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SUPPORTING STATEMENT

IN RESPECT OF A PLANNING APPLICATION FOR
THE PROPOSED CONSTRUCTION OF A TWO
STOREY SIDE EXTENSION
(RE-SUBMISSION OF APPLICATION 3/2011/0295)

AT

33 VICTORIA COURT, CHATBURN, CLITHEROE,
BB7 4BF

FOR AND ON BEHALF OF MR D HUYTON

Prepared by: Jennifer Hindle
Our Ref: Huy/532/1364/GH
Date: November 2011



Chartered Surveyors ■■■■ Planning & Development ■■■■ Land Agents
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1. INTRODUCTION, BACKGROUND INFORMATION AND PROPOSED DEVELOPMENT

- 1.1 Gary Hoerty Associates has been instructed by Mr D Huyton of 33 Victoria Court, Chatburn, Clitheroe to re-submit a planning application on his behalf for the proposed construction of a two-storey side extension to his house to provide living room utility/w.c. to the ground floor and master bedroom suite to the first floor.
- 1.2 Mr Huyton has already had a planning application refused for this development under planning application number 3/2011/0295, which was refused on 22 June 2011. Permission is again sought for the same proposed two-storey side extension that was applied for in the original application. However more information is provided in respect of the adherence to relevant local plan policies and the Council's SPG on domestic extensions and alterations. We have no doubt that the proposed development conforms to both as we will demonstrate in this report. We have also provided details of several examples of similar development (domestic extensions) which have recently been granted planning approval within the Ribble Valley District which demonstrate that the Council has placed very little or no weight to their SPG on domestic extensions and alterations, with the resultant development having a much more adverse visual impact on neighbours than our client's proposed development will have if approved.
- 1.3 We also provide with this planning application an Evening Emergence Bat Survey which provides details which address the second reason for refusal given by the Officer in the original application. This will be discussed in slightly more detail within Section 6: Summary and Conclusions of this report.
- 1.4 We consider in this report the proposed development in more detail, the planning history of the site, the application site and set out why we believe the application conforms to the local planning policies and SPG and why the application should therefore be looked upon favourably. We will make reference to the reasons for refusal and how we consider that the proposed development clearly fulfils the criteria set out in the relevant local plan policies and advice and guidance contained within the SPG on domestic extensions.

2. PLANNING HISTORY

- 2.1 There has been only one planning application for the site since the dwelling was constructed and this is planning application number 3/2011/0295 for the proposed construction of a two-storey side extension

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to the existing house to provide living room utility/w.c. to ground floor and master bedroom suite to first floor. This was refused on 22 June 2011 for the following reasons:

1. The proposal by virtue of its scale, design and location is considered contrary to Policies G1 and H10 of the Districtwide Local Plan and the Council's adopted Supplementary Planning Guidance on alterations and extensions to dwellings. It would result in a disproportionate and prominent addition, which would be detrimental to the amenity of neighbouring dwellings and the visual amenities of the street scene.
2. The detailed protected species survey dated 20 April 2011 has clearly identified the presence of what appears to be a maternity roost and requires further survey work to be carried out. Insufficient information has therefore been provided to enable a reasoned decision to be made with regards the impact upon European Protected Species prior to this decision being reached. The development may therefore result in the loss of European Protected Species contrary to Policy ENV7 of the Ribble Valley Districtwide Local Plan and Planning Policy Statement 9: Biodiversity and Geological Conservation.

3. THE APPLICATION SITE

- 3.1 The application site comprises a three bedroom semi-detached dwelling and associated garden area which is situated within the settlement boundary of Chatburn village as defined within the Ribble Valley Districtwide Local Plan (Adopted 1998). The property forms part of the Victoria Court development which is a relatively small development consisting of a mix of house types. The property is located within the south western corner of the development (as highlighted on the Site Plan reference 1731.P.04). The gable of the application property sides on to Ribble Lane and the proposed extension would be attached to this elevation.

4. PLANNING CONSIDERATIONS

4.1 General

- 4.1.1 In order for the application to be approved it must satisfy, as far as possible, the guidelines provided in national planning guidance, the relevant policies of the Ribble Valley Districtwide Local Plan (Adopted 1998) and any additional planning guidance provided by Ribble Valley Borough Council. The application site is located within the settlement boundary for Chatburn village as defined within the adopted local plan.

- 4.1.2 The relevant policies of the local plan are Policy G1 which is a general development policy and Policy H10 which deals with residential extensions.
- 4.1.3 Additional planning guidance is provided by Ribble Valley District Council in the form of Supplementary Planning Guidance (SPG) 7: Extensions and Alterations to Dwellings and we will make reference to this document within this supporting statement.
- 4.1.4 National planning guidance is provided in the form of the National Planning Policy Framework.
- 4.1.5 We set out below extracts from the relevant documents to assess the application against all the appropriate policies and guidance.

4.2 Ribble Valley Districtwide Local Plan (Adopted 1998)

Policy G1

- 4.2.1 Policy G1 is a general policy and states:

"All development proposals will be expected to provide a high standard of building design and landscape quality. Development which does so will be permitted, unless it adversely affects the amenities of the surrounding area.

- 4.2.2 In determining planning applications a number of criteria will be applied and we consider each of these criteria as follows:-

In determining planning applications the following criteria will be applied:

- (a) *Development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature.*

- 4.2.3 It is our view that the proposed development is appropriate in terms of its size, intensity and nature. The proposed two storey extension will be located on the gable end of the existing semi-detached dwelling and has been designed in a way to remain subservient to the existing dwelling. The proposed extension will be slightly set back from the front line of the existing dwelling as can be seen on the plans submitted with this planning application. The proposed ridge height will be lower than the ridge height of the original dwelling. The proposed extension will create much needed additional living accommodation for a family currently working in agriculture within the local area. We consider that the proposed

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development is in-keeping with the existing building and character of the surrounding area.

(b) *The likely scale and type of traffic generation will be assessed in relationship to the highway infrastructure and the proposed and existing public transport network. This will include safety, operational efficiency, amenity and environmental considerations.*

4.2.4 There will be no additional traffic generation as a result of the proposed development.

(c) *Developments should make adequate arrangements for car parking (see Policy T7).*

4.2.5 There is adequate existing car parking space for the property and there will be no requirement for additional parking as a result of the proposed development.

(d) *A safe access should be provided which is suitable to accommodate the scale and type of traffic likely to be generated.*

4.2.6 The existing access will be used by the proposed development and this is considered to be adequate.

(e) *The density, layout and relationship between buildings is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings as well as the effects of development on existing amenities.*

4.2.7 The proposed two storey side extension has been designed in order to remain subservient to the main dwelling which is one of a pair of semi-detached dwellings. The Victoria Court development consists of a mix of house types ranging from apartments, mews houses, semi-detached properties and detached houses. There is a varied intensity of development within different areas of the site and we therefore feel that the proposed two storey extension to our client's dwelling would not have any detrimental impact on the nature and density of the existing site.

4.2.8 The property has a boundary line with the public highway of Ribble Lane. Ribble Lane is the road that connects Chatburn with Grindleton. The gable end of the existing property faces the road. It is intended that the new extension also presents a gable end to face the road.

4.2.9 A previous application for the extension to this property prompted a statement to be made by the planning officer within the Delegated Item File Report as follows *"It is evident that the rear elevations and gable ends of the properties on Victoria Court are set back from the highway and*

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follow a defined built line.” However, with reference to the location plan drawing number 1731.P.06 in Appendix 2, which has been highlighted in orange to show the building lines where the houses of Victoria Court face the main road, it is clear that there are a number of different building lines that appear to be arbitrary in terms of their position. It should also be noted (as this is relevant to any determination) that house number 32 has a building line which is closer to the public highway than that proposed for number 33. It should also be noted that the existing gable of number 33 does not align with the building line of houses 35, 36 and 37.

4.2.10 We also enclose photographs and sketches within Appendices 3, 4 and 5 of this document that illustrate the impact the proposed extension will have on the appearance of the existing built environment i.e. the street scene. Our contention would be that the extension does not adversely intrude upon the street scene and that the massing and volume of the new extension sits comfortably within the existing developed area. Photograph 1 at Appendix 3 shows the current vista along Ribble Lane with the property in question on the right hand side. For the reasons outlined above, we are firmly of the opinion that the proposed development fits with the criteria stated above.

(f) *Developments should provide adequate arrangements for servicing and public utilities.*

4.2.11 Existing services and public utilities will be used by the proposed development.

(g) *Developments should provide adequate daylighting and privacy.*

4.2.12 When dealing with the previous application (which was refused) the Officer felt that the proposed development adversely affected the privacy of neighbouring properties and states in the Delegated Item File Report: *“However, in relation to the windows at the rear I have concerns. The current first floor windows at the rear of this property look on to the blank gable of no. 35 Victoria Court. The extension proposed would project beyond the gable end of this property and thus the rear elevations of nos. 35, 36 and 37 Victoria Court. The position of the first floor windows would enable unobstructed views of the rear garden areas of this row of dwellings, which is not currently experience by these residents. This would, in my opinion, adversely affect the amenities of those neighbours, and refusal of the application on this ground alone is justified.”*

4.2.13 However, we have measured the distance from the rear of the proposed extension to 33 Victoria Court to the rear garden areas of Nos. 35, 36 and 37 Victoria Court and the minimum measurements are as follows:

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- To Number 35 a minimum of 13 metres distance
- To Number 36 a minimum of 19 metres distance
- To Number 37 a minimum of 24 metres distance

These can be seen on the Site Plan Reference 1731.P.05 in Appendix 1.

4.2.12 It should be noted that the existing first floor windows of house numbers 35, 36 and 37 afford views into each others rear gardens as built. Our proposal given the distances above and the boundary treatments of these properties results in hardly any impact at all and we would contest that privacy issues are not pertinent in this case.

(h) Materials used should be sympathetic to the character of the area.

4.2.13 The proposed two storey extension will use materials which will match those used in the original dwelling and will therefore protect and enhance the character of the surrounding area. The existing walls are constructed from coursed bradstone with a slate roof and uPVC windows and doors.

(i) Developments should not result in the loss of important open space including public and private playing fields.

4.2.14 There will be no loss of open space as a consequence of this development.

(j) Developments should not damage SSSI's, County Heritage Sites, Local Nature Reserves or other sites of nature conservation importance.

4.2.15 There will be no damage to any SSSI's, Country Heritage Sites, Local Nature Reserves or other sites of nature conservation importance as a result of the proposed development.

(k) Development should not require culverting, artificial channelling or destruction of a watercourse. Wherever possible watercourses should be maintained within a reasonable corridor or native vegetation.

4.2.16 There will be no damage to any watercourses as a result of the proposed development.

(l) Developments should be economic in the use of land, water and aggregates and should not prejudice future development which would provide significant environmental and amenity improvements.

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4.2.17 The proposed development is for a modest two storey side extension in order to create much needed additional living accommodation for our client and his family. The proposed layout of the accommodation within the extension has been carefully thought out in order to make the most efficient use of the space available and we consider that the proposed development will therefore be economic in the use of land. It would seem logical to allow this modest extension to the property, which is located within the settlement boundary of Chatburn village rather than allowing properties to be significantly extended in rural areas which are situated outside of settlement boundaries. We have dealt with several applications for properties which have been significantly extended in rural areas and these applications have been approved. We consider that this is a more economic use of the land available within the settlement boundary and therefore satisfies the requirements of the above policy.

(m) *Where it is the intention to rely upon a private water supply, developments should provide an adequate means of water supply which will not derogate existing users.*

4.2.18 There will be no effect on the water supply in the area.

Policy H10

4.2.19 Policy H10 deals with residential extensions and states:

"Proposals to extend or alter existing residential properties within the plan area will be considered on the basis of the scale, design and massing of the proposal in relation to the surrounding area. Proposals which conform to the criteria set out in Policy G1 will be considered acceptable."

4.2.20 We have already provided a reasoned justification as to the scale and design of the proposed extension at paragraph 4.2.7. The proposed extension will remain subservient to the original dwelling and has been designed to use materials which will match those used in the original dwelling and we are therefore confident that the proposed development conforms to Policy H10.

4.3 Supplementary Planning Guidance (SPG) 7: Extensions and Alterations to Dwellings

4.3.1 This SPG is intended to expand upon the relevant policies which are contained within the Local Plan. It states that *"When thinking about your extension there are three important issues to consider. These are:*

- *Make sure you take account of the design of the existing house, your scheme should complement or improve the house*

- *Ensure your scheme is in keeping with the area*
- *Consider your neighbours amenities and make sure your proposal is not harmful to them*
- *Consider any impact on trees, especially those protected by a Tree Preservation Order or within a Conservation Area where they will also be protected"*

4.3.2 We have already demonstrated within this Supporting Statement why we believe the proposed development will adhere to the three issues mentioned above (see paragraphs 4.2.3, 4.2.7 and 4.2.9).

4.3.3 The SPG is a material consideration when making decisions on planning applications and deals with specific issues relating to residential extensions. We will deal with each of these separately as follows:

Design

Character

4.3.4 The SPG states that *"Any extension should reflect the character of the original house and the wider locality."* The proposed extension will remain subservient to the main dwelling and will utilise materials which will match those used in the main dwelling. The dwelling is situated on a small housing development which consists of a mix of dwelling types and the proposed two storey side extension will blend in with the mixed character and housing type within the site.

4.3.5 *"Particular care should be taken with any scheme which is visible from public vantage points such as highways, including public footpaths and bridleways."*

4.3.6 The proposed extension will be situated to the side of the dwelling which adjoins the highway. When one travels down Ribble Lane it is natural that the eye is drawn to the vanishing point in the distance. It is our contention that the new extension does not protrude beyond the existing building line and therefore will not be intrusive into the field of vision and subsequently would not affect the visual amenities of the street scene. Please refer to paragraph 4.2.8 and the relevant Sketches A, B and C within Appendix 4 of this Planning Statement.

Scale

4.3.7 The SPG states that *"There should be a good visual relationship between the original dwelling and any subsequent additions (either existing or proposed)."* The proposed two storey side extension will have a lower ridge height and will be subservient to the original dwelling. The proposed

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extension will be slightly set back from the front line of the existing dwelling and will therefore be subservient to the main part of the dwelling. The materials used will match those in the original dwelling.

- 4.3.8 *"As a general rule any extension should not dominate the original house."* The SPG states that *"As a rule of thumb avoid schemes which increase the size of the original dwelling by in excess of a 75% increase in floor area."* The proposed extension is less than 75% of the floor area of the original dwelling and therefore cannot possibly be considered to dominate the original house. Its design has been carefully considered in order to remain subservient to and in keeping with the original dwelling.
- 4.3.9 *"In general extensions should respect the proportion, form and detailing of the original dwelling."* We have demonstrated that this is the case already within this supporting statement within paragraph 4.2.7.

Size

- 4.3.10 The SPG states that *"The size of an extension is an important consideration. Over large extensions can dominate the original dwelling, they are also more likely to harm the amenities of neighbours. The development should be appropriate to the plot size and not result in a cramped appearance."* The size of the proposed extension is much less than that of the original dwelling and will not appear dominating. The proposed development will be situated on the opposite side of the house to the point at which it is attached to the adjacent property and therefore there will be no detrimental affect on the neighbouring property in terms of loss of sunlight, daylight or privacy. The proposed development will not result in a cramped appearance as the garden curtilage to the side of the property is sufficient in size to accommodate the modest extension and retain adequate garden space on the plot following development. Please refer to Photograph 2 in Appendix 3 of this Supporting Statement.
- 4.3.11 The SPG does not prescribe a minimum distance for setting back extensions. The proposed extension will be slightly set back from the front line of the original dwelling and this will render the extension subservient to the main dwelling.

General Form and Shape

- 4.3.10 The SPG states that *"The form and shape of the original dwelling should be respected and reflected in the extension."* The proposed extension will remain in keeping and sympathetic with the form and shape of the original dwelling.

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Materials

- 4.3.11 The SPG states that *"In most cases we would expect any extension to be carried out using materials which match those of the existing building."* The proposed extension will utilise coursed bradstone with a slate roof and uPVC windows and doors. These materials will therefore match those used in the original dwelling.

Roof Design

- 4.3.12 The SPG states that *"It is generally advisable to follow the existing roof profile (angle of slope) if this is in keeping with the area."* The proposed two storey extension will have a pitched roof but will have a lower ridge height than the existing dwelling and therefore will remain in keeping with the character of the area.

Windows and doors

- 4.3.13 The SPG states that *"The type of windows and doors used, and their positioning are an important part of any development. It is often best to follow the style of the original house."* As can be seen on plans submitted with this planning application the proposed windows and doors will utilise the same materials as the existing and will be positioned so as to follow the style of the original house.

Impact on neighbours

Privacy, overlooking, daylight and sunlight

- 4.3.14 The Council's SPG states that *"Protecting the privacy of neighbouring properties is an important part of the planning process. Special care needs to be taken when the location of windows is considered"* The proposed development will be situated on the opposite side of the house to the point at which it is attached to the adjacent property. The Officer's delegated item report states *"However, in relation to the windows at the rear I have concerns. The current first floor windows at the rear of this property look on to the blank gable of no. 35 Victoria Court. The extension proposed would project beyond the gable end of this property and thus the rear elevations of nos. 35, 36 and 37 Victoria Court. The position of the first floor windows would enable unobstructed views of the rear garden areas of this row of dwellings, which is not currently experienced by these residents. This would, in my opinion, adversely affect the amenities of those neighbours, and refusal of the application on this ground alone is justified."* We have shown at paragraph 4.2.13 that the nearest garden is 13m from the proposed extension, in order to avoid overlooking.

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- 4.3.15 The GPDO states that two storey extensions should be no closer than 7m to the rear boundary. In this case the proposed extension will be almost twice as far as the recommended guidelines regarding this issue and therefore this supports our opinion that it would be unreasonable to refuse this application due to adverse impact on the residential amenity of 35,36 & 37 Victoria Court. We consider that this serves to strengthen the case for approval and we provide examples of similar types of development which have been approved and which have a more significant impact on overlooking and privacy issues for neighbouring dwellings when compared to this application (see Section 5 of this Supporting Statement).
- 4.3.16 We make reference to a site at Hollowhead Farm, Hollowhead Lane, Wilpshire, BB1 9LD. This site was subject to the development of four split level detached properties at the end of Hollowhead Lane, three of which look down onto the dwelling at Hollowhead Farm and its associated garden area – see Photographs 3, 4 and 5 in Appendix 5. It is evident to see from these photographs that little consideration has been given to the privacy and overlooking issues at Hollowhead Farm in the development of the new dwellings. It would seem to be a complete contradiction to pass a development of this nature which clearly resulted in gross overlooking into the garden area and the dwelling and to make reference in this instance to the overlooking of the proposed extension to 33 Victoria Court into the rear garden of Nos 35, 36 and 37 Victoria Court as a substantive reason for refusal.
- 4.3.17 The Council has approved the development of new housing sites, where the distance from existing properties surrounding the site to the gardens of the proposed dwellings is significantly less than that which will result following the development which is proposed within this planning application.
- 4.3.18 We have looked at the scheme for development at Barrow Brook. We make reference to the houses on Paynter Close, Barrow and the fact that their rear gardens measure approximately 6.5m in length, at which point they will meet the rear gardens of the proposed dwellings. This again highlights the relative lack of privacy that has been incorporated as part of the design. Conclusively, the distances stated above in relation to the proposed two storey extension at 33 Victoria Court to the rear garden areas of Nos. 35, 36 and 37 appear to be in keeping with the general rule and acceptability of development. We question why these new housing estates are not being afforded the same privacy as that which is being stated as a reason for refusal within this application.

Space Standards

- 4.3.19 *"Extensions should still allow for adequate amenity space for the dwelling"*
As we have highlighted in relation to 'Size' in section 4.3.7 of this supporting statement there will be adequate amenity space left for the garden curtilage following development.

4.4 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 4.4.1 On 25th July 2011, the Government published a consultation draft of a new planning policy statement which is intended to replace the current suite of PPSs and PPGs. The National Planning Policy is intended to provide more concise guidance, but also set out a framework for the positive treatment of development. The Government is committed to delivering development in order to underpin economic growth, which means that a number of policy changes are required as well as a more general change in the way in which development is perceived. We consider that this new emphasis would warrant the Council being supportive of the proposed development.

5. OTHER DEVELOPMENT IN THE BOROUGH

- 5.1 We set out below a number of examples where planning permission has been recently approved by the Council for domestic extensions.

5.2 Planning Application Number 3/2007/0442: Proposed two storey side extension and roof lift at Strathaven, Whalley Road, Billington, BB7 9LG.

- 5.2.1 This application was approved with conditions on 20 July 2007. The existing dwelling before development comprised one of a line of modest double fronted bungalows on Whalley Road. Strathaven has a prominent roadside position and the properties to the rear of Strathaven are on higher ground creating some mutual overlooking.

- 5.2.2 The extension which was granted planning permission can be seen in Photographs 6 - 8 at Appendix 5 of this Supporting Statement. The extension is three storey in height and dominates what would have been the original bungalow. The neighbouring bungalows appear to be dwarfed in comparison following development, see Photograph 7 at Appendix 5. The extension and alterations protrude well forward of the main house – see Photograph 8 at Appendix 5. The ridge is higher than the original roof and with the relative close proximity of neighbours to the rear and the side this creates serious overlooking. This dominating three storey extension clearly is in breach of the Council's SPG on domestic extensions and

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alterations. It has a huge impact on the street scene as can be seen in Photograph 6 within Appendix 5 but was considered acceptable by the Council.

5.2.3 The application was sent to Committee and the report states that:

"The main issues relate to whether the proposal would have an adverse impact on adjacent residential amenity and its impact on the street scene and character of the building" It continues to state *"In relation to the street scene and character of the building I am satisfied that the overall effect on the building would not be to its detriment. The dwelling is of little architectural quality and the proposed change although modern in relation to the glazing element is sympathetic to the overall character of the building. In the vicinity there is a mixture of detached bungalows and dwellings and a row of terraced units. The property is set a reasonable distance away from the carriageway and although occupies an elevated position, would not have a significant impact on the street scene."*

5.2.4 Despite the issue outlined in paragraph 5.2.2 above planning permission was granted for the proposed extensions and alterations to Strathaven. There can be no doubt that this development contravenes the guidance provided in the SPG relating to the scale and size of proposed domestic extensions.

5.2.5 There has been a subsequent planning application 3/2011/0778 for the proposed installation of a new window to the side elevation at Strathaven, Whalley Road, Billington which if approved will create overlooking and privacy issues for the neighbouring property. This application has not yet been determined.

5.3 Planning application number 3/2004/1245/P: Alteration and two storey side extension at 2 Pasturelands Drive, Billington.

5.3.1 This planning application was approved with conditions on 3 February 2005. The Officers Delegated Item File Report states *"The application relates to a semi-detached property within the residential settlement of Billington as defined by the Ribble Valley Districtwide Local Plan adopted June 1998. The proposal is for a two storey side extension. Ribble Valley Districtwide Local Plan states that extensions preferably should not be over 75% increase in floor area. In this case the extension would be approximately 107% of the original size of the dwelling. However, I consider this is suitable due to the plot size and the fact that there are similar sized extensions on the estate already (eg No 90 Pasturelands Drive)."* We consider that an approximate increase of 107% of the original size of the dwelling contravenes the guidance provided within the Council's SPG on domestic extensions and alterations which we have

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already made reference to in detail within this report. This is a substantive increase over and above that which is specified as a guideline.

- 5.2.2 The Officers Report continues to state that *"The SPG also states that the roof of the extension should be really be stepped down from the existing ridge height to stop the extension dominating the original dwelling. Again, in this case, I consider it is acceptable to waive this policy as there are similar extensions on the estate (No. 90), and due to the problems that this property faces from strong winds. Having one roof surface would reduce wind damage that would occur at two points on the roof, if the ridge were split."* The SPG states, as we have already detailed within this report (see Section 4.3) that the extension should remain subservient to the main dwelling *"As a general rule any extension should not dominate the original house"* Photograph 9 in Appendix 5 shows the two storey extension and highlights the dominating nature of this development. There is no real justification for waiving the policy but this has clearly happened in contrast to our client's application which conforms to the SPG and yet has been refused.
- 5.2.3 The Officer's Report continues to state that *"Likewise the extension would be built to the boundary at the front of the plot. I consider this is acceptable as the pavement would allow for vision around the corner"* We contend that this again contravenes the guidance set out in the Council's SPG (see Section 4.3).
- 5.2.4 *"There are no habitable room windows facing the extension on the property at the rear, and there is an electricity substation between these two dwellings. Therefore, I do not consider there would be a significantly detrimental impact caused to these neighbours by loss of privacy or light, even though the amended plans do show the extension projecting further back than originally planned."* The extension is two storey in height and we feel impacts on neighbour privacy and overlooking in the immediate vicinity. The existing property has been extended creating a dominating gable which adjoins Pasturelands Drive. This extension is clearly greater in size and proportions than that which is proposed within this planning application, nevertheless the Officer saw fit to state in her reason for refusal that the proposed extension to 33 Victoria Court, Chatburn would *"result in a disproportionate and prominent addition, which would be detrimental to the amenity of neighbouring dwellings and the visual amenities of the street scene."* This clearly cannot be the case when viewed in respect of other examples of similar types of development which have been granted approval and which are of a more intense and dominating nature than that which is proposed.

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5.3 Planning application number 3/2009/0391: Two storey extension to create a new kitchen/dining room, utility room and entrance porch at ground floor level and two new bedrooms and en-suite bathroom at first floor level. Internal alterations including repositioning of stairs and creation of larger bed 2, bathroom and a new craft room at 45 Riverlea Gardens, Clitheroe, BB7 1QQ.

5.3.1 This application was for the proposed extension to a property of similar age and style to that at 33 Victoria Court, Chatburn. The application was approved with conditions on 17 July 2009. The Officer's Delegated Item File Report states:

"Planning permission is sought for a proposed two-storey extension to the side and rear of No. 45 Riverlea Gardens, Clitheroe. The property is a modern detached property close to the town centre of Clitheroe.

The proposed extension projects approx. 4.3m into the rear garden of the property and approx. 1.7m to the side of the property. The extension follows the roofline of the existing property to the rear and to the side, creating a small cat slide style roof. With regards to the design, there are no objections as there are varying styles of properties on this housing development, and this scheme would not look out of place. There are no concerns with regards to the schemes impact on nearby residential amenity due to the position of the extension on site in relation to nearby properties." The report concludes to say that "The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact."

5.3.2 The Officer states that there are varying styles of properties on the housing development and this is also the case at the Victoria Court development. The SPG states that *"The loss of visual gap between houses is to be avoided."* It is clear that the resulting appearance of this development has created a loss of the visual gap between properties and is therefore in conflict with the SPG. The Officer continues to state that therefore the proposed scheme would not look out of place. It is fair to say that the proposed two storey side extension at 33 Victoria Court, Chatburn would not look out of place within the local area due to the varying styles and densities of properties on the housing development.

5.4 Planning application number 3/2011/0127: Proposed removal of the existing car-port. Proposed two, two storey side extensions including a dormer to the front roof slope at 1 Derwent Close, Clitheroe, BB7 2PW.

5.4.1 The application was approved with conditions on 14 April 2011. The Officer's Delegated Item File Report states:

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"Permission is sought for a wrap around extension to the north-eastern corner of the property projecting 1 metre from the existing front elevation, projecting a maximum of 5 metres from the original side elevation of the property and a maximum of 7.6 metres in length. The footprint of the extension results in a mixture of roof styles to this elevation and to enable accommodation at first floor level the appearance of this extension to the eastern end of the front elevation would appear as a pitched roof gable fronted extension measuring 5.7 metres in height. In addition a piked roof dormer is proposed to the front roofslope projecting 3.5 from the property, 1.9 metres in height and 1.8 metres in length. To the western side elevation of the property an infill extension is proposed to the north western corner measuring 2.7m x 2.5m and a further infill extension to the south western corner of the property measuring 2.8m x 2.7m. The height of this extension to the side would not exceed the height of the existing roof at 5.7 metres."

- 5.4.2 This approved development is for a wrap around extension to the north-eastern corner of the property projecting 1 metre from the existing front elevation, projecting a maximum of 5 metres from the original side elevation of the property and a maximum of 7.6 metres in length. In overall terms this appears to be a relatively significant extension to the existing property and the Officer saw fit to approve the application. In light of this we do not consider that the Council can be justified in refusing a modest two storey side extension at the application site at 33 Victoria Court, Chatburn.
- 5.4.3 The Officer's Delegated Item File Report continues to state that *"In terms of the visual impact of the extension I note that there is a variance of property types within the immediate street scene, including a mixture of predominantly dormer bungalows and two-storey properties, some of which have been extended in a variety of ways. As such it is considered that whilst the proposal will result in a different property type within the street scene, as the height of the proposals will not exceed the height of the existing property, materials to be used are to match the existing property and the site can adequately accommodate the proposed extension without appearing as cramped development on this corner plot, I consider that its visual impact would not be significant as to cause harm to the appearance of the street scene in accordance with Policy G1 and H10 of the Ribble Valley Districtwide Local Plan."*
- 5.4.4 The report concludes by stating that *"Therefore, I do not consider this application would cause a significant detrimental impact on the visual amenity of the area or on the residential amenity of the occupiers of the surrounding properties. As such, the application is recommended accordingly."*

5.5 Planning application number 3/2009/0848: Erection of one detached dwelling in side garden with new access at 1 The Grove, Whalley, BB7 9RN.

5.5.1 This application was approved with conditions on 27 November 2009. The proposed detached dwelling has been developed as an infill development within the garden curtilage of 1 The Grove, Whalley. The site adjoins Mitton Road which is a busy main road travelling out of Whalley village towards Mitton, Hurst Green and Longridge. We are of the opinion that the presence of a large detached dwelling within this former garden area has a significant impact on the street scene when travelling either way along Mitton Road, see Photograph 10 at Appendix 5. The surrounding residential properties are set back from the highway and have the benefit of significant garden areas between the dwellings and the highway, see Photograph 11 at Appendix 5. With regard to the approved dwelling projecting well forward of the existing building line on The Grove, see Photograph 12 at Appendix 5.

5.5.2 We refer to the Officers Delegated Item File Report for the planning application at 33 Victoria Court, Chatburn which states "*However, when viewing the front of the property from Ribble Lane, the set back of the first floor portion is negligible and thus, in my opinion, the extension would not appear subservient to the main dwelling*". The proposed two storey extension at 33 Victoria Court will be set back from the front elevation by 150mm. This will not create an addition which sits forward of the original dwelling and in this instance we refer again to Photograph 12 in Appendix 5 where the approved dwelling at 1 The Grove, Whalley clearly projects well forward of the existing building line at The Grove. We consider that the creation of this detached dwelling which protrudes forward of the existing building line at The Grove is contrary to the advice and guidance contained within the Council's SPG on domestic extensions and alterations. Nevertheless the planning officer saw fit to grant planning approval with conditions for the above development.

6 SUMMARY AND CONCLUSIONS

6.1 This planning application is for a two storey side extension in order to provide living room utility/WC to ground floor and master bedroom suite to first floor at 33 Victoria Court, Chatburn following refusal of the original planning application number 3/2011/0295 on 22 June 2011. The proposed development is required so that the dwelling continues to meet the requirements of the applicant and his family.

6.2 We have demonstrated within this supporting statement that the proposed development meets all the criteria set out within the relevant local policies

320110982P

and within the guidance provided by the SPG on Extensions and Alterations. We have provided a clear illustration of several examples of similar types of development which have recently been granted planning approval within the Ribble Valley district, most significantly that at Strathaven in Billington.

- 6.3 It is clear that the Council have set a precedent for allowing very large domestic extensions which clearly do not comply with the relevant policies of the local plan or the SPG. In particular with reference to the planning application at Strathaven, Whalley Road, Billington and the approval of a two storey side extension and roof lift. This property faces the main highway and the extension was of a far greater scale than that which is proposed within this application. There has been a significant impact on the street scene and the creation of the extensions and alterations has turned a modest double fronted bungalow into an enormous three storey extended dwelling which no longer matches the character of the surrounding area and which protrudes well front of the existing line of the dwelling. It is clear that the approval and subsequent development at this site is completely contrary to local planning guidance which includes in particular the advice and guidance set out in the Councils SPG on domestic extensions and alterations.
- 6.4 We have provided several other examples of similar development of dwellings which are of a similar age and style to the dwelling at Victoria Court, Chatburn, which have been extended. We have also provided other examples of side extensions which have been granted planning permission and based on this information it would be totally unreasonable for the Council to refuse this planning application as there is no support in the Local Plan or SPG for such a decision.
- 6.5 We have illustrated that the remaining garden curtilage following development will be adequate and that the proposed extension will utilise materials which will match those used in the original dwelling, thus remaining in keeping with the character of the area. It is important to highlight that the Victoria Court housing development even though relatively small in size, consists of a range of different housing types and in this instance a two storey side extension which will remain subservient to the original dwelling and would not appear out of character with the overall nature and style of the housing development.
- 6.6 We have provided a reasoned argument as to why we believe the Officer was incorrect in refusing this planning application throughout the Supporting Statement.
- 6.7 We have also provided an Evening Emergence Bat Survey which is additional information and accompanies this planning application. This

320110982P

addresses one of the Officers reasons for refusal in the original application and which provides details on what times of year works can be undertaken to the property without causing any disturbance to the bats at the site.

- 6.8 We firmly believe that the Council should look favourably on this planning application and grant planning permission accordingly given the case made above where properties in similar situations have already been approved. The impact of this proposal is very minor and its significance in terms of affecting the street scene has little or no impact and we contend that a question of balance needs to be applied to the decision process. To withhold planning permission would we believe be completely unreasonable in these circumstances.

Signed



Date

25.11.2011

Jennifer Hindle BA (Hons)

(For and on behalf of Gary Hoerty Associates)

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APPENDIX 1

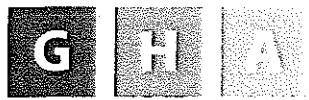
SITE PLAN REFERENCE 1731.P.05

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Proposed Extension to 33 Victoria Court, Chatburn, Clitheroe, BB7 4BF~



Proposed Location Plan 1:1000



Gary Hoerty Associates

Chartered Surveyors
6-8 Church Street
Clitheroe
Lancashire BB7 2DG

T: 01200 442301
F: 01200 442302
Email: info@ghaonline.co.uk

Drawing No: 1731.P.05

Project: Proposed Extension to
33 Victoria Court
Chatburn
Clitheroe
BB7 4BF

Notes:

All work is to be carried out to the latest current British standard Codes of Practice and recognised working practices. All work and materials should comply with Health and Safety legislation. All dimensions are in millimetres except where explicitly shown otherwise. The contractor should check and certify all dimensions as work proceeds and notify GHA of any discrepancies. Do not scale off the drawings, if in doubt ask.

Client: Mr D Huyton

Drawn: RB

Date: 03 11 11

Scale: 1:1000
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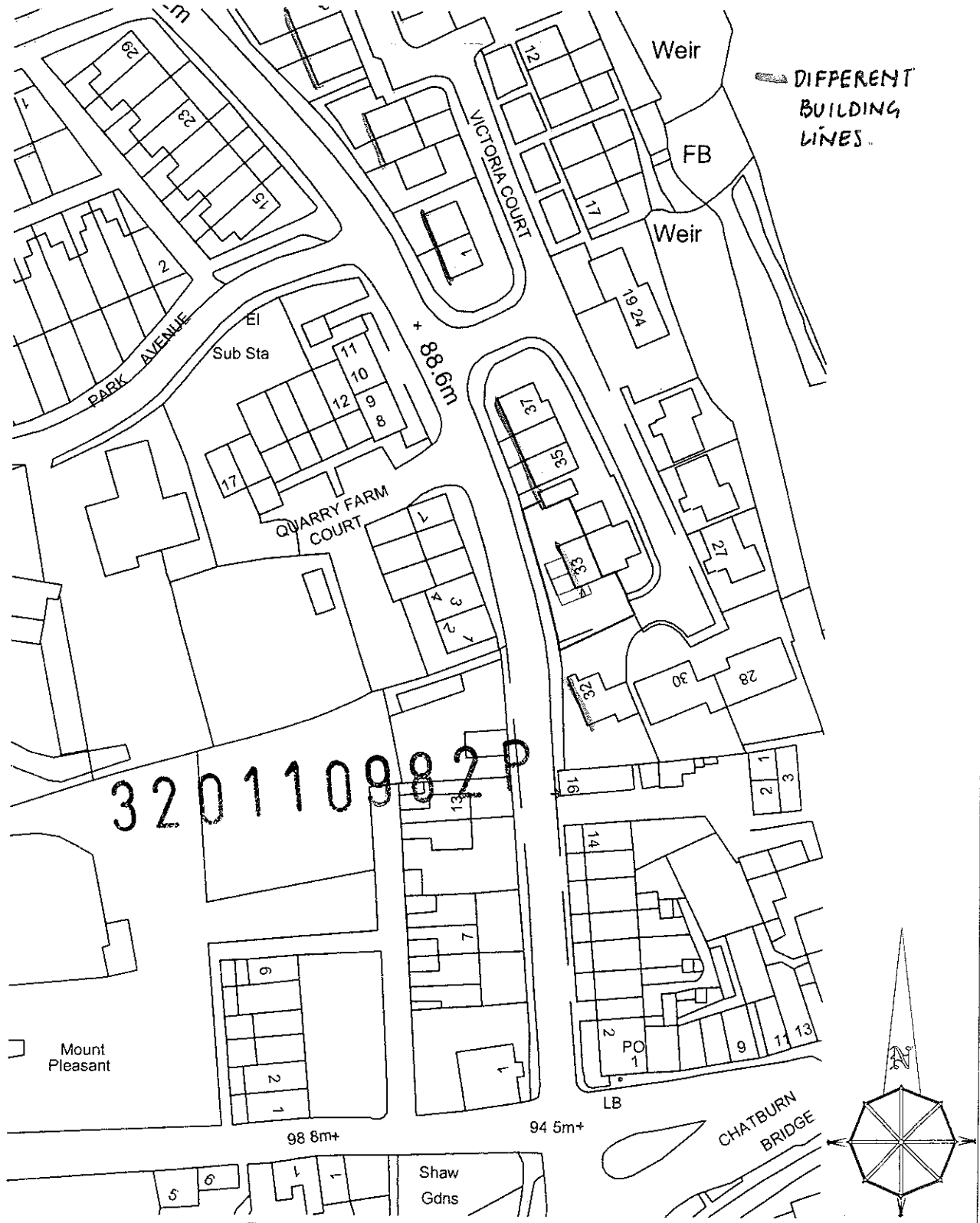
Amendments:

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APPENDIX 2

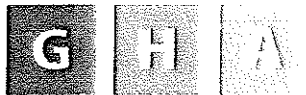
LOCATION PLAN REFERENCE 1731.P.06 (showing differing building lines
along Ribble Lane)

Proposed Extension to 33 Victoria Court, Chatburn, Clitheroe, BB7 4BF~



320110982P

Proposed Location Plan 1:1000



Gary Hoerly Associates

Chartered Surveyors
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Lancashire BB7 2DG

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Drawing No: 1731 P 06

Project: Proposed Extension to
33 Victoria Court
Chatburn
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BB7 4BF

Notes:
All work is to be carried out to the latest current British standard Codes of Practice and recognised working practices. All work and materials should comply with Health and Safety legislation. All dimensions are in millimetres except where explicitly shown otherwise. The contractor should check and certify all dimensions as work proceeds and notify GHA of any discrepancies. Do not scale off the drawings, if in doubt ask

Client: Mr D Huyton

Drawn: RB

Date: 03 11 11

Scale: 1:1000

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Amendments:

APPENDIX 3

PHOTOGRAPHS OF APPLICATION SITE

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Image 1: Main vista along Ribble Lane, Chatburn



Image 2: Front elevation showing garden area which will accommodate the proposed two storey side extension

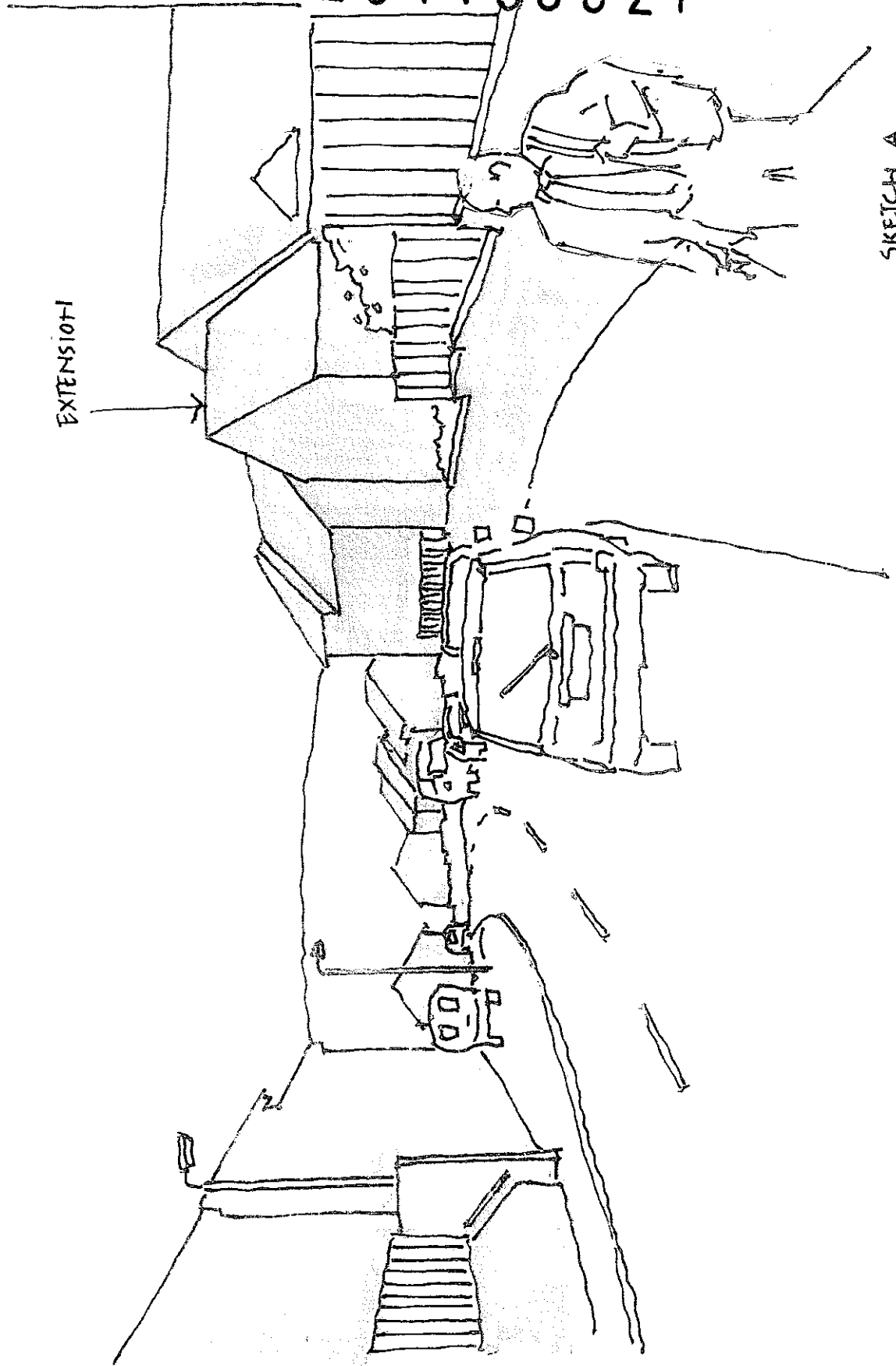


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APPENDIX 4

SKETCHES OF DIFFERING BUILDING LINES ALONG RIBBLE LANE

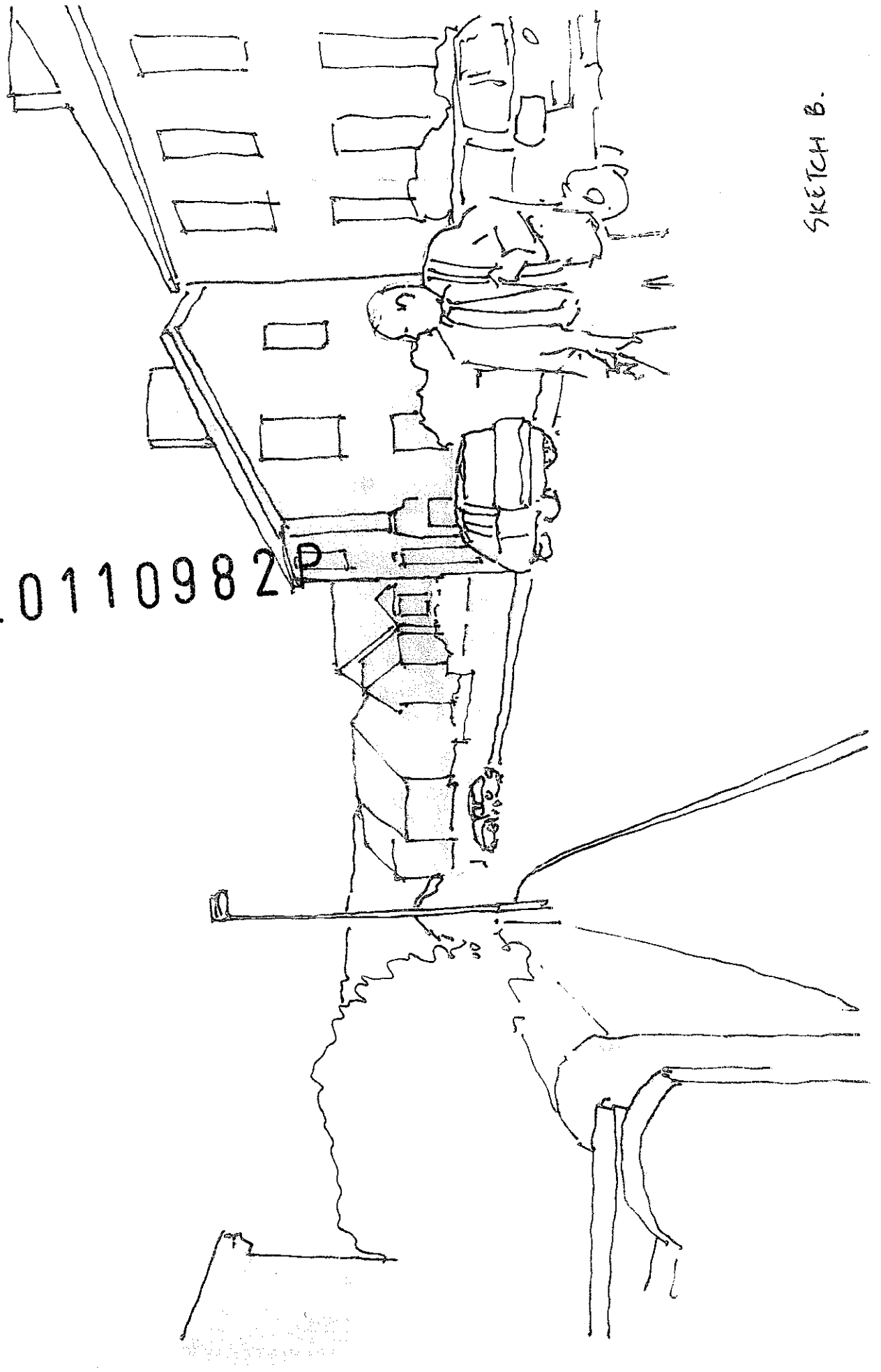
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EXTENSION

SKETCH A

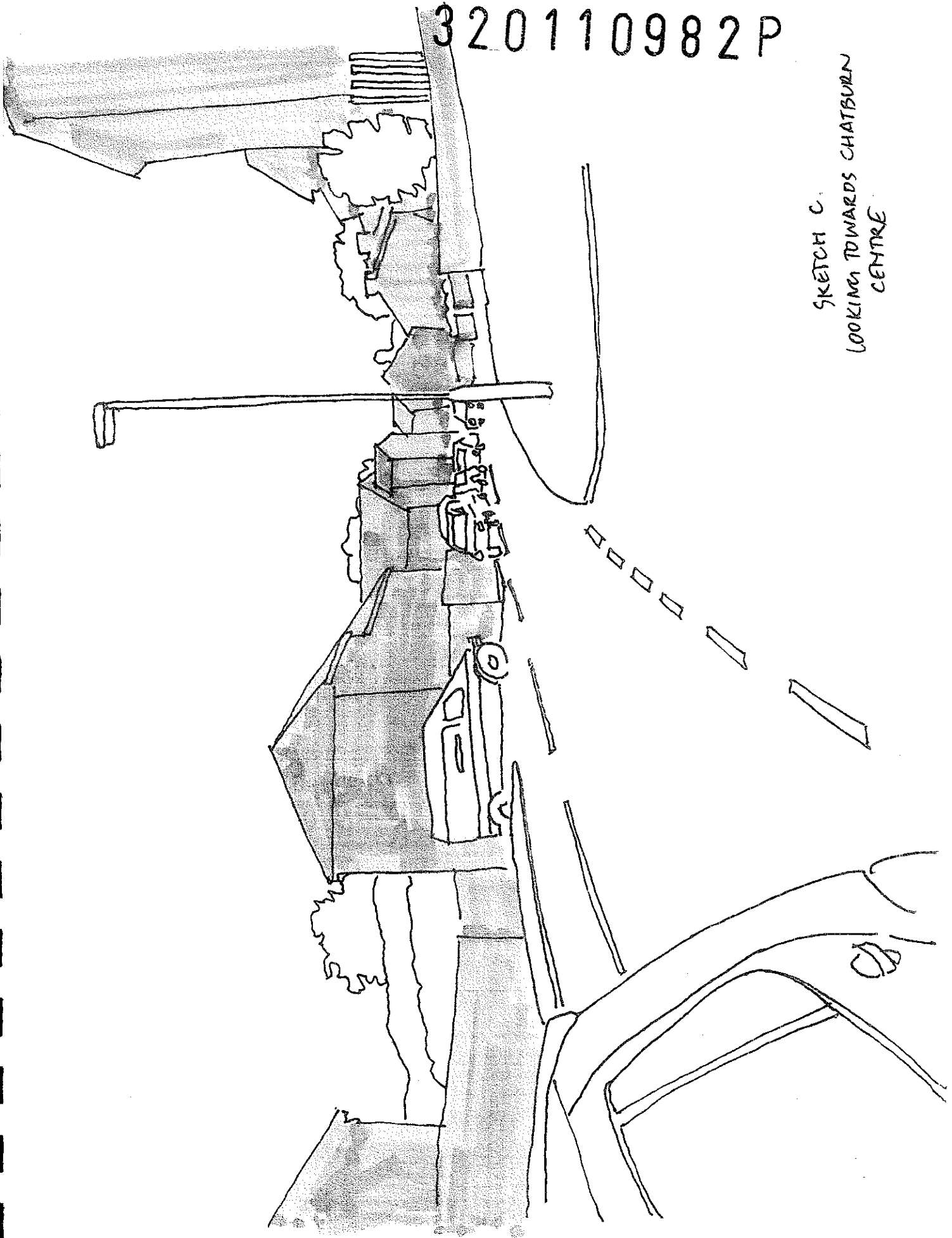
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SKETCH B.

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SKETCH C.
LOOKING TOWARDS CHATBURN
CENTRE



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APPENDIX 5

PHOTOGRAPHS OF SIMILAR DEVELOPMENT APPROVED WITHIN THE
BOROUGH

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Image 3: Garden area at Hollowhead Farm, Hollowhead Lane, Wilpshire, BB1 9LD



Image 4: Garden area at Hollowhead Farm, Hollowhead Lane, Wilpshire, BB1 9LD



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Image 5: Garden area at Hollowhead Farm, Hollowhead Lane, Wilpshire, BB1 9LD



Image 6: Two storey extension and roof lift at Strathaven, Whalley Road, Billington, BB7 9LG



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Image 7: Neighbouring bungalows at Strathaven, Whalley Road, Billington, BB7 9LG



Image 8: Image showing the intensity of the dwelling on the Street scene at Strathaven, Whalley Road, Billington, BB7 9LG



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Image 9: Image showing the intensity of the dwelling following development at 2 Pasturelands Drive, Billington



Image 10: Infill development at 1 The Grove, Whalley, BB7 9RN



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Image 11: Garden areas shown along the side of Mitton Road, Whalley



earthworks environmental design

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Mr David Huyton

33 Victoria Court
Chatburn
Clitheroe
Lancashire

320110982P

5 September 2011

Ref: B945 / 1021

Dear Mr Huyton

Evening emergence survey (bats) at: 33 Victoria Court, Chatburn.

You have requested an evening emergence survey (bats) as a condition of a planning application for a building extension to the above named property.

A scoping survey was carried out on 20 April 2011 (*EED – survey B945 – attached*); the initial inspection found evidence of bat roosting activity in the area close to the proposed building alterations. The initial survey was undertaken outwith the optimal survey period for bats and the report recommended that at least one evening emergence or dawn re-entry survey be undertaken during the optimal summer survey period.

An evening emergence survey was carried out on Friday 12 August between 20.15 and 21.45; the weather at the time of the survey was warm, dry and overcast (temperature: 21°C; cloud: 100%, wind: light SW), the warm and overcast conditions provided optimum conditions for observing roost emergence activity.

Evening emergence survey methodology

The emergence and flight activity was undertaken using ultrasonic bat detectors; two types of device were used to record echolocation calls: (1) Batbox Duet heterodyne / frequency division detector and (2) Anabat SD2 CF frequency division recorder; headphones were used throughout the survey

The survey began approximately 30 minutes before sunset (Sunset time: 20.46) and continued for 60 minutes after sunset. Survey conditions were optimal for monitoring roost emergence.

The surveyor was positioned below the gable apex wall of the west elevation of the house with unobstructed views of the roost site.

Evening emergence survey results and evaluation

A daylight inspection was carried out on Wednesday 20 April; fresh bat droppings were located inside the roof void and below the apex wall indicating a maternity roost site used by a species of pipistrelle bat.

Several maternity roosts were identified within neighbouring houses in addition to a number of existing bat records from nearby properties.

Emergence began close to official sunset; the first bat emerging from beneath the soffit at 20.42 in daylight; a total of 39 common pipistrelles (*P. pipistrellus*) emerged from several access points on either side of the roof apex (figure 1 – mitigation notes).

Activity was typically that of a pipistrelle nursery roost site and it is likely that the peak activity period (when most bats would have been present) is around the end of July / first week in August. The average roost size for this species is c.100 bats although numbers usually fluctuate significantly throughout the summer months.

The number of bats likely to be present within this roost is between 30 and 100+ individuals (ie. beginning of May and the end of July / early August).

The conservation significance of this building is 'moderate to high' and therefore any proposed building works must avoid the critical period when female bats and young are likely to present and most vulnerable to disturbance (ie. 1 May to 31 August).

Although the proposed works are unlikely to interfere with the existing bat roost, some of the external works will inevitably be relatively close to the access points used by bats; building operations must not interfere or restrict any of the access or emergence points used by bats.

The recommended periods for carrying out works close to a maternity roost are either spring or autumn when bats are least vulnerable to disturbance and most able to find alternative roost sites and when food is still available.

SUMMARY AND RECOMMENDATIONS

Mitigation measures are required at this site to ensure that bats are not injured or killed during the building alterations. Building operations should proceed with reasonable caution and vigilance for the presence of bats at the site.

If bats are accidentally exposed, contractors must stop work in that particular area and seek further advice

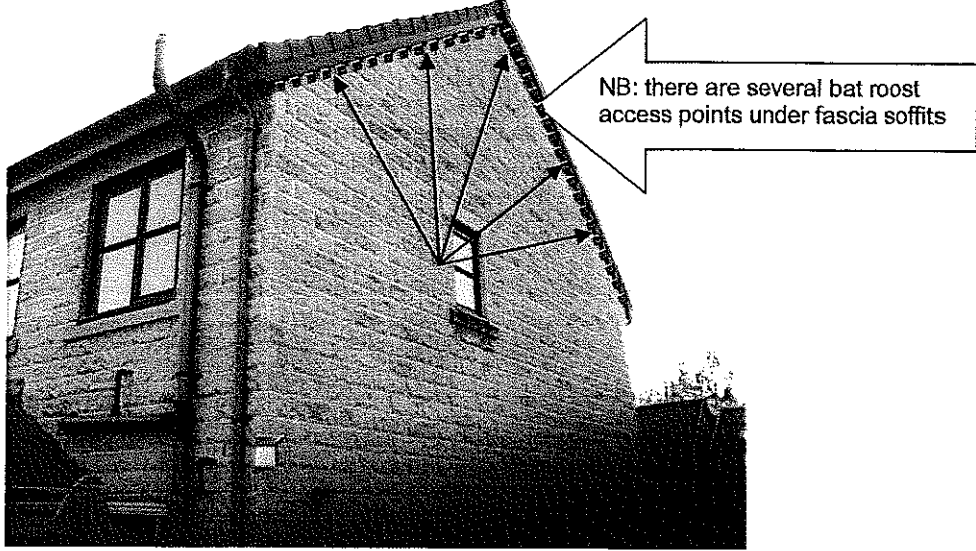
The main considerations are as follows:

- (1) Project managers and site contractors must be made aware that roosting bats are active at this site
- (2) Building works close to the roost must avoid disturbance to the roost between 1 May and 31 August
- (3) Access for bats into the roost must be preserved at all times; exclusion would require a licence
- (4) Building operations should seek to reduce noise, disturbance and lighting close to roost entrances.

MITIGATION PLAN – METHOD STATEMENT

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"

MITIGATION PLAN – METHOD STATEMENT:	
ACTION:	METHOD:
1. Timing constraints	<p>THIS BAT ROOST IS LIKELY TO BE IN CONSTANT USE BY BATS BETWEEN APRIL AND SEPTEMBER. ALL WORKS LIKELY TO CAUSE DISTURBANCE TO BATS WITHIN THE VICINITY OF THE ROOST MUST AVOID THE CRITICAL PERIOD 1 MAY TO 31 AUGUST WHEN PREGNANT BATS AND THEIR YOUNG ARE MOST VULNERABLE TO NOISE, VIBRATION AND OTHER FORMS OF DISTURBANCE.</p> <p>Avoid ANY disturbance to the roof verges, fascias, soffits and the roof void during this period; the best times to carry out operations close to the roost are:</p> <ul style="list-style-type: none"> (1) SPRING – March and April and (2) AUTUMN – September and October

<p>2. Preserve all bat access points</p>	<p>Be aware that bats emerge from beneath the fascia soffits by dropping more or less vertically out of the roost before taking flight; bats will require at least 1000mm clearance.</p> <p>DO NOT ERECT SCAFFOLDING OR OTHER POTENTIAL OBSTACLES WITHIN 1000mm OF THE SOFFIT.</p> <p>Do not install flood lighting or security lighting close to the access points.</p> 
<p>3. Avoid noise, dust and vibration.</p>	<p>It is an offence to disturb, damage or destroy a bat roost; avoid or reduce disturbance caused by building works in the vicinity of the roost at all times; particular consideration must be given to works carried out at the site during the critical period 1 May to 31 August.</p>
<p>4. Accidental exposure of bats</p>	<p>If bats are exposed or vulnerable to harm, any 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.</p> <p>Stop work immediately if bats are exposed or likely to be disturbed.</p> <p>All contractors should be aware of their responsibilities to protected species</p> <p>IF IN DOUBT – SEEK ADVICE IMMEDIATELY</p> <p>For local advice: call David Fisher (EED) on 01200 446859 mobile: 07709 225783</p>
<p>5. Avoid handling bats</p>	<p>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</p>
<p>6. Legal protection</p>	<p>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</p>
<p>7. Further advice</p>	<p>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.</p>
<p>8. Additional survey effort</p>	<p>Not required</p>
<p>9. Post-development monitoring</p>	<p>Not required</p>

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Stephen Hetherington

320110982P

IWA Architects
Waterloo Mill
Waterloo Road
Clitheroe
Lancashire
BB7 1LR

20 April 2011

Ref: B945

Dear Mr Hetherington

Protected Species Survey (Bats) at: 33 Victoria Court, Chatburn, Clitheroe, Lancashire.

Introduction

You have requested a protected species survey on behalf of your clients Mr and Mrs Huyton, as a condition of a planning application to the local planning authority for building alterations. It is understood the proposed two storey extension will require modifications to part of the existing fascia soffit on the west gable apex wall in the area outlined by the red broken line in figure 1.

The local authority requires an appraisal of the impact of the development on all protected species in accordance with PPS9. Additionally mitigation procedures are required to protect bats and their roosts and to ensure there are *'no adverse effects on the favourable conservation status of a bat population'*

A scoping survey and daylight inspection was undertaken on Wednesday 20 April 2011 between 09 00 and 10.00. The weather at the time of the inspection was mild, dry and bright (max temperature: 15°C; cloud cover: nil, wind: nil) providing optimal conditions for a daylight survey.

The inspection has found clear evidence of bat activity under the box soffits on the west facing gable apex wall (figure 2); consequently, both mitigation and compensation measures will be required to reduce or remove the impact of the development of bats and to ensure that any replacement fascia-soffits are accessible to roosting bats (ie providing a 'like-for-like replacement' of the existing features).

Further survey effort during the summer period (May to August) is required before any building work is carried out; the purpose of the survey is to identify (i) the species, (ii) the number of bats that are likely to be present, (iii) the flight lines used by commuting bats (iv) other significant roosts within the locality.

At least one evening emergence survey or one dawn re-entry survey is required, preferably during May or June. Emergence surveys are normally carried out between 1 May and 31 August, (ie. the period when pregnant bats gather in maternity colonies to give birth to their young)

It is likely that the property is used seasonally as a maternity roost; following the evening emergence survey, a method statement is then required to ensure that building operations do not cause disturbance or damage to breeding bats.

The purpose of the method statement is to identify when and how the work should be carried out to avoid or significantly reduce disturbance to bats from noise and vibration or cause damage to their roosts.

Survey methodology

The protected species survey (bats) provides a daylight assessment of the property.

The aim of a bat inspection is to make an assessment of the potential value of the site for European Protected Species (EPS) and to establish whether bats have ever been active within any part of the property that will be affected by the building operations

The survey methodology follows the recommended monitoring guidelines published 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*).

Non-intrusive survey methods were used to assess the use of the property by bats.

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

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 licence holder since 1990; current NE licence No: 20103384, (Conservation, Science and Education).

Constraints

The scoping survey was undertaken during mid-April and is therefore outwith the optimum survey period for bat activity (1 May to 31 August)

Ultrasonic bat detectors and / or remote recording systems (eg Anabat) have not been used at this site.

Evening emergence and / or dawn re-entry surveys at the property have not been undertaken

The survey methodology is designed to determine the likely presence of bats within the building and does not necessarily prove absence.

National Biodiversity Network (NBN Gateway) database records do not confirm presence or absence of a species or habitat

Absence of records does not imply that a particular bat species is not present within the recording area.

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Data search

A local data search was carried to identify any relevant records of bat activity within 0.5km of the site. The following bat species are known to be present within the wider district:

NBN 10km square SD74 (Ribble Valley)

- Natterer's bat (*Myotis nattereri*)¹
- Whiskered bat / Brandt's bat (*M. mystacinus / M. brandtii*)²
- Daubenton's bat (*M. daubentonii*)¹
- Brown long-eared bat (*Plecotus auritus*)¹
- Common pipistrelle (*Pipistrellus pipistrellus*)^{*}
- Soprano pipistrelle (*P. pygmaeus*)¹
- Noctule bat (*Nyctalus noctula*)²

*NBN datasets (terrestrial mammals) recorded in the 10km square SD72; ¹EED dataset; ²East Lancashire Bat Group dataset

Although there are no previous records of roosting bats at this property; there are two existing records of roosting pipistrelles within nearby properties as shown below:

Species	Site	Grid reference	Date	Comment/recorder
Pipistrellus sp	Victoria Court, Chatburn	SD 768443	02.06.10	Grounded adult male
Pipistrellus sp	Edmund Jennings Court, Chatburn	SD 768441	20.08.98	Roost within roof void

The most frequently recorded species within dwellings are common pipistrelle (*Pipistrellus pipistrellus*) and soprano pipistrelle (*P. pygmaeus*), both species are frequently found in buildings, particularly those adjacent to riparian woodland and other high-value habitats. The soprano pipistrelle is one of seven bat species currently identified as a priority species in the UK BAP.

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

- 1 National Biodiversity Network (NBN) database, (terrestrial mammals - chiroptera)
- 2 Bat Conservation Trust (BCT)
- 3 Lancashire and Cheshire Fauna Society
- 4 East Lancashire Bat Group
- 5 Lancashire Biodiversity Partnership
- 6 Biological Heritage Sites Partnership (LCC, NE and LWT)
7. EED dataset (Lancashire bat records 2000 - 2011)
- 8 Magicmap interactive map
- 9 Natureonthemap (Natural England)
- 10 Multimap
- 11 Google Maps
12. MARIO - Maps and related information online (Lancashire County Council).
- 13 Biodiversity Action Reporting System (BARS)

Existing property (images)

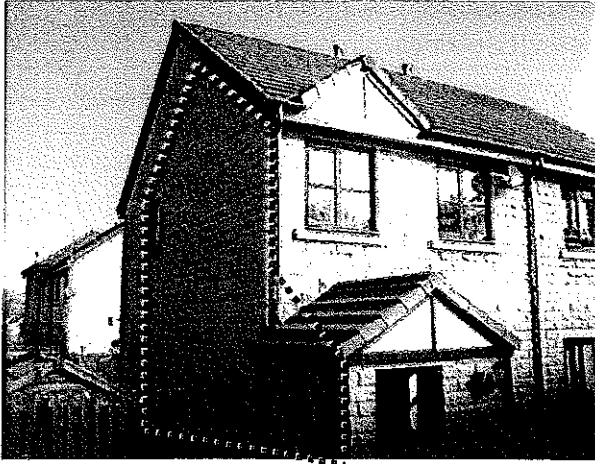


Figure 1: location of proposed extension

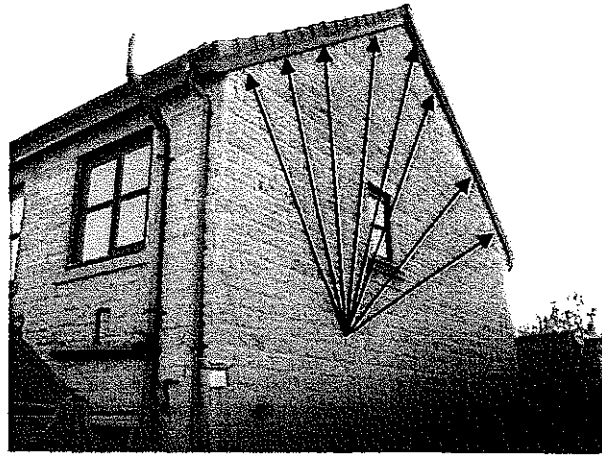


Figure 2: location of main access points into bat roost

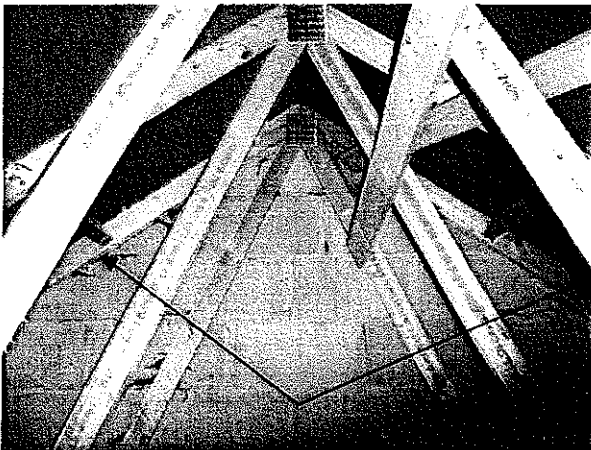


Figure 3: Evidence of roosting activity within roof void



Figure 4: bat droppings on internal wall of roof void

Description of the property

The property is a semi-detached two storey house with concrete brick and block cavity wall construction (built circa 1999). The timber-trussed apex roof is clad with tiles and lined with a bitumastic felt. The enclosed roof void is clean, dry and well-ventilated and the area is insulated with a thermal glass fibre material laid over the ceiling joists.

There is also a single storey entrance porch to the front elevation with a pitched tile roof and timber soffit.

Externally the building has a timber fascia and box soffit; the property is well-maintained and secure; however there is a narrow gap between the external brickwork and the box soffit providing access to bats (as shown figure 2) and to nesting birds at the apex on the west gable wall.

The narrow gap beneath the soffit provides access to bats; bats are likely to be roosting above the cavity wall or under the roof verge or ridge tiles. This gap also provides access into the roof void and there is evidence of bat droppings on the internal block work wall of the roof void as shown in figures 3 and 4.

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Proposed scheme

It is understood the development is a two storey side extension to the west gable apex wall (*Drawing No: 1731.P.03 - dated; 04/11 - IWA Architects*).

Location of the property

NGR: SD 768442; Elevation: approximately 95m; 10km recording square: SD74

The property is within a small residential development at Chatburn; the house is close to several other properties of similar age, design and construction. The development is adjacent to a wooded clough with a small watercourse leading into the River Ribble approximately 0.5km north of the site.

There are several other small watercourses in the district and there is high-value riparian woodland habitat nearby providing good connectivity and optimal feeding, foraging and commuting habitat for bats

The nearest broadleaved woodland is along the eastern and northern edge of Chatburn Quarry.

There are no designated nature conservation sites adjacent to the property – ie. Sites of Special Scientific Interest (SSSI), Biological Heritage Sites (BHS), National Nature Reserves (NNR's), Local Nature reserves (LNR's) or Regionally Important Geological and Geo-morphological Sites (RIGS)

Survey results

There is evidence of bat activity at this property.

Bats are currently roosting beneath the fascia soffit on the west gable apex wall (figure 2). There are ample fresh bat droppings below both soffits and on the ground below. Droppings are also visible on the internal block work all within the roof void (figure 4) NB. Bats do not roost within the roof void itself

There is no evidence of bat activity in other parts of the property

Bats are active within several neighbouring properties and it is likely that a significant maternity roost is located within the apex roof of the house opposite (No 32)

Bat activity at this property is likely to increase significantly over the next few weeks; peak activity is likely to occur between mid-May and late June.

Evaluation of results

The species likely to be roosting within the property is either common pipistrelle (*Pipistrellus pipistrellus*) or soprano pipistrelle (*P. pygmaeus*). Both species are crevice-roosting bats commonly found roosting within apex roofs and soffits

It is difficult to estimate the number of bats likely to be present until further survey work is carried out. The average nursery roost size for these species is between 75 and 150 bats respectively. The roost is at this property is likely to be a maternity site with pregnant female; bats give birth during June and pups are able to fly independently by the end of August.

At least ONE evening emergence or ONE dawn re-entry survey should be undertaken during the summer months to determine (a) the species, (b) the number of bats present, (c) roost status and (d) bat activity within the area in relation to other nearby roosts. The optimum time for evening/dawn survey work is during May and June.

Summary and recommendations

FURTHER SURVEY WORK IS REQUIRED to determine species, numbers of bats, roost type and any established flight lines or commuting routes near to the property. At least one dusk emergence or one dawn re-entry survey should be carried out between May and July.

The optimum time for the survey is during May or June.

Building work should not proceed until further survey work has been carried out at the property.

The results of the evening emergence survey/dawn re-entry survey will provide detailed guidance on how to proceed; this guidance is known as a method statement.

A METHOD STATEMENT IS REQUIRED to identify when and how the work should be carried out to avoid or significantly reduce noise and disturbance to roosting bats. Careful timing of the work must be considered and phasing of the operations to avoid disturbance is essential.

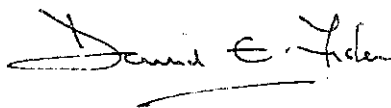
Building contractors and project managers must be aware of the situation regarding bats before the work is started; roofing work or disturbance to the upper gable apex wall or soffits must avoid the critical months May, June, July and August when bats and their young are most at risk.

Building operations below the roost site are unlikely to interfere with the free passage of bats as they enter and leave the roost. Scaffolding operations must avoid disturbance to the roost access points.

All existing access points into the roost must be maintained; bats cannot be excluded without a licence.

Please note: I do not provide a copy of this report to the local planning authority, therefore it is your responsibility to forward the report to Ribble Valley Borough Council.

Yours sincerely



David Fisher

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Impacts and Mitigation

INTERIM MITIGATION NOTES:	
<p>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".</p>	
ACTION:	METHOD:
1. Timing constraints	AVOID THE CRITICAL MONTHS OF MAY, JUNE, JULY AND AUGUST The optimal times for roofing operations are spring (March / April) and autumn (September / October)
2. Additional survey requirement	<p>At least one dusk emergence or one dawn re-entry survey is required to determine species, numbers, roost type and access points</p> <p>The best time to carry out these surveys is May and June</p> <p>The survey must be carried out by a qualified person.</p>
3. Mitigation Plan and Method Statement	<p>The emergence / re-entry survey results will inform the method statement</p> <p>A METHOD STATEMENT will include details of mitigation measures to remove or reduce disturbance to roosting bats</p> <p>The method statement will provide details of when and how the proposed building works should proceed to ensure that bats and their roosts are not damaged or disturbed</p> <p>Site contractors and project managers should be fully aware of the legal protection afforded all species of bat in the UK and procedures must be in place to mitigate for the potential impact on bats before the work begins</p> <p>Bat roosts are protected by the law whether bats are present or not</p>
4. Removal of fascias and roofing materials.	These operations must be carried out with extreme care to avoid injury or death of roosting bats. Avoid the critical months May to August inclusive; bats may be present at any time of year however, therefore 'caution at all time' regardless of time of day, weather or season.
5. Maintain existing access points	All existing access points must be preserved; exclusion of bats requires a licence
6. Post-development monitoring	Recommended period up to two years
NOTES:	These guidelines are taken from the BAT MITIGATION GUIDELINES, p 39. Figure 4

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"

(Mitchell-Jones, 2004)

¹ 2.2.3 - Planning for development p10 Bat Surveys Good Practice Guidelines BCT (2007)

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Other references:

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. **NB. BCT's change of address** from 18 April 2011 is: 5th Floor, Quadrant House, 250 Kennington Lane, LONDON SE11 5RD

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

Natural England, Cheshire to Lancashire Team. Electra Way, Crewe Cheshire CW1 6GJ Tel: 01270 754227