

Cleator Moor Innovation Quarter – Unit 15A-H

INTERIM BAT ROOST ASSESSMENT REPORT

784-B034942 Rev 1

Copeland Borough Council

April 2022

Prepared on Behalf of Tetra Tech Management Services Limited.

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EXECUTIVE SUMMARY

Contents	Summary
Site Location	Unit 15A-H is located in Cleator Moor and is centred at Ordnance Survey National Grid Reference NY 01566 15629. The site lies on the north side of Leconfield Street.
Proposals	Unit 15A-H is proposed for refurbishment which includes recladding of walls and recladding of roof.
Scope of this Survey(s)	Previous reports available for the site: • Tetra Tech (2021a) Cleator Moor Innovation Quarter: Bat Roost Assessment Report. On behalf of Copeland Borough Council. Ref: 784-B029668 • Tetra Tech (2021b) Cleator Moor Innovation Quarter: Ecological Appraisal. On behalf of Copeland Borough Council. Ref: 784-B029668 • WYG (2020) Leconfield Industrial Estate: Ecological Appraisal Report.
Results and Evaluation	No bat roosts were identified in Unit 15A-H in 2021, however the building is considered to provide low bat roosting suitability. A bat survey update is recommended in 2022 to update conditions.
Recommendations	The roosting features identified in 2021 will be lost as a result of the refurbishments and therefore one bat box is recommended for installation on nearby retained tree (or on the refurbished building) to provide compensation roosting opportunities. A second bat box installed on the building (or suitable tree in the wider CMIQ site) will provide enhancement roosting provision for bats. The replacement lighting proposed should be placed in the same positions and LED warm lights should be used, with no UV output.

GLOSSARY

BCT	Bat Conservation Trust
BMCL	Bat Mitigation Class Licence
CBC	Copeland Borough Council
CIEEM	Chartered Institute of Ecology & Environmental Management
ECOW	Ecological Clerk of Works
EPS	European Protected Species
EPSML	European Protected Species Mitigation Licence
LERC	Local Ecological Record Centre
MCIEEM	Member of Chartered Institute of Ecology & Environmental Management
NE	Natural England
NERC Act	Natural Environment and Rural Communities Act 2006
NPPF	National Planning Policy Framework
PRF	Potential Roost Feature

1.0 INTRODUCTION

1.1 BACKGROUND

Tetra Tech was commissioned by Copeland Borough Council in April 2022 to review existing bat reports and baseline information to compile an Interim Bat Roost Assessment report for the refurbishment of Unit 15A-H. This building was subject to a detailed bat roost assessment in 2021 for the wider Cleator Moor Innovation Quarter (CMIQ) site (Tetra Tech, 2021a).

This report was prepared by Tetra Tech Consultant Ecologist Elizebeth Wilcox Qualifying CIEEM and the conditions pertinent to it are provided in Appendix A.

1.2 SITE DESCRIPTION

Unit 15A-H is located in Cleator Moor and is centred at Ordnance Survey National Grid Reference NY 01566 15629 – see Figure 1 for site location plan.

Unit 15A-H is located north-west of Leconfield Street on the wider CMIQ site and includes part of Leconfield Street access road within the site Red Line Boundary.

Industrial units are present to the north-east and south of Unit 15A-H with unimproved grassland and woodland habitats present to the north. Cleator Moor town centre is located approximately 440m southeast of the site.

1.3 DEVELOPMENT PROPOSALS

Unit 15A-H is proposed to be refurbished. These proposals are shown in Appendix B (Drawing reference: CMIQ-NOR-A15-ZZ-DR-A-90002_Rev A02) and are summarised below:

- Proposed recladding of walls;
- Proposed recladding of roof;
- Replacement PPC metal gutters and downpipes, gulleys and drain connectors adapted to suit;
- Replacement garage doors;
- Replacement windows and doors;
- Security shutters integrated into new window and door assemblies and re-cladding;
- Internal sanitary and welfare provisions;
- Repairs including:
 - Re-pointing/repairs to internal blockwork above goods doors;
 - Add concrete flagstones at rear and sides of building; and
 - Isolate and remove external lighting and replace external lighting above all external doors.

1.4 PURPOSE OF REPORT

The purpose of this report is to complete a review of existing reports / baseline information in order to undertake a bat roost assessment of Unit 15A-H red line boundary, identify impacts to roosting bats and provide appropriate recommendations and mitigation.

Note that scientific names are provided at the first mention of each species and common names (where appropriate) are then used throughout the rest of the report for ease of reading.

2.0 METHODOLOGY

2.1 DESK STUDY

Previous Reports

The following previous reports with information relating to bats have been issued to Copeland Borough Council (CBC):

- Tetra Tech (2021a) Cleator Moor Innovation Quarter: Bat Roost Assessment Report. On behalf of Copeland Borough Council. Ref: 784-B029668
- Tetra Tech (2021b) Cleator Moor Innovation Quarter: Ecological Appraisal. On behalf of Copeland Borough Council. Ref: 784-B029668
- WYG (2020) Leconfield Industrial Estate: Ecological Appraisal Report.

2.2 LIMITATIONS

Details of the 2021 report are considered to remain valid for one year (i.e. 15th September 2022) however update nocturnal surveys are recommended during the 2022 to provide an update of conditions and inform any European Protected Species Mitigation Licence (EPSML) if required (i.e. if a roost is identified). This interim report will be updated with the results of these surveys.

3.0 BASELINE CONDITIONS

3.1 PREVIOUS REPORTS

The 2021 bat roost assessment at the CMIQ (Tetra Tech (2021a)) was reviewed and is summarised below:

3.1.1 Desk Study

The desk study found records for a variety of bat species within a 2 km radius of the CMIQ site (from the past 10 years) they are displayed in Table 1.

Table 1: Desk study bat results (only records post 2010 are shown)

Species	No. of records	Date	Recording	Distance & Direction
Soprano pipistrelle <i>Pipistrellus pygmaeus</i>	1	2011	5 count	1.5 km NE
Noctule <i>Nyctalus noctula</i>	1	2011	1 count	1.5 km NE
Common pipistrelle <i>Pipistrellus pipistrellus</i>	2	2011	1 count	1.5 km NE
		2012	Count of more than 5 bats	2 km S
Unidentified bat	1	2016	Not specified	1.6 km N

One bat EPSML was granted for the destruction of a resting site for whiskered bat *Myotis mystacinus*, Natterer's bat & Brandt's bat *Myotis brandti* in 2013, located approximately 0.8 km west of the CMIQ site.

3.1.2 Daytime Building Inspection

Unit 15A-H comprised a single-story brick building with a slight single pitch facing north (see Photograph 1).

Photograph 1 – Eastern corner of Unit 15A-H on Leconfield Street



A number of features with potential to be used by roosting bats were identified within Unit 15A-H, these are shown and described in Appendix C.

No bat droppings / signs of bat occupancy were noted on the exterior of Unit 15A-H.

Unit 15A-H was considered to offer low suitability for use by roosting bats during the active season but was unlikely to be suitable for use by maternity colonies or hibernating bats.

3.1.3 Bat Emergence and Re-Entry Surveys

Dusk emergence survey Unit 15A-H – 20th July 2021

During the dusk emergence survey no bats were observed emerging from Unit 15A-H.

Low levels of common pipistrelle commuting and foraging were recorded on every face of the building, with activity observed on the road to the southeast and southwest faces. Activity was also observed to the north of the building. A single noctule bat pass was recorded at 21:47 (13 minutes after sunset) and was the first bat recorded.

The first common pipistrelle was recorded northwest of the building at 21:55. A single common pipistrelle was observed north of the building at 22:02, 22:09, 22:19, 22:29, 22:26, 22:40, and 22:42. A single common pipistrelle was observed commuting north parallel to the building at 22:59. A single common pipistrelle was recorded southeast of the building at 22:29 and 22:45.

3.1.4 Bat Roost Assessment – Trees

Woodland groups in the wider CMIQ site were assessed from the ground in 2021. The only woodland block relevant to Unit 15A-H is W2 which is located offsite adjacent to the northern boundary. W2 is screen planting along the western section of Site A. Multiple trees with low to high roosting suitability recorded. These were generally located in the centre of the woodland block approximately 90m from Unit 15A-H.

4.0 RELEVANT PLANNING POLICY & LEGISLATION

4.1 LEGISLATION

All British bat species are given special protection within England by their inclusion on Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). As a result, it is an offence to:

- Deliberately capture, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats;
- Damage or destroy a bat's roosting place (even if bats are not occupying a roost at the time);
- Possess or advertise, sell or exchange a bat (dead or alive) or any part of a bat; and
- Intentionally or recklessly obstruct access to a bat roost.

With specific reference to the offence of disturbance, Regulation 41(1) of the Conservation of Habitats and Species Regulations 2017 (as amended) states that a person commits an offence if they:

"...deliberately disturb wild animals of any such species [i.e. a European Protected Species] in such a way as to be likely significantly to affect:

- (i) *the ability of any significant group of animals of that species to survive, breed, or rear or nurture their young; or*
- (ii) *the local distribution or abundance of that species".*

Where development will result in damage to, or obstruct access to, any bat roost (whether occupied or not) or risks harming or significantly disturbing bats, a European Protected Species Mitigation Licence (EPSML) is required from Natural England to allow the development to proceed. Bats are also afforded more general protection in England (and Wales) within the Natural Environment and Rural Communities Act (NERC) 2006. This imposes a duty on all public bodies, including local authorities and statutory bodies, in exercising their functions, *"...to have due regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"* [Section 40 (1)]. It notes that *"conserving biodiversity includes restoring or enhancing a population or habitat"* [Section 40 (3)]. Consequently, attention should be given to dealing with the modification or development of an area if aspects of it are deemed important to bats, such as roosts, flight corridors and foraging areas. Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of habitats and species which are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 habitats of principal importance and 1,150 species of principal importance.

Seven species of bats (soprano pipistrelle, brown long-eared bat *Plecotus auritus*, greater horseshoe bat *Rhinolophus ferrumequinum*, lesser horseshoe bat, *Rhinolophus hipposideros* barbastelle *Barbastella barbastellus*, Bechstein's bat *Myotis bechsteinii* and noctule) are listed under Section 41 of the NERC Act 2006.

4.2 LOCAL BIODIVERSITY ACTION PLAN

Local Biodiversity Action Plans (LBAPs) identify habitat and species conservation priorities at a local level (typically County by County) and are usually drawn up by a consortium of local Government organisations and conservation charities. Although they are no-longer managed at a national level many are still reviewed and updated at a local level.

The Cumbria Biodiversity Action Plan (CBAP) list bats (all species occurring in Cumbria) as the SPI for the county.

5.0 DISCUSSION

5.1 BAT ROOST ASSESSMENT

Unit 15A-H was assessed to offer **low** roost suitability for spring/summer roosting bats. However, this building was not considered to offer potential for use by maternity colonies.

Unit 15A-H is not considered to be of suitability for hibernating bats.

5.2 BAT EMERGENCE SURVEYS

No roosts were identified during the bat emergence survey on the 20th July 2021. An update survey is recommended in the 2022 survey season to update conditions on site and inform the EPSML.

Compensation

One bat box (Schwegler 1FF or similar) installed on the south facing elevation of the refurbished Unit (or on a retained tree in close proximity) is required to compensate loss of potential roosting features.

Sensitive Lighting

Low numbers of two species of bats were recorded using the site or adjacent habitats during the emergence surveys, with common pipistrelle activity to the north associated with W2.

W2 will not be directly impacted by the proposals, however may be indirectly impacted through artificial light spill. Commuting and foraging bats are sensitive to light spill and light pollution.

Replacement of existing lighting is included in the current proposals; therefore no additional light spill is anticipated. Lights should be replaced in the same positions and LED warm lights should be used, which have no UV output, therefore attracting fewer insects with warmer colours reducing impacts on bats (Stone 2012, 2015a, and 2015b; and ILP, 2018).

5.3 ENHANCEMENT

There is an opportunity to increase the bat roosting provisions on site in accordance with the National Planning Policy Framework (NPPF) in order to 'minimise impacts on biodiversity and provide net gains in biodiversity where possible.

It is recommended that a second bat box is installed on the refurbished building (or suitable retained trees within the wider CMIQ site) as enhancement for roosting bats.

REFERENCES

- Collins, J. (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd Edition*, The Bat Conservation Trust. London.
- English Nature (2004). Mitchell-Jones, A.J. Bat Mitigation Guidelines, Version January 2004.
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- Tetrattech (2021b) Cleator Moor Innovation Quarter: Ecological Appraisal. On behalf of Copeland Borough Council. Ref: 784-B029668
- WYG (2020) Leconfield Industrial Estate: Ecological Appraisal Report. On behalf of Copeland Borough Council. Ref: A114312

FIGURES

Figure 1 – Site Location Plan

Figure 2 – Bat roost and ground level bat tree assessment summary map



Site Location Plan

CMIQ Proposed Hub - Unit 15A-H

Copeland Borough Council



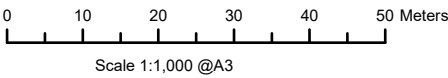
Legend

-  Site boundary
-  Buildings

Notes:

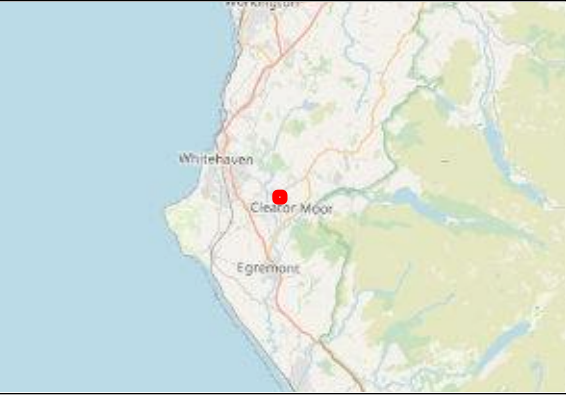
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Figure No. 1
Revision No. A



25 April 2022
NGR: 301531E 515536N

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Bat roost and ground level bat tree assessment summary map

CMIQ Proposed Hub - Unit 15A-H

Copeland Borough Council

Legend

- Site boundary
- Buildings
- Woodland block

Surveyor location

- V1
- V2
- V3



Notes:

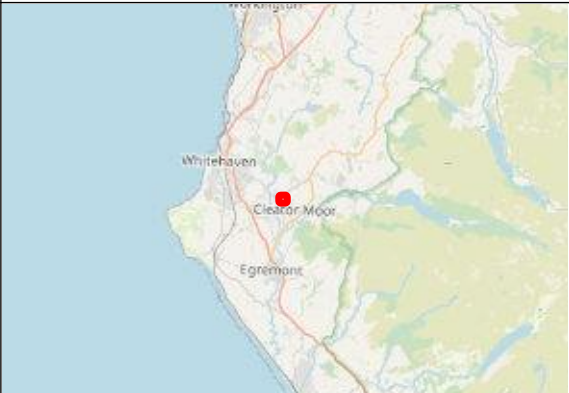
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Figure No. 2
Revision No. A

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Scale 1:1,026 @A3

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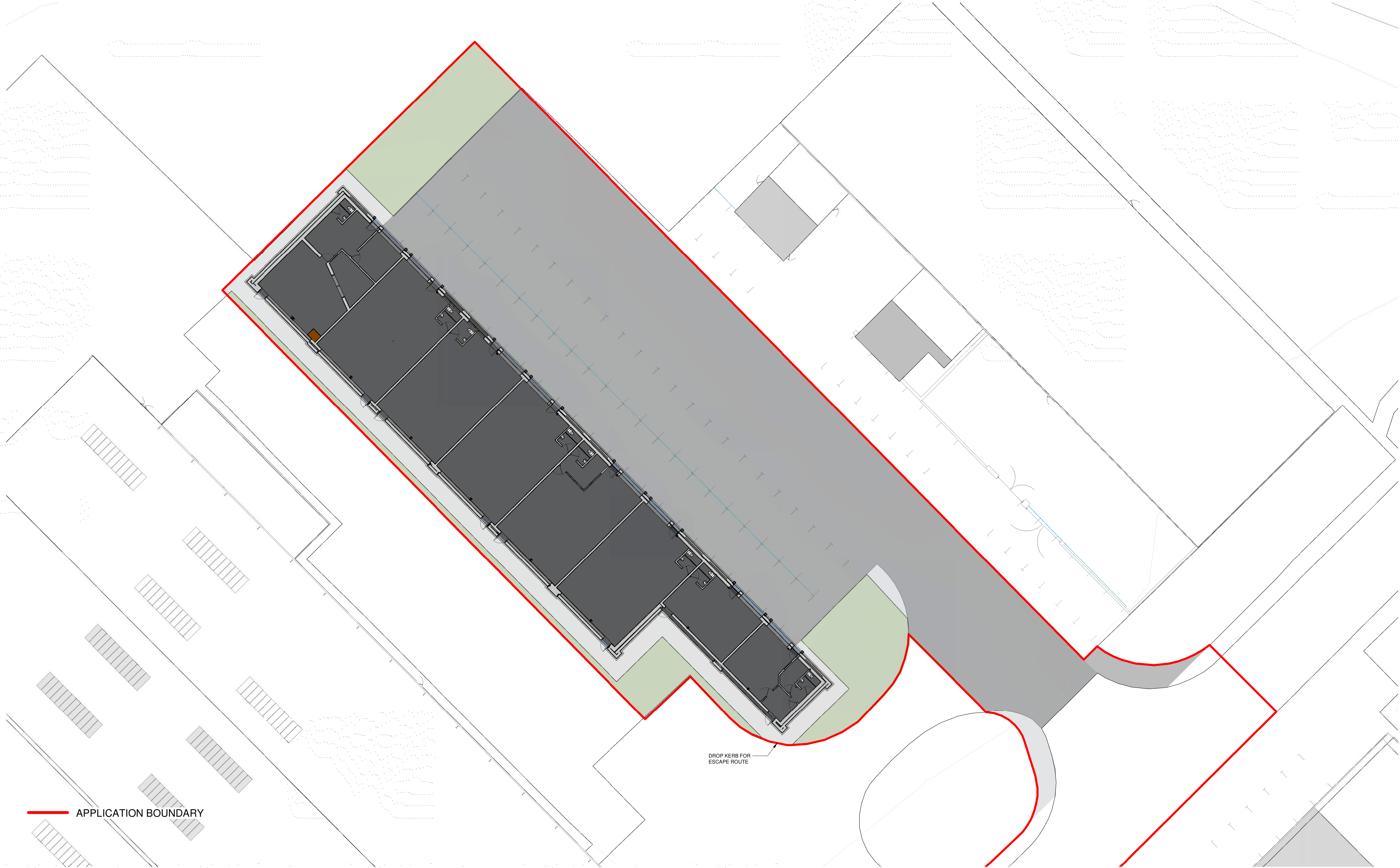
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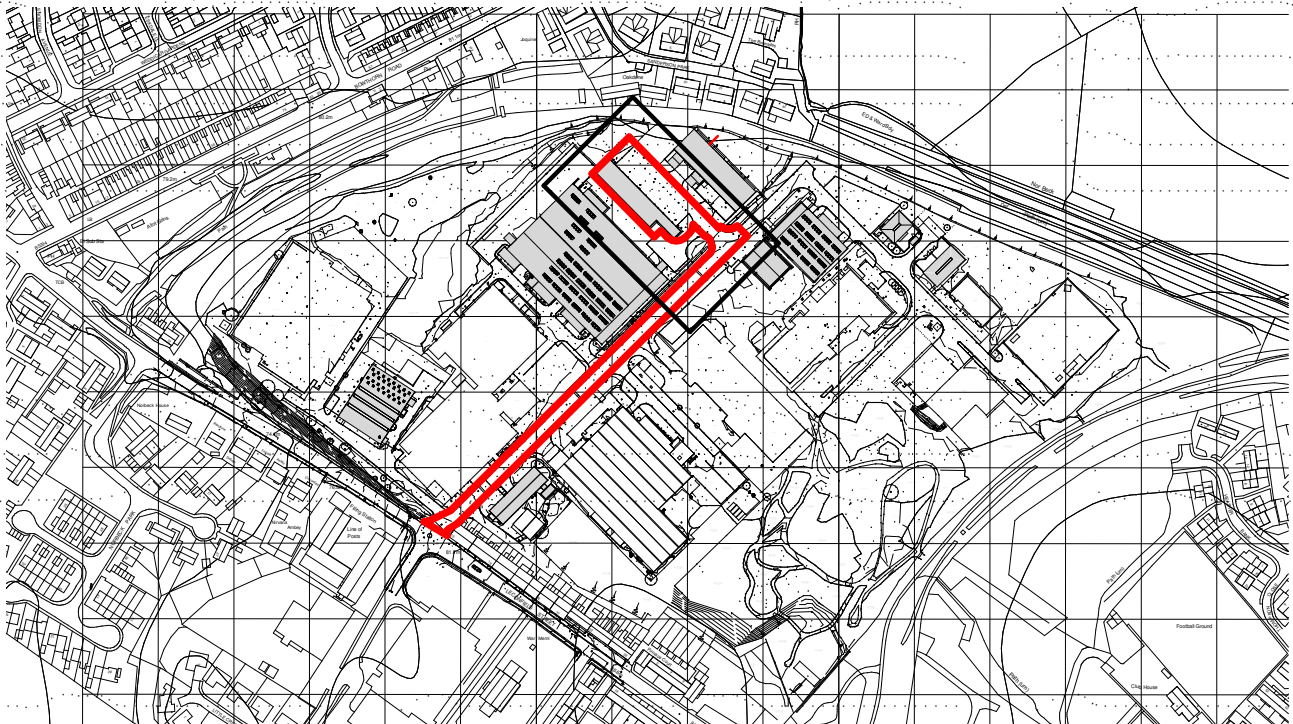
APPENDIX B – PROPOSED PLAN (DRAWING REFERENCE: CMIQ-NOR-A15-ZZ-DR-A-90002_REV A02)

ISO A1 - 594mmx841mm

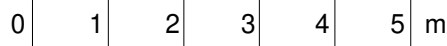


APPLICATION BOUNDARY

SITE - PROPOSED PLAN
SCALE: 1 : 200



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DATE	REVISION	REV	DR	CH
30.03.22	FIRST ISSUE	A01	SM	AM
19.04.22	CLADDING ALIGNED TO CURTAIN WALLING AND OPENINGS, SIGNAGE ADDED, PAVING TO FIRE EXITS ADDED	A02	SM	DK

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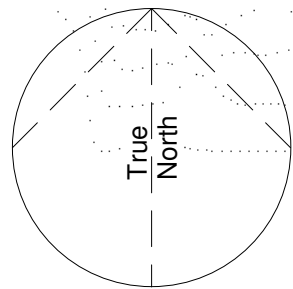
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Client COPELAND BOROUGH COUNCIL	
Project CLEATOR MOOR INNOVATION QUARTER - PLOT 15	
Drawing Title SITE - PROPOSED PLAN	
Sheet Status S3 - FOR REVIEW	
Project No. IANC21-0043	
Drawing No. CMIQ-NOR-A15-ZZ-DR-A-90002	Rev. A02

APPENDIX C – BUILDING ASSESSMENT RESULTS

Building Reference	Roosting Features / Description	Photo
Unit 15A-H	Ventilation gaps and occasional gaps in the brickwork – all elevations. Low suitability	
Unit 15A-H	Occasional gaps behind wood panelling and dilapidated window frames – southern elevations. Low suitability.	

