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29 MAR 2016

Andrew Carney

35 Rogersfield
Langho
Blackburn
BB6 8HB

3201607 94P

26 March 2016
1669

Job ref: B

Dear Mr Carney

Re: EPS – Daylight scoping survey: 35 Rogersfield, Langho, Blackburn, BB6 8HB

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

The Local Planning Authority is required to 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 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.

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

A preliminary roost assessment (scoping survey) has found some evidence of roosting activity by bats in the roof apex at the rear of the property, however there are no signs of any maternity roost, mating roost or place of hibernation within the property.

Precautionary mitigation measures are required to ensure that no bats will be disturbed, injured or killed during the proposed building / roofing alterations in addition to ensuring that all existing access points used by the bats are maintained after all building works have been completed.

The conservation significance of the building is currently low / moderate.

The scale of impact of the proposed development on protected species is likely to be relatively low.

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

Please find a copy of the survey report now attached.

Yours sincerely

David Fisher

Director (EED Surveys)

(European Protected Species)

PRELIMINARY ROOST ASSESSMENT – BAT SURVEY REPORT

35 Rogersfield, Langho, Blackburn, BB6 8HB

Introduction

This type of 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.

A preliminary roost assessment (sometimes referred to as a presence or absence survey) requires a detailed inspection of the external and internal features of a building to look for evidence of flight, feeding, perching or other indicative signs of bat activity normally associated with roosting bats.

The aim of the survey is to determine the actual or potential presence of bats and whether further survey effort is likely to be required. The wider aim of the survey is to assess the potential value of the site for European Protected Species (EPS) to establish whether bats, barn owls and other nesting wild birds 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

Timing of survey / weather conditions

The scoping survey was undertaken on Thursday 24 March 2016 between 10.30 and 11.30.

The weather at the time of the inspection was cool, dry and overcast (min. temperature: 8ºC, cloud: 100%, wind: light SW breeze, rain: light drizzle / dry later).

The weather conditions were satisfactory 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), a participating member of several UK bat groups and founder member of the Bowland and Craven Bat 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)

Aims of the survey

The aims* of the survey are generally to:

- Collect robust data following good practice guidelines
- Facilitate the design of mitigation, enhancement and monitoring strategies for bats where appropriate
- Provide baseline information with which the results of post-development monitoring can be compared
- Provide clear information to enable the LPA and licensing authority to reach a robust decision
- Assist clients in meeting their statutory obligations
- Facilitate the conservation of bat populations

Objectives of the survey

The broad objectives* of the survey are to:

- observe, assess and record suitable roosting, feeding, foraging and commuting habitat for bats (and other protected species) both on site and in the surrounding area.
- determine the actual or potential presence of bats (and other protected species) and the need for further survey and / or mitigation.

* Defining aims and objectives, p15 BCT Bat Surveys - Good Practice Guidelines, (3rd edition 2016)

Survey methodology

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

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.

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

Survey limitations

In most situations it is not possible to inspect all locations where bats may be present and therefore an absence of bat evidence does not equate to evidence of bat 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 rubble infill walls and beneath roof materials and other significant structural features.

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.

Local bat records are compiled from a number of reliable sources but may also include unverified public data.

Proposed works

The proposed development includes:

A two storey side extension above existing double garage / kitchen extension requiring removal of a flat bitumen roof and local disturbance to roof verges and fascia soffits on the side of the house (south elevation)

in addition to removal of an existing flat roof at the rear of property (west elevation) and replacement with a mono-pitch tiled roof.

Pre-survey data search

The aim of the pre-survey data search (also called a desk study or scoping study) is to collate background information around the proposed development site on bat activity, roosts and significant landscape features that may be used by bats. The key sources of information used in this report include:

(1) European Protected Species (EPS) - ie. species records of local, regional or national significance.

(2) National Biodiversity Network (NBN) terrestrial mammal records (chiroptera).

(3) Local bat records: (i) East Lancashire Bat Group (ELBG) (ii) EED Surveys (iii) other ecological consultants.

(4) Interactive maps: *Natureonthemap* (Natural England) and *Magic.gov.uk.*

The following bat species are likely to be present within the 10km national grid squares: SD 63 / SD73

Common name	Scientific name	Status of local population
Natterer's bat	(*Myotis nattereri*)* [1] [2]	widespread / common
Whiskered bat	(*M. mystacinus*) [1]	widespread / uncommon
Brandt's bat	(*M. brandtii*)	infrequent / uncommon
Daubenton's bat	(*M. daubentonii*) * [1] [2]	widespread / locally common
Brown long-eared bat	(*Plecotus auritus*)* [1] [2]	widespread / locally common
Common pipistrelle	(*Pipistrellus pipistrellus*)* [1] [2]	widespread / common
Soprano pipistrelle	(*P. pygmaeus*) [1] [2]	widespread / locally common
Nathusius's pipistrelle	(P. nathusii) [2]	current distribution unknown
Noctule bat	(*Nyctalus noctula*) [1] [2]	widespread / locally common

*NBN data [1]East Lancashire Bat Group [2]EED surveys

Pre-existing information

The surveyor is not aware of any history of bats at the property.

An on-line data search has found no reference to previous EPS scoping surveys / bat surveys at this location.

A data search has found no records of roosting bats at this location.

Bats in the Ribble Valley

At least eight species of bats are recorded in the Ribble Valley and Forest of Bowland AONB within a very wide range of habitats, particularly where there is open water, river channels, broadleaved woodlands and conifer plantations.

Although some species are largely dependent on trees and woodland, all species are known to rely on buildings for at least part of their life cycle; these include all types of residential properties, barns and agricultural units.

A number of bat species within the district frequently use natural features such as underground sites, quarries and natural limestone scars for roosting, mating and winter hibernation. Local research over the last decade has shown that low numbers of bats regularly roost and hibernate in old lead mines, railway tunnels, lime kilns and bridges throughout the district.

Contrary to popular belief, houses built after 1970 are most frequently used as maternity and nursery sites by breeding bats during the warmest summer months (May to August) when pregnant female bats gather in the warmest sites to give birth to their young. During late summer and autumn adults and young bats leave their breeding roosts and disperse throughout the district. From October / November until March / April the following year most bats are relatively inactive during their winter hibernation period.

Location of the property

NGR: SD 700 338 Elevation: 120 metres

The property is situated at Rogersfield, a well-established residential development (1970's) on the west side of Langho in the Ribble valley. The house is close to several other properties of similar age, design and construction-type and immediately adjacent to open countryside to the west.

The site is not adjacent to any standing open water or river channel and there are no significant water features within 1km of the house.

Although there are no extensive woodlands, plantations or riparian woodlands within 1km of the property, there is a narrow strip of mature broadleaved at the rear of the property; this is likely to be a former boundary hedge and is composed mainly of pedunculated oak and hawthorn providing moderate shelter and habitat connectivity in the locality.

The location of the property is sub-optimal in terms of access to high-value feeding foraging and commuting habitat for bats.

Description of the property

The property is a modern-style two storey house with brick and block cavity wall construction with duo-pitched timber-truss roof and enclosed roof void. There is a single storey double garage and kitchen flat roof extension to the side and rear (figures 1 and 2) and a single storey flat roof lounge extension.

The main roof void (figures 3 and 4) is currently exposed following removal of some of the damaged first floor ceilings; the roof tiles are lined with a bitumastic felt which has largely perished; this has caused extensive leaking and damage to the roof, roof void and first floor ceilings.

The garage is generally well-sealed and used as a secure storage area for materials (figures 7 and 8); the building has well-sealed PVC fascias with cement asbestos soffits; the only exception being a small gap beneath the soffit close to the west gable apex as located by arrow in figure 6 where bats appear to have entered the apex roof.

Images: 35 Rogersfield, Langho, Blackburn, BB6 8HB – 24/03/16

Figure 1: Front elevation

Figure 2: Rear elevation

Figure 3:

Figure 4:

Figure 5:

Figure 6:

Figure 7:

Figure 8:

Survey results (BATS)

There is some evidence of bat droppings on the internal block work wall of the west gable apex wall as located in figure 5. An accumulation of mostly old droppings and a number of relatively fresh droppings are present on the wall and immediately beneath the apex.

There are no signs of droppings on the external walls near the west gable apex.

No bats are currently present and there is no evidence that bats have entered any other part of the roof void

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

Evaluation of results

The presence of a small accumulation of bat droppings below the west gable apex indicates occasional roosting by pipistrelle bats during the summer months. The relatively small quantity of faeces does not indicate any significant use of the site and the presence of a maternity roost or place of hibernation is unlikely.

It is unlikely that bats will be present at the property during the hibernation period (October to April inclusive); this appears to be a small seasonal roost used mainly between May and August / September – the time of year when most bats are active within residential buildings.

The roost is likely to be used as a small satellite roost by females and pups during the breeding season; the main maternity roost has not been identified but is likely to be in a nearby property.

Given the potential of the roost to support breeding bats during the summer months, the site should not be disturbed, damaged or destroyed and all proposed works that are likely to affect the site must avoid the critical months May, June, July and August when breeding bats are vulnerable to disturbance.

The optimum period for carrying out works (not a proven maternity site) is 1 September to 1 May) as recommended by Natural England in the Bat Mitigation Guidelines (BMG 2004, p42)

Impact assessment

The scale of impact of the proposed development on roosting bats is currently low / moderate*.

Roofing works and replacement fascia - soffits should be completed before 1 May.

Disturbance to the roof apex must avoid the period 1 May to 31 August, although the proposed building extensions on the south elevation are unlikely to cause any significant disturbance to the existing roost.

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

Conclusion and recommendations

Replacement of the fascias and soffits should be completed before 1 May and any existing access gaps around the roof apex MUST be preserved (as located in figure 6). It is recommended that an access gap between 20mm and 25mm wide is left open either side of the roof apex; the access gaps should continue for 300mm either side of the apex to enable bats to enter and leave the roost without hindrance.

Mastic fillers and chemical foams should not be used within 300mm of the apex as these may prove harmful.

Required actions

ACTION	NOTES
1. Further survey effort	Not required
2. Timing constraints	The majority of roosts in houses are used only seasonally, so there is usually a prolonged period during the autumn / winter when bats are unlikely to be present. **AVOID any roofing or building works that are likely to disturb the west gable apex roof (figure 6) during the period 1 MAY to 31 AUGUST.** The optimal time for re-roofing and replacing fascias and soffits is 1 September to 1 May as recommended by Natural England.
3. Detailed method statement	Not required
4. EPS Licence requirement	Not required A licence is only required where the proposed development is likely to result in the destruction of a bat roost or where significant disturbance will be caused to a protected species. Avoiding damage and disturbance to roosts is the preferred option in all cases. If measurable disturbance to bats can be avoided this would mean that a licence is not required as no offence will be committed.
5. Removal of roofing materials	In the unlikely event of any bats being exposed during the removal of roof tiles, bitumen felts, insulation materials, lead flashings and fascia-soffits, work in those area should stop until the building features have been fully inspected by a qualified person / ecologist.
6. 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 BCT help line.
7. Legal responsibility	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.
8. 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 and free advice. www.bats.org.uk email: enquiries@bats.org.uk

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 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 -

Sheffield: Natural England, 1 East Parade, City Centre, S1 2ET, Sheffield.

ANNEX 2

References

Altringham, JD., (2011) Bats, From Evolution to Conservation. OUP.

BCT, (2012) Bat Surveys, Good practice Guidelines – 2nd edition

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

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