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Outbuildings at 'Overleigh', Eccles Road, Whaley Bridge, Derbyshire

Inspection & Assessment in Relation to Bats & Breeding Birds

Prepared for:

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HIGH PEAK BOROUGH COUNCIL
GLOSSOP SITE
RECEIVED

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1.0 Introduction & Reason for Survey

1.1 As part of a proposed Planning Application regarding two outbuildings within the grounds of 'Overleigh', Whaley Bridge, an inspection and assessment was undertaken in relation to bats and breeding birds. The site owner, Mr J Gilbert commissioned the inspection and report; it is understood that the proposals for the outbuildings involve them being converted into a residential dwelling. As part of the Local Authority's Planning Policies ecological surveys are generally required, particularly where a specially protected species is or may be present and could be affected by the proposals for which the Application seeks consent.

1.2 The aim of the inspection was to initially ascertain if the property is of value to bats or nesting birds; if potential was found to be high or the results of the survey were inconclusive then recommendations would indicate the requirement for nocturnal observations to be undertaken at the site during the breeding season of bats. (May – August) If bats were subsequently found during those detailed surveys and may be affected by the work then a European Protected Species Licence would be required to proceed with the development.

1.3 The optimum time to investigate buildings for evidence of a bat roost is May – August, however that is not to say they cannot be inspected and assessed outside of that time and frequently the results can be conclusive, which can save time and expense for Planning Applicants but it should be borne in mind that equally the inspection can be inconclusive.

2.0 Protected Species

2.1 All British bats and their roosts are afforded protection under the 1981 Wildlife & Countryside Act (as amended) and are listed in Schedule 2 of the Conservation of Habitats & Species Regulations 2010. When dealing with cases where a European Protected Species (all UK bats) may be affected, a planning authority is a competent authority within the meaning of the Regulation 7 of the 2010 Regulations and therefore has a statutory duty to have due regard to the provisions of the Regulations in the exercise of its functions.

2.2 Guidance is contained in Planning Policy Statement 9 (PPS9) on the consideration that should be given to Protected Species where they may be affected by development. Furthermore PPS9 paragraphs 5.34 & 5.35 identifies that bats are highly dependant upon built structures and new developments/conversions can take account of this by incorporating roosts into such structures. Furthermore where a European protected species may be affected by development then a licence to derogate from the Conservation of Habitats & Species Regulations 2010 would be required. Licences applications are processed and issued by Natural England subject to certain criterion being met.

2.3 Guidance is contained in Planning Policy Statement 9 (PPS9) on the consideration that should be given to Protected Species where they may be affected by development. Furthermore PPS9 paragraphs 5.34 & 5.35 identifies that bats are highly dependant upon built structures and new developments/conversions can take account of this by incorporating roost provision into such structures. Furthermore where bat/s or a roost** may be affected by development then a licence to derogate from the Conservation of Habitats & Species Regulations 2010 would be required. Licences applications are processed and issued by Natural England subject to certain criterion being met.

2.4 Use of Buildings by Bats

a) Summer breeding roost.
b) Hibernation.
c) Transitional or temporary roost.

Roost selection is often closely correlated to suitable foraging habitat within a reasonable commuting distance from the roost and different sites are used depending upon insect densities and abundance, climatic conditions can also affect their ability to successfully forage. All British bats are insectivorous.

** The term roost is generically referred to as a place that bat/s use for the any of the above reasons, however it should be noted that under the Conservation of Habitats & Species Regulations 2010 (Regulation 41) the term roost is not used but refers to "*a breeding site or resting place of such an animal*" which essentially is the same and is afforded legal protection. The roost, breeding site or resting place of bats, which ever terminology is used is legally protected whether or not bats are in occupation.

2.5 All wild birds (with only minor exceptions) and their nests whilst being built or containing eggs or dependant young are protected under the Wildlife & Countryside Act 1981 (as amended). Birds listed on Schedule 1 e.g. Barn owls are afforded a greater level of protection. Where nesting birds are present then work should be timed outside of the nesting season (March – August) so as to avoid disturbance and subsequently committing an offence.

2.6 Barn owls (*Tyto alba)* are a specially protected as a Schedule 1 Part 1 species under the 1981 Wildlife & Countryside Act (as amended), which gives protection to barn owls at all times. The main points in relation to nest sites are: "It is offence to intentionally or recklessly disturb them at or near a nest containing eggs or young. Intentionally damage or destroy a barn owl nest whilst in use or being prepared for use. It is also an offence to intentionally or recklessly disturb dependant young of a wild barn owl."

2.7 Within buildings adaption to artificial nest boxes occurs given that suitable habitat exists within feeding range and linear features such as hedgerow, ditches or watercourses are present as links to other areas, which allows the expansion of young barn owls looking for territories. The boxes can serve both as a breeding site and as a place for general roosting or shelter.

2.8 Barn owls are essentially a bird of the open countryside, particularly where rough grassland exists, which supports their main prey by way of small mammals and successful breeding is heavily dependant upon 1) a secluded nest site and 2) a plentiful supply of prey being available. It is possible that loss of an occupied nest site can have an adverse affect even if other alternative sites were made available. Thus where possible it is always preferable to retain an occupied site and not take the approach of providing an alternative in a different location.

3.0 Protected Species in Derbyshire

3.1 Up to eight bat species have been regularly recorded in Derbyshire most of which use built structures, notably occupied residential properties as roost sites. The most frequently encountered species is the Pipistrelle bat (*Pipistrellus)* and its abundant status in Derbyshire is reflected throughout the UK.

3.2 The number of breeding barn owls within Derbyshire is not high, which is a situation that is mirrored throughout most of the UK and they are constantly under threat from loss of habitat and nesting opportunities.

4.0 Survey Methodology

4.1 The survey was conducted on the 4th May 2011 by an experienced and Natural England bat licensed surveyor; (Licence No: 20102489) the buildings were inspected for potential places that may be of value to bats and if evidence of use was present. An upper floor is present within the single storey structure and the former coach house both of which were inspected for signs of bat use which generally include droppings or prey remains. The exterior of the buildings were inspected with the aid of close focusing binoculars to search for any gaps or stains, which can be present when regular use of an ingress point is made by bats into roost chambers.

4.2 The survey was conducted at a time when bats will generally have returned to their summer roosts to form maternity colonies, which is the optimum time to investigate buildings/structures for evidence of use. Following the survey the results, conclusions and recommendations are based upon surveyor experience and knowledge of bat ecology.

4.3 A number of factors are used for the survey methodology, which include:-

Knowledge of bat/bird species relevant to the site location
Nature of the immediate and surrounding habitat in relation to foraging opportunities
Condition of the building
Presence/absence of roost/nesting potential
Value of roost/nesting potential – if present

4.4 During the survey the surrounding habitat was assessed in relation to bats as very often roost selection is closely correlated with the surrounding habitat; the exterior of the building, trees and shrubs were inspected for signs of nesting birds.

5.0 Constraints

5.1 The survey was conducted within the breeding season of bats, which is the optimum time to conduct surveys. In relation to assessing the level of bat roost potential a full investigation and appraisal of the buildings was achievable. Therefore, no survey constraints were present in the gathering of information on which to base conclusions and recommendations.

5.2 The inspection for nesting birds was conducted in tandem with the investigation for bats when most will birds will be actually nesting or in the process of nest building/mating/territorial activity.

6.0 Results

6.1 There are two separate buildings within the grounds of 'Overleigh' for which the survey was undertaken; the single storey structure is currently being used for general storage purposes, and the ground floor of the two storey building is being used to house chickens. They are two of several structures within the grounds and are located in an urban environment on the outskirts of Whaley Bridge with agricultural and open pasture land located to the north and east of the site.

6.2 The immediate and surrounding habitat is represented by a number of ornamental tree specimens around the site and to the perimeter with additional mature residential gardens within close proximity. Open pasture, agricultural land and woodland is located approximately 0.15 kilometres to the north of the buildings and a tree lined railway line is situated approximately 0.10 kilometres south. The previously identified habitat can be considered as being of high value for the species for which the survey was undertaken, i.e. bats and breeding birds. Where such habitat is present close to buildings then the percentage use of those buildings, by bats, increases given that roost opportunities are available and vice versa.

6.3 The first structure investigated is a single storey multi compartmental building constructed in stone with a slate mono pitch roof; it is understood that it is to be extended and converted for residential purposes. In its current state it is divided into three internal sections and is in a reasonable condition; total dimensions of approximately 13 metres long x 3.5 metres wide. The first section to be investigated is light filled due to a window and is currently being used for storage purposes. A small partial upper floor is present, which was inspected for droppings or prey remains, however, recent or historic use was absent. Additionally due to the restrictive size and open aspect of this section potential is significantly reduced for loft dwelling bats; typically Brown Long Eared. (*Plecotus auritus*), which is a species that favours large dark loft spaces that allows unrestricted free flight.

6.4 The second and third compartments are also being used for storage purposes, and are somewhat cluttered, both are open to the ridge with upper floor absent. During the inspection no recent or historic evidence of bat use was noted. However, whilst inspecting this building it is evident that traditional bitumen underfelt is present throughout, which will generally increase potential for crevice dwelling bats, such as the Pipistrelle (*Pipistrellus*) whereby they often roost between the two materials, subject to external access being available. Breeding roosts of Pipistrelle bats are proportionally higher in occupied residential dwellings were the warm, dry conditions favour the requirements of a maternity colony; however other structures are also used for other purposes such as hibernation or transitional use.

6.5 During the external inspection of the single storey structure, it was noted that numerous gaps exist beneath the slate, which could offer potential for access; additionally the roof pitch occupies a southerly aspect and benefits from the natural solar heat source which will increase potential for crevice dwelling bats. An additional gap exists on the south west elevation within the stonework which could also provide opportunities for crevice dwelling bats. A facia board is present to the front elevation with minor gaps between the stone work and the facia that could also offer potential. However, on the day of the survey droppings or staining that can be created by regular bat ingress was absent on the stonework.

6.6 In relation to barn owls no suitable nesting potential or access opportunities was found within this building, and no evidence was observed.

6.7 During the inspection a historic Swallows (*Hirundo rustica*) nest is present within the first compartment of the building; however birds were not present during the time of the survey. Notwithstanding their absence Swallows are extremely faithful to their nesting/birth sites and regularly return to them on an annual basis. They are also a species that continually suffer from loss of traditional nesting places due to barn conversions or loss of outbuildings.

6.8 The second building included in the planning application is a former coach house; the ground floor is currently being used to house chickens and the upper floor is redundant from any former use. It is of stone construction with a slate pitched roof and is to approximate dimensions of 6 metres wide x 4 metres long. The upper floor is found to be light filled due to the presence of a window and therefore potential is significantly reduced for loft dwelling bats and no evidence of this or any other species was found.

6.9 During the internal inspection is noted that traditional bitumen underfelt is absent but a plastic membrane is present beneath the slate, which generally is not as productive for bats and a traditional roof lining is generally preferred.

7.0 Typical places favoured by crevice dwelling bats on external elevations such as soffit, barge and facia boards are absent and the roof verge and ridge tiles are tight fitting with no opportunities for bat access; minor gaps were observed between the slate which could offer some potential for bats; however, bat roost potential is considered not to be significant at this building.

7.1 Although the habitat located to the north of the site is suitable for barn owls, typical nesting opportunities are absent within the building and no evidence of use of this species was noted.

7.2 During the inspection several historic Swallows nest and a Wrens (*Troglodytes troglodytes*) nest are present within the lower and upper floors; however, on the day of the survey birds were not present within the building.

8.0 Conclusions

8.1 From the survey results it can be concluded that the outbuildings for which the survey was conducted offers no realistic potential for loft dwelling bats due their restrictive, open and light filled nature and no evidence of use was found that would suggest recent or historic bat use.

8.2 Access and roost potential for crevice dwelling bats has been identified at both buildings with the highest potential at the single storey structure. The bat roost potential for crevice dwelling bats that has been identified at the buildings could be used for more than one roost purpose. The value of roost potential is considered as medium – high and the combination of suitable foraging habitat and the level of bat roost potential that is present in close proximity will instigate recommendations for nocturnal observations to be undertaken at the site.

8.3 There are no implications in relation to barn owls that would prevent the conversion of the buildings taking place and the proposals would not result in the loss of a site that is used by barn owls for roosting or breeding.

8.4 As the presence of historic evidence of nesting swallows has been identified there may be some time implications in regard to the work schedule.

9.0 Recommendations & Implications

9.1 For the reasons outlined in the survey results it is recommended that in order to establish if bats are using the buildings nocturnal emergence surveys will be required. The surveys will need to be undertaken during the breeding season of bats i.e. between May - August and generally at least two are required over that time as bats, particularly Pipistrelle, do not necessarily use one roost site over their entire breeding season.

9.2 It should be noted that if bats are located during the nocturnal surveys, then the work at the site would be further delayed until such time that a European Protected Species Mitigation Licence (EPSML) is applied for and granted to allow work to commence which would affect bats or their roost. Notwithstanding the granting of a licence works that would affect the roost cannot take place if a maternity colony is in occupation. Until such time that the results of the nocturnal surveys are known specific mitigation measures cannot be provided within this report.

9.3 Natural England provides information and guidance about EPSL and the following extract is included in that guidance:-

If you intend to apply for a licence for development you are advised to seek the guidance of a consultant ecologist. Natural England's view is that:

- *A licence is needed if the consultant ecologist, on the basis of survey information and specialist knowledge of the species concerned, considers that on balance the proposed activity is reasonably likely to result in an offence under the Conservation of Habitats & Species Regulations 2010.*
- *If the consultant ecologist, on the basis of survey information and specialist knowledge of the species concerned, considers that on balance the proposed activity is reasonably unlikely to result in an offence being committed then no licence is required. However, in these circumstances Natural England would urge that reasonable precautions be taken to minimise the effect on European protected species should they be found during the course of the activity. If European protected species are found, cease the work until you have assessed whether you can proceed without committing an offence. A licence should be applied for if offences are unavoidable and the work should not be re-started until a licence is obtained.*

The application should be completed by the developer and a consultant ecologist. The ecologist will need to be able to demonstrate to the satisfaction of Natural England that they have the relevant skills and knowledge of the species concerned.

9.4 There are no recommendations or implications in relation specially protected birds and the proposed work as potential for nesting is absent within the buildings.

9.5 The presence of historic evidence of nesting swallows will need to be taken into consideration and the timing of the work, which may affect them, it should be scheduled to avoid their breeding season April – August unless they can be excluded from the building/s before March of any year.

APPENDIX I

Site Photographs



Single storey building proposed for conversion – gaps present under slate



Partial upper floor and underfelt present within single storey structure



Coach house proposed for conversion – minor gaps present under slate



Plastic membrane present beneath slate roof