

DESIGN and ACCESS STATEMENT

The Farrowing House

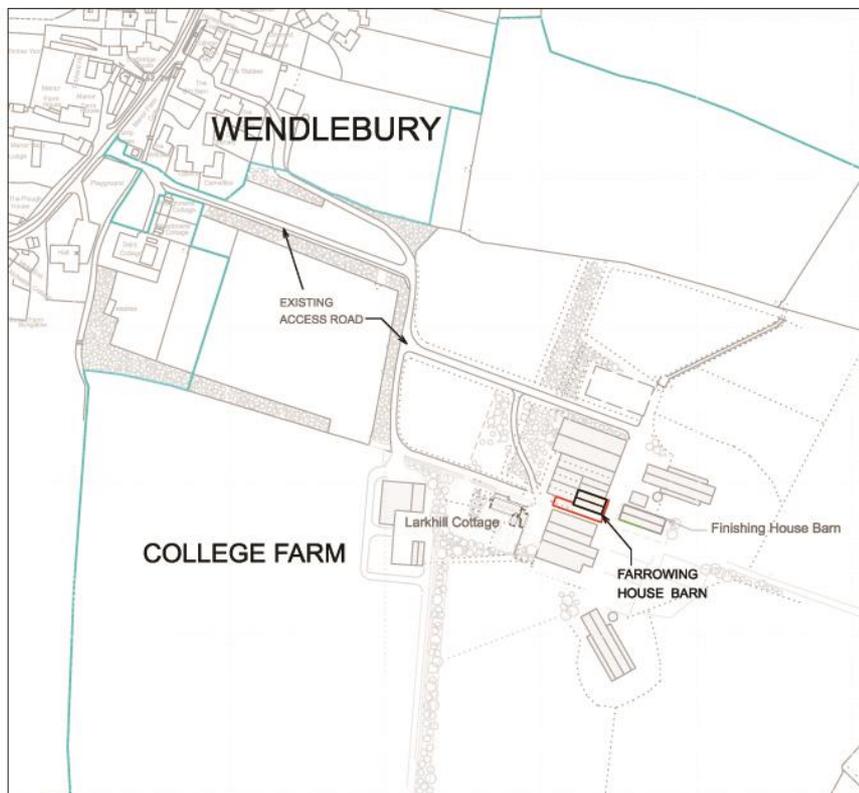
College Farm
Wendlebury
Bicester
OX25 2PR

APPLICATION FOR PLANNING PERMISSION

for Building Works to convert the former pig farrowing building to 2no. B&B Units

Proposal: Conversion of the existing Agricultural Building to form 2no. B&B Units ('associated operational development', defined as 'building or other operations in relation to the same building or land which are reasonably necessary to use the building' as permitted by 18/02246/R56.)

Site: Part of College Farm, Wendlebury, Bicester, OX25 2PR



Location Plan: College Farm, Wendlebury

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Fig 1 Farrowing House (foreground) Finishing House (right)

Project Drawings:

18.183.01 Floor Plans, Elevations and Location Plan As Existing

18.183.02 Floor Plans, Elevations and Site Plan As Proposed

1.0 INTRODUCTION

1.1 Site Background and Uses

1.1.1 Planning

The Farrowing House has a current change of use approval, 18/02246/R56, having been deemed to meet the criteria set out in the Criteria contained within Schedule 2, Part 3, Class R of The Town and Country Planning (General Permitted Development) (England) Order 2015.

As the building exceeds 150sqm, the following constraints were also assessed under that permission and deemed satisfactory:

- (i) transport and highways impacts of the development;
- (ii) noise impacts of the development;
- (iii) contamination risks on the site; and
- (iv) flooding risks on the site,

therefore these aspects need not be addressed further in this Design and Access Statement.

Development under Class R of the type described in paragraph R.3(1)(b), may require planning permission in respect of “associated operational development”, which is defined as ‘building or other operations in relation to the same building or land which are reasonably necessary to use the building or land for the use proposed under Class R’.

This planning application is submitted to obtain approval for those ‘associated operational development’ works.

1.1.2 Background and Use

The subject of this application is an agricultural building, constructed in 1965, in which pigs would farrow (give birth). It is constructed with a 250mm concrete block wall incorporating a 50mm cavity. It has a concrete floor slab and foundations. The roof is faced in fibre cement sheets over timber purlins supported by engineered timber trusses, all of the same date and all in good and serviceable condition. There is mains water and electricity adjacent to the site. This building was constructed at the same time as the adjacent Finishing House Barn, built to exactly the same specification in terms of construction except with a lower floor to eaves height and a different internal pen layout.

Pigs were reared and fattened on the farm until 1984 and then cattle were reared in the adjacent barn until 1987, but the ventilation in that barn was so poor that it required larger openings to be inserted into the walls, which would also improve welfare standards. This work was planned for the Farrowing House too, but still hasn't yet been undertaken so the building has been used from 1987 up unto the present day for storage of farm equipment, tools and animal feedstuffs and the like.

Specifically in March 2013, and ever since, the farm activities have included 20-30 beef suckler cows, 60-70 breeding ewes, 10-15horses, and 10,000free range hens on 150acres of grassland, plus a further 90acres of arable cropping. During this time the use of the barn for associated storage as set out above hasn't changed.

The farm buildings are located centrally within the main block of land, with the access to the village of Wendlebury.

1.2 Density

There will be no change to the density of the buildings.

1.3 Scale

There will be no change to the scale of the building.

The Farrowing House Barn has a gross external floor area of 191sqm and this would be unchanged by the proposal to convert it to become 2no. B&B units. The attached drawings indicate the proposed curtilage around the building.

1.4 Appearance and Building Works

1.4.1 External Works and Appearance

There will be no change to the geometry of the building.

It is proposed to retain the 1960's farm building aesthetic. The existing gables are fully clad in timber, echoing other timber clad buildings in the adjacent farmyard, so the main gable wall panels would be reclad where necessary in horizontal, tanilised, square edged Larch boards (25x150mm showing 125mm of each board) to match the existing. The side walls will be similarly clad between the existing block piers.

Typical square edged boarding detail



The existing exposed concrete block piers thickening the walls to form buttresses would remain exposed as concrete block built structures. Concrete blocks will also be visible at plinth level below the cladding. The concrete blockwork is in good condition and will only require repointing.

Typical existing concrete block detail
(before repointing)



The windows will be of a metal 'Crittal'-type manufacture with a galvanised finish, painted to RAL7035. The standard Crittal section of frame, casements and glazing bar details will be used.



Typical detail of Crittal-type windows (to illustrate style and colour)

The window openings were originally of a minimal size as daylight wasn't considered crucial in farrowing houses of that period, so it is considered 'reasonably necessary' to increase the size of the existing openings to provide daylighting to enhance the interior space so it is suitable for modern living. Rooflights are also proposed in order to allow light to penetrate the deep floor plan.

The fibre cement roof covering will be replaced by a Kingspan RW1000, which is a composite profile metal sheet upper and lower with integral rigid insulation, 120mm overall thickness to meet and exceed ADL1B Building Regulations.

Kingspan RW1000 color swatch RAL7035



This palette of materials will sit well with, and echo, the palette of materials on the adjacent barns. The aesthetic of the interior will be informed by a 'warehouse conversion' style, appropriate to the exterior of the building.

The fenestration and roofing will match in materials and colour to the approved Finishing House (18/01089/Q56).

The existing ventilation cowlings will be retained to facilitate an energy efficient passive 'stack' ventilation.

1.4.2 Internal Works and Appearance

The Ceilings:

The existing trusses and purlins will be retained, and these will support the new composite roofing sheets with a drylining beneath where the ceilings are vaulted, except for loft storage over some of the bedrooms, where the purlins and underside of the composite roofing will remain exposed.

The Walls:

The external walls are of a cavity construction, so the cavities will be filled with polystyrene beads, but this will also require additional rigid insulation and dry lining internally. Internal walls will be dense concrete block construction, to provide additional thermal mass.

The Floor:

There is an existing concrete floor slab set to gentle falls for drainage, this will be levelled with a feathered screed, over which insulation will be laid with a finishing screed on top. A polished concrete floor finish is anticipated.

The Context:

The Farrowing House is set within the existing farm buildings and the 'warehouse' aesthetic will compliment the context. The building will remain invisible from the public realm.

1.5 Access and Parking

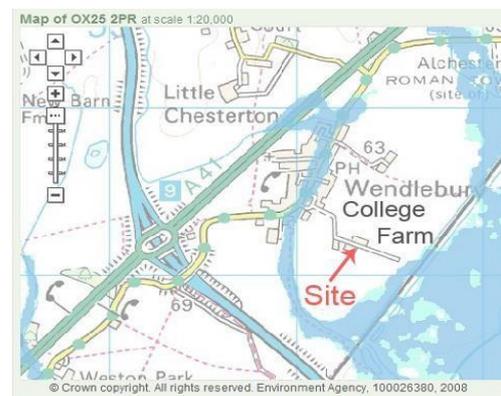
The village is well served by public transport, and facilities in the village are just a short walk away. The barn is accessed via the existing farm drive and there is ample of parking space adjacent to the barn. Three parking spaces have been annotated on the plan, but more could be accommodated if required.

1.6 Environmental Issues

The barn conversion will incorporate insulation to a level that will, collectively, be well in excess of current Building Regulations minimum standards, there are features to minimise solar overheating and to facilitate passive ventilation.

1.7 Flood Risk

The site is outside any flood risk zone, see the Environment Agency map opposite. There will not be any additional surface water run off as the existing impermeable roof and hardstanding areas will not be changed.



1.8 Biodiversity

A bat inspection was carried out in May 2018 by Ecoconsult, and it was concluded that the barn is unsuitable for bats, so no further survey was appropriate. The ecologist has suggested that we fit bat boxes elsewhere on adjacent buildings so the proposal has a positive impact on biodiversity. See attached report.

1.9 Structural Engineer

Structural Engineer's, AKS Ward of Oxford, were asked to inspect the adjacent Finishing House building and to comment on its capacity to be converted without significant rebuilding. Their report is positive, and attached for reference. Whilst this is a separate building, the 'type' and specification is identical, as mentioned above, so a separate inspection by the structural engineer is not considered necessary.

2.0 Conclusions

2.1 The barn has a current change of use, 18/02246/R56. (See Planning Statement for 18/02246/R56 kin Appendix 1).

2.2 It has a structure that is capable of conversion to form 2no. B&B units without significant rebuilding. It is clear that very good accommodation can be provided within the existing geometry of the building, and an essential increased provision of natural daylight is facilitated by the design.

2.3 The proposal doesn't affect bats.

2.4 The proposals represent an appropriate and compatible level of 'associated operational development', defined as 'building or other operations in relation to the same building or land which are reasonably necessary to use the building' as permitted by 18/02246/R56.

Planned Approach Architects March 2019

3.0 APPENDICES

APPENDIX 1 Planning Statement for 18/02246/R56

PLANNING STATEMENT

The Farrowing House

College Farm
Wendlebury
Bicester
OX25 2PR

APPLICATION FOR PRIOR APPROVAL UNDER CLASS R

for Change of Use of former pig farrowing building to C1 (Bed & Breakfast Use).

Proposal: Change of Use of the existing Agricultural Building to a flexible commercial use falling within Class C1.

Site: Part of College Farm, Wendlebury, Bicester, OX25 2PR

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1 Introduction

This report accompanies an application for prior approval under Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 3 (as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018) for the change of use as an agricultural building (known as The Farrowing House) which has a single storey footprint of 191sqm, at College Farm, Wendlebury, to a flexible use falling within Class C1. The nature of the C1 use proposed is to form 2no. Bed and Breakfast units, one 2 bed unit and one 1 bed unit, totalling 191sqm.

2 Planning History

This building was constructed in 1965 and was used as accommodation for farrowing pigs until 1984. Since 1987 up unto the present day it has been used for the storage of farm machinery, tools and feedstuffs.

3 Legislative Provisions

This section, in italics, is an extract from The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018, sourced at <http://www.legislation.gov.uk>. The provision of information required is found in Section 4, below, on page 4.

Permitted development

R. Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use falling within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class B1 (business), Class B8 (storage or distribution), Class C1 (hotels) or Class D2 (assembly and leisure) of the Schedule to the Use Classes Order.

Development not permitted

R.1. Development is not permitted by Class R if—

- (a) the building was not used solely for an agricultural use as part of an established agricultural unit—
 - i) on 3rd July 2012;*
 - ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or*
 - iii) in the case of a building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R begins;**
- (b) the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 500 square metres;*
- (c) the site is, or forms part of, a military explosives storage area;*
- (d) the site is, or forms part of, a safety hazard area; or*
- (e) the building is a listed building or a scheduled monument.*

Conditions

R.2. Development is permitted by Class R subject to the following conditions—

- (a) a site which has changed use under Class R may, subject to paragraph R.3, subsequently change use to another use falling within one of the use classes comprising the flexible use;*
- (b) for the purposes of the Use Classes Order and this Order, after a site has changed use under Class R the site is to be treated as having a sui generis use;*
- (c) after a site has changed use under Class R, the planning permissions granted by Class G of Part 7 of this Schedule apply to the building, subject to the following modifications—
 - i) “curtilage” has the meaning given in paragraph X (interpretation) of this Part;*
 - ii) any reference to “office building” is to be read as a reference to the building which has changed use under Class R.**

R.3.—(1) *Before changing the use of the site under Class R, and before any subsequent change of use to another use falling within one of the use classes comprising the flexible use, the developer must—*

(a) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit does not exceed 150 square metres, provide the following information to the local planning authority—

- i) the date the site will begin to be used for any of the flexible uses;*
- ii) the nature of the use or uses; and*
- iii) a plan indicating the site and which buildings have changed use;*

(b) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit exceeds 150 square metres, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- i) transport and highways impacts of the development;*
- ii) noise impacts of the development;*
- iii) contamination risks on the site; and*
- iv) flooding risks on the site,*

and the provisions of paragraph W (prior approval) apply in relation to that application.

(2) Subject to sub-paragraph (3), development under Class R of the type described in paragraph R.3(1)(b) must begin within a period of 3 years starting with the prior approval date.

(3) Where, in relation to a particular development under Class R of the type described in paragraph R.3(1)(b), planning permission is granted on an application in respect of associated operational development before the end of the period referred to in sub-paragraph (2), then development under Class R must begin within the period of 3 years starting with the date that planning permission is granted.

(4) For the purposes of sub-paragraph (3), “associated operational development” means building or other operations in relation to the same building or land which are reasonably necessary to use the building or land for the use proposed under Class R.

Interpretation of Class R

R.4. *For the purposes of Class R, “flexible use” means use of any building or land for a use falling within the list of uses set out in Class R and change of use (in accordance with Class R) between any use in that list.*

(End of extract)

4 Paragraph R1 Requirements

Para R1 Requirements:

In relation to the Paragraph R1 requirements, we provide the following information for clarification with regard to the building which is the subject of this application, which shows that the building is eligible for change of use under the permitted development regulations:

- (a) On the 3rd July 2012 the site was used solely for an agricultural use as part of the established agricultural unit, since 1965, and this continues to the present day.
- (b) No other buildings on this agricultural unit have had a change of use under Class R. (Note application no. 18/01089/Q56 for the adjacent building.)
- (c) The site does not form part of a military explosives storage area,
- (d) The site does not form part of a safety hazard area,
- (e) The site/building is not a listed building or a scheduled monument.

5 Paragraph R3 Requirements

Para R3 Requirements:

In relation to the Paragraph R2 requirements, we provide the following information for clarification with regard to the building which is the subject of this application, which shows that the building is eligible for change of use under the permitted development regulations:

Para R3 -(1)

- (a) i) The site will begin to be used for the flexible uses within 3years of this application being determined,
- ii) The nature of the intended use is to provide 2no. Bed and Breakfast units (1no. 2 bed and 1no. 1 bed), as would typically fall within Use Class C1.
- iii) The attached plan, no. 18.183.01, illustrates the site and the building which has the change of use.

- (b) i) Transport and highways impact of the development

The site has a good access to the public highway via the existing established farm drive, which is suitable for the proposed C1 use.

No highway safety problems would be caused.

The building is to be converted into 2no. B&B units (1no. 1bed and 1no. 2bed).

There is ample parking on site immediately adjacent to the building. Three spaces have been annotated on the proposal drawing, clearly more could be provided within the proposed curtilage if required to do so.

ii) Noise impacts of the development

The proposed development would have no noise impact on any residential neighbour, some 350m to the closest house off the farm. The impact of noise upon, or from, the existing farm building would be negligible, it is broadly similar in position and context to the existing farmhouse, Larkhill Cottage, approximately 20m to the west. The existing neighbouring farm building is a lambing shed.

iii) Contamination risks on the site

There is no record of any contamination risk. The existing roofing sheets are fibre cement that may contain some asbestos, but these will be carefully removed and disposed of in an appropriate manner. See attached Sensitive Use Questionnaire.

iv) Flooding risks on the site

The site is in the EA flood zone 1, which is not at risk of flooding, and will be neutral in terms of runoff.

Para R3 – (2)

The development under Class R, as described in paragraph R3(1)(b) will have begun within a period of 3years starting with the prior approval date.

Para R3 – (3)

Where in relation to a development under Class R, as described in paragraph R3(1)(b), planning permission is granted on an application in respect of associated operational development before the end of the period referred to in sub-paragraph (2), then the development under Class R will begin within a period of 3years starting with the date that planning permission is granted.

Note: this Planning Statement is to be read in conjunction with the Design and Access Statement and project drawings listed within it.

APPENDIX 2 Structural Engineer's Report for adjacent barn (Finishing House 18/01089/Q56)

By John Winterbottom of AKS Ward Ltd

Ref: X182391
5th June 2018

Mr T Howard
Planned Approach
Larkhill Cottage
College Farm
Wendlebury
OX25 2PR

Dear Tim

Structural Assessment Report
The Finishing House (former pig rearing barn), College Farm, Wendlebury, Oxon

Purpose of Report

It proposed to develop an existing former pig rearing barn into residential accommodation for the purpose of a private dwelling. Under Class Q: Part 3 of Schedule 2 of the Town & Country Planning Order 2015, permission would be granted should the structure be able to be converted without the need for wholesale reconstruction. This report seeks to establish that, in the case of this Barn, this is entirely possible

The building was inspected on 15th May 2018

Description of Structure

The overall building footprint occupies a rectangular space of approximately 10m x 29m. The roof consists of a series of fabricated, Trada-style, timber trusses supporting timber purlins and corrugated fibre cement sheeting.

The roof structure bears on cavity blockwork walls having an approximate eaves height of 2.8m.

Condition of Structure

From a limited inspection of the roof void the primary trusses and purlins seem in reasonable condition although there are areas of water ingress. The cement sheeting will need replacing.

A general survey shows that the external blockwork envelope exhibits only a few minor, generally vertical cracks, extending from ground to eaves, often through the window zones. There were no evidence of subsidence related distress or distortion.

At the time of the inspection the foundations had not been exposed.

Discussion

Overall the structural fabric and elements of the building have stood the passage of time, although the roof finishes are looking tired.



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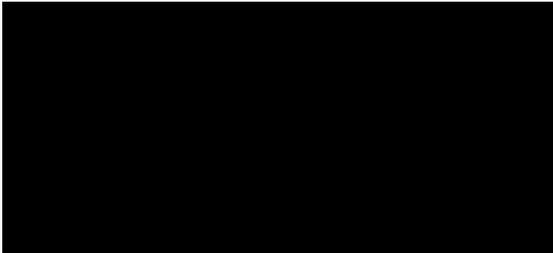
Ref: X182391
5th June 2018
Page 2 of 2

The blockwork cavity walls are generally plumb and show only signs of early-age drying shrinkage, which would have been inevitable as no movement joints were incorporated in the original build. The absence of undulation or vertical displacement of the bed joints would suggest that subsidence is not generally operational on the building. As such, at this stage, we see no need to carry out detailed assessment of the existing foundations.

As the roof sheeting will need to be replaced by a modern insulated product, it will be necessary to analyse the trusses and joints to confirm that they will adequately support the new loading. In general, it is likely that this will prove possible as additional loadings are likely to be less than the 0.15kN/m², the difference in British Standard live load between the date when the building was erected and present day. Detailed design assessment will still however be needed.

Conclusion & Recommendations

In line with the above discussion and the initial inspection, we perceive no structural inadequacies that would render the building unfit for conversion. Construction details will be prepared in due course, at which time we will carry out the usual detailed inspection of trial pits next to foundations. Included in this will be a detailed survey of the timber trusses and joints, as well as consideration of overall lateral stability of the building volume and introduction of any additional bracing measures, cross walls as necessary, which, for example, may be provided by internal walls.



John Winterbottom
Technical Director – Small Works
For and on behalf of AKSWard Ltd

Enc. Building plan

APPENDIX 3 Ecologist's Report

By Robert Gray of Ecoconsult Ltd

Bat Survey Report

Barn at College Farm, Wendlebury

November 2018

Client details	Planned Approach	Larkhill Cottage, College Farm, Wendlebury Bicester, Oxfordshire OX25 2PR	
Date of Survey work	09/05/18	Date of Report	20 th November 2018
Version	Ver 20.11.18	Author	Robert Gray

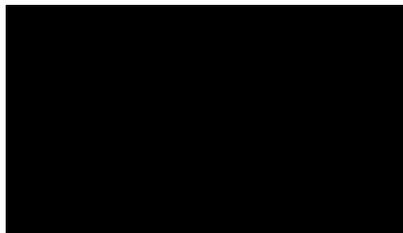


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	Name	Position	Date
Author	Robert Gray BSc (Hons)	Senior Ecologist	20 th November 2018
Reviewed	Iain Corbyn MA (Oxon) MSc CEnv MCIEEM	Principal Ecologist	20 th November 2018

This report has been written in accordance with guidelines set out by British Standard and Chartered Institute of Ecology and Environmental Management.

Signature of project supervisor



NB. Information on legally protected, rare or vulnerable species may appear in ecological reports. In such cases it is recommended that appropriate caution be used when circulating copies. Whilst all due and reasonable care is taken in the preparation of reports, Ecoconsult Ltd accepts no responsibility whatsoever for any consequences of the release of this report to third parties.

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1 Introduction

1.1 Background to activity / development

1.1.1 Ecoconsult Ltd has been commissioned by Planned Approach to carry out a bat survey and report to accompany a planning application.

1.1.2 There is a proposal to convert a modern agricultural barn at College Farm, Wendlebury, Oxfordshire. The barn had previously been used as a pigsty and is currently used for farm storage.

1.2 Summary of survey work

1.2.1 A bat daytime inspection survey has been undertaken in May 2018 to inform this report.

1.2.2 Ecoconsult previously carried out a daytime bat inspection survey on 13th July 2010.

1.3 Summary of findings

1.3.1 No bat evidence was recorded on the interior or exterior of the Barn in 2018 or during the survey conducted in 2010.

1.4 Summary of conclusions

1.4.1 The barn has negligible potential to support roosting bats.

1.4.2 No further bat survey work will be required.

1.4.3 A Natural England bat mitigation licence will not be required.

1.4.4 Nesting birds have been recorded in the barn.

2 Survey and site assessment

2.1 Objectives of survey

2.1.1 The objectives of the survey were:

- to locate bats in occupation or signs of use of the building (recent and/or historical) and any other habitat feature which is likely to be affected by the proposals
- to ascertain the status of roosts, numbers of bats and species and
- to assess whether further survey work is necessary to meet the above objectives.

2.2 Surrounding landscape

2.2.1 The site is located 3 km to the southwest of Bicester in a rural location characterised by agricultural fields including both arable and pasture. An interconnected network of hedgerows supporting trees run along the field boundaries. The M40 motorway is located c.700m to the southwest of the farm. The site is located at SP 56328 19199.



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Figure 1: Site location (scale 1:50,000)

2.3 Structure description

2.3.1 The barn is a disused pig shed which is currently used for farm storage (see Plate 1 below). It has a pitched, corrugated asbestos/cement type roof with three large vents along the ridge. The barn has concrete walls with wooden cladding on gable ends (see Plate 1 below). Gaps beneath cladding do not provide suitable bat roosting habitat as they either have clear plastic behind or are too large and draughty. The open doors and windows promote a draughty internal environment with relatively high light levels (see Plate 2 below). No loft void is present. Potential access to the interior of the building includes open doors/windows (see Plate 2), roof vents and warped timber cladding (particularly on the east elevation see Plate 1). The barn leads on to an additional open fronted modern agricultural building on the western elevation.

2.3.2 The Barn has negligible potential to support roosting bats.



Plate 1: Barn 1 exterior with view of timber boarding on east gable



Plate 2: Interior section of Barn 1 showing relatively high light levels and open window

3 Methodology

3.1 Phase 1 surveys: daytime inspection survey

3.1.1 A daytime survey of the building was carried out on 9th May 2018.

3.1.2 The daytime survey followed *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (2016).

3.1.3 A thorough search was made of the building including all accessible areas and crevices for bats, their droppings, food remains or characteristic grease marks at potential exit/entrance points. The exterior of the buildings was searched, paying particular attention to window ledges or pipes where droppings can gather undisturbed, and under potential access points such as loose tiles and gaps between boarding.

3.1.4 Equipment for daytime inspection included:

- 8x32 close-focussing binoculars
- Cluson SM126 Smartlite heavy duty rechargeable torches
- fibre-optic endoscope (video inspection system: KC-150a)
- long ladder, 3 section extension (9.17m)
- telescopic ladder (3.8m)
- digital camera

3.1.5 Signs of bat activity searched for included:

- Droppings - these typically contain fragments of insect exoskeleton and crumble to dust (unlike those of small rodents, which typically become hard). Bat droppings will stick to surfaces including walls, windows and window ledges. Droppings may also become caught in spider webs below a roost site or feeding perch.

- Feeding remains - these include the discarded wings of flying invertebrates, which may accumulate under a well-used feeding perch. Some species, such as the brown long-eared bat have seasonal preference for moths of the noctuid family. Hence the accumulated wings of these moths commonly identify this bat as being present.
- Oil staining - the fur of bats may leave an oily residue on surfaces close to occupied roost sites and access/egress points.
- Smell – most bat species have an identifiable aroma while certain species, such as the noctule, are noted for their “smelly roosts” due to urine scent marking activity.
- Daytime vocalisations - these are most pronounced at larger roost sites during periods of hot weather.
- Absence of cobwebs - a well-used bat roost and its access points are typically clear of cobwebs.
- Scratching - scratch marks produced by the claws of many bats may be apparent close to the access point for a well-used roost.
- Dead bats.
- Tracks in dust.

Table 1: Timings and conditions of phase 1 bat surveys

Date	Timings	Structure reference / location	Weather
09/05/18	Start: 09:30 Finish: 11:30	The barn	14 °C No rain Moderate breeze (Beaufort 4) 0% cloud

3.2 Personnel

3.2.1 A daytime survey of the building was carried out by the following surveyors.

Robert Gray is a Senior Ecologist at ecoconsult with a BSc (Hons) degree in Conservation and Environment. He has carried out bat surveys since 2006 and has extensive experience in ecological survey and monitoring techniques, protected species survey, mitigation and licensing and ecological clerk of works work. He holds the following Natural England licences:

- Natural England Licence to disturb and take bats for the purposes of science and education or conservation bat survey licence (no. 2015-12641-CLS-CLS).
- Natural England Level 1 Licence to survey great crested newts for scientific (including research) or educational purposes (no. 2015-18636-CLS-CLS).

3.3 Constraints

3.3.1 No constraints. The survey followed current best practice guidelines with an appropriate level of survey effort.

4 Survey results

4.1 Pre-existing information on the bat species at the survey site

4.1.1 A survey conducted in 2010 by Ecoconsult Ltd concluded that bats did not roost in the barn.

4.2 Phase 1 bat inspection survey

4.2.1 No bat evidence recorded.

4.2.2 The barn has negligible potential to support roosting bats.

5 Conclusions and recommendations

5.1 Conclusions

- 5.1.1 No evidence of roosting bats was recorded in the surveyed barn at College Farm, Wendlebury.
- 5.1.2 The barn has negligible potential to support roosting bats and therefore no further summer bat dusk emergence or dawn re-entry surveys will be required.
- 5.1.3 Should any bats be discovered during any works (or suspicion arise about the possible presence of bats, for instance in a timber joint, cavity, behind felt etc), that work will cease immediately and a licensed consultant employed to establish bat presence or otherwise and to advise as necessary.

5.2 Natural England bat mitigation licence

- 5.3 A Natural England bat licence will not be required prior to works.

5.4 Note regarding nesting birds

- 5.4.1 Nesting birds including blackbird and swallow were recorded in the barn.
- 5.4.2 Nesting birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). Disturbance to nesting birds can be avoided by carrying out works and/or by excluding birds from suitable nest sites outside the main nesting season. The main nesting season is generally March to August inclusive. However, birds may nest outside the main nesting period, in which case, works that would result in nest disturbance will cease until birds have fledged.

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Appendix A: Legislation

All bats and their roosts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and by The Conservation of Habitats and Species Regulations 2017. Further enforcement has been provided by The Countryside and Rights of Way Act 2000. Regulation 43(1) of The Conservation of Habitats and Species Regulations 2017 states:

43(1) A person who—

- (a) deliberately captures, injures or kills any wild animal of a European protected species,*
 - (b) deliberately disturbs wild animals of any such species,*
 - (c) deliberately takes or destroys the eggs of such an animal, or*
 - (d) damages or destroys a breeding site or resting place of such an animal,*
- is guilty of an offence.*

(2) For the purposes of paragraph (1)(b), disturbance of animals includes in particular any disturbance which is likely—

(a) 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; or*
- (b) to affect significantly the local distribution or abundance of the species to which they belong.*

Works that would result in an offence require a licence from Natural England. Proposals must satisfy the following tests of a Natural England development licence.

Licences may be granted under:

- *Regulation 55(2)(e), for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; or*
- *Regulation 55(2)(f) for the purpose of preventing the spread of disease; or*
- *Regulation 55(2)(g) for the purpose of preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other forms of property or to fisheries;*

subject to Natural England being satisfied that the application additionally meets:

- *Regulation 55(9)(a) that there was no satisfactory alternative; and*
- *Regulation 55(9)(b) that the action was not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*

Section 99 of ODPM Circular 06/2005 states:

'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations, before permission is granted.'

The Natural Environment & Rural Communities Act, 2006 (NERC Act) introduced a duty for all public authorities in England and Wales to have regard to the conservation of biodiversity in exercising their functions. Bats are Species of Principal Importance as defined in the NERC Act.

Nesting birds

Nesting birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). Birds included in Schedule 1 of the Act (including barn owl) receive special protection.