

**SIMPLY
ECOLOGY**

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The Eaves, Wiswell, Lancs BB7 9BZ

Extended Phase 1 Survey

Simply Ecology

June 2011

For

**Wighton Jagger Shaw Architects Ltd
14 -15 Regent Parade
Harrogate
North Yorkshire
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This report has been prepared by Simply Ecology Consultants with all reasonable skill, care and diligence, within the terms of the Contract with the Client. The actions of the surveyor on site and during the production of the report were undertaken in accordance with the Code of Professional Conduct for the Institute of Ecology and Environmental Management. (www.ieem.org.uk).

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INTRODUCTION

1.1 Background Information

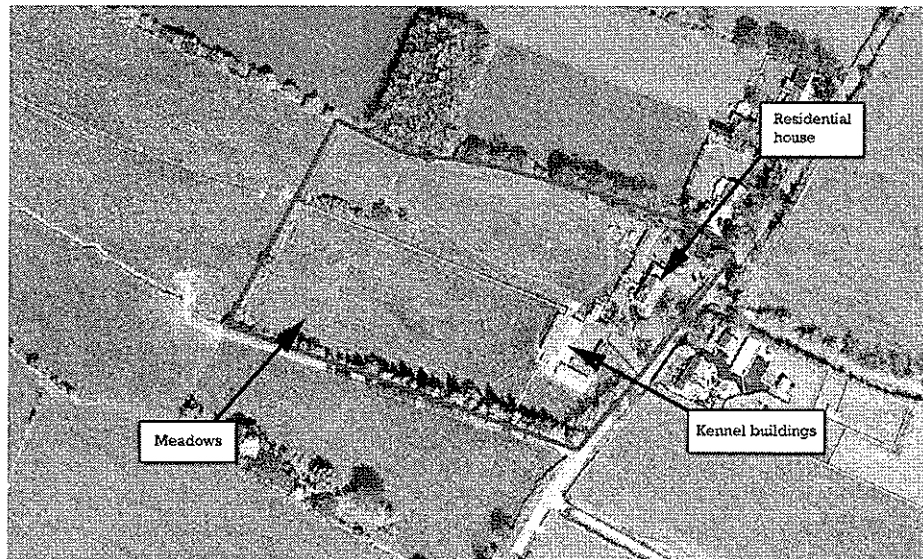
1.1.1 Simply Ecology Consultants were commissioned by Wighton Jagger Shaw Architects Ltd in May 2011 to undertake an ecological assessment of land at The Eaves, Pendleton Road, Wiswell, Lancashire BB7 9BZ (O/S Grid Reference SD751380). See Plan 1: The Site Location.

1.2 Site description and Proposed Works

1.2.1 The site is accessed via Pendleton Road on the outskirts of Wiswell village. This is a rural area approximately 1km north east of the village. The current use of the site is as a boarding kennel, with a residential house and its gardens. Behind these buildings are two fields (See Plate 1). Surrounding the site is agricultural land. The entire site is approximately 112m x 190m and covers an area of 2.13ha.

1.2.2 The survey described in this report was commissioned to inform plans for the demolition of the current house and construction of a new house on the same site. This requires up-to-date survey data on habitats and protected wildlife present at the site (see Plan 2 for site proposal). The survey encompassed the entire property.

Plate 1: Aerial view of the site showing locations of buildings and meadows



1.3 Aims

1.3.1 The aims of this ecological assessment were to:

- Determine the nature conservation value of the site and surrounding area.
- To confirm the presence or absence of protected species, such as badgers, bats, etc) within the proposed development site.
- To enable the client to comply with legislation afforded to protected sites and species.
- To make nature conservation recommendations.

1.3.2 To achieve this, an extended phase 1 habitat survey of the site was undertaken on 24th May 2011. This submission presents the results of the ecological surveys at the site.

2.0 Statutory and Planning Context

2.0.1 The client is advised that many species of British wildlife are legally protected. The following section provides a brief overview of the protection afforded to species commonly encountered during development. The Recommendations at the end of this report will advise as necessary, but it is also useful for the client to have an understanding of the legal protection as this helps to ensure that the law is complied with.

2.1 Badgers

2.1.1 Badgers are protected under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended) (WCA), and The Protection of Badgers Act 1992. It is illegal to:

- Kill, injure, take, possess or cruelly ill-treat a badger or to attempt to do so;
- Interfere with a badger sett by damaging or destroying it;
- Obstruct access to or any entrance of a badger sett;
- Disturb a badger when it is occupying a sett

2.1.2 A badger sett is "any structure or place that displays signs indicating current use by a badger. Natural England, the Government's statutory nature conservation body, classifies a sett as active if it has been occupied within the last 12 months.

2.1.3 Operations that might cause disturbance of an active sett entrance can be carried out under licence from Natural England. If any badgers are found during the course of the survey, this will be highlighted in this report

2.2 Birds

2.2.1 All wild birds are protected against killing or injury under The WCA 1981 (as amended). This protection extends to birds nests during the breeding season, which makes it an offence to damage or destroy nests or eggs. Birds that are listed on Schedule 1 of the Act receive additional protection against intentional or reckless disturbance during the breeding season. This makes it an offence to disturb these species at or near to their nesting site.

2.3 Protected Mammals and Protected Reptiles (includes water vole, red squirrel, slow worm, common lizard and others)

2.3.1 A variety of British mammals and reptiles also receive protection under The WCA 1981 (as amended). Schedule 5 of The WCA lists animals that are protected. The degree of protection varies. Water voles and red squirrel are examples of species with full protection. The Act makes it an offence to intentionally kill, injure, or take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.

2.3.2 All British reptiles are all protected. The commoner species such as common lizard and slow worm are protected only from unlawful killing. In practice this requires a reptile protection scheme before implementing a planning permission. No specific licence is required. The rarer reptiles, including smooth snake and sand lizard are fully protected and any works affecting them can only be carried out if a Natural England licence has been issued.

2.3.3 If any protected species are found during the course of the survey, this will be highlighted in this report

2.4 European Protected Species (includes, bats, great crested newts, otter and others).

2.4.1 The client is advised that all bats, great crested newts and otter are European Protected Species (EPS). These EPS receive the full protection of the Wildlife and Countryside Act 1981 (as amended) (Section 9, Schedule 5). In addition, these EPS are also protected under European legislation which is implemented in England via The Conservation (Natural Habitats, &c) Regulations 1994 (as amended) (Regulation 39). A full list of EPS is provided in Schedule 2 of the Regulations.

2.4.2 If both national and international legislation are taken together, the legislative protection afforded to the species makes it an offence to:

- Intentionally/deliberately kill, disturb, injure or capture them.
- Intentionally or recklessly damage, destroy or obstruct access to any breeding site or resting place.
- Possess or control any live or dead specimen or anything derived from a European Protected Species

2.4.3 If an activity is likely to result in any of the above offences, derogation from the legal protection can be issued in the form of a European Protected Species licence issued by Natural England. Licences for development purposes are issued under the Habitat Regulations 1994 (as amended) and only allow what is permitted within the terms and conditions of the licence. If any EPS are found during the course of the survey, this will be highlighted in this report.

2.5 Planning Considerations

2.5.1 For activities requiring planning permission, the presence of protected species, such as those listed above, is a material consideration which must be fully considered by the Local Authority when granting planning permission. Local Authorities have been issued with Planning Policy Statement 9 (ODPM Circular 06/2005) which provides guidance on the interpretation of the law in relation to wildlife issue and development.

2.5.2 Where a development is proposed which may affect a protected species, PPS9 advises that alternative sites should be considered before granting planning permission that may affect a protected species. The planning authority may require mitigation or compensatory proposals in order for an activity to be granted planning permission.

3.0 SURVEY METHODOLOGY

3.1 Extended Phase 1 Survey

3.1.1 The Phase 1 survey was undertaken by Jason Reynolds MSc MIEEM and Colin Barnes on 24th May 2011. The survey followed the Phase 1 habitat survey methodology (NCC, 1990, a standard technique for recording and mapping habitats. During the Phase 1 survey the presence or potential for presence of protected species was recorded and assessed

3.1.2 The survey involved walking the whole site, mapping and describing different habitats (for example: woodland, grassland, scrub). Evidence of fauna and faunal habitat is also recorded (for example droppings, tracks, or habitat such as ponds for breeding amphibians). The methods used for ecological survey are in accordance with those established and generally accepted methodologies for field survey, as published by the professional body, the Institute of Ecology and Environmental Management (IEEM).

3.2 Invasive Alien Plants

3.2.1 During the Phase 1 habitat survey, observations of invasive alien plants listed under Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) were made. The search was limited to giant hogweed (*Heracleum manegazzianum*), Japanese knotweed (*Fallopia japonica*) and Himalayan balsam (*Impatiens glandulifera*).

3.3 Personnel

3.3.1 All surveys were carried out by Jason Reynolds MSc MIEEM, who conducted his MSc thesis at the University of Aberdeen on the foraging preferences of the *Pipistrelle*. Jason runs his own ecological consultancy Simply Ecology and is an experienced botanist with a broad range of ecological and conservation knowledge gained over 15 years working as a Conservation Officer for both statutory and charitable conservation bodies, including English Nature, Cumbria Wildlife Trust and the Environment Agency. Jason holds protected species survey licences for white-clawed crayfish and great crested newt. Colin Barnes, who studied ecology and habitat conservation management at Myerscough College and has worked as an assistant reserves manager for Natural England, assisted him. He has been working with Simply Ecology since 2010.

3.4 Timing and Constraints

3.4.1 The Phase 1 habitat survey was undertaken on 24th May 2011. This is during the early summer, and is the ideal time to record habitats as plants can be recorded and ecological value/quality of a site determined according to the habitats encountered. Similarly, the timing posed no problems for the protected species assessment, and no constraints were encountered.

4.0 Phase 1 Survey Results

4.1 Habitat Results

4.1.1 The site covers 2.13ha. The predominant habitats were the semi-improved grassland fields to the west of the existing house and garden planting. There were scattered trees across the site and improved grassland adjacent to the buildings. The habitats at the site are very common and widespread. A Phase 1 Habitat Plan and Target Notes (hereafter referred to as TN) are included on Plan 3.

4.1.2 The following habitats were recorded at the site (In no particular order):

- Semi-improved neutral grassland
- Improved grassland and ruderals
- Garden planting
- Hedges
- Scattered trees

Semi-improved Neutral Grassland

4.1.3 The majority of the site consisted of semi-improved neutral grassland (TN1) (see Plate 2). The grassland was composed of the following species: sweet vernal grass (*Anthoxanthum odoratum*), Yorkshire fog (*Holcus lanatus*), cock's foot (*Dactylis glomerata*), meadow foxtail (*Alopecurus pratensis*) and red fescue (*Festuca rubra*) with lesser amounts of annual meadow grass (*Poa annua*) and common bent (*Agrotis capillaris*). Forbs included both creeping buttercup (*Ranunculus repens*) and meadow buttercup (*Ranunculus acris*), with white clover (*Trifolium repens*), broad-leaved dock (*Rumex obtusifolius*), common field speedwell (*Veronica persica*), common mouse-ear (*Cerastium fontanum*), common chickweed (*Stellaria media*), common sorrel (*Rumex acetosa*), dandelion (*Taraxacum agg*) and pignut (*Conopodium majus*). Occasional

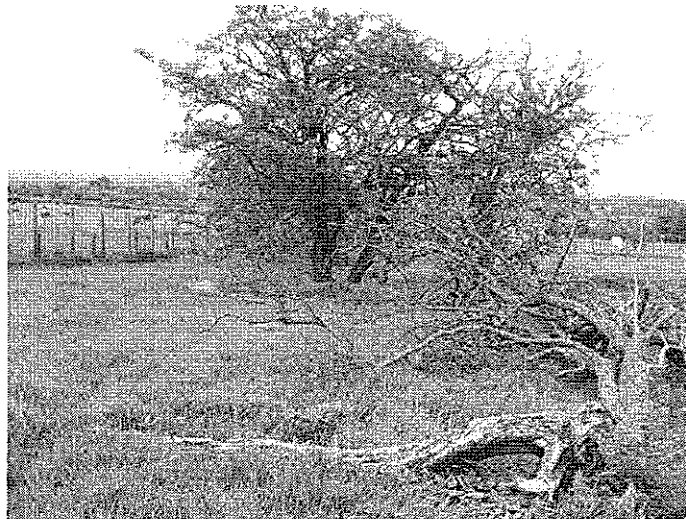
common ragwort (*Senecio jacobaea*), betony (*Stachys officinalis*), field horsetail (*Equisetum arvense*) and cow parsley (*Anthriscus sylvestris*) were also present. Around the margins of the site were areas of hogweed (*Heracleum sphondylium*), cleavers (*Gallium aparine*), common nettle (*Urtica dioica*), red campion (*Silene dioica*) and scattered cuckoo flower (*Cardamine pratensis*). Along the southern edge of the field (TN2) the vegetation had become rank and scrubby and included extensive Himalayan balsam (*Impatiens glandulifera*). Another patch of Himalayan balsam was growing in the southwest corner (TN3).

Plate 2: The semi-improved grasslands which was present in both fields (looking west).



4.1.4 Within the grassland were a few scattered mature hawthorns (*Crataegus monogyna*) (TN4) (See plate 3), elder (*Sambucus nigra*) and laurel (*Prunus laurocerasus*) which probably marked the line of a now defunct hedgerow (TN5). These were growing by a post and wire fence which now divides the fields.

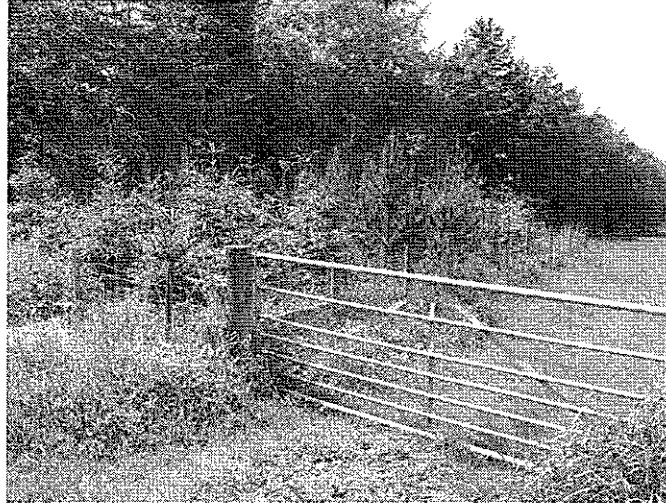
Plate 3: The scattered hawthorns in the west of the field.



4.1.5 Along the southern boundary of the grassland (TN2) were some small bay (*Laurus nobilis*) and hawthorns. Just outside the survey site boundary there was a mature tree line consisting largely of sycamore (*Acer pseudoplatanus*) and included Scots pine (*Pinus sylvestris*), larch (*Larix decidua*), rowan (*Sorbus aucuparia*), alder (*Alnus glutinosa*) silver birch (*Betula pubescens*) and cypress (See plate 4).

- 4.1.6 In the south east of the grassland was a small area of young planted Norway spruce (*Picea abies*). (TN6). The ground cover in this area consisted of cleavers, creeping buttercup and meadow foxtail. There was also some Himalayan balsam growing in this area (See plate 4)

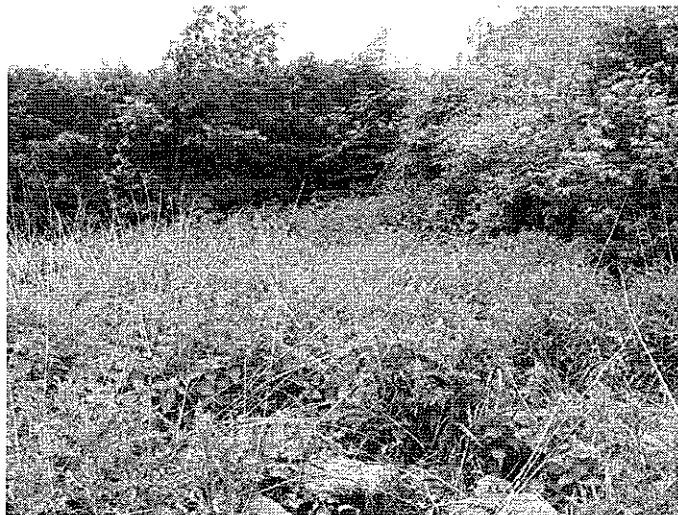
Plate 4: The southern boundary with young spruce in foreground



Improved grassland and Ruderals

- 4.1.7 In the south east corner of the survey site was an area of improved grassland and ruderals (TN7). The species found here are predominantly perennial rye-grass (*Lolium perenne*), common couch (*Elymus repens*), meadow foxtail, cock's foot, broad-leaved dock, dandelion, ribwort plantain (*Plantago lanceolata*) and red clover (*Trifolium pratense*). There were also some stands of dense common nettle ear to the kennels (See plate 5). Again Himalayan balsam was present around the perimeter of the area.

Plate 5: The stand of nettles near the kennels.



Garden planting

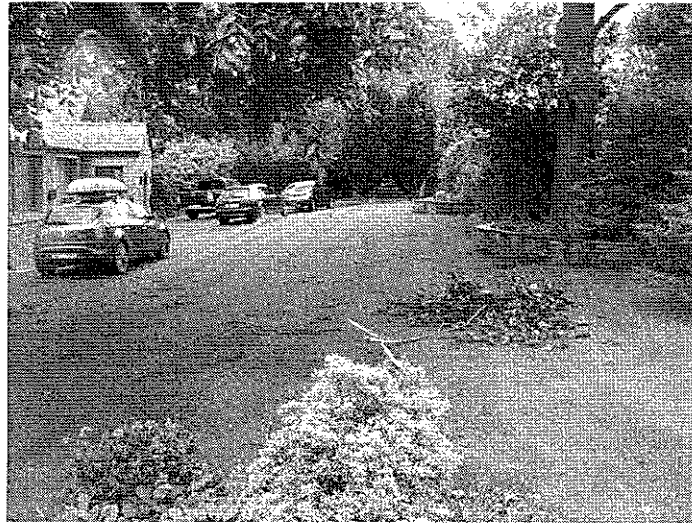
- 4.1.8 Surrounding the residential property at the eastern edge of the site was an area of formal garden planting (TN8). This consisted of lawn sown with white clover, common bent (*Agrostis capillaris*), perennial rye-grass and chewings fescue (*Festuca rubra*)

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The Eaves, Wiswell, Lancs

commutata) These are all common lawn species. Throughout the garden were numerous ornamental plant species. (See plate 6)

Plate 6: The lawn showing the front of property hedgerow, scattered mature trees and copper beech hedgerow.



Scattered trees

- 4.1.9 Throughout the garden and around the site perimeter were a number of scattered trees. To the front and south side of the house were mature large-leaved lime (*Tilia platyphyllos*) (TN9), ash (*Fraxinus excelsior*) and sycamore. (See plate 6) To the rear was a group of fruit trees and some ornamental cypresses.

Hedgerows

- 4.1.10 There was a mature hedge across the front of the property consisting of hawthorn, laurel and hazel (*Corylus avellana*) (TN11) (See plate 6). In the garden was a copper beech (*Fagus sylvatica 'Purpurea'*) hedge (TN12) and by the driveway leading to the kennels was a hedge of hawthorn and ash (TN13). There were also ornamental cypress hedges throughout the garden

4.2 Protected Flora

- 4.2.1 Of the plants present on the site, no notable, rare or legally protected species were recorded during the site survey.

4.3 Invasive Species

- 4.3.1 Extensive stands of Himalayan balsam were present, predominantly along the southern area of the survey site.

5.0 Protected Species Results.

Bats

- 5.0.1 There was no need to carry out a building inspection for bats during this survey as bat surveys had been previously undertaken by Earthworks and Environmental Design (May 2011). The EED survey found no evidence of bats in the buildings on the site
- 5.0.2 As part of the survey carried out by Simply Ecology the potential for bats to roost in the trees was also assessed. It was found that the mature ash, sycamore and large-leaved lime trees at the front of the property were mature enough to provide roosting opportunities for bats and had features such as holes and crevices. A brief examination

from ground-level did not find evidence of bat use, however this was not an exhaustive bat survey and so it is possible that bats are using some of the trees

6.0 Conclusions and Recommendations

- 6.0.1 The main habitats present on the site comprised a large areas of semi-improved grassland with further smaller areas of improved and amenity garden grassland. All of these are very widespread and common habitats with limited ecological value. As shown on Plan 2, the majority of these habitats will not be affected by the development proposals. Under these proposals the loss of small areas of garden planting will be compensated by the reversion of areas which are currently kennels and hardstanding into garden. There were some mature trees that have potential for bat roosts, and recommendations for these follow. No additional evidence for the presence of protected, rare or notable species was found during the ecological survey undertaken

Bats

- 6.0.2 The accompanying building survey and emergence surveys for bats which were undertaken by Earthworks and Environmental Design (May 2011), did not find any evidence of roosting bats. During this survey three mature trees to the front of the house were identified as all having some potential to support roosting bats. It is noted from the site proposals that it is intended to retain these trees (See Plan 2) and that the EED bat survey found few signs of bat activity in the area. It is therefore advised that no impacts upon bats are predicted. However, should these proposals subsequently be modified to include the felling or pruning of these trees, that the Appointed Ecologist should be contacted in order that a thorough tree survey be carried out to establish whether bats are present. No tree work should be carried out prior to such a survey. **Reason:** To ensure that no offences are committed under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Species and Habitats Regulations 2010

Invasive species

- 6.0.3 The non-native invasive species Himalayan balsam (*Impatiens glandulifera*) was present within very close proximity to the proposed development area. It is quite possible that these areas may be affected by vehicular movements during the demolition process. The balsam will require temporary fencing for the duration of the construction period to ensure no disturbance. Alternatively any balsam within the construction area will require removal and appropriate disposal to ensure construction and operational activities (for example earth works and vehicular movements) do not cause the spread of this invasive species. Possible control measures include chemical treatment using glyphosate or 2,4-D amine, cutting, mowing, strimming or pulling (if plants are shallow-rooted). Chemical treatment should be applied in early spring when the plant is actively growing. Plants that are to be controlled by cutting, mowing or strimming should be removed to ground level before the flowering stage in June. Cutting earlier than this may promote greater seed production and should therefore be avoided. Cutting should be repeated annually until no further growth occurs. All arisings should be disposed of by burning or composting in a self contained area (N.B resultant compost should not be used elsewhere) **Reason:** The client is advised that The Wildlife and Countryside Act 1981 (as amended) makes it an offence to plant or otherwise cause Himalayan balsam to grow in the wild.

Breeding birds

- 6.0.4 It is recommended that if any tree or hedge removal is required, all clearance should be undertaken outside of the bird nesting season. If this is not possible, a suitably qualified ecologist must be present to oversee all vegetation removal. **Reason:** To ensure that no offences are committed under The Wildlife and Countryside Act 1981 (as amended). The

bird-nesting season is generally regarded to extend between March and August inclusive.

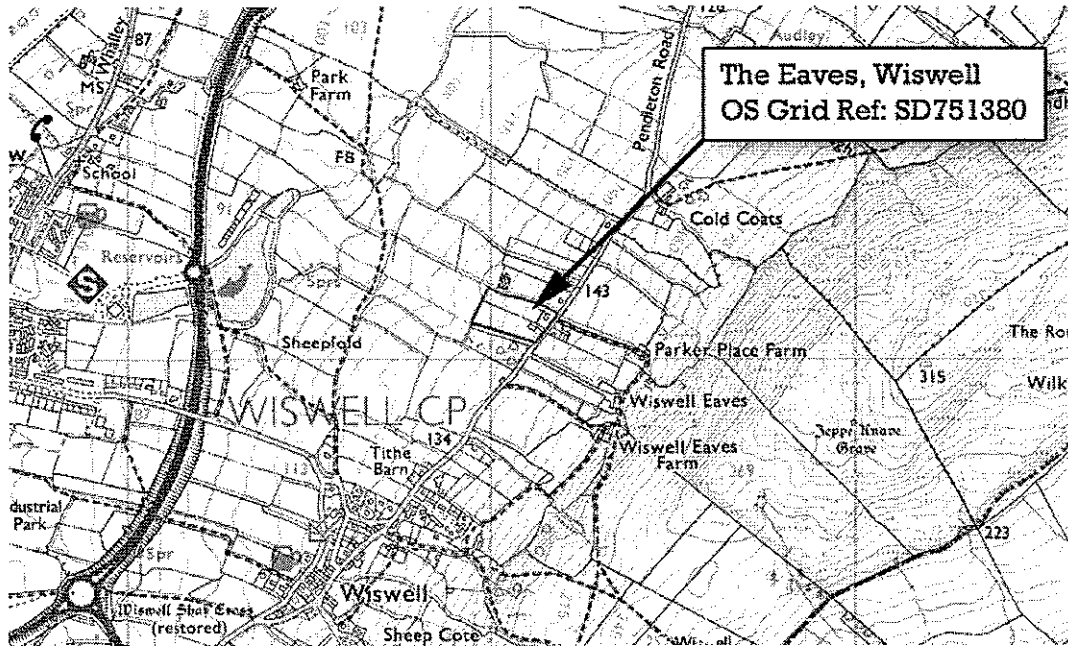
7.0 REFERENCES

BAT CONSERVATION TRUST (2007). *Bat Surveys – Good Practice Guidelines*. Bat Conservation Trust, London.

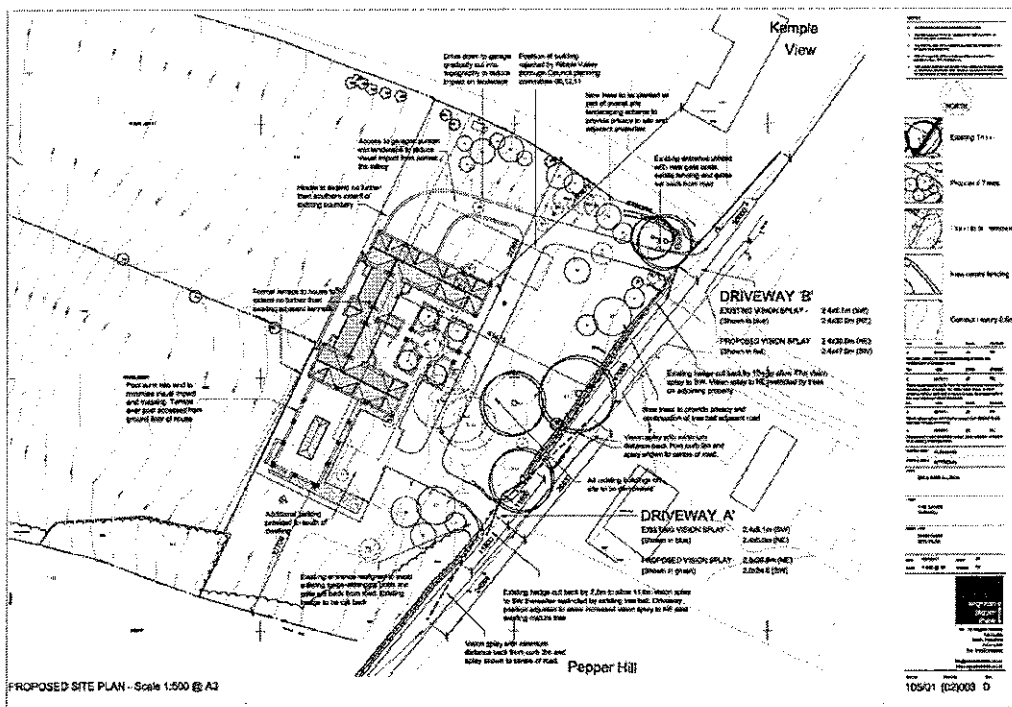
NCC (1990) Handbook for Phase 1 Habitat Survey. JNCC, Peterborough.

Plans

Plan 1: Site Location Plan.



Plan 2: The site development proposals



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Plan 3: Phase 1 Habitats at the site.



earthworks environmental design

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FAO: Mr J. Riley

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14 – 15 Regent Parade
Harrogate
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320120010P

25 May 2011

Ref: B 943

Dear Mr Riley

Protected Species Survey: The Eaves, Pendleton Road, Wiswell, Clitheroe, Lancashire BB7 9BZ

You have requested a protected species survey on behalf of your client Mr B. Allison, as a condition of a planning application to Ribble Valley Borough Council (RVBC) for demolition of a detached house and cattery / kennel premises prior to re-development of the site.

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

A scoping survey and daylight inspection was undertaken on Tuesday 10 May; this was followed by an evening emergence survey on Thursday 19 May 2011.

The key conclusions of the attached survey report are as follows:

There is no evidence of bat roosting activity associated with this property.

The proposed scheme is unlikely to cause disturbance to roosting bats or result in the loss of a nursery roost or hibernaculum, or cause injury or death of a European Protected Species (EPS).

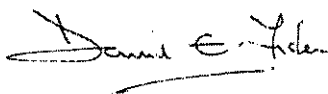
Additionally, there is no evidence of barn owl nesting activity.

Your attention is drawn to the mitigation guidelines at the end of the report; it is the developer's responsibility to ensure that procedures are in place to mitigate for the 'potential' impact on bats and wild birds during the proposed building works.

Please note, I do not supply a copy of the report to the local planning authority, therefore it is your responsibility to forward a copy to RVBC in support of the planning application.

Finally, I attach further information on 'protected species and the planning process' with some brief notes regarding 'bats and the law' (Appendix A).

Yours sincerely



David Fisher
(EED)

PROTECTED SPECIES SURVEY

Property at: The Eaves, Pendleton Road, Wiswell, Clitheroe, Lancashire, BB7 9BZ (NGR: SD751381)

1 Survey methodology

- 1.0 A daylight scoping survey and site inspection was carried out on Tuesday 10 May 2011 between 09.45 and 11.15. The weather at the time of the survey was mild, dry and bright (maximum temperature: 17°C; cloud cover: lightly overcast 7/8 octas; wind: light to moderate SW wind) providing optimal survey conditions for a building and site inspection.
- 1.1 An evening (dusk) emergence survey was also carried out on Thursday 19 May 2011 between 20.30 and 22.45. The weather during this survey was mild, dry and clear (temperature range: 14°C - 11°C; cloud cover: light cloud 2/8 octas). Sunset time: 21.12 (Preston). The survey was carried out approximately 40 minutes before sunset and continued for more than 90 minutes after sunset.
- 1.2 The aim of a bat survey is to make an assessment of the potential value of the site for European Protected Species and to establish whether bats (chiroptera) or other protected species have been active within those areas of property that will be affected by the proposed work. The survey included an internal and external assessment of the barn including the first floor loft areas above the shippon in addition to an adjacent 'Nissen hut' nearby.
- 1.3 A desk study and local data search has been undertaken to support the survey findings; the search includes bat records from within 1km of the property using local, regional and national databases.
- 1.4 The survey methodology follows the monitoring guidelines recommended by the Bat Conservation Trust (*BCT – Bat Surveys, Good Practice Guidelines, 2007*), Natural England (*Survey Objectives, Methods and Standards as outlined in the Bat Mitigation Guidelines, 2004*), and *Survey and Monitoring Methods, Ch 3, (Bat Worker's Manual, JNCC, 2004)*.
- 1.5 Non-intrusive survey methods were used to assess the use of the property by bats. The search was made using high-powered lamps (Clu-lite 1,000,000 candle power), close-focussing binoculars (Leica Trinovid) and digital camera (Kodak MD41) and 900mm flexible endoscope (ProVision 300) to view all likely areas of the buildings for the presence of bats, ie. droppings and urine spots, grease stains or feeding remains such as discarded moth and butterfly wings, beetle elytra and other insect fragments typically found near regularly used feeding perches.
- 1.6 Evening emergence and dawn re-entry activity was monitored using ultrasonic bat detectors. Three types of device were used to record echolocation calls: (1) Batbox Duet - (heterodyne and frequency division) and (2) Anabat SD2 CF detector with a PDA – (HP iPAQ hx2490 pocket PC using Anabat software); headphones were used throughout the survey; (3) Pettersson D230 (heterodyne and frequency division) with Edirol R-09HR digital recorder.
- 1.7 Two surveyors were positioned along the south and west sides of the cattery; a third surveyor was located within the garden of the house to observe the south, east and west elevations of the house.
- 1.8 Recommended survey methods were used to assess the use of the building by barn owls and other nesting birds including searches for evidence such as droppings, pellets, discarded prey items, feathers and nest debris. Barn owl guidelines are those recommended by Natural England, *Barn Owls on Site – A guide for developers and planners, March 2002*.

2 Personnel

- 2.0 Both surveys were carried out by David Fisher (Earthworks Environmental Design) - an experienced ecological consultant with more than 25 years experience of bat ecology, mitigation schemes and field survey work and a Natural England bat licence holder since 1990; current Natural England licence No: 20103384, (Conservation, Science and Education).
- 2.1 The evening emergence survey was undertaken by Gemma Howard and Theresa Stewart, both are qualified and experienced full time ecologists with considerable experience in bat survey techniques.

3 Description of the property

- 3.0 The detached bungalow has stone and block cavity wall construction; the pitched slate roof has two dormer windows and several Velux windows (figures 1 to 3). Internally there are no enclosed roof voids and the rooms are open to the eaves.
- 3.1 The cattery and kennel buildings occupy two former agricultural units; the buildings comprise two linked single story buildings with L-shaped plan (figures 6 and 7). The kennel (building 'A') has a poured concrete wall construction with internal block work; the pitched steel-framed roof is clad with a box section alloy roof laid over the original corrugated cement asbestos sheet roof and there is an enclosed void above the suspended ceilings (figure 8). The void is cold dry and draughty. Externally the building has uPVC fascia soffits and all windows and doors are double-glazed.
- 3.2 The cattery (Building 'B') has rendered block work wall construction with pitched roof (steel and timber frame roof). The roof is clad with cement asbestos sheets and there is an enclosed roof void above the suspended ceilings; the void is not insulated and is relatively cold, dry and well-ventilated (figure 9). Externally the gable apex wall is partly clad with corrugated cement asbestos sheeting.
- 3.3 Between these units are two smaller lean-to structures with block work walls; these structures have box alloy mono-pitch roofs and are linked to the main buildings by a clear laminate sheet roof.
- 3.4 Additionally there is a single story timber building with pitched roof (figure 10); this is currently used as a reception area. The building has a timber frame, tongue and groove walling and bitumen felt roof.

4 Site location and habitat description

- 4.0 The property is located at SD751381 between the villages of Wiswell and Pendleton at an elevation of 140m.
- 4.1 The site is surrounded by open countryside with extensive grazing land and permanent pasture nearby. The property occupies gently rising ground rising to acid moorland at 315m (Jeppe Knave) approximately 1km to the east of the site.
- 4.2 There are no extensive woodlands or areas of open water within 200m of the building; the surrounding landscape is open to the prevailing west wind and the site provides sub-optimal feeding, foraging and commuting habitat for bats.
- 4.3 The nearest standing open water is 0.75km west of the site at Barrow Lodge (Pendle View Fishery).
- 4.4 The nearest large woodland is 1.3km south of the site at Deer Park Wood; there is moderate connectivity to other habitats within the wider landscape.
- 4.5 There are no designated nature conservation sites immediately 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).

5 Proposed development

- 5.0 It is understood the proposed scheme requires demolition of the existing buildings prior to redevelopment of the site as a single residence.

4.0 Existing building (images)



Fig 1: The Eaves (rear elevation)



Fig 2: Front (east) elevation.



Fig 3:

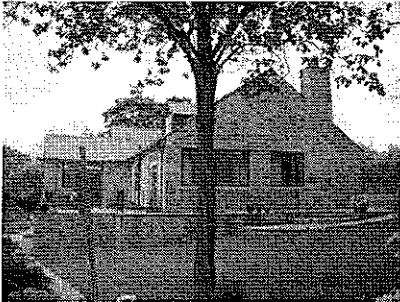


Fig 4:



Fig 5: rear (west) elevation

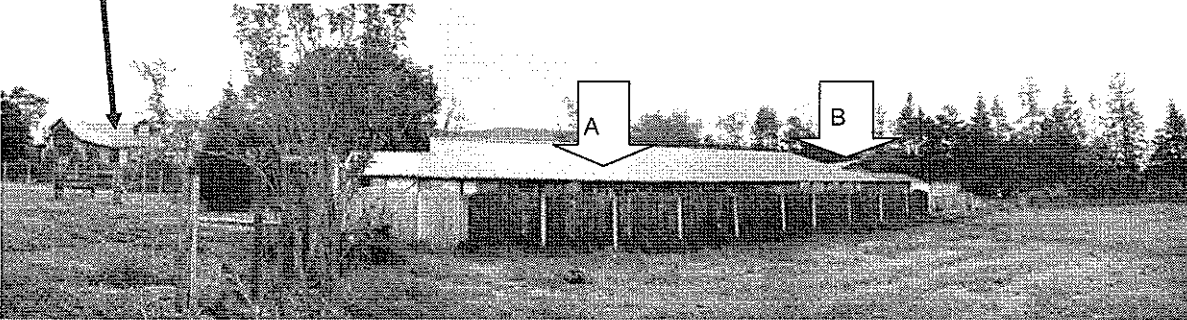


Fig 6: Rear view of kennels (A) and cattery (B) at SW elevation; the view also shows The Eaves (house) on far left

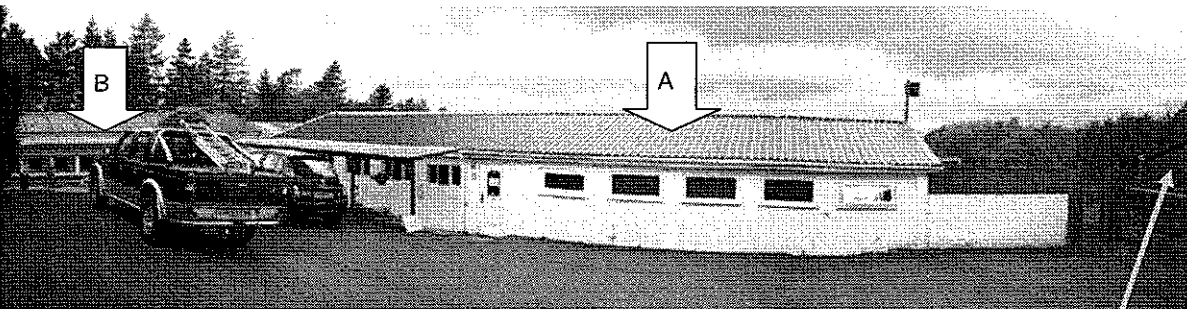


Fig 7: Front view of kennels and cattery (NE elevation)

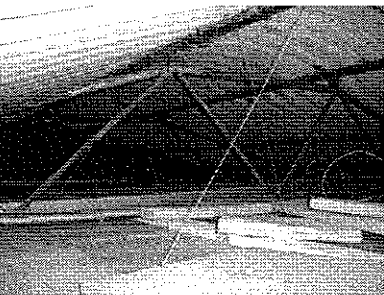


Fig 8: roof void building A

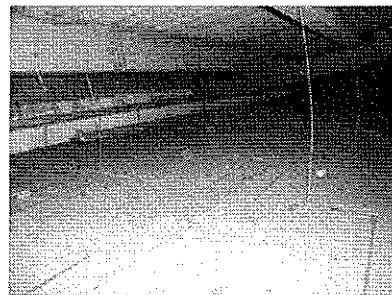


Fig 9: roof void building B'



Fig 10: reception / office

5 Desk study and data search (SD73 and SD74)

5.0 A targeted desk study was undertaken to identify the presence of protected species (bats) including notable species records for the area.

5.1 NBN Gateway (10km squares SD73 and SD74) uses mammal datasets (*Terrestrial mammals - Chiroptera*) provided by the Bat Conservation Trust (*National Bat Monitoring Programme – Colony Counts Survey and Daubenton's Bat Waterway Survey*), Natural England's Bat Sites Inventory for England, Mammal Records for Britain (Mammal Atlas 1993 with additions), and some local and regional biological record centres.

5.2 Based on species records gathered from additional sources, the following species are known to be present within the district where suitable habitat exists:

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

5.3 Previous (protected species) surveys have not been carried out at this property.

5.4 There are no records of roosting bats within 0.5km of the site. The nearest pipistrelle roost site within a residential property is 0.7km SW of the site at SD 746376 in Wiswell Village (see below).

5.5 Existing local records of bats within 1.5km of the site are shown below.

Species	Site	Grid reference	Date	Comment/recorder
Pipistrellus sp	Wiswell	SD 746376	25 06 08	Maternity roost
Pipistrellus sp	Barrow	SD 736379	18 06 06	Maternity roost
Pipistrellus sp	Oak Hill, Whalley	SD736368	16 06 09	Maternity roost
P pipistrellus	Wiswell	SD747372	09 07 08	Day roost / emergence activity
P pipistrellus	Wiswell	SD746373	Feb 2008	Day roost
Plecotus auritus	Wiswell	SD748373	10 06 10	Feeding and perching signs only
Plecotus auritus	Pendleton	SD758395	21 10 08	Feeding and perching signs only
Plecotus auritus	Wiswell Hall Farm	SD745373	14 03 11	Feeding and perching signs only

5.6 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. East Lancashire Bat Group
4. Lancashire Biodiversity Partnership
5. Biological Heritage Sites Partnership (LCC, NE and LWT)
6. EED dataset (Lancashire bat records 2000 - 2011)
7. Magicmap interactive map
8. Natureonthemap (Natural England)
9. Multimap
10. Google Maps
11. MARIO - Maps and related information online (Lancashire County Council)

6 Constraints

- 6.0 Non-intrusive survey methods were used to assess the use of the property by bats.
- 6.1 The survey methodology is designed to determine the likely presence of bats within the buildings and does not necessarily prove absence.
- 6.2 National Biodiversity Network records do not confirm presence or absence of a species or habitat.
- 6.3 Absence of records does not imply that a bat species is not present within the recording area.

7 Survey results

- 7.0 There is no evidence of roosting bats at this property.
- 7.1 All external areas of the house were closely inspected for signs of access and roosting by bats; none were found. Similarly, all areas of the cattery / kennels were inspected in daylight to search for the presence of bat droppings and other indicative signs of bat activity – none were found.
- 7.2 An evening bat emergence survey (19 May 2011) did not find any evidence of roost emergence or flight activity associated with the property. Three qualified and experienced ecologists surveyed the site – although several bat species were recorded in flight within the boundary of the site, there was no evidence of roosting, feeding or perching activity associated with the buildings.
- 7.3 Three bat species were recorded in flight during the evening survey:
 - (1) A number of solitary common pipistrelles (*Pipistrellus pipistrellus*) were recorded feeding and foraging within the garden of the house and over adjacent ground close to the cattery throughout the evening; none were seen emerging or swarming close to the buildings
 - (2) A myotis bat was recorded throughout the survey period by two surveyors; the actual species was not confirmed
 - (3) A single noctule bat was also recorded flying over the site.
- 7.4 There were no obvious concentrations of foraging or feeding activity over the property and there was no evidence of any commuting routes or flight corridors across the site.
- 7.5 The maximum number of bats seen at any one time was two bats seen flying over the garden on the west side of the house; activity was largely confined to sheltered tree lines, hedgerows and the boundary of the site.

8 Evaluation and interpretation of results

- 8.0 There is no evidence of bat roosting activity within any of the buildings. A daylight inspection of the property failed to find any signs of access or roosting activity by bats. Additionally, an evening emergence survey at the site also failed to find any roosting, perching or feeding activity within the buildings.
- 8.1 The overall value of habitat features within the local landscape is 'moderate' ¹; the location of the property however provides sub-optimal feeding, foraging and commuting habitat for bats;
- 8.2 There are mature hedgerows along Pendleton Lane and a number of small woodlands and plantations nearby providing a 'moderate' level of connectivity to other habitats within the wider district for feeding, foraging and commuting bats. Habitat utilisation was found to be relatively poor at this site.
- 8.3 There are no records of roosting bats at this location or at other properties within 0.5km of the site.
- 8.4 Although several bat species are known to be present within the wider district, the density and frequency of bat activity at the site appears to be relatively low; this was found to be the case during the evening emergence survey.
- 8.5 There are no designated nature conservation sites immediately 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 Geomorphological Sites (RIGS).
- 8.6 The conservation significance of these buildings for bats is 'low' as defined by Natural England (*Guidelines for Proportionate Mitigation, BMG, 2004, A. J. Mitchell-Jones*) ².
- 8.7 The potential of these buildings to support a regular or significant day roost, maternity roost, hibernation roost or transitory / mating roost is also relatively 'low'.
- 8.8 The scale of impact of the development at site level on local bat populations is likely to be low³.
- 8.9 There is no evidence of roosting or nesting barn owls within the property.

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

² Guidelines for proportionate Mitigation, (Bat Mitigation Guidelines, 2004).

³ The scale of main impacts at site level on bat populations – Table 6.1 p37 - (BMG 2004)

9 Main summary and recommendations

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

The proposed building alterations **are unlikely to cause significant disturbance** to roosting bats or result in the loss of a nursery bat roost, resting place or hibernaculum or cause injury or death of a European Protected Species – Bats.

The work should proceed with reasonable caution and vigilance for the unexpected presence of solitary roosting bats. In the unlikely event that bats are exposed or vulnerable to harm, stop work in that area immediately and seek further advice by contacting Earthworks Environmental Design or the BCT helpline.

As the developer you should be mindful of your responsibilities towards protected species. An outline mitigation plan is provided for your guidance; mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species.

There is no risk of disturbance to barn owls or other protected species at this property.

10 Impacts and Mitigation

- 10.0 Although the risk of disturbing isolated roosting bats during demolition works cannot be entirely eliminated, the scale of impact of the proposed development at site level on local bat populations is likely to be negligible or very low.
- 10.1 Developers must be able to demonstrate that adequate and proportionate measures (mitigation) have been taken to ensure that bats and their roosts are not disturbed, damaged or destroyed during the proposed demolition operations.
- 10.2 Mitigation (see Table 1 below) 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. Highest risk areas	<p>Although it is unlikely that roosting bats will be disturbed during the proposed development, there will always remain a low risk of exposing solitary bats during building and demolition operations, therefore the risk of disturbance to solitary bats cannot be entirely eliminated</p> <p>The pipistrelle bats are crevice-roosting species that are most frequently found roosting beneath weather boarding and other wall claddings or roofing materials at any time of year regardless of weather season or time of day</p> <p>The areas of highest risk <u>at this site</u> are (a) on the house roof where there is timber cladding to the dormer windows; also beneath roofing materials such as roofing slates, ridge tiles, verge tiles and roofing felt (b) beneath the cement asbestos sheeting used as cladding on the gable apex (east) wall of the cattery (c) between the box alloy roofing materials and the original cement asbestos roofs where a small cavity is likely to exist.</p>
3. Accidental exposure of bats	<p>Stop work immediately if bats are exposed and are likely to be disturbed; eg if you find live or dead bats or expose obvious accumulations of bat droppings under roofing materials</p> <p>In the unlikely event of bats being exposed or vulnerable to harm at this property, 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</p>
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	<p>All contractors and project managers should be made 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 before any building or demolition work is undertaken</p> <p>The onus lies with the applicant to satisfy herself that no offence will be committed if the development goes ahead, regardless of whether planning permission has been granted</p>
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. Pre-development inspection	Not required
8. Post-development monitoring	Not required

Table 1: MITIGATION NOTES

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

13.0 Protected species (Bats) and the planning process¹

For development proposals requiring planning permission, the presence of bats, and therefore the need for a bat survey, is an important 'material planning consideration'. Adequate surveys are therefore required to establish the presence or absence of bats, to enable a prediction of the likely impact of the proposed development on them and their breeding sites or resting places and, if necessary, to design mitigation and compensation. Similarly, adequate survey information must accompany an application for a Habitats Regulations licence (also known as a Mitigation Licence) required to ensure that a proposed development is able to proceed lawfully.

The term 'development' [used in these guidelines] includes all activities requiring consent under relevant planning legislation and / or demolition operations requiring building control approval under the Building Act 1984.

Natural England (Formerly English Nature) states that development in relation to bats "covers a wide range of operations that have the potential to impact negatively on bats and bat populations. Typical examples would be the construction, modification, restoration or conversion of buildings and structures, as well as infrastructure, landfill or mineral extraction projects and demolition operations"

¹ 2.2.3 - Planning for development, Bat Surveys, Good Practice Guidelines, BCT (2007) (Mitchell-Jones, 2004)

14.0 Other references and contacts:

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, 1 East Parade, Sheffield, S1 2ET, Enquiry Service: 0845 600 3078 enquiries@naturalengland.org.uk

National Planning Policy - PPS 9, Biodiversity and Geological Conservation, ODPM Circular 06/2005