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JessicaTownson

AJH Associates 21 Deanfield Court Clitheroe BB7 1QS

25 April 2012

Job ref: B 1145

Dear Jessica

Re: Daylight scoping survey (bats): Meadow Bank, Sawley Road, Grindleton, Clitheroe.

Introduction

You have requested a protected species survey on behalf of your client Mr P Bullock as a condition of a planning application to Ribble Valley Borough Council (RVBC) for a proposed building extension / sun lounge requiring modifications to the facia soffit of the south-east elevation.

The existing property is shown in figures 1 to 6 of this report.

The Local Planning Authority must take account of the impact of a development on protected species in accordance with PPS9. RVBC requires an appraisal of the likely impact of the proposed development on all bat species that are present or likely to be present at the property, in addition to any mitigation proposals that may be required.

A scoping survey and daylight inspection was undertaken on Monday 16 April between 18.30 and 19.15. The weather at the time of the inspection was cool, dry and bright (max. temp: 9°C; cloud cover: 85%; wind: light north-westerly; rain: nil) providing satisfactory conditions for carrying out a scoping survey.

Although there is no evidence of bat activity within any part of the building that will be directly affected by the proposed extension, there are signs that roosting bats are likely to be present within stonework on the chimney as located in figures 3 and 4, therefore care is required to ensure that protected species are not disturbed, exposed or vulnerable to harm during the course of the development.

Mitigation guidance is provided (Appendix B) to enable the development to proceed without causing disturbance, injury or death to a protected species or result in the loss of a bat roost.

Survey methodology

The survey includes internal and external inspections of the property.

The survey methodology follows the recommended guidelines published by the Bat Conservation Trust - *Bat Surveys: Good Practice Guidelines, 2nd Edition, Hundt, L (2012)),* Natural England *(Survey Objectives, Methods and Standards as outlined in the Bat Mitigation Guidelines, 2004)* and Chapter 3 - Survey and Monitoring Methods, *(Bat Worker's Manual, JNCC, Mitchell-Jones AJ and McLeish, AP, 3rd Edition 2004).*

The aim of the scoping exercise is to consider the potential value of the site for European Protected Species (EPS) and to establish whether bats and other protected species have been active within any part of the property that will be affected by the proposed development.

The scoping survey includes a desktop search of publicly available data on protected species within the district in addition to locally significant landscape features and designated nature conservation sites.

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

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

Personnel

The survey was carried out by David Fisher (EED) - an experienced ecological consultant with more than 25 years experience of bat ecology and field survey work and a Natural England licence holder since 1989; current NE licence No: 20113901, (Conservation, Science and Education).

Constraints

The timing of the survey is outwith the optimal survey period for breeding bat activity and roost emergence.

Crevice-roosting bats such as the pipistrelles, some myotis species and brown long-eared bats are able to remain unseen within very confined spaces such as cavity walls or beneath roofing materials, wall claddings, lead work flashings and fascia soffits despite careful visual inspection.

Evidence of bat roosting activity such as bat droppings on external walls and surfaces is frequently removed by the action of wind and rain; lack of such evidence is therefore evaluated with caution.

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

National Biodiversity Network (NBN Gateway) database records, whilst indicative of the bat species that are likely to occur within a 10km square, do not confirm presence or absence of a species or habitat.

Absence of records does not imply that a particular bat species is not present within the recording area.

Desktop study (SD 74 and SD84)

A local data search was carried out to identify bat records within a radius of at least 2.5km of the site.

Reference to the National Biodiversity Network (NBN) database has identified the following four species present within the 10km recording square SD 74 and SD84:

Whiskered bat	(Myotis mystacinus)		
Whiskered/Brandt's bat	(M. mystacinus /brandtii)		
Daubenton's bat	(M. daubentonii)		
Brown long-eared bat	(Plecotus auritus)		
Common pipistrelle	(Pipistrellus pipistrellus)		
Soprano pipistrelle	(P. pygmaeus)		

Pre-existing information (survey location at NGR: SD 767460)

None available at this location; the nearest records^{*} of bat roost activity are within 350m at Riversmead, Bowland School and Foxley Bank, SD 768461 and SD 769462 (see additional records in Appendix D).

The property is a detached modern style bungalow (built ca 2002) with stone and block work cavity wall construction and duo-pitched roof. The roof is clad with natural slate, lined with a breathable membrane and insulated with 50mm Celotex thermal board between the roofing spars. There is a small eaves roof void beneath the roof pitch on the front elevation; the space is used for storage only and access is very restricted (figure. 5).

The void is clean, dry and well ventilated and there is no evidence of bat droppings (although some mouse droppings are present).

Externally, the building is faced with natural stone and all windows and doors are double glazed sealed units. There is a timber fascia to the front elevation (figure 2) and the roof verges on both gable walls are mortar-pointed and very well sealed.

A garage is located beneath the patio on the front elevation (figure 3) and there is no evidence of any bat activity within this structure.

The chimney stack has lead work flashing at the base, this area is well-sealed and secure (figure 4), additionally there is a course of lead work flashing around the mid-point and this is shown in figs. 3 and 4.

There is a small raised section of lead on the SE face where there is some evidence of access by bats.

The property is generally well-maintained and all roof areas including ridge tiles, verge tiles and roof verges appear secure. There is no evidence of access by bats to any part of the front elevation or to other parts of the building.



Figure 1: front (SE) elevation



Figure 4: Chimney detail

Proposed development



Location of the property (NGR: SD 767460: elevation: 100m; approximately 0.9km NE of Grindleton.



Figure 2: Proposed area of development



Figure 5: roof void – SE pitch



Figure 3: side elevation



Figure 6: detail inside roof void

The property is located close to the Sawley road on rising ground and is adjacent to open countryside at the side and rear; there are extensive views south and south-east over the Ribble valley. The location is largely rural in character; there are some neighbouring properties within 100m and Bowland County High School at Foxley Bank comprises several buildings of varied age, design and construction type. There are reliable records of a pipistrelle bat roost within the old school building and there are recent records of a pipistrelle bat roost within the old school building and there are recent records of a pipistrelle maternity roost at Grindleton Primary School 0.75km south-west of Meadow Bank.

There are no areas of standing open water or river channel adjacent to the site; the River Ribble is approximately 0.5km south-west on lower ground. Similarly there is no extensive woodland adjacent to the site although a mature broadleaved copse provides some sheltered habitat within 250m of the property at Riversmead / Bowland High School close to Foxley Bank.

There are no designated nature conservation sites adjacent to the property – ie. Sites of Special Scientific Interest (SSSI), Biological Heritage Sites (BHS), National Nature Reserves (NNR's), Local Nature Reserves (LNR's) or Regionally Important Geological and Geo-morphological Sites (RIGS).

Survey results

All parts of the property were inspected for evidence of bat droppings, discarded insect prey and other indicative signs of roosting, perching or feeding by bats. Several fresh bat droppings were located below a strip of lead flashing on the chimney (located by arrows in figure 4). Approximately 5 No. droppings were noted on the stonework and lead work directly below a narrow gap beneath the lead work course.

There is no evidence of bat activity on any part of the front elevation that is likely to be affected by the development. There are no signs of roosting or access by bats on any other part of the building including the eaves roof void.

The location of the property is adjacent to sub-optimal habitat although the surrounding habitat within 350m of the property provides moderate feeding, foraging and commuting habitat for bats.

Evaluation of results (interpretation)

There is evidence of bat activity at this property. Several fresh bat droppings have been located beneath a section of lead flashing on the chimney; this indicates some roosting activity by crevice-roosting bats, almost certainly a pipistrelle species.

Although the survey was carried out during the sub-optimal survey period in relatively cool weather, there is good evidence to indicate increasing levels of pipistrelle activity within the district during the second half of April and pipistrelle bats are regularly active throughout April.

Currently there is no evidence the roost is used as a maternity site although the presence of pregnant females and juveniles is likely during the period 1 May to 31August (given the proximity of nursery roosts in the locality), therefore building operations that are likely to cause disturbance to the roost must avoid the critical breeding period (May, June, July and August).

The roost site, being located on the south-east face of the chimney is likely to receive ample solar warmth in addition to internal heat from the property. The size of the roost (population class) is impossible to estimate at this stage without carrying out a reliable emergence count. Although the numbers of roosting bats is likely to be limited by cavity size, it is likely that 5 - 20 bats could be present at times.

The proposed plans to build a front extension do not directly affect the roof and chimney; consequently, there is unlikely to be any direct threat to roosting bats.

NB. work must not be undertaken on the chimney without first seeking advice from Natural England via the Bat Conservation Trust (BCT) – please refer to Mitigation guidance notes below.

Roosting bats (Pipistrellus species) are likely to be present within the south-east face of the chimney (fig 4). Work on this structure (eg. re-pointing, gap sealing, lead-flashing adjustment) MUST NOT be carried out without first seeking advice from Natural England (via BCT).

Building operations on the proposed extension are unlikely to cause significant disturbance to bats or cause injury or death of a protected species if carried out according to the recommended mitigation guidance.

Mitigation guidance notes are shown in Appendix B.

Works should proceed with caution and vigilance for the unexpected presence of roosting bats; the proposed development should not interfere or restrict access for bats to the roost within the chimney.

The onus lies with the applicant to satisfy himself / herself that no offence will be committed if the development goes ahead, regardless of whether planning permission has been granted.

Please note: I do not provide a copy of this report to the local planning authority, therefore it is your responsibility to forward the report to Ribble Valley Borough Council with the planning application.

Yours sincerely

Samia E. Ficher

David Fisher

APPENDIX A

Information / data sources

The following sources were consulted during the preparation of this report:

- 1. National Biodiversity Network (NBN) database, (terrestrial mammals chiroptera)
- 2. Bat Conservation Trust (BCT)
- 3. Department for Environment Food and Rural Affairs (Defra)
- 4. Joint Nature Conservation Committee (JNCC)
- 5. North Lancashire Bat Group
- 6. East Lancashire Bat Group
- 7. Lancashire and Cheshire Fauna Society
- 8. Lancashire Wildlife Trust
- 9. Lancashire Biodiversity Partnership
- 10. Ribble Valley Borough Council
- 11. Biological Heritage Sites Partnership (LCC, NE and LWT)
- 12. EED dataset (Lancashire bat records 2000 2011)
- 13. Multi-Agency Geographical Information Centre (<u>www.magic.gov.uk</u>)
- 14. Natural England Nature on the map (www.natureonthemap.org.uk)

Mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species or damage to a roost. The Bat Mitigation Guidelines define mitigation as "...measures to protect the bat population from damaging activities and reduce or remove the impact of development".

ACTION:	METHOD:
1. Timing constraints	No timing restrictions on the proposed extension. Work must not interfere with the bat roost in the chimney; avoid any disturbance to the roost area between 1 May and 31 August.
2. Information to contractors	Building contractors should be aware that bats are likely to be roosting within the south face of the chimney. A copy of this report should be available to contractors and project managers before any work is undertaken. It is responsibility of the developer to ensure that protected species are not disturbed, injured or killed during the proposed works.
3. Avoid all works on the chimney	Although work on the chimney is not proposed at this stage, there should be no interference with the structure, ie. avoid any mortar-pointing, use of chemical sealants, gap filling or adjustments / re-profiling of the existing lead work flashing. You must seek further advice from BCT before any work is proposed. Avoid scaffolding, sheeting or lighting that may affect clear access to the chimney.
4. Removal of roof tiles, fascia boards, soffits and roofing materials on the front (south-east) elevation.	Proceed with caution and vigilance for the 'unexpected' presence of roosting bats – go to note 5 below.
5. Accidental exposure of bats	In the event of bats being exposed or vulnerable to harm, all work in that area must stop immediately. Cover the exposed bats to reduce further risk of harm and seek further advice by calling the Bat Conservation Trust (BCT) helpline on 0845 1300 228. Stop work immediately if bats are exposed or likely to be disturbed.
6. Avoid handling bats	Contractors should avoid handling bats but where there is no alternative, use gloves or a small container to move them to a dark and quiet area, preferably without causing them to fly in daylight. (seek advice from BCT immediately)
7. Legal protection	Site contractors and project managers should be fully aware of the legal protection afforded all species of bat in the UK and procedures should be in place to mitigate for the potential impact on bats - see notes on 'Bats and the Law' in this report. A copy of this report should be available to the building contractors before work begins.
8. Further advice	If you require further advice on bats during the proposed building operations or if you find an injured or resting bat, call BCT immediately; they will normally contact a qualified bat worker in the local area who will visit the site and provide further advice free of charge.
9. Additional survey effort	Evening roost emergence / dawn re-entry surveys are not recommended at this property.

All bat species in the UK receive full protection under the Wildlife and Countryside Act 1981 (amended by the Environment Protection Act 1990). The Countryside and Rights of Way Act 2000 amends the Wildlife and Countryside Act to also make it an offence to intentionally or recklessly damage, destroy or obstruct a place that bats use for shelter or protection. All species of bats are listed on Schedule 5 of the 1981 Act, which makes it an offence to:

- intentionally kill, injure or take any wild bat.
- intentionally or recklessly damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.
- intentionally or recklessly disturb any wild bat while it is occupying a structure or place which it uses for shelter or protection.

The protected status afforded to bats means planning authorities may require extra information (in the form of surveys, impact assessments and mitigation proposals) before determining planning applications for sites used by bats. Planning authorities may refuse planning permission solely on grounds of the predicted impact on protected species such as bats. Recent case law has underlined the importance of obtaining survey information prior to the determination of planning consent¹.

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by a development proposal, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."²

All British bat species are included in Schedule 2 of the Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007, (also known as Habitats Regulations) which defines 'European Protected Species' (EPS).

¹ Bat Mitigation Guidelines, AJ Mitchell Jones, Joint Nature Conservation Committee, (2004) ISBN 1 86107 558 8

² Planning Policy Statement (PPS9) (2005) , Biodiversity and Geological Conservation. ODPM.

Protected species (Bats) and the planning process¹

For development proposals requiring planning permission, the presence of bats, and therefore the need for a bat survey, is an important 'material planning consideration'. Adequate surveys are therefore required to establish the presence or absence of bats, to enable a prediction of the likely impact of the proposed development on them and their breeding sites or resting places and, if necessary, to design mitigation and compensation. Similarly, adequate survey information must accompany an application for a Habitats Regulations licence (also known as a Mitigation Licence) required to ensure that a proposed development is able to proceed lawfully.

The term 'development' [used in these guidelines] includes all activities requiring consent under relevant planning legislation and / or demolition operations requiring building control approval under the Building Act 1984.

Natural England (Formerly English Nature) states that development in relation to bats "covers a wide range of operations that have the potential to impact negatively on bats and bat populations. Typical examples would be the construction, modification, restoration or conversion of buildings and structures, as well as infrastructure, landfill or mineral extraction projects and demolition operations".*

*(Tony Mitchell-Jones, 2004) 1 2.2.3 - Planning for development, p10, Bat Surveys, Good Practice Guidelines, BCT (2007).

Other references:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 5th Floor, Quadrant house, 250 Kennington Lane, London, SE11 5RD, 0845 1300 228

Clarification of the legal duty of Local planning Authorities' to European Protected species: High Court Judgment June 2009: (Wooley v Cheshire east Borough Council) - Bat Conservation Trust.

Defra Circular 01/2005 (to accompany PPS 9) - Department for Environment, Food and Rural Affairs. <u>www.defra.gov.uk</u>

Natural England, Cheshire to Lancashire Team, Electra Way, Crewe, Cheshire, CW1 6GJ Tel: 01270 754227

Additional bat records Grindleton SD 74 (EED)

Species:	Site:	Grid reference:	Date	Comment/recorder
Pipistrellus sp.	West Bradford	SD 744444	21.01.11	Maternity roost
Pipistrellus sp.	West Bradford	SD 739447	29.04.06	roost
Pipistrelle sp.	Grindleton	SD759457	21.06.06	Maternity roost
Pipistrelle sp.	West Bradford	SD745445	12.10.99	Grounded bat
Pipistrellus sp.	Waddington	SD735441	01.07.07	Maternity roost
Common pipistrelle	Throstle Bank	SD774447	23.05.11	Maternity roost
Common pipistrelle	Grindleton School / church	SD763456	July 2011	Maternity roost
Pipistrelle sp.	Riversmead, Bowland School	SD768461	2000	Maternity roost
Common pipistrelle	Riversmead, Bowland School	SD768461	01.11.1998	Feeding and foraging activity
Soprano pipistrelle	Riversmead, Bowland School	SD768461	01.11.1998	Feeding and foraging activity
Common pipistrelle	Chapel Lane, Grindleton	SD 759458	May 2010	Maternity roost
Myotis sp.	Chapel Lane, Grindleton	SD 759458	May 2010	Maternity roost
Daubenton's bat	Chapel Lane, Grindleton	SD 759458	May 2010	Maternity roost
Brown long-eared bat	Moor Lane, West Bradford	SD739447	2006	Feeding signs