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## **Preliminary Bat Roost Assessment (inc. Birds) Survey Report.**

**Grid Ref: SX43200 61449**

### **Introduction**

Torbay Development Agency (TDA) wishes to demolish two 'portacabin' style school buildings and construct a replacement new building at Paignton Community & Sports Academy, Borough Road, Paignton TQ4 7DH. The purpose is to build a modern school unit to serve the needs of the school. The new build, once constructed, will be in the same location and within the original building's development 'foot-print'. A bat and bird inspection survey has been requested by Torbay Council as part of a planning application.

Recommendations for mitigation and enhancement are also put forward for the benefit of wildlife; to address the National Planning Policy Framework (NPPF) and Local Plan Policies C4 (Trees, Hedgerows and Natural Landscape Features) and NC1 (Biodiversity and Geodiversity). C4 and NC1 relate to the Spatial Strategies and Policies, SS8 Natural Environment and SS9 Green Infrastructure of the Torbay Local Plan 2012 – 2030. A Devon County Council Wildlife and Geology Trigger List has also been included within this brief report.

### **Legislation: Bats**

All British bats are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended). Under this legislation, it is an offence to intentionally kill, injure or take a bat. It is also an offence to intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter and /or protection. Any roosts used by bats, regardless of whether they are currently in use, receive full legal protection. A bat roost is defined as 'any structure or place, which is used for shelter or protection' or a 'breeding site or resting place'. As bats commonly use the same roosts at particular times of the year, even after periods of absence, the roost is protected whether or not bats are resident. A criminal offence carries a fine of up to £5,000 per bat, and a custodial sentence of up to six months' imprisonment.

## Legislation: Birds

Under the Wildlife and Countryside Act 1981 (as amended), the majority of birds, their nests and eggs are protected. It is illegal to: intentionally kill, injure or take any wild bird; intentionally or recklessly take, damage or destroy the nest of any wild bird whilst it is in use or being built; intentionally or recklessly take or destroy the egg of any wild bird. Schedule 1 of the Wildlife and Countryside Act provides further protection for selected species during the breeding season. It is an arrestable offence to intentionally or wilfully disturb any wild bird included in Schedule 1, while it is building a nest or is in, on or near a nest containing eggs or young; or disturb dependent young of such a bird.

## Habitat overview

The building is located within an urban setting. The grounds to the school are dominated with hardstanding, amenity grassland, ornamental garden shrubs and semi-mature ornamental trees. The amenity grassland and ornamental shrubs are of negligible botanical value. Two semi-mature ornamental trees (*Betula* spp. and *Acer* spp.) are located adjacent the buildings. These are of low to moderate ecological value to nesting birds.

The surrounding landscape include urban gardens and, residential properties, tree lined roads and farmland pasture further north and west of the site. These habitats would not be impacted by the current development (Figure 1).



Figure 1. Site and building location, circled in red. Google maps ®.

## Brief Desk Study

Natural England's Multi-Agency Geographic Information for the Countryside (MAGIC) database was accessed on the 3<sup>rd</sup> January 2024, for information on Granted European Protected Species License Applications (bats) for nature conservation within a 1km radius of the site. MAGIC <http://magic.defra.gov.uk/> was accessed in relation to any European protected species of conservation importance that maybe affected by the proposed development. A search was also undertaken using the NBN Atlas: [NBN Atlas - UK's largest collection of biodiversity information](https://nbnatlas.org/). However, please note, data from this website cannot be used for replication purposes due to copyright and so is omitted within this report.

## Building inspection in relation to bats and birds

The property was inspected by a licensed bat ecologist on the 19/12/2023. The bat building inspection survey was undertaken following best practise guidance by BCT (Collins, J., 2023. Bat Surveys for Professional Ecologists: Best Practice Guidelines. 4th ed. London: The Bat Conservation Trust). Surveys were undertaken by Paul Gregory, license no. 2015-10235-CLS-CLS

The two 'portacabin' style school buildings both had 'bitumen' felted flat roofs. The approximately 1960/70s buildings, were of breeze block construction with composite external panelling and rendered finish. Soffits and fascias were absent and all windows and doors intact. Both buildings were intact and in reasonable condition and appeared to be 'completely' sealed in relation to access/egress to bats and birds (Images 1 to 10). Internally the buildings supported composite ceiling panels with no roof voids and are currently used for storage (Images11 to 13).

## Conclusions, Further Survey and Mitigation

There are no Granted European Protected Species License Application (England) for bats recorded within less than 1km from the centre of the site (MAGIC) following the brief desk study (Figure 2).

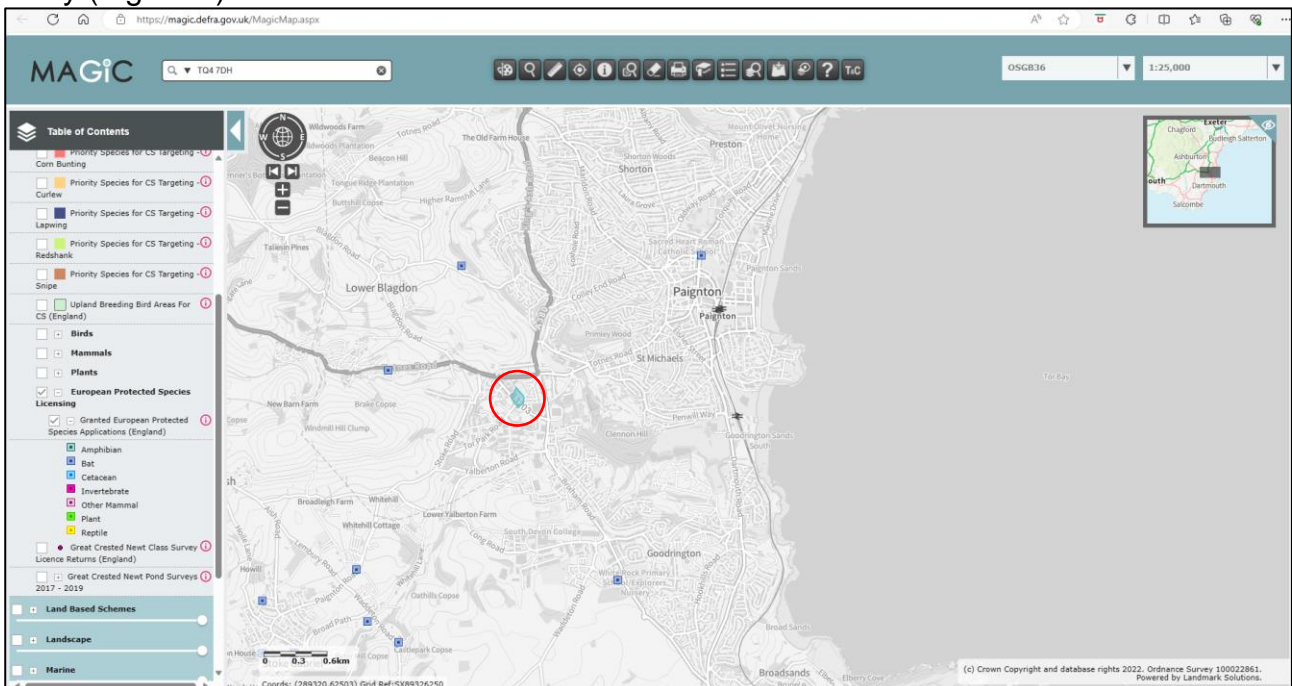


Figure 2. Magic: <https://magic.defra.gov.uk/MagicMap.aspx>. Purple squares represent bat mitigation licenses granted. — indicates location of Paignton Community & Sports Academy, Borough Road, Paignton TQ4 7DH.

No evidence of roosting bats, such as signs of bat occupancy, presence, droppings, scratch marks, staining and feeding remains were observed internally within the building. External features such as crevices, fissures and gaps within structures that could be potentially used by roosting bats were absent on the building. The building was deemed to be of negligible value to bats.

However, in the extremely unlikely event that a bat is found during the works, then all works must cease within that area and an ecologist be consulted. The bat/s should be left in-situ and not removed; a bat ecologist should be consulted for advice as soon as practically possible.

During the time of inspection, no birds were observed nesting internally or externally of the building. The building is deemed to be of negligible value to birds.

The demolition and re-development of the school buildings will therefore not impact on a European or Nationally protected species. Therefore, the development would not constitute an offence under the Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended).

However, the felling/removal of the two semi-mature ornamental trees (*Betula* spp. and *Acer* spp.) to allow construction, should be undertaken during the winter months to avoid the bird nesting season, which is March to August inclusively. Therefore, the trees should be felled/removed between September and February inclusively. If this felling/removal cannot be undertaken outside the bird nesting season, then an experienced ecologist should be appointed to supervise the works as an Ecological Clerk of Works (ECoW).

## Recommendations

There is little potential for enhancement of this development in relation to biodiversity. However, the National Planning Policy Framework (NPPF) seeks to maintain and enhance biodiversity within planning policies and decisions, with regards to new developments. To increase the biodiversity of the site in relation to what occurs at present, it is recommended that bat, bird and bee bricks be installed externally within the brickwork or fabric of the 'new' school building development. These should be installed during the construction phase.

This will increase the biodiversity on the site compared to that which is currently present. The inclusion of integrated habitat by design for birds, bats and bees will result in a positive biodiversity net-gain for the development; and address the NPPF policy on Biodiversity and Local Plan Policy NC1 (Biodiversity and Geodiversity) of the Torbay Local Plan 2012 – 2030. Integrated habitat by design is commonly becoming mandatory for new built developments within many Local Planning Authorities across the UK.

- The provision of integrated habitat by design for swifts (*Apus apus*), in the form of nesting bricks built within the outer wall brickwork (Figure. 14). [http://www.swift-conservation.org/swift\\_bricks.htm](http://www.swift-conservation.org/swift_bricks.htm) An ecologist should be consulted in relation to their installation. The bricks require zero maintenance once installed.
- The inclusion of bat bricks/tubes (Figure 15), <https://www.nhbs.com/equipment/integrated-bat-boxes>
- The inclusion of bee bricks within the upper story outer walls (Figure. 16). <http://greenandbluebuild.co.uk/> An ecologist should be consulted in relation to their installation. The bricks require zero maintenance once installed.

Post development opportunities should also be taken with any landscaping, to further enhance the biodiversity relative to that currently presented on site. Incorporating native tree and shrub species into the landscape design will benefit biodiversity. The addition of external bat boxes, on trees or other buildings within the landscape plan, will also benefit the site in relation to biodiversity and achieve a biodiversity net-gain. This will address Local Plan Policy C4 (Trees, Hedgerows and Natural Landscape Features) of the Torbay Local Plan 2012 – 2030.

- The inclusion of two bat boxes is also recommended (Figure 17). These should be positioned on trees or an external wall greater than 4m from the ground. [Bat Boxes | Practical Conservation Equipment | NHBS](#). An ecologist should be consulted in relation to their installation. The boxes require zero maintenance once installed.

It is also recommended that limited external lighting be used, security lighting should be on a fixed-timer and operated by remote sensors. Bollard lighting should be fitted with down-lighters. Cowls and louvers should be installed to reduce light spill. Any lighting should be of a sensitive design and be positioned and angled away from any linear vegetation, i.e. hedgerows and tree planting, that may be used by nocturnal wildlife and nesting birds. There should be no increase in ambient light levels post construction. Lighting should also be directed away from the installed bird, bat, and bee bricks within the fabric of the buildings, and also away from the external bat boxes on trees or other buildings within the site.

## **Additional Comments**

An ecologist should always be consulted regarding the installation of bat and bird boxes. Installation must not be undertaken by the contractor, without consultation of the ecologist'.

Please note: *'The internet links to suppliers within the recommendations are only for informative purposes and we do not advocate the use of these suppliers. They are intended as illustrative examples only'*.

Paul Gregory BSc (*Hons*), MSc, CEcol, CEnv, MCIEEM (NE Level 2 Class License: Bats 2015-10235-CLS-CLS)



Images



1. Portacabin northeast elevation.



2. Portacabin northeast elevation.



3. Portacabin southeast elevation.



4 Portacabin southeast elevation.



5. Portacabin northwest elevation.



6. Portacabin southwest elevation.



7. Portacabin northeast elevation.



8. Portacabin northwest elevation.



9. Portacabin southwest elevation.



10. Portacabin northwest elevation.



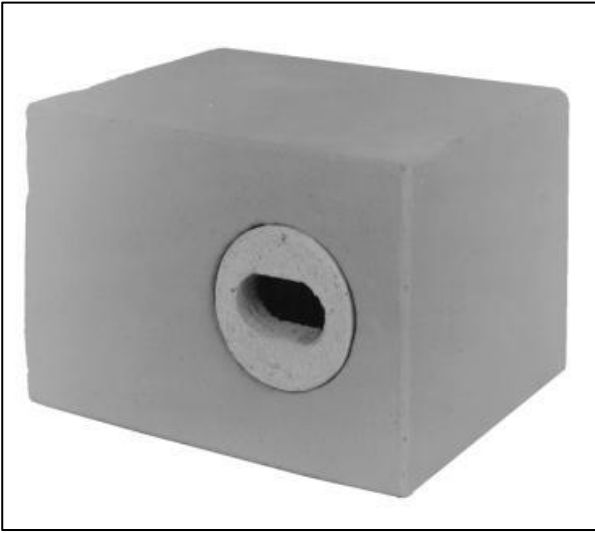
11. Portacabin building internal.



12. Portacabin building internal.



13. Portacabin building internal.



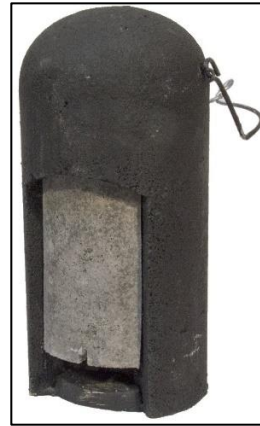
14. Swift brick.



15. Bat brick.



16. Bee bricks.



17. Bat box



## **Appendices**

Appendix 1 Devon County Council Wildlife Trigger Report

Appendix 2 Bat Roost Assessment Buildings

**Do you need to submit a Wildlife, Geology or Invasive Species Report with your planning application?**  
 Please remember that anyone causing a wildlife offence (e.g. destruction of a bat roost) can be prosecuted, irrespective of the planning process. Remember to schedule works to ensure no disturbance to protected species, including nesting birds.

Please fill in Parts A1 and ii, B and C of the table below. The completed table must be included with your application.

**Part A.** If there is a tick in the 'yes' column you must include a Wildlife Report with your application. The report may vary from a short written statement (if there is no significant impact) to a comprehensive report with surveys.

**Part B.** If there is a tick in the 'yes' column you must include a Geology Report with your application.

**Part C.** If there is a tick in the 'yes' column an Invasive Species Control Plan is required.

All reports must be produced by a consultant with suitable qualifications and experience. For further information on the reports, including a list of consultants and a generic Wildlife Report brief (which may help when employing a consultant), go to [www.devon.gov.uk/wildlife](http://www.devon.gov.uk/wildlife)

**Wildlife and Geology Trigger Table**

PART A - TRIGGERS FOR A WILDLIFE REPORT		Yes (Wildlife Report required)	No
1a. The application site (red line) is greater than 0.1 hectares*		✓	✓
1b. The proposal:		✓	
i. Involves demolition of a building.		✓	
ii. Involves works to a roof, roof space, weather boarding or hanging tiles e.g. loft conversion, roof raising, extensions.		✓	
iii. Involves works to a quarry or built structures such as bridges, viaducts, aqueducts, tunnels, mines, kilns, ice houses, military fortifications, air raid shelters, cellars and similar underground ducts and structures.			
iv. Involves the development of wind turbine(s), including domestic turbines.			
v. Will illuminate / cause light spill onto a building, mature tree (see ix), woodland, field hedge, pasture, watercourse, water body, tree line or a known bat roost.			
vi. Impacts on a watercourse, intertidal area or standing open water* (e.g. ponds, reedbeds) excluding ornamental garden fish ponds.			
vii. Removes, or moves, part / all of a hedge or line of trees (excluding non native or urban hedges unless > 10m being removed).			
viii. Is within, or may impact on (including impacts on hydrology), a woodland or a substantial area of scrub connected to a woodland or hedge.			

ix. Involves surgery to or felling of a mature tree with obvious holes, cracks or cavities, dense ivy, deadwood, bird / bat box (i.e features which may be a bat roost).		
x. Involves removal of tussocky (rough) grassland, wet grassland, flower rich grassland or heathland (heather/goose present).		
xi. <b>**</b> Household <sup>ers</sup> do not need to answer this question. May impact directly or indirectly (via a watercourse or air pollution pathway) on a designated wildlife site (Special Areas of Conservation, Special Protection Area, Sites of Special Scientific Interest, County Wildlife Site, Local Nature Reserve, Special Verges).		
xii. Involves lighting or removal of a tree line, woodland, hedges or pasture within a Greater Horseshoe Bat consultation zone (please ask the LPA during pre-ap discussions).		
<b>PART B – TRIGGER FOR A GEOLOGICAL REPORT</b>		
** Application impacts on a geological Site of Special Scientific Interest or County Geological Site (RIGS)	Yes (Geology Report required)	No
<b>PART C – INVASIVE SPECIES</b>		
Site supports an invasive species such as Japanese Knotweed. For a list of Schedule 9 non native invasive species see <a href="http://www.legislation.gov.uk/ukpga/1981/69/schedule/9">http://www.legislation.gov.uk/ukpga/1981/69/schedule/9</a> or <a href="http://www.nonnativespecies.org/index.cfm?sectionid=23">http://www.nonnativespecies.org/index.cfm?sectionid=23</a> For more information on Japanese Knotweed see <a href="http://www.devon.gov.uk/japanese_knotweed.htm">www.devon.gov.uk/japanese_knotweed.htm</a> .	Yes (Invasive Species Control Plan required)	No

\* - If you have ticked 'no' to all 1b questions a Wildlife Report will not be required if the LPA confirms in writing that it is reasonably certain that there will be no impact on protected or priority habitats and species.

\*\* - to find out if your site is in, or near, a designated site look on <http://gis.devon.gov.uk/basedata/viewer.asp?DCCService=greeninfra>, or ask the LPA or Devon Biodiversity Records Centre [www.dbrcc.org.uk](http://www.dbrcc.org.uk) (there will be a small charge). For County Geological Sites (RIGS) see also [www.devonrigs.org.uk/07DevonSites.html](http://www.devonrigs.org.uk/07DevonSites.html)

**IMPORTANT** .....

- If detailed protected species surveys are required these **MUST** be included with your planning application. The application cannot be validated without them. They cannot be conditioned.
- Some surveys can only be undertaken at certain times of year. It is essential that these are timetabled into your project plan in order to avoid wasting time and money. A survey calendar can be found at [http://www.naturalengland.org.uk/images/MhentosurveyFINAL\\_tcm6-21620.pdf](http://www.naturalengland.org.uk/images/MhentosurveyFINAL_tcm6-21620.pdf)
- All details of avoidance, mitigation, compensation and enhancement actions **MUST** also be included with your application. It is very likely that any planning permission will be conditional on these being implemented.

Last updated: 13<sup>th</sup> October 2014

Appendix 2 Bat Roost Assessment Buildings

Bat Roost Assessment: Buildings (Use 1 Form Per Building)

Sheet 1 of 2

Project: <i>Parsons Academy</i>		Surveyor name: <i>Paul Gregory</i>	Date: <i>19/12/2023</i>
Building Number/Name: <i>2x Pobecabins</i>		Survey Scope: External <input type="checkbox"/> Internal <input type="checkbox"/> Both <input checked="" type="checkbox"/> Use of Ladder <input type="checkbox"/>	
<b>Building Description</b> General state of repair: Good <input checked="" type="checkbox"/> Poor <input type="checkbox"/> Orientation: <i>NW facing</i> Approximate age: Height (m): <i>4.4</i> Width (m): <i>12.10</i> Surrounding habitat: <i>school yard</i>		Sketch map if no map is available  <i>see photos</i>	
Roof Description	Asbestos <input type="checkbox"/> Tile <input type="checkbox"/> Metal <input type="checkbox"/> Pitched <input type="checkbox"/> Sloping <input type="checkbox"/> Flat <input type="checkbox"/> Gable Ends <input type="checkbox"/> Hipped <input type="checkbox"/> Soffits <input type="checkbox"/> Barge boards <input type="checkbox"/> Wooden sarking <input type="checkbox"/> Hanging tiles <input type="checkbox"/> Lead flashing <input type="checkbox"/>	Descriptive notes:  <i>flat roof bitumen</i>	
Wall Construction	Asbestos <input type="checkbox"/> Metal <input type="checkbox"/> Brick <input type="checkbox"/> Breeze block <input type="checkbox"/> Wood <input type="checkbox"/> Weather boarding <input type="checkbox"/> Cavity walls <input type="checkbox"/>	Descriptive notes:  <i>family of stone sand</i>	
Windows/Doors	Present <input type="checkbox"/> Boarded <input type="checkbox"/> Broken <input type="checkbox"/> Open <input type="checkbox"/> Intact <input checked="" type="checkbox"/> Closed <input type="checkbox"/>	Descriptive notes:	

External Features

Feature No.	Feature Type*	Position/ elevation (Highlight on map) plus descriptive notes as appropriate	Bat Roost Potential	Photograph Ref.
		<i>NO features of significance</i>		

\*Features include: gaps in ridge tiles (where mortar is missing), gaps under roof tiles or slates, gaps under lead flashing around chimney stacks & around dormer windows, gaps under the fascias, soffits and weatherboarding, missing mortar from joints in stone/brickwork, roof valleys & hips.

**Bat Roost Assessment: Buildings (Use 1 Form Per Building)**

Sheet 1 of 2


**Internal Features**

**General Description - internal dimensions, number of floors/rooms, beams present etc. \*\***

Number of floors: 1 Wooden beams <input type="checkbox"/> Metal beams <input type="checkbox"/> Loft present <input type="checkbox"/> Loft accessible <input type="checkbox"/> Height of loft space (m): Width of loft space (m): N/A Felt <input type="checkbox"/> Insulation <input type="checkbox"/>	Descriptive notes: No roof space
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**Results of inspection (including consideration of window ledges, wall surfaces, floors, cobwebs, cupboard tops and any relatively undisturbed surface.)**

Evidence of Roosting bats	Description and Location	Photograph Ref. Number(s)
Droppings (mark locations on a plan)	N/A Collected? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Other evidence (mark locations on a plan)	Bats <input type="checkbox"/> Feeding remains <input type="checkbox"/> Staining <input type="checkbox"/> Carcasses <input type="checkbox"/> N/A	

**Other notes:**

N/A

<b>Overall BRP Assessment</b>	Negligible <input checked="" type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High <input type="checkbox"/> Confirmed bat roost <input type="checkbox"/> Species present or likely (confirmed roost only):
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<b>Survey limitations</b>	N/A
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<b>No. of surveyors needed (if emergence survey necessary)</b>	N/A
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\*\*Include features of particular interest including: tops of gable end walls, top of the ridge beam, hip and other roof beams, mortise joints, junction of roof beams, areas around chimney breasts, between roof tiles and felting.