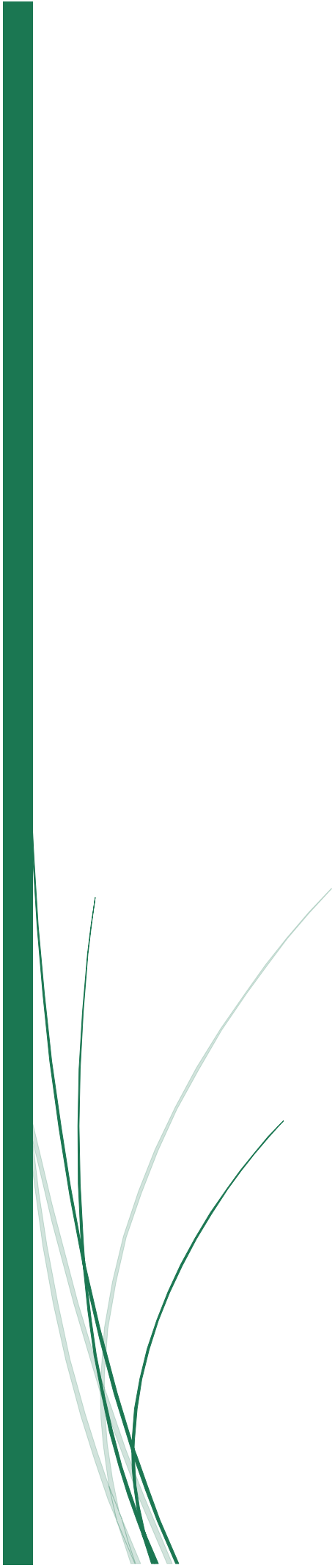




Land at Leas Pavilion, Folkstone

Bat Hibernation Survey Report

A Report for Gustavia Ltd.

March 2020



**Greenspace
Ecological
Solutions**

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Controlled Copy

01 of 02

01 Gustavia Ltd

02 Greenspace Ecological Solutions Ltd.

This report was written by Gemma Abela
and proof-read by Joseph Dyson ACIEEM

*The content of this report is the responsibility of Greenspace Ecological Solutions Ltd.
It should be noted that whilst every effort has been made to meet the client's requirements, no site survey can ensure complete assessment or prediction of the changeable onsite environment. Furthermore, should more than 12 months elapse between the date of this survey and any subsequent development, it may be necessary to consider the need for an update survey to be undertaken.*

Report Number J20810_P2

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1 PROJECT OVERVIEW

Client: Gustavia Ltd

Site Address: The Leas Pavilion, The Leas, Folkestone, Kent, CT20 2DP

Attending Ecologists: Joseph Dyson ACIEEM (NE Class Bat Survey Licence)
Gemma Abela

Survey Dates: 23rd January 2020
27th February 2020

Associated Planning
Reference Number: Not yet submitted

Source of Relevant Documents:

Document:	Source:
Site Location Plan:	Google Earth Pro
Previous Reports:	Preliminary Ecological Appraisal, Greenspace Ecological Solutions (GES), 2019
Site Plans:	Google Earth Pro

2 INTRODUCTION

2.1 Context

2.1.1 In response to the proposed development at The Leas Pavilion, The Leas, Folkestone, Kent (henceforth referred to as 'the Site') and following recommendations made within the Preliminary Ecological Appraisal report (GES, 2019), GES were commissioned to undertake bat hibernation surveys of the building on-Site.

2.1.2 The hibernation surveys serve to determine the presence/likely absence of hibernating bats within the Site and to ensure the Favourable Conservation Status (FCS) of bats is maintained throughout the development. Application of the surveys also serves to ensure the proposal remains compliant with the current legislation and planning policies which serve to protect bats and their hibernation roosts.

2.2 Site Location

2.2.1 The Site is located on the southern fringe of Folkestone, approximately 800m west of the harbour, at National Grid Reference: TR 226 357. The location of the Site is depicted in Image 1.

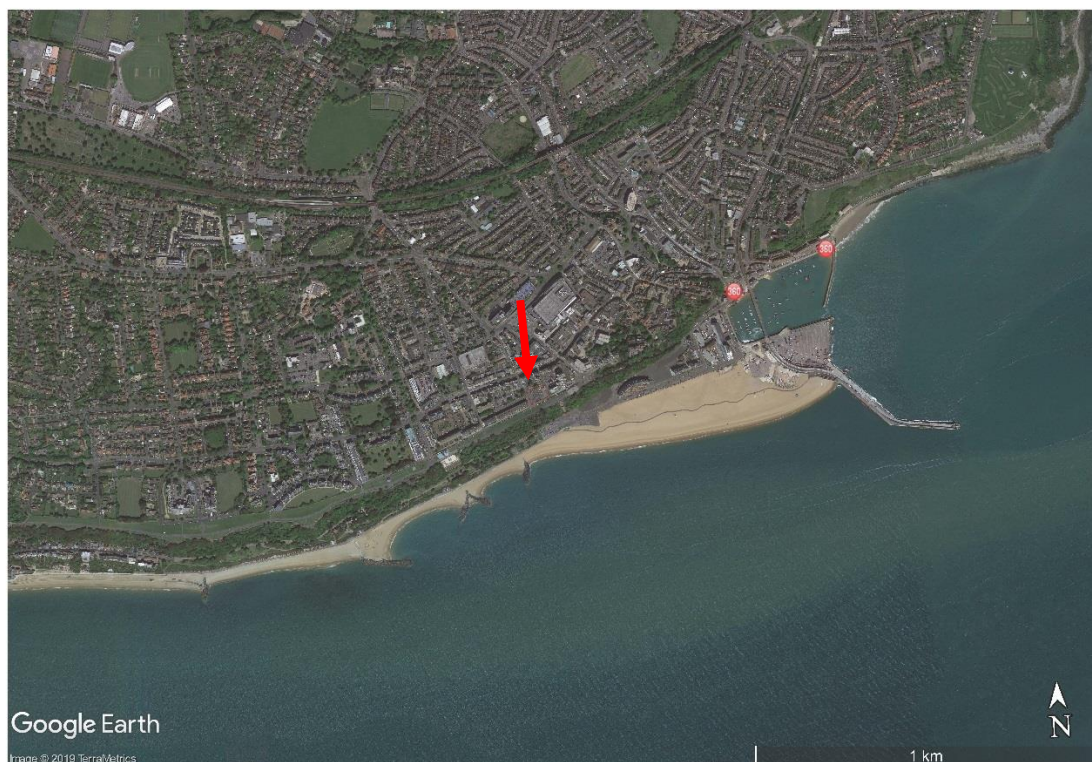


Image 1. Geographical Location of The Leas Pavilion

2.3 Site Description

- 2.3.1 The Site extends to approximately 0.26 hectares (ha) and comprises the Leas Pavilion and two hardstanding car parks.
- 2.3.2 The Site is bound on all sides by public roads. The wider urban landscape of Folkestone features buildings and hardstanding, with associated areas of amenity grassland and scattered trees. To the south is the coastal environment of Folkestone beach.

2.4 Policies and Legislation

- 2.4.1 The National Planning Policy Framework (NPPF) 2019, aims to protect species of significant conservation importance in England (in this case bats), as covered by wildlife legislation (see below), national and local Biodiversity Action Plans (BAP) and Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Local planning authorities have an obligation to protect such species and are also required to seek opportunities to promote and enhance biodiversity in accordance with the above legislation, policies and plans.
- 2.4.2 All British bat species and their places of rest and shelter receive UK and European protection under the Conservation of Habitats and Species Regulation 2018 (Habitats Regulations 2018) (as amended) and the Wildlife and Countryside Act (WCA) 1981 (as amended). This protection means that bats and their places of rest and shelter are a material consideration in the planning process.
- 2.4.3 Taken together, unless under licence, these make it an offence to:
- Deliberately and recklessly capture or intentionally take a bat;
 - Deliberately or recklessly kill or injure a bat;
 - To be in possession or control of any live or dead bat or any part of, or anything derived from a bat;
 - Damage or destroy a breeding site or resting place of a bat;
 - Intentionally or recklessly obstruct access to any place that a bat uses for shelter or protection;
 - Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection; and/or
 - Deliberately disturb any bat, in particular any disturbance which is likely to (i) impair their ability to survive, breed, reproduce or to rear or nurture their young; or in the case of

hibernating or migratory species, to hibernate or migrate; or (ii) to affect significantly the local distribution or abundance of the species to which they belong.

2.4.4 A bat roost may be any structure a bat uses for breeding, resting, shelter or protection. It is important to note that since bats tend to use different roost sites at different times of year, current legal opinion is that a bat roost is protected whether or not the bats are present at the time.

2.4.5 In addition to the above, certain species of bat are listed on Annex II of the Habitat Regulations 2018 (as amended). Annex II species include greater and lesser horseshoe bats *Rhinolophus ferrumequinum* and *Rhinolophus hipposideros*, barbastelle *Barbastella barbastellus* and Bechstein's bat *Myotis bechsteinii*. Where present, consideration to the requirement of a Special Areas of Conservation (SAC) should be given.

2.5 Objectives of the Survey

2.5.1 The objectives of the surveys were to:

- Gather baseline information on the species of bat using the building;
- Determine favoured hibernation locations that are likely to be affected by the proposed;
- Identify the species, number and frequency of use of the building by hibernating bats (should they be present);
- Identify legal or policy constraints related to bats that may affect the development;
- Provide appropriate recommendations regarding mitigation and/or methods of best practice; and
- Identify the need, or not, to apply for a protected species mitigation (PSM) licence.

2.6 Survey Constraints

2.6.1 The results taken from bat detector recordings are biased towards bats that use louder echolocation calls. Therefore, quiet species such as brown long-eared bats *Plecotus auritus* may be under recorded due to the limited recording range of the equipment.

2.6.2 It is difficult to confidently relate calls registered to numbers of bats present, even if more than one contact is detected simultaneously. Therefore, the number of bat passes does not provide any indication of bat abundance; it is intended only to indicate the level of activity at a particular point.

- 2.6.3 In some circumstances it is not possible to confirm the species of a bat with absolute confidence using sound analysis techniques. In particular some calls of common pipistrelle *Pipistrellus pipistrellus* and soprano pipistrelle *Pipistrellus pygmaeus* overlap making species identification difficult. In these circumstances the bat can be identified as a *Pipistrellus* sp. only. Within this report where *Pipistrellus* sp. is used this refers only to common pipistrelle and/or soprano pipistrelle. This should not be interpreted as other species of the *Pipistrellus* genus, such as Nathusius' pipistrelle *Pipistrellus nathusii*. Where this species occurs or is suspected it will be directly referenced within the report.
- 2.6.4 Similarly, *Myotis* species can be difficult to distinguish at an individual species level, particularly Whiskered bat *Myotis mystacinus*, Brandt's bat *Myotis brandtii* and Bechstein's bat. The UK's larger bats species Noctule *Nyctalis noctula* and Leisler's bat *Nyctalis leisleri* also have similar call structure and can often be indistinguishable if recordings are unclear.
- 2.6.5 Where identification is difficult bat passes are described to genus level, such as *Myotis* sp., *Nyctalus* sp. or Noctule, Leisler's, Serotine (NLS) guild.

3 SURVEY METHODOLOGY

3.1 Bat Hibernation Survey

- 3.1.1 The building was identified during the PEA as having Low suitability for hibernating bats (GES, 2019) and Hibernation checks for bats were conducted in locations within the building which were deemed suitable to support bats during the hibernation period of December – March in any given year.
- 3.1.2 The building was subject to specific surveys searching for hibernating bats during the months of January and February 2020. The surveys involved the searching of internal cracks, crevices and voids, missing brickwork and mortar gaps on the external facades, gaps within internal stonework, and gaps in the brickwork and mortar within the structures by a suitably experienced and licenced ecologist. Equipment used to complete these searches included torches and telephoto cameras.
- 3.1.3 A summary of the climatic conditions and surveyors that undertook the surveys is provided in Table 1.

Table 1 – Summary of the conditions recorded and surveyors

Date	Start Time	End Time	Wind Speed (BF)	Mean External Temp. (°C)	Internal Temp. (°C)	Surveyors
23/01/20	10:30hrs	11:30hrs	1	9.4	9.0	JD/GA
27/02/20	10:30hrs	11:30hrs	3	3.8	7.5	JD/GA

3.2 Static Detector Surveys

- 3.2.1 Anabat Express static bat detectors were deployed to gather data on bat activity within the building. Detectors were placed within the building, in locations deemed suitable to detect any bats that may be present.
- 3.2.2 To account for potential GPS locking difficulties, the detectors were programmed to record bat activity continuously from the time of deployment.
- 3.2.3 Upon completion of the survey period, the detectors were collected, and the data analysed using Analook Version 4.4a.
- 3.2.4 The static detector surveys were carried out during the months of January 2020 and February 2020.

4 SURVEY RESULTS

4.1 Bat Hibernation Surveys

4.1.1 No hibernating bats were observed during the physical surveys.

4.2 Static Detector Surveys

4.2.1 No bat activity was recorded by the static detectors placed within the building.

5 CONCLUSIONS AND RECOMMENDATIONS

- 5.1.1 In accordance with current good practice guidelines (Collins, 2016), reasonable effort has been applied to determine the presence or likely absence of hibernating bats within The Leas Pavilion, Folkestone.
- 5.1.2 No bats or their roosts were recorded and no further consideration to the presence of hibernating bats within this structure is required.
- 5.1.3 Although no bats were recorded, in the unlikely event that bats or their roosts are identified during the renovation/construction process, all works should stop and the appointed ecologist or Natural England should be consulted on the appropriate manner in which to proceed.
- 5.1.4 Consequently, in regard to bats, there is no known reason why planning permission should not be granted in full.
- 5.1.5 In accordance with the requirement of the NPPF 2019, recommendations to enhance the Site's suitability for wildlife have been provided in the previous report (GES, 2019).

6 REFERENCES

Greenspace Ecological Solutions (GES). (2019). *J20810 Land at Leas Pavillion, Folkstone: Preliminary Ecological Appriasal*. Unpublished.

A. J. Mitchell-Jones. (2004). *Bat Mitigation Guidelines*. English Nature.

Bat Conservation Trust and the Institute of Lighting Professionals (BCT&ILP) 2018. *Guidance Note 8; Bat and Artificial Lighting in the UK*. <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>

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

National Planning Policy Framework (NPPF), 2019
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

Natural Environment and Rural Communities (NERC) Act 2006.
<http://www.legislation.gov.uk/ukpga/2006/16/contents>

ODPM Circular 06/2005. Biodiversity and Geological conservation – Statutory Obligations and their Impact within the Planning System. ODPM, London

The Conservation of Habitats and Species Regulations (Habitats Regulations) 2018 (as amended).
<https://www.legislation.gov.uk/ukdsi/2019/9780111176573/contents>

Wildlife and Countryside Act (as amended) 1981. <http://jncc.defra.gov.uk/page-1377>

APPENDIX A – PHOTOGRAPHS



Plate 1. An example of gaps in the brickwork in the 'Bowling Alley' (B1).

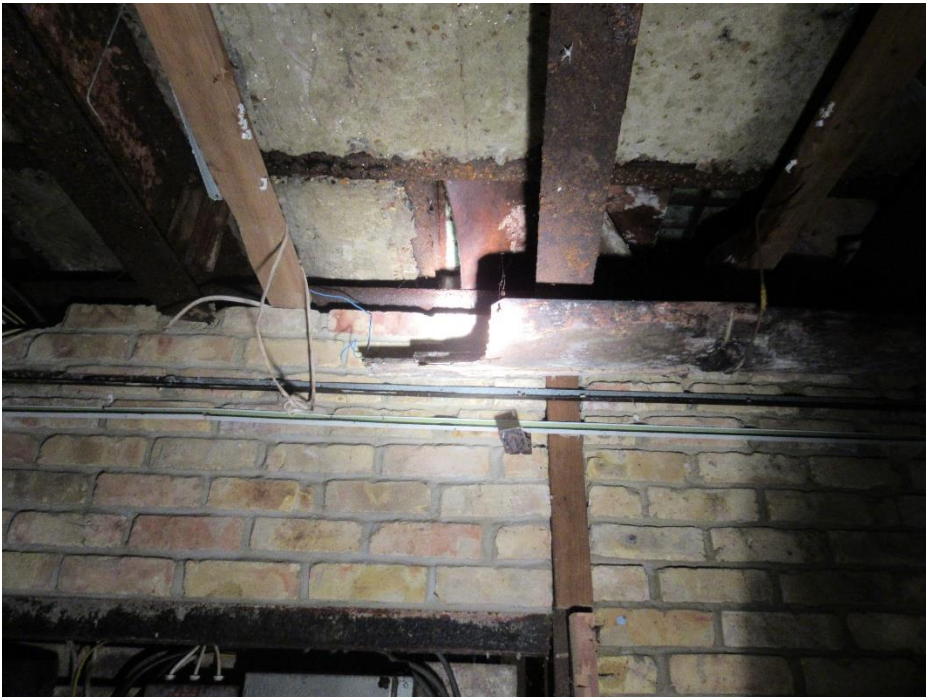


Plate 2. An example of access to the ceiling and wall cavities in B1.



Plate 3. An example of gaps associated with girder and pipework in B1.