Meadow Brook Barn, Saccary Lane, Mellor, Blackburn, BB1 9DL

Phase One Habitat Survey and Bat Building Inspection and Activity Survey

Simply Ecology Limited

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For

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1.0 INTRODUCTION

1.1 Background Information

1.1.1 Simply Ecology Limited was commissioned by Planning Problems Solved in April 2018 to undertake a building and tree assessment, followed by a night-time and morning-time bat activity survey at Meadow Brook Barn Saccary Lane, Mellor, Blackburn, BB1 9DL (O/S Grid Reference: SD 6635132190). See Plan 1: The site location.

1.2 Aims

1.2.1 The aims of this survey were to gather up-to-date information on the presence of bats at the site. This involved:

- Identifying potential structures of the building that could be used by bats.
- Identifying if there was any evidence of bats around the building.
- Providing an assessment of the likely importance of the site for bats and their conservation.
- Providing Recommendations for further survey (if necessary).
- Advising the client in relation to the proposed development and any impacts upon bats in order to ensure legislative compliance.

1.2.2 To achieve this, a building and tree inspection for bats at the site was undertaken on the 4th of May 2018. Additionally, an evening bat activity survey was carried out on the site 30th of May 2018 and a morning bat activity survey was undertaken on the 3rd of July 2018.This submission presents the results of the ecological surveys at the site.

1.3 Site Description and Proposed Works

1.3.1 This is a rural site which is located approximately 3.2 miles north-west of Blackburn town centre (see Plan 1). The site comprises of a derelict two storey barn adjoined to a small ground floor barn which has a storage container beside it. Both barns are made from a mixture of timber and stone, with a corrugated iron roof.

1.3.2 The survey described in this report was commissioned to inform a possible future development of the site.

Plan 1: Site Location

Plan 2: Current Site Plan

2.0 SURVEY METHODOLOGY

2.1 Desk Study

2.1.1 For the desk study the application site and surrounding 1km was selected to search for any existing biological information. Consultation with freely available datasets was undertaken to identify records of animals or plants within this search area.

2.1.2 In addition, an online search of the Multi Agency Geographical Information Centre (www.magic.gov.uk) was undertaken to identify the presence of nationally or internationally important sites receiving statutory protection. This search included sites designated under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. This covers Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA) and Special Areas of Conservation (SAC) all of which have legal protection.

2.2 Extended Phase 1 Habitat Survey

2.2.1 A Phase 1 habitat survey of the site was undertaken by Kevin Heywood on the 4th of May 2018. The survey followed the Phase 1 habitat survey methodology (JNCC, 2010) which is a standard technique for recording and mapping habitats. During the Phase 1 survey the presence or potential for presence of protected species was recorded and assessed.

2.2.2 The survey involved walking the whole site, mapping and describing different habitats (for example: woodland, grassland, scrub). Evidence of fauna and faunal habitat is also recorded (for example droppings, tracks, or habitat such as ponds for breeding amphibians). The methods used for ecological survey are in accordance with those established and generally accepted methodologies for field survey, as published by the professional body, the Chartered Institute of Ecology and Environmental Management (CIEEM).

2.3 Invasive Alien Plants

2.3.1 During the Phase 1 habitat survey, observations of invasive alien plants listed under Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) were made. The search included species such Giant Hogweed (*Heracleum mantegazzianum*), Japanese knotweed (*Fallopia japonica*) and Himalayan balsam (*Impatiens glandulifera*).

2.4 Bat Building Survey

2.4.1 An inspection of the buildings on the site was carried out, specifically to search for bats. The building survey was undertaken in accordance with the standard methods described in the 'Bat Worker's Manual' (JNCC 2004) and 'Bat Surveys – Good Practice Guidelines' (BCT 2016). In accordance with best practice, the survey comprised of the following elements:

- An inspection of the exterior of the building to look for obvious signs of bat activity (such as droppings) and assessing the potential for entry/exit into the property.
- An inspection of the interior of all of the buildings, examining the walls, underside of roofs and within any loft spaces in the property to determine whether bats were present, to look for signs of bat activity (such as discarded prey items and droppings)

and to assess suitability for bats. Lighting was provided by a million-candle power Cluson Clulite CB2. Any cracks or inaccessible areas were inspected using a ProVision PV-636 endoscope.

2.4.2 Subsequent advice/action would depend on the findings of the building surveys. If potential was found then subsequent bat activity surveys would be required in accordance with standard methods described in the 'Bat Worker's Manual' (JNCC 2004) and 'Bat Surveys – Good Practice Guidelines' (Bat Conservation Trust 2016).

2.5 Bat Tree Survey

2.5.1 As part of the inspection, a visual survey of all trees was carried out using 10x42 binoculars. The survey was undertaken in accordance with the standard methods described in the 'Bat Worker's Manual' (JNCC 2004) and 'Bat Surveys – Good Practice Guidelines' (BCT 2016). The survey comprised of identifying the following features:

- Woodpecker holes with small cracks/crevices
- Cracks/crevices, ivy cover and flaking bark
- Loose or flaking bark deadwood in canopy or stem low/no ivy cover
- Medium to dense ivy cover
- Deadwood in canopy or stem
- Snagged branches
- Hollow stems or limbs
- Hole in buttresses/hollow core

2.5.2 The following signs were searched for, as these would indicate bat presence:

- Staining around a hole, caused by natural oils in the bats' fur.
- Stains beneath a hole, caused by bat urine.
- Scratch marks around a hole, caused by bat claws.
- Bat droppings beneath a hole.
- Audible squeaking from within a hole, especially on hot days or at dusk.
- Insects (especially flies) around a hole.

2.5.3 Once surveyed, each tree was categorised, using Bat Conservation Trust guidelines, according to its potential to support roosting bats into one of four categories:

1. Confirmed bat roost,

2a. High potential to support bats,

2b. Low/moderate potential to support bats, and

3. Negligible potential to support bats.

2.6 Personnel

2.6.1 The building inspection and tree surveys were carried out by Kevin Heywood. The dusk bat survey was undertaken by Kevin Heywood and Samantha Gray. The dawn survey was carried out by Kevin Heywood and Philip Wright.

2.6.2 Kevin Heywood BSc (Hons) ACIEEM is an Ecologist with Simply Ecology Ltd. Kevin graduated with a first-class honours degree in Ecology from Lancaster University in 2015. In addition to

this, he has acquired experience since 2012 working as an ecologist in a freelance capacity and since 2015 as a full-time employee for Simply Ecology Ltd. During this time, he has developed numerous field skills and carried out a wide range of botanical and protected species surveys. His expertise predominantly lies with habitat mapping and undertaking protected species surveys including: bats, great crested newts, badgers, otters and reptiles. Kevin holds a protected species licence for all British bats.

2.6.3 Samantha Gray BA (Hons) is a Business Ecologist working for Simply Ecology Limited. Since graduating with a Geography degree from Lancaster University in 2015, Samantha has gained 2 years' of experience in ecology. During this period, she has completed an internship with Simply Ecology, where she developed her skills in botany, bat surveys and data analysis and also subsequently worked at RSPB Leighton Moss, carrying out habitat management and species monitoring work. In 2016 Samantha became a full-time employee with Simply Ecology as an Ecologist and Office Manager.

2.6.4 Philip Wright MSc. obtained his first degree in Biology from the University of Bath and an MSc in Ecology and Conservation from Lancaster University. He is an Ecologist at Simply Ecology and a member of the North Lancashire Bat Group in his third season of bat surveying. His wider experience includes conducting botanical surveying and habitat management work with the RSPB and with the Wildlife Trust for Lancashire, Manchester and North Merseyside.

2.7 Timing and Constraints

2.7.1 The building surveys were undertaken on 4th May 2018. The timing of the building inspection visit posed no constraints as building inspections to search for signs of bats can be undertaken at any time of year. Access was available on all sides of the building. No trees or vegetation limited the inspection. An assessment of the building's potential for bats can therefore be made according to evidence found, building condition, location and the surveyor's experience.

2.7.2 An emergence/dusk survey was carried out on 30th May 2018. This survey timing is in the peak bat flight season. Weather conditions were considered fine to observe and record any bat activity at the site on both surveys (see Table 1). There were no obstructions to vision around the building and it was possible to skyline the buildings effectively.

2.7.3 The re-entry/dawn survey was carried out on 3rd July 2018. This was the final survey to be carried out. The conditions were perfect for this type of survey, as detailed below (see Table 1), with no constraints apparent.

Table 1: Weather conditions during the bat surveys.

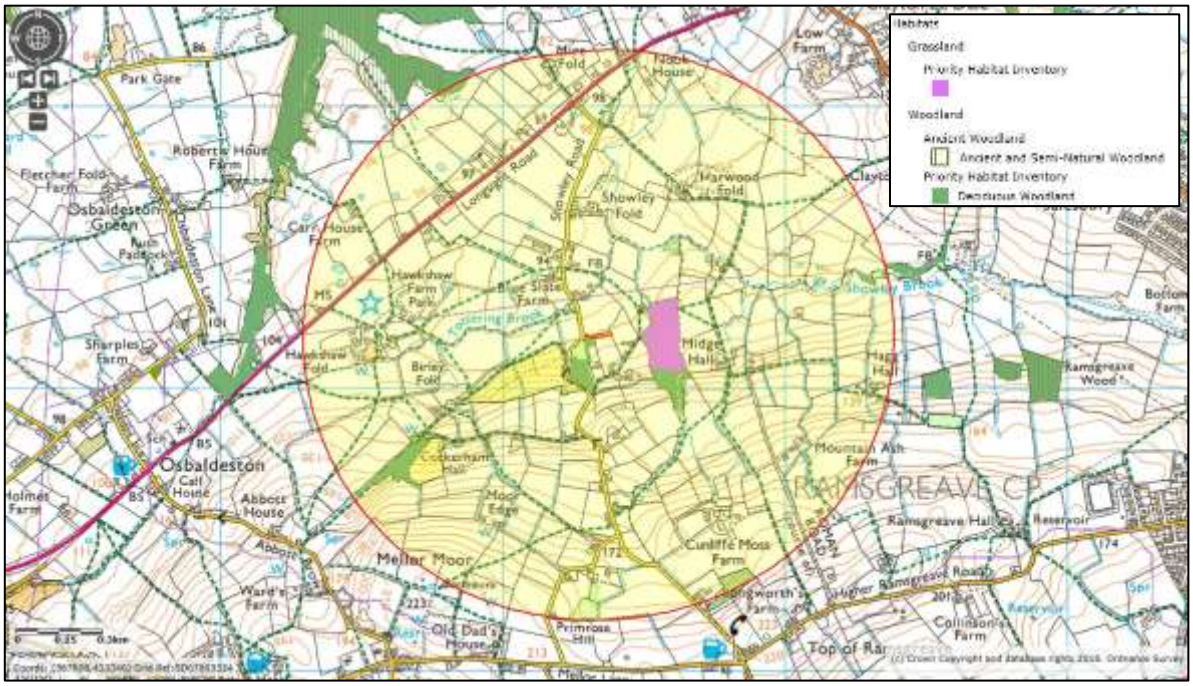
Survey date	Temperature at the start of survey	Sunrise/sunset time	Start/finish time	Weather
30th May 2018	15 ºC	21:28	21:10 – 22:30	Dry, 100% cloud cover, light breeze.
3rd July 2018	13 ºC	04:43	02:45 – 04:30	Dry, cool, light breeze, 0% cloud cover.

3.0 DESK STUDY RESULTS

3.1 Nature Conservation Sites

3.1.1 The desk study search included local nature reserves, national (Sites of Special Scientific Interest) and internationally important sites (Natura 2000 and Ramsar sites).

3.1.2 No statutory designated nature conservation sites were found within the 1km buffer zone, although the site is within 7.5km of sites with nature conservation designations, including Darwen River Section, Red Scar and Tun Brook Woods, Harper Clough and Smalley Delph Quarries SSSIs but the type and scale of development anticipated falls well below the criteria threshold and is not thought to impact on these sites. The results are summarised on Plan 3



Plan 3: Nature conservation sites within 1000m of development site.

4.0 EXTENDED PHASE 1 HABITAT SURVEY

4.1.1 The site comprised of a small agricultural field with boundary hedgerows and trees, containing two adjacent barns and a storage container. A Phase 1 Habitat Plan and Target Notes (hereafter referred to as TN) are included in Plan 2 neat the end of this section.

4.1.2 The following habitats were recorded at this site (in no particular order):

Semi-improved grassland

Scattered trees

Tall ruderal

Scrub

Hardstanding

Semi-improved grassland

4.1.3 The majority of the site comprised of semi-improved grassland with pasture that has been altered by heavy grazing, drainage or the application of herbicides. Grass species that were abundant to frequent included: meadow foxtail (Alopecurus pratensis), common nettle (*Urtica dioica*), Yorkshire fog (*Holcus lanatus*), sweet vernal grass (*Anthoxanthum odoratum*) and perennial rye grass (*Lolium perenne*) with cocksfoot (*Dactylis glomerata*) rare.

4.1.4 The grasses were interspersed with occasional forbs including creeping buttercup (*Ranunculus repens*), common dock (*Rumex obtusifolius*), creeping thistle (*Cirsium arvense*), meadow buttercup (*Ranunculus acris*) and ribwort plantain (*Plantago lanceolata*) and dandelion (*Taraxacum officinalis*) rare.

4.1.5 The site transitioned towards a small marshy grassland area towards the east section of the site, which led to greater forb coverage. Here species indicative of wetter ground conditions and lower management intensity proliferated. Frequent to occasional species noted in this area were; soft rush (*Juncus effuses*), marsh horsetail (*Equisetum palustre*), and marsh marigold (*Caltha palustris*) with reed canary grass (*Phalaris arundinacea*) rare.

4.1.6 On the driveway section of the property on the western side, the ground was heavily shaded by mature Cypress trees, where a greater coverage of forb species occurred frequently to occasional with; herb Robert (*Geranium robertianum*), creeping buttercup (*Ranunculus repens*), balsam (*Impatiens glandulifera*), rosebay willow herb (*Chamaenerion angustifolium*), lesser celandine (*Ficaria verna*), bramble (*Rubus fruticosus*) and dandelion. Hawthorn (*Crataegus monogyna*) and sycamore (*Acer pseudoplatanus*) samplings were rare in this shaded area.

Plate 1: Semi-improved grassland in foreground with scrubby ruderals to left.

Scattered Trees

4.1.7 Along the entrance from the gate to the building, either side of the driveway were planted tree species of varying maturity, as well as trees scatted along the southern edge of the property. Notable matured tree species recorded was a single oak (*Quercus robur*) on the north-eastern boundary. This had a superficial knot hole, yet was determined as no PRF for bats. Mature Cypress (*Cuppressus* x *leylandii*) trees were present as mentioned above, encouraging forb species at the grassland level. Elder (*Sambucus nigra*) trees were frequent at the southern boundary of the site, with no PRF present. Semi mature sycamores (*Acer pseudoplatanus*) were planted on the north side of the driveway adjacent to the Cypress trees. Similarly to the oak, they held likely looking PRF, yet after thorough inspection was regarded as not.

Plate 2: A mature English Oak on the eastern side of the boundary.

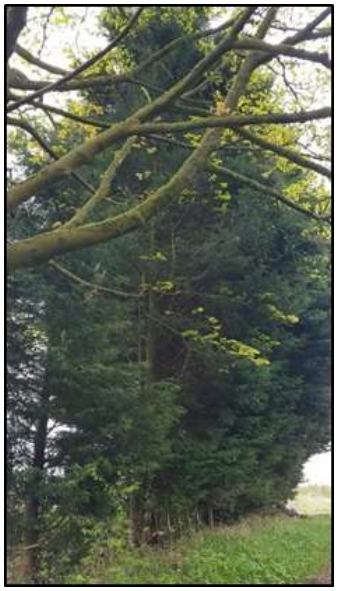


Plate 3: Planted Cypress lining the side of the driveway impacted on grassland community species composition due to shading.

Tall ruderal

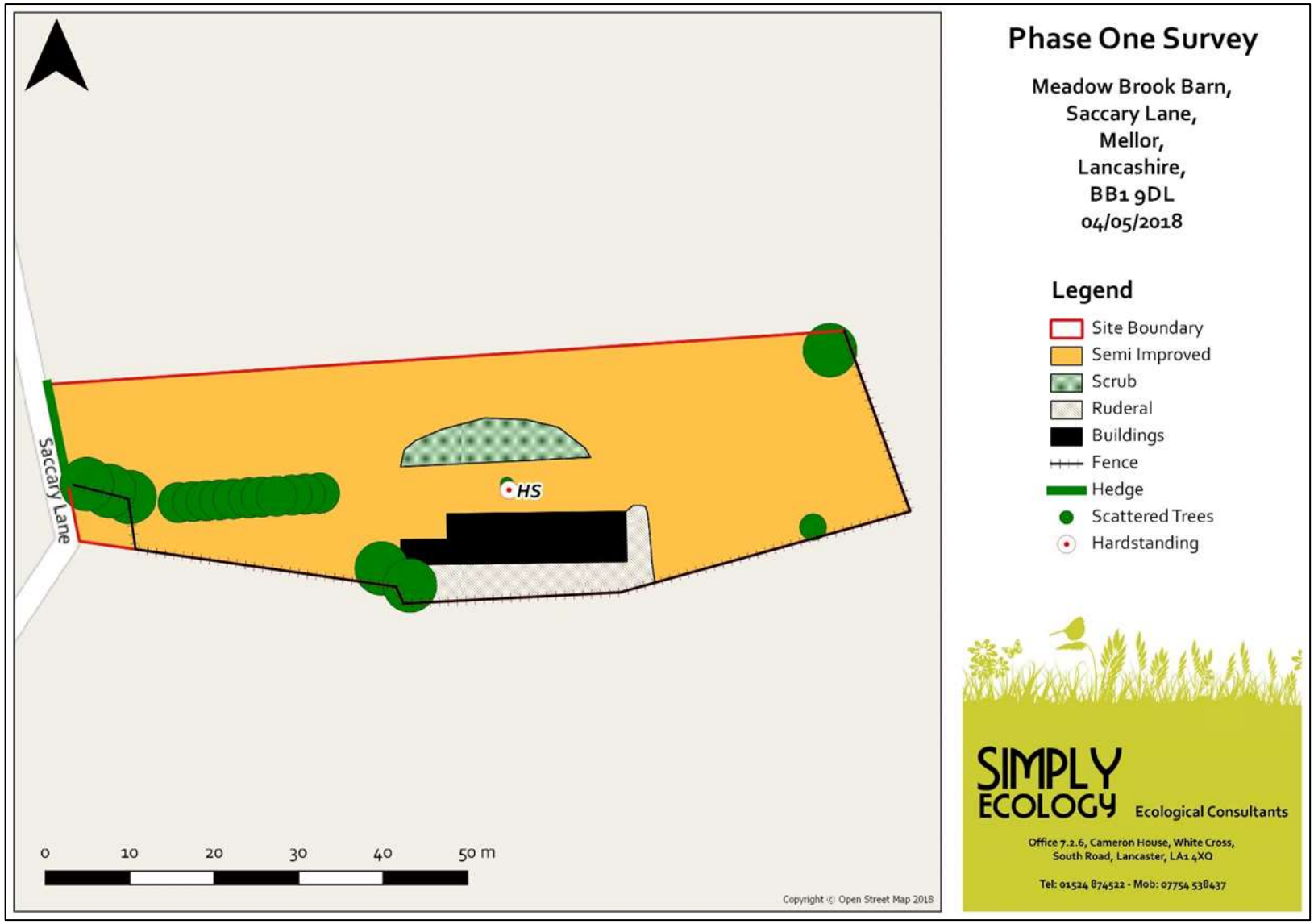
4.1.8 This habitat type comprised of Himalayan balsam being the dominant species surrounding the buildings on the south side.

Scrub

4.1.9 This was an area north of the building that had little botanical provision, and comprised of encroaching brambles over paved concrete breeze blocks as seen in Plate 1 (left side of the picture).

Hardstanding

4.1.10 At the front of the buildings (on the north side) composed hardstanding concrete substrate, which a sparsely distributed and shallow layering of grassland vegetation and scrub over it.



Plan 4: Phase 1 Habitat map Meadow Brook Barn

5.0 PROTECTED SPECIES SURVEY RESULTS

5.1 External Building Inspection

5.1.1 Both barns and storage container were inspected for any signs of recent or historic bat activity. In addition, all buildings were searched for suitable access points and roosting sites.

5.1.2 The survey began by checking the exterior of the buildings. The main barn has brick and stone foundations, with timber cladding and structure, with a tiled roof. There are gaps underneath the tiles at the edge of the roof due to a lack of fascia. The small barn is built from wooden planks with a corrugated iron roof. The adjoining storage container is a rectangular metal structure (see Plate 4).

5.1.3 The external conditions of both barns are generally poor, with obvious bat potential access. Gaps are evident between stones of the main barn (see Plate 4), providing potential bat access points. On the eastern gable end, the wall has boards missing, providing access areas for bats and other wildlife (see Plate 5). The wooden cladding on the main barn has lifted slightly exposing potential bat access points (see Plate 3).

Plate 4: View of the barns from the northern side of the building. The arrows show gaps between stones on the barn and exposed gaps underneath tiles due to lack of fascia. The weatherboard is highlighted to show where gaps are.

Plate 5:The gable east end of the main barn. Large holes exposed due to missing timber beams.

Plate 6: A view of the cladding on the north side of the main barn. The overlapping wooden planks exposed gaps, allowing potential bat access

5.2 Internal Building Inspection

5.2.1 The inspection continued to the interior of the buildings. Structurally, the internal spaces, currently used for storage, were also in poor condition.

5.2.2 The main barn had exposed rafters and central beams, providing potential bat roost features, as many of the beams are designed with holes in them for building purposes (see Plate 4). Gaps were observed between concrete blocks that acted as the wall (see Plate 5) providing further bat roost potential to the internal site.

5.2.3 There were no signs of bats (droppings of urine staining) however, there were many signs of owls, with droppings and pellets observed (see Plates 6 and 7). The overall bat roost potential for this site was low.

Plate 7: The structural beams of the barns had slotted gaps which were potential bat roost structure.

Plate 8: The interior of the main barn. Small gaps between concrete blocks suggesting potential roost access points.

Plate 9: Owl pellet observed in the barn, providing evidence of owl activity in the site

Plate 10: 'White wash' bird droppings and feathers recorded in the main barn, supporting evidence of owl activity.

5.3 Tree Inspection

5.3.1 The trees around the site were inspected for Potential Roost Features (PRFs) and signs of bat activity. On the site, semi-mature and mature trees were west, east and south of the building. Trees at this site included sycamore (*Acer pseudoplatanus*), hawthorn (*Cratargus monogyna*), holly (Ilex aquifolium), oak *(Quercus robur*) and cypress (*Cuppressus x leylandii*).

5.3.2 The trees lining the driveway on the north side were semi-mature sycamore trees, which grew in close proximity to the building, along with the hedging at the southern side of the building. A thorough ground inspection of the trees for potential roosting features was carried out, looking for features such as knot holes (see Plates 8 and 9).

5.3.3 The trees were categorised according bat roost potential. All the trees on this site that were inspected were considered to be Category 3 with negligible potential to support bats.

Plate 11: A semi-mature sycamore tree at the entrance of the site from the road. Knotholes were inspected and found to be shallow and had no roosting potential.

Plate 12: A mature oak tree on site, with a PRF. but inspection found the hole to be shallow.

5.4 Bat Activity Surveys

Dusk Emergence Survey

5.4.1 A bat emergence activity survey of the site was completed of the 30th of May 2018 by two ecologists, starting at 21:10.

5.4.2 The first recorded activity of the evening comprised of two commuting common pipistrelles (Pipistrelle pipistrelle), travelling from the barn to the field, north of the barn, occurring at 21:52. At 21:54 a noctule (*Nyctalus noctula*) was observed passing through the site. A further two observed bats were recorded at 21:58 passing through the site, one a common pipistrelle, the other a noctule. Common pipistrelles were recorded commuting around the trees at approximately 22:00 for a number of minutes. At 22:12 a common pipistrelle was recorded passing eastwards over the building. The survey ended at 22:30.

5.4.3 A barn owl (*Tyto alba*) was recorded hunting in the field on site, as well as a tawny owl (*Strix aluco*) sighting in the area, which provides further evidence of owl residence, combined with the pellets and droppings found in the main barn.

Dawn Re-entry Survey

5.4.4 A bat re-entry dawn survey was carried out on this site on the 3rd of July 2018. The survey began at 02:45.

5.4.5 At 03:15 a Common pipistrelle was recorded heading in an easterly direction over the barn. Two Common pipistrelles were observed passing at the east end of the main barn at 03:25. At 03:25 a pair of Common pipistrelles looped around the building site and returned in an arc, heading westwards towards the lane. The final recorded bat was a Common pipistrelle above the trees behind the house.

5.4.6 To summarise there was low activity of bats observed at the site, with only two bat species recorded and no recorded emergence or re-entry into any of the buildings on this site.

5.5 Barn Owls

5.5.1 Evidence of barn owl activity was recorded within the main barn during the building inspection. A scattering of pellets of varying levels of freshness were present along with 'white wash' droppings on the floor and rafters (see Plate 7 and 8). This evidence suggests that barn owls use this barn as an active, occasional roost site. Whilst the surveyors carried out the bat emergence (dusk) survey, a single barn owl was recorded hunting at the site, providing evidence of barn owl presence at the site**. In summary, barn owls were concluded to be active on this site due to evidence of droppings, pellets, feathers and a sighting during bat activity surveys.**

6.0 ECOLOGICAL VALUE AND IMPACT ASSESSMENT

6.1 Nature Conservation Sites

6.1.1 No designated nature conservation sites were found adjacent or in close proximity to the development site and therefore no impacts will arise. The site is within 7.5km of several SSSI but the type and small scale of development anticipated falls well below the criteria threshold and is not thought to impact on these sites.

6.2 Habitats

6.2.1 The habitats recorded within the site, including the semi-improved grassland, scattered trees, tall ruderal and scrub, are considered of site level value but none will be lost or reduced in size as a result of the proposed barn conversion development.

Scattered trees

6.2.2 The scattered trees within the site provide limited nesting and foraging opportunities for birds. However, these will not likely be affected by the planned development; if any are lost, planting of new trees would offset any loss and replace them in the long term.

6.3 Bats

6.3.1 The Phase 1 survey found that the habitats around the site may provide no more than limited bat foraging and commuting opportunity. The bat building and activity surveys found no evidence of bats. Therefore, it is considered that the development will have limited impact upon bat foraging or commuting.

6.3.2 All trees on site were inspected for their potential to support roosting bat species. However, none were considered to have any potential for bat roosting and so no impacts will arise.

6.4 Barn Owls

6.4.1 There was evidence of occasional active roosting at the site by this protected species. It will not be possible to retain all roosting areas in the building as a result of the conservation to a dwelling house. Therefore an impact and loss of roosting could arise. Mitigation and compensatory roost provision will be necessary at this site to offset any impact.

7.0 CONCLUSIONS AND RECOMMENDATIONS

7.1 Bats

7.1.1 In May 2018, Simply Ecology Limited were commissioned to conduct ecological appraisal of buildings and associated trees at Meadow Brook Barn. It is understood that conversion of the barn into a residential dwelling is planned. The preliminary roost assessment did not find signs of bats, but that the site had potential for bat roosting. Therefore, prior to any renovation or building works commencing, an emergence (dusk) and re-entry (dawn) survey were conducted to establish whether any roosts were present.

7.1.2 In May and July 2018, Simply Ecology Limited undertook a night-time activity surveys at Meadow Brook Barn. During the dusk survey survey common pipistrelle and noctule bats were recorded passing through the site, but no direct emergence of any bats occurred from the building. During the dawn survey, only common pipistrelle bats were recorded travelling through the site, with no re-entries observed.

7.1.3 Based upon the results of these surveys it was concluded that no roosting bats were present on the site. It was the ecologist's professional opinion that no impact upon bats will arise as a result of the conversion of the buildings into a residential dwelling. As such, the following advice is provided:

- All conversion works can continue with no need for any supervision by the Appointed Ecologist. No Natural England licence is necessary in this instance as no impact upon any bat roost is predicted. This is due to the lack of any signs of current or historical use of the building by bats. Reason: This will deliver compliance with: Section 9 (1 & 4) of The Wildlife & Countryside Act 1981 (as amended), Part 3 (43; 1 & 2) of The Conservation of Habitats and Species Regulations 2017 and Section 15 of The National Planning Policy Framework (2018).

7.2 Barn Owl

7.2.1 Evidence of relatively fresh barn owl pellets, 'whitewash' excretions and feathers were discovered inside the barn. The surrounding landscape was also considered suitable for barn owls, as this part of Lancashire is known for this species. A single barn owl was recorded during the activity surveys, which suggest the barn did appear to offer an occasional Active Roost Site and as such, any development of the site would lead to the loss of barn owl roosting potential. Therefore:

- *It is recommended* that compensation for loss of roosting potential would be addressed by the **provision of a temporary barn owl roosting/nesting box** on site, prior to any barn conversion works commencing. Further, **a permanent nesting/roosting space should be incorporated** into the converted building. **Reason**: To secure the long-term protection of the species by maintaining continuity of occupation by providing temporary additional roosting/nesting places on site. This will ensure that no offences are committed under The Wildlife & Countryside Act 1981 (as amended).

8.0 BARN OWL MITIGATION PLAN

8.1.1 In view of the protection afforded to this Schedule 1 species, its nests and eggs, the development works should proceed as follows:

- The client is reminded of the legal protection afforded to barn owl and all works should be completed under the supervision and guidance of the Appointed Ecologist. Reason: To ensure legal compliance with the Wildlife and Countryside Act 1981 (as amended).

8.2 Pre-Conversion Works

Roosting/nesting provision

8.2.1 The following roosting/nesting provision is proposed pre-conversion:

- A new temporary barn owl roost/nesting site shall be installed in a nearby tree at least 1 month prior to commencement of the demolition works where the barn owl is present. This should be of a type recommended by The Barn Owl Trust (see Figure 1) and Annex B.

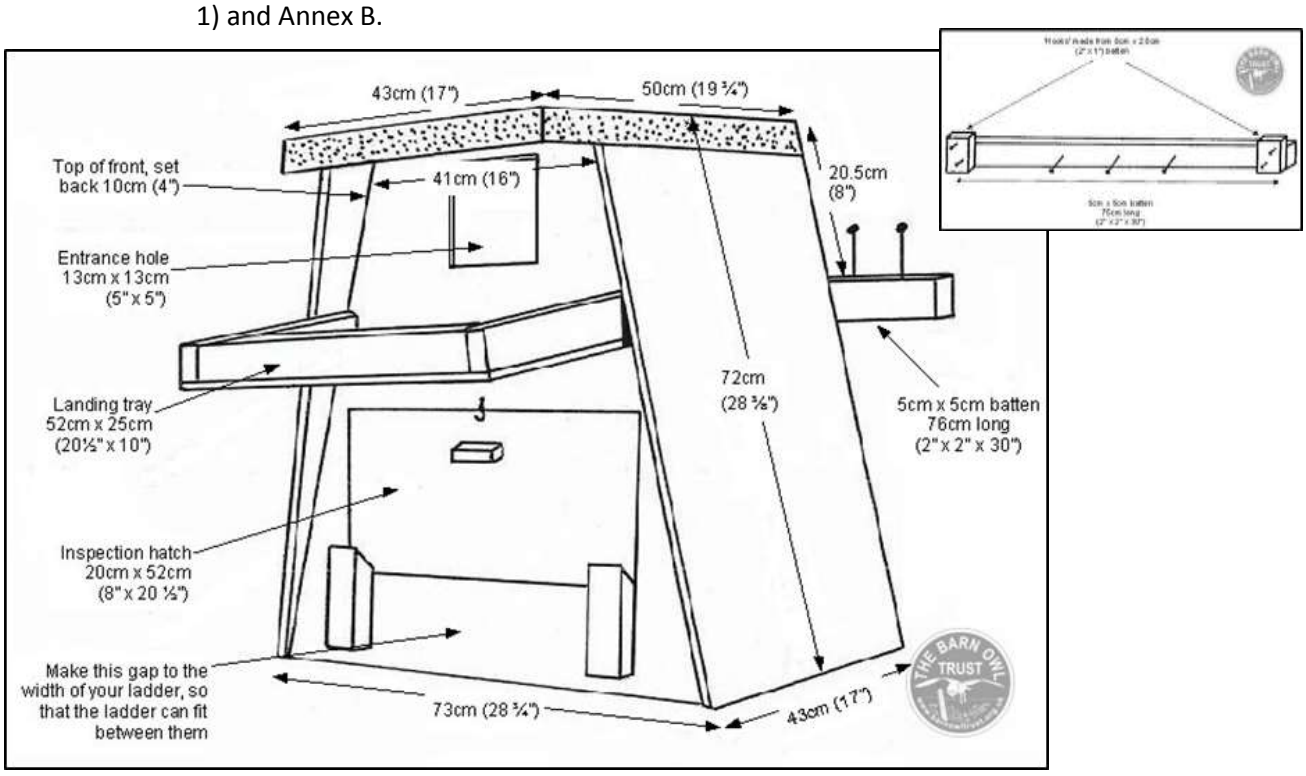


Figure 1: The temporary barn owl nesting box design.

8.3 During Conversion Works

Timing

8.3.1 All site conversion shall be carried out between 1st September – 28th February, in order to avoid the usual barn owl breeding season.

8.3.2 The Appointed Ecologist must be present to complete a survey prior to the beginning of conversion works in order to ensure that no nesting is taking place. Any disturbance of a

nesting barn owl would constitute an offence. The pre-works survey will check the status of the roosting site. In the event that barn owl is found to be breeding (they have been found to breed in any month), no works will commence within the barn until young barn owls have fledged.

Provision of permanent roosting/nesting opportunities

8.3.3 After completion of the temporary new nesting box and once it is confirmed that no barn owls are present within the barn, access to the building for owls will immediately be ensured by sealing doors and windows. This will make the existing roost unavailable to barn owls with the intention that the alternative temporary roost will be available for use by the birds.

8.3.4 During the construction period the daily working hours imposed by Planning Conditions will ensure that no evening, night-time or early morning disturbance of barn owls can occur within the site.

8.3.5 The following permanent nesting/roosting provision is suggested for the space to be constructed inside the converted building:

- A barn owl loft can be incorporated into the loft space of a type recommended by The Barn Owl Trust (see Figure 2) and Annex C.

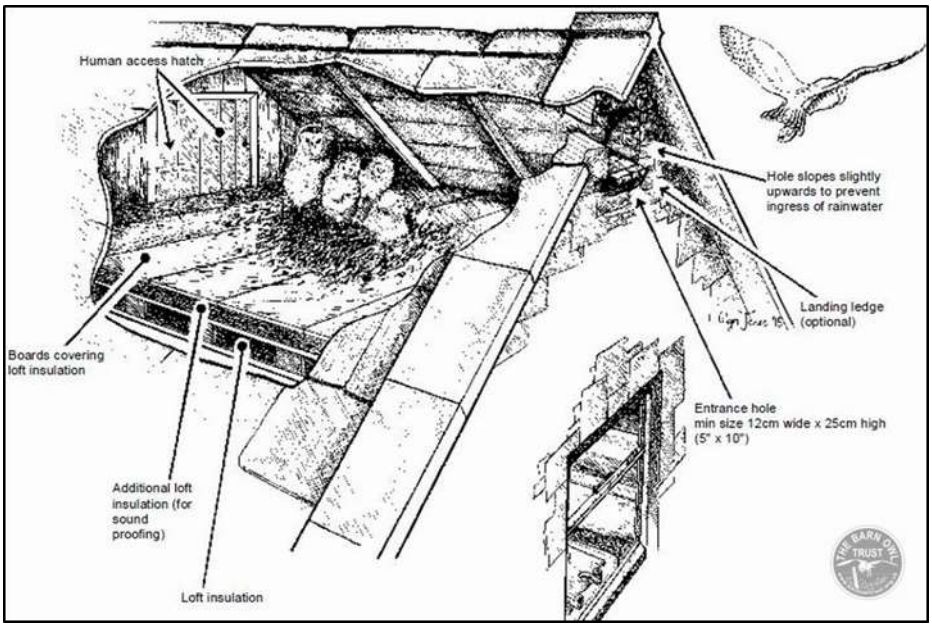


Figure 2: Construction of an owl partition in a loft.

Monitoring

8.3.6 The Appointed Ecologist and the Site Manager will keep in touch during the conversion period. The Site Manager will undertake to contact the Ecologist for further advice should there be cause for concern in relation to barn owls.

8.3.7 The Appointed Ecologist will work with the client to ensure the successful construction of the new barn owl roost is in accordance with the approved design.

8.4 Post-Construction

8.4.1 Due to the legal protection afforded to barn owls, the roosts within the converted dwelling will be left alone and remain predominantly undisturbed. However, there will be access to the roost from within the dwelling for very occasional clearing out, outside of nesting season (considered to be March to August by the Barn Owl Trust).

9.0 REFERENCES

BAT CONSERVATION TRUST (2016). Bat Surveys – Good Practice Guidelines. Bat Conservation Trust, London.

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JOINT NATURE CONSERVATION COMMITTEE Mitchell-Jones, A.J. & McLeish, A.P. [Eds.] (2004) The Bat Workers Manual (3rd edition). Joint Nature Conservancy Council, Peterborough.

Shawyer CR (2011). *Barn Owl Tyto alba Survey Methodology and Techniques for use in Ecological Assessment: Developing Best Practice in Survey and Reporting*. IEEM, Winchester.

The Barn Owl Trust: Barn Owl nestboxes for inside buildings

https://www.barnowltrust.org.uk/barn-owl-nestbox/owl-boxes-for-trees/

https://www.barnowltrust.org.uk/barn-owl-nestbox/barn-owl-nestboxes-building-projects/#Buildingsuitable

Conservation of Habitats and Species Regulations 2017:

http://www.legislation.gov.uk/uksi/2017/1012/contents/made

Countryside and Rights of Way Act 2000:

http://www.legislation.gov.uk/ukpga/2000/37/contents

National Planning Policy Framework 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf

ANNEX A: STATUTORY AND PLANNING CONTEXT

A.0.1 The client is advised that many species of British wildlife are legally protected. The following section provides a brief overview of the protection afforded to species commonly encountered during development. The Recommendations at the end of this report will advise as necessary, but it is also useful for the client to have an understanding of the legal protection as this helps to ensure that the law is complied with.

A.1 Badgers

A.1.1 Badgers are protected under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) (WCA), and the Protection of Badgers Act 1992. It is illegal to:

- Kill, injure, take, possess or cruelly ill-treat a badger or to attempt to do so;
- Interfere with a badger sett by damaging or destroying it;
- Obstruct access to or any entrance of a badger sett;
- Disturb a badger when it is occupying a sett

A.1.2 A badger sett is "any structure or place that displays signs indicating current use by a badger". Natural England, the Government's statutory nature conservation body, classifies a sett as active if it has been occupied within the last 12 months.

A.1.3 Operations that might cause disturbance of an active sett entrance can be carried out under licence from Natural England. If any badgers are found during the course of the survey, this will be highlighted in this report.

A.2 Birds

A.2.1 All wild birds are protected against killing or injury under The WCA 1981 (as amended). This protection extends to bird's nests during the breeding season, which makes it an offence to damage or destroy nests or eggs. Birds that are listed on Schedule 1 of the Act receive additional protection against intentional or reckless disturbance during the breeding season. This makes it an offence to disturb these species at or near to their nesting site.

A.3 European Protected Species (includes bats, otter, hazel dormouse, great crested newts, and others)

A.3.1 The client is advised that all bats and great crested newts are European Protected Species (EPS). These EPS are protected under European legislation that is implemented in England via The Conservation of Habitats and Species Regulations 2010 (Regulation 41). A full list of EPS is provided in Schedule 2 of the Regulations. In addition, these EPS also receive the protection of the Wildlife and Countryside Act 1981 (as amended) in respect of Section 9 (4)(b & c) and (5).

A.3.2 If both national and international legislation are taken together, the legislative protection afforded to these species makes it an offence to:

- Intentionally/ deliberately kill, disturb, injure or capture them.
- Intentionally or recklessly damage, destroy or obstruct access to any breeding site or resting place.
- Possess or control any live or dead specimen or anything derived from a European Protected Species.

A.3.3 If an activity is likely to result in any of the above offences, derogation from the legal protection can be issued in the form of a European Protected Species licence issued by Natural England. Licences for development purposes are issued under The Conservation Of Habitats And Species Regulations (2010) and only allow what is permitted within the terms

and conditions of the licence. If any EPS are found during the course of the survey, this will be highlighted in this report.

A.4 Protected Mammals and Reptiles (includes water vole, red squirrel, reptiles and others)

A.4.1 All native reptiles and a variety of British mammals also receive protection under The WCA 1981 (as amended). Schedule 5 of The WCA lists animals that are protected. The degree of protection varies. Water voles and red squirrel are examples of species with full protection. The Act makes it an offence to intentionally kill, injure, take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.

A.4.2 All native reptiles in the UK are protected. The commoner species such as grass snake, common lizard, slow worm and adder are protected only from unlawful killing and injuring. In practice this may require a reptile protection scheme before implementing a planning permission but no specific licence is required. Sand lizard and smooth snake listed as EPS (see A3.3 above).

A.4.4 If any protected species are found during the course of the survey, this will be highlighted in this report.

A.5 Non-native invasive species

A.5.1 A number of non-native plant species growing wild in the UK are listed on Schedule 9 of the WCA due to their invasive nature and the detrimental impact they can have on native habitats and wildlife. This legislation makes it an offence to plant or otherwise cause to grow in the wild any plant species which is included in Part II of Schedule 9.

A.5.2 This legislation should be considered during site clearance works which could lead to the spread of Schedule 9 listed plant species from the site if plant material is not properly handled and disposed of. Development proposals should also consider the removal of invasive species from areas of site that would otherwise remain unaffected by works in order to avoid the risk of these invasive plants spreading from the site in the future and enhance habitats within the site. This would in turn free up space for wildlife friendly planting, prioritising use of native species within planting schemes where appropriate.

A.6 Planning Considerations

A.6.1 1. When considering each planning application, the presence of protected species, such as those listed above, is a material consideration which must be fully considered by the Local Authority when granting planning permission. If a licence from Natural England is required, then prior to issuing any planning consent, the local planning authority will need to be satisfied that there is no reason why such a licence would not be issued. Therefore, in reaching the planning decision the local planning authority will need to have regard to the requirements of the Conservation of Habitats and Species Regulations 2010. The three licensing tests given in the Regulations must be considered. In summary, these are that:

The development is required for the purpose of:

- preserving public health or public safety,
- for other imperative reasons of over-riding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment,
- for preventing serious damage to property.

2. There is no satisfactory alternative.

3. The proposal will not be detrimental to the maintenance of the population of the species at a favourable conservation status.

A.6.2 All necessary information would need to be provided to the planning authority as part of the planning application in order to address the above tests.

A.6.3 The Natural Environment and Communities Act (NERC Act) 2006 extended the biodiversity duty set out in the Countryside and Rights of Way (CROW) Act to public bodies and statutory undertakers to ensure due regard to the conservation of biodiversity. The Duty is set out in Section 40 of the Act, and states that:

"Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"

A.6.4 The Duty applies to all local authorities, community, parish and town councils, police, fire and health authorities and utility companies. Section 41 (S41) of this Act (the 'England Biodiversity List') also requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. This list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40(1) of the Act.

A.6.5 Also, Local Authorities must follow the National Planning Policy Framework (NPPF) which provides guidance on the interpretation of the law in relation to wildlife issues and development. For each development proposal considered by the Local Planning Authority the NPPF states that the authority must aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

UK Biodiversity Action Plan (UK BAP)

A.6.6 The UK BAP, which was first published in 1994, was the UK government response to the 1992 Convention on Biological Diversity. It sets priorities for nationally important 'priority species' and 'priority habitats'. Each species and habitat action plan has costed actions and targets, and is used to inform the compilation of national lists such as the Section 41 List described above.

ANNEX B: TEMPORARY BARN OWL ROOST/NEST PROVISION

The Barn Owl Trust
Conserving the Barn Owl and its Environment

Barn Owl Trust

Barn Owl boxes for trees

barnowltrust.org.uk/barn-owl-nestbox/owl-boxes-for-trees/

Firstly, have you considered putting a Barn Owl box inside a building?

There are lots of reasons why *Barn Owl boxes in buildings are better than nestboxes in trees*.
They are cheaper too!

However, if you have a suitable tree, tree boxes are much more practical than boxes on poles.

Do you have a suitable tree?

An ideal tree would be:

- A mature tree with a thick trunk.
- Isolated, in a hedgerow or on the woodland edge.
- With a high canopy.
- With few or no low branches.
- Where a nestbox can be placed at least 3 metres above ground level.
- Where the nestbox access hole would be visible to a passing owl, even when the tree is in full leaf and seen from a distance.
- Quite close to strips or patches of rough grassland.

Watch the video above or see our Photoguide: Choosing the right tree for a Barn Owl box.

This ideal tree stands in a patch of good habitat.

Top tips for nestbox trees:

- Barn Owls are interested in *holes* rather than boxes.
- Face the access hole towards open ground but avoid the prevailing weather if possible.
- Trees with low branches/leaves and trees screened by other trees/buildings are not suitable because the access hole will be hidden.
- Trees within woodland are very unlikely to attract Barn Owls.

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Is your landscape suitable?

- Barn Owl nest boxes in the UK & Ireland should be placed in open countryside in isolated trees or trees that overlook open habitat.
- Avoid urban, suburban, dense forest and high mountain areas.
- Sites within 1 km of a motorway or other fast, unscreened main road should be avoided due to the risk of road-deaths.
- Nestboxes do not need to be placed within rough grassland as the birds are perfectly capable of 'commuting' across unsuitable habitats before starting to hunt and have very large home ranges.
- Check to see if your local landscape is suitable.


A mixed farming landscape with patches and strips of rough grassland is ideal.

You can build a Barn Owl treebox or you can simply buy a Barn Owl Trust nestbox for fixing to a tree.

Barn Owl tree nestbox instructions:

- Dimensions.
- Materials to use.
  - Preservative.
  - Waterproofing.
- Barn Owl box plan and construction.
- How to put up a tree box.
- How and when to clean it out.
- Your safety.
- Essential requirements for Barn Owl tree box designs.

Dimensions

The *dimensions given in the owl box plans below must be treated as the* ***minimum*** *required size*.

Ideal Barn Owl boxes would be much bigger: a full 1 metre from the bottom of the entrance hole to the bottom of the box and with a floor area of at least 1m x 1m. However, owl boxes that big would be very difficult to erect and more expensive to build.

Materials to use

The basic owl box should be built using rot-resistant or Tanalith E treated sheet material. We use 9mm tanalised softwood ply, 25 x 50mm tanalised batten and 30mm rust-resistant screws. Please avoid using hardwood ply, unless it is stamped "FSC Approved".

Preservative

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Where tanalised plywood is not available, any type of preservative may be used provided that the box is dry before erection. It is essential that the edges and ends of all parts are treated *before* assembly.

Waterproofing

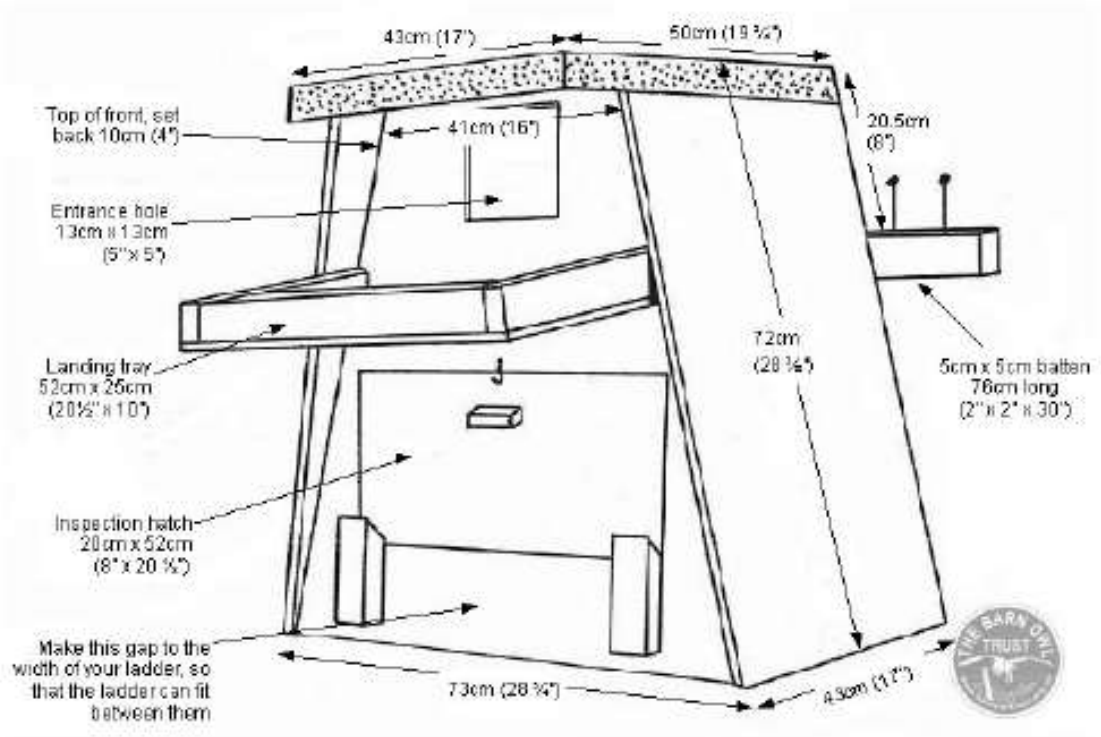
The top of the owl box should be covered with heavy duty roofing felt. A waterproof sealant (such as Ever-Build Weather-Mate) should be used in all the wood joints to prevent water seeping in. If you need proof that this is necessary, try leaving your nestbox under a sprinkler for a few hours. 20mm diameter drainage holes can also be drilled in the floor of the box. The front, back and sides *must* overhang the floor of the box.

How to build a Barn Owl tree nestbox

Watch the video above or have a look at our photo guide – how to build a Barn Owl Tree Nestbox.

- Our deep nest box design is much safer for owlets due to a 450mm drop from the entrance hole to the floor and a landing tray with a raised edge.
- If you wish to vary from this owl box diagram, please check our essential criteria for exterior Barn Owl boxes.

Printable PDF outdoor box cutting plan



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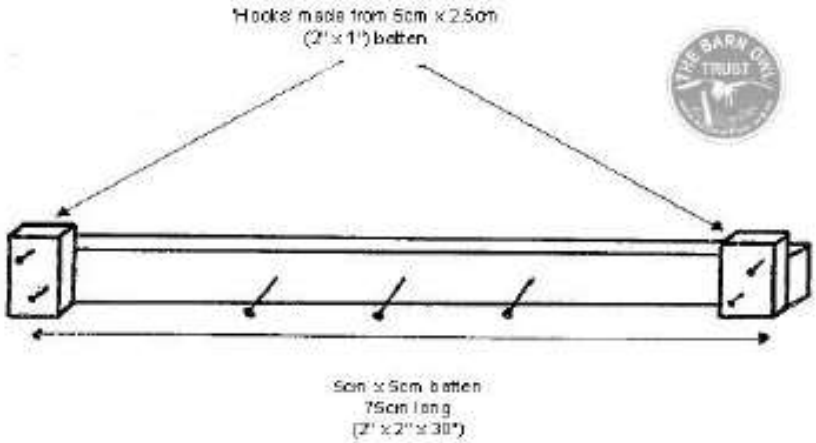

How to erect Barn Owl boxes for trees

Watch the video above or see our photo gallery showing the 2 methods to use when erecting Barn Owl boxes for trees.

Human access and cleaning out

The front of the owl box should have an access panel to enable nest debris to be cleared out periodically. The internal depth of the nest box is important as it reduces the chances of a nestling Barn Owl falling from the box and dying as a result of neglect or predation.
Therefore it is important that the box depth is maintained by clearing out the box once it has more than about 80mm of nest debris. If Jackdaws use the box it must be cleaned out every year (wear gloves and a dust mask). Boxes used only by breeding Barn Owls will need clearing out every 2 or 3 years. Under the Wildlife and Countryside Act 1981, it is an offence to disturb breeding Barn Owls so nestboxes should only be cleaned out between November and January.

Your safety

Before erecting a Barn Owl box, please ensure that you have properly assessed the risks involved, particularly with regard to working at height. An outdoor box is quite heavy to lift single-handed and using ladders is potentially dangerous. Please do not work alone and consider using 2 ladders with appropriate PPE (Personal Protective Equipment such as fall arrest and ladder anti-slip equipment), or safer methods. The most important thing when erecting the box is your own safety.

Minimum requirements for Barn Owl treebox designs

If you choose to use a different design for your tree nestbox, ensure it meets these criteria:

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- Entrance hole: Optimum size: 100 x 130mm; minimum size: 100 x 100mm; maximum size: 150 x 150mm.
- Floor area of nest chamber: Good size range: 0.2 to 0.4m ^{2}; absolute minimum: 0.16m^2.
- Depth from bottom of entrance hole to nest must be not less than 450mm.
    - *NB: owl boxes with less depth may be acceptable if placed within the branches of a tree that a fallen nestling could climb, however, deep owl boxes are so much safer that we no longer recommend boxes with less depth.*
    - *The ideal size for Barn Owl boxes is 1m^2 (floor area) x 1m depth but such big boxes are generally impractical.*
- For any Barn Owl nestbox less than 700mm deep, an **exercise/landing platform** below the entrance hole is vital for the safety of young fledglings. Climbing/jumping young birds can get from the platform onto the roof of the box and (ideally) onto other nearby perching places.

  The platform must have a generous raised edge suitable for Barn Owls to grip easily and it should be positioned, and have sufficient shelter and drainage, to prevent rainwater being deflected into the box entrance.
- Interior must remain dry during prolonged heavy rain coming from any direction.
- All sides should overhang the floor. Outdoor nestboxes usually have drainage holes. However, any nestbox that actually *needs* drainage holes (to let rainwater out) is a very poor design and should not be used.
- There must be sufficient height difference between the nest and the external platform so as to prevent the accumulation of a continuous (internal/external) layer of pellet debris allowing rainwater to soak through the debris to the inside thereby chilling the nest contents.
- Roof should be covered in thick roofing felt guaranteed for not less than 10 years. Very steeply sloping roofs may not need covering but any apex join must be permanently waterproofed.
- Human access for easy clearing-out of nest debris is essential.
- Timber liable to decay within 20 years must be treated with long-lasting preservative: either pressure treated (tanalised) or surface treated including all edges of all component parts.
- All screws/nails and any metal fittings used should be rust proof.
- Measures aimed at reducing the chances of entry by other species (such as Jackdaws and Beech Martens) are to be encouraged provided that they do not significantly reduce the box's suitability for Barn Owls.
- Should be substantially constructed yet light enough to permit safe erection using basic equipment. Normal treebox weight range is 13-18kg. Total weight should not exceed 25kg and a tree box under 10 kg is probably not substantial enough.
- Should not be constructed from tropical hardwood unless the timber is certified as sustainably grown (FSC approved).
- Barn Owl boxes should be supplied with information that specifies an erection height of not less than 3m above ground level and stresses the importance of positioning within the tree branches in the case of boxes that have less than 450mm internal drop.

  Information provided with owl boxes should also cover the following subjects:

  foraging habitat requirements, nestbox positioning to maximise the chances of occupation (entrance hole visibility), the need for clearing out debris so as to maintain internal depth, nest box erection and attachment methods, human safety issues.
- As a general rule, Barn Owl boxes should not be erected within 1 km of any motorway, dual-carriageway or similar unscreened major road.
- Avoid poor nestbox design

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ANNEX C: PERMANENT BARN OWL ROOST/NEST PROVISION

The Barn Owl Trust

Conserving the Barn Owl and its Environment

Barn Owl Trust

Barn Owl nest spaces within buildings

barnowltrust.org.uk/barn-owl-nestbox/barn-owl-nestboxes-building-projects/

- Is my building suitable?
- Is the area suitable?
- Owl tolerance of noise/disturbance
- Choosing the best building and owl-hole position
- Why you should not put an owl box on the outside
- Building Regulations compliance
- Design requirements – owl hole and dimensions
- Design requirements – nest space and dimensions
- Design requirements – insulation
- Design requirements – human access
- Mitigation for Barn Owls already on site

The owners of this Norfolk barn conversion were absolutely delighted when Barn Owls moved in and nested

Is my building suitable?

You need a tall building in which a small hole can be made at least 3 metres above ground level that overlooks open ground (not screened by trees or other buildings). The ideal building will be at least 4 metres tall within which a small owl hole and nest space can be created close to the top. Where there is no residual loft space the owls' nest space can often be incorporated within the fabric of the roof or upper-wall. See a gallery of images showing provision for Barn Owls within building projects.

Is the area suitable?

In the UK and Ireland, Barn Owls are birds of lowland countryside and are not found in high mountain, or urban/suburban areas. However, very small rural villages sometimes contain a nest site. Barn Owls should not be encouraged at sites within 1 km of a motorway or other fast unscreened main road due to the risk of road-deaths. The site in question does not need to be adjacent to a patch or strip of rough grassland as the birds are perfectly capable of 'commuting' across unsuitable habitats before starting to hunt and have very large home ranges. Check to see if your area is suitable.

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Although mainly rural, urban fringe sites can also be occupied by Barn Owls

Owl tolerance of noise/disturbance

Barn Owls can become extremely tolerant of regular noise and activity around their nest or roost provided they have somewhere to hide. Once you have created a confined owl-space within your building, the birds are unlikely to be flushed out when an unexpected noise starts. Once familiar to the birds, regular or constant noises will be ignored. Thus, even rural industrial units can become nest sites. After all, Barn Owls have been nesting next to church bells for hundreds of years!

Choosing the best building and owl-hole position

- If owls already roost on site, choose the tallest building that already has signs of Barn Owl occupation.
- Choose the tallest building that has a visible place for the owl hole to be made leading to a small space inside.
- The owl hole should be at least 3 metres above ground level and as visible as possible from the surrounding landscape.
- If the ground slopes, choose the end of the building that appears to be the tallest (provided the owl hole will be easily seen).
- Where there is no gable-end wall, the owl hole can be made through the roof.

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Why you should not put an owl box on the outside

- A good exterior box will typically last only 10-12 years whereas an indoor owl space will last as long as the building.
- The additional overhead shelter afforded by buildings, and even by trees, is beneficial to the owls.

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- In cases where there is no additional overhead shelter (i.e. a box on a pole or outside wall) the nestbox needs to be a lot bigger. See the design criteria for a pole-mounted nestbox.

Building regulations compliance

- Owl spaces should be constructed inside the building but outside of the 'U-value envelope'. Thus, the envelope/membrane may have to be slightly diverted.
- Consult the book by Dr. Carol Williams (2010), *Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build.* (RIBA Publishing) for details.
- The second edition also deals with conversions; Kelly Gunnell, Brian Murphy and Carol Williams (2013), *Designing for Biodiversity: a Technical Guide for New and Existing Buildings*, (RIBA Publishing).

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Design requirements – owl hole dimensions and ledge (exercise platform)

- Owl hole minimum size: 100mm wide x 200mm high, optimum size 130mm x 250mm, maximum size 200mm x 300mm.
- The bottom of the hole must not have any sharp edges or narrow gaps in which a toe or talon could get caught.
- Where necessary there can be a 'tunnel', minimum 150mm wide x 200mm high, between the hole and the nest space.
- A grippable ledge (e.g. stone or slatted timber) below the owl hole provides an exercise platform for emerging owlets.
- *In cases where the owl hole goes directly into a nest space less than 700mm deep, an exercise platform is considered essential;* the bigger the better but not less than 250mm x 500mm wide with a grippable raised edge.



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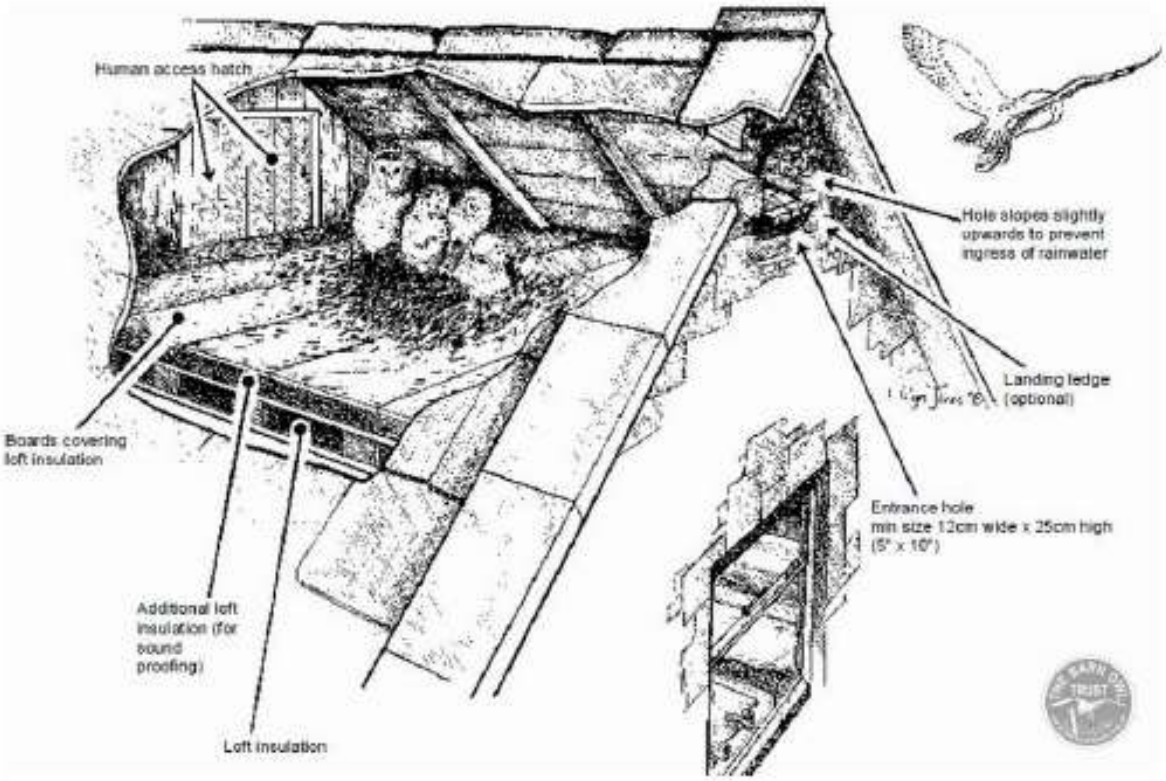
Design requirements – nest space & dimensions

- Floor area of nest chamber: absolute minimum 0.4m ^{2} (e.g. 500mm x 800mm or 400mm x 1m), ideal size is 1m ^{2} (1 metre x 1 metre). These dimensions are bigger than those for nestboxes because built-in provision usually lacks an external exercise platform that would permit maximum wing stretching prior to fledging.
- Where there is no external exercise platform the internal box depth from bottom of entrance hole to floor of nesting area must be not less than 700mm. Note: the ideal depth for Barn Owls is at least 1 metre which should be achieved wherever space permits.
- Depth from bottom of entrance hole to floor of nesting area must be not less than 450mm provided that there will definitely be an easy-to-grip external exercise platform for fledglings to stand on outside the owl hole.
- In a large loft simply partition off a section behind the owls' entrance hole. See images of the construction of an owl partition in a loft.
- Stone, brick and timber are all suitable materials. Although owls are not destructive and seem unharmed by soft insulation materials, these are usually best avoided.
- In an unheated building, no insulation is required. See images of the construction of a built-in nest space in an unheated outbuilding.
- Lining the space is not essential although some owl workers think that a thin layer of wood flakes encourages occupation.
- An internal perch positioned *as high or higher* than the access hole may be beneficial as long as the space is big enough to accommodate one without resulting in one perched bird defecating on another underneath.



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Design requirements – insulation

- From the owls' point of view, insulation is not required.
- However, there should be some form of moisture insulation between the owl space and the building interior.
- Where space is at a premium, use a highly efficient heat insulation board (e.g. 50mm Celotex polyurethane foam).
- Where space allows, use a more environmentally (and thicker) heat insulation board (e.g. a wood fibre board like Pavatex) to which a sound insulation board can be added (e.g. 60mm Pavatherm) if required.

Design requirements – human access

- *Human access is essential* as the nest space will need to be cleared out very occasionally.
- A generous removable inspection hatch or door in the back of the owl space (accessible from the building interior) is usually the preferred option but in some cases an external arrangement may be a practical option.
- In the case of a loft partition, create an integral crawl-through doorway.
- The access should permit all or most of the nest space floor to be reached by hand.

Human access is essential. Here is the interior part of an owl nest space with its insulated inspection panel removed.

Mitigation for Barn Owls already on site

If you are planning to develop a site that has evidence of Barn Owl occupation (either current or within the past 2 years), you will need to mitigate the impact of the development on the resident Barn Owls. Take a look at our planning decisions page to find out more about mitigation for Barn Owls.

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Other relevant pages:

- As well as places to live, Barn Owls need food. Find out how to manage some of your land as rough grassland.
- Has a Barn Owl moved in yet? Have you looked beneath the owl-hole? Check out our signs of occupation page.
- If you see a wild Barn Owl please do report it on our Barn Owl Survey Website.
- There's more information on this topic in the Barn Owl Conservation Handbook.

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