RIBBLE VALLEY BOROUGH COUNCIL

2 1 MAR 2012

FOR THE ATTENTION OF

For office use only
Application No 3 2 0 1 2 0 2 8 1 P
Date received
Fee paid £ Receipt No:

Council Offices, Church Walk, Clitheroe, Lancashire. BB7 2RA Tel: 01200 425111 www.ribblevalley.gov.uk

Householder Application for Planning Permission for works or extension to a dwelling
Town and Country Planning Act 1990

Publication of applications on planning authority websites
Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department

1. Applicant Name, Address and Contact Details

Title: Mr & Mrs First name: H Surname: BEKTAS

Company name

Street address: GLENBROOK

CHIPPING

Town/City PRESTON

County: LANCASHIRE

Country:

Postcode: PR3 2QE

	Country Code	National Number	Extension Number
Telephone number:			
Mobile number:			
Fax number:			

Email address:

Are you an agent acting on behalf of the applicant? (•) Yes ( ) No

2. Agent Name, Address and Contact Details

Title: Mr First Name: JONATHAN Surname: HADFIELD

Company name: J HADFIELD ENGINEERING/SURVEYING

Street address: SPRINGS HOUSE

CHIPPING

Town/City PRESTON

County: Lancashire

Country: United Kingdom

Postcode: PR3 2GQ

	Country Code	National Number	Extension Number
Telephone number:		07740 929096	
Mobile number:			
Fax number:			

Email address: jonathan.hadfield@virgin.net

3. Description of Proposed Works

Please describe the proposed works:

AMENDED ROOF DESIGN TO REAR OF EXISTING APPROVAL OF GARAGE & SUN LOUNGE TO THE REAR OF THE DWELLING.

Has the work already been started without planning permission? ( ) Yes (•) No

4. Site Address Details

Full postal address of the site (including full postcode where available)

House:	
Suffix:	
House name:	GLENBROOK
Street address:	TALBOT STREET
	CHIPPING
Town/City:	PRESTON
County:	
Postcode:	PR3 2QE

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	362353
Northing:	443395

Description:

5. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? ○ Yes ◉ No

Is a new or altered pedestrian access proposed to or from the public highway? ○ Yes ◉ No

Do the proposals require any diversions, extinguishment and/or creation of public rights of way? ○ Yes ◉ No

6. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ◉ No

7. Trees and Hedges

Are there any trees or hedges on your own property or on adjoining properties which are within falling distance of your proposed development? ◉ Yes ○ No

If Yes, please mark their position on a scaled plan and state the reference number of any plans or drawings:

254/204

Will any trees or hedges need to be removed or pruned in order to carry out your proposal? ○ Yes ◉ No

8. Parking

Will the proposed works affect existing car parking arrangements? ○ Yes ◉ No

9. Authority Employee/Member

With respect to the Authority, I am:

(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you? ○ Yes ◉ No

10. Site Visit

Can the site be seen from a public road public footpath, bridleway or other public land? ◉ Yes ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

◉ The agent ○ The applicant ○ Other person

11. Materials

Please state what materials (including type, colour and name) are to be used externally (if applicable):

Walls - description:

Description of *existing* materials and finishes:

RED FACING BRICK

Description of *proposed* materials and finishes:

RED FACING BRICK

11. (Materials continued)

320120281P

Roof - description:

Description of *existing* materials and finishes:

BLUE SLATE

Description of *proposed* materials and finishes:

BLUE SLATE

Windows - description:

Description of *existing* materials and finishes:

TIMBER

Description of *proposed* materials and finishes:

TIMBER

Doors - description:

Description of *existing* materials and finishes:

TIMBER

Description of *proposed* materials and finishes:

TIMBER

Boundary treatments - description:

Description of *existing* materials and finishes:

N/A

Description of *proposed* materials and finishes:

N/A

Vehicle access and hard standing - description:

Description of *existing* materials and finishes:

N/A

Description of *proposed* materials and finishes:

N/A

Lighting - add description

Description of *existing* materials and finishes:

N/A

Description of *proposed* materials and finishes:

N/A

Others - description:

Type of other material: GUTTERING

Description of *existing* materials and finishes:

BLACK PLASTIC "O GEE" SECTION

Description of *proposed* materials and finishes:

BLACK PLASTIC "O GEE" SECTION

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? (•) Yes ( ) No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

254/101,202,204

12. Certificates (Certificate A)

Certificate of Ownership - Certificate A

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates.

Title: Mr First name: Jon Surname: Hadfield

Person role: Agent Declaration date: 06/03/2012 ☒ Declaration made

12. Certificates (Agricultural Land Declaration)

Agricultural Land Declaration

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of an agricultural holding. (•)

(B) I have/The applicant has given the requisite notice to every person other than myself/the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below: ( )

If any part of the land is an agricultural holding, of which the applicant is the sole tenant, the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

12. Certificates (Agricultural Land Declaration - continued)

Title: Mr | First Name: Jon | Surname: Hadfield

Person role: Agent | Declaration date: 06/03/2012 | ☒ Declaration Made

13. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. ☒

Date 06/03/2012

earthworks environmental design

9 Poorsland Barn, Slaidburn, Clitheroe. Lancashire. BB7 3AE

01200 446859 M: 07709 225783 earthworksuk@yahoo.co.uk

Mr J. Hadfield

3 2 0 1 2 0 2 8 1 P

Springs House
Chipping
Preston
PR3 2GQ

4 November 2010

Ref: B 866

Dear Mr Hadfield

Protected Species survey: 'Glenbrook' Talbot Street, Chipping.

You have requested an inspection of the above named property on behalf of your client Mrs Rebecca Bektas to undertake a bat inspection as a condition of a planning application to Ribble Valley Borough Council for building alterations. It is understood the proposed works include a two storey side extension and re-roofing operations.

A scoping survey and full daylight inspection was carried out on Friday 29 October 2010.

There is clear evidence of bat roosting activity within the enclosed roof voids and any future work affecting the roof and roof voids at this property will require careful mitigation to ensure that bats and their roosts are not disturbed, damaged or destroyed. Although it is unlikely that protected species (bats) are using this building as a primary maternity roost site, it is likely that pregnant females or females with pups are occasionally present during the main breeding period.

The overall conservation significance of the building for bats is currently moderate to high, as defined by Natural England – Bat Mitigation Guidelines, 2004, A.J. Mitchell-Jones), this means there is a moderate to high risk of disturbing roosting or resting bats at certain times of year. Bat roosting activity within this building is likely to be seasonal therefore all building operations that are likely to cause measurable disturbance to bats should be programmed to avoid the critical breeding period - 1 May and 31 August.

It is essential that mitigation procedures are in place before any development work begins. Any disturbance to bats during the critical summer breeding season (1 May – 31 August) or destruction of the roost would certainly require a mitigation licence from Natural England.

The onus lies with the applicant to satisfy herself/himself that no offence will be committed if the development goes ahead. It is a legal requirement that procedures are in place to mitigate for the potential impact on bats and to ensure there is *'no adverse effect on the favourable conservation status of a bat population'*.

I also attach further information regarding protected species and the planning process and bat legislation at the end of the report. Please note, I do not supply a copy of the report to the local authority, therefore it is your responsibility to forward a copy to RVBC in support of the planning application.

Yours sincerely

David Fisher

PROTECTED SPECIES (BATS) SURVEY

Property at: 'Glenbrook' Talbot Street, Chipping. (NGR: SD 624,434).

Survey methodology

A daylight scoping survey and site inspection was carried out on Friday 29 October between 09.00 and 10.00. The weather at the time of the survey was cool and dry (temperature: 11.0°C) with a light SW wind and overcast sky (cloud cover: 8/8 octas) providing satisfactory survey conditions.

The aim of a bat survey is to make an assessment of the potential value of the site for European Protected Species and to establish whether bats *(all species: chiroptera)* have been active within the property that will be affected by the proposed building operations. The initial scoping survey and site inspection included both external and internal assessments of the property including the roof voids and a single storey garage; all areas of the property were found to be fully accessible enabling a full and detailed examination.

A desk study including detailed data search has been undertaken to support the survey findings including local records within 1.5km of the property; an assessment of species' distribution within the district, regional and national context has also been considered.

The survey methodology follows the monitoring guidelines recommended by the Bat Conservation Trust *(BCT – Bat Surveys, Good Practice Guidelines, 2007),* Natural England *(Survey Objectives, Methods and Standards as outlined in the Bat Mitigation Guidelines, 2004)* and Survey and Monitoring Methods, *(Bat Worker's Manual, JNCC, 2004).* Barn owl guidelines are those recommended by Natural England, *Barn Owls on Site – A guide for developers and planners, March 2002.*

Non-intrusive survey methods were used to assess the use of the property by bats. The search was made using high-powered lamps (Clu-lite 1,000,000 candle power), close-focussing binoculars (Leica Trinovid) and digital camera (Kodak MD41) and 900mm flexible endoscope (ProVision 300) to view all likely areas of the buildings for the presence of bats, ie. droppings and urine and grease staining, feeding remains such as discarded moth and butterfly wings, and other insects fragments typically associated with feeding perches.

Personnel

The survey was carried out by David Fisher (Earthworks Environmental Design) - an experienced ecological consultant with more than 25 years experience of bat ecology and field survey work and a Natural England bat licence holder since 1990; current NE licence No: 20103384, (Conservation, Science and Education).

Constraints

The scoping survey was limited to a daylight assessment during late-October and therefore does not take account of bat activity at the site within the optimal bat activity survey period (1 May to 30 September).

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

The methodology used for this survey (daylight scoping method / bat habitat survey) is designed to determine the likely presence of bats (ie. potential use of a site) within the property and does not necessarily prove absence.

Solitary roosting bats may be present within any building / structure outside the optimal activity period.

Daylight surveys rely largely on non-intrusive visual assessments of bat activity.

Bat records obtained during data searches tend to be indicative of the species present within a district; any absence of records however does not imply that bat species are not present within the recording area.

Data search

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

The following bat species have been recorded within the wider district (10km square SD65):

- Natterer's bat, (*Myotis nattereri*)
- Whiskered bat/ Brandt's bat *(M. mystacinus / M. brandtii)**
- Daubenton's bat, (*M. daubentonii*)*
- Brown long-eared bat, (*Plecotus auritus*)*
- Common pipistrelle, (*Pipistrellus pipistrellus*)*
- Soprano pipistrelle, (*P. pygmaeus*)*
- Noctule bat, *(Nyctalus noctula)*
- Lesser horseshoe bat *(Rhinolophus hipposideros**

*National Biodiversity Network (NBN) records

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

1. National Biodiversity Network (NBN) database, (terrestrial mammals - chiroptera)
2. North Lancashire Bat Group
3. East Lancashire Bat Group
4. Lancashire Biodiversity Partnership
5. EED dataset (Lancashire bat records 2000 - 2010)
6. Magicmap interactive map
7. Natureonthemap (Natural England)
8. Multimap
9. MARIO - Maps and related information online (Lancashire County Council).

Although there are no records of bat roosting activity at this property, there are species records for two neighbouring sites at:

(i) Mill House, Talbot Street, Chipping (SD 623433), EED survey B433 09.04.08, evidence of roosting Myotid bats (Natterer's / Whiskered / brandt's bat) in roof voids.

(ii) common pipistrelle maternity roost at Mill Cottage – (SD623433) 22.06.08.

Description of the property (images 1 – 6)

The property is a detached two storey house with brick cavity wall construction and pitched timber-framed roofs with enclosed voids. The house also has a single storey brick-built garage with flat roof (figures 1/2).

The property was built during the 1950's and appears to retain much of the original roof fabric. Roof section 'A' is lined with a bitumastic under felt and the void is insulated with a glass fibre material laid over the ceiling joists. Roof section 'B' is unlined although roof insulation is present. Both voids are relatively well-sealed, dry and draught-free. The property is currently un-occupied and there has been no heating in the building for several months.

Location and habitat description

Located within the village of Chipping and adjacent to open farmland and countryside at SD 624434 at an elevation of 110m, the site is semi-rural and although close to several neighbouring properties, the property has a large garden with several mature trees and shrubs.

Chipping Brook runs within 50m of the site and the valley provides good connectivity to grassland and pasture and extensive riparian habitat approximately 1.0km north of the site. Additionally Leagram Hall and Farm also provide mature woodland habitat within 0.75km to the NE. Although the land immediately adjacent to the site provides sub-optimal feeding, foraging and commuting habitat for bats, there is high-value habitat within the wider district.

Existing property (images)

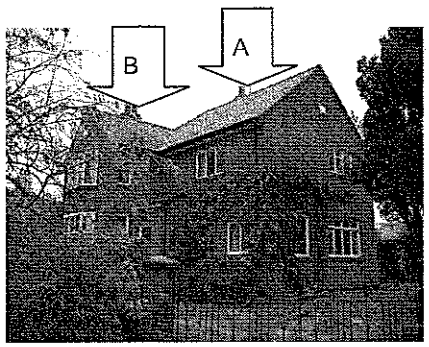

Fig 1.

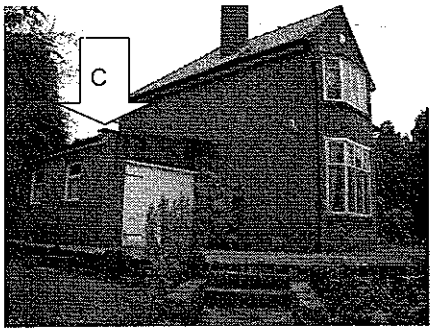

Fig 2

Fig 3

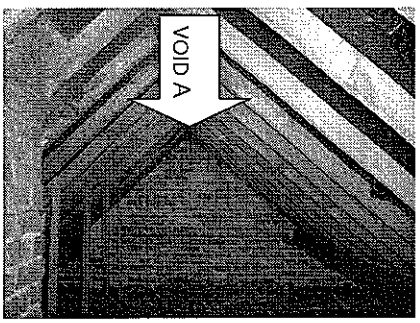

Fig 4.

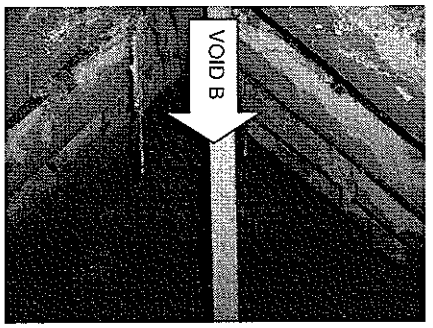

Fig 5

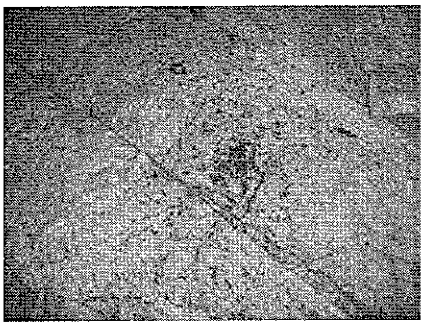

Fig 6.

Proposed development

The proposed alterations include a two storey extension on the NE gable end requiring modifications to the existing roof void, apex and roof verge. It is also understood the property will be re-roofed as part of the current renovation.

Survey results

There is evidence of bat activity within the enclosed roof voids with small accumulations of bat droppings as shown in figure 6. The location and abundance of bat faeces indicates occasional or sporadic day roosting activity within both roof voids 'A' and 'B'. Some of the droppings are likely to be from previous years' activity; however, there are also relatively fresh droppings indicating activity within recent weeks and months. The volume of droppings suggests roosting by a small number of bats (size class 2 – 5 bats).

Currently there are no bats present and activity is likely to be largely seasonal during the main activity period (May to September) although solitary individuals may be present at other times of year, particularly during mild weather. There is no evidence of significant and regular use of the site and primary use as a maternity site is unlikely. Similarly, there is no evidence that this property is used as a hibernation roost.

There are no accumulations of discarded insect prey normally associated with a night feeding roost.

Access points within the roof are not obvious although it is very likely that bats are entering the roof void under small gaps beneath the roof tiles and felt rather than entering beneath the ridge tiles or roof apex.

Significantly there is evidence of bat roosting activity in the adjacent property (Mill House). A protected species survey was carried in April 2008 (EED survey B433) which identified similar roosting activity by a 'myotid' species; the evidence from bat droppings and habitat details indicated Natterer's bat *(Myotis nattereri)* or Whiskered / Brandts bat *(M. mystacinus / brandtii)* as the most likely species present.

Externally there is no evidence of bat roosting or flight activity. The single storey garage area is well-sealed and there is no evidence that bats are active in any part of this structure. The external fabric of the property is generally well-maintained and secure.

Evaluation of results and recommendations 320120281P

There is evidence of a single bat species at this property; bat droppings are located through the roof void indicating occasional or sporadic day roosting activity by a myotid or plecotid species. Identification of species from examination of droppings alone is unreliable. There are two bat species - natterer's bat and common long-eared bat *(plecotus auritus)* known to roost in this type of roof void; both species have a preference for roosting along the central ridge board at the intersection of the rafters with the ridge itself.

Although both bat species are relatively common and widespread throughout the district where suitable habitat and roost features exist, it should also be emphasised that both species have very specific roosting requirements and their breeding success and distribution is likely to be closely related to the availability of buildings with large volume roof voids within close proximity to optimal feeding and foraging habitat. Loss of roosting habitat within buildings is potentially very significant and therefore precautionary mitigation is required to ensure there is *'no adverse effect on the favourable conservation status of a bat population'*.

Bat-friendly design adaptations must be included in the proposed building alterations to provide un-interrupted access for bats; these features are outlined in the attached mitigation plan.

The potential of the building to support a maternity / nursery roost is moderate to high and it remains likely that pregnant females and or young bats may be occasionally present during the main activity period. Building operations must avoid disturbance and / or damage to the roof and roof voids during the critical period 1 May to 31 August.

The scale of impact of the development at site level on local bat populations is potentially moderate to high* therefore careful timing considerations are essential to remove or reduce disturbance to bats or damage to their roost.

* (The scale of main impacts at site level on bat populations – Table 6.1. p37 - Bat Mitigation Guidelines).

Summary

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 if the work is carried out at an appropriate time of year when bats are least likely to be active and vulnerable to disturbance.

Bats are likely to be seasonally present within the roof voids between April and September. **Re-roofing and building alterations must avoid disturbance to the roof and voids during the critical period 1 May to 31 August** when pregnant females and young bats are at their most vulnerable.

Modifications to the existing roost must ensure that bats continue to have uninterrupted access after the building operations are completed.

(see: mitigation and compensation measures as outlined below).

An outline mitigation and compensation plan is provided as guidance; mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species before and during the proposed development. Compensation refers to the works (design adaptations) which offset the damage caused by the development.

A pre-development inspection should be carried out by a qualified person to ensure that bats are not present immediately before the building operations are undertaken.

The onus lies with the applicant to satisfy herself/himself that no offence will be committed if the development goes ahead.

A copy of this report should be made available to all project managers and site contractors.

Impacts and Mitigation

The Bat Mitigation Guidelines define mitigation and compensation as "*....measures to protect the bat population from damaging activities and reduce or remove the impact of development*". Mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species or damage to a roost or nest. Compensation for the loss of breeding or resting places is normally required where there is clear evidence of bat activity; this often takes the form of roost creation, restoration or enhancement.

MITIGATION NOTES:	
ACTION:	**METHOD:**
1. Timing and access restraints	**Building and re-roofing operations must avoid the critical period 1 May to 31 August** when female bats are giving birth to their young and pups are unable to fly. Do not disturb the roof or roof voids during this period and keep disturbance around the roof and voids to a minimum during throughout this period. IT IS ESSENTIAL THAT BATS ARE NOT LEFT WITHOUT A ROOST IN SUMMER. Avoid all unnecessary access to the roof void and ensure that contractors do not enter the roof voids during the period 1 May to 31 August when bats are more likely to be present. Do not use permanent electrical lighting inside the roof voids; all voids must remain as dark and quiet as possible at all times. Inspection lighting should be kept to a minimum.
2. Modifications to roof voids	The existing roof voids should remain fully accessible to roosting bats after the work has been completed. The existing voids are used by roosting bats and **the functional characteristics of the structure should remain unaltered to ensure that the affected bat population can function as before**. (BMG, p 40). Access provision within the new roof and roof void must ensure there is unrestricted access into all parts of the roof - ie. all roof spaces must connect enabling flight between voids.
3. Removal of roofing materials	As a precautionary measure: Remove all roof tiles, ridge tiles and timber battens carefully by hand in case there are roosting/resting bats beneath. During cold weather, torpid bats are more vulnerable to disturbance as they are usually unable to move quickly or escape. If in the unlikely situation that bat droppings are visible or solitary bats are exposed, stop work in that area and carefully cover the site to avoid further disturbance then seek advice by calling the Bat Conservation Trust (BCT) helpline on 0845 1300 228. In the unlikely situation that solitary roosting bats are exposed, stop work in that area and carefully cover the site to avoid further disturbance then seek advice by calling the Bat Conservation Trust (BCT) helpline on 0845 1300 228.
4. Avoid use of toxic chemical products	Where timber treatment and use of pesticides is required, all products must be approved under the Control of Pesticides Regulations (COPR). All approved fluids will be labelled with an HSE number with statutory hazard warnings and directions for use. Currently the commonly used chemicals are synthetic pyrethroids. Two widely used compounds, permethrin and cypermethrin are not generally very toxic to mammals (although very toxic to fish) and tests have shown that both appear safe for use use in bat roosts. The timing of treatment in roofs is critical and may vary according to the species known to be present. As with major roofing work, pesticides should only be applied during the spring and autumn periods, thus avoiding the main breeding and hibernation periods. AVOID THE USE OF ANY TIMBER TREATMENT PRODUCTS - 1 MAY TO 31 AUGUST If in doubt you should consult the manufacturer before any treatment is considered. The use of timber treatments that are toxic to mammals should be avoided. Pre-treated timber should only use the CCA (copper, chrome, arsenic) treatment known as tanalisation. This treatment method appears to present no hazard to bats and the use of pre-treated timber obviates the need for any subsequent in-situ treatment using more hazardous chemicals.

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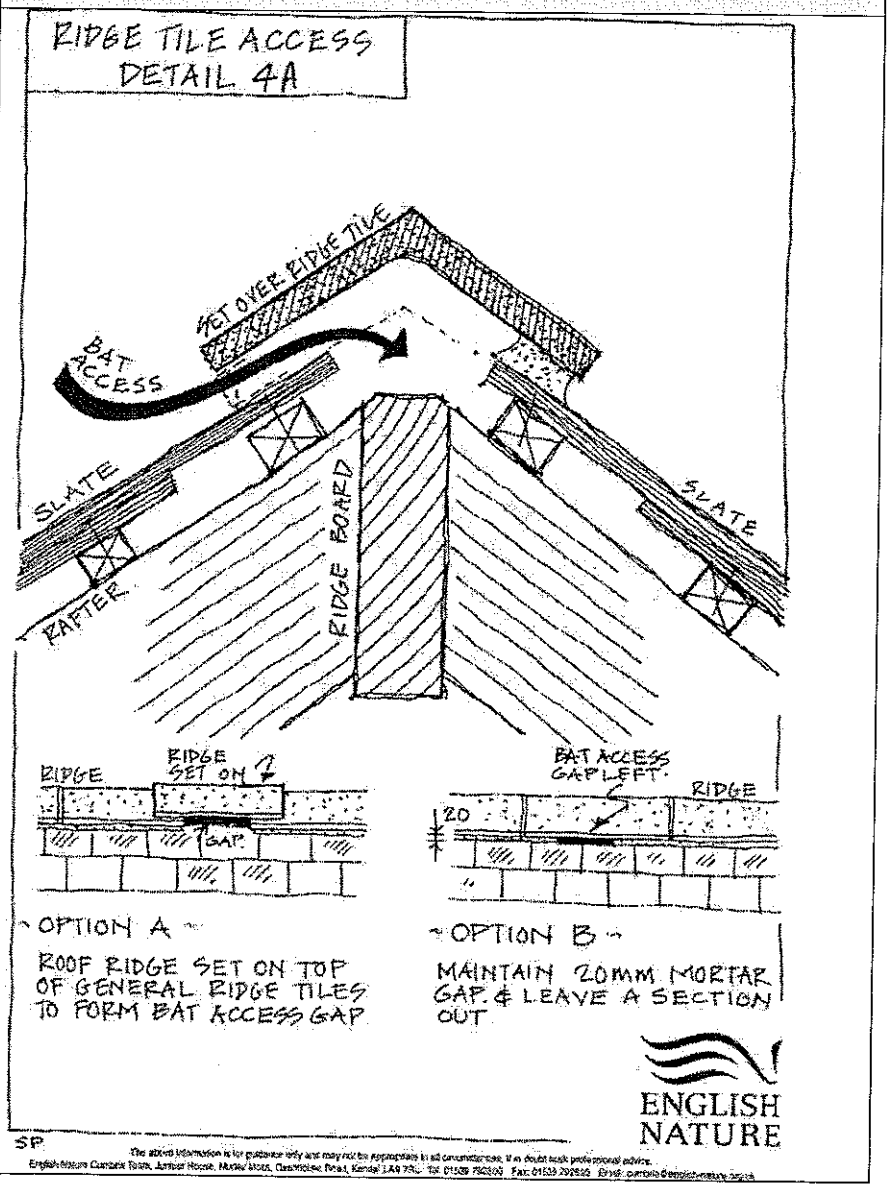
5. Accidental exposure of bats	In the unlikely event of bats being exposed or vulnerable to harm, all work in that area must stop immediately. Cover the exposed bats to reduce further risk of harm and seek further advice by calling the Bat Conservation Trust (BCT) helpline on 0845 1300 228 Stop work immediately if bats are exposed or likely to be disturbed. In exceptional circumstances, torpid or hibernating bats are occasionally found under insulation materials, within rubble piles and within building debris. All contractors should be aware of their responsibilities to protected species. If accumulations of droppings are found during the removal of the old roof slates or walling, stop work and seek advice before continuing work in this area.
6. 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
7. 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. NB: All bat roosts are protected regardless of whether bats are present.
9. 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.
9. Post-development monitoring	Post-development monitoring may be required by the local planning authority to ensure that mitigation and compensation measures have been carried out appropriately.

COMPENSATORY MEASURES (ON PROPOSED EXTENSION)	
ACTION:	METHOD:
1. Access brick or access panel: Provide 1 No. access brick into the NE gable wall apex located as shown. The device should provide a HORIZONTAL slit approx. 30mm deep, allowing bats to enter over the cavity wall into the roof void. The access brick should be located as close to the apex as possible. Products are available from several manufacturers including Ibstock Bricks. (EED will supply further details and have sample bat access bricks for demonstration purposes).	

COMPENSATORY MEASURES (ON PROPOSED EXTENSION AND EXISTING ROOF)

ACTION:	METHOD:
1 Provide 3 no ridge tile access points within roofs: (See ridge tile access detail 4A) One access ridge tile should be located in each of the three roof sections; access points must provide access through the under felt into the roof void	

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).

*On 1 April 2010 The Conservation of Habitats and Species Regulations 2010 replaced The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) in England and Wales (and to a limited degree, Scotland - as regards reserved matters).

[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 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".*

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

Other references and contacts:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 15 Cloisters House, 8 Battersea Park Road, London, SW8 4BG, 0845 1300 228

Clarification of the legal duty of Local planning Authorities' to European Protected species: High Court Judgment June 2009: (Wooley v Cheshire East Borough Council) - Bat Conservation Trust.

Defra Circular 01/2005 (to accompany PPS 9) - Department for Environment, Food and Rural Affairs. www.defra.gov.uk

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

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

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DOVE SYKE NURSERY

TREES, PLANTS, LANDSCAPING, ARBORICULTURE, CHRISTMAS TREES, WREATHS

Project address

Mr & Mrs Bektas

Glenbrook

Talbot Street

Chipping

12/11/2010

Dear Jon,

Please find tree Survey carried out 10/11/2010 at the above location

TREE 1,2,3 Lawson Cyprus

In good condition, has been topped off at some stage, allowed to grow to a height of 30-35 feet over 25 years old.

TREE 4

Small shrub around 4 feet high

TREE 5 Horse chestnut tree

in healthy condition. Has received some minimal pruning, currently standing at around 30 feet in height Approx 20-25 years old.

TREE 6 Cherry tree in good condition.

20-25 feet in height approx 25years of age

TREE 7 Hawthorn tree

Likely self sown, in good condition approx 30 feet in height

TREE 8 Ash tree.

Similar to above, likely self sown in the hedge line, in good condition, approx 30-35 feet in height

TREE 9&10 Lawson Cyprus trees,

in good condition, sited near an oil fuel tank.

Previous signs of topping and left to grow 30-35 feet high approx 25 years old.

TREE 11,12

A group of Lawson Cyprus in good condition, approx 30-35 feet in height and approx 25 years old.

Adjacent to 11& 12 there is a Rowan approximately 20feet tall which has been heavily pruned and needs to be removed.

TREE 13

Box hedge approximately 30 feet long and 3 feet high

TREE 14

A Laburnum tree in sound condition approximately 20-25feet in height would benefit from a small amount of pruning

TREE 15

Buddleia shrub Growing well

TREE 16

A cherry tree, approximately 20 feet tall, in good condition

TREE 17

Birch tree, approximately 30-40 feet in height which has been pruned. Some of these branches are rotten around the wound sites, also the tree is quite large and pushing in to the earth banking by the road which may impact on the stability banking and undermine the foundations of the road

TREE 18

Cherry tree approximately 20-25 feet high, has been pruned and is showing signs of rot in the wounds. The tree roots are again pushing into the road side banking.

TREE 20

Cherry tree, 15-20 feet, also signs of rotting wounds on the pruned branches, also pushing into the banking on the path and roadside

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TREE21

Lawson Cyprus 20-25 feet in height healthy in good condition.

Thank you

M G and J Creighton

Eaves Hall Lane West Bradford, Clitheroe,Lancashire
BB7 3JG

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Mob. 07761211369
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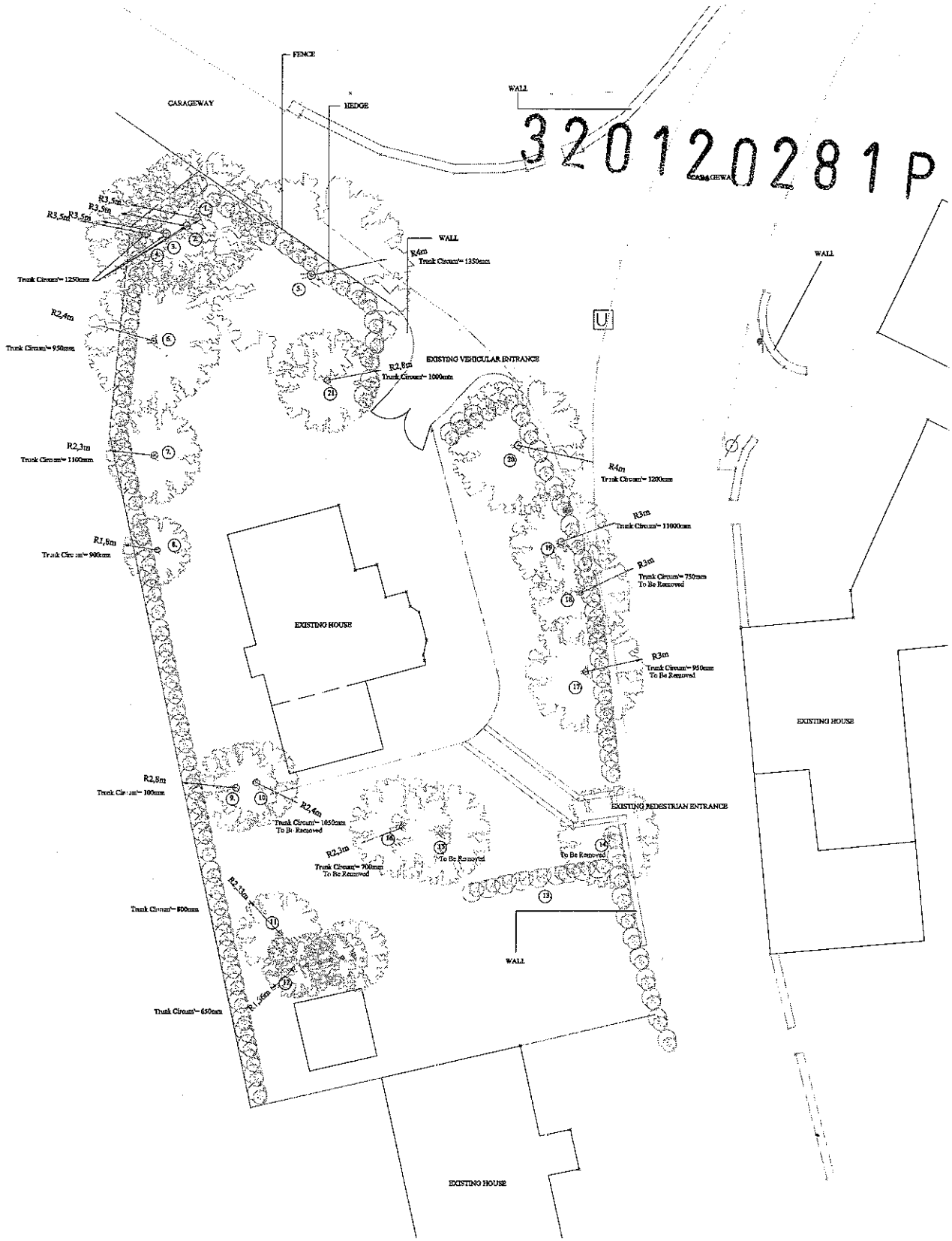

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J.HADFIELD.
ENGINEERING,SURVEYING.

Springs House, Chipping, Lancashire. PR3 2QQ.
Tel 07740 859096. Fax 01995 361185

Client Details,
Mr & Mrs BEKTAS

Project Details,
EXISTING SITE PLAN
TREE SURVEY

Project Address,
GLENBROOK
TALBOT STREET
CHIPPING

Project Number,	Date,	Scale,	By:
204/303	NOV/2010	1:100	JH

DO NOT SCALE THIS DRAWING. CHECK ALL DIMENSIONS ON SITE