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3/2013/0669/P

Mr Marc Harrison
4 Badgers Close
Accrington
Lancashire
BB5 6XQ

11 July 2013

Job ref: B 1334

Dear Mr Harrison

Re: Protected Species Survey at: 22 Moor Field, Whalley, Clitheroe, Lancashire. BB7 9SA

Introduction

You have requested a protected species survey as a condition of a planning application to Ribble Valley Borough Council for a proposed side and rear extension at the above property requiring modifications to the existing roof verges, roof void and external fascia soffits; 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 planning policy PPS9. The planning authority 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 daylight scoping survey was undertaken a Wednesday 10 July 2013 between 19.30 and 20.00 hrs. The weather at the time of the survey was warm, dry and bright (minimum temperature: 17°C, cloud cover: nil, wind: calm, rain: nil) providing optimal survey conditions.

Survey methodology

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

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 search was made using a high-powered lamp (Clu-lite CB2 - 1,000,000 candle power), close-focussing binoculars (Leica Trinovid) and digital camera (Kodak MD41) were used 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.

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

All internal and external features that are likely to be affected by the proposed building alterations were included within the scope of this survey, these include visual inspections of the main roof void, lead work flashings, external facia soffits, roof verges, verge slates, brick work, windows, sills, doors and frames.

Survey limitations / constraints

Crevice-roosting bat species are able to roost within very narrow gaps usually less than 25mm wide; solitary roosting bats are sometimes overlooked during daylight inspections, particularly in situations where bats have gained access to the cavity walls or beneath wall claddings, fascia boards, soffits and roofing materials.

The daylight scoping survey does not include dusk emergence / dawn swarming / acoustic bat surveys.

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

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.

Pre-survey data search (10km-grid squares: SD73 - Whalley)

The desk-top study includes information on:

(1) European Protected Species (EPS) – ie. locally significant bat roosts or species records within the district.

(2) Locally, regionally or nationally important wildlife and conservation areas and site designations.

(3) EPS surveys previously carried at the property or at neighbouring properties.

(4) National Biodiversity Network (NBN) terrestrial mammal records (chiroptera) for the 10km grid square.

(5) Local bat records within a radius of 2.5km of the site.

The following bat species are known to be present within the wider district:

<u>Myotis sp.</u>	
Natterer's bat	(*Myotis nattereri*)
Whiskered bat / Brandt's bat	(*M. mystacinus / M. brandtii*)*
Daubenton's bat	(*M. daubentonii*)* [1]
<u>Plecotus sp.</u>	
Brown long-eared bat	(*Plecotus auritus*)* [1]
<u>Pipistrellus sp.</u>	
Common pipistrelle	(*Pipistrellus pipistrellus*)* [1]
Soprano pipistrelle	(*P. pygmaeus*)* [1]
<u>Nyctalus sp.</u>	
Noctule bat	(*Nyctalus noctula*)[1]

*NBN data [1]EED data

Pre-existing information (survey location NGR: SD 727 369 (SD 73).

There are no records of roosting bats at this site or within close neighbouring properties.

The location of the property is sub-optimal in terms of bat feeding, foraging, commuting and roosting habitat.

Limitations of the data search

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

Description of the property

The property is a detached bungalow (built early 1960's) with rendered brick cavity wall construction and duo-pitched tiled roof. There is a single garage to the side of the property with flat timber-framed bitumen roof (figures 1 and 6).

The trussed roof has a rafter-with-purlin construction (figures 4 and 5); it is understood the building was re-roofed only a few years ago; the tile-with-batten roof is lined with a woven membrane and the void is clean, dry and well-ventilated. There is no evidence of bat roosting activity or nesting by birds inside the roof void.

Externally the property is very well-sealed and all verges, fascias and soffits appear to be secure and there are no gaps between the rendered walls and the timber soffits.

Proposed works

It is understood the proposed rear extension (currently under construction - figure 3) will comprise two pitched roofs cutting into the existing south pitch of the main house roof. Additionally there will be a side extension over the garage (as outlined in figure 1).

Figure 1:

Figure 2:

Figure 3:

Figure 4:

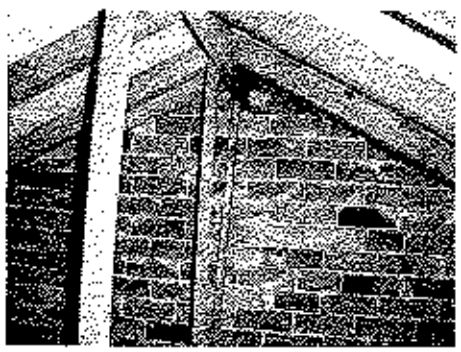

Figure 5:

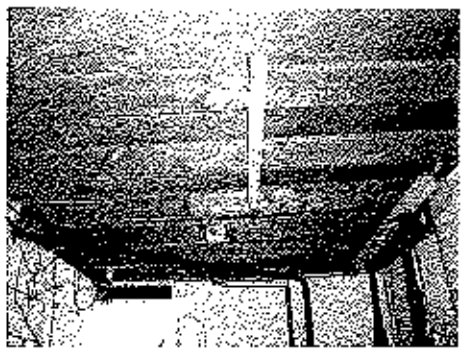

Figure 6:

Location of the property

(NGR: SD 727 369: elevation: 60m; 750m north-west of Whalley.

The property is situated within a well-established residential area and is surrounded by other properties of similar age, design and construction. The house is not immediately adjacent to woodland or plantation edge and there are no watercourses nearby. The nearest significant woodland is close to the former Calderstones Hospital site approximately 300 metres west of the site. The River Calder is located 750 metres to the SW.

The location is sub-optimal in terms of feeding, foraging and commuting habitat for bats.

A local data search has shown there are no designated nature conservation sites adjacent to the property – ie. Special areas of Conservation (SACs), 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

There is no evidence of roosting bats in any part of the property; it is very unlikely that bats have ever been present at this site.

Evaluation of results

It is highly unlikely that roosting bats will be disturbed or exposed during the proposed building alterations.

Timing constraints are not required at this site.

The overall scale of impact of this development on local bat populations is likely to be negligible.

Main recommendation

It is recommended the proposed works proceed with reasonable caution and vigilance for the 'unexpected' presence of solitary roosting bat; the risk of disturbing / exposing bats at this site is negligible / low.

SUMMARY

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.

Additional survey effort (ie. dusk emergence and dawn re-entry and swarming surveys) is not required at the property.

An EPS development licence (EPSL) is **not required.**

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 District Council with the planning application.

Yours sincerely

David Fisher

APPENDIX A

Mitigation guidance - summary

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. Removal of roofing materials	Awareness at all times; very occasionally, solitary roosting bats are disturbed or exposed beneath some roof materials such as roofing tiles, bitumen felts, fascia boards and soffits.
5. Accidental exposure of bats	In the 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.
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. Emergency advice on bats	If you require specific advice on injured or exposed bats during the building works please contact David Fisher immediately on 01200 446859 (office) or 07709 225783 (mobile).
8. General advice on bats:	If you require further information on bats refer to the Bat Conservation Trust (BCT) website. Bat Conservation Trust (BCT) also provides a bat helpline number: 0845 1300 228

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 consent[1].

"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 process[1]

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

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

Natural England - Cheshire, Cumbria, Greater Manchester, Lancashire and Merseyside offices are located at:
Crewe: Natural England, Electra Way, Crewe business park, Crewe, Cheshire, CW1 6GJ 0300 060 2922
Kendal: Natural England, Juniper House, Murley Moss, Oxenholme Rd, Kendal, Cumbria, LA9 7RL 0300 060 2122
Manchester: Natural England, 3rd Floor, Bridgewater House, Whitworth Street, Manchester, M1 6LT 0300 060 1062