

earthworks environmental design

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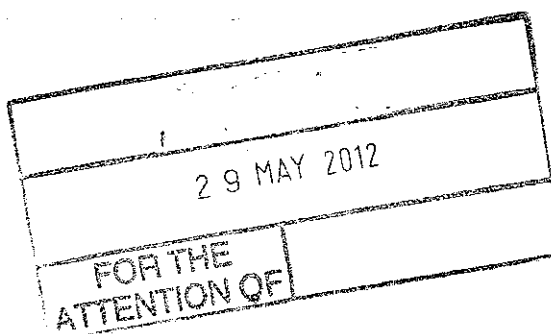
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Gary Willis

Novensus Ltd
9 Campbell Close
Blackburn
Lancashire
BB2 4GR

28 May 2012

Dear Gary



Job ref: B 1161

Re: Daylight scoping survey (bats): 8 Knowsley Road, Wilpshire, Blackburn, BB1 9PX

Introduction

You have requested a protected species survey on behalf of your client Mr Ian Marsden as a condition of a planning application to Ribble Valley Borough Council (RVBC) for proposed building alterations.

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. RVBC requires an appraisal of the likely impact of the proposed development on all bat species that are present or likely to be present at the property, in addition to any mitigation proposals that may be required.

A scoping survey and daylight inspection was undertaken on Saturday 26 May between 10.00 and 10.45. The weather at the time of the inspection was warm, dry and bright (max. temp: 18°C; cloud cover: nil; wind: light south-easterly; rain: nil) providing optimal conditions for carrying out this type of survey.

There is no evidence of bat activity within any part of the building affected by the planning application.

It is highly unlikely that any protected species will be disturbed during the course of the development.

Survey methodology

The survey includes internal and external inspections of the building.

The survey methodology follows the recommended guidelines published by the Bat Conservation Trust - *Bat Surveys: Good Practice Guidelines, 2nd Edition, Hundt, L (2012)*, Natural England (*Survey Objectives, Methods and Standards as outlined in the Bat Mitigation Guidelines, 2004*) and Chapter 3 - Survey and Monitoring Methods, (*Bat Worker's Manual, JNCC, Mitchell-Jones AJ and McLeish, AP, 3rd Edition 2004*).

The aim of the scoping exercise is to consider 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 daylight scoping survey includes a record search of publicly available data for protected species, in addition to information on locally significant landscape features and designated nature conservation sites.

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

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 spots, bat corpses, roost staining or evidence of feeding remains such as discarded moth and butterfly wings and other insects fragments typically found in a perching and feeding 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

Crevice-roosting bats such as the pipistrelles, some myotis species and brown long-eared bats are able to remain unseen within very confined spaces such as cavity walls or beneath roofing materials, wall claddings, lead work flashings 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 (SD 73)

A local data search was carried out to identify bat records within a radius of at least 2.5km of the site.

Reference to the National Biodiversity Network (NBN) database has identified the following four species present within the 10km recording square SD 74 and SD 84:

Whiskered bat	(<i>Myotis mystacinus</i>)
Whiskered/Brandt's bat	(<i>M. mystacinus brandtii</i>)
Brown long-eared bat	(<i>Plecotus auritus</i>)
Common pipistrelle	(<i>Pipistrellus pipistrellus</i>)

Additional records identify the following species are also present:

Daubenton's bat	(<i>M. daubentonii</i>)
Soprano pipistrelle	(<i>P. pygmaeus</i>)

Pre-existing information (survey location at NGR: SD 687 318)

None available at this site.

Description of the property

The property is a detached two storey house (formerly two semi-detached cottages); the part of the building subject to the planning application is currently a single storey lounge with roof conversion (figures 1 to 6). The building has brick cavity wall construction and duo-pitched tiled roof.

The roof is clad with tiles (unable to confirm whether the roof is lined); the roof has a timber fascia – soffit and this is very well-sealed and secure. Two velux-type windows provide good natural light in to the room (figures 2 and 6). The building is maintained to high standard and there is low potential for roosting bats.

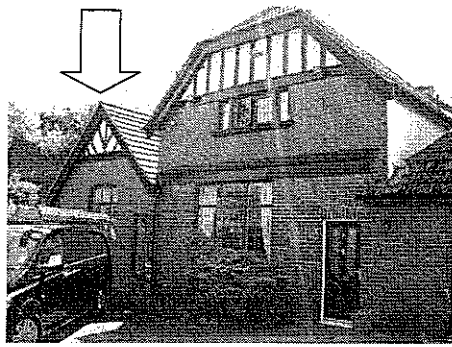


Figure 1: front elevation



Figure 2: Side elevation



Figure 3: Rear elevation



Figure 4: Side view

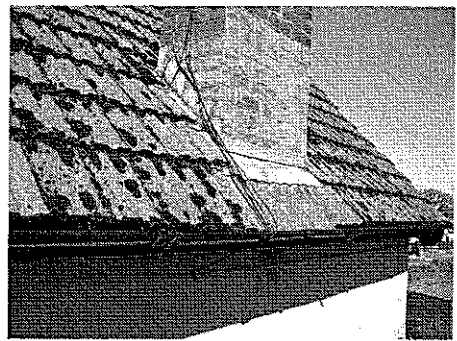


Figure 5: Main roof of house

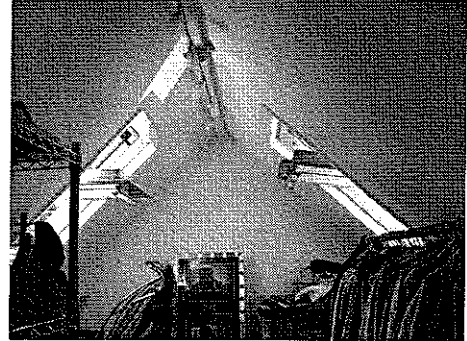


Figure 6: Attic bedroom

Proposed development

It is understood the scheme includes a two storey extension to the existing single storey building requiring modifications to the house roof and new box gutter (figure 5).

Location of the property (NGR: SD 687 318: elevation: approximately 110m)

The property is located on Knowsley Road within a very well-established residential area and adjacent to the railway embankment 200m north of Ramsgreave and Wilpshire Station. The house occupies a site between the highway and embankment and is immediately adjacent to a small water course.

The Showley Brook forms a small open channel on the boundary of the property. There are no areas of standing open water or significant water channels close to the site however, and there is no extensive woodland or plantation within 1km of the site.

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

All parts of the property were inspected for evidence of bat droppings, discarded insect prey and other indicative signs of roosting, perching or feeding by bats; none was found.

There is no evidence of bat activity in any part of the property and it is highly unlikely that bats have been present within the building.

Evaluation of results (interpretation)

There is no evidence of bat activity at the property; the potential for supporting roosting bats is low.

It is highly unlikely that breeding bats have been present at this site; there are no field signs to indicate the site is used as day roost, transitory roost, mating roost, nursery site or place of hibernation.

There is currently a low risk of disturbing roosting bats during the proposed works.

The scale of impact of the development on local bat populations is likely to be negligible / low¹.

The conservation significance of the property is currently low².

There are no existing records of bat activity at this particular property.

Further survey work (emergence and activity surveys) is not required³.

It is recommended the proposed works proceed with reasonable caution and vigilance for the 'unexpected' presence of solitary roosting bats. (refer to the mitigation – general guidance notes, Appendix B).

¹ The scale of main impacts at site level on bat populations – Table 6.1. p37 - (BMG, 2004)

² Guidelines for 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 / roofing operations 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 negligible or low.

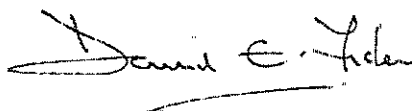
Further survey effort during the optimal survey period (May to August) is not recommended.

Mitigation guidance notes are included (Appendix B); in the unlikely situation that any bats are disturbed, contact the Bat Conservation Trust immediately for further advice.

The onus lies with the applicant to satisfy himself / herself that no offence will be committed if the development goes ahead, regardless of whether planning permission has been granted.

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 with the planning application.

Yours sincerely



David Fisher

APPENDIX A

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Information / data sources

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 and Cheshire Fauna Society
8. Lancashire Wildlife Trust
9. Lancashire Biodiversity Partnership
10. Ribble Valley Borough Council
11. Biological Heritage Sites Partnership (LCC, NE and LWT)
12. EED dataset (Lancashire bat records 2000 - 2011)
13. Multi-Agency Geographical Information Centre (www.magic.gov.uk)
14. Natural England - Nature on the map (www.natureonthemap.org.uk)

Appendix B

Mitigation considerations (general guidance notes)

1. Timing constraints	NONE
2. Risk of disturbance	NEGLIGIBLE RISK
3. Removal of roofing materials	The proposed works are LOW RISK; all contractors should be aware that solitary roosting bats are occasionally exposed during building operations affecting roofs. (see 4 below)
4. Accidental exposure of bats	Stop work immediately if any bats are exposed and are likely to be disturbed or if the contractors find evidence of dead bats or obvious accumulations of bat droppings. In the unlikely event of bats being exposed or vulnerable to harm at this property, work in that particular 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 No: 0845 1300 228.
5. Legal protection	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 work is undertaken.
6. Further advice	If you require further advice on bats during the proposed building operations or if you find an injured or roosting 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. Additional survey effort	NOT REQUIRED

APPENDIX C

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".*

*(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