



EED

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Mr and Mrs Holmes
Meadowbank
59 Downham Road
Chatburn
BB7 4AU

17 April 2014

Job ref: B 1419

Dear Mr and Mrs Holmes

Re: EPS – Daylight scoping survey at: 59 Downham Road, Chatburn, Clitheroe, Lancashire, BB7 4AU

Introduction

You have requested a protected species survey as a condition of a planning application to Ribbles Valley Borough Council for building alterations at the above property.

The existing property is shown in figures 1 to 9 of this report.

The Local Planning Authority must take account 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 appropriate mitigation, compensation or enhancement works that may be required.

A daylight scoping survey was undertaken on Thursday 17 April 2014 between 14.00 and 14.45 hrs.

The weather at the time of the inspection was cool, dry and bright (minimum temperature: 11°C, cloud cover: 90%, wind: fresh north-westerly, rain: nil) providing optimal conditions for this level of survey.

Survey methodology

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 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 search was made using a high-powered lamp (*Clu-lite CB2 - 1,000,000 candle power*), close-focussing binoculars (*Leica Trinovid 10 x 32 BN*) and digital camera (*Sony Cyber-shot HX300*) were used to view all likely areas of the building for the presence of bats, ie. droppings and urine spots, bat corpses, bat fly larvae, 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.

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

Survey limitations

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

National Biodiversity Network (NBN) and other data sources, 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.

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

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; apparent absence of evidence is therefore evaluated with caution.

Personnel

The survey was carried out by David Fisher (EED) - an experienced ecological consultant with 30 years experience of bat ecology and field survey work and a Natural England licence holder since 1989.

Natural England Licence Registration Number CLS03502 (August 2013):

Class Survey Licence WML CL15 (Volunteer Roost Visitor Level 1)

Class Survey Licence WML CL18 (Bat Survey level 2)

Pre-survey data search (10km grid square SD74):

The pre-survey desk study includes collation and review of potentially relevant information including:

- (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 designations.
- (3) EPS surveys previously undertaken at neighbouring properties.
- (4) National Biodiversity Network (NBN) terrestrial mammal records (chiroptera) for the 10km grid square.

A local data search was carried out to identify records of protected species (bats) within a radius of 2.5km.

The following species are recorded within the 10km grid squares SD73:

- Natterer's bat (*Myotis nattereri*)
- Whiskered bat (*M. mystacinus*)
- Brandt's bat (*M. brandtii*)
- Daubenton's bat (*M. daubentonii*)
- Brown long-eared bat (*Plecotus auritus*)
- Common pipistrelle (*Pipistrellus pipistrellus*)
- Soprano pipistrelle (*P. pygmaeus*)
- Nathusius' pipistrelle (*P. nathusii*)
- Noctule bat (*Nyctalus noctula*)

Pre-existing information

(Location of this property: NGR: SD 774 443)

There are no records of roosting bats at this location

The nearest bat roosts* (*Pipistrellus spp.*) are at (i) Downham Hall (SD 783 443), (ii) Crow Trees, Chatburn (SD 768 440) and (iii) Ribble Lane, Chatburn (SD 767 443). *(records EED / ELBG database)

Description of the property

The property is a three storey detached house with rendered brick and stone construction (cavity walls may present); the house is shown as building 'A' figure 1. There is a separate two storey annexe / garage shown as 'B' in figure 1. At the rear of the house is a single storey lean-to kitchen extension (building 'C' in figure 2), and a single storey outbuilding (shown as building 'D' in figure 3).

The house ('A') is converted to accommodate three attic rooms leaving a number of eaves voids, none of which are accessible for inspection. Each upper floor room has a vaulted ceiling with no access to the roof (figures 4 and 5). It is assumed the blue slate roof is unlined, although the roof is not visible for inspection. Externally the house is fully rendered; double-glazing is present and all roof areas appear secure. The lean-to kitchen extension has rendered block / brick walls and a mono-pitch slate roof with a sheet laminate skylight. There is no evidence of roosting bats in this structure.

The two storey annexe building ('B') has a stone construction with a timber first floor (figure 7) and garage area below. The ground floor area has a concrete floor, double-sliding door and glazed windows. A duo-pitch slate roof is unlined; the building is dry, cold and very well-ventilated and there is no evidence of access by bats or birds.

A single storey out-building in the rear garden ('D') has rendered brick walls and slate with batten mono-pitched roof; there are three separate areas; a coal store (left), a central WC and store (right); both stores have an exposed unlined roof; the WC roof is under-drawn with hard board sheeting. The building is semi-derelict, mostly dry, cold and draughty; there are no signs of roosting, perching or feeding activity by bats.



Figure 1:



Figure 2:



Figure 3



Figure 4:



Figure 5:



Figure 6:



Figure 7:



Figure 8:



Figure 9

The property is located at NGR: SD 7744 43 (elevation approximately 120 metres).

The house is situated on the eastern edge of Chatburn village and is adjacent to Downham Road. A number of neighbouring properties are located to the west and north. There is a large garden and some open land to the east; the A59 trunk road is located 100 metres east of the site with extensive countryside beyond towards the Downham Estate, Worsaw Hill and Pendle Hill.

Although the property lies within the boundary of the Chatburn Conservation Area, the house is not a Listed Building. It is understood the neighbouring property is Grade II Listed.

The house is not immediately adjacent to woodland; there is a large sycamore in the rear garden within 15 metres of the rear elevation and a number of ornamental specimen trees close to the out-building (figure 3). The nearest extensive woodland is on the north side of Worsaw Hill at Piked Acre Wood.

The property is not adjacent to any area of standing open water or river channel.

The location is considered 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).

Proposed works

It is understood the proposed building works will include a two storey rear extension requiring removal of kitchen extension 'C' and out-building 'D'.

A number of small ornamental trees close to building 'D' will also be removed prior to the development. (ie. 3 no. conifer and 4 no. broadleaf species).

Additionally, there are plans to convert the annexe 'B' into a dwelling.

Survey results

There is no evidence of bats in any part of the property.

All internal and external and external features of the house and out-buildings were carefully inspected for signs of access by roosting bats; no evidence was found.

There are no records of roosting bats at this property or within any of the neighbouring buildings.

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

Nesting wild birds are likely to be present in building 'D' during the summer (May to August / September). Barn swallows have nested and roosted within the loft area of the annexe (building B) in previous years.

Site significance to bats and nesting wild birds / potential risk of disturbance

Species	Building A (house)	Building B (garage)	Building C lean-to kitchen	Out-building D
Solitary roosting bats	low	low	none	low
Hibernating bats	low	low	none	low
Breeding bats	minimal	minimal	none	minimal
Nesting wild birds	minimal	low / moderate	none	low / moderate

There are no signs of access by bats within any part of the property.

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

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

The risk of causing disturbance to roosting bats at this property is likely to be minimal / negligible*.

Wild birds (eg. barn swallow, wren, robin, blackbird) may nest in buildings B and D where doors / windows remain open during the nesting season; evidence of old nests from previous nesting seasons are present in both buildings.

***Minimal / negligible risk:** it is highly unlikely any bat species have been active within any part of the property.

Low risk: there is only low risk of disturbance to solitary bats or small numbers of common and widespread bat species.

Low / moderate risk: caution required; activity of common / rarer species is possible, including the presence of occasional / regular night perching and feeding activity or the presence of small numbers of rarer species (but not a maternity or hibernation site).

Moderate risk: caution required; there is moderate risk of disturbance to common bat species; activity may include the presence of regular / significant feeding perches and signs of feeding, a regularly used day / night roost or a maternity site of a common and widespread species or the likely presence of low numbers of rarer species ('rarer' as defined within the local context).

Moderate / high risk: considerable caution is required; this category may include a maternity site of rarer species.

High risk: considerable / extreme caution is required; there is a significant risk of causing disturbance to roosting bats at this site including large numbers of common species, a maternity site of locally rare or rarest UK species or a significant hibernation site for rare or rarest species; this is likely to be a site meeting the SSSI guidelines.

Table 1: Risk categories (adapted from Guidelines for proportionate mitigation - Bat Mitigation Guidelines (2004) fig. 4, page 39.

Summary and recommendations

The proposed building alterations at this property 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 building works at site level on local bat populations is likely to be **negligible / low**.

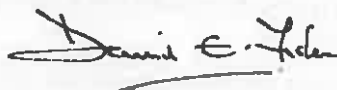
Additional survey effort (ie. dusk emergence and dawn re-entry and swarming surveys) during the optimal survey period May to August is **not required** at the property.

It is recommended the proposed works proceed with **reasonable caution and vigilance** for the 'unexpected' presence of solitary roosting bats when roofing materials are removed.

It is recommended the works proceed **without a requirement to obtain a development licence (EPSL)** since the proposed works are unlikely to result in a breach of the Habitats Regulations.

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
Director (EED Surveys)

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MITIGATION GUIDANCE – minimising the risks to roosting bats

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	Not required
2. Timing constraints	Not required
3. Method statement	Not required
4. EPS Licence requirement	Not required
5. Removal of roofing materials / demolition of out- building / tree removal	<p>Awareness at all times.</p> <p>Very occasionally, solitary roosting bats are disturbed or exposed beneath roofing materials such as roof tiles, ridge tiles, roofing felts, lead flashings, fascias and soffits.</p> <p>Although it is unusual to find roosting bats in small trees and shrubs, solitary roosting bats are occasionally disturbed during removal of trees or dense climbers such as ivy.</p>
6. Accidental exposure of bats	<p>In the unlikely event of bats being exposed or vulnerable to harm, all work in that area must stop immediately.</p> <p>Cover the exposed bats to reduce further risk of harm - seek further advice (see below).</p>
7. Legal protection	<p>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.</p>
8. Emergency advice on bats	<p>If you require specific advice on injured or exposed bats during the building works please contact:</p> <p>EED Surveys (David Fisher): 01200 425113 (office) or 07709 225783 (mobile)</p> <p>email: earthworksuk@yahoo.co.uk</p> <p>The Bat Conservation Trust (BCT) provides a bat helpline: 0845 1300 228; in an emergency, BCT will call the nearest volunteer bat worker in your area to arrange a site visit at the earliest opportunity.</p> <p>BCT also provides an out-of-hours service run by volunteers at the end of the working day for emergency calls and operates between 19.30 and 23.30 or 07.30 and 09.00 next day.</p>
9. General advice on bats:	<p>Refer to BCT website www.bats.org.uk Email: enquiries@bats.org.uk</p>
10. Nesting wild birds	<p>All birds, their nests and eggs are protected by law and it is an offence (with certain exceptions) to intentionally kill, injure or take any wild bird or to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built.</p> <p>If exclusion of nesting birds is required, ensure that all doors and windows are well sealed before the nesting season begins in March / April.</p>

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

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

Bibliography

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Dietz, C., Helversen, O., Nill, D.,(2009) Bats of Britain, Europe and Northwest Africa. A&C Black.

Gunnell K, Murphy B, Williams C, (2013) Designing for Biodiversity, RIBA Publishing / BCT – 2nd Edition.

Hundt, L., (2012) BCT Bat Surveys, Good practice Guidelines – 2nd Edition.

JNCC, (2010), Handbook for Phase 1 Habitat Survey – a Technique for Environmental Survey.

Mitchell, AJ., McLeish, AP., (2004), JNCC Bat Workers Manual 3rd Edition.

Mitchell, AJ., (2004), English Nature Bat Mitigation Guidelines, version January 2004

Russ, J., (2012), British Bat Calls, A Guide to Species Identification. Pelagic Publishing.

Additional sources:

- (1) National Biodiversity Network (NBN) terrestrial mammal records (chiroptera) for the 10km grid square.
- (2) Local bat records within a radius of 2.5km of the site. (East Lancashire Bat Group)
- (3) MAGIC map - Nature on the map – Natural England / Defra
- (4) MARIO maps (Lancashire County Council maps and related information online)
- (5) Ribble Valley Borough Council / Town Conservation Areas – Wildlife conservation designations.
- (6) Lancashire County Council / Lancashire Wildlife Trust / Natural England - BHS Partnership site register