsequent erection of a residential development (hereafter referred to as “the proposed development”).

The following is work you will need to commission to obtain planning permission and to comply with legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 5 of this report.

| <b>Feature</b>              | <b>Foreseen impacts</b>                                                                                                                                                                                  | <b>Recommendations</b><br><i>Measures required to adhere to guidance, legislation and planning policies.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Roosting bats               | The proposed development will result in the demolition of B1 which has low roost value. This could result in destruction of any bat roosts present and could cause disturbance, death or injury to bats. | One bat emergence or re-entry survey is required during the active bat season (May – September) to confirm presence or likely-absence of a bat roost in the building.<br>The survey can be either a dusk emergence or dawn re-entry survey.<br>Two surveyors are required to provide full coverage of the building.<br>The survey is likely to be required before planning permission can be granted.<br>If bat roosts are confirmed in the building two additional surveys will be required to inform an EPSL application to Natural England. Surveys should be a minimum of two weeks apart. The EPSL application requires that surveys have been undertaken within the most recent active bat season and planning permission must have been granted and all relevant wildlife-related conditions have been discharged prior to submission. |
| Foraging and commuting bats | The proposed development will include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.                                     | A low impact lighting strategy will be adopted for the site during and post-development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

## Contents

|                                                                  |    |
|------------------------------------------------------------------|----|
| 1.0 Introduction and Context.....                                | 6  |
| 1.1 Background.....                                              | 6  |
| 1.2 Site Context .....                                           | 6  |
| 1.3 Scope of the Report.....                                     | 6  |
| 2.0 Methodology.....                                             | 7  |
| 2.1 Desk Study .....                                             | 7  |
| 2.2 Field Survey .....                                           | 7  |
| 2.3 Breeding Birds and Other Incidental Observations .....       | 7  |
| 2.4 Suitability Assessment .....                                 | 7  |
| 2.5 Limitations .....                                            | 8  |
| 3.0 Results and Evaluation .....                                 | 9  |
| 3.1 Desk Study Results.....                                      | 9  |
| 3.2 Designated Sites .....                                       | 9  |
| 3.3 Historical Records .....                                     | 9  |
| 3.4 Field Survey Results .....                                   | 10 |
| 4.0 Conclusions, Impacts and Recommendations .....               | 15 |
| 4.1 Informative Guidelines .....                                 | 15 |
| 4.2 Evaluation .....                                             | 15 |
| 5.0 Bibliography .....                                           | 19 |
| Appendix 1: Proposed Development Plan.....                       | 20 |
| Appendix 2: Site Location Plan .....                             | 21 |
| Appendix 3: Bat Survey Plan .....                                | 22 |
| .....                                                            | 22 |
| Appendix 4: Legislation and Planning Policy Related to Bats..... | 23 |

## **1.0 Introduction and Context**

### **1.1 Background**

Arbtech Consulting Limited was instructed by Gary Clarke to undertake a Preliminary Roost Assessment (PRA) at Ellington Place, 10 Ellington Road, Muswell Hill, London, N10 3DG (hereafter referred to as “the site”). The survey was required to inform a planning application for the demolition of existing buildings and the subsequent erection of a residential development (hereafter referred to as “the proposed development”). A plan showing the proposed development will be provided in Appendix 1 when available.

The aim of the PRA was to determine the presence or evaluate the likelihood of the presence of roosting bats, and to gain an understanding of how bats could use the site for roosting, foraging or commuting. This has been undertaken with due consideration to the “Bat Surveys for Professional Ecologists —Good Practice Guidelines” publication (Collins, 2016). No previous ecology reports have been produced for this site by Arbtech Consulting Ltd or, to the author’s knowledge, by any other consultancy.

### **1.2 Site Context**

The site is located at National Grid Reference TQ 28776 89188 and has an area of approximately 0.1ha comprising three built structures on hardstanding. It is surrounded by suburban residential dwellings and other built structures with Highgate Wood and Queen’s Wood to the southwest. A site location plan is provided in Appendix 2.

### **1.3 Scope of the Report**

This report provides a description of all features suitable for roosting, foraging and commuting bats and evaluates those features in the context of the site and wider environment. It further documents any physical evidence collected or recorded during the site survey that establishes the presence of roosting bats. It provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any further surveys to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A field survey has been undertaken, including an external survey and internal inspection of built structures where possible, to determine the presence or the suitability of any features which bats could use for roosting and to assess the suitability of the site’s bat foraging and commuting habitat.
- An outline of potential impacts on any confirmed or unidentified roosts has been provided, based on the proposed development.
- Recommendations for further surveys and mitigation have been made, along with advice on the requirements for a European Protected Species Licence (EPSL) application if appropriate.
- Opportunities for the enhancement of the site for roosting, foraging and commuting bats have been set out.

## 2.0 Methodology

### 2.1 Desk Study

The desk study included a 2km radius review of statutory designated sites with bat qualifying interests and granted EPSL records for bats held on magic.gov.uk database. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

### 2.2 Field Survey

The survey was undertaken by George Collier-Smith (Accredited Agent on Natural England Bat Licence Number: 2018-33540-CLS-CLS) on 27<sup>th</sup> July 2022.

The PRA focussed on three built structures which will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging and commuting habitat.

#### For any surveyed buildings:

A non-intrusive visual appraisal was undertaken from the ground, using binoculars to inspect the external features of the buildings for features which bats could use for roosting, including access or egress points and for signs of bat use including droppings, scratch marks, insect remains and urine smear marks. An internal inspection of the buildings was also made, including the living areas and any accessible roof spaces, using a torch and ladders. The surveyor paid particular attention to the floor and flat surfaces, window shutters and frames, and lintels above doors and windows. An endoscope was used to complete a close-up inspection of any accessible features, where appropriate.

### 2.3 Breeding Birds and Other Incidental Observations

The surveyor also made note of any other ecological constraints observed during the survey, notably the likelihood of presence or signs of breeding birds, and the suitability of the site for barn owls *Tyto alba*.

### 2.4 Suitability Assessment

Built structures were categorised according to the likelihood of bats being present and the types of roost that the identified features could support. This is summarised in Table 1 below. Roost suitability is classified as high, moderate, low and negligible and dictates any further surveys required before works can proceed.

Table 1: Features of a building that are correlated with use by bats

| Classification   | Feature of building and its context                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Moderate to high | Buildings or structures with features of particular significance for larger numbers of roosting bats e.g. mines, caves, tunnels, icehouses and cellars.<br>Habitat on site and surrounding landscape of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland.<br>Site is connected with the wider landscape by strong linear features that would be used by commuting bats e.g. river and or stream valleys and hedgerows.<br>Site is proximate to known or likely roosts (based on historical data).<br>Buildings with high suitability could support roosts of high conservation value such as maternity or hibernation roosts. |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Low        | A small number of possible roost sites or features, used sporadically by individual or small numbers of bats. Potential roost features may be suboptimal for reasons such as shallow depth, poor thermal qualities or upwards orientation with exposure to inclement weather or predators.<br>Habitat suitable for foraging in close proximity, but isolated in the landscape. Or an isolated site not connected by prominent linear features.<br>Few features suitable for roosting, minor foraging or commuting. |
| Negligible | Unsuitable for use by bats.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

### **2.5 Limitations**

It should be noted that whilst every effort has been made to describe the features on site in the context of their suitability for roosting bats, this does not provide a complete characterisation of the site. This survey provides a preliminary view of the likelihood of bats being present. This is based on suitability of the habitats on site and in the local area, the ecology and biology of bats as currently understood, and the known distribution of bats as recovered during the desk study. Bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time.

A biological records data search has not been undertaken. However, given the location of the site, the nature of the habitats present and the assessed suitability of the site for protected or notable species, it is not anticipated that the purchase of biological records data will add any significant weight or alter the conclusions and recommendations outlined in this report.

These limitations have been taken into account during the evaluation of the site and requirement for further surveys and mitigation.

### 3.0 Results and Evaluation

#### 3.1 Desk Study Results

A summary of desk study results is provided below.

#### 3.2 Designated Sites

Details of any statutory designated sites with bat qualifying interests within a 2km radius of the site, including their reasons for notification, are provided in Table 2 below.

Table 2: Statutory designated sites with bat qualifying interests within 2km radius of the site

| Designated site name                     | Distance from site (approx.) | Reasons for notification from Natural England                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parkland Walk Local Nature Reserve (LNR) | ~70m north                   | The predominant habitat at Parkland Walk is secondary woodland. Hedgehogs, foxes, butterflies and a vast array of birds are present.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Queen's Wood LNR                         | ~370m south                  | This LNR is an ancient oak-hornbeam woodland. English oak and occasional beech stand above hornbeam, midland hawthorn, hazel, mountain ash, field maple, cherry, holly and both species of lowland birch. The ground flora is particularly rich for somewhere so close to central London. It includes a large population of wood anemone, native bluebells, wood goldilocks and a thriving population of wood sorrel. Over one hundred species of spiders have been spotted and a nationally rare jewel beetle is widespread. It is an important site for specially protected bats including pipistrelles, myotis bats, and noctules.   |
| Alexandra Palace & Park LNR              | ~590m northeast              | Alexandra Palace & Park LNR is home to a wide range of flora and fauna, including 694 different species of plants, animals, and fungi, 212 species of insects, and 26 species of arachnids. While many plants and animals found in the park are common to London, 38 species in Alexandra Park are classed as rare or protected by legislation.                                                                                                                                                                                                                                                                                         |
| Coldfall Wood LNR                        | ~1260m northwest             | Coldfall Wood is an ancient woodland of around 14 hectares. The wood is predominantly oak standard above hornbeam coppice, but the coppice had not been worked for very many years until small scale felling began again approximately 25 years ago. This lack of coppicing had resulted in shrubs and ground flora being shaded out, producing a woodland which tended to be gloomy and dark, and for the most part contained few of the special plants which should be associated with ancient woodland. Bats have been recorded in the Wood and the Friends of Coldfall Wood have installed a variety of bat roosting boxes in 2007. |

#### 3.3 Historical Records

A search of the magic.gov.uk database for granted EPSLs within a 2km radius of the site has been completed. Displaced bats from licensed sites <2km away from the survey site will find alternative habitat either within the mitigation measures implemented as part of the licence or will relocate to other known roosts sites in close proximity to the licensed site. EPSL records for bats are summarised in Table 3.

Table 3: Granted EPSLs for bats within 2km of the site

| EPSL reference     | Bat species affected                                    | Impacts allowed by licence     |
|--------------------|---------------------------------------------------------|--------------------------------|
| 2018-36809-EPS-MIT | Common pipistrelle ( <i>Pipistrellus pipistrellus</i> ) | Destruction of a resting place |

### 3.4 Field Survey Results

The PRA focussed on three built structures which will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging and commuting habitat. The results of the field survey are illustrated in Appendix 3. The weather conditions recorded at the time of the survey are shown in Table 4.

Table 4: Weather conditions during the survey

|                  |      |
|------------------|------|
| Date: 27/07/2022 |      |
| Temperature      | 25°C |
| Humidity         | 61%  |
| Cloud Cover      | 0%   |
| Wind             | 1mph |
| Rain             | None |

#### Building B1 – Northern elevation

B1 is a two-storey building; the first floor consists of a series of garages and the second floor consists of flats. There is no loft space present. The building consists of a concrete structure and has timber windows and doors. The doors were in a good condition and were void of any gaps or cracks which could provide value to roosting bats. The upper half of the building is clad with hanging tiles; there are numerous gaps present which provide suitable roosting opportunities for crevice dwelling bats. There is a gap present underneath the wooden window frames which also provides roosting opportunities for crevice dwelling bats. There is a flat roof which is fit with bitumen felt. There are raised elements present along the edge of the roof; whilst these do provide suitable crevices, these are exposed to the weather which lowers their suitability.



**B1 – Northern elevation roosting features**

A close up view of the gap underneath the wooden window frame.

**B1 – southern elevation**

There are numerous gaps underneath the hanging tiles which provide suitable roosting opportunities for crevice dwelling bats. There are no gaps present around the edges of the window frames. There are raised elements to the felt roof along the edges. These gaps are exposed and are therefore low in suitability to support crevice dwelling bats.



|                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <p><b>B1 - southern elevation roosting features</b></p> <p>A close up view of the gaps under the hanging tiles on the southern elevation.</p>                                                                                                                                                                                                                                            |   |
| <p><b>B1 – eastern elevation</b></p> <p>There are no gaps present under the hanging tiles on this elevation. There are gaps along the edge of the upper roof, where the felt has come away from the roof. These gaps are exposed to the weather and are therefore unsuitable for roosting. The lower flat roof is fit with metal sheeting, and there are no raised elements present.</p> |  |

**B1 - western elevation**

There are no gaps present underneath the hanging tiles present. There are also no gaps present along the edge of the roof.

**B2 - exterior**

B2 is a single storey timber shed. There is horizontal cladding on the exterior; this is in a good condition and there are no gaps or cracks present that form suitable roosting opportunities for bats. The timber frames and large door also do not provide any roosting opportunities. The felt on the flat roof is raised at the edges, however the exposed nature of these gaps mean they are unsuitable for roosting.



|                                                                                                                                                                                                                                                                                                                                            |                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <p><b>B3 - exterior</b></p> <p>B3 is a single storey shed. The external horizontal cladding is in a good condition, and there are no gaps between the boardings. The windows and doors are also in a good condition and do not provide any roosting value. The felt roof is in a good condition and there are no gaps along the edges.</p> |  |
| <p><b>Foraging and Commuting Habitat</b></p> <p>There is no foraging or commuting habitat present on site.</p>                                                                                                                                                                                                                             | <p>N/A</p>                                                                          |

## 4.0 Conclusions, Impacts and Recommendations

### 4.1 Informative Guidelines

A summary of the relevant legislation and planning policies is provided in Appendix 4.

#### Bats

Bats are protected under the Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2017 (amended by the Conservation of Habitats and Species Regulations (amendment) (EU Exit) Regulations 2019).

There are three possible outcomes of this survey, each with specific recommendations. These are outlined below:

##### Confirmed bat roost

Best practice survey guidelines (Collins, 2016) recommend additional surveys for confirmed roosts. Three further surveys are required to characterise the bat roost present including species, roost type and access points to inform an EPSL application to Natural England. Surveys must be completed during the active bat season (May – September). At least two of the surveys should be completed during the optimal survey period mid-May to August, and at least one of the surveys should be a dawn re-entry survey.

##### Low, moderate or high likelihood of a bat roost present

Best practice survey guidelines (Collins, 2016) recommend additional surveys for features assessed as having low to high suitability for roosting bats. One, two or three further surveys are required to confirm presence or likely absence of a bat roost, based on a low, medium or high roost likelihood evaluation. Surveys must be completed during the active bat season (May – September). If more than one survey is recommended, at least one of them should be completed during the optimal survey period mid-May to August, and at least one of the surveys should be a dawn re-entry survey. If two or one further survey is recommended these surveys must be completed during the optimal survey period (mid-May to August). For low and moderate roost likelihood evaluation the survey effort recommended at this stage is iterative and if bats roosts are confirmed in the building, a further survey will be required to provide sufficient information to inform an EPSL application to Natural England.

##### Negligible likelihood of a bat roost present

Buildings assessed as comprising negligible suitability for roosting bats do not normally require further surveys. However, if bats are found during any stage of the development, work should stop immediately, and a suitably qualified ecologist should be contacted for further advice.

#### Birds

Legislation protects all wild birds whilst they are breeding, and prohibits the killing, injuring or taking of any wild bird or their nests and eggs. Certain species of bird, including the barn owl, are subject to special provisions; it is an offence to disturb any bird or their young during the breeding season.

### 4.2 Evaluation

Taking the desk study and field survey results into account, Table 5 presents an evaluation of the value of the site for bats and also details any other ecological constraints identified such as nesting birds in relation to the proposed development which will comprise the demolition of existing buildings and the subsequent erection of a residential development.

Table 5: Evaluation of the site for bats and any other ecological constraints

| <b>Feature</b>              | <b>Survey conclusions<br/>(with justification)</b>                                                                                                                                                                       | <b>Foreseen impacts</b>                                                                                                                                                                                                                                                                                | <b>Recommendations</b><br><i>Measures required to adhere to guidance, legislation and planning policies.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Biodiversity Enhancements</b><br><i>The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021)</i>                                                                                                                                                                   |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Roosting bats               | B1 has been assessed to provide low roosting value for bats.<br><br>B2 and B3 are assessed to provide negligible value for roosting bats.                                                                                | The proposed development will result in the demolition of these buildings. The demolition of B1 could result in destruction of any bat roosts present and could cause disturbance, death or injury to bats.                                                                                            | One bat emergence or re-entry survey is required during the active bat season (May – September) to confirm presence or likely-absence of a bat roost in B1.<br>The survey can be either a dusk emergence or dawn re-entry survey.<br>Two surveyors are required to provide full coverage of the building.<br>The survey is likely to be required before planning permission can be granted.<br>If bat roosts are confirmed in the building two additional surveys will be required to inform an EPSL application to Natural England. Surveys should be a minimum of two weeks apart. The EPSL application requires that surveys have been undertaken within the most recent active bat season and planning permission must have been granted and all relevant wildlife-related conditions have been discharged prior to submission. | To be confirmed upon completion of the surveys.                                                                                                                                                                                                                                                    |
| Foraging and commuting bats | There are no habitats on the site which could be used by bats for foraging or commuting.<br>However, residents reported anecdotally that bats are usually seen flying around above the communal patio area to the south. | The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.<br><br>The proposed development will include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas. | A low impact lighting strategy will be adopted for the site during and post-development, which will include the following measures: <ul style="list-style-type: none"> <li>• Use narrow spectrum light sources to lower the range of species affected by lighting.</li> <li>• Use light sources that emit minimal ultra-violet light.</li> <li>• Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue shortwave length content they should be of a warm / neutral colour temperature &lt;4,200 kelvin.</li> <li>• Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal.</li> </ul>                                                                         | The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for foraging bats: <ul style="list-style-type: none"> <li>• Planting of native tree, shrub and hedgerows to increase foraging opportunities.</li> </ul> |

|               |                                                         |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------|---------------------------------------------------------|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               |                                                         |       | <p>Light spill will be reduced via the use of low-level lighting used in conjunction with hoods, cowls, louvers and shields. Lights will also be directional to ensure that light is directed to the intended areas only.</p> <p>External lighting will be on PIR sensors that are sensitive to large objects only (so that they are not triggered by passing bats) and will be set to the shortest time duration to reduce the amount of time the lights are on.</p> <p>Wall lights and security lights will be 'dimmable' and set to the lowest light intensity settings. There are several products on the market that allow the control of the light intensity and the duration that the lights are on. All lighting on the developed site will make use of the most up to date technology available.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Nesting birds | The building offers no opportunities for nesting birds. | None. | None.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The installation of a minimum of two bird boxes on new buildings will provide additional nesting habitat for birds e.g.</p> <p>Schwegler No 17 Swift Nest Box<br/>Schwegler 1SP Sparrow Terrace<br/>Woodstone Nest Box<br/>Or a similar alternative brand.</p> <p>Tree boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Small-hole boxes are best placed approximately 1-3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole.</p> |

|                              |                  |     |     |     |
|------------------------------|------------------|-----|-----|-----|
| Other ecological constraints | None identified. | N/A | N/A | N/A |
|------------------------------|------------------|-----|-----|-----|

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### **Appendix 1: Proposed Development Plan**

Not available at the time of writing this report.

Appendix 2: Site Location Plan



Appendix 3: Bat Survey Plan



## Appendix 4: Legislation and Planning Policy Related to Bats

### LEGAL PROTECTION

All species of bat are fully protected under *The Conservation of Habitats and Species Regulations 2017* (as amended) through their inclusion on Schedule 2.

#### ***Regulation 43: Protection of certain wild animals - offences***

(1) A person is guilty of an offence if they:

- (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,

(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.

Bats are also protected under the *Wildlife and Countryside Act 1981* (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale

### NATIONAL PLANNING POLICY (ENGLAND)

#### ***National Planning Policy Framework 2021***

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

***The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty***

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

**LOCAL PLANNING POLICY**

***Haringey's Local Plan (Adopted March 2013; Consolidated with alterations since 2017)***

Haringey's Local Plan can be viewed here: [https://www.haringey.gov.uk/sites/haringeygovuk/files/final\\_haringey\\_local\\_plan\\_2017\\_online.pdf](https://www.haringey.gov.uk/sites/haringeygovuk/files/final_haringey_local_plan_2017_online.pdf).

The following planning policies have implications for developers in relation to bats:

- SP11: Design – All new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use. To achieve this all development shall ensure impacts on health, climate change, natural resources and biodiversity are minimised by adopting and improving sustainable design and construction techniques.
- SP13: Open Space and Biodiversity: All development shall protect and improve sites of biodiversity and nature conservation, including private gardens through its:
  - Contribution to wildlife and ecological habitats and, where possible, include green and brown roofs, rainwater harvesting, green walls, bird and bat nesting/roosting opportunities;
  - Protection, management and maintenance of existing trees and the planting of new trees where appropriate; and
  - Protection, enhancement and creation of Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs).

***Haringey Biodiversity Action Plan (Adopted October 2009)***

The Haringey Biodiversity Action Plan can be viewed here: [https://www.haringey.gov.uk/sites/haringeygovuk/files/biodiversity\\_action\\_plan\\_2009-2.pdf](https://www.haringey.gov.uk/sites/haringeygovuk/files/biodiversity_action_plan_2009-2.pdf).

All bat species are included in the plan.

### EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by Natural England will be required for works likely to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficiency/success to be monitored. The legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded *de facto* protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost (Garland & Markham, 2008).

There are 17 species of bat breeding in England and Natural England issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

Licences are issued for specific purposes stated in the Regulations, if the following three tests are met:

- The purpose of the work meets one of those listed in the Habitats Regulations (see below);
- That there is no satisfactory alternative;
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range

The Habitats Regulations permits licences to be issued for a specific set of purposes including:

1. include preserving public health or public safety or other imperative reasons of over-riding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
2. scientific and educational purposes;
3. ringing or marking; and,
4. conserving wild animals.

Development works fall under the first purpose and Natural England issues bat mitigation licences for developments.

### EUROPEAN PROTECTED SPECIES POLICIES

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to ‘local populations’ of EPS and not individuals/site populations.