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**Claire Parker**  
Assistant Planning Consultant  
Cassidy and Ashton  
7 East Cliff  
PRESTON  
PR1 3JE

11 May 2016  
1674

Job ref: B

Dear Claire

Re: EPS – Preliminary Roost Assessment: New Barn, Stonyhurst Estate, Hurst Green, Clitheroe, Lancashire.

You have requested a scoping survey (European Protected Species) as a condition of a planning application to Ribble Valley Borough Council (RVBC) for conversion of an existing stone barn into dwellings.

The Local Planning Authority is required to take account of the impact of a development on protected species in accordance with current planning policy (National Planning Policy Framework). RVBC requires an appraisal of the likely impact of the proposed development on all bat species that are present or likely to be present at the site, in addition to any mitigation and enhancement works that may be necessary.

As a consequence of the historical declines in bat populations during the second half of the twentieth century, all bats and their roosts are protected by UK law. The depletion of natural habitats throughout the UK means that some bat species are now more than ever dependent on houses and other structures as roosting sites. It is this dependence that makes them vulnerable to redevelopments that can result in damage or destruction of a roost, particularly maternity roosts, resulting in negative impacts on a local bat population. Since 2008 bats have been included in the list of UK Biodiversity Indicators which aim to show the response of species to the pressures, changes and threats to our natural and built environment.

The attached report confirms the presence of low numbers of roosting pipistrelle bats within the building; the results of a dusk emergence survey are largely consistent with previous surveys undertaken in 2007 and 2013.

The local planning authority in approving the planning application will first require a detailed **method statement** prior to the works being carried out. Where it can be demonstrated that all reasonable measures have been taken by the developer and where there is unlikely to be a breach of the Habitats Regulations, a Mitigation Licence (EPSL) may not be required. The existence of a method statement helps to establish a defence against any possible prosecution in the event of bats being disturbed during the development.

The method statement contains **mitigation measures** designed to ensure that protected species are not significantly disturbed, injured or killed as a result of the proposed building alterations. Additionally, **compensation measures** such as bat access roof tiles and new roost opportunities are also required to offset the damage to protected species and disturbance caused by the development.

Please find a copy of the survey report now attached.

Yours sincerely

David Fisher  
Director (EED Surveys)

## **BAT SCOPING SURVEY REPORT**

New Barn, Stonyhurst Estate, Hurst Green, Lancashire (SD 697 385)

### **Aims of the scoping survey**

This type of survey is sometimes referred to as a 'presence or absence survey' and is based on an internal / external assessment of the building with regard to bats and other protected species such as nesting wild birds.

The aim of the scoping survey is to assess the potential value of the site for European Protected Species (EPS) and to establish whether bats, barn owls or other protected species have been active within any part of the building that is likely to be affected by the proposed development.

A scoping survey involves an internal / external search of the property looking for evidence of access by protected species, particularly bats and owls and nesting birds. The survey can be undertaken during daylight hours at any time of year and is not dependent on whether bats or birds are active at the time of the inspection.

From the developer's perspective, the primary objective of a survey for protected species is to ensure that a development can proceed lawfully without breaching the Habitats Regulations.

*The overall aim of surveying at a proposed development site is to collect robust data to allow an assessment of the potential impacts the proposed development will have on the bat populations present on and around the site. . . The data allow the developer to decide whether to proceed with the proposal as it stands, or whether to modify it. Proposals for appropriate mitigation, compensation and enhancement should be based on the survey data and impacts.\**

\*page 17 - Bat Surveys, Good Practice Guidelines, 2<sup>nd</sup> Edition, BCT, (2012)

### **Survey methodology**

Non-invasive survey methods were used to assess the use of the property by protected species.

The survey protocol requires that a full visual inspection of the property is carried out; the survey should cover all internal and external features of the building including inspection of all accessible roof voids and out-buildings likely to be affected by the proposed works.

The survey methodology follows the recommended guidelines published by the Bat Conservation Trust - *Bat Surveys: Good Practice Guidelines, 2<sup>nd</sup> Edition, Hundt, L (2012)*, Natural England (*Survey Objectives, Methods and Standards as outlined in the Bat Mitigation Guidelines, 2004*) and Chapter 3 - Survey and Monitoring Methods, (*Bat Worker's Manual, JNCC, Mitchell-Jones AJ and McLeish, AP, 3<sup>rd</sup> Edition 2004*).

The search was made using a high-powered lamp (*Clu-lite CB2 - 1,000,000 candle power*), close-focussing binoculars (*Leica Trinovid 10 x 32 BN*) and digital camera (*Sony Cyber-shot HX300*) were used to view all likely areas of the building for the presence of bats - ie. droppings and urine spots, bat corpses, bat fly larvae, roost staining or evidence of feeding remains such as discarded moth and butterfly wings or other insects fragments typically found in a perching and feeding area.

### **Timing of survey / weather conditions**

The scoping survey was undertaken on Wednesday 4 May 2015 between 19.45 and 20.30. This was followed by a dusk emergence survey between 20.30 and 22.15.

The weather at the time of the inspection was mild, dry and bright (min. temperature: 12°C, cloud: 10%, wind: light westerly breeze, rain: nil) providing optimal conditions for this level of survey.

## Personnel

The inspection was carried out by David Fisher (EED Surveys) - an ecological consultant with more than 25 years of experience in field survey work and development issues relating to protected species. The surveyor has held a licence since 1989 and is a volunteer bat worker with Natural England (via the BCT), a participating member of several UK bat groups and founder member of the Bowland Kilns and Caves Research Group.

Natural England Class Licence WML-A34 - Level 1 (Registration Number: 2015 – 17599-CLS-CLS)

Natural England Class Licence WML-A34 – Level 2 (Registration Number: 2015 – 12106-CLS-CLS)

## Aims of the survey

The key aims of the survey are to:

- Collect robust data following good practice guidelines
- Facilitate the design of mitigation, enhancement and monitoring strategies for bats where appropriate
- Provide baseline information with which the results of post-development monitoring can be compared
- Provide clear information to enable the LPA and licensing authority to reach a robust decision
- Assist clients in meeting their statutory obligations
- Facilitate the conservation of bat populations

## Objectives of the survey

The broad objectives of the survey are to:

- observe, assess and record suitable roosting, feeding, foraging and commuting habitat for bats (and other protected species) both on site and in the surrounding area.
- determine the actual or potential presence of bats (and other protected species) and the need for further survey and / or mitigation.

Defining aims and objectives, p15 BCT Bat Surveys - Good Practice Guidelines, (3<sup>rd</sup> edition 2016)

## Survey methodology

Non-invasive survey methods were used to assess the use of the property by protected species.

The survey methodology is designed to determine the likely presence of bats within the property and does not necessarily prove absence.

The survey protocol requires that a full visual inspection of the property is carried out. The survey should cover the internal and external features of the building including inspection of all accessible roof voids and out-buildings that are likely to be affected by the proposed works.

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## Survey limitations

Crevice-roosting bat species are able to roost within very narrow gaps, frequently less than 25mm wide; solitary roosting bats are sometimes overlooked during daylight inspections, particularly in situations where bats have gained access within rubble infill walls and beneath roof materials and other significant structural features.

Evidence of bat activity such as bat droppings or staining on external walls and surfaces is frequently removed by the action of wind and rain; apparent absence of evidence is therefore evaluated with caution.

National Biodiversity Network (NBN) and other data sources, whilst indicative of the bat species likely to occur within a 10km-grid square, do not confirm presence or absence of a species or habitat.

Local bat records are compiled from a number of reliable sources but may also include unverified public data.

## Proposed works

Conversion of the existing stone barn to dwellings.

## Survey limitations

The survey methodology is designed to determine the likely presence of bats within the property and does not necessarily prove absence.

Crevice-roosting bat species are able to roost within very narrow gaps, frequently less than 25mm wide; solitary roosting bats are sometimes overlooked during daylight inspections, particularly in situations where bats have gained access within masonry and roof materials or between window frames and stonework.

National Biodiversity Network (NBN) and other data sources, whilst indicative of the bat species likely to occur within a 10km-grid square, do not confirm presence or absence of a species or habitat.

The surveyor was unable to access the west side of the main barn due to the presence of farm animals; all other internal areas of the building were fully accessible.

## Pre-survey data search

The pre-survey data search includes the following sources:

- (1) European Protected Species (EPS) - ie. species records of local, regional or national significance.
- (2) National Biodiversity Network (NBN) terrestrial mammal records (chiroptera) for the 10km grid square.
- (3) Local bat records: (i) North Yorkshire Bat Group (NYBG) (ii) EED Surveys (iii) other ecological consultants.
- (4) Interactive maps: *Natureonthemap* (Natural England) and *Magic.gov.uk*.

NBN and other data record the following bat species in national grid square: SD 63 (Hurst Green / Longridge).

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Common name	Scientific name	Status of local population
Natterer's bat	( <i>Myotis nattereri</i> )	widespread / common
Whiskered bat / Brandt's bat	( <i>M. mystacinus</i> / <i>M. brandtii</i> )	widespread / uncommon
Whiskered bat	( <i>M. mystacinus</i> )	widespread / uncommon
Brandt's bat	( <i>M. brandtii</i> )	infrequent / uncommon
Daubenton's bat	( <i>M. daubentonii</i> )	widespread / locally common
Brown long-eared bat	( <i>Plecotus auritus</i> )	widespread / locally common
Common pipistrelle	( <i>Pipistrellus pipistrellus</i> )	widespread / common
Soprano pipistrelle	( <i>P. pygmaeus</i> )	widespread / locally common
Noctule bat	( <i>Nyctalus noctula</i> )	widespread / low numbers

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## Pre-existing information

Previous surveys have been undertaken at the property:

- (1) A scoping survey was carried out on 30/05/07
- (2) A dusk emergence survey was undertaken on 03/06/07

(Reference: EED Surveys Job No. 256/2)

Further visits were made in 2013 as follows:

- (3) A daylight roost assessment was carried out 24/03/13
- (4) A dusk emergence survey was undertaken on 08/05/13

(Reference: EED Surveys Job No.1297)

Bat species recorded within the building were common pipistrelle and soprano pipistrelle; relatively low numbers (up to 6 bats) were recorded in June 2007 and again in May 2013 (up to 4 bats) flying within the open portal or through the upper windows and also within the main voids.

**Location of the property** Stonyhurst Estate (National Grid reference: SD 697 385) Elevation: 100 metres



Figure 1: Location of New Barn.

The building is situated 0.5km SE of St Mary's Hall, Stonyhurst College at Hurst Green (figure 1), a rural location within the boundary of the Bowland and Pendle Area of Outstanding Natural Beauty (AONB). New Barn is located 400m SE of New barn Farm at the SW corner of Loach Field Wood, a relatively large broadleaf plantation (10.3 ha) comprising mostly oak, silver birch, beech, hazel, sycamore and ash.

Although the barn faces south-west onto extensive grazing land, there are no areas of open water or river channel nearby; the nearest significant water course is the River Ribble, more than 0.75 NE of the site at Lower Hodder Bridge. Well-established broadleaved hedgerows and a number of local woodlands provide moderate habitat connectivity for feeding and foraging bats within the wider district.

A local data search has shown there are no designated nature conservation sites adjacent to this property i.e. Special Areas of Conservation (SACs), Sites of Special Scientific Interest (SSSI), Biological Heritage Sites (BHS), National Nature Reserves (NNR's), Local Nature Reserves (LNR's) or Regionally Important Geological and Geo-morphological Sites (RIGS).

### Description of the property

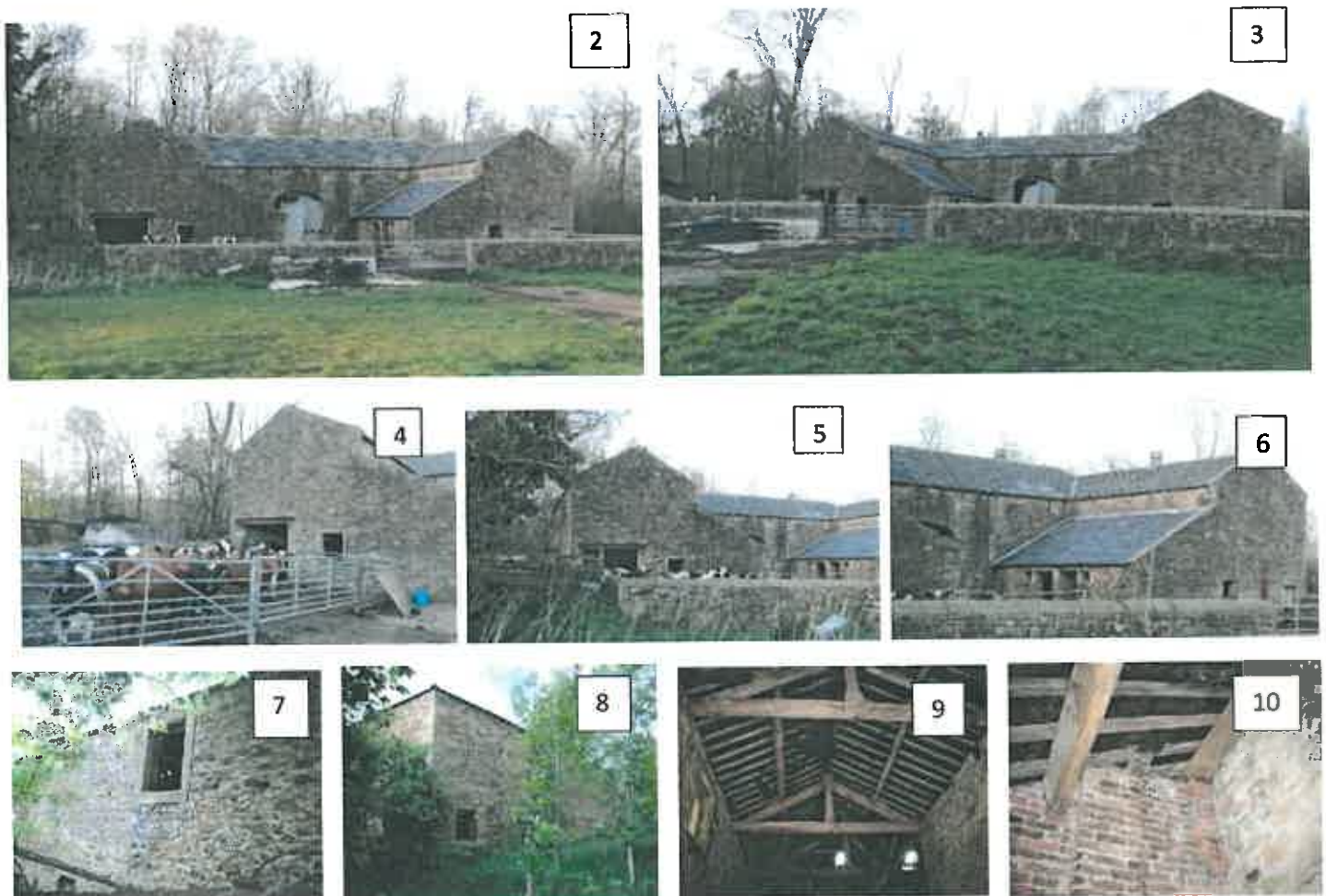
(Descriptions refer to images 2 to 10)

This is a large multi-bay stone barn with high-vaulted timber-framed duo-pitch roof. The main barn has two side wings (east and west) with two single storey lean-to crofts attached. The barn roofs are lined with a bitumen and hessian roofing felt; all the bitumen linings are perished. The roof is with blue slate (figures 9 and 10).

The building has several unglazed windows (figures 7 and 8) and there is a large open portal entrance on the east wing of the barn which is used by cows and other livestock (figure 4). The central timber wagon door is damaged and remains partly open. Similarly, the side crofts have mostly unglazed windows and the doors remain open. The west wing of the barn has a small timber door on the front elevation and an unglazed window at the rear (fig. 8).

The barn has remained largely unchanged since the initial surveys in 2007 although further deterioration to some of the timber doors has occurred during that time. The building continues to be used for housing livestock with cows currently present in the yard and inside the west wing and central area of the main barn (figure 4).

### New Barn (images 04/05/16)



## **Survey results**

A daylight inspection of the buildings has found no evidence of bat roosting, perching or feeding activity and there are no accumulations of bat faeces within the barn or the lean-to crofts. Externally there are no signs of bat roost activity.

An internal inspection has found a small number of barn owl castings on the straw floor of the east wing of the main barn; 5 No. fresh pellets were noted in the corner of the building directly beneath a timber roof spar.

### **Evening emergence activity (BATS)**

For safety reasons it was not possible to survey inside the open portal on the front elevation (figure 4).

The dusk survey began 15 minutes before sunset (Sunset at 20.45) and continued for 90 minutes after sunset.

The surveyor was positioned at the rear of the barn directly below the window (figure 7) where bats had been seen emerging in 2013. First flight activity was noted within the main void of the barn at 20.45 when a common pipistrelle was recorded inside the barn. Echolocation indicated flight up and down the length of the building until mid-dusk. A common pipistrelle was also foraging along the woodland edge near to the barn from 21.11.

At 21.16 a solitary common pipistrelle emerged briefly and re-entered. Two common pipistrelle bats emerged together from the window and entered the woodland at 21.17. A soprano pipistrelle was seen feeding and foraging around the barn from 21.17 and may have emerged from the building.

A common pipistrelle was also observed inside the east wing of the building (figure 8); the bat was active from 21.18 until at least 21.30. Both phonic types of pipistrelle were active around the building throughout the duration of the survey. A solitary male common pipistrelle was active along the front elevation of the barn from 21.33 making persistent vocalisations (song) in flight.

### **Barn owl / barn swallow activity**

Although no barn owls were noted around the building during the survey; a solitary barn owl was seen flying over the pasture on the north side of the woodland at the end of the survey. No barn swallows were recorded during the survey although roosting swallows may occasionally be present within the side crofts and main barn.

### **Evaluation of results**

The presence of at least two common pipistrelles flying within the barn before sunset (activity known as light-sampling) suggests roosting by low numbers of bats within the barn. At least two bats emerged from the upper window and immediately began foraging around the woodland; these are likely to be solitary males.

A pipistrelle was recorded vocalising around the barn; this also suggests territorial behaviour by a solitary male.

The barn offers many roosting opportunities for crevice-dwelling bats such as pipistrelles. The thermal benefits of the barn roof make it likely that low numbers of common pipistrelles are roosting between the roofing felt and the roof slates.

Bats are likely to be active within the building between April and late October; a small number of individuals may also be hibernating in the building during the winter period (November to March).

The surveys undertaken between 2007 and the present have produced remarkably consistent results.

There is no evidence to indicate the presence of a maternity roost at the site.

The mitigation measures and compensatory works as recommended in 2013 remain applicable and are reproduced below (with certain additions and amendments) from the 2013 report (Job reference: B1297):

The presence of small numbers of a common species (ie. both common pipistrelle and soprano pipistrelle) requires flexibility over provision of bat boxes and access to the building on completion.

*\*Reference: Bat mitigation Guidelines (2004) Figure 4, page 39 BMG).*

## BARN OWLS / BARN SWALLOWS

The presence of only a small quantity of owl castings (pellets) indicates very occasional / sporadic use of the building by a solitary roosting barn owl. The species has increased its range within the district in recent years and many buildings are visited occasionally.

There is no evidence of nesting or regular and significant perching and roosting by barn owls in this building.

Nesting barn swallows were not recorded within the barn during the survey although some roosting swallows are likely to enter the buildings at times. Other wild nesting birds such as blackbirds, blue tits and wrens may also nest inside the small side crofts; two old nests were noted in gaps within the stonework.

### Potential impacts / site significance

The scale of impact of the development at site level on local bat populations is likely to be low / moderate.

The scale of impact of the development on roosting and nesting **barn owls** is likely to be low.

The scale of impact of the development on roosting and nesting **swallows** is likely to be relatively low.

Potential of New Barn to support roosting bats, barn owls and barn swallows				
	Bats	Barn owls	Barn swallows	Other wild birds
Main barn voids	Yellow	Yellow	Yellow	Yellow
Main roofs (slates and underfelt)	Red	Green	Green	Green
Side buildings (small crofts)	Green	Yellow	Yellow	Yellow

Low potential	Moderate potential	High potential
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Table 1: Potential of buildings to support protected species.

## SUMMARY AND MAIN RECOMMENDATIONS

Small numbers of common pipistrelle bats and soprano pipistrelle bats (1 to 5 bats) are likely to be present throughout the year (all months) roosting mainly between slates and roofing felt or within stonework crevices.

Roosting barn owls are only occasionally present inside the main barn; however nesting activity is unlikely.

Roosting and possibly nesting barn swallows may be present during the summer months and other wild birds such as blackbirds, blue tits and wrens may also nest occasionally in masonry holes (refer to Table 1).

Pipistrelle bats are likely to be present throughout the year (all months); **mitigation and compensation measures** are therefore required at the planning stage to minimise disturbance and provide bat roosting opportunities within the new development.

### Method statement

If it can be demonstrated that the proposed development is unlikely to result in a breach of the Habitat Regulations, a development licence is unlikely to be required as no wildlife offence will be committed. The local planning authority however will require a detailed **method statement** prior to approval of the planning application to ensure that *"the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range."*

The method statement will outline the **mitigation measures** necessary to remove or reduce the impact of the development on protected species by adopting careful working practices and timing of the works to avoid causing disturbance, injury or death to roosting bats and nesting wild birds or avoiding operations likely to result in damage or destruction of a bat roost or resting place.

Additionally, **compensation measures** are likely to be required at the site to offset the damage caused by the development. Compensatory works may include creation of new roost sites (bat boxes and roof access tiles) for bats and nesting / roosting swallows (nest platforms).

The existence of a method statement helps to establish a defence against possible prosecution in the event of bats being disturbed by demonstrating that all reasonable steps have been taken to minimise the impact of the development on protected species.

Further survey effort at this property is not required.

## APPENDIX A

### Mitigation Guidance notes - BATS

Mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species or damage to a roost. The Bat Mitigation Guidelines (2004) define mitigation as "...measures to protect the bat population from damaging activities and reduce or remove the impact of development".

The presence of low numbers of common species of bats requires provision of new roost facilities within the building after works are completed. It is recommended that ridge access tiles and access slates are incorporated into the final design. The recommended designs (Natural England) are shown below.

<b>MITIGATION MEASURES - Bats</b>	
1. Timing of the works	<p>Natural England recommends that spring and autumn are the best times for roofing operations. At these times of year bats will be able to feed on most nights and may be active or sometimes torpid by day, depending on weather conditions. Active bats will usually keep out of the way of any building operations.</p> <p>Autumn roofing works are best carried out between 1 September and mid-November. Spring operations can be carried out from mid-March to the end of April.</p>
2. Re-roofing / access for bats	<p>Bat-friendly design adaptations – ie. ridge tile and slate access tiles should be included into the new roof areas. Two recommended designs are shown:</p> <p>(1) Detail 4A illustrates a ridge tile access.</p> <p>(2) Detail 1A illustrates a slate access; both adaptations are easy to achieve at minimal cost; both are likely to benefit roosting pipistrelles.</p>
3. Legal responsibilities	<p>All contractors and project managers should be made aware of the legal protection afforded all species of bat in the UK and procedures should be in place to mitigate for the potential impact on bats before any building or demolition work is undertaken.</p> <p>The onus lies with the applicant to satisfy himself / herself that no offence will be committed if the development goes ahead, regardless of whether planning permission has been granted.</p> <p>A copy of the Method statement must be made available on site during the development.</p>
4. Unexpected disturbance of bats	<p>If any bats are exposed or there is evidence of bat droppings or dead bats found during the building operations, work must cease in that area until advice has been sought.</p>
5. Emergency advice on bats	<p>Contact: David Fisher (EED) on 01200 446859 (office) or 07709 225783 (mobile) a site visit can be arranged very quickly or advice can be given over the phone immediately.</p>
6. General advice on bats	<p>The Bat Conservation Trust (BCT) provides a bat helpline: 0345 1300 228; in an emergency, BCT will call the nearest volunteer bat worker in your area to arrange a free site visit.</p> <p><a href="http://www.bats.org.uk">www.bats.org.uk</a> email: <a href="mailto:enquiries@bats.org.uk">enquiries@bats.org.uk</a></p>

## COMPENSATION MEASURES - Bats

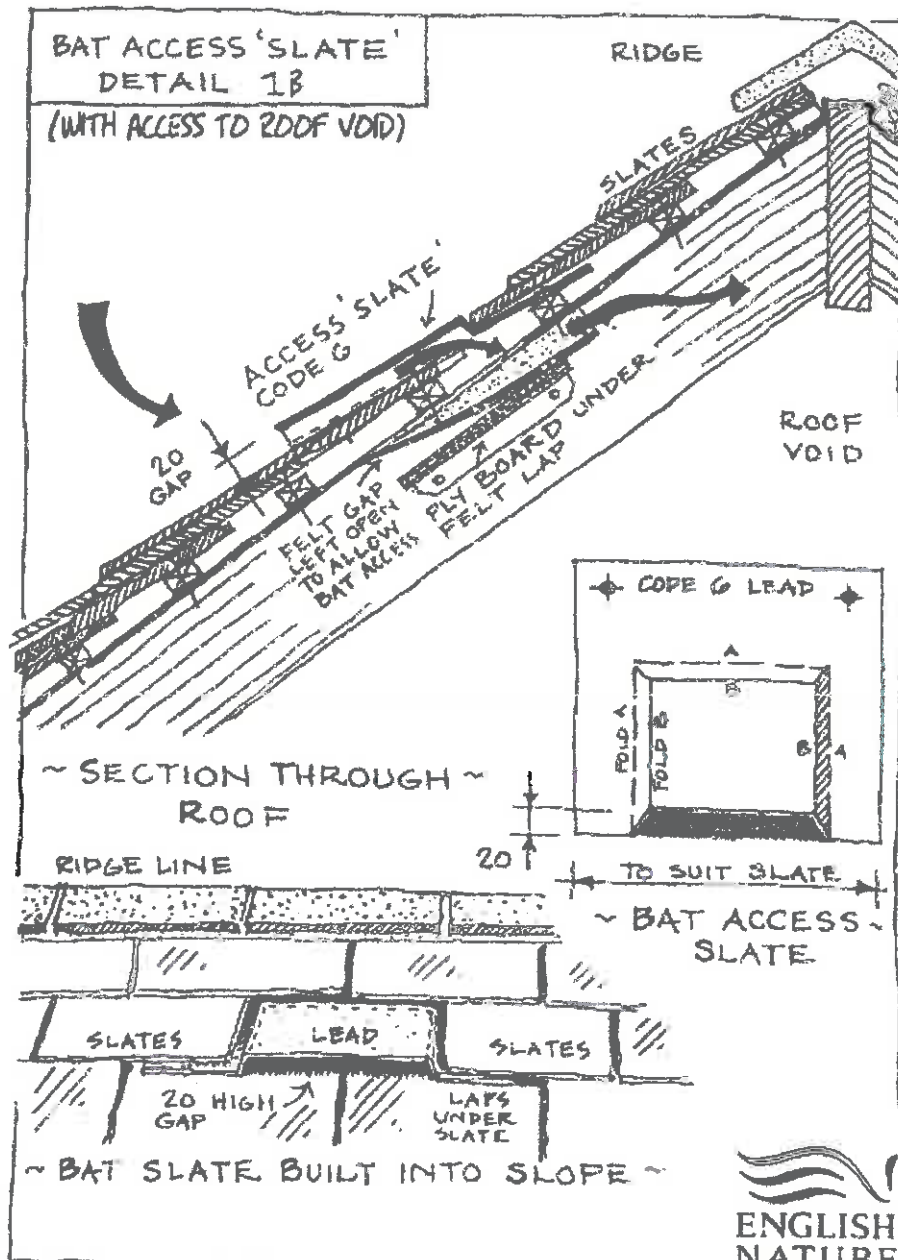
### METHOD 1:

PROVIDE 4 No. BAT ACCESS SLATES ON EACH ROOF PITCH.  
(Total 8 No. access slates)

Bat access 'slate' Detail 1B (below)

THIS METHOD IS RECOMMENDED BY NATURAL ENGLAND: the bat access slates provide narrow 15 to 25mm gaps under slates enabling crevice-seeking bats to gain access into the roof; pipistrelles and other species are known to use narrow warm cavities provided between the roofing membrane and the slate / tile cladding.

Other species including long-eared bats will utilise spaces within a retained roof void where there is a gap provided in the roofing felt / sarking membrane. Long-eared bats tend roost under the roof timbers, usually at the junction of rafters and ridge board and prefer to use an uncluttered void in which to fly. Ideally any retained roof void should be at least 4 metres long and 1.5 metres high from floor to ridge board.



SP The above information is for guidance only and may not be appropriate in all circumstances. It is advised that professional advice is sought. English Nature, Carrons Farm, Amersham Road, Marlow, Bucks, UK. Tel: 01494 750000 Fax: 01494 750001 Email: enquiries@english-nature.org.uk

## ENHANCEMENT MEASURES (Bats)

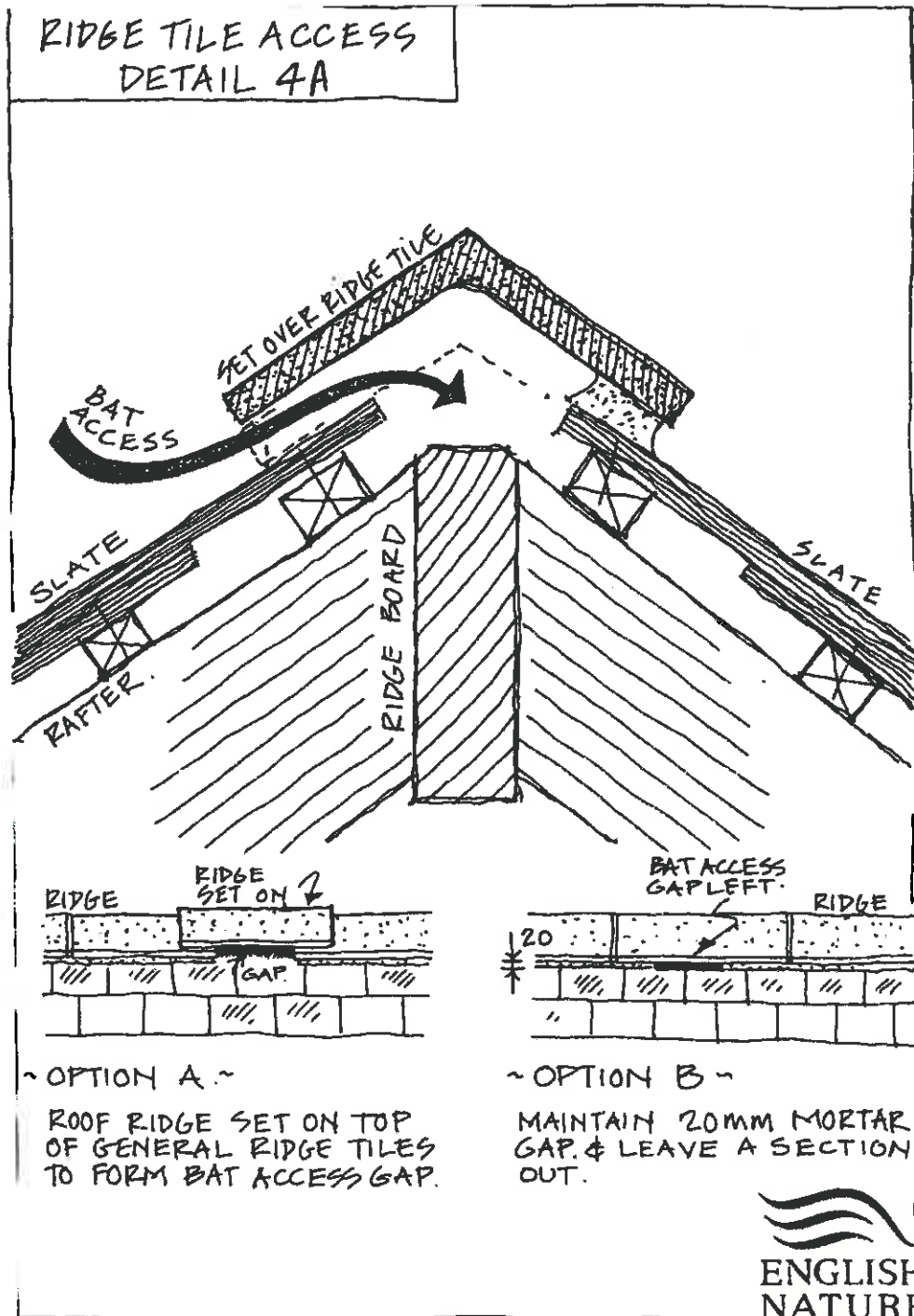
**METHOD 2:**

PROVIDE 4 No. RIDGE ACCESS TILES ALONG THE ROOF RIDGE.

Ridge access tile Detail 4A (below)

AS RECOMMENDED BY NATURAL ENGLAND (several options are available)

- (1) Provide slightly raised ridge tiles with small access gaps beneath (15 – 20mm)
- or
- (2) providing pre-cast bat access roof tiles (designed specifically for bats)



SP

## Mitigation guidance - Swallows and other wild birds

Swallows (*Hirundo rustica*) and other nesting birds may be present during the spring and summer at this site.

Swallows particularly are faithful to the same sites and will return each spring to the same site. Long-term monitoring of population trends has shown significant declines in parts of the UK.

All birds, their nests and eggs are protected by law and it is an offence (with certain exceptions) to intentionally kill, injure or take any wild bird or to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built.

If exclusion of nesting / roosting swallows is required before building works are carried out, the closure of the buildings **must take place during before the end of February**.

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### **SCHWEGLER No 10 Swallow Nest** (for locating inside out-buildings to encourage barn swallows)

It is increasingly difficult for Swallows and House Martins to find suitable nesting opportunities in buildings. Using artificial nest platforms can encourage swallows and martins to nest under eaves and inside open portal structures such as stables and garages.



Height 11cm x length 25cm x depth 14cm.

The artificial swallow Nest should be placed inside outbuildings such as sheds, barns or stables. You should ensure there is always access for the birds through an open window or sky-light. Swallows are sociable birds but multiple nests should be placed at least 1metre apart.

These Woodcrete nest boxes are known for their durability - lasting for at least 20-25 years.

Woodcrete is a blend of wood, concrete and clay which will not rot, leak, crack or warp. They are backed by leading ornithologists, nature conservation organisations, government agencies and forestry experts.

For further advice: [www.rspb.org.uk](http://www.rspb.org.uk)

## Wildlife legislation - Bats and the law

All bat species in the UK receive full protection under the Wildlife and Countryside Act 1981 (amended by the Environment Protection Act 1990). The Countryside and Rights of Way Act 2000 amends the Wildlife and Countryside Act to also make it an offence to intentionally or recklessly damage, destroy or obstruct a place that bats use for shelter or protection. All species of bats are listed on Schedule 5 of the 1981 Act, which makes it an offence to:

- *intentionally kill, injure or take any wild bat.*
- *intentionally or recklessly damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.*
- *intentionally or recklessly disturb any wild bat while it is occupying a structure or place which it uses for shelter or protection.*

The protected status afforded to bats means planning authorities may require extra information (in the form of surveys, impact assessments and mitigation proposals) before determining planning applications for sites used by bats. Planning authorities may refuse planning permission solely on grounds of the predicted impact on protected species such as bats. Recent case law has underlined the importance of obtaining survey information prior to the determination of planning consent<sup>1</sup>.

*"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by a development proposal, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*<sup>2</sup>

All British bat species are included in Schedule 2 of the Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007, (also known as Habitats Regulations) which defines 'European Protected Species' (EPS).

<sup>1</sup> Bat Mitigation Guidelines, AJ Mitchell Jones, Joint Nature Conservation Committee, (2004) ISBN 1 86107 558 8

<sup>2</sup> Planning Policy Statement (PPS9) (2005), Biodiversity and Geological Conservation. ODPM.

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## Protected species (Bats) and the planning process

Our built environment has the potential to have major negative impacts on biodiversity. However, if done sensitively, the development and refurbishment of buildings can, in fact, increase the ecological value of the site.\*

For development proposals requiring planning permission, the presence of bats, and therefore the need for a bat survey, is an important 'material planning consideration'. Adequate surveys are therefore required to establish the presence or absence of bats, to enable a prediction of the likely impact of the proposed development on them and their breeding sites or resting places and, if necessary, to design mitigation and compensation. Similarly, adequate survey information must accompany an application for a Habitats Regulations licence (also known as a Mitigation Licence) required to ensure that a proposed development is able to proceed lawfully<sup>1</sup>.

The term 'development' [used in these guidelines] includes all activities requiring consent under relevant planning legislation and / or demolition operations requiring building control approval under the Building Act 1984.

Natural England (Formerly English Nature) states that development in relation to bats "covers a wide range of operations that have the potential to impact negatively on bats and bat populations. Typical examples would be the construction, modification, restoration or conversion of buildings and structures, as well as infrastructure, landfill or mineral extraction projects and demolition operations".<sup>2</sup>

\* Designing for Biodiversity, RIBA (second Edition - 2013) <sup>1</sup> Bat Surveys, Good Practice Guidelines, BCT (2007). <sup>2</sup> Tony Mitchell-Jones, (BMG, 2004)

## Other references:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 5<sup>th</sup> Floor, Quadrant House, 250 Kennington Lane, London, SE11 5RD, 0845 1300 228

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