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Graham and Janet Baines

2 Cowper Place
Sawley
Clitheroe
BB7 4LE

1 May 2016
1682

Job ref: B

Dear Mr and Mrs Baines

Re: EPS – Daylight scoping survey: Garage / workshop at 2 Cowper Place, Sawley, BB7 4LE

You have requested a European Protected Species scoping survey as a condition of a planning application to Ribble Valley Borough Council (RVBC) for building demolition of an old garage / workshop at the 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 has found no signs of perching, feeding or roosting activity by bats or any evidence of nesting wild birds in any part of the building.

The conservation significance of the garage is relatively low therefore it is unlikely that bats will be disturbed.

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

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)

Copy to: Robert Baines

(European Protected Species)

PRELIMINARY ROOST ASSESSMENT – BAT SURVEY REPORT

Garage / workshop at 2 Cowper Place, Sawley, Clitheroe, BB7 4LE

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 visual 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 site survey was undertaken on Wednesday 27 April 2016 between 10.30 and 11.30.

The weather at the time of the inspection was cool, dry and bright (min. temperature: 6°C, cloud: 30%, wind: light northerly breeze, rain: nil).

The weather conditions were optimal 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 and objectives of the survey

The key aims are 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 key objectives 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 / or wild birds 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 covers internal and external inspection of the garage and the adjoining stone building.

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 therefore the absence of bat evidence does not necessarily 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.

Proposed works

Demolition of the existing garage prior to replacement building *(Reference: Robert Baines).*

Pre-existing information

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

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

An EPS scoping survey of the cottage at 2 Cowper Place on 10/05/06 *(EED Survey job No.126/02/05/06)* found no evidence of access by bats or other protected species.

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 SD73 (Clirheroe)

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

Bats in the Ribble Valley

Ten species of bats have been recorded in the Ribble Valley and Forest of Bowland AONB since 2006. Bats occur within a very wide range of habitats, particularly where there is extensive open water and river channels and where significant areas of broadleaved woodland and plantation are present.

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 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 frequently used as maternity and nursery sites by breeding bats during the summer months (May to August) when pregnant 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 when insect prey is scarce.

Location of the property

NGR: SD 775 463; Elevation: 70 metres;

The property is located in Sawley village within the boundary of the Bowland and Pendle AONB. The building is situated at the rear of residential properties at Cowper place; the site is close to the River Ribble and adjacent to extensive open countryside and grazing land.

The property is located approximately 250 metres east of the main channel of the River Ribble.

The location of the building is sub-optimal in terms of access to high-value feeding foraging and commuting habitat for bats, although field boundaries and hedgerows provide moderate connectivity in the wider district.

A local data search has shown there are no designated nature conservation sites adjacent to this 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

This is an old garage / workshop (16.1m²) with timber-frame construction (figure 5), duo-pitch corrugated metal roof; two sides of the building are also clad in black corrugated metal sheeting. The garage is built as a lean-to structure against a low random stone wall on the south-facing elevation (figures 1 to 3).

The two adjacent stone buildings (29.4m²) also have a rubble-infill wall construction and mono-pitch blue slate roofs. There are two open portals connecting the three buildings. The garage has a concrete floor with 500mm level change from the garage down to the two adjacent stone buildings. Three small glazed windows in the garage provide some natural light. The building is used for parking of a vehicle and as workshop (figure 4).

Internally the garage is cool, dry and well-ventilated and there are no signs of access by bats or nesting birds and there are no external features suitable for attracting roosting bats or birds.

Images taken: 27/04/16

Figure 1:

Figure 2:

Figure 3:

Figure 4:

Figure 5:

Survey results

There is no evidence of bat droppings or other indicative signs of feeding, perching or roosting bats, similarly, there are no signs of activity by nesting wild birds at the property.

The garage and adjoining buildings relatively low potential for supporting roosting bats / protected species.

There are no published records of roosting bats at this property or in nearby buildings.

Evaluation of results

There are no signs of breeding or hibernation activity within these buildings and regular use by bats is unlikely.

It is highly unlikely that roosting bats have ever been present in the garage, although solitary bats may occasionally enter the adjoining stone buildings.

The building is considered to be low risk in terms of causing disturbance to roosting bats* (Table 1).

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

Impact assessment

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

It is highly unlikely that any roosting bats will be disturbed at this property.

Summary and recommendations

The conservation significance of this property is relatively **low** (as defined by the BMG - figure 4, p.39)

The **scale of impact** of building works at site level on local bat populations is likely to be **minimal** (p.37 - BMG)

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.

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

Further survey effort at this property is **not recommended.**

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.