



The Grove Lawn Tennis Club, Cascade Avenue, Haringey, N10 3PY

Bat Survey Report

A report for and on behalf of Rok Enterprises Ltd

April 2022

Ref: 139/R1 Status: Final Date: 18/04/22
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SUMMARY

Herdwick Ecology was commissioned by Rok Enterprises Ltd to undertake bat activity surveys, known as bat presence/absence surveys, at The Grove Lawn Tennis Club, Cascade Avenue, Haringey, N10 3PY in May 2021 to inform a planning application to Haringey Council for the construction of eight new residential dwellings within the existing tennis court, following the demolition of the existing tennis pavilion building.

A Preliminary Ecological Appraisal (PEA) had been undertaken in early 2021 and identified the pavilion, as having high potential for bats and hence three presence/absence surveys were subsequently recommended. In addition, a single tree, which lies outside of the site boundary, was also assessed as having potential to support bats, and a single emergence survey was subsequently carried out. In addition, an update detailed building inspection was undertaken by a licensed bat worker. The surveys were undertaken between June 2021 and September 2021.

The surveys did not identify any bats emerging from the tennis pavilion or from the tree. Therefore a Natural England bat mitigation licence is not required prior to the commencement of works. There was regular bat activity across the site, with common and soprano pipistrelles recorded on and around site. The survey was initially considered to be constrained, as access could not be obtained to the rear of the pavilion that lies within the neighbouring property. However, during the detailed building inspection in September 2021, it was found that the roof was well sealed with a type of expanding foam which has removed all potential access and roosting features. Hence the building was reassessed as being of negligible potential for bats.

The horse chestnut tree was considered to offer potential for roosting bats and, if the tree cannot be retained within the proposals, then a precautionary felling approach should be undertaken, following a pre-commencement check.

Whilst there will be no impacts to known roosts, the proposals should seek to deliver a net gain in biodiversity and this should include the provision of roosting opportunities for bats. As such, it is recommended that as a minimum a inbuilt Schwegler 2FR bat tube or similar, are installed into each new unit.

This report focuses solely on bats and hence any mitigation and enhancement measures set out within the initial PEA should also be implemented.

1.0 Introduction

- 1.1 Herdwick Ecology was commissioned by Rok Enterprises Ltd to undertake bat activity surveys, known as bat presence/absence surveys, at The Grove Lawn Tennis Club, Cascade Avenue, Haringey, N10 3PY in May 2021 to inform a planning application to Haringey Council for the construction of eight new residential dwellings within the existing tennis court, following the demolition of the existing tennis pavilion building.
- 1.2 A Preliminary Ecological Appraisal (PEA) was undertaken in early 2021¹. It is understood that access was not obtained into the roof void of the pavilion during the PEA but given the numerous external features i.e. between the clay tiles, the building was assessed as having high potential for bats. In addition, a horse chestnut tree, that lies off site but overhangs, was assessed as having potential for bats.
- 1.3 This report provides the findings of the surveys and sets out mitigation and enhancement measures with regards to bats only, to be incorporated into the proposals. It has been prepared by Ceri Griffiths, Director at Herdwick Ecology, who is a Full Member of the Chartered Institute of Ecology and Environmental Management (CIEEM). This report should be read in conjunction with the Preliminary Ecological Appraisal that should provides detailed information on the site and wider ecological considerations.

2.0 Legislation and Planning Policies

- 2.1 Reference for National and Local Planning Policies should be set out within the PEA report. The specific legislation relating to the Habitat Regulations and bats is provided below.

Species Protection

- 2.9 All species of bat found in the UK are listed under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended) and are afforded protection under Section 9(4) (b&c) and Section 9(5) of Part 1 of the Act.
- 2.10 Under this legislation, a person is guilty of an offence if a person intentionally or recklessly:
- disturbs any bat while it is occupying a structure or place which it uses for shelter or protection;
 - obstructs access to any structure or place which any bat uses for shelter or protection.

¹ The Preliminary Ecological Appraisal Report has not been issued in full and hence is from an unknown author

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- 2.11 In addition the protection afforded through UK legislation, further protection is provided to a small group of species, commonly referred to as 'European Protected Species', including all UK bats, under the Conservation of Habitats and Species 2017 (as amended) (also known as the Habitats Regulations).
- 2.12 With regards to European Protected Species listed under Schedule 2 of the Act, it is an offence to:
- Intentionally or deliberately capture or kill, or intentionally injure the animal;
 - Deliberately disturb the animal or intentionally or recklessly disturb them in a place used for shelter or protection;
 - Damage or destroy a breeding site or resting place;
 - Intentionally or recklessly damage, destroy or obstruct access to a place used for shelter or protection.
- 2.13 The Habitats Directive provides for the derogation from these above prohibitions for specified reasons and providing certain conditions are met. Those derogations are transposed into the Regulations by way of a licensing regime that allows what would otherwise be an unlawful act to be carried out lawfully. Among the reasons why a licence may be granted and the reason relied upon by developers when seeking a licence to carry out operations for the purposes of development, is that there are imperative reasons of overriding public interest why the operation should be carried out.
- 2.14 Whilst Natural England is the licensing body, the LPA must have due regard for the Habitat Regulations during the planning process and that the following three derogation tests will be met:
- Test 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".*
 - Test 2: *Regulation 53(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative".*
 - Test 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*

3.0 Methodology

Bat Activity (Presence/absence) surveys

- 3.1 The Preliminary Ecological Appraisal assessed the building as having high potential for bats. Hence, bat surveys were recommended to ascertain whether a roost was present, and if so, its status and population size. As set out in best practice guidance⁷, a building that has high potential and/or evidence of bats requires three surveys.
- 3.2 Two surveyors were positioned around the buildings in suitable weather conditions, to look for bats emerging from their roosts. Dusk surveys commenced 15mins prior to sunset and continued for 1hr30mins thereafter. In addition, a thermal imaging camera was used on the emergence survey on the tree on the 24th September 2021. Surveyors used EMT2 Touch Pro bat detectors to record the bat echolocation calls to analyse following the survey.
- 3.3 An update inspection, following best practice guidance⁷ was also undertaken on the 24th September 2021 by a licensed bat worker during which full access was obtained to the roof void of the pavilion.

Table 1 Survey Information

Date	Sunset Time (Start/finish time)	Weather conditions
29/06/2021	21:21 (20:06/22:36)	15C at start; 14C at end; occasional drizzle; humid; , BF0-1, 85% cloud
24/08/2021	20:03 (19:45/21:33)	14C at start, no rain, BF2, 100% cloud
13/09/2021	19:19 (19:00/20:34)	16C at start, no rain, BF0-1, 100% cloud
Single Emergence on Tree		
24/09/2021	18:53 (18:38/20:08)	20C at start, no rain, BF0, 80% cloud

3.4 Limitations

Access to the rear of the property was not obtained and hence the survey only focussed on the front and side elevations of the building. However, it is important to note that the building inspection undertaken on the 24th September, reassigned the building as being of negligible value as the roof was completely sealed using an expandable foam, rendering the external features unsuitable. Had the building inspection been undertaken prior to the first bat survey, the inspection would likely that discounted the need for any presence/absence surveys.

4.0 Baseline Conditions

Site Location

- 4.1 The site is within an urban location but with a number of mature gardens and trees that provide good foraging habitat for more urban adapted species, such as pipistrelle. The gardens and trees also provide good connectivity to Highgate and Queens Woods that lie 360m to the south.

Data Search

- 4.2 There were 15 European Protected Species licences identified from MAGIC² within 4km of the site, thirteen of which related to common or soprano pipistrelle, with two for Daubenton's and Noctule.

Bat Survey Results

Pavilion

- 4.3 No bats were seen to emerge from the building or from the tree. There was a relatively high level of bat activity from common and soprano pipistrelle throughout the survey, in particular during in June, with regular foraging around the vegetation that has grown up on site.

Horse Chestnut tree

- 4.4 Whilst no bats were seen to emerge from the tree, there are a number of features that could be used by bats and the ivy cover could hide further potential roost features. As bats can use trees sporadically across the years - as transient/occasional roosts - it is recommended that a precautionary check is undertaken before felling or pollarding. This could be via a climbing inspection using an endoscope, or a further dusk/dawn survey.

Update Building Inspection

- 4.5 The update inspection on the 24th September included a detailed internal inspection of the main roof void, which was not accessible during the initial PEA. The inspection, undertaken by a licensed bat worker, did not identify any bats or evidence of bats. The roof was lined with bitumastic felt but a type of expanding foam had been used throughout the roof void, infilling all possible gaps between the tiles, felt and along the timber rafters and at eaves level.
- 4.6 As such, whilst the building had previously been assessed as having potential for bats, following the update inspection, it was regraded to having negligible potential for bats.

² [Magic Map Application \(defra.gov.uk\)](https://defra.gov.uk)



Plate 1 External view of The Pavilion (foam can be seen across the roof line)

5.0 Mitigation and Enhancement Measures

- 5.1 The surveys did not identify any bat roosts within the building or off-site tree. In addition, following the update inspection, the building was reassessed as being of negligible value for bats due to the presence of the internal foam that has rendered the building as inaccessible and removing any potential roosting opportunities between the tiles. Therefore, although the surveys were constrained due to the lack of access to the rear of the property, this is no longer considered to be a limitation given that the building does not offer potential for bats.
- 5.2 As no roosts have been identified, a Natural England bat mitigation licence is not required. However, precautionary methods have been recommended for the horse chestnut tree, if it cannot be retained within the proposals. Given the often transient use of tree roosts, it is recommended that a climbing inspection is undertaken by a licensed ecologist, if safe to do so, prior to felling/pollarding works and/or a further presence/absence survey should be undertaken on the tree. It is also recommended that a soft fell approach should be undertaken.
- 5.3 The lighting design should be sensitively designed to minimise additional light spill to any adjacent habitats and neighbouring properties. Any lighting should adhere to the principles set out in the ILP Guidance Note 08/18 Bats and artificial lighting in the UK.
- 5.4 In line with National and Local planning policies, developments should seek to ensure the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species populations. Therefore, it is recommended that as a minimum a inbuilt Schwegler 2FR bat tube or similar, are installed into each new unit.
- 5.5 In addition, the PEA report will set out recommendations for the avoidance, minimisation and mitigation of all ecological features, together enhancements measures, which should be implemented with the aim of delivering a wider net gain in biodiversity.