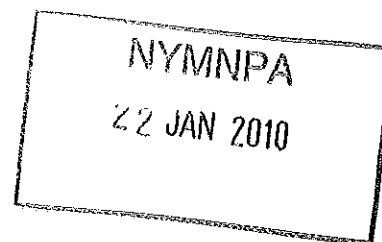


Mrs H Saunders,
 North York Moors National Park Authority
 The Old Vicarage
 Bondgate
 Helmsley
 York YO62 5BP



Date: 18th Dec 2009

Dear Mrs Saunders,

Re planning decision no. NYM/2009/0587/FL

We have been asked to take on the issues relating to bats, as laid out in Condition No. 9 *"The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraphs section 3 of the submitted bat survey dated 27 August 2009"*.

In respect of the recommendations of section 3 of the bat survey, we do not agree with the assessment made by the ecologists. The survey found evidence on any one night of at most one common pipistrelle emerging from crevices in the roof of the building surveyed. The ecologists go on to state that "the development will require a European Protected Species licence to allow work to take place".

We have held in-depth discussions with Natural England, and we have attended public meetings (namely Bat Conservation Trust Mitigation Conference 2007) at which senior officers of the relevant departments of natural England stated that disturbance of small non-breeding roosts of common species does not require a European Protected Species Licence, providing that habitat provision is accounted for, and disturbance minimized. These precautions are best applied via adoption of a method statement through the planning system. The European Protected Species licence system is designed to deal with significant disturbances, roost modification and roost destruction. In this case it is our opinion that it is quite possible to reduce disturbance to a minimal level and that the habitat provision for bats can remain exactly the same post-development as it was before.

The identified bat usage is crevice roosting by solitary males; this type of roosting use habitat that is ubiquitous in the local environment, namely roof tiles, gaps between stones, and gaps behind fascia boards. The permanent or temporary loss of such habitat would not be significant, even if it were proposed.

We also take issue with the recommendations within the survey report for post-development provision of a bat loft and external bat boxes. Common pipistrelles do not



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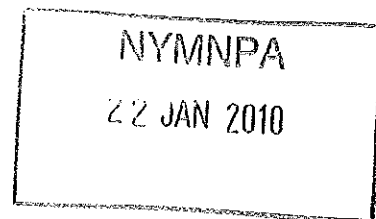
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make use of bat lofts, being a crevice-roosting species that does not generally fly indoors. Bat lofts are used by species such as Natterer's bats, whiskered / Brandt's bats, and Brown long-eared bats. Our opinion is that providing the existing crevices are retained or re-created post-development, the very low numbers of bats will be able to continue to use the building precisely as before; therefore the recommended mitigation is entirely unnecessary.

We therefore request that the following Method Statement is adopted as a replacement for that referred to in the planning condition. We are confident that the adoption of the attached Method Statement will permit the maintenance of habitat of protected species on site at the same or higher levels as existing, and that any disturbance will be insignificant. No offence is therefore likely to be committed providing the method statement is followed.

We would appreciate your earliest attention to this matter, so that we can put in place the measures required for the works to be completed before bats return to the site in the spring of 2010.

Yours sincerely,



Giles Manners MIEEM CEnv



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