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## **Bat Method Statement**

6 Nutley Terrace, London

Site	6 Nutley Terrace, London NW3 5BX
Project number	73918
Client name / Address	

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### Declaration of compliance

This method statement has been undertaken in accordance with British Standard 42020:2013 “Biodiversity, Code of practice for planning and development”.

The information which we have provided is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management’s (CIEEM) Code of Professional Conduct (2013). We confirm that the opinions expressed are our true and professional bona fide opinions.

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# 1. INTRODUCTION

## 1.1. Aims and objectives

This method statement has been devised to provide guidance to site operatives to ensure a precautionary working approach to works at 6 Nutley Terrace, London. A method statement is required in order to discharge a conditional requirement, issued by the London Borough of Camden. Condition 18 of the planning application states:

*“Prior to implementation a method statement for a precautionary working approach to demolition and construction should be submitted to the Local Authority and approved in writing. This shall include approaches to mitigate the impact on bats. All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted. The applicant may need to apply for a protected species licence from Natural England, evidence of which should be submitted to the Local Authority. If more than 1 year passes between the most recent bat survey and the commencement of demolition and/or tree works, an update bat survey must be undertaken immediately prior to demolition or tree works by a licensed bat worker. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition and/or tree works.*

*Reason: To ensure the development contributes towards the protection of habitats and species, ensuring compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.”*

This method statement is submitted pursuant to this condition. The aims and objectives of this method statement include:

- Detail methodology for the single nocturnal bat survey;
- Timing of works;
- Identify key areas on the building which require demolition by hand;
- Detail procedure for soft demolition;
- Identify the need for ecologist supervision; and
- Detail protocol for if a bat is found,

## 1.2. Site description and proposed development

The site is located off Nutley Terrace in the London Borough of Camden, centred at National Grid Reference TQ 2663 8496. It is a rectangular parcel of land measuring approximately 0.15 ha in size. The site is occupied by a two-storey house with associated hardstanding, wooden shed and garden habitats.

The proposed development involves demolition of the existing house and construction of two new houses and associated landscaping.

## 1.3. Summary of previous bat surveys

A daytime bat inspection was undertaken in January 2015 by Middlemarch Environmental Ltd, which identified the main building as having high bat roosting potential. Subsequently, two nocturnal roost surveys were undertaken in June and July 2015 by D F Clark Bionomique Ltd. No bats were recorded emerging from the building, although a low level of foraging was recorded in the garden of the property.

## 1.4. Legislation and planning policy

Relevant legislation considered within the scope of this document comprises the following:

- The Conservation of Habitats and Species Regulations 2017 (as amended);
- The Wildlife and Countryside Act 1981 (as amended); and
- The Natural Environment and Rural Communities (NERC) Act 2006.

Further information is provided in Appendix 1.

## 2. PROPOSED WORKS

### 2.1. Pre-demolition nocturnal bat survey

Prior to demolition of the building, a single nocturnal bat survey will be undertaken. This is a conditional requirement, as over one year has passed since the original bat surveys were undertaken (see Condition 18 in previous section). This survey will follow guidance set out in Collins (2016) and Mitchell-Jones and McLeish (2004).

Two surveyors will watch key areas of the building (see section 2.4 below for key building features). The survey will start 15 minutes before sunset and continue for 90 to 120 minutes after sunset. The bat survey season runs from May to August inclusive, with suboptimal surveys in September. However, it is possible to undertake nocturnal surveys in April if the weather conditions are suitable. As the building demolition is scheduled for late April/early May, the nocturnal bat survey will be scheduled for late April, approximately two weeks in advance of the demolition. This will give the client sufficient time to respond if a roost is found. However, this can only be undertaken in suitable weather conditions, which include no rain, little wind and warmer temperatures. If no bats are seen emerging during this survey, this result will be considered sufficient to prove absence, particularly given the previous survey effort undertaken on site.

### 2.2. Timing of works

Timing of works. Works to the building should be avoided during the hibernation period when disturbed bats will not have sufficient energy reserves or food sources to survive. The hibernation period for bats runs from November to February inclusive, and so works should be scheduled for outside of this time period. Although it is considered unlikely that the buildings are used by wintering bats it is recommended that this precautionary approach is taken. As it is unlikely that the building supports a maternity roost, the works can take place throughout the Spring, Summer and Autumn months.

### 2.3. Briefing of onsite contractors

All onsite contractors will be made aware of the potential presence of bat roosts and the legislation that protects these species. All onsite contractors will be made aware of the contents of the method statement (as this will be legally binding and must be adhered to). A hard copy of the method statement will be present on site at all times for reference.

## 2.4. Key building features

During the daytime bat inspection in 2015 (Middlemarch Environmental Ltd, 2015), key features which have the potential to support roosting bats were identified on the building. These were:

- Gaps suitable for use by roosting bats were present on the northern and southern pitches where a number of slipped and missing tiles were identified.
- Gaps were also present between the soffit and the brickwork (although these were heavily cobwebbed and had no signs of recent usage).

## 2.5. Soft demolition

At the start of the demolition works, the contractors will remove by hand any key areas which may contain roosting bats, which are slipped or missing tiles and gaps between the soffit box and brickwork. These areas are shown in the Figures below, taken from Middlemarch Environmental Ltd (2015).

**Figure 1: Missing and slipped tiles on southern elevation**



**Figure 2: Gap between soffit and brickwork**



In the event of a bat being discovered during works the following order of process will be observed:

- 1) If the bat is found during demolition MKA Ecology Ltd (01763 262211) or Natural England (0300 060 3900) will be immediately called for assistance.
- 2) The recommendation would likely be to cease all works and do not attempt to move or handle the bat, unless it is in immediate danger. Building contractors will be explicitly forbidden from handling bats. The ecologist will then be required to liaise with Natural England to establish an appropriate course of action.



### 3. REFERENCES

British Standards Institution (2013) *British Standard 42020:2013, Biodiversity – Code of practice for planning and development*. British Standards Institution: London.

Chartered Institute of Ecology and Environmental Management (2013) *Code of Professional Conduct*. CIEEM: Winchester.

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

Middlemarch Environment Ltd (2015) *6 Nutley Terrace, Greater London - Daytime Bat Survey*. Middlemarch Environmental Ltd: Coventry.

Mitchell-Jones, A.J. & McLeish, A.P. (2004) *Bat Workers' Manual (3<sup>rd</sup> edition)*. Joint Nature Conservation Committee: Peterborough.

MKA Ecology Ltd (2018) *6 Nutley Terrace, London - Bird and Bat Box Plan*. MKA Ecology Ltd: Cambridge

## 4. APPENDICES

### Appendix 1: Relevant wildlife legislation and planning policy

Please note that the following is not an exhaustive list, and is solely intended to cover the most relevant legislation pertaining to species commonly associated with development sites.

Subject	Legislation (England)	Relevant prohibited actions
<i>Mammals</i>		
Bats (all UK species)	Schedule 2 of Conservation of Habitats and Species Regulations 2017 (as amended)	<ul style="list-style-type: none"> <li>Deliberately capture, injure or kill a bat;</li> <li>Deliberately disturb a bat (disturbance is defined as an action which is likely to: (i) Impair their ability to survive, to breed or reproduce, or to rear or nurture their young; (ii) Impair their ability to hibernate or migrate; or (iii) Affect significantly the local distribution or abundance of the species);</li> <li>Damage or destroy a bat roost;</li> <li>Intentionally or recklessly disturb a bat at a roost; or</li> <li>Intentionally or recklessly obstruct access to a roost.</li> </ul> <p>In this interpretation, a bat roost is "any structure or place which any wild [bat]...uses for shelter or protection". Legal opinion is that the roost is protected whether or not the bats are present at the time.</p>
	Schedule 5 of Wildlife and Countryside Act 1981 (as amended)	
	Schedule 5 of Wildlife and Countryside Act 1981 (as amended)	
	Section 9(4)(b) and (c) of Schedule 5 of Wildlife and Countryside Act 1981 (as amended)	

### **Conservation of Habitats and Species Regulations 2017 (as amended)**

Full legislation text available at: <http://www.legislation.gov.uk/ukxi/2010/490/regulation/61/made>

### **The Wildlife and Countryside Act 1981 (as amended)**

Full legislation text available at: <http://www.legislation.gov.uk/ukpga/1981/69/contents>.

### **Section 41 of Natural Environments and Rural Communities (NERC) Act 2006**

Full legislation text available at: <http://www.legislation.gov.uk/ukpga/2006/16/section/41>

Many of the species above, along with a host of others not afforded additional protection, are listed on Section 41 of the NERC Act 2006.

Section 41 (S41) of the Natural Environment and Rural Communities (NERC Act 2006) requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The list (including 56 habitats and 943 species) has been drawn up in consultation with Natural England and draws upon the UK Biodiversity Action Plan (BAP) List of Priority Species and Habitats.

The S41 list should be used to guide decision-makers such as local and regional authorities to have regard to the conservation of biodiversity in the exercise of their normal functions – as required under Section 40 of the NERC Act 2006. The duty applies to all local authorities and extends beyond just conserving what is already there, to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.



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