

APPENDIX 13.2 PROTECTED SPECIES REPORT (PSR)



Stag Brewery, Mortlake

Protected Species Report

For Reselton Properties

March 2022



Client Name: Reselton Properties Ltd
Document Reference: WIE18671-103-R-4-2-3-PSR
Project Number: WIE18671-103

Quality Assurance – Approval Status

This document has been prepared and checked in accordance with Waterman Group's IMS (BS EN ISO 9001: 2015, BS EN ISO 14001: 2015 and BS EN ISO 45001:2018)

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Comments

Comments



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Appendices

- A. Summarised Planning Policy and Legislation
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1. Introduction

- 1.1. This Protected Species Report (PSR) has been prepared by Waterman Infrastructure & Environment Limited (Waterman) on behalf of Reselton Properties Limited (“the Applicant”) in support of two linked planning applications (“the Applications”) for the comprehensive redevelopment of the former Stag Brewery Site in Mortlake (“the Site”) within the London Borough of Richmond upon Thames (LBRuT).
- 1.2. The former Stag Brewery Site is centred on Ordnance Survey Grid Reference TQ 204 760 and is bounded by Lower Richmond Road to the south, the River Thames and the Thames Bank to the north, Williams Lane to the east and Bulls Alley (off Mortlake High Street) to the west. The Site is bisected by Ship Lane. The Site currently comprises a mixture of large-scale industrial brewing structures, large areas of hardstanding and playing fields.

Historical Ecological Survey Work

- 1.3. Historical ecological surveys were undertaken in 2016 and 2017 to accompany three separate planning applications for the Site, which were submitted to the London Borough of Richmond-Upon-Thames (LBRuT) in 2018 (ref. 18/0547/FUL, 18/0548/FUL and 18/0549/FUL) as detailed below:
 - Application A – hybrid planning application for comprehensive mixed-use redevelopment of the former Stag Brewery site consisting of:
 - Land to the east of Ship Lane applied for in detail (referred to as ‘Development Area 1’ throughout); and
 - Land to the west of Ship Lane (excluding the school) applied for in outline (referred to as ‘Development Area 2’ throughout).
 - Application B – detailed planning application for the school (on land to the west of Ship Lane).
 - Application C – highways and landscape works at Chalkers Corner.
- 1.4. The ecological survey work in support of the LBRuT planning applications detailed above comprised an initial PEA (ref. WIE10667-100-R-1-3-1-PEA). Based on the results of this PEA further surveys as detailed in a Protected Species Report (PSR) (ref. WIE10667-100-R-7-3-1-PSR) were also undertaken between 2016 and 2017.
- 1.5. Following the Applicant submitting revisions to the Greater London Authority (GLA) in 2020 (ref. 4172 (Application A), 4172a (Application B) 4172b (Application C - withdrawn)) ecological survey works comprising an updated PEA (ref. WIE15582-102_R_1_2_3_PEA) together with further update surveys as detailed in a Protected Species Report (ref. WIE15582-102-R-2-3-1-PSR) were also undertaken in 2019.
- 1.6. A summary of all the historical ecological survey work undertaken in support of the above planning applications is presented in **Table 1** below.

Table 1: Historical Ecological Survey Work

Planning Application Ref	Ecological Survey Work Undertaken	Date of Assessment and Reporting
LBRuT -18/0547/FUL, 18/0548/FUL, and 18/0549/FUL (the 2018 Planning Applications)	PEA (ref. WIE10667-100-R-1-3-1-PEA) -comprising an ecological data search, 'Extended' Phase 1 Habitat Survey, a search for common invasive floral species, and a Preliminary Roost Assessment (PRA) (ground based and external only) of buildings and trees for bats.	PEA components undertaken between January 2016 to April 2017 with reporting finalised in February 2018.
	PSR (ref. WIE10667-100-R-7-3-1-PSR) - comprising a Preliminary Roost Assessment (ground based and external only) of accessible buildings, evening emergence and pre-dawn re-entry bat surveys at buildings and trees, bat activity and automated surveys, and breeding bird surveys (specifically for black redstart <i>Phoenicurus ochruros</i>)	PSR components undertaken between May 2016 to September 2017 with reporting finalised in February 2018.
	PRA (ref. WIE10667-103-BN-21-2-LM) – comprising an external and endoscope inspection of the northern boundary wall.	PRA of the northern boundary wall undertaken in October 2018 with reporting also finalised in October 2018.
GLA - ref 4172, 4172a, and 4172b (withdrawn) (the 2020 Planning Applications)	PEA (ref. WIE15582-102-R-1-2-3-PEA) - comprising an ecological data search, 'Extended' Phase 1 Habitat Survey, a search for common invasive floral species, and a PRA (ground based and external only) of buildings and trees.	PEA components undertaken in July 2019 with reporting finalised in May 2020.
	PSR (ref. WIE15582-102-R-2-3-1-PSR) - comprising a PRA of the northern boundary wall (external and endoscope inspection of), evening emergence and pre-dawn re-entry bat surveys at buildings and trees, bat activity and automated surveys.	PSR components undertaken between July 2019 to September 2019 with reporting finalised in May 2020.

Proposed Development

1.7. The current proposals for the Site (hereafter referred to as the proposed 'Development') are for a redevelopment that will provide homes (including affordable homes), complementary commercial uses, community facilities, a new secondary school alongside new open and green spaces throughout. Associated highway improvements are also proposed, which include works at Chalkers Corner junction.

1.8. The Applications seek planning permission for:

Application A:

"Hybrid application to include the demolition of existing buildings to allow for comprehensive phased redevelopment of the site:

Planning permission is sought in detail for works to the east side of Ship Lane which comprise:

- a) *Demolition of existing buildings (except the Maltings and the façade of the Bottling Plant and former Hotel), walls, associated structures, site clearance and groundworks*
- b) *Alterations and extensions to existing buildings and erection of buildings varying in height from 3 to 9 storeys plus a basement of one to two storeys below ground*
- c) *Residential apartments*
- d) *Flexible use floorspace for:*
 - i. *Retail, financial and professional services, café/restaurant and drinking establishment uses*
 - ii. *Offices*
 - iii. *Non-residential institutions and community use*
 - iv. *Boathouse*
- e) *Hotel / public house with accommodation*
- f) *Cinema*
- g) *Offices*
- h) *New pedestrian, vehicle and cycle accesses and internal routes, and associated highway works*
- i) *Provision of on-site cycle, vehicle and servicing parking at surface and basement level*
- j) *Provision of public open space, amenity and play space and landscaping*
- k) *Flood defence and towpath works*
- l) *Installation of plant and energy equipment*

Planning permission is also sought in outline with all matters reserved for works to the west of Ship Lane which comprise:

- m) *The erection of a single storey basement and buildings varying in height from 3 to 8 storeys*
- n) *Residential development*
- o) *Provision of on-site cycle, vehicle and servicing parking*
- p) *Provision of public open space, amenity and play space and landscaping*
- q) *New pedestrian, vehicle and cycle accesses and internal routes, and associated highways works”*

Application B:

“Detailed planning permission for the erection of a three-storey building to provide a new secondary school with sixth form; sports pitch with floodlighting, external MUGA and play space; and associated external works including landscaping, car and cycle parking, new access routes and other associated works”

- 1.9. Together Applications A and B described above, including the proposed Section 278 Highways works are the ‘Development’.
- 1.10. Full details and scope of the detailed planning application is detailed in the submitted Planning Statement, prepared by Gerald Eve LLP.

Aims and Objectives of this Assessment

- 1.11. The aim and objectives of this PSR are based on the findings of a Preliminary Ecological Appraisal (PEA) undertaken at the Site in August 2021. The PEA¹ comprised an ecological data search, UK Habitat Classification (UK Hab) field survey, a preliminary roost assessment (PRA) at buildings, walls and trees (external and ground based), and a survey for common invasive plant species.
- 1.12. As a result of the PEA, the Site was assessed to still have the potential to support roosting bats, and to be of value to foraging and commuting bats.
- 1.13. A preliminary roost assessment (PRA), as part of the PEA, was undertaken which noted that the following buildings, walls and trees as located on **Figure 1** to have the potential to support roosting bats as detailed in **Table 2** below.

Table 2: PRA Results

Building / Wall / Tree Ref	Recorded Bat Roost Potential
Building B3, B8* and B10	Moderate
Building B1, B9 and B12	Low
Southern boundary wall	Moderate
Northern boundary wall	Moderate
Tree T43, T44, T67, T68, T71, T75, T78, T83, T157 and T321	Moderate
Tree T3, T10, T37, T73, T74, T84, T94 and T121	Low

**Building previously recorded as a confirmed roost site in 2019*

- 1.14. All other buildings, walls and trees on Site were recorded to have negligible potential to support roosting bats.
- 1.15. The PEA assessed that the Site itself offered limited foraging and commuting opportunities for bats, as most of the Site was made up of developed land comprising buildings and hardstanding. However, the trees located around the periphery and within the north-western corner of the Site

¹ WIE18671-103-R-1-2-4-PEA

offer some foraging and commuting opportunities for bats. The River Thames, located adjacent to the Site, also offers good commuting and foraging opportunities. For this reason, the Site overall was assessed to have **low** suitability for foraging and commuting bats.

- 1.16. Given results of the PEA, the time elapsed since the previous bat surveys were undertaken by Waterman in 2019 (in support of the previous planning applications), update surveys for bats have been undertaken at the Site, to inform the Environmental Impact Assessment (EIA). The findings of which are assessed and presented with the Ecology Chapter of the Environmental Statement for the proposed Development.
- 1.17. The purpose of this report is to:
- Present the findings of the update bat surveys undertaken at the Site and outline any resulting constraints to the proposed Development, and the demolition and construction works (hereafter the Works);
 - Allow any mitigation, compensation and enhancement measures (beyond those identified within the PEA and in line with the Mitigation Hierarchy²) to be developed; and
 - Form a basis for agreeing the scope of the EIA with relevant consultees, as/if required.

² BS 42020:2013 Clause 5.2

2. Methodology

Bat Surveys

Northern boundary wall Inspection

- 2.1. An inspection of the northern boundary wall³ (**Figure 2**) was undertaken on 4th October 2021 given the results of the PRA (**Table 2**).
- 2.2. The inspection was undertaken at each PRF feature recorded during the PRA as part of the PEA. The inspection was undertaken with the use of a digital video endoscope (Ridgid Seesnake inspection camera), inspection mirrors, binoculars, high-powered torch and a ladder when required to inspect PRFs at height. The inspection searched for evidence of bat use (such as droppings, scratch marks, staining and sightings) as well as bats themselves, and were led by a Natural England Class Level 2 Bat Licence holder (2015-11736-CLS-CLS).

Evening Emergence and Pre-Dawn Re-entry Surveys

- 2.3. Evening emergence surveys of the buildings, northern boundary wall (where a full inspection of PRFs could not be undertaken), Southern boundary wall and trees was undertaken given the results of the PRA (**Table 2**).
- 2.4. An evening emergence survey was undertaken at:
 - Buildings determined as having low (building B1, B9 and B12) bat roost potential;
 - Buildings determined as having moderate (building B3, B8 (previously recorded as a confirmed roost site in 2019, see **Plate 1**) and B10) bat roost potential;
 - The boundary wall determined as having moderate bat roost potential;
 - The northern boundary wall (at PRF 10a, 10b and 13) determined as having moderate bat roost potential; and
 - Trees T43, T44, T67, T68, T71, T75, T78, T83, T157 and T312 determined as having moderate bat roost potential.
- 2.5. The evening emergence surveys were undertaken based on current best practice guidelines (Collins, J, 2016)⁴. In addition, a sufficient number of surveyors were used during each survey to ensure all of the PRFs were covered. The surveys were led by a Natural England Class Level 2 Bat Licence holder (2015-11736-CLS-CLS). The positions of the surveyors during each evening emergence survey are presented on **Figure 3**.
- 2.6. The surveys were undertaken using full spectrum Elekon Batlogger M and EchoMeter Touch 2 Pro bat detectors with integrated digital recording and GPS. This survey equipment is considered

³

⁴ Collins, J. (ed) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London. ISBN-13 978-1-872745-96-1

suitable for detecting all resident species of UK bats. During the survey at building B8, and due to its height and conformation as a roost site in 2019, Nightfox Infrared monocular's and infrared torches were additionally utilised, along with the bat detectors detailed above as part of the survey technique.

- 2.7. The surveys were undertaken in appropriate weather conditions and within the recognised bat active season for these types of surveys. The evening emergence surveys commenced approximately 15 minutes prior to sunset and continued for at least an hour and a half thereafter.
- 2.8. **Table 3** below provides a summary of the bat survey parameters.

Table 3: Summary of Evening Emergence Bat Surveys

Survey	Date	Sunset / Sunrise Time	Time Start / End (GMT+1)	Wind (Beaufort)	Cloud Cover (Oktas)	Temp Start / End (°C)
Evening emergence (B8, T75, T43, T44)	04/10/2021	18:33	18:18 / 20:03	0	7/8	13 / 13
Evening emergence (B9, B10, B3, B1)	05/10/2021	18:31	18:16 / 20:01	3	8/8	13 / 12
Evening emergence (T71, T68, T67, B14)	07/10/2021	18:24	18:09 / 19:54	1	8/8	20 / 18
Evening emergence (B12, T78, T83, T157)	11/10/2021	18:15	18:00 / 19:45	1	2/8	15 / 10
Evening emergence (southern boundary wall)	14/10/2021	18:10	17:55 / 19:40	1	5/8	15 / 13
Evening emergence (northern boundary wall at PRA 10a, 10b, 13 and T321)	19/10/2021	18:00	17:45 / 19:30	1	8/8	19 / 18

Bat Activity Survey

- 2.9. A bat activity survey was undertaken at the Site but specifically along the northern boundary of the Site adjacent to the River Thames as well as Watney's Sports Ground. The survey commenced from sunset to until two hours thereafter. A pair of surveyors undertook the survey using a full spectrum Elekon Batlogger M detector with integrated digital recording and GPS and followed a pre-determined transect route (**Figure 4**). This survey equipment is considered suitable for detecting all resident species of UK bats.
- 2.10. The survey was undertaken in appropriate weather conditions and within the recognised optimal bat active season for activity surveys at a Site of this nature. **Table 4** below provides a summary of the timings and weather conditions of the bat surveys undertaken. Any bats observed were recorded and information noted, where possible, included:
- time;
 - direction of flight;

- use of landscape;
- flight characteristics;
- size;
- height; and
- behaviour.

Table 4: Summary of Bat Activity Surveys

Survey	Date	Sunset / Sunrise Time	Time Start / End (GMT+1)	Wind (Beaufort)	Cloud Cover (Oktas)	Temp Start / End (°C)
Activity Survey	04/10/2021	18:32	18:51/ 21:19	0	5/8	14/ 11

Automated Detector Surveys

2.11. To supplement the activity survey, three static automated bat detectors (AnaBat Express detector) were deployed at the Site based on current best practice guidelines. The positioning of the static detectors was as follows, and illustrated in **Figure 4**:

- on top of the northern boundary wall adjacent to the River Thames under the Budweiser sign at grid reference TQ 2044276093;
- on top of the northern boundary wall adjacent to the River Thames but to the east of the Site at grid reference TQ2063376025 and to the west of the Site; and
- on a tree at grid reference TQ2030076112.

2.12. The static detector recorded for five consecutive nights in October 2021. **Table 5** below provides a summary of the bat survey parameters for each deployment session.

Table 5: Summary of Automated Detector Bat Surveys

Survey Month	Date	Sunset Time	Max Wind speed (mph)	Rain (inches)	Average Day Temp °C
October 2021	04/10/2021	18:33	13	0	14
	05/10/2021	18:31	23	1.3	13
	06/10/2021	18:28	8	0	14
	07/10/2021	18:24	4	0	15
	08/10/2021	18:21	9	0	16

Data Analysis

- 2.13. The sound recordings for the evening emergence and bat activity survey were analysed using BatExplorer and Kaleidoscope software respectively. Identification of bat calls was undertaken using the parameters set out by Russ (2012)⁵.
- 2.14. The sound recordings for the automated survey were analysed using AnaLook software and bat call parameters from Russ (2012). For the purposes of analysis, a bat pass correlates to a single 15 second recording.

Constraints and Limitations

- 2.15. Due to the programme of the proposed planning application (following the refusal decision at the Greater London Authority (GLA) hearing in July 2021) only a reduced level of further ecological surveys for bats (based on the results of the PEA) could be undertaken at the Site in the remaining survey period in 2021, as part of the Protected Species Report (**Appendix 13.2**). However, given the historical ecological survey work undertaken at the Site, as detailed in **Table 1** over a 6 year period, dating back to 2016, it is assessed that a robust ecological baseline has been established and therefore the reduced number of bat surveys carried out on Site is not a significant constraint to this planning submission. In addition, it is proposed that if a period of greater than 18 months from the time of the bat surveys in 2021, as detailed in this report, were undertaken and the commencement of Site preparation and construction / refurbishment works, further update surveys will be undertaken as agreed with LBRuT and / or the determining authority, as conditions at the Site and, therefore, its utilisation by bats may have changed. The results of any further update bat surveys may also be required to determine if any amendments are necessary to the mitigation measures currently proposed. In addition, further update bat surveys at confirmed roost sites (building B8) will be required to inform Natural England licencing requirements (approved licencing required to legally destroy bat roosts as a result of the proposed Development).
- 2.16. The northern boundary wall inspections were undertaken as an alternative method to evening emergence/pre-dawn re-entry surveys. This was due to the associated number of surveyors that would be required to ensure full survey coverage due to the number of PRFs recorded. However, where a full endoscope inspection of a PRF could not be undertaken an evening emergence / pre-dawn re-entry survey was undertaken to ensure a robust survey approach was undertaken.
- 2.17. No bat activity surveys were undertaken with regard to area at Chalkers Corner. This is due to the high level of associated street lighting present within this area, therefore, any associated bat activity is likely to be on an infrequent and opportunistic basis from common species of bats adapted to urban environments. As such, it is considered that any adverse effects upon foraging and commuting bats as result to potential highways works to Chalkers Corner would not be significant.
- 2.18. In addition, it should be noted that there is considerable crossover between echolocation calls within British bat species (Russ, 2012). Given the close parameters of the frequency range of the calls of certain bat species, analysis of bat calls from the group *Myotis* is fraught with difficulties. Whilst slope, call duration and inter-pulse intervals have been used as indicators to separate

⁵ Russ, J., 2012. British bat calls: a guide to species identification. Pelagic publishing

Myotis calls from frequency modulated *Pipistrellus* calls, for the purposes of this assessment, identification has only been made down to the group *Myotis* level. Both Frequency Modulation (FM) -qCF (quasi Constant-frequency calls) and qCF parameters are provided within Russ, 2012 for identifying *Nyctalus* species, however there is a large amount of crossover between the parameters of the *Nyctalus* species. The lower frequency vocalisation calls of noctule bats can be differentiated from Leisler's *Nyctalus leisleri* as the Leisler's bat does not echolocate below 20.9 kHz. However, as there is crossover between the parameters of vocalisations above this frequency, Leisler's bats can be particularly difficult to differentiate from noctule. In addition, any recordings of long-eared bats have been noted as being of Brown Long-eared given the location of the Site.

2.19. All other contractors, designers and the client should be aware of the following:




- The design recommendations within this report are assessed to be the most effective ecological solution at this stage of the project;
- No other pre-construction information has been provided, obtained or referred to during the preparation of this report (including, but not limited to, services information, geotechnical reports and ordnance reports);
- In deciding whether and how to progress with this project, it will be incumbent upon the client, designers and contractors to obtain and refer to relevant pre-construction and maintenance information, as required by the Construction (Design and Management) Regulations to ensure compliance;
- Waterman can assist with the development and co-ordination of this design to support effective risk management on this project upon request.

3. Results




Northern boundary wall Inspection




- 3.1. The results of the northern boundary wall inspection are detailed in **Table 6** below. Potential Roosting Features (PRFs) were recorded both on the interior and exterior of the wall (Site and river side) during the PRA as part of the PEA. As a result of the inspection no roosting bats were recorded.


Table 6: Results of Northern boundary wall Inspection

Potential Roosting Feature	Photographs	Northern boundary wall Inspection Results
<u>PRF 1 (River Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the river side of the wall. The front of 'Budweiser' sign comprises sheet metal wording attached to what appears to be wooden boarding. The rear of the sign comprises a steel frame and corrugated steel sheeting.</p> <p>Whilst the sign is assessed to be a solid structure with no cavities, gaps are present between the wooden boarding and 'Budweiser' lettering. The gaps are 4 to 5cm at their widest and open to the elements from above, below and the sides.</p>
<u>PRF 2 (Site Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the Site side of the wall. This section of the wall has areas of paint which are peeling, that may offer temporary sheltering opportunities for bats.</p>
<u>PRF 3 (Site Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the Site side of the wall. An open gap is present between steel support and the wall with 14 of these features present in close succession.</p> <p>The majority of the supports are flush with the wall or with a wide gap present, however several have a 1-3cm gap present along the length of the support. During the inspection no signs of roosting bats were recorded.</p>

Potential Roosting Feature	Photographs	Northern boundary wall Inspection Results
<u>PRF 4 (Site Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the Site side of the wall with four of these features present in close succession.</p> <p>The features are fully bricked up on the river side, with various heights of bricking up on the Site side, creating cavities between approximately 40-80cm high.</p>
<u>PRF 5 (Site Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the Site side of the wall. An area of render has broken away from the wall and has created a linear gap between the render and the wall.</p> <p>The gap is 1cm wide at its greatest extent and protrudes up between 2 to 6cm. It is arguable if the cavity present is wide enough to provide an entrance point for bats, however spider webs are present both in the cavity and at the entrance. During the inspection no signs of roosting bats were recorded.</p>
<u>PRF 6 (Site Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the Site side of the wall.</p> <p>Linear gaps are present in the wall where mortar is missing, in the vicinity of PRF 5. The gaps are 1 to 1.5cm tall, 4cm at their widest and protrude into the wall 3-5cm. The gaps contain debris from the mortar and spider webs are present.</p>
<u>PRF 7 (Site Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the Site side of the wall. An open gap is present around the window frame with three of these features present in close succession.</p> <p>The gap is 3 to 4cm wide and 5cm deep. Spider webs are present.</p>

Potential Roosting Feature	Photographs	Northern boundary wall Inspection Results
<u>PRF 8 (River Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the riverside of the wall. A crack is present in the wall running up the brickwork from 1m to 3m above ground level.</p> <p>The crack is assessed to be superficial and is 2cm at its widest and contains snails, woodlice and spider webs. The crack is 6cm at its deepest.</p>
<u>PRF 9 (River Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Previously located on the river side of the wall and is one of the river side features of PRF 4.</p> <p>This feature has now been vandalised and is considered too large exposed to support roosting bats.</p>
<u>PRF 10a and 10b (River Side)</u>		<p>No evidence of bats recorded, although cavities could not be adequately inspected by an endoscope.</p> <p>Both features are present on the river side of the wall and again are river side features of PRF 4. The features are the same except that 10a comprises a horizontal access point in the bottom left-hand corner and 10b comprises 2 no. vertical access points down the left-hand side. The features are present at between 0.5 and 1m above ground level.</p> <p>Where previous bricking up workswere undertaken the resulting cavity has been filled with debris. Where external mortar has been lost, internal debris which filled the cavity has also been lost, creating small cavities behind. The access points are 2 to 3cm high and 2 to 7cm long, with the internally cavities protruding between 5 and 10cm back and 5 to 7cm across. Old spider webs are present within the cavities.</p>

Potential Roosting Feature	Photographs	Northern boundary wall Inspection Results
<u>PRF 11 (River Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the riverside of the wall. A gap is present between the top of a 'new' wall (constructed from darker brick work as part of previous bricking up work) and a concrete lintel above. The gap is 5cm wide (2cm wide during previous survey) and goes up 2cm and back the width of a brick.</p> <p>No internal cavity is present behind. During the inspection no signs of roosting bats were recorded.</p>
<u>PRF 12 (River Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the riverside of the wall. A large crack is present at the stone lintel at the top of the wall. The crack has split the stonework in two and has expanded in width to 5-6cm at its widest.</p> <p>Crevice could not be adequately inspected by an endoscope but was very open and exposed.</p> <p>The cavity is therefore open to the elements and spider webs are present and it is considered that the gap is now too open and exposed to be of value to roosting bats.</p>
<u>PRF 13 (River Side)</u>		<p>No evidence of bats recorded, no change from previous survey. Cavity could not be adequately inspected by an endoscope.</p> <p>Feature present on the river side of the wall and is a river side feature of PRF 4. The feature is present at 1.5m above ground level and is assessed to have formed due to bricking up work.</p> <p>The access point (created as a result of missing mortar) is 3 to 4cm high and 7 to 8cm wide and leads into a confined internal cavity. The cavity runs 1m along the top of the brick work and is 10cm wide but also drops down by 5cm on the site side of the wall. The cavity contains debris from the brick work including mortar and spider webs are present.</p>

Potential Roosting Feature	Photographs	Northern boundary wall Inspection Results
<u>PRF 14 (River Side)</u>		<p>No evidence of bats recorded, no change from previous survey.</p> <p>Feature present on the riverside of the wall. A crack is present above the bricked-up window.</p> <p>The crack is 1.5cm at its widest with spider webs and woodlice present.</p>

Evening Emergence and Pre-Dawn Re-entry Surveys

- 3.2. The following results section should be read in conjunction with the bat surveyor positions detailed on **Figure 3**. In summary, no bats were observed emerging from or entering buildings B1, B3, B8, B9, B10 and B12, the southern boundary wall, the northern boundary wall (at PRF 10a, 10b and 13) or trees T3, T10, T43, T67, T71, T83, T157 and T321. However, foraging and commuting activity by common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, noctule *Nyctalus noctula*, *Nyctalus sp*, *Myotis sp* and brown long eared bats *Plecotus auratus* were recorded during the surveys, as detailed within **Table 7** below.

Table 7: Results of Evening Emergence Surveys

Building/Tree Number	Survey Date	Type / Survey Results	Summary
B1	Evening emergence: 05/10/2021	Foraging and commuting activity (c.7 passes) from common pipistrelle and soprano pipistrelle bats. The majority of activity during the survey was by soprano pipistrelle bats. Three passes were recorded close to B1 flying north, the rest were heard not seen.	No bat roosts recorded
B3	Evening emergence: 05/10/2021	One pass by a soprano pipistrelle bat flying north.	No bat roosts recorded
B8	Evening emergence: 04/10/2021	Foraging and commuting activity (c.28 passes) from common pipistrelle, soprano pipistrelle, brown long eared, noctule and <i>Myotis</i> bats. The majority of calls were from soprano and common pipistrelle bats and were heard not seen. One pass was made by a noctule bat heard not seen and three passes were made by a brown long eared bat heard not seen.	No bat roosts recorded

Building/Traffic Number	Survey Type / Date	Survey Results	Summary
B9	Evening emergence: 05/10/2021	Foraging and commuting activity (c.4 passes) from soprano pipistrelle and one common pipistrelle bat all heard not seen.	No bat roosts recorded
B10	Evening emergence: 05/10/2021:	Foraging and commuting activity (c.6 passes) from soprano pipistrelle all heard not seen.	No bat roosts recorded
B12	Evening emergence: 11/10/2021	Foraging and commuting activity (c.8 passes) from Nathusius, soprano and common pipistrelle bats and several social calls from common pipistrelle. The majority were heard not seen, one common pipistrelle passed Northeast of B12	No bat roosts recorded
B14	Evening emergence: 07/10/2021	Foraging and commuting activity (c.6 passes) from and common pipistrelle bats and one possible brown long eared bat. All common pipistrelle bats were heard not seen and the brown long eared bat was seen flying north between B12 and B6	No bat roosts recorded
Southern boundary wall	Evening emergence: 14/10/2021	Foraging and commuting activity (c.9 passes) from soprano pipistrelle and common pipistrelle bat all heard not seen apart from social calls heard by soprano pipistrelle.	No bat roosts recorded
Northern boundary wall	Evening emergence: 19/10/2021 (at PRF 10a, 10b and 13 that could not be fully inspected by the northern boundary wall inspection on 4 th October 2021)	Foraging and commuting activity (c.10 passes) from myotis, soprano and common pipistrelle bats. The majority of bats were common and soprano pipistrelles foraging, one myotis was heard not seen.	No bat roosts recorded
T43	Evening emergence: 04/10/2021	Foraging and commuting activity (c.12 passes) from Nathusius' soprano and common pipistrelle bats. All were heard not seen and social calls were heard from common and soprano pipistrelle bats.	No bat roosts recorded
T83	Evening emergence: 11/10/2021	No bats recorded	No bat roosts recorded
T67	Evening emergence: 07/10/2021	No bats recorded	No bat roosts recorded
T71	Evening emergence: 07/10/2021	Foraging and commuting activity (c.7 passes) from soprano and common pipistrelle bats. Common pipistrelles were seen flying along treeline and the rest were heard not seen.	No bat roosts recorded

Building/Tree Number	Survey Type / Date	Survey Results	Summary
T10	Evening emergence: 04/10/2021	Foraging and commuting activity (c.8 passes) from soprano pipistrelle bats all heard not seen.	No bat roosts recorded
T3	Evening emergence: 11/10/2021	Foraging and commuting activity (c.8 passes) from soprano and common pipistrelle bats all heard not seen.	No bat roosts recorded
T157	Evening emergence: 11/10/2021	Foraging and commuting activity (c.3 passes) from soprano and common pipistrelle bats all heard not seen.	No bat roosts recorded
Tree Group G321	Evening emergence: 19/10/2021	Foraging and commuting activity (c.4 passes) from common pipistrelle bats seen foraging to the west of the trees.	No bat roosts recorded

- 3.3. On the 4th October 2021 a single peregrine falcon was heard calling from the direction of building B2 during the day and then during an evening emergence bat survey on the same day at building B8, where a single peregrine falcon was observed entering the south west corner (Appendix B; **Plate 2**) (8 storeys high). The bird was recorded entering building B8 through a gap in the wooden boarding 20 minutes post sunset (just as light levels were fading). The bird was not observed to have re-emerged from the building for the remainder of the bat survey, by any of the four surveyors that surrounded the building. It is assessed that that the peregrine recorded entering building B8 has only recently started to roost at the Site, and it is unlikely that a breeding pair have taken residence. This assessment has been based on: the results of the data search as extended through consultation with London Peregrine Partnership (LPP), and given this is the only evidence / sighting of peregrine falcon at the Site during a six-year period (when ecologists have been on Site undertaking various surveys in support of the previous planning applications). In consultation with the LLP on the 28th September 2021 regarding the presence of peregrine falcons at the vicinity of the Site, LPP stated that no known records of breeding pairs are in the local area either recent or historical. In addition, the LPP also stated that there are records of a pair roosting on Saint Matthias Church (2.5km to the south west of the Site) during the past few years, and sightings this year of at least one bird on Holy Trinity Church (2km to the south west of the Site). In addition, a nesting tray has now been installed at St Matthias, but it has not yet been made use of.

Bat Activity Survey

- 3.4. Descriptions of bat the activity recorded during the activity survey is provided below and illustrated on **Figure 5**.
- 3.5. A total of 61 bat passes were recorded along the transect survey route (**Figure 5**). Of these, 54 passes were by soprano pipistrelle bats, 1 by brown long-eared bat and 6 by common pipistrelles bats. The first bat call recorded was of a soprano pipistrelle at 19:01 (28 minutes after sunset) which was heard but not seen.

Automated Detector Surveys

- 3.6. A total of five confirmed bat species were recorded by the automated detectors deployed across the Site, the majority of the recordings were made by common and soprano pipistrelle bats. Brown long eared, noctule, nathusius' pipistrelle and myotis bats were also recorded. As detailed within

the limitation section of this report, identification down to species level could not be made for myotis and *nyactulus* species recorded due to the crossover of parameters.

- 3.7. **Table 8** provides a summary of the number of passes recorded by each species during each automated bat detector survey session.

Table 8: Results of Automated Detector Surveys

Recording Period and Location	Common Pipistrelle	Soprano Pipistrelle	Nathusius' Pipistrelle	Noctule	Brown Long Eared	Nyactulus Species	Myotis Species	Total no. of Bat Passes
04/10/2021 – 08/10/2021 Detector located on top of the northern boundary wall adjacent to the River Thames under the Budweiser sign at grid reference TQ 2044276093	511	576	-	3	1	1	2	1095
04/10/2021 – 08/10/2021 Detector located on top of the northern boundary wall adjacent to the River Thames to the east of the Site at grid reference TQ2063376025	139	99	1	5	-	1	1	246
04/10/2021 – 08/10/2021 Detector located to the west of the Site and on a tree at grid reference TQ2030076112	56	42	-	1	1	1	-	101
Total	706	717	1	9	2	3	3	1441

- 3.8. **Table 9** below provides a summary of the earliest recording times for each of the automated detectors. For the location of the automated detector refer to **Figure 4**.

Table 9: Automated Detector Earliest Recording Times

Bat Species	Earliest approximate Time (mins after sunset)
Detector located on top of the northern boundary wall adjacent to the River Thames under the Budweiser sign at grid reference TQ 2044276093	
Common Pipistrelle	+26
Soprano Pipistrelle	+18
<i>Myotis sp</i>	+340
Noctule	+62
Brown Long eared	+79
<i>Nyctalus sp</i>	+464
Detector located on top of the northern boundary wall adjacent to the River Thames to the east of the Site at grid reference TQ2063376025	
Common Pipistrelle	+42
Soprano Pipistrelle	+42
Noctule	+69
Nathusius Pipistrelle	+385
<i>Myotis sp</i>	+335
<i>Nyctalus sp</i>	+477
Detector located to the west of the Site and on a tree at grid reference TQ2030076112	
Common Pipistrelle	+48
Soprano Pipistrelle	+46
Brown Long Eared	+67
Noctule	+175
<i>Nyctalus sp</i>	+63

4. Discussion and Recommendations

Bats – Roosting and Foraging and Commuting

- 4.1. As a result of the updated northern boundary wall inspections and evening emergence surveys at buildings B1, B9, B12, B3, B8 (previously recorded as a confirmed roost site in 2019) and B10, at the southern boundary wall, at the river wall (at PRF 10a, 10b and 13) and trees T43, T44, T67, T68, T71, T75, T78, T83, T157 and &321 roosting bat are assessed to be likely absent on Site. However, and as a precautionary approach building B8 (the Maltings) is still assessed to be a day roost for low number of soprano pipistrelle bats (**Plate 1**).
- 4.2. As a result of the activity and automated surveys a total of five different bat species were recorded. The survey results indicate that the habitats at the Site and adjacent to the River Thames (to the northern boundary of the Site) are used by urban bat species typically associated to be non-light sensitive. It is noted that species including long-eared, noctule and myotis species were also recorded however these were in very low numbers (under 10 passes as a result of the automated detector results). The results of the bat activity and automated survey indicates that bat activity is low at the Site and adjacent to River Thames. Nonetheless, bat species were recorded in good diversity.
- 4.3. The automated detector surveys recorded a number of early bat passes after sunset for both common and soprano pipistrelle and brown long-eared bats. Common pipistrelles are noted as having a mean emergence time of 24.8 minutes after sunset⁶, soprano pipistrelles 33.5 minutes after sunset⁷ and long-eared species typically, around 60 minutes after sunset³⁰. It is therefore likely that these bat species could roost in the local area. No other species were assessed to have early bat passes considering recognised emergence times detailed in **Table 5** below.

Table 10: Bat Species Roost Emergence Times

Species	Research on Emergence Times
Nathusius pipistrelle	Assessed to be an 'early emerging species' ⁸ or typically 20-30 minutes after sunset ⁹
Noctule	Typically, 0-40 minutes after sunset ¹⁰ and occasionally before sunset.
<i>Myotis</i>	Typically 56 minutes after sunset ³⁰

Natural England Licencing Requirements

- 4.4. As part of the proposed Development, building B8 (the Maltings) will be refurbished and converted into residential apartments and community space.
- 4.5. As such, these works have potential to impact upon the soprano pipistrelle day roost recorded in 2019 and, therefore, without mitigation, contravene the protection afforded to roosting bats by legislation (**Appendix A**). As a result, an approved Natural England (NE) European Protected Species (EPS) Mitigation Licence will be required to permit the proposed works to The Maltings. In support of the licence application updated surveys (between May and August) will be undertaken at

⁶ Davidson-Watts, I. & Jones, G. 2006: 'Differences in foraging behaviour between *Pipistrellus pipistrellus* (Schreber, 1774) and *Pipistrellus pygmaeus* (Leach, 1825)'. *Journal of Zoology*, 268, 55-62.

⁷ Davidson-Watts, I. & Jones, G. 2006: 'Differences in foraging behaviour between *Pipistrellus pipistrellus* (Schreber, 1774) and *Pipistrellus pygmaeus* (Leach, 1825)'. *Journal of Zoology*, 268, 55-62.

⁸ Collins, J. (ed) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edn). The Bat Conservation Trust, London. ISBN-13 978-1-872745-96-1

⁹ Russ, J. 2012. *British Bat Calls. A Guide to Species Identification*.

¹⁰ Racey, P. A. 1991: *The Handbook of British Mammals* (Ed. by G. B. Corbet & S. Harris), pp. 117-121. Oxford: Blackwell.

building B8 to inform the licence application, as only a single survey could be undertaken in October 2021. As part of the licence a method statement would set out the sensitive working methodologies required that will be overseen by an Ecological Clerk of Works (licence holder or accredited agent) to allow for roost destruction.

Mitigation

- 4.6. Whilst roosting bats are assessed as to be likely absent from the buildings and walls (river and Boundary), excluding building B8 as detailed above, there remains a chance that opportunist bats within in the vicinity of the Site could potentially start roosting at these features. Therefore, a toolbox talk will be provided to contractors during the demolition/refurbishment phase of the proposed Development. In addition, work to moderate potential buildings will be undertaken in a sensitive manner with an Ecological Clerk of Works present.
- 4.7. Further to the above, the felling of those trees with moderate and low bat roosting potential will be undertaken using soft felling techniques and in accordance with the Arboricultural Association Guidance Note ¹¹, with the felling of those trees with moderate bat roosting potential also carried out under an Ecological Clerk of Works.
- 4.8. In the unlikely event that bats are identified (given the current survey results), during the Works, all works would cease in the relevant areas, and an ecologist contacted. Liaison would then be undertaken between the ecologist, LBRuT and / or Natural England to agree a suitable way forward.
- 4.9. In line with the NPPF, London Planning Policy and Local Planning Policy LP 15 '*Biodiversity*' the Development will include the following mitigation and enhancement measures for roosting foraging and commuting bats:
 - During the demolition and construction phase of the Development all construction lighting would be aimed towards the centre of the Site to minimise light spill towards the adjacent River Thames and Tidal Tributaries SMI
 - Soft landscaping as well as artificial habitats would be provided in the Development which would provide enhanced opportunities at the Site for bats. The Site would include:
 - up to 404 new trees (including 62 ornamental trees) and up to 99 individual and 3 tree groups retained;
 - hedge planting (1.5 m high) enclosing all ground level residential courtyards east of Ship Lane in the detailed part of the Development;
 - provision of new trees including the use of native species, or species of benefit to wildlife. This includes planting in areas close to the river edge responding to existing riverside vegetation and grove trees located in the community park south of the proposed school;
 - provision of biodiversity roofs, including a mix of extensive green and brown roofs; and
 - a green link connecting the River Thames and Mortlake Green.

¹¹ Arboricultural Association (2011): 'Bats in the Context OF Tree Work Operations'. Guidance Note 1. ISBN 978-0-900978-54-8

- a minimum of ten bat boxes are incorporated in the proposed Development.
- A sensitive lighting strategy would be implemented as part of the Development which will avoid light spill upon habitats currently utilised by bats (particularly the River Thames).

Peregrine Falcon

- 4.10. In order to avoid the contravention of legislation, building B8 (The Maltings) will be monitored (by an Ecological Clerk of Works who holds a Schedule 1 licence that includes peregrine falcons). A series of monitoring visits (including surveys at both ground level and at height subject to safe access being possible) will be undertaken until it can be confirmed that the roosting peregrine is absent from the building. Works will then be undertaken at the building to block access points previously utilised. Monitoring will continue prior to the demolition and construction works commencing at building B8 to ensure the bird does not return to the roost site.
- 4.11. As a precautionary approach, and to avoid any potential disturbance events (given only a single peregrine falcon was recorded) the Works at the Site would be timed to commence outside of the main peregrine falcon breeding season (assessed to be between February/March when courtship intensifies to June when young normally fledge).
- 4.12. In line with the NPPF, London Planning Policy and Local Planning Policy LP 15 'Biodiversity' the Development will include the following mitigation/enhancement measure for peregrine falcon;
 - A peregrine falcon nest box will be incorporated into the proposed Development on the roof of the building B8 (the Maltings) after the refurbishment works have been completed. This would be subject to a suitably worded planning condition.

5. Conclusions

- 5.1. As a result of the updated bat surveys, and with due regard to the historical surveys, undertaken at the Site in support of previous planning applications, no roosting bats are determined to be currently present on Site. However, as a precautionary approach building B8 (the Maltings) is still assessed to be a day roost for low number of soprano pipistrelle bats. In addition, the habitats at the Site and the River Thames, directly adjacent to the northern boundary of the Site, are used by a low level of urban bat species typically considered not to be light sensitive. Nonetheless, a diverse group of bat species were recorded.
- 5.2. During the evening emergence survey on the 4th October 2021 a single roosting peregrine falcon was recorded at building B8 (The Maltings)
- 5.3. In order to avoid the contravention of legislation, mitigation measures have been detailed in this report, including the need for update and monitoring surveys, timing of works and the requirement to be in receipt of an approved Natural England EPS licence prior to the start of works. In addition, the requirement of an Ecological Clerk of Works has been highlighted during the proposed Development works.
- 5.4. Further mitigation, together with proposed enhancement, measures for bats and peregrine falcon have also been detailed within this report.
- 5.5. Should there be a period of greater than 18 months since the time of the surveys detailed within this report were undertaken, and the commencement of the Works, further update surveys should be undertaken.

FIGURES

Figure 1: Habitat Features Plan (ref. WIE18671-103-GIS-EC-PSR-1A)

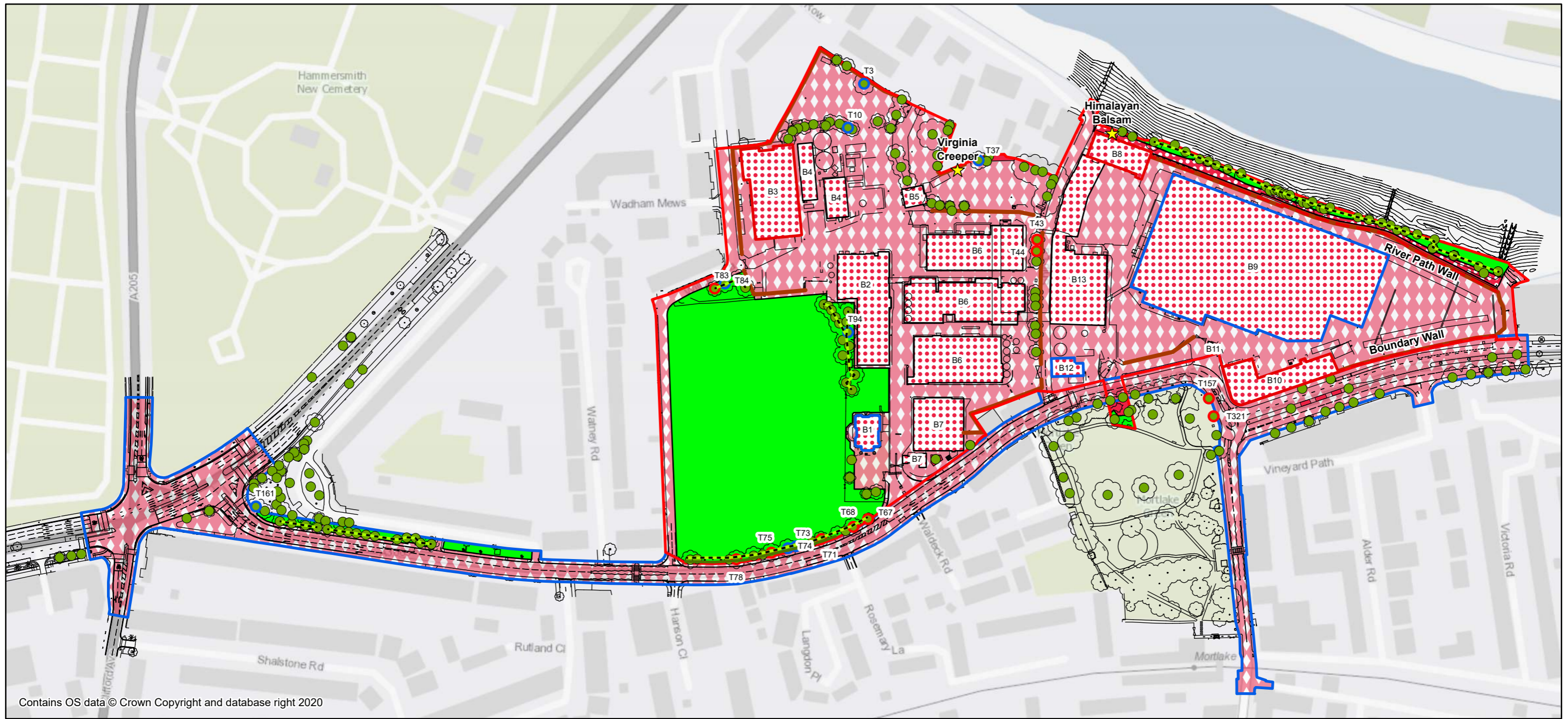
Figure 2: Northern boundary wall Feature Locations (ref. WIE18671-103-GIS-EC-PSR-2A)

Figure 3: Evening Emergence Bat Surveyor Locations (ref. WIE18671-103-GIS-EC-PSR-2A)

Figure 4: Bat Activity Survey Transect & Static Detector Locations (ref. WIE18671-103-GIS-EC-PSR-4A)

Figure 5: Evening Bat Activity Survey Results (October 2021) (ref WIE18671-103-GIS-EC-PSR-5A)

Figures



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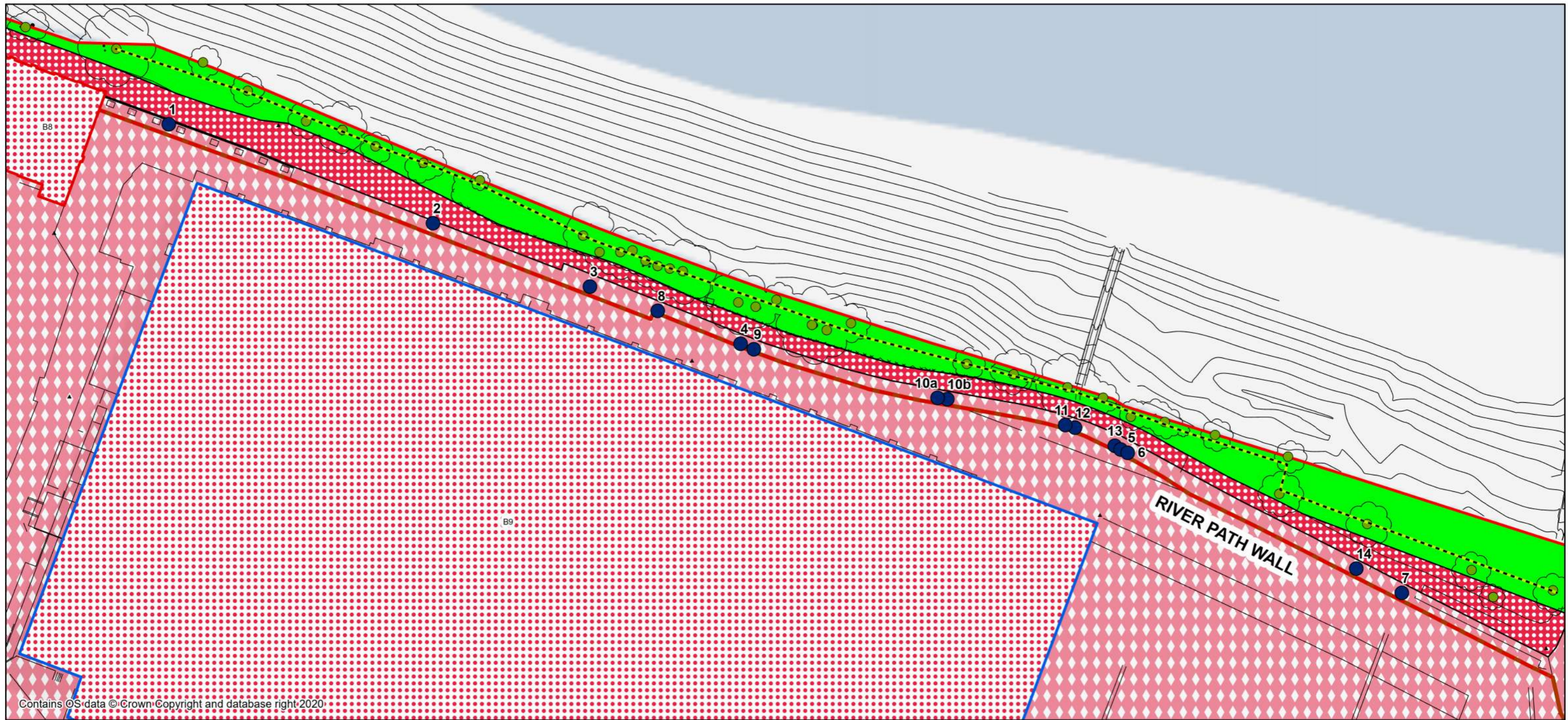
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| Planning Application Boundary | Hardstanding - u1b6 - 111 | Trees with Moderate Bat Roost Potential |
| S278 Works Boundary | Wall - u1e - 68, 80 | Buildings with Low Bat Potential |
| Modified Grassland - g4 - 64, 66, 75, 76 | Hedgerow - h2b - 17, 48, 1160 | Buildings with Moderate Bat Potential |
| Ornamental Planting - u - 48, 80, 1160 | Line of Trees - w1g6, 76 | Features with Moderate Bat Potential |
| Artificial Unvegetated Unsealed Surface - u1c - 17, 80 | Urban Tree - u - 1170 | Invasive Species |
| Buildings - u1b5 - 97 | Trees with Low Bat Roost Potential | |



0 25 50 100 Meters

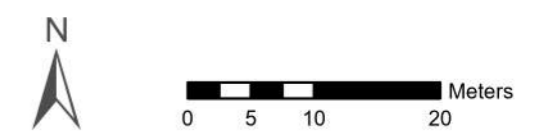
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Figure Title	Figure 1: Habitat Features Plan
Figure Ref	WIE18671-103-GIS-EC-PSR-1A
Date	January 2022
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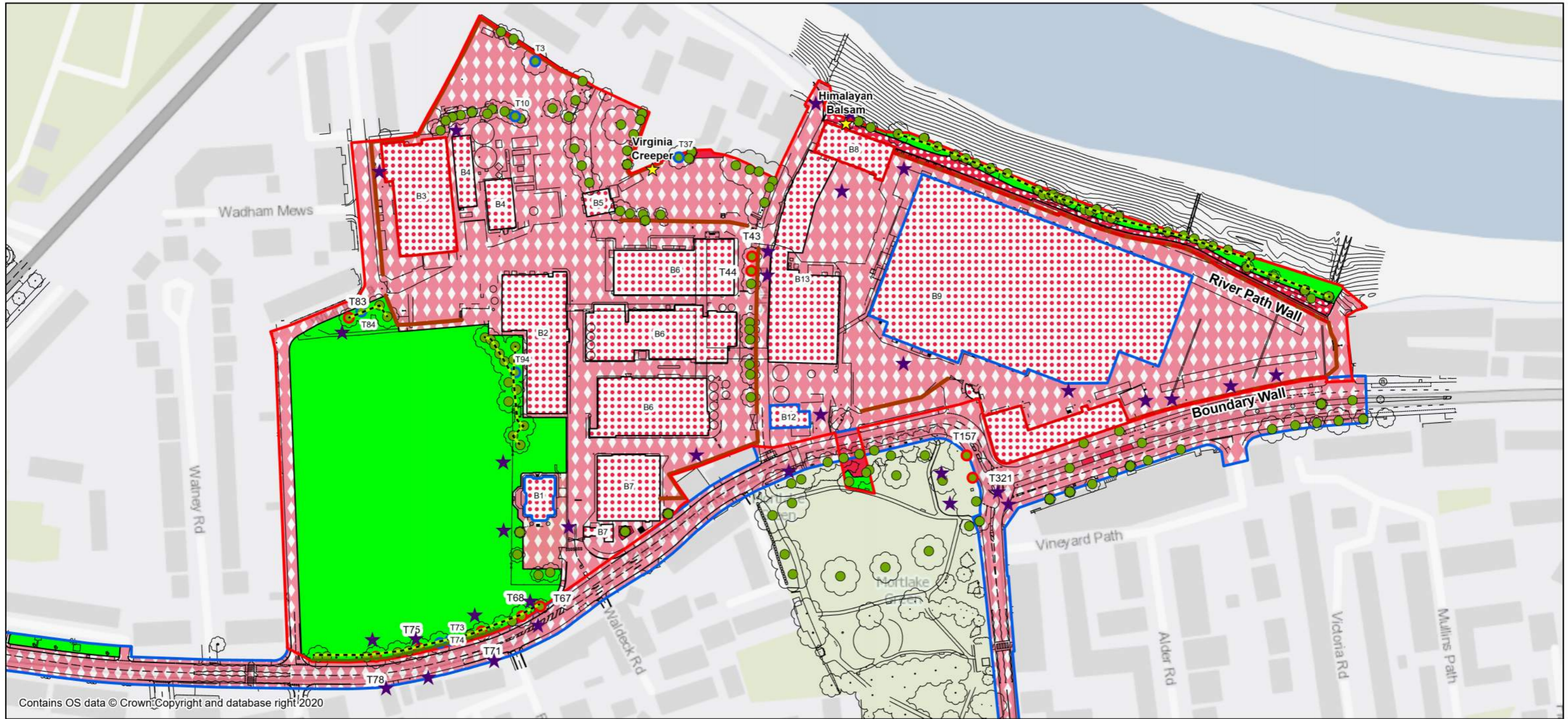


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- Planning Application Boundary
- Potential Roosting Features
- Buildings - u1b5 - 97
- Artificial Unvegetated Unsealed Surface - u1c - 17, 80
- Hardstanding - u1b6 - 111
- Modified Grassland - g4 - 64, 66, 75, 76
- Urban Tree - u - 1170
- Line of Trees - w1g6, 76
- Wall - u1e - 68, 80
- Features with Moderate Bat Potential
- Buildings with Moderate Bat Potential
- Buildings with Low Bat Potential

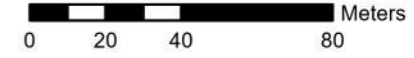


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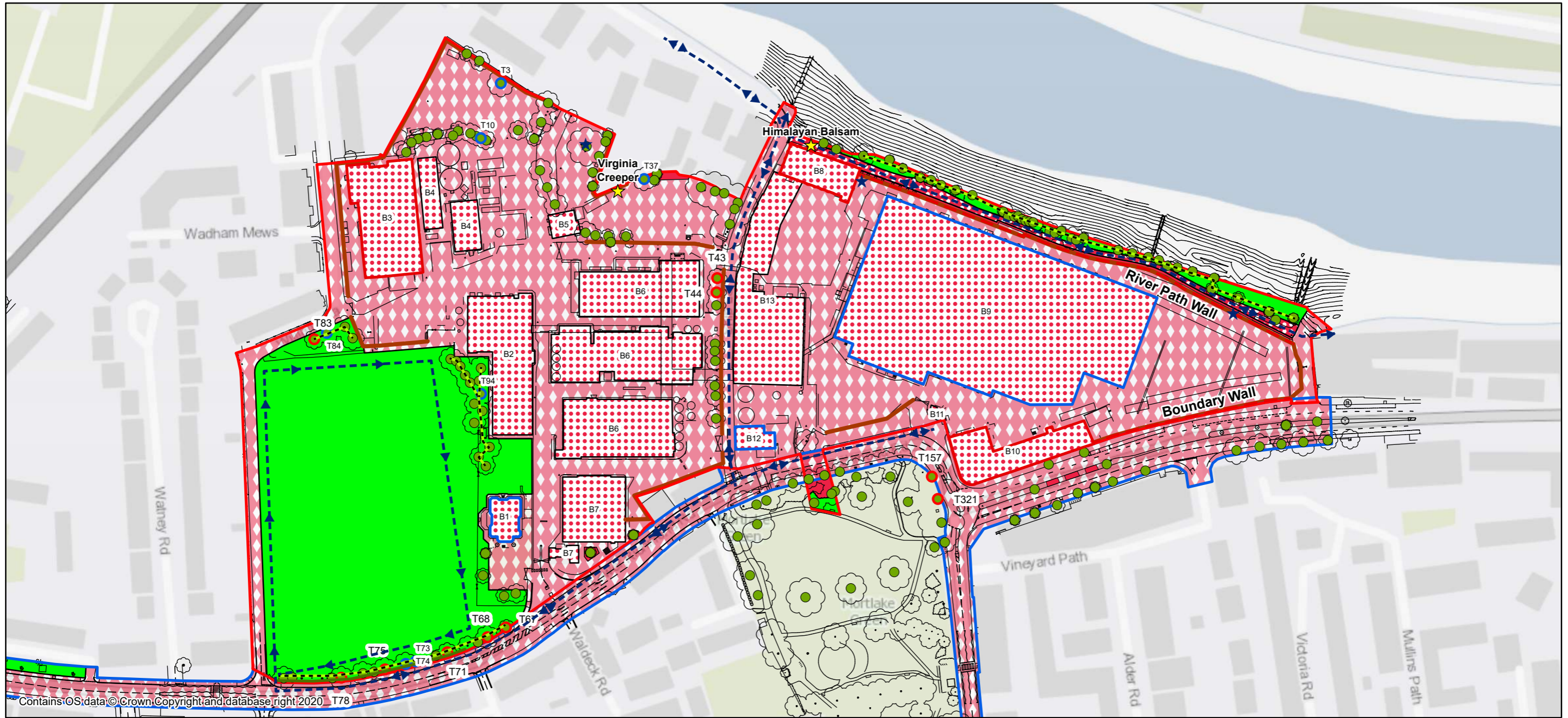


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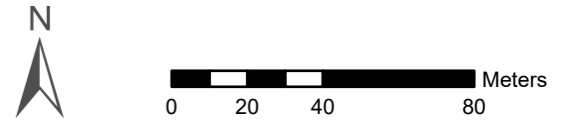
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|--|---|---------------------------------------|
| Planning Application Boundary | Hardstanding - u1b6 - 111 | Trees with Low Bat Roost Potential |
| S278 Works Boundary | Buildings - u1b5 - 97 | Urban Tree - u - 1170 |
| Bat Surveyor Locations | Hedgerow - h2b - 17, 48, 1160 | Invasive Species |
| Modified Grassland - g4 - 64, 66, 75, 76 | Line of Trees - w1g6, 76 | Buildings with Low Bat Potential |
| Ornamental Planting - u - 48, 80, 1160 | Wall - u1e - 68, 80 | Buildings with Moderate Bat Potential |
| Artificial Unvegetated Unsealed Surface - u1c - 17, 80 | Trees with Moderate Bat Roost Potential | Features with Moderate Bat Potential |



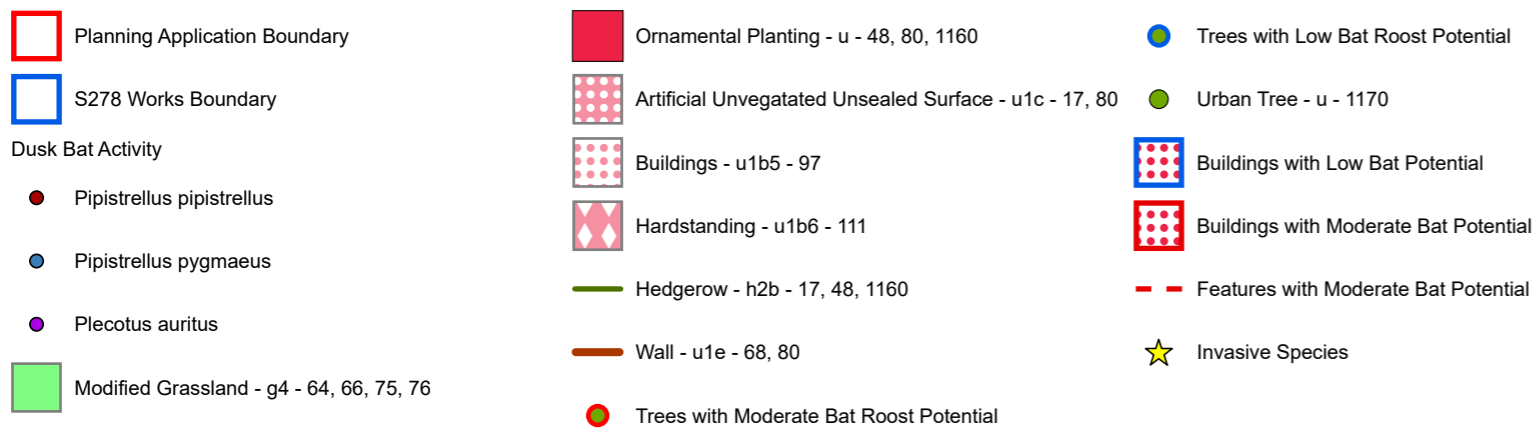
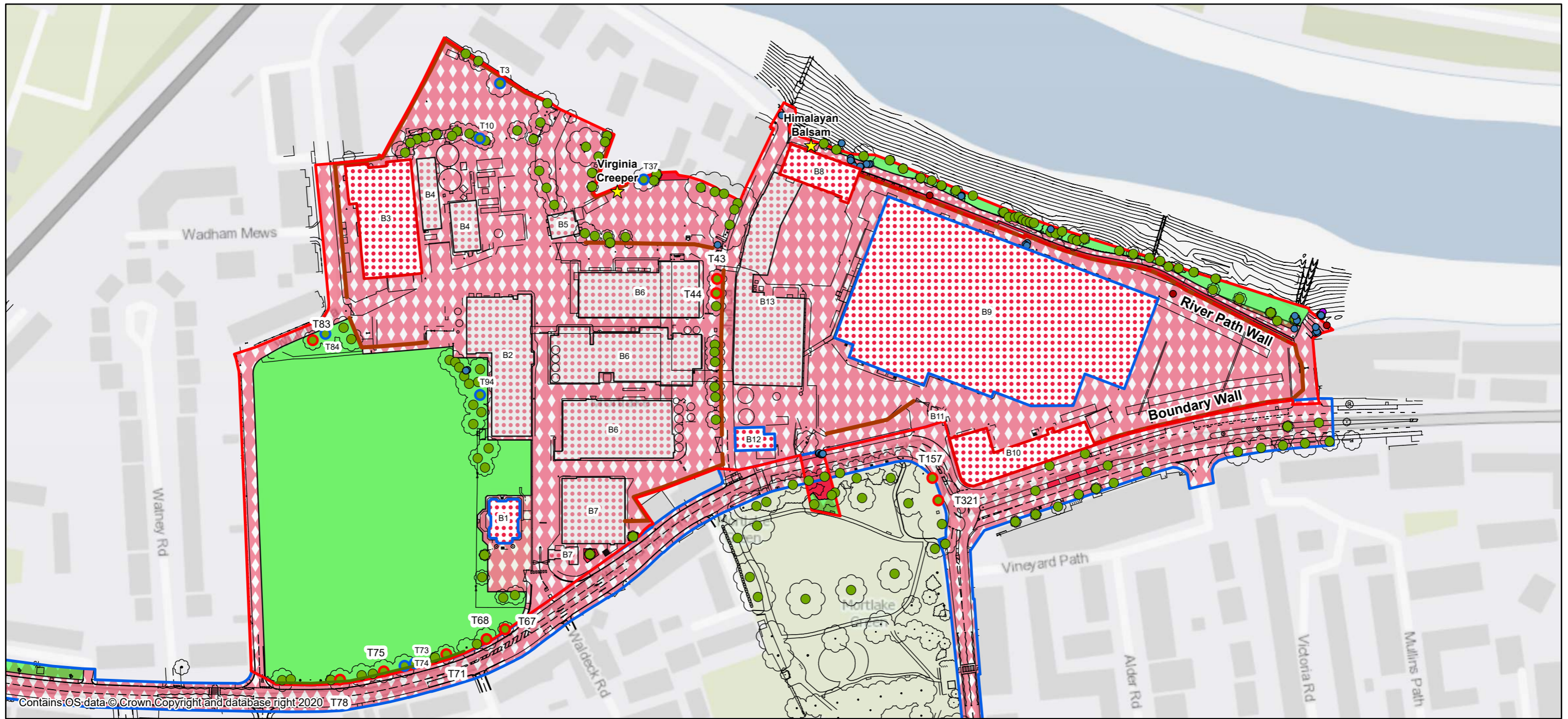
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Date	January 2022
File Location	\\s-inc\wie\projects\wie18671\100\gis\ec\psr
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- Planning Application Boundary
- S278 Works Boundary
- Bat Activity Transect
- ★ Bat Detector Locations
- Buildings - u1b5 - 97
- Artificial Unvegetated Unsealed Surface - u1c - 17, 80
- Ornamental Planting - u - 48, 80, 1160
- Modified Grassland - g4 - 64, 66, 75, 76
- Hardstanding - u1b6 - 111
- Hedgerow - h2b - 17, 48, 1160
- Trees with Moderate Bat Roost Potential
- Trees with Low Bat Roost Potential
- Urban Tree - u - 1170
- Wall - u1e - 68, 80
- Line of Trees - w1g6, 76
- ★ Invasive Species
- Features with Moderate Bat Potential
- Buildings with Moderate Bat Potential
- Buildings with Low Bat Potential



Project Details	WIE18671-103: Stag Brewery
Figure Title	Figure 4: Bat Activity Survey Transect and Static Detector Locations
Figure Ref	WIE18671-103-GIS-EC-PSR-4A
Date	January 2022
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Project Details	WIE18671-103: Stag Brewery
Figure Title	Figure 5: Activity Survey Results October 2021
Figure Ref	WIE18671-103-GIS-EC-PSR-5A
Date	January 2022
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A. Summarised Planning Policy and Legislation

National Planning Policy

National Planning Policy Framework, 2021

The National Planning Policy Framework (NPPF) was published in 2012 and last updated on 20th July 2021¹². Section 15 (outlined below) of the NPPF, ‘Conserving and Enhancing the Natural Environment’, replaces Section 11 of the previous NPPF 2012 revision and NPPF 2018¹³. No significant changes to Section 15 are noted between the 2019¹⁴ and 2021 update. The Government Circular 06/2005¹⁵ - Biodiversity and Geological Conservation: Statutory Obligations and Their Impact within the Planning System, remains valid and is still referenced within the NPPF.

Of particular significance with respect to biodiversity in the NPPF revision, is the amendment to para 175(d) of the NPPF 2019 (now para 180(d) of the NPPF 2021), which now requires opportunities to incorporate biodiversity improvements in and around development, rather than simply making it optional. This demonstrates further steps taken by the government towards achieving the 25 Year Environment Plan (2018). Otherwise there have been no further changes to the wording of “Conserving and enhancing the natural environment” Chapter of the NPPF.

The NPPF encourages the planning system to contribute to and enhance the natural and local environment. This should be achieved by:

- *“Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- *maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- *Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.*

The NPPF also stipulates that Local Planning Authorities (LPAs), when determining planning applications, should apply the following principles:

¹² Ministry of Housing, Communities and Local Government. (2021). *National Planning Policy Framework*.

¹³ Ministry of Housing, Communities and Local Government. (2018). *National Planning Policy Framework*.

¹⁴ Ministry of Housing, Communities and Local Government. (2019). *National Planning Policy Framework*

¹⁵ Department of Communities and Local Government. (2005). *Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System*.

Appendices

The Former Stag Brewery, Mortlake

WIE18671-103

WIE18671-103-R-4-1-3-PSR

- *“If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”*

National Planning Practice Guidance, 2021

The Government’s National Planning Practice Guidance 2016¹⁶, updated in 2019¹⁷ (NPPG) is intended to provide guidance to local planning authorities and developers on the implementation of the planning policies set out within the NPPF. The guidance of most relevance to ecology and biodiversity is the Natural Environment Chapter, which explains key issues in implementing policy to protect biodiversity, including local requirements.

Regional Planning Policy

The London Plan: The Spatial Development Strategy for Greater London, 2021

The London Plan 2021 sets out the overall strategic plan, setting out a framework for development over the next 20 to 25 years and includes several policies relating to ecology. Key to the London Plan is Policy G6 ‘Biodiversity and Access to Nature’ which sets out the Mayor’s policy in relation to biodiversity and access to nature. This states:

“Sites of Importance for Nature Conservation (SINCs) should be protected.

Boroughs, in Developing Plans, should:

- a) use up-to-date information about the natural environment and the relevant procedures to identify SINCs and ecological corridors to identify coherent ecological networks;*
- b) identify areas of deficiency in access to nature (i.e. areas that are more than 1km walking distance from an accessible Metropolitan or Borough SINC) and seek opportunities to address them;*
- c) support the protection and conservation of priority species and habitats that sit outside the SINC network, and promote opportunities for enhancing them using Biodiversity Action Plans;*

¹⁶ Department for Communities and Local Government. (2016). *National Planning Practice Guidance*. DCLG, London.

¹⁷ Department for Communities and Local Government. (2019). *National Planning Practice Guidance*. DCLG, London.

- d) seek opportunities to create other habitats, or features such as artificial nest sites, that are of particular relevance and benefit in an urban context; and
- e) ensure designated sites of European or national nature conservation importance are clearly identified and impacts assessed in accordance with legislative requirements.

Where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

avoid damaging the significant ecological features of the site;

- f) *minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site; and*
- g) *deliver off-site compensation of better biodiversity value.*

Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

Proposals which reduce deficiencies in access to nature should be considered positively.

Mayor of London: Environment Strategy, 2018

The London Environment Strategy, 2018¹⁸ compliments the London Plan. It sets out how London's biodiversity can be protected and enhanced and contains a list of Priority Habitats and Species within the city. Priority species (SAPs) and habitats (HAPs) related to the Site are listed below:

- Birds, house sparrow, and bats (SAPs)
- Rivers and Streams (HAPs).

The relevant policy within the strategy is Policy 5.2.1 'Protect a core network of nature conservation sites and ensure a net gain in biodiversity'.

Local Planning Policy

London Borough of Richmond upon Thames: Adopted Local Plan 2020

The following strategic visions, objectives and policies within the final draft of the Local Plan are of relevance to biodiversity:

Strategic vision 'Natural Environment, Open Spaces and the Borough's Rivers' states:

"The outstanding natural environment and green infrastructure network, including the borough's parks and open spaces, biodiversity and habitats as well as the unique environment of the borough's rivers and their corridors will have been protected and enhanced where possible. Residents will continue to highly value and cherish the borough's exceptional environmental quality"

Strategic objective 'Protecting Local Character' states:

".....3) Protect and improve the borough's parks and open spaces to provide a high quality environment for local communities and provide a balance between areas for quiet enjoyment and wildlife and areas to be used for sports, games and recreation;

4) Protect and enhance the borough's network of green infrastructure that performs a wide range of functions for residents, visitors, biodiversity and the economy;

¹⁸ Mayor of London (2018) *London Environment Strategy*

5) *Protect and enhance the borough's biodiversity, including trees and landscape, both within open spaces but also within the built environment and along wildlife corridors; and*

6) *Protect and improve the unique environment of the borough's rivers, especially the River Thames and its tributaries as wildlife corridors, as opportunities for recreation and river transport where possible, increasing access to and alongside the rivers where appropriate, and gain wider local community benefits when sites are redeveloped."*

Policy LP 12 'Green Infrastructure' states:

"Green infrastructure is a network of multi-functional green spaces and natural elements, which provides multiple benefits for people, nature and the economy.

A) *To ensure all development proposals protect, and where opportunities arise enhance, green infrastructure, the following will be taken into account when assessing development proposals:*

- the need to protect the integrity of the green spaces and assets that are part of the wider green infrastructure network; improvements and enhancements to the green infrastructure network are supported;*
- its contribution to the wider green infrastructure network by delivering landscape enhancement, restoration or re-creation;*
- incorporating green infrastructure features, which make a positive contribution to the wider green infrastructure network*

B) *The hierarchy of open spaces, as set out in the table below (refer to original document), will be protected and used in accordance with the functions shown."*

Policy LP 13 'Green Belt, Metropolitan Open Land and Local Green Space' states

Local Green Space

D. Local Green Space, which has been demonstrated to be special to a local community and which holds a particular local significance, will be protected from inappropriate development that could cause harm to its qualities.

Policy LP 15 'Biodiversity' states:

"A) The Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats. Weighted priority interms of their importance will be afforded to protected species and priority species and habitats including National Nature Reserves, Sites of Special Scientific Interest (SSSI) and Other Sites of Nature Importance as set out in the Biodiversity Strategy for England, and the London and Richmond upon Thames Biodiversity Action Plans. This will be achieved by:

- 1) protecting biodiversity in, and adjacent to, the borough's designated sites for biodiversity and nature conservation importance (including buffer zones), as well as other existing habitats and features of biodiversity value;*
- 2) supporting enhancements to biodiversity;*
- 3) incorporating and creating new habitats or biodiversity features, including trees, into development sites and into the design of buildings themselves where appropriate; major developments are required to deliver net gain for biodiversity, through incorporation of ecological enhancements, wherever possible;*
- 4) ensuring new biodiversity features or habitats connect to the wider ecological and green infrastructure networks and complement surrounding habitats;*

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- 5) *enhancing wildlife corridors for the movement of species, including river corridors, where opportunities arise; and*
- 6) *maximising the provision of soft landscaping, including trees, shrubs and other vegetation that support the borough-wide Biodiversity Action Plan.*

B) Where development would impact on species or a habitat, especially where identified in the relevant Biodiversity Action Plan at London or local level, or the Biodiversity Strategy for England, the potential harm should:

- 1) *firstly be avoided (the applicant has to demonstrate that there is no alternative site with less harmful impacts);*
- 2) *secondly be adequately mitigated; or*
- 3) *as a last resort, appropriately compensated for.”*

LP 16 ‘Trees, Woodlands and Landscape’ states:

“A) The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

B) To ensure development protects, respects, contributes to and enhances trees and landscapes, the Council, when assessing development proposals, will:

Trees and Woodlands:

- 1) *resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling is for reasons of good arboricultural practice; resist development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland;*
- 2) *resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;*
- 3) *require, where practicable, an appropriate replacement for any tree that is felled; a financial contribution to the provision for an off-site tree in line with the monetary value of the existing tree to be felled will be required in line with the ‘Capital Asset Value for Amenity Trees’ (CAVAT);*
- 4) *require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate;*
- 5) *require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations).*

The Council may serve Tree Preservation Orders or attach planning conditions to protect trees considered to be of value to the townscape and amenity and which are threatened by development.

Landscape:

- 1) *require the retention of important existing landscape features where practicable;*

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- 2) *require landscape design and materials to be of high quality and compatible with the surrounding landscape and character; and*
- 3) *encourage planting, including new trees, shrubs and other significant vegetation where appropriate.”*

Policy LP 17 ‘Green Roofs and Walls’ states:

“Green roofs and / or brown roofs should be incorporated into new major developments with roof plate areas of 100sqm or more where technically feasible and subject to considerations of visual impact. The aim should be to use at least 70% of any potential roof plate area as a green / brown roof.

The onus is on an applicant to provide evidence and justification if a green roof cannot be incorporated. The Council will expect a green wall to be incorporated, where appropriate, if it has been demonstrated that a green / brown roof is not feasible.

The use of green / brown roofs and green walls is encouraged and supported in smaller developments, renovations, conversions and extensions.”

Policy LP 18 ‘River Corridors’ states:

“A) The natural, historic and built environment of the River Thames corridor and the various water courses in the borough... will be protected. Development adjacent to the river corridors will be expected to contribute to improvements and enhancements to the river environment.

B) Development proposals within the Thames Policy Area should respect and take account of the special character of the reach as set out in the Thames Landscape Strategy and Thames Strategy as well as the Council's Conservation Area Statements, and where available Conservation Area Studies, and / or Management Plans.”

London Borough of Richmond upon Thames: Supplementary Planning Documents and Guidance

A series of Supplementary Planning Guidance (SPG) and Supplementary Planning Documents (SPDs) has been produced by LBRuT to provide greater detail on existing local planning policies to support decisions on planning applications. LBRuT no longer produces SPGs as they have been replaced with SPDs since 2004. However, they remain material considerations in planning decisions. With regards to biodiversity, a SPG titled ‘Nature Conservation and Development’¹⁹ has been published by LBRuT. This SPG states:

- i. *“It is important that nature conservation should be integrated at the planning stage with all new development. Schemes should be designed to retain existing features and habitats of wildlife value on site, and to create new habitats where appropriate.”*

Currently, the only parts of the UDP that remain saved and have not been superseded are those Proposal sites that were originally saved. The eastern part of the Site is allocated on the Proposals Map as site S4 (Budweiser Stag Brewery)²⁰.

The LBRuT adopted a planning brief for the Site in July 2011 with SPD²¹ status. This document sets out opportunities and constraints regarding the redevelopment of the Site. With regard to biodiversity, this SPD states:

¹⁹ London Borough of Richmond upon Thames (no-date); ‘Design Guidelines for Nature Conservation & Development’.

²⁰ London Borough of Richmond upon Thames (2005); ‘Unitary Development Plan. Chapter 12 – Local Strategies and Plan Proposals’.

²¹ London Borough of Richmond upon Thames (2011); ‘Stag Brewery, Mortlake, SW14 Planning Brief. Supplementary Planning Guidance’.

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“Opportunities should be taken to enhance biodiversity throughout the site and particularly along the River.”

Site Allocations

LBRuT have also produced a suite of 14 Village Plan SPDs, one for each Village Area in the Borough. Each Village Plan SPD provides a vision for the area, identifying the local character and setting out key policies and design principles that will apply to both new development and changes to existing buildings. These are used as material considerations in determining planning applications in each area.

The Site is located within the ‘Mortlake Village Plan’²². It sets out that the vision for Mortlake is to create a new heart to the village by the redevelopment of the Stag Brewery Site creating a recreational and living quarter and a vibrant link between the village and the riverside.

Biodiversity Action Plans

UK Post-2010 Biodiversity Framework

The Environment Departments of all four governments in the UK work together through the Four Countries Biodiversity Group. Together they have agreed, and Ministers have signed, a framework of priorities for UK-level work for the Convention on Biological Diversity. Published on 17 July 2012, the ‘UK Post-2010 Biodiversity Framework’²³ covers the period from 2011 to 2020. This now supersedes the UK Biodiversity Action Plan (UK BAP)²⁴. However, many of the tools developed under UK BAP remain of use, for example, background information about the lists of priority habitats and species. The lists of priority species and habitats agreed under UK BAP still form the basis of much biodiversity work in the countries.

Although the UK Post-2010 Biodiversity Framework does not confer any statutory legal protection, in practice many of the species listed already receive statutory legal protection under UK and / or European legislation. In addition, the majority of Priority national (English) BAP habitats and species are now those listed as Habitats of Principal Importance (HoPI) and Species of Principal Importance (SoPI) in England listed under Section 41 (S41) of the NERC Act 2006. For the purpose of this report, habitats and species listed under S41 of the NERC Act are referred to as having superseded the UK BAP. All public bodies have a legal obligation or ‘biodiversity duty’ under Section 40 of the NERC Act 2006 to conserve biodiversity by having particular regard to those species and habitats listed under S41.

Based on the results of the PEA the following HoPIs and SoPIs listed under S41 are considered to be of potential value on and/or immediately adjacent to the Site:

- Rivers and Streams;
- Noctule bat (SoPI);
- Soprano pipistrelle bat *Pipistrellus pygmaeus* (SoPI);
- Starling *Sturnus vulgaris* (SoPI);
- House sparrow *Passer domesticus* (SoPI).

²² London Borough of Richmond upon Thames (2015); ‘Mortlake Village Planning Guidance. Supplementary Planning Guidance’.

²³ JNCC and DEFRA (on behalf of the Four Countries’ Biodiversity Group). (2012). UK Post-2010 Biodiversity Framework.

²⁴ HMSO. (1994) Biodiversity The UK Action Plan.

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Richmond Biodiversity Action Plan

The Biodiversity Action Plan for the London Borough of Richmond upon Thames (LBRuT)²⁵ sets out the framework for the protection, conservation and enhancement of wildlife within the borough. Through its implementation, the plan protects and manages habitats and species of national, regional or local significance, or those that are in the Red Data Books and on the Red Lists. Based on the results of the PEA the following Habitat and Species Action Plans are considered to be of relevance to the Site:

- Tidal Thames;
- House sparrow;
- Song thrush;
- Swift;
- Stag beetle.

Guidance

Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services

In October 2010, over 190 countries signed an historic global agreement in Nagoya, Japan to take urgent and effective action to halt the alarming global declines in biodiversity. This agreement recognised just how important it is to look after the natural world. It established a new global vision for biodiversity, including a set of strategic goals and targets to drive action. England's response to this agreement was the publication of '*Biodiversity 2020: A strategy for England's wildlife and ecosystem services*'²⁶. The mission for this strategy is:

"to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people."

BS 42020: 2013 Biodiversity: Code of Practice for Planning and Development

The UK commitment to halt overall loss of biodiversity by 2020 in line with the European Biodiversity Strategy and UN Aichi targets²⁷, is passed down to local authorities to implement, mainly through planning policy. To assist organizations affected by these commitments, BSI has published BS 42020 which offers a coherent methodology for biodiversity management.

This British Standard sets out to assist those concerned with ecological issues as they arise through the planning process in matters relating to permitted development and activities involved in the management of land outside the scope of land use planning, which could have site-specific ecological implications.

The standard has been produced with input from a number of organisations including the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Association of Local Government Ecologists (ALGE) and provides:

- Guidance on how to produce clear and concise ecological information to accompany planning applications;

²⁵ Richmond Biodiversity Partnership (2019): 'London Borough of Richmond Upon Thames. Biodiversity Action Plan)

²⁶ Defra. (2011) *Biodiversity 2020: A strategy for England's wildlife and ecosystem services*.

²⁷ <https://www.cbd.int/sp/targets/>

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- recommendations on professional ethics, conduct, competence and judgement to give confidence that proposals for biodiversity conservation, and consequent decisions/actions taken, are sound and appropriate; and
- direction on effective decision-making in biodiversity management a framework to demonstrate how biodiversity has been managed during the development process to minimize impact.

Legislation

Bats

In summary, all UK bat species are protected by the Conservation of Habitats and Species Regulations 2017 (as amended) and by the Wildlife Countryside Act 1981. Taken together it is an offence to deliberately, intentionally or recklessly:

- Kill, injure or capture a bat;
- Disturb bats in such a way as to be likely significant to affect:
 - (i) the ability of any significant group of bats to survive, breed, or rear / nurture their young; or
 - (ii) the local distribution of that species;
- Damage or destroy any breeding or resting place used by bats; or
- Obstruct access to any place used by bats for shelter or protection and disturbing bats while occupying such as place.

Peregrine Falcon

Peregrines (and their nests) are a Schedule one bird classified under the Wildlife Countryside Act 1981. The following are criminal offences:

- Killing, injuring or taking any wild bird;
- Taking, damaging or destroying the nest of any wild bird whilst that nest is in use or being built;
- Taking or destroying the egg of any wild bird;
- Possessing any live or dead wild bird, or any part, or anything derived from such a bird; and
- Possessing an egg of a wild bird or any part of such an egg.

The following are criminal offences in relation to “Schedule 1” birds:

- Disturbing any Schedule 1 wild bird whilst it is building a nest or is in, on or near a nest containing eggs or young; and
- Disturbing dependent young of such a bird.

B. Photographs



Plate 1 – 2019 Soprano pipistrelle emergence location from a second-floor window on the northern façade of The Maltings (B8).

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Plate 2: Approximate location of peregrine falcon roost on southern aspect of building B8 (The Maltings).

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UK and Ireland Office Locations

