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Charles Stanton

Stanton Andrews Architects
44 York Street
Clitheroe
Lancashire
BB7 2DL

9 December 2016

Job ref: B 1764

Dear Charles

Re: EPS – Daylight scoping survey: Premises at 62 Moor Lane, Clitheroe, Lancashire.

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 / demolition at 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 potential 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 / demolition works 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)

(European Protected Species)

PRELIMINARY ROOST ASSESSMENT – BAT SURVEY REPORT – 24/11/16

Premises at 62 Moor Lane, Clitheroe, Lancashire.

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 Thursday 24 November 2016 between 11.00 and 12.00.

The weather at the time of the inspection was cool, dry and bright (min. temperature: 6°C, cloud: 15%, wind: light NE breeze, 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 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:

- 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:

- 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.

* Reference: Defining aims and objectives, p15 BCT Bat Surveys - Good Practice Guidelines, (3rd edition 2016)

Survey methodology

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

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.

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 cavity walls, roofing materials and other significant structural features.

A lack of evidence of bat activity does not necessarily prove absence.

The scoping survey takes into account the risk potential of bats being present in a building. Evidence of bat activity such as droppings and feeding signs is sometimes absent despite the property having been assessed as relatively high risk, in which case a negative result is evaluated with caution.

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

Local bat records are compiled from a number of reliable sources but may also include unverified public data.

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 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

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

A number of protected species surveys were recently carried out at the neighbouring Holmes Mill property off Greenacre Street in 2015 by Urban Green. A dusk emergence survey was undertaken on 03/09/15 and a dawn re-entry survey was carried out on 09/09/15. The surveys found no evidence of roosting bats within any of the buildings.

A single bat species (ie. common pipistrelle) was occasionally recorded in flight over a nearby river channel.

Location of the property

NGR: SD 742 412 Elevation: 70 metres

The property is located off Moor Lane, close to the centre of Clitheroe although outwith the boundary of the Clitheroe Town Conservation Area. The SW elevation of the building is adjacent to Mearley Brook and the site is surrounded by commercial and residential properties within the town's well-established urban core.

The front of the building (figures 1 to 5 of this report) is adjacent to an area of hard-standing currently used for vehicle parking, and bordered by public rights of way on the NE side elevation and NW rear elevations. To the rear of the property is a post-industrial retail development at the Holmes Mill complex.

Description of the property

The property is an industrial / commercial unit with rendered front elevation (figure 1) and pre-fabricated cement panel upper walls to sides and rear (figure 2). There is a single storey side extension on the NW elevation (figure 3) with brick wall construction and flat bitumen roof, timber fascias and single glazing.

The main unit has a duo-pitched roof comprising corrugated cement-asbestos sheets with 9 No. semi-opaque roof panels. The roof verges are protected by a wrap-around moulded coping and the roof is likely to be lined and insulated with a glass fibre thermal material as present on the rear elevation (arrow in figure 2).



Figure 1: Front elevation



Figure 2: rear elevation



Figure 3:



Figure 4:



Figure 5:

The property is currently a trading unit (figure 5) all areas are generally well-sealed and there are no internal roof voids to inspect. The unit has concrete floors throughout and all parts of the building are considered minimal risk in terms of potential or actual roosting opportunities for bats or nesting potential for wild birds.

Proposed works

It is understood the proposed is to demolish the building down to top of the existing masonry walls prior complete removal of the building.

Survey results

There are no publicly available records of roosting bats at this property.

Recent bat surveys at the nearby Holmes Mill site in late summer / early autumn 2015 found low frequency bat activity along the river channel by common pipistrelle bats. The location of the property is sub-optimal in terms of access to high-value feeding, foraging and commuting activity for bats and other protected species.

The property is currently in daily use as a trading unit. Although the building is located beside the river channel the construction type and external features are generally unattractive to roosting bats. The building lacks any internal voids and external features are unlikely to attract regular or significant use by roosting bats.

Roof areas including any insulated cement-asbestos panels and upper wall claddings provide low potential for access and occasional roosting opportunities for solitary bats; the overall risk however is considered to be relatively low despite the buildings proximity to a water course.

Externally there are no indicative signs of access by bats or wild birds.

The conservation significance of the building is low.

It is unlikely that bats are regularly present although solitary crevice-dwelling species such as common or soprano pipistrelles may very occasionally find refuge beneath wall / roof materials, ridge tiles or moulded roof verges where small gaps may exist.

It is highly unlikely that significant numbers of bats have ever been present and there is no risk of the proposed works causing disturbance to a maternity roost, mating roost or hibernaculum.

Evaluation of results

The proposed building demolition is unlikely to cause significant disturbance to roosting bats or nesting wild birds. The impact of the building / demolition operations is likely to be minimal given the complete absence of signs of bat roost and bird nesting activity at the property.

Impact assessment

Minimal impact - low risk

Summary and recommendations

The proposed building demolition is **unlikely to cause significant 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 building materials	Although there is no evidence of bats at this property there remains a minimal to low risk of exposing or disturbing solitary roosting bats during the proposed removal of roofing materials. Similarly, there remains a minimal / low risk of disturbing solitary common pipistrelles or other crevice-dwelling species during removal of insulated upper wall panels particularly on the side of the building adjacent to the river channel. In the unlikely event of any bats being exposed during the removal of the roof spars, roof tiles, 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 continuing works in the area where bats are likely to be at risk of disturbance, injury or death. The Bat Conservation Trust (BCT) operates a bat help-line for all bat-related issues (see note 7 below).
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). 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 - 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

