



## **Reptiles**

Common lizard, slow-worm, adder and grass snake are common and widespread reptile species which are protected by the Wildlife and Countryside Act, 1981 (as amended) against intentional/reckless killing or injury, the Act does not protect their habitat. The UK's two rarest species (sand lizard and smooth snake) have higher levels of protection under UK and EU law but are highly unlikely to be encountered within the London Borough of Harrow.

No reptiles were recorded in either of the habitat areas described above during the survey despite weather conditions being optimal for recording basking animals. The survey was, however, conducted towards the end of the active reptile period, and a more detailed assessment using artificial refuge sheets during one of the peak months for reptile survey (April, May or September) would be required to verify reptile presence/absence and population size. Such surveys would only be required if it were proposed to remove, damage or physically disturb these habitats during the course of development. If reptiles were discovered, then a reptile mitigation strategy based on capturing and moving individual animals to suitable alternative habitat within or close to site consistent with current English Nature best practice guidance would need to be followed.

## **Bats**

All bat species and their roosts in Britain are protected under the Wildlife and Countryside Act 1981 as amended, through their inclusion on Schedule 5. They are also included on Annex IV of Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (known as the Habitats Directive). As a result of the UK ratifying this directive, all British bats are protected under The Conservation Regulations 1994 (the Habitat Regulations). These make it an offence to kill, injure, capture or disturb bats or obstruct access to, damage or destroy bat roosts. The implementation of the Countryside and Rights of Way Act 2000 (CROW 2000) has amended the WCA to include 'reckless' damage, destruction or disturbance of a roost.

From a legal perspective, a roost is any structure or place used by a bat for shelter or protection. This could be any structure, for example any building or mature tree. Bats use many roost sites and feeding areas throughout the year. These vary according to bat age, condition, gender and species, as well as season and weather. Since bats tend to re-use the same roosts for generations, the roost is protected whether the bats are present or not. The legislation provides defences so that necessary operations may be carried out in dwelling places used by bats, provided that English Nature are notified and allowed a reasonable time to advise on whether the proposed operation should be carried out, and if so, the approach to be used. With respect to development, the Department of Food & Rural Affairs (DEFRA) Rural Development Service (RDS) will issue development specific licences to legalise works effecting bats roosts provided the potential development effects on bats are properly assessed and appropriate mitigation

developed to ensure that significant negative effects on bat population ecology do not occur.

The UK is a signatory to the Agreement on the Conservation of Bats in Europe, established under the Bonn Convention. The Fundamental Obligations of Article III of this Agreement require the protection of all bats and their habitats, including the identification and protection from damage or disturbance of important feeding areas for bats.

A single mature oak tree in poor physical condition with a number of splits, holes and crevices occurs just beyond the site boundary to the east (Photo 7). It is reported here as it has potential to support roosting bats and may be indirectly susceptible to damage as a result of construction as its canopy and root zone overlap into the site boundary. It is of note that no signs of roosting bat use of the tree were recorded at the time of survey, but this cannot be taken to discount future use of the tree.

The buildings were highly variable in terms of their condition, construction, general state of repair. The majority were in a dilapidated state and were too open and draughty to be of significant value to roosting bats (e.g. Photos 8 & 9). A low number (< 5 no. in total) scattered bat droppings consistent in size and shape with pipistrelle bat were found on surfaces within the lean-to building adjoining the old barn with the red clay tiled roof (Photo 10), and in the barn that adjoins and is physically linked internally to the lean-to (Photo 11). Both buildings appear rather too open and draughty to be of significant value to roosting bats, and large piles bat droppings indicative of the presence of a large or important bat roost were not found. The dropping evidence is indicative of only occasional use of the buildings by an individual bat, possibly for the purposes of feeding only.

The buildings with the highest potential to support roosting bats by virtue of appearing to possess reasonably well insulated roof voids were Copse House (Photo 1), Dairy and Farm Cottages (Photo 2), and the Stable Flat (Photo 12). As referred to previously, Dairy and Farm Cottages were not be inspected during the current survey. The Stable Flat was not in residential occupancy at the time and was inspected internally. It was not possible, however, to enter the roof void as there was no loft hatch on my first visit. The roof structures of all four residential buildings appeared (from limited external inspection) to be in good condition, and the presence of bats is only a theoretical possibility that reflects the previous finding that bats are active and using the nearby barn. Further survey work is recommended to verify bat presence in any residential building scheduled for demolition or renovation that could effect the roof space and/or any cellar (see below).

An opening into the Stable Flat roof ceiling was created to enable me to inspect the roof void of this building on 25<sup>th</sup> November 2005. A full internal inspection was completed, and no sign of bat activity or roosting was found. On this basis, I do not believe that there are currently any ecological reasons why the Stable Flat cannot be demolished subject to contractors taking care to keep a watching brief for bat presence, and stopping work and informing English Nature if a bat is found.

## **Birds**

All wild birds are protected by the Wildlife and Countryside Act, which makes it illegal to kill, injure or take wild birds; take, damage or destroy a nest while in use or being built; or take or destroy eggs. Some rare bird species are afforded special additional protection under Schedule 1 of the Act.

No evidence of any Schedule 1 bird species was recorded by the current survey, and no owl pellets were found. Many of the stable buildings were found to possess barn swallow nests and droppings indicating nesting during the 2005 bird breeding season. Care will need to be taken to avoid illegal disturbance to swallows during the breeding season which should be regarded as being the period mid-March to August inclusive. In reality, and subject to the results and timing implications of any further bat survey work, all non residential farm buildings should be taken down outside the bird breeding season. If buildings cannot be removed during this period, then measures should be taken to make them bird-proof using netting, boarding etc. prior to the onset of the bird breeding period, and checked for the presence of nesting birds immediately prior to their removal.

Barn swallow habitat (notably easily accessible farm buildings, stables etc.) is a declining habitat in the UK as a result of, for example, barn conversion developments. Current planning guidance, and in particular PPS9, recommends that development should aim to maintain, and enhance, restore or add to biodiversity conservation interests, and the promotion of opportunities for the incorporation of beneficial biodiversity within the design of development. To this end, the provision of permanent structures/opportunities for nesting barn swallow would be a relevant and meaningful biodiversity target that could be easily incorporated into the development for little additional cost.

## **Next Steps**

Further more detailed survey work for bats should be undertaken during the main bat activity period (May-September) to verify the use of all buildings (with the exception of the Stable Flat) or trees scheduled for demolition, renovation, felling and/or limb removal where positive signs of bat presence or theoretical potential for bat roosting have been identified.

For the residential buildings where bat presence is a theoretical potential, internal inspections of loft voids and cellars should be completed in the first instance (can be undertaken virtually any time of year provided safe access is made available). If signs of bat roosting are found then a bat activity survey will be required (as outlined above) and a suitable mitigation strategy developed in consultation with English Nature to support an application to the RDS for a development licence to enable the works to proceed lawfully. The scope of the mitigation required will be entirely dependent upon the findings of the bat activity survey, but could result in the need for an alternative bat roost facility to be incorporated in the new/renovated building, and timing restrictions

on building removal/renovation to avoid key periods in the bats life cycle e.g. summer breeding and winter hibernation.

At present it is not clear if bats are roosting in the main barn complex where droppings were found, or whether the droppings represent just occasional use by feeding bats. If it were only found to be the latter, as is currently suspected, an RDS licence would probably not be required.

If you have any further queries or questions, please do not hesitate to contact me.

Yours sincerely,

**Dr Duncan Painter MIEEM CEnv**  
On behalf of Applied Ecology Ltd.



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12