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Jessica Townson  
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14 September 2016

Job ref: B

1745  
Dear Jessica

Re: Scoping survey (European Protected Species): Building at Dove Syke, Eaves Hall Lane, West Bradford.

You have requested a protected species survey as a condition of a planning application to Ribble Valley Borough Council (RVBC) on behalf of your client Joanna Creighton for alterations to a building at Dove Syke, West Bradford.

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

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

### **Results and recommendations**

The scoping survey has found no evidence of roosting bats or barn owls at the property.

The impact of the proposed works on protected species is likely to be minimal / low.

It is recommended the development proceeds without the requirement to obtain a European Protected Species development licence (EPSL) since the proposed works are unlikely to result in a breach of the Habitats Regulations. Further survey effort at the property is not required.

Please find the survey report now attached.

Yours sincerely

David Fisher  
Director (EED Surveys)

## (European Protected Species)

### PRELIMINARY ROOST ASSESSMENT – BAT SURVEY REPORT

Property: Stone barn at Dove Syke, Eaves Hall Lane, West Bradford, Clitheroe, Lancashire.

**Survey date: 13/09/16**

#### **Description and aims**

The aim of the scoping survey is to determine the actual or potential presence of bats and whether further surveys are likely to be required.

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.

From the developer's perspective, the primary objective of a survey of protected species is to ensure that a development can proceed lawfully without breaching the Habitats Regulations.

*The overall aim of surveying at a proposed development site is to collect robust data to allow an assessment of the potential impacts the proposed development will have on the bat populations present on and around the site. . . The data allow the developer to decide whether to proceed with the proposal as it stands, or whether to modify it. Proposals for appropriate mitigation, compensation and enhancement should be based on the survey data and impacts.\**

\*page 17 - Bat Surveys, Good Practice Guidelines, 2<sup>nd</sup> Edition, BCT, (2012)

#### **Survey methodology**

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

Current survey protocol requires that a full visual inspection of the property is carried out; the survey covers all internal and external features of the building including inspection of any 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, 2<sup>nd</sup> Edition, Hundt, L (2012)*, *Bat Surveys for Professional Ecologists, Good Practice Guidelines 3<sup>rd</sup> edition (2016)*, 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, 3<sup>rd</sup> 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 perching and feeding areas used by bats.

#### **Timing of survey / weather conditions**

The site scoping survey was undertaken on Tuesday 13 September 2016 between 10.30 and 11.30.

The weather at the time of the survey was warm, dry and bright (max. temp: 20.0°C; cloud cover: 30%; wind: light southerly, rain: nil) providing optimal conditions for this level of survey.

## Personnel

The inspection was carried out by David Fisher (EED Surveys) - an ecological consultant with more than 25 years of experience in field survey work and development issues relating to protected species. The surveyor has held a licence since 1989 and is a volunteer bat worker with Natural England (via the BCT), a participating member of several UK bat groups and founder member of the Bowland Kilns and Caves Research Group.

Natural England Class Licence Registration Number: 2015 – 17599-CLS-CLS) CL15 (Bat Roost Visitor)

Natural England Class Licence Registration Number: 2015 – 12106-CLS-CLS) CL18 (Bat Survey)

## Survey limitations

The preliminary roost assessment is designed to determine the likely presence of bats within the property and does not necessarily prove absence.

Crevice-roosting bat species are able to roost within very narrow gaps, frequently less than 25mm wide; solitary roosting bats are sometimes overlooked during daylight inspections, particularly in situations where bats have gained access within cavity walls and roof materials or behind wall claddings, fascias and soffits.

Evidence of bat activity such as bat droppings or staining on external walls and surfaces is frequently removed by the action of wind and rain; apparent absence of evidence is therefore evaluated with caution.

National Biodiversity Network (NBN) and other data sources, whilst indicative of the bat species likely to occur within a 10km-grid square, do not confirm presence or absence of a species or habitat.

## Pre-survey data search

The 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 are:

- (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*.

## Pre-existing information

(10km grid square SD 74)

A local data search has found no records of roosting bats at this property or within nearby dwellings.

There are no records of previous EPS surveys at Dove Syke.

## Location of the property

(NGR: SD 731 452: elevation: approximately 145 metres).

The property is located in the Ribble Valley and the site is within the boundary of the Forest of Bowland Area of Outstanding Natural Beauty (AONB) approximately 1km NW of the village of West Bradford. The building is surrounded by broadleaved trees and borders a small wooded beck. The location is rural in character and there is extensive open countryside around the site.

A local data search has shown there are no designated nature conservation sites immediately adjacent to this property ie. Special Areas of Conservation (SACs), Sites of Special Scientific Interest (SSSI), Biological

### Description of the property

The property is a detached agricultural-type building with rendered block-work wall construction, concrete floor and duo-pitched cement fibre roof (figures 1 and 2). The two-bay roof has a steel A-frame with timber purlin construction supporting a single-skin corrugated panel roof; a number of clear roof panels (figure 5) provide natural light. The building is used for storage of cider vats and machinery, the area is cool, dry and poorly ventilated and is considered generally unsuitable for roosting bats. Similarly, there is no evidence of access by roosting or nesting barn owls, barn swallows or other wild birds.

Attached to the building is a single story lean-to shed with mono-pitched cement fibre roof (figures 3 and 4). The shed has a timber construction, concrete floor and corrugated panel roof with two clear skylight panels. The lean-to is used only for storage; the building is cool, damp and heavily shaded trees and climbers.

Externally the building is well-sealed; the roof has a moulded wrap-around verge and ridge and is very secure. All windows and doors are secure - there is no evidence of access by any protected species. The building is largely shaded by tree canopy and is overgrown with ivy (*Hedera helix*) and virginia creeper (*Parthenocissus*).



Figure 1:



Figure 2:



Figure 3:



Figure 4:



Figure 5:



Figure 6:

## Proposed works

Conversion of the existing building to a dwelling.

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## Survey results

The building currently has low potential for supporting a significant number of bats. An internal / external inspection of the property has found no evidence of access by roosting bats or nesting wild birds. An external examination of the narrow gaps beneath the moulded roof verges has found no evidence of feeding, perching or roosting bats.

## Evaluation of results

This type of structure is mostly unsuitable as a bat roost. Since the structure is heavily shaded by trees the property is generally cool and damp, it is unlikely that breeding bats or significant numbers of bats have ever been present. Although some of the narrow gaps beneath copings along the roof verge have low to moderate potential for attracting solitary roosting bats, there is no evidence that bats have ever been present.

## Scale of impact

The scale of impact of the proposed building changes on roosting bats is likely to be **minimal\*** (table 1 below).

**\*Minimal:** it is highly unlikely any bat species have been active within any part of the building.

**\*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 and recommendations

### Bats

#### Minimal / low risk

The proposed building alterations 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 development is unlikely to result in a breach of the Habitats Regulations.

Further survey effort is not required at this property.

### Barn owls

#### No risk

### Barn swallows

No risk

## ANNEX 1

### SUMMARY OF ADVICE

Action	Summary
1. Further survey effort at this site	Not required
2. Detailed method statement	Not required
3. Licence requirement (EPSL)	Not required
4. Removal of roofing materials	There is a relatively <b>low risk</b> of disturbing solitary roosting bats during removal of any roofing materials. In the unlikely event of any bats being exposed during the proposed building operations, work in that area should cease until the area has been inspected by a qualified person / ecologist.
5. Accidental exposure of bats	<p>Seek advice immediately.</p> <p>Cover any exposed bats to reduce any further risk of harm. Avoid handling bats wherever possible; always wear gloves if handling bats is necessary. Place the bats in a small dark and very secure box and leave in a cool and quiet place.</p> <p>Wherever possible, building / roofing contractors should try to prevent any bats from flying away in daylight. In warm weather bats are likely to fly off immediately when disturbed; during cold conditions bats are much less inclined to fly off.</p> <p>Call the surveyor for further advice before proceeding, otherwise contact the emergency help line at the BCT.</p>
6. 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.
7. Emergency advice on bats	<p>EED Surveys (David Fisher): 01200 425113 (office) or 07709 225783 (mobile) email: <a href="mailto:earthworksuk@yahoo.co.uk">earthworksuk@yahoo.co.uk</a></p> <p>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. <a href="http://www.bats.org.uk">www.bats.org.uk</a> email: <a href="mailto:enquiries@bats.org.uk">enquiries@bats.org.uk</a></p>

## 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 consent<sup>1</sup>.

*"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."*<sup>2</sup>

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).

<sup>1</sup> Bat Mitigation Guidelines, AJ Mitchell Jones, Joint Nature Conservation Committee, (2004) ISBN 1 86107 558 8

<sup>2</sup> Planning Policy Statement (PPS9) (2005), Biodiversity and Geological Conservation. ODPM.

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### 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<sup>1</sup>.

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".<sup>2</sup>

\* Designing for Biodiversity, RIBA (second Edition - 2013)    <sup>1</sup> Bat Surveys, Good Practice Guidelines, BCT (2007).    <sup>2</sup> Tony Mitchell-Jones, (BMG, 2004)

### Other references:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 5<sup>th</sup> Floor, Quadrant house, 250 Kennington Lane, London, SE11 5RD, 0845 1300 228

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