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Date 24th January 2013

Our Ref: HH/HD/130019

Mr Carl Lomas
Investpower Ltd
Primitive Hall
Main Street
Chelmorton
SK17 9SH

Dear Mr Lomas

BAT REPORT - 34 MARKET STREET, CHAPEL-EN-LE FRITH

Thank you for inviting Penny Anderson Associates Ltd (PAA) to review and provide a second opinion on documents relating to the bat survey and proposals for the re-development of the above property.

I am a Principal Ecologist at Penny Anderson Associates Ltd, having worked in this role since joining the company in 2002. I hold a BSc honours degree in Ecology and an MSc in Marine and Fisheries Science and I am a full Member of the Institute of Ecology and Environmental Management (MIEEM) and a Chartered Environmentalist (CEnv). I have 15 years experience as a professional ecologist covering a range of topics including botany, freshwater ecology and bats. I first became involved in bat survey work in 1998, contributing to national field surveys for various species, and have held a bat licence since 2004. My current licence number is 20123118. I have inspected many properties and completed many bat roost potential assessments in relation to development proposals, as well as identifying and advising on roosts themselves. I am also a voluntary Bat Warden for Natural England, providing free advice to homeowners on bat roosts in their homes. I am, therefore, familiar with best practice guidance on bat surveys[1], bat mitigation[2] and working with bats[3].

My understanding is that the planning application was made in full to High Peak Borough Council, seeking a change of use from a joinery workshop to two residential dwellings.

I have been provided with the following documents for review:

- Daytime Bat Inspection Report by Peak Ecology, 2012;
- Letter from Derbyshire Wildlife Trust to High Peak Borough Council Planning Department, dated 5/12/12;
- Refusal notice from High Peak Borough Council, dated 6/12/12.

In addition, I have obtained bat records from Derbyshire Bat Conservation Group for a 1km radius around National Grid Reference point NGR SK 05850 80781, a copy of which is provided with this letter.

Daytime Bat Inspection Report

I have reviewed the report prepared by Peak Ecology in detail and have the following comments:

- The bat inspection survey by Peak Ecology was led by a licensed bat worker, i.e. appropriately qualified personnel were used.

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[1] *Bat Conservation Trust, 2012. Bat Surveys Good Practice Guidelines 2nd Edition. Bat Conservation Trust.*

[2] *Mitchell-Jones, A.J., 2004. Bat Mitigation Guidelines. English Nature.*

[3] *Mitchell-Jones, A. J. & A. P. McLeish, 2004. Bat Workers Manual 3rd Edition. Joint Nature Conservation Committee.*

- The survey methods followed comply with best practice guidance (Bat Conservation Trust 2012). However, no desk study of ecological records relating to the site or surrounding area was included with the report – this is not a requirement but is recommended best practice.

- Inspections of buildings and structures for roosts can be carried out at any time of year, although signs of bats are more likely to be found during the active period (May - September) and this survey on 25th September 2012 falls within this later period, making it a robust survey.

- The report indicates a thorough internal inspection of the property including the attic space where no bats or their signs were found.

- It also indicates a methodical search of all visible exterior parts; although some elevations could not be fully accessed, surveyors were able to view key areas for bats e.g. roof pitches. Two gaps providing possible locations for bat roosting were identified behind fascias on the north-eastern elevation, but overall no evidence of bats was found here or elsewhere on the exterior.

- The situation of the building is described, indicating an urban setting not immediately surrounded by gardens or other habitats of value to bats for foraging.

The report concludes that the presence of bats in the interior of the property is 'extremely unlikely' and also that 'an established bat roost is considered extremely unlikely' on the exterior of the property. Although the report does not use its own evaluation framework as set out in the Methods, it seems quite clear to me that this is a simple omission on the part of the author and that the building has 'Low' potential for bat roosts. As such, the report does not recommend further survey work, although it does outline some precautionary measures to prevent disturbance or harm to bats during the construction works.

Derbyshire Wildlife Trust Letter

The Derbyshire Wildlife Trust letter in my view takes a very cautious approach and makes several points which are mistaken:

- The survey was indeed carried out toward the end of the activity season for bats, but the guidance (Bat Conservation Trust 2012) states that inspections of buildings and structures for roosts can be carried out at any time of year.

- In addition, the letter recommends a single dusk emergence survey to provide confidence that bats will not be affected. The published guidance (Bat Conservation Trust 2012) on survey effort for buildings considered to have a low likelihood of use by bats states that a single dusk emergence survey AND a pre-dawn survey or automated survey should be undertaken, ideally between May and August.

However, the exact wording in the guidance is:

> *'A single daytime preliminary roost assessment visit to a site, in which no bats were found, is not normally considered sufficient, especially if the daytime visit was conducted outside the optimum time of year.*
>
> *However, if bats and bat sigs were not found to be present and the building or built structure provides no suitable locations for roosting bats, then no further visits are normally required. In this case sufficient information should be provided to give confidence in the assessment.'*

So it can be seen why, because the surveyors were unable to categorically say that bats are not present at the property, the Derbyshire Wildlife Trust espoused this approach.

When working with wildlife, it is almost impossible to be categorically sure of anything, and bats are particularly complex animals with many and varied habitat requirements at different times of year and life stage. The surveyors determined a bat roost 'extremely unlikely' at this site, and based upon the quality of the survey work and the detail presented in the report, this conclusion seems to justify reasonable confidence. Therefore, this site as presented in the survey report, lies somewhere between the first and second guidance paragraph, quoted above.

Desk Study

A total of seven records for bats within 1km of 34 Market Street were provided. These ranged in date from 1993 to 2010 and included records for at least two species, as follows:

- Noctule (2004 - grounded male);
- Pipistrelle (1993 - three records near Coombs Reservoir);
- Common pipistrelle (2005 – adult male, 2010 – grounded bat);
- Unidentified bat roost (2004 –probably maternity *c.*50 bats).

None of the records relate to the immediate location of the property, the closest being a roost of an unidentified bat species at 697m distance. The next closest was the common pipistrelle record from 2005 at 708m.

The records indicate that bats are present in Chapel-en-le-Frith, but do not illustrate high levels of activity or a particularly diverse fauna. The results are typical of what would be expected for a small town in an open agricultural setting in northern Derbyshire. It should be noted that an absence of records does not indicate bats are not present, and may reflect a lack of biological recording taking place in the area.

The noctule bat (*Nyctalus noctula*) and the soprano pipistrelle (*Pipistrellus pygmaeus*) which commonly occur in buildings, are among seven British species listed as a 'Priority Species' under the under the 2011 biodiversity strategy for England, *Biodiversity 2020: A strategy for England's wildlife and ecosystem services,* under the 2012 UK Post-2010 UK Biodiversity Framework. Common and soprano pipistrelles are very similar and until 1999 [4], they were considered to be a single species. Therefore the 1993 records for pipistrelle bats could relate to either species.

In my professional opinion, since no previous records exist for the building or its immediate surrounds, the building presented no evidence of bats, provided only low-grade internal and external roosting habitats and is situated in a built-up location; the daytime bat inspection survey offers sufficient evidence to provide reasonable confidence that bats are not present at this site. Furthermore, the precautionary recommendations to either avoid disturbance to the fascias or to search behind them prior to any works which are outlined in the Bat Inspection Report, would ensure that bats, if present, were dealt with appropriately.

Yours sincerely
For and on Behalf of
PENNY ANDERSON ASSOCIATES

[redacted]

Helen Hamilton
Principal Ecologist

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[4] *Jones, G. & Barratt, E., 1999. Vespertilio pipistrellus Schreber, 1774 and V. pygmaeus Leach, 1825 (currently Pipistrellus pipistrellus and P. Pygmaeus; Mammalia, Chiroptera): proposed designation of neotypes. Bulletin of Zoological nomenclature* ***56****(3): 182-186.*