



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/23/058/HH **Date Application Registered:** 7th August 2023

Applicant: Mr And Mrs Durham
Dolphins
Old Town Road
Old Town
St Mary's
Isles of Scilly
TR21 0NH

Agent: Mr Josh Jones
Shapcott Cottage,
Langport Road,
Long Sutton,
Somerset,
TA10 9ND

Site address: Dolphins Old Town Road Old Town St Mary's Isles of Scilly
Proposal: Replacement of existing scantle slate roof with natural dry laid Spanish slate.

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 & Block Plan title Existing Site Layout/Location Plan, drawing number 176-EX-003, date stamped 31st July 2023
- Plan 2 Existing Floor Plans, drawing number 176-EX-001, date stamped 4th August 2023
- Plan 3 Design & Access Statement date stamped 31st July 2023
- Plan 4 Bat Presence/ Absence Survey, Ref: 23-6-2 dated 20th July 2023 (Precautionary Method of Works (PMW) outlined in Appendix 1)
- Site Waste Management Plan, date stamped 4th August 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, as part of the implementation of this permission, 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 the islands.

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. 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.
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.

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: 29th September 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 And Mrs Durham

Please sign and complete this certificate.

This is to certify that decision notice: P/23/058/HH and the accompanying conditions have been read and understood by the applicant: Mr And Mrs Durham.

1. **I/we intend to commence the development as approved:** Replacement of existing scantle slate roof with natural dry laid Spanish slate. at: Dolphins Old Town Road Old Town St Mary's 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.

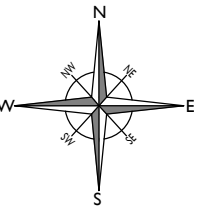
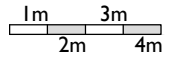
Connections to Utilities

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.

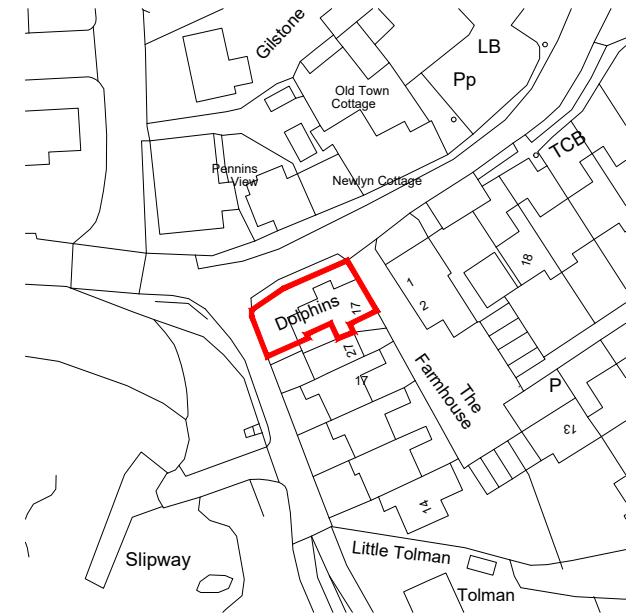
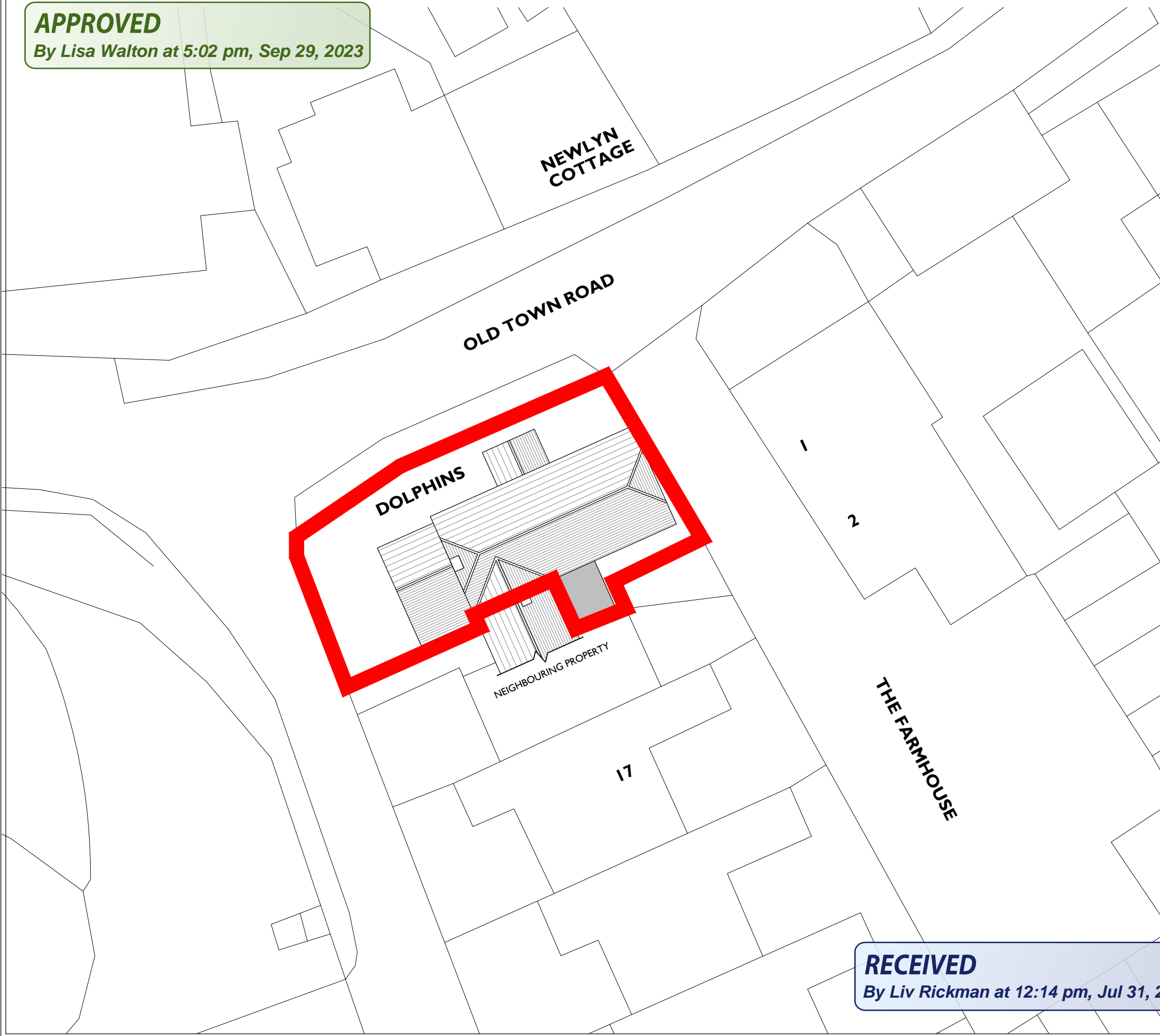
Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.

- ALL DIMENSIONS ARE IN MILLIMETERS, EXCEPT FOR LEVELS WHICH ARE IN METERS.
- ANY DISCREPANCIES BETWEEN DRAWINGS AND SPECIFICATIONS SHOULD BE DISCUSSED WITH T J HAWKINS ARCHITECTURAL DESIGN CONSULTANTS LTD PRIOR WORKS BEING CARRIED OUT.
- INFORMATION PRODUCED BY T J HAWKINS ARCHITECTURAL DESIGN CONSULTANTS LTD IS SOLELY FOR CLIENT NOTED, NO INFORMATION SHOULD BE COPIED WITHOUT WRITTEN PERMISSION FROM T J HAWKINS ARCHITECTURAL DESIGN CONSULTANTS LTD.

DATE	REVISION	DWN
22/11/21	A-UPDATED WITH PLANNING COMMENTS	JJ



APPROVED
By Lisa Walton at 5:02 pm, Sep 29, 2023



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LOCATION PLAN - SCALE 1/1250



T J HAWKINS

ARCHITECTURAL

DESIGN CONSULTANTS

T - 07415071119 E - ADMIN@TJ-HAWKINS.CO.UK

CLIENT
MR & MRS DURHAM

PROJECT
PROPOSED WINDOW ALTERATIONS
AT DOLPHINS, OLD TOWN LANE,
OLD TOWN, ISLES OF SCILLY

DRAWING TITLE
EXISTING SITE LAYOUT / LOCATION PLAN

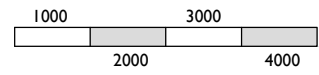
DWG NUMBER	REVISION	SCALE
176 - EX-003	A	1/200 @ A3

DATE	DRAWN
06/11/2021	JJ

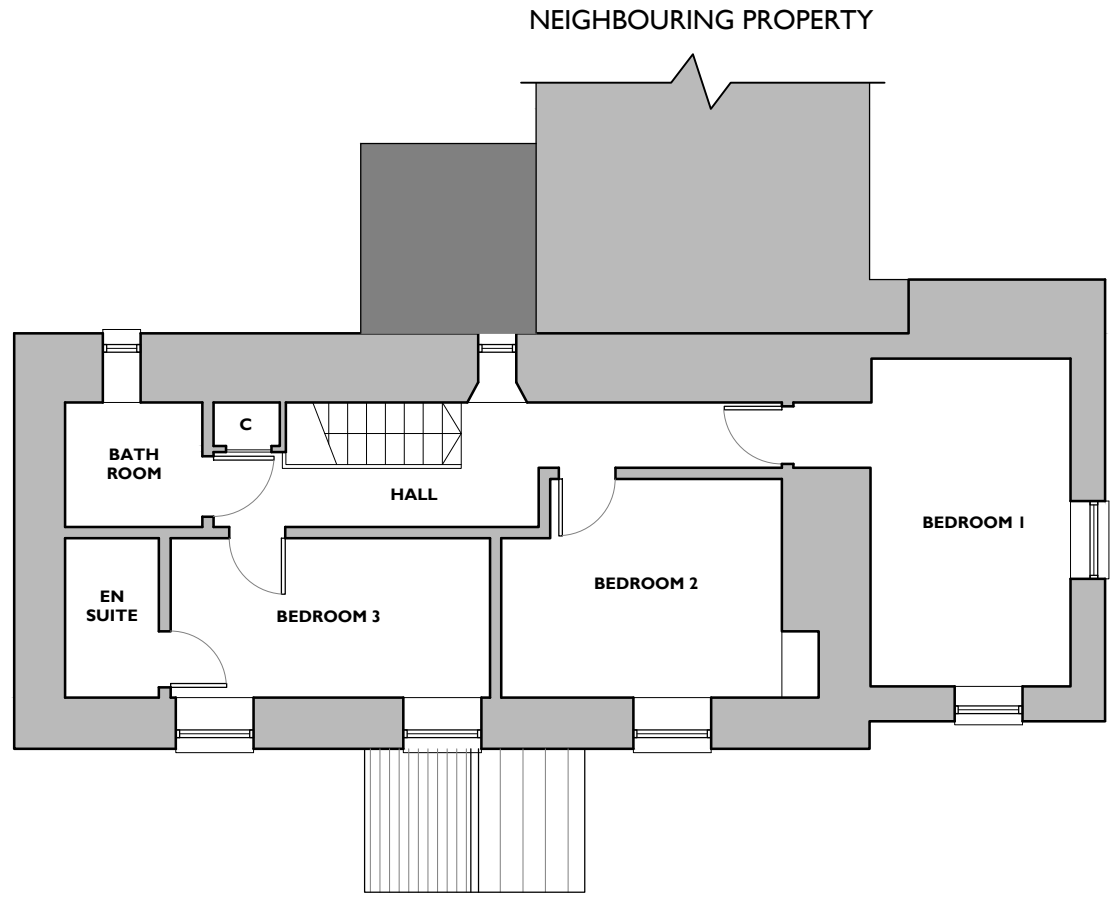
RECEIVED
By Liv Rickman at 12:14 pm, Jul 31, 2023

- ALL DIMENSIONS ARE IN MILLIMETERS, EXCEPT FOR LEVELS WHICH ARE IN METERS.
- ANY DISCREPANCIES BETWEEN DRAWINGS AND SPECIFICATIONS SHOULD BE DISCUSSED WITH T J HAWKINS ARCHITECTURAL DESIGN CONSULTANTS LTD PRIOR WORKS BEING CARRIED OUT.
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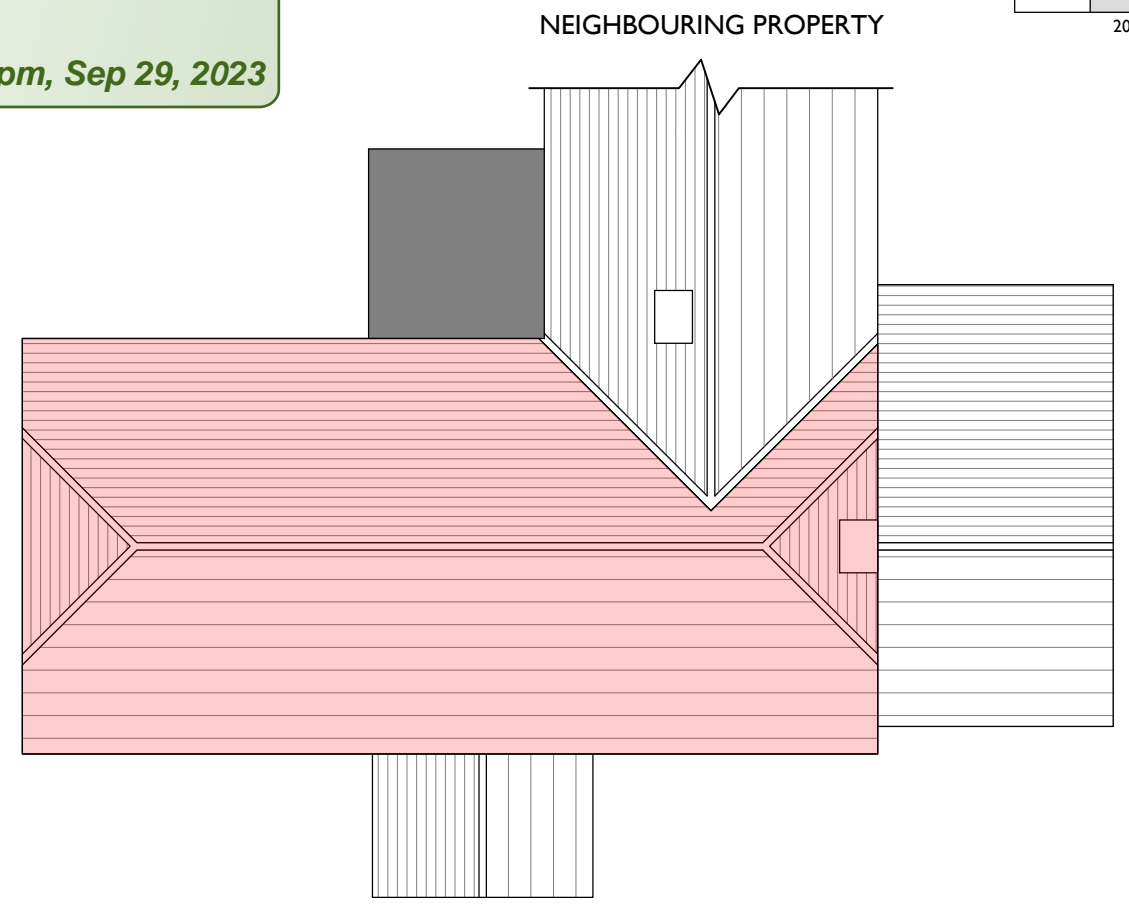
DATE	REVISION	DWN
03/08/23	A - RED HATCH ADDED-TO BE REPLACED.	JJ



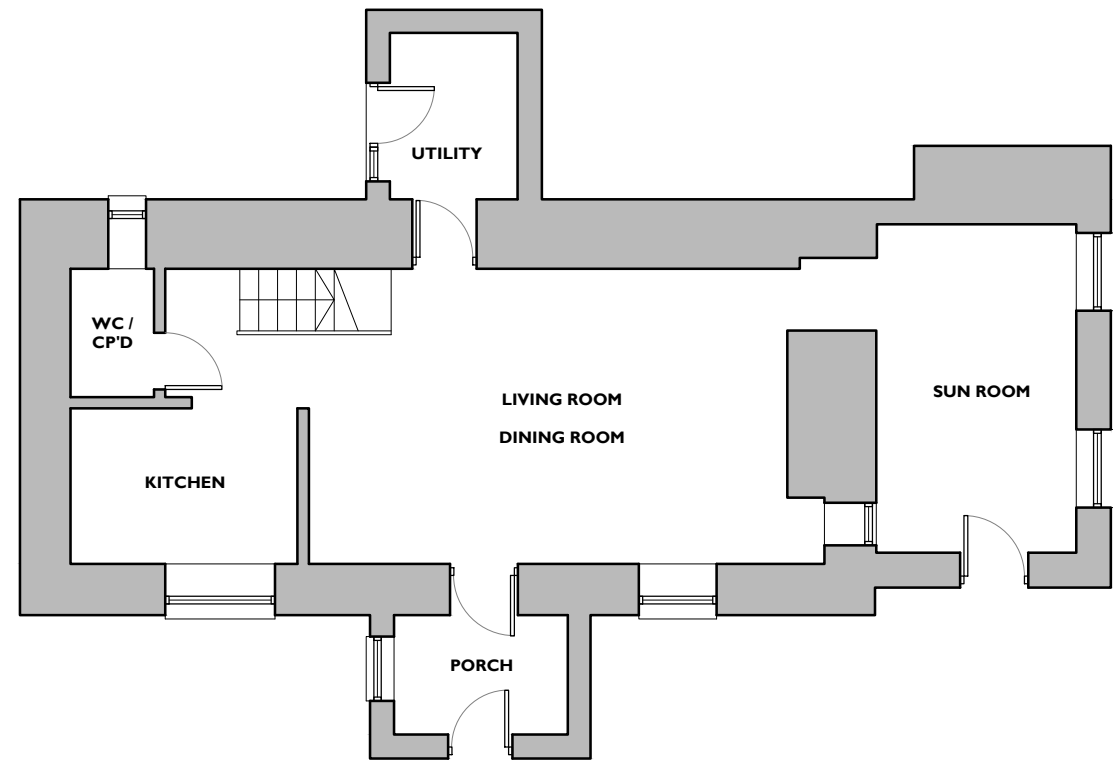
APPROVED
By Lisa Walton at 5:02 pm, Sep 29, 2023



FIRST FLOOR PLAN - scale 1/100
EXISTING



ROOF PLAN - scale 1/100
EXISTING
[Red Hatch] ROOF FINISH TO BE REPLACED.



GROUND FLOOR PLAN - scale 1/100
EXISTING



T J HAWKINS
ARCHITECTURAL

DESIGN CONSULTANTS

T - 07415071119 E - ADMIN@TJ-HAWKINS.CO.UK

CLIENT
MR & MRS DURHAM

PROJECT
DOLPHINS, OLD TOWN LANE, OLD TOWN, ISLES OF SCILLY

DRAWING TITLE
EXISTING FLOOR PLANS

DWG NUMBER	REVISION	SCALE
176 - EX-001	A	1/100 @ A3

DATE	DRAWN
28/07/2023	JJ

RECEIVED
By Liv Rickman at 2:31 pm, Aug 04, 2023

APPROVED

By Lisa Walton at 5:03 pm, Sep 29, 2023



RECEIVED

By Liv Rickman at 12:15 pm, Jul 31, 2023

T J HAWKINS

ARCHITECTURAL

DESIGN CONSULTANTS

T – 07415071119

E – admin@tj-hawkins.co.uk

Design and Access Statement
Justification and Specification.

Date – 27.07.23

Client - Mr & Mrs Durham

Address – Dolphins, Old Town Lane, Old Town, Isles of Scilly, TR21 0NH

Project – New Slate Roof Finish.



Introduction

This statement is submitted as a Design and Access statement to support a planning application (in a conservation area) to re-roof Dolphins, Old Town Lane, Old Town, Isles of Scilly, TR21 0NH.

Proposal -

Mr and Mrs Durham would like to replace the existing scantle slate roof finish with Spanish slates without diminishing courses as shown in the photo below –



Justification and Specification:

From information that I have received from my client I understand that a meeting took place at Dolphins on the 16 May 2023 between my clients roofing contractor Gareth, Andrew King, Isle of Scilly Planning & Development Manager & my client to discuss the roof design & material.

Two samples were put forward 1) The Spanish Natural Slate and 2) The Argentinian Riverstone Slate. Gareth suggested that the Spanish natural slate 400 X 200 was better suited to the property due to it being the stronger of the two slates. Gareth also commented that the diminishing courses would reduce the strength of the roof due to the reduction in cover. The property is exposed to high winds and my client would like to use 100 mm black slate hooks to secure the slates. Dolphins being situated on the corner of the old harbour is exposed to high winds in excess of 80 mph from various directions.

A number of the properties on the Island including Private properties, Properties owned by the local authority and Duchy properties also have Spanish slate as the roof finish without any reported problems.

A Hi Gram Breathable membrane with 50 x 25mm Treated Roofing battens has been suggested by the roofing contractor and slates will be fixed using 100mm black slate hooks.

Site Waste

All slate tiles will be taken away, crushed and recycled.

APPROVED

By Lisa Walton at 5:03 pm, Sep 29, 2023

RECEIVED

By Liv Rickman at 12:14 pm, Jul 31, 2023

BAT PRESENCE/ABSENCE SURVEYS (PAS)

DOLPHINS,
OLD TOWN, ST MARY'S, ISLES OF SCILLY



Client: Mervyn Durham

Our reference: 23-6-2

Planning reference: Produced in advance of submission

Report date: 20th July 2023

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

Contact: ios.ecology@gmail.com

Executive Summary

Overview
<p>A total of two Presence/Absence Surveys (PAS) were undertaken on the property known as Dolphins in Old Town, St Mary's. The purpose of the surveys was to provide an evidence base which meets Best Practice Guidance following the initial findings of the Preliminary Roost Assessment (PRA) which was completed in June 2023.</p> <p>The results of these PAS surveys are compiled in this report which should be read alongside the PRA to provide a comprehensive assessment of the building with regards to bats.</p>
Results
<p>The surveys did not identify any bats emerging from the property.</p> <p>The surveys generally recorded low activity levels of common pipistrelle bats in the vicinity of the site. No other bat species were recorded.</p>
Conclusion
<p>The survey evidence accords with the Best Practice Guidance requirements to conclude 'Probable Absence' of bats.</p> <p>No further surveys are required and there is no requirement for a European Protected Species Mitigation Licence (EPSML).</p>
Mitigation Strategy
<p>It would be appropriate to ensure that works are undertaken with due regard for the unlikely eventuality that bats may make transient use of roosting features identified in the PRA report – these features are likely to remain suitable for use by bats despite the negative result of the PAS surveys and could be used occasionally or on an exploratory/opportunistic basis.</p> <p>A Precautionary Method of Works (PMW) is therefore provided in Appendix 1. This should be followed during works to ensure legislative compliance on the part of the contractors.</p> <p>As no bat roosts would be affected, and potential roosting features would be restored after the re-roofing works are complete, no enhancement measures with regards to bats are required.</p>
Planning Recommendations
<p>A Planning Condition requiring compliance with the Precautionary Method of Works (PMW) outlined in Appendix 1 could be attached to a Decision Notice at the discretion of the LPA.</p> <p>The PRA and PAS reports together provide an appropriate ecological baseline for the purposes of assessing the Planning Application. No further surveys would be required.</p> <p>This report provides an appropriate baseline to inform Planning and allow works to take place within the next 12 months. After July 2024, if works have not commenced, an update should be undertaken.</p>

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1. Introduction

1.1. Background to Surveys

The property known as 'Dolphins' is situated on the western edge of the residential area of Old Town on St Mary's in the Isles of Scilly. It is a semi-detached, two-storey house which is attached to the adjacent property on its southern aspect.

The proposed schedule of works involve the replacement of the existing roof.

A Preliminary Roosting Assessment (PRA) was carried out in June 2023 – this assessment identified moderate potential for use by roosting bats.

The PRA report stated that further PAS surveys would be required to provide an evidence base sufficient to identify the status of the buildings with regards to bats, and inform any mitigation measures required to ensure legislative compliance. This PAS report provides the results of the recommended surveys. It should be read alongside the PRA report to provide a comprehensive assessment of the buildings with regards to roosting bats.

1.2. Survey Objectives

In accordance with the Best Practice Guidance¹, the building was subject to two PAS surveys with two surveyors positioned to observe those locations where potential access or roosting features were identified.

The overall objective is to provide a comprehensive baseline upon which to assess the potential impact of the proposed re-roofing works to roosting bats.

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

2. Survey Methodology

2.1. Surveyor Details

The surveys were led or supervised by Darren Hart. Darren has undertaken Professional Bat Licence training and is a Level 2 licenced bat worker with experience in undertaking emergence, re-entry and activity surveys.

Additional surveyors are experienced in undertaking emergence and re-entry surveys and worked under the supervision of the Licenced Bat Worker.

2.2. Survey Methodology

The dusk emergence surveys were conducted following Best Practice methodology for bat surveys.

The two PAS surveys were carried out on the evenings of 27th June and 17th July 2023 – scheduled over 2 weeks apart in accordance with Best Practice guidance.

The dusk emergence surveys commenced from approximately 20 minutes before sunset and continued until 90 minutes after sunset. The surveys were undertaken with regard for the appropriate weather conditions ($\geq 10^{\circ}\text{C}$ at sunset, no/light rain or wind).

Frequency division bat detectors were used to detect and record all bat passes. The surveyors recorded metadata including the time the pass occurred, the behaviour observed (foraging/commuting) and where possible, the species of bat observed. Results from the bat detector recordings were analysed using BatSound/Analog sonogram analysis computer software.

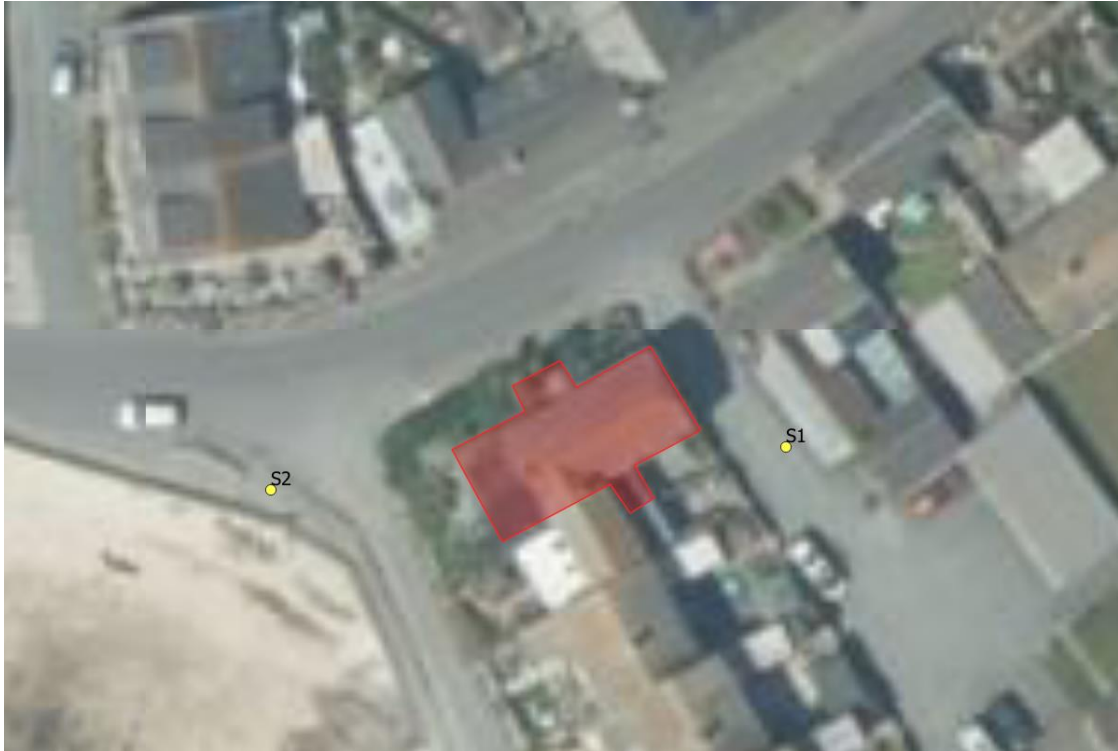
2.3. Survey Validity and Update

Bats are transient in their use of habitats such as these, and apparently minor changes in condition or use of the building can affect suitability. However in the absence of significant changes in condition or building use, the nature and character of the site suggest that the PAS survey can be considered valid for a period of 12 months after the survey was completed, until July 2024.

3. Results

3.1. Surveyor Positions

In order to ensure that the different elements of the building were surveyed comprehensively in line with the Best Practice Guidance, a total of two surveyor positions were identified. These are identified in Map 01 below.



Map 01 – showing surveyor positions around the building.

3.2. PAS Survey 1

3.2.1. Survey Conditions

The dusk survey was undertaken on 27th June 2023. The survey commenced at 21:23, approximately 20 minutes before sunset at 21:38. It was completed at 23:08.

The temperature throughout the survey was 17°C. The evening was overcast and dry with a gentle breeze. There was no precipitation throughout the survey.

3.2.2. Survey Results

The emergence survey did not identify any emergence activity.

The surveyor in Position S2 recorded regular foraging and commuting behaviour by common pipistrelle bats from 22:10 until the end of the survey – however this was offsite and not related either to the building nor directly to the grounds of the property. Lower levels of activity were recorded by the surveyor in Position

S1 although intermittent foraging by common pipistrelle was identified in the last 30 minutes of the survey, predominantly around the street light.

3.3. PAS Survey 2

3.3.1. Survey Conditions

The dusk survey was undertaken on 17th July 2023. The survey commenced at 21:12, approximately 20 minutes before sunset at 21:27. It was completed at 22:57.

The temperature throughout the survey was 16°C. The evening was dry and overcast with 80% high cloud. There was a light breeze from the south-east and no precipitation.

3.3.2. Survey Results

The emergence survey did not identify any emergence activity.

The use of the surrounding landscape by bats was very similar to the results of the first survey – the surveyor in Position S1 recorded regular foraging behaviour by common pipistrelle bats from 21:55 until the end of the survey – this was associated with the alley and parking area to the east of the property. Very little activity was observed by the surveyor in Position S2.

3.4. Summary and Evaluation

3.4.1. Overview

The surveys did not identify any bats emerging from the Dolphins building – this is sufficient to conclude ‘Likely Absence’ in accordance with the Best Practice Guidance.

The individual dropping characteristic of common pipistrelle which was identified in the PRA survey was not directly below a suitable roosting location and is likely to have related to a bat in flight. The absence of any further evidence of occupation, and the absence of emergence behaviour in the PAS surveys, would be consistent with exploratory or opportunistic access, rather than representing a roost.

The surveys generally recorded low activity levels of common pipistrelle bats commuting and foraging in the vicinity of the site, but rarely associated directly with the site itself.

3.4.2. Requirement for Further Surveys

No further surveys are required to provide an appropriate ecological baseline in accordance with the Best Practice Guidance.

3.5. Limitations and Constraints

3.5.1. Seasonal Timing

The timing of the surveys was within the Best Practice window of late-May to early-September and the surveys were spaced appropriately in order to ensure compliance with Best Practice.

3.5.2. Survey Conditions

The weather conditions were optimal on all survey occasions with no precipitation or other adverse conditions which might be expected to affect bat behaviour.

3.5.3. Visibility and Coverage

The surveys were comprehensive with regards to surveyor visibility of all potential features identified in the PRA survey.

4. Mitigation Strategy

4.1. EPSML Requirement

The project does not require an European Protected Species Mitigation Licence (EPSML) to proceed.

4.2. Precautionary Method of Works

As individual bats can be exploratory or make transient use of roosting opportunities, it is important that contractors undertaking the proposed works are aware of the low risk for bats to be encountered - works should therefore proceed with appropriate caution and vigilance.

A Precautionary Method of Works (PMW) is outlined in Appendix 1 of this document and should be followed by contractors undertaking works.

4.3. Timing of Works

4.3.1. Bats

The results of the PRA/PAS surveys do not indicate that there is a requirement for seasonal constraints on the timing of works with regards to bats.

4.3.2. Nesting Birds

Assessment of potential for nesting birds, and appropriate mitigation measures, are provided in the PRA report. These recommendations are not repeated here, for brevity.

4.4. Habitat Enhancement / Mitigation

4.4.1. Bats

The proposals would not destroy any confirmed bat roosts, and the existing potential features – largely associated with fascia boards around the eaves and gable - are likely to be retained in the long term following the completion of re-roofing works.

Given the location of the property, and the long term retention of roosting opportunities within the building, no further enhancement recommendations are provided.

4.4.2. Nesting Birds

Recommendations relating to nesting habitat retention or creation works for breeding birds are provided in the PRA report. These recommendations are not repeated here, for brevity.

APPENDIX 1 - PRECAUTIONARY METHOD STATEMENT WITH REGARDS TO BATS

The purpose of this Method Statement is to ensure that proposed works can proceed where presence of bats has been determined to be unlikely, but a precautionary approach is still advisable. It has been determined that direct harm to roosting bats during the proposed works would be highly unlikely.

Contractors should, however, 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.*

The following guidance outlines measures required to ensure that contractors are suitably informed of the potential for bats to be present, and undertake works in a manner which minimises the risk of impact to bats in the unlikely event of their presence.

Measures entailed by a Precautionary Method of Works

- Contractors undertaking the works should be informed of the potential for bats to be present in the features outlined in the PRA report. This could take the form of a Toolbox Talk or site induction when contractors commence works on the site;
- Contractors should be aware of their own legal obligations with regards to bats;
- The features identified in the PRA report should be visually inspected by contractors before works, after which they should be subject to a 'soft strip' approach whereby they are removed carefully and by hand such that in the highly unlikely event of bats being present, they are not crushed and can disperse freely;
- If there is any uncertainty around the ability to remove or expose these features safely in accordance with this guidance; or any ambiguity around the features which should be included within the PMW scope, the Licenced Bat Worker should be contacted for further advice in advance of works commencing.

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 Licenced Bat Worker 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.

RECEIVED

By Liv Rickman at 2:33 pm, Aug 04, 2023

APPROVED

By Lisa Walton at 5:03 pm, Sep 29, 2023

Site Waste Management Plan –

MATERIAL IN

- Slate transported on wood pallets with steel straps.
- Timber Transported in bundles with steel Straps
- Roof Membrane on wood pallets
- Lead & Fixings on wood pallets

Material sourced from Builders Merchants Penzance Cornwall
Transport Steamship Company Island Carriers

WASTE MATERIAL

Slate transported to crushing plant at MacFarland Down for use on local tracks & Paths (The existing slate is in poor condition however there maybe a few that are suitable for reuse by local trades)
Timber in good condition will be offered to local trades, or for firewood, any surplus will be transported to the council depot for pulping. Wood pallets to be returned to the builders Merchants, Damaged Pallets or nonreturnable to be offered to local people or sent for pulping
Lead, Steel straps, fixings etc , transported to council depot for recycling. (The old lead may be suitable for reuse by other trades depending on condition)

COMMENT

There may well be plastic waste depending on the packaging different company's use i.e. shrink wrap etc .however I expect the waste to exceed 90% recycle or reuse