PRELIMINARY ECOLOGICAL APPRAISAL

OVERDALE, YORK LANE, LANGHO

CASSIDY + ASHTON

07 JANUARY 2021

Sambrook Associates Ltd

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This report has been prepared by Sambrook Associates Ltd on behalf of Cassidy + Ashton in connection with the demolition and replacement dwelling at Overdale, York Lane, Langho and takes into account their particular instructions and requirements. It is not intended for, and should not be relied on, by any third party and no responsibility is undertaken to any third party.

Contents

1 INTRODUCTION

1.1 Background Information

1.1.1 Sambrook Associates Ltd was instructed by Cassidy + Ashton to undertake a Preliminary Ecological Appraisal in relation to the proposed demolition and replacement of the residential property at Overdale, York Lane, Langho, Lancashire.

1.1.2 As part of the Appraisal, a site walk-over survey was conducted in addition to a desktop study and a bat scoping survey. This report provides the results of these, as well as an appraisal of the potential effects the proposed works may have on biodiversity, and recommendations for mitigation and enhancement, where required.

1.1.3 The aim of the appraisal is to provide sufficient ecological information for the local planning authority (LPA) to determine the associated planning application. The objectives of the study were to:

- Provide baseline information on the current habitats and ecological features both on-site and in the immediate surrounding area;
- Identify the presence or potential presence of any protected species or habitats and provide an appraisal of any potential effects that the proposed works may have on these;
- Identify the proximity of any sites designated for nature conservation interest and provide an appraisal of any potential effects that the proposed works may have on these; and
- Provide recommendations for further pre-demolition survey work and / or mitigation measures if required and present opportunities for habitat enhancement.

1.1.4 Given the nature of the proposed works i.e. demolition of the building, it is considered that the key potential constraint could be bats. This report focusses on bats but other mobile species such as GCN and birds are also appraised.

1.1.5 The survey was led by Rebecca Sambrook MCIEEM (a Full Member of the Chartered Institute of Ecology and Environmental Management (CIEEM)) who adheres to that organisation's Code of Professional Conduct. Rebecca has been designing and conducting bat surveys, assessing impacts and designing appropriate mitigation for over 18 years, involving hundreds of projects.

1.2 Site Description

1.2.1 The Site is located on a suburban fringe, with residential properties to the front and either side, and open moorland to the rear. The site comprises a single storey detached prefabricated bungalow with associated landscaped gardens, hardstanding driveway and rear patio. To the boundaries are fencing and ornamental shrubbery.

1.2.2 The proposed development is hereby referred to as the Site and comprises the area within the landholdings, although the actual development footprint is smaller than this.

2 LEGISLATION

2.1.1 Many sites, animals and plants are protected by European and/or UK legislation either because of their decline across Europe and the UK or due to the persecution they have placed upon them by negligent or illegal acts such as baiting or trade. Legislation is also in place to prevent the spread of introduced or non-native invasive species and harmful weeds. When undertaking an appraisal of a proposed development, such legislation is taken into account as follows.

- **European:** Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'); and Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (codified version of Directive 79/409/EEC as amended) (the 'Birds Directive').
- **UK (England & Wales):** • The Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitat Regulations') which transposes the Habitats Directive in UK law; The Wildlife and Countryside Act 1981 (as amended); the Countryside and Rights of Way Act (CRoW) 2000; the Protection of Badgers Act 1992; the Natural Environment and Rural Communities Act (NERC) (2006) and the Environmental Protection Act (EPA) 1990.

2.1.2 Species such as birds, bats, great crested newts, otter *Lutra lutra*, water vole *Arvicola amphibious*, reptiles and badgers *Meles meles* are all protected to varying degrees under this legislation.

2.1.3 In addition to legislation, there are also national and local planning policies pertaining to the protection of biodiversity. The National Planning Policy Framework (Department for Communities and Local Government, 2019) states that local planning authorities should "promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan."

2.1.4 Under the NERC Act, local authorities (and other public bodies) have a duty to conserve biodiversity the local authority must take the protection of the priority habitat into consideration when it is making a planning decision.

2.1.5 The RSPB's Birds of Conservation Concern 3' (Eaton et al., 2009) is also taken into consideration when undertaking this appraisal.

2.1.6 Because of the type of development proposed, it is usual that bats are the most likely animals affected and so the legislative and licensing obligations pertaining to bats are described in more detail below.

2.1.7 All bat species are protected in the UK under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). The species is also protected under Annex II of the Council Directive 92/43/EEC 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (the EC Habitats Directive). This has been transposed into UK law by the

Conservation of Habitats and Species Regulations 2010 (as amended) in England and Wales. Bats are referred to as European Protected Species (EPS).

2.1.8 It is an offence to deliberately capture, injure or kill a bat; intentionally or recklessly disturb in a way that would affect their local distribution or abundance, or affect their ability to survive, or breed. It is also an offence to damage or destroy a bat roost and to possess, advertise, control, transport, sell, exchange or offer for sale/exchange any live or dead bat or any part of a bat.

2.1.9 If you wish to undertake works that would affect an EPS then you will need a licence. Natural England (NE), in exercise of the powers conferred under regulation 53(1) and 56(3) (a) of the Conservation of Habitats and Species Regulations 2010, may issue licences for the following purposes:

- Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- Preventing the spread of disease;
- Preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property or to fisheries; to allow people to carry out activities which would otherwise be illegal;

2.1.10 Before issuing a licence under the Habitats Regulations, the licensing authority must be satisfied that “there is no satisfactory alternative” to the work as proposed and, that the proposed actions “will not be detrimental to the maintenance of the population of the species at a favourable conservation status (FCS)”.

2.1.11 To ensure these requirements are met, the licensing authority must have enough information to complete an assessment of the application. This includes sufficient survey data so that the roost and how it is used by bats is understood and impacts upon the roost are appropriately assessed so that mitigation and/or compensation can be designed into the proposed development that will ensure the bat population can be incorporated and maintained in the long term.

2.1.12 Seven bat species are UK BAP Priority Species. These are as follows:

- Barbastelle *Barbastella barbastellus*
- Bechstein’s *Myotis bechsteinii*
- Brown long-eared *Plecotus auritus*
- Greater horseshoe *Rhino ferrumequinum*
- Lesser horseshoe *Rhinolophus hipposideros*
- Common noctule *Nyctalus noctula*
- Soprano pipistrelle *Pipistrellus pygmaeus*

3 METHODOLOGY

3.1 Introduction

3.1.1 To inform this Preliminary Ecological Appraisal, an extended Phase 1 Habitat survey and bat scoping survey of the Site and a desktop study were undertaken between November 2020 and January 2021.

3.2 Desk-top Study

3.2.1 The desktop survey involved data searches for statutory and non-statutory sites and other features of interest within a 1km radius of the site. The centre of the site, Ordnance Survey Grid Reference SD7097733704, was used for the data search.

3.2.2 The following sources were searched for information about the Site:

- Defra's 'MAGIC' website;
- Google Earth;
- Bing Maps; and
- Ribble Valley Borough Council website.

3.3 Extended Phase 1 Habitat Survey

3.3.1 The purpose of the Extended Phase 1 Habitat Survey was to determine:

- the habitats present;
- any potential constraints to development;
- the potential for legally protected species to be present;
- the presence of invasive plant and animals; and
- any requirement for additional ecological surveys.

3.3.2 Sambrook Associates Ltd. carried out an Extended Phase 1 Habitat Survey of the Site on 25 November 2020. The weather was cool with an average temperature of 11°C. The survey was carried out by Rebecca Sambrook MCIEEM. The surveyor is a Full Member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and adheres to that organisation's Code of Professional Conduct.

3.3.3 The survey was carried out in accordance with the Extended Phase 1 Habitat Survey methodology as described in Guidelines for Ecological Assessment (Institute of Environmental Assessment, 1995). This is a development of the original methodology outlined in the Handbook for Phase 1 habitat survey – A technique for environmental audit (JNCC, 2010). Photographs are included within the document. Plant names follow the third edition of the New Flora of the British Isles (Stace, 2010). The common name of the plant is stated first and is followed by the Latin name, on the first occasion that it is used. Only the common name is used subsequently.

3.3.4 The Site and immediately adjacent areas (up to 30m where access available) were searched for evidence of, and habitat that may support, protected species such as bats, great crested newts, badgers *Meles meles*, birds, reptiles, otters *Lutra lutra*, water vole *Arvicola amphibious* and also any invasive plants or animals.

3.4 Bat Scoping Survey: Preliminary Building Inspection

3.4.1 The survey followed the methodology set out in the Bat Conservation Trust handbook *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016).

3.4.2 The bungalow was inspected both externally and internally for evidence of the presence of bats. The survey started with an examination of the external parts of the building to locate potential roosting features such as lifted/missing tiles, gaps around soffits, barge boards and similar. Evidence such as staining, droppings, urine splashes and individuals were also searched for. With no evidence externally, an internal inspection was undertaken, searching for the same evidence. The house comprised loft spaces in two separate sections, both of which were accessible but not safe to fully explore. Ten minutes was also spent listening (detector and ear) for squeaking noises that bats make when in their roost, though it is noted this can be limited at this time of year.

3.4.3 A timber shed in the rear garden was also assessed externally.

3.5 Limitations

3.5.1 No significant limitations were encountered during the surveys.

4 RESULTS

4.1 Introduction

4.1.1 This section provides a commentary on the data collected during the desk-top study, extended Phase 1 Habitat survey and bat scoping survey. Photographs depicting the site can be found in the report below.

4.2 Desk-top Study

4.2.1 As discussed above, a number of available online resources were reviewed as part of the desk-top study.

4.2.2 The Site is not located within 1km of any statutory designated site. The proposed Site falls within a SSSI/SAC Impact Risk Zone. Impact risk zones are used by Local authorities to assess planning applications for likely impacts on SSSIs, SACs, SPAs and Ramsar sites in England. However, the proposed development type and size is not included in the planning proposal categories that would trigger the necessity for the planning authority to consult with Natural England i.e. it is considered that this development type is unlikely to impact upon the nearby designated sites.

4.2.3 The Site is not within 1km of any non-statutory Local Wildlife Site.

4.2.4 A search of Google Earth and Bing Maps revealed there to be no ponds or waterbodies within 250m of the Site.

4.2.5 Ribble Valley Borough Council planning portal did not reveal any pertinent information and there do not appear to be any current adjacent developments that would likely cause any in-combination effects with the proposed Site.

4.3 Extended Phase 1 Habitat Survey

4.3.1 The Site comprised a detached prefabricated bungalow; rendered breezeblock with tiled roof, soffits, bargeboards and loft spaces. There were mature and overgrown gardens to the front and rear, a blocked off passage down the eastern side of the house and a passable pathway down the western side of the house into the rear garden. The front recreational area comprised driveway and ornamental planting. The rear garden comprised further ornamental planting, large patio area, a dry pond and lawn. A small timber shed was also recorded. There was fencing and mature shrubbery to the boundaries.

4.3.2 Beyond boundaries; to the north are open moorland and to the south, east and west are neighbouring properties of similar character.

4.3.3 The site offers habitat for bats, for roosting (bungalow) and limited foraging/commuting around the gardens. Bats are discussed in more detail below.

4.3.4 Bird nests or active nest building was not recorded around the house or in the adjacent vegetation at the time of the survey but the vegetation to the boundaries in the rear garden is suitable for nesting building.

4.3.5 There are no significant or mature trees within the site.

4.3.6 There is one ornamental pond on the Site which was dry and full of rubbish and debris etc at the time of the survey. This pond is not suitable for great crested newts or other amphibians. Given the absence of ponds and suitable habitat on site and within 250m, great crested newts are not considered further in this report.

4.3.7 No badger paths or setts were identified within 30m, badgers are highly unlikely to use the site for foraging or sett making. This species is not considered further in this report.

4.3.8 The habitat on Site is unsuitable for otter and water vole. Neither species is considered further in this report.

4.3.9 No evidence of non-native invasive or harmful weeds such as Japanese knotweed or Himalayan balsam was identified during the survey.

4.3.10 It is proposed to demolish the bungalow and hence the key consideration for this application is bats. Due to the potential for some minor vegetation works, birds are also considered.

4.4 Bat Scoping Survey: Preliminary Building Inspection

4.4.1 The building inspection was undertaken on the same day as the extended Phase 1 Habitat survey. Two buildings were assessed; the bungalow and the timber shed.

4.4.2 The two buildings on site were assessed for their potential to support bats. A listening exercise undertaken for 10 minutes around the buildings did not detect any ‘chattering’ or squeaking noises and no recordings were made on the detector. The following table provides a description of the buildings, evidence of usage and a value as to the potential of the building to support bat species, based upon evidence, features and opportunities recorded.

Table 4.1: Preliminary Building Inspection Results

Building ref	Brief description	Potential to support bats	Evidence of bats
1	Single storey rendered prefabricated breezeblock building with tiled roof. Damp throughout which was overpowering in places. Two small cluttered loft spaces with roofing membrane and standard fibre insulation present. Barge boards/soffits present all round which exhibited gaps into the fabric of the building. Gaps under tiles and ridge tiles providing access points.	Moderate potential	No evidence of bats found on the outside or within the building

	Small gaps under eaves, behind barge boards providing access points. Chimney with lead flashing present which exhibited gaps. Small area of ivy growth on front of building but not suitable for roosting.		
2	Small timber shed – no suitable or potential roosting features. Highly exposed to the open moorland scape and to prevailing winds across the valley.	Negligible	No evidence of bats

4.4.3 The Site provides low value commuting and foraging habitat for bats. The wider area is also of low value to bats given the two extremes of environs; a built-up residential area and open and exposed moorland. Nevertheless, the potential of the building to support a roost cannot be completely ruled out and it would therefore be pertinent to undertake further bat surveys at this property during the core bat survey season (May to August).

Plates 4.13-4.15: Photographs of the Site

Building 1 front

Building 1 rear

Front garden

Rear garden and rear of house

Rear garden, shed and exposed landscape

Timber shed

Moorland to rear

Rear garden

Gaps in roof joints at rear of property

Gaps around lead flashing

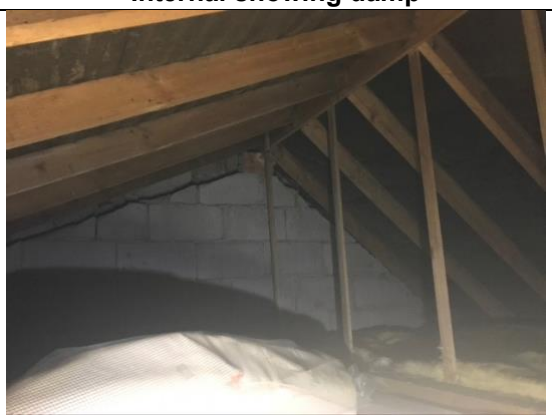
Gaps under tiles near top of roof

Gaps behind timber boarding

Gaps between soffits and wall

Internal showing damp

Internal loft space 1



Internal loft space 2

4.5 Appraisal of Potential Effects

4.5.1 The proposed works are restricted to the demolition of the bungalow and construction of a replacement two-storey dwelling. The location of the dwelling will be set back, further off the road and more into the rear garden.

4.5.2 Given the isolated nature of the proposals, no effects on designated sites is anticipated.

4.5.3 Effects on localised habitat are considered. It is anticipated that boundary features such as the shrubbery along fence lines will be 'tidied up' but much of the rest of the ornamental planting will be removed to facilitate construction. The proposals include a basic landscape scheme for further ornamental shrubbery and lawns, once construction is complete. The loss and replacement of ornamental planting is an insignificant effect. The landscaping scheme should include species of native and local provenance, particularly fruit bearing and nectar rich species.

4.5.4 Overall the Site is of negligible value for all species except bats and birds.

4.5.5 No birds were identified nesting and no historic nests were found in the house nor in the boundary features, however, it is possible that birds may build nests in the interim period between survey and works commencing, if this time period encompasses the bird nesting season (March to August inclusive). It is advised that the disturbance and/or destruction

of nests is illegal under the Wildlife and Countryside Act 1981 (as amended). It is advised that works (including demolition and any vegetation trimming/clearance) are to commence outside of the nesting bird season. If this is not possible, a nesting bird check should be undertaken by an appropriately qualified ecologist and work can only commence if no nests are found. If any nests are spotted at the outset of the proposed works, and the nest is likely to undergo any disturbance, works in the vicinity must cease and the nests must remain intact and undisturbed until young have fledged. If any vegetation suitable for nesting is lost during construction works, this should be replaced (post-construction) with planting of native species to the boundaries of the site. With this in mind, effects on nesting birds are not anticipated.

4.5.6 The demolition of buildings often gives rise to numerous effects on bats in the absence of mitigation. Direct impacts can include disturbance, loss or modification of roosts due to building work including removal of roofs, demolition, plant machinery, increased people presence and lighting, and fragmentation and isolation due to modification of habitats that bats may use to commute to areas for foraging and roosting.

4.5.7 Lighting at night during the demolition period and during occupation can cause indirect disturbance to bat roosts and foraging/commuting routes. A lighting scheme for the new dwelling has the potential to affect foraging and commuting bats because some species avoid light. To reduce the potential for impacts on light sensitive bat species flight lines, the external lighting scheme should be designed sympathetically. Guidance on lighting schemes can be found in the Joint ILP and BCT publication Bats and Artificial Lighting in the UK Guidance Note 08/18.

4.5.8 Since the proposed development comprises the complete demolition of the building, this could give rise to direct impacts upon bats and their roosts, if they are present in the building. It is therefore recommended that two nocturnal surveys (one dusk and one dawn) are undertaken in accordance with BCT's bat surveys guidelines (2016) to identify if bats are present in the building.

4.5.9 Upon receipt of the results of these surveys, this section will be updated with an appraisal of effects.

5 CONCLUSION AND RECOMMENDATIONS

5.1.1 The site has been the subject of surveys and assessment in 2020/21. Overall, the Site offers limited potential for protected and notable species with the exception of bats and birds.

5.1.2 The bungalow presents opportunities for bat roosting and although no evidence of this was found during the physical inspection, due to the elusive nature of bats, it is not always possible to identify even a large roost by physical inspection alone. Recommendations for further survey are made below.

5.1.3 Recent or historic bird nesting was not recorded on the Site but it is possible birds may move into the site in the next breeding season. A precautionary avoidance approach is taken (see below). No effects are anticipated in this regard.

5.1.4 Surveys are not required for any other species prior to construction.

5.1.5 Three recommendations are made:

- **Recommendation:** further surveys in respect of bats are required in order to fully assess the effects this application may have on bats. Surveys are to be undertaken in accordance with BCT's 2016 bat survey guidelines. Since the building has been identified as having moderate potential, two surveys are required during the period May-August. The results of these surveys will be assessed and, if required, a mitigation and compensation scheme will be devised to avoid, minimize and/or offset impacts on bats. This would include the application for a derogation licence from Natural England, if required.

- **Recommendation:** works (to building or vegetation) are to commence outside of the nesting bird season, or if this is not possible, a qualified ecologist is to undertake a nesting bird check within the zone of influence. Only if no nests are found can works commence.

- **Recommendation:** To reduce the potential for impacts on light sensitive bat species, the external lighting scheme should be designed sympathetically. Guidance on lighting schemes can be found in the Joint ILP and BCT publication Bats and Artificial Lighting in the UK Guidance Note 08/18.

- **Recommendation:** the landscape proposals should include the planting of native species of local provenance and include nectar rich and fruit bearing species.

5.1.6 If the measures outlined and detailed within this report are implemented in full, no long-term negative effects on biodiversity are anticipated.

6 REFERENCES

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