

REC'D 4/12/15



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Mr A Conboy

7 The Dales
Langho
Blackburn
BB6 8BW

320151030P

10 August 2015

Job ref: B 1592

Dear Mr Conboy

Re: EPS – Daylight scoping survey: 7 The Dales, Langho, Blackburn, BB6 8BN

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

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 bats vulnerable to developments that can result in damage or destruction of significant maternity sites or hibernation roosts.

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.

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).

All internal and external areas have now been carefully inspected for the presence of bats and other protected species. The survey has found no evidence of bats within any part of the property; consequently there is unlikely to be any risk of disturbance to protected species at this site.

The proposed building works will not require a development licence since the alterations 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:

Property at: 7 The Dales, Langho, BB7 8BW

Timing of survey / weather conditions

The survey was undertaken on Friday 7 August 2015 between 16.45 and 17.30 hrs.

The weather at the time of the inspection was dry, warm and bright (minimum temperature: 20°C, cloud cover: 60%, wind: calm, rain: nil) providing optimal conditions for this level of survey.

Personnel

The survey 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 Natural England licence since 1989.

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.**

* 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 includes a visual assessment of both internal and external features of the property in addition to all accessible roof voids and structures 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.

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 beneath lead work, wall claddings, fascias and soffits.

The scoping survey does not include evening / dusk emergence or dawn re-entry and swarming 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; apparent absence of evidence is therefore evaluated with caution.

Limitations of the data

National Biodiversity Network (NBN) and other data sources, whilst indicative of the bat species likely to occur within the nearest 10km-grid squares, 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 somewhat 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).
- (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 | (<i>Myotis nattereri</i>) |
| • Whiskered bat | (<i>M. mystacinus</i>) |
| • Brandt's bat undertaken on | (<i>M. brandtii</i>) |
| • Daubenton's bat | (<i>M. daubentonii</i>) |
| • Brown long-eared bat | (<i>Plecotus auritus</i>) |
| • Common pipistrelle | (<i>Pipistrellus pipistrellus</i>) |
| • Soprano pipistrelle | (<i>P. pygmaeus</i>) |
| • Noctule bat | (<i>Nyctalus noctula</i>) |

Pre-existing information

There are no published records at this location. The nearest record of roosting bats within in a modern dwelling is approximately 100 metres from the site at SD 691 339 (10.06.07) - pipistrelle roost. (EED Surveys / ELBG).

The surveyor has not carried out EPS surveys at this address previously.

Location of the property

National Grid Reference: (SD 691 340) - Elevation: approx. 95 metres.

The property is located at The Dales, a modern residential development built circa 1996. The house is surrounded by several other dwellings of similar age, design and construction.

The site is not adjacent to any extensive broadleaved woodland or mixed / conifer plantation and there are no areas of standing open water or river channel nearby. The site is considered to be sub-optimal in terms of proximity to high-value feeding, foraging and commuting habitat for bats.

An online data search has found no reference to 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 building

The property is a modern detached house with brick and block cavity wall construction and timber-trussed roof.

To the side of the house is a single storey garage (shown as 'A' figure 1) with duo-pitched tiled roof; to the rear of the garage is a small single storey extension with duo-pitched tiled roof (shown as 'B' in figure 2). A single storey sun-lounge / conservatory is also located at the rear elevation (shown as 'C' in figure 3).

The main house roof is lined with bitumastic felt (figures 5 and 6); the roof void is partly boarded for access and storage and is insulated with glass fibre material above the ceiling joists. The void is dry, clean and well-ventilated and there is no evidence of roosting bats or wild birds.

The garage has a duo-pitched tiled roof lined with bitumen felt; the small rear extension behind the garage also has a tiled roof lined with bitumen felt and the small roof void is well-insulated. The conservatory has a brick plinth with standard uPVC D/G windows and doors and all areas are very well sealed.

Externally, the property is well-sealed; all roof verges, ridge tiles, lead valleys and flashings are generally very secure; there are no visible gaps where bats or nesting wild birds could gain access to soffits or roofs.



Figure 1: front elevation



Figure 2: Rear elevation: store / garage



Figure 3: rear elevation: conservatory



Figure 4: garage interior



Figure 5: main roof void



Figure 6: main roof void

Proposed works

The proposed works include; (1) removal of existing roofs over the garage and rear extension; (2) demolition of the conservatory prior to construction of new side and rear extension.

Survey results

All roof areas and external features are very secure.

A careful inspection of the property has found no evidence of access by roosting bats or nesting wild birds within any part of the building.

There are no accumulations of bat droppings or other indicative signs of roosting / perching bats or wild birds.

The site is not adjacent to high-value feeding and foraging habitat for bats.

There are no existing records of roosting bats at this property or within any adjacent dwellings.

The likely risk of causing disturbance to protected species at this property is minimal / low.

Evaluation of results

There are no signs of access by roosting bats or nesting wild birds within any part of the property.

The proposed building alterations and removal of roofs and conservatory are unlikely to disturb roosting bats.

Summary and Recommendations

ROOSTING BATS

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**.

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

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.

NESTING WILD BIRDS

There is no evidence of roosting or nesting swifts, swallows, house martins or barn owls at the property.

ANNEX 1

MITIGATION GUIDANCE – minimising the risks to roosting bats and wild birds

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 disturbance of roofing materials, work in that area should stop immediately until the site has been inspected by a qualified person.
6. Demolition of structures	There is minimal risk of disturbing isolated bats beneath roofing materials or within cavity walls during the removal of the roofs and conservatory. If any live / dead bats are exposed during the demolition, the contractor must seek further 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. Seek further advice immediately. (contact details below)
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: 0345 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.
10. Nesting wild birds	There are no risks to nesting / roosting birds; timing constraints are not required.

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 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, 0345 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