



Graeme Thorpe,
Planning Department,
Ribble Valley Borough Council

Phone: (01772) 5 34171
Fax: (01772) 533423
Email: john.jones@lancashire.gov.uk
Your ref: 11/0417
Our ref: 3/E1/JJ
Date: 5th July 2011

Dear Mr Thorpe,

Ecological comments
Planning Application No: 03/11/0417
Proposals: Annex Building
Location: Clerk Laithe Barn
District: Ribble Valley

Thank you for your consultation in respect of the above planning application.

RECOMMENDATIONS

The following matter will need to be addressed before the application is determined:

- On the basis of the information submitted with the planning application, I am unable to determine whether or not the proposed development would affect any features within the existing building that have potential to support roosting bats. If any such feature would be affected, then a bat survey would need to be undertaken before the application is determined. If roosting bats would be affected, then Ribble Valley Borough Council will need to have regard for the requirements of the Habitats Directive in reaching a planning decision. I will be able to provide further advice on this matter following receipt of a bat habitat assessment and any necessary bat survey data.

If the above matter can be adequately addressed and Ribble Valley Borough Council is minded to approve the application **planning conditions are recommended to address the following matters:**

Jo Turton • Executive Director for the Environment
Environment & Public Protection Services • Environment Directorate
PO Box 100 • County Hall • Preston • PR1 0LD



- Any works that may affect nesting birds will be avoided between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.
- Working methods shall ensure that impacts on Newton North Roadside Verges Biological Heritage Site (BHS 65SE06) are avoided (for example damage resulting from vehicle movements or storage of materials).

The applicant should be made aware of the following matters:

- Licences from Natural England may be required if protected species such as bats would be affected.

JUSTIFICATION FOR RECOMMENDATIONS

1. LEGISLATION AND PLANNING POLICY

In determining this application, the requirements of the following legislation, planning policies and guidance should be addressed:

- The Conservation of Habitats and Species Regulations 2010.
- The Wildlife and Countryside Act 1981 (as amended).
- The Natural Environment and Rural Communities Act 2006.
- Planning Policy Statement 9: Biodiversity and Geological Conservation.
- Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within The Planning System (DEFRA 01/2005, ODPM 06/2005).
- North West of England Plan Regional Spatial Strategy to 2021, Policies EM1 and DP7.
- Environmental Protection / Nature Conservation policies of the Local Plan and LDF.

Further information is required and planning conditions are recommended in order to ensure that the proposed development would comply with the above.

2. DESIGNATED SITES

Biological Heritage Sites

The application area is immediately adjacent to Newton North Roadside Verges Biological Heritage Site (BHS 65SE06). Whilst the footprint of the development does not impinge on these verges, they could potentially be damaged by vehicle movements or storage of materials. A planning condition is therefore recommended to ensure that such damage is avoided.

3. PROTECTED SPECIES

DEFRA Circular 01/2005 states that if protected species are reasonably likely to be present and affected by the proposed development, then a survey/assessment to establish the presence or absence of protected species and the extent that they may be affected by the proposed development needs to be undertaken before planning permission is granted.

Before the application is determined, it therefore needs to be established whether or not any features with the potential to support roosting bats would be affected. If so, then a bat survey will need to be undertaken to inform the planning decision. If bats would be affected, then the planning authority will need to have regard for the requirements of the Habitats Directive.

The above comments are based on a review of documents submitted with the planning application as well as a review of ecological records, maps and aerial photographs held by Lancashire County Council.

I hope these comments are helpful.

Yours sincerely,

John Jones
Ecologist
Lancashire County Council