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Mr Majid Hussain

62 Carnarvon Road
Blackburn
Lancashire
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320120663P

15 July 2012

Job ref: B 1184

Dear Mr Hussain

Re: Scoping survey (bats): Moor View, Showley Road, Clayton-le-Dale, Blackburn, Lancashire.

Introduction

You have requested a protected species survey as a condition of a planning application to Ribble Valley Borough Council (RVBC) for proposed building alterations at the above property

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, compensation or enhancement proposals that may be required.

A scoping survey and daylight inspection of the property was undertaken on Tuesday 10 July between 10.00 and 11.15.

The weather at the time of the inspection was mild and overcast with heavy showers (max temperature: 15.5°C; cloud cover: 100%; wind: light south-westerly; rain: heavy and prolonged)

There is no evidence of significant or regular bat activity within any part of the property.

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

Survey methodology

The survey includes internal and external inspections of the building including all internal voids

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*).

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

The aim of the scoping survey 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 local record search of publicly available data for protected species, in addition to information on locally significant landscape features and designated conservation sites.

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 (Pro Vision 300) to view all likely areas of the building for the presence of bats.

Signs indicating bat activity may include bat droppings and urine marks, bat corpses, roost staining or evidence of feeding remains such as insect prey, discarded moth and butterfly wings and other insects fragments typically found beneath feeding perches.

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;

Natural England licence No: 20113901 (August 2011), Conservation, Science and Education

Constraints

Small crevice-roosting bats such as the pipistrelles, some of the myotis bats and occasionally brown long-eared bats are able to remain unseen within very confined spaces such as cavity walls, block work walls, 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

Evening emergence / dawn re-entry surveys have not been carried out at this property

Pre-existing information (site location - NGR: SD 664 318)

No information is available at this property (East Lancashire Bat Group / EED data search).

There are no records of roosting bats within 1km of the property.

320120663P

Desktop study (SD 63)

A local data search was carried out to identify any relevant records of bat activity within 1km of the site. The following bat species are known to be present within the wider district:

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

*National Biodiversity Network (NBN) datasets (terrestrial mammals) shown in blue

Description of the property

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The property is a modern style chalet bungalow with duo-pitched slate roofs. The original cottage has been considerably extended and further extensions were added in 2001 / 2002 including conversion of a garage at the NE elevation (figure 2).

Images Moon Hill, Stone's Road, Claydon-le-dale 10 July 2012



Figure 1:

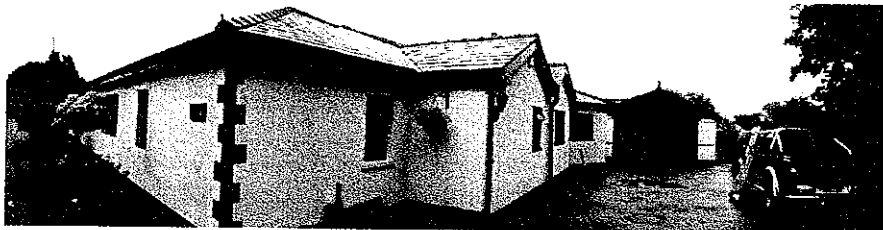


Figure 2:

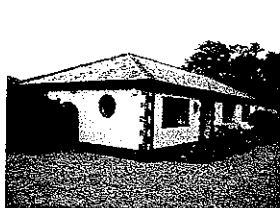


Figure 3:

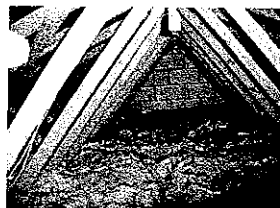


Figure 4:



Figure 5:

The property has a brick and block cavity wall construction; all external walls are cement rendered and windows and doors are double glazed uPVC sealed units. There is a main roof void connecting most of the building with a separate void above a study adjacent to the garage. All roof areas are insulated with a glass fibre material and the slate roof is lined with a bitumastic felt. The voids are very clean, dry and well-ventilated and appear to be extremely well-sealed, dark and fully secure. All fascia soffits are very secure and well-sealed.

Location of the property (NGR: SD 664 318: elevation: approximately 125 metres).

The property is located in a rural area and is surrounded by open countryside with extensive grazing pasture, small broadleaved woodlands, copses and mature hedgerows and field boundaries nearby. The property, although close to the Showley Road is also adjacent to a large mature garden and open paddock with extensive views to the surrounding countryside.

The site is not adjacent to open water, river channel or any significant water course and the house is not adjacent to extensive broadleaved woodland or plantation edge.

There are no designated nature conservation sites within 1km of 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).

Proposed development

Details of the proposed development were not supplied. (*Existing drawings: Ray Fish*).

320120663P

Survey results

All parts of the property were inspected for evidence of bat droppings and other indicative signs of roosting by bats. Two relatively old bat droppings were located on top of insulation material within the roof void at the extreme north-east end of the property close to the converted garage.

There is no evidence of bats within any other part of the property although several fresh mouse droppings are scattered throughout the roof spaces.

There is no evidence of significant or regular access by bats or signs that the property has ever been used as a day roost, maternity site or place of hibernation. All external areas of the property are extremely well-maintained and very secure; the potential for roosting bats is limited and there are no signs of bat activity on any external surface.

Evaluation of results (interpretation)

There is no evidence to indicate regular or significant access or roosting activity by bats. The presence of two relatively old bat droppings inside one of the voids indicates flight within the void by a solitary bat. Bats are opportunistic animals and frequently enter roofs for brief periods.

It is highly unlikely that breeding or hibernating bats have ever been present at this site however, and 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 negligible / 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 property.

Further survey work (emergence and activity surveys) is not recommended.³

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)

Recommendations

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

Further survey work at the site (ie. evening emergence or dawn re-entry and swarming surveys) is not required.

A mitigation licence will not be required at this property.

Conclusion

320120663 P

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

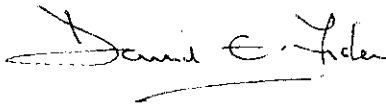
The scale of impact of the development at site level on local bat populations is likely to be negligible or low.

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 any 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

Information / data sources

320120663P

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. Derelict, under-used and neglected sites (www.lancspartners.org)
13. EED dataset (Lancashire bat records 2000 - 2012)
14. Multi-Agency Geographical Information Centre (www.magic.gov.uk)
15. Natural England - Nature on the map (www.natureonthemap.org.uk)

Appendix B

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 (Natural England, 2004) define mitigation as "... measures to protect the bat population from damaging activities and reduce or remove the impact of development".

ACTION	METHOD / NOTES
1 Further survey effort	No required
2 Timing constraints	Not required
3 Licence requirement	Not required (based on the survey findings).
4 Method statement	Not required
5 Removal of roofing materials	Although it is unlikely that any roosting bats will be exposed during renovation or repair of the roof, project managers and site contractors should be aware that solitary bats are occasionally found roosting beneath all types of roofing material, most frequently under slates roofing felt fascia boards roof claddings, verge tiles and ridge tiles. Bats may be found at any time of year, although most individuals are found in the spring, summer and autumn period between late April and early October.
6 Accidental exposure of bats	In the unlikely event of bats being exposed or vulnerable to harm, all work in that area must stop immediately. Cover the exposed bats to reduce further risk of harm and seek further advice by calling the Bat Conservation Trust (BCT) helpline on 0845 1300 228. Stop work immediately if bats are exposed or likely to be disturbed. All contractors must be aware of their responsibilities to all protected species. If accumulations of droppings are found during the removal of the roofing materials or walling, stop work and seek advice before continuing work in this area.

7. 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
8. 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
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. If you are unable to contact BCT; please call David Fisher (EED) on 01200 446859 (office) or 07709 225783 (mobile) for immediate advice
10. Post-development monitoring	Not required

APPENDIX C

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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. A J Mitchell Jones. Joint Nature Conservation Committee (2004) ISBN 1 86107 558 8

² Planning Policy Statement (PPS9) (2005) Biodiversity and Geological Conservation ODPM

Protected species (Bats) and the planning 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

Bibliography:

Altringham, JD., (2011) Bats, From Evolution to Conservation.

Dietz, C., Helversen, O., Nill, D., (2009) Bats of Britain, Europe and Northwest Africa

Hundt, L., (2012) BCT Bat Surveys, Good practice Guidelines – 2nd edition

JNCC, (2010), Handbook for Phase 1 Habitat Survey – a technique for environmental survey.

Mitchell, AJ., McLeish, AP., (2004), JNCC Bat Workers Manual 3rd Edition.

Mitchell, AJ., (2004), English Nature Bat Mitigation Guidelines, version January 2004

Russ, J., (2012), British Bat Calls, A Guide to Species Identification. Pelagic Publishing

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