

18 DEC 2012



REBBLE VALLEY
BOROUGH COUNCIL

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

For office use only

Application No: 20130011P

Date received

Fee paid £

Receipt No:

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 First name: DAVID
Last name: HARDEN
Company (optional):
Unit: House number: 35 House suffix:
House name:
Address 1: WHALLEY ROAD
Address 2:
Address 3: WILPSHIRE
Town: BLACKBURN
County:
Country:
Postcode: BB1 9LQ

2. Agent Name and Address

Title: MR First name: MIKE
Last name: MARKHAM
Company (optional):
Unit: House number: 20 House suffix:
House name:
Address 1: WEST LEIGH ROAD
Address 2:
Address 3:
Town: BLACKBURN
County:
Country:
Postcode: BB1 2JR

3. Description of Proposed Works

Please describe the proposed works:

PROPOSED FIRST FLOOR SIDE EXTENSION

3. Description of Proposed Works (continued)

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: 35 House suffix:

House name:

Address 1: WATLEY ROAD

Address 2:

Address 3: WILPHIRE

Town:

County:

Postcode (optional): BB1 9LR

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:

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	CEMENT RENDER	CEMENT RENDER	☐	☐
Roof	TILES	TILES	☐	☐
Windows	uPVC	uPVC	☐	☐
Doors			☒	☐
Boundary treatments (e.g. fences, walls)			☒	☐
Vehicle access and hard-standing			☒	☐
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:

Arch's DH/12/01 DH/12/02

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):

M. Manselham

14/12/12

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)**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 the date of the application):

--	--

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

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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:

Date (DD/MM/YYYY):

	M. Mansour	
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(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):

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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):



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):

M. Mantelham

4/12/12

(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:



Location Plan

Scale : 1 to 2500.

**Proposed First Floor Side Extension
At— 35 Whalley Road,
Wilpshire.
For—Mr. D. Holden.**



North

Angela Graham Bat Consultancy Service Limited

Office 47, Bury Business Centre, Kay Street, Bury, Lancs, BL9 6BU

tel - 0161 763 6171, fax - 0161 761 7854, mob - 07710 184142

e-mail : bat.consultancy@talktalk.net



320130011P

Bat Survey Report for

**35 Whalley Road,
Wilpshire**

**Commissioned-by:
David Holden**

Survey Date: 17/12/12

Report Date: 18/12/12

Introduction.

I was asked to assess the importance of this building to bats as part of the planning process prior to it being extended to the side, above the existing garage.

I made a daytime visit on 17/12/12 to undertake a preliminary survey of the building, assess its likely importance to bats and advise whether or not a precautionary approach or further survey work is needed. It is always my objective to carry-out my work in a manner consistent with accepted Good Practice Guidelines (1) and consistent with the code of practice of the IEEM. I have a bat conservation, science, education and training licence from Natural England, number 20120037 including an Annex to cover barn owls (20114417).

This is a 1980s style semi-detached house:



*specialist in the requirements of bats for roosting and feeding
natural england licenced – bats (conservation, science and education) and barn owls
member of the institute of ecology and environmental management (ieem)
b.tech (hons) - environmental science: applied ecology & environmental management*

It fronts a main road in a sub-urban/semi-rural location where the pipistrelle bat (2 species but especially *Pipistrellus pipistrellus*) is common. I personally have recorded *Pipistrellus pipistrellus* (the common pipistrelle) flying close to buildings immediately across Whalley Road from this property.

Roosts of this species can occur in any building that provides suitable roosting crevices/cavities, with the risk of bat presence increased by close proximity to good bat feeding habitat and commuting routes.

There are reservoirs within 1.5 Kms where it might be expected to record the Daubenton's bat (*Myotis daubentonii*) and to the rear of the garden is a railway line forming a corridor a number of bat species could use, such as the brown long-eared (*Plecotus auritus*), whiskered (*Myotis mystacinus*), Brandt's (*Myotis brandtii*) and noctule (*Nyctalus noctula*):



The findings were straight-forward, so please forgive me not using my more formal reporting layout.

Bats and the Law.

All British bats and their roosts are legally protected under the Wildlife and Countryside Act of 1981 (as amended) and the EC Habitats Directive of 1992 as implemented by the 2010 Conservation of Habitats and Species Regulations. (Further information is available via <http://www.legislation.gov.uk/>)

As a result of these two pieces of legislation, amongst other things it is an offence to intentionally or recklessly kill, injure or capture bats, disturb bats or damage, destroy or obstruct access to bat roosts. Doing so can result in a custodial sentence. Fines of up to £5000 per bat can be issued in cases of non-compliance with the law. Bat roosts are protected whether or not bats are present at the time.

Under the European legislation, it is necessary for a development to maintain the favourable conservation status of bats in their natural range. This has generally been interpreted as meaning no net loss of roosts, and it is expected that roosting provision for bats will be made better than or equal to whatever is being lost to development. Wider environmental issues such as changes to feeding and commuting habitat, and lighting, also require consideration. However, the term "roost" in this context, tends to be interpreted to exclude places used opportunistically on a single occasion by just one bat.

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Under English legislation (the Wildlife and Countryside Act, as above), a "bat roost" is described as "any structure or place which any wild [bat]... uses for shelter or protection".

Implications.

Where a development will potentially impact on the favourable conservation status of bats in their natural range, a European Protected Species Licence is required before the roost can be interfered with in any way. It takes approximately 7 weeks for these to be issued once the application has been submitted. The application includes a Method Statement, and this along with the licence itself forms a legally binding document.

European Protected Species licences are issued providing planning permission has been granted, where appropriate.

Three conditions have to be met in order to obtain a licence and planning authorities are now required to apply the same 3 tests before granting planning consent:

- That the development is necessary for the purpose of "preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment";
- That there is "no satisfactory alternative";
- That the action authorised "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range".

Accordingly, planners must now satisfy themselves before issuing planning consent that they have enough information to conclude that either the project will not have a negative impact on the favourable conservation status of bats, or if it seems likely it will, then appropriate mitigation and compensation measures will be employed to ensure this does not occur.

The mitigation and compensation measures would include appropriate timing and methodology for the work including details of how the bats will be provided-for in the long term.

Natural England, the Government body responsible for administering the law relating to bats, have issued guidelines to planners on how to proceed with respect to bats (<http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/advice.aspx>).

Outside the planning system, the onus is on developers/members of the public, to have sufficient investigations undertaken to satisfy themselves (and the authorities in the event of a subsequent investigation), that their actions are unlikely to be in contravention of bat legislation. Where this is in doubt it is necessary to seek appropriate advice and licencing before commencing any work on site.

N.b. It should always be remembered that bats often roost in places not anticipated by a lay person, such as modern buildings, trees with cavities and bridges. Some leave no signs in lofts, as they roost underneath external features such as roof slates, ridges, weather-boarding and cladding.

In the case of a building, tree or other feature not already known to be a bat roost, if bats are found during the course of work, contractors are legally obliged to stop work and seek advice. This should be from an appropriately experienced and licenced bat ecologist. Assuming good-quality bat survey work had been carried-out before the commencement of the project, and its recommendations followed, it would be unlikely that the discovery of bats during the course of the work would be considered to be "reckless" interference.

Additional Relevant Legislation and Policy.

Section 40 of the Natural Environment and Rural Communities Act (NERC) of 2006 requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty', which relates to section 74 of the Countryside and Rights of Way Act 2000 (CROW).

The aim of the biodiversity duty is to raise the profile of biodiversity in England and Wales, so that the conservation of biodiversity becomes properly embedded in all relevant policies and decisions made by public authorities.

Accordingly, certain more vulnerable habitats and species are the subject of National and/or Local Biodiversity Action Plans. Some bat species are covered by such plans. (<http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx> provides more information)

Survey and Findings.

As far as possible, I surveyed the building inside and out with the aid of ladders, million candle-power torch and binoculars.

The loft has had a storage room created within it. Both the floor and ceiling are boarded:



There are voids at the eaves on either side of the room:



I understand all work within the loft, including laying of insulating material, was done prior to the current occupiers moving-in in 2006.

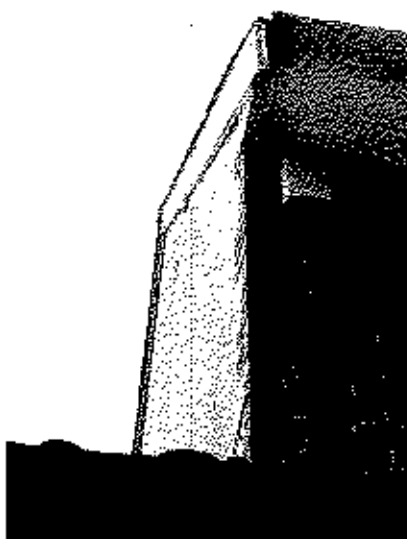
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There were no signs of use by bats in any area but there were a few droppings on the wall behind the water tank in the main part of the loft. These appeared to be bird droppings, suggestive of nesting in the past:



It could be seen there's insulating material above the ceiling boards towards the gable end. Further into the loft it could be seen that insulating material is absent and the tiles are lined with bitumastic felt.

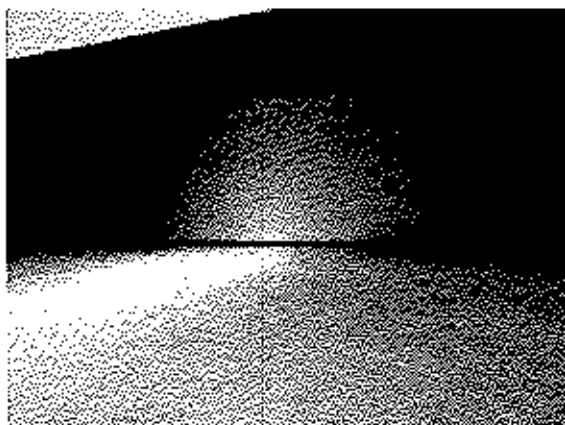
Examination of the external gables eaves showed access by birds to be apparently unavailable now as the verge is well-pointed and the plastic fascia appears too close fitting to allow access by birds:



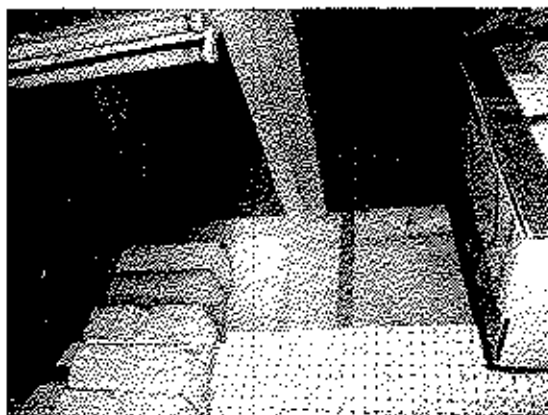
The gap is sufficient to allow access by bats however, both towards the front as shown above and towards the rear as shown below:



The garage also has a fascia with a gap:



There was no evidence in the garage to suggest use by bats and the eaves structure is not particularly suitable for roosting by bats as the top of the cavity wall is not enclosed:



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Otherwise the building is in good condition and there's no other obvious bat access available.

Conclusions.

N.b. In arriving at these conclusions I am using my judgement as a licenced bat worker of over 20 years standing, with a wide range of experience of bat behaviour and activity as both a volunteer and a consultant.

The property is in a high risk location for use by the common pipistrelle bat, with a number of other species likely to occur in the locality, at least in passing.

There was no evidence in the loft areas to suggest use by bats, with the apparent droppings present seeming to be old bird droppings.

However there are gaps where bats could get behind fascias on the gable end, which faces south, to access the cavity wall. The extent to which they can gain access between the roof and its lining of boards, may be limited due to the presence of insulating material, though this is unlikely to fit snugly in all areas. Similarly any cavity wall insulation is likely to have settled to some extent.

Use by bats is most likely to be by the common pipistrelle. Individuals or small numbers of bats could be present at any time of year and there is a degree of risk of use by a maternity colony of this species, especially as the gable end faces south so will provide relatively warm conditions in summer. The likelihood that no bat ever roosts here is low. The likelihood of a bat or bats being present at any given time, including in winter for hibernation, is quite low. The likelihood of this being a main maternity colony roost site is also quite low, but the risk of some use by members of a maternity colony at times is medium.

The structure at the garage eaves makes use of the access at the garage soffit relatively unlikely.

Implications.

To investigate whether or not bats actually make use of the potential available would require at least one, probably multiple, bat emergence or return surveys in summer. Even then it would remain unknown if individual bats make use of the potential at other times of year, including winter for hibernation.

As it is possible to do this work using a precautionary approach that would minimise the risk of harming bats in the course of the work, and it is easy to provide suitable alternative roosting places in the form of purpose-made, self-contained roost units towards the eaves in the new gable wall, I suggest the work be done under the Method Statement included in Appendix 1.

However if the work is not underway by May 2013, a bat emergence survey should be undertaken in favourable weather conditions prior to commencement.

Recommendations.

These recommendations should be read in conjunction with the conclusions above.

Undertake the development in accordance with the Method Statement in Appendix 1.

If the work is not in progress by the end of April 2013 have a bat emergence survey undertaken around May 2013 in favourable weather conditions.

References.

1. Hundt L. (2012). Bat Surveys: Good Practice Guidelines - Second Edition. Bat Conservation Trust.

© Angela Graham. December 2012.

Appendix 1 – Bat Method Statement, 35 Whalley Road, Wiltshire

1. No work will start on site until the builder has been issued with a copy of this Method Statement.
2. The builder will raise with the bat consultant any concerns he has about the timing or methodology before starting on site. The bat consultant can be contacted on 07710 184142, 0161 763 6171 or via bat.consultancy@talktalk.net.
3. The bat consultant will be given at least 2 weeks' notice of the proposed start date of the work.
4. The bat consultant will be present as the fascia and edge roof tiles are removed from the gable end.
5. The bat consultant will brief the contractors on working with due care during the remainder of the work.
6. If at any time a bat or droppings that may have come from a bat are found, work will stop immediately. As far as practicable the feature that was sheltering the bat/s will be replaced. Further advice will then be sought from the bat consultant before work continues, even if the bat has flown off.
7. Provision for bats will be created via purpose-made, self-contained roost units in the south-facing elevation as illustrated in Figure 1 below:

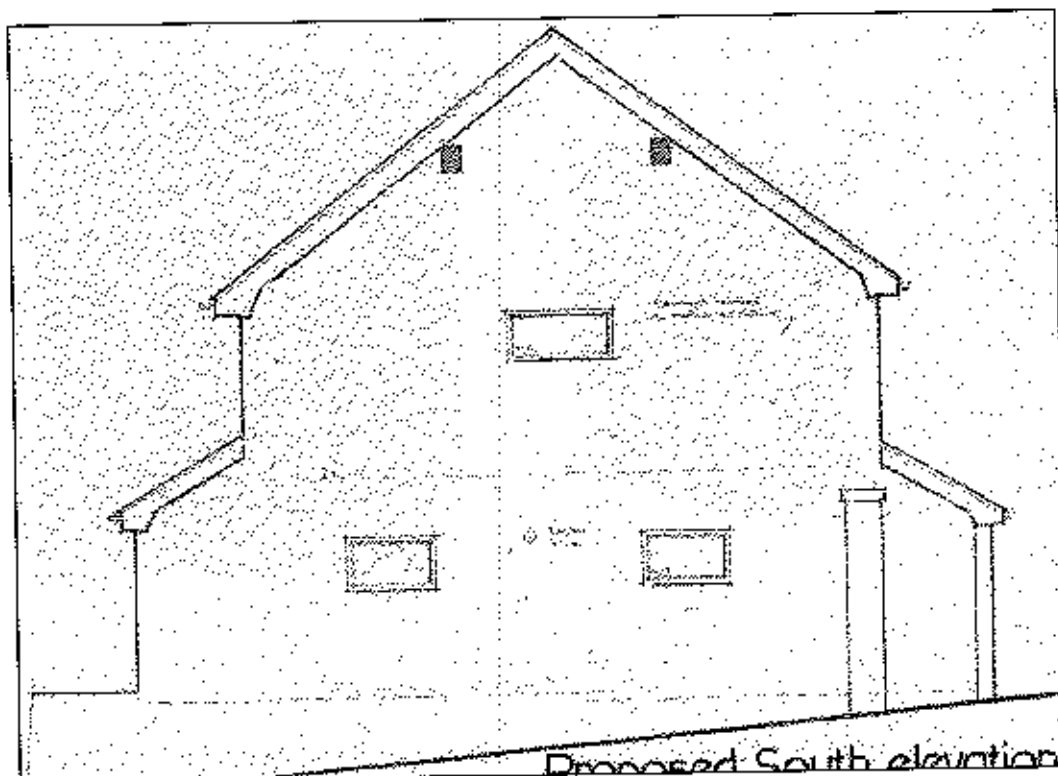
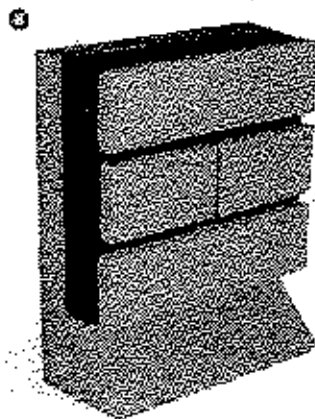


Figure 1. Approximate location of bat roost units in new south elevation shown in red

8. As an additional proactive measure additional units could be provided at the east-facing and west-facing eaves.
9. Examples of available roost units are shown in Appendix A.
10. If the commencement of work is delayed beyond April 2013 a bat activity survey will be carried-out in favourable weather conditions in May or June 2013. In that event, no work will start until after this survey has been undertaken. If the findings are ambiguous (e.g. single bat recorded roosting) further survey work may be needed. Similarly if the work is not underway by July the activity survey should be repeated in that month and again in September if the work has still not started.

Appendix A – examples of bat roost units

Ibstock:



Above - Ibstock roost units

N.b. red-brick and other brick-type units are available without the bat logo

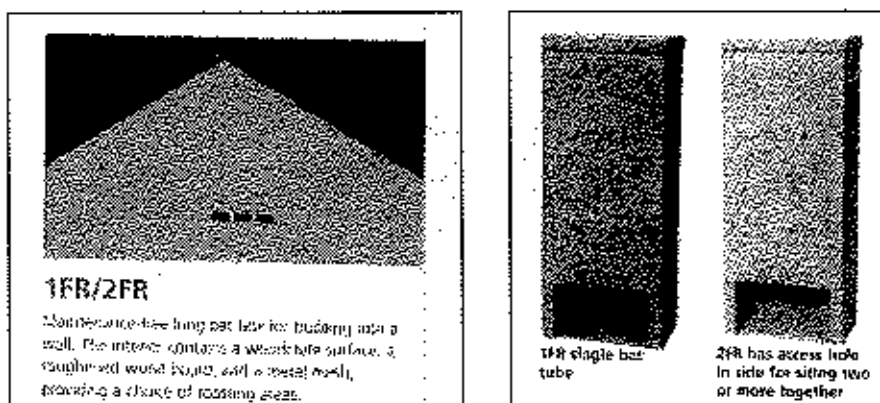
These boxes can be ordered direct from the manufacturer

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Above: Single 1bstock unit. Photo © Angela Graham

Schwegler 1FR/2FR



Above: single Schwegler 1 FR. Photo © Angela Graham

**Summer & Winter
Batbox 1WI**
for flush installation into
walls of buildings and
structures



The 1WI is usually set into
an external wall or incorpo-

rated in the masonry and then
rendered flush with the surface
so that only the entrance is
visible. Easy for integration
into insulation when new build-
ings are constructed or when
renovation work is taking
place. In such cases use of the
holes and screws/plugs pro-
vided. Its rear of the box is fitted
with a fine gauze, which
helps, for example, to prevent
any unwanted items or materi-
al from entering the box and
also gives the animals a secu-
re place on which to roost.

The 1WI has been designed
to provide many decades of
use in nature conservation.

Maintenance: self-cleaning
and therefore maintenance-
free.

Interior: the interior has a
variety of different surfaces at
various heights, from which
the bats can hang. Along
with certain climatic advan-
tages this arrangement en-
ables the individual species to
find a suitable roost.

Exterior: the funnel-shaped
entrance area is provided

with small steps offering a
good foothold, making the
box more acceptable, especi-
ally for inexperienced younger
animals.

Colour: the one-piece box is
supplied unpainted.

Material: weather-resistant and
air-permeable wood concrete.

Dimensions:

Height: 54.5 cm

Width: 34.5 cm

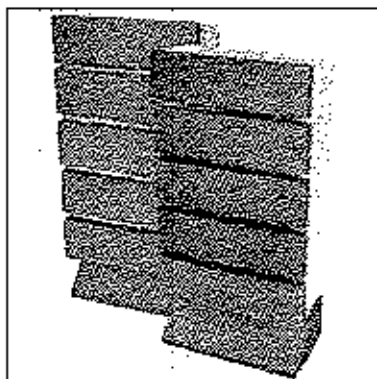
Depth: 9.5 cm

Weight: 15.0 kg

Order no. 00 766/7

EcoSurv Habitat

"Designed to be built into an exterior wall and is available in a variety of faces to match the building. Standard facings of red or blue brick - ideal for new builds - are normally available from stock, or boxes can be made to your specific requirements with a face of brick, stone, timber, or plain (for rendering). Supplied unpainted."



Available from NHBS

Wall Bat Box Suppliers

Schwegler woodcrete:

NHBS: http://www.nhbs.com/bat_boxes_eqcat_421.html

Envisage Wildcare. 01793 724848:

http://www.wildcareshop.com/Products_Results.php?pageNum_WADAProducts=0&totalRows_WADAProducts=25&Search=1&ProductCategoryID=5

Jacobi Jayne: <http://www.livingwithbirds.com/nest-boxes-by-species/bats/>

Other:

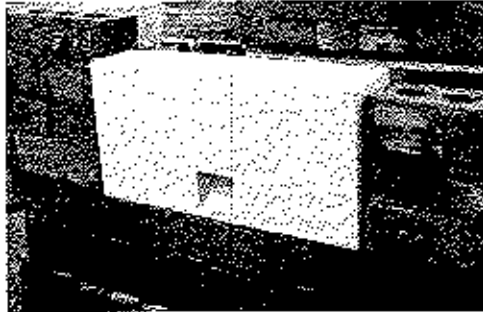
Ibstock: <http://www.ibstock.com/sustainability-ecozone.asp>

Forticrete: <http://www.forticrete.co.uk/products/184/bat-boxes.html>

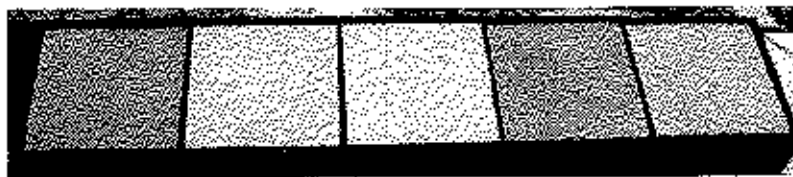
Habibat: <http://www.habibat.co.uk/products/>

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Forticrete



Above and below - standard colours available. Others available to order



Photos above © Angela Graham

"Forticrete's boxes have been designed to be fitted to your property easily. Suitable for new build construction or renovation work where there is a requirement to provide a habitat for Pipistrelle bats."

<http://www.forticrete.co.uk/products/184/bat-boxes.html>.

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