From: Neil Duffield
Sent: 21 January 2021 10:02
To: Megan O'Mara
Subject: NYM/2020/0781 Sandfield House Farm E11412- nymnp Bat survey 21-01-21

Hi Megan,
Please find attached the updated Bat Survey from Curtis Ecology.

Kind regards
Neil

CurtisEcology

BAT SURVEY REPORT

At

Sandfield House Farm
Sandsend Road
Sandsend
Whitby
YO21 3SR

For

Mr C. Horrocks

Date: 11th September 2020
Updated 9th January 2021

Reference no: CE0871

Curtis Ecology

Nova Scotia Farm, The Valley, Rimswell, Withernsea, East Yorkshire HU19 2BZ

www.curtisecology.co.uk

Document Control Sheet

Client: Mr C. Horrocks
Project: Sandfield House Farm, Sandsend Road, Sandsend, Whitby YO21 3SR
Title: Bat Survey Report

REPORT CONTROL SHEET

General Report Information	
Date of site risk assessment	22nd July 2020
Lead ecologist signature	
Date report issued	9th January 2021
Report approved by	Roger Curtis FdSc

Report Version Control

Version	Date	Author	Description
1.0	11th September 2020	Roger Curtis	Original Version
1.1	9th January 2021	Roger Curtis	Updated Version with reference to paragraph 2 of the Executive Summary and the activity maps on pages 19, 21 & 23 of this updated report.

Contents

EXECUTIVE SUMMARY

Curtis Ecology was instructed by the client, Mr C. Horrocks to undertake a Preliminary Roost Assessment and Nocturnal surveys on buildings located at Sandfield House Farm, Sandsend Road, Sandsend, Whitby YO21 3SR. The surveys are required to inform a proposed planning application which is to be lodged with the local planning authority, in this case the North York Moors Planning Authority, for the conversion of existing buildings into additional holidays cottages. Both verbal and electronic instruction was given with no existing or proposed drawings provided.

The original report, dated 11th September 2020 has been updated following comments from the North York Moors ecologist, regarding the activity drawings on pages 19, 21 & 23. Following consultation with the client and architect it appeared that the original summited site plan was incorrect with regard to the positioning of the area of Building 3, which forms part of the application. It is understood that this oversite has now been corrected and to avert any further confusion, the activity maps within this update report have also been amended to reflect the revised site plan drawing. It should also be noted that the southern end of Building 3, although not part of the application was observed during all survey periods as it interlinked between Buildings 2 and 3, although the cottage is now shown on the revised activity maps as not been part of the proposed application. I can confirm that the area of Building 3 involved in the proposed application was surveyed during the Preliminary Roost Assessment as well as during the bat activity surveys and that both surveyors 1 & 3 had good sight lines on the respective elevations of Building 3, as well as the other buildings on site.

The Preliminary Roost Assessment was undertaken on the 22nd July 2020 which is an appropriate time of the year for this type of survey. During the Preliminary Roost Assessment, there were features identified within the study buildings, which have the potential to provide roosting opportunities, especially for crevice dwelling bat species, bearing in mind that a Pipistrelle bat species can quite easily squeeze into a 15 – 20mm gap.

As a result of the desk top study and observations made during the daytime buildings assessment, the study buildings have been assessed as follows

Building 1: Moderate potential
Building 2: Low - Moderate potential
Building 3. Low to Moderate potential

Results from the nocturnal surveys undertaken on the 2nd, 18th August and 4th September 2020 indicated the presence of two individual day roosts, used by two Common pipistrelle *Pipistrellus pipistrellus* within the roof structure of Building 2. No maternity roosts or significant numbers of bats were observed at the times of the nocturnal surveys.

The identified day roosts will be destroyed as part of the conversion phase to the building, therefore a European Protected Species Mitigation Licence approved by Natural England, will be required before any conversion work on Building 2 can commence. This licence can only be applied for once planning approval has been obtained from the Local Planning Authority.

Results from the nocturnal surveys indicated that the study site and immediate surrounding habitat offers moderate foraging capacity and occasional commuting activity for only a small number of bats. There was no indication of a nursery roost or a main commuting route of significance used by a large number of bats. It should, however, be remembered that bats are a highly mobile and secretive species, their absence during a survey of this type undertaken at this time of the year does not preclude them from being present at other times of the year.

Informative: - With regard to an application for a European Protected Species Mitigation Licence (Bats). Natural England require dusk & dawn surveys to have been conducted within the current or most recent optimal survey season. If a European Protected Species Mitigation Licence (Bats), has not been applied for within this time period, then top up dusk & dawn surveys will be required during the proceeding bat activity survey seasons until such an application is made.

During the Preliminary Roost Assessment five active Barn Swallow *Hirundo rustica* nest sites where identified within Building1. Therefore, a mitigation strategy has been proposed in Section 7.3 of this report

1.0 INTRODUCTION

Curtis Ecology was instructed by the client, Mr C. Horrocks to undertake a Preliminary Roost Assessment and Nocturnal surveys on buildings located at Sandfield House Farm, Sandsend Road, Sandsend, Whitby YO21 3SR. The surveys are required to inform a proposed planning application which is to be lodged with the local planning authority, in this case Scarborough District Council, for the conversion of existing buildings into additional holidays cottages.

1.1 Site Description

Sandfield House Farm is located to the immediate west of Whitby, with the survey area centred at Grid reference SE879 115.The study buildings located in a grouping at the entranced to the existing moderately sized caravan and camping site. The buildings are comprised of a detached former stables, a detached mono-pitched building use for storage of the caravan sites machinery with workshop facilities, and a range of attached building, to include a storage building and an existing holiday let unit.

The immediate surrounding habitat consists of Whitby golf course, further caravan/camp sites, grassland, and the wooded Upgang Beck SINC.

Figure 1. Arial view of the study site location within the wider landscape.

© Google Earth 2020

1.2 Proposed Works.

It is understood that the development proposal is for the conversion and renovation of the study buildings into additional holiday lets, along with any associated hard and soft landscaping.

1.3 Survey Objectives

The aim of the Preliminary Roost Assessment and Nocturnal Surveys are as follows:-

- Perform a desk top study and data/record search for pre-existing records and data from third party repositories prior to the site survey.

- Determine the potential for bats and to search for evidence of their occupancy and signs of usage using a number of survey methods.

- Assess the survey results and evaluate any potential impact of the proposed work upon any bats which might be occupying any of the study buildings and immediate surrounding habitat.

- To produce a report detailing findings, the likely approach to mitigation and any recommendations for the proposed work.

2.0 SURVEY METHODOLOGY

2.1 Desk Study

A desk study was undertaken with records being obtained from the following third party repositories the North & East Yorkshire Ecological Data Centre with a review of MAGIC and Google Earth. The search area was a 2km radius from the centre of the application site located at Grid reference NZ879 115.

2.2 Buildings Assessment

The buildings were subject to a visual daytime inspection for evidence of and potential for bat species. The survey methodology will be undertaken as recommended by the Bat Conservation Trust - Bat Surveys for Professional Ecologists: *Good Practice Guidelines (3rd Edition* 2016 and Natural England Standing Advice Sheet - *Bats (April 2012).*

The visual survey involves assessment for: -

- An assessment of holes/crevices in the building structure.

- Slipped, lifted and or badly fitted tiles

- The presence of roofing felt or any form of internal roof lining.

- Signs of droppings on walls, windowsills, floors, roof spaces and below any suitable roosting features.

- Wing fragments of butterflies and moths on the floor/walls below beams and other internal structure.

- Scratch marks on beams, potential entrance and exits holes and any other internal structures.

- Dead bats

- Oil staining – the bat fur may leave an oily residue on surfaces

- Tracks in any dust

- Odour – certain bat species can have a distinctive odour, species such as soprano pipistrelle and noctule can have a pungent odour from urine and oily fur.

- Suitable foraging and or commuting habitat within close proximity to the study site, which would include woodland, shelter belts, hedgerows, ponds, watercourses and domestic gardens connected to one another.

2.3 Nocturnal Surveys

Nocturnal bat surveys will be undertaken as recommended by the Bat Conservation Trust - Bat Surveys for Professional Ecologists: *Good Practice Guidelines 3rd* Edition 2016 and English Nature *Bat Mitigation Guidelines (2004).* The surveys are comprised of one dusk emergence survey and one dawn/ re-entry survey to assess any bat activity associated with the buildings and surrounding habitat of the site using equipment set out in 2.4.2 below.

The dusk/emergence survey will commence approximately fifteen minutes before sunset and cease approximately one and a half to two hours after sunset.

The dawn survey will commence approximately one and a half to two hours before sunrise and finished approximately fifteen minutes after sunrise.

Bats seen or heard during the nocturnal surveys will be recorded, noting the time of observation, estimated number of bats, direction of flight and type of activity. These observations will be presented in the form of an observation table and activity plan for each respective survey.

2.4 Survey Equipment.

2.4.1 The following equipment when required was used during the building survey assessment:

- Clulite CB2 one million candle power torch
- Close focusing binoculars
- Dart Ridged See-Snake Endoscope
- Petsl Tikka Plus 2 head torch
- 3.6 m telescopic ladders
- FinePix S5600 digital camera
- Thermohygrometer

2.4.2 The following equipment when required was used during the emergence and return bat activity surveys: -

- Bat Duet Frequency Division Bat detectors
- Edirol R-09HR Wave/MP3 recorder
- Echo Meter Touch Full Spectrum bat detector
- Thermohygrometer
- Petsl Tikka Plus 2 head torches

2.5. Weather Conditions.

Table 1-Weather conditions at the time of the Preliminary Roost Assessment

Survey date	22nd July 2020
Wind speed	10mph E
Cloud cover	80%
Rainfall	None
Temperature	16°C
Humidity	93%

Table 2 - Weather conditions at the time of the nocturnal surveys

Survey date	2nd August 2020	18th August 2020	4th September 2020
Sunset / sunrise times	21.00 hrs	05.45 hrs	19.45 hrs
Survey time	20.40 – 22.45 hrs	03.55 – 06:00 hrs	19.25 – 21.25 hrs
Wind speed	6mph WSW	Calm	8mph SWS
Cloud cover	60%	20%	50%
Rainfall	None	None	None
Temperature	15°C	16°C	14°C
Humidity	78%	97%	71%

2.6 Survey Personnel

2.6.1 Daytime Building Assessment

The buildings assessment was undertaken in suitable weather conditions and at an appropriate time of year on the 22nd July 2020 by the following personnel:

Roger Curtis FdSc who has 12 years survey experience and holds the follow Natural England licences; -
Bats – WML-CL18 class licence 2015-12148-CLS-CLS
Bats - Personal licence for possession licence no 20131261
Great crested newts – WML-CL08 class licence, 2015-17362-CLS-CLS
Roger is also a committee member of the East Yorkshire Bat Group and County Bat Recorder.

With assistance from Beth Bell who has undertaken numerous dusk & dawn surveys over the past three years, as well as assisting with building and trees assessments. Beth is currently in the final stage of assessment for a Natural England level 2 class bat licence

2.6.2 Nocturnal Surveys

Roger Curtis FdSc who has 12 years survey experience and holds the follow Natural England licences; -
Bats – WML-CL18 class licence, survey licence 2015-12148-CLS-CLS
Bats - Personal licence for possession licence no 20131261
Great crested newts – WML-CL08 class licence survey licence -2015-17362-CLS-CLS
Roger is also a committee member of the East Yorkshire Bat Group and County Bat Record

Beth Bell who has undertaken numerous dusk & dawn surveys over the past three years, as well as assisting with building and trees assessments. Beth is currently in the final stage of assessment for a Natural England level 2 class bat licence

Kate Hunt who has undertaken numerous dusk and dawn surveys over the past 2 years

3.0 SURVEY RESULTS

3.1 Desk Top Study

3.1.1 Figure 2. Pre-existing Site Designations

North & East Yorkshire NEYEDC ecological data centre

Our Ref: E04974

Your Ref: CE0870

Date: 30/07/2020

Search area: 2km radius from NZ879115

Site Data Search

Internationally designated sites:

The following sources were searched:

Special Areas of Conservation	*published March 2016 - revised July 2019*
Special Protection Areas	*published March 2016 - revised June 2019*
Ramsar sites	*published March 2016 - revised June 2019*

There are no internationally designated sites within the search area.

Nationally designated sites:

The following sources were searched:

Sites of Special Scientific Interest	*published 14/09/2017 – revised June 2019*
National Parks	*published 01/08/2016 – revised February 2019*
Areas of Outstanding Natural Beauty	*published 11/05/2015*
National Nature Reserves	*published March 2016 - revised May 2019*

The following nationally designated statutory sites are in or partly within the search area, and are shown on the accompanying map:

Designation	*Name or location of site*	*Grid Reference*
National Parks	North York Moors	NZ867109

We do not hold full details of Statutory sites. For further information please contact Natural England. Their website is at:
https://www.gov.uk/topic/planning-development/protected-sites-species

The Protected Areas Designations Directory and further information on Statutory sites can be found at: http://jncc.defra.gov.uk/page-1527

Locally designated and non-Statutory sites

The following sources were searched:

Local Nature Reserves *published 01/03/2016 - revised June 2019*

There are no Local Nature Reserves within the search area.

North Yorkshire SINC [Sites of Importance for Nature Conservation]
Version: *NY_SINCs V9.6* *October 2019*

The following SINC are in or partly within the search area, and are shown on the accompanying map:

E04974 details.docx July 2020

North & East Yorkshire NEYEDC ecological data centre

Our Ref: E04974

Your Ref: CE0870

Date: 30/07/2020

Search area: 2km radius from NZ879115

Site Id	*Site Name*	*Grid Reference*	*SINC Status*
NZ81-04	East Row Beck and Woodlands, Sandsend	NZ861124	SINC
NZ81-05	Raithwaite Gill, Dunsley Beck	NZ868120	SINC
NZ81-01	Upgang Beck to Sandsend Cliff	NZ868121	SINC
NZ81-02	Upgang Beck	NZ880116	SINC
NZ81-06	Khyber Pass	NZ897114	SINC
NZ80-04	River Esk	NZ899097	SINC

A leaflet explaining about North Yorkshire SINC is available to download from the NEYEDC web site: https://www.neyedc.org.uk/s/SINC-Guidelines-V30-December-2017.pdf

Deleted SINC
North Yorkshire SINC that have been deleted by the North Yorkshire SINC Panel have been surveyed and assessed against the SINC selection guidelines and found not to qualify as a SINC. We still report these sites in this report as some district planning authorities may still use the list of SINC in their local development plan and not the dynamic process developed by the North Yorkshire SINC group. As such, SINC that have been deleted should be considered for any planning applications. In addition these sites may not be of sufficient quality to qualify as a SINC but are still likely to be of higher ecological quality than other land in the area.

A full species and habitat map along with a citation is available for all SINC in North Yorkshire, however a charge of £25 is levied by the SINC steering group for this data. If you wish to receive a copy of this information for the SINC identified in this report please contact us.

Scarborough BC only
The York & North Yorkshire SINC Panel make recommendations on SINC boundaries and designations on the basis of a site's ecological value on a County scale. The "Guidelines for site selection" for North Yorkshire and York SINCs are available to download from the NEYEDC website: https://www.neyedc.org.uk/ecologists. For details of the current designation status of a particular site within Scarborough Borough Council's Development Management systems or Local Plan please contact the Development Management team at Scarborough Borough Council.

Yorkshire Wildlife Trust Reserves
Version: *YWT Reserves* *January 2019*

There are no YWT reserves within the search area.

Site-based Habitat data:
Areas of habitats in or partly within the search area occurring in the Natural England Ancient Woodland Inventories and/or Priority Habitats are shown on the accompanying map, and are listed below:

Ancient Woodland Inventory
Version: *Ancient Woodlands* *July 2019*

North & East Yorkshire NEYEDC ecological data centre

Our Ref: E04974

Your Ref: CE0870

Date: 30/07/2020

Search area: 2km radius from NZ879115

Habitat type	*Location or comments*
Ancient and Semi-Natural Woodland	Raithwaite Plantation
Planted Ancient Woodland Sites	Mulgrave Woods; Raithwaite Plantation

Priority Habitat Inventory

Version: *Priority Habitats Inventory* *August 2017*

Habitat type	*Location or comments*
Deciduous woodland	Numerous parcels throughout search area
Mudflats	Whitby Harbour
Lowland fens	Upgang
Maritime cliff and slope	Coastline throughout search area
Traditional orchard	Ewe Cote; S of A171

The relevant 2km Designation & Habitat Maps are illustrated in Appendices 1, 2 & 3 of this report.

3.1.2 Bat records

Bat records were obtained from North & East Yorkshire Ecological Data Centre (NEYEDC) with reference to the North Yorkshire Bat Group.

There were a total of 72 historical bat records returned from the third party repositories. The nearest historical roost record is approximately 0.83km to the north west of the site, for a nursery roost of 40 Common Pipistrelle *Pipistrellus pipistrellus* in 2016.

3.2 Daytime Building Survey.

Building One (B1)

Plate 1. Shows east gable and north elevation of Building 1

Building 1 is a single storey stone walled barn with a pantile roof covering. The external walls all have varying degrees of age- related decay, with several deeper holes noted in the stonework were the mortar was missing on both the north and south elevations. At some point part of the north elevation and the west gable had been rebuilt with brick, which appeared to be in good condition with only minor decay of the mortar lines noted. Traditional style ventilation holes where noted at eaves level on the east gable. Two timber framed stable doors where found on the north elevation with gaps noted between the frame and the surrounding stonework. The west gable had a large timber framed opening, gaps where noted between the timber lintel and the brickwork above.

Internally the barn was divided into three separate rooms by solid stone walls, all the walls had varying degrees of age-related decay with some deeper holes noted were the mortar had come away entirely. A timber framed opening is found between the two rooms to the east end of the building at eaves level, with several gaps between the frame and surrounding stonework, as well as between the two timber lintels at the top of the opening.

Timber rafters and a central ridge board supported the pantile roof covering, a number of tiles where noted to have slipped/moved leaving gaps. Two clear corrugated Perspex roofing sheets where found spaced evenly on the south aspect of the roof. Bitumastic felt lining was found throughout the entire building.

At the time of the daytime buildings assessment Building 1 was assessed as having Moderate potential for bat habitation for the following reasons:

- Holes/Gaps in both external and internal walls
- Gaps around timber frames
- Lifted/Slipped pantiles

Plate 2 Example of holes in internal walls

Plate 3. Shows timber roof supports and opening between rooms.

Building Two (B2).

Plate 4. Shows north elevation of Building 2.

Building two is a single storey stone walled mono pitch building with a pantile roof covering. The majority of the external walls looked to be in good condition with only minimal decay of the mortar lines. A double timber framed door and glazed window were found on the north elevation, several small gaps were noted between the timber door frame and surrounding stonework. Internally the walls all appeared to be in good condition with only superficial cracks noted.

Timber beam, purlins with rafters supported the pantile roof covering, several pantiles were noted to have been lifted/slipped. Traditional lath and plaster under drawing was present throughout the study building.

At the time of the daytime buildings assessment Building 2 was assessed as having Low to Moderate potential for bat habitation for the following reasons:

- Lifted/Slipped pantiles
- Gaps surrounding timber framed door.

Plate 5. Shows internal roof supports and lining in Building 2.

Plate 6. Shows lifted pantiles

Building 3 (B3).

Plate 7. Shows west elevation of Building 3.

Building 3 is a row of three, one and a half storey high, stone-built store rooms and a holiday cottage all with a pantile roof covering. The external walls all appeared to be in good condition with only minor decay of the mortar lines. A mix of timber and UPVc glazed windows along with timber framed doors where found on both the east, west elevations and the south gable, all of which were well fitted to the surrounding stonework with no visible holes or gaps.

Access could not be gained inside the building or the roof voids due to current Covid-19 restrictions.

The pantile roof covering was mostly well fitted, with only the occasional tiles noted to be lifted on the west elevation. One Velux roof window was found on the west aspect of the roof with the surrounding tiles well fitted to the flashing beneath. UPVc bird spikes were seen under the tiles at eaves level on both the west and east elevation.

At the time of the daytime buildings assessment Building 3 was assessed as having Low – Moderate potential for bat habitation for the following reasons:

- No access into roof void.
- Two or Three lifted tiles

Plate 8. Shows east elevation of Building 3

Plate 9. Shows lifted pantile and bird spikes under header tiles on the western elevation.

3.3 Nocturnal Surveys.

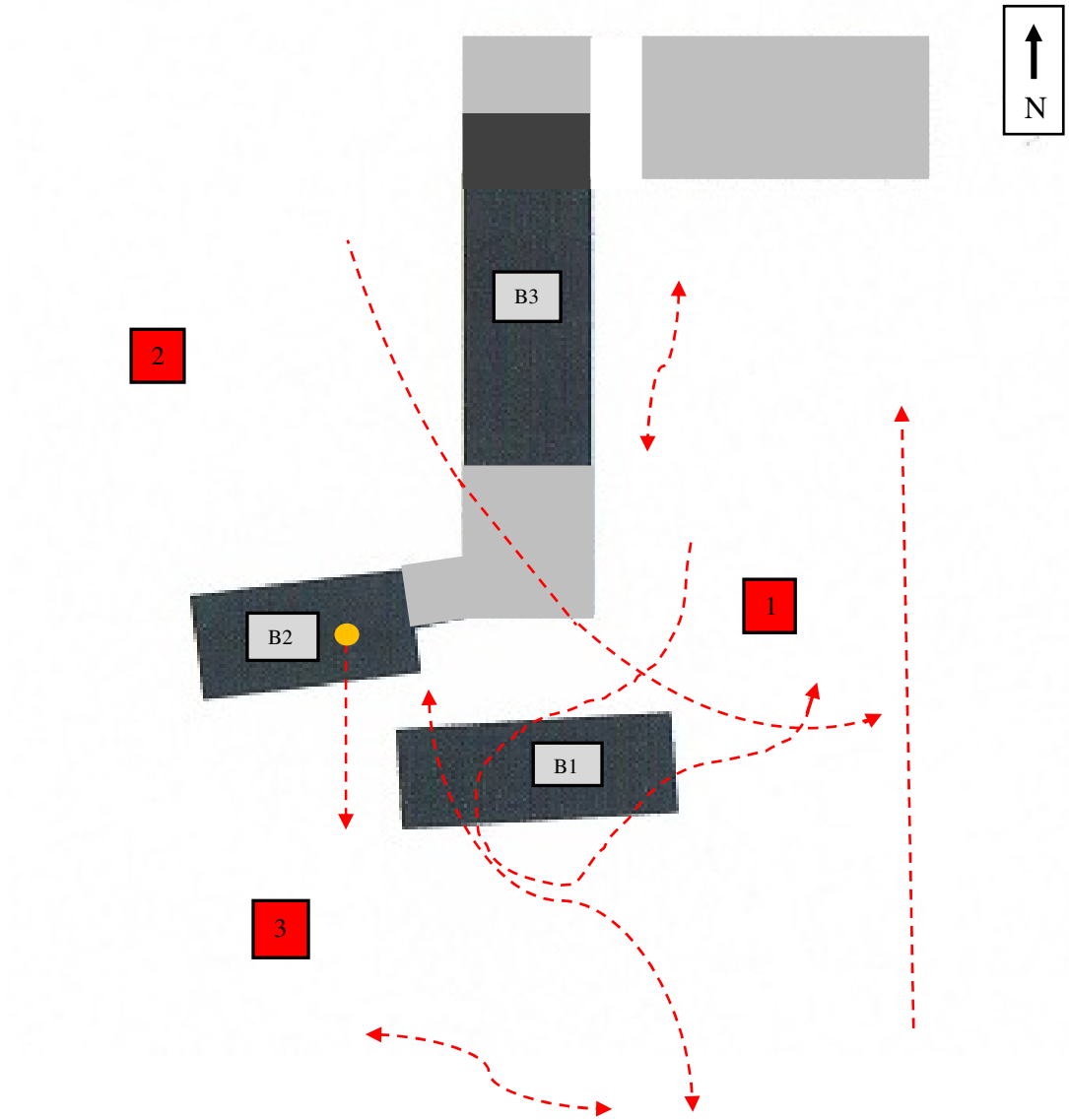
Survey data results are presented below along with the relevant survey activity plan

Dusk Activity Survey for 2nd August 2020

Table 3. Results of the dusk emergence bat survey

Location	Time	Observations made
	20.40	Survey start
1 & 3	21.25	1 Common pipistrelle emerged from under a tile on the south elevation of Building 2
2	21.28	1 Common pipistrelle heard briefly; direction not ascertained
1 & 3	21.27 – 21.30	1 - 2 Common pipistrelle foraging around and over Building 1
1 & 3	21.37 – 21.43	1 - 2 Common pipistrelle foraging over Building 1 and to the south of the site
1	21.42	1 Common pipistrelle commuting south to north
1	21.45	1 Common pipistrelle foraging to t he east of the site
3	21.47	1 - 2 Common pipistrelle foraging to the south of the study site.
1 & 2	21.52	1 Common pipistrelle commuting north to south east over Building 3
1	21.53 – 21.59	1 - 2 Common pipistrelle foraging to the east of Building 1
3	21.52 – 22.01	1 Common pipistrelle foraging to the south of the site
1 & 2	22.00	1 Noctule heard commuting; direction not ascertained
	22.45	Survey End

Dusk Activity Map 2nd August 2020



Legend

1 Surveyor Location

Common Pipistrelle

Study Building

Other Buildings on Site

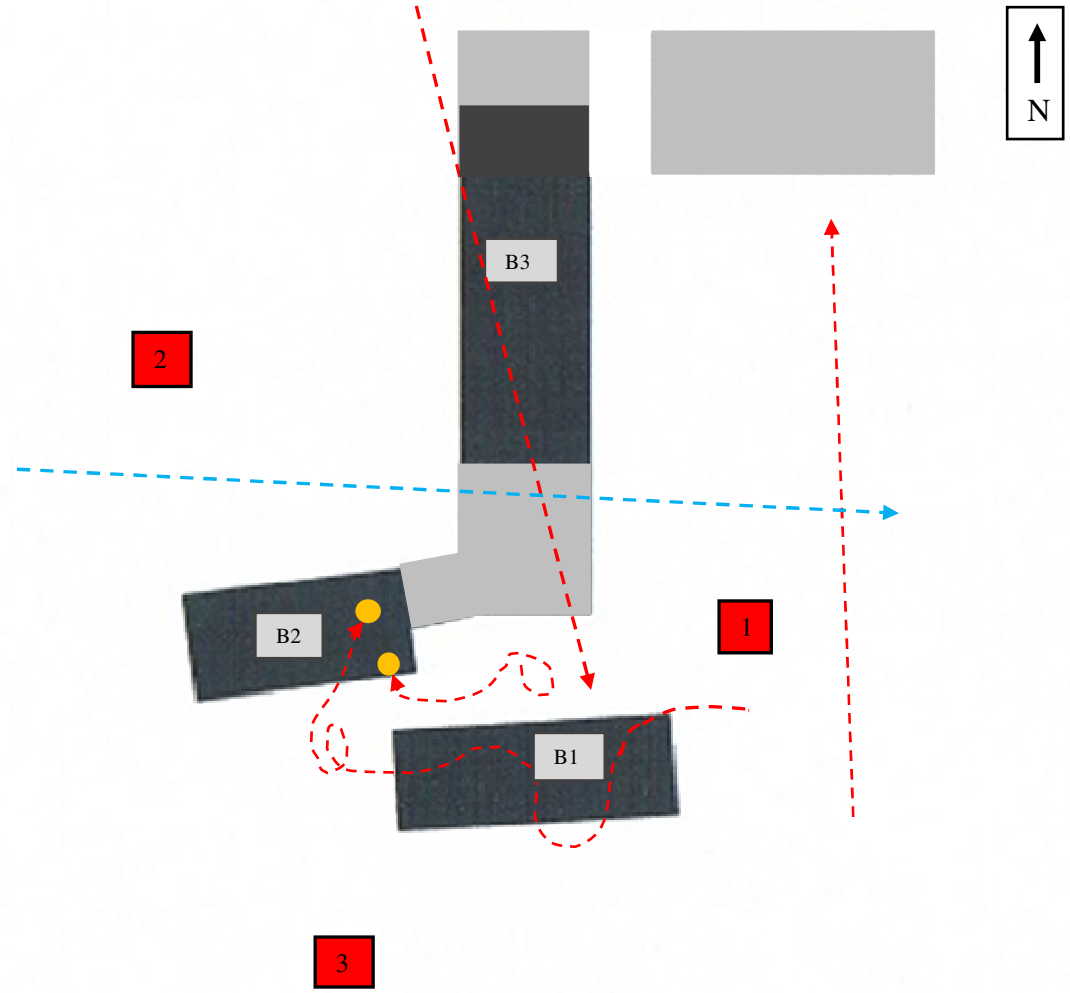
Day Roost Location

Dawn Activity Survey for 18th August 2020

Table 4. Results of the dawn re-entry bat survey

Location	Time	Observations made
	03.55	Survey Start
1 & 3	03.55 – 04.13	1 - 2 Common pipistrelle heard foraging; direction not ascertained
2	04.00	1 Common pipistrelle heard commuting direction not ascertained
2	04.06	1 Common pipistrelle heard briefly: direction not ascertained
1 & 2	04.24	1 Common pipistrelle commuting north to south over Building 1
1 & 3	04.50	1 Common pipistrelle foraging above Building 1 before swarming south elevation of Building 2 and entering a day roost under tile at 04.57hrs
1	05.02	2 Common pipistrelle commuting south to north
3	05.02	1 Common pipistrelle foraging to south of the site.
1	05.05	1 Common pipistrelle swarmed around the south elevation of Building 2 before entering a day roost under a tile at eaves level at 05.09hrs
1 & 2	05.13	1 Whiskered/Brandt's commuting west to east
	06.00	Survey End

Dawn Activity Map 18th August 2020



Legend

1 Surveyor Location

Common pipistrelle

Whiskered/Brandt's

Study Building

Other Buildings on site

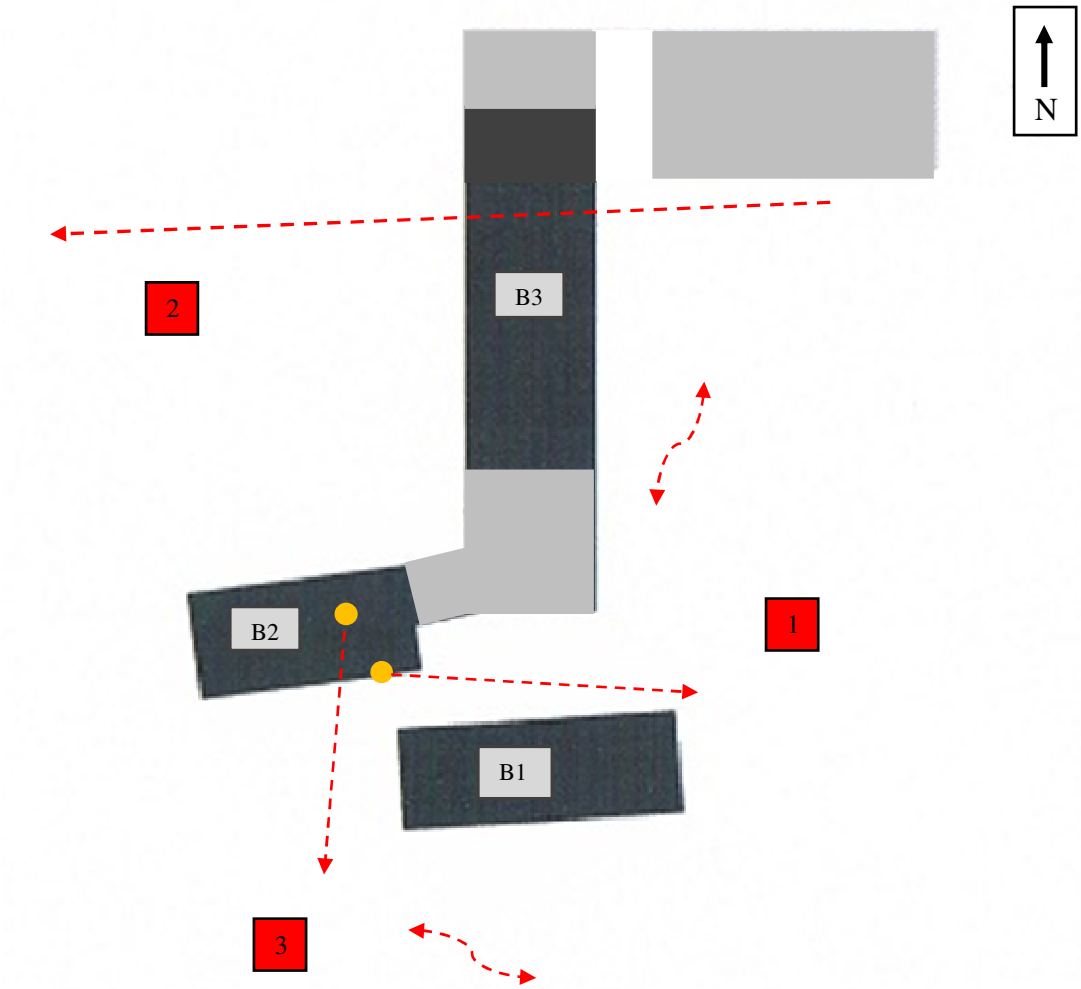
Day Roost Location

Dusk Activity Survey for 4th September 2020

Table 5. Results of the dusk emergence bat survey

Location	Time	Observations made.
	19.25	Survey Start
1 & 3	20.04	1 Common pipistrelle emerged from a day roost under a tile on the south elevation of Building 2
1	20.15 – 20.21	1 Common pipistrelle emerged from a day roost under a tile at eaves level on the south elevation of Building 2 at 20:15 hrs before foraging to the east
3	20.17	1 Common pipistrelle foraged briefly to the south of the site
1	20.23	1 Common pipistrelle briefly foraged to the east of Building 3
1 & 2	20.28	1 Common pipistrelle commuting east to west
2	20.29	1 Common pipistrelle heard briefly; direction not ascertained
1 & 2	20.33	1 Noctule heard commuting; direction not ascertained
2	20.48	1 Common pipistrelle heard commuting' direction not ascertained
	21.25	Survey End

Dusk Activity Map 4th September 2020



Legend

1 Surveyor Location

Common Pipistrelle

Study Building

Other Building on site

Day Roost Location

4.0 ASSESSMENT OF SURVEY RESULTS

4.1 Constraints on Survey Information

- Access could not be gained into study Building 3, due to current Covid-19 restrictions.

- There were no constraints on the third-party data searches.

4.2 Constraints on Equipment Used

- There were no constraints on the equipment used during the building assessment.

4.3 Potential Impacts of Development.

4.3.1 Designated sites

At a Statutory level the study buildings are located within the North York Moors National Park, as illustrated in Appendix 1.

At a Non-Statutory level there are six Sites of Importance for Nature Conservation (SINC) found within the 2km search area. The nearest of these is Upgang Beck SINC, which is found at its nearest point approximately 125m to the east of the study buildings, as illustrated in Appendix 2 of this report. Upgang Beck (SINC) was last surveyed in 2012, and reading through the citation it appears that the area is broadly in the similar poor condition ecologically as in 2012, although tall ruderal vegetation is now encroaching the former neutral grassland area.

Given the nature of the development proposal and its location within Sandfield House Farm, it is not anticipated that any negative impacts are likely to occur on the National Park, nor to any of the Non-Statutory Sites, as the study buildings stand within an established moderately sized caravan and camping site, located within the Park boundaries.

4.3.2 Roosts

There were several features, identified within the structure of Buildings 1, 2 and 3 to varying degrees, which have the potential to provide roosting opportunities, especially for crevice dwelling bat species, bearing in mind that a Pipistrelle bat species can squeeze into a 15 – 20mm gap quite easily. Therefore, as a result of these all the observations made during the daytime buildings assessment, the study buildings have been assessed as follows:-

Building 1: Moderate potential
Building 2: Low - Moderate potential
Building 3: Low - Moderate potential

There were a total of 72 historical bat records returned from the third party repositories. The nearest historical roost record is approximately 0.83km to the north west of the site, for a nursery roost of 40 Common Pipistrelle *Pipistrellus pipistrellus* in 2016..

During the dusk activity survey undertaken on the 2nd August 2020, one Common Pipistrelle *Pipistrellus pipistrellus* was seen to emerge from the south elevation of Building 2 @ 21.25 hrs (Roost 1, Plate 10)

During the dawn activity survey undertaken on the 18th August 2020, one Common Pipistrelle *Pipistrellus pipistrellus* was seen to enter a day roost under a tile on the south elevation of Building 2 @ 04.57hrs (Roost 1, Plate 10), A second Common pipistrelle *Pipistrellus pipistrellus* entered a day roost under a tile at eaves level on the south elevation of Building 2 @ 05.09hrs (Roost 2, Plate 10)

During the dusk activity survey undertaken on the 4th September 2020, one Common Pipistrelle *Pipistrellus pipistrellus* was seen to emerge from under a tile on the south elevation of Building 2 @ 20.04hrs (Roost 1, Plate 10). A second Common pipistrelle *Pipistrellus pipistrellus* emerged from a day roost under a tile at eaves level, on the south elevation at 20.15 hrs (Roost 2, Plate 10)

It should be remembered however, that bats are highly mobile and secretive species, their absence during surveys of this type does not preclude them from being present at other times of the year.

Plate 10. Shows the position of two day roosts on the south elevation of Building 2.

4.3.3 Habitats

The habitats within the immediate surrounding area are considered at this stage to offer Moderate foraging capacity for several bat species.

4.3.4 Foraging and commuting

Foraging activity both within and around the study site was primarily associated with the habitat to the east and south of the study buildings, with mainly single Common pipistrelle *Pipistrellus pipistrellus* recorded/observed foraging at any one given time, although on several occasions, up to two Common pipistrelle *Pipistrellus pipistrellus* were recorded /observed foraging together.

Commuting activity was randomly spread over the site with no indication of a main commuting route for a large number of bats recorded.

From the observation made during all the nocturnal survey periods it is apparent that the study site and the immediate surrounding habitat only supports a small number of individual bats of a common and widespread species, possibly only one or two individuals.

Therefore from the nocturnal survey findings as discussed above it can be anticipated that it would be highly unlikely for any adverse short or long term impacts, upon either the foraging or commuting activity of the local bat population, if the proposed development were to proceed.

4.3.5 Nesting birds

Five active Barn Swallow *Hirundo rustica* nest sites were identified in the eaves of Building 1 during the assessment. To negate any potential impacts upon this bird species, from the proposed works, mitigation is proposed in Section 7.3 of this report

5.0 LEGISLATION

5.1 Bats

All species of UK bats are statutorily protected under the Conservation of Habitats and Species Regulations 2017 (formerly The Conservation (Natural Habitats, Etc.) Regulations 1994 (as amended), which implements the requirements of the EC Habitats Directive, plus under UK legislation through Schedule 5 (Section 9) of the Wildlife and Countryside Act 1981. This combined legislation makes it an offence to:

- Deliberately kill, injure, or capture bats
- Deliberately disturb bats in such a way as to significantly effect:
    a) the ability of that species to survive, breed, rear or nurture their young
    b) the local distribution on the species
- Intentionally or recklessly disturb or obstruct access to the resting place of bats
- Damage or destroy breeding sites and resting places of bats even if bats are not occupying the roost at the time.
- Possess, transport, sell, barter or exchange any part of, or derived from a bat whether dead or alive.

5.2 Nesting birds

All wild birds are protected under Section1 of the Wildlife and Countryside Act 1981 (as amended), it is an offence to: -

- Deliberately 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 or eggs of any such wild bird.

The breeding bird season runs from 1st March to 31st August.

6.0 PLANNING POLICY

6.1 The National Planning Policy Framework (2019) states:

174 .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 habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity

175. When determining planning applications, local authorities should aim to conserve and enhance biodiversity by applying the following principles:

- If significant harm to biodiversity 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.

- Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments, should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of specific scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.

- Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

- Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can be secured measurable net gains for biodiversity.

176. The following should be given the same protection as habitat sites:

- Potential Special Protection Areas and possible Special Sites of Conservation.

- listed or proposed Ramsar sites; and

- Sites identified, or required, as compensatory measures for adverse effects on habitat sites, potential Special Protected Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plan or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site

6.2 ODMP Circular 06/2005 Biodiversity and Geological Conservation

- The presence of a protected species is a 'material consideration' when a local planning authority is considering a development proposal. (*Paragraph 98 Circular 06/2005),*when a planning authority is considering a development proposal and as such where impacts upon a protected species are likely to occur from a proposed development, surveys must be undertaken and provided to support a planning application.

- Paragraph 99 Circular 06/2005 states;
  'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted'.

- Where there is a reasonable likelihood of protected species being present and affected by a development the surveys should be completed and any necessary measure put in place, through conditions and / or planning obligations, before the permission is granted.

6.3 The Natural Environment and Rural Communities Act 2006 (NERC)

The Natural Environment and Rural Communities Act 2006 (NERC) also lists the Bat as a species of principal importance under Section41 and Section 40 requires every public body in the exercising of its functions (in relation to Section 41 species) to 'have regard, so far as is consistent with the proper exercise of those functions, to the propose of conserving biodiversity'; therefore making the Bat a material consideration in the planning process and requiring a detailed survey before planning permission can be granted.

7.0 RECOMMENDATIONS

- The two identified day roosts, for 2 Common pipistrelle *Pipistrellus pipistrellus* will be disturbed and destroyed as part of the conversion work. Therefore a European Protected Species Mitigation Licence will have to be obtained and approved by Natural England before conversion works on Building 2 can be undertaken. This licence can only be applied for once approval for the proposed development has been granted by the local planning authority in this case the North York Moors Planning Authority.

- The Bat Mitigation Strategy within Section 7.1 of this report should be implemented prior to demolition works of the study building is undertaken.

7.1 Bat Mitigation Strategy.

Mitigation is required to avoid or limit the impact of the proposed conversion of the study building on both roosting and foraging bats. Any mitigation is designed to meet the needs of the bat species present within the roost, in this case two Common pipistrelle *Pipistrellus pipistrellus* day roosts. Therefore as the day roosts that are present at the time of the nocturnal surveys within Building 2 are of a common bat species, which is found widespread throughout Yorkshire, then replacement roosts can be incorporated into the new dwelling to provide compensation. The loss of the existing day roosts are unlikely have a significant impact on this one common bat species at a local, regional or national level.

Compensation should ensure that the Favourable Conservation Status and Continued Ecological Functionality of the identified bat population within the buildings is not adversely affected by the development proposals.

The licence application is comprised of the following sections;

1. Application Form
2. Method Statement
3. Reasoned Statement

7.1 Bat Mitigation Strategy.

7.1.1. The contractors should be given a toolbox talk prior to work commencing by a suitably qualified bat worker. A copy of the report containing this mitigation strategy should be on site at all times for the contractors to use as a reference.

7.1.2. Bats are small and can squeeze into a small gap of 15-20 mm. As the potential for hibernation within the study buildings cannot be determined from nocturnal surveys at this time of the year. It is therefore appropriate that no conversion work of the study buildings is to be undertaken during the bat hibernation period generally to be taken as between November – March.

7.1.3. It is proposed that the initial removal of the roof of Building 2 will be undertaken by the methodology of Soft Demolition. Removal of the roof covering will only take place by hand in a careful and methodical manner and will be supervised at all times by a Suitably Qualified Ecologist.

7.1.4. Once the roof covering on Building 2 has been removed to the satisfaction of the SQE and the building is declared bat free, then the remaining conversion works of Building 2 can be undertaken unsupervised.

7.1.5. External lighting can have an adverse effect on bat foraging activity. Therefore any new lighting should be fitted with a downward facing hood at an angle of less than 70 degrees to reduce light spillage. Light sources should also be fitted with a ultra-violet filter or the use of high or low pressure sodium lamps should be considered. All external lamps on the new residential units should be fitted with a time adjustable motion sensor to reduce the period any lighting is on for.

7.1.6. No new external lighting will be shone directly towards the southern paddock and trees, as this area has been shown to form part of the wider foraging area for the local bat population.

7.1.7. 2 x Schweglar Bat Brick 27 boxes or build in equivalents (Illustrated in Appendix 2), are to be installed in the converted building (Building 2) during the construction phase. These bat boxes can be obtained from NHBS www.nhbs.com or any other suitable wildlife habitat supplier.

7.1.8. 1 x Vivaro Pro Chilton Low Profile Woodstone bat box or woodcrete equivalents, is to be installed in a suitable position found with the application site, prior to any conversion works on Building 2 been undertaken. Advice on positioning to be agreed with ourselves. These bat boxes can be obtained from NHBS www.nhbs.com or any other reputable wildlife habitat supplier.

7.1.9. 1 x Vivaro Pro Chilton Low Profile Woodstone bat box or equivalents will then be retained post development to provide additional roosting features within the site.

7.1.10. During work to be carried out, in the unlikely event that bats are encountered by an unlicensed person then they **MUST** withdraw immediately and work must stop and a licensed bat ecologist/worker called in to enable further investigation and before any work recommences.

7.1.11. During the final soft landscaping scheme consideration should be given to the planting of nectar rich flora, which will increase the insect and moth numbers and promote the foraging area available to the local bat population. A list of suitable plants can be provided by ourselves or from the Bat Conservation Trust www.bats.org

7.2 Consideration of the 'Three Tests' (The Conservation of Habitats and Species Regulations 2017)

In the light of the judgement in recent high court cases, namely Woolley v Cheshire East Borough Council and Millennium Estates 5 June 2009 consideration should be given to the application of the 'Three Tests' of the Conservation of Habitats and Species Regulations 2010 to the proposed development at the proposed site in order to ensure that the development proposals comply with the Conservation of Habitats and Species Regulations 2010 and should help to clarify the role and responsibilities of the Local Planning Authorities (LPA) in respect of European Protected Species (EPS)when they are consideration development consent applications.

With respect to European Protected Species, recent guidance from Natural England clearly states 'where it is likely that one of the prohibitions (under The Conservation of Habitat and Species Regulations 2017 – 'The Regulations' will be offered the LPA will be required to consider the likelihood of an EPS licence being granted by Natural England and in doing so, the 'Three Tests'

"Imperative Reasons of Overriding Public Interest including those of a Social or Economic nature"

It is understood that the proposal is for the conversion of the study buildings to provide additional holiday let units.

The proposed development would help with the requirements for additional holiday units within both the existing holiday site at Sandfield House Farm, as well as within the local area.

Further benefits to the local economy would be gained through the use of local builders and tradesmen.

"*No Satisfactory Alternative"*

The existing buildings, predominantly Buildings 1 & 2 are in varying degrees of disrepair, whilst part of Building 3 is now not fit for purpose. Without the proposed conversion, these buildings would fall into a greater state of disrepair and obsolescence. Therefore there is no satisfactory alternative to the proposed conversion works.

"The Authorised Action will not be Detrimental to the Maintenance of the Population of the Species Concerned at a Favourable Conservation Status in their Natural Range"

The proposals set out within Section 7.0 of this report has outlined that an offence under The Regulations with regard to bats in the development footprint would be reasonably unlikely and the loss of the existing roost would not be considered detrimental to the Favourable Conservation Status of the local bat population.

7.3 Nesting Birds.

Five active nest sites for Barn Swallow *Hirundo rustica* were identified in the roof structure of Building 1 during the buildings assessment. Without appropriate mitigation the proposed restoration works would result in the destruction/loss of the existing nest sites found within this building. Therefore to address these findings and to enable both the Continued Ecological Functionality and to maintain the Favourable Conservation Status of these bird species the following recommendations have been proposed.

Recommendations.

If the restoration works on the study buildings are to be undertaken during the nesting bird season 1st March - 31st August then the buildings will require checking for nesting birds by a suitably qualified ecologist prior to any work commencing. If any active nest sites are found then the work must stop within the immediate nest location until the young have fledged or the nest is naturally abandoned.

Suitable nesting bowls for Swallows are to be installed within suitable locations within the curtilage of Sandfield House Farm prior the any conversion work taking place. This is to provide a suitable nesting feature for the species to continue nesting prior to, during and after the conversion work has been undertaken. Advise upon the exact location for the new nesting bowls can be given by ourselves upon request.

The following nest boxes are to be installed within a suitable alternative buildings:

6 x Schweglar Swallow Nesting Bowls or woodcrete equivalents.

All the Schweglar or equivalent woodcrete nest boxes can be obtained from NHBS at www.nhbs.com or similar conservation/ecology suppliers.

8.0 REFERENCES AND BIBLIOGRAPHY

Bat Conservation Trust – Species data sheet (2012)

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

Countryside and Rights of Way Act 2000 – HMSO

Conservation (Natural Habitats etc) Regulations 1994 as amended 2017

English Nature (2002). *Bats in roofs: a guide for surveyors.* English Nature, Peterborough, UK

Google Earth

NHBS – www.nhbs.com

Michell-Jones, A.J. and McLeish A.P. (Eds). (2004). *Bat Worker's Manual (3rd Edition).* Joint Nature Conservation Committee, Peterborough, UK

Michell-Jones, A.J. (2004). *Bat Mitigation Guidelines.* English Nature, Peterborough, UK

National Planning Policy Framework 2019 Department of Communities and Local Government

Natural England Standing Advice Sheet: *Bats* (April 2012)

Natural England Standing Advice – Planning and Development

North & East Yorkshire Ecological Data Centre

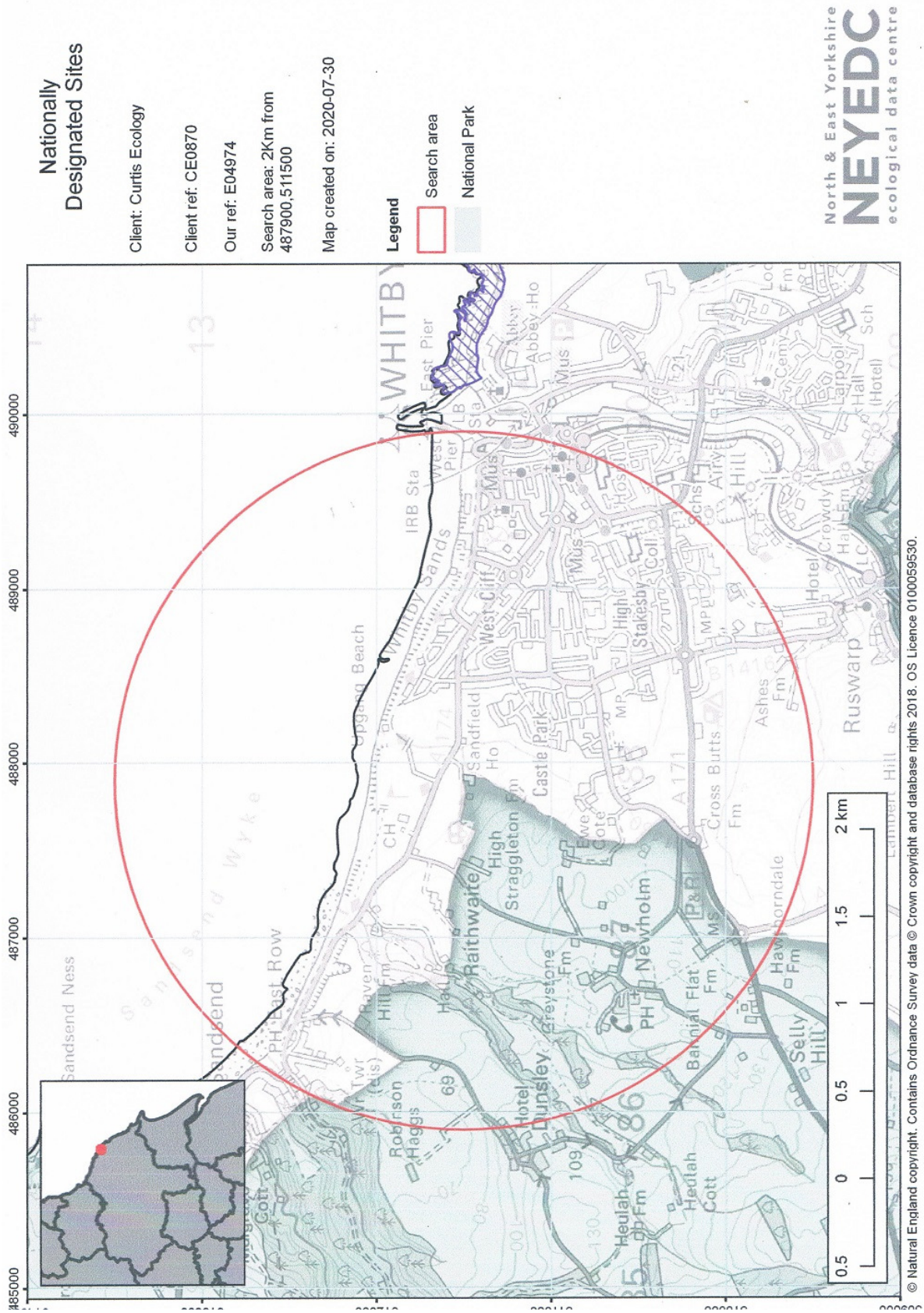
North Yorkshire Bat Group

ODMP Circular 06/2005 Biodiversity and Geological Conservation

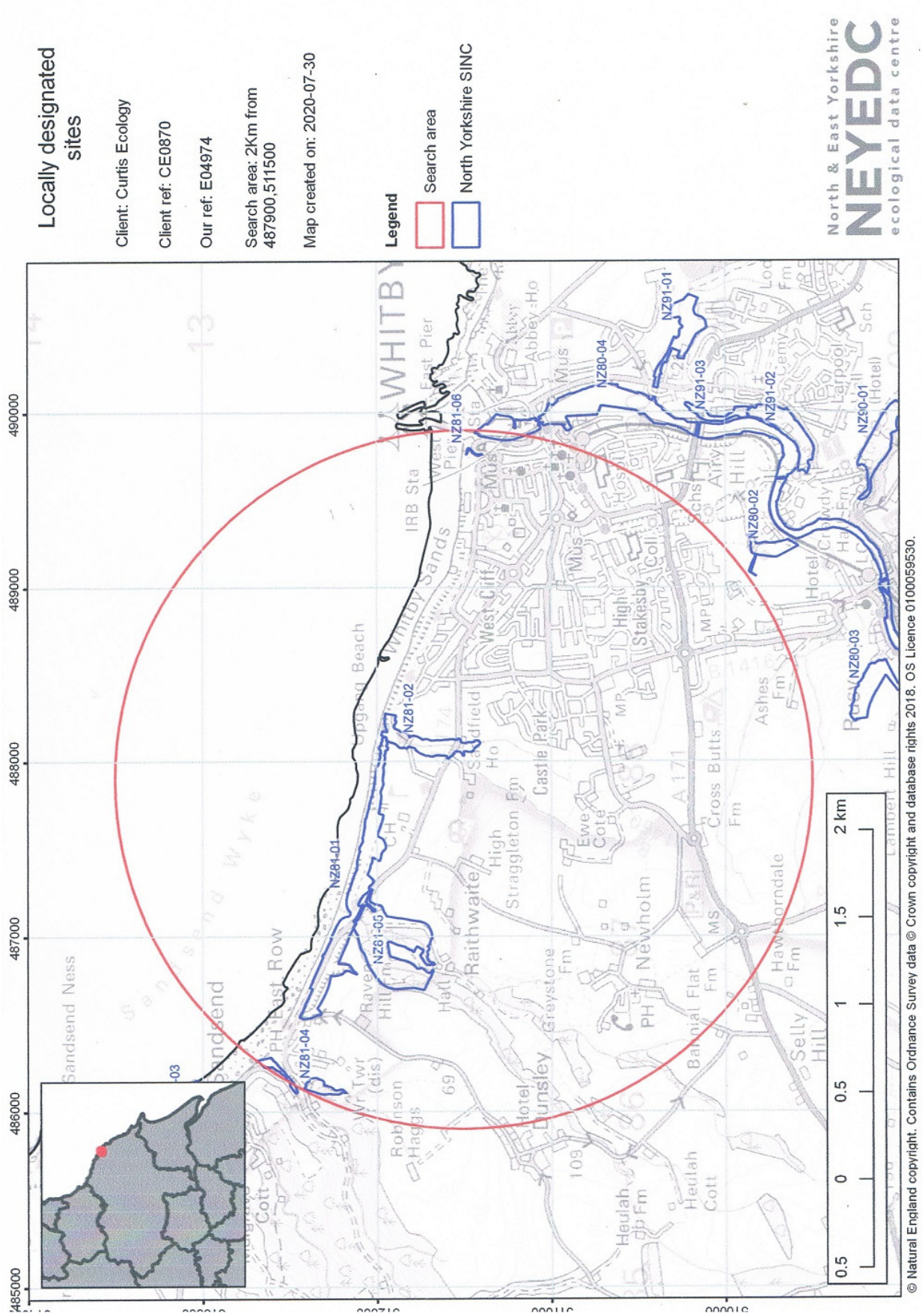
Wildlife and Countryside Act 1981 -HMSO

9.0 APPENDICES

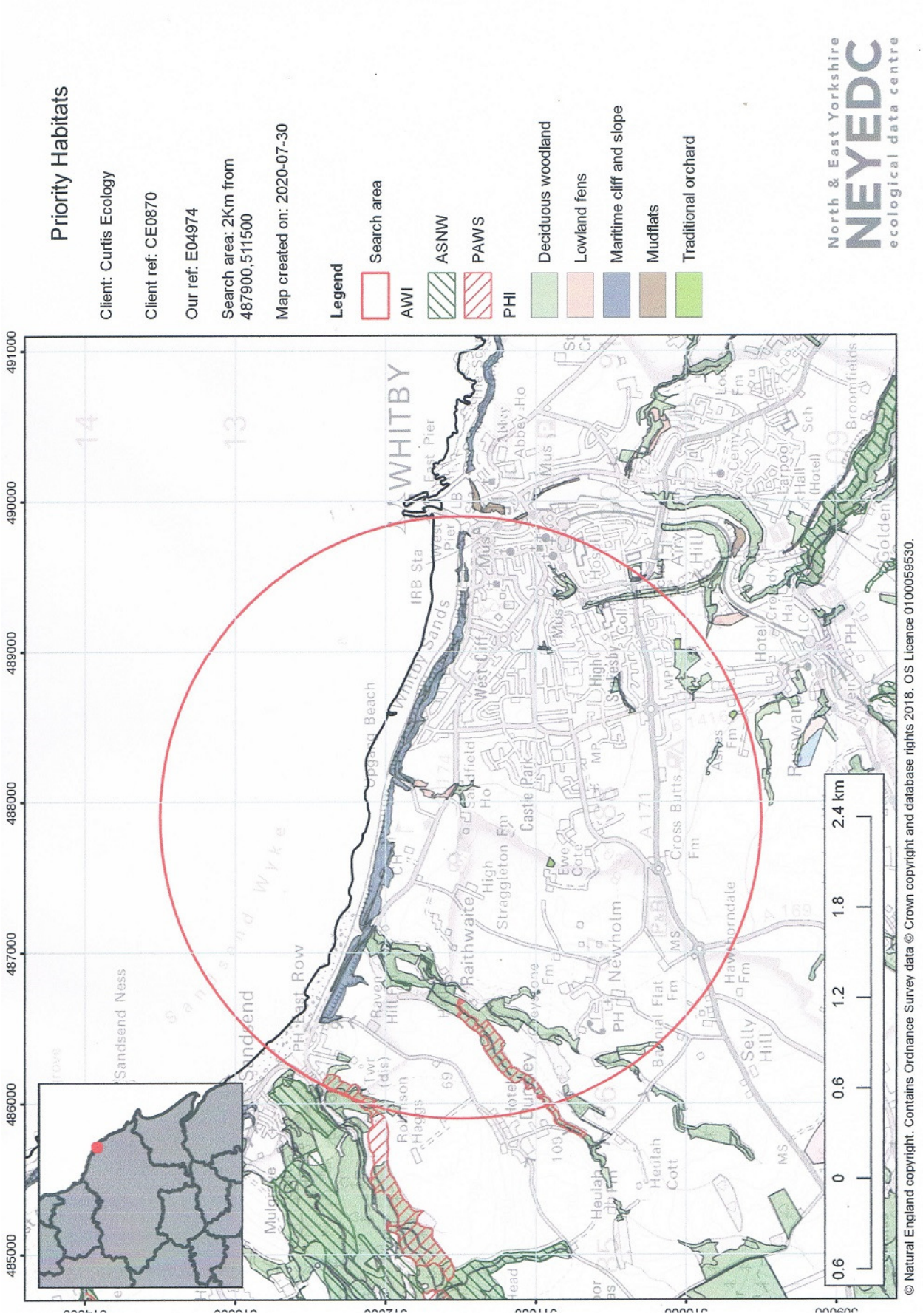
Appendix 1. Nationally Designated Sites Map 2km



Appendix 2. Locally Designated Sites Map 2km

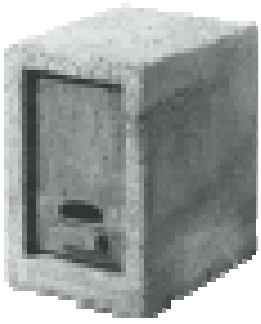


Appendix 3. Priority Habitats Map 2km



Appendix 4. Bat Box Information.

Schweglar Brick Box 27



The Schwegler Brick Box 27 has been specifically designed for bats. This box should be cemented into a wall in a building or underneath a bridge, arch or tunnel where conditions are relatively humid. Particularly useful for incorporating into new buildings to attract bats, or to provide new roost sites where existing buildings with bats are being renovated. This box contains a single internal wooden panel to simulate a crevice where bats can roost. The front panel is removable for easy cleaning.

Dimensions: 265H x 180W x 240D mm. Entrance hole: 55 x 26mm

Vivaro Pro Chilton Low Profile Woodstone

Appendix 5. Swallow Box Information

Schwegler 10 Swallow Nest Bowl