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FAO: Judith Douglas

Janet Dixon Town Planners Ltd
144 Woone Lane
Clitheroe
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20 October 2016
Job ref: B 1751

Dear Judith

Re: EPS – Daylight scoping survey: Myerscough House, Longsight Road, Clayton-le-Dale, BB2 7JA

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

The Local Planning Authority is required to take account of the impact of a development on protected species in accordance with current planning policy (National Planning Policy Framework). RVBC requires an appraisal of the likely impact of the proposed development on all bat species that are present or likely to be present at the site, in addition to any mitigation and enhancement works that may be necessary.

As a consequence of the historical declines in bat populations during the second half of the twentieth century, all bats and their roosts are protected by UK law. The depletion of natural habitats throughout the UK means that some bat species are now more than ever dependent on houses and other structures as roosting sites. It is this dependence that makes them vulnerable to redevelopments that can result in damage or destruction of a roost, particularly maternity roosts, resulting in negative impacts on a local bat population.

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

The conservation significance of the property in terms of protected species is low. The proposed development is likely to cause minimal risk to roosting bats and other protected species at this site.

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

Please find a copy of the survey report now attached.

Yours sincerely

David Fisher
Director (EED Surveys)

(European Protected Species)

PRELIMINARY ROOST ASSESSMENT – BAT SURVEY REPORT

Myerscough House, Longsight Road, Clayton-le-Dale, BB2 7JA

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 Wednesday 19 October 2016 between 10.00 and 10.30.

The weather at the time of the inspection was cool, dry and bright (minimum temperature: 10°C, cloud: 10%, wind: calm, rain: nil) providing optimal conditions for this level of survey.

The weather conditions were satisfactory for this level of survey.

Personnel

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

Proposed works

The proposed development is a single storey extension to the existing building (as shown figures 1 to 3) requiring modifications and disturbance to the external walls, flat bitumen roof and fascia soffits.



Figure 1:



Figure 2:

Figure 3:

Aims of the survey

The aims* of the survey are generally to:

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

* 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.

Objectives of the survey

- ✓ To observe, assess and record suitable roosting, feeding, foraging and commuting habitat for bats and other protected species at the property.
- ✓ To assess the actual or potential presence of bats and other protected species and determine whether further survey effort is likely to be required.
- ✓ To identify the level of mitigation and compensation measures that are likely to be required.

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 this survey is limited to the single storey extension as shown in figures 1 to 4 of this report.

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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 likely to be present within the 10km national grid squares: SD63 and SD73:

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

*NBN data ¹East Lancashire Bat Group ²EED surveys

Pre-existing information

None

Bats in the Ribble Valley

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

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

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

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Location of the property

NGR: SD 6555 3245 Elevation: 100 metres

The property is located on Longsight Road (A59) and is within 50 metres of the highway and adjacent to open countryside at the rear and close to extensive open countryside to the north. The location is relatively open and exposed to the prevailing winds and there are no shelter-belt trees or woodlands nearby. The nearest extensive broadleaved woodland habitat is approximately 0.5km north of the site at Mire Wood.

Similarly there are no areas of open water, river channel or significant riparian woodland habitat nearby.

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).

The location of the property is sub-optimal in terms of access to high-value feeding foraging and commuting habitat for bats. Old Park Wood is the nearest Biological Heritage Site (BHS) located 1km north of the site.

Description of the property

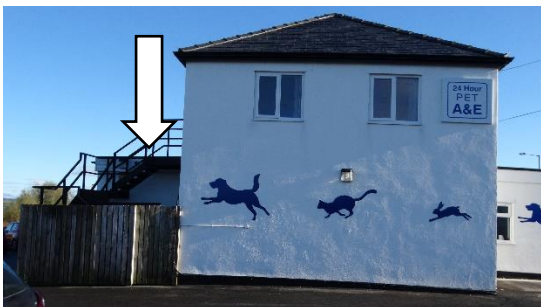


Figure 4: Myerscough House Veterinary Centre.

The building is a two storey building with brick and block construction and duo-pitched hipped roof. The proposed development is likely to affect the single storey extension to the rear of the building only (as located in figure 4).

The existing rear extension has rendered block wall construction with flat bitumen roof and well-sealed PVC fascia-soffit. The building comprises surgery, preparation room and small kennel area; the rooms are double-glazed and all parts of the building are very secure.

There is no evidence of access by roosting bats at the property and it is highly unlikely that bats or other protected species have ever been present.

Survey results

There is no evidence of bat droppings or other indicative signs of access by bats or nesting wild birds.

The fabric of the building is well-maintained and all external rendering and roof materials are very secure.

The building has minimal potential for attracting roosting bats or nesting wild birds.

Evaluation of results

The survey has found no evidence of roosting bats at this property, therefore the conservation significance of the building in terms of providing access and shelter to roosting bats is considered **minimal**.

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Scale of impact

The scale of impact of the proposed building works on roosting bats is likely to be **minimal***

***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

Recommendations

The conservation significance of this property is **low**.

The building currently has **minimal** for supporting protected species.

The scale of impact of building works at site level on local bat populations will be **minimal**.

The proposed roofing works and 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

Action	Advice / comments
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	<p>General recommendation:</p> <p>In the unlikely event of any bats being exposed during the removal of the roof spars, roof slates, verge tiles, bitumen felts or brickwork, operations in those areas should stop until the building has been fully inspected by a qualified person / ecologist. (For further advice - see note 7 below)</p>
5. Accidental exposure of bats	<p>Seek advice immediately.</p> <p>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.</p> <p>Wherever possible, building / roofing contractors should try to prevent any bats from flying away in daylight.</p> <p>Call the surveyor for further advice before proceeding, otherwise contact the emergency help line at the BCT.</p>
6. Legal responsibility	<p>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.</p>

7. Emergency advice on bats	<p>EED Surveys (David Fisher): 01200 425113 (office) or 07709 225783 (mobile)</p> <p>email: earthworksuk@yahoo.co.uk</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.</p> <p>www.bats.org.uk email: enquiries@bats.org.uk</p>
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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). ²Tony 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.