

TREE IMPACT AND PROTECTION REPORT	
Site:	Ashes Farm, Salesbury, Blackburn, Lancashire, BB1 9EQ
Site Visit Date:	25 May 2011
Report Date:	26 July 2011
Prepared By:	Phill Harris – Chartered Arboriculturist
Report Ref:	BTC210
Agent for Client:	Gary Hoerty Associates Ltd
Approved Planning App. No.	3/2010/0979
Local Planning Authority:	Ribble Valley Borough Council

Introduction and Rationale. I am informed by GHA Ltd that detailed planning permission was granted for a detached property at the above site on 10 March 2011 and that, following this approval, several issues arose that necessitated a minor redesign and an associated amended detailed planning application submission. As such, Bowland Tree Consultancy Ltd were subsequently instructed to carry out an appraisal of the potential for the construction of the amended proposal to impact upon trees at the site and to advise on appropriate tree protection measures and on any associated facilitation pruning and felling where identified as necessary.

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 Protection Plan (TPP) with tree locations marked and pertinent tree related information detailed. The TPP is based upon an electronic scaled topographical survey plan of the site provided by GHA Ltd which, for the purpose of this appraisal, is understood to be accurate. In addition, I include a copy of the approved plan detailing tree information provided in support of the previous application

Discussion. Further to the above instruction I confirm that I visited the site on 25 May 2011 and carried out a brief survey of four trees in accordance with BS5837:2005–Trees in Relation to Construction–Recommendations, taking only basic information such as stem diameters, species, approximate heights and crown spreads. The four trees are detailed, along with their respective constraints, as Sycamores T1 and T2, Sweet Chestnut T3 and Common Oak T4 on the attached TPP. However, I would note that T3 was not included on the approved plan for the site

The site is located in a rural area approximately 10.8 kilometres due south-west of Clitheroe, Lancashire, the Council's administrative town. The four trees under consideration stand as individuals in various locations within the site, as detailed on the TPP. They are all largely hidden from wider public view and, as a whole, confer a low visual amenity in the wider landscape, although the larger tree (Sycamore T1) confers a moderately high visual amenity in the immediate locality. The trees are in the semi-mature (Sweet Chestnut T3) to mature (Sycamore T1) age range, stand at heights of up to approximately 17 metres, have maximum diametrical crown spreads of up to approximately 13 metres and stem diameters of up to approximately 950 millimetres.

The trees were allocated moderate ('B') and high ('A') BS5837:2005 retention values in accordance with Table 1, attached, and are coloured blue and green on the TPP accordingly, with tree T1 to T3 being 'B' category and T4 being 'A' category. In this respect it should be noted that tree quality and value is categorised within the existing context without taking into account any site development related issues. With regards tree retention in the context of development I would note that adequate protection of tree Root Protection Areas (RPAs) during construction is necessary 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 calculated radial RPAs are indicated as magenta coloured circles on the TPP.

The approved plan indicated that the proposed building was to be constructed outside the RPAs of the trees on site. However, when compared to the current updated TPP, which is based on a topographical survey with tree stems positions included, it is evident that the tree locations that were detailed on the approved plan are inaccurate. As such, it is therefore evident that that it would not be possible to retain T1 in the context of the construction of the property in accordance with the approved plan.

In consideration of these issues and following consultations with GHA Ltd it was decided to amend the proposal accordingly in order to endeavour to retain the tree in question. In this respect and as a result of other site restrictions the building was re-positioned as per the TPP. Subsequently, as detailed on the TPP the amended proposal now has an encroachment of a distance of approximately 5.5 metres into the RPA of T1 at its acutest point, thereby retaining truncating the roots within this section of the RPA to a distance of approximately 5.5 metres from the centre of the trees' stem. However, when checked against Mattheck and Breloer's windthrow stability model (Mattheck & Breloer, 1994), which illustrates the authors' research findings that there is a recognised correlation between the radius of a tree's stem and the radius of the root-plate necessary to maintain its stability, this is seen to be an acceptable retained root-plate encroachment.

As such, the retention of this tree with these associated root impacts is considered to be preferable to its removal in the context of the existing approved development. Nonetheless, it should be noted that the loss of roots can affect the tree's overall structural stability and physiological condition and, as such, it would be appropriate to carry out pruning works to reduce the tree's crown by up to approximately 30% in order to lessen its sail area and to carry out twice yearly inspections to monitor its physiological and structural condition.

As also detailed on the TPP the proposed building is very close to semi-mature Sweet Chestnut T3, the details and location of which were not included on the approved plans. In this respect it is evident that, due to the tree's age and its subsequent future growth potential, it will inevitably conflict with the structure, and it is therefore my opinion that it is unsuitable for retention in the context of the proposal. Nevertheless, the tree's removal will have a negligible impact on the visual amenity of the locality and can be adequately mitigated for through the provision of several new trees on site as part of the landscaping scheme.

Summary and Conclusions. An amendment to a granted detailed planning permission is proposed at the site, incorporating the redesign and repositioning of the property. Four individual trees were surveyed in this respect, of which one is high quality and the remainder are moderate quality.

It has come to light that construction of the approved plan would require the removal of large mature Sycamore T1 and small Sweet Chestnut T3. T1, however, can potentially be retained in the context of the amended plan, albeit with associated root impacts, provided that it is protected throughout the development and subsequently pruned and monitored accordingly. The retention of T3, however, is not considered feasible in the context of the proposal but its loss can be mitigated for through new tree planting on site.

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

 **Institution of
Chartered Foresters**
Registered Consultant



Enclosures: BS5837:2005 Table 1
Tree Protection Plan
Approved Plan for Previous Application

References

Mattheck, C. & Breloer, H. (1994). The Body Language of Trees - A Handbook for Failure Analysis. (Research for Amenity Trees No. 4) HMSO London

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).

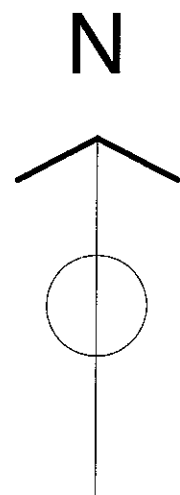
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BS5837:2005 'TABLE 1'

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

Trees for removal		Criteria			Identification on plan
Category and definition					
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 unviable 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 and definition		Category – Subcategories			Identification on plan
	1. Mainly arboricultural values	2. Mainly landscape values	3. Mainly cultural values, including conservation		
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 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, 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 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, groups or woodlands or significant conservation, historical, commemorative or other value for example veteran trees or wood-pasture Trees with clearly identifiable conservation or other cultural benefits		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.					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 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	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



line denotes
root protection zone

line denotes
tree canopy

T1 Sycamore

T3 Sweet
Chestnut

T2 Sycamore

T4 Oak

electrical overhead cables and posts
scheduled for re-location as a part of the
works (refer to schedule document)
supplies to the farmhouse to be maintained
during relocation works. (supplies to cottage
to be terminated by Northwest electric if not
already done).



overhead cable route to be altered

KEY

T = Surveyed Individual Tree

Please refer to BS5837:2005 Table 1 for specific details in
respect items detailed below:

Tree Categorisations:

Those of a High and Moderate Quality &/or Value:

Category A Tree
High Quality/Value with Estimated Remaining
Lifespan of Over 40 Years

Category B' Tree
Moderate Quality/Value with Estimated Remaining
Lifespan of Between 20 & 40 Years

Those of a Low Quality &/or Value:

Category 'C' Tree
Low Quality/Value with Estimated Remaining
Lifespan of Between 10 & 20 Years

Category 'R' Tree
<10 Years Remaining Lifespan - Should Therefore
be Considered for Removal in Accordance with
Prudent Arboricultural Management

RPAs & CEZs:

Radial Root Protection Area (RPA)
Area that Should be Protected Throughout
Development Works with Protective Fencing to
form a Construction Exclusion Zone - see below

Construction Exclusion Zone (CEZ)
Area to be Enclosed with Temporary Protective
Fencing Throughout the Development Process

Notes

levels

320110628 P

Project:
ASHES FARM COTTAGE
LOVELY HALL LANE
SALESBURY
BLACKBURN
LANCASHIRE
BB1 9EQ

Agent for Client:
GARY HOERTY ASSOCIATES
LTD

Title:
TREE PROTECTION PLAN

in Relation to Proposed Construction of
Detached Residential Property

Scale: 1:250@A3

Date: July 2011

Drawn by: PH

Checked by: PH

Bowland
Tree Consultancy Ltd

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Ref: BTC210

Rev:

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320110628P

Mr Andrew Mitchell

Gary Hoerty Associates
34 Wellgate
Clitheroe
Lancashire
BB7 2DP

21 October 2010

Ref: B 863

Dear Mr Mitchell

Protected Species survey (bats and barn owls) – Cottage at Ashes Farm, Salesbury, Blackburn. BB1 9EQ.

You have requested an inspection of the above named property on behalf of your client Mr N. Starkie 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 building as shown in figures 1 to 6 of the attached report.

A scoping survey and full daylight site inspection (bats and barn owls) was carried out on Tuesday 19 October 2010; additional evening emergence / dawn re-entry surveys have not been undertaken at the site

There are no signs of barn owl roosting or nesting activity at the property,

Although there are signs of bat activity, there is no evidence of a nursery roost or significant hibernation roost within the property. The likely presence of feeding and foraging bats within the building indicates that the overall conservation significance of the building is currently 'low to moderate' as defined by Natural England -- (Bat Mitigation Guidelines, 2004, A.J. Mitchell-Jones);

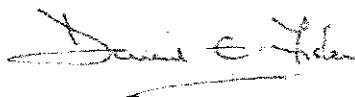
In terms of the likely impact of the proposed works, there is a relatively low risk of disturbing roosting or resting bats during the demolition and re-development of the site. However I would remind you that it remains the developer's responsibility to ensure that procedures are in place to mitigate for the 'potential' impact on bats before and during the proposed building and demolition works

An outline mitigation plan is included with the report; the aim of mitigation is to remove or reduce the impact of the proposed works on bats and ensure there are '*no adverse effects on the favourable conservation status of a bat population*' before, during and after the development.

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

BAT AND BARN OWL SURVEY

Cottage at Ashes Farm, Salesbury, Blackburn. BB1 9EQ (NGR: SD 680,333).

Survey methodology

A daylight scoping survey and site inspection was carried out on Tuesday 19 October between 09.30 and 11.00. The weather at the time of the survey was mild and humid with heavily overcast conditions (temperature: 9°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*) 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 detailed data search has been undertaken to support the survey findings; local records within 1.5km of the property in addition to an assessment of species distribution within the district, regional and national context have 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.

Recommended survey methods (Natural England/Barn Owl Trust) were used to assess the use of the building by barn owls and other nesting birds; normal search procedures include inspecting a site for evidence such as droppings, pellets, discarded prey items, feathers and nest debris.

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 single daylight assessment in mid- October and 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

Bat records obtained during data searches are likely to be indicative of the species within the 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 in 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 or at neighbouring sites within 1500m.

Description of the property

The property (built circa mid-18th century) is a two storey detached cottage with stone rubble infill wall construction and pitched slate roof. The cottage has been unoccupied for approximately 10 years and has recently suffered considerable vandalism, consequently some of the doors and all the glazed windows are broken and lead work flashings have been removed from the roof. The house has two rooms on the first floor built into the eaves with no accessible roof void (figures 5 and 6). The roof has been under-drawn with tongue and groove boarding and the rooms are separated by a stud-work partition wall (fig 5).

To the side of the house is a single storey kitchen extension with mono-pitch roof of corrugated metal (figures 1 and 4). The extension has a suspended ceiling enclosing a roof void insulated with a glass fibre material. The void is dark, cool and relatively dry and there is no evidence of bat roosting activity although jackdaws appear to have nested within the void. A stone out-building is located at the south gable end; this building is now totally dilapidated and there is no roof, windows or door (figures 2 and 3).

Location and habitat description

The property is in a wholly rural location (NGR: SD 680333) at an elevation of approximately 120m. The site is close to Ashes Farmhouse and barn (approximately 100m) and is close to the common at Clayton-le-Dale. The house is adjacent to open countryside with grazing land with hedgerows and some broadleaved woodland around the common and along the adjoining lane leading to Lovely Hall Lane.

There are no extensive blocks of woodland or significant areas of open water within 1km of the site and the surrounding landscape provides sub-optimal feeding, foraging and commuting habitat for bats although some high-value feeding habitat is available within the wider district along mature hedgerows and around well-wooded streams

The house is set within a small garden plot that is heavily overgrown with self-seeded trees, shrubs and dense bramble thicket.

Existing building (images)



Fig 1.



Fig 2.



Fig 3.

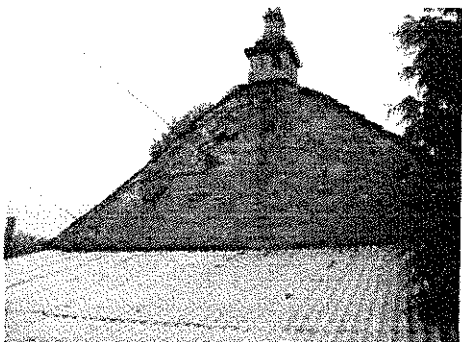


Fig 4

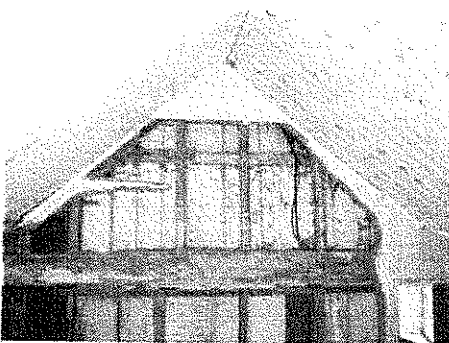


Fig 5.



Fig 6.

Survey results

There is some evidence of bat activity:

- (1) A small number of relatively fresh bat droppings were found on the window sill of a first floor room as shown in figure 6, indicating recent flight within the building.
- (2) Four discarded moth wings (yellow under wing moth) were found in a first floor room (as shown fig 6).

Significantly, there are no accumulations of bat droppings or signs of a well-used feeding perch within any other part of the building; all areas of the property were carefully inspected for signs of flight and perching activity, none were found.

There is no evidence of barn owl activity at this site, although a single casting (owl pellet) on the ground floor indicates occasional roosting activity by little owl, a species known to present around Ashes Farm.

Small mammals have been active throughout the building and there are several scattered mouse droppings over the first floor of the house; these should not be confused with bat droppings

Evaluation of results

- There is some evidence of bat roosting activity at the property. Given the rural location and proximity to woodland and meadow habitat it is likely that both common pipistrelle bats and common long-eared bats are regularly active around the building. Commonly observed behaviour of both species suggests that some individuals are likely to enter the upper floor of the building to perch and feed at night.
- Significantly however, there is no evidence of regular or significant perching, day roosting, night perching, feeding or foraging activity within any part of the building.
- There is no evidence of a maternity roost, mating or transitory roost or hibernaculum at the site.
- The potential of the structure to support solitary hibernating or torpid bats is low to moderate.
- The potential of this building to support roosting or resting bats is low to moderate. The area of the building with highest potential to support roosting bats is the main roof of the house, particularly on the warmer south-east facing pitch of the roof (see mitigation plan – removal of roofing material).
- The potential of the building to support a maternity/nursery roost is low.
- 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 or within neighbouring properties.
- There is no evidence that barn owls have used this building for roosting or nesting.

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 survey was undertaken outwith the optimal survey period for bat activity; evening emergence or dawn re-entry surveys have not been carried out at this property. It is recommended that at least one evening emergence or dawn survey is carried out during the optimal survey period (1 May to 31 August) and a survey report submitted to the local planning authority before any demolition work is carried out.

Summary

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

As the developer you should be mindful of your responsibilities towards protected species (all bats). A mitigation plan is provided (see below); mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species.

At least one evening emergence/dawn survey is required before demolition work begins. The survey must be carried out during the optimal survey period (1 May to 31 August) and a report submitted to RVBC.

There is no risk of disturbance to barn owls at this property.

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:

ACTION:	METHOD:	TIMING:
1 Pre-demolition bat survey	At least one evening emergence or dawn re-entry survey is required to determine whether bats are roosting within any part of the property. Particular attention should be given to the roof of the property; if any bats are known to be present within the building additional mitigation planning is required to ensure that roosting bats are not disturbed, injured or killed during the demolition operations.	Optimal survey period: 1 May and 31 August
2 Removal of roofing materials	Natural England advises developers to undertake essential roofing 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 and July when bats are giving birth to their young; developers should also try to avoid roofing operations during the coldest winter months (December, January and February) when bats are normally hibernating or torpid and largely unable to escape danger When removing roof slates, battens, ridge tiles and roofing felts (or unde-drawn roofs) be aware that bats are occasionally present in very narrow spaces; remove all materials carefully by hand and stop work in that area if you find bat droppings or suspect that bats are present.	Recommended roofing during Spring- MARCH/APRIL or autumn - AUGUST - OCTOBER / EARLY NOVEMBER AVOID: MAY, JUNE, JULY and also DECEMBER, JANUARY and FEBRUARY.
3 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 NB: All bat roosts are protected regardless of whether bats are present	

4. 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.
5. 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.
6. 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.
7. Monitoring	Post-development monitoring may be required by the local planning authority.

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'.

* 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

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Mr Andrew Mitchell

Gary Hoerty Associates
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Clitheroe
Lancashire
BB7 2DP

19 May 2011

Ref: B 947/863

Dear Mr Mitchell

Protected Species survey (evening emergence) – Cottage at Ashes Farm, Salesbury, Blackburn, BB1 9EQ.

You have requested an evening emergence survey as a planning condition (RVBC Planning Application No. 3/2010/0979). The Planning Permission issued on 10 March 2011 includes planning condition 7 which states,

"Before demolition work begins a licensed ecologist shall carry out at least one emergence/dawn survey during the period 1 May to 31 August, the details of which shall be submitted to the Local Planning Authority."

An initial daylight scoping survey at the property was undertaken on Tuesday 19 October 2010 (EED survey report ref: B863). This survey found some evidence of bat activity within the upper rooms of the cottage; however, there was no evidence of regular or significant roosting, perching or feeding activity.

A dusk emergence survey has now been completed; the survey was carried out on Tuesday 19 May 2011 between 20.30 and 22.45; the weather conditions at the time of the survey was dry, cool, clear and moonless (temp. range: 11°C – 5°C; humidity: 80% - 94% RH; wind; light SW; cloud: 2/8 octas becoming 0/8 later; rain: nil) providing optimal survey conditions for bat roost emergence activity.

Evening emergence survey (methodology)

Bat echolocation activity was monitored using ultrasonic bat detectors; two types of device were used to record calls and other vocalisations: (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 survey began 40 minutes before sunset (Sunset time: Preston 21 11) and continued for 95 minutes after sunset. The survey area was restricted to the rear and side elevations of the cottage along the meadow boundary; access to the front elevation was considerably restricted by woodland and dense scrub.

The surveyor was positioned at the edge of the meadow close to the rear elevation of the cottage, allowing uninterrupted views of both south gable wall and east elevations profiled against a cloudless western sky.

The weather provided optimal survey conditions suitable for bat emergence and foraging flight.

A single bat species was recorded during the survey; no bats were seen to emerge from the building and there was no interaction by foraging bats with any part of the building.

A common pipistrelle (*Pipistrellus pipistrellus*) was the first bat recorded flying across the site in early dusk at 21.44; this was followed by occasional passes across the property by common pipistrelles throughout the evening. Although several solitary bats were occasionally seen flying around the cottage to feed and forage briefly, the greatest activity was over the garden between the cottage and the hedge line.

The maximum number of bats seen in flight at any one time was two individuals commuting rapidly west across the site; an obvious flight corridor used by commuting bats passes over the garden between the east gable end wall of the cottage and the mature hedge line to the south-east of the cottage.

Social calling and typical FM / CF rapid flight and foraging calls were recorded throughout the survey; feeding calls were recorded briefly across the site despite apparent prey availability.

Survey evaluation (interpretation)

There is no evidence of roosting activity by bats within the property; no bats were seen or recorded emerging from any part of the property and no bats were seen swarming or interacting with the building.

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

Given the results of a daylight survey (October 2010) and the evening emergence survey (May 2011) there is no evidence to indicate the presence of a bat maternity roost or hibernaculum at the property.

The overall conservation significance of the building is low.

The potential of this property (in its present dilapidated condition) is also low.

There are no records of roosting bats at this property or within neighbouring buildings (Data search).

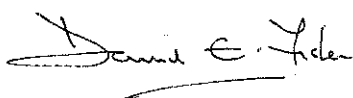
Using current good practice guidelines to assess the level of survey effort that is required at the property, it is recommended that further survey work is not required.

Summary and recommendations

Demolition of the building should proceed with reasonable caution and vigilance for the unexpected presence of isolated roosting or resting bats.

The scale of impact of the development at site level on local bat populations is likely to be low or negligible. An amended mitigation plan is outlined below.

Yours sincerely



David Fisher

MITIGATION NOTES AND GUIDANCE (AMENDED 19.05.11)

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. The Bat Mitigation Guidelines define mitigation as “... measures to protect the bat population from damaging activities and reduce or remove the impact of development”.

ACTION:	METHOD:
1. 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. NB: All bat roosts are protected regardless of whether bats are present
2. 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.
3. 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.
4. 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.
5. Monitoring	Not required