



RIBBLE VALLEY
BOROUGH COUNCIL

DIRECTOR OF
PLANNING

13 JUN 2010

FOR THE
ATTENTION OF

For office use only

Application No.

Date received **320100533P**

Fee paid £

Receipt No:

Council Offices, Church Walk, Clitheroe, Lancashire. BB7 2RA Tel: 01200 425111 www.ribblevalley.gov.uk

Householder Application for Planning Permission for works or extension to a dwelling
Town and Country Planning Act 1990

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website

If you require any further clarification please contact the Authority's planning department

1. Applicant Name, Address and Contact Details

Title:	Mr	First name:	Nicholas	Surname:	Wood	
Company name:						
Street address:	Withgill Lodge			Country Code	National Number	Extension Number
	Withgill Fold			Telephone number:		
	withgill			Mobile number:		
Town/City:	Clitheroe			Fax number:		
County:	Lancashire			Email address:		
Country:						
Postcode:	bb7 3lw					
Are you an agent acting on behalf of the applicant? ☒ Yes ☐ No						

2. Agent Name, Address and Contact Details

Title:		First Name:	neil	Surname:	andrews	
Company name:	stanton andrews					
Street address:	44			Country Code	National Number	Extension Number
	York Street			Telephone number:	01200	444490
				Mobile number:		
Town/City:	Clitheroe			Fax number:		
County:	Lancashire			Email address:		
Country:						
Postcode:	BB7 2DL			neil@stantonandrews.co.uk		

3 Description of Proposed Works

Please describe the proposed works:

alterations and extension to existing dwelling. Works include the removal of existing previous extensions and outbuildings, plus the representation of the existing 2 storey house. Proposed extensions provide a lounge, kitchen/dining room, additional bedrooms, plus ancillary accommodation.

Has the work already been started without planning permission? ☐ Yes ☒ No

4. Site Address Details

Full postal address of the site (including full postcode where available)

Description:

House:		Suffix:	
House name:	WITHGILL LODGE		
Street address:	WITHGILL FOLD		
	WITHGILL		
Town/City:	CLITHEROE		
County:			
Postcode:	BB7 3LW		

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	370757
Northing:	440930

5 Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle
access proposed to or from
the public highway?

☐ Yes ☒ No

Is a new or altered pedestrian
access proposed to or
from the public highway?

☐ Yes ☒ No

Do the proposals require any
diversions, extinguishment and/or
creation of public rights of way?

☐ Yes ☒ No

6. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

7. Trees and Hedges

Are there any trees or hedges on your own property or on adjoining properties which are within
falling distance of your proposed development?

☐ Yes ☒ No

Will any trees or hedges need to be removed or pruned in order to carry out your proposal?

☐ Yes ☒ No

8 Parking

Will the proposed works affect existing car parking arrangements?

☒ Yes ☐ No

If Yes, please describe:

proposed entrance court to accommodate parking

9. Authority Employee/Member

With respect to the Authority I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

10. Site Visit

Can the site be seen from a public road public footpath bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit whom should they contact? (Please select only one)

☐ The agent ☒ The applicant ☐ Other person

11. Materials

Please state what materials (including type colour and name) are to be used externally (if applicable):

Walls - description:

Description of *existing* materials and finishes:

render, brickwork, timber, stone

Description of *proposed* materials and finishes:

render and stone

11. (Materials continued)

Roof - description:

Description of *existing* materials and finishes:

slate

Description of *proposed* materials and finishes:

slate

Windows - description:

Description of *existing* materials and finishes:

upvc

Description of *proposed* materials and finishes:

polyester powder coated aluminium

Doors - description:

Description of *existing* materials and finishes:

upvc

Description of *proposed* materials and finishes:

timber, polyester powder coated aluminium

Boundary treatments - description:

Description of *existing* materials and finishes:

stone

Description of *proposed* materials and finishes:

stone

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement?

☒ Yes ☐ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

drawing number 919/15

12. Certificates (Certificate A)

Certificate of Ownership - Certificate A

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates.

Title: Mr First name: neil Surname: andrews

Person role: Agent

Declaration date: 15/06/2010

☒ Declaration made

12. Certificates (Agricultural Land Declaration)

Agricultural Land Declaration

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is or is part of an agricultural holding ☒

(B) I have/The applicant has given the requisite notice to every person other than myself/the applicant who, on the day 21 days before the date of this application was a tenant of an agricultural holding on all or part of the land to which this application relates as listed below: ☐

If any part of the land is an agricultural holding, of which the applicant is the sole tenant the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

Title: Mr First Name: neil Surname: andrews

Person role: Agent

Declaration date: 15/06/2010

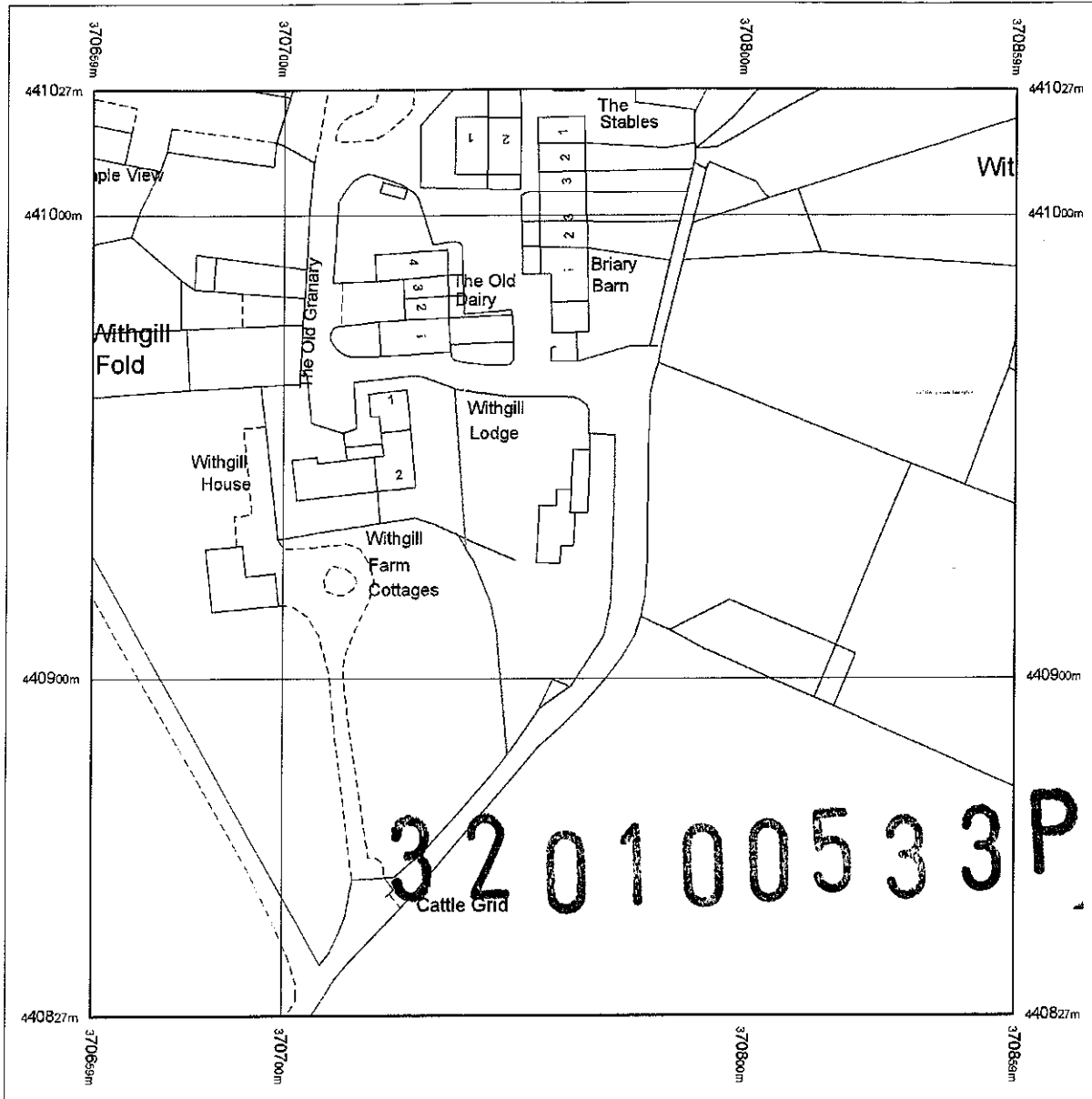
☒ Declaration Made

13. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information



Date 15/06/2010



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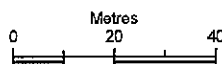
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The representation of features as lines is no evidence of a property boundary

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Scale 1:1250

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Centre coordinates: 370758 75 440927 25

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w stantonandrews.co.uk

mr and mrs wood
withgill lodge

location plan

9.19/01
no 1 to 1000A3
date 10

withgill lodge
withgill fold

design and access statement
june 2010

320100533P

withgill lodge

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Introduction

This design and access statement seeks to demonstrate that the proposal has undergone a formal and thoughtful design process and that the scheme proposed is a response to site context, access into and within and that a sustainable approach has been adopted.

The statement also demonstrates that the proposed development has been assessed for compliance with prevailing national and local planning policy.

Location

Withgill Lodge is on the southeastern edge of Withgill Fold, a hamlet of 20 or so properties to the north west of Clitheroe.

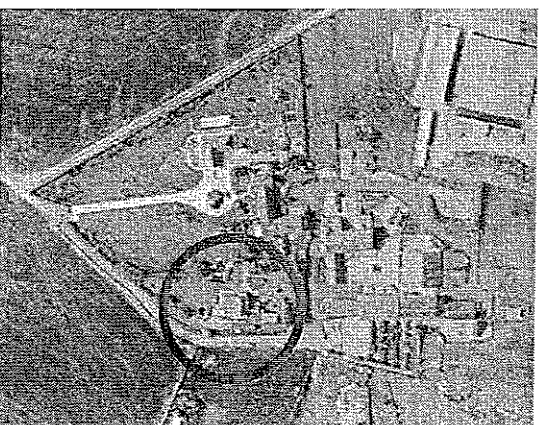
Withgill Fold largely comprises stone farm buildings converted in the 1980's and 1990's.

It is believed that Withgill Lodge was constructed as a house in the early 1900's. During the intervening years it has been much extended and altered.

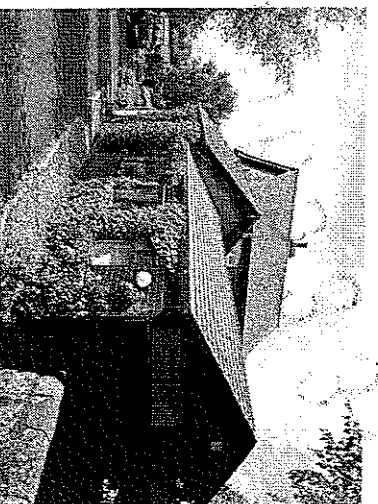
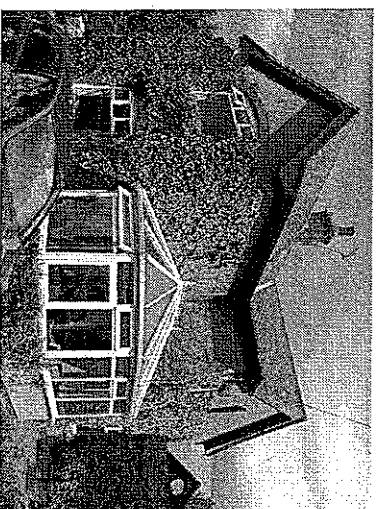
Application

This planning application includes for the alteration and extension of the existing Withgill Lodge. It aims to address the shortcomings of the existing building and its site, and creates a family house suited to modern living.

The works are as illustrated on drawing numbers 919/01, 02, 03, 04, 05, 14 and 15 inclusive.



aerial view



existing house

withgill lodge

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Planning policy
Ribble Valley Borough Council's local plan confirms the site of Withgill Lodge to be covered by policies ENV3 and G5.

Amongst other matters Policy ENV3 states :-

"In the open countryside outside the AONB and areas immediately adjacent to it, development will be required to be in keeping with the character and landscape area and should reflect local vernacular, scale, style, and building materials. Proposals to conserve, renew and enhance landscape features, will be permitted, providing regard has been given for the characteristic landscape features of the area".

Additionally Policy G5 states :-

"this policy recognises the need to protect the countryside from inappropriate development. In doing so, it must be accepted that the countryside is a working area and a source of many Ribble Valley residents' livelihoods. As such it is subject to change and to development pressures. If properly managed, these can be accommodated without harming the basic character of the area"

Involvement

The nature of this application has not necessitated obtaining pre-application advice from the Council.

Existing

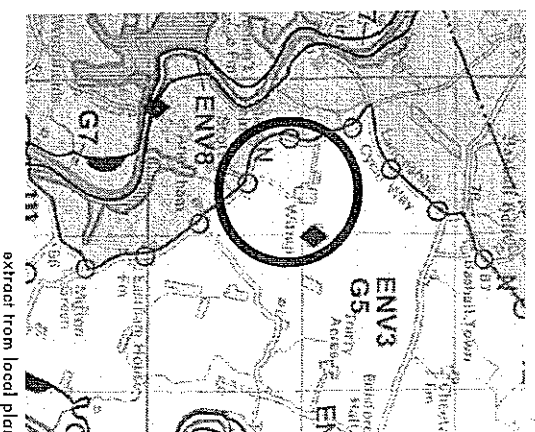
The site of Withgill Lodge is 0.2 hectares.

The main access drive feeding Withgill Fold runs parallel to Withgill Lodge. Site access is currently available to both the north and south of the site - this gives the house and its site a schizophrenic character (how do you approach and where is the entrance?).

The house has been much extended and altered over the years, with numerous sprawling additions. These create an incoherent appearance to the building.

The internal arrangement of is poorly laid out, with a maze of small rooms ill suited to modern family living.

The fabric of the building is also showing its age, with decaying windows, falling render and poorly insulated walls.



extract from local plan



existing house

Withgill Lodge

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The proposals allow for the extension of the house, creating a property more suited to its site. The existing building has a footprint area of 178sqm, whilst the proposed house has an area of 260sqm.

Ribble Valley Borough Council's Supplementary Planning Guidance documentary for 'extensions and alterations to dwellings' states :-

"The size of an extension is an important consideration. Over-large extensions can dominate the original building, they are more likely to harm the amenities of neighbours. The development should be appropriate to the plot size and not result in a cramped appearance. This does not mean that large extensions will be automatically refused. They do however need to be carefully considered. As a rule of thumb avoid schemes which increase the size of the original dwelling by in excess of a 75% increase in floor area"

The guidance offered for extensions to 'small rural dwellings' in the open countryside can not be considered appropriate for the original property or its site. The guidance also states :-

"In considering applications for sites on the fringe of a settlement or with close visual linkages to settlements the 33% figure may be relaxed to a degree. This will be assessed on the merits of the individual case"

The proposed extension results in an increase of approximately 45%. The design addresses the sprawl of the current building and uses architectural devices (such as the garden walls and gable module) to visually minimise its size. The proposed building can not be considered to be inappropriate for this 0.2 hectare site.

withgill lodge

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Site layout

The current property has a 27m long frontage to the main access road to Withgill Fold. This existing frontage is disparate arrangement of upvc, render and timber blocks. The proposed frontage tidies this elevation, reducing its length to 15.3m (a 11.7m reduction).

The proposal address and overcome the confusion with the existing site arrangement by defining an entrance to the site and the building.
A new 'public' entrance court is created constrained by the building and a new garden wall. The removal of the original through-site driveway allows the creation of a proper setting with gardens for the house.
A protected 'Kitchen garden' is sited to the northwest of the site, with immediate access from the new kitchen.
The family garden is positioned to the south of the site, enclosed by the reinstatement of the stone boundary wall.

Building Layout

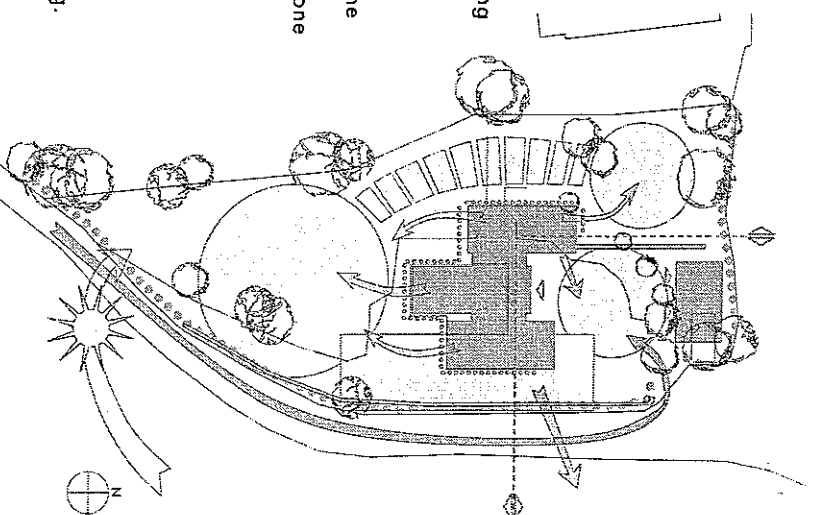
Internal circulation has been rationalised, addressing the confused internal planning of the original property.
Accommodation has been designed to provide a house suited to modern living, and tailored to the applicants family.
Windows and external doors improve connection between the house and its garden and setting.

Appearance

The proposed building picks up on the prominent gable module of the existing building, using this as a generator for the development.
The new kitchen/dining block is understated, largely hidden behind the new stone garden wall.

Windows are positioned to encourage use of the gardens and appreciation of views of the setting (and of Pendle Hill).

Materials will respond to the existing building with render, stone and slate.
The walls will be externally insulated and rendered, helping to address the poor environmental performance of the existing fabric.
The existing roof structure is to be over-insulated (again to address the failings of the existing building) then finished in slate.



with good

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Summary

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2010

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Protected species

Earthworks Environmental Design undertook a daylight survey on Monday 10th May 2010, and an evening emergency survey on Friday 28th May 2010. These surveys showed bat activity at the property, and revealed evidence of bats roosting activity within the roof void.

Earthworks Environmental Design stated the works are 'likely to cause disturbance to roosting bats', however careful timing will significantly reduce the impact of a development. The timing of the works and associated mitigation procedures will fully adhere to the recommendations of this report to minimise any possible impact.

Access

Access to Withgill Lodge is from the main access road to Withgill Fold, linking through to B6243 New Lane.

Site access is via an existing entrance gateway, as such remains unaltered. A second existing access (to the south of the site) is to be removed. Handstanding can provide for a minimum of 3 cars.

The proposals will comply with the following regulations:

1. 2000 and 2004 revisions of Part M of the Building Regulations
2. Disability Discrimination Act 1995 BS8300:2001 Design of Buildings and their approaches to meet the needs of disabled people.
3. Code of Practice: Planning and access for disabled people a good practice guide 2003.

The main entrance door will have a level threshold, leading through to the main ground floor accommodation.
At this level, a wc/shower room has been provided.

Emergency services

Site access and egress for the fire services vehicles has been based on the guidance in the Building Regulations Part B 2006 edition.

The building does not have a storey above 11m and a floor area in excess of 2000sqm, hence vehicle access is required to within 45m of every point within the building.

earthworks environmental design

9 POORSLAND BARN, SLAIDBURN, CLITHEROE, LANCASHIRE, BB7 3AE
01200 446859 M: 07709 225783 EARTHWORKSUK@YAHOO.CO.UK

FAO: Charles Stanton

Stanton Andrews Architects
44 York Street
Clitheroe
BB7 2DL

320100533P

3 June 2010

Ref: B 759

Dear Mr Stanton

Protected Species survey (Bats) at: Withgill Lodge, Withgill Fold, Clitheroe, Lancashire. BB7 3LW

You have requested an inspection of the above named property to undertake a bat and barn owl inspection as a condition of an application to Ribble Valley Borough Council for proposed building alterations requiring re-roofing operations. The existing property is shown in figures 1 to 9 of the report.

An initial scoping survey and daylight inspection (bats) was carried out on Monday 10 May 2010. An additional evening emergence survey was carried out on Friday 28 May to assess bat activity at the property and over the adjacent site.

There is clear evidence of bat roosting activity within the enclosed roof voids and any future work affecting the roof and roof voids on this property will require careful mitigation to ensure that bats and their roosts are not disturbed, damaged or destroyed. Although it is unlikely that protected species (bats) are using the building as a primary maternity roost site, it is likely that pregnant females or females with pups are sometimes present during the main breeding period (May to August/September).

The overall conservation significance of the building for bats is currently moderate to high, as defined by Natural England – Bat Mitigation Guidelines, 2004, A.J. Mitchell-Jones). There is a moderate to high risk of disturbing roosting or resting bats at this site during the proposed development phase therefore it is essential that mitigation procedures are in place before any development work begins. Any disturbance to bats during the critical summer breeding season or destruction of the roost would certainly require a licence from Natural England; careful timing of the work is absolutely essential at this property.

Additional evening emergence and/or dawn re-entry surveys are not recommended but you should arrange for a pre-development inspection of the roof voids to ensure there are no bats present at the roost and a final monitoring inspection at the end of the building work. It is a legal requirement that procedures are in place to mitigate for the potential impact on bats and to ensure there is '*no adverse effect on the favourable conservation status of a bat population*'.

I also attach further information regarding protected species and the planning process and bat legislation at the end of the report. Please note, I do not supply a copy of the report to the local authority, therefore it is your responsibility to forward a copy to RVBC in support of the planning application.

Yours sincerely

David Fisher

PROTECTED SPECIES SURVEY (BATS)

Proposed building alterations and re-roofing work at WITHGILL LODGE, WITHGILL FOLD.

Survey methodology

The surveys were carried out by David Fisher - EED (Natural England licence No: 20093056, Conservation, Science and Education). A full daylight inspection was carried out on Monday 10 May 2010 between 08.30 and 10.30. The weather at the time of the scoping survey dry (maximum temperature: 4°C), with overcast conditions and light N wind. (cloud cover: 8/8).

A second survey was carried out on Friday 28 May 2010 between 20.45 and 23.30 to re-inspect the roof voids and assess emergence and bat activity around the property. The weather conditions during the dusk survey were optimal, temperature: 8°C, nil wind and clear sky (cloud 0/8).

The aim of a bat survey is to make an assessment of the potential value of the site for European Protected Species and to establish whether bats or barn owls (*Tyto alba*) have been active within the property that will be affected by the proposed building operations. The initial scoping survey and site inspection included both external and internal assessments of the building; all areas of the property were fully accessible enabling a full and detailed examination of the structure.

A desk study including data search has been undertaken to support the survey findings. A local data search (East Lancashire Bat Group/EED) has shown no records for this particular site.

The survey methodology follows the monitoring guidelines recommended by the Bat Conservation Trust (BCT – *Bat Surveys, Good Practice Guidelines, 2007*), Natural England (*Survey Objectives, Methods and Standards as outlined in the Bat Mitigation Guidelines, 2004*) and Survey and Monitoring Methods, (*Bat Worker's Manual, JNCC, 2004*). Barn owl guidelines are those recommended by Natural England, *Barn Owls on Site – A guide for developers and planners, March 2002*.

Non-intrusive survey methods were used to assess the use of the property by bats. The search was made using high-powered lamps (Clu-lite 1,000,000 candle power), close-focussing binoculars (Leica Trinovid) and digital camera (Kodak MD41) and 900mm flexible endoscope (ProVision 300) to view all likely areas of the buildings for the presence of bats, ie. droppings and urine and grease staining, feeding remains such as discarded moth and butterfly wings, and other insects fragments typically found in a feeding and resting area.

Evening emergence and flight activity was monitored using ultrasonic bat detectors. Two types of device were used to record echolocation calls: (1) Batbox Duet using both heterodyne and frequency division and (2) Anabat SD2 CF detector with a PDA – (HP IPAQ hx2490 pocket PC pre-loaded with Anabat software); headphones were used throughout the survey.

The Duet bat detector was set at 47kHz to monitor a range of species likely to be present within the recording area. Observations were made by walking around the building at intervals and using a static recording device (SD2) located close to the SE elevation.

Both surveys were undertaken during the optimal survey period for breeding bats. The emergence survey began 40 minutes before sunset and continued 95 minutes after sunset (BST).

Personnel

The survey was carried out by David Fisher (Earthworks Environmental Design) - an experienced consultant with 25 years experience of bat ecology and wildlife surveys and a Natural England licence holder since 1990; current NE licence No: 20093056, (Conservation, Science and Education).

Description of the property

The property is a detached house (circa. late Victorian / early 20C) with a number of extensions added at various times (figures 1 – 3). The main (original) house is a two storey building with brick cavity wall construction with rendered external walls and two hipped roofs with enclosed roof voids. The slate and batten roofs have a standard rafter with purlin construction (figures 6 and 7) and the roofing material is back pointed and unlined. There is a glass fibre insulation material present over the ceiling joists (figure 9).

The main voids are separated by a low brick partition wall; both areas are relatively large-volume voids with few trusses or spars providing reasonable access. The voids are relatively clean, dry and well-ventilated although there are moderate accumulations of dust and debris consistent with a property of this age. Bat droppings are present throughout the roof voids with accumulations are concentrated beneath the ridge boards (figure 9).

A side extension (The Lodge) has brick cavity wall construction and is rendered and pebble-dashed (fig 3) this building has a pitched slate with batten roof and enclosed roof void in addition to a suspended ceiling with a second shallow void over the ceiling. The void is relatively clean and free from debris although there are cluster fly present and mouse droppings within the two voids. To the rear of the building are two small extensions with mono-pitch slate roofs with one small enclosed void. There is no evidence of bat droppings in these any of these areas. Additionally there is a small kitchen extension with mono-pitch slate roof and there is no enclosed roof void (figure 4).

Attached to the Lodge is a timber chalet (figure 3) with pitched timber roof (cedar shingles) and timber frame construction with T & G panelled walls; there is no enclosed roof void in this building.

A conservatory/sun lounge with uPVC frames and sealed unit windows is attached to the front elevation.

Location and habitat description

The property is located at Withgill Fold 2.5km west of Clitheroe at NGR: SD 707,409 at an elevation of approximately 95m. The property is in rural location and is surrounded by open countryside with improved grassland (B4 – Phase 1 habitat category); Withgill Farm is nearby and there are several domestic properties within 100m of the site. The house is set within mature gardens and there are a number of mature broadleaved and conifer trees in the garden and at neighbouring properties.

The nearest extensive broadleaved woodland is within 850m bordering the River Hodder; the river has extensive riparian woodland along its course including areas of broadleaved semi-natural woodland (A.1.1.1 – Phase 1 habitat category). The nearest open water is the River Hodder located 600m to the west below Sagar Fold. The River Ribble is located approximately 1.5km to the south-east at Siddows. Both river valleys provide high-value feeding, foraging and commuting habitat for bats.

The landscape around the property is relatively open and to some extent exposed although there are small shelter belts, small woodlands and hedgerows providing some shelter for feeding and some degree of habitat connectivity. Some of the neighbouring properties have large gardens with mature trees and shrubs.

Constraints

There is no external evidence of bat activity at the property; in many cases the evidence of bats (droppings and urine spots) is often quickly lost through the action wind and rain and in some cases is completely absent despite significant or regular bat activity.

Many crevice-seeking bat species such as pipistrelles, whiskered/brandt's (and too some extent long-eared bats and natterer's bats) can remain unseen beneath roofing materials, ridge tiles and fascia soffits despite careful searching; significant features with bat roost potential are clearly identified in the report.

All bat records obtained during the data trawl (Appendix A) are likely to be indicative of the species found within the area. Any absence of records however, does not imply that bat species are not present within the recording area.

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All bat records obtained during the data trawl (Appendix A) are likely to be indicative of the species found within the area. Any absence of records however, does not imply that bat species are not present within the recording area.

There is clear evidence of bat activity within the two roof voids. There are accumulations of bat droppings beneath the line of the ridge boards indicating that bats are roosting at the intersection of the rafters with the ridge board. Bats have roosted at intervals along the ridge and there are grease markings and stains on the timbers (figure 8). Bats have used favoured roosting sites within the roof over a considerable period and it is likely that the species has been seasonally active over many years.

The age of the building, the location and evidence of roosting activity is consistent with the natterer's bat (*Myotis nattereri*); although this is a relatively common and widespread species in the Forest of Bowland, its distribution tends to be locally common throughout the lower Hodder Valley and roosts within buildings tend to be found buildings over 100 years old with unlined slate roofs and large volume open structure roof voids.

The volume of droppings in the roof areas indicates roosting by small numbers of bats over many years (size class: 5 – 10 bats); although many of the droppings were relatively old (ie. accumulated over a number of years), fresh droppings were also present, indicating activity within recent weeks or months. The use of the voids is likely to be seasonal (May to October) in nature and hibernation at the site is unlikely. Roosting is restricted to short sections of the ridge board, largely between about six rafters; regular roosts are clearly visible where there are no accumulations of spider webbing.

The type of roost is less easily defined, it is likely that this roost is used only occasionally as a satellite or as a minor nursery roost. Bats tend to be highly mobile animals and are able to move between roosts quickly and easily even when young are present. Although no bats were visible on either visit, it is likely that small numbers of bats are regularly active.

The evening survey did not confirm emergence by natterer's bats from the roof but did record foraging activity by this species in the garden beside the house. The nearest known breeding colony of natterer's bat is 1.1km west at grid reference SD697,411 and bats are regularly recorded at hibernation sites along the River Hodder within the district.

There is no evidence of roosting bats in any other part of the property.

Evening emergence survey results

The survey was undertaken during optimal dusk survey conditions and despite low air temperatures due to clear skies there was an abundance of aerial food; 5 species of bats were recorded during the survey:

- (i) Natterer's bat (*Myotis nattereri*)
- (ii) Whiskered bat (*M. mystacinus*)
- (iii) Noctule bat (*Nyctalus noctula*)
- (iv) Common pipistrelle (*Pipistrellus pipistrellus*)
- (v) Soprano pipistrelle (*P. pygmaeus*)

First bat activity was recorded at 22.10 with foraging soprano pipistrelle. A commuting noctule bat was recorded high over the site at 22.16. Common pipistrelle were active from 22.28 around the house and garden and several foraging/feeding whiskered bats were within and around the garden from 22.30. The first natterer's bat was active from 22.55.

Echolocating bats were recorded throughout the survey using an SD2 Anabat recorded with PDA and headphones. A Heterodyne detector was also used to confirm bat presence and activity. Bats were seen and heard at close range and the surveyor has confidence in the results that were obtained. In general terms the property has moderate feeding and foraging potential for several species of bats and it is reasonable to assume that bats are occasionally or sporadically active within the roof voids of this property.

Significantly, no bats were seen emerging from any part of the property.

The survey ended at 23.00, more than 90 minutes after sunset (BST).

A number of bats are regularly active within the two main roof voids; the most likely species at this site is the natterer's bat; although bats were not visible at the time of the visits, bats have been active within recent weeks or months and there is evidence that bats have roosted here for many years.

Use of the roof voids tends to be seasonal between May and September although bats can be active throughout the autumn period and this may sometimes extend well beyond September during very mild weather. The maximum number of bats using the site is unlikely to exceed 10 bats and normally only solitary bats or very low numbers of bats (less than 5) may be present.

The conservation significance of this building is moderate¹. (ie. maternity site of common species)

The value of habitat features within the immediate landscape and the wider district for bats is moderate².

The likely scale of the impact of the development on local bat populations is low to moderate³

¹ Guidelines for proportionate mitigation, BMG 2004.

² Guidance for assessing the value of habitat features – Bat Surveys, Good practice Guidelines, BCT, 2007

³ The scale of main impacts at site level on bat populations – BMG.

Using current 'good practice guidelines' to assess the level of survey effort that is required at the property it is recommended that further survey work is not required at this site and building works and the proposed re-roofing work should proceed with reasonable caution and vigilance for the unexpected presence of isolated roosting or resting bats at the recommended time of year, avoiding the critical summer breeding period.*

*(p24 - Flow chart depicting the process for deciding what level of survey is necessary, BCT Bat Surveys, 2007)

Data search

NBN (10km squares SD64/74) uses mammal datasets (*Terrestrial mammals – Chiroptera*) provided by the Bat Conservation Trust (*National Bat Monitoring Programme – Colony Counts Survey and Daubenton's Bat Waterway Survey*), Natural England's Bat Sites Inventory for England, Mammal Records for Britain (Mammal Atlas 1993 with additions), and some local and regional biological record centres including North and East Yorkshire Ecological Data Centre and North Yorkshire Bat Group.

There are no records for bat activity at this location or within close neighbouring/adjacent properties although several significant breeding (maternity) roosts and hibernation sites of natterer's bat, whiskered bat and pipistrelle species are known throughout the (10km square) district.

Additionally it is worth recording that research carried out by East Lancashire Bat Group and the Bowland Kilns and Caves Research Group has shown a significant distribution bias of natterer's bats along the Hodder Valley and its catchment.

Based on NBN and other data sets, the following species are known to occur within the 'wider district' (ie. 10km squares SD64 and 74):

- Natterer's bat, (*Myotis nattereri*)
- Whiskered (*M. mystacinus*)
- Brandt's bat (*M. brandtii*)
- Daubenton's bat, (*M. daubentonii*)
- Brown long-eared bat, (*Plecotus auritus*)
- Common pipistrelle, (*Pipistrellus pipistrellus*)
- Soprano pipistrelle, (*P. pygmaeus*)
- Noctule bat, (*Nyctalus noctula*)
- Lesser horseshoe bat (*Rhinolophus hipposideros*)

Summary

The proposed building alterations and re-roofing operations on this building **is likely to cause disturbance** to roosting bats or result in the loss of a known bat roost or cause injury or death of a European Protected Species – Bats.

Mitigation is required at this site to reduce or eliminate the potential impact of the development on protected species. Careful timing of operations can significantly reduce the impact of a development on protected species. Where the likely impacts on bats and their roosts can be avoided or eliminated altogether, the Habitat Regulations have not been contravened and a mitigation licence is not required. A licence simply permits an action that is otherwise unlawful.

A pre-development inspection is strongly recommended before any work is carried out; both main roof voids should be inspected by a qualified surveyor/ecologist for the presence of bats. A development should not proceed if bats are found to be present. To avoid unnecessary delays you are advised to plan well ahead.

As the developer you should be mindful of your responsibilities towards protected species (all bats). The destruction of a bat roost is an absolute offence under the Conservation (Natural Habitats &c.) (Amendment) Regulations 2007. The onus lies with the applicant to satisfy himself that no offence will be committed if the development goes ahead.

Species protection legislation applies even when planning consent has been granted.

SUPPORTING IMAGES

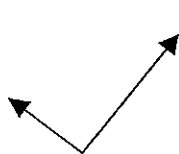


Fig 1. Likely bat access points



Fig 2. Likely bat access points



Fig 3.



Fig 4

Fig 5.

Fig 6

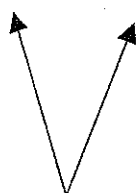


Fig 7. Likely bat access points at apex



Fig 8. Grease staining on ridge board



Fig 9. Droppings below ridge board

Impacts and Mitigation

The Bat Mitigation Guidelines define mitigation and compensation as “...measures to protect the bat population from damaging activities and reduce or remove the impact of development”. Mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species or damage to a roost or nest. Compensation for the loss of breeding or resting places is normally required where there is clear evidence of bat activity; this often takes the form of roost creation, restoration or enhancement.

The aim of a mitigation plan (see mitigation notes below) is to ensure there are ‘no adverse effects on the favourable conservation status of a bat population’ before and during the proposed building alterations.

MITIGATION PLAN AND METHOD STATEMENT:		
ACTION:	METHOD:	TIMING:
1. Pre-development inspection	Before any building work or disturbance to the main roof voids is planned, you should arrange a final inspection of the void to ensure that no bats are present at the site. The inspection must be carried out by a qualified licensed bat worker or ecologist.	Plan well in advance, arrange for an inspection prior to work commencing.
2. Re-roofing work	Natural England advises developers to undertake essential roof work during the spring and autumn periods when food and alternative roost sites are available to displaced bats. Roofing work should avoid the critical months of May, June, July and August when bats are giving birth and caring for their young;	Recommended roofing operations should be carried out during the Spring - MARCH/APRIL or autumn - SEPTEMBER – OCTOBER / EARLY NOVEMBER AVOID: MAY, JUNE, JULY, AUGUST
3. Removing ridge tiles, roof tiles and roofing battens	Remove all roofing materials carefully by hand and take additional care around the points of the roof apex where bats may have been active. Ridge tiles are frequently used as access points by bats; if you discover accumulations of droppings and/or find a bat under the ridge tiles or slate, re-cover the exposed bat(s) and stop work in that area. Seek advice from BCT before proceeding.	AVOID: MAY, JUNE, JULY, AUGUST
4. Maintain all existing bat access points in apex roofs	It is important that bats are able to return to the roost after the work is completed. Bats remain faithful to roosts for many years and will normally return to a site after the development has been completed.	Roof work and modifications to the roof voids should avoid the period: MAY, JUNE, JULY, AUGUST

5. Timber treatment work and use of chemicals	The use of timber treatments that are toxic to mammals should be avoided. Pre-treated timber should only use the CCA (copper, chrome, arsenic) treatment known as tanalisation. This treatment method appears to present no hazard to bats and the use of pre-treated timber obviates the need for any subsequent in-situ treatment using more hazardous chemicals. Where timber treatment and use of pesticides is required, all products must be approved under the Control of Pesticides Regulations (COPR). All approved fluids must be labelled with an HSE number with statutory hazard warnings and directions for use. Currently the commonly used chemicals are synthetic pyrethroids. Two widely used compounds, permethrin and cypermethrin are not generally very toxic to mammals (although very toxic to fish) and tests have shown that both appear safe for use in bat roosts. The timing of treatment in roofs is critical and may vary according to the species known to be present. As with major roofing work, pesticides should only be applied during the spring and autumn periods, thus avoiding the main breeding and hibernation periods. If in doubt you should consult the manufacturer before any treatment is considered.	Recommended roofing during Spring- MARCH/APRIL or autumn – AUGUST – OCTOBER / EARLY NOVEMBER. AVOID: the critical months of: MAY, JUNE, JULY and AUGUST
6. Accidental exposure of bats	In the unlikely event of bats being exposed or vulnerable to harm, all work in that area must stop immediately. Cover the exposed bats to reduce further risk of harm and seek further advice by calling the Bat Conservation Trust (BCT) helpline on 0845 1300 228. All contractors should be aware of their responsibilities to protected species. If accumulations of droppings are found during the removal of the old roof slates, stop work and seek advice before continuing work in this area.	Stop work immediately if bats are exposed or likely to be disturbed. High risk areas where bats are most frequently found include roof areas particularly under ridge and roof tiles, slates and roofing felt, cavity walls, coping stones and guttering/ box soffits or behind timber fascias, barge boards and claddings.
7. Avoid handling bats	Contractors should avoid handling bats but where there is no alternative, use gloves or a small container to move them to a dark and quiet area, preferably without causing them to fly in daylight	Awareness at all times.
8. Legal protection	Site contractors and project managers should be fully aware of the legal protection afforded all species of bat in the UK and procedures should be in place to mitigate for the potential impact on bats - see notes on 'Bats and the Law' in this report.	Awareness at all times.
9. Further advice	If you require further advice on bats during the proposed building operations or if you find an injured or resting bat, call BCT immediately; they will normally contact a qualified bat worker in the local area who will visit the site and provide further advice free of charge.	
10. Monitoring	Post-development monitoring is required to ensure the work has been completed satisfactorily and ensure bats are able to return to the roost on completion of the work	

Wildlife legislation – Bats and the law

All bat species in the UK receive full protection under the Wildlife and Countryside Act 1981 (amended by the Environment Protection Act 1990). The Countryside and Rights of Way Act 2000 amends the Wildlife and Countryside Act to also make it an offence to intentionally or recklessly damage, destroy or obstruct a place that bats use for shelter or protection. All species of bats are listed on Schedule 5 of the 1981 Act, which makes it an offence to:

- *intentionally kill, injure or take any wild bat.*
- *intentionally or recklessly damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.*
- *intentionally or recklessly disturb any wild bat while it is occupying a structure or place which it uses for shelter or protection.*

The protected status afforded to bats means planning authorities may require extra information (in the form of surveys, impact assessments and mitigation proposals) before determining planning applications for sites used by bats. Planning authorities may refuse planning permission solely on grounds of the predicted impact on protected species such as bats. Recent case law has underlined the importance of obtaining survey information prior to the determination of planning consent¹.

*"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by a development proposal, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*²

All British bat species are included in Schedule 2 of the Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007, (also known as Habitats Regulations) which defines 'European Protected Species' (EPS).

¹ Bat Mitigation Guidelines, AJ Mitchell Jones, Joint Nature Conservation Committee, (2004) ISBN 1 86107 558 8

² Planning Policy Statement (PPS9) (2005), Biodiversity and Geological Conservation. ODPM.

Protected species (Bats) and the planning process¹

For development proposals requiring planning permission, the presence of bats, and therefore the need for a bat survey, is an important 'material planning consideration'. Adequate surveys are therefore required to establish the presence or absence of bats, to enable a prediction of the likely impact of the proposed development on them and their breeding sites or resting places and, if necessary, to design mitigation and compensation. Similarly, adequate survey information must accompany an application for a Habitats Regulations licence (also known as a Mitigation Licence) required to ensure that a proposed development is able to proceed lawfully.

The term 'development' [used in these guidelines] includes all activities requiring consent under relevant planning legislation and / or demolition operations requiring building control approval under the Building Act 1984.

Natural England (Formerly English Nature) states that development in relation to bats "covers a wide range of operations that have the potential to impact negatively on bats and bat populations. Typical examples would be the construction, modification, restoration or conversion of buildings and structures, as well as infrastructure, landfill or mineral extraction projects and demolition operations".

¹ 2.2.3 - Planning for development, Bat Surveys, Good Practice Guidelines, BCT (2007). (Mitchell-Jones, 2004)

Other references and contacts:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 15 Cloisters House, 8 Battersea Park Road, London, SW8 4BG, 0845 1300 228

Clarification of the legal duty of Local planning Authorities' to European Protected species: High Court Judgment June 2009: (Wooley v Cheshire east Borough Council) - Bat Conservation Trust

Defra Circular 01/2005 (to accompany PPS 9) - Department for Environment, Food and Rural Affairs. www.defra.gov.uk

Natural England, 1 East Parade, Sheffield, S1 2ET, Enquiry Service: 0845 600 3078 enquiries@naturalengland.org.uk

National Planning Policy - PPS 9, Biodiversity and geological Conservation, ODPM Circular 06/2005