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Mr and Mrs Thornber

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3 April 2012

Job ref: B 1125

Dear Mr and Mrs Thornber

Re: Daylight scoping survey (bats): Shay Cross, Old Back Lane, Wiswell, Clitheroe. BB7 9BS

Introduction

You have requested a protected species survey as a condition of a planning application to Ribble Valley Borough Council (RVBC) for proposed redevelopment of the site requiring demolition of the existing bungalow.

The property is shown in figures 1 to 10 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 scheme on protected species in addition to any precautionary mitigation measures that may be required.

A scoping survey and daylight inspection was undertaken on Tuesday 27 March between 09.00 and 10.30. The weather at the time of the inspection was warm, dry and bright (min temp 7.0°C, max. temp: 10.5°C; cloud cover: nil; wind: calm; rain: nil) providing optimal conditions for carrying out a daylight scoping survey.

There is no evidence of roosting bats at this property and it is unlikely that bats have ever been present within any part of the building. The structure is very well-maintained and all areas were found to be very secure.

There is only a low risk of disturbing a protected species during the proposed development / demolition.

Survey methodology

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

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

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

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

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

The survey includes internal and external inspections of the bungalow and an adjacent detached garage.

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 cavity walls or beneath roofing materials, wall claddings and fascia soffits despite careful visual inspection.

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

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

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

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

Desktop study

A desktop study has reviewed publically available data on bats and other protected species within the area. A local data search was carried out to identify bat records within a radius of 2.5km of the site.

Reference to the National Biological Network (NBN) database, including a search of county bat records has identified the following species present within the 10km recording squares SD73 and SD74:

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

Pre-existing information (location of property: NGR: **SD 746374**).

Previous bat surveys have not been undertaken at this property.

There are no records of roosting bats at the property; the nearest records are as follows:

SD747372 - common pipistrelle bat (<i>P. pipistrellus</i>)	09.07.08 (day roost)
SD746376 - common pipistrelle bat (<i>P. pipistrellus</i>)	24.06.06 (maternity roost)
SD751381 - common pipistrelle bat (<i>P. pipistrellus</i>)	09.05.11 (evening flight)
SD751381 - noctule bat (<i>Nyctalus noctula</i>)	09.05.11 (evening flight)
SD751381 - myotis sp.	09.05.11 (evening flight)

Description of the property

The property is a modern style timber-framed detached bungalow with stone foundations walls to 800mm high (built circa 1950's); the building has timber construction including all external upper walls and roofs. The post-and-truss duo-pitched roof (figures 8 and 9) is clad with timber (cedar) shingles and all fascia soffits are very well-sealed and timber beaded; there are no visible gaps greater than 10mm beneath any fascia-soffit.

The enclosed roof void is insulated with an expanded perlite material between the ceiling joists; the void has some natural light from an east window located in the gable end wall (figures 3, 4 and 10). Both gable ends are insulated with a fibre board panelling. Although the void is clean, dry and extremely well-sealed, there is evidence of access by mice; there are no signs of bat activity however in any part of the roof void.

There is a sun-lounge / conservatory attached to the front (south) and east elevation; this single storey structure has double glazed PVC sealed unit windows and doors. At the rear of the bungalow are two small extensions (including rear entrance to kitchen – figure 5) with one small duo-pitched roof and one flat bitumen roof section. These areas are also well-sealed and secure.

An adjacent detached double garage (figure 1 and 6) has a similar construction to the bungalow; the post and truss frame supports a shingle roof (unlined – figure 7). The garage has timber sliding doors to the front and a small rear door and two glazed windows providing some natural light. The tongue-and-groove walls and timber soffits are well-sealed and secure. The building is open to the eaves and there are no enclosed roof voids. The garage is unused and currently empty and there is no evidence of bat activity within any part of the building.

Additionally there is a small timber potting shed with shallow pitched roof at the rear of the garage. There is no evidence of bat activity within this structure.

Externally the property is very well-maintained and the roof areas, including ridge tiles, verge tiles, verge and lead work flashings appear to be very secure. The buildings are treated with a preservative (creosote) and there are no obvious gaps where bats could gain access.

There is a single dislodged shingle below the ridge, approximately 1200mm to the left of the chimney stack on the front roof pitch, (shown by arrow in figure 1).



Figure 1: Front elevation (south)



Figure 2: Rear elevation (north)

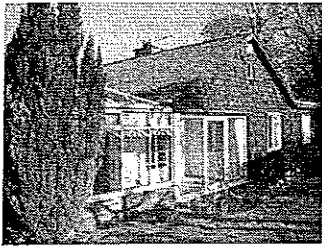


Figure 3: side elevation (east)



Figure 4: side elevation



Figure 5: rear elevation

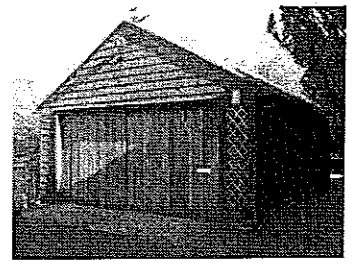


Figure 6: detached garage

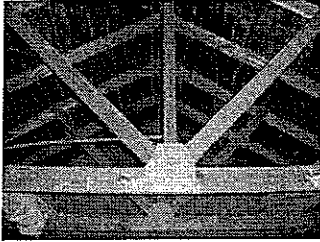


Figure 7: garage interior

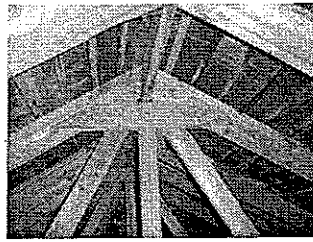


Figure 8: roof void house

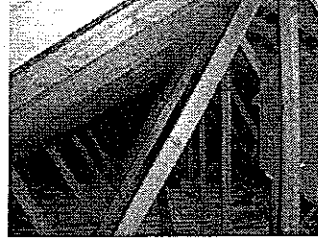


Figure 9: roof void house

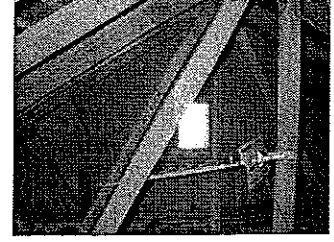


Figure 10: void at east gable wall

Proposed development

It is understood the scheme includes demolition of the existing bungalow and replacement with new dwelling.

Location of the property

NGR: SD 746374: elevation: 115m; on south side of Wiswell Village near the historic Shay Cross (restored). The property is located within a corner plot with extensive views to the west and south-west. There are several large broadleaved trees close to the site on neighbouring properties (ie. beech, sycamore and some conifer) and the surrounding garden is very well-established and mature.

Although the location of this property is semi-rural, the surrounding landscape is considered to be sub-optimal in terms of feeding, foraging and commuting habitat for bats. The site is not adjacent to extensive woodland, riparian habitat or area of standing open water and there is no significant watercourse within 0.5km of the site.

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 Geo-morphological Sites (RIGS).

Survey results

All parts of the property, including roof void and detached garage, were inspected for evidence of bat droppings, discarded insect prey and other indicative signs of roosting, resting perching or feeding by bats; none was found.

The property is very well-maintained and structurally secure; there are no obvious access points or roosting opportunities beneath any of the timber wall claddings or roofing materials with the exception of a single dislodged shingle / tile on the front pitch.

Externally there is no evidence of bat droppings or signs of access by bats; the building is extremely well-maintained and secure. Similarly, there is no evidence of bat activity within any part of the garage or potting shed at the rear.

There are scattered mouse droppings throughout the roof void; superficially these look very similar to bat droppings.

Evaluation of results (interpretation)

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

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

There is a 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 negligible¹.

The conservation significance of the property is currently low².

There are no existing records of bat activity at the property or at close neighbouring properties within 100m.

Further survey work (emergence and activity surveys) is not required³.

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).

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

The proposed building demolition / development of the site 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.

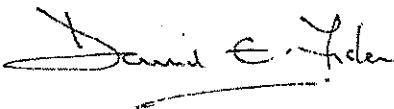
The scale of impact of the development at site level on local bat populations is likely to be low.

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

Mitigation guidance notes are included (Appendix A); in the unlikely situation 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

Mitigation considerations (general guidance notes)

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

ACTION:	METHOD:
1. Timing constraints	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, fascias, 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.
3. 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.
4. 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.
5. 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
6. 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.
7. Post-development monitoring	Not required
8. Additional survey effort	Evening roost emergence / dawn re-entry surveys are <u>not</u> recommended at this property.

Wildlife legislation – Bats and the law

All bat species in the UK receive full protection under the Wildlife and Countryside Act 1981 (amended by the Environment Protection Act 1990). The Countryside and Rights of Way Act 2000 amends the Wildlife and Countryside Act to also make it an offence to intentionally or recklessly damage, destroy or obstruct a place that bats use for shelter or protection. All species of bats are listed on Schedule 5 of the 1981 Act, which makes it an offence to:

- *intentionally kill, injure or take any wild bat*
- *intentionally or recklessly damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.*
- *intentionally or recklessly disturb any wild bat while it is occupying a structure or place which it uses for shelter or protection.*

The protected status afforded to bats means planning authorities may require extra information (in the form of surveys, impact assessments and mitigation proposals) before determining planning applications for sites used by bats. Planning authorities may refuse planning permission solely on grounds of the predicted impact on protected species such as bats. Recent case law has underlined the importance of obtaining survey information prior to the determination of planning consent¹.

*"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by a development proposal, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*²

All British bat species are included in Schedule 2 of the Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007, (also known as Habitats Regulations) which defines 'European Protected Species' (EPS).

¹ Bat Mitigation Guidelines, AJ Mitchell Jones Joint Nature Conservation Committee, (2004) ISBN 1 86107 558 8

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

Protected species (Bats) and the planning process¹

For development proposals requiring planning permission, the presence of bats, and therefore the need for a bat survey, is an important 'material planning consideration'. Adequate surveys are therefore required to establish the presence or absence of bats, to enable a prediction of the likely impact of the proposed development on them and their breeding sites or resting places and, if necessary, to design mitigation and compensation. Similarly, adequate survey information must accompany an application for a Habitats Regulations licence (also known as a Mitigation Licence) required to ensure that a proposed development is able to proceed lawfully.

The term 'development' [used in these guidelines] includes all activities requiring consent under relevant planning legislation and / or demolition operations requiring building control approval under the Building Act 1984.

Natural England (Formerly English Nature) states that development in relation to bats "covers a wide range of operations that have the potential to impact negatively on bats and bat populations. Typical examples would be the construction, modification, restoration or conversion of buildings and structures, as well as infrastructure, landfill or mineral extraction projects and demolition operations". *

*(Tony Mitchell-Jones 2004)

¹ 2.2.3 - Planning for development, p10 Bat Surveys, Good Practice Guidelines, BCT (2007)

Other references:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 5th Floor, Quadrant house, 250 Kennington Lane, London, SE11 5RD, 0845 1300 228

Clarification of the legal duty of Local planning Authorities' to European Protected species: High Court Judgment June 2009: (Wooley v Cheshire east Borough Council) - Bat Conservation Trust

Defra Circular 01/2005 (to accompany PPS 9) - Department for Environment, Food and Rural Affairs www.defra.gov.uk

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

APPENDIX C

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)