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BATS EMERGENCE AND RE- EMERGENCE SURVEY

Clinton House, Pondfield Lane, Gravesend, DA12 3LD

Report by

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1 Introduction and background

- 1.1.1 MME Environmental was instructed to perform a Bat Emergence or Re-entry survey at Clinton House, Pondfield Lane, Gravesend, DA12 3LD, referred to as "the site." This assessment was necessary to provide information for a planning application. This assessment follows on from a Preliminary Ecological Appraisal (PEA) produced by Ecoassistance Ltd. and dated 25th April 2024.

1.1 Legislation summary

- 1.1.1 A summary of the relevant legislation and planning policies is provided in Appendix 4.
- 1.1.2 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).
- 1.1.3 When bat roosts are present, the bat surveys undertaken at a site facilitate the characterisation of the roost type. This allows for appropriate mitigation and compensation to be designed to inform a European Protected Species Licence (EPSL) application to Natural England.
- 1.1.4 The definitions of bat roost types are provided below, taken from the Bat Mitigation Guidelines (English Nature, 2004) and the Bat Conservation Trust (BCT) publication Bat Surveys for Professional Ecologists – Good Practice Guidelines (Collins, 2023):
- Day roost: a place where individual bats, or small groups of males, rest or shelter in the day but are rarely found by night in the summer.
 - Night roost: a place where bats rest or shelter in the night but are rarely found in the day. May be used by a single individual on occasion or it could be used regularly by the whole colony.
 - Feeding roost: a place where individual bats or a few individuals rest or feed during the night but are rarely present by day.
 - Transitional/occasional roost: used by a few individuals or occasionally small groups for generally short periods of time on waking from hibernation or in the period prior to hibernation.
 - Swarming site: where large numbers of males and females gather during late summer to autumn. Appear to be important mating sites
 - Mating sites: sites where mating takes place from later summer and can continue through winter.
 - Maternity roost: where female bats give birth and raise their young to independence.
 - Hibernation roost: where bats may be found individually or together during winter. They have a constant cool temperature and high humidity. Sites where hibernating bats have been confirmed by appropriate survey effort should be classed as 'hibernation confirmed'.

- Satellite roost: an alternative roost found in close proximity to the main nursery colony used by a few individual breeding females to small groups of breeding females throughout the breeding season.
- Other: roost types are interchangeable and not always easy to classify according to the nuances of certain species.

1.1.5 An EPSL will not be required to enable the proposed works to be lawfully undertaken. Appropriate justification for this assessment is provided in Table 2.

1.2 Scope of Report

1.2.1 The primary aims are, through a process of investigation and assessment, to determine if any bat roosts are present, what the type of roost may be, the species using them, their status and relative conservation importance and any likely impacts that could occur because of the proposals. Where impact is identified, appropriate mitigation and compensation measures are provided as supporting information to inform the planning application.

1.2.2 The assessment of a site for bats is based on the following sources of information, including that obtained from third parties and the results of the previous PEA/PRA surveys:

- A desk study including:
- A data search for bat records within a 2km radius of the site.
- An assessment of the surrounding habitats for their likely importance to bats.
- The presence of any protected areas cited for their bat populations; and
- The location and status of any nearby European Protected Species Mitigation licensed sites for bats.
- A PEA with a PRA comprising a detailed building inspection
- Presence/absence surveys (emergence and re-entry surveys)

- 1.2.3 The elements listed above comprise the individual parts of the process that underlie the assessment in this report. If, at the preliminary assessment, the buildings and or trees did not provide any potential for a roost, the assessment would have been stopped at that stage. Due to a few roost features being identified and local record, a emergence/re-entry survey will be required to confirm presence or likely absence, to determine the species present, and to characterise any roosts located.
- 1.2.4 This assessment has been prepared with reference to best practice guidance published by the Bat Conservation Trust (Collins, 2023) and as detailed in BSI Standards Publication 42020:2013 Biodiversity – Code of Practice for Biodiversity and Development (British Standards Institution, 2013).
- 1.2.5 This report provides supporting information in the appendices with a georeferenced map of the survey results in Appendix 2 and site photographs in Appendix 3.

1.3 Site Context and Status

- 1.3.1 The site comprises residential property with garden and outbuilding. The site is surrounded by trees and hedgerows offering a good foraging and commuting opportunity. Figure 1 shows the site in situ

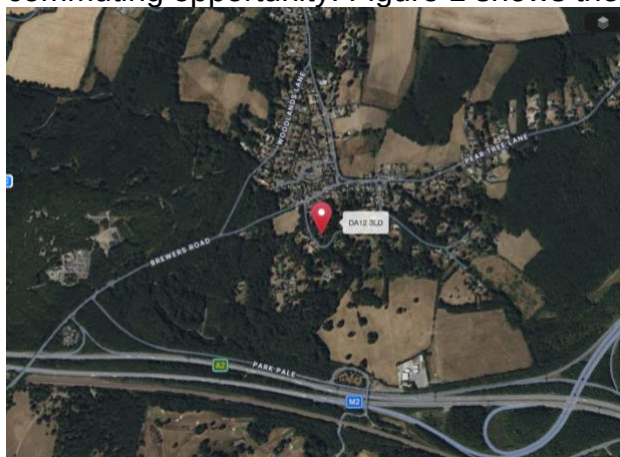


Figure 1 Site in situ highlighted red (Google Earth)

2 Methodology

2.1 Desk Study

2.1.1 A desk study was conducted as part of the PEA/PRA to obtain data relating to bats within a 2km radius of the site, as made available by the Essex Field Club. Additional contextual information was compiled from publicly available data sources:

- MAGIC (<http://www.magic.gov.uk>) – the Government's online mapping service. Information was sought concerning: the presence of ancient semi-natural woodland (ASNW); statutory designated nature conservation sites; and extant or historic European Protected Species Mitigation licences for bats;
- Ordnance Survey mapping and publicly available aerial photography to determine any features such as: running and standing water; woodland; tree lines; hedgerows; railway corridors; and the surrounding landscape uses.

2.2 Site visit

2.2.1 The Bat Emergence and Re-entry Survey was carried out by Michal Mixa FdSc. MarborA, an Ecologist with 3 years of commercial ecological survey.

2.2.2 The Bat Emergence and Re-entry Survey made use of the following equipment:

- • Infra Red reflectors.
- • Infra Red camera;
- • Wildlife acoustics Echo Meter Touch 2 Pro.

2.2.3 Two surveyors were employed around the building to allow clear views of all potential roost entry/exit points identified during the preliminary roost assessments. One surveyor was situated on front of the garage doors other in rear garden. The dusk survey commenced 15 minutes before sunset and continued for up to 2 hours after sunset. Each of the surveyors noted down details of any bat activity including bat passes, species, numbers, location, emergence or re-entry, foraging and commuting, recording details to a data sheet and a map.

2.2.4 The surveyors employed a combination of full spectrum bat detectors using heterodyne function for aural ID in the field, and/or, full spectrum detectors for sound analysis post-survey.

2.3 Post-Survey Analysis

2.3.1 The audio recordings were analysed post-survey using BatExplorer V2.2, software, to confirm species identification and the timing of any passes. Any passes likely to have originated from Myotis species would have been determined to genus level only due to the complexity of differentiating between these species.

2.4 Limitations

2.4.1 This survey follows best practice guidance to confirm presence or likely absence of roosting bats and where present, characterise the roost. However, this information is collected at finite dates and times, and provides an indication of the conditions on site only. The use of the building, and the site by bats, cannot be established based on this information. 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.

- 2.4.2 Due to dense vegetation on the eastern side of the stable, the surveyor view was obscured to the south-eastern part of the building however, due to this dense vegetation and high levels of domestic animal activity it is unlikely that this would impact overall results. Furthermore, NVAs were not deployed on this survey due to high levels of natural light allowing the surveyors to see all key roost features identified during the PRA.

3 Results and Evaluation

3.1 Desk Study Summary

3.1.1 A total of 1 bat species were recorded within 2km from site in last 5 years according to MAGIC.

3.2 Bat Emergence and Re-entry Survey

3.2.1 During the surveys, few bats were observed to commune and forage, none to emerge from the building. Natters pipistrelle, soprano pipistrelle, western brown myotis, noctule, long ear grey, Western Barbastelle, Leister Noctule, Bechenstein myotis, barbastelle Daubetons Myotis calls were identified by surveyor's bat detector and confirmed through sound analysis. Please see the result summarises below

Table 1 survey summary

Date		05/06/24
Start and Finish Time		20:50 – 23:00 Sunset: : 21:22
Weather Conditions	Start:	Finish:
	Temp: 17°C Relative Humidity: 62% Cloud Cover: 0% Wind: 3mph (SSE) Rain: None	Temp: 14°C Relative Humidity: 62% Cloud Cover: 50% Wind: 3mph (SSE) Rain: None
Surveyor Position		<u>Position 1 –:</u> Observing building and garage from the front <u>Position 2 :</u> Observing the garage and side of the building.
Building Reference	Surveyor Position	Notes and Observations:
Site	1	21:19 Natters pipistrelle; 4x soprano pipistrelle; western brown myotis and noctule call 21:20 5x soprano 1x common pipistrelle call 21:23 soprano pipistrelle call 21:24 2x soprano pipistrelle and 1x long ear grey call

		21:26 - 21:30 12x soprano and 1x common pipistrelle call distant 21:31 - 21:40 8x soprano pipistrelle and 21:36 western barbestelle, Natters call Leister noctule common pipistrelle 2x long eared brown call; 3x common serotonin; bechenstein call distant 21:37 long eared passed over my head continuing towards conifer 21:38 common pipistrelle call; soprano pipistrelle passed from trees towards entry gate 21:40 soprano pipistrelle circling above entrance 21:41 soprano pipistrelle flew from trees continued towards rear of the garden Western bar Estelle; common pipistrelle; long eared brown; common serotonin call; bechenstein myotis 21:42 common serotonin pass over the house towards the road 21:44 3x soprano pipistrelle call distant 21: 45 3x common serotonin; 2x bechenstein myotis distant call 21:48 soprano pipistrelle passes the house towards trees 21:49 soprano pipistrelle; common pipistrelle and western barbestelle distant call. 21:49 soprano pipistrelle passes towards trees from behind the house towards trees 21:52 soprano pipistrelle passes between the house and garage towards the road; soprano pipistrelle passed across front of the house 21:53 soprano pipistrelle distant call 21:54 2x soprano pipistrelle and 3x common serotonin circling behind the garage in rear garden around tree line. 21:56 soprano pipistrelle pass from line of trees in the back garden towards the road 21:58 - 22:05 9x soprano pipistrelle call distant 22:11 2x soprano pipistrelle call distant 22:27 long eared brown bat call
Site	2	21:51 common pipistrelle passes from rear garden towards neighbour n4 22:09 Daubetons Myotis call 22:17 soprano pipistrelle calls

		22:26 soprano pipistrelle passes from the road S towards rear garden 22:31 soprano pipistrelle call 22:33 common pipistrelle passes from road towards the rear garden
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Date		22/07/24
Start and Finish Time		21:00 – 23:30 Sunnett: :21:38
Weather Conditions	Start:	Finish:
	Temp: 22°C Relative Humidity: 77% Cloud Cover: 0% Wind: 14mph (SSW) Rain: None	Temp: 17°C Relative Humidity: 73% Cloud Cover: 0% Wind: 12mph (SSW) Rain: None
Surveyor Position		<u>Position 1 –:</u> Observing building from the side and garage from the rear. <u>Position 2 :</u> Observing the front of the building.
Building Reference	Surveyor Position	Notes and Observations:
Site	1	21:30 Bat pass from rear garden towards line of trees 21:31 bat pass from line of trees further away across the rear garden 21:35 2x soprano pipistrelle call 21:36 noctule call 21:37 soprano pipistrelle call 21:43 noctule pass over head towards front garden 21:45 Leisers noctule call 21:45 soprano pipistrelle call 21:46 - 21: 55 Bats spotted foraging in openings before wooded area in the rear garden 21:54 leisers noctule call 21:54 common serotine call

		21:56 noctule and soprano pipistrelle call 22:05 common serotine call 22:12 - 22: 25 3x soprano pipistrelle call foraging above bay tree and rear garden 22:22 noctule call 22:27 soprano pipistrelle call 22:34 soprano pipistrelle 22:38 grey long ear call
Site	2	21:30 soprano pipistrelle call 21:34 soprano pipistrelle call pass from rear garden towards road 21:43 noctule pass over head towards the road 21:46 soprano pipistrelle call and spotted foraging in the wooded area 21:49 2x soprano pipistrelle call 21:50 3x soprano pipistrelle call 21:51 common serotine and soprano pipistrelle call 21:53 soprano pipistrelle call 21:54 soprano pipistrelle pas from side of the garden towards the road 21:59 noctule call 22:03 soprano pipistrelle call

4 Conclusions and Recommendations

4.1.1 Three bat emergence and re-entry survey have been completed as per recommendation of previous report with results of no bats being observed emerging or re-entering the structure impacted by proposed development. Table 2 presents a summary the buildings suitability for roosting bats in relation to the proposed development.

Table 2 Survey results, conclusions and foreseen impact to proposed development with recommendations

Feature	Survey Conclusion (with justification)	Foreseen Impacts	Recommendations <i>Measures required to adhere to guidance, legislation and planning policies</i>	Enhancements <i>The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021)</i>
Residential building	Bat emergence surveys were unable to determinate if bats using the building as a roost. However, original report confirming presence of long ear brown bat and dropping, As such, it is understood that the building may be used occasionally as feeding roost or night roost.	Proposal seeks demolish garage roof and extend main building to the side. To legally authorize the proposed works, an EPSL (European Protected Species Licence) application must be submitted to Natural England. Given the number of roosts and species on the site, it qualifies for a Bat Mitigation Class Licence (BMCL). The BMCL application requires that surveys have been conducted during the most recent active bat season (May to September). Before submission, planning permission must be granted, and all relevant wildlife-related conditions should be addressed	A precautionary working method should be implemented during and post-development. This should include the following measures: The potential roost features should be removed by hand (where a risk still remains following the pre-commencement inspection) prior to any mechanical demolition. In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice. A low impact lighting strategy will be adopted for the site during and post-development, which should include the following measures: Use narrow spectrum light sources to lower the range of species affected by lighting. Use light sources that emit minimal ultra-violet light.	The installation of a of two bat boxes on the new development or adjacent habitats (trees) will provide additional roosting habitat for bats, these include: 2F Schwegler Bat Box (trees) 1FF Schwegler Bat Box (trees) 2FN Schwegler Bat Box (trees) Beaumaris Bat Box (buildings) Vivara Pro Woodstone Bat Box (buildings) Or a similar alternative brand. Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light. Alternatively, bat boxes could be incorporated into new buildings on the site e.g. Habitat Bat Box Schwegler 1FR Bat Tubes Bat tubes should be inserted into the fabric of the building during construction, positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance and facing landscapes areas, away from artificial light.

		whenever possible. The survey efforts should include at least one survey between May and June when bat roost detection rates are highest. Additionally, a Material Changes Check will be necessary within three months of submitting the BMCL if no survey work has been conducted during that period. As part of the BMCL, the following mitigation measures should be implemented: Retention or provision of alternative roosting sites, such as bat boxes, during and after construction. Implementation of a sensitive lighting strategy to minimize disturbance to bats. Timing of works to avoid the active season for bats, where possible. Monitoring of bat activity before, during, and after the works to ensure the effectiveness of mitigation measures.	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 <4,200 kelvin. Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal. Light spill should 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.	
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Appendix 1 – References

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- *BRITISH STANDARD 8683:2021 (2021). PROCESS FOR DESIGNING AND IMPLEMENTING BIODIVERSITY NET GAIN.*
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[HTTPS://DESIGNATEDSITES.NATURALENGLAND.ORG.UK/SITESEARCH.ASPX](https://designatedsites.naturalengland.org.uk/siteSearch.aspx)
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Appendix 2 – Bat Survey Plan:

Clinton House, Pondfield Lane, Gravesend, DA12 3LD



Clinton House, Pondfield Lane, Gravesend, DA12 3LD



Appendix 3 - 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.

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:

- 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;
- Scientific and educational purposes; ringing or marking; and,
- 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.