



ISLES OF SCILLY BAT GROUP

Affiliated to: Isles of Scilly Wildlife Trust and Bat Conservation Trust

BATS AND BUILDINGS

Guidance to applicants for planning permission for building & restoration works

All bats and their roosts are protected by law. This leaflet tells you how to make sure your proposed development will not illegally harm bats. It will assist you in preparing or revising your planning application. You have received this information because of the possibility of bats being present in your property. They can be discreet visitors and you may not have noticed their presence. They cause no harm to buildings and pose no health risk. These guidelines aim to provide the information needed to consider the effects of development on bats, what you must do if you wish to carry out work on your property and useful contacts for further help and advice.

Bats and the Law: bat protection in England

Bats and their roosts are given special protection under UK law (Wildlife & Countryside Act of 1981 (as amended) and The Conservation Regulations of 1994). According to the law, a 'roost' is any structure or place that a bat uses for shelter or protection. This is taken to mean that *all bat roosts are protected* whether bats are present or not. Moreover, once a location has been identified as a roost, even if it is later unoccupied, *it is still classified as a roost and is 'protected'*. It is illegal (without a licence) to kill, injure or disturb a bat, or to damage or to obstruct access to any place that a bat uses for shelter. 'Damage' means to make conditions worse for the bat and so would include treatment with toxic chemicals found in wood preservatives. It is not illegal to remove bats carefully from the living area of a house or to look after injured or abandoned bats. The responsible authority for ensuring bat protection in England is Natural England (NE). NE works through a countrywide network of licensed 'Bat Work Volunteers' (bat wardens), whose main role is to respond to requests to visit roosts in dwellings and churches, where there are issues such as noise, smell owing to urine or droppings, etc, and to advise on appropriate measures. Advice can also be given by bat wardens where small scale works are planned, which do not involve planning permission, but which may affect bats and roosts (for example timber treatment, loft insulation, re-roofing etc).

Bats in Buildings

Why do bats occupy buildings?

Bats may depend on domestic buildings for roosting especially if there is a decline in agricultural buildings or natural roosts such as trees and caves. It should be noted that pipistrelles seem to use very new buildings as well as very old ones.

When do bats occupy buildings?

Bats form maternal colonies from late spring to early autumn. Baby bats need a warm undisturbed site to grow for 5-6 weeks until weaned and independent. In winter, bats seem to leave houses but in Scilly we are still not sure where they go. We need more information.

Where do bats go in buildings?

Bats require somewhere safe during the day. Tucked into a tiny space under a slate on the southern or western side of a house roof is ideal for a pipistrelle. These bats do not tend to use the loft space but some may be out of sight behind felt or joints in the timber. A gap of 15mm is enough for a pipistrelle to enter a roost.

How do you know if you have bats?

Look for droppings. Pipistrelle and mouse droppings look similar. If they are crumbly and made of tiny shiny particles, they have been left by bats. They may be seen:

- On glass and windowsills
- On the ground below a gap on the outside of a property
- In the loft. Covering articles stored in the loft with newspaper or sheeting reduces the nuisance.

Look for urine stains on walls, beams and ledges,

Recommended procedure for planning applications requiring a bat survey

Consultation

The presence of bats is a material consideration for the Local Planning Authority when considering planning applications. If the Local Authority receives an application that is likely to result in disturbance or damage to bats or their roosts, it will:

- Notify the local licensed volunteer bat wardens of the application.
- Inform the applicant that a bat survey is required and request the applicant to contact a named bat warden (for details see below), who will then arrange a mutually agreed date and time to do the survey.

The bat survey system in the Isles of Scilly - overview

The bat wardens are licensed by Natural England and this allows them to perform activities that would otherwise be an offence. The licence allows them to carry out a survey at your property. A survey by an unlicensed person would be invalid. The wardens are volunteers and therefore ***there is no charge for the service***, although travel expenses may be claimed (for example when the survey requires a boat trip to an off-island). The warden(s) will conduct a survey as soon as possible after the request is logged (depending on weather conditions). It is the applicant's responsibility to request the survey and ***no action will be taken by the wardens without such a request*** even if they are aware of the existence of the planning application. A copy of the survey report will be sent to the applicant and/or the agent/architect and to the Council's Planning Department.

The Survey itself

Prior to the survey the bat warden will have consulted the Planning Department's website for information about the proposed development. The survey may consist of two parts:

(1) A thorough examination of the building for signs of bat presence and potential points of entry for bats (see: Where do bats go in buildings?). This will principally cover the exterior of the building but may sometimes involve an interior examination, especially of the roof space. Such a survey will not necessarily determine whether bats are actually present. Further information about surveys can be obtained from the licensed bat wardens (see also **Further Information** below).

(2) Additional surveys may be conducted to ascertain whether bats can be seen entering or leaving the building. This may be conducted at dusk, when bats emerge to forage ('emergence survey'). Alternatively a survey can be done at dawn, when bats are returning after foraging. The latter can be more reliable as it is easier to see where bats enter the building.

Mitigation

If no bats are found during the survey but there are potential implications for bats (e.g. there are obvious bat access points) the report will advise on measures to be taken (e.g. care to be taken during work; notification of wardens if bats are subsequently found). The wardens may request that they have a 'watching brief' during the building work. The applicant should ensure that the survey report is passed on to the contractors, so that the needs of any bats are fully met. ***The onus lies with the applicant to ensure that no offence will be committed if the development goes ahead.*** We have prepared a similar leaflet and distributed it to local builders and developers.

If bats are found during the survey, or there are strong indications that bats are using the building (e.g. droppings are found), the next stage is to incorporate suitable mitigation into the proposed development. However, ***the local volunteer bat wardens are not licensed to give mitigation advice and at this stage the applicant/agent will be requested by the Council after the relevant planning meeting to consult a professional ecologist, who has an appropriate licence.*** Guidance will be given on the names of suitable professionals. The ecologist will conduct a survey and submit a report and will work together with the applicant and the Local Authority to find a

course of action that is sympathetic to bats, complies with the law and agreeable to all parties. Measures to be taken may include minor adjustments to the planned works, use of 'bat friendly' chemicals in timber treatment, works to reduce disturbance and timing of works to avoid disturbance. Rarely will there be a requirement completely to abandon the proposed work. Remember, even if you don't have bats, you can easily make provision for them, for example by using bat bricks, bat boxes and bat slots and this will aid bat conservation.

Under UK and EU law, destruction of a bat roost is an absolute offence and requires a European Protected Species (EPS) mitigation licence from Natural England. The professional consultant ecologist will help with this. Application for such a licence can be made only after full planning permission has been granted by the Local Authority but such applications are looked upon favourably if suitable mitigation measures have been agreed.

Finding bats in or on your premises is not a disaster!

Many people seem concerned that if bats are found, then they must expect to abandon their desired building work. This is rarely the case. Provision can usually be made for the bats and, by correctly timing the work, many problems can be overcome as outlined in *Mitigation* above.

Roost surveys that do not involve a planning application

A householder or representative of a church authority, who is concerned about an existing roost and requires advice (and when a planning application is not involved), is recommended to contact a bat warden. The warden will conduct a survey and provide advice (in consultation with BCT if necessary). A roost report, with details of advice provided, will be sent to the owner of the premises and to BCT/NE. In these cases the Local Authority is not involved.

Summary of Key Stages

1. After receipt of a planning application, Planning Department notifies applicant/agent of the need to request a bat survey.
2. Planning Department notifies bat wardens of all new applications that will need a bat survey.
3. Applicant contacts a bat warden to request a survey and they agree the date and time for the survey.
4. The bat warden conducts a survey and prepares a report that is sent to the applicant/agent and the Planning Department.
5. If there are no implications for bats, the planning process proceeds as normal and the bat warden is no longer involved.
6. ***If no roost has been positively identified but there are potential implications for bats*** the report will advise on measures to be taken (see section on 'mitigation' above). The wardens may request that they have a 'watching brief' during the building work. The applicant should ensure that the survey is passed on to the contractors, so that the needs of any bats are fully met.

7. ***If bats are found to be present during the work***, they must not be handled. Work must stop immediately and advice sought from bat wardens in the first instance or failing this from Natural England (see below).
8. If a roost is positively identified, the local volunteer bat wardens cease to be involved. The bat warden's report will indicate the need for the applicant to seek further advice from a professional consultant ecologist. Help can be given by the Planning Department and/or the bat wardens in locating appropriate consultants.

Further Information

This leaflet has been prepared jointly by members of the Isles of Scilly Bat Group, the Planning and Development Department of the Council of the Isles of Scilly and Natural England with assistance from members of the Bat Conservation Trust (BCT).

The aims of the Isles of Scilly Bat Group are to:

- Promote bat conservation in the Islands
- Provide a forum for those interested in bats to meet, learn about bats and exchange information
- Provide general information to the public and respond to enquiries
- Collect information and do research on bats
- Raise funds to support these aims

Facts about Bats

Bats are the only flying mammals. All our small British species feed on insects. They roost in trees, caves, mines and a variety of buildings. Bats sharing your home pose no health hazard. They do not build nests or gnaw wood. They are not blind and won't get tangled in your hair! Britain has 50 species of mammals and 18 of these are bats.

Bats in Scilly

Apart from the legal requirements, there are strong conservation reasons for being aware of bats in buildings. Of the 18 British bats, only one – the Common Pipistrelle – is reliably found in the Islands. It is suspected that other species, such as the long-eared bat may be present but they are less easy to detect. As recently as the 1950s and 60s bats were a common sight here but by the mid-1990s they seemed almost to have disappeared. Several factors may have contributed, including agricultural use of insecticides, which would have reduced food availability and 'improvements' to barns and other buildings, restricting their roost sites. Happily, their numbers now seem to be increasing again and positive action is needed to ensure that this continues. This is one of the prime aims of the Bat Group.

Advice

Advice, more detailed leaflets and other information can be obtained from:

The Planning Department, Council of the Isles of Scilly, Old Wesleyan Chapel, Garrison Lane, St Mary's. Tel.01720 424350

Licensed bat wardens in Scilly:

Anne & Mike Gurr. Tel. 01720 422224; e-mail: manda.gurr@btinternet.com
Rebecca Steggles. Tel. 01720 424315; e-mail: RSteggles@scilly.gov.uk

Natural England (NE):

Although NE is the statutory authority for bat protection, it contracts its Bat Advice Service now to the Bat Conservation Trust (see below)

Web: www.naturalengland.org.uk

Bat Conservation Trust (BCT):

National Bat Helpline: Tel: 0845 1300 228; e-mail: enquiries@bats.org.uk
South West Regional Co-ordinator: David Jackson; e-mail: djackson@bats.org.uk
Web: www.bats.org.uk

BCT produces several useful leaflets:

Bats and Buildings – guidance on conservation actions

Living with Bats – a guide for roost owners

Encouraging Bats – a guide for bat-friendly living and gardening

Bats and the Law – a basic introduction to legal protection of bats

These can be obtained from :

Bat Conservation Trust, Quadrant House, 250 Kennington Lane, London SE11 5LD
enquiries@bats.org.uk

or from the local Bat wardens (see above)

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