

BAT & OWL SURVEY AT BAIRD'S FARM PIG STIES CLIPPING

SEPTEMBER 2007

Client: JOHN L BAIRD (HOME FARM) LTD

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1 Summary

- 1.1 No evidence of bat or owl use or occupation was found in any of the structures surveyed, either internally or externally.
- 1.2 A Natural England licence in respect of bats will not be required for this development.
- 1.3 No evidence of use by barn owl *T.alba* was found therefore no mitigation in respect of these animals is required.

2 Background

- 2.1 The property is the subject of a planning application to convert the existing buildings into office accommodation.
- 2.2 A bat & owl survey was required as part of the planning process. This survey was carried out by Martin Love on the 12th September 2007.

3 Location

- 3.1 Map Ref : TQ 000017
- 3.2 Address : Baird's Farm Shop
The Street
Climping
Littlehampton
BN17 5RQ

4 Description of property

- 4.1 The property consists of a row of redundant pig sties with their long axis orientated approximately east-west located in arable fields to the east of Climping Street and south of the A 259.
- 4.2 There are 17 pig sties, all single storey structures with low pitched lean too corrugated asbestos type material roofs. The walls are solid brick.
- 4.3 There are no trees on the site.

5 Bat legislation

- 5.1 The following section describes the protection afforded to bats and their roosts in Britain.
- 5.2 The UK is a signatory to the Agreement on the Conservation of Bats in Europe set up under the Bonn Convention. The Fundamental Obligations of Article III of this agreement require the protection of all bats and their habitats, including the identification and protection from damage or disturbance of important feeding areas for bats.
- 5.3 All British bat species and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended). The Countryside and Rights of Way Act 2000 reinforces the protection of bats by introducing the concept of 'reckless destruction' into the legislation as well as significantly increasing penalties for offences.
- 5.4 All British bat species are also European Protected Species through being included on Annex IV of Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (known as the Habitats Directive), which is implemented in Britain by the Conservation (Natural Habitats &c) Regulations 1994 (as amended). The legislation makes it illegal to kill, injure, capture, disturb or sell bats, or obstruct, damage or destroy bat roosts. Under the law, a roost is any structure or place used for shelter or protection. Since bats tend to return to the same roosts, the roost is protected whether the bats are present or not. This legislation provides defence so that necessary operations may be carried out in places used by bats, provided the appropriate statutory nature conservation organisation (in England this is Natural England) is notified and allowed a reasonable time to advise on whether the proposed operation should be carried out, and if so, the approach to be used.
- 5.5 Other international conventions to which Britain is a signatory also protect bats. Except for the pipistrelle which is on the less stringent Appendix 3, all British bats are listed on Appendix 2 of the Convention on the Conservation of European Wildlife and Natural Habitats (known as the Berne Convention) which requires strict protection against deliberate killing, capture, damage/destruction of breeding sites, disturbance, trading (including parts and derivatives), etc. All British bats are on Appendix II of The Bonn Convention on the Conservation of Migratory Species of Wild Animals. Such species are generally regarded as of conservation concern and/or deemed to be able to benefit from international co-operation. Signatories are encouraged to restore/maintain species' conservation status through management and other appropriate measures. The United Kingdom is also a signatory to the European Bats Agreement which aims to promote greater protection for bats by protecting key sites and habitats.

- 5.6 A Natural England development licence is required under Regulation 44(2)(e) of the Conservation (Natural Habitats, &c.) Regulations 1994, for works to be carried out to a bat roost. If the proposed works are within a dwelling house, no licence is required, but Natural England must be consulted.
- 5.7 Natural England is the appropriate authority for determining licence applications for works associated with development. Three tests must be satisfied before Natural England can issue a licence under Regulation 44(2)(e) to permit otherwise prohibited acts:
- 5.7.1 Regulation 44(2)(e) states that licences may be granted by Natural England "to preserve 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 to the environment".
 - 5.7.2 Regulation 44(3)(a) states that a licence may not be granted unless Natural England is satisfied "that there is no satisfactory alternative".
 - 5.7.3 Under Regulation 44(3)(b) a licence cannot be issued unless Natural England is satisfied that the action proposed "Will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range".
- 5.8 Evidence of the proposed provisions to accommodate the bats in the future would be required for a licence to be granted—for example, an alternative roost might need to be provided.

6 Methods

- 6.1 All accessible roof voids were entered and searched for any bats in residence or signs of bat activity or occupation.
- 6.2 The external structure was searched for any signs of bat access or potential access points. These include bat droppings on external walls and windows and discolouration of the fabric where bats may have entered the structure.
- 6.3 All trees within the site and on the boundaries were searched for any potential bat roost sites, including for example broken or cracked branches, splits, loose bark, rot holes and die-back and woodpecker holes. The configuration of the landscape and vegetation within and around the site was assessed as potential flight lines or feeding areas.

- 6.4. The structures were searched for any signs that barn owl *Tyto alba* has used the buildings for nesting.
- 6.5. An evening ultrasonic bat detector survey, when required, would commence at approximately half an hour before sunset and continue until at least one after sunset.
- 6.6. Equipment used :
 - 6.6.1 Batbox Ltd, Batbox III and Batbox Duet ultrasonic bat detectors.
 - 6.6.2 Provision100 fibre scope.

7 Observations

- 7.1 No evidence of bat use or occupation was found in any of the structures surveyed, either internally or externally.
- 7.2 The construction methods and materials used do not provide any suitable bat roost sites.
- 7.3 There are no trees on the site that could contain bat friendly features.
- 7.4 No evidence of the presence of barn owl *T. Alba* or past nesting activity was found in any of the structures.
- 7.5 An evening ultrasonic bat detector survey was not carried out as it was considered that such a survey would not provide any further useful information.

8 Conclusions

- 8.1 It is unlikely that bats have used or are likely to use these buildings for roosting or shelter.
- 8.2 A Natural England licence in respect of bats will not be required for this development.
- 8.3 During conversion of the pig sties and particularly the removal of the roof, any hanging tiles or cladding, soffits and barge boards, care must be exercised to ensure that if bats are discovered that the bats are not harmed, and that work is

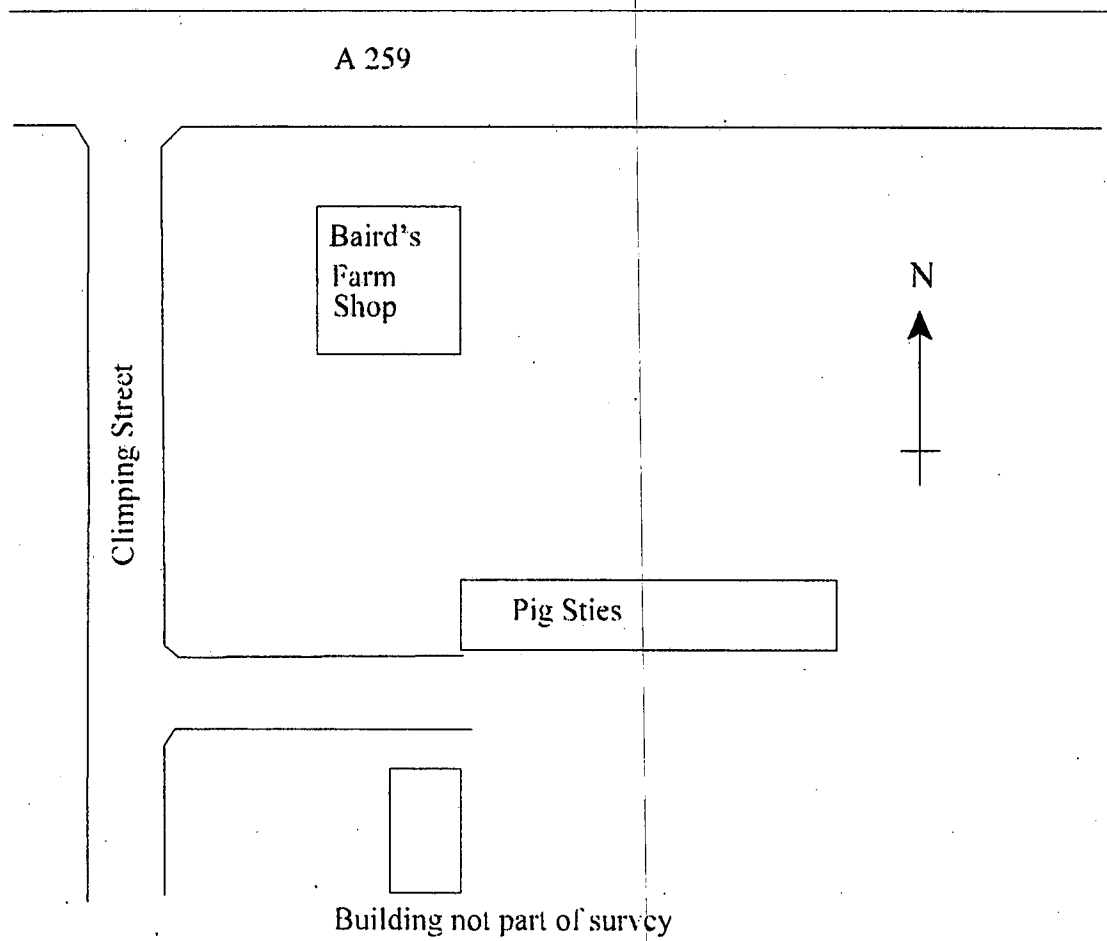
suspended until Natural England, the Statutory Body for bats, has been informed and made recommendations as to how to proceed.

- 8.4 No evidence of use by barn owl *T.alba* was found therefore no mitigation in respect of these animals is required.
- 8.5 All wild birds and their young are protected whilst building or occupying their nests. The nesting season for wild British birds is from March to August inclusive, however with global warming this nesting season may extend into February.

9 References & Bibliography

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Natural England licence No: 20062883
6 November 2007

10 Sketch plan

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