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John Wharton

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25 April 2016

Job ref: B 1608

Dear John

Re: EPS – scoping survey: Painley Farm buildings, Knot Lane, Newsholme, Gisburn, Clitheroe. BB7 4JF

You have requested a preliminary roost assessment and site scoping survey (European Protected Species) on behalf of your client for conversion of two stone barns to dwellings a stone building to garages and including the demolition and removal of several derelict agricultural units from the site.

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.

The scoping survey has found evidence of bats, barn owls and nesting barn swallows in some of the buildings, thereby triggering the need for additional surveys during the optimal summer survey period to assess roosting activity by bats and wild birds and to determine the likely impact of the proposed development on protected species.

Please find a copy of the survey report now attached.

Yours sincerely

David Fisher
Director (EED Surveys)

BAT SCOPING SURVEY REPORT

Painley Farm buildings, Knot Lane, Newsholme, Gisburn, Clitheroe, BB7 4JF

Introduction

A scoping survey of buildings at Painley Farm was undertaken on Thursday and Tuesday 19 April; this included preliminary roost assessments of three stone barns and a number of derelict agricultural buildings at the site.

The preliminary roost assessment 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. 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.

The principle aim of the survey is to determine the actual or potential presence of bats and wild birds and assess whether further survey effort is 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 birds have been active within any part of the buildings that are likely to be affected by the proposed development.

The local planning authority (LPA) is required to take account of the impact of a development on protected species in accordance with the National Planning Policy Framework (NPPF). Ribble Valley Borough Council 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.

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 surveys were carried out during two visits: visit 1 - Thursday 14 April 2016 between 14.00 and 16.30. The weather was cool, dry and overcast (min. temperature: 10°C, cloud: 95%, wind: light NW breeze, rain: nil) visit 2 - Tuesday 19 April 2016 between 12.00 and 13.30 (warm and sunny and dry and calm 12°C).

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 key aims of the survey 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 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)

*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

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 aims to cover all internal and external features of the building including any accessible roof voids and 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.

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

Survey limitations

BCT Good Practice Guidelines (2016) recognise that in most situations it is not possible to inspect every location where bats may be present; absence of evidence therefore does not equate to absence of bats.

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.

Pre-survey data search (Site location: NGR: SD 841 500)

The pre-survey data search includes the following sources:

- (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) North Yorkshire Bat Group (NYBG) (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 in the 10km grid squares: SD 84 and SD 85).

Common name	Scientific name	Status of local population
Natterer's bat common	(<i>Myotis nattereri</i>) ²	widespread / locally
Whiskered / Brandt's Whiskered bat	(<i>M. mystacinus</i> / <i>brandtii</i>) ¹ (<i>M. mystacinus</i>)	widespread / infrequent widespread / infrequent
Brandt's bat	(<i>M. brandtii</i>)	widespread / infrequent
Daubenton's bat common	(<i>M. daubentonii</i>) ^{1 2}	widespread / locally
Myotis species common	(<i>Myotis</i> sp.)	widespread / locally
Brown long-eared bat common	(<i>Plecotus auritus</i>) ^{1 2}	widespread / locally
Common pipistrelle	(<i>Pipistrellus pipistrellus</i>)* ^{1 2}	widespread / common
Soprano pipistrelle common	(<i>P. pygmaeus</i>) ^{1 2}	widespread / locally
Noctule bat	(<i>Nyctalus noctula</i>) ^{1 2}	widespread / infrequent

*NBN data ¹North Yorkshire Bat Group ²EED surveys / East Lancashire Bat Group

Pre-existing information

None found.

The surveyor is not aware of previous EPS scoping surveys undertaken at this location.

Location of the property

The property is located at NGR: SD 975 434 at an elevation of approximately 130 metres.

The property is located 2km NE of Gisburn surrounded by open countryside; the landscape is characterised by undulating lowland farmland - Landscape Character Type (E) features known as drumlins, typically soft glacial clays and boulder till deposits (*Lancashire County Council Landscape and Heritage SPG, July 2006*).

The farm is situated beside a small lightly-wooded watercourse less than 100 metres north of Stock Beck, itself a tributary to the River Ribble approximately 1.75km to the west near Gisburn (Figures 1 and 2).

The surrounding farmland is relatively open and exposed, although a small conifer plantation within 75 metres of farm provides some limited shelter to the north of the site.

A small watercourse to the south of the farm provides moderate habitat connectivity to more extensive riparian woodland habitats along the channels of Stock Beck and the River Ribble to the north of Gisburn.

The extensive broadleaved semi-natural woodlands along the River Ribble to the west provide optimal feeding, foraging and commuting habitat for bats (figure 1).

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Figure 1: Location of Painley Farm, Gisburn, BB7 4JF - NGR: SD 841500 (Google earth image)

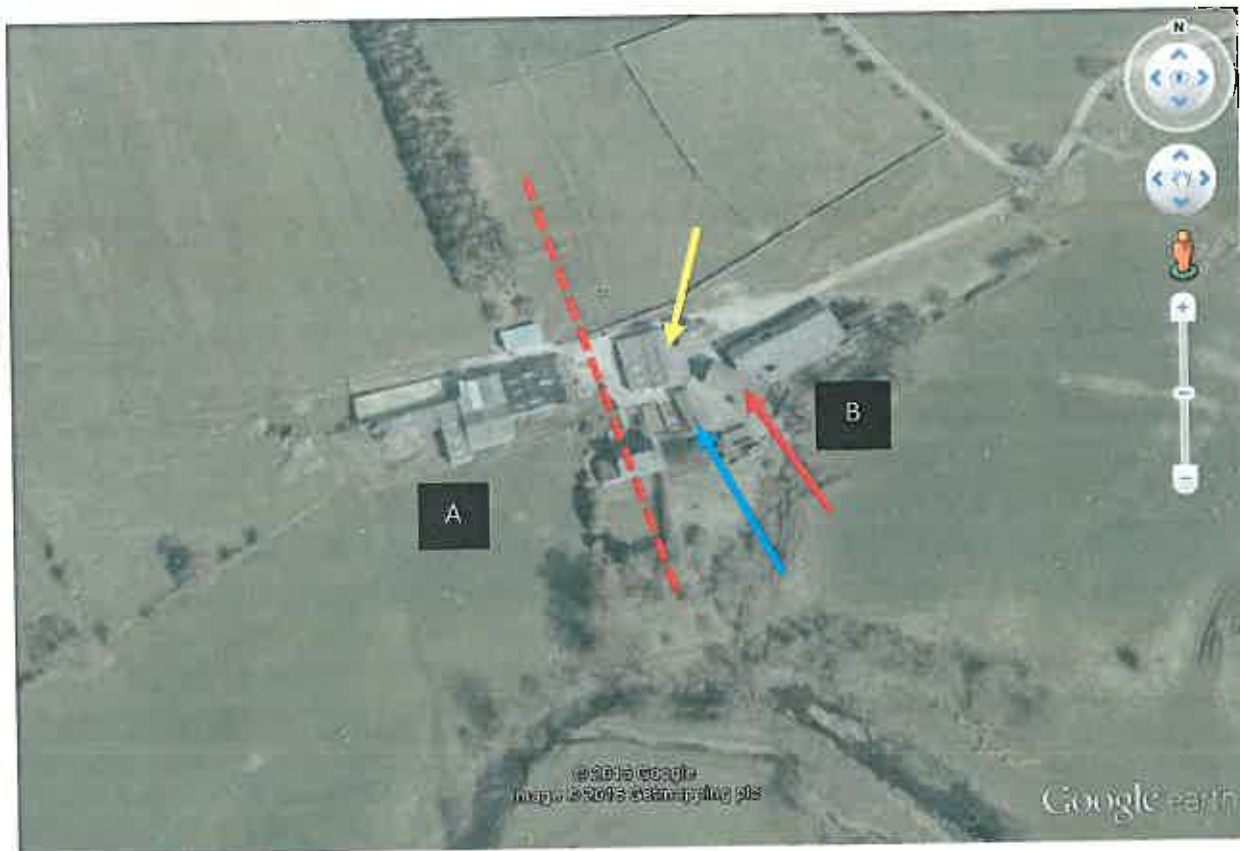


Figure 2: Aerial view of the property at Painley Farm. (Google earth image).
The survey was carried over two visits; the buildings are grouped into A and B separated by the farmhouse (centre).

A local data search has shown 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 Geo-morphological Sites (RIGS).

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Figure 3: Stock Beck view looking south



Figure 4: Stock Beck view looking south-west

Description of the property

The property comprises farmhouse, stone barns, animal cubicle sheds, outbuildings and miscellaneous agricultural units (figure 2); the buildings were divided into two groups (shown as 'A' and 'B' – figure 2):

Group 'A' buildings:

These buildings were formerly used as cubicle sheds and are mostly connected to one another although one open portal building stands alone on the north side of the track (figures 5 and 8) and there is row of brick sheds with 4 bays facing onto the central yard to the west of the farmhouse (figure 6).

All remaining buildings (figures 7 to 10) have a variety of construction types including a block work single storey shed with mono cement asbestos roof (figure 9), and at least four steel-framed sheds with duo-pitch

cement asbestos or box alloy roofs (figures 8 and 10). The buildings are largely redundant; lack of maintenance over many years has resulted in significant roof damage and decay. Although a small shearing shed remains in use, the majority of the buildings are now derelict and empty.

All the structures are cold, draughty and open to natural light rendering them low potential for roosting bats, barn owls or nesting swallows. The one exception being a row of brick sheds (figure 6), three bays of which are open-fronted and one is enclosed. There is evidence of nesting barn swallows in the open-fronted units.

Group 'B' buildings:

Several of the structures remain in regular use as agricultural units, others are empty and deteriorating. The buildings of greatest potential to roosting bats and birds are as follows:

Stone shed / garage (located with blue arrow figure 2)

This building has two open bays separated by a brick partition wall (figures 11 and 12); the building has been recently re-roofed with stone slates and lined with a breathable membrane. There is evidence of roosting barn owl inside the south bay.

Stone barn, lean-to workshop and milking shed (west) (located with yellow arrow figure 2)

This is a large traditional 4 – bay stone barn (figure 13) with rubble infill wall construction, earthen floor, a large wagon door entrance (figure 14) duo-pitch steel-frame roof (figure 15) and internal hayloft (figure 16). Both gable ends are re-built with block work construction and all internal walls are mortar-pointed. The corrugated cement - asbestos roof has 10 clear skylight panel providing good natural light. The building is used for vehicle storage and materials. There is evidence of bat and barn owl activity inside the building.

An adjoining cubicle shed (figure 13) at the south end of the barn underneath the hayloft has minimal natural light and typically shows evidence of perching and feeding by long-eared bats around the cubicles.

At the northern end of the barn is the milking shed with a timber loft formerly used as a feed store (figure 17). The shed has with block wall construction and is now semi-derelict with open windows and corrugated cement-asbestos roofs; internally the structure is generally are cold, draughty and wholly unsuitable for roosting bats.

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To the rear of the west barn is a large single storey lean-to workshop (figures 18 and 19) with mono cement-asbestos roof; the building is used as a mechanics workshop (figure 19) the area smells strongly of diesel oil and is considered largely unsuitable as a potential bat roost or as barn owl nesting area. This is a relatively low risk building in terms of likely disturbance of a protected species.

Stone barn and adjoining cubicle sheds (east) (located as red arrow figure 2)

Located opposite the previous barn on the east side of the farm complex, this is also a traditional 4 – bay barn with rubble infill wall construction, large wagon door and duo-pitched stone slate roof (figures 20 / 21). The barn has a concrete floor and timber hayloft with three small under-crofts; there is a small brick lean-to shed with mono cement-asbestos roof to the front elevation; the shed has no potential for bats or wild birds.

The barn roof is unlined and there is some damage to the stone slates; internally the barn is cool, dry and draughty. To the rear of the barn are several cubicle sheds (figures 22 to 25) mostly semi-derelict and all considered as low potential in terms of suitability for attracting roosting bats or nesting barn owls. The largest shed has a duo-pitched steel-frame construction roof clad with cement asbestos sheeting. It is likely that bats and owls may fly within the building or roost there occasionally; generally the building has low potential for roosting bats and nesting wild birds.

Images supporting description of property



Figure 5: Open portal shed.



Figure 6: 4-bay shed – only one bay is closed



Figure 7: Cubicle sheds group 'A' at rear



Figure 8: cubicle sheds group 'A' at front



Figure 9: blockwork cubicle shed – group 'A'



Figure 10: steel-framed cubicle sheds, group 'A'



Figure 11: Stone shed / garage – group 'B'



Figure 12: stone building internal



Figure 13: stone barn (west)



Figure 14: stone barn (west)



Figure 15: internal stone barn (west)



Figure 16: hayloft stone barn (west)



Figure 17: Dairy sheds – group 'B'



Figure 18: lean-to workshop (rear of west barn)

Figure 19: lean-to workshop internal



Figure 20: Stone barn (east)



Figure 21: stone barn (east)



Figure 22: cubicle sheds (east)



Figure 23: cubicle sheds (east)



Figure 24: cubicle sheds (east)



Figure 25: cubicle sheds (west)

Proposed works

Conversion of stone barns (group B - east barn figure 13 / 14 and west barn figure 20 / 21) into dwellings.

Conversion of open portal barn (figure 11) to garages.

Demolition of all redundant sheds (groups A and B).

Reference: Drawings: John Wharton Architect, Craven House, Brook View, Carleton, Skipton. BD23 3EX

Survey results

A preliminary roost assessment has been carried out on all buildings at Painley Farm (NB. the farmhouse has not been included). The scoping survey comprised two separate visits: (1) buildings in Group 'B' were inspected on Thursday 14 April 2016, (2) those in Group 'A' were assessed on Tuesday 19 April 2016.

The buildings were assessed for their potential to support protected species based on the field evidence found during a daylight (winter) scoping survey to identify signs of feeding, roosting and nest / roost activity.

Potential of buildings at Painley Farm to support protected species		Barn swallows	
	B		Barn swallows
Stone barn (west) figures 13 / 14	High potential		High potential
Stone barn undercroft - figure 13	Moderate potential		Moderate potential
Stone barn (east) figures 20 / 21	High potential		High potential
Open portal shed figures 11 / 12	High potential		High potential
4 bay brick sheds - figure 6	Moderate potential		Moderate potential
All remaining buildings group 'A'	Moderate potential		Moderate potential
All remaining buildings group 'B'	Moderate potential		Moderate potential

01756-792708
John Whelan
Painley Farm

Table 1: Potential of buildings to support protected species.

Feeding and perching signs were located in one of the stone barns (shown in figure 13) approximately 200m from the farmhouse. Discarded insect prey, mostly fresh small tortoiseshell butterfly wings were found on the floor of the cubicles in the undercroft beneath the hayloft. Although a small number of bat droppings were also noted on vehicle paintwork in the main part of the barn, no accumulations of faeces were noted.

Barn owl feeding signs (discarded pellets and urine splash marks) were noted on the floor and on timber spars of the hayloft in the barn (figure 16) in addition to an accumulation of pellets on the floor of the open portal building (figure 11) below an open window on the south apex wall. Although regular perching and feeding signs are present, there is currently no clear evidence of activity by a nesting pair or any young birds being present.

Barn swallow roosting is likely within any of the open and accessible units. Clear nesting evidence was only found in three of the open-portal brick sheds (figure 6) which currently offer access and shelter to swallows.

Evaluation of results

The range of building types at this property offers moderate to high potential for roosting activity by protected species, ie. roosting bats, barn owls and barn swallows (Table 1).

There is a moderate risk of disturbance (Table 2) to perching and feeding long-eared bats (*Plecotus auritus*) in the stone barn (west); additionally there is likely to be regular flight activity within several buildings during the main activity season (summer / early autumn) by both long-eared bats and common pipistrelles.

Further surveys will be required during the optimal survey period to assess the level of activity by protected species and determine which species are present. The surveys should be undertaken by a licenced ecologist between 1 May and 31 August when bats are most likely to be active.

A detailed METHOD STATEMENT will be required by the planning authority prior to any building works or demolition being carried out.

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

Summary and recommendations

The conservation potential of this property is **moderate to high** in terms of European Protected Species (EPS).

BATS

At least two bat species are likely to be active at this site. **Further survey effort is required** to establish the following information about the feeding, foraging and roosting behaviour of bats and barn owls at the property:

(1) which species are present, (2) numbers of bats, (3) roost status, (4) bat activity around buildings and site.

The BCT's recommended minimum number of survey visits for sites with 'moderate bat roost suitability' is two separate surveys ie. one dusk emergence and one dawn re-entry survey during the survey optimal period between 1 May and 31 August.

A method statement will also be required by the local planning authority outlining the likely impacts of the proposed development and the actions that are required to avoid or significantly reduce the damaging effects of the development in order to maintain the favourable conservation status of the species.

BARN OWLS

The barn owl is protected under Schedules 1 and 3 of the Wildlife and Countryside Act 1981 (as amended), the former making it an offence to disturb breeding owls. Although there is currently no clear evidence that barn owls are breeding at this site, roosting individuals are regularly active.

Current guidance (Natural England / Barn Owl Trust) recommends that before the development begins, a tree-mounted barn owl nest-box is erected nearby and a survey undertaken to check the nesting status of the owls.

BARN SWALLOWS

Nesting and roosting swallows are likely to be present in some of the buildings during spring and summer.

Precautions are required to ensure that wild birds, their eggs and nests are not disturbed or destroyed during the nesting season. Current guidance recommends provision of nesting opportunities at the property once the development is completed. The use of artificial nest platforms for birds is recommended.

If exclusion of birds is required, this should be undertaken during the winter period before nesting birds return.

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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	REQUIRED – A minimum of one dusk emergence and one dawn survey of bats during the optimal survey period 1 May to 31 August. The survey should follow current recommendations (p 52) in BCT's Bat Surveys 3rd Edition, Good Practice Guidelines, 2016. A barn owl survey is required to confirm breeding status of any birds that may be present; this survey may be carried out at the same time as the bat surveys (May to August) and / or immediately before any building works are carried out.
2. Timing constraints	Likely to be required to avoid or reduce the impact of the proposed works on roosting bats.
3. Detailed method statement	REQUIRED by the planning authority after the dusk and dawn surveys have been completed.
4. EPS Licence requirement	A licence is only required if the proposed activity is likely to result in an offence. Mitigation measures including the careful timing of the works may be sufficient to avoid causing significant disturbance to roosting bats. Compensation works (eg. the creation of new roosting opportunities) may also be required to offset any damage caused by the development.
5. 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.
6. Further information and advice	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
7. Further information and advice on roosting barn owls	Current guidance from the Barn Owl Trust recommends the following action in situations where there is evidence of barn owl roosting but no evidence of nesting past or present: 1. Erect a tree-mounted barn owl nest box nearby before works commence 2. Have the barn owl status checked immediately before works begin 3. Create provision for barn owls in the completed development Reference: Barn owls on site, A Guide for developers and planners. Natural England and

	the Barn Owl Trust. www.bamowitrust.org.uk
8. Nesting barn swallows	Provision for nesting swallows should include design modifications such as inclusion of covered areas to encourage nesting building and / or use of artificial nest platforms. 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 of nesting / roosting swallows is required before demolition works are carried out, the closure of the buildings must take place during before the end of winter. For further advice: www.rspb.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 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. ODPN.

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

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

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

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ANNEX 2

References

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