

Bat Scoping Survey: Stoupe Brow Farm

Bat Scoping Survey
Stoupe Brow
May 2010

Client	Mr & Mrs S Totty	
Job title	Stoupe Brow	
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MAB Environment & Ecology Ltd

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Registered in the U.K. no.6504129

NYM 37A
 12 JUL 2010

Bat Scoping Survey: Stoupe Brow

Site:

Stoupe Brow Farm
Browside
Ravenscar
North Yorkshire
YO13 0NQ

Scoping Survey Date:

20th May 2010

Report Date:

25th May 2010

Clients:

Mr and Mrs S Totty
Stoupe Brow Farm,
Browside
Ravenscar
North Yorkshire
YO13 0NQ

Agent:

Russell Lumb
Joby cottage
West lane
Snainton
North Yorkshire
YO13 9AR

Local Authority:

North Yorkshire Moors National Park Planning Authority

Reference:

10-069

10/11/10
17/05/10

Bat Scoping Survey: Stoupe Brow

1. Summary 3

2. Introduction 4

3. Methodology..... 5

4. Constraints 6

5. Site description 7

6. Pre-existing information 10

7. Results 11

8. Discussion and analysis..... 14

9. Conclusions 15

10. Summary of mitigation and compensation 16

11. Method Statement..... 17

12. Legislation relating to bats..... 18

13. Legislation relating to breeding birds 21

14. References 22

Appendix 1. Data search records..... 23

Appendix 2. Bat boxes..... 24

Figure 2. Location of site 8

Figure 3. Site plan..... 8

Table 1. North Yorkshire Bat Group records..... 23

Table 2. Woodlands within a 4km radius of site..... 23

Photo 1. Barn from west 9

Photo 2. Barn from east 9

Photo 3. Inside barn 9

Photo 4. Dry undisturbed surfaces 11

Photo 5. Crevice above gable window 11

Photo 6. Cavity between inner and outer skins..... 12

Photo 7. Pigeon nest 12

Photo 8. Pied wagtail nest 12

NYM/PA
12 JUL 2010

Bat Scoping Survey: Stoupe Brow

1. Summary

MAB Environment & Ecology Ltd was commissioned to survey a small barn at Stoupe Brow Farm for bats, and breeding birds, in order to provide a report to accompany a planning application for the conversion of the barn into a holiday cottage.

Potential crevice habitat was found in the form of a bitumen lined pan-tiled roof and wall crevices. A thorough visual examination of the wall crevices found no signs of bat usage. The proposed plans do not involve the re-roofing of the building and, therefore, will not impact upon this available potential habitat.

Breeding birds are using the window ledges of the barn.

A method statement outlining precautionary mitigation relating to potential bat crevice habitat and breeding birds has been incorporated within this report. Recommendations for replacing potential bat and bird habitat are also included within this report.

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12 JUL 2010

Bat Scoping Survey: Stoupe Brow

2. Introduction

MAB Environment & Ecology Ltd was commissioned to survey a small barn at Stoupe brow for bats. The clients wish to obtain planning permission to convert the barn into a holiday cottage.

The report's objective is to provide an impact assessment on protected species and breeding birds, to provide any necessary mitigation proposals, as well as to assess the requirement for a Protected Species Licence.

Ecologists from MAB Environment and Ecology are members of the Institute of Ecology and Environmental Management (IEEM) and follow the Institute's Code of Professional Conduct when undertaking ecological work.

NYM:PA
12 JUL 2010

Bat Scoping Survey: Stoupe Brow

3. Methodology

The building was surveyed by Nicola Gibson GIEEM of MAB Environment & Ecology Ltd on the 25th May 2010. Miss Gibson holds a Natural England bat survey licence (number 20092726) and barn owl survey licence (number 20090444).

The interior and exterior of the building was inspected during the day using halogen torches (500,000 candle power), ladders, and a flexible endoscope (a Pro Vision 636). All normal signs of bat use were looked for, including bats, bat droppings, feeding waste, entry and exit holes, grease marks, dead bats, and the sounds / smells of bat roosts. Birds were surveyed by looking for nests, droppings, feathers, and activity.

Mr John Drewett of the North Yorkshire Bat Group (NYBG) was commissioned to provide bat records within a 2km radius of the centre of the site.

The government website www.magic.gov.uk for nature conservation and environmental information was used to gain information relating to designated conservation sites within a 2km radius of the site and ancient woodland habitats within a 4km radius of the site.

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12.5.10.2010

Bat Scoping Survey: Stoupe Brow

4. Constraints

There were no significant constraints on the survey: the weather conditions were excellent, and there had been no extended periods of rain for at least 2 weeks prior to the survey. Access to all parts of the building, internal and external, was successful and unimpeded.

The species data collated during the desk study is mainly derived from records submitted by volunteers. It should not, therefore, be taken as a definitive list of the bat species that occur in the local area.

NYM/PA
2010

Bat Scoping Survey: Stoupe Brow

5. Site description

Stoupe brow farm is approximately 0.5km to the north of the village of Ravenscar situated between the coastal towns of Whitby and Scarborough (central grid reference NZ 966 021). To the west is moorland bordered by scattered trees and between the site and the coastline is a plateau of re-seeded grass leys.

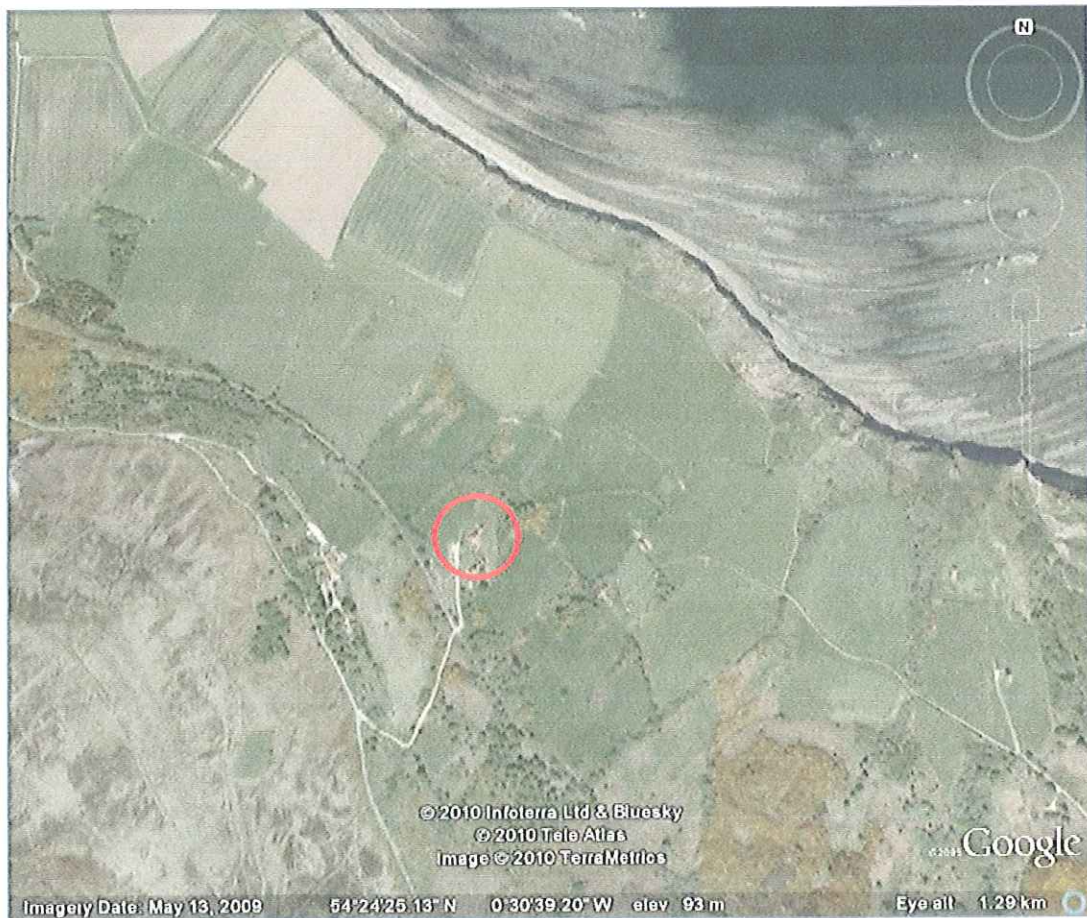


Figure 1. Aerial image of surrounding habitat

Bat Scoping Survey: Stoupe Brow

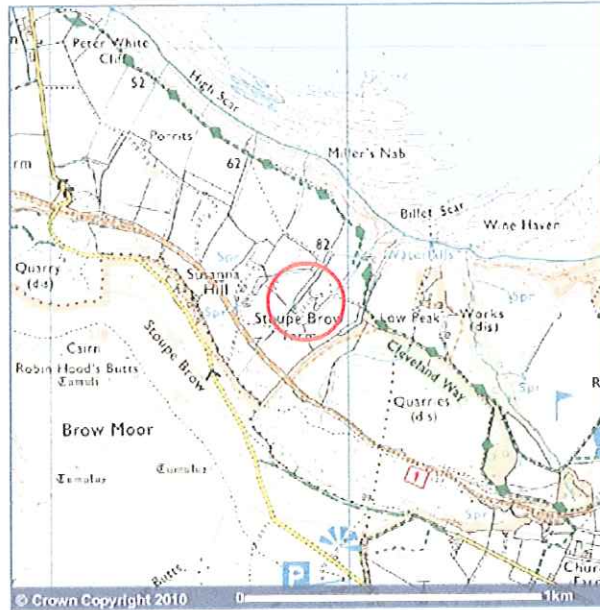


Figure 2. Location of site

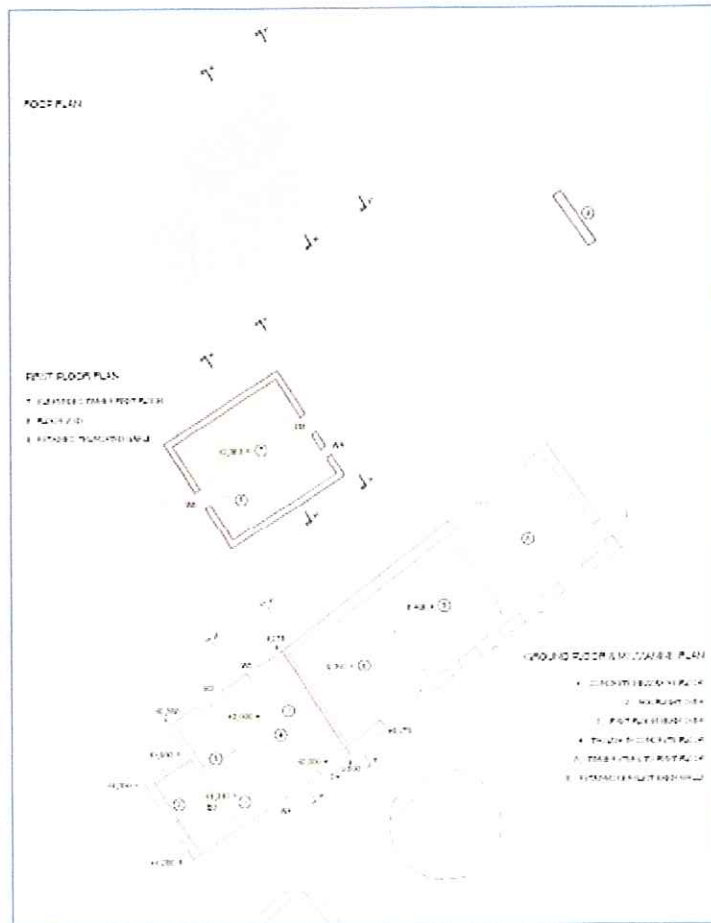


Figure 3. Site plan

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Bat Scoping Survey: Stoupe Brow

The barn is of local stone construction with a pan-tiled bitumen lined roof. The main section of the barn has a suspended timber floor and an open roof with tie rafters below the ridge line.



Photo 1. Barn from west



Photo 2. Barn from east



Photo 3. Inside barn

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12 JUL 2010

6. Pre-existing information

North Yorkshire Bat Group

There are no records for the site and few records for the area.

Ancient Woodland

There is a strip of ancient woodland approximately 1.5km to the north-west of the site. Further ancient woodland lies just over 3km to the south east close to the coast.

Bat Scoping Survey: Stoupe Brow

7. Results

7.1 Daylight inspection

No evidence of bats was found within the barn. Survey conditions were excellent with lots of dry undisturbed surfaces. The window above the door of the eastern gable wall and the larger window of the western gable wall have some crevice habitat. These were inspected using an endoscope and no evidence of bats was found in the form of grease marks or droppings within or below the crevices. The eaves and ridge line are sealed and the roof is in good condition. There are a few gaps between roof tiles and at flashing edges. The roof was inspected with binoculars and no evidence in the form of dense collections of droppings was found.



Photo 4. Dry undisturbed surfaces



Photo 5. Crevice above gable window

The building has a breeze block interior skin which creates a gap between the interior and exterior walls. The cavity is quite large with a width of approximately 10-12cm. It was clearly visible from the windows and no evidence of bats was found on the window ledges etc or the inside of the walls.

Bat Scoping Survey: Stoupe Brow



Photo 6. Cavity between inner and outer skins

One pigeon (*Columbidae*) nest was found on the window ledge of the eastern gable end and one pied wagtail (*Motacilla alba*) nest was found on the window ledge of the eastern gable wall.



Photo 7. Pigeon nest



Photo 8. Pied wagtail nest

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Bat Scoping Survey: Stoupe Brow

One dead soprano pipistrelle (*Pipistrellus pygmaeus*) with a torn wing was found in the garden of the site.

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2 JUL 2010

Bat Scoping Survey: Stoupe Brow

8. Discussion and analysis

The surrounding landscape has a number of habitat features that are of value to bats. Foraging habitat includes areas of ancient woodland and lines of trees, whilst well maintained hedgerows provide good connective habitat for bats to commute across the landscape.

From the survey conducted it can be concluded that the site is not being used by certain bat species such as brown long-eared bats (*Plecotus auritus*) or myotis (*Myotis sp.*) bats which commonly fly within buildings. Because of the dry undisturbed conditions under which bat droppings would have accumulated and been visible to the surveyor, if present, such evidence would have been identified during the internal inspection.

The building surveyed does provide suitable bat habitat for species such as pipistrelles which roost in the void between the felt and the tiles. There was no indication of a bat roost in the roof. Given that there had not been any rain for a number of days, had a significant roost been present, we would have expected to find some indication of use in the form of droppings close to the entrance/exit point. Furthermore, because the proposed plans do not include re-roofing, this potential habitat will not be disturbed and the proposed insulating of the roof will actually improve the potential habitat for bats.

The crevice habitat available on site is limited but could be utilised by solitary bats (usually males or non-breeding juveniles) of any of the species recorded in the area for non-breeding day roosting purposes during the summer or for hibernation during the winter. The thorough inspection of the wall crevices using an endoscope would have identified any evidence of bat usage. Within crevices evidence such as droppings and grease marks are usually protected within these dry concealed environments and would have been detected during the examination. The lack of evidence upon a thorough inspection of these cavities indicates bats have not used these cavities in the past.

The dead bat found in the garden indicates bats are in the area. There is always the risk that a bat will find potential habitat in the future, therefore, appropriate measures are recommended to reduce the risk of a potential offence being committed under the current wildlife legislation and to provide replacement habitat for bats post development.

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2010

Bat Scoping Survey: Stoupe Brow

9. Conclusions

The scoping survey did not detect any evidence of bat activity within the building. The proposed development will, therefore, have no impact on bats or their habitat.

Breeding birds are using the window ledges of the barn. Disturbance of nesting birds may breach Part 1 of the Wildlife and Countryside Act 1981 (As amended).

Recommendations to ensure the risk of harm to breeding birds is minimised are included within this report. Appropriate compensation to ensure the provision of bat and bird habitat is maintained post-development are also included within this report and will ensure that the planning authority fulfil Key Principal II of PPS 9 which states that 'Planning decisions should aim to maintain, and enhance, restore or add to biodiversity'.

This report is valid for one year from the time of the survey.

NYM/PA
2 JUL 2010

Bat Scoping Survey: Stoupe Brow

10. Summary of mitigation and compensation

- Crevices will be inspected before repointing. Disturbance to bird nests will be delayed until fledglings have left the nests. Replacement habitat for breeding birds will be provided post development. Potential habitat provision for bats will be provided by installing a bat box.

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2010

Bat Scoping Survey: Stoupe Brow

11. Method Statement

- If the roof does require renewal/repair the impact upon bats may result in an offence under UK and EU wildlife legislation, therefore, the environmental consultant must be contacted in order to re-assess the potential impact and revise the recommendations.
- To ensure any bats that may use crevices in the future are not entombed within the crevice, prior to re-pointing crevices the full depth of the crevice will be investigated using a suitable torch to ensure bats are absent. If a bat is found the crevice should be left un-pointed and MAB Environment & Ecology Ltd will be contacted for assistance on 01845 537845/07815 594093.
- To replace potential crevice habitat lost one bat box will be installed on the east facing gable wall of the barn. See Appendix 2 for suitable boxes.
- As breeding birds are protected at all times under the Wildlife & Countryside Act 1981 (as amended) the areas where birds are breeding at present will be checked prior to any works that could potentially disturb them being carried out. If still active works will not start until the broods have fledged and the nests are no longer active. This is likely to be after August as the bird breeding season runs from March to August inclusive.
- Two bird boxes suitable for pied wagtails and small garden birds would be suitable replacements for the habitat lost during the development.
- This method statement is valid for 12 months.

12. Legislation relating to bats

All bat species are protected under the Wildlife and Countryside Act (WCA) 1981 (as amended), the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats &C) Regulations 1994 as amended in 2007.

Under the WCA it is an offence for any person to intentionally kill, injure or take any wild bat; to intentionally disturb any wild bat while it is occupying a structure or place that it uses for shelter or protection; to intentionally damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection; to be in possession or control of any live or dead wild bat, or any part of, or anything derived from a wild bat; or to sell, offer or expose for sale, or possess or transport for the purpose of sale, any live or dead wild bat, or any part of, or anything derived from a wild bat.

Under the Conservation (Natural Habitats, &c.) Regulations 1994, as amended by the Conservation (Natural Habitats, &c.) (Amendment) (England and Wales) Regulations 2009, together referred to as "Habitats Regulations", it is an offence to deliberately disturb animals of a European protected species (EPS), including in particular any disturbance which is likely to impair their ability (i) to survive, to breed or reproduce, or to rear or nurture their young; or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate.

Prosecution could result in imprisonment, fines of £5,000 per animal affected and confiscation of vehicles and equipment used. In order to minimise the risk of breaking the law it is essential to work with care to avoid harming bats, to be aware of the procedures to be followed if bats are found during works, and to commission surveys and expert advice as required to minimise the risk of reckless harm to bats.

Where it is proposed to carry out works which will affect a bat roost, a licence must first be obtained from the Natural England even if no bats are expected to be present when the work is carried out.

The application for a license normally requires a full knowledge of the use of a site by bats, including species, numbers, and timings. Gathering this information usually involves surveying throughout the bat active season. The licence may require ongoing monitoring of the site following completion of the works.

When considering an application, the Environmental Consultant must consult with the local planning authority. This process may also take a considerable length of time. Applications can only be made once planning permission has been granted (where appropriate), and consultation responses have been

2 JUL 2010

Bat Scoping Survey: Stoupe Brow

received.

Licences can only be issued if Natural England are satisfied that there is no satisfactory alternative to the development and that the action authorised will not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range.

PPS9: Planning Policy Statement on Biodiversity and Geological Conservation is the relevant national planning guidance in relation to ecological issues. It provides guidance on how the Government's policies on nature conservation should be implemented through the land use planning system. PPS9 states that biodiversity may be material to decisions on individual planning applications. It also talks about conserving and enhancing biodiversity and ensuring that developments take account of the role and value of biodiversity.

The accompanying ODPM Circular 06/2005 is prescriptive in how planning officers should deal with protected species, see paragraphs 98 and 99:

- The presence of a protected species is a material consideration when considering a proposal that, if carried out, would be likely to result in harm to the species or its habitat (see ODPM/Defra Circular, para 98)
- LPAs should consider attaching planning conditions/entering into planning obligations to enable protection of species. They should also advise developers that they must comply with any statutory species protection issues affecting the site (ODPM/Defra Circular, para 98)
- The presence and extent to which protected species will be affected must be established before planning permission is granted. If not, a decision will have been made without all the facts (ODPM/Defra Circular, para 99)
- Any measures necessary to protect the species should be conditioned/planning obligations used, before the permission is granted. Conditions can also be placed on a permission in order to prevent development proceeding without a Habitats Regulations Licence (ODPM/Defra Circular, para 99).
- The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.'

Natural Environment and Rural Communities Act 2006

Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) also states that *'conserving biodiversity*

Bat Scoping Survey: Stoupe Brow

includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’.

- A full copy of the legislation can be downloaded at:
http://www.opsi.gov.uk/acts/acts2006/pdf/ukpga_20060016_en.pdf

13. Legislation relating to breeding birds

Under the Wildlife and Countryside Act (1981), a wild bird is defined as any bird of a species that is resident in or is a visitor to the European Territory of any member state in a wild state.

Game birds however are not included in this definition (except for limited parts of the Act). They are covered by the Game Acts, which fully protect them during the close season.

All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- have in one's possession or control any wild bird, dead or alive, or any part of a wild bird, which has been taken in contravention of the Act or the Protection of Birds Act 1954
- have in one's possession or control any egg or part of an egg which has been taken in contravention of the Act or the Protection of Birds Act 1954
- use traps or similar items to kill, injure or take wild birds
- have in one's possession or control any bird of a species occurring on Schedule 4 of the Act unless registered, and in most cases ringed, in accordance with the Secretary of State's regulations (see *Schedules*)
- intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

14. References

Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System.

<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>

Hambleton (2002) Local Biodiversity Action Plan.

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Mitchell-Jones, A.J. & McLeish, A.P. (2004). *Bat Workers Manual*. JNCC

Mitchell-Jones, A.J. (2004). *Bat Mitigation Guidelines*. English Nature.

Parsons K., Crompton R., Graves R., Markham S., Mathews J., Oxford M., Shepherd P., Sowler S. *Bat Surveys Good Practice Guidelines*. Bat Conservation Trust.

Planning Policy Statement 9: Biodiversity and Geological Conservation - Final Regulatory Impact Assessment

<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement9>

Russ, J. (1999). *The bats of Britain and Ireland....* Alana Press.

Schofield, H.W. & Mitchell-Jones, A.J. (2004). *The bats of Britain and Ireland*. Vincent Wildlife Trust.

Stebbing, R.E., Yalden, D.W., & Herman, J.S. (2007). *Which bat is it? A guide to bat identification in Great Britain and Ireland*. The Mammal Society

Swift, S.M. (1998). *Long-eared bats*. Poyser Natural History.

The Conservation (Natural Habitats, &c.) (Amendment) (England and Wales) Regulations 2009

http://www.opsi.gov.uk/si/si2009/uksi_20090006_en_1

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Bat Scoping Survey: Stoupe Brow

Appendix 1. Data search records

Species	Site	Grid ref.	Date	Comment
Not identified	Station House, Fylinghall, Fylingdales	NZ9402	08 Sep 1999	
Not identified	Fylingthorpe Church	NZ943049	1992	Roost
Whiskered Bat	Fylingthorpe Hall, Robin Hood's Bay	NZ944049	29 Apr 2004	Bat found in sink.

Table 1. North Yorkshire Bat Group records

Grid Reference	Wood Name	Habitat
NZ947021	HOWDALE WOOD	ANCIENT & SEMI-NATURAL WOODLAND
NZ939019	HOWDALE WOOD	ANCIENT & SEMI-NATURAL WOODLAND
SE932999	WRAGBY WOOD	ANCIENT & SEMI-NATURAL WOODLAND
TA000994	BEAST CLIFF WOOD	ANCIENT & SEMI-NATURAL WOODLAND
NZ925034	OAK WOOD	ANCIENT & SEMI-NATURAL WOODLAND
NZ952031	STOUPE BECK WOOD	ANCIENT & SEMI-NATURAL WOODLAND
SE949987	HELWATH WOOD	ANCIENT & SEMI-NATURAL WOODLAND
NZ930002	WRAGBY WOOD	ANCIENT REPLANTED WOODLAND
NZ950040	PRICKLY BANK WOOD	ANCIENT & SEMI-NATURAL WOODLAND
NZ946033	BROWNHILL WOODS	ANCIENT & SEMI-NATURAL WOODLAND

Table 2. Woodlands within a 4km radius of site

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Bat Scoping Survey: Stoupe Brow

Appendix 2. Bat boxes



This bat box is hand-crafted English oak with a lead covered roof, and a single internal baffle to provide a large area of bat roosting space.

Our boxes have an intricate internal baffle design made from sustainable birch ply to provide a range of crevices with differing temperature profiles.

Suitable for all bats

Details:

35 x 28 x 11 cm

Guaranteed 20 yrs.

<http://www.yorkshirebatbox.co.uk/>



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