

**IN THE MATTER OF AN APPEAL UNDER SECTION 174 TOWN AND COUNTRY
PLANNING ACT**

APPEAL REF: APP/D1265/C/24/3351182 & APP/D1265/C/24/3351183
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APP/D1265/C/24/3351186 & APP/D1265/C/24/3351187

LOCAL PLANNING AUTHORITY REF: ENF/20/0313

LAND Anchor Paddock, Batchelors Lane, Holtwood, Holt, Dorset, BH21 7DR

PROOF OF EVIDENCE OF Nikki Taylor

CALLED ON BEHALF OF THE LOCAL PLANNING AUTHORITY

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Proof of Evidence

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1. INTRODUCTION

- 1.1. I, Nikki Taylor am a Principal Ecologist and the Natural Environment Team Manager with Dorset Council covering the Eastern part of Dorset. I joined Dorset Council as an Ecologist in 2005. During this time, I have conducted ecological assessments and protected species surveys for Dorset Council. I routinely provide ecological advice on the determination of planning applications to Dorset Council. I hold a BSc (Hons) in Environmental Science and Natural England class licences for a range of protected and European protected species including for bats (2016-23204-CLS-CLS). I am a full member of the Chartered Institute of Ecology and Environmental Management and a member of the Association of Local Government Ecologists.
- 1.2. I have prepared this Proof of Evidence for the public inquiry which is to be held on 4th to 6th February 2025. In particular, my evidence addresses the likelihood of bats being present in buildings which may be offered for demolition by the appellants.

2. SURVEY UNDERTAKEN

- 2.1 On 20th December 24 I went to Anchor Paddock, Batchelors Lane, Holtwood, Holt, Dorset, BH21 7DR to conduct a Preliminary Bat Roost Assessment on a range of outbuildings. The buildings inspected are illustrated in Appendix A, page 9.
- 2.2 The assessment involved a desk study made using information from the Dorset Environmental Records Centre (DERC) for bat species data for the site itself and from within 1km of the site. The field survey consisted of a visual check of the outbuildings to search for potential crevice roosting spaces and signs of use by bats such as droppings, scratch marks, urine staining, grease marks, bats in-situ and clean, cobweb and debris free areas. Bats make audible squeaks, and these were listened out for by the surveyor during the survey. A consistent search effort for evidence of bats was applied to the structures that may be impacted by the proposals. The methodology used is consistent with the guidelines provided in the Bat Conservation Trust's *Bat Surveys for*

Professional Ecologists: Good Practice Guidelines (4th edition), (Collins ed., 2023).

- 2.3 Preliminary Bat Roost Assessments are subject to survey limitations as bats are very small creatures, capable of hiding themselves in extremely small spaces and it is possible that these animals, or their signs, might have been missed during the survey if they are normally present opportunistically or in small numbers for a short period each year. Not all features on buildings suitable for use by bats are visible from the ground and there can be no external evidence of use of features by bats; consequently, it is only possible to make a best effort when carrying out such a survey. Surveys offer a single point in time view of a site and take no account of seasonal differences, or of any species which might choose to subsequently take up residence. At the same time, a lack of signs of any particular species does not confirm its absence but merely that there was no indication of its presence during the survey. The survey was carried out at a sub-optimal time of year to identify the presence of wildlife including bats such that evidence on external surfaces and features may have been cleared by weather. However, a reasonable effort was made in search of evidence and to note the potential for bats to be using the outbuildings.
- 2.4 It should be noted that whilst Buildings 1 and 3 feature enclosed internal roof voids, these are not accessible and were not therefore inspected for bats or evidence of bats. In addition, access to the rear elevation roof of Building 3 was not possible.
- 2.5 The results of the data search revealed three records of bats roosts within 1km of the site. The desk top study of aerial imagery also indicates that the outbuildings are set within a landscape of high suitability to bats. The findings of each structure inspected during the survey are set out in the following paragraphs.
- 2.6 Building 1 has gaps suitable for crevice dwelling bats (e.g., *Pipistrelle* species) which are present on the front, rear and south-west gable end. Photographs of these features are presented in Appendix B, page 10. Based on the criteria for assessing bat roost potential for built structures in the bat survey guidelines (BCT, 2023), the building is considered as holding 'low' potential. This classification is described in the guidelines as:

A structure with one or more potential roost sites that could be used by

individual bats opportunistically at any time of year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by large numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable site but could be used by individual hibernating bats).

- 2.7 The gaps recorded during the survey align with this classification as follows:
- A. The rear elevation and south-west gable are shaded and will be cooler such that gaps noted on these aspects offer some winter roosting habitat but do not qualify as a classic hibernation site such as a cave or underground structure that offer extensive roosting space and stable conditions. Therefore, whilst individual bats could use the gaps on these aspects of the building opportunistically, they neither offer enough space or stable conditions that are required for full hibernation use and are unlikely to be used during the summer months when warm spaces are required by bats during their active season.
 - B. On the front elevation, gaps along the ridge line formed by missing mortar and some partially lifted tiles may be used during summer months due to the roof orientation. However, the gaps appear to be limited in extent. As a result, these gaps will not be used by large numbers of bats or for regular roosting or maternity purposes during the summer.
- 2.8 Building 2 is a completely open wooden structure with an unlined roof covering. As such, it has no potential for roosting bats.
- 2.9 Building 3 has no obvious potential roost features (PRFs) on the front elevation or gable ends. The rear of the building could not be accessed (paragraph 2.3 refers) being hard against a boundary. From an aerial image (Appendix A), it appears that the rear elevation has a different roof covering than the front elevation. This is consistent with Building 1 which has different tiles to the front and rear elevations.
- 2.10 Building 5 has a felted flat roof and no PRFs were recorded. Therefore, this structure has no potential for roosting bats.

3. REVIEW OF PREVIOUS SURVEYS

- 3.1 Surveys undertaken earlier in 2024 by two different ecological consultancies were limited to Building 1. The survey report by Ecological Surveys Ltd (April 2024), recorded gaps which were still present and identified during my survey on 20th December 2024, it also notes the presence of an inaccessible internal loft space. The report makes a recommendation for phase 2 emergence surveys for bats. A separate report by ROVAR Ltd (June 2024) does not identify the gaps evident during my December 2024 inspection. The latter report also states that no loft space was present within Building 1. The report therefore contains no recommendation for further survey or mitigation.

4. CONCLUSIONS

- 4.1 Building 1 is known to feature an enclosed roof space, for which there is no loft hatch to permit access. Whilst the gaps recorded externally are considered likely to be limited in extent, bats that use internal voids for roosting could gain access via these gaps, therefore although unlikely, the presence of void dwelling bats cannot be ruled out in this building.
- 4.2 Whilst the gaps recorded on the exterior of Building 1 constitute potential roost features, for the reasons set out above, it is my opinion that these do not offer optimal roosting habitat. The internal and external potential is therefore considered as offering 'low' potential. As such, in accordance with the guidelines, further survey work is a matter of professional judgement. Section 5.2.44 states:

If the structure has been classified as having low suitability for bats, an ecologist should make a professional judgement on how to proceed based on all of the evidence available and the balance of probabilities. Thought processes and decision making should be adequately recorded as a paper trail. If all areas (including voids, cracks and crevices) of a structure have been inspected and no evidence found (and is unlikely to have been removed by weather or cleaning or be hidden), then further surveys are not appropriate.

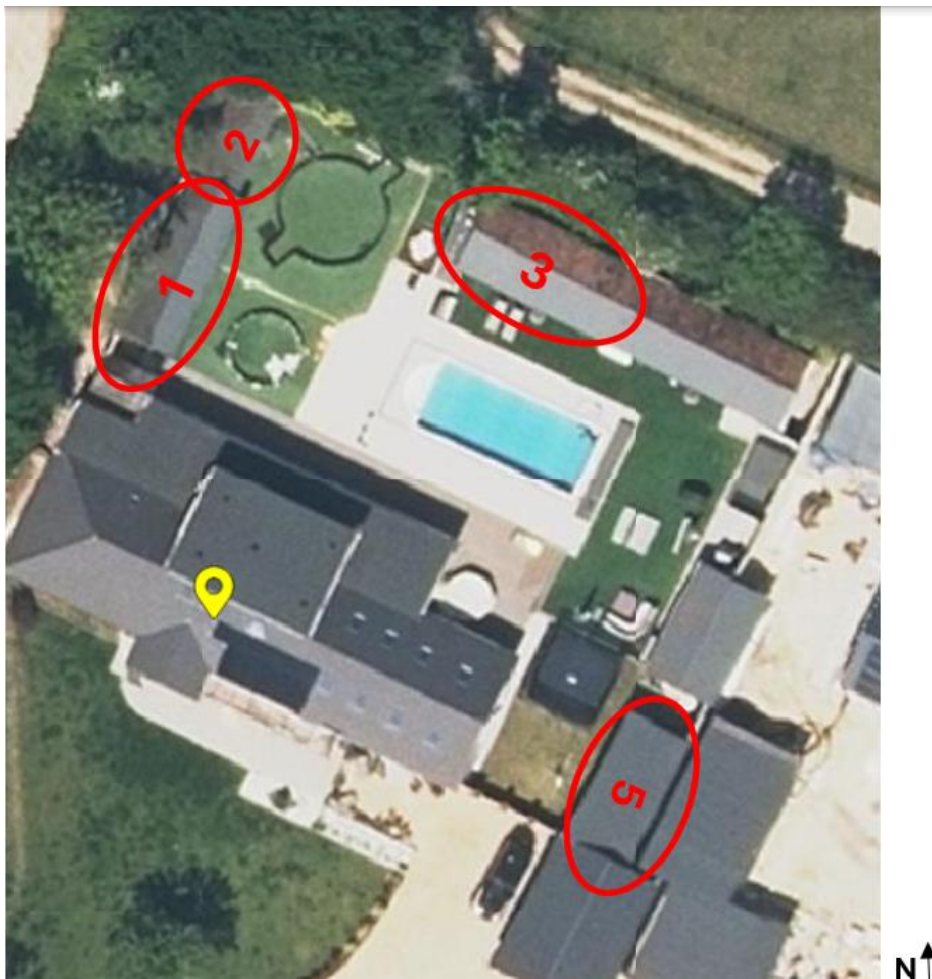
If complete inspection is not possible then proportionality must be considered. A single survey during summer months may be adequate to ensure nothing obvious has been missed and/or precautionary measures could be applied during works. This is likely to be a more proportionate approach than carrying out multiple surveys.

- 4.3 Based on my survey findings, the limitations to the survey and taking into account the guidelines, it is my view that whilst additional phase 2 emergence survey is not required, precautionary mitigation measures should be put in place for Building 1 and carried out prior to any demolition work. These measures should include a pre-works endoscopic inspection of all PRFs, and a destructive inspection of the internal void by a suitably licenced ecologist. Depending upon the results of the additional inspections, the dismantling of PRFs may need to be undertaken by hand and supervised by a suitably licenced ecologist. It should be noted that if bats or evidence of bats, are found during the pre-works inspections or at any time during the works themselves, all work should stop, and Natural England contacted for advice before proceeding. In these circumstances, a European Protected Species Mitigation Licence granted by Natural England would likely be required.
- 4.4 Given the low potential of Building 1 to be used by roosting bats, it is my advice that this building can be given consent to be demolished under the planning regime subject to the above further precautionary pre-works inspection which can properly be secured by condition/s106 obligation.
- 4.5 Building 2 has been ruled out as having any features that could be used by bats. No further survey or mitigation is therefore required. If consent for demolition is given, works can proceed with no ecological constraints.
- 4.6 Building 3 is known to feature an enclosed roof space, for which there is no loft hatch to permit access. Bats that use internal voids for roosting, could gain access into the internal void in Building 3 via any gaps that may be present on the roof to the rear of the building, therefore the presence of void dwelling bats cannot be ruled out inside this building. Further, as access to assess the exterior of the rear of the building, the presence of roosting features suitable for crevice dwelling bats such as slipped tiles, was not possible. However from aerial imagery it appears that the roof covering to the rear of this building is different to that on the front elevation. If the rear of Building 3 is found to have

PRFs, a re-assessment of the potential level of suitability and further survey work may be required.

- 4.7 Given both the high level of uncertainty over the potential presence of suitable, and possibly multiple, external roosting features on the rear of the Building 3 that could in turn permit access to bats to use the internal space, together with the high level of impact from demolition, in my opinion, this building should be subject to further survey work prior to any consent for demolition being granted.
- 4.8 My advice in relation to further survey for Building 3 prior to determination is made in line with the National Planning Policy Framework (NPPF), Protected species and development: advice for local planning authorities, and the ODPM Circular 06/2005 & DEFRA Circular 01/2005 which both emphasise the importance of safeguarding protected species. The guidance explains the need for adequate information from applicants for Local Planning Authorities to be able to make an informed decision and in the case of a development that would require a protected species licence, planning authorities must be satisfied that if a licence is needed it is likely to be granted by Natural England before giving planning permission.

APPENDIX A: Figure 1 Buildings Inspected on 20th December 2024



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Appendix B: Photographs of Building 1 (location of potential bat roost features indicated in red)



Front elevation (south-east facing)



Rear elevation (north-west facing)



Gable end (south-west facing)

**APPENDIX C: ODPM Circular 06/2005 & DEFRA Circular 01/2005, PART IV
Conservation of Species Protected by Law, Paragraph 99:**

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 the planning permission is granted, otherwise all relevant material considerations may not have been addressed in 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. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted. In appropriate circumstances the permission may also impose a condition preventing the development from proceeding without the prior acquisition of a licence under the procedure set out in section C below.