Providing ecology support for *everyone*

Mr Croft
30 Acrefield
Padiham
BB12 8HW

25th September 2020

Dear Mr Croft

Re: Proposed development at Small Acre, Osbaldeston Lane, Osbaldeston, BB2 7JB (central grid reference: SD 64704 31796)

Thank you for your request for a bat survey at the above site. I understand that the proposed development is for the extension and refurbishment to the existing dwelling house.

1.0 Background and Qualifications

The survey was carried out by Pat Waring and Janette Gazzard.

Pat is a licensed bat worker (Class 2 licence), registered consultant of the Bat Low Impact Class Licence, a Chartered Environmentalist and a full member of the Chartered Institute of Ecology and Environmental Management, with a Bachelor of Science degree in Biology.

Pat has been working as an ecological consultant for over twenty-two years, including over 15 years as Director of Ecology Services UK Limited. This work includes provision of expert advice and guidance to bodies such as Statutory Nature Conservation Organisations, Local Planning Authorities and Lancashire and Yorkshire Police Authorities, as well as the delivery of professional training courses about bats at a national level.

Pat has recognised and extensive knowledge of bat ecology relating to buildings and trees including the requirements and condition necessary for bats roosting. He also has recognised skills relating to bat surveys and assessment.

Janette is a full member of Chartered Institute of Ecology and Environmental Management, with a Bachelor of Science degree in Environmental Management.

Janette has over sixteen years' experience working in ecology and nature conservation, including roles as a Senior Ecologist for a large multidisciplinary company and as a lead adviser for Natural England throughout the North West of England. She has a range of demonstrable skills relating to professional bat work, including building and tree surveys, assessments and judgements of value in relation to bats, as well as selection and monitoring of mitigation features.

Pat and Janette meet the requirements for knowledge, skills and practical experience as outlined in the CIEEM technical guidance (Chartered Institute for Ecology and Environmental Management (2013) *Competencies for Species Survey: Bats*. CIEEM, Winchester, Hants).

1.1 Advisory Note

The information in this letter represents the professional opinion of an ecological consultancy and does not constitute professional legal advice. You may wish to seek professional legal interpretation of the wildlife legislation associated with this area of work.

The information, opinion and advice that Ecology Services UK Ltd has prepared are true, and have been prepared in accordance with the CIEEM Code of Professional Conduct. Ecology Services UK Ltd confirms that the opinions expressed are our true professional bone fide opinions.

Ecology surveys are time-limited; as a rule survey findings can generally be relied on for the season in which surveys took place. However, mobile species such as bats and birds may increase or decrease in numbers and change behaviours over time. Statutory agencies will often accept survey results for 12-18 months, but this varies around the country.

Ecology Services UK Ltd personnel make a professional judgement as to how long the results of our surveys will remain current. Advice and recommendations as regards currency and its impacts on decision making are included in relevant sections below.

2.0 Methodology

In order to assess the likelihood of bats being present at Small Acre, a daytime inspection of the building and its surroundings was carried out on 22nd September 2020.

Observations were made from ground level, as well as from telescopic ladders to examine potential roost features. An endoscope, although available, was not required on this occasion. A 1000 lumens Led Lenser x21 torch and close-focussing Zeiss Victory FL 8x42 binoculars were also used as aids to visibility.

It is recognised that limiting the survey to a single visit in one month does not take account of bat activity on the site through the whole of the active season (March/April to October) or at other times of the year.

3.0 Results of the Survey

The Small Acre site comprises an unoccupied detached bungalow with an attached single garage. The walls are constructed of brick with a smooth rendered finish and there is a upvc wood effect cladding on part of the front (west) elevation. The windows and doors are part upvc and part timber framed but all are sealed tight with no gaps. The roof above the dwelling was completely replaced approximately 10 years ago. The roof is dual pitched and covered with cement tiles, a brick chimney with lead flashing and plastic verges; there are no visible gaps associated with the roof covering, chimney or verges. The roof edges comprise upvc boxed soffits and upvc fascias at the gables as well as around the garage. The garage roof is a pressed metal mono-pitch with timber underboards. There are gaps with some potential for use by bats behind the fascia boards associated with the garage as well as fascia boards at the gable ends of the dwelling house.

There is a large roof void above the dwelling house with a modern roof membrane, timber and brick roof supports. Part of the internal roof edges have been sealed with brick and mortar and there are no gaps or potential access points visible from anywhere within the internal roof void.

There are old signs of nesting birds at the gable wall tops but these areas were sealed with plastic verges during re-roofing works, thus preventing further access for use by birds and bats.

Habitats and surroundings

Small Acre is situated in a rural location. The garden is predominantly mown lawn with occasional semi mature trees and planted shrubs within and along the boundaries. Non-native invasive plant species, cotoneaster and Montbretia, are present within the north boundary planting.

There are properties to the north west and south east along Osbaldeston Lane and open grazed fields to the east and west with hedges, scattered trees and scrub. The levels of artificial lighting are expected to be low based on the density of the housing and lack of street lighting. The immediate surroundings provide high potential shelter and foraging resources to local bat and bird populations.

Bats

No bats were found during the site inspection.

Potential roosting features for bats are:

Night roosting

- Negligible potential – there are no suitable night roosting features

Day roosting

- Low potential – gaps associated with fascia on gable ends and garage

Hibernation roosting

- Low potential – gaps associated with fascia on gable ends and garage

Low potential in the above examples reflects the condition of the features and their environment. It is our professional judgement that further surveys for bats at this time are not warranted.

Nesting birds

No nesting birds or recent signs of nesting birds (including barn owls) were found during the survey.

There is high potential for nesting birds to be present within the garden vegetation during the nesting season (February to September).

4.0 Advice and Recommendations

4.1 Bats

Protected Species	Impacts /Predicted Impacts	Action Required
Bats	It is advised that there is no evidence to suggest that bats pose a constraint to the proposed development. It is advised that there are potential roost features suitable for bats associated with fascia boards at the gable ends and along the garage. In this location and landscape setting, these features have low potential for bats to use throughout the year. All bat species are afforded full protection under and the Conservation of Habitats and Species Regulations 2017. This has recently been amended by the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 which continue the same provision for European protected species, licensing requirements, and protected areas after Brexit.	**Advice (mitigation):** As a precaution, proposed works affecting fascia board features should not take place during the winter months so as to avoid the most sensitive times for bats during their hibernation period. **Avoid removing fascia boards at gables and garage during November to March.** **Recommendation (mitigation):** All personnel involved in proposed development works should be carefully advised about bats by a professional Ecologist, so that all works are undertaken with a clear understanding about legal aspects, precautions to be adopted and what to do if a bat is found. **Prior to development**. **Advice (mitigation):** If bats are found at any time during the development, work must stop until advice has been sought from an appropriately experienced Ecologist. If the development will affect bats, a licence may be required and suitable mitigation put in place. **At all times.** **Recommendation (mitigation and enhancement):** Any new lighting associated with the proposed development should be designed to reduce light spill upwards to maintain the current lack of artificial lighting conditions within the area. This will help to avoid any impacts on bat activity, including foraging and commuting. **During and post development.**

Table 1 Bats

4.2 Nesting birds

Protected species	Impacts /Predicted Impacts	Action Required
Nesting birds	It is advised that there is high potential for birds to be nesting within the garden vegetation during the bird nesting season (February to September). Under the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. There is no provision under the Wildlife and Countryside Act 1981 (as amended) for licensing the disturbance of nesting birds or the destruction of nests which are in use for the purpose of development. If enforcement action were taken the developer would need to rely on the 'incidental result of an otherwise lawful operation' defence if it were not possible to avoid an offence being committed. This defence can only be tested in court and it is therefore important to ensure all possible mechanisms for avoiding an offence are considered.	**Advice (mitigation):** All people working at Small Acre should be made aware of the likelihood of encountering nesting birds and should be made aware of the legal protection of nesting birds and their own responsibilities as regards implementation of precautionary measures. **Prior to any work commencing** **Advice (mitigation):** It is advised that the most appropriate way to address the risk to nesting birds is: Avoid disturbance to vegetation, buildings and during the nesting season. Or If works cannot be delayed the proposed work area should be carefully checked, immediately prior to works commencing. Checks should be carried out by a suitably experienced ecologist. If the risk of nesting birds remains, then monitoring for nesting bird activity should continue for the duration of works. **Prior to any work commencing (checks) and throughout works in nesting season (monitoring).** **Advice (mitigation):** If works are to be undertaken during the nesting season, all people working at the proposed development site should attend a toolbox talk delivered by an appropriately experienced person, to be made aware of the likelihood of

Protected species	Impacts /Predicted Impacts	Action Required
Nesting birds Continued		encountering nesting birds and how to identify them, the legal protection of nesting birds and their own responsibilities as regards implementation of precautionary measures. **Prior to any work commencing.** **Advice (mitigation):** If birds are found to be nesting within or in close proximity to the work area during proposed works, it will be necessary to stop and establish an exclusion area. The extent of the exclusion area, which should be determined by a suitably experienced ecologist, will depend on the bird species and the nature of the proposed works. **At all times.**

Table 2 Nesting Birds

4.3 Non-native invasive plant species

Non-native invasive plant species	Impacts /Predicted Impacts	Action Required
Cotoneaster species & Montbretia confirmed within garden planting	It is advised that the proposed development will have to take account of non-native invasive plant species. Proposed works to the building will involve an amount of disturbance which could result in the spread of non-native invasive plant species which are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).	**Advice (mitigation):** All personnel involved in the proposed development works should be made aware of the presence of non-native plant species and how to identify them, so that all works are undertaken with a clear understanding about legal aspects and working methods and precautions to be adopted. **Prior to any work.** **Advice (mitigation):** Where possible, leave all boundary and border plants in situ and avoid all activities that have the potential to disturb the ground/plants resulting in the further spread. **Prior to and during any work.**

Table 3– Non-native invasive plant species

Compliance with the actions outlined in the Tables 1 and 3 will help to avoid committing offences in relation to protected species bats, nesting birds and non-native species.

Precautionary measures such as those listed above are generally regarded by Statutory Bodies, Local Planning Authorities and Professional Ecologists as being appropriate where there is a risk of protected species (i.e. bats and nesting birds) being present but further investigative surveys are not required prior to a planning application.

4.4 Other Protected Species

There are no constraints in relation to other protected species.

For this site, it is also recommended, if proposed works are not undertaken by May 2021, advice should be sought as to the need for further surveys at that time.

If you require any further ecological advice or guidance in relation to the proposed works, please do not hesitate to contact me

Yours sincerely

Janette Gazzard MCIEEM
Senior Ecologist
Ecology Services UK Ltd
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View of Small Acre showing front (lhs) and rear elevations (rhs)


View of gable and garage fascia boards (lhs) and close up view showing gap behind fascia that has some potential for use by bat (rhs). A similar gap is also present at the gables


View of roof void (lhs) and old signs of bird nesting on the wall top, south east gable (rhs)


Cotoneaster species hedge planting (lhs) and Montbretia plants within the border along the north boundary(rhs)