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Stephen Bialecki

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1 November 2016

Job ref: B 1756

Dear Mr Bialecki

Re: EPS – Daylight scoping survey: 3 Langho Woods, Old Langho, Blackburn, BB6 8AG

You have requested a European Protected Species scoping survey on behalf of clients Mr and Mrs Woodhouse 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 no evidence of bat roost activity at this property.

There are no signs of any maternity roost, mating roost or place of hibernation. The proposed building alterations are unlikely to result in disturbance to roosting bats and therefore the overall impact of the development on protected species is likely to be minimal / 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)

3201008947

(European Protected Species)

PRELIMINARY ROOST ASSESSMENT – BAT SURVEY REPORT

3 Langho Woods, Old Langho, Blackburn, BB6 8AG

Introduction

This level 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 Tuesday 1 November 2016 between 10.30 and 11.00.

The weather at the time of the inspection was cool, dry and bright (min. temperature: 10°C, cloud: 20%, wind: light NW breeze, rain: nil) providing satisfactory conditions for this level of survey.

Personnel

The inspection was carried out by David Fisher (EED Surveys) - an ecological consultant with extensive experience in field survey techniques and development issues relating to protected species.

The surveyor has held a Natural England licence since 1989 and continues to work as a voluntary bat worker via the Bat Conservation Trust / Natural England.

Current licences held:

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 general 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)

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

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.

The scope of the survey was limited to inspection of only those areas to be affected by the proposed works.

Pre-existing information

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

Proposed works

Two storey rear extension requiring modifications to the existing roof verge, fascia soffit and roof void as located in figure 3 of this report.

Reference: drawings as seen: existing / proposed - SJ Bialecki Ltd.

Bats in the Ribble Valley

Ten species of bats have been recorded in the Ribble Valley and Forest of Bowland AONB since 2008; bats occur within a very wide range of habitats, both urban and rural, particularly where there are areas of standing 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.

Contrary to popular belief, buildings constructed since 1970 are 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 secure sites to give birth to their young.

During late summer and autumn adults and young bats leave their breeding roosts and disperse within the wider district; there is also increasing evidence of seasonal movement and migration by certain species. All UK bat species feed exclusively on insect prey; hibernation between October / November and March / April is a period of relative inactivity, enabling bats to survive the winter period when food supply is least available.

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*.

*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.

The following bat species are frequently recorded within the 10km national grid squares: SD63 and SD73:

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

Bat species rarely recorded within the district:

Nathusius's pipistrelle	(<i>P. nathusii</i>) ²	current distribution unknown
Lesser horseshoe bat	(<i>Rhinolophus hipposideros</i>)* ³	locally very rare

*NBN data ¹East Lancashire Bat Group ²EED surveys ³Bowland Kilns and Caves Research Group

Location of the property

NGR: SD 701 360 Elevation: 65 metres

The property is located at Old Langho in the Ribble Valley. The house is situated in a semi-rural location within a small modern residential development just south of Brockhall Village.

The site is not adjacent to any extensive areas of open water or river channel, the nearest significant watercourse is the River Ribble more than 800 metres north of the site. Although the district is relatively well-wooded, there are no extensive areas of broadleaved woodland or plantation within 400 metres of the site.

The location of the property is sub-optimal in terms of connectivity to high-value feeding, foraging and commuting habitat for bats and there are no significant records of maternity roosts in nearby properties.

Description of the property

This is a modern-style two storey semi-detached house (built 1998) with standard brick and block cavity wall construction and duo-pitched timber-trussed roof (figures 1 to 6). The house is double-glazed throughout.

The roof void has no natural light and the area is clean, dry, and well-ventilated; the area is boarded throughout for storage and access and there are no signs of access by roosting bats or nesting wild birds.

Externally the building is very well-maintained and all areas are well-sealed and secure. At the rear of the property is a single storey conservatory with brick plinth and uPVC windows and doors and laminate roof.

All external roof areas including ridge tiles, roof verges and timber fascia-soffits appear to be very secure.



Figure 1:



Figure 2:



Figure 3: area of proposed extension



Figure 4:



Figure 5



Figure 6:

Images: 3 Langho Woods – 01/11/16

Survey results

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

There is no history of bats entering the property and a local data search has found no records of roosting bats.

The property is well-maintained and all areas are well-sealed and secure; consequently the building currently has relatively low potential for attracting roosting bats or nesting wild birds.

Evaluation of results

The proposed building alterations are unlikely to cause disturbance to roosting bats or nesting wild birds.

The impact of the building operations is likely to be **minimal / low** given the complete absence of signs of bat roost and bird nesting activity at the property.

Low impact / 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.

No further survey effort is required at the property.

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	Although there is no evidence of bats at this property there remains a low risk of disturbing solitary roosting bats during removal of roofing slates and felts. In the unlikely event of any bats being exposed during the removal of the roof spars, roof slates, verge tiles, bitumen felts or masonry; further operations in the area should cease until the building has been inspected by a qualified person / ecologist. (For further advice - see note 7 below).
5. Accidental exposure of bats	Seek advice immediately. Cover any 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, building / roofing contractors should try to prevent any bats from flying away in daylight. Call the surveyor for further advice before proceeding, otherwise contact the emergency help line at the BCT.
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	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

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. ODPM.

Protected species (Bats) and the planning process

Our built environment has the potential to have major negative impacts on biodiversity. However, if done sensitively, the development and refurbishment of buildings can, in fact, increase the ecological value of the site.*

For development proposals requiring planning permission, the presence of bats, and therefore the need for a bat survey, is an important 'material planning consideration'. Adequate surveys are therefore required to establish the presence or absence of bats, to enable a prediction of the likely impact of the proposed development on them and their breeding sites or resting places and, if necessary, to design mitigation and compensation. Similarly, adequate survey information must accompany an application for a Habitats Regulations licence (also known as a Mitigation Licence) required to ensure that a proposed development is able to proceed lawfully¹.

The term 'development' [used in these guidelines] includes all activities requiring consent under relevant planning legislation and / or demolition operations requiring building control approval under the Building Act 1984.

Natural England (Formerly English Nature) states that development in relation to bats "covers a wide range of operations that have the potential to impact negatively on bats and bat populations. Typical examples would be the construction, modification, restoration or conversion of buildings and structures, as well as infrastructure, landfill or mineral extraction projects and demolition operations".²

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

Other references:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5RD, 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.