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David Newton

West End Lodge
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320120847P

25 September 2012

Job ref: B 1214

Dear Mr Newton

Re: Daylight scoping survey (bats): 'Thornton' York Lane, Langho, BB6 8EH

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 as 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 was undertaken on Tue 18 September between 09.00 and 09.30.

The weather at the time of the inspection was cool, dry and bright (max. temp: 12.0°C; cloud cover: 40%; wind: light south-westerly; rain: nil, recent showers).

There is no evidence of bat activity within the buildings that are likely to be affected by the proposed works; it is very unlikely that protected species will be disturbed during the course of the development.

Survey methodology

The survey includes internal and external inspections of the building.

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

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

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

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

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

Personnel

The survey was carried out by David Fisher (EED) - an experienced ecological consultant with more than 25 years experience of bat ecology and field survey work and a Natural England licence holder since 1989.

Natural England licence No: 20122876 (August 2012), Conservation, Science and Education.

Constraints

Small crevice-roosting bats such as pipistrelle species, some 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, fascia boards and soffits despite careful 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.

Desktop study (10km squares: SD 63 / SD73)

A local data search was carried to identify any relevant records of bat activity within 2.5km 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

Pre-existing information (site location - NGR: SD 704 339)

No information available for this property (East Lancashire Bat Group / EED)

No records of any previous protected species surveys at the property.

The owner is unaware of roosting bats at the property.

Local bat records within 2.5km of the site are appended.

Description of the property

The property is a semi-detached two storey house with brick cavity wall construction and duo-pitched slate roofs (figure 1). At the rear of the house is a single storey kitchen extension with duo-pitch slate roof.

The main roof has a rafter-with-purlin construction and is clad with blue slate. The south roof pitch (rear) is lined with a re-enforced PVC membrane (figures 5 and 6); there is considerable mortar debris within the roof void. The north roof pitch extends into a hipped roof section where roofing felt is absent. The voids are dark, cool and dry; glass fibre insulation is present over the ceiling joists and there is a considerable accumulation of dust and some cluster flies present.

Externally, the timber fascia soffits appear well-sealed and the gable apex verge is very secure. Upper wall sections are cement-rendered and secure. Windows and doors are double glazed and well-sealed.

The single storey rear extension (figures 2, 3 and 4) is also well-maintained and secure and there is no potential for access by roosting bats.

Location of the property (NGR: SD 704 339: elevation: approximately 100 metres).

The property is located within the urban area of Langho although set back from the highway within a mature garden. The house is close to other properties of similar age, design and construction in a well-established residential part of the village.

There is no extensive broadleaved woodland or plantation within 1000m of the site and the house is not adjacent to an area of open water or river channel.

The nearest open countryside is more than 250 metres to the east and west of the property.

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).

Proposed development

It is understood the proposal is for a two storey rear extension of the property (figure 3) requiring demolition of the existing single storey extension and some modifications to the roof verge and fascia soffits on the main (south) roof. (*Drawings: David Newton*).



Figure 1:



Figure 2:

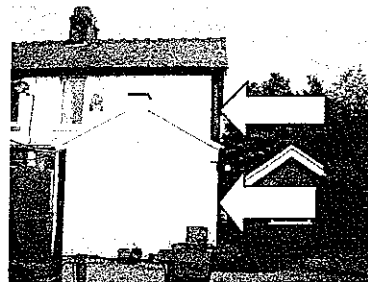


Figure 3:



Figure 4:



Figure 5:



Figure 6:

Survey results

All parts of the property (including roof void) were carefully searched for evidence of bat droppings and other indicative signs of roosting by bats; none was found.

The building is considered very LOW RISK in terms of likely disturbance to roosting bats.

Evaluation of results (interpretation)

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

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

There is minimal 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 at neighbouring properties within 500m.

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 'unexpected' presence of solitary roosting bats. (refer to the mitigation – general guidance notes, Appendix A).

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

An EPS development licence is not required at this property.

Conclusion

The proposed building alterations and demolition of a single storey rear extension is **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.

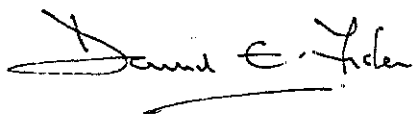
The scale of impact of the development at site level on local bat populations is likely to be negligible or low.

Mitigation guidance notes are included (Appendix A); in the unlikely situation that any bats are disturbed, contact the surveyor (David Fisher - EED) or call the Bat Conservation Trust for emergency advice.

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

Please note: I do not provide a copy of this report to the local planning authority, therefore it is your responsibility to forward the report to Ribble Valley Borough Council with the planning application.

Yours sincerely



David Fisher

320120847P

APPENDIX A

Mitigation considerations (general guidance)

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. EPS Licence requirement	Not required
4. Method statement	Not required
5. Removal of roofing materials	Although it is very 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.
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.
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.
8. 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
9 Post-development monitoring	Not required

Information / references:

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 - 2012)
13. Multi-Agency Geographical Information Centre (www.magic.gov.uk)
14. Natural England - Nature on the map (www.natureonthemap.org.uk)

APPENDIX B**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 C

RAW DATA: Local bat records (source: EED Surveys)

LANGHO / BILLINGTON – August 2012

Species:	Site:	Grid reference	Date	Comment/recorder
Pipistrellus sp	Langho	SD692 340	1.05.06	Minor roost mod detached house
Pipistrellus sp	Langho	SD 691 339	10.06.07	Small satellite roost estimate: 5 – 20 bats
Pipistrelle sp.	Langho	SD 700 339	10.09.07	Small day roost
Pipistrelle sp.	Langho	SD 691 343	12.01.08	Day roost in apex
Pipistrellus sp.	Langho	SD 699 340	15.01.10	Small maternity roost in apex
Pipistrellus sp	Billington	SD 725 357	29.04.10	Grounded bat
Pipistrellus sp	Billington	SD 729 358	16.06.09	Maternity roost estimate: 80 – 100 in Victorian terrace house
P. pygmaeus Soprano pipistrelle	Croasdale Barn, Langho	SD 707 343		Day roost in stone barn
Brown long-eared bat	Croasdale Barn, Langho	SD707 343	23.08.07	Feeding and night roosting