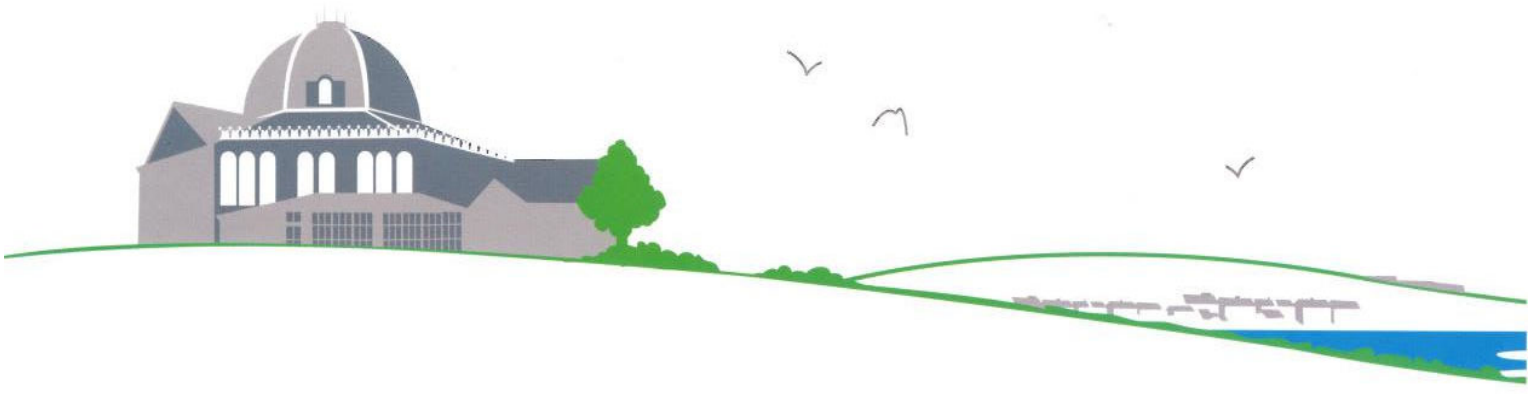
Penny Anderson Associates Ltd
CONSULTANT ECOLOGISTS

DOMIS CONSTRUCTION

VICTORIA HOUSE, MANCHESTER

UPDATE INSPECTION OF BUILDING FOR BATS



DOMIS CONSTRUCTION

VICTORIA HOUSE, MANCHESTER

UPDATE INSPECTION OF BUILDING FOR BATS

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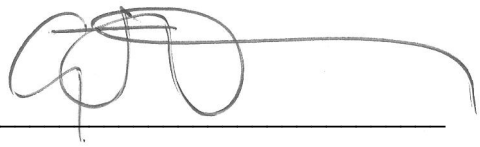
This project has been undertaken in accordance with PAA policies and procedures on quality assurance.

Signed:

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1. INTRODUCTION

1.1 Penny Anderson Associates Ltd (PAA) was commissioned by Domis Construction to carry out an update building inspection for roosting bats at Victoria House, Great Anchor Street, Manchester (hereafter referred to as the 'site').

1.2 The previous inspection was dated July 2018 and found negligible potential for roosting bats. A recommendation of the report was to reinspect the building if demolition was not completed within two years. This report details the methods and results of this update survey.

1.3 The site consists of hardstanding and buildings with no trees.

Bat Biology

1.4 There are 17 species of native bats known to be resident (i.e. breed) in the British Isles. British bats feed entirely on insects and have developed a complex sonar system, known as echolocation, which enables them to find prey and navigate around their environment at night.

1.5 Habitat requirements vary widely, both on an individual and species level, although certain features, such as woodland, parkland, traditional pasture, marshes and areas of freshwater, are often focal points for foraging, as insects are plentiful in these areas (Mitchell-Jones 2004). Bats use linear features, such as rivers, hedgerows, smaller roads and woodland edges, as landmarks in order to commute from one location to another (Schofield and Mitchell-Jones 2003).

1.6 Bats utilise different roosts at different times of the year. Between late October and March, bats hibernate; this requires an unexposed roost with a stable temperature, typically a cave, cellar or tunnel. Around March, the bats emerge and gradually move to their summer roosts, typically within man-made structures or suitable crevices in trees. During the spring and summer female bats gather together at maternity roosts to give birth and rear their young. Most births occur between late June and mid-July, with the young able to fly within three to five weeks (Altringham 2003; Waters and Warren 2003). By the end of August, most of the young bats are independent and the colony begins to break up (Schofield and Mitchell-Jones 2003). Mating takes place between August and December, either at the winter hibernation site or at autumn breeding sites. The numbers of bats utilising these roosts can vary from single bats to hundreds in a nursery colony or hibernation site (Altringham 2003).

Legislative Context

1.7 A range of international and national legislation has been established in the UK to protect important nature conservation sites and priority species. At the international level, European Union (EU) Directives require individual member states to implement their conservation provisions nationally for the benefit of Europe as a whole. These Directives have been transposed into UK law by the Conservation of Habitats and Species Regulations 2017 (amended); further details can be obtained from the Joint Nature Conservation Committee (JNCC) web site at www.jncc.defra.gov.uk.

1.8 Other international conventions include: the Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979), which requires the maintenance of populations of wild flora and fauna, giving particular protection to endangered and vulnerable species; and the Bonn Convention on the Conservation of Migratory Species of Wild Animals (1979), which requires the protection of migratory species throughout their entire range. The above conventions are implemented in England and Wales via the Wildlife and Countryside Act (WCA) (1981) (as amended) and Countryside and Rights of Way (CRoW) Act 2000. This legislation also protects important habitats and sites such as Sites of Special Scientific Interest (SSSI).

1.9 At the national level, the UK Post-2010 Biodiversity Framework published in 2012 is the Government's response to the Convention on Biological Diversity (2010). It describes the UK's biological resources, commits a detailed plan for the protection of these resources within the UK's devolved framework across England, Wales, Scotland and Northern Ireland. The document identifies future priorities for nature conservation and adopts a more strategic approach, including ecosystem services and sustainability alongside biodiversity. Despite administrative changes following devolution, there is still an underlying objective of protecting and enhancing a range of priority species and habitats, often still based on the objectives and classifications of the original UK Biodiversity Action Plan. *Biodiversity 2020* is England's national biodiversity strategy. Building on the *Natural Environment White Paper* published in 2011, this provides a means of delivering the international and EU commitments to biodiversity. Under Biodiversity 2020, Priority Species and Habitats referred to are those of 'Principal Importance' for the conservation of biodiversity in England listed on Section 41 (England) of the Natural Environment and Rural Communities (NERC) Act 2006.

1.10 Finally, the National Planning Policy Framework (NPPF 2019) provides guidance for local authorities on the content of the Local Plans and is a material consideration in determining planning applications. Briefly, with an overall focus on sustainable development, the NPPF states that developments should aim to engender positive outcomes for habitats and biodiversity, with a particular focus on the maintenance and creation of ecological networks. Furthermore, the NPPF also states that any planning proposals for which significant negative impacts on biodiversity cannot be avoided, mitigated or compensated for should be refused. The NPPF states that the planning system should contribute to and enhance the natural environment through a range of actions, including:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services; and
- minimising impacts on biodiversity and providing net gains for biodiversity including establishing coherent ecological networks that are more resilient to current and future pressures.

1.11 To protect and enhance biodiversity and geodiversity, plans should:

- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

1.12 A summary of the legislation that relates specifically to bats is presented in Appendix 1.

2. METHODS

Bat Building Inspection

2.1 A detailed inspection of the building to assess potential to support roosting bats was carried out by Ecologist Rob Lamb ACIEEM[1] (Natural England Bat Survey Class 1 Licence Registration Number 2020-44441-CLS-CLS) and Assistant Ecologist Connie Webb on 5th May 2021 following standard methodologies. This entailed using high-powered torches and binoculars, making detailed notes, taking photographs (Appendix 2) and following best practice survey guidance (Collins 2016). The site and buildings are presented in Figure 1.

2.2 During the inspection, the exterior of the building was examined for any signs (such as staining or droppings on surfaces including walls and window ledges) and potential roost features (PRF) for bats. Features of interest would include gaps around door frames, beneath felt/lead flashing, at wall plates and eaves of pitched roofs, and any crevices beneath fascia boards, barge boards, within soffits or created by missing mortar within brickwork. The structure was then assessed internally, including the loft space.

2.3 The bat inspection assigned an overall roost potential category, based on its suitability for supporting roosting bats and any evidence found, using criteria in Table 1 adapted from the *Bat Mitigation Guidelines* (Mitchell-Jones 2004) and *Bat Surveys Good Practice Guidelines* (Collins 2016).

2.4 During the survey any evidence of the buildings being used by nesting birds (e.g. old nest material) was also noted.

Table 1 Building Assessment Criteria

Suitability	Description of Roosting Habitats
Negligible	No features likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically, but does not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats. (i.e. suitable for occasional day roosting but unsuitable for maternity or hibernation roost.)
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost type of high conservation significance (i.e. suitable for day roosting but unsuitable for maternity or hibernation roost.)
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. (i.e. suitable for maternity and/or hibernation roost.)

[1] *Associate Member of the Chartered Institute of Ecology and Environmental Management (CIEEM)*

Suitability	Description of Roosting Habitats
Confirmed Roost	A structure with evidence of bat presence, i.e. droppings, feeding remains, audible bat calls heard during daytime survey or sightings of the animals themselves, existing (reliable) record of bats roosting at the location.

Limitations

2.5 The structure was fully accessible internally and externally. The inspection was carried out at a suitable time of year for this type of survey. The weather was overcast and dry.

3. RESULTS

Bat Building Inspection

Habitat Suitability

3.1 The immediate surrounding habitat was assessed as having low suitability for bats. Most of the immediate surroundings comprise urban landscapes and roads with street lighting, with only occasional street trees and small city centre amenity parks.

Building

3.2 The building comprised of two parts – a single-storey metal clad, pitched roof unit towards the western end of the building (Photo 1) as well as a three-storey brick structure with a flat roof at the eastern end of the structure (Photo 2). The western unit was in use for vehicle storage, while the eastern brick-built structure was in current use as offices.

3.3 The corrugated metal clad aspect of the structure was considered poorly accessible and unsuitable to bats. Further internal inspection found the structure to be well sealed to external access (Photo 3). This part of the building featured a pitched roof, of metal truss construction. Roof voids were absent, apart from at the entrance in the centre of the structure where a small void was present which was inaccessible at the time of survey. The void was well sealed and judged as being unsuitable for roosting bats due to its small size and metal construction that would lead to high temperatures during the day. Externally, small gaps were present on the underside of the corrugated metal roofing, however, these were assessed to be unfavourable for roosting bats (Photo 1).

3.4 The brick built aspect of the structure was in good condition, with all brick and mortar work well sealed lacking suitable crevice features for bats (Photo 2). Stone window lintels were small and closely fixed to brickwork and frames. A number of advertising boards were fixed close to the brickwork (Photo 4).

3.5 The roof of the brick-built structure was flat and lined with roofing felt that had come loose on the underside of a small soffit box on the southern side of the building (Photo 2). The soffit box was fixed close to the wall with no significant gaps on the underside.

3.6 Overlapping wooden fascia boards were arranged on the underside of a soffit box on the northern elevation of the building (Photo 5). These were slightly loose in parts, likely just wide enough for access by pipistrelle bats. However, in the context of the building location, lack of suitable foraging surrounding habitat and the presence of street and security lighting, these features were assessed to be unfavourable for use by roosting bats.

3.7 Overall, the buildings were assessed as having **negligible potential** to support roosting bats.

Other Protected Species

3.8 No evidence of other protected species, including nesting birds, were observed during the survey. Opportunities for nesting birds associated with the building were limited due to a lack of suitable access points and perching or nesting features.

4. DISCUSSION AND RECOMMENDATIONS

Bats

4.1 There was an absence of suitable bat foraging habitat within the site boundary or adjacent surroundings. The survey identified negligible potential for roosting bats to be present within the buildings within the site boundary. Therefore, no further recommendations are made in respect of roosting bats at this time.

4.2 It is considered best practice to repeat the building inspection for bats if demolition has not commenced within two years of the date of this update survey.

Biodiversity Enhancement Opportunities

4.3 The site is currently of low to negligible ecological value and development presents an opportunity to increase biodiversity. Potential enhancement measures that could be considered include:

- Use of native or wildlife-friendly tree, shrub and herbaceous species in any landscape planting, for example, inclusion of species that provide nectar for invertebrates or berries to provide a food source for birds;
- Inclusion of integrated or external bat roost features such as bat slates, tiles and bricks or bat boxes to increase opportunities for roosting bats, coupled with a suitable lighting strategy to avoid unnecessary lighting of roost features;
- Inclusion of bird boxes to accommodate typical urban bird species; and
- Limiting exterior security lighting on future construction.

5. REFERENCES

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Mitchell-Jones, A.J., 2004. Bat Mitigation Guidelines. English Nature.

NPPF, 2019. *National Planning Policy Framework, updated February 2019.* Ministry of Housing, Communities and Local Government.

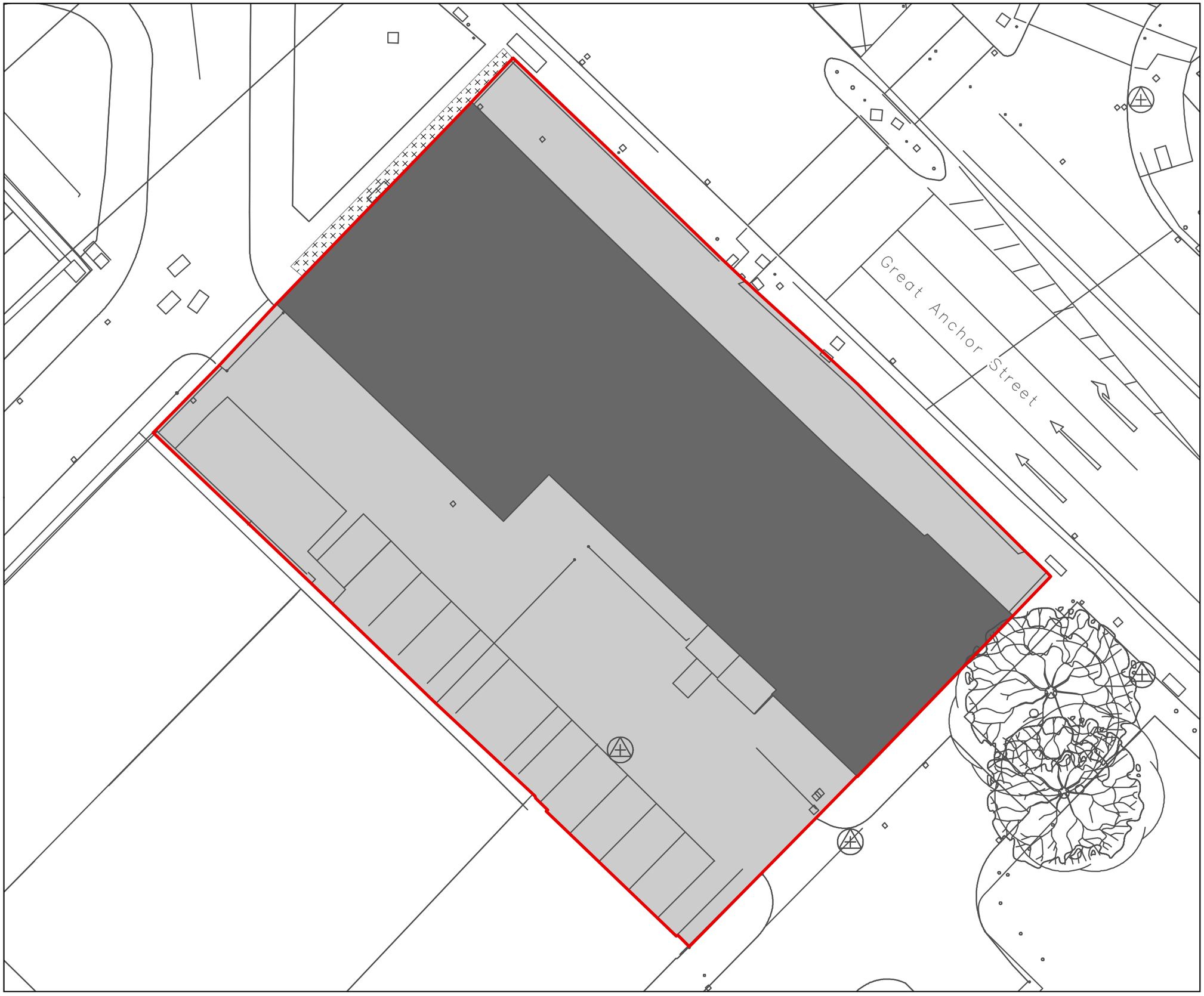
Schofield, H.W., and Mitchell-Jones, A.J., 2003. *The Bats of Britain and Ireland*. The Vincent Wildlife Trust.

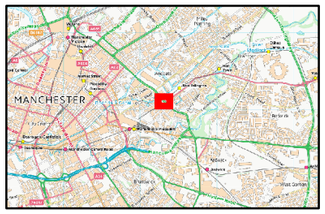
Waters, D., and Warren, R., 2003. *Bats*. The Mammal Society.

6. ABBREVIATIONS

ACIEEM	Associate Member of Chartered Institute of Ecology and Environmental Management
CIEEM	Chartered Institute of Ecology and Environmental Management
CRoW	Countryside and Rights of Way
EU	European Union
JNCC	Joint Nature Conservation Committee
NERC	Natural Environment and Rural Communities
NPPF	National Planning Policy Framework
PAA	Penny Anderson Associates Ltd
PRF	Potential Roost Feature(s)
SSSI	Site(s) of Special Scientific Interest
WCA	Wildlife and Countryside Act

FIGURE





Legend

Boundary

Habitat

- Ephemeral/short perennial
- Building
- Hardstanding

N

British National Grid
Projection: Transverse Mercator
False Easting: 400000.000000
False Northing: -100000.000000
Central Meridian: -2.000000
Scale Factor: 0.999601
Latitude Of Origin: 49.000000

ISO A3

Metres

0 1 2 4 6 8

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Discipline: Ecology

Title:

Building Plan and Habitats

Scale		Drawing No.	Figure 1
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PAA Ref. G:\DOCO04_Victoria_House_Manchester\Maps\		Revision: 1.0	

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Figure 1 - Phase 1 and Bat Inspection Victoria House - DOCO04 CC 130521.mxd

APPENDICES

APPENDIX 1

Summary of the Legislation Relating to Bats

SUMMARY OF THE LEGISLATION RELATING TO BATS

All wild species of bat are protected under the Wildlife and Countryside Act (WCA) 1981, which has also been amended by later legislation, including the Countryside and Rights of Way (CRoW) Act 2000 and the Conservation of Habitats and Species Regulations 2017 (amended), and this legislation is applicable to England and Wales. Bats are listed on Schedule 5 of the WCA and are therefore subject to some the provisions of Section 9 which, with the amendments, make it an offence to:

- Intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection (S9:4b).
- Intentionally or recklessly obstruct access to any structure or place used for shelter or protection by a bat (S9:4c).

There are additional offences in relation to buying and selling (S9:5) any live or dead animal of this species or anything derived from them.

Bat species are also listed under Annexes IIa and IVa of the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora, also known as the 'Habitats Directive'. Inclusion on Annex IVa means they are consequently identified as European Protected Species (EPS) and protected under the Conservation of Habitats and Species Regulations 2017 (amended).

The Conservation of Habitats and Species Regulations 2017 (amended) state that a person commits an offence if they:

(a) deliberately capture, injure or kill any wild animal of a European protected species,

(b) deliberately disturb wild animals of any such species, in such a way as –

  (i) to impair their ability to survive, to breed or reproduce, or to rear their young, or

  (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate, or

  (iii) to affect significantly the local distribution or abundance of the species to which they belong;

(c) deliberately take or destroy the eggs of such an animal, or

(d) damage or destroy a breeding site or resting place of such an animal.

Under these Regulations it is an offence to damage or destroy a breeding site or resting place whether the animal is in occupation or not, and protection extends to all life stages of the animal in question. There are additional offences relating to possession, control and sale of a live or dead bat or part of such an animal.

In addition, seven native British bat species, including the soprano pipistrelle (*Pipistrellus pygmaeus*) and the brown long-eared bat (*Plecotus auritus*), that are frequently found in buildings, are listed as a 'Priority Species' under the under the 2011 biodiversity strategy for England, *Biodiversity 2020: A strategy for England's wildlife and ecosystem services,* under the 2012 UK Post-2010 UK Biodiversity Framework. These Priority Species are also referred to as 'species of principal importance' for the conservation of biodiversity in England and Wales within Section 74 of the CRoW Act 2000, and Sections 41 (England) and 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006.

In addition, the National Planning Policy Framework (NPPF 2019) has an overall focus on sustainable development, and states that developments should aim to engender positive outcomes for habitats and biodiversity, with a particular focus on the maintenance and creation of ecological networks. Furthermore, the NPPF also states that any planning proposals for which significant negative impacts on biodiversity cannot be avoided, mitigated or compensated for should be refused. Reference is made to Circular 06/2005 *Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System* in respect of statutory obligations for biodiversity and geodiversity conservation.

The commitment to preserving, restoring or enhancing biodiversity is further emphasised for England and Wales in Section 40 of the NERC Act 2006.

Please note: the above text provides a brief summary of the legislation in relation to bats in England and Wales and the original Acts, Regulations and any amendments should be referred to for the precise wording.

APPENDIX 2

Photographs



Photo 1
The western metal-clad aspect of the buildings



Photo 2
The eastern brick-built aspect of the building



Photo 3
The internal area of the western end of the building



Photo 4
Example of the brickwork and closely fixed advertising boards



Photo 5
The overlapping wooden fascia boards on the northern side of the building

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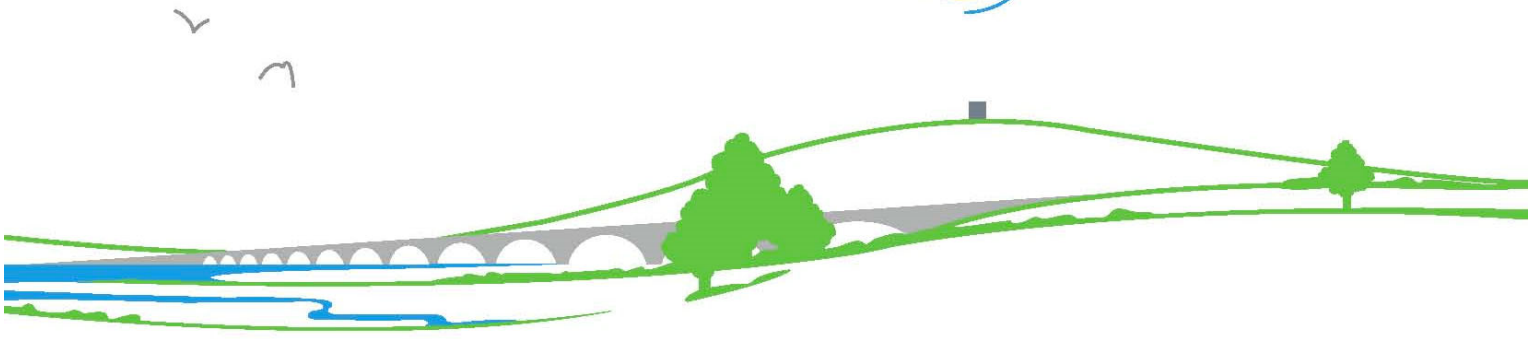

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