



RIBBLE VALLEY
BOROUGH COUNCIL

28 AUG 2012

THE
OFFICE OF

For office use only

Application No: 320120769P

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	First name:	Brian	Surname:	Martin
Company name:					
Street address:	11 Kirkdale Road		Country Code	National Number	Extension Number
	Langho		Telephone number:		
			Mobile number:		
Town/City:	Blackburn		Fax number:		
County:	Lancashire		Email address:		
Country:					
Postcode:	BB6 8EW				
Are you an agent acting on behalf of the applicant? ☒ Yes ☐ No					

2. Agent Name, Address and Contact Details

Title:	Mr	First Name:	Gary	Surname:	Willis
Company name:	Novensus Ltd				
Street address:	9		Country Code	National Number	Extension Number
	Campbel Close		Telephone number:	0161	4082785
	Fernhurst Farm		Mobile number:	07702	853010
Town/City:	Blackburn		Fax number:		
County:	Lancashire		Email address:		
Country:	United Kingdom				
Postcode:	BB24GR			gary@novensus.co.uk	

3. Description of Proposed Works

Please describe the proposed works:

Demolish existing car port and rear porch/conservatory. Provide new car port and new single storey sun room to rear

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:	11	Suffix:	
House name:			
Street address:	Kirkdale Road		
	Langho		
Town/City:	Blackburn		
County:			
Postcode:	BB6 8EW		

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

Easting:	370302
Northing:	433756

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

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:

Brickwork

Description of *proposed* materials and finishes:

Brickwork to match existing

Roof - description:

Description of *existing* materials and finishes:

Concrete tiles

Description of *proposed* materials and finishes:

Rear Sun room - concrete tiles to match existing
Car Port - flat roof felt or single ply membrane dark grey

11. (Materials continued)

320120769P

Windows - description:Description of *existing* materials and finishes:

White u PVC

Description of *proposed* materials and finishes:

to match existing

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:

Plan drawing 10045-P-1

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: First name: Surname:

Person role: Declaration date: ☒ 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

Title: First Name: Surname:

Person role: Declaration date: ☒ 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. I/we confirm that, to the best of my/our knowledge any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

☒ Date

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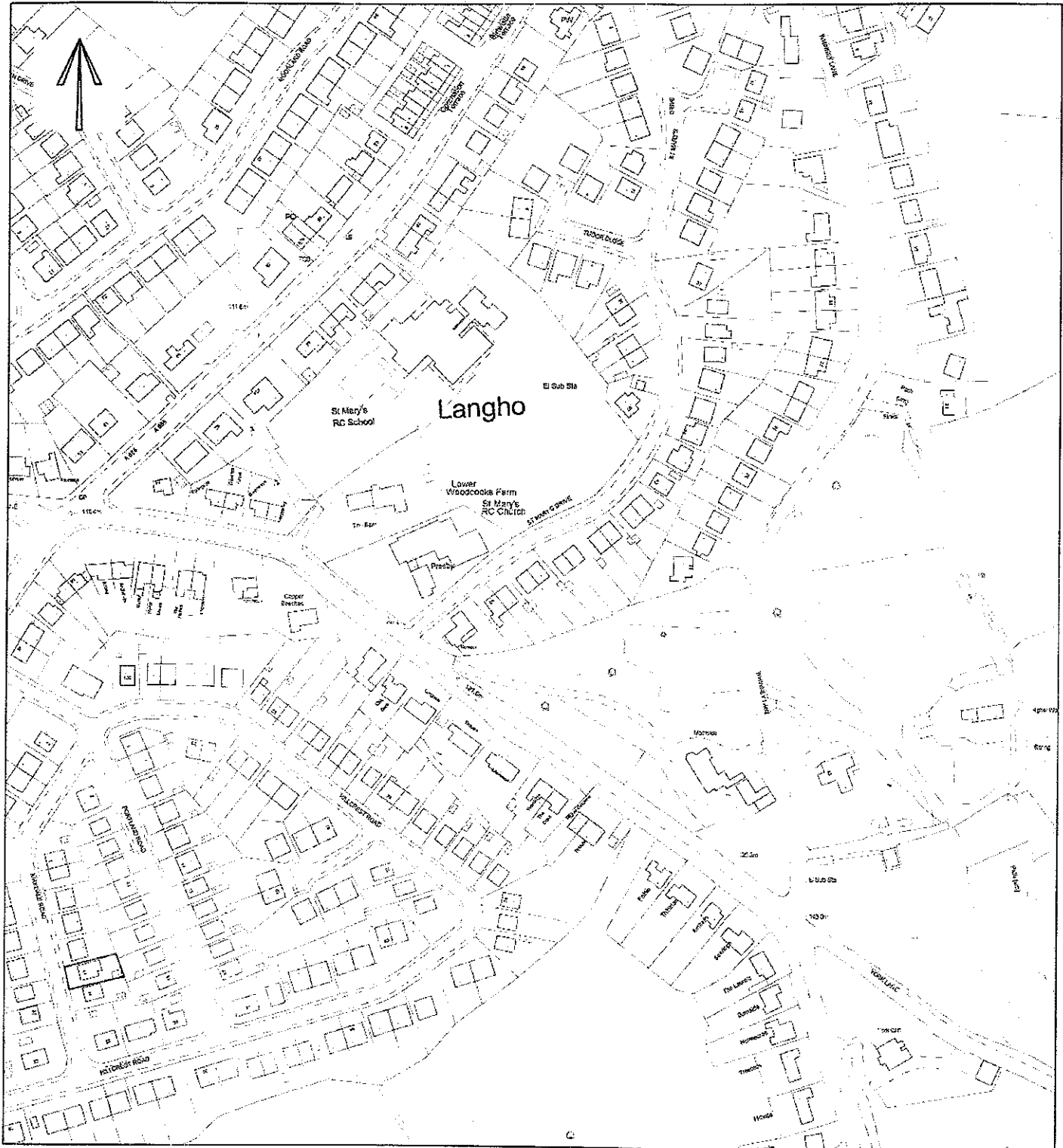
Development Department

Council Offices, Church Walk, Clitheroe, Lancs. BB7 2RA

Tel: (01200) 425111 Fax: (01200) 414487 DX: Clitheroe 15157

**Location Plan**

Map Ref: SD7033NE Scale: 1:2500

**RIBBLE VALLEY
BOROUGH COUNCIL**

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RECEIPT NO

SOLD BY

earthworks environmental design

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

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

Mr Gary Willis

Novensus Ltd
9 Campbell Close
Blackburn
Lancashire
BB2 4GR

320120769P

26 April 2012

Job ref: B 1147

Dear Gary

Re: Daylight scoping survey (bats): 11 Kirkdale Road, Langho, Lancashire. BB6 8EW

Introduction

You have requested a protected species survey on behalf of your client Mr Brian Martin as a condition of a planning application to Ribble Valley Borough Council for proposed building alterations at 11 Kirkdale Road, Langho, BB6 8EW.

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 Monday 23 April between 08.45 and 09.15. The weather at the time of the inspection was cool, dry and bright (max. temp: 10.1 °C; cloud cover: 80%; wind: light north-easterly breeze; rain: nil) providing optimal conditions for carrying out a scoping survey.

There is no evidence of bat activity in any part of the property, it is unlikely that roosting bats are present and there are no signs of activity in the past, consequently the impact of the proposed building works is likely to be negligible / low and there is no risk of disturbance to any protected species.

Survey methodology

The survey includes internal and external inspections of the property.

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

The aim of the scoping exercise is to consider the potential value of the site for European Protected Species (EPS) and to establish whether bats and other protected species have been active within any part of the property that will be affected by the proposed development.

The 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.

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

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

Personnel

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

Constraints

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

Crevice-roosting bats such as the pipistrelles, some myotis species and brown long-eared bats are able to remain unseen within very confined spaces such as cavity walls or beneath roofing materials, wall claddings, weather boarding, lead work flashings and fascia soffits despite careful visual inspection.

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

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

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

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

Desktop study (SD 73)

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

Reference to the National Biodiversity Network (NBN) database has identified the following species present within the 10km recording square SD 73:

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

Pre-existing information (survey location at NGR: SD 702 337)

No records available at this location. Additional records for the area are shown in Appendix D.

Description of the property

The property is a modern style detached bungalow (built ca 1960's) with standard brick cavity wall construction and duo-pitched timber sparred roof. The tiled roof is lined with bitumen and hessian under felt (figure 6) and the enclosed roof void insulated with glass fibre material over the ceiling joists. The void is boarded for access and storage and the area is clean, dry and well-ventilated. There is some evidence of mammal faeces (common rat - previously treated) and several embryonic wasp nests within the roof space, however there is no trace of bat droppings or other indicative signs of access by bats.

Externally there is some timber cladding to the front gable apex wall (figures 1 and 2); timber fascias and soffits are poorly maintained and there is damage to roof verges where mortar pointing has failed.

At the rear of the property is a lean-to conservatory / sun lounge with mono-pitch profiled laminate roof (figure 3); to the east side of the building is a lean-to car port (figure 4) with clear roof panels and an unenclosed parking area. To the west side of the bungalow is a narrow lean-to workshop; the structure is very well sealed and fully secure and there are no signs of bat or bird roosting activity.

Photographs: 11 Kirkdale Road – (Images taken 23 April 2012)



Figure 1: front elevation



Figure 2: front (south) elevation



Figure 3: rear (north) elevation

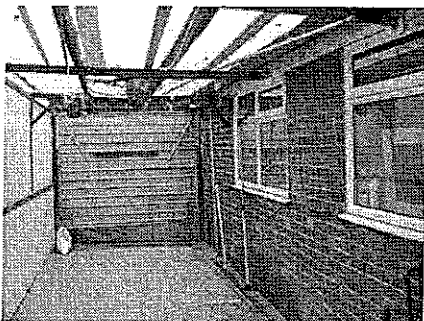


Figure 4: car port (east) elevation



Figure 5: rear elevation



Figure 6: roof detail - roof void

Proposed development

The proposed development / plans are to raise the walls by 1000mm to create a bedroom in the roof space.

(Reference – Drawings by: Gary Willis, Novensus Limited).

Location of the property (NGR: SD 702 337): elevation: 130m;

The property is situated within a well-established residential development on the SW side of Langho. The site is surrounded by other properties of similar age, design and construction and the location is within the urban zone. There is open countryside to the south of the development within 100m of the property.

The location of the property is adjacent to sub-optimal habitat in terms of feeding, foraging and roosting activity by bats and the site is not adjacent to any broadleaved woodland, conifer plantation, riparian woodland or area of open water, water channel or river course.

Connectivity of the site to other habitats is limited; the level of bat activity within 500m of the site is likely to be low frequency.

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 carefully inspected for evidence of bat droppings, discarded insect prey and other indicative signs of roosting, perching or feeding by bats – significantly none was found.

Evaluation of results (interpretation)

There is no evidence of bat activity at this property; it is very unlikely that bats have ever roosted at the site.

The property is within an urban location and there is no adjacent woodland habitat or open water nearby.

Bat feeding, foraging and commuting activity is likely to be low frequency throughout the year.

There is no evidence the property is used as a day or night roost, perching / feeding roost, maternity site, transitional roost or place of hibernation.

- There is currently a low / negligible 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 or neighbouring buildings within 250m.
- Further survey work (emergence and activity surveys) is not required ³.
- It is recommended the proposed works proceed with reasonable caution and vigilance for the 'unexpected' presence of solitary roosting bats.

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

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

³ Flow chart depicting the process for deciding what level of survey is necessary, (BCT, Bat Surveys, 2007, p24)

Conclusion and recommendations

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The proposed 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.

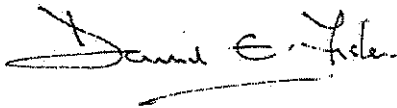
The scale of impact of the development at site level on local bat populations is likely to be negligible or low.

Further survey effort during the optimal survey period 1 May to 31 August is not recommended.

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

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

The following sources were consulted during the preparation of this report:

1. National Biodiversity Network (NBN) database, (terrestrial mammals - chiroptera)
2. Bat Conservation Trust (BCT)
3. Department for Environment Food and Rural Affairs (Defra)
4. Joint Nature Conservation Committee (JNCC)
5. North Lancashire Bat Group
6. East Lancashire Bat Group
7. Lancashire and Cheshire Fauna Society
8. Lancashire Wildlife Trust
9. Lancashire Biodiversity Partnership
10. Ribble Valley Borough Council
11. Biological Heritage Sites Partnership (LCC, NE and LWT)
12. EED dataset (Lancashire bat records 2000 - 2011)
13. Multi-Agency Geographical Information Centre (www.magic.gov.uk)
14. Natural England - Nature on the map (www.natureonthemap.org.uk)

Appendix B

Mitigation (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	None
2. Removal of roofing materials	Although it is unlikely that roosting bats will be exposed during the proposed building alterations, you should be aware that solitary bats are occasionally found roosting beneath roofing materials, most frequently under slates, roofing felt, fascia boards, roof claddings, verge tiles and ridge tiles and lead work flashing. Bats may be found at any time of year, although most individuals are found during the spring, summer and autumn between late April and late September / early October.
3. Removal of weather boarding	Pipistrelle species are crevice-roosting bats that seek narrow and often confined spaces to roost, timber cladding and weather boarding are features used frequently by roosting bats. Caution and vigilance is required when removing the wavy-edged weather boarding on the front elevation of the property to avoid potential injury to solitary bats that may be present.
4. 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 should be aware of their responsibilities to protected species. If accumulations of droppings are found during the removal of the roofing materials or rubble infill walling, stop work and seek advice before continuing work in this area.
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.
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. Post-development monitoring	Not required
9. 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

Natural England, Cheshire to Lancashire Team, Electra Way, Crewe, Cheshire, CW1 6GJ Tel: 01270 754227

APPENDIX D

Additional bat records - Langho SD 73 (EED)

<i>Species:</i>	<i>Site:</i>	<i>Grid reference:</i>	<i>Date</i>	<i>Comment/recorder</i>
Pipistrellus sp.	Langho	SD 699 340	15.01.10	Maternity roost
Pipistrellus sp	Langho	SD 692 340	11.05.06	Day roost
Pipistrelle sp.	Langho	SD 691 339	10.06.07	Maternity roost
Pipistrelle sp.	Langho	SD 700 339	10.09.07	Day roost
Pipistrellus pygmaeus	Langho	SD 707 343	23.08.07	Day roost
Plecotus auritus	Langho	SD707 343	23.08.07	Maternity roost