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FAO: Judith Douglas

Judith Douglas Town Planning Ltd  
90 Pimlico Road  
Clitheroe  
BB7 2AH

25 October 2016

Job ref: B 1749

Dear Judith

Re: EPS – scoping survey: Wheatley Farm, Thornley-with-Wheatley, Preston, PR3 2TD

You have requested a preliminary roost assessment and site scoping survey (European Protected Species) on behalf of your client Mr Malcolm Hayhurst, for conversion of two agricultural buildings to dwellings and demolition of an adjoining agricultural building at Wheatley Farm at Thornley-with-Wheatley.

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.

An initial site scoping survey of the property was undertaken on 12/07/2011 (EED Surveys – Job B985). The daylight survey found no evidence of protected species in any of the farm buildings, consequently the report confirmed that the proposed development was likely to be relatively low risk. The current survey undertaken on 12/10/2016 has also found no evidence of roosting bats or roosting and nesting barn owls, although there are signs of nesting activity by barn swallows in one of the lean-to buildings.

The attached report concludes that the proposed development, including demolition of the lean-to barn at the rear of the main stone barn should proceed without a requirement to obtain a development licence (EPSL) since the building and demolition operations 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 - SURVEY REPORT**

Wheatley Farm, Thornley-with-Wheatley, Chipping, Preston, PR3 2TD

Date of survey: 12/10/16

## **Introduction**

A daylight scoping survey of buildings at Wheatley Farm was undertaken on Wednesday 12 October 2016. The protected species survey is in support of a planning application for two barn conversions at the property.

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.

An assessment of the buildings involved detailed inspection of the external and internal features to look for evidence of flight, feeding, perching or other indicative signs of activity normally associated with roosting bats and nesting wild birds.

The principle aim of the survey is to determine the presence of European Protected Species and 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. Buildings assessed during the sub-optimal (winter) period as having moderate or high potential for supporting protected species are likely to require additional survey effort during the optimal (summer) survey period when species are most active.

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 survey was carried out on Wednesday 12 October 2016 between 15.00 and 17.00.

The weather was cool, dry and bright (min. temperature: 12°C, cloud: 20%, 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 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 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, (3<sup>rd</sup> edition 2016)

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*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)

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## 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, 2<sup>nd</sup> 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, 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 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, feeding signs and other indicative evidence such as staining on external walls and surfaces is frequently removed by the action of wind and rain; as a cautionary principle it should be assumed that the absence of evidence of bats is not necessarily evidence that bats are not present.

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 620 398)

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) Bat records from local sources include: (i) East Lancashire Bat Group (ELBG) (ii) North Lancashire Bat Group (NLBG) (iii) EED Surveys (iv) 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:

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

Bat species rarely recorded within the district:

Nathusius's pipistrelle	( <i>P. nathusii</i> ) <sup>2</sup>	current distribution unknown
Lesser horseshoe bat	( <i>Rhinolophus hipposideros</i> )	rare in this region

\*NBN data    <sup>1</sup>East Lancashire Bat Group    <sup>2</sup>EED surveys

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## Pre-existing information

An initial site scoping survey of the property was undertaken on 12/07/2011 (EED Surveys – Job B985). The daylight survey found no evidence of protected species in any of the farm buildings, consequently the report confirmed that the proposed development “*was unlikely to cause significant disturbance to roosting bats or result in the loss of a bat roost...or result in any significant impact on a local bat population*”.

Further survey effort was not recommended at the time of the inspection (Summer 2012).

## Proposed works

Conversion of barns ‘A’ and ‘C’ to dwellings.

Demolition of building ‘B’

Conversion of building ‘D’ to garage

## Location of the property

Name of site: Wheatley Farm. NGR: (SD 620 398) elevation: approximately 100m.

The property is situated in a rural location within the boundary of the Forest of Bowland AONB approximately 3km south-east of Chipping village on the north-facing side of Longridge Fell. The farm comprises a collection of closely associated agricultural buildings; the site is surrounded by extensive open countryside (figure 1).

The site is not adjacent to broadleaved woodland or plantation edge; the nearest significant woodland is mixed plantation 0.5km south of the property and there is also extensive conifer woodland at Longridge Fell 1km east of the property. (Phase I habitat category: A1.2.2 Coniferous woodland – plantation).

The buildings are not adjacent to a water channel or area of standing open water. The nearest significant water course is the River Loud approximately 0.5km north of the farm property.

Although Wheatley Farm is within the AONB boundary, there are no specific nature conservation designations immediately adjacent to the property – ie. 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).

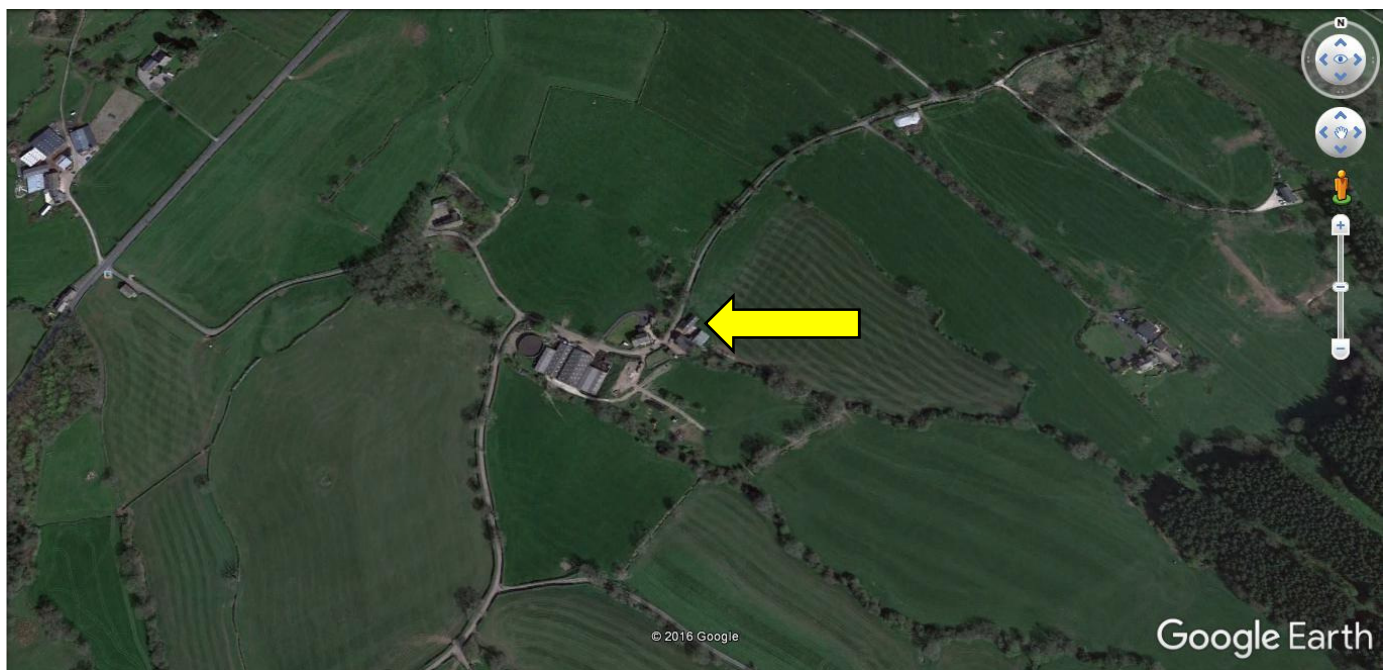


Figure 1: Location of Wheatley Farm – (NGR: SD 620 398)

## Description of the property

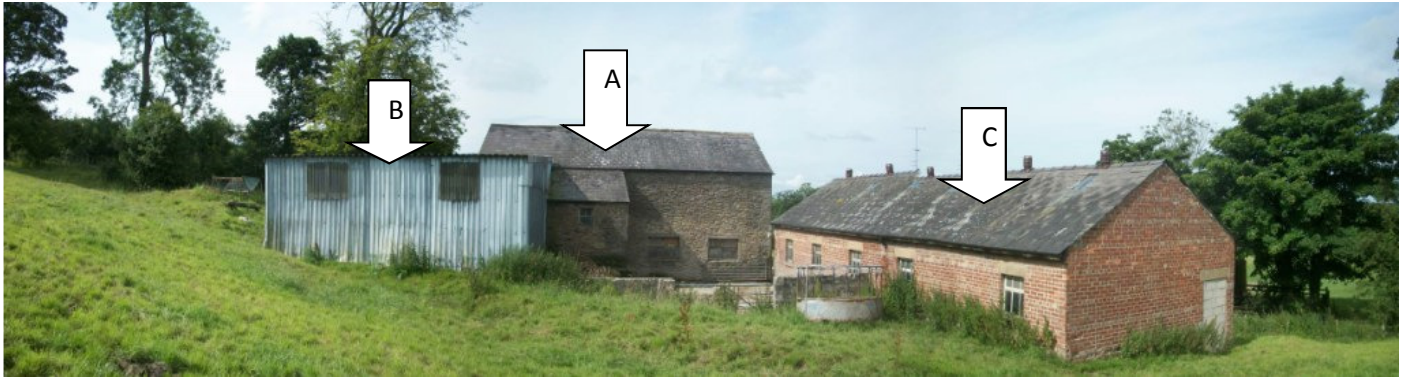


Figure 2: View of buildings at Wheatley Farm – buildings A, B and C



Figure 3: Brick shippon – building C



Figure 4: Building C



Figure 5: Building C



Figure 6: Stone barn - building A



Figure 7: Building B - rear elevation



Figure 8: Building B - front elevation



Figure 9: Barn A - roof detail



Figure 10: view inside Barn B

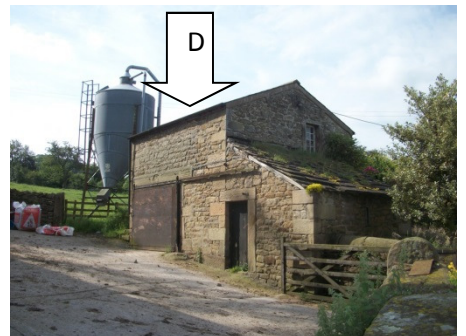


Figure 11: out-building - building D

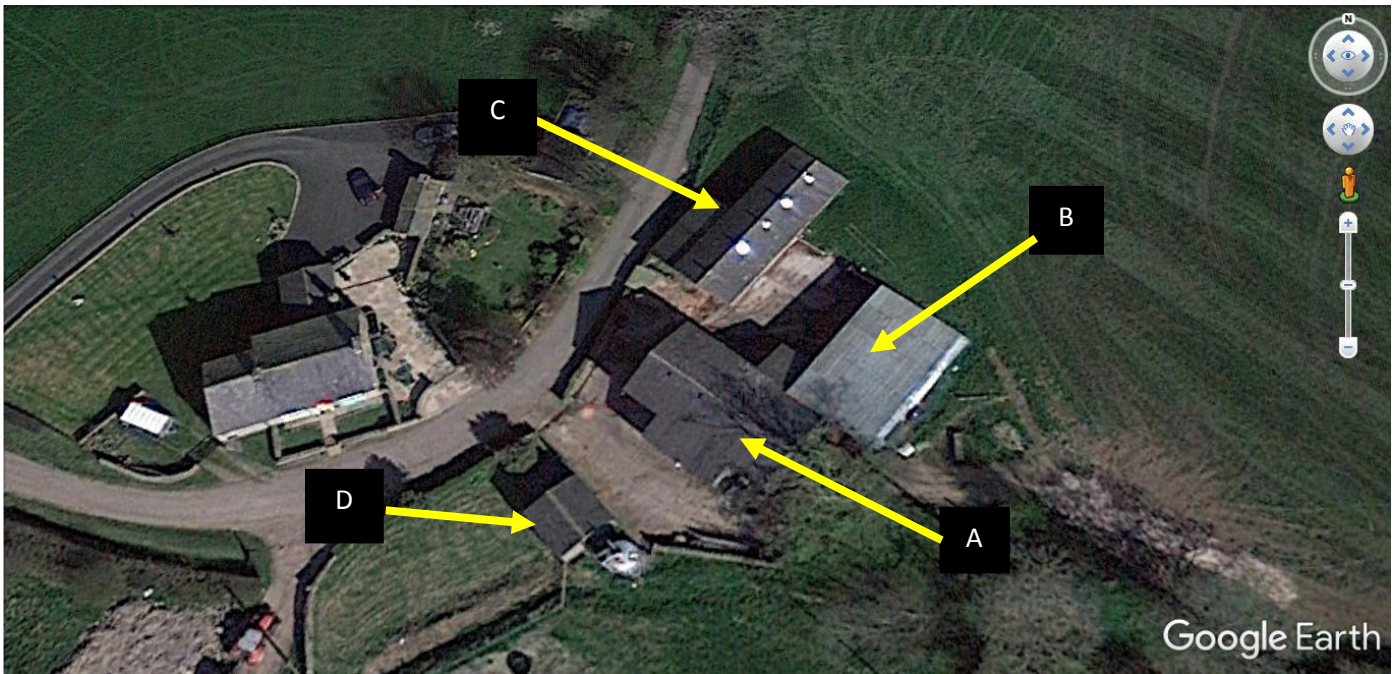


Figure 12: Aerial view of the property showing location of buildings at Wheatley Farm.

Descriptions of the four buildings as shown in figures 2 to 12:

Building A: (low risk)

Stone Barn with rubble infill wall construction and pitched rafter-with-purlin slate roof. The duo-pitched 4-bay roof is unlined and there are no enclosed voids or cavities (figure 9), 4 no. glass slip skylights provide some natural light within the building. There is a hay loft at the north end of the building with under croft below. The barn is located on gently rising ground with split level ground floor and steps to the lower level. The barn has a wagon door entrance and a small enclosed croft on the front elevation beside the wagon door entrance.

The barn connects to a shippon (building 'B')

Building B: (low risk)

Shippon / barn with timber frame and box-section alloy upper walls and mono-pitch roof; the lower walls have a block work construction with open portal; the building appears to be used occasionally as an animal shed and there is bedding throughout the barn.

Building C: (low risk)

Single storey brick shippon (figures 1 to 4), with a 5-bay duo-pitched slate roof and lean-to shed on the north elevation. The roof is unlined and the building is largely unused except for light storage of materials / machinery; the cubicle shed has 8 no. glazed windows providing good natural light. The structure is cool, dry and draughty.

Two swallow nests were noted on roof purlins within the lean-to shed (lower level).

Building D: (low risk)

A small two storey stone out-building / garage with pitched slate roof (dated 1820). The roof is lined with a bitumastic felt and the building is generally well-sealed and secure.

The upper floor is a timber loft area used for storage only. There is a small single storey lean-to shed with mono-pitch slate roof, the lean-to is cool and damp used only as a wood store. The ground floor garage remains in use, the area is well-sealed and there are no windows, the area is generally dark, cool and dry.

## Survey results

A preliminary roost assessment has been carried out on buildings 'A' to 'D' as located in figure 12.

The buildings were assessed for their potential to support protected species – the assessment is primarily based on the presence of field evidence such as droppings, feeding signs and other indicative evidence of perching, feeding, flight, day / night roosting, mating and nesting activity:

<b>Potential of buildings to support roosting bats, barn owls and barn swallows</b>			
	Bats	Barn owls	Barn swallows
Barn A	Orange	Orange	Orange
Barn B	Green	Yellow	Orange
Barn C	Yellow	Yellow	Orange
Lean-to attached to barn C	Green	Green	Red
Building D loft	Yellow	Green	Green
Buildings D ground floor / woodshed	Green	Green	Green

Minimal potential	Low potential	Moderate potential	High potential
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Table 1: Potential of buildings to support protected species.

### Bats

There is no evidence of roosting, perching or feeding bats within any of the buildings.

### Barn owls

There is no evidence of barn owl activity within any of the buildings.

### Barn swallows

Swallow nests were noted on roof purlins in the lower section of the lean-to shed attached to building 'C'.

### Evaluation of results

The buildings have relatively low conservation significance for protected species. Two scoping site surveys have found no clear evidence of roosting bats or barn owls at this property.

Several of the buildings have potential for roosting and nesting barn swallows.

The proposed building alterations are unlikely to result in loss of a bat roost or cause disturbance to roosting bats or nesting barn owls.

Demolition of building 'B' is unlikely to disturb roosting bats or result in the loss of a bat roost.

## Scale of impact

The scale of impact of the proposed barn conversions on roosting bats is likely to be **low\***

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

**\*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.

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

## Summary and recommendations

The proposed development at Wheatley Farm 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.

The scale of impact of the development at site level on local bat populations is likely to be **minimal / low**.


Further survey effort at this site is **not recommended**; demolition of building 'B' should proceed with reasonable caution and vigilance for the unexpected presence of solitary roosting or torpid bats.

In the unlikely event of bats being exposed or vulnerable to harm during the proposed works you should follow the mitigation procedures outlined below and seek further advice immediately.

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.

## 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	<b>NOT REQUIRED</b>
2. Timing constraints	<b>NOT REQUIRED.</b>
3. Detailed method statement	<b>NOT REQUIRED</b>
4. EPS Licence requirement	<p><b>NOT REQUIRED</b></p> <p>A licence is only required if the proposed activity is likely to result in an offence.</p>
5. Legal protection	<p>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.</p>
6. Further information and advice	<p>EED Surveys (David Fisher): 01200 425113 (office) or 07709 225783 (mobile)</p> <p>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 the area to arrange a site visit.</p> <p><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>
<p>7. Nesting barn swallows</p>  <p><b>Example:</b></p> <p><b>SCHWEGLER No 10 Swallow Nest</b> (for locating inside out-buildings to encourage barn swallows)</p>	<p>The location of the property is attractive to roosting and nesting swallows.</p> <p>Wherever possible, the provision for nesting swallows should include design modifications such as inclusion of covered areas to encourage nest building and / or use of artificial nest platforms.</p> <p>Barn swallows (<i>Hirundo rustica</i>) are likely to be present during the spring and summer at this site. Swallows particularly are faithful to the same sites and will return each spring to the same site. Long-term monitoring of population trends has shown significant declines in parts of the UK.</p> <p>It is increasingly difficult for barn swallows to find suitable nesting opportunities in buildings. Using artificial nest platforms can encourage swallows and martins to nest under eaves and inside open portal structures such as stables and garages.</p> <p>The design of the proposed development should aim to provide nesting opportunities for swallows to compensate for the loss of nests in building 'C'</p> <p>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.</p> <p>If exclusion of nesting / roosting swallows is required before building works are carried out, the closure of the buildings <b>must take place during before the end of February.</b></p>

## 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 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

Defra Circular 01/2005 (to accompany PPS 9) - Department for Environment, Food and Rural Affairs. [www.defra.gov.uk](http://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, 3<sup>rd</sup> Floor, Bridgewater House, Whitworth Street, Manchester, M1 6LT 0300 060 1062

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

