

Former Bartons Infant School, Romney Broadwalk, North Bersted, West Sussex.

Bat Survey Report



Former Bartons School -
Bat Survey Report
EHM Ltd

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Executive Summary

EHM Ltd has been commissioned to carry out bat a survey of a of a disused school in North Bersted, West Sussex. This report provides the details of a survey to determine the presence or likely absence of bats.

Bat Survey

Following an initial assessment to the building on site a single dusk emergence survey was conducted. This involved four experienced surveyors including bat licenced ecologists. This survey was conducted within Bat Conservation Trust guidelines.



Results

Following the dusk survey, conducted by experienced ecologists and within recommended parameters, no bats were seen emerging from the building.

Bats were recorded commuting and foraging on site.

Recommendations

Recommendations are made regarding inclusion of artificial roost sites in the development.

Recommendations are made regarding protecting bat habitats during and post development as well as some enhancement recommendations.

1. Introduction

EHM Ltd has been commissioned to carry out bat a survey of a of a disused school in North Bersted, West Sussex. This report provides the details of a survey to determine the presence or likely absence of bats.

1.1 Development outline

EHM Ltd understands that the development will involve the demolition of the existing school buildings on site and construction of approximately 21 dwellings on the site. The proposed development will be carried out by West Sussex Property LLP.

1.2 Site Description

The site covers an area of approximately 6100m² and is located within the centre of the town of North Bersted near Bognor Regis in West Sussex. The site consists of the buildings and grounds of the Former Bartons Infant school. The site is accessed off Romney Broadwalk to the west of the site via a surfaced drive way that opens out into parking areas. The site contains a relatively large flat roofed building with a pitched tiled section to the north. Habitats present include areas of amenity grassland, scrub, introduced shrubs as well as some mature and semi-mature trees. The site had evidently been vacant for some time with some of the habitats appearing overgrown, though the grassland appeared to be regularly mown. The buildings had been bordered up and secured with security doors.

The site is located within an urban residential area, bordered by housing to the north, south and west. The eastern edge of the site appeared to border an area of mature trees following the course of a ditch that is connected to an open greenspace located to the north east of the site. The local landscape is dominated by residential areas with a few pockets of open green space dotted across the local area. Though within an urban area the open countryside is located within 500m to the north of the site and the coast is located within 3km to the south.

The site (as shown on figure 1) is located in North Bersted, West Sussex; SU 9253 0090. A location of the habitats is shown on the map in appendix 1.

1.3 Survey Objectives

The purpose of this report is to provide the evidence that an assessment has been made as to the potential for the buildings in question to support roosting bats in order to demonstrate compliance with wildlife legislation protecting bats and planning policy.

The key objectives of this survey are as follows:

- assess the presence or likely absence of roosting bats within buildings on site, identify key commuting and foraging routes for bats across the site.
- if roosting bats are found to be present on the site, give an indication of the population size of each species present.
- recommend further mitigation where assessed as necessary and suggest potential enhancements.

1.4 Survey Limitations

It should be noted that this survey, whilst carried out in accordance with current best practice, identifies bat usage of the site, which may change throughout the year. Knowing this survey should be regarded however as a robust recognised method. It is possible that on occasion, despite best effort, bats may be found on site after works commence; if this is the case, advice should be sought immediately from a suitably qualified ecologist on the best course of action to take.

In order to minimise the likelihood of adverse effects on protected animal species over time, it is accepted good practice for ecological surveys to be repeated should works be deferred for over 12 months from the date of initial survey. It is the duty of the landowner, developer and operations managers to act responsibly and to comply with current environmental legislation if protected species are suspected or found prior to, or during works.

1.5 Legal Status of Bats

All eighteen of the UK's bat species are protected under section 9 of the Wildlife and Countryside Act (WCA) 1981 (as amended). The WCA states that 'a person is guilty of an offence if intentionally or recklessly they disturb [a bat] while it is occupying a structure or place which it uses for shelter or protection; or he obstructs access to any structure or place which [a bat] uses for shelter'.

Under the Conservation of Habitats and Species Regulations 2017, it is an offence if;

- A person deliberately captures, injures or kills any wild animal of a European Protected Species;
- Deliberately disturbs wild animals of any such species;
- Damages or destroys a breeding site or resting place of such an animal.
- A detailed list of UK wildlife legislation is provided in the appendix.

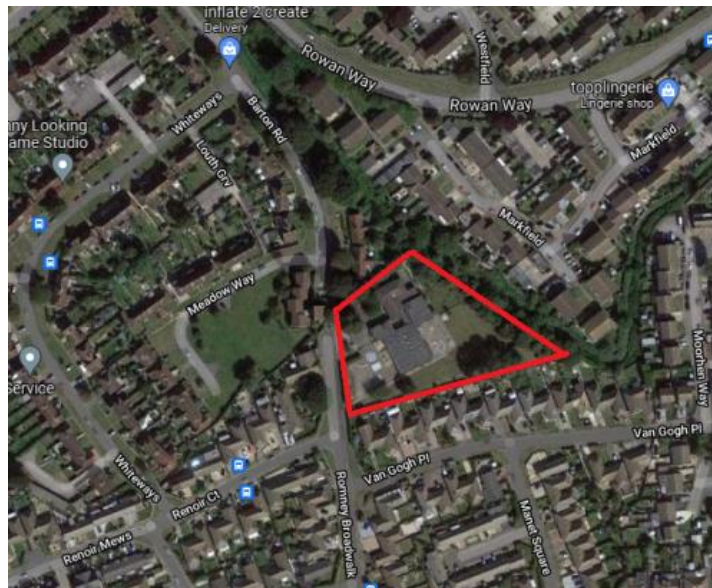


Figure 1: Approximate boundary of the site.

2. Methods

The survey described below has taken due regard of the Bat Conservation Trust Bat Survey Good Practice Guidelines 2016¹ recognised as a robust survey methodology, Bat Workers Manual (Mitchell-Jones & McLeish, 2004²) and the Bat Mitigation Guidelines (English Nature, 2004).

2.1 Preliminary Bat Roost Assessment

Buildings are known to provide suitable roosting opportunities for a number of bat species³. An external and internal inspection of the building on site was carried out to assess their potential to support bat roosts, following Bat conservation trust guidelines⁴. An internal inspection was undertaken where possible inspecting all roof voids and potential roosting locations with a high powered torch looking for signs of bats in the form of staining, droppings, feeding remains and the bats themselves. This was followed by an external inspection of the buildings looking for potential ingress points through soffits, eaves, missing roof tiles/slates and brickwork and windows.

The external and internal inspection was conducted in two phases. An initial ground level external assessment was undertaken during the PEA site visit on the 14th of September 2021 by James Webster (MCIEEM). A follow up internal and external roost feature assessment was undertaken by Richard Law (Bat Licence no.: 2015-12576-CLS-CLS) on the 2nd of November 2021. The survey on the 2nd November was a more detailed assessment of the identified external features using an endoscopic camera and video camera mounted on a telescopic pole. The November survey also involved an internal inspection of any roof voids.

Desk Top Study

In conjunction with the site visit a report was compiled of relevant ecological records within 1 km of the site. This provided details of protected and notable species in the area which will help inform the potential of the site to support such species. The report from the Sussex Biological Records Centre (SxBRC) also provides details of protected sites within a 1 km radius of the site. Magic.gov.uk was also reviewed for additional relevant protected species and habitat information.

2.2 Emergence Surveys

Following the initial roost assessment, it was decided that one dusk emergent survey would be conducted at a suitable time of year and in suitable weather conditions in line with BCT guidelines. The emergence survey visits were undertaken by four experienced bat surveyors, led by Richard Law. Richard is an experienced and licenced (Bat Licence no.: 2015-12576-CLS-CLS) ecologist with a number of years as an ecological consultant carrying out a number of bat surveys using a range of equipment.

¹ Collins, J. (ed) (2016). Bat Surveys for professional Ecologists; Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

² Mitchell-Jones, A.J., & McLeish, A.P. Ed., (2004), 3rd Edition Bat Workers' Manual, Joint Nature Conservation Committee, Peterborough

³ Bats and Buildings. Bats and the Build Environment Series. Bat Conservation Trust. January 2012.

⁴ Collins, J. (ed) (2016). Bat Surveys for professional Ecologists; Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

Equipment Used

Species calls were identified and species were verified by flight patterns in the field. During the surveys the following equipment was used; Echo Meter Touch Pro and Bat Box Duet.

3. Results

3.1 Preliminary Roost Assessment

Following the two inspections by competent and licensed ecologists the building is considered unlikely to support a significant roost such as a maternity or hibernation roosts. The tiled roof contained a number of small features that provide opportunity for small number of bats to roost (figure 2). The building on site was considered as having a **low** potential to support a bat roost as the features on the building have potential to provide opportunistic roosts for individual of small numbers of bats.

The bat roost potential was limited to a pitched tiled roof section to the north of the site. Following this assessment, and in line with BTC guidelines, a single dusk survey was undertaken in May 2022.



Figure 2: Showing the interior of the pitched roof section and two pictures of potential roost features in the external tiles.

Desktop Study Results

The protected species licencing information from the Magic map does not show any records of granted bat mitigation license within 1 km of the site. There is a granted EPS licence approximately 1.5 Km to the north of the site at a Solar Farm. The SxBRC data contained records of bat species including; Common Pipistrelle (*Pipistrellus pipistrellus*) and Brown Long-eared bat (*Plecotus auratus*). The closest of these records is located to the west of the site within 650m within a residential area.

3.1 Survey Results

Weather Conditions

Date	Start time	End time	Sunset/ Sunrise Time	Temp (°C)	Wind (Beaufort)	Rain
13/05/2022	20:27	22:04	20:42	14	1	0

Table 1: Summary of weather conditions and survey parameters.

Survey Results Dusk Survey- 13/05/2022

Four surveyors were sited around the northern section of the building in positions to cover potential egress points, detected during the initial assessments. The location of the surveyors can be seen in appendix 2.

No bats were seen emerging from the building. Bats were noted foraging along the northern and eastern boundaries of the site. The table below summarises the bat activity seen during the survey and the map in appendix 2 shows confirmed bat activity.

Time	Location	Species	Heard (H)/ Seen (S)	Activity type (E = Emergence, R = Return to roost, C = Commuting, F = Foraging, S = Socialising)	Notes on behaviour (including direction of flight, number of bats and habitats used)
21:07:00	A	Common Pipistrelle	S+H	F	From north east trees, overhead, exit north.
21:08:00	A	Common Pipistrelle	S+H	F	From north west, overhead.
21:09:00	C	Common Pipistrelle	H		Hns
21:16:00	B	Common Pipistrelle	S		seen briefly near the pergola in SE corner
21:18:00	B	Common Pipistrelle	S	F	from N to SE, past pergola
21:21:00	B	Common Pipistrelle	S	F	heading north along site boundary
21:21:00	C	Common Pipistrelle	H	F	Likely behind position. Not seen.
21:22:00	C	Common Pipistrelle	S	C	Came from over the buddleia and flew north over building
21:27:00	C	Common Pipistrelle	S	F	Foraging above buddleia
21:27:00	A	Common Pipistrelle	S+H	F	From north west, overhead.
21:21- 21:27	B	Common Pipistrelle	H	F	several brief and faint calls, likely foraging in SE corner

Table 2: Results from Emergent Survey 13/05/2022.

4. Conclusions

4.1 Roost Characterisation

No bats were seen emerging from the building following a survey conducted by experienced ecologists and within current Bat Conservation Trust guidelines. No evidence of bats was seen during the internal inspection. Therefore the building is considered as having a **negligible** potential to support a bat roost.

4.2 Bat Foraging and Commuting Habitat

A single species, Common pipistrelle, was seen foraging on site. The main areas appeared to be the tree and scrub habitats along the northern and eastern boundary of the site. Bats were noted entering and leaving the site to the adjacent habitats to the north and east of the site. The number of bats and species recorded was relatively low.

In conclusion the site provides foraging and commuting opportunities for species of bats. The adjacent habitats to the north and east also appear to support foraging bats.

4.3 Potential Impacts

If the development was to proceed without further mitigation or compensation measures it would have the following potential impacts;

- Disturbance to bat commuting and foraging habitat

These impacts would have a long term effect on the local bat population. Therefore appropriate mitigation measure are required to ensure any impacts are mitigated or adequately compensated.

5. Discussion and Mitigation

5.1 Mitigation Strategy

Mitigation Hierarchy

The mitigation hierarchy, as described within the National Planning Policy Framework (NPPF, 2021), was followed in designing this Mitigation Strategy. As such, impacts to bats are, in the first instance, avoided; then, adequately mitigated for; or, as a last resort, they are proportionally compensated for (Collins, J. (Ed.), 2016).

Roost features

Though the building is considered unlikely to support a bat roosts the proposed development has potential to enhance the local bat population and provide roosting opportunities within the site. Bat boxes could be incorporated into the fabric of the building; the Ibstock Enclosed Bat Box (B and C)⁵ can be easily incorporated into the exterior of a building. Boxes could also be added to the retained trees, the Schwegler 2F is a good general-purpose box that can be hung on trees or buildings.

Soft Strip Works

Though no bats were detected roosting during the surveys works should still proceed in a careful and controlled manner. Contractors should be briefed on potential roost features bats might exploit and how they can use small crevices such as gaps under roof or hanging tiles. Roof and hanging tiles should be removed by hand and checked for evidence of bats. In the unlikely event that bats or significant evidence of bats (for example large accumulations of fresh bat droppings) are encountered, works should stop immediately and advice sought from a qualified ecologist and/or Natural England.

Lighting

Lighting can adversely impact bats⁶. Guidelines provided by the Bat Conservation trust should be followed⁷ during construction to avoid unnecessary illumination. Lighting should also be considered post-development with any external lighting positioned so as not to illuminate potential habitat for bats. The impact of lighting on bats can be minimised by;

- Using Low-pressure sodium lamps instead of high- pressure sodium or mercury lamps;
- Maintaining the brightness as low as possible;
- Directing the lighting to where it is needed to avoid light spillage; and,
- Minimising upward lighting to avoid light pollution.

Retention and enhancement of Habitats

As per the recommendations in the PEA report the vegetation around the edges of the site will be retained. Proposed planting across the site will create additional bat commuting and foraging habitat. Proposals will also create an enhancement along the eastern side of the site with additional scrub and wildflower planting.

⁵ <https://www.ibstockbrick.co.uk/kevington/eco-products/>

⁶ Fure (2006), Bats and lighting, The London Naturalist, No. 85, 2006

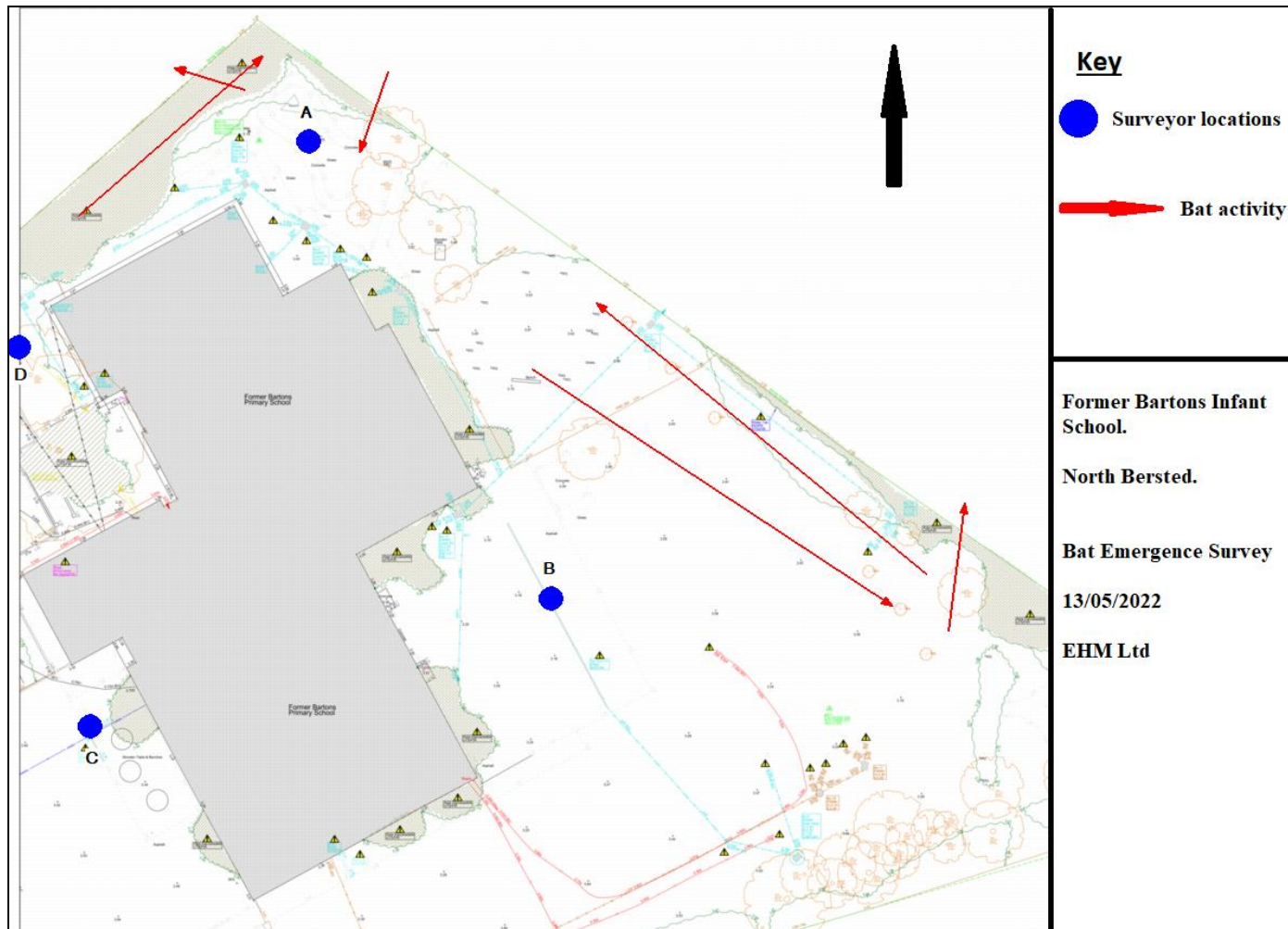
⁷ http://www.bats.org.uk/pages/bats_and_lighting.html

6. Appendix

6.1 Appendix 1: Phase I Habitat Map



6.2 Appendix 2: Bat activity and Surveyor locations



6.3 Appendix 3: Legislation

Protected species have protection under national legislation such as the Wildlife and Countryside Act 1981 and European legislation such as the Habitats Directive. Please note the following:

- (1) If there is no record of a particular protected species, this does not signify that the species is absent from the site in question. It may mean that it has not been recorded, that the site has not been surveyed for this species, or that data relating to its presence has not been made available to us.
- (2) The presence of a protected species record does not mean that the species is still present. It means that the species was recorded at that time and place. The implications of the record should be further evaluated, and a survey to establish the current status may be required.
- (3) The following summary of legislation is designed purely as a basic guide, if any action is to be taken regarding any of the protected species listed, then it is imperative that the full relevant legislation be consulted.

WILDLIFE PROTECTION LEGISLATION IN ENGLAND

Legislation that protects wildlife in England exists at the European and national level.

European Law

The Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979) was aimed at ensuring conservation and protection of all wild plants and animals, increasing cooperation between states, and affording special protection to the most vulnerable or threatened species. It was implemented by the EC Birds Directive (Council Directive 79/409/EEC) and the EC Habitats Directive (Council Directive 92/43/EEC).

The Bonn Convention on Migratory Species of Wild Animals (1979 & 1994) requires the protection of migratory animals. It was implemented by the EC Birds Directive (Council Directive 79/409/EEC) and the EC Habitats Directive (Council Directive 92/43/EEC).

The EC Habitats Directive aims to establish a network of protected areas in order to maintain the distribution and the abundance of threatened species and habitats. A number of species are listed in the annexes.

Annex II lists animals and plants whose conservation requires the designation of Special Areas of Conservation (SACs).

Annex IV lists animals and plants in need of strict protection. For the animals, this prohibits deliberate capture, killing, disturbance (especially during breeding period), destruction or taking of eggs from wild, and destruction or deterioration of breeding sites or resting places. For the plants, this prohibits deliberate picking, collecting, uprooting, cutting, destruction, and trade in entire plants or parts, at all stages of life.

Annex V lists animals and plants for which taking in the wild may be subject to management measures

National Law

Wildlife and Countryside Act The Wildlife and Countryside Act 1981 (as amended) is the main source of legal protection for wildlife in England and was strengthened by the Countryside and Rights of Way Act 2000. A statutory five-yearly review of Schedules 5 and 8 (protected wild animals and plants) is undertaken by the relevant authorities. Species protection is provided under Schedules 1, 5, 6 and 8:

Schedule 1 lists bird species that are rare, endangered, declining or vulnerable. The Schedule is divided into two parts. Part I lists birds which receive special protection; these birds receive additional protection from disturbance at the nest. Part II lists birds that receive the same level of special protection, but only during the breeding season.

Schedule 5 protects animal (other than bird) species from certain actions, according to the sections of the Act under which they are listed:

S9 (1) prohibits the intentional killing, injury or taking. S9 (2) protection is limited to possessing and controlling. S9 (4a) prohibits the damaging, destroying or obstructing access to any place used by the animal for shelter or protection. S9 (4b) prohibits disturbing the animal while it is occupying any structure or place which it uses for shelter or protection. S9(5) prohibits the selling, offering for sale, possessing or transporting for purpose of sale, or advertising for sale, any live or dead animal, or any part of, or anything derived from such an animal. Species on this Schedule do not appear on the PSI.

Schedule 6 lists animals that may not be killed by certain methods. Even humane trapping for research requires a licence.

Schedule 8 lists plant species for which it is prohibited to intentionally pick, uproot, destroy, trade in, or possess (for the purposes of trade).

Under the Wildlife and Countryside Act, all wild plants in Britain are protected from intentional uprooting by an unauthorised person. Landowners, land occupiers, persons authorised by either of these, or persons authorised in writing by the Local Authority for the area are exempt from this, except for Schedule 8 species.

Conservation Regulations the Conservation of Habitats and Species Regulations 2010 (as amended) transpose the EC Habitats Directive into national law. In addition to enabling the designation of SACs, the regulations also provide species protection:

Schedule 2 protects the listed animals from deliberate capture, killing, disturbance or trading in.

Schedule 4 protects the listed plants from picking, collecting, uprooting, destroying or trading in.

These actions can be made lawful through the granting of licences by the appropriate authorities. Licences may be granted for a number of purposes, but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild the population of the species concerned.

Protection of Badgers Act the Protection of the Badgers Act prohibits the killing, injuring or taking of badgers and damage or interference with a badger sett, unless licensed to do so by a statutory authority.

International and European Obligations

In the UK, species receiving protection under international legislation and agreements are protected through the Wildlife and Countryside Act, so are not shown separately in the BMERC notable species lists. For reference, the relevant categories are shown below.

Bern Convention on the Conservation of European Wildlife and Natural Habitats the Bern Convention aims to ensure the conservation of wild flora and fauna species and their habitats.

- Appendix 1 (strictly protected flora) - Plants for which contracting parties will prohibit deliberate picking, collecting, cutting or uprooting.
- Appendix 2 (strictly protected fauna) - Animals for which contracting parties will prohibit deliberate capture, possession, killing, damage to or destruction of breeding or resting sites, disturbance or destruction or taking of eggs. Appendix 3 (protected fauna) - Animals for which contracting parties will include closed seasons and regulate their sale, keeping for sale, and transport for sale or offering for sale of live and dead wild animals. (Not included in Notable Species List).

Bonn Convention on Migratory Species the Bonn Convention aims to conserve terrestrial, marine and avian migratory species throughout their range.

- Appendix 1 (migratory species threatened with extinction) - Species for which contracting parties will strictly protect and endeavour to conserve or restore the places where they live, mitigating obstacles to migration and controlling other factors that might endanger them.
- Appendix 2 (migratory species that need or would benefit from international co-operation) - Species for which contracting parties will be encouraged to conclude global or regional agreements for the conservation and management of individual species or, more often, of a group of species. (Not included in Notable Species List).

The EC Council Directive on the Conservation of Wild Birds the Birds Directive provides a framework for the conservation and management of all wild birds in Europe. As well as designating important sites for birds as Special Protection Areas, birds are generally protected from deliberate killing or capture and destruction of or damage to their nests or eggs, and deliberate disturbance. Allowances are made for game birds.

UK BAP & notable species

UK Biodiversity Action Plan and Section 41 Species

Biodiversity, or biological diversity, is the whole variety of life on Earth. The Convention on Biological Diversity (CBD) came about as a result of the 1992 Earth Summit. As one of 168 countries to sign up to the CBD, the UK was required to develop a national strategy for the conservation of biodiversity; the UK Biodiversity Action Plan (UKBAP) was born.

The UKBAP is the result of contributions involving a wide range of people and organisations, enabling the identification of species and habitats that are listed as priorities for conservation action. A 2007 review of the UKBAP has resulted in 1149 species and 65 habitats being listed as conservation priorities. For more information see www.ukbap.org.uk.

In addition to the national priorities and targets, action is also being taken at local level. The Essex Biodiversity Project is responsible for implementing the Essex Biodiversity Action Plan, which has 28 priority species and 15 priority habitats currently listed. For more information see www.essexbiodiversity.org.uk.

The UK BAP

(From Explanatory Note by Defra and Natural England on Section 41 of the Natural Environment and Rural Communities

(NERC) Act 2006 - Habitats and Species of Principal Importance in England)

The England Biodiversity List has been developed to meet the requirements of Section 41 of the Natural Environment and Rural Communities Act (2006). This legislation requires the Secretary of State to publish a list of species of flora and fauna and habitats considered to be of principal importance for the purpose of conserving biodiversity.

The S41 list will be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the Natural Environment and Rural Communities Act 2006 'to have regard' to the conservation of biodiversity in England, when carrying out their normal functions. In particular:

- Regional Planning Bodies and Local Planning Authorities will use it to identify the species and habitats that should be afforded priority when applying the requirements of National Planning Policy framework (NPPF) and PPS9 Circular to maintain, restore and enhance species and habitats.
- Local Planning Authorities will use it to identify the species and habitats that require specific consideration in dealing with planning and development control, recognising that under NPPF and PPS9 Circular the aim of planning decisions should be to avoid harm to all biodiversity.
- All Public Bodies will use it to identify species or habitats that should be given priority when implementing the NERC Section 40 duty.

Habitats of Principal Importance Fifty-six habitats of principal importance are included on the S41 list. These are all the habitats in England that have been identified as requiring action in the UK Biodiversity Action Plan (UK BAP). They range from habitats such as upland hay meadows to lowland mixed deciduous woodland and from freshwater habitats such as ponds to marine habitats such as subtidal sands and gravels.

Species of Principal Importance There are 943 species of principal importance included on the S41 list. These are the species founding England which have been identified as requiring action under the UK BAP. In addition, the Hen Harrier has also been included on the List because without continued conservation action it is unlikely that the Hen Harrier population will increase from its current very low levels in England.

Relationship with the UK Biodiversity List of Species and Habitats the UK BAP list of priority species and habitats is an important reference source and will be the focus for conservation action across the UK over the next decade. It has been used to draw up the species and habitats of principal importance in England under S41 of the NERC Act.

The revised UK BAP list of priority species and habitats can be downloaded from the UK Biodiversity Website: <http://www.ukbap.org.uk/NewPriorityList.aspx>

Relationship with the biodiversity duty under Section 40 of the NERC Act There is a general biodiversity duty in the NERC Act (Section 40) which requires every public body in the exercising of its functions to 'have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

There is no direct relationship between the Section 41 duty on the Secretary of State to publish the list and promote the taking of steps to conserve the habitats and species on it, and the Section 40 duty on public bodies to have regard to the purpose of conserving biodiversity. Importantly:

(a) Biodiversity, as covered by the Section 40 duty includes all biodiversity and not just the habitats and species of principal importance. However, there is an expectation that public bodies would refer to the S41 list when complying with the section 40 duty.

(b) The duty on the Secretary of State to promote the taking of steps by others is not restricted to public bodies.

Defra guidance for local authorities and public bodies on implementing the biodiversity duty in the NERC Act draws attention to the S41 list, emphasising that local authorities and public bodies have a role to play in ensuring the protection of these species and habitats. Copies of the guidance can be downloaded from:

<http://archive.defra.gov.uk/environment/biodiversity/documents/pa-guid-english.pdf>

The overall aim of the Essex Biodiversity Project is to protect, conserve and enhance the variety of wildlife species and habitats in Essex through the successful implementation of the Essex Biodiversity Action Plan.

