

Land at 115 Chatham Street, Reading

Addendum Bat Survey Report

July 2021

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Project:	Land at 115 Chatham Street, Reading
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Executive Summary

- i) **Introduction.** Aspect Ecology was commissioned by Archel Homes Ltd in July 2021 to undertake a bat roost presence/ absence survey in respect of the on-site building located at land at 115 Chatham Street, Reading.
- ii) **Proposals.** The proposals are for redevelopment of the site to provide approximately 54 residential units within a new multi-storey building.
- iii) **Survey.** The existing on-site building at 115 Chatham Street was previously assessed by Aspect Ecology in January 2021 as providing low potential to support roosting bats. A single dusk emergence survey for bats has subsequently been carried out in July 2021, the results of which are detailed within this report.
- iv) **Roosting Bats.** No evidence of roosting bats was recorded during the dusk emergence survey undertaken. As such, roosting bats are likely to be absent from the existing on-site building.
- v) **Summary.** Based on the findings of the survey work undertaken to date, it is considered unlikely that the proposals will result in significant harm to bats, thus maintaining the conservation status of local populations.

1 Introduction

1.1 Background

- 1.1.1 Aspect Ecology was commissioned by Archel Homes Ltd in July 2021 to undertake a bat roost presence/absence survey in respect of the on-site building at land at 115 Chatham Street, Reading, centred at grid reference SU 70870 73482, hereafter referred to as 'the site'.
- 1.1.2 Aspect Ecology undertook an internal and external visual building inspection survey of the on-site building in January 2021, in order to establish whether the building supports or has the potential to support an active bat roost. The findings of this survey are detailed within an Ecological Appraisal (February 2021), submitted as part of the planning application (ref: 210349/FUL).
- 1.1.3 During the January 2021 survey work, the building was assessed to provide low potential to support roosting bats. On this basis, a single dusk emergence survey has been undertaken to determine whether any bat roosts are present, in accordance with best practice guidance¹.

1.2 Site Overview & Proposed Works

- 1.2.1 The site is located in central Reading within an urban context. The site is bound to the north by the A329 and associated pedestrian pavements. The eastern, southern, and western boundaries consist of a mix of residential buildings and business establishments with tarmacked areas for parking. The site itself comprises a two-storey disused office complex with an associated tarmacked parking area.
- 1.2.2 The proposals are for redevelopment of the site to provide approximately 54 residential units within a new multi-storey building.

1.3 Purpose of the Report

- 1.3.1 This Addendum Bat Survey Report documents the methods and findings of the dusk emergence survey, undertaken to confirm the presence / absence of roosting bats at 115 Chatham Street. Proportionate recommendations and mitigation measures are also set out in order to ensure that any bats are fully safeguarded under the proposals.

¹ Collins, J. (ed.) (2016) 'Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn).' Bat Conservation Trust

2 Legislation and Ecology

2.1 Legislation

2.1.1 All British bats are classed as European Protected Species and therefore receive protection under The Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence to:

- Deliberately kill, injure or capture bats;
- Deliberately disturb bats, including in particular any disturbance which is likely to impair their ability to survive, to reproduce or to rear or nurture their young, or their ability to hibernate or migrate, or which is likely to affect significantly their local distribution or abundance;
- Damage or destroy a breeding site or resting place of a bat.

2.1.2 In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- Damage or destroy, or obstruct access to, any structure or place which any bat uses for shelter or protection; or
- Disturb bats while occupying a structure or place used for that purpose.

2.1.3 If proposed renovation work is likely to destroy or disturb bats or their roosts a licence may need to be obtained from Natural England which would be subject to appropriate measures to safeguard bats.

2.2 Ecology

2.2.1 There are at least 17 breeding bat species in Britain. Many of them are considered threatened due to a variety of factors including habitat loss and disturbance / damage to roosts. Of these species, a number regularly use buildings as roost sites.

2.2.2 Bats are highly mobile flying mammals, which, in Britain, feed entirely on insects. They are able to fly and feed in the dark by using a system of echolocation that gives them a 'sound picture' of their surroundings.

2.2.3 In winter when prey is scarce, British bats hibernate in humid parts of buildings, caves or hollow trees where temperatures are typically stable. They may wake occasionally but only become fully active again in the spring.

2.2.4 Female bats gather together in maternity roosts in summer to give birth and rear their single offspring. Like other mammals, bats have fur and give birth to live young. Infant bats suckle on their mother's milk for several weeks until they can fly and hunt insects for themselves. Bats are long-lived mammals and some British species are known to live to over twenty-five years of age.

3 Methodology

3.1 Dusk Emergence Survey

- 3.1.1 In line with best practice guidance², the building at 115 Chatham Street was subject to a single dusk emergence survey, undertaken on 8th July 2021, to confirm the presence / absence of roosting bats. The on-site building is L-shaped, with each 'wing' comprising a different structure. Accordingly, the building is shown on Plan 6102/BSR1 as 'B1a' and 'B1b'.
- 3.1.2 Surveyors were located so as to view fully those features providing opportunities for roosting bats (see Plan 6102/BSR1 for surveyor locations). Surveyors employed Anabat Scout handheld bat detectors to aid identification of any bats observed. An infrared (IR) camera set-up, comprising a Sony FDR-AX53 camera and two Uniqefire T75 IR lights, was deployed at one location as shown on Plan 6102/BSR1. Surveyors were in position 15 minutes prior to sunset, remaining in place for approximately 1.5 – 2 hours. This survey method aims to identify any roosting bats emerging from potential roost sites.
- 3.1.3 The survey work was undertaken at a suitable time of year and under suitable weather conditions as detailed further in table 3.1 below.

Table 3.1. Dusk survey details.

Date	Start & end times & time of sunset	Structure reference / location	Equipment used	Weather
08/07/2021	Start time: 21.06 End time: 22:51 Sunset: 21.21	B1a & B1b	Anabat Scout	Dry, 70% cloud, BF2, 16°C
Comments: The survey was undertaken by 4 surveyors under direction of licence holder 2019-38859-CLS-CLS				

BF0 = calm, BF12 = hurricane force.

- 3.1.4 All bat calls were analysed using Analook W v4.4a to verify the species recorded during the survey work. Where recordings could not be reliably attributed to species (such as for *Myotis* species) or where overlaps between otherwise distinguishable species occur (such as in *Pipistrelle* bat calls around 40kHz or 50kHz) calls were identified to genus level.

3.2 Survey Constraints / Limitations

- 3.2.1 The survey work was undertaken at a suitable time of year, and under suitable weather conditions. The positions of the surveyors and infra-red camera ensured all potential bat roosting features were observed. As such, no overriding constraints were identified, and the level of survey work carried out for bats is considered to provide an accurate baseline to assess the potential for impacts on roosting bats under the proposals.

² Collins, J. (ed.) (2016) 'Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn).' Bat Conservation Trust

4 Survey Results and Evaluation

4.1 Dusk Emergence / Dawn Re-Entry Survey Results

- 4.1.1 Based on the results of the building visual inspection survey, the building at 115 Chatham Street was assessed to be of 'Low' suitability for roosting bats. Accordingly, the building was subject to a single dusk emergence survey. The results of this dusk emergence survey are summarised in Table 4.1 below.

Table 4.1. Emergence survey results.

Building	Date	Sunset/ sunrise	Emergence/ re- entry	Summary of other activity
115 Chatham Street (B1a/B1b)	08/07/2021 (Dusk)	Sunset: 21:21	<u>None</u>	A small number of passes by Common Pipistrelle <i>Pipistrellus pipistrellus</i> was recorded in the wider area surrounding the site, with a single Noctule <i>Nyctalus noctula</i> pass also identified.

4.2 Evaluation

- 4.2.1 The dusk emergence survey carried out at 115 Chatham Street **did not record the presence of any active bat roosts** associated with the on-site building and as such, it is considered that bats are likely absent and specific mitigation or licensing for bats is not required.
- 4.2.2 Nonetheless, bats are dynamic animals and it remains possible that individual bats could colonise the site in the future. Natural England guidance in respect of European Protected Species³ such as bats advises that, even where proposals are reasonably unlikely to result in any offence, such that licensing is not required, reasonable precautions should be taken to minimise the risk to protected species in the unlikely event that they should be found during the course of the activity. Accordingly, recommended precautionary safeguarding measures are set out at Chapter 5 below and subject to their implementation it is considered that bats will be fully safeguarded under the proposals.

³ Natural England (2013) 'European Protected Species: Mitigation Licensing - How to get a licence (WML-G12)'

5 Mitigation and Safeguarding Recommendations

- 5.1 The dusk emergence survey carried out at 115 Chatham Street did not record the presence of any active bat roosts. Nonetheless, in line with Natural England guidance, reasonable precautions should be taken to minimise the risk to protected species in the unlikely event that they should be found during the course of the activity. Accordingly, it is recommended that the safeguarding strategy includes the following key measures:
- 5.2 **Update Survey.** Should any considerable time (e.g. >12 months) elapse between the survey work detailed above and building demolition, an update survey should be undertaken of the building.
- 5.3 **Unexpected Discovery of Bats.** In the unlikely event that bats are discovered during works at 115 Chatham Street, works should cease immediately and a suitably qualified ecologist will be contacted for further advice. This is likely to involve the ecologist visiting the site and assessing the requirement for a Natural England mitigation licence.

6 Conclusions

- 6.1 Aspect Ecology has carried out a dusk emergence bat survey and assessment of 115 Chatham Street, Reading, to inform the planning application and associated works.
- 6.2 This addendum report sets out the results of specific bat survey work undertaken, confirming that the building at 115 Chatham Street (B1a and B1b) is not recorded to support an active bat roost(s). Nonetheless, bats are dynamic animals and it remains possible that individual bats could colonise the site in the future and safeguarding measures for bats have been proposed on that basis.

Plan 6102/BSR1:

Bat Survey Results



- Key:
- Site Boundary
 - Building
 - Hardstanding
 - Loft Void LV1
 - Surveyor Location
 - IR Camera Location
 - Field of View



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Land at 115 Chatham Street,
Reading
Bat Survey Results

PROJECT

TITLE

DRAWING
NO.

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DATE

6102/BSR1

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July 2021



Appendix 6102/1:

Legislation Summary

LEGISLATION SUMMARY

1. In England and Wales primary legislation is made by the UK Parliament, and in Scotland by the Scottish Parliament, in the form of Acts. The main piece of legislation relating to nature conservation in the UK is the Wildlife and Countryside Act 1981 (as amended).
2. Acts of Parliament confer powers on Ministers to make more detailed orders, rules or regulations by means of secondary legislation in the form of statutory instruments. Statutory instruments are used to provide the necessary detail that would be too complex to include in an Act itself¹. The provisions of an Act of Parliament can also be enforced, amended or updated by secondary legislation.
3. In summary, the key pieces of legislation relating to nature conservation in the UK are:
 - Wildlife and Countryside Act 1981 (as amended)
 - Protection of Badgers Act 1992
 - Hedgerows Regulations 1997
 - Countryside and Rights of Way (CROW) Act for England and Wales 2000
 - Natural Environment and Rural Communities Act 2006
 - Conservation of Habitats and Species Regulations 2017
4. A brief summary of the relevant legislation is provided below. The original Acts and instruments should be referred to for the full and most up to date text of the legislation.
5. **Wildlife and Countryside Act 1981 (as amended)**. The WCA Act provides for the notification and confirmation of Sites of Special Scientific Interest (SSSIs) identified for their flora, fauna, geological or physiographical features. The Act contains strict measures for the protection and management of SSSIs.
6. The Act also refers to the treatment of UK wildlife including protected species listed under Schedules 1 (birds), 5 (mammals, herpetofauna, fish, invertebrates) and 8 (plants).
7. Under Section 1(1) of the Act, all wild birds are protected such that it is an offence to intentionally:
 - Kill, injure or take any wild bird;
 - Take, damage or destroy the nest of any wild bird whilst in use* or being built;
 - Take or destroy an egg of any wild bird.

* The nests of birds that re-use their nests as listed under Schedule ZA1, e.g. Golden Eagle, are protected against taking, damage or destruction irrespective of whether they are in use or not.
8. Offences in respect of Schedule 1 birds are subject to special, i.e. higher, penalties. Schedule 1 birds also receive greater protection such that it is an offence to intentionally or recklessly:
 - Disturb any wild bird included in Schedule 1 while it is building a nest or while it is in, on or near a nest containing eggs or young;
 - Disturb dependent young of such a bird.

¹ <http://www.parliament.uk/business/bills-and-legislation/secondary-legislation/statutory-instruments/>

9. Under Section 9(1) of the Act, it is an offence to:
 - Intentionally kill, injure or take any wild animal included in Schedule 5.
10. In addition, under Section 9(4) it is an offence to intentionally or recklessly:
 - Obstruct access to, any structure or place which any wild animal included in Schedule 5 uses for shelter or protection; or
 - Disturb any wild animal included in Schedule 5 while occupying a structure or place which it uses for that purpose.
11. Under Section 13(1) it is an offence:
 - To intentionally pick, uproot or destroy any wild plant listed in Schedule 8; or
 - Unless the authorised person, to intentionally uproot any wild plant not included in Schedule 8.
12. The Act also contains measures (S.14) for preventing the establishment of non-native species that may be detrimental to native wildlife, prohibiting the introduction into the wild of animals (releases or allows to escape) and plants (plants or causes to grow) listed under Schedule 9.
13. **Protection of Badgers Act 1992.** The Act aims to protect the species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact common over most of Britain. It should be noted that the legislation is not intended to prevent properly authorised development. Under the Act it is an offence to:
 - Wilfully kill, injure, take, possess or cruelly ill-treat* a Badger, or attempt to do so;
 - To intentionally or recklessly interfere with a sett# (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

* the intentional elimination of sufficient foraging area to support a known social group of Badgers may, in certain circumstances, be construed as an offence

A sett is defined as “any structure or place which displays signs indicating current use by a Badger”. Natural England advice (June 2009) is that a sett is protected so long as such signs remain present, which in practice could potentially be for some time after the last actual occupation by Badger. Interference with a sett includes blocking tunnels or damaging the sett in any way
14. Licences can be obtained from the Statutory Nature Conservation Organisation (SNCO) for development activities that would otherwise be unlawful under the legislation, provided there is suitable justification. The SNCO for England is Natural England.
15. **Hedgerows Regulations 1997.** ‘Important’ hedgerows (as defined by the Regulations) are protected from removal (up-rooting or otherwise destroying). Various criteria specified in the Regulations are employed to identify ‘important’ hedgerows for wildlife, landscape or historical reasons.
16. **Countryside and Rights of Way (CROW) Act for England and Wales 2000.** The CROW Act provides increased measures for the management and protection of SSSIs and strengthens wildlife enforcement legislation. Schedule 12 of the Act amends the species provisions of the WCA 1981, strengthening the legal protection for threatened species. The Act also introduced a duty on Government to have regard to the conservation of biodiversity and maintain lists of species and habitats for which conservation steps should be taken or promoted, in accordance with the Convention on Biological Diversity.

17. **Natural Environment and Rural Communities Act 2006.** Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as local planning authorities, in implementing their duty under Section 40 of the Act, to have regard to the conservation of biodiversity in England, when exercising their normal functions. 56 habitats and 943 species of principal importance are included on the S41 list. These are all the habitats and species in England that were identified as requiring action in the UK Biodiversity Action Plan (BAP).
18. **Conservation of Habitats and Species Regulations 2017 (as amended).** The Regulations enact the European Union's Habitats Directive (92/43/EEC) in the UK. The Habitats Directive was designed to contribute to the maintenance of biodiversity within member states through the conservation of sites, known in the UK as Special Areas of Conservation (SACs), containing habitats and species selected as being of EC importance (as listed in Annexes I and II of the Habitats Directive respectively). Member states are required to take measures to maintain or restore these natural and semi-natural habitats and wild species at a favourable conservation status.
19. The Regulations also require the compilation and maintenance of a register of European sites, to include SACs and Special Protection Areas (SPAs)² classified under Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). These sites constitute the Natura 2000 network. The Regulations impose restrictions on planning decisions likely to significantly affect SPAs or SACs.
20. The Regulations also provide protection to European Protected Species of animals that largely overlaps with the WCA 1981, albeit the provisions are generally stricter. Under Regulation 43 it is an offence, *inter alia*, to:
 - Deliberately capture, injure or kill any wild animal of a European Protected Species;
 - Deliberately disturb any wild animals of any such species, including in particular any disturbance likely to impair their ability to survive, to breed or reproduce, to rear or nurture their young, to hibernate or migrate, or which is likely to affect significantly their local distribution or abundance;
 - Deliberately take or destroy the eggs of such an animal;
 - Damage or destroy a breeding site or resting place of such an animal.
21. Similar protection is afforded to European Protected Species of plants, as detailed under Regulation 47.
22. The Regulations do provide a licensing system that permits otherwise illegal activities in relation to European Protected Species, subject to certain tests being fulfilled.

² Special Protection Areas (SPAs) are protected sites classified in accordance with Article 4 of the EC Directive on the Conservation of Wild Birds (79/409/EEC) (aka the Birds Directive), which came into force in April 1979. SPAs are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species.

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The logo for Aspect Ecology Ltd features the word "aspect" in a white, lowercase, sans-serif font. A thin, white, diagonal line is positioned above the letter "p", extending from the top of the letter "t" towards the right.

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