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Bat Roost Assessment Report

**Green Beech,
Higher Commons Lane,
Mellor Brook,
BB2 7PS**

02.09.2019



**Report prepared by:
Dave Anderson
Batworker.com
dave@batworker.com
07894 338290**

Summary

In September 2019 Batworker consultancy was commissioned to undertake a survey of Green Beech, Higher Commons Lane, Mellor Brook, Blackburn, BB2 7PS to assess the potential for use by bats and breeding birds.

A daytime survey was carried out on 1st October 2019 in order to support plans to develop the property.

No evidence was recorded to suggest bats were roosting within the building.

No bats were observed or recorded using the building for roosting.

The building is considered to be of negligible potential for roosting bats.

The surveyor considers survey effort to be reasonable to assess the roost potential of the building and no further survey work is deemed appropriate.

The surveyor does not consider the proposed development and change of use is likely to result in a breach of the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) therefore the proposed development does not require an EPS Licence (EPSL) to proceed lawfully.

Introduction

In September 2019 Batworker consultancy was commissioned to undertake a survey of Green Beech, Higher Commons Lane, Mellor Brook, Blackburn, BB2 7PS to assess the potential for use by bats and breeding birds.

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Survey and Site Assessment

Objectives of the survey

The survey was carried out to determine roost potential of the building, current usage by bats, and other protected species, of the site and to establish status of the bat species using the site prior to development work being carried out.

Survey site location



A central grid reference for the site is SD6409231266

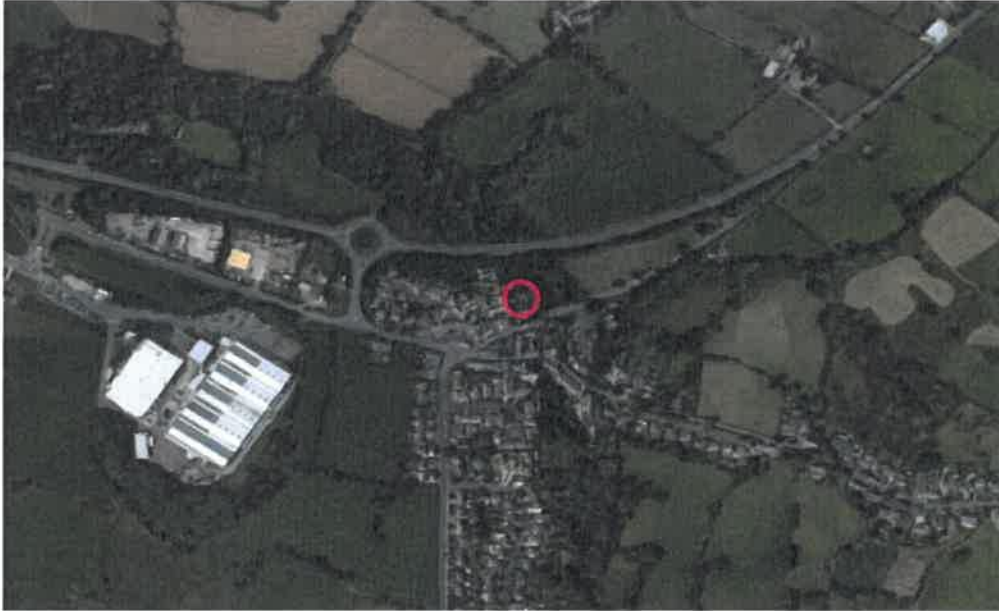
Site/Habitat description



The property consists of a detached bungalow with a double pitched slate roof. A single storey flat roofed extension is present to the rear of the property. Roof slates are close fitting and the ridge is well sealed. External walls are partially rendered and well sealed with no obvious cracks or crevices. Fascia boards where present are close fitting. The loft space is insulated and boarded.

Overall the building offers negligible roosting potential.

Surrounding habitat.



The property is located in a semi rural position with surrounding habitat dominated by semi natural deciduous woodland leading to ancient woodland associated with Mellor Brook.

Overall foraging potential for bats can be considered to be high.

Pre Existing data on local bat species

A search of the MAGIC website revealed one bat EPS licence applications within a 1km radius.

2017-27898-EPS-MIT 01/03/2017	Common Pipistrelle, Soprano Pipistrelle, Whiskered Non breeding roost.
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East Lancashire Bat Group hold no records within 1km.

From personal experience of surveying for and researching bats in Lancashire, Yorkshire and Cumbria, the following species were considered.

Common Pipistrelle – known to roost on sites where suitable foraging habitat is available.

Soprano Pipistrelle – known to roost on sites where suitable foraging habitat is available.

Whiskered/Brandt's – species often found roosting in buildings close to woodland.

Natterer's – a typical upland bat with foraging bats being recorded high on heather moorland. Often roosting in barns.

Daubenton's – a species commonly associated with aquatic habitats.

Long Eared bat – a woodland species which has been recorded foraging over in bye meadows and rough grassland sites. Often roosting in barns.

Field Survey Methodology

Visual inspection

An inspection was carried out to search for and identify potential feeding perches, roosting opportunities and signs of bat use both internally and externally. The visual inspection focussed on searching for feeding remains and bat droppings both within the building and on external walls. Crevices and other potential roost sites were investigated for smear/grease marks, lack of cobwebs, urine staining.

Equipment used included:

- ! Lupine Pico LED torch
- ! SeeSnake CA 300 video endoscope
- ! Opticron close focusing binoculars

Personnel

All surveys were conducted by Dave Anderson MSc, Natural England Science, Education and Conservation bat licence holder (2015-15784-CLS-CLS - Survey Level 2) a bat surveyor and ecologist with 20 years experience.

Survey Summary

Survey	Date	Timings
Visual	01.10.2019	1 Hour

Survey constraints

Access to all areas of the exterior of the building was possible and good visual inspection at ground level was possible.

Evidence of bat activity such as bat droppings or staining on external walls and surfaces is frequently removed by the action of wind and rain; apparent absence of evidence is therefore evaluated with caution. In many situations it is not possible to inspect every location where bats are present therefore it should be assumed that an absence of bat evidence does not necessarily equate to evidence that bats are absent.

Some species such as pipistrelle sp bats are opportunistic and it is possible for individuals to be found during works, even where surveys have had negative results during preliminary and activity surveys.

Results

Visual Inspection – Bats

The building was observed to offer no obvious gaps or crevices suitable for roosting bats and was well sealed. No evidence of bats was observed on external surfaces or within the building.

Visual Inspection – Nesting birds

No evidence of use by nesting birds was observed.

Evaluation of the results

No physical evidence of recent or current use by bats was recorded within the building or on external surfaces. The building is considered to offer negligible roosting potential.

Based on the results of the survey it is considered that development can take place without resulting in a breach of the Habitat Regulations.

Conclusion

No evidence was recorded to suggest bats were roosting within the building.

No bats were observed or recorded using the building for roosting.

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E Bibliography

Barn Owls and Rural Planning Applications	Barn Owl Trust 2009
Barn Owl Survey Methodology and Techniques for use in Ecological Assessments	Shawyer, C. August 2011
Bat Mitigation Guidelines	Natural England 2006
Bat Survey Guidelines 3rd Edition	Bat Conservation Trust 2016
Bat Workers Manual 3 rd Edition	JNCC 2004

Bats and the Law

Wildlife and Countryside Act 1981, principally those relating to powers and penalties, have been amended by the Countryside and Rights of Way Act 2000 (CRoW Act). The CRoW Act only applies to England and Wales.

Section 9(1)

It is an offence for any person to intentionally kill, injure or take any wild bat.

Section 9(4)(a)

It is an offence to intentionally or recklessly* damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection.

(*Added by the CRoW Act in England and Wales only)

This is taken to mean all bat roosts whether bats are present or not.

Section 9(4)(b)

It is an offence to intentionally or recklessly* disturb any wild bat while it is occupying a structure or place that it uses for shelter or protection.

(*Added by the CRoW Act in England and Wales only)

The Conservation (Natural Habitats, &c.) Regulations 1994

Section 39(1)

It is an offence

(a) deliberately to capture or kill any bat

(b) deliberately to disturb any bat

(d) to damage or destroy a breeding site or resting place of any bat.

The difference between this legislation and the Wildlife and Countryside Act 1981 is the use of the word 'deliberately' rather than 'intentionally'. Also disturbance of bats can be anywhere, not just at a roost. Damage or destruction of a bat roost does not require the offence to be intentional or deliberate.

Barn Owls and the Law

Part 1 of the Wildlife and Countryside Act (1981)

(1) Subject to the provisions of this Part, if any person intentionally (or recklessly as amended by the CRow Act, 2000) (a) kills, injures or takes any wild bird; (b) takes, damages or destroys the nest of any wild bird while

that nest is in use or being built; or (c) takes or destroys an egg of any wild bird. he shall be guilty of an offence.

(5) Subject to the provisions of this Part, if any person intentionally- (a) disturbs any wild bird included in Schedule 1 while it is building a nest or is at, on or near a nest containing eggs or young; or (b) disturbs dependent young of such a bird, he shall be guilty of an offence and liable to a special penalty.

Countryside and Rights of Way (CRow) Act (2000)

Part III Nature conservation and wildlife protection

74 Conservation of biological diversity

(1) It is the duty of (a) any Minister of the Crown (within the meaning of the Ministers of the [1975 c. 26.] Crown Act 1975), (b) any Government department, and (c) the National Assembly for Wales, in carrying out his or its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biological diversity in accordance with the Convention.

SCHEDULE 12 AMENDMENTS RELATING TO PART I OF WILDLIFE AND COUNTRYSIDE ACT 1981

1. In section 1(5) of the 1981 Act (offence of intentional disturbance of wild birds) after "intentionally" there is inserted "or recklessly".

The Natural Environment and Rural Communities Act (2006)

PART 3, (40): Duty to conserve biodiversity

(1) 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.

(3) Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.