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**Mr T. McTernan**

IWA Architects  
Waterloo Mill  
Clitheroe  
Lancashire  
BB7 1LR

18 November 2014

Job ref: B 1511

Dear Mr McTernan

Re: EPS – Daylight scoping survey: Mill Hey Croft, Sawley Road, Chatburn, Clitheroe, BB7 4LD

You have requested a protected species survey (daylight scoping survey only) on behalf of your clients Mr and Mrs Johnson, as a condition of a planning application to RVBC for building alterations at the above property

**Introduction**

The Local Planning Authority must take account the impact of a development on protected species in accordance with current planning policy (National Planning Policy Framework). 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 site, in addition to any mitigation and enhancement works that may be necessary.

An initial scoping survey was undertaken on Monday 10 November 2014 between 11.25 and 11.55 hrs. The weather at the time of the inspection was cool, dry and bright (minimum temperature: 8°C, cloud cover: 75%, wind: calm, rain: nil) providing satisfactory conditions for this level of survey.

*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\*.*

\*Bat Surveys, Good Practice Guidelines, BCT, (2007).

**Personnel**

The survey was carried out by David Fisher (Earthworks Environmental Design) - an ecological consultant with more than 25 years of experience in wildlife surveys and development issues relating to protected species. The surveyor has held a licence since 1989 and is a voluntary bat worker with Natural England.

Natural England Class Licence Registration Number: CLS03502 (April 2014 – April 2015)

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

Class Survey Licence WML CL18 (Bat Survey level 2)

**Aims of the scoping survey**

The aim of the scoping survey is to assess the potential value of the site for European Protected Species (EPS) and to establish whether bats, barn owls or other protected species have been active within any part of the building that is likely to be affected by the proposed development.

From the developer's perspective, the primary objective of a survey for protected species is to ensure that a development can proceed lawfully without breaching the Habitats Regulations.

*The overall aim of surveying at a proposed development site is to collect robust data to allow an assessment of the potential impacts the proposed development will have on the bat populations present on and around the site. . . The data allow the developer to decide whether to proceed with the proposal as it stands, or whether to modify it. Proposals for appropriate mitigation, compensation and enhancement should be based on the survey data and impacts.\**

\*page 17 - Bat Surveys, Good Practice Guidelines, 2<sup>nd</sup> Edition, BCT, (2012)

## **Survey methodology**

Non-invasive survey methods were used to assess the use of the property by protected species; the survey protocol requires that a full visual inspection of the property is carried; the survey must include all internal and external features of the property including any accessible roof voids likely to be affected by the proposed works.

The survey methodology follows the recommended guidelines published by the Bat Conservation Trust - *Bat Surveys: Good Practice Guidelines, 2<sup>nd</sup> 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, 3<sup>rd</sup> 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.

## **Survey constraints / limitations of the data**

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.

Local bat records are obtained from a variety of sources gathered over several years; the accumulated records may include unverified public data in addition to data obtained from ecological consultants and local bat groups.

The surveyor is not aware of any comprehensive bat survey undertaken in the wider district therefore records are likely to provide a generalised and therefore incomplete picture of the bat fauna within the area of search.

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.

The timing of the survey is outwith the optimal survey period for monitoring feeding, foraging and breeding activity by bats. Dusk emergence / dawn re-entry surveys have not been undertaken at this property.

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.

**Pre-survey data search (10km grid square SD 74):**

The pre-survey data search includes the following sources:

- (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 undertaken at this site and other properties within 2.5km of the site.
- (4) National Biodiversity Network (NBN) terrestrial mammal records (chiroptera) for the 10km grid square.
- (5) Local bat records - East Lancashire Bat Group (ELBG)
- (6) Interactive maps: *Natureonthemap* (Natural England) and *Magic.gov.uk*.

The following bat species have been recorded within the wider district (SD74):

- 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*)

**Location of the property**

NGR: SD 770,442 - Elevation: approx. 95 metres.

The property (formerly Mill Hey Farm) is situated on Sawley Road in the village of Chatburn, Ribble Valley and is immediately adjacent to Christ Church. The site is semi-rural in character with extensive views over the Ribble Valley; there is open countryside to the rear of the property and the River Ribble is approximately 0.5km to the north. The site is within the boundary of the Bowland Area of Outstanding Natural Beauty (AONB).

The site is not adjacent to any broadleaved woodland or conifer plantation and there are no significant hedgerows in the vicinity. The nearest riparian woodland is approximately 150 metres west of the property bordering a small wooded clough at Heys Brook, this prominent water course is a continuation of the Downham Beck eventually joining the River Ribble 0.75km north of Chatburn.

The location of the property is relatively open and exposed to the north and west; the site is sub-optimal in terms of feeding, foraging and commuting habitat for bats; connectivity to high-value habitats is relatively low.

A local data search has shown there are no designated nature conservation sites immediately 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).

**Description of the property**

The property is a modern two storey detached house (built ca 2000) with exterior stone cast masonry with blockwork cavity wall construction, duo-pitched timber-trussed roof and enclosed roof void (figures 1 and 2).

The roof void is partly boarded for access and storage; the area is well-ventilated and there is no natural light; all roof areas appear to be very well-sealed and secure (figures 4, 5 and 6). It is understood a recent renovation of the property involved upgrading roof insulation using 'Kingspan' material above the first floor ceilings. The void is generally clean, dust-free and dry; cluster fly are present in small numbers and there is some minor evidence of bat faeces visible on the block work of both gable apex walls (figure 4).

The building is well-maintained and all masonry and roofing materials appear to be very secure. The property is double glazed throughout and all roof verges, ridge tiles, lead work flashings and fascia soffits are mostly secure, although there are a number of narrow gaps are visible beneath some of the fascia boards / gutters providing potential access and roosting opportunities for small crevice-dwelling bats.

Images: (taken 16 December 2014)



Figure 1: Front (south) and side elevation



Figure 2: side (east) and rear (north) elevations



Figure 3: Rear elevation



Figure 4: Roof void (west gable apex)



Figure 5: roof void



Figure 6: gable end wall, east elevation

## Proposed works

The proposed development is a two storey rear extension (as located by the broken yellow line in figure 3) requiring modifications to the existing rear roof pitch, roof void and roof verge.

*(Drawings as seen: Proposed elevations – Drawing. No. 2127.SK.007 – December 2014, IWA Architects)*

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## Survey results

An inspection of the roof void has found only minor evidence of access by bats: a small quantity of bat droppings are visible on the internal block work directly below the roof apex of each gable end wall. Approximately 2 to 3 'relatively fresh' droppings are present on each wall.

There are no accumulations of bat droppings in locations within the roof space and there are no signs of access by bats on any external surfaces.

Although local records show a number of bat maternity roosts in local dwellings within less than 500 metres of this property, there are no records of roosting bats at this particular location.

## Evaluation of results

The presence of a small quantity of relatively fresh bat droppings on both gable apex walls indicates access by a solitary bat / or very low numbers of individuals (1 to 3 bats) in recent months; the location of the bat faeces is characteristic of pipistrelle bats, however there is no evidence to indicate either regular or significant roosting activity.

It is highly unlikely that breeding bats or hibernating bats have ever been present.

Site significance to bats

Species	Roof void / roofing materials
Hibernating bats	No evidence
Breeding bats	No evidence
Solitary roosting bats	Minor evidence only: The building has minimal / low significance for roosting bats

## Risk of disturbance to bats

There is a minimal / low risk of causing disturbance to roosting bats during the proposed building operations\*.

**Minimal risk:** it is unlikely that any bats will be disturbed.

**Low risk:** there is only a 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.

\*Based on 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.

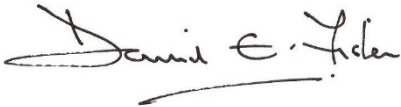
The **scale of impact** of building works at site level on local bat populations is likely to be **minimal / negligible**.

Additional survey effort (ie. dusk emergence and dawn re-entry and swarming surveys) during the optimal survey period 1 May to 31 August is not required.

It is recommended the works **proceed without a requirement to obtain a development licence (EPSL)** since the proposed building operations 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

A handwritten signature in black ink that reads "David E. Fisher". The signature is written in a cursive style with a long horizontal stroke underneath.

David Fisher  
Director (EED Surveys)

**ANNEX (1)****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. Detailed method statement	Not required
4. EPS Licence requirement	Not required
5. Removal of roofing materials	<p>In the unlikely event of any bats being exposed during the removal of tiles, lead flashings, roofing felt and fascia boards, all work in that area should stop until the site has been inspected by a qualified person.</p> <p>Please notify the surveyor immediately for further advice before continuing work in that area.</p>
6. Accidental exposure of bats	<p>Cover the exposed bats to reduce any further risk of harm.</p> <p>Place the bats in a small dark and very secure box and leave in a cool and quiet place.</p> <p>Wherever possible, try to prevent any bats from flying away in daylight.</p>
7. Legal protection for bats	<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) email: <a href="mailto:earthworksuk@yahoo.co.uk">earthworksuk@yahoo.co.uk</a></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 <a href="http://www.bats.org.uk">www.bats.org.uk</a> Email: <a href="mailto:enquiries@bats.org.uk">enquiries@bats.org.uk</a></p> <p>Natural England Species Information Note SIN010 - Bats: European protected species: <a href="http://www.naturalengland.org.uk">www.naturalengland.org.uk</a></p> <p>For more information about bats and their roosts, the free PDF booklet 'NE23 – Focus on Bats' can be downloaded from Natural England website's publications catalogue at: <a href="http://publications.naturalengland.org.uk/publication/56002=31008">http://publications.naturalengland.org.uk/publication/56002=31008</a></p>



## ANNEX (2)

### 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<sup>1</sup>.

*“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.”<sup>2</sup>*

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).

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

<sup>2</sup> Planning Policy Statement (PPS9) (2005), Biodiversity and Geological Conservation. ODPM.

### Protected species (Bats) and the planning process<sup>1</sup>

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)

<sup>1</sup> 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, 5<sup>th</sup> 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](http://www.defra.gov.uk)

Natural England - Cheshire, Cumbria, Greater Manchester, Lancashire and Merseyside offices are located at:  
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 Manchester: Natural England, 3<sup>rd</sup> Floor, Bridgewater House, Whitworth Street, Manchester, M1 6LT 0300 060 1062



