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John Paul Jones (Former Baths, B2), Whitehaven

784-B064930

Nocturnal Emergence Bat Survey Report

BEC

17th July 2026

Document prepared on behalf of Tetra Tech Limited. Registered in England number: 01959704

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EXECUTIVE SUMMARY

Contents	Summary
Site Location	The site is located off Strand Street, Whitehaven, Cumbria, CA28 7UW and is centred at Ordnance Survey National Grid Reference NX 9730 1832. The site in this instance is solely the structure termed as John Paul Jones Former Baths – B2, as B1 has since been demolished, thus not discussed further.
Proposals	We understand the current proposal involves the demolition of the building known as John Paul Jones Former Baths (B2) and use of the area as an interim contractor lay down area for works associated with the refurbishment of the nearby Whittles building.
Scope of this Survey(s)	• To complete one dusk emergence survey at B2 to ascertain whether roosting bats are still present (confirmed roost in 2024) at B2; • Identify if any additional surveys are required to inform this assessment; • Determine if any potential impacts on bats are likely to arise from the proposal; and • Outline strategies to avoid / mitigate / compensate for any likely impacts on bats, including licence requirement.
Results and Evaluation	No bat activity was recorded emerging from or returning to B2 during the survey. Previously there exists a historic roost, so there is risk of potential impacts in breach of wildlife legislation. Due to this, demolition is advised under Licence (European Protected Species Licence or Bat Earned Recognition) which includes details of exclusion, supervision, and appropriate bat safeguarding.
Recommendations	The following measures are likely to form the Mitigation Strategy for the BER bat licence: o Exclusion device fitted on the roost access feature for a minimum of 5 days; o A toolbox talk by bat licenced ecologist to all contractors immediately prior to works; o [If exclusion device cannot be fitted] A Class 2 bat licenced ecologist to carry out pre-commencement checks of the roosting space (& other high-risk features) using endoscope and torch at height (via MEWP or scaffold, as necessary); Any captured bats to be released at dusk; and/or The inclusion of bat boxes (as well as bird nest boxes and insect bricks) should be considered within the final design as enhancement, where possible.

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Contents	Summary
	B2 may also be used by nesting birds. If demolition or clearance is to be undertaken between March to September, the building must be checked for active nests 24 hours prior. Should a nest be identified a suitable buffer zone would be required until the chicks have fledged of their own accord.

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1.0 INTRODUCTION

1.1 BACKGROUND

Tetra Tech Limited (Tetra Tech) was commissioned by Bill Graham on behalf of BEC in May 2026 to undertake a nocturnal bat survey at John Paul Jones (Former Baths – B2), hereafter referred to as "the site".

Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended).

This survey was requested as BEC aim to submit a S80 Demolition Notice to Building Control & Planning for the demolition of the Former Baths - B2.

This report has been prepared by Assistant Ecologist Seren Cunnah BSc (Hons) with support from Principal Ecologist Mark Pritchard FdSc ACIEEM and the conditions pertinent to it are provided in Appendix A.

Full details of the legal protection relating to bats, including types of offences and policy position, are provided in Appendix B.

1.2 SITE LOCATION

The site is located off Strand Street, Whitehaven, Cumbria, CA28 7UW and is centred at Ordnance Survey National Grid Reference: NX 9730 1832 (Figure 1). It comprises a derelict building (absent of a roof, exposed to the elements). The site is located within Whitehaven town, with the marina and Irish Sea to the West. The surrounding land is a mixture of built-up areas, with parcels of woodland to the East and South, as well as some agricultural fields to the southwest.

1.3 DEVELOPMENT PROPOSALS

We understand the current proposal involves the demolition of the Former Baths - B2 (Figure 1); and use of the area as an interim contractor lay down area for works associated with the refurbishment of the nearby Whittles building. The future use of the land thereafter is uncertain at time of report issue.

1.4 PURPOSE OF THE REPORT

The purpose of this report, with regards solely to B2, is to:

- Present the relevant legislation and policy in relation to bats;
- Describe the methods used to carry out the desk and field-based assessments for bats;
- Reassess the suitability of B2 for roosting bats;
- Determine the continued presence or likely absence of roosting bats at B2, building on the previous bat survey data Tetra Tech have for the building;
- Ascertain the number and species of bats roosting (subject to presence) to determine the roost assemblage present;
- Identify if any additional surveys are required to inform this assessment;

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- Determine if any potential impacts on bats are likely to arise from the proposal; and
- Outline strategies to avoid / mitigate / compensate for any likely impacts on bats.

A European Protected Species Licence (EPSL) may be required given the previous known bat roost at the site.

Note that scientific names are provided at the first mention of each species and common names (where appropriate) are then used throughout the rest of the report for ease of reading.

1.5 QUALITY

Our Ecologists follow CIEEM's Code of Professional Conduct (CIEEM, Code of Professional Conduct, 2024), with all surveys completed in accordance with Tetra Tech's Biosecurity Policy (Tetra Tech, 2026).

All staff have completed Health and Safety training. Risk Assessment Method Statements have been completed and verified prior to the site visit, with Dynamic Risk Assessments completed by all site staff upon arrival at site.

Validity

This report will be considered to remain valid for 12 months, i.e. until 10th June 2027, in accordance with CIEEM guidance (2019). After this time, it may be appropriate to consult an ecologist to confirm if an update assessment is required. The recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the red line boundary or development proposals which this report was based on.

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2.0 METHODOLOGY

2.1 PREVIOUS REPORTS

Previous reports relevant to the site were reviewed. These reports must be read in conjunction with this document, and include:

- WYG (2019a), Ecological Appraisal, North Shore Phase 1 – Mark House, Whitehaven
- WYG (2019b), Bat Report, North Shore Phase 1 – Mark House, Whitehaven
- Tetra Tech (2024a), Updated Ecological Appraisal and Bat Roost Assessment Report, John Paul Jones, Whitehaven
- Tetra Tech (2024b), Updated Ecological Appraisal and Bat Roost Assessment Report [updated to include Nocturnal Bat Survey], John Paul Jones, Whitehaven

2.2 DESK STUDY

The desktop study comprised two elements:

- A data search obtained from Cumbria Biodiversity Data Centre (CBDC); as provided in our previous PEA (Tetra Tech, 2024) for records within 2 km over the last 10 years; and
- Online element including a search using: Magic, Defra's interactive, web-based database for statutory designations (https://magic.defra.gov.uk), and Ordnance Survey (OS) and Aerial Imagery (https://www.bing.com/maps). This included a search for any designated sites within 10 kilometres (km) supporting bats, and 2 km for records of bat roosts or EPSML licenses. The search was conducted in June 2026.

2.3 FIELD SURVEYS

2.3.1 Preliminary Roost Assessment (PRA)

The building on site was re-assessed from the ground for its suitability to support breeding, resting and hibernating bats using survey methods based on the Bat Conservation Trust (BCT) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2023) – hereafter referred to as the 'BCT Guidelines'. The survey was undertaken in line with BS42020 (BSI, 2013).

The roost assessment was completed in good practice to assess the continued likelihood of bats using the building within the site for summer roosting and winter hibernation.

External Inspection

The building was systematically re-inspected during daylight using high powered torch and any features suitable for bats were noted such as soffit boxes, gaps in brickwork, cracks, crevices, lifted lead flashing slipped or broken tiles and missing mortar below ridge tiles. Features located at height were viewed from the ground using binoculars. Any potential bat access points were inspected for signs of bat presence such as:

- Bat droppings on the ground outside, on the floor inside or stuck to walls;
- Other evidence of bats such as feeding remains;

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- Suitable entry and exit points around cladding, eaves, flashing, under tiles or gaps in mortar;
- Live bats, bat corpses or skeletons; and
- Oily marks (from fur) or localised clean spots around possible access points and roost areas.

Internal Inspection

Internal surveys were unable to be completed (see section 2.4).

Categorisation

The outcome was to categorise the buildings in accordance with the BCT Guidelines given in Table 1.

Table 1: Categories of Bat Roost Suitability (BCT Guidelines)

Suitability	Typical Roosting Features
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices / suitable shelter at all ground / underground levels).
Negligible	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
Low	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, condition (for example, in terms of temperature, humidity, height above ground level, light levels or levels of disturbance.) and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats)
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation - the categorization described in this table is made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure with one or more potential roost sites that are obviously suitable for use by large numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g., maternity, or classic cool / stable hibernation site ding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation - the categorization described in this table is made irrespective of species conservation status, which is established after presence is confirmed).

Hibernation

The building was also assessed for hibernation suitability using the categories in the BCT Guidelines. 'Classical sites' for hibernation would include underground sites such as cellars and caves, that allow stable weather conditions of temperature and humidity (cool and damp) throughout the winter period. Most buildings and structures come under the 'non-classical site' category but should also be considered

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for hibernation, especially for void dwelling bats such as brown long-eared bats *Plecotus auritus*, which may linger in derelict buildings where conditions may remain stable without heating of the building in winter. In addition, *Pipistrellus* species are crevice-dwelling bats which may also benefit from small gaps within a cavity wall under the same circumstances and are known to use large concrete structures such as tower blocks for hibernation which would be considered a non-classical site. Table 2 below outlines the rationale taken when assessing hibernation suitability and the requirement for further surveys.

Table 2. Categories of Bat Roost Suitability in Classical Sites during the Daytime Bat Walkover (DBW) (BCT Guidelines).

Are there Suitable Hibernation Features?	Typical Roost Features
No / Very limited	Treat as low. No further surveys required.
Yes – Classical site	Treat as high. Further surveys required between November and March inclusive.
Yes – Non-classical site	Treat as moderate. Further surveys may be required. Need to consider what can be surveyed.

2.3.2 Presence / Likely Absence and Roost Characterisation Nocturnal Surveys

In accordance with BCT Guidelines and based on Tetra Tech's strong previous knowledge of the site, one dusk emergence survey was undertaken in June 2026, which is within the optimal period for bat surveys (May-August).

A summary of the building grading:

- B2 – Low – one survey (10/06/2026)

The dusk emergence survey commenced 15 minutes before sunset and continued for 1.5 hours after sunset.

Survey date, timings and weather conditions are detailed in Table 3 below with surveyor locations shown on Figure 2.

During the survey, surveyors and Night Vison Aids (NVAs) were positioned to view the Preliminary Roost Features (PRFs) identified at B2 for any bats emerging from (or returning) to the roost. Incidental bat activity was also recorded (e.g., roosting at neighbouring properties), where applicable. Surveyor and Infrared Camera (IR) positions were used on B2. Surveyors and camera locations are shown in Figure 2.

During the survey, bat emergences and / or returns were recorded on FieldMaps and their calls recorded using Elekon BatLogger Ms or M2s. Bat survey was completed during the period when bats are active, within the optimum survey season and within suitable weather conditions (above 10 °C, dry and with calm winds). NVAs in the form of infra-red cameras (and associated infra-red lights) were used in lieu of a surveyor (where possible), in line with the BCT Guidelines. The cameras used were Canon XA40 infrared camera with additional infrared illuminator lights. Cameras were positioned in such a way to cover the key roosting potential features of a building and were paired with detectors such as Elekon Batlogger M or M2

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detectors to record bat calls. Where possible, cameras were periodically checked for illumination levels. The IR were set to record the duration of the survey, with the same timings as stated in Table 3.

IR footage analysis was undertaken using Motion Meerkat (Weinstein, 2015) which was used to identify motion events which were subsequently analysed manually. The following settings were used: Background variation 3; organism speed 3; minimum object size 0.01 % (parameters were tested against known activity before analysis). The subsequent images were reviewed and cross referenced with time of the movement to the sound files obtained by the Elekon BatLogger M & M2 detectors set alongside the camera to identify any bats recorded.

Both surveyors were experienced in bat surveys and all bat surveyors had bat survey training in line with BCT Professional Training Standards for Professional Ecologists Working with Bats (2020) Level 1 in line with BS42020.

Table 3: Surveyors, Date and Weather Conditions for Bat Emergence Survey

Date Of Survey & Structure	Sunrise / Sunset Time	Start Time (S)	Finish Time (F)	Temperature (°c)	Rain (mm/hr)	Wind Speed (Beaufort scale)	Cloud Cover (Oktas scale)
10/06/2026 **B2**	21:48	21:33	23:18	12	0%	7 mph	80%
Surveyor Names and Survey Licence Number Where Applicable	Consultant Ecologist - Ashleigh Toomey (Lead) BSc (Hons) Consultant Ecologist - Eleanor Weir BSc (Hons) PGCert						
Number of IR cameras used and darkest point	**SP1 (V1):**  **SP2 (V1):**						

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Date Of Survey & Structure	Sunrise / Sunset Time	Start Time (S)	Finish Time (F)	Temperature (°c)	Rain (mm/hr)	Wind Speed (Beaufort scale)	Cloud Cover (Oktas scale)
							

2.4 LIMITATIONS

Access

No internal access took place on the grounds of health and safety given the dilapidated nature of the building. This is not considered a significant limitation to the overall conclusions as a nocturnal survey update was undertaken which will record bats exiting or entering the building.

General

The survey was completed with the assistance of bat detectors. Bat detector surveys may not record all bats due to weak echolocation calls, such as brown long-eared bats. Some bat calls are variable dependent on the habitats they fly in and on their activity (commuting, foraging, social interaction, etc) and extremely similar between species. In these cases, it is accepted that species are identified to genus level or group level (e.g. *Myotis*, *Myotis / Plecotus* and *Nyctalus / Eptesicus*) (Collins, 2023). Where call parameters are inconclusive the species has been labelled as 'unknown'. This allows the dataset to be interpreted accurately and transparently.

Notwithstanding the limitations highlighted above, the survey effort applied is considered sufficient to meet the aims of the survey and this report, in accordance with the BCT Guidelines (2023).

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3.0 RESULTS

3.1 PREVIOUS REPORTS

WYG (2019a), Ecological Appraisal, North Shore Phase 1 – Mark House, Whitehaven

A Preliminary Ecological Appraisal assessment was completed at the John Paul Jones site in 2019, however a PRA of the former baths building B2 was not included at the time of survey. The site was noted to have limited botanical value with hard standing, amenity grassland, scattered trees, 2 buildings and ephemeral vegetation present. Recommendations for a detailed bat roost assessment were made to assess the buildings' suitability for roosting bats, along with recommendations for nesting bird checks should clearance commence within the nesting bird season.

WYG (2019b), Bat Report, North Shore Phase 1 – Mark House, Whitehaven

A PRA was completed for both buildings (B1 and B2) on site. Several features with potential to be used by roosting bats were identified throughout both buildings including gaps under poorly fitted tiles, gaps within soffit boxes, under lead flashing, ventilation slats, gaps between sandstone blocks and gas within the brickwork. No signs of bats or droppings were recorded during the external and internal inspections of B1 and B2 and as such both buildings were graded as moderate suitability for roosting bats with no hibernation suitability.

Further nocturnal bat dusk emergence and dawn re-entry surveys were completed on B1 and B2 and a common pipistrelle *Pipistrellus pipistrellus* transitional / day roost was identified within the southern elevation of B2. Recommendations for a European Protected Species Mitigation licence prior to works commencing were made.

Tetra Tech (2024b) Updated Ecological Appraisal and Bat Roost Assessment Report updated to include Nocturnal Bat Survey, John Paul Jones, Whitehaven

An updated Preliminary Ecological Appraisal and Bat Roost Assessment was completed on this site.

B1 was rated as moderate for roosting suitability for summer roosting and classic hibernation suitability. No bat roost was identified in B1, however it was considered suitable for hibernating bats due to the cellar and wall cavities and the absence of heating and occupation.

B2 was previously a confirmed single common pipistrelle transitional / day roost but considered unsuitable for hibernation.

A total of three nocturnal bat surveys were conducted on B1 and B2 in 2024.

During the first survey visit, a common pipistrelle was recorded emerging from a hole below the roof on B2.

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Photograph 1: Location of roosting point on B2



Three weeks later during the second survey, no bats were recorded emerging from B1 or B2. Similarly, during the third and final survey, no bats were recorded.

Foraging and commuting activity around the buildings was recorded throughout all three nocturnal surveys, with species composition noted as common pipistrelle, soprano pipistrelle *Pipistrellus pygmaeus* and noctule *Nyctalus noctule.*

3.2 DESK STUDY

European and National designated sites identified within 10km of the proposed development are presented in Table 4 with the designation, qualifying features and proximity from the development site also indicated. Details of local non-designated sites within 2km and obtained from the CBDC are also included.

Table 4. Statutory and non-statutory designated sites identified during the desk study.

Site Name	Designation	Distance and direction from Site	Reasons for designation
Statutory			
St. Bees Head	SSSI	1.2km southwest	The biological interest of the site is represented in a number of different habitats including natural cliff-top grassland and heath, sheer cliff face and cliff-fall rubble, shingle and wave-cut platform. The sheer cliffs which provide the only breeding site on the coast of Cumbria for a variety of colonial seabirds. These include over 2,000 pairs of guillemots *Uria aalge* along with lesser numbers of fulmar *Fulmarus*, kittiwake *Rissa*, razorbill *Alca torda*, cormorant *Phalacrocoracidae*, puffin *Fratercula*, shag *Phalacrocorax aristotelis* and herring gull *Larus argentatus*. The cliffs are, in addition, the only breeding site on the entire coast of England for black guillemots *Cepphus grylle*.
River Ehen	SAC	6.4km southeast	Annex II species that are a primary reason for selection of this site: The River Ehen supports the largest freshwater pearl mussel *Margaritifera margaritifera* population in England. Exceptionally high densities (greater than 100m^2) are found at some locations, with population estimates for the entire river

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Site Name	Designation	Distance and direction from Site	Reasons for designation
			exceeding 100,000. The conservation importance of the site is further enhanced by the presence of juvenile pearl mussels, indicating recruitment since 1990. Annex II species present as a qualifying feature, but not a primary reason for site selection also include Atlantic salmon *Salmo salar*.
River Derwent & Bassenthwaite Lake	SAC	9.5km northeast	Annex I habitats that are a primary reason for selection of this site include Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea.* Bassenthwaite Lake in the Lake District, north-west England, is an example of a mesotrophic waterbody (Type 5), an unusual type in mountain areas. It is a large lake with an extensive catchment area and consequently is subject to rapid through-flow of water and moderate nutrient status. A wide variety of pondweeds *Potamogeton spp*. are found. The lake also supports one of only two surviving UK populations of a rare fish, vendace *Coregonus albula*. Annex II species that are a primary reason for selection of this site include marsh fritillary butterfly *Euphydryas (Eurodryas, Hypodryas) aurinia*, sea lamprey *Petromyzon marinus*, brook lamprey *Lampetra planeri*, river lamprey *Lampetra fluviatilis*, Atlantic salmon *Salmo salar*, otter *Lutra lutra*, and floating water-plantain *Luronium natans*.
Non-statutory			
Redness Point	CWS	0.5km north	No citation provided by CBDC; unknown if designated for bats.
Hope Mission Pond	CWS	1.9km northeast	No citation provided by CBDC; unknown if designated for bats.
Castle Park Wood	CWS	0.4km east	No citation provided by CBDC; unknown if designated for bats.
Woodhouse Quarry	CWS	1.6km south	No citation provided by CBDC; unknown if designated for bats.
Midgey Gill	CWS	0.6km southeast	No citation provided by CBDC; unknown if designated for bats.

The site also lies within the IRZ of St Bees Head SSSI however the proposals are not of a type that would require further consultation with Natural England.

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Ancient Woodland and Priority Habitats

Within 1km of the site lies areas the following priority habitats: saline lagoons (priority habitat) (closest 25m northwest), deciduous woodland and broadleaved woodland (closest 300m north), maritime cliffs and slopes (closest 350m north of the site) and an area of ancient semi-natural woodland (660m southwest).

The site lies within in urban area immediately surrounded by commercial and residential with limited connectivity to the majority of aforementioned habitats. However, residual connectivity to the closest saline lagoon (25m north-west) is considered likely due to the close proximity of this area from site.

3.3 PROTECTED AND NOTABLE SPECIES

The CBDC data search returned bat records for one species within a 2 km radius of the site boundary and from within the previous 10 years, as shown in Table 5.

Table 5: Bat Records within 2 Km Radius of the Site Boundary

Species	Number of Records	Latest Recorded Year	Direction and Distance of Closest Record
Chiroptera spp	1	2020	Adjacent to north of the site

3.4 PRESENCE / LIKELY ABSENCE AND ROOST CHARACTERISATION NOCTURNAL SURVEYS – BUILDING

Survey results can be found below in Table 6.

- B2: Confirmed common pipistrelle transitional / day roost

B2 supports a common pipistrelle transitional / day roost and conditions had not changed since the 2024 surveys. The conditions since 2024 had not changed and the building is constructed from a mixture of sandstone, brick and breeze block with a large proportion of the roof area missing. Internally, the building is still in a poor state of repair with significant water damage.

Table 6: B2 Survey Summary

Survey Visit 1
10/06/2026
A maximum of two bats (both common pipistrelle) were individually recorded foraging over the building during the survey (only one individual was recorded by video).
Summary
No bats were seen emerging from B2, only foraging above the building.

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4.0 DISCUSSION AND ANALYSIS OF RESULTS

Following the update nocturnal survey, no roosting bats were recorded. However, as there is no defined expiry period for a roost and the building supported a roost in 2024 (and 2019), it is considered highly likely the roost is still used and should still be classified as confirmed common pipistrelle transitional / day roost. This

Day roosts can be used throughout the bat active season (generally between April to September, inclusive) as traditional resting sites during the day. Males and non-breeding females will roost alone or in small groups. Bats may use a selection of day roosts on a regular basis switching between them daily or conversely occupying the same one for weeks at a time. The roost is not considered a maternity roost due to the low numbers of bats observed utilising the building, lack of social calls and a lack of indicative maternity behaviours.

Based on the Proposed demolition there are likely to be adverse effects on bats through loss of roosts, potential for killing and/or injury and disturbance during the construction and operational phase.

4.1.1 Loss of Roosts / PRFs

The common pipistrelle day roost will be lost due to the demolition.

4.1.2 Killing & Injury

Bats roosting within B2 would be at risk of killing or injury during demolition of the building.

4.1.3 Construction Phase Disturbance

Bats roosting within B2 prior to their demolition may be subject to disturbance from lighting, noise and vibration during the preparation for demolition.

4.2 MITIGATION

As adverse effects on bats are anticipated, mitigation will be required to avoid an offence under Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended).

The mitigation hierarchy principles are:

- Avoidance – to avoid adverse effects as far as possible by designing out or using preventative measures during the construction process thus resulting in an environmental effect of neutral significance.
- Reduction – to minimise adverse effects as far as possible.
- Compensation – involves measures of the same value to off-set the impact.

4.2.1 Loss of Roost

The loss of the common pipistrelle roost should be compensated for by alternative roosting provision unless using BER licensing route (see below) where minimum expectations does not require the compensation for the loss of this one roost as it is below the threshold.

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4.2.2 Killing & Injury

To reduce risk of harm to bats during the works, appropriate working methods will be adopted and ecological supervision will be required. The details of this would be confirmed during the licensing process but likely would include measures such as:

- Exclusion device to be fitted over the roosting access point and left in situ for a minimum of 5 consecutive days of suitable weather and soft blocked where possible;
- A toolbox talk provided to contractors prior to works to highlight the potential presence of roosting bats;
- *If soft blocking of feature not possible, a pre-commencement check by a bat licensed ecologist, capture of any bats found (and released at dusk);* and
- Mechanical demolition once licensed bat ecologist gives the go ahead.

4.3 LICENSING

Works which cannot take place without the appropriate mitigation (detailed at Section 4.3) (depending upon the works and the location of the feature) include, but are not limited to:

- Night lighting;
- Blocking up crevices or holes in the brickwork/stone/blockwork; and / or
- Mechanical demolition of the structure.

The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended) contain three “derogation tests” which should be applied by the Local Planning Authority (LPA) prior to granting planning permission and by Natural England when deciding whether to grant a licence to a person carrying out an activity that would harm an European Protected Species (EPS) , such as bats. For development activities this licence is normally obtained after planning permission has been obtained. The three tests are that:

- The activity to be licensed must be for imperative reasons of overriding public interest (or for public health and safety);
- There must be no satisfactory alternative; and
- The favourable conservation status of the species must be maintained.

Imperative Reason of Overriding Public Interest

The ‘imperative reason of overriding public interest’ in this case is considered to be demolition of the building to facilitate development of the area and nearby Whittles Building. The footprint of the building is to be used as an interim contractor lay down area for works associated with the refurbishment of the Whittles building.

No Satisfactory Alternative

Similarly, for the ‘no satisfactory alternative’ test there should be evidence to show that the bat roost cannot be retained within the footprint of the new development and that there is no satisfactory alternative for a lay down area associated with the refurbishment of the Whittles building. The building B2 is to be demolished and therefore the roost will be lost to facilitate the refurbishment works.

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Favourable Conservation Status

It must be shown under a development licence that a derogation (i.e. action permitted under an EPSML that would otherwise be unlawful) of the Conservation of Habitats and Species Regulations 2017 (as amended) must not be "detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range" and details given of processes and procedures to be undertaken to ensure no bats are harmed during the works and suitable mitigation / compensation is provided.

The loss of common pipistrelle day roosts is likely to be considered of low significance to the conservation status of these species; as a single or small number of individuals will be affected. Alternative roosting provision (i.e. bat boxes) will be provided to provide a safe place to transport bats to and contribute to maintaining favourable conservation status.

4.3.1 Licensing Routes

Two licensing routes are available, a standard European Protected Species Licence (EPSL) or site registration under a Bat Earned Recognition Licence (BER). It is solely at the discretion of Natural England if a licence can be granted for a site.

An EPSL using any route can be applied for once planning permission has been granted, 3 to 12 weeks before redevelopment works (including demolition) are due to commence.

Under the standard route once an application for a licence has been submitted to Natural England it can take a minimum of 30 working days for Natural England to provide a decision. Natural England can request additional information in support of an application which will then alter the decision deadline.

Under BER sites are registered by the BER Registered Consultant which includes provision of mitigation and compensation as needed. This site falls under Accreditation Level 1. This route still follows the principles of the derogation tests but has a simpler and faster application process, Natural England aim to issue decisions within 15 working days.

Based on survey data with no limitations, for properties with recorded bat roosts where using the Bat Earned Recognition licence route, survey data can usually be up to two years old (until June 2028) however if a standard EPSL is required, Natural England usually require data from the current or most recent optimal season. Beyond these periods, if works have not yet been undertaken, it is recommended that a review of the buildings and potential roost status is undertaken and following this date it may include an assessment of buildings to check for any significant changes to bat roost suitability and / or update nocturnal surveys of buildings. The level of update surveys required will be dependent on a number of considerations including limitations of the initial surveys, age of the data and potential impacts as agreed with the Project Ecologist.

NO MONITORING IS REQUIRED FOR EITHER LICENSING ROUTE as this type of roost is of Low Conservation Significance.

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5.0 CONCLUSION AND RECOMMENDATION

Bats

B2 supports a transitional / day roost for common pipistrelle bats. Demolition works to B2 must be completed under Licence (ESPL or BER) which includes exclusion of the feature or pre-commencement checks; and toolbox talks to contractor.

Birds

B2 may also be used by nesting birds. If demolition or clearance is to be undertaken between March to September, the building must be checked for active nests 24 hours prior.

Should a nest be identified a suitable buffer zone would be required until the chicks have fledged of their own accord.

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FIGURES

FIGURE 1: SITE LOCATION PLAN

FIGURE 2: BUILDINGS AND CAMERA LOCATIONS

FIGURE 3: SURVEY RESULTS

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Site Location Plan

John Paul Jones (Former Baths -B2)

BEC

Legend

Site Boundary

Building

Notes:

Drawn by: LILY.DUNWELL

Checked by: Seren Cunnah

Figure No. 1

Revision No. A

13 July 2026

0 20 40 60 80 Meters

Scale 1:1,500 @A3

British National Grid

NGR: 297286E 518293N

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Surveyor Locations

John Paul Jones (Former Baths -B2)

BEC

Legend

- Site boundary
- Buildings
- Surveyor position

Notes:

Drawn by: LILY.DUNWELL

Checked by: Seren Cunnah

Figure No. 2

Revision No. A

13 July 2026

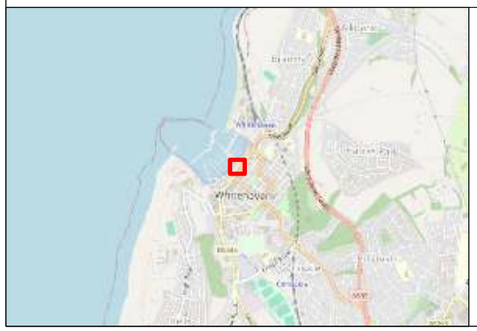
0 5 10 15 20 Meters

Scale 1:400 @A3

British National Grid

NGR: 297293E 518298N

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B2 Survey Results

John Paul Jones (Former Baths -B2)

BEC

Legend

Site boundary

Bat Structure

Confirmed Roost

Notes:

Drawn by: LILY.DUNWELL

Checked by: Seren Cunnah

Figure No. 3

Revision No. A

13 July 2026

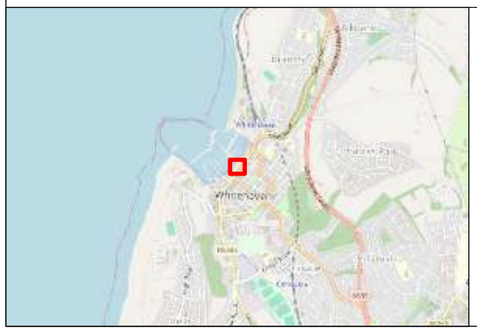
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APPENDICES

APPENDIX A: REPORT CONDITIONS

APPENDIX B: PLANNING POLICY & LEGISLATION

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APPENDIX A: REPORT CONDITIONS

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The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.

Tetra Tech reserves the right to share this Report and any related materials, surveys, drawings and/or documents at any time with the relevant Local Ecological Records Centre (LERC), any relevant statutory body or any equivalent organisation as Tetra Tech may reasonably require from time-to-time.

The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. Tetra Tech accept no liability for issues with performance arising from such factors.

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APPENDIX B: PLANNING POLICY & LEGISLATION

Conservation of Habitats and Species Regulations 2017 (as amended)

This legislation transposes the European Union's Habitat Directive (Directive 92/43/EEC) into UK law. All bat species are listed as European Protected Species under the Habitats Directive, and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended).

The Regulations make it an offence to:

- deliberately capture, injure or kill a wild bat;
- deliberately disturb wild bats; '*disturbance of animals includes in particular any disturbance which is likely*:
  - (a) to impair their ability —
    - (i) to survive, to breed or reproduce, or to rear or nurture their young; or
    - (ii) 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'; and
- damage or destroy a breeding site or resting place used by a bat.

Wildlife & Countryside Act 1981 (as amended)

All bats are protected through inclusion under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and benefit from various levels of protection. This legislation makes it an offence to:

- Intentionally or recklessly kill or injure a bat;
- Possess any live or dead wild bat; or anything derived from such an animal; or
- Sell, offer for sale, possess or transport for the purpose of sale or publish advertisement to buy or sell individual bats.

All bats are also listed under Schedule 5 Section 9.4 which makes it an offence to:

- Intentionally or recklessly damage or destroy, or obstruct access to, any structure or place which a bat uses for shelter or protection; or
- Intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for that purpose.

Under Schedule 5 Section 9.5a, it is an offence to knowingly cause or permit any of the above acts.

Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of Habitats and Species which are of Principal Importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

Seven species of bat are listed under Section 41 of the NERC Act 2006; soprano pipistrelle, brown long-eared bat, greater horseshoe bat, lesser horseshoe bat, barbastelle, Bechstein's bat and noctule.

National Planning Policy Framework

National Planning Policy Framework (NPPF) is the top tier of planning policy. The Framework provides guidance to local authorities and other agencies on planning policy and the operation of the planning system. Section 15 relates to 'Conserving and enhancing the natural environment'.

Relevant policies in relation to planning application include Paragraphs:

"180. Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) 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); b) 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; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) 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 f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

185. To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and

local partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

186. When determining planning applications, local planning authorities should apply the following principles: a) 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; b) 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; c) 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 d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around

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developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate." .– see here for full details:

a) https://www.gov.uk/guidance/national-planning-policy-framework

Local Biodiversity Action Plan (LBAP)
Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level) and are usually drawn up by a consortium of local Government organisations and conservation charities. Some LBAP's may also include Habitat Action Plans (HAP) and/or Species Action Plans (SAP), which are used to guide and inform the local decision-making process.

Copeland Borough. Chapter 7 of the adopted Local Plan for Copeland (LPC) (2013 – 2028)	
Policy ENV3 – Biodiversity and Geodiversity	The Council will contribute to the implementation of the UK and Cumbria Biodiversity Action Plan within the plan area by seeking to: A. Improve the condition of internationally, nationally and locally designated sites B. Ensure that development incorporates measures to protect and enhance any biodiversity interest C. Enhance, extend and restore priority habitats and look for opportunities to create new habitat D. Protect and strengthen populations of priority or other protected species E. Boost the biodiversity value of existing wildlife corridors and create new corridors, and stepping stones that connect them, to develop a functional Ecological Network F. Restrict access and usage where appropriate and necessary in order to conserve an area's biodiversity value
Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species	A. All development proposals should: i) Protect the biodiversity value of land and buildings ii) Minimise fragmentation of habitats iii) Maximise opportunities for conservation, restoration, enhancement and connection of natural habitats and creation of habitats for species listed in UK and Cumbria Biodiversity Action Plans. Special consideration should also be given to those European habitats that lie outside the boundaries of European designated sites B. Development proposals that would cause a direct or indirect adverse effect on locally recognised sites of biodiversity and geodiversity importance, including County Wildlife Sites, Local Nature Reserves and Regionally Important Geological/Geomorphological Sites or protected species will not be permitted unless: i) The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats, and; ii) Prevention, mitigation and/or compensation measures are provided. An appropriate long-term management plan will be sought and arrangements to provide adequate funding will be made in accordance with a formal planning agreement or obligation C. Where compensatory habitat is created, it should be of equal or greater size than the area lost as a result of the development D. Development proposals where the principal objective is to conserve or enhance biodiversity or geodiversity interests will be supported in principle E. Where there is evidence to suspect the presence of protected species any planning application should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs F. All development proposals must take into account any likely significant effects on the internationally important sites both within the Borough and within a 20km radius of the Borough boundary as well as those that are hydrologically linked to the development plan area