Batscan Ltd

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BAT SURVEY REPORT

Site:	Garage Building at 23 Hurst Road Hassocks West Sussex BN6 9NJ
Clients:	Mr G Baker 23 Hurst Road Hassocks West Sussex BN6 9NJ
Surveyors:	D P King MEECW (NE Level 2 Bat Class Lic.No. 20116001-CLS-CLS) NE Registered Bat Consultant RC 182 S L Wright (NE Level 2 Bat Class Lic. No. 2016-24340-CLS-CLS)
Survey Dates:	17th June 2024
Report Date:	29th June 2024

Contents:

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Bat Survey of Garage at 23 Hurst Road, Hassocks, West Sussex, BN6 9NJ - OS Grid Ref: TQ 29666 15563

Executive Summary

Two surveyors from Batscan Ltd carried out a combined Phase 1 bat survey (daytime building inspection) and Phase 2 bat survey (dusk emergence check/bat activity survey) of the detached double garage at 23 Hurst Road, Hassocks, West Sussex, on 17th June 2024.

The survey was requested by the property owner, who is proposing to demolish and replace the existing building. Because bats and their roosts are protected by law, appropriate surveys are required, prior to any building works which may cause them harm or disturbance.

The relatively modern garage constructed of brick and stone with a pitched and hipped, tiled roof. The property lies on the west side of Hassocks, with open countryside to the north and south of the site. The surrounding habitat is considered to be ideal for bat use.

At this time of the year, female bats are gathered in summer maternity roosts, rearing their young. All bats, apart from dependent young, emerge to feed, on their insect prey, during dry and mild nights. The weather was ideal for bat activity, during this survey.

Prior to the survey, Batscan surveyors carried out a desk study, checking aerial maps and other data to gain an understanding of the likelihood of bats being found in this area. At the site, the surveyors discussed the proposed works with the property owner and undertook a thorough inspection of the exterior and interior of the garage.

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No bats or evidence of bat use was seen in or around the garage, although a number of lifted roof tiles were noted, on the south side of the pitched and hipped roof, which offer some potential for roosting bats. One or two potential roosting features were also noted beneath slightly lifted hanging tiles, on the west end wall. The garage was assessed as offering a low but not negligible, potential for bat use.

The property owner told surveyors that evidence of bat use had been seen in the attic space In the house. A brief search of the void was undertaken, for completeness, although *no work is proposed to the house, at the present time*. A small accumulation of apparently fresh droppings, most likely from a single long-eared bat *(Plecotus* sp.), was found on the floor of the roof void.

The surveyors remained on site through dusk, using full-spectrum bat recorders and infra-red cameras to record bat activity, as night fell. During the dusk emergence check, no bats emerged from the garage, although at least one bat emerged from the main house.

The results of this survey confirm that the garage is not used by roosting bats at the present time. Therefore, no further bat surveys are required, unless works do not proceed within a period of one year from the date of this survey. However, because bats are active in the area, appropriate precautions are required when demolishing the building and it is recommended that provisions for roosting bats are incorporated into any replacement building. Further advice is given, in this report.

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1. Introduction & Background

1.1 Two surveyors from Batscan Ltd carried out a combined Phase 1 bat survey (daytime building inspection) and Phase 2 bat survey (dusk emergence check/bat activity survey) of the detached garage at 23 Hurst Road, Hassocks, West Sussex, on 17th June 2024. Both surveyors hold Natural England Scientific Bat Licences and one is also Natural Registered Bat Consultant. For details of licences and affiliations, please see this report cover.

1.2 The survey was requested by the property owners, who are proposing to demolish and replace the existing building. Because bats and their roosts are protected by British and European law, appropriate surveys are required, prior to any building works which may cause them harm or disturbance. A brief account of the laws protecting bats and of relevant planning considerations, is attached to this report.

1.3 The relatively modern garage is situated to the west of the detached house and is constructed of brick and stone, with a pitched and hipped, clay-tiled roof and areas of clay tile-hanging on each gable end. The ground floor is divided into two areas; the double garage/storage area, accessed via two large, timber doors, on the west side and a small room, with a staircase leading to the first floor, as well as an enclosed WC, on the east side. The converted roof space has been used as a guest room and features three tile-hung, dormer windows on the south side and three Velux-style roof windows on the front, (north side). There is an inaccessible and very shallow roof void above the first floor room and small eaves storage spaces on both the north and south sides.

1.4 The garage is a short distance from the tree-lined boundaries of the property, which is set in large, mature gardens. Hurst Road lies on the west side of Hassocks, with open countryside to the north and south of the residential area. The surrounding habitat is considered to be ideal for bat use and the property owners told surveyors that they are aware of some minor bat use of the main house. Bats have also been seen flying in the gardens of the property.

1.5 At this time of the year, female bats are gathered in their summer maternity roosts, whilst young are reared. Males are roosting singly, or in small groups. All bats, apart from any dependent young, will emerge to feed, on their insect prey, during nights when weather conditions are suitable. The weather was ideal for bat activity, during this survey.

2. Phase 1 Bat Survey/Bat scoping Survey – 17th June 2024 – Methodology

2.1 Prior to the survey, aerial maps of the site were studied to assess the surrounding habitat for bat potential. Batscan consultants checked the MAGIC (Multi Agency Geographic Information for the Countryside) website, to establish the proximity of the site to granted European Protected Species Licences, with respect to bats. See 3.1 below.

2.2 The surveyors checked the exterior of the garage, searching for evidence of bat use, such as bat droppings on tiles, walls, windows or on the ground beneath possible roost entrances. Potential roosting places and access points were noted. Binoculars were used to inspect higher levels of the roof. Powerful torches were used to search accessible gaps beneath uneven roof tiles, at lower levels, as well as any gaps beneath hanging tiles on the gable walls.

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2.3

2.4 The interior rooms of the garage building were carefully searched for bats and evidence of bats.

2.4 The surveyors discussed the proposed works with the property owner. For completeness, a brief search was also made of the house roof void, where evidence of bats had been noted by the owner, although the house will not be affected by the proposed redevelopment of the garage.

2.5 Photographs were taken and detailed notes were made. Positions were chosen for the dusk emergence check.

2.6 Recommendations from the Bat Conservation Trust's 'Bat Surveys for Professional Ecologists: Good Practice Guidelines' (4th edn)*[1] were followed for the course of these surveys.

3. Phase 1 Bat Survey/Bat scoping Survey – 17th June 2024 – Results

3.1 The check of aerial maps revealed that the site is situated in an area offering ideal bat habitat, with good connectivity, via hedgerows and tree-lines, to farmland and areas of woodland, as well as to the nearby, tree-lined railway line. The search of the MAGIC website indicated that three EPS licences (bats) have been granted within approximately 2km of the site. These relate to non-breeding roosts and date from between 2012 and 2020. Bat species concerned were common pipistrelle *(Pipistrellus pipistrellus),* brown long-eared bat *(Plecotus auritus),* whiskered bat *(Myotis mystacinus)* and serotine *(Eptesicus serotinus).* The MAGIC Map list does not include 'low impact' licences (Bat Mitigation Class Licences). See MAGIC Maps, below.

3.2 The Garage - Exterior

A number of lifted roof tiles, offering some potential for roosting bats, such as the small, crevice-dwelling pipistrelles, were noted on the south side of the pitched and hipped roof. Tiles on the north side roof slope are more tight-fitting, with a light covering of moss, owing to shade from the nearby, mature oak tree. One or two potential roosting features (PRFs) were also noted where a small number of the clay hanging tiles are slightly uneven, on the west end wall. Soffits and lead flashing appear to be tight-fitting. The garage was assessed as offering a low, but not negligible, potential for bat use.

Fig. 1 – The garage, viewed from the south (rear) side

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Fig 2 – The garage, viewed from north (front) side

Fig. 3 – Slightly uneven roof tiles on the rear (south side of the roof)

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Fig. 4 – Slightly raised tiles on west side wall of garage

Fig. 5 – tight-fitting soffits on N side of garage

3.3 The Garage – Interior

No bats were seen inside the garage area, at the west end of the building, which is in regular use. The ground floor rooms on the east side are well lit and tightly sealed, as is the first floor room. No bats or evidence of bat use was seen in the small eaves storage spaces and the very shallow roof void, above the first floor ceiling, was not accessible, but is considered unlikely to be used by bats.

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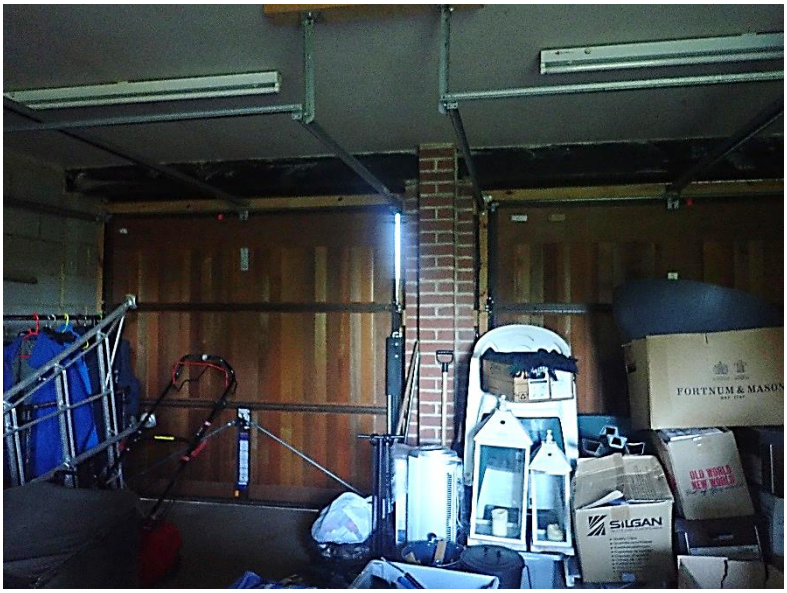

Fig. 6 – Interior of garage/store

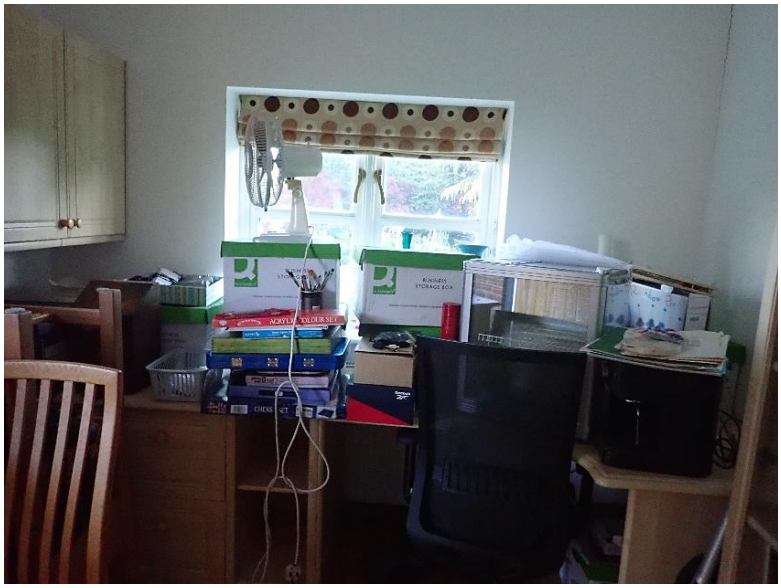

Fig. 6 – Ground floor room on E side

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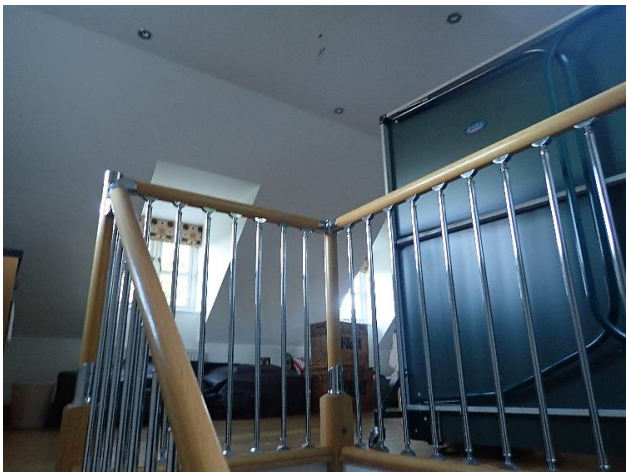

Fig. 7 – Stairs to first floor room

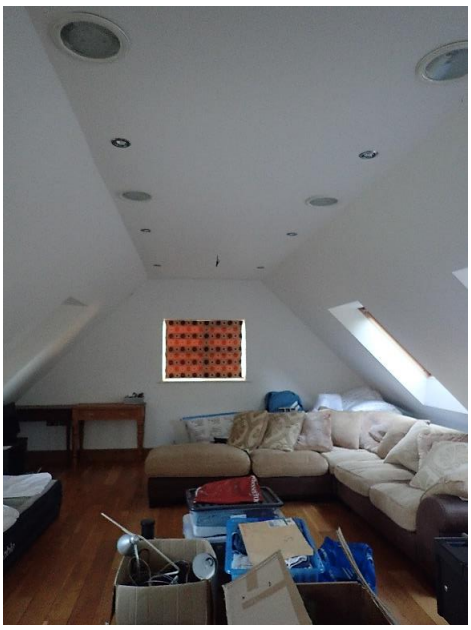

Fig. 8 – First floor room

Fig. 9 – Eaves storage space

3.4 Surrounding Habitat – The Main House (*not included in proposed works*)
A small accumulation of apparently fresh bat droppings, most likely from a single long-eared bat *(Plecotus* sp.), was found on the floor of the roof void, in the main house, although no bats were seen in this area.

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Fig. 10 – The garage, to right of photo – main house to left

Fig. 11 – roof apex, main house

Fig. 12 – bat droppings on floor of roof void, *main house*

4. Phase 2 Survey (Dusk Emergence Check/Bat Activity Survey) – 17th June 2024 - Methodology

4.1 At dusk, when bats emerge from their roost sites to feed, the surveyors were positioned so as to get the best possible view of any bats emerging from the garage and for bats foraging/commuting in the area.

The surveyors were positioned, as follows:

Surveyor 1: To the north-west of the garage – Sheila Wright

Surveyor 2: To the south of the garage – David King

4.2 Equipment

The surveyors used Batbox Griffin time-expansion recorders and Batbox Baton XD detectors to listen to and record bat echolocation calls and to identify any bats heard to species level, where possible. Recordings were made, for later computer analysis with BatScan and Sonobat

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software. Additionally, two Canon XA20 infra-red, night vision cameras were used to monitor any bat activity around the garage, together with arrays of IR illuminators. Prior to bat emergence time, the surveyors used bat detectors to listen for pre-emergence 'chatter', sometimes heard from bat colonies before leaving their roost. The surveyors carried high powered torches and communicated via 2-way radio comms.

4.3 Weather Conditions

The survey was undertaken on a mild, clear and dry evening with a moderate breeze. The temperature was 16°C at the start of the survey period and 15°C at sunset. Conditions were considered to be ideal for bat activity.

4.4 Timing

The evening emergence check/bat activity survey started at 20:45. Sunset was at 21:16. The survey continued for 1½ hours.

5. Phase 2 Survey (Dusk Emergence Check/Bat Activity Survey) – 17th June 2024 – Results

5.1 No bats were seen emerging from the garage or showing particular interest in this building, during the survey. At least one bat appeared to have emerged from a roost in the nearby house. Bats seen and heard were as follows:

Time	Species	Activity
21:42	Soprano pipistrelle *(Pipistrellus pygmaeus)*	Pass from direction of road and past garage
21:43 – 22:26	Serotine *(Eptesicus serotinus)*	Regular passes as bat seen flying around house and gardens
22:01	**Long-eared bat *(Plecotus* sp.)**	**Emerged from W side of main house**
22:03	Soprano pipistrelle	Passing N side of garage

Fig. 13 - Surveyor positions, P2 survey - ★ IR Camera positions - ★

Surveyors' fields of view △

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Fig. 14 – IR camera view of S side of garage

Fig. 15 – Infra-red camera view of N side of garage

5.2 Bats Recorded during Phase 2 Bat Survey:- (Species roosting in house in bold type)

- Soprano pipistrelle *(Pipistrellus pymaeus)* is considered to be common and widespread in the UK.

- **Long-eared bat *(Plecotus* spp.) The brown long-eared bat *(Plecotus auritus*) is common and widespread throughout the UK**. The grey long-eared bat *(Plecotus austriacus)* is very rare, but has occasionally been recorded in East and West Sussex. The two, closely related species are difficult to distinguish from echolocation calls alone, but the individual which roosts in the house roof is most likely to be the much more common brown long-eared bat.

- Serotine *(Eptesicus serotinus)* - a large bat, which roosts almost exclusively in buildings. Although not widespread in the UK, this species occurs frequently in S E England.

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6. Survey Constraints

6.1 There were no significant constraints to this combined Phase 1 and 2 survey, which was carried out in ideal weather conditions and during the optimal season for bat activity.

7. Conclusions and Recommendations

7.1 **The results of this survey confirm that the garage is not used by roosting bats at the present time. Therefore, no further bat surveys are required, unless works do not proceed within a period of one year from the date of this survey. However, because bats are active in the area, appropriate precautions are required when demolishing the building. A written copy of a toolbox talk, in respect of bats, is included with this report. This gives advice on the care required when working in areas where bats might be found and on what to do, if a bat or evidence of bat use is encountered.**

7.2 It is recommended that provisions for roosting bats are incorporated into any replacement building, as an aid to local biodiversity. For example, two or more bat access tile sets*[2]could be fitted into roof slopes (please note that 1F felt or a certified 'bat-safe' membrane must be used beneath tiles or cladding in areas where bats might roost). Alternatively, two purpose-made, integral bat roosting units could be fitted into new walls, at as high a level as possible, but not directly above or adjacent to doors or windows. See example, below*[3]

*[1] Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). The Bat Conservation Trust, London. ISBN-978-1-7395126–0-6

*[2] & *[3]

Bat Tiles - Bat Access Tiles & Ridges | Tudor Handmade Roof Tiles, UK (tudorrooftiles.co.uk)

Integrated Eco Bat Box (NB) | Wildlife Services (Other models are available)

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Bat Sonagrams – June 2024

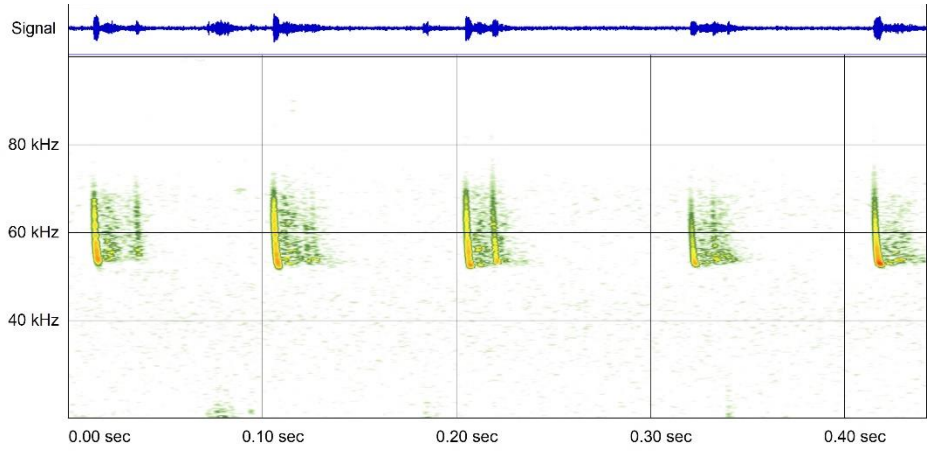

Fig. 16 - Soprano pipistrelle *(Pipistrellus pygmaeus)*

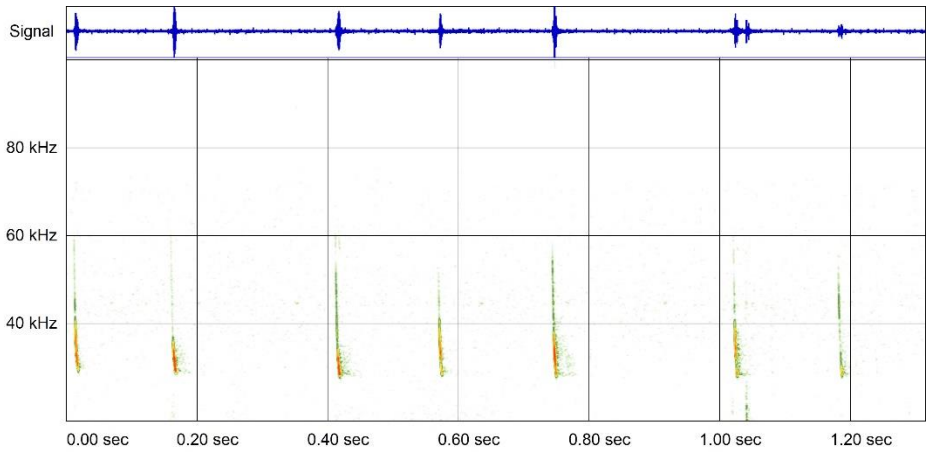

Fig. 17 - Serotine *(Eptesicus serotinus)*

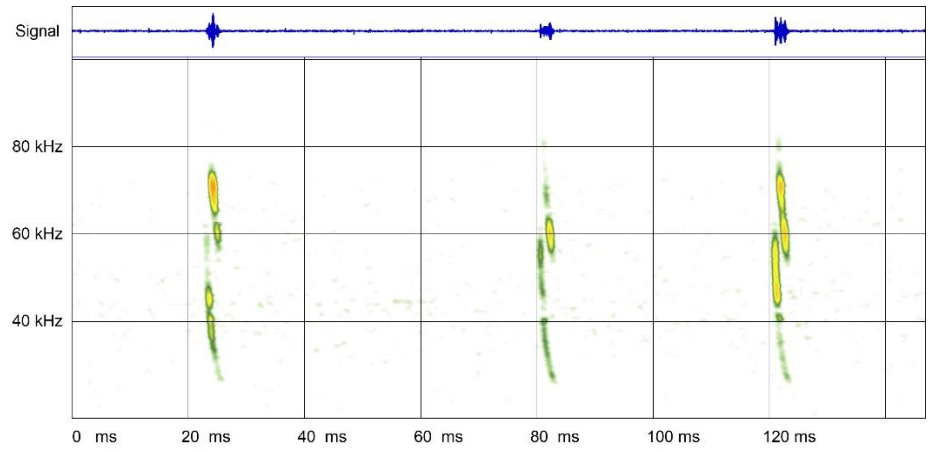

Fig. 18 - Long-eared bat *(Plecotus* sp.)

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MAGIC Maps

Fig. 19 – The garage, circled

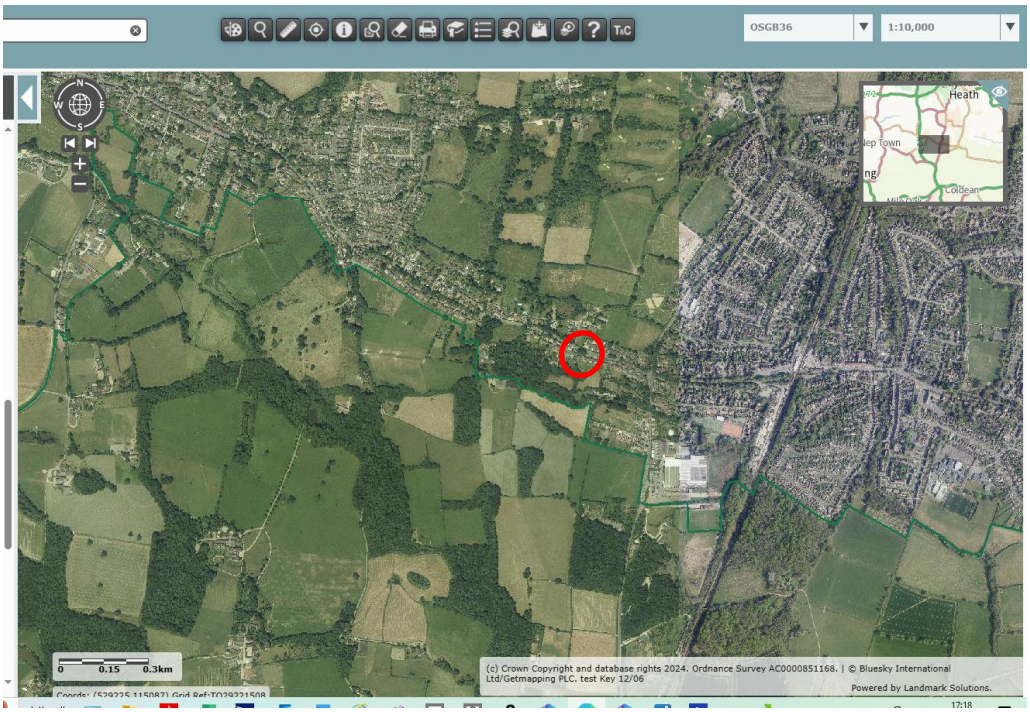

Fig. 20 - The site, circled

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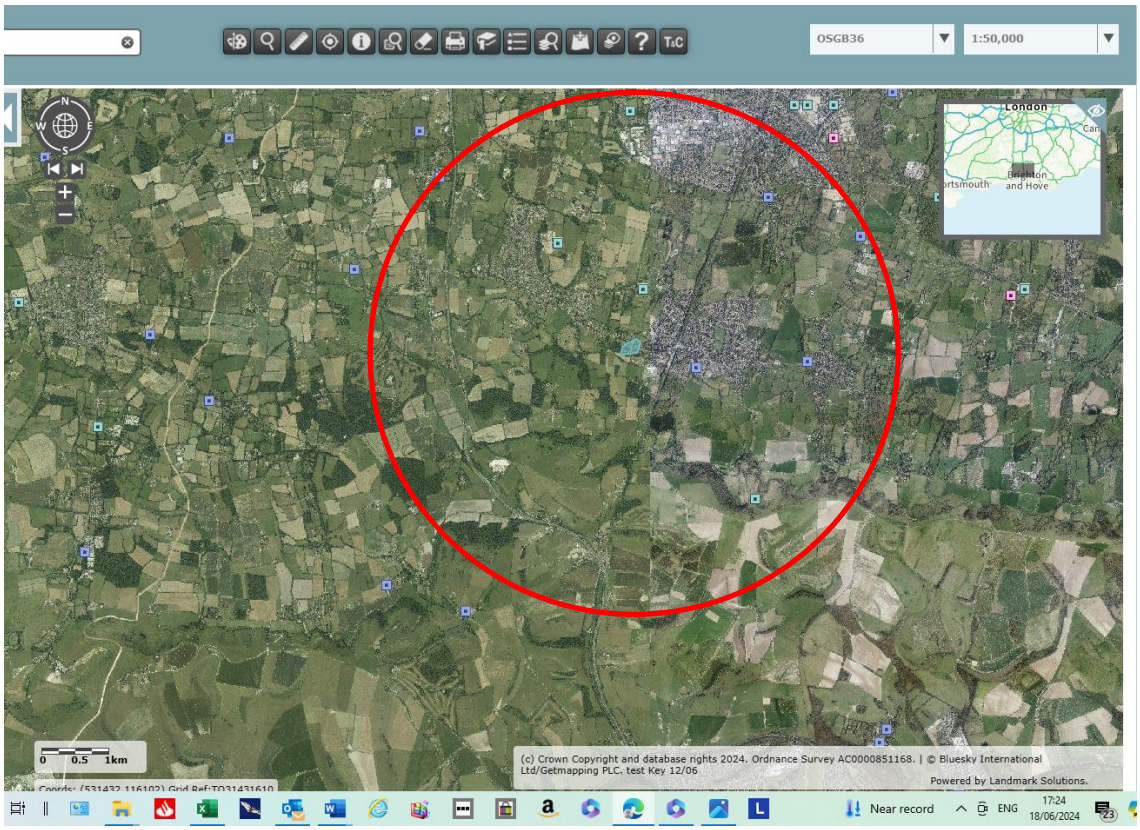

Fig. 21 - Granted EPS Licences (Bats) within approx. 2km of site (site circled in red)

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Overview of the law relating to bats – England and Wales (should not be relied on in place of professional legal advice.) - Updated January 2024 with advice from the 4th edition of the Bat Conservation Trust's 'Bat Surveys for Professional Ecologists – Good Practice Guidelines'.*[1]

Legal Protection

All bat species and their roosts in England and Wales are protected under The Conservation of Habitats and Species Regulations 2017 (as amended). Annex II of the Council Directive 92/43/EEC 1992, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), lists species of Community interest, for which conservation requires the designation of Special Areas of Conservation (SACs), as part of the Natura 2000 network. (now referred to, in the UK, as 'the National Site Network', following Brexit). Annex IV lists species of Community interest in need of strict protection. This protection means that they are also a relevant consideration in a Habitats Regulations Assessment (HRA). All bat species are listed in Annex IV and some are listed in Annex II (greater horseshoe bat *(Rhinolophus ferrumequinem),* lesser horseshoe bat *(Rhinolophus hipposideros),* barbastelle *(Barbastella barbastellus)* and Bechstein's bat *(Myotis bechsteinii).*

The EC Habitats Directive was transposed into UK law and the regulations implementing the Directive in the Conservation of Habitats Regs. 2017 (as amended) in England and Wales. The regulations are generally referred to as the Habitats Regulations. When the UK left the European Union in January 2020, although no longer bound by European legislation, the related domestic legislation was retained, so that bats receive the same level of protection as previously. The European Commission published an updated version of their Guidance document (EC 2021) and this remains a relevant source of information.

All species of bats found in the wild in the UK are, therefore, European Protected Species (EPS) and it is unlawful to kill, injure, capture or take a wild bat. It is also unlawful to disturb bats, particularly if the level of disturbance can be shown to impair their ability to survive, to breed or reproduce, to rear young, to hibernate or migrate and also to significantly affect local distribution or abundance. In England and Wales, this offence requires a deliberate action. Throughout the UK, it is illegal to damage or destroy a place used by a bat for breeding or resting. This offence is unique in that it is a strict liability offence which can be committed accidentally; no element of intentional, reckless or deliberate action needs to be evidenced. Under the Habitats Regulations, it is an offence to be in possession of a wild bat, alive or dead, or any part of a bat; to sell, transport or exchange a bat.

It is also illegal in England and Wales, under the **Wildlife and Countryside Act 1981 (as amended)** to intentionally or recklessly disturb a bat, whilst it is occupying a place of shelter or protection. In England and Wales, it is an offence under the W&C Act to intentionally or recklessly obstruct access to any place used by a bat for shelter or protection. As with intentional or reckless disturbance, **The Environment Act, 2021** introduces a new exception to the W&C Act offences for any actions taken under the auspices of a Habitats Regulations Licence. A further change, made in 2022, allows licences to be issued (in England) for reasons of overriding public interest, providing there is no other satisfactory solution and that the activities licensed will not be detrimental to the survival of the species concerned. This provision relates to development works. Actions, which would otherwise be illegal, can be made lawful, if licensed by the appropriate licensing body (Natural England (NE) in England). It is an offence to make a false statement in order to obtain a bat licence or to fail to comply with licence conditions.

A householder who disturbs a bat in its place of protection in a dwelling house, or obstructs access to this place of protection, does not commit an offence if they first seek and advice from Natural England and allow time for such advice to be provided. However, if the bat is within the living space of a dwelling, it is not considered to be an offence to disturb it. It is not illegal to take a disabled bat, for the sole purpose of tending it and releasing it when appropriate, providing the person can show that it was not harmed deliberately by them. It is also not illegal to kill a bat (unless harmed by their own unlawful act), if there is no reasonable chance of it recovering. These defences only apply where there is no reasonable alternative and when the act will not be detrimental to the Favourable Conservation Status of the species, in its natural range.

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Across the UK, Sites of Special Scientific Interest (SSSIs) have been identified by the Statutory Nature Conservation Bodies, including some notified for their bat interest. The relevant legislation is the W&C Act. This provides additional protection for bats and their roosts, in these sites.

The police have the power to stop and search a person who is suspected of committing a bat related offence, enter property (other than a dwelling house) without a warrant, or enter a dwelling house with a warrant. They are empowered to take with them any person or equipment required to exercise these powers.

Those found guilty of offences relating to bats can face unlimited fines in England and Wales, and/or be sentenced to six months imprisonment. Any profit arising from this criminal activity can be confiscated.
The Environmental Damage (Prevention and Remediation) (England) Regulations 2015 aim to prevent damage to the environment, including protected species, such as bats. The regulations require the operator to take all practicable steps to prevent environmental damage and give enforcing authorities the power to serve notice and specify action required to prevent environmental damage. Remediation orders can be imposed to repair any damage which has occurred. This can be used alongside a prosecution under the Habitats Regs., to gain better outcomes.

Licensing

The two main types of relevant licence are **EPS survey licences** and **EPS mitigation licences**:
Survey Licences are granted in England by Natural England and are issued to ecologists, under the Habitats Regs and the W&C Act, to permit them to undertake activities that would otherwise be illegal – i.e. entering bat roosts and disturbing bats. The ecologist is required to be suitably qualified and experienced under British Standard BS42020. Different activities (ie, certain projects and methodologies) are licenced under separate licences. Photographing bats is only permitted under a survey licence when it is 'an incidental part of other licensed bat work'. Where disturbing bats is proposed for the sole purpose of photography, this must be specifically licensed.

Conservation Licences are issued where improvements are made to a bat roost for the specific aim of conserving the species.
Class Licences for surveying bats in England cover all bat-related activity, outside of the NE volunteer bat roost visitor advice service, including bat box checks, hibernation surveys, general surveys and limited use of equipment such as harp traps etc. There are four levels of licence, allowing for different bat-related activities (both voluntary and professional): **Level 1** (to survey bats by observation only, not including hibernating bats – WML-CL17, **Level 2** (to survey bats using artificial light, inc. hibernating bats, use of hand-held and static nets – WML-CL18, **Level 3** (to survey bats, including previous methods and additionally to use mist nets and acoustic lures (WML-CL19) and **Level 4**, as previous licences but including the use of harp traps.

European Protected Species (EPS) licences (derogation, mitigation or development licences) are issued under the Habitats Regs., by NE in England, after three tests have been satisfied in relation to the proposed action:
The proposed action must be for the purpose of preserving public health or safety or other reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and preventing serious damage to property.
There is no satisfactory alternative to the proposed action and: The action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

The Environment Act 2021 introduced a new exception to the Wildlife and Countryside Act offences, for any actions taken under the auspices of a Habitat Regs. Licence. Another change is that licences can now be issued in England for reasons of overriding public interest, providing the tests are met. This provision for development activities was not previously available under the W&C Act. In order for the licensing tests to be correctly applied, it is essential that adequate bat survey information is supplied. Without this, a licence may not be granted.

In 2018, NE introduced a new 'low impact' licensing scheme, now titled the **Bat Mitigation Class Licence (BMCL).** Ecologists can become 'Registered Consultants' to use this type of licence, with appropriate training

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and assessment. The BMCL is only suitable for low conservation status roosts of common bat species.
In 2018, NE announced the introduction of a **Bats in Churches Class Licence**, allowing appropriately trained Registered Consultants to use a more streamlined process when the presence of bats in a church is resulting in significant impacts.

In 2021, NE began a pilot of the **Earned Recognition Scheme**, where a consultant's competence in undertaking survey work and associated mitigation, etc., is assessed and accredited. Using an accredited consultant allows developers to experience a more streamlined licencing process. A competency framework defines the requirements for different levels of accreditation. A second pilot phase, known as Beta ER, is currently underway.

It is also possible, in England, to apply for an **organisational licence**, which licences organisations (under specific conditions) to carry out certain routine activities affecting bats.

Planning Policy Context

The biodiversity duty is imposed in England through the Environment Act 2021, which amends the **Natural Environment and Rural Communities (NERC) Act 2006** by adding the words 'and enhance' alongside 'conserve'. Public authorities must consider what action they can take to further the biodiversity objective.

Relevant Policy documents in England are:

National Planning Policy Framework (NPPF), Circular 06/05: Bioidiversity and Geological Conservation – Statutory Obligations & their Impact Within the Planning System (2005) and National Planning Practice Guidance Natural Environment (2019).

In addition to the national policy guidance, regional and local planning policies should be consulted and **NE's Standing Advice to LPAs (GOV.UK.2022A)** may be relevant. Planners are required to consider protected species as a material consideration when assessing a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Where bats may be present, this will include the need for adequate bat surveys to establish the presence or absence of bats, to predict the likely impact on bats and their roosts and if necessary, to design appropriate mitigation measures, etc.. In planning terms, development includes activities requiring outline or full planning permission, permitted development, listed building consent and/or prior approval to demolish. SSSI consent may also be needed. Further details are provided in Clauses 6 to 8 of BS42020 (BS1, 2013) see:
https://knowledge.bsigroup.com/products/biodiversity-code-of-practice-for-planning-and- development-standard
Additionally, the Partnership for Biodiversity in Planning (PBP) Project, funded by the Esmee Fairbairn Foundation, was a partnership of 19 organisations in the conservation, planning and development sectors and has produced an online, interactive trigger list called the Wildlife Assessment check (WAC) – https://www.biodiversityinplanning.org/wildlife-assessment-check

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