

# ECOLOGICAL ASSESSMENT JULY 2023 UPDATE

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## TOWN HALL, ST MARY'S, ISLES OF SCILLY



*Client: Council of the Isles of Scilly*

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# Executive Summary

## Overview

The Town Hall situated in Hugh Town, St Mary's was subject to a Preliminary Ecological Assessment (PEA) and Preliminary Bat Roost Assessment (PRA) in February 2022. Further Presence/Absence Surveys (PAS) for bats were completed in May/June 2022. The PEA and PRA were updated in June 2023 and a single update PAS survey was completed in July 2023 to support a revised Planning Application submission.

This Ecological Assessment (EA) report incorporates the PEA as well as mitigation measures arising from the PRA and PAS reports. It supersedes the PEA but should be read in conjunction with the PRA and PAS reports.

## Proposals

The proposed works were identified in documentation provided by Purcell in June 2023 to inform the scope of the update surveys. There are extensive internal and external proposals involved in the creation of a new home for the Isles of Scilly Museum. This involves renovation and modification to existing structures; demolition of minor existing structural elements; and the construction of new extensions to the building.

## Ecological Assessment

There are no vegetated habitats which would be affected by the proposed development; the most proximate areas of habitat and green space are described in the EA report in order to inform the siting of recommended biodiversity enhancement measures only.

The proposals have the potential to impact on nesting birds – two nests were identified in the attic of the Town Hall building and the buildings have further potential to support nests of other common bird species.

The proposals have the potential to impact on roosting bats – the PRA identified a range of features capable of supporting roosting bats; though the PAS surveys only confirmed use of one location – the rear porch of the Town Hall.

No other impacts to protected species, habitats or offsite designated sites are identified.

## Recommendations

Recommendations provided in this EA report will ensure that impacts to protected species are avoided, minimised or mitigated. Enhancement measures will provide a minor net gain as a result of the new development proposals. These measures include:

- Timing of development works or pre-commencement inspections to avoid impacts to nesting birds;
- A range of measures related to bats including an European Protected Species Mitigation Licence (EPSML) to control works to the confirmed roost, oversight of works in key locations where bats may occur, and contractor vigilance during remaining works in further locations;
- Incorporation of habitat boxes into the proposals including nesting birds; roosting bats; and solitary bee nest boxes.

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# 1. Introduction

## 1.1. Project Overview

The site is the existing Town Hall building and associated extension located off The Parade in Hugh Town, St Mary's in the Isles of Scilly.

The proposals relate to a suite of works required to provide a new home for the Isles of Scilly Museum with the addition of a performance space and supporting facilities that create a combined heritage and cultural centre for the Islands. This includes renovation of existing structures, partial demolition of some elements and the construction of new extensions.

The proposed works considered in this assessment were identified in plans provided by Purcell in June 2023.



**Map 01** – Site location indicated by the red circle. Reproduced in accordance with Google's Fair Use Policy.

## 2. Site Location and Description

### 2.1. Site Location

The Site comprises several contiguous buildings in a central location in Hugh Town, St Mary's, Isles of Scilly. The National Grid Reference for the centre of the site is SV 90321 10507 (see Map 1).

### 2.2. Site Description

The site is approximately 0.06 hectares (ha) in size and is dominated by buildings with a small area of hardstanding to the south-west. The site is bounded by other buildings and hardstanding on all aspects.

### 2.3. Local Landscape Setting

The Site is set relatively centrally within Hugh Town. The Parade runs immediately to the north with Silver Street to the south and Ingram's Opening to the east. The immediate western boundary comprises adjacent buildings. A cottage and small associated garden and outbuilding are also present on the eastern aspect.

The central location of the Site within Hugh Town means that the dominant local land use is buildings and hardstanding. Buildings are predominantly residential with small-scale commercial businesses also represented. This densely built environment extends around 300m to the west and around 500m to the east. Some of these adjacent properties have associated areas of garden or green space, but the centre of Hugh Town is relatively densely developed.

The location of the Site is within the narrowest part of Hugh Town with Town Beach and Porthcressa lying 75m to the north and 50m to the south respectively.

The closest areas of green space are the Parade Gardens lying 10m to the north-east; and the grassed area adjacent to Porthcressa Beach lying 15m to the south. Both of these areas are dominated by close-mown amenity grassland with ornamental planting, reflecting their popularity with visitors and fundamentally municipal function. The closest areas of semi-natural habitat are associated with the Garrison approximately 250m to the west; and the land around Buzza Tower approximately 250m to the south-east.

Roads immediately bound the Site to the north and south. The eastern boundary has an attached cottage with a small outbuilding along with a tarmacked parking area. The buildings of Spanish Ledge and others directly abut the Site along its western aspect.



**Map 02** – Showing the landscape and habitats immediately surrounding the site. Reproduced in accordance with Google’s Fair Use Policy.

## 2.4. Relevant Designations

The Site itself is not subject to any statutory or non-statutory designations of relevance to the consideration of ecological value or impacts.

There are four statutory designated sites of conservation importance situated within a 1km radius of the site. Details of these designations are provided below:

- **Isles of Scilly SAC Complex** – Situated 75m to the north and 50m to the south of the Site, the SAC is designated for its nationally important numbers of Grey Seal and the nationally rare Shore Duck. Annex 1 habitats that are the primary reason for site selection include mudflats; inter-tidal sandflats; reefs and sub-tidal sandbanks.
- **Isles of Scilly SPA Complex** – Situated 75m to the north and 50m to the south of the Site, the SPA designated for its internationally important seabird assemblage of 13 species including internationally important numbers of Lesser Black-backed Gull and nationally important numbers of European Storm Petrel and European Shag.
- **Lower Moors SSSI** – Situated 650m east of the proposed development lies Lower Moors SSSI – this is a topogenous mire, whereby seasonal fluctuations of freshwater from rainfall cause the partial breakdown of plant material, which then turns to peat. The site has several, small shallow open water areas which are known to be important feeding areas for passage and over-wintering migrants and waders.
- **Peninnis Head SSSI** – Situated 615m south-east of the proposed development lies Peninnis Head SSSI, designated primarily for its geology

including prominent granite cliffs and tors but it also supports maritime heathland, maritime grassland and scrub habitats together with populations of rare plant and lichen species.

## 2.5. Planning Context

### 2.5.1. National Planning Context

The National Planning Policy Framework (NPPF)<sup>1</sup> sets out the government's requirements for the planning system in England. A number of sections of the NPPF are relevant when taking into account development proposals and the environment.

Paragraphs 7 to 10 of the NPPF identify that *"the purpose of the planning system is to contribute to the achievement of sustainable development."* The general impetus of the NPPF in relation to ecology and biodiversity is for development proposals to not only minimise the impacts on biodiversity but also to provide enhancement. Paragraph 170 states that *"Planning policies and decisions should contribute to and enhance the natural and local environment and minimise impacts on and providing net gains for biodiversity."* A number of principles are set out, including the principle that where harm cannot be adequately avoided then it should be adequately mitigated, or, as a last resort, compensated for.

In addition to the NPPF, the Office of the Deputy Prime Minister (ODPM) circular 06/0511<sup>2</sup> provides guidance on the application of law relating to planning and nature conservation. Paragraph 98 states *"the presence of a protected species is a material consideration when a planning authority is considering a development proposal, that if carried out, would be likely to result in harm to the species or its habitat."* Whilst Paragraph 99 states *"it is essential that the presence or otherwise of a protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted."*

### 2.5.2. Local Planning Context

The following policies are most relevant to this assessment:

- **Core Policy 1** - Environmental Protection;
- **Policy OE2** - Biodiversity and Geodiversity.

The following planning guidance documents are also of relevance:

- The Isles of Scilly Local Development Framework Supplementary Planning Document Biodiversity and Geological Conservation<sup>3</sup>.

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<sup>1</sup> Ministry of Housing, Communities & Local Government. (2019). National Planning Policy Framework. OGL

<sup>2</sup> Office of the Deputy Prime Minister. (2005). Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System. ODPM Circular 06/2005

<sup>3</sup> <https://www.scilly.gov.uk/sites/default/files/IslesofScillyBiodiversity&GeodiversitySPD.pdf>

## 3. Survey Methodology

### 3.1. Desktop Survey

A full desktop study was undertaken for the presence of bats based on the list of roosts and other records held by the Isles of Scilly Bat Group. A full records centre search was not undertaken for other ecological groups, as it was not considered necessary given the limited scale of impacts and the nature of the on-site and surrounding habitats. The desk study also included accessing the Multi-Agency Geographic Information for the Countryside (MAGIC)<sup>4</sup> database in order to establish the presence of statutory designated sites, including all internationally and nationally designated sites such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs), RAMSAR sites and Sites of Special Scientific Interest (SSSIs) within 1km of the site.

Other resources used include aerial photography to identify the presence of habitats in close proximity to the site. This assists in the assessment of the potential of the site and its surrounding habitat to support protected species.

### 3.2. Vegetation and Habitat Assessment

An assessment was made of all areas of vegetation within the site based on the standardised Phase 1 survey methodology<sup>5</sup>. This involved a walkover survey to identify broad vegetation types, which were then classified against Phase 1 habitat types, where appropriate.

A list of characteristic plant species for each vegetation type was compiled and any invasive species encountered as an incidental result of the survey are noted.

### 3.3. Bats

#### 3.3.1. Preliminary Bat Roost Assessment (PRA)

The PRA comprised a survey of the building for bats, signs of bats and features potentially suitable for use by roosting bats, and an assessment of the surrounding habitat in terms of its suitability for commuting and foraging bats. This was first completed in 2022 and updated with an extended scope to include the cottage and stone shed in June 2023.

The results of these surveys are collated and reported fully in the separate PRA report, but the conclusions of the assessment are referenced here to provide a holistic assessment of the ecological value of the Site in the EA report.

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<sup>4</sup> <http://defra.magic.gov.uk>

<sup>5</sup> JNCC (2010). Handbook for Phase 1 Habitat Survey: A technique for environmental audit – Field manual



### 3.3.2. Presence/Absence Surveys (PAS)

The PAS completed to date comprise a total of three PAS surveys in 2022 and a further update survey in July 2023. The surveys focussed on locations identified in the PRA as having the potential to support roosting bats as well as targeting additional information on the confirmed roost identified on the rear porch.

These surveys were completed in 2022 and 2023 and are collated and reported fully in the separate PAS report; however the conclusions of the assessment are referenced here to provide a holistic assessment of the ecological value of the Site in the EA report.

### 3.4. Birds

The assessment of breeding and wintering birds on the site was based on the suitability of habitat present, evidence of nesting such as old or currently active nests and the presence of bird species that may potentially nest within the available habitat.

### 3.5. Other Protected Species

An assessment of potential and suitability for other protected species was made based on the habitats present both on- and offsite; the local status of these species; and the background records.

No further protected species survey methodologies were required to support a comprehensive Ecological Assessment at this site.

### 3.6. Surveyor Competence

The PEA and PRA surveys were undertaken by James Faulconbridge MRes MCIEEM trading as IOS Ecology. James is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM); he is a Licensed Bat Worker (Class Licence Level 2) and has over 15 years' experience undertaking a range of ecological surveys and assessing the factors that affect ecology in relation to construction and the built environment.

The PAS surveys were led by Licenced Bat Worker (Class Licence Level 2) Darren Hart and supported by experienced surveyors – details of qualifications and competencies are detailed in the PAS report.

### 3.7. Survey Dates

The initial PRA and PEA surveys were both undertaken on 24<sup>th</sup> February 2022. These were updated on 22<sup>nd</sup> June 2023.

The PAS surveys completed to date were undertaken between end-May and mid-June 2022; and updated in July 2023 – the dates are detailed fully in the PAS report along with metadata regarding survey conditions.

### **3.8. Zone of Influence**

The Zone of Influence (ZOI) is the area within which the ecological impacts arising from a proposed development are likely to be significant. Due to the nature of the proposed development the ZOI is identified as the site and the habitats which immediately bound it.

The sensitivity and value of offsite statutory and non-statutory sites mean that the potential for impacts arising from the proposed development should be considered within a wider ZOI. Therefore, scoping for direct and indirect impacts to designated sites is conducted within a ZOI of 1km of the Survey Site.

### **3.9. Assessment of Ecological Value**

The ecological values provided within this report are based around both the professional judgement of the author and current published relevant guidance, including “Guidelines for Ecological Impact Assessment in the United Kingdom.”<sup>6</sup>

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<sup>6</sup> CIEEM (2016). Guidelines for Ecological Impact Assessment in the UK and Ireland. 2nd Edition. Chartered Institute of Ecology and Environmental Management. Winchester.

## 4. Results

### 4.1. Onsite Habitats

#### 4.1.1. Building

The central focus of the Site is the town hall which comprises the original Town Hall structure; a more modern extension on the western aspect; a plant room on the eastern aspect; a porch on the southern aspect; an attached cottage; and a separate stone shed within the courtyard of the cottage.

The building could provide potential habitat for bats and nesting birds. A description of the elements of the structure insofar as they relate to bats and nesting birds is therefore provided in the associated PRA report but as the structure is not identified as supporting further species or vegetation, it is not given further consideration as a habitat in its own right.

#### 4.1.2. Hardstanding

The footprint of the proposed development includes an area of hardstanding to the south-east of the buildings. This is tarmacked and in regular use – it is not identified as providing any suitable habitat.



**Photo 01** – Showing the main town hall building with the plant room to the right; the rear porch and the more modern extension to the left. The cottage and stone shed can be seen behind the glass collection point to the right of the photograph. The area of hardstanding included in the proposed development is the hatched area enclosed by bollards visible to the right.

## **4.2. Offsite Habitats**

The most proximate habitats were visited and are briefly described to inform potential enhancement measures. These offsite habitats will not be directly impacted by the proposed development.

The locations of these offsite habitats are identified in Map 03.

### **4.2.1. Parade Gardens**

This is an area dominated by amenity grassland lawn with ornamental, predominantly non-native planting around the peripheries. It is highly managed and largely municipal in character; however it will provide limited resource for pollinators and foraging habitat for common bird species.

### **4.2.2. Ornamental Planting along Parade**

To the north of the Site is an area of attractive, sprawling ornamental planting growing along a wall and creeping across into the garden and pavement. This is likely to provide limited ecological value due to its small size and relative isolation from other habitats; however the abundance of flowers will provide resource for pollinators.

### **4.2.3. Tourist Information Centre**

The Tourist Information Centre (TIC) was completed in 2013 with a sloping sedum roof. The range of species growing here will provide pollinator resource during the flowering season.

### **4.2.4. Porthcressa Lawn**

This is an area of closely-mown lawn which is popular with visitors due to its proximity to Porthcressa and the TIC. The species composition reflects its coastal location but it is highly managed and subject to high levels of visitor pressure. Its ecological functionality of relevance to this assessment is likely to be limited to pollinator resource during the summer season.



**Map 03** - Showing the Site indicated with the red line in relation to proximate offsite habitats including Parade Gardens (purple wash); ornamental planting along Parade (yellow wash); the lawns and ornamental planting along Porthcressa (blue wash) and the sedum-roofed Tourist Information building (green wash).



**Photo 02** - Showing the Parade Gardens



**Photo 03** - Showing the ornamental planting along the north side of The Parade.



**Photo 04** - Showing the lawn with picnic benches along Porthcressa.



**Photo 05** - Showing the sedum roof of the Tourist Information Centre.

## 4.3. Bats

### 4.3.1. Background Data

The desk study showed that no species of bat had previously been recorded roosting within the building.

A data search revealed information on five species of bat recorded on St Mary's. The species conclusively identified were common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*Pipistrellus pygmaeus*) and brown long-eared bat (*Plecotus auritus*). Leisler's bat (*Nyctalus leisleri*) and Nathusius pipistrelle (*Pipistrellus nathusii*) records were also returned though these species are not confirmed as resident on the island.

Three records of common pipistrelle roosts are identified in relatively close proximity to the property – these relate to individual bats utilising features such as hanging slates around dormer windows.

### 4.3.2. PRA Results

The separate PRA document details the assessment and results in full; however a summary is presented below. The following assessments of potential were identified for roosting bats:

- The front porch of the Town Hall has **negligible potential** to support roosting bats;
- The main hall has **low potential** to support roosting bats;
- The 1970's extension, plant room, cottage and stone barn have **moderate potential** to support roosting bats;
- The rear porch is a **confirmed roost** based on the results of 2022 PAS surveys which supercedes the potential identified in the PRA.

No direct evidence of roosting bats was identified during the PRA survey; however limitations on accessibility including the presence at height of many of the features means that the assessment relates primarily to potential rather than evidence.

This judgement was reached in accordance with the survey methodologies and evaluation criteria outlined in the Bat Surveys for Professional Ecologists: Good Practice Guidelines.<sup>7</sup>

### 4.3.3. PAS Results

The separate PAS document details the assessment and results in full; however a summary is presented below.

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<sup>7</sup> Collins, J. (ed.) 2016 Bat Surveys for Professional Ecologists: Good Practice Guidelines (3<sup>rd</sup> edn). The Bat Conservation Trust, London.

- The 2022 surveys confirmed a single occasion of emergence from a roosting feature on the rear porch by a common pipistrelle bat. The bat did not emerge or re-enter on the following two surveys in 2022 but was confirmed again in the 2023 PAS update survey. This is consistent with a non-breeding summer roost used by an individual bat at the gable of the rear porch.

#### 4.3.4. Foraging and Commuting

The Site itself is unlikely to provide significant foraging or commuting habitat for bats; however nearby habitats such as the strandline of Porthcressa Beach and Town Beach, as well as the ornamental and municipal habitats detailed in 4.2 are likely to provide low-moderate value foraging resources for local common pipistrelle bats.

This assessment is supported by the findings of the PAS surveys which recorded relatively low levels of activity, restricted to common pipistrelle, with the majority of flight records relating to foraging or potential commuting behaviour in adjacent off-site habitats.

#### 4.4. Birds

During the site visit, two old nests were identified in the attic of the main Town Hall building. Their location at a relatively inaccessible position just above the eaves precluded an inspection to confirm the point of entry, but it is assumed that this entry is still viable.

In addition to nesting evidence confirmed internally, there is potential nesting habitat associated with the roof structure for species such as gull species and pigeons. Discreet opportunities for other species such as sparrow or robin may also occur.

Aside from nesting opportunities, there is negligible further habitat associated with the Site due to the lack of vegetation or other food sources.

#### 4.5. Other Protected Species

The PEA survey did not identify suitable habitat for other protected or notable species.

## 5. Evaluation

### 5.1. Proposals

The proposed works were by Purcell in June 2023. There are extensive internal and external proposals involved in the creation of a new home for the Isles of Scilly Museum. This involves renovation and modification to existing structure; demolition of minor existing structural elements; and the construction of new extensions to the building.

### 5.2. Assessment of Ecological Impacts

#### 5.2.1. Statutory and non-statutory Sites

The proposed development would not impact directly or indirectly upon any offsite statutory sites.

The proposals would certainly increase the number of visitors to the re-developed site itself, but these are likely to be primarily existing visitors to the islands rather than representing a significant draw to additional visitors. As such, any increase in recreational pressure on offsite statutory sites would be negligible.

#### 5.2.2. Habitats

The assessment did not identify any vegetated habitats within the site and thus, the proposals would not result in any loss or deterioration.

There may be an increase in recreational pressure on offsite adjacent habitats as outlined in Section 4.2 but the existing high visitor pressure arising from their central location within Hugh Town along with their largely municipal character means that any increase in visitors is unlikely to have a significant impact upon their ecological value.

The project is centred around remodelling the existing buildings and as such, there is no scope to create new habitats as part of the redevelopment works.

#### 5.2.3. Bats

The following proposed works, identified from schedule of works identified in Appendix 2 of the RIBA Stage 3 report and updated by correspondence with Purcell in 2023, are of significance in the context of this assessment:

- Demolition of the existing plant room on the eastern aspect;
- A new café/bar extension to be constructed on the eastern aspect of the Town Hall resulting in the existing external wall of the town hall being internal to the new structure and the creation of a new roofline parallel with the town hall eaves on this aspect;



- Insulation to be installed between rafters in the attic of the Performance Space;
- The 1970's extension will be re-profiled and re-roofed with a new zinc roof on one aspect and a slate tiled roof on another;
- New timber cladding throughout the 1970's extension involving removal of existing coverings and flashing;
- New windows to be incorporated into the 1970's extension;
- Existing town hall building to be re-pointed following inspection and cleaning of the masonry;
- Removal of the slates from the roof of the Town Hall to upgrade the thermal performance before being restored with new flashing;
- A roof lantern will be incorporated into the roof of the existing Town Hall.
- The stone shed on the eastern edge of the site will be converted to provide toilet facilities, likely necessitating a full external and internal refurbishment/replacement;
- Timber structures will be constructed within the courtyard created by the shed, the cottage and the existing Town Hall – this would internalise some elements of these structures and modify potential bat access points within adjacent structures;
- Renovation works on the rear porch including redecoration; removal of external access doors; and the creation of an internal storeroom in this location.

The PAS surveys confirmed the following roosts

- A non-breeding summer roost used by a single common pipistrelle bat at the gable of the rear porch.

The proposals affecting the rear porch, in the absence of mitigation, would result in the destruction of the roost and the potential to kill/injure the roosting bat. This can be controlled through appropriate avoidance, minimisation and mitigation measures which would be secured by an European Protected Species Mitigation Licence (EPSML) which would ensure the long-term retention of the roost and the Favourable Conservation Status (FCS) of the local common pipistrelle population.

The PAS surveys did not identify use of other potential roosting features identified in the PRA; however bats are transient and opportunistic in their use and exploration of potential features and it is possible that individual bats may be present in other features occasionally. There are also locations where the PAS surveys could not provide comprehensive assessments of roosting due to lack of access, specifically the western aspect of the 1970's extension. This residual risk can be controlled through appropriate ecological oversight or Precautionary Method of Working (PMW) measures during the renovation works.

No impacts to foraging or commuting resources for bats are identified.

#### 5.2.4. Birds

The site provides various suitable habitats for use by common nesting bird species, primarily associated with the roofs of the structures.

The proposed works, including some elements of the scheme identified in 5.2.3 above, would result in the damage or destruction of nests if measures are not taken to avoid this.

In the long term, it is likely that the new structure would offer broadly equivalent nesting habitat though additional habitat boxes can be installed to secure this and offer a net enhancement.

No impacts to foraging resource for birds are identified.

#### 5.2.5. Other Protected Species

The assessment did not identify the presence of, or suitable habitat for, other protected species. No further impact assessment is therefore provided.

## 6. Recommendations

### 6.1. Introduction and Scope

The following recommendations are based upon the results identified through the PEA, PRA and PAS assessments.

For clarity, all ecological recommendations relating to the project are provided in full in this EA report. The PAS and PRA documents provide supporting evidence including baseline data and justification of assessments, but they do not outline mitigation measures.

### 6.2. Further Survey Requirements

No further surveys are required – the existing survey data is considered to represent a comprehensive baseline upon which to judge the impacts to ecological receptors and outline an appropriate mitigation strategy to address these.

### 6.3. European Protected Species Mitigation Licence (EPSML)

The works affecting the rear porch of the property must be completed under an EPSML which would need to be in place prior to works commencing. The works must then proceed in accordance with the requirements of the EPSML.

An outline of the process and broad requirements secured by the EPSML is provided in Appendix 1.

### 6.4. Timing of Works

#### 6.4.1. Nesting Birds

The roof structures and attic spaces offer suitable nesting habitat for breeding birds. In order to ensure legislative compliance, the contractors undertaking the works must ensure that nesting birds are not disturbed in accordance with requirements under the Wildlife and Countryside Act (1981)<sup>8</sup>.

The most reliable means of ensuring nesting birds are not impacted by the works is for development works affecting relevant areas to be conducted outside the bird breeding season of March to September inclusive. Development works can be undertaken outside of the breeding season without constraints relating to breeding birds.

If development activities are commenced prior to the beginning of the nesting season, and this activity is sustained with ongoing contractor presence, then birds are likely to be dissuaded from establishing nests. In this way, works begun

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<sup>8</sup> HMSO (1981). Wildlife and Countryside Act 1981 (as amended). HMSO, London.

during the winter can proceed into the spring/summer with a minimal risk of causing disturbance or damage.

If works are scheduled to commence during the breeding season, a nesting bird survey would need to be carried out by a suitably qualified person prior to commencement.

Careful observation of any potential nesting sites would be required to ensure that the parent birds are not visiting a nest and provisioning the young. Nests are only protected if they are active (i.e. being used to rear young) or in the process of being built.

- Where active nests are identified, works affecting these areas must be delayed until the chicks have fledged the nest.
- Once it is confirmed that nests are absent or no longer active, the relevant features should be dismantled carefully and by hand as a precaution.

#### 6.4.2. Bats

The works affecting the common pipistrelle roost associated with the rear porch should be targeted to the transitional period where practicable. This would be from mid-March to mid-May; or mid-September to end-October.

This timeframe would minimise the risk of impacts to a confirmed non-breeding summer roost; however works at other times of year could be considered if essential to the programme, provided appropriate mitigation measures are in place.

### 6.5. Landscaping

The proposals do not include any new landscaping areas, nor are any of the roof structures suitable for the incorporation of a green roof or similar feature.

There are therefore no landscaping recommendations relating to the project; however as no habitat impacts are identified, there is no requirement for replacement or compensation works.

### 6.6. Habitat Boxes

As there is no scope for landscaping or habitat creation within the new development, as outlined in Section 6.4, the focus of biodiversity enhancement measures are centred around the provision of habitat boxes which can be installed on the new structure.

Where stand-alone boxes are selected, these should be fixed following the manufacturer's recommendations and using the fixings provided. Care must be taken to ensure that the boxes are secure and stable in high wind conditions.

Depending on their siting within the building, these boxes could be identified using Interpretation Boards for visitors to the new museum.

#### 6.6.1. Bird boxes

A total of **10 bird boxes** should be installed on the new building, with more included where appropriate. The locations would need to have due regard to public hygiene or public nuisance concerns, for example avoiding locations where droppings could impact upon food service areas.

The precise specification for enhancement should be developed in order to maximise the ecological provision whilst avoiding any material impact upon the aesthetics or character of the new building. The species targeted should be those which are confirmed to breed on the island and are present within the more developed location of the site. Suitable options are outlined below:

- Swallow nest boxes could be incorporated in higher locations – these should be in a location with a good ‘fly in’ for parents provisioning the nest and in a location with minimal risk of disturbance;
- House sparrows nest communally and nest boxes could accommodate this, either through the installation of a single purpose-built nest box comprising several individual chambers with separate entrances, or the installation of 3+ nest boxes in close proximity.
- Nest boxes suitable for hole-dwelling species such as blue tits, or open-fronted boxes for species such as blackbird and robin also have a good likelihood of occupation if they were positioned close to areas of offsite green space as identified in Map 03.

Any boxes should be either integrated into the construction design, or mounted securely at a height of at least 3m above the ground in areas without high levels of public presence which could cause disturbance.

Boxes can be sourced online, or can be constructed on-site using methodology and specifications provided by the RSPB. There are many examples of integrated box designs to minimise the aesthetic impact and these could be considered where appropriate. A valuable resource is 'Designing for biodiversity: A technical guide for new and existing buildings'<sup>9</sup> – this is published by the Bat Conservation Trust (BCT) in conjunction with RIBA and covers habitat box provision specifications for both bats and birds.

#### 6.6.2. Bat boxes

A total of **4 bat boxes** should be installed on the new building, with more included where appropriate. The locations would need to have due regard to public hygiene or public nuisance concerns, for example avoiding locations

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<sup>9</sup> 'Designing for biodiversity: A technical guide for new and existing buildings' (RIBA Publishing 2013, 2nd edition)

where droppings could impact upon food service areas or accumulate on window ledges.

The boxes selected should be suitable for use by common pipistrelle bats – the species most abundantly present on St Mary’s and confirmed roosting within the building by the PAS surveys.

As with the bird boxes, the bat boxes could be either integrated into the construction design, or mounted securely at a height of at least 3m above the ground in areas without high levels of public presence which could cause disturbance. The Schwegler 1FF bat box would be optimal but supply issues can occur with this manufacturer. Therefore if this option is not available at the time of works, suitable alternative boxes can be used but should be confirmed as appropriate with the Licensed Bat Worker before installation.

The boxes should be fixed following the manufacturer’s recommendations and using the fixings provided. Care must be taken to ensure that the installation of the box is secure and stable in high wind conditions.

It is important that the boxes are not lit by external lights such as security lights.

### 6.6.3. Solitary Bee Boxes

The proximity of the site to suitable foraging resource for pollinators including solitary bees would suggest that incorporation of nest boxes would have a high probability of occupation if correctly sited. It is recommended that **3 solitary bee boxes** are installed on the new structures.

Solitary bees are very unlikely to sting and therefore do not represent a public safety concern; however to avoid any perception of risk, it is recommended that any boxes installed should be situated away from areas of high public presence. This could be achieved through height or by situating them away from the main accessible areas.

Boxes should be positioned close to areas of offsite green space as identified in Map 03 and facing either east or south in a sunny location at a height of between 1 – 4m above ground level.

## 6.7. Precautionary Method of Working with regards to Bats

In addition to the works which must be undertaken under an EPSML (see Section 6.3 above), there are two further types of Precautionary Method of Working (PMW) required in order to ensure legislative compliance with regards to bats. These are: categories:

- Potential Roost Sites – a pre-commencement inspection of areas of the 1970’s extension where the PAS surveys could not provide a comprehensive assessment is recommended to control the residual risk of

bats being present. Adjacent areas of this building are also included as a precaution.

- Remainder of the building – works affecting the remainder of the building can proceed without further ecological oversight, but the contractors undertaking the works should be aware of locations where there is a low risk of bats being present; how to undertake works in such a way that the risk to bats is minimised; and the procedure to follow if bats are encountered.

These individual PMW strategies are provided in Appendixes 2 and 3 of this document in order to provide individual documents tailored to specific working areas. This detail is not repeated here for brevity.

## **6.8. Survey Validity and Update**

The initial surveys were completed between February – June 2022 and updated in June – July 2023. Many species are transient in their use of habitats such as these, and apparently minor changes in condition or use of the building can affect suitability. However in the absence of significant changes in condition or building use, the nature and character of the site suggest that:

- The PEA assessment can be considered valid for a period of 12 months after the survey was completed, until June 2024.
- The PRA survey can be considered proportionately valid for a period of 12 months after the survey was completed, until June 2024.
- The PAS survey can be considered proportionately valid for a period of 12 months after the survey was completed, until July 2024.

If Planning Permission is not applied for by these dates, the ecology surveys should be updated as required.

## **6.9. Planning Conditions**

It is recommended that the following requirements should be incorporated into appropriate Planning Conditions if the LPA are minded to approve the application:

- A condition requiring that plans be submitted which detail habitat enhancement measures compliant with the recommendations outlined in **Section 6.6** of this report. This should include design, specification, number and location of bat, bird and solitary bee boxes.
- A compliance condition requiring that works proceed with regards to Timing of Works outlined in **Section 6.4.1** of this report in order to ensure that nesting birds are not impacted by the renovation works.
- A compliance condition requiring that works to the rear porch proceed with regards to the EPSML requirement outlined in **Appendix 1** of this

report in order to ensure legislative compliance with regards to the confirmed roost.

- A compliance condition requiring that works proceed with regards to the PMW requirements outlined in **Appendices 2 - 3** of this report in order to ensure that roosting bats are not impacted by the renovation works.



# Appendix 1 – EPSML requirement for works to the Rear Porch

## Rationale

Works to the **rear porch** of the Town Hall would require an EPSML to ensure legislative compliance during works.

The PAS surveys confirmed a bat emerging from a feature at the gable and uncontrolled works have the potential to destroy a roost and kill/injure individual bats present in the roost at the time of works.

## EPSML Application

In order to ensure that works proceed with legislative compliance, works to this element of the building should be undertaken under an EPSML. No works to this location should take place prior to the issue of the EPSML from Natural England. Measures to ensure this may be required, for example signs or physical barriers; however it is likely this can be controlled through Contractor briefing and appropriate oversight of the works programme.

An EPSML is a derogation licence which allows an otherwise-unlawful act to be undertaken – in this case the destruction of a bat roost. It includes mitigation measures and other commitments which must be honoured in order for the licence to be valid.

The application package includes an Application Form, Method Statement, Work Schedule, illustrative figures/plans and other supporting documents. This should be prepared by a Licenced Bat Worker and there would be a charge for the collation and production of the application package commensurate with the complexity and time required for this process.

The Natural England statutory assessment time for a licence, following application, is 6 weeks although this can take longer during busy times of year and it is recommended that at least 9-12 weeks is allowed for. The programming for the works should take account of this timing constraint and allow for potential delays where possible. This is in order to minimise the risk of the EPSML affecting the programme of works.

Natural England now charge for most EPSML – it is likely that this licence would be eligible for the lowest fixed price £500 cost though this cannot be confirmed until Natural England have screened the application and confirmed the cost.

Works must adhere to the methodology and measures outlined in the EPSML.

## Mitigation Measures

The following conditions and caveats would be included within the EPSML and must be strictly adhered to during the works in order to ensure legislative compliance. Please note this is not necessarily comprehensive as the final proposals will be developed alongside the phasing and works schedule for the project in order to streamline and minimise impacts. Additional minor constraints or requirements may therefore be necessary in the final EPSML document.

- Works should be targeted to the transitional period, where possible. This is from mid-March to mid-May or mid-September to end-October.
- Prior to the commencement of licenced works, the Licenced Bat Worker would provide a Toolbox Talk to contractors to ensure they understand the locations where bats may be found; the methodology which would minimise the risk of harm to bats; and the protocol to follow if a bat is identified.
- Installation of a bat box in a suitable location to ensure that there is a place where any bats encountered during works can be safely placed. This should then be retained in perpetuity.
- Key elements of the works should be undertaken under a 'soft strip' methodology whereby the fascia boards are removed by hand, as well as tiles within 1m of the gable (if required) under the ecological oversight of a Licensed Bat Worker. If bats are identified, they would be captured by hand and moved to a place of safety.
- Once the soft-strip has been completed, and the Licenced Bat Worker is satisfied that the roosting location has been fully explored and rendered unsuitable for bats, re-decoration and other renovation/conversion works can proceed with distance supervision. These works should be completed as soon as possible to minimise the duration of time when bats would not have access to the roost.
- Following completion of the works, the roost would be restored in situ. This would involve the incorporation of a cavity 100mm wide and 25mm deep within the fascia board to permit continued access for bats behind the fascia board and into the retained sealed void of the porch. This would be completed under the direction of the Licensed Bat Worker who would confirm and sign off the retained roosting feature at the end of works.
- Any replacement of woodwork in locations where bats may access should ensure that wood treatments are safe for bats – a list of approved treatments will be provided by the Licenced Bat Worker.
- If there is any requirement for replacement of roofing membrane in the porch, a bitumen membrane must be specified rather than modern Breathable Roofing Membranes (BRMs) which can cause entanglement and death to roosting bats.

## Appendix 2 – PMW with regards to the 1970's Extension

### Rationale

There are areas of the 1970's extension where there is a low residual risk of bats occupying transient or exploratory roosting opportunities.

The nature of these features, and their proximity to a confirmed transient roost in the rear porch indicates that a pre-commencement inspection of these features by a Licensed Bat Worker would be proportionate. This methodology also addresses the areas of the building where the PAS surveys were constrained through lack of access, specifically the western edge of the 1970's extension.

### Features to be subject to pre-commencement inspections

The following features of the 1970's extension should be subject to pre-commencement inspections by a Licensed Bat Worker.

#### **Features on the 1970's extension which must have pre-commencement inspections by a licensed bat worker:**

- Gaps beneath lead flashing on the southern and western aspects of the 1970's extension;
- Gaps beneath hanging tiles on both the southern and western aspects of the 1970's extension.

Further details of these features along with illustrative photographs are provided in the PRA report.

### Ecological Oversight Requirements

The aim of the ecological oversight would be to undertake a pre-commencement inspection of these potential features before they are removed or otherwise made unsuitable for use by roosting bats.

#### **Ecological Oversight Strategy:**

Scaffolding or other means of inspection at height would need to be provided to facilitate this ecological oversight. The pre-commencement inspection may be visual, with the aid of a torch, or involve the use of a video endoscope. Where a full visual inspection is not possible, a destructive search involving careful removal of the feature may be required.

The precise methodology and approach can be agreed between the contractors undertaking the work and the Licensed Bat Worker in order to minimise the requirement for ecological oversight depending on the schedule and proposed

methodology of works.

As bats can be mobile and transient in their use of roosting features, the potential features should be removed or otherwise made unsuitable for roosting bats on the same day as the inspection. In the case of lifted flashing or lifted tiles for example, this may involve their immediate removal from the building.

There was no confirmed evidence of bats roosting in these features; therefore ecological oversight can be conducted without requiring an European Protected Species Mitigation Licence (EPSML).

Once the Licensed Bat Worker is satisfied that the specified features have been inspected and either removed or made inaccessible for bats, then works can proceed without further ecological oversight.

## Appendix 3 – PMW with regards to general renovation works

### Rationale

A number of features within the building were identified as potentially providing roosting opportunities in the PRA, but no emergence or re-entry was recorded by the PAS surveys.

However as individual bats can be exploratory or make transient use of roosting opportunities, it is important that contractors undertaking the renovation works are aware of the low risk for bats to be encountered and for works to proceed with appropriate caution and vigilance.

These works do not require ecological oversight by a Licensed Bat Worker or to be undertaken under an European Protected Species Mitigation Licence (EPSML).

### Features where additional care and vigilance are required

The contractors undertaking the works should be aware that the following structural features have low potential to support exploratory or transient use by roosting bats.

#### Features on the building which must have pre-commencement inspections by a licensed bat worker:

- Lifted fascia board at eaves above the front porch of the **Town Hall** and along its eastern aspect;
- Gaps in pointing on the main **Town Hall** building, especially on the eastern aspect;
- Minor gaps under ridge tiles on the roof of the main **Town Hall** building;
- Features associated with the **Plant Room** including gaps under tiles at the eaves; under flashing at junction with Town Hall; between cavities in the internal ceiling; missing mortar in the roof verge on the gable end; and under soffits;
- Removal of tiles on the **Stone Barn** present within the courtyard of the cottage;
- Any direct impacts to the fascias or eaves of the **Cottage** on the southern aspect.

Further details of these features along with illustrative photographs are provided in the PRA report.

## Methodology Guidance

The following guidance outlines measures required to ensure that contractors are suitably informed of the potential for bats to be present, and undertake works in a manner which minimises the risk of impact to bats in the unlikely event of their presence.

### Measures entailed by a Precautionary Method of Works

- Contractors undertaking the works should be informed of the potential for bats to be present in the features outlined in Section 4.4.2. This could take the form of a toolbox talk or site induction when contractors commence works on the site.
- Contractors should be aware of their own legal obligations with regards to bats;
- Where possible, the features identified should be visually inspected by contractors before works, after which they should be removed carefully and by hand such that in the highly unlikely event of bats being present, they are not crushed and can disperse freely.
- In the event of bats being encountered, works should cease and the Licensed Bat Worker contacted immediately for advice. If the bat is in a safe situation, or a situation which can be made safe, they should remain undisturbed. Only if the bat is in immediate risk of harm can the bat be moved with care and using a gloved hand. This is a last resort and should only be undertaken for humane reasons if the bat is at immediate risk of harm and if the Licensed Bat Worker cannot be contacted for advice.