AMENITYTREE
ENVIRONMENTAL PLANNING CONSULTANTS

Apollo Public House

Potential roost feature inspection surveys - Building

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Version 1

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1.0 Introduction

1.1 Site description, location, context and development proposals

1.2 The site is located within the Miles Platting area of Manchester in an urban environment and enclosed by existing residential land uses. The habitat on site comprises of building including areas of hard standing and amenity grass.

1.3 The proposed development includes building removal and therefore a Bat Roost Assessment is required as such proposals could have a direct impact on protected bat species.

1.4 The purpose of this report is to establish the potential of the affected buildings to offer shelter and / or roost facilities to protected bat species.

1.5 The objective of the report is to be able to assess a range of factors including a rated (none, negligible, low, moderate or high) potential of the building to offer shelter for bats, absence/presence of protected species, species affected, population numbers, potential access points, types of roost and their seasonality of use.

1.6 The objectives include the provision of any applicable mitigation measures and / or further survey recommendations in relation to the extent and use of the site by protected species as is required by the current BCT guidelines section (Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good practice Guideline (4th Edn).

2.0 Methodology

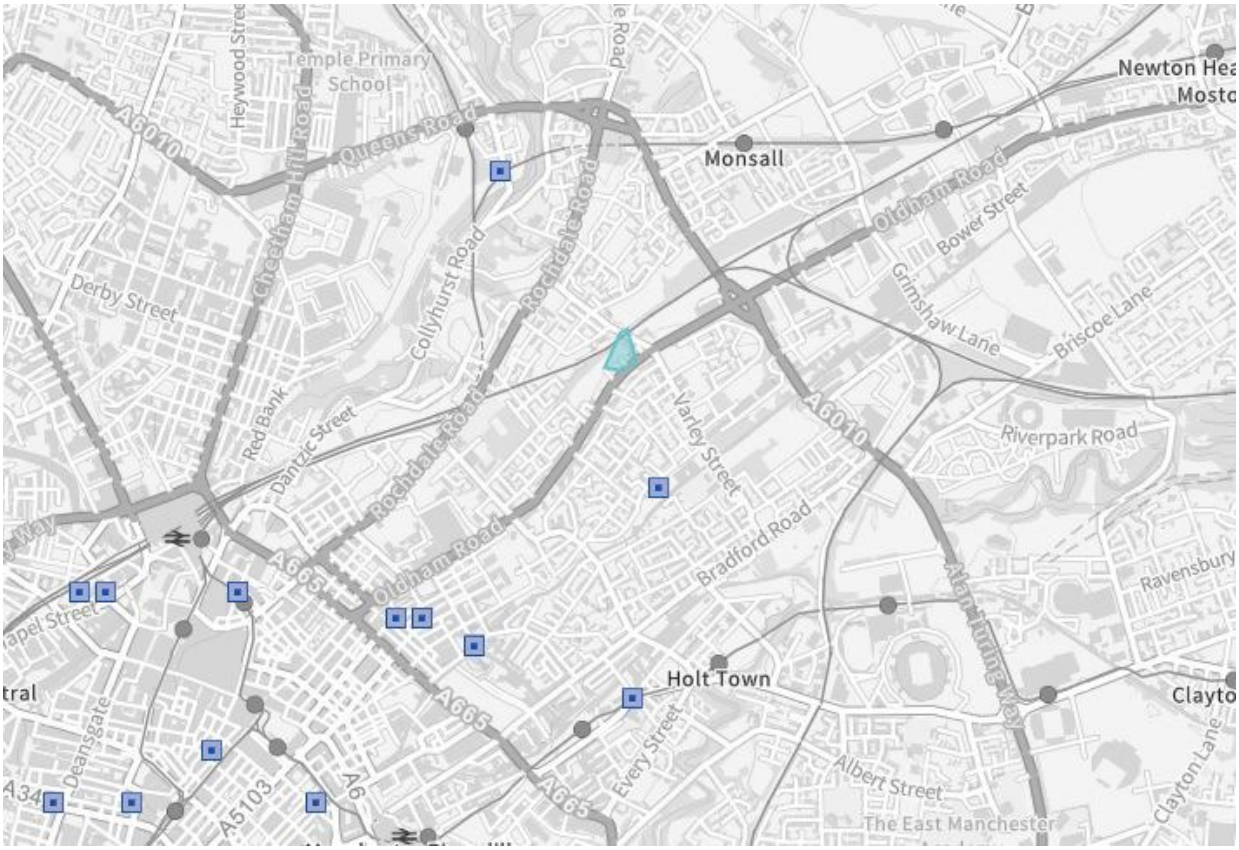
2.1 Summary of survey methods

2.2 An external and internal inspection was carried out on the building in relation to their potential use by bat species in accordance with the 2023 BCT guidelines section 5.2 preliminary roost assessment - structures (and in particular 5.2). This was carried out on the 29.10.2024 by Simon Brain (Managing Director).

2.3 In summary this means an external and internal examination of the building was conducted looking for signs of bat use and to quantify any field signs for their ecological significance. The inspection and report shall consider section 5.2 (complementary methods, timing and survey effort) of the 2023 BCT guidelines including Table 4.2.

2.4 Pre-existing data on local bat species

The closest granted European Protected Species (EPS) license application by Natural England was for bat species approximately 496m from site (C-PIP 2019-2020).



The approved EPS license is located within suitable foraging grounds for bats (woodland and canal). Whilst there is some sub optimal forgaing ground for bats on site it is very limited in size and isolated from suitable areas for foraging.

2.5 Surveyor information

Simon Brain (Managing Director) has attained a Post Graduate Certificate in Biological Recording and has attended FSC Field Courses for Land mammals, Songbird identification, Barn Owls (CIEEM) and Advanced Bird Survey Techniques (Level M). He has twelve years experience in bat work holding an NE Class 2 license (2015-17334-CLS-CLS). He has attended courses for trees and bats, bat survey techniques, bat handling, bat mitigation and attended seven European workshops.

3.0 Results

Overview and Summary

3.1 From an external inspection one area of the building appears to hold potential roost features (exposed wall top and damaged tile on southern elevation), this feature was found to be negligible upon internal inspection due to water ingress leading to unsuitable conditions for roosting aswell as it being very exposed and offering no protection.

The building is broadly in a dilapidated state of repair. There are several large holes in the roof area, and as a result the building exhibits extensive water ingress from damaged roof sections including the cellar which is contains 3-4ft of water. The main internal building has been fire damaged and vandalised in many areas on both floors. There is extensive use of the building by pigeon which have open access to the upper floor rooms where pigeon dropping is abundant.

4.0 Assessment and Summary

4.1 The surveyor was able to inspect all parts of the building from ground and internal levels. No evidence of bat activity was identified during the survey e.g., bat droppings or staining where bats are accessing the building.

4.2 The habitat surrounding the building to be removed is largely urban and low in invertebrate interest and therefore sub optimal to sustain a local bat population.

5.0 Recommendations and mitigation

5.1 Recommendations

The building contains features that have negligible potential and no further surveys are needed for the building to be removed.

5.2 Mitigation measures and mitigation licenses

Mitigation measures do not apply and there is no need for Natural England licensing.

Appendix One – Legislation

All bat species in the UK are fully protected under The Conservation (Natural Habitats, &c.) Regulations 2010 (as amended) through their inclusion on Schedule 2 of the Act. Regulation 41 prohibits:

Deliberate killing, injuring or taking (capture) of bats

Deliberate disturbance of bats in such a way as to:

impair their the ability to survive, breed, or rear or nurture their young; or

affect significantly the local distribution or abundance of bat species; or impair their ability to hibernate or migrate

Damage or destruction of a bat breeding site or resting place i.e. roost

- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

All bat species in the UK are also protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. Under this Act, it is an offence to:

- Intentionally or recklessly disturb any bat while it is occupying a structure or place which it uses for shelter or protection
- Intentionally or recklessly obstruct the access to any place of shelter or protection used by bat(s)
- Sell, offer or expose for sale, possess or transport a bat(s) for the purpose of sale.

A European Protected Species Mitigation (EPSM) Licence issued by the relevant countryside agency (e.g. Natural England) will need to be applied for to allow derogation from the relevant legislation i.e. for works liable 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, hibernate, migrate). 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.

Conservation (Natural Habitats) Regulations 2010

The species protection provision of the EC Habitats Directive 1992, as implemented by the Conservation of Habitats and Species Regulations 2010, comprises three “derogation tests” which must be applied by the Local Planning Authority when deciding whether to grant planning permission for a development that could harm a European Protective Species. The three tests are that:

- The activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- There must be no satisfactory alternative; and,
- Favourable Conservation Status (FCS) of the species must be maintained.

It is the responsibility of the applicant to submit sufficient information to address these tests when applying for planning permission. For development activities, an EPSM Licence application can only be obtained after planning permission has been granted. However, the granting of planning permission does not guarantee that a licence will be issued by the relevant countryside agency.

National Planning Policy Framework (2021)

The National Planning Policy Framework (NPPF) (2021) sets out the Government's national policies on different aspects of planning in England. Section 10 paragraphs 109 to 125 details planning policies on the conservation and enhancement of the natural environment. Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.
In summary:
The planning system should contribute to and enhance the natural and local environment by:
'minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.' (NPPF Section 10, para 109)
When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused (Section 10, para 118).
- Proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted (Section 10, para 118).
- Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted (Section 10, para 118).
- Opportunities to incorporate biodiversity in and around developments should be encouraged (Section 10, para 118).

  7Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss (Section 10, para 118)
- Potential Special Protection Areas and possible Special Areas of Conservation, listed or proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on European sites, should be given the same protection as European sites (Section 10, para 118).
- The presumption in favour of sustainable development (para 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined (Section 10, para 119)
- Planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (Section 10, para 125).

Local planning authorities must take account of the conservation of protected species when determining planning applications. The presence of protected species is 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. This requirement has important implications for bat surveys as it means that, where there is reasonable likelihood of bats being present and being affected by the development, surveys must be carried out before planning permission is considered' (BCR 2012). In order for

the Local Planning Authority to adequately assess a development proposal against National and Local Planning Policy, full comprehensive ecological surveys need to be carried out and suitable mitigation strategies compiled prior to the submission of any planning application. This information will be reviewed by the Local Planning Authority in consultation with the relevant countryside agency and other conservation bodies.

Any developer should, in the first instance, consult the relevant Local Plans to assess the suitability of their proposal (refer to NPPF Section 10 paras 113 to 117).

Natural Environment and Rural Communities Act 2006 (NERC)

Part 3, Section 40 of the NERC Act 2006 states that 'every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity', otherwise known as the Biodiversity Duty. Under Section 41 of the Act, the Secretary of State must publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity. This list is based on those species listed in the UK Biodiversity Action Plan (BAP) as priority species. The S41 list replaces the list published under Section 74 of the Countryside and Rights of Way (CRoW) Act 2000.

Biodiversity Action Plan

Biodiversity Action Plans (BAPs) set out actions for the conservation and enhancement of biological diversity at national, regional and local level. They consist of both Habitat Action Plans (HAPs) and Species Action Plans (SAPs) and species and habitats listed within these are defined as being of Principal Importance for the Conservation of Biodiversity under Section 41 of the NERC Act 2006. Local authorities must consider these species and habitats when determining planning applications.

Appendix Two – Images

The building is a masonry structure which appears to have been retained, unused for many years and as such has broadly passed a stage in its condition that could be suitable for roosting bats.







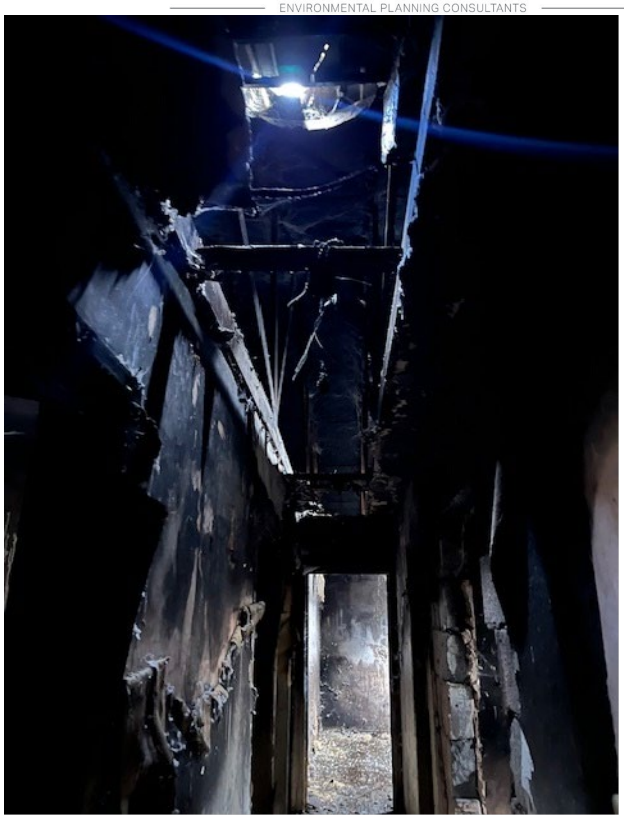
There is a flat roof section that does not exhibit any roost features.



Internally the building has been fire damaged and has had extensive vandalism.







The roof is damaged in numerous areas with large holes allowing water ingress. The upper floors are upto 10cm deep in Pigeon dropping. The cellar is mainly full of rainwater.



