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RECEIVED
12 DEC 2011
BY:

FAO: Ivan Wilson

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Waterloo Mill
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9 December 2011

Job ref: B 1078

Re: Scoping Survey (bats): 5 Pinder Close, Waddington, Clitheroe, Lancashire.

Introduction

You have requested a protected species survey report on behalf of your client Tony Brough, as a condition of a planning application to Ribble Valley Borough Council for proposed building alterations at 5 Pinder Close, Waddington. The existing property is shown in figures 1 to 6 of this report.

The Local Planning Authority must take account of the impact of a development on protected species in accordance with PPS9. YDNPA requires an appraisal of the likely impact of the proposed scheme on protected species in addition to any precautionary mitigation measures that may be required.

A scoping survey and daylight inspection was undertaken on Thursday 1 December between 10 00 and 10.30. The weather at the time of the inspection was cool, dry and bright (temperature: 8.0°C; cloud cover: 10% high cloud, wind: nil) providing optimal conditions for carrying out a daylight scoping survey.

There is no evidence of roosting bats at this property; consequently there is a very low risk of disturbing roosting bats during the building alterations.

The impact of the proposed development on protected species (bats) is likely to be negligible or low.

Survey methodology

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)*

The scoping survey includes a desktop search of publicly available data on protected species within the district in addition to locally significant landscape features and designated nature conservation sites.

The aim of the scoping exercise is to identify any bat species that are likely to be present at the site in addition to establishing numbers of individuals, roost type and times when bats are most active.

Non-invasive survey methods were used to assess the potential value of the site for European Protected Species (EPS) and to establish whether bats and other protected species have been active within any part of the property that will be affected by the proposed development.

The search was made using a high-powered lamp (Clu-lite CB2 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 insect fragments typically found in a feeding and resting area.

Personnel

The survey was carried out by David Fisher (EED) - an experienced ecological consultant with more than 25 years experience of bat ecology and field survey work and a Natural England licence holder since 1989; current NE licence No: 20113901, (Conservation, Science and Education)

Constraints

The inspection was carried out using recommended 'non-invasive' survey methods to determine bat activity within the property *(Bat Surveys, BCT, 2007, pp 22 and 23)*

Crevice-roosting bats such as the pipistrelles and some of the myotis species can remain unseen within cavity walls or beneath roofing materials, wall claddings and fascia soffits despite careful visual inspection

Evidence of bat roosting activity such as bat droppings on external walls and surfaces is frequently removed by the action of wind and rain; lack of such evidence is therefore evaluated with caution

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, whilst indicative of the bat species that are likely to occur within a 10km square, 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

Desktop study

A desktop study has reviewed current publically available data on bats and other protected species within the area A local data search was carried out to identify bat records within a radius of 0 5km of the site

A search on the National Biological Network (NBN) website has identified the following species present within the 10km recording square SD74:

Whiskered bat / Brandt's bat	*(M mystacinus / M brandtii)*
Whiskered bat	*(M brandtii)*
Daubenton's bat	*(M. daubentonii)*
Brown long-eared bat	*(Plecotus auritus)**
Common pipistrelle	*(Pipistrellus pipistrellus)**
Soprano pipistrelle	*(P. pygmaeus)**

* these bat species are most commonly found within residential properties throughout the Ribble Valley district

There are no publicly available records of bat activity at this particular site and there is no known history of roosting bats within the property

Description of the property

The building is a modern detached bungalow (as shown in figures 1 to 6) with traditional brick and block cavity wall construction and hipped duo-pitched roof The tiled roof has a standard rafter with purlin construction and lined with a non-breathable sarking membrane (figures 5 and 6) There are two separate roof voids; (1) the roof void above the original living accommodation is insulated with a glass fibre material laid across the ceiling joists (fig 5) and (2) the void above the garage extension has a flat concrete and bitumen base and remains un-insulated

All void areas are accessible and found to be dry, clean and draught-free; although there is no evidence of bat activity within the roof voids there are signs of mouse activity and some rodenticide treatment is present Externally the property is very well-sealed, the PVC fascias and plywood soffits are sealed and all roof verges and lead work flashings are well-maintained and fully secure

Existing property (images)

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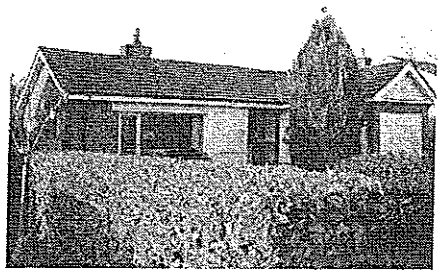

Figure 1: east elevation

Figure 2:

Figure 3:

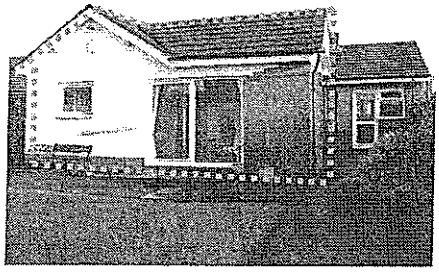

Figure 4: west elevation

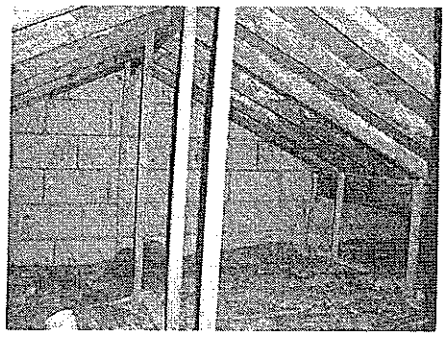

Figure 5:

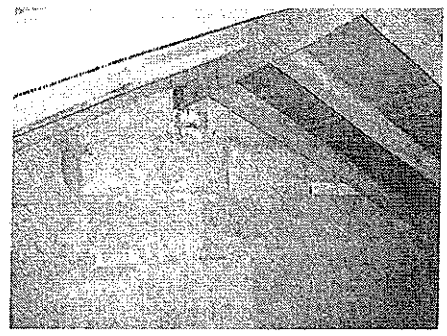

Figure 6:

Location of the property

NGR: SD 728435; Elevation: approximately 75m

The property is situated within a well-established residential part of the village and is close to other properties of similar age, design and construction.

The location is semi-rural and adjacent to a public open space / recreation ground and also close to open countryside. The site is not adjacent to woodland edge, broadleaved woodland or conifer plantation and there are no areas of standing open water, water courses or riparian habitats nearby. The location of this property provides sub-optimal feeding, foraging and commuting habitat for bats.

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

Proposed development

It is understood the proposed alterations include a rear extension requiring modifications to the existing roof lines to the side and rear of the property *(IWA Architects' drawing no. 1823.P.01 – Proposed Plans and Elevations / and drawing no. 1823.E.001 – Existing Plans and elevations)*

Survey results

There is no evidence of bat roosting, perching or feeding activity within any part of the property.

All parts of the building were inspected for evidence of bat droppings, discarded insect prey and other indicative signs of roosting, resting perching or feeding by bats; no evidence was found.

There is no history of roosting bats at this property and the present owners are unaware of any bat activity

The site location is sub-optimal in terms of feeding, foraging and commuting habitat for bats; there are no records of bats at this site or at neighbouring properties within 100m.

Connectivity of this site to high-value feeding and foraging habitat is low – moderate

Evaluation of results

1. There is no evidence of bat activity within any part of the structure.

2. There is only low risk of disturbing roosting bats during the proposed works.

3 The scale of impact of the development at site level on local bat populations will be relatively low[1].

4 The conservation significance of the property is currently low [2].

5 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 [3].

6 It is recommended that the proposed works should proceed with reasonable caution and vigilance for the 'unexpected' presence of solitary roosting bats. (refer to the mitigation guidance notes below)

[1] The scale of main impacts at site level on bat populations – Table 6.1. p37 - (BMG, 2004)
[2] Guidelines foe proportionate Mitigation, (Bat Mitigation Guidelines, 2004).
[3] Flow chart depicting the process for deciding what level of survey is necessary, (BCT, Bat Surveys, 2007, p24)

Conclusion and recommendations

The proposed building alterations are **unlikely to cause disturbance to bats** or result in the loss of a bat roost or cause injury or death of a European Protected Species – (Bats) or result in any significant impact on a local bat population.

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

The risk of disturbing roosting bats at this property is considered to be low

Further survey effort during the optimal survey period (May to August) is not recommended

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

Mitigation considerations (general guidance notes)

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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. Timing constraints	None
2. Removal of building materials	Although it is very unlikely that roosting bats will be exposed during the proposed building alterations, you should be aware that solitary bats are 'occasionally' found roosting beneath roofing materials, usually under roof claddings, verge tiles and ridge tiles.
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 All contractors should be aware of their responsibilities to protected species. If accumulations of droppings are found during the removal of the roofing materials or rubble infill walling, stop work and seek advice before continuing work in this area
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. Post-development monitoring	Not required
8. Additional survey effort	Evening emergence / dawn re-entry surveys are not recommended

APPENDIX 1

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 consent[1].

"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, A J 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 process[1]

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".* *

*(Tony Mitchell-Jones 2004) [1] 2 2 3 - Planning for development, p10 Bat Surveys, Good Practice Guidelines BCT (2007)

Other references:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 5th Floor, Quadrant house, 250 Kennington Lane, London, SE11 5RD, 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, Cheshire to Lancashire Team, Electra Way, Crewe, Cheshire, CW1 6GJ Tel: 01270 754227

APPENDIX 2

Information / data sources

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The following sources were consulted during the preparation of this report:

1. National Biodiversity Network (NBN) database, (terrestrial mammals - chiroptera)
2. Bat Conservation Trust (BCT)
3. Department for Environment Food and Rural Affairs (Defra)
4. Joint Nature Conservation Committee (JNCC)
5. North Lancashire Bat Group
6. East Lancashire Bat Group
7. Lancashire Biodiversity Partnership
8. Biological Heritage Sites Partnership (LCC, NE and LWT)
9. EED dataset (Lancashire bat records 2000 - 2011)
10. Multi-Agency Geographical Information Centre (www.magic.gov.uk)
11. Natural England - Nature on the map (www.natureonthemap.org.uk)
12. Multimap