EED

3 Meadowlands, Low Moor, Clitheroe. Lancashire. BB7 2ND
Office: 01200 425113 Email: earthworksuk@yahoo.co.uk

32015093 6P

Howard Gibbons

25 Blackburn Road
Ribchester
Lancashire
PR3 3ZP

Howard.gibbons10@yahoo.com

23 November 2015 Job ref: B 1635

Dear Mr Gibbons

Re: EPS – Daylight scoping survey: 25 Blackburn Road, Ribchester, PR3 3ZP

You have requested a scoping survey (European Protected Species) as a condition of a planning application to Ribble Valley Borough Council (RVBC) for building alterations to the above property.

The Local Planning Authority must take account of the impact of a development on protected species in accordance with current planning policy (National Planning Policy Framework). RVBC 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.

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 buildings as roosting sites. It is this dependence that makes them vulnerable to redevelopments that can result in damage or destruction of a bat roost, particularly at maternity and hibernation sites resulting in negative impacts on a local bat population.

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.

The scoping survey has found no evidence of access by roosting bats at the property.

The current conservation significance of the building is estimated to be minimal / low; the impact of the development on protected species is therefore likely to be minimal / low.

It is recommended the development proceeds without the requirement to obtain a development licence since the proposed works are unlikely to result in a breach of the Habitats Regulations.

Please find the survey report now attached.

Yours sincerely

David Fisher
Director (EED Surveys)

BAT SCOPING SURVEY REPORT

(European Protected Species)

25 Blackburn Road, Ribchester, PR3 3ZP

Aims of the scoping survey

This type of survey is sometimes referred to as a 'presence or absence survey' and is based on an internal / external assessment of the building with regard to bats and other protected species such as nesting wild birds.

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.

A scoping survey involves an internal / external search of the property looking for evidence of access by protected species. The survey can be undertaken during daylight hours at any time of year and is not dependent on whether bats or wild birds are active at the time of the inspection.

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 any out-buildings that are 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.

Timing of survey / weather conditions

The scoping survey was undertaken on Monday 23 November 2015 between 10.00 and 10.45.

The weather at the time of the inspection was cool and bright (minimum temperature: 2°C light ground frost, cloud: 10%, wind: calm, rain: nil) providing satisfactory conditions for this level of survey.

Personnel

The inspection was carried out by David Fisher (EED Surveys) - 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 volunteer bat worker with Natural England (via the BCT), member of East Lancashire Bat Group, North Lancashire Bat Group and the Bowland Kilns and Caves Research Group.

Natural England Class Licence WML- A34 - Level 1 (Registration Number: 2015 – 17599-CLS-CLS)

Natural England Class Licence WML- A34 – Level 2 (Registration Number: 2015 – 12106-CLS-CLS)

Survey limitations

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.

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.

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.

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).

(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 square – SD 63):

- 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

There is no history of roosting bats at this property or at neighbouring sites within 250 metres.

There are no bat records shown at this location.

Location of the property

The property is located in Ribchester at National Grid Reference: SD 651 354 at an elevation of 30 metres and the site is within the boundary of the RVBC 'Ribchester Conservation Area' (Townscape Appraisal Map).

The property is a terraced house with the front elevation adjacent to Blackburn Road (A6245); to the rear of the house is a small garden with a number of neighbouring gardens nearby and several dwellings of similar age, design and construction.

The location is within the town conservation area and there is open countryside 200 metres to the south-east.

The site is not adjacent to woodland and plantation and there are no significant areas of standing open water, river channels or waterways within 250 metres of the property. The River Ribble is approximately 400 metres south of the site.

Although several bat species and bat roosts have been recorded within the wider district, the location of the property is sub-optimal in terms of connectivity to high-value 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).

Description of the property

The property is a two-storey mid-terrace cottage (built circa 1900) with brick and stone construction and traditional rafter-with-purlin slate roof. The front (north) elevation is faced in natural stone (Figure 1) and rendered brick rear (south) elevation (Figure 2).

The property has been unoccupied for at least two years.

There is an external side passageway between the property and the neighbouring dwelling to the east. There are three small out-buildings at the end of the rear garden forming the southern boundary (Figure 4).

The duo-pitched roof is clad with blue slate; the slates are back-pointed and there is no roofing membrane present. The void is insulated with a glass fibre thermal layer to a depth of 200mm (installed February 2005). The roof void is dry and well-ventilated and there are no signs of access by roosting bats or nesting wild birds.

Externally, the building is generally well-sealed and secure; all the windows are timber-framed and single-glazed. The roof appears to be well-sealed and the timber fascias and soffits appear secure. There are currently no signs of access by bats or birds on any of the external features of the property.

The single-storey out-building includes two small storage areas and a WC; the building has a single skin brick construction with a mono-pitched cement-asbestos corrugated sheet roof.

The potential of the property to support roosting / breeding or hibernating bats is relatively low given the building type and location. It is unlikely that roosting bats have ever been present at this property.

Proposed works

The proposed development will include a twin-storey extension and conversion of the existing loft space.

Images: 25 Blackburn Road, Ribchester (23/11/15)

Figure 1:

Figure 2:

Figure 3: rear elevation

Figure 4: garden and out-buildings

Figure 5: roof void north pitch

Figure 6: roof void south pitch

Survey results

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

The building currently has minimal / low potential for roosting bats.

There is a moderate potential for attracting nesting birds inside the out-buildings and within the side passage.

Evaluation of results

It is highly unlikely that roosting bats have ever been present at the site*.

The conservation significance of the building in terms of providing access and shelter to roosting bats is low.

The impact of the proposed works on roosting bats is likely to be minimal / low*.

There is a moderate risk that nesting wild birds will be attracted to the property; to ensure there is no disturbance to breeding birds and their nests, exclusion of birds is recommended during the winter period.

***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

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 / low.**

The conservation significance of this property is currently **low.**

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.

Further survey effort at this property is not required.

Exclusion of potential nesting birds is recommended. NB. Exclusions must be completed by the end of March.

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. Risk of disturbance to bats	**LOW**
2. Further survey effort	Not required
3. Timing constraints	Not required
4. Detailed method statement	Not required
5. EPS Licence requirement	Not required
6. Removal of roofing materials	In the unlikely event of any bats being exposed during the removal of slates, lead flashings, fascias and soffits, work in those area should stop until the building has been inspected by a qualified person.
7. Disturbance to out-buildings	The proposed alterations to these structures are unlikely to disturb roosting bats. In the unlikely event of bats being disturbed, stop work in that part of the building and seek advice.
8. 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. Call the surveyor for further advice before proceeding, otherwise contact the emergency help line at the BCT.
9. Legal protection	The onus lies with the applicant to ensure that no offence will be committed if the development goes ahead, regardless of whether planning permission has been granted.
10. Emergency advice on bats	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: 0345 1300 228; in an emergency, BCT will call the nearest volunteer bat worker in your area to arrange a free site visit. www.bats.org.uk email: enquiries@bats.org.uk
11. Potential risk to nesting birds.	Since the property has been unoccupied for a number of years there remains a risk to nesting swallows and other wild birds: the areas with highest risk of attracting nesting birds are: (1) The access passageway and open portal between the two properties. (2) The out-buildings. NB. 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.

	If exclusion is necessary to avoid potential disturbance to nesting birds, the areas with greatest risk should be sealed well in advance of the nesting season. Exclusion of nesting birds must be completed before the end of March before the main nesting season begins.

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

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 lawfully[1].

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