



28 MAY 2012	
FOR THE	ATTENTION OF

For office use only	
Application No	320120485P
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

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

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.

Please complete using block capitals and black ink

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	MR MRS	First name:	GURU		
Last name:	SINGH				
Company (optional):					
Unit:		House number:	97	House suffix:	
House name:					
Address 1:	HACKING DRIVE				
Address 2:	LONGRIDGE				
Address 3:					
Town:	PRESTON				
County:	LANCASHIRE				
Country:					
Postcode:	PR3 3EP				

2. Agent Name and Address

Title:	MR	First name:	MICHAEL		
Last name:	JACKSON				
Company (optional):	MICHAEL JACKSON ASSOCIATES LTD CHARTERED ARCHITECTS				
Unit:		House number:	223	House suffix:	
House name:					
Address 1:	PRESTON ROAD				
Address 2:	GRIMSARGH				
Address 3:					
Town:	PRESTON				
County:					
Country:					
Postcode:	PR2 5JR				

3. Description of Proposed Works

Please describe the proposed works:

DEMOLITION OF EXISTING SINGLE ATTACHED GARAGE
ERECTION OF TWO STOREY SIDE EXTENSION AND INTERNAL ALTERATIONS
ADDITIONAL PARKING HARDSTANDING WITH PERMEABLE SURFACE

3. Description of Proposed Works (continued)

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Has the work already started?

☐ Yes ☒ No

If Yes, please state when the work was started (DD/MM/YYYY):

(date must be pre-application submission)

Has the work already been completed?

☐ Yes ☒ No

If Yes, please state when the work was completed (DD/MM/YYYY):

(date must be pre-application submission)

4. Site Address Details

Please provide the full postal address of the application site.

Unit: House number: 97 House suffix: House name:

Address 1: HACKING DRIVE

Address 2: LONGRIDGE

Address 3:

Town: PRESTON

County:

Postcode (optional): PR3 3EP

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, extinguishments and/or creation of public rights of way?

☐ Yes ☒ No

If Yes to any questions, please show details on your plans or drawings and state the reference number(s) of the plan(s)/drawing(s):

6. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently)

Please tick if the full contact details are not known, and then complete as much possible: ☐

Officer name:

Reference:

Date (DD MM YYYY):

(must be pre-application submission)

Details of the pre-application advice received:

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:

Will any trees or hedges need to be removed or pruned in order to carry out your proposal?

☐ Yes ☒ No

If Yes, please show on your plans which trees by giving them numbers e.g. T1, T2 etc, state the reference number of the plan(s)/drawing(s) and indicate the scale.

8. Parking

Will the proposed works affect existing car parking arrangements?

☒ Yes ☐ No

If Yes, please describe:

EXISTING GARAGE CONVERTED TO LIVING
ACCOMMODATION ADDITIONAL PARKING
HARDSTANDING PROPOSED

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

If Yes, please provide details of the name, relationship and role

10. Materials

If applicable, please state what materials are to be used externally. Include type, colour and name for each material:

	Existing (where applicable)	Proposed	Not applicable	Don't Know
Walls	RED RUSTIC FACING BWK	RED RUSTIC FACING BWK TO MATCH EXISTING	☐	☐
Roof	CONCRETE TILES PITCHED ROOF GREEN FELT TO DORMERS	CONCRETE TILES PITCHED ROOF GREEN FELT TO DORMERS ALL TO MATCH EXISTING	☐	☐
Windows	WHITE UVPC	WHITE UVPC TO MATCH EXISTING	☐	☐
Doors			☒	☐
Boundary treatments (e.g. fences, walls)	GARAGE AND EXISTING SINGLE STOREY SIDE EXTENSION ON BOUNDARY	NEW TWO STOREY SIDE EXTENSION ON BOUNDARY IN PLACE OF EXISTING	☐	☐
Vehicle access and hard-standing	CONCRETE	PERMEABLE SURFACE FOR ADDITIONAL HARDSTANDING	☐	☐
Lighting			☒	☐
Others (please specify)			☒	☐

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:

--

11. Ownership Certificates

One Certificate A, B, C, or D, must be completed, together with the Agricultural Holdings Certificate with this application form

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

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

MM JACKSON

3.11.11

CERTIFICATE OF OWNERSHIP - CERTIFICATE B**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, 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 this application relates.

Name of Owner	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE C**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of the land or building, or of a part of it, but I have/ the applicant has been unable to do so

The steps taken were:

--

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

11. Ownership Certificates (continued)

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CERTIFICATE OF OWNERSHIP - CERTIFICATE D

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

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, 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 to which this application relates, but I have/ the applicant has been unable to do so

The steps taken were:

--

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

--

On the following date (which must not be earlier than 21 days before the date of the application):

--

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

12. 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

Signed - Applicant:

--

Or signed - Agent:

MM JACKSON <i>mm Jackson</i>

Date (DD/MM/YYYY):

3.11.11

(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:

Name of Tenant	Address	Date Notice Served

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

13. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form: ☒

The original and 3 copies of a design and access statement if proposed works fall within a conservation area or World Heritage Site, or relate to a Listed Building: ☐

The correct fee: ☒

The original and 3 copies of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North: ☒

The original and 3 copies of the completed, dated Ownership Certificate (A, B, C or D - as applicable): ☒

The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application: ☒

The original and 3 copies of the completed, dated Article 12 Certificate (Agricultural Holdings): ☒

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14. Declaration

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

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

3.11.11

(date cannot be pre-application)

15. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

16. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

17. 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)

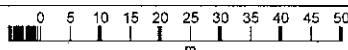
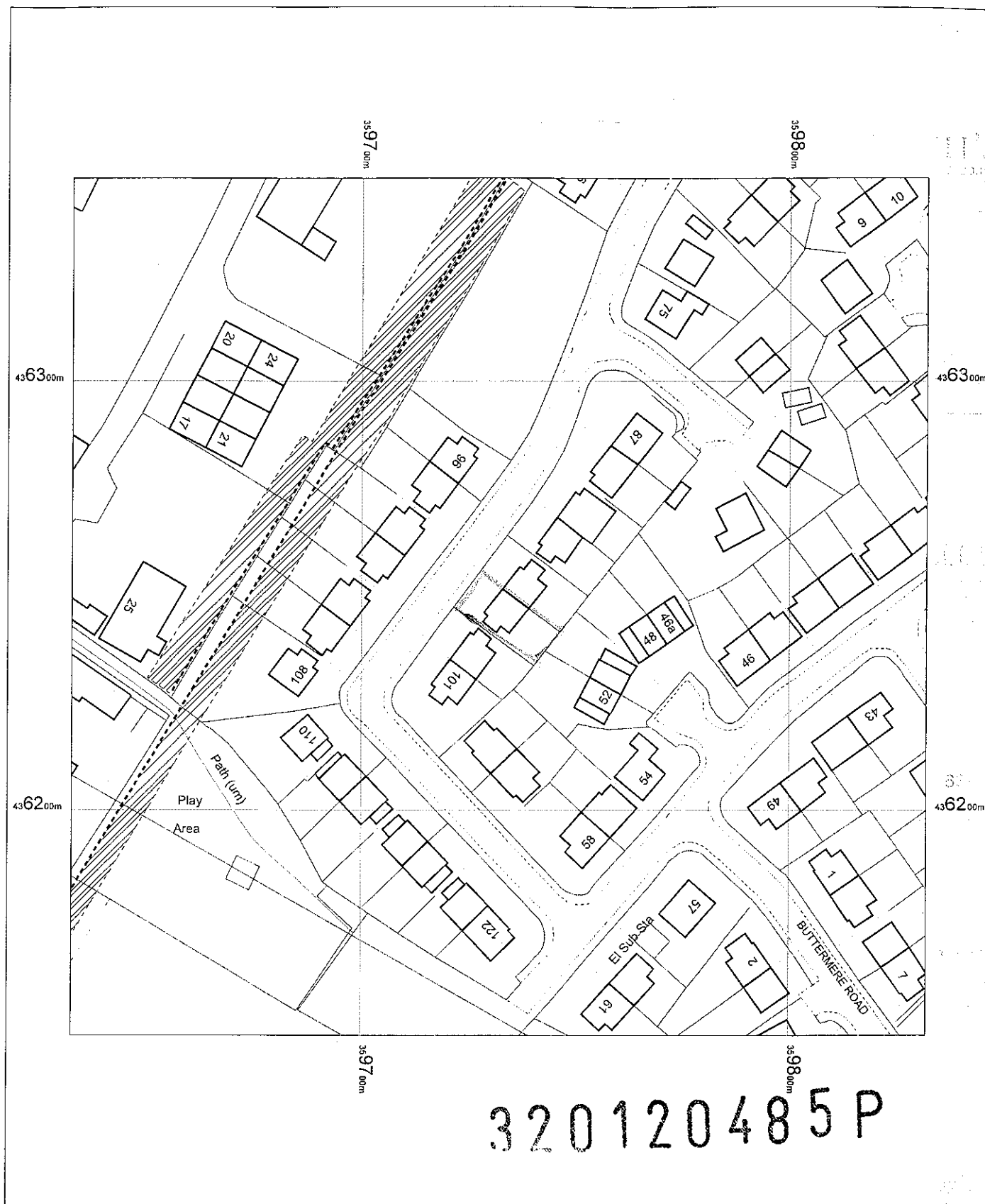
☐ Agent☒ Applicant☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:

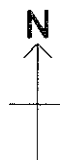


97 HACKING DRIVE
LONGRIDGE
pr3 3ep

OS Mastermap
07 November 2011 ID: BW1-00107095
maps.blackwell.co.uk

1:1250 scale print at A4 Centre: 359732 E 436247 N

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TEL: 0151 709 6512
maps.liverpool@blackwell.co.uk



earthworks environmental design

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

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

Mr Michael Jackson

Holly Cottage
223 Preston Road
Grimsargh
Preston
Lancashire
PR2 5JR

320120485P

13 April 2012

Job ref: B 1130

Dear Mr Jackson

Re: Daylight scoping survey (bats): 97 Hacking Drive, Longridge, Preston, PR3 3EP.

Introduction

You have requested a protected species survey on behalf of your clients Mr and Mrs Singh as a condition of a planning application to Ribble Valley Borough Council (RVBC) for a proposed building extension requiring removal of an existing garage and modifications to the house roof, roof verge, fascias and soffits.

The 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 Tuesday 3 April between 09.30 and 10.15. The weather at the time of the inspection was cool, damp and overcast (max. temp: 8.7°C; cloud cover: 100%; wind: light south-westerly; rain: light drizzle) providing adequate conditions for carrying out a scoping survey.

There is evidence of some roosting bat activity at the property; it is likely that low numbers of roosting bats or solitary bats have been active close to the apex of the south-west gable wall at times, therefore considerable care is required when planning the proposed work to ensure that protected species are not exposed or vulnerable to harm during the course of the development.

The timing of the proposed works must avoid the critical months of May, June, July and August to avoid disturbance, injury or death of a protected species. Mitigation guidelines are provided (Appendix B) to enable the development to be carried out without causing significant disturbance or harm to roosting or resting bats.

Survey methodology

The survey includes internal and external inspections of the property.

The survey methodology follows the recommended monitoring guidelines published by the Bat Conservation Trust (BCT – *Bat Surveys, Good Practice Guidelines, 2007*), Natural England (*Survey Objectives, Methods and Standards as outlined in the Bat Mitigation Guidelines, 2004*) and Survey and Monitoring Methods, (*Bat Worker's Manual, JNCC, 2004*).

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

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

The search was made using a high-powered lamp (Clu-lite CB2 1,000,000 candle power), close-focussing binoculars (Leica Trinovid), a digital camera (Kodak MD41) and 900mm endoscope (ProVision 300) to view all likely areas of the building for the presence of bats, ie. droppings and urine and grease staining, feeding remains such as discarded moth and butterfly wings and other insect fragments typically found in a feeding and perching area.

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

Personnel

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

Constraints

The timing of the survey is outwith the optimal survey period for breeding bat activity and roost emergence.

Crevise-roosting bats such as the pipistrelles, some myotis species and brown long-eared bats are able to remain unseen within cavity walls or beneath roofing materials, wall claddings and fascia soffits despite careful visual inspection.

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

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

National Biodiversity Network (NBN Gateway) database records, whilst indicative of the bat species that are likely to occur within a 10km square, do not confirm presence or absence of a species or habitat.

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

Desktop study (SD53)

A local data search was carried out to identify bat records within a radius of 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 SD53:

Whiskered bat	(<i>M. mystacinus</i>)
Brown long-eared bat	(<i>Plecotus auritus</i>)
Common pipistrelle	(<i>Pipistrellus pipistrellus</i>)
Soprano pipistrelle	(<i>P. pygmaeus</i>)

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Pre-existing information (survey location NGR: SD 598363)

None available at this location; the nearest records* of bat roost activity within 2.5km are at:

(1) Chapel Hill, Longridge	(SD 604365) – common pipistrelle
(2) Alston Reservoirs	(SD 604364) – common pipistrelle
(3) New Town, Longridge	(SD 604366) – common pipistrelle
(4) Lower Lane, Longridge	(SD 608369) - pipistrelle species

*EED database (1998 – 2012)

Description of the property

The property is a semi-detached modern style bungalow with dormer roof extension to front and rear (built circa 1960's / early 1970's). There is also a single storey garage (south-west elevation) and an adjoining rear extension as shown in figures 1 to 3. The property has a brick and block cavity wall construction with duo-pitched roof and an enclosed roof void (figure 4). The tiled roof is lined with a bitumastic roofing felt and under-drawn with an insulation layer of glass fibre material between the roof spars.

The roof void is dry, dark and well-ventilated and there is also glass fibre insulation material present between the ceiling joists. A small accumulation of bat droppings was found directly below the apex of the inner block work wall (figure 6). A small gap above the block work is located close to the apex as shown in figure 5.

The dormer windows to the front and rear roofs are clad with tongue and groove timber and both dormers have a flat bitumen roof construction. The garage and adjoining rear extension also have flat bitumen roofs.

Externally the property is generally well-maintained and all roof areas including ridge tiles, verge tiles, verges and lead work flashings appear secure. There are several very small gaps where some of the mortar pointing along the SW roof verge has broken and there is a small gap above the brickwork on the gable apex wall. Fascia-soffits are largely secure although the timber fascia on the kitchen extension appears to have warped creating a gap of approx 30mm. The windows and doors are all D/G sealed units and these are very secure.



Figure 1: front / side elevation

Figure 2: Proposed area of development

Figure 3: rear elevation

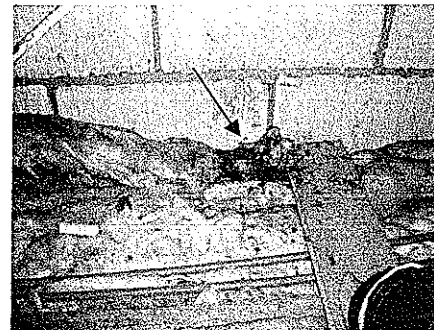
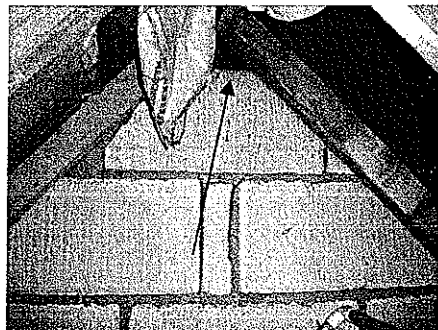
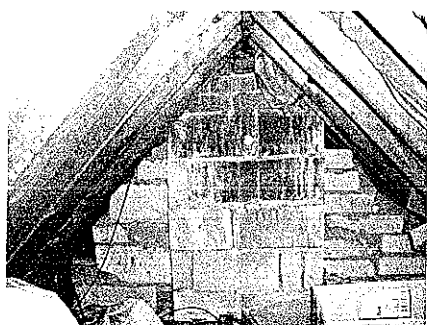


Figure 4: roof void

Figure 5: roof void – SW apex

Figure 6: bat droppings in roof void

Proposed development

It is understood the scheme includes a two storey side extension above the existing garage (as located fig 2).

Location of the property (NGR: SD 598363: elevation: 90m; close to the south-western edge of Longridge)

The property is located within a well-established residential area and is adjacent to other properties of similar age, design and construction. The property is within a largely urban location and is not adjacent to open ground, woodland or water channel. There is open countryside within 200m to the south of the site. The location is sub-optimal in terms of feeding, foraging and commuting habitat for bats and there are no extensive woodlands within 500m and there are no areas of standing open water or any significant river channel nearby.

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. A small accumulation of bat droppings were located below the apex of the SW gable in the roof void (figure 6). Although some of the droppings were relatively fresh, indicating quite recent activity; the majority were old droppings suggesting roosting in previous years.

There was no evidence of bat activity in other parts of the roof void or on external walls and surfaces.

The location of the property provides sub-optimal feeding and foraging habitat and the site is not adjacent to high value feeding habitat and foraging and is therefore less likely to attract regular or significant roost activity.

Evaluation of results (interpretation)

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There is limited evidence of bat activity at this property. About six fresh bat droppings have been located inside the roof void below a gap over the cavity wall at the apex of the SW gable wall. Small numbers of pipistrelle bats or solitary bats are likely to roost within this area. Pipistrelles are most commonly found under roof tiles, and ridge tiles or within a cavity wall or box soffit.

There is no evidence of regular or significant activity by bats and there are no signs of any maternity roost or place of hibernation.

The level of roost activity at the property is likely to be seasonal and relatively sporadic / occasional; experience has shown that small transitional roosts are used by low numbers of bats or individuals during the spring post-hibernation period and in the pre-hibernation period during late summer and autumn.

The proposed works requiring significant disturbance to the roof and soffits should avoid the critical period of 1 May to 30 August when pregnant bats or their flightless young are most vulnerable to disturbance. Any other building works that will not directly interfere with the gable apex and roof are unlikely to disturb any roosting bats and may be undertaken at any time of the year (for further details: refer to the mitigation notes below).

Conclusion and recommendations

Small numbers of bats or solitary roosting bats (Pipistrellus species) have been active within the gable apex of the property

There is a low to moderate risk of disturbing roosting bats in the areas of roof near the apex of the SW gable during the spring, summer and early autumn

Timing constraints are advised and building works should not be carried out during the critical period 1 May to 31 August when bats are most vulnerable to disturbance.

Any building operations that are unlikely to cause disturbance to the fascia soffits, apex wall, roof verge or ridge should proceed with reasonable caution and vigilance for the 'unexpected' presence of roosting bats.

All bats and their roosts are protected by the law even if bats are not present within the roost (Appendix C).

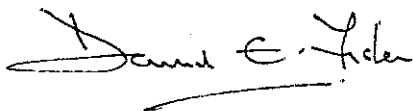
Further survey effort during the optimal survey period (May to August) is not recommended.

Mitigation guidance notes are included (Appendix B).

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

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APPENDIX A

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)

Mitigation considerations (general guidance notes)

Mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species or damage to a roost. The Bat Mitigation Guidelines define mitigation as "...measures to protect the bat population from damaging activities and reduce or remove the impact of development".

ACTION:	METHOD:
1. Timing constraints	AVOID disturbance to the apex roof (SW gable wall) including fascia soffits, roof verge, and ridge tiles within 2000m of the apex where bats are likely to roost in spring / summer. AVOID exposing roofing materials, brickwork and box soffits between 1 May and 31 August when roosting bats are most at risk of disturbance.
2. Information to contractors	Any building contractors who are responsible for exposing roofing materials should be aware that bats have previously roosted in the area close to the apex. A copy of this report should be available to contractors and project managers before any work is undertaken. It is responsibility of the developer to ensure that protected species are not disturbed, injured or killed during the proposed works.
3. Removal of tiles, soffits and roofing materials near the SW apex.	There is a greater risk of disturbance to roosting bats during the spring, summer and early autumn period. Disturbance of roof materials can be undertaken after this period when bats are able to relocate to other roosts without harm. Remove any fascias, box soffits, verge tiles and ridge tiles with considerable care to avoiding crushing or injuring any roosting bats. Building works that are not likely to cause disturbance to the apex should proceed with caution for the unexpected presence of any solitary bats. IF IN DOUBT: please contact BCT for advice
4. Accidental exposure of bats	In the 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.
5. 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.
6. 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. A copy of this report should be available to the building contractors before work begins.
7. 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.
8. Additional survey effort	Evening roost emergence / dawn re-entry surveys are <u>not</u> recommended at this property.

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

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