



3201 503 677

3 Meadowlands, Low Moor, Clitheroe. Lancashire. BB7 2ND
01200 425113 M: 07709 225783 earthworksuk@yahoo.co.uk

Stephen Bialecki

'Rosedale'
Back Lane
Grindleton
BB7 4RZ

2 April 2015

Job ref: B 1552

Dear Mr Bialecki

Re: EPS – Daylight scoping survey: 8 West View, Grindleton, Clitheroe, BB7 4RB

You have requested a scoping survey (European Protected Species) on behalf of your client Amber Preston as a condition of a planning application to RVBC for building alterations at the above property.

Introduction

As a consequence of the historical declines in bat populations during the second half of the twentieth century, all bats and their roosts are protected by UK law. The depletion of natural habitats throughout the UK means that some bat species are now more than ever dependent on houses and other structures as roosting sites. It is this dependence that makes them vulnerable to redevelopments that can result in damage or destruction of a roost, particularly maternity roosts, resulting in negative impacts on a local bat population.

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.

Since 2008 bats have been included as one of the UK Biodiversity Indicators which aim to show the response of species to the pressures, changes and threats to our natural and built environment.

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).

This type of survey is sometimes referred to as a 'presence or absence survey' and is based on an internal / external assessment of the property with regard to bats and other protected species. The scoping survey may be undertaken during daylight hours at any time of year and is therefore not dependent on whether bats are likely to be active at the time of the inspection.

Winter surveys are unlikely to find roosting bats, but will be able to determine whether bats have ever been active or are likely to be present at the site. Where the signs of bat roost activity are significant, further surveys will be required at the time of year when bats are most likely to be active - usually from 1 May to 30 September.

BAT SCOPING SURVEY REPORT

Timing of survey / weather conditions

The survey was undertaken on Thursday 26 March 2015 between 16.00 and 16.30 hrs.

The weather at the time of the inspection was cool, dry and bright (minimum temperature: 8°C, cloud cover: 60%, wind: light NW, rain: nil) providing satisfactory conditions for this level of survey.

Personnel

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

Natural England Class Licence Registration Number: CLS03502 (1 April 2015 – 31 March 2016)

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

Class Survey Licence WML CL18 (Bat Survey level 2)

Aim 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, 2nd 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 out; the survey should cover all internal and external features of the building including inspection of all accessible roof voids and out-buildings 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, 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 or other insects fragments typically found in a perching and feeding area.

Survey constraints

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

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.

Dusk emergence / dawn re-entry and swarming 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.

The timing of the survey is outwith the optimal period for assessing bat feeding, foraging and breeding activity.

Limitations of the data

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, local records are likely to provide a generalised and therefore incomplete picture of the bat fauna within the area of search.

Pre-survey data search

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 2km 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) / North Lancashire Bat Group (NLBG)
- (6) Interactive maps: *Natureonthemap* (Natural England) and *Magic.gov.uk*.

The following bat species are likely to be present within the wider district (10km grid squares – SD 74):

- 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*)
- Noctule bat (*Nyctalus noctula*)

Pre-existing information

A scoping survey was carried out at the adjoining property No. 9 West View on 26 March 2015; a data search for both properties has found no reference to bats at this location. Roosting bats (common pipistrelles) have been recorded within 100m of the site at grid reference SD 759 457 (No. 5 West View, Grindleton - 2006).

Location of the property

National Grid Reference: SD 759 456 - Elevation: approx. 110 metres.

The property is located close to the village centre and is within the Grindleton Conservation Area (RVBC).

The site is not adjacent to broadleaved woodland or conifer plantation and there are no extensive areas of woodland within 0.5km. West Clough Brook is a designated Biological Heritage Site (BHS) comprising semi-natural broadleaved woodland; the woodland is located approximately 0.6km west of the village.

There are no significant water courses, river channels or areas of open standing water adjacent to the site; the nearest water channel is Grindleton Brook, a small wooded clough approximately 0.25km west of the property.

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 Geomorphological Sites (RIGS).

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

Description of the property

The property is a semi-detached two storey house (figure 1) with single storey modern kitchen extension to the rear; the proposed alterations will involve removal of this extension (as outlined in red – figure 2).

The building has a stone and block cavity wall construction (built 1995); the external stonework is well-pointed and very secure. The mono-pitch slate roof has a well-sealed roof verge and timber box soffit (figure 3); all lead work flashings are secure and there are no gaps where bats or birds could gain access to the structure.

The windows and doors are double-glazed sealed units.

Internally, the small roof void is insulated with glass fibre material (figures 5 and 6); roof slates are lined with bitumastic felt. The void is clean, dry and well-ventilated and natural light is absent. All parts of the roof are very well-sealed and secure; there is no evidence of access by roosting bats or nesting wild birds.



Figure 1:

Figure 2:

Figure 3:



Figure 4:



Figure 5:



Figure 6:

Proposed works

Two storey rear extension to replace the existing single storey extension (figure 2).

Survey results

There is no evidence of access by roosting bats within any part of the extension.

There is no historical evidence of bats at this property and there are no records of roosting bats at the site.

The potential of the property to support roosting bats is minimal.

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

Evaluation of results

There is minimal risk* of disturbing roosting bats at this property.

Minimal: 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: *Based on Guidelines for proportionate mitigation - Bat Mitigation Guidelines (2004) fig. 4, page 39.

Summary and Recommendations

1. Conservation significance of this property in terms of protected species	low
2. Likely scale impact of the proposed works on bats and wild birds	minimal
3. Further survey effort at this property (Dusk and dawn surveys)	not required
4. Timing constraints on the proposed works	not required
5. Detailed method statement	not required
6. European Protected Species Licence (EPSL)	not required

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**.

There is no evidence of roosting or nesting barn owls, barn swallows or other wild birds at this property or within the adjoining property.

The conservation significance of the building is currently **minimal**.

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 at the property.

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 submit 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 horizontal line underneath the name.

David Fisher
Director (EED Surveys)

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	In the unlikely event of any bats being exposed during the removal of tiles, lead flashings, roofing felt and fascia soffits, work in that area should stop until the site has been inspected by a qualified person.
6. Demolition of existing extension	In the unlikely event of any bats being exposed during demolition of the structure, work in the affected area should stop until the building has been inspected by a qualified person. Please contact the surveyor for advice before proceeding (contact details below).
7. Accidental exposure of bats	Cover the exposed bats to reduce any further risk of harm. Place the bats in a small dark and very secure box and leave in a cool and quiet place. Wherever possible, try to prevent any bats from flying away in daylight.
8. 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.
9. Emergency advice on bats	If you require specific advice on injured or exposed bats during the building works please contact: EED Surveys (David Fisher): 01200 425113 (office) or 07709 225783 (mobile) email: earthworksuk@yahoo.co.uk 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. 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.

ANNEX 1

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 process

Our built environment has the potential to have major negative impacts on biodiversity. However, if done sensitively, the development and refurbishment of buildings can, in fact, increase the ecological value of the site.*

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 lawfully¹.

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".²

* Designing for Biodiversity, RIBA (second Edition - 2013) ¹ Bat Surveys, Good Practice Guidelines, BCT (2007). ² Tony Mitchell-Jones, (BMG, 2004)

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