



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, St Mary's TR21 0LW
Telephone: 01720 424455 – Email: planning@scilly.gov.uk

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015

PERMISSION FOR DEVELOPMENT

Application No: P/22/069/HH

Date Application Registered: 20th January 2023

Applicant: Mr Delwin & Mrs Victoria Thompson
Birds Corner
1 Trench Lane
Old Town
St Marys
Isles Of Scilly
TR21 0PA

Site address: Birds Corner 1 Trench Lane Old Town St Marys Isles Of Scilly
Proposal: Demolition of existing conservatory and construction of new sun room in the same location.

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the following Conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

C2 The development hereby permitted shall be carried out in accordance with the approved details only including:

- Plan 1 Location Plan
- Plan 2 Site Plan
- Plan 3 Proposed Sunroom, drawing number BC-PS-1a
- Plan 4 Birds Corner Flood Prevention Measures
- Plan 5 Preliminary Roost Assessment (PRA), Ref: 22-12-3 dated 16th January 2023

These are stamped as **APPROVED**

Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).

C3 No construction plant and/or machinery shall be operated on the premises before 0800 hours on Mondays through to Saturdays nor after 1800 hours. There shall be no works involving construction plant and/or machinery on a Sunday or Public or Bank Holiday.

Reason: In the interests of protecting the residential amenities of neighbouring properties.

C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking or re-enacting that Order) prior to installation, details of external lighting shall be submitted to and approved in writing, by the

Local Planning Authority. The lighting shall thereafter be installed in accordance with the agreed details only.

Reason: To protect the amenities of the locality, including the amenities of neighbouring residential properties and preserve the dark night skies of the Isles of Scilly as an Area of Outstanding Natural Beauty and the Garrison Dark Sky Discovery Site (Milky Way Class) in accordance with Policy OE4 of the Isles of Scilly Local Plan (2015-2030).

C5 Following the completion of the development, hereby approved, the applicant shall install one bat box either on the dwelling or within the curtilage, in accordance with the guidance set out in the Preliminary Roost Assessment, Ref: 22-12-3 dated 16th January 2023. The bat box shall be installed, prior to the first breeding season following completion of the development and shall be retained as such thereafter.

Reason: To promote measures to enhance biodiversity on the Isles of Scilly and in accordance with the requirements of Policies SS1(d) and SS2(g) of the Isles of Scilly Local Plan (2015-2030).

Further Information

1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 the National Planning Policy Framework 2021.
2. In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment or the submission of a full planning application for a revised scheme. If the proposal relates to a Listed Building you will not be able to apply for a non-material amendment and a new application for a revised scheme will be required. Please discuss any proposed amendments with the Planning Officer. There is a fee to apply for a non-material amendment and the most up to date fee will be charged which can be checked here: https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
3. In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. The fee is current £34 for each request to discharge condition(s) where the planning permission relates to a householder application. The fee is payable for each individual request made to the Local Planning Authority. You are advised to check the latest fee schedule at the time of making an application as any adjustments including increases will be applied: https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
4. The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. This planning permission does not absolve the applicant from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in part IV B of Circular 06/2005. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately and advice sought from licensed bat wardens. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.
5. This decision is not a determination under the Building Regulations. Please ensure that all building works accord with the Building Regulations and that all appropriate approvals are in place for each stage of the build project. You can contact Building Control for further advice or to make a building control application: buildingcontrol@cornwall.gov.uk.

Signed: 

Chief Planning Officer

Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.

DATE OF ISSUE: 17th March 2023



COUNCIL OF THE ISLES OF SCILLY

Planning Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW
☎0300 1234 105
✉planning@scilly.gov.uk

Dear Mr Delwin & Mrs Victoria Thompson

Please sign and complete this certificate.

This is to certify that decision notice: P/22/069/HH and the accompanying conditions have been read and understood by the applicant: Mr Delwin & Mrs Victoria Thompson.

1. **I/we intend to commence the development as approved:** Demolition of existing conservatory and construction of new sun room in the same location at: Birds Corner 1 Trench Lane Old Town St Marys Isles Of Scilly **on:**.....
2. I am/we are aware of any conditions that need to be discharged before works commence.
3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

Name: _____ **Contact Telephone Number:** _____
And/Or Email: _____

Print Name:.....

Signed:.....

Date:.....

Please sign and return to the **above address** as soon as possible.



COUNCIL OF THE ISLES OF SCILLY

Planning Department

Town Hall, St Mary's, Isles of Scilly, TR21 0LW

☎01720 424455

✉planning@scilly.gov.uk

**THIS LETTER CONTAINS IMPORTANT INFORMATION
REGARDING YOUR PERMISSION – PLEASE READ
IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE
APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW
OF ANY PRE-COMMENCEMENT CONDITIONS**

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

Carrying out the Development in Accordance with the Approved Plans

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any un-authorised work carried out may have to be amended or removed from the site.

Discharging Conditions

Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of pre-commencement conditions if you do not formally apply to discharge the conditions before you start works.

As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions - £34 per application
- Other permissions - £116 per application

Amendments

If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £34 for householder type applications and £234 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non-material if necessary.

Appealing Against the Decision

If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting <https://www.gov.uk/topic/planning-development/planning-permission-appeals> or you can obtain hard copy appeal forms by calling 0303 444 5000.

Current appeal handling times can be found at: [Appeals: How long they take page](#).

Building Regulations

With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link [Cornwall Council](#). This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792 (Option 1), via email buildingcontrol@cornwall.gov.uk or by post at:

Building Control
Cornwall Council
Pydar House
Pydar Street
Truro
Cornwall
TR1 1XU

Inspection Requests can also be made online: <https://www.cornwall.gov.uk/planning-and-building-control/building-control/book-an-inspection/>

Registering/Altering Addresses

If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

Connections to Utilities

If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.

APPROVED

By Lisa Walton at 5:00 pm, Mar 17, 2023

RECEIVED

By A King at 2:08 pm, Jan 19, 2023

Location Plan for Birds Corner



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0m 20m 40m 60m 80m 100m

Scale: 1:1250, paper size: A4

Birds Corner
Location Plan
Birds Corner
Old Town
St. Mary's
Isles of Scilly



Prepared by: Paul Osborne, 05-09-2022

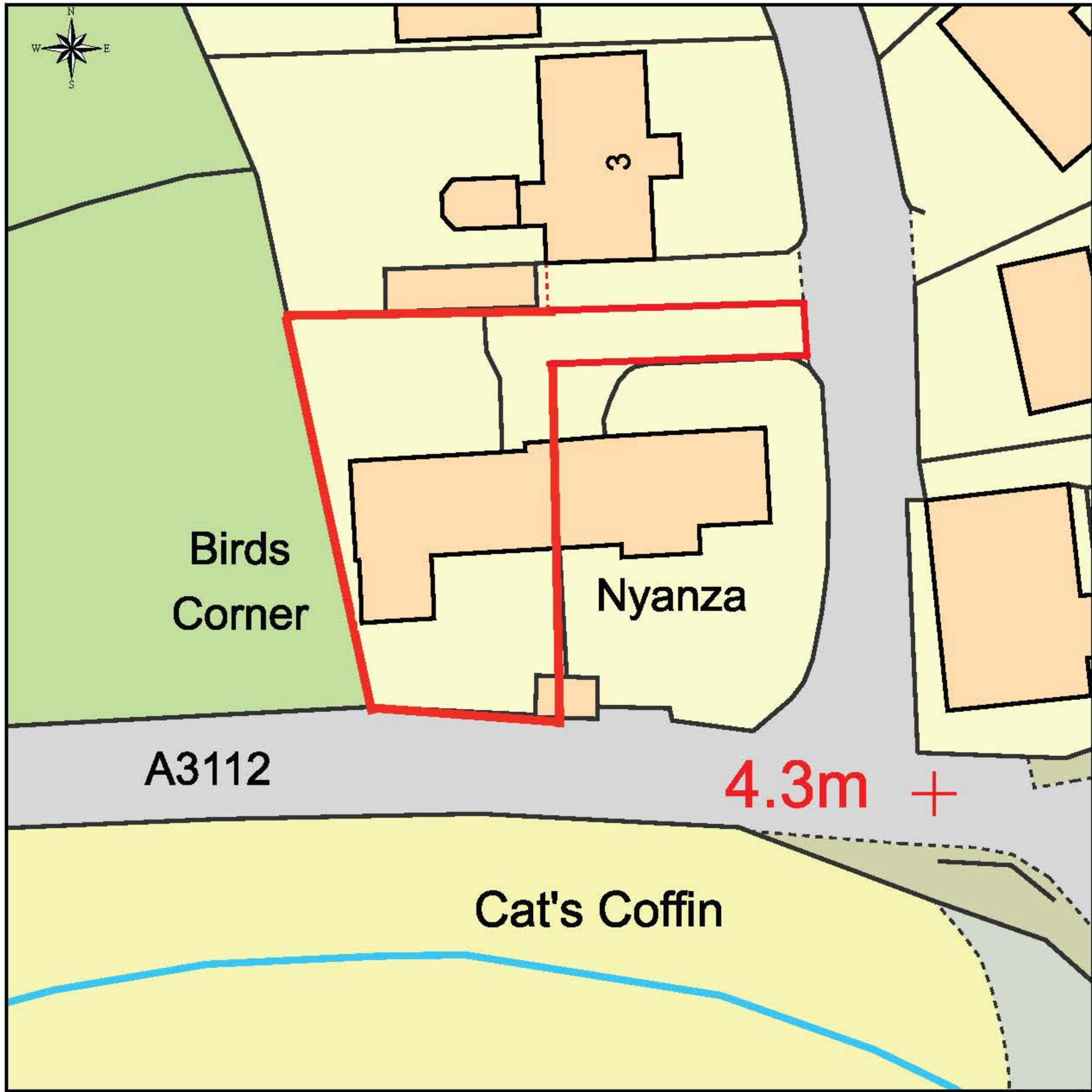
APPROVED

By Lisa Walton at 5:01 pm, Mar 17, 2023

RECEIVED

By A King at 2:13 pm, Jan 19, 2023

Site Plan for Birds Corner



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0m 5m 10m 15m 20m 25m 30m 35m 40m

Scale: 1:500, paper size: A4

Birds Corner

Site Plan

Birds Corner

Old Town

St. MARY's

Isles of Scilly

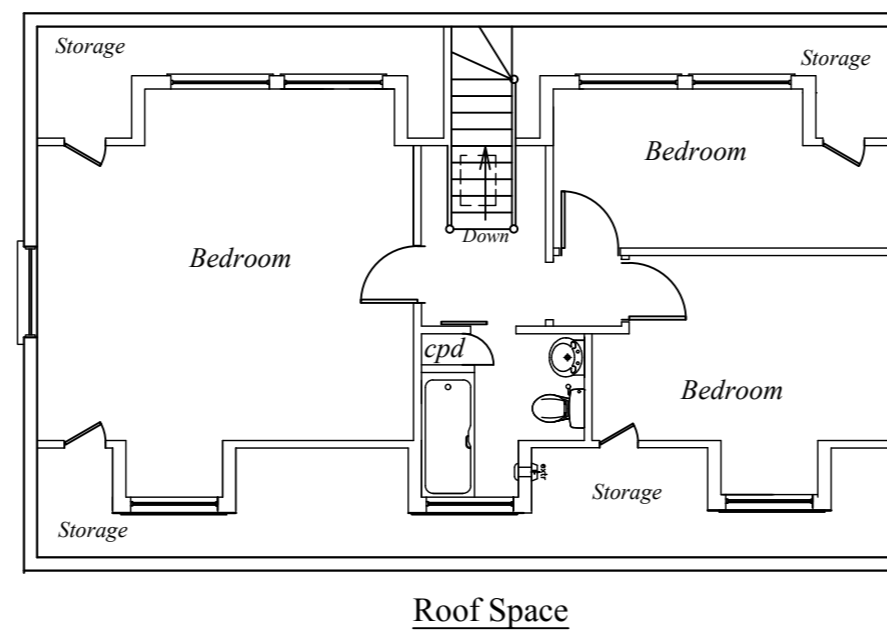
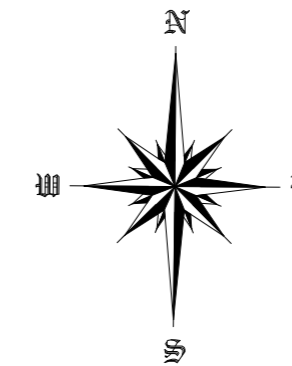
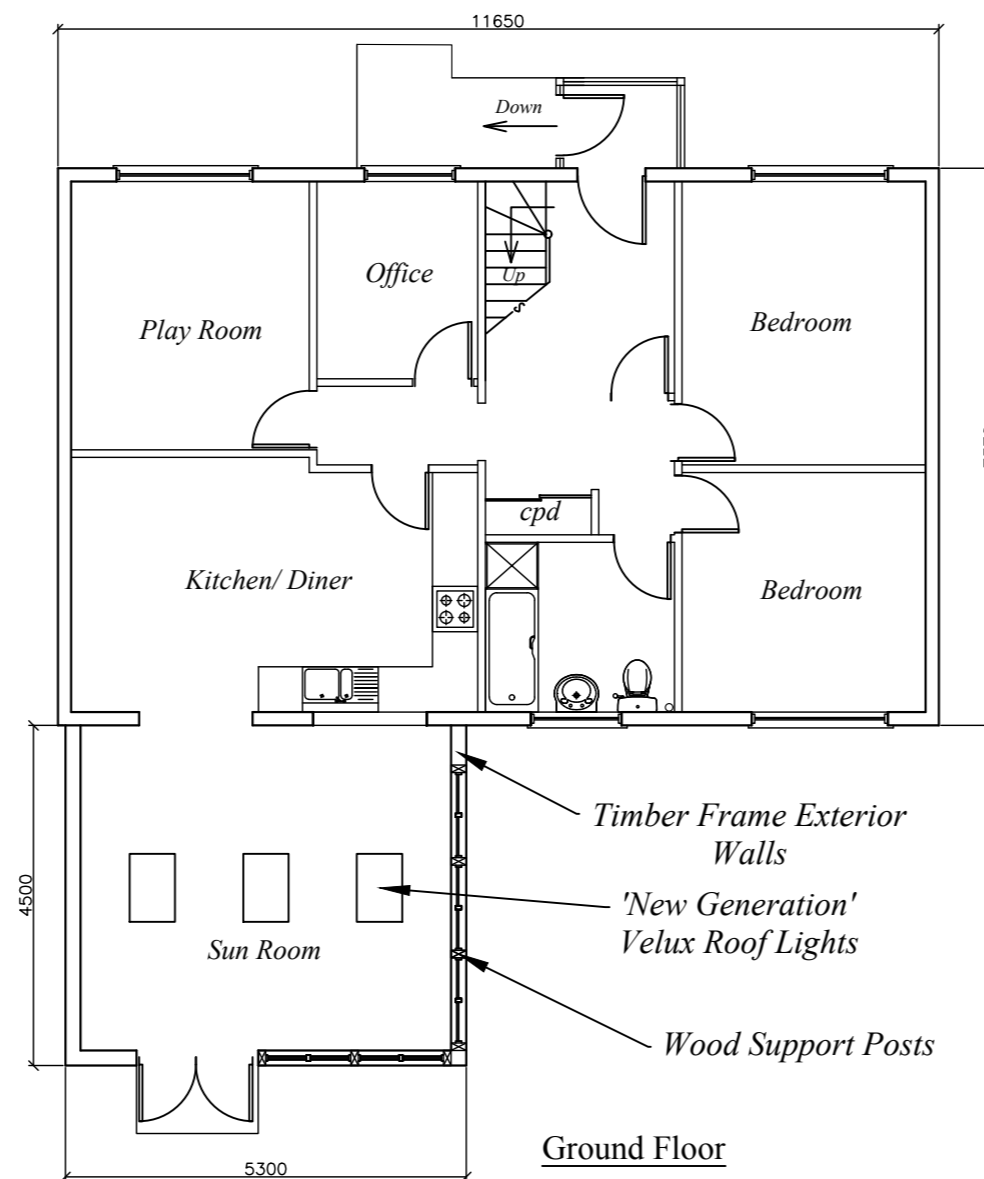
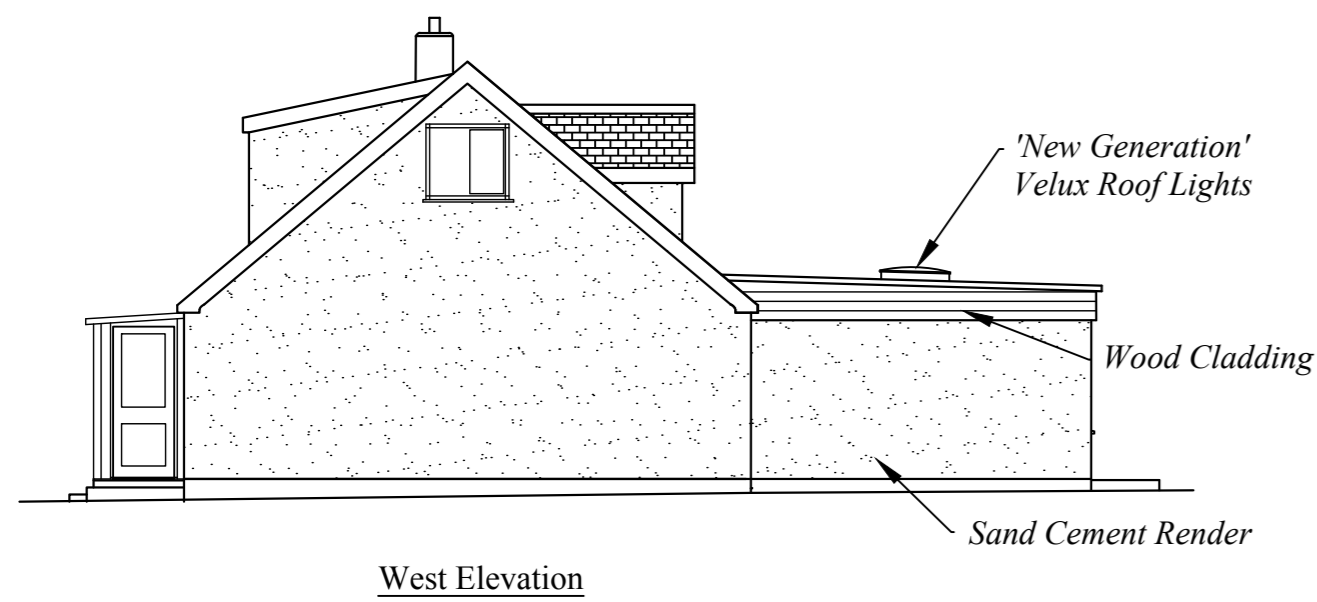
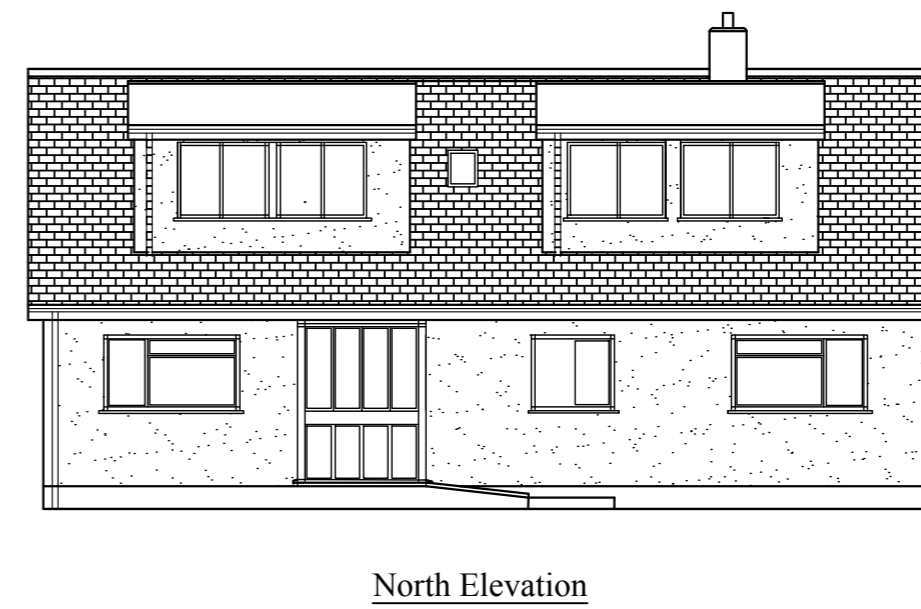
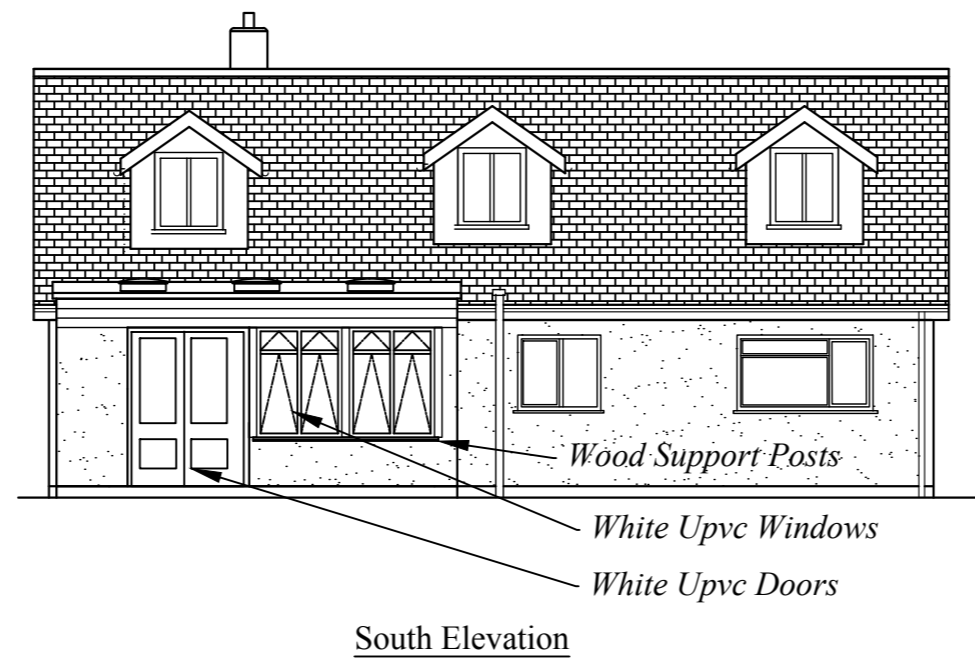
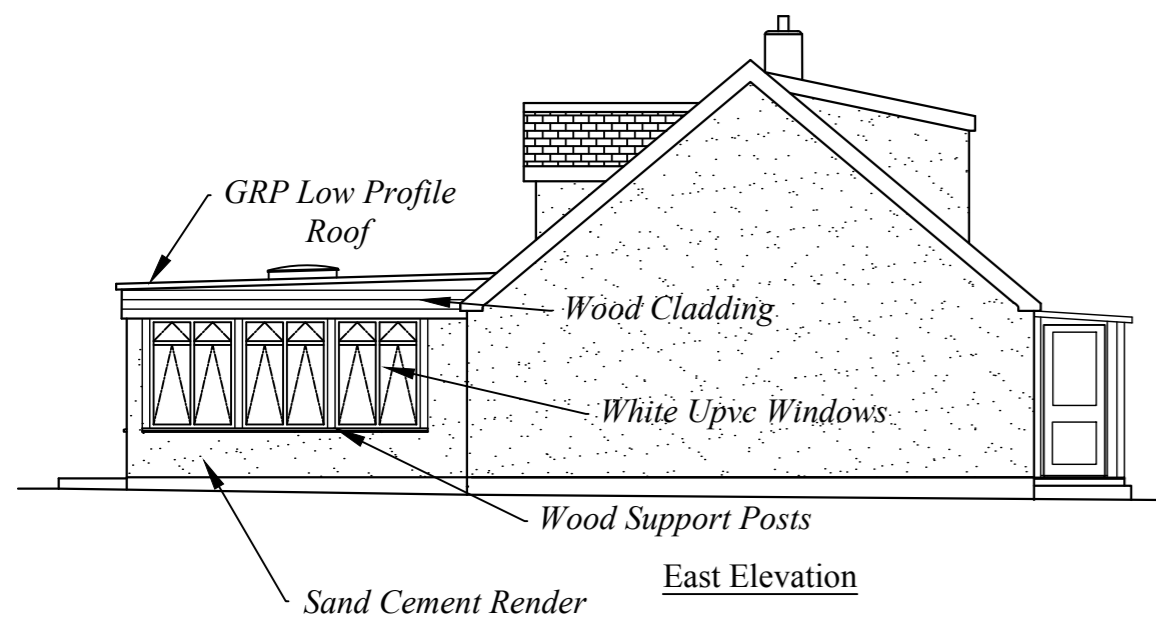


emapsite™
plans

Prepared by: Paul Osborne, 05-09-2022

APPROVED
By Lisa Walton at 5:01 pm, Mar 17, 2023

RECEIVED
By Liv Rickman at 10:31 am, Sep 26, 2022



Existing Floor Area - 96.6m²
Proposed Floor Area - 109.7m²
Increase in Area 13.1m² or 12%

*Birds Corner
Trench Lane
Old Town
St. Mary's
Isles of Scilly*

*Proposed Sun
Room*

*Mr Mrs D
Thompson.*

N.B.-No measurements to be scaled from this drawing unless specified. Whilst all efforts are made to insure accurate measurements Any discrepancies should be reported immediately to the architect.

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Date - June 2022
Amended -
Scale - 1 : 100 @ A2

PAUL OSBORNE
CARN THOMAS
ST. MARY'S, ISLES of SCILLY.
TR21 0PT Tel (01720) 423066
Email: paul@sailscilly.com

BC-PS-1a

RECEIVED
By A King at 9:32 am, Feb 14, 2023

Bird's Corner

Flood Prevention Measures

Amended
Plans

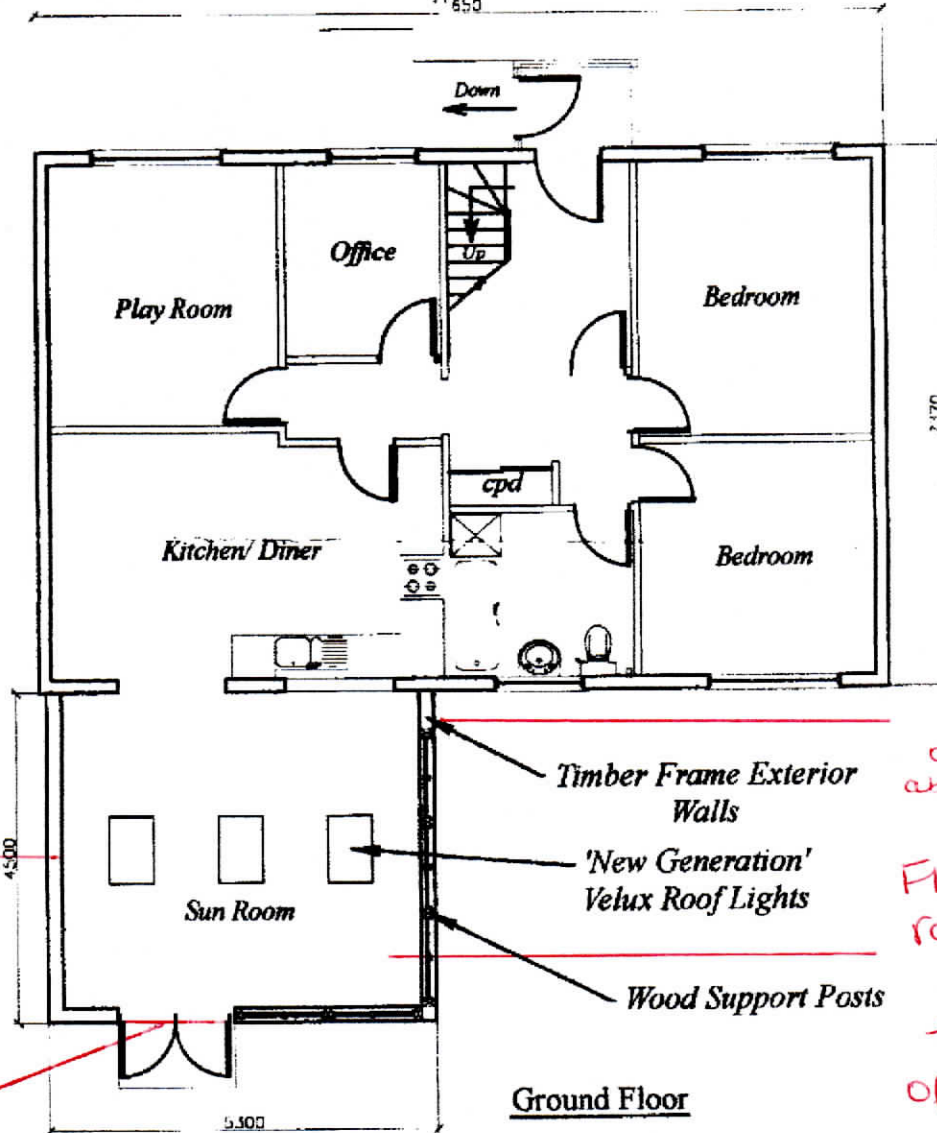
Scale: 1:100 at A2

APPROVED
By Lisa Walton at 5:02 pm, Mar 17, 2023



Position of flood boards

South Elevation



Ground Floor

'New Generation' Velux Roof Lights

Wood Cladding

and Cement Render

Waterproof Skirting boards used throughout

Removable Flood Boards will be positioned here

Powerpoints to be positioned one metre above floor level

Floor level raised to same as the rest of the house

RECEIVED

By Liv Rickman at 11:50 am, Jan 17, 2023

APPROVED

By Lisa Walton at 5:02 pm, Mar 17, 2023

PRELIMINARY ROOST ASSESSMENT (PRA)

BIRDS CORNER,
OLD TOWN, ST MARY'S, ISLES OF SCILLY



Client: Mr & Mrs D Thompson

Our reference: 22-12-3

Planning reference: Produced in advance of submission

Report date: 16th January 2023

Author: James Faulconbridge BSc (Hons), MRes, MCIEEM

Contact: ios.ecology@gmail.com

Executive Summary

Bats – Results and Findings

The preliminary roost assessment (PRA) survey of the structures either directly or indirectly impacted by the proposals concluded that there is **negligible potential** for use by bats.

This assessment relates solely to the elements of the structure which would be affected by the current proposals - it does not provide a comprehensive assessment of the building in question.

Bats – Further Survey Requirements

No further surveys are recommended – the PRA conclusion does not require further survey information with regards to bats in order to inform a planning application.

Bats – Recommendations

Standard good practice and vigilance should be observed by the contractors undertaking the works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations, especially if the condition of structural features were to change. A summary of standard Good Practice to be observed by contractors is provided in Appendix 1.

It is not recommended that any Planning Conditions are required with regards to bats in order to ensure legislative compliance.

If the applicant wishes to provide biodiversity enhancement, a bat box could be erected on the western gable of the dwelling. Guidance on suitable specifications is provided.

Nesting Birds – Results and Findings

The survey of structural features to be directly or indirectly impacted by the proposed works identified no nesting locations suitable for use by breeding birds.

Nesting Birds - Recommendations

There is no requirement to replace nesting habitat for breeding birds as no suitable features would be affected.

If the applicant wishes to provide biodiversity enhancement, nest boxes could be erected either on the dwelling or within the residential garden. Guidance on suitable specifications is provided.

Other Ecological Receptors

No further ecological impacts relevant to planning are identified.

PRELIMINARY ROOST ASSESSMENT (PRA)

Planning Authority: Isles of Scilly	Location: SV 91320 10235	Planning Application ref: Report produced in support of application
Planning application address: Birds Corner, Old Town, St Mary's, Isles of Scilly		
Proposed development: The proposed works were identified by the client and should accord with the documentation submitted in support of the application. These involve: <ol style="list-style-type: none"> 1) The removal of an existing conservatory to the rear of the property and; 2) Construction of a new single-storey extension within the same approximate footprint as the removed conservatory. This would tie-in with the existing roof below the dormers. <p>The following assessment takes into account both the potential direct impacts to the structure (eg. demolition or removal of structural elements) and the indirect impacts (eg. tying in the new roof pitch with the existing roof structure).</p>		
Building references: The building components are identified in the plans provided in Appendix 2.		
Name and licence number of bat-workers carrying out survey: James Faulconbridge (2015-12724-CLS-CLS)		
Preliminary Roost Assessment date: The visual inspection was undertaken on 14 th January 2023 in accordance with relevant Best Practice methodology ¹ .		
Local and Landscape Setting: The property is situated on the western tip of the residential area of Old Town on St Mary's in the Isles of Scilly. The land use immediately surrounding the property to the north and east comprises residential development with gardens; whilst a mosaic of small fields with evergreen wind breaks bound the site immediately to the west. The shoreline of Old Town Beach lies 20m to the south – this is likely to provide a suitable foraging resource along the strandline. The immediate environs of the property therefore provide good quality foraging habitat for common pipistrelle as well as good connectivity to the wider landscape. The land use surrounding the settlement of Old Town to the north, east and west is dominated by agricultural land with field hedges providing connectivity within the landscape. Tree cover is sporadic with occasional shelter belts and individual trees.. Approximately 200m to the north of the building is Lower Moors SSSI – a topogenous mire with areas of elm woodland and scrub as well as a series of pools and marshy grassland. Records from the Local Bat Group indicate that this is an important foraging resource for bats on the island. A number of bat roosts are confirmed in the local environs – the most significant of these is a		

¹ Collins, J. (ed.) 2016 Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

roost which is believed to be a maternity roost for common pipistrelles situated approximately 500m to the north-east. Further roosts of unconfirmed status are situated 400m to the north-east and 200m to the east, the latter is within Old Town itself. All of these roosts relate to common pipistrelle, though one roost is also identified as also supporting soprano pipistrelle.

Building Description(s):

The property is a detached, two-storey house which is rendered externally to a high standard.

The proposals are restricted to the removal of the conservatory; and the construction of a single-storey extension within approximately the same footprint. The proposals will require minor incursion to the roof of the main dwelling to tie-in the roof of the new extension – this is understood to be localized and minor in scale. The construction of the property has rooms and dormers built into the roof space; therefore only a minor discreet void below the dormers would be affected. For this reason, the survey of the main property was restricted to this section of roof and did not consider other roof sections of associated voids which would not be directly or indirectly impacted by the proposals.

This survey report does not therefore represent a comprehensive assessment of the property – rather a specific assessment of the potential direct and indirect impacts associated with the proposals under consideration.

Conservatory

The conservatory has a rendered lower wall supporting a timber structure above. The structure is in good condition with no suitable features for use by roosting bats. The interior of the conservatory is light and used as part of the residential property – no suitable roosting habitat for bats is identified internally.

Externally, there are minor gaps at the fascia running along the top of the conservatory sides, but the cavities are too small to provide access for roosting bats.

The conservatory roof attaches immediately below the uPVC boxed soffits of the main dwelling house – a very minor gap is present at the edges but this was fully inspected with a video-endoscope and did not provide suitable roosting opportunities for bats. The boxed soffits themselves were fully inspected and found to be tightly fitted with no potential access opportunities for bats.

Main Dwelling – Southern Roof Pitch

The interlocking concrete tiles are well-fitted externally with no gaps either between tiles or at the eaves, along which a guttering is located. The verge on the eaves is well-pointed with no gaps noted. The flashing where the dormer windows connect with the roof is well-fitted with no gaps. No potential access points for bats were noted in the location where the new extension roof would tie in.

The loft immediately above the conservatory is small and discreet, occupying a space below the dormer windows and terminating at this height. The void was inspected internally – this was insulated and used for routine storage. The membrane above the rafters was in good condition with no apparent gaps allowing access to the void. Small numbers of mouse droppings were noted but no evidence of bats was identified. Further loft spaces on the northern aspect of the building, and the small void above the collar beam of the roof trusses, are not physically connected.

Survey Limitations

There were no limitations on access or visibility which would affect the results of the survey.

Assessment of Potential for use by Roosting Bats

It is considered that the structural features to be demolished or otherwise affected by the proposals offer **negligible potential** for use by roosting bats.

Recommendations and Justification (Bats):

No further surveys are recommended – the conclusion of **negligible potential** related to the structures to be impacted does not require any further information with regards to bats in order to inform a planning application.

Standard good practice and vigilance should be observed by the contractors undertaking the works in acknowledgement that bats are transient in their use of roosting opportunities and may explore potential locations, especially if the condition of structural features were to change. A summary of standard Good Practice to be observed by contractors is provided in Appendix 1.

It is not recommended that any Planning Conditions are required with regards to bats in order to ensure legislative compliance.

If the applicant wishes to provide biodiversity enhancement, the position of the western gable facing onto open countryside on the very periphery of Old Town would offer an ideal location to install a bat box. This should be positioned below the window but above 3m from the ground to minimise the risk of predation. An open-based box design would ensure that it would not require cleaning. The location and aspect would be optimal for bats such as common pipistrelle which is the dominant species present on the island and the most likely species to use the environs for foraging and roosting. The proximity of the western gable to existing vegetation would secure a vegetated fly-in/out habitat.

A suitable box could be purchased or constructed following freely available plans. Kent Bat Box style boxes are slim easy to construct from appropriate timber using the plans provided at:

<http://www.kentbatgroup.org.uk/kent-bat-box.pdf>

Assessment of Potential for use by Nesting Birds

No suitable nesting habitat for birds was identified associated with the elements of the building to be directly or indirectly affected by the proposals. No vegetation capable of supporting nesting birds was identified associated with the immediate works area, though care should be taken to avoid incidental impacts to potential nesting habitat within the boundary hedge or wider garden area.

Recommendations and Justification (Birds):

There is no requirement to mitigate for loss of nesting habitat for breeding birds; however if the applicant wished to provide biodiversity enhancement measures, this could be achieved through the erection of bird boxes on the residential property or within the garden.

House sparrows nest communally and nest boxes could accommodate this, either through the installation of a single purpose-built nest box comprising several individual chambers with separate entrances, or the installation of 3+ nest boxes in close proximity. Nest boxes suitable for hole-dwelling species such as blue tits, or open-fronted boxes for species such as blackbird and robin also have a high likelihood of occupation.

Boxes should be mounted on a wall or tree if possible, at a height of at least 3m above the ground with an entrance clear of vegetation/other features which may put them at risk of predation from cats.

Boxes can be sourced online, or can be constructed on site using methodology and specifications provided by the RSPB:

Sparrows: <https://www.rspb.org.uk/get-involved/activities/give-nature-a-home-in-your-garden/garden-activities/createasparrowstreet/>

Other Species: <https://www.rspb.org.uk/fun-and-learning/for-families/family-wild-challenge/activities/build-a-birdbox/>

Signed by bat worker(s):

Date: 16th January 2023

APPENDIX 1

-

BEST PRACTISE WITH REGARDS TO BATS

The purpose of this Method Statement is to ensure that contractors undertaking renovation works are aware of their legal duties with regards to bats, and aware of the appropriate action to be taken in the highly unlikely event of bats being encountered.

Contractors should be aware of **their own legal responsibility with respect to bats:**

Relevant Legislation regarding Bats

The Conservation of Habitats and Species Regulations 2017, or the 'Habitat Regulations 2017', transposes European Directives into English and Welsh legislation. Under these regulations, bats are classed as a European Protected Species and it is, therefore, an offence to:

- *Deliberately kill, injure or capture bats;*
- *Deliberately damage or destroy bat roosts.*

A bat roost is commonly defined as being any structure or place that is used as a breeding site or resting place, and since it may be in use only occasionally or at specific times of year, a roost retains such a designation even if bats are not present.

Bats are also protected from disturbance under Regulation 43. Disturbance of bats includes in particular any disturbance which is likely:

- (a) *To impair their ability -*
- *to survive, to breed or reproduce, or to rear or nurture their young; or*
 - *in the case of animals of a hibernating or migratory species, to hibernate or migrate; or*
- (b) *To affect significantly the local distribution or abundance of the species to which they belong.*

Bats also have limited protection under the Wildlife and Countryside Act 1981 (as amended) and the Countryside Rights of Way Act 2000 (as amended). It is, therefore, an offence to:

- *Intentionally or recklessly destroy, damage or obstruct any structure or place which a bat uses for shelter or protection.*
- *Intentionally or recklessly disturb bats whilst occupying any structure or place used for shelter or protection.*

Contractors should be aware of **where bats are most likely to be found in respect to the structure:**

No features suitable for roosting bats were identified within the proposed works area – however contractors should be aware of the type of feature in which bats might be found in this type of structure.

These include:

- Gaps between roofing tiles;
- Crevices and gaps between structural elements, such as the conservatory roof and the uPVC soffits;
- Beneath lead flashing, if this becomes lifted to create a cavity;
- Within loft voids, often at the apex of roof timbers;
- In gaps between fascias/soffits and the adjacent wall.

Contractors should be aware of **the process to follow in the highly unlikely event of finding bats** or evidence indicating that bats are likely to be present:

If bats are identified, works should cease and the named ecologist contacted immediately for advice.

If the bat is in a safe situation, or a situation which can be made safe, they should remain undisturbed.

Only if the bat is in immediate risk of harm can the bat be moved with care and using a gloved hand. This is a last resort and should only be undertaken for humane reasons if the bat is at immediate risk of harm **and** if the ecologist cannot be contacted for advice.

APPENDIX 2

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LOCATION PLAN AND PHOTOGRAPHS



Map 01 – Illustrating the location of property within the local environs (red circle). Reproduced in accordance with Google’s Fair Use Policy.



Map 02 – Showing the main dwelling house (blue wash) with the conservatory to the south (red wash). Reproduced in accordance with Google’s Fair Use Policy.



Photograph 1: Showing the property viewed from the south including the conservatory to be demolished.



Photograph 2: Showing the union between the conservatory (left) and the main dwelling with the well-fitted uPVC boxed soffits visible.



Photograph 3: Showing the gaps in the fascia above the conservatory windows – these gaps are too tight and superficial to allow access by roosting bats.



Photograph 4: Showing the pitch of the roof where the new extension roof will tie in – the interlocking concrete tiles are well fitted and in excellent condition.



Photograph 5: Showing the interior of the eaves loft space where the new roof of the extension will tie in.