



3 Meadowlands, Low Moor, Clitheroe. Lancashire. BB7 2ND  
01200 425113 M: 07709 225783 earthworksuk@yahoo.co.uk

---

**Barry McMahon**

Modulus  
23 Gleneagles Drive  
Brockhall Village  
Blackburn  
BB6 8BF

12 September 2014

Job ref: B 1485

Protected Species Survey: Stone barn at Eatough's Farm, Fleet Street Lane, Ribchester, PR3 3XE

You have requested a protected species survey (EPS survey) as a condition of a planning application to Ribble Valley Borough Council for a proposed building alterations at Eatough's Farm.

An initial scoping survey was undertaken in November 2012 to search for evidence of roosting bat and birds in several of the buildings at this property including the large stone barn. Although the report found no evidence of roosting bats or barn owls, two of the buildings were identified as having some potential for bats.

The Local Planning Authority must take account the impact of a development on protected species in accordance with current planning policy (National Planning Policy Framework). RVBC's Countryside Officer - Phil Johnson has now requested that further survey effort is undertaken within buildings #3 and # 5 (as shown on the existing site plan) and include two additional surveys during the optimal summer survey period *"to give an indication as to the general bat population in the area which would advise [the local authority] on either mitigation or habitat enhancement measures"*.

Natural England advises, *"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".*

The two additional surveys have now been carried out; although there are no signs of bat activity in the small outbuilding (Building #3) there is clear evidence of regular bat activity inside the main barn (Building #5).

The proposed development will therefore require mitigation measures to be adopted to ensure that roosting bats are considered during the development in addition to specific enhancement works including a number of design adaptations to compensate for the loss of existing bat roosting opportunities. The attached survey report also provides a detailed method statement to include the mitigation and compensation works now required.

Yours sincerely

David Fisher

# EUROPEAN PROTECTED SPECIES (EPS)

Eatough's Farm Barn. Fleet Street Lane, Ribchester, PR3 3XE (NGR: SD 629 358)

**Dusk emergence survey: 30 August 2014: Dawn re-entry and swarming survey 6 September 2014**



Figure 1: Barn (Building #5)



Figure 2:



Figure 3:

## 1 INTRODUCTION

### 1.1 Location of property

NGR: SD 629 358 - (10km grid square SD 63) - elevation: approximately 75 metres.

Eatough's Farm is located 2km WNW of Ribchester and 1.1km north of the River Ribble at Hothersall Hall. The site is surrounded by agricultural land comprising mainly improved grassland (*category B4 - Phase 1 habitat*) or semi-improved neutral grassland (*category B2.2 Phase 1 habitat*).

Although there is no extensive woodland or plantation adjacent to the barn, there are several small wooded copses and well-established broadleaved hedgerows throughout the district. There are mature boundary hedges adjacent to the site of mostly hawthorn (*Crataegus*), blackthorn (*Prunus spinosa*), Hazel (*Corylus*), willow (*Salix*) and sycamore (*Acer*) and within the garden a number of damson trees (*Prunus domestica*).

There are no areas of open standing water adjacent to the site although there are a number of small ponds in the area; Alston Reservoir at Longridge is the nearest large water body and is located 1.5km from the site. Similarly, there are no significant water channels nearby, the River Ribble is 1.1km SE of Eatough's Farm.

A local data search has been undertaken to identify designated nature conservation sites within the 2.5 km of 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 Geomorphological Sites (RIGS).

### 1.2 Description of property

There are 5 buildings at Eatough's Farm:

- (1) Building 1 - small outbuilding (as shown in figure 4)
- (2) Building 2 - sheds / old pens (as shown in figure 9)
- (3) Building 3 - small outbuilding (as shown in figures 5 to 8)
- (4) Building 4 – farmhouse (not included within the development)
- (5) Building 5 - large stone barn (as shown in figures 1 to 3 and 10 to 12)



Eatough's Farm buildings: 30 August 2014



Figure 4: Building #1



Figure 5: Building #3



Figure 6: Building #3



Figure 7: Building #3 rear



Figure 8: Building #3



Figure 9: Building #2 on right



Figure 10: Building #5 (north-east gable end)



Figure 11: Barn roof and main portal



Figure 12: Barn entrance - main portal

A careful inspection of the three outbuildings has found no evidence of access by bats; the conclusions are consistent with the previous survey inspection carried in November 2012.

Building 1: a small shed with rendered brick construction and duo-pitched cement-asbestos sheet roof and single glazed window; the building is partly clad in ivy and is in poor structural condition (to be demolished), low potential for supporting roosting bats.

Building 2: a small block walled shed / animal pen with concrete floor and mono-pitched cement-asbestos sheet roof now partly collapsed – very low potential for supporting roosting bats.

Building 3: a stone-built shed with duo-pitched slate roof, the roof is unlined and has one small glass slip skylight. Both gable end are mortar-pointed although there are many gaps in the masonry and along the roof verges. The building is currently used as a tool shed; it is partly covered in ivy and requires renovation. Although the building has very low potential for supporting breeding bats, however there is some (low) potential for attracting solitary roosting / perching bats.

Building 4: the farmhouse is not included within the scope of the survey (not illustrated).

Page 2 of 17

Building 5: the detached stone barn is a substantial two storey structure with well-pointed external stonework and block-lined cavity wall construction. The barn has been recently re-roofed with a timber trussed duo-pitched slate roof lined with a breathable membrane. There is a large open portal on the front elevation (figure 12), all windows are currently boarded.

Although the ridge tiles and roof verges appears to be relatively well-sealed, there are gaps between the timber fascia boards and stonework. Internally there are gaps between the roofing spars and the blockwork walls at both gable ends and there is evidence of fresh bat droppings on sills, block walls and timber spars throughout the building.

This building has moderate to high potential for attracting bats.

### **1.3 Adjacent habitat**

The barn is adjacent to a broadleaved hedgerow and a wet ditch at the rear (west) with extensive open countryside beyond. The hedge comprises mainly: common ash (*Fraxinus*), hawthorn (*Crataegus*), blackthorn (*Prunus*), damson (*Prunus*), honeysuckle (*Lonicera*) and bramble (*Rubus*).

### **1.4 Proposed works**

It is understood the proposed planning application is for conversion of the existing barn to a two storey dwelling.

Additionally, existing outbuildings #1 and #2 will be demolished and building #3 will be retained and converted.

### **1.5 Aims of the survey**

The aim of the scoping survey is to assess the potential value of the site for European Protected Species (EPS) and to establish whether bats, barn owls or other protected species have ever been active within any part of the buildings that are 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 any development can proceed without breaking the law.

*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\*.*

\*Bat Surveys, Good Practice Guidelines, BCT, (2007).

*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)

## **1.6 Survey methodology**

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*).

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

Page 3 of 17

The search was made using a high-powered lamp (Clu-lite CB2 - 1,000,000 candle power), close-focussing binoculars (Leica Trinovid), a digital camera (Kodak MD41) and 900mm endoscope (ProVision 300) to view all likely areas of the building for the presence of bats, ie. droppings and urine spots, roost staining, corpses, bat fly larvae and feeding remains such as discarded moth and butterfly wings and other insects fragments typically found in a perching and feeding area.

Evening emergence and flight activity was monitored using ultrasonic bat detectors.

Two types of device were used to interpret and record echolocation calls: (1) Batbox Duet - (heterodyne and frequency division) and (2) Anabat SD2 CF detector with a PDA – (HP iPAQ pocket PC); Sony headphones were used throughout the survey.

The dusk survey began 30 minutes before sunset (sunset was approximately 20.00) and continued for 1 hour and 45 minutes after sunset. The surveyor was positioned to the south-east corner of the building with clear views of the south and east elevations. A Sony video recorder with infra-red night-vision and 4 lamp IR lighting rig was used to record activity inside the building between 20.15 and 21.30.

The dawn survey began 1 hour and 45 minutes before sunrise (sunrise was at 06.20) and continued until 06.30.

Both surveys were undertaken during optimal weather conditions.

## **1.7 Data search - pre-existing information**

A daylight scoping survey was carried out on 3 November 2012 by Denis Lambert; the survey report found, “no evidence of previous or present occupation by bats in any of the buildings” and there were no signs of roosting by barn owls.

The survey found buildings 3 and 5 had some potential for foraging and roosting bats.

The survey was outwith the optimal survey period for roosting bats as recommended in the BCT guidelines.

## **1.8 Pre-survey data search (10km grid square SD 63):**

The pre-survey desk study includes review of relevant data sources, these include:

(1) European Protected Species (EPS) – ie. locally significant bat roosts or species records within the district.

- (2) Locally, regionally or nationally important wildlife and conservation designations.
- (3) EPS surveys undertaken at this site and other properties within 2.5km of the site.
- (4) National Biodiversity Network (NBN) terrestrial mammal records (chiroptera) for the 10km grid square.
- (5) East Lancashire Bat Group (ELBG)
- (6) Interactive maps: *Natureonthemap* (Natural England) and *Magic.gov.uk*.

A local data search was carried out to identify records of protected species (bats) within a radius of 2.5km.

The following bat species have been recorded within the wider district (SD63):

- |                        |                                    |
|------------------------|------------------------------------|
| • Natterer's bat       | <i>(Myotis nattereri)</i>          |
| • Whiskered bat        | <i>(M. mystacinus)</i>             |
| • Brandt's bat         | <i>(M. brandtii)</i>               |
| • Daubenton's bat      | <i>(M. daubentonii)</i>            |
| • Brown long-eared bat | <i>(Plecotus auritus)</i>          |
| • Common pipistrelle   | <i>(Pipistrellus pipistrellus)</i> |
| • Soprano pipistrelle  | <i>(P. pygmaeus)</i>               |
| • Noctule bat          | <i>(Nyctalus noctula)</i>          |

Page 4 of 17

## 2 FIELD SURVEY

### 2.1 Personnel

The survey was carried out by David Fisher (Earthworks Environmental Design) - an experienced consultant with more than 25 years of experience in ecological survey work and development issues relating to protected species. He has held a licence since 1989 and continues to act as a volunteer bat worker with Natural England.

Natural England Class Licence Registration Number: CLS03502 (April 2014 – April 2015)

Class Survey Licence WML CL15 (Volunteer Roost Visitor Level 1)

Class Survey Licence WML CL18 (Bat Survey level 2)

### 2.2 Timing of the survey / weather conditions

- (1) A daylight survey and site inspection was undertaken on 30 August 2014 between 19.00 and 20.00
- (2) A dusk emergence survey was carried out on the same evening between 20.00 (sunset) and 21.45
- (3) A dawn re-entry and swarming survey was carried out on 6 September 2014 between 04.30 and 06.30

The weather at the time of the evening survey was very mild, dry and overcast (minimum temperature: 14.2°C; maximum temp. 15°C; Relative humidity: 55% - 70% RH; cloud: 100%, wind: light south-west breeze; precipitation: nil) providing excellent conditions for a dusk emergence survey.

The weather at the time of the dawn survey was very mild, dry and overcast (minimum temperature: 15°C; maximum temp. 15°C; Relative humidity: 55% - 70% RH; cloud: 100%, wind: calm; precipitation: nil) providing optimal conditions for a dawn survey.

---



### 3 RESULTS

#### 3.1 Field Survey (daylight scoping survey)

##### Bats

A daylight inspection of the buildings found no evidence of bat or owl activity in buildings #1, #2, or #3.

The scoping search of the barn (building #5) found clear evidence of bat droppings and feeding signs throughout the building. A total of 92 discarded insect wings were found on the floor of the barn, including the following prey species – small tortoiseshell butterfly (46 wings), peacock butterfly (12 wings), yellow underwing moth (18 wings), herald moth (9 wings), other noctuids (6 wings), tipulid (1).

The majority of the prey items were found at the NE gable end, others were scattered around the SW gable.

Bat droppings were located on blockwork walls at both gable ends and over surfaces of stored materials; obvious accumulations of droppings were noted on timber roof spars below the both gable apexes and internal roof verges (figures 13 and 14). A small accumulation of fresh droppings was also found on the woodpile in the extreme SW corner of the building.

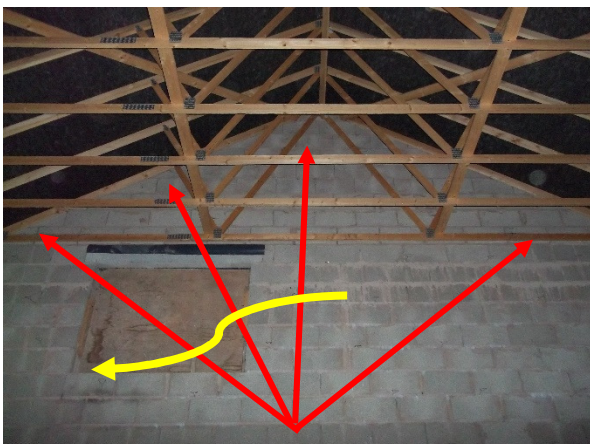


Figure 13: NE gable end



Figure 14: SW gable end

## Barn owls (*Tyto alba*)

There is no evidence of roosting or nesting activity in the barn.

## Barn swallows

There is some evidence of roosting birds inside the barn, although nesting activity was not confirmed.

### 3.2 Evening emergence survey (bats)

The emergence survey began at 20.00 (Sunset) and continued for 1 hour and 45 minutes after sunset.

First bat activity was noted at 20.32 with a solitary common pipistrelle (*Pipistrellus pipistrellus*) flying in and out of barn via the open portal. Three common pipistrelles emerged from the building by 20.39; one lekking male was present throughout the survey and two bats were observed in chasing flight inside the building on a number of occasions.

At least one bat (species unknown) was seen emerging and re-entering a roost behind one of the timber rafters on the SE gable (yellow arrow in figure 14).

An echolocating brown long-eared bat was recorded inside the building at 21.27 and 21.33 when it was joined by a common pipistrelle. One bat (not identified but likely to have been a common pipistrelle) landed on the window sill of the NE gable (yellow arrow in figure 13) and then disappeared into the cavity wall at 21.40.

Page 6 of 17

### 3.3 Dawn re-entry survey

The dawn survey began at 04.30 and continued for 2 hours (sunrise was approximately 06.20). Long-eared bat was observed inside the barn between 04.42 and 05.13. Two common pipistrelles were observed flying inside the barn; a lekking male was seen flying in and out of the building via the open portal and social calls were heard frequently.

A single common pipistrelle entered the barn at 06.10; no further activity was recorded.

Four bat species were recorded at the property during the evening emergence and dawn surveys:

Common pipistrelle	( <i>Pipistrellus pipistrellus</i> )
Soprano pipistrelle	( <i>P. pygmaeus</i> )
Brown long-eared bat	( <i>Plecotus auritus</i> )
A myotis species	( <i>Myotis sp.</i> )

---

## 4 EVALUATION

### 4.1 Limitations of the survey

The survey methodology is designed to determine the likely presence of bats within the property and does not necessarily prove absence.

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.

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, rubble infill walls and beneath roof materials.

Field signs indicating bat activity such as bat droppings or staining on external walls and surfaces are frequently removed by the action of wind and rain, therefore lack of evidence requires careful interpretation.



## 4.2 Site significance for bats

The presence of fresh bat droppings throughout the barn is consistent with the bat activity observed during the activity surveys. The building provides moderate to high roosting potential for a number of species including pipistrelle, long-eared and myotis bats.

The building provides sheltered and relatively warm conditions for roosting bats. The roosting potential is significantly increased given the presence of block cavity walls, lined slate roof, large-volume internal void and a permanently open portal.

The presence of bat droppings on some of the roof timbers is consistent with regular roosting by common pipistrelle bats beneath some of the roof timbers and possibly within the block cavity wall. There is currently no clear evidence of a breeding population within the building. The roost is likely to be used seasonally between spring and late autumn.

The presence of discarded butterfly, moth and diptera wings indicates feeding and perching activity by one or several long-eared bats (and possibly a myotis species such as natterer's bat). The brown long-eared bat (*Plecotus auritus*) is a widespread and relatively common species throughout the district where suitable feeding habitat exists and stone barns are frequently used for perching and feeding throughout the year.

**The conservation significance of the barn is moderate to high** in terms of roosting, perching and feeding activity by two bat species - ie. night feeding and perching opportunities for long-eared bats and regular feeding and day / night roosting and lekking, feeding and foraging activity for common pipistrelles.

Page 7 of 17

## 4.3 Site significance for nesting wild birds

There is no evidence of barn owl activity at the site. Roosting barn swallows are likely to be present within the barn during the summer period (April to September).

## 4.4 Risk of causing disturbance to roosting bats\*

Type of bat activity / time of year	Species most likely to be affected	Risk of disturbance
Day and night roosting – spring, summer, autumn.	common pipistrelle long-eared bat	<b>moderate</b>
Breeding site (nursery roost) used by females and pups – late spring to late summer (1 May to 31 August)	common pipistrelle long-eared bat	<i>low risk</i>
Feeding and perching at night (Any time of year although mostly spring, summer and autumn.	long-eared bat / myotis species	<b>moderate</b>
Transitional roost / mating roost (during spring (April / May) and late summer / autumn (Late August to late October).	common pipistrelle long-eared bat	<b>moderate</b>
Hibernation bats	Common pipistrelle Brown long-eared bat	<i>low</i>

\*Risk categories

**Minimal risk:** Presence of bats is very unlikely / the building has extremely low potential for supporting roosting bats.

**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: Risk of disturbance to bats (adapted from BMG - scale of main impacts at site level on bat populations, page 37)

## 5 Summary and recommendations – BATS

### MITIGATION

The proposed development of the barn is likely to cause some disturbance to roosting bats and therefore **requires careful mitigation measures** to avoid or significantly reduce the impact of the works on protected species. The most effective way of avoiding disturbance to bats is to carry out the works at an appropriate time of year when bats are least vulnerable to disturbance.

### COMPENSATION

The proposed development of the barn will also require appropriate **enhancement works** to compensate for the loss of feeding, foraging and perching activity by bats inside the building and the potential disturbance to roosting /resting bats.

## 6 Summary and recommendations – WILD BIRDS

### MITIGATION

Barn swallows may be present at the site between April and September.

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.

If exclusion of nesting birds is required before any building works are undertaken, the closure of the building to exclude wild birds must take place in winter before the birds return in spring – exclusion must be completed before the end of March.

Page 9 of 17

## METHOD STATEMENT

### European Protected Species (Bats)



Eatough's Farm barn, Fleet Street Lane, Hothersall, Ribchester, PR3 3XE.

**A Method Statement is normally required by the local planning authority to ensure that procedures are in place before the development works are carried out. It is the responsibility of the planning authority to ensure that the proposed works would not result in breaches of the Habitat Regulations.**

The existence of a Method Statement helps to establish a defence against prosecution for intentional (*Wildlife and Countryside Act*), deliberate (*Habitat Regulations*) or reckless (*WCA*) disturbance of bats or damage to roosts.

#### **7 Mitigation and Compensation**

The overall purpose of the Method Statement is to ensure that bats and their roosts are fully protected in order to maintain the 'favourable conservation status of the species'.

Mitigation generally refers to practices which reduce or remove disturbance to bats or damage to their roosts. The Method statement includes measures that are designed to mitigate the likely effects of works of the proposed development on protected species; this is most easily achieved by adopting appropriate timing of the works in order to minimise the impact of the building operations on roosting bats.

By avoiding the critical months May to August (inclusive) when bats are giving birth, disturbance to pregnant females or flightless pups is significantly reduced.

Compensation refers to the works which offset the damage caused by the development. The Method statement also includes appropriate enhancement works such provision of bat-friendly access points and the creation of new roosts.

## **8 Timing constraints**

All building works causing disturbance to the roof and roof voids must avoid the critical summer months of MAY, JUNE, JULY and AUGUST – this period is the main nursery period when pregnant female bats and their young are most vulnerable to disturbance.

Natural England recommends the optimum times for carrying out building works is after 1 September.

The autumn period is frequently dry and mild and is a suitable time for carrying out roofing operations. The optimal times for undertaking roof works in order to avoid significant disturbance to bats is in autumn (during September and October) and early spring (during March and April). At these times of year the bats will be able to feed on most nights and may be active or torpid during the day, depending on local weather conditions, but will not have begun to give birth.

Active bats will usually keep out of the way of any building operations.

Page 10 of 17

## **9 Providing access to roosting bats**

Bats tend to be faithful to favoured / traditional roost sites and will tolerate considerable changes to their roosts as long as suitable access points are provided.

Before any building works are carried out in the main void of the barn, new roost access points must be provided to enable bats to enter and leave the building through the roof. Access slates and bat bricks are required within the existing roof – suitable designs from Natural England are appended.

The access slates and bricks are relatively low cost and easy to install; before installation of these access slates you may wish to seek further advice from the ecological consultant.

If properly installed these access points are often very effective.

## **10 Use of harmful chemicals and fillers**

AVOID the use of chemicals such as timber preservatives and sealants, many of which can be harmful to bats.

Where timber treatment and use of pesticides is required, all products must be approved under the Control of Pesticides Regulations (COPR). All approved fluids will be labelled with an HSE number with statutory hazard warnings and directions for use. Currently the commonly used chemicals are synthetic pyrethroids. Two widely used compounds, permethrin and cypermethrin are not generally very toxic to mammals (although very toxic to fish) tests have shown that both appear safe for use in bat roosts.

Pesticides should only be applied during autumn and spring, thus avoiding the main breeding and hibernation periods. If in doubt you should consult the manufacturer before any treatment is considered.

The timing of treatment in roofs is critical and varies according to the species known to be present; NB. brown long-eared bats may be present throughout the year, therefore caution is required at all times.

The use of timber treatments that are toxic to mammals must be avoided. Pre-treated timber should only use the CCA (copper, chrome, arsenic) treatment known as tanalisation. This treatment method appears to present no hazard to bats and the use of pre-treated timber obviates the need for any subsequent in-situ treatment using more hazardous chemicals.



Avoid the use of cavity fillers such as mastics and expanding foams to seal gaps under fascias and soffits; any existing gaps under timber fascias must be preserved as they are. A licence from Natural England would be required to seal existing gaps, given the presence of roosting bats in the building.

## 11 Post-development monitoring

Monitoring of the works is required - (Bat Mitigation Guidelines). A qualified ecologist should inspect the provision of bat access points during the development and on completion of the works.

## 12 Licence requirement

A European Protected Species Licence (EPSL) is required for developments that are likely to significantly disturb resting bats or result in damage or destruction of a known bat roost or cause injury or death of a protected species.

In situations where the impacts of the development can be avoided (largely through careful mitigation and timing) and where the proposed works are unlikely to result in a breach of the Habitats Regulations, the works may proceed without a requirement to obtain a development licence (EPSL).

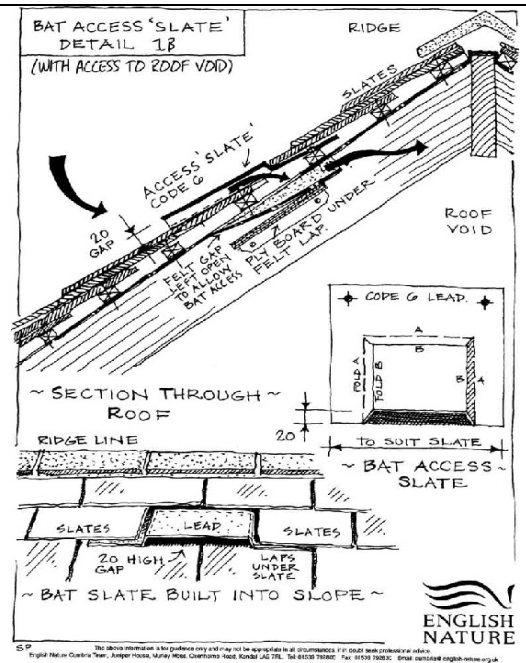
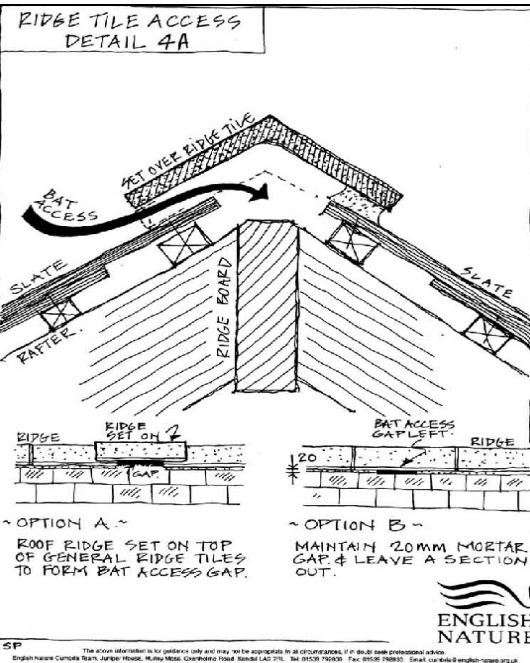
The onus lies with the developer to ensure that no offence will be committed if the development goes ahead regardless of whether planning permission has been granted.

## 13 Mitigation summary

METHOD STATEMENT: MITIGATION EATOUGH'S FARM BARN, RIBCHESTER, PR3 3XE	
ACTION	METHOD / NOTES
1. Timing constraints	<b>REQUIRED: AVOID ROOFING WORKS BETWEEN 1 MAY and 31 AUGUST</b>  The building is used by long-eared bats and common pipistrelle bats; both species are likely to be present in low numbers during the spring, summer and autumn months.  Natural England / BCT advise the best times to undertake roofing operations are spring and autumn. The optimal time to undertake any roof works is between 1 September and 1 May.
2. Isolate roof void before works begin	To avoid causing unnecessary disturbance to bats within the roof, the favoured option is to isolate the roof void from the rest of the building, well before any major internal works begin. In a situation where it is not possible to erect the first floor ceilings at the start of the project, a temporary pvc membrane or hardboard can be used to separate the roof void from the working areas below.  (This has already been discussed with Barry McMahon at Modulus).
3. Avoid lighting at night	Lighting can cause considerable disturbance to roosting bats; avoid the use of internal and external security lighting or additional lighting at night during the development.
4. Maintain existing access points	Avoid using sealants and fillers on existing gaps under external fascia boards.  Avoid the use of mortar pointing on gaps along roof verges.

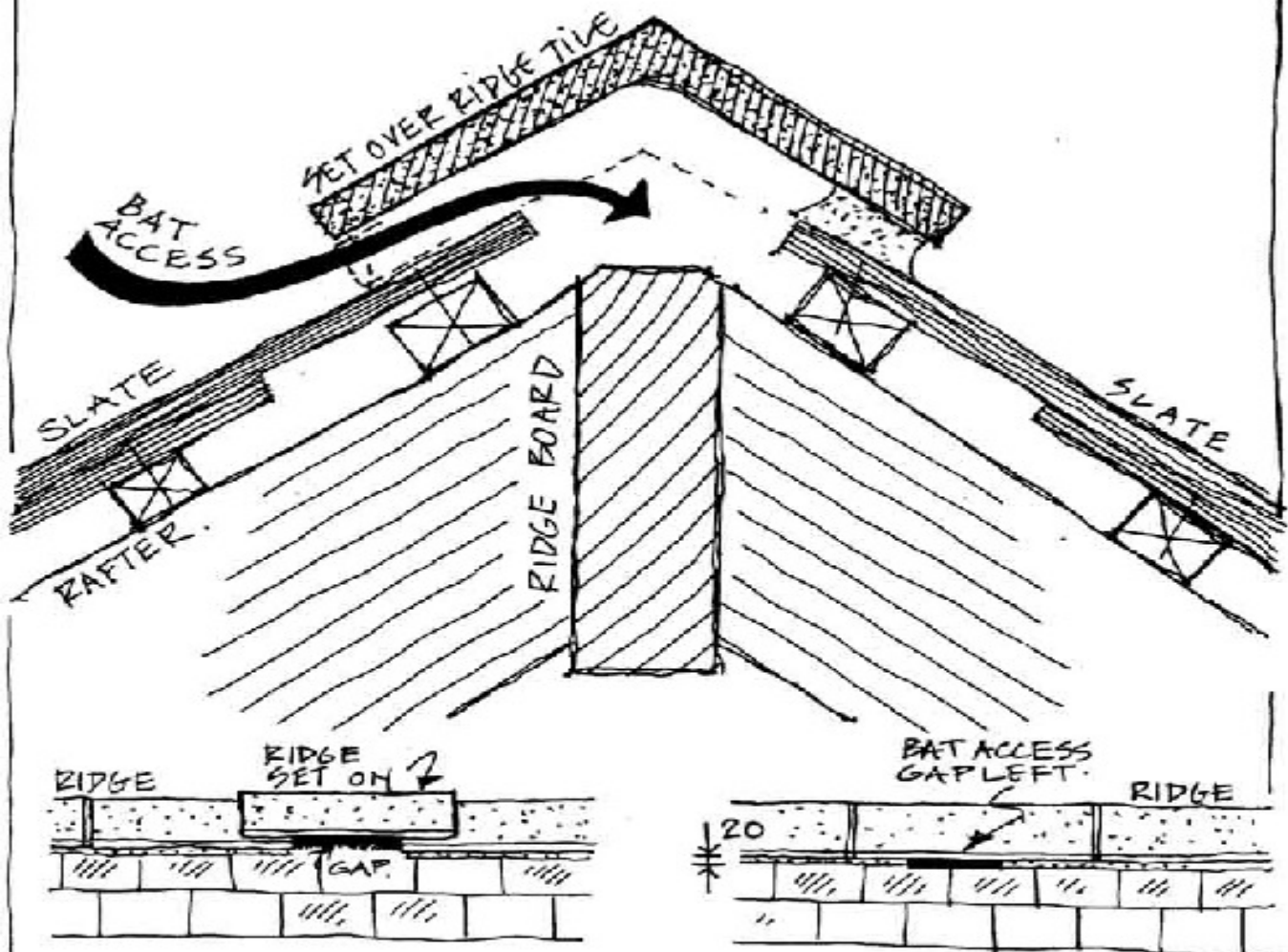
5. Use of chemicals / preservatives	The use of timber treatments that are toxic to mammals must be avoided. Do not use sealants such as mastics or expanding foams where bats are likely to be in direct contact with these materials. Follow COPR / HSE advice when using preservatives / insecticides.
6. Legal responsibilities	<p>All contractors and project managers should be made 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 before any building or demolition work is undertaken.</p> <p>All site contractors must be aware that bats are likely to be present at this site and a copy of this Mitigation Statement must be made available on site before works begin.</p> <p>The onus lies with the applicant to satisfy himself / herself that no offence will be committed if the development goes ahead, regardless of whether planning permission has been granted.</p>
7. EMERGENCY ADVICE:	<p>If any bats are exposed or disturbed during the building / demolition operations, stop work in that location immediately and seek advice from the surveyor, please contact:</p> <p>David Fisher (EED) on 01200 446859 (office) or 07709 225783 (mobile) a site visit can be arranged very quickly or advice can be given over the phone immediately.</p>
8. Nesting barn swallows	<p>If exclusion from buildings is required, the closure of the barn must take place during the winter before the end of March.</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>

COMPENSATORY WORKS	
ACTION	METHOD:
1. Ridge access tiles	<p><b>PROVIDE: 4 No. ridge tiles;</b> these should be incorporated into the roof design allowing bats to enter the roof void via a narrow gap beneath the ridge tile (20mm – 25mm maximum gap to encourage access by bats but deny access to birds.</p> <p>NB. A gap <b>MUST</b> be provided to allow bats to enter the roof void through the roofing membrane.</p> <p>See example of RIDGE TILE ACCESS 4A recommended by Natural England.</p> <p><b>PROVIDE; 8 No. access slates (4 slates on each roof pitch spaced at regular intervals)</b></p> <p>See example of BAT ACCESS SLATE 1B recommended by Natural England.</p> <p>The Morris Bat Slate is a similar design to the bat access slate 1B above and full details are attached.</p> <p>NB. There must be a gap provided through the roofing membrane to allow bats to enter the roof void.</p>
2. Bat access slates	



A4 versions of these designs are shown in Appendix A and B.

# RIDGE TILE ACCESS DETAIL 4A



## ~ OPTION A ~

ROOF RIDGE SET ON TOP  
OF GENERAL RIDGE TILES  
TO FORM BAT ACCESS GAP.

## ~ OPTION B ~

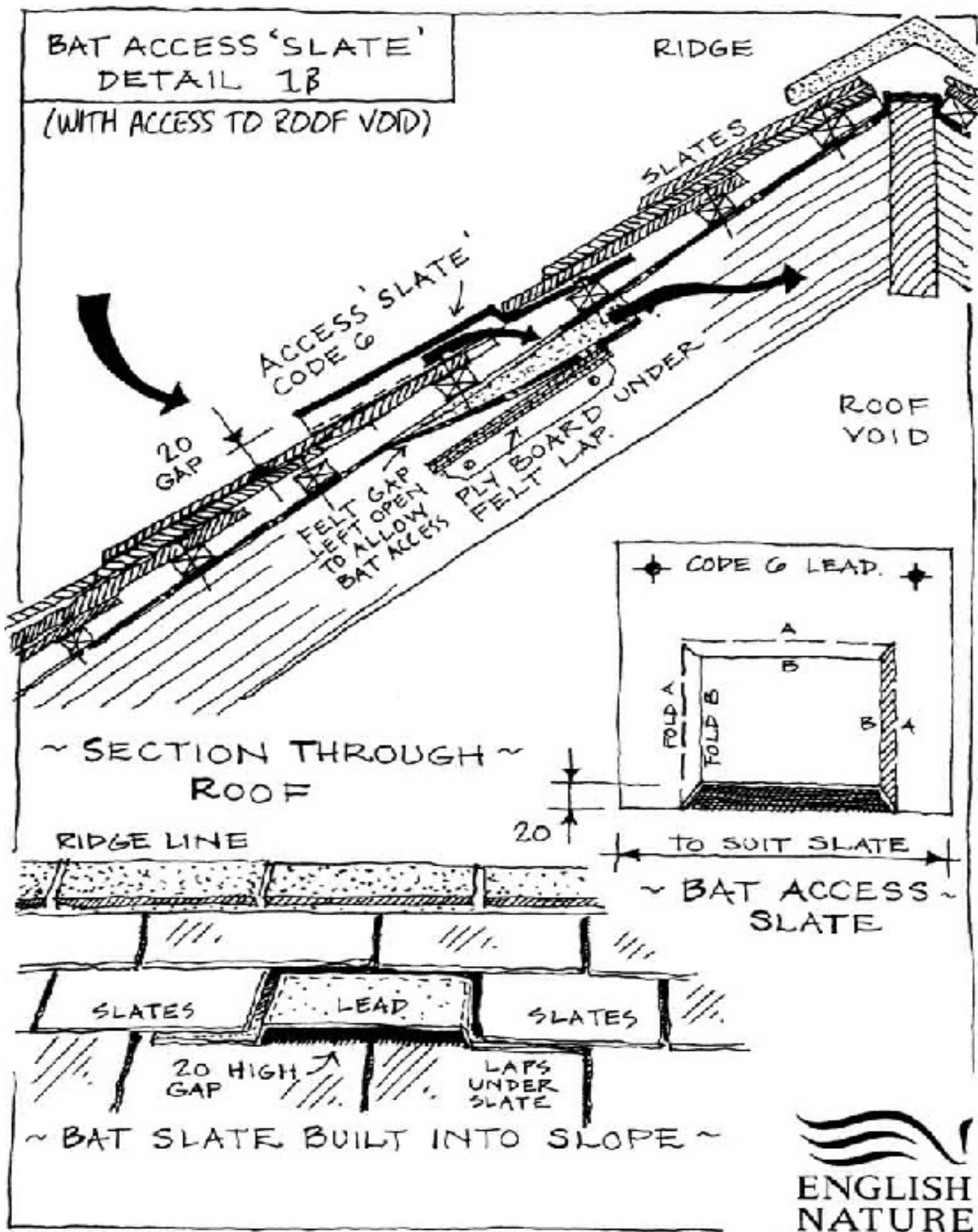
MAINTAIN 20MM MORTAR  
GAP & LEAVE A SECTION  
OUT.



SP

The above information is for guidance only and may not be appropriate in all circumstances, if in doubt seek professional advice.  
English Nature Cumbria Team, Juniper House, Murley Moss, Greenholme Road, Kendal LA2 2TL. Tel: 01539 792030 Fax: 01539 792830 Email: cumbria@english-nature.org.uk





SP

The above information is for guidance only and may not be appropriate in all circumstances. If in doubt seek professional advice.  
English Nature Cumbria Team, Juniper House, Munley Moss, Greenhams Road, Kendal LA8 7RL. Tel: 01539 792800 Fax: 01539 792830 Email: cumbria@english-nature.org.uk

### The 'MORRIS' BATSLATE

The Morris batslate is a specially designed 'slate' that will allow bats access to a roof void.

All bats and their roosts are protected by law under the 1981 WILDLIFE AND COUNTRYSIDE ACT (as amended). A roost can be defined as... 'any place a bat uses for shelter, protection or rest'. A roost is still defined as a roost even if the bat(s) is temporarily absent. NATURAL ENGLAND or your own Statutory Nature Conservation Organisation (SNCO) must be consulted for advice *before* any work is carried out on a place known to be used by bats.

Due to the relatively low cost of materials and labour involved in the construction of a Batslate (against the cost of making one and sending it through the post), it is easier to follow these instructions.

Some species of bat, such as Pipistrelles, are quite happy living between the roofing felt and the tiles/slates - never actually entering the roof void. Other species, such as the long-eared bat prefer the openness of the attic or loft. The species of bat identified (by an expert) dictates a very important factor in fitting a Batslate. All modern and 'refurbished' properties will have roofing felt. For species of bats that use the inside of the attic, a hole will need to be established in the felt to allow bats free access into and out of the loft. The hole need not be large - 75mm x 30mm is more than ample, but it is very important to establish it immediately adjacent to a rafter or wall to allow bats to climb back out. A hole in the middle of the felt will be difficult to find, difficult to land near and unlikely to be used. Some species of bat use the cavity wall, and access to here from the loft will be required.

#### **Fitting the slate**

Please get a reputable roofer or builder to fit the slate should you be at all unsure about climbing on the roof. They can telephone our staff member, Colin Morris (an experienced roof tiler) for advice on 01258 454341. The lead used should be at the *very least* Code 6. A lower code lead will sag after a very short time, blocking the bats' access. A 300mm square of lead will be enough to construct all types of Batslate. It can be reduced as tile size/type dictates. On a refurbished building there may very well be some stripped lead lying around that can be used - from a valley, wide chimney flashing or a hip. The Batslate should take no more than a couple of minutes to make and can be fitted during the normal re-roofing process with minimal disruption to the roofer - Figs. 1 and 2.

- On a plain tile roof, the Batslate can be fitted anywhere. The 'wings' of the Batslate should go under the adjacent tiles - a welt on each wing will further reduce the likelihood of water ingress - Figs. 3 and 4.
- On a profiled tile roof, the Batslate can only be fitted under the ridge tiles. Figs. 5 and 6.
- On a slate roof the Batslate can be fitted under the ridge tiles - Fig. 7. The ridge tiles can be adapted or cut away allowing for a lower ridge tile line. For example, when secret or back-bedded mortar is specified - Fig. 8. The Batslate can also be adapted to be fitted in the middle of a slate roof but more lead is required and a great deal more labour. Also, on a steep roof, rough material may have to be applied to the surface of the slates to enable the bats to grip - Figs 9 to 12.

For more technical advice call VWT Field officer Colin Morris on 01258 454341

Full details are shown in a PDF document available online – see MORRIS BAT SLATE for more information.

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).

### **Protected species (Bats) and the planning process<sup>1</sup>**

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.

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*".

(Mitchell-Jones, 2004)

---

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](http://www.defra.gov.uk)

Natural England, 1 East Parade, Sheffield, S1 2ET, Enquiry Service: 0845 600 3078  
[enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)