

TREE IMPACT AND PROTECTION REPORT	
Site:	Oak Bank Farm, Stoneygate Lane, Ribchester, Lancashire, PR3 3YN
Site Visit Date:	24 June 2011
Report Date:	30 June 2011
Prepared By:	Phill Harris – Chartered Arboriculturist
Report Ref:	BTC217
Agent for Client:	Gary Hoerty Associates Ltd
Approved Planning App. No.	3/2010/0980 of 28 March 2011

Introduction and Rationale. Bowland Tree Consultancy Ltd were instructed by GHA Ltd on behalf of their client, Mr John Wade, to carry out an appraisal of the potential for the construction of a proposed amendment to a detailed planning approval for the construction of a detached residential property to impact upon trees at the above site, and to advise on appropriate tree protection measures and on any associated facilitation pruning and/or felling where identified as necessary.

Further to this instruction I confirm that I visited the site on 24 June 2011 and carried out a survey of trees in accordance with BS5837:2005–Trees in Relation to Construction–Recommendations. In this respect I set out a brief overview of my observations, findings and recommendations below, along with comments on any issues raised.

I also enclose our Tree Survey Schedule (TSS) detailing specific tree related information and our Tree Protection Plan (TPP) with approximate tree locations marked and pertinent tree related information detailed. The TPP is based upon an electronic scaled OS plan of the site provided by GHA Ltd. The tree locations were plotted using a combination of triangulation measurement from existing site feature and GPS, and are therefore approximate.

Discussion. The site, which currently consists of a detached two-storey residential property with associated gardens and an out-building to the north-west, is located approximately 1 kilometre north of the town of Ribchester, Lancashire, within the administrative boundaries of Ribble Valley Borough Council. Several trees stand as individuals and as groups in various locations within the site.

The two surveyed individuals and two groups are all partially visible to varying degrees from the neighbouring Stoneygate Lane, a low usage public road and, as a whole, confer a moderate visual amenity in the immediate local landscape. They are in the early-mature to mature age range, stand at heights of up to approximately 20 metres, have maximum diametrical crown spreads of up to approximately 15 metres and stem diameters of up to approximately 760 millimetres.

The trees were allocated remove, moderate and high BS5837:2005 retention values in accordance with Table 1, attached. Oak tree T2 was noted to be dead (see Fig. 1, overleaf), whilst the remainder were seen to be expressing good overall vitality. Detailed tree dimensions and other pertinent information such as structural defects and/or physiological deficiencies, along with any recommendations for works are included in the TSS attached.

In respect of the TSS it should be noted that tree quality and value is categorised within the existing context without taking into account any site development related issues, but that the recommendations for works take the proposal into consideration where there are clearly definable potential impacts upon trees. With regards such impacts I note that adequate protection of tree Root Protection Areas (RPAs) during construction is essential if their long-term viability is to be assured. RPAs, which are calculated through a method provided in BS5837:2005, are ground areas that are to be kept free from major disturbance throughout development through the installation of temporary protective fencing to form Construction Exclusion Zones (CEZs). The TSS includes two columns listing the RPAs of the individually surveyed trees and, where applicable, the largest of the trees in any surveyed groups as overall areas in square metres and as radial distances. The radial RPAs are indicated as magenta coloured circles on the TPP.

I am informed by GHA Ltd that the proposal is for an amendment to the approved development at the site, as per the TPP. As shown on the TPP, construction of the amended proposal will require the removal of one dead ('R' category) tree, Oak T2, whilst the remainder of the trees can be retained and protected in accordance with the guidance provided in BS5837. With regards replacements I would note that the garden of the property has evidently recently been planted with a number of native trees, which should sufficiently mitigate for the loss of T2 in the long-term, although it could accommodate further tree planting if required.



Fig. 1: Dead Oak tree T2

Summary and Conclusions. An amendment to a granted detailed planning permission is proposed at the site, incorporating the redesign and repositioning of the property. Two individual trees and two groups of trees were surveyed in this respect.

One of the oak trees is high quality, the two groups are moderate quality and the remaining oak is dead. The amended proposals will require the removal of the dead oak, but the remaining trees can be retained and protected accordingly throughout development.

In consideration of these factors I therefore conclude that the proposal complies with the requirements of relevant Council Policy and current Government guidance in respect of trees and development.

Phill Harris BSc(Hons) HND CEnv MArborA MICFor
Chartered Arboriculturist

Enclosures: Tree Survey Schedule
BS5837:2005 Table 1
Tree Protection Plan

DISCLAIMER

Survey Limitations: Unless otherwise stated all trees are surveyed from ground level using non-invasive techniques, in sufficient detail to gather data for and inform the design of the current project only. The disclosure of hidden crown and stem defects, in particular where they may be above a reachable height or where trees are ivy clad or in areas of ground vegetation, cannot therefore be expected. All obvious defects, however, are reported. Detailed tree safety appraisals are only carried out under specific written instructions. Comments upon evident tree safety relate to the condition of said tree at the time of the survey only. Unless otherwise stated all trees should be re-inspected annually in order to appraise their on-going mechanical integrity and physiological condition. It should, however, be recognised that tree condition is subject to change, for example due to the effects of disease, decay, high winds, development works, etc. Changes in land use or site conditions (e.g. development that increases access frequency) and the occurrence of severe weather incidents are also significant considerations with regards tree structural integrity and trees should therefore be re-assessed in the context of such changes and/or incidents and inspected at intervals relative to identified and varying site conditions and associated risks.

Where trees are located wholly or partially on neighbouring private third-party land then said land is not accessed and our inspection is therefore restricted to what can reasonably be seen from within the site. Stem diameters of trees located on such land are estimated. Any subsequent comments and judgments made in respect of such trees are based on these restrictions and are our preliminary opinion only. Recommendations for works to neighbouring third-party trees are only made where a potential risk to persons and/or property has been identified during our survey or, if applicable, where permissible works are required to implement a proposed development. Where significant structural defects of third-party trees are identified and associated management works are considered essential to negate any risk of harm and/or damage then we will first attempt to inform the site occupier of the issues and, if not possible, then inform the relevant Council. Where a more detailed assessment is considered necessary then appropriate recommendations are set out in the Tree Survey Schedule.

Where tree stem locations are not included on the plan(s) provided then they are plotted at the time of the survey using, where appropriate and/or practicable, a combination of measurement triangulation and GPS co-ordination. Where this is not possible then locations are estimated. Restrictions in these respects are detailed in the report.

The potential influence of trees upon buildings or other structures resulting from the effects of their roots abstracting water from shrinkable load-bearing soils is not considered herein. The advice of a structural engineer should be sought with regard to appropriate foundation depths for new buildings with reference to NHBC Standards Chapter 4.2 (NHBC, 2008).

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TREE SURVEY SCHEDULE & BS5837:2005 'TABLE 1'

TREE SURVEY SCHEDULE FOR ARBORICULTURAL IMPACT APPRAISAL			
Site:	Oak Bank Farm, Stoneygate Lane, Ribchester, Lancashire, PR3 3YN		
Agent for Client:	GHA Ltd		

Surveyor:	Phill Harris – Chartered Arboriculturist		
Assessment Date:	24 June 2011		
Job Reference:	BTC217		

No.	Species	Height	Stem Diam.	Branch Spread	Height of C.C.	Age	PC	Comments on Condition, etc.	Management Recommendations	ERC	Cat. Grade	RPA (m²)	RPA Radius (m)
T1	Common Oak (<i>Quercus robur</i>)	11	510	N 4 E 5 S 5.5 W 4.5	1	EM	G	- Growing in raised planter. - No visible structural defects.	Protect throughout development with appropriately sited Construction Exclusion Zone (CEZ).	>40	A1/2	117.68	6.12
T2	Common Oak	12.5	600	N 5 E 4 S 7 W 4	3	M	D	Dead.	Remove tree and grub out stump.	<10	R	162.88	7.2
G1	1no. Beech (<i>Fagus sylvatica</i>), 1no. Sycamore (<i>Acer pseudoplatanus</i>)	≤ 20	≤ 520	N ≤ 6 E ≤ 8 S ≤ 4 W ≤ 7	≥ 1.5	EM	G	- Very closely spaced group next to fence. - Branches in close proximity for overhead presumably low voltage electric power line, with previous clearance pruning evidently undertaken.	Protect throughout development with appropriately sited CEZ.	20-40	B1/2	≤ 122.34	≤ 6.24
G2	2no. Sycamore	≤ 18	≤ 760 (ts)	N ≤ 3 E ≤ 5.5 S ≤ 5.5 W ≤ 5.5	≥ 3	EM-M	G	- Very closely spaced group next to fence. - Branches in close proximity for overhead presumably low voltage electric power line, with previous clearance pruning evidently undertaken. - Stem of northern tree bifurcates at a height of approximately 1.4m with a tight fork and partially included bark union.	Protect throughout development with appropriately sited CEZ.	20-40	B1/2	≤ 181.48	≤ 7.6

HEADINGS & ABBREVIATIONS

No.	Species:	Allocated Tree (T), Group (G), Woodland (W) or Hedge (H) reference number - refer to plan and to numbered tags where applicable
Height:	Stem Diam.:	Common and botanical name in brackets where appropriate
Branch Spread:	Height of CC:	In metres - where possible approximately 90% are measured using an electronic clinometer and the remainder estimated against the measured trees. In the case of Groups and Woodlands the measurement listed is that of the highest tree
Age:	PC:	Stem diameter in millimetres - measured or estimated at a height of approximately 1.5 metres above ground level or just above the root flare for multi-stemmed trees. MS = multi-stemmed. TS = twin-stemmed
Management Recommendations:	ERC:	Crown radius measured (or estimated where considered appropriate) from the four cardinal points (North, East, South and West) to give an accurate visual representation of the crown
		Height of crown clearance in metres - measured at lowest point above adjacent ground level - to inform on crown to height ratio, potential for shading, etc
		Estimated age class: Y = young, SM = semi-mature, EM = early-mature, M = mature, PM = post-mature
		Physiological Condition - a measure of the tree's overall vitality, i.e. D = Dead, MD = Moribund, P = Poor, M = Moderate, G = Good
		Comments relating to the tree(s) overall condition and any other pertinent factors including structural defects, current and potential direct structural damage, physiological decline, poor form, etc
		Either Preliminary or In Consideration of the Proposal - In the case of Arboricultural Constraints Surveys the recommended management works only take existing site and tree circumstances and conditions into account and not proposed developments. Arboricultural Impact Assessment and Method Statement related Surveys
		Take the proposed development into consideration with recommendations made accordingly. More than one option may be given if considered appropriate
		Estimated Remaining Contribution - in years as per BS5837:2005 (i.e. less than 10, 10-20, 20-40, more than 40)
		Category Grading - tree retention value listed as R or A to C - broadly in line with BS5837:2005 table 1
		Root Protection Area in m² - calculated area around the tree that must be appropriately protected throughout the development process in order to avoid root damage
		Root Protection Area Radius - in metres measured from the centre of the stem to the line of tree protection

BS5837:2005 Table 1 – Cascade Chart for Tree Quality Assessment

Trees for removal				
Category and definition		Criteria		Identification on plan
Category R Those in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management	- Trees that have serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unstable after removal of other R category trees such as where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning - Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline - Trees infected with pathogens of significance to the health and/or safety of other trees nearby, for example Dutch Elm Disease, or very low quality trees suppressing adjacent trees of better quality Note – Habitat reinstatement may be appropriate. For example R category tree used as a bat roost: installation of bat box in nearby tree.			Dark Red
Trees to be considered for retention				
Category – Subcategories				
Category and definition	1. Mainly arboricultural values	2. Mainly landscape values	3. Mainly cultural values, including conservation	Identification on plan
Category A Those of high quality and value: in such a condition as to be able to make a substantial contribution. A minimum of 40 years is suggested.	Trees that are particularly good examples of their species, especially if rare or unusual, or essential components of groups, or of formal or semi-formal Arboricultural features for example the dominant and/or principal trees within an avenue	Trees, groups or woodlands which provide a definite screening or softening effect to the locality in relation to views into or out of the site, or those of particular visual importance for example avenues or other arboricultural features assessed as groups	Trees, groups or woodlands or significant conservation, historical, commemorative or other value for example veteran trees or wood-pasture	Light Green
Category B Those of moderate quality and value: those in such a condition as to make a significant contribution. A minimum of 20 years is suggested.	Trees that might be included in the high category, but are downgraded because of impaired condition. Examples include the presence of remediable defects including unsympathetic past management and minor storm damage	Trees present in numbers, usually as groups or woodlands, so they form distinct landscape features which attract a higher collective rating than they might as individuals. But which are not, individually, essential components of formal or semi-formal arboricultural features. For example, trees of moderate quality within an avenue that includes better, A category specimens. Or trees which are internal to the site, therefore individually having little visual impact on the wider locality	Trees with clearly identifiable conservation or other cultural benefits	Mid Blue
Category C Those trees of low quality and value: currently in adequate condition to remain until new planting could be established - a minimum of 10 years is suggested - or young trees with a stem diameter below 150 mm	Trees not qualifying in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low or only temporary screening benefit	Trees with very limited conservation or other cultural benefits	Grey
Note – Whilst C category trees will usually not be retained where they would impose a significant constraint on development, young trees with a stem diameter of less than 150mm should be considered for relocation				

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Mr Andrew Mitchell

Gary Hoerty Associates
34 Wellgate
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BB7 2DP

22 October 2010

Ref: B 862

Dear Mr Mitchell

Protected Species survey: Detached house at Oak Bank Farm, Stonygate Lane, Ribchester, PR3 3YN

You have requested an inspection of the above named property on behalf of your client Mr J Wade to undertake a bat and barn owl inspection as a condition of a planning application to Ribble Valley Borough Council for a proposed replacement dwelling requiring demolition of the existing detached house as shown in figures 1 to 9 of the following report.

A scoping survey and full daylight inspection was carried out on Tuesday 19 October 2010

Although there is limited evidence of bat activity, a precautionary approach is always recommended in situations where demolition is required.

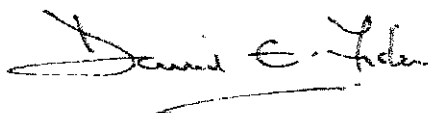
The overall conservation significance of the building is currently 'low' as defined by Natural England – (Bat Mitigation Guidelines, 2004, A.J. Mitchell-Jones);

In terms of the likely impact of the proposed works, there is a relatively low risk of disturbing roosting or resting bats during the demolition of the building. However I would remind you that it remains the developer's responsibility to ensure that procedures are in place to mitigate for the 'potential' impact on bats before the demolition begins, therefore I draw your attention to the outline mitigation notes in the report.

I also attach further information regarding 'protected species and the planning process' and some guidance notes on 'bats and the law'.

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 (BATS) SURVEY

Detached house at Oak Bank Farm, Stonygate Lane, Ribchester, PR3 3YN (NGR: SD 651,364).

Survey methodology

A daylight scoping survey and site inspection was carried out on Tuesday 19 October between 12.45 and 13.30. The weather at the time of the survey was mild and dry with heavily overcast conditions (temperature: 12°C) and a light SW breeze (cloud cover: 8/8 octas) providing adequate survey conditions.

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 (*all species: chiroptera*) have been active within the property that will be affected by the proposed building and demolition operations. The initial scoping survey and site inspection included both external and internal assessments of the buildings; all areas of the property were found to be fully accessible enabling a full and detailed examination of the voids and all external structures.

A desk study including detailed data search has been undertaken to support the survey findings including local records within 1.5km of the property; an assessment of species' distribution within the district, regional and national context has also been considered.

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 below feeding perches.

Personnel

The survey was carried out by David Fisher (Earthworks Environmental Design) - an experienced ecological consultant with more than 25 years experience of bat ecology and field survey work and a Natural England bat licence holder since 1990; current NE licence No: 20103384, (Conservation, Science and Education).

Constraints

The scoping survey was limited to a daylight assessment during mid-October and therefore does not take account of bat activity at the site within the optimal bat activity survey period (May to September).

Evening emergence and / or dawn re-entry surveys at this property have not been undertaken. Some sites, particularly those with moderate to high conservation significance or roost potential may require further survey effort to determine the extent of bat activity and to establish the importance of the property to bats.

Crevice-roosting species (ie. pipistrelles, myotis species and long-eared bats) can sometimes remain unseen within rubble-infill walls or beneath roofing materials despite careful inspection.

Solitary bats can be present within very small cavities in almost any building type at any season regardless of the quality of adjacent habitat. Daylight surveys rely largely on non-intrusive visual assessments of bats.

The methodology used for this survey (daylight scoping method) is designed to determine the likely presence of bats (ie. potential use of a site) within the property and does not necessarily prove absence.

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Bat records obtained during data searches are only indicative of the species present within a district; any absence of records however, does not imply that bat species are not present within the recording area.

The NBN distribution data for bat species within a given 10km grid square is likely to be under recorded.

Data search

National Biodiversity Network (NBN) 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.

The NBN website indicates that at least five species of bats have been recorded within the 10km squares SE63 and SD73, these are: common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*P. pygmaeus*), daubenton's bat (*Myotis daubentonii*), whiskered / brandt's bat (*M. mystacinus / brandtii*) and common long-eared bat (*Plecotus auritus*). These species are regularly recorded within the Forest of Bowland AONB and throughout the Ribble Valley where suitable habitat exists.

The following bat species are known to be present within the wider district (10km squares SD63 and SD73):

- | | |
|-------------------------------|---|
| • Natterer's bat, | (<i>Myotis nattereri</i>) |
| • Whiskered bat/ Brandt's bat | (<i>M. mystacinus / M. brandtii</i>)* |
| • Daubenton's bat, | (<i>M. daubentonii</i>)* |
| • Brown long-eared bat, | (<i>Plecotus auritus</i>)* |
| • Common pipistrelle, | (<i>Pipistrellus pipistrellus</i>)* |
| • Soprano pipistrelle, | (<i>P. pygmaeus</i>)* |
| • Noctule bat, | (<i>Nyctalus noctula</i>) |

*National Biodiversity Network (NBN) records

The following websites and datasets were consulted during the preparation of this report:

1. National Biodiversity Network (NBN) database, (terrestrial mammals- chiroptera)
2. East Lancashire Bat Group
3. Lancashire Biodiversity Partnership
4. EED dataset (Lancashire bat records 2000 - 2010)
5. Magicmap interactive map
6. Natureonthemap (Natural England)
7. Multimap

There are no records of bat roosting activity at this property.

Description of the property

A detached house with brick and block cavity wall construction and pitched slate roofs built circa 1900 with several later additions including a two modern two storey extensions and a single storey garage on the north elevation (built 1997). The house has four enclosed roof voids (shown in figures 2, 4 and 5 as voids A, B, C and D) as follows:

Roof void A: The original roof void has a standard rafter with purlin roof construction, under lined with a bitumen and hesian felt (figures 6 and 7); the void is relatively clean and dry although the roof surface has many raised and uneven slates and some of the lead work appears to be insecure or damaged. There are considerable numbers of hibernating cluster flies present within this void; additionally there are scattered mammal faeces of mouse and brown rat and a small number of bat droppings below a brick supporting wall close to the NE gable end.

Roof void B: This extension was built in 1997 to modern specifications with a bitumen roofing felt and block work partition wall separating roofs A and B. The void is insulated with a glass fibre material laid over the ceiling joists and the area is generally clean, dry and draught-free although some cluster flies are present. There is no evidence of bat droppings in the roof void

Roof void C: A recent two storey extension with pitched slate roof under lined with a breathable roofing membrane and insulated with a glass fibre material laid over ceiling joists. This area is also clean, dry and well-sealed (figure 8) There is no evidence of bat droppings in the void although some cluster flies are present.

Roof void D: The single storey garage roof has block work wall construction and a pitched slate roof with a bitumen and hessian under felt. The void is insulated and generally cool, dry and secure. There is no evidence of bat droppings or other indicative signs of access by bats.

Existing building (images)



Fig 1.

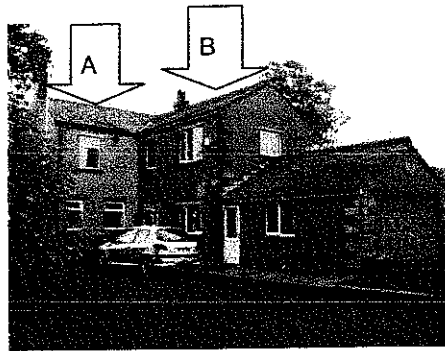


Fig 2



Fig 3

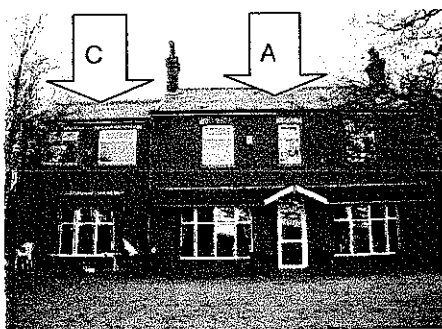


Fig 4.



Fig 5

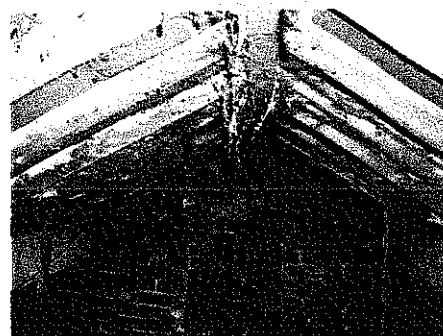


Fig 6.



Fig 7



Fig 8.

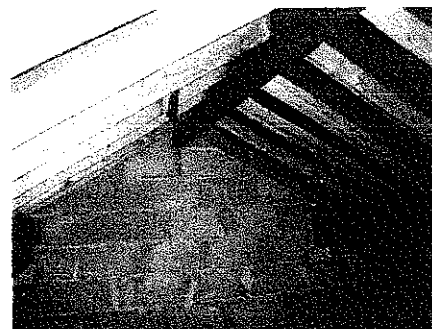


Fig 9

Location and habitat description

The property is located at Oak Bank Farm and surrounded by a mature garden and large pond; the property is situated in a rural location (NGR: SD 651364) at an elevation of approximately 55m. The site is adjacent to Stonygate Lane and is close to open countryside on gently rising ground 1km north of Ribchester. Although there are no adjacent woodlands, the district is relatively well-wooded with mature hedgerows, coverts and small wooded brooks. The nearest broadleaved woodlands (Phase 1 habitat category A1.1.1) are at (i) Buckley Wood more than 0.75km to the west, (ii) at Duddel Brook 1km east of the site; and (iii) along the south bank of the river Ribble south of Ribchester

The land around Oak Bank Farm provides largely sub-optimal habitat to support feeding and foraging bats.

Proposed development

Demolition of the existing property and replacement dwelling at Oak Bank Farm

Reference: GHA project number: Wade/133/1188/01, drawing AJM - 26/08/10 existing floor plans, elevations, site and location plans.

Survey results

There is limited evidence of bat activity at this property. A small number of bat droppings (6+) were found on the insulation material and brick supporting wall in void 'A' close to the SE end of the void.

Significantly, there were no accumulations of bat droppings within any of the other roof voids and there are no other indicative signs of bat activity in the building. All externally features were carefully inspected for evidence of access by bats, none was found.

Evaluation of results

There is evidence of only a single bat species at this property. A small number of droppings were found in roof void 'A' indicating access by a small crevice-seeking bat; the most likely being common pipistrelle bat (*Pipistrellus pipistrellus*) a species frequently found in domestic properties throughout the district.

Pipistrelle bats rarely enter roof voids and are normally found roosting in very confined spaces between the slates and roofing felt or beneath the ridge tiles; occasionally droppings are found within a void, some having fallen through gaps in the under felt from the roof structure above.

There are no significant accumulations of droppings; it is very unlikely that bats regularly enter the roof void.

There is no evidence of a maternity roost or hibernation roost.

There is no evidence of roosting activity beneath fascia soffits or other external features.

The potential of the building to support solitary hibernating or torpid bats is low to moderate.

The immediate surroundings provide sub-optimal feeding, foraging and commuting habitat for bats. The overall value of the habitat features for feeding, foraging and commuting by bats within the immediate landscape is moderate¹.

The scale of impact of the development at site level on local bat populations is likely to be low².

There are no records of roosting bats at this property. The nearest recorded pipistrelle bat roost is at Stydd Chapel approximately 0.6km SE of the farm.

¹ (Guidance for assessing the value of habitat features – Bat Surveys, Good Practice Guidelines, p21 - BCT 2007)

² (The scale of main impacts at site level on bat populations – Table 6.1. p37 - Bat Mitigation Guidelines).

Recommendations

The scale of impact of the development at site level on local bat populations is likely to be low, requiring a precautionary approach to mitigation as summarised below. It is recommended the proposed demolition should proceed with reasonable caution and vigilance for the unexpected presence of bats whilst being mindful of the legal protection afforded all bat species in the UK.

The onus lies with the applicant to satisfy himself that no offence will be committed if the development goes ahead. 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'.

Summary

The scale of impact of the development at site level on local bat populations is likely to be relatively low.

The proposed demolition of the existing property is **unlikely to cause significant disturbance** to roosting bats or result in the loss of a nursery bat roost, resting place or hibernaculum or cause injury or death of a European Protected Species – Bats

A precautionary approach is recommended in situations where there is some evidence of bat activity in a property. As the developer you should be mindful of your responsibilities towards protected species. An outline mitigation plan is provided as guidance; mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species before and during demolition.

Further survey effort (evening emergence or dawn re-entry) is not recommended in this particular case.

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 demolition works.

MITIGATION NOTES:	
ACTION:	METHOD:
1. Removal of roofing materials	REMOVE all roof tiles, ridge tiles and timber battens carefully by hand in case there are roosting bats beneath. During cold weather, torpid bats are more vulnerable to disturbance as they are usually unable to move quickly or escape. All roofing felts and ridge sections should also be with care in case bats are present. If bat droppings are visible or bats are thought likely to be present, you should seek advice immediately. The priority roof area at this property is Roof ‘A’ where there are significant gaps beneath tiles and lead flashing. Lead work flashing around chimneys and valleys should also be lifted with care in case torpid or resting bats are present; roof void ‘A’ is the most likely area to attract roosting bats.
2. 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. 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 and slates, slate flags, corrugated materials, timber battens, rubble-infill walls, in between the stonework and any timber window frames, lintels and sills. In exceptional circumstances, torpid or hibernating bats are occasionally found under insulation materials, within rubble piles and within building debris. 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 or walling, stop work and seek advice before continuing work in this area.

3. 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.
4. 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. NB: All bat roosts are protected regardless of whether bats are present
5. 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.
6. Post-development monitoring	Post-development monitoring is not required.

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
