Preliminary Roost Assessment

Broad Fold Farm

Main Street, Grindleton

October 2021

Prepared for: Mr Thomson

Report prepared by: Verity Webster BSc (Hons) MSc CEcol CMIEEM

Executive Summary

Bats

- On 4th October 2021 a Preliminary Roost Assessment (bats) was undertaken at Broad Fold Farm, Main Street, Grindleton.
- The house is considered to have moderate-high suitability for roosting bats due to the presence of crevices beneath the slates and the potential for bats to roost between the slates and the lining. The interior space is not considered likely to be used by bats.
- As the proposed works will impact the roof, further survey work was recommended to determine the presence or absence of a bat roost. This survey work must be undertaken between May – August with at least 1 survey in June or July.
- If a bat roost is confirmed present, it will be necessary to obtain a European Protected Species Mitigation (EPSM) licence for bats from Natural England prior to the start of works on site. The licence would detail the mitigation required to ensure the retention of the conservation status of the bat species present.
- It is considered that the proposals to convert the barn provide scope to effectively mitigate for the presence of a bat roost.

1 Introduction

1.1 Application Site

1.1.1. This report details bat and bird survey work at Broad Fold Farm, Main Street, Grindleton, Clitheroe, BB7 4QT. National grid reference SE0972 1784.

1.1.2. Mr Thomson commissioned Verity Webster Ltd to undertake the bat survey work to inform the planning application.

1.2 Objectives

1.2.1 The objectives of the Preliminary Roost Assessment are to determine:

- The suitability of the building on site to support a bat roost.
- Whether bats are currently using the buildings, or have done in the past.
- The potential status of any roost present.
- How bats might be using the site and the potential species present.
- The potential impacts of the proposals on any potential roost present or on bats using the site.
- The requirement for further survey work and/or mitigation.
- How any impacts might be avoided, mitigated and/or ameliorated, including advice on European Protected Species Mitigation (EPSM) application (bats) if required.

1.2.2 The format and content of this report follow that required by the European Protected Species Mitigation (EPSM) licence application where appropriate.

1.3 Proposals

1.3.1 The proposals for the site comprise a single storey extension and alterations to the interior of the property including alteration of the loft void and the roof to allow for light tunnels.

1.4 Ecologist

1.4.1 The Preliminary Roost Assessment was undertaken by Verity Webster. Verity is a licensed bat surveyor (Bat Survey Class Licence WML CL18 (Class 2) Registration number: 2015-13858-CLS-CLS).

1.4.2 Verity has worked as an ecological consultant for over 14 years. She has undertaken preliminary bat assessments and further bat emergence / activity surveys for a large variety of projects and schemes, producing the required impact assessment and subsequent mitigation schemes / method statements when necessary.

2 The Survey Site

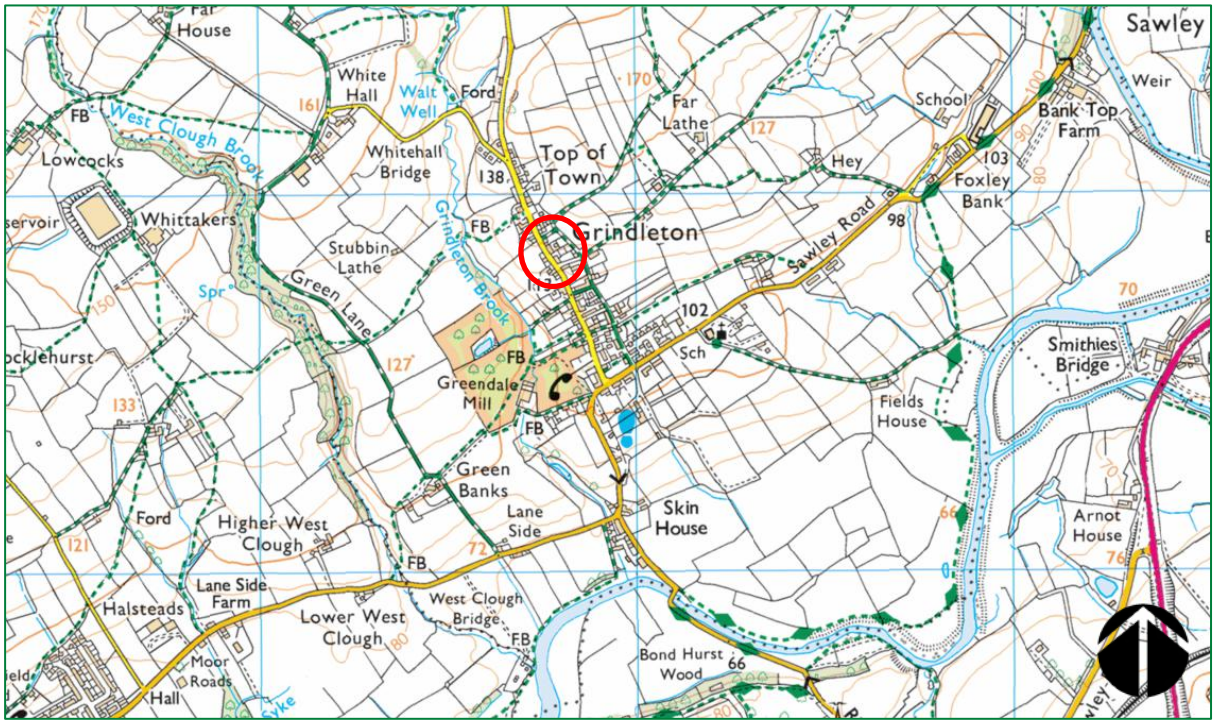
2.1 Site Location

2.1.1 The survey site is situated in a rural location to the north of the village of Grindleton, approximately 1.5m north of Chatburn. The A59 weaves southwest to northeast through the landscape approximately 2km to the southeast. The River Ribble weaves southwest to northeast approximately 1.4km to the southeast at the closest point.

2.1.2 The surrounding landscape comprises arable and grazed pasture divided by a matrix of tree lines and hedgerows. There are numerous brooks threading through the landscape and Grindleton Brook runs north to south approximately 150m to the west of the property.

2.1.3 Overall, the survey site is in a location which provides very good habitat for bats.

Figure 1: Ordnance survey map showing the location of the survey site.

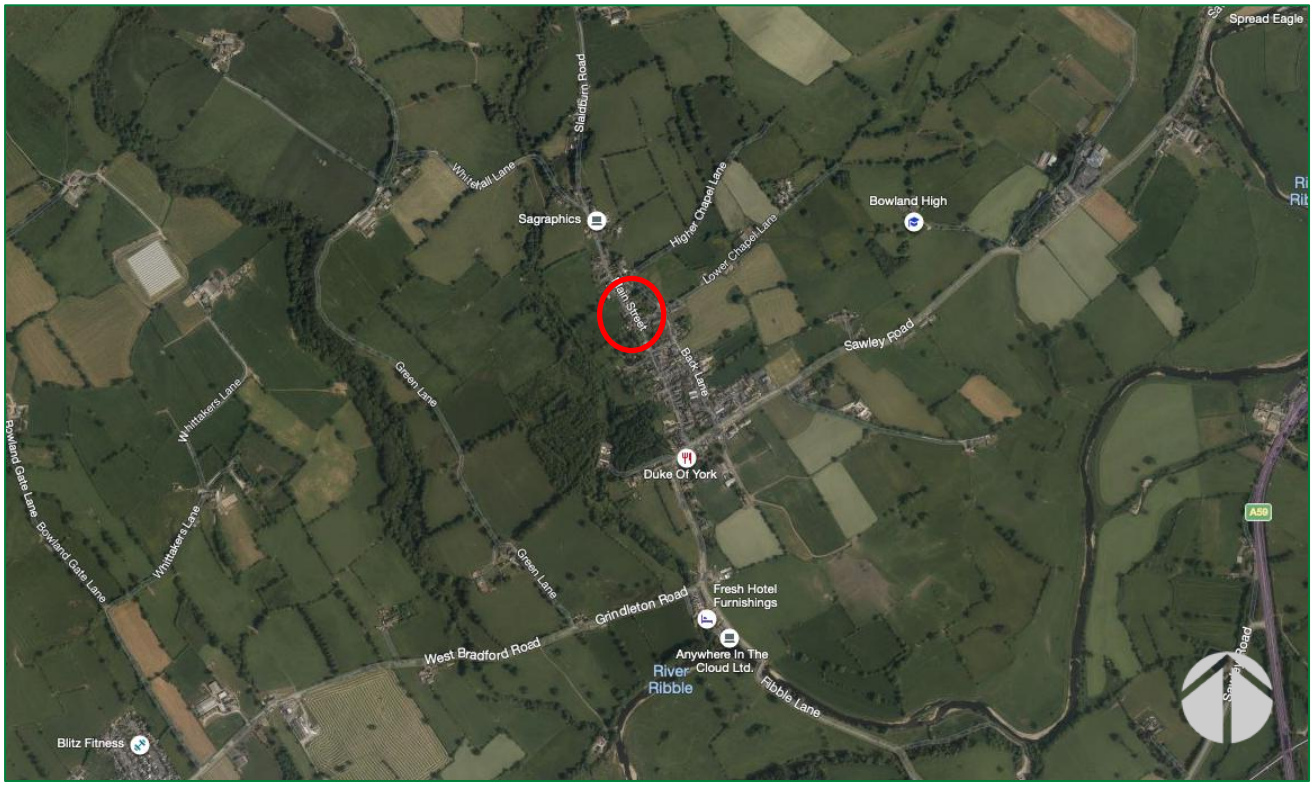


Ordnance survey 1:25000

Key

Survey site

Figure 2: Aerial image showing the survey site and immediate surroundings



From BING Maps

250m

Key

Survey site

2.2 The Survey Site: Description

The House

2.2.1 The house comprises a rectangular two-storey stone and rendered building oriented northwest to southeast to the west of Main Street. The roof is pitched and supports slates. There are gables on the northwest and southeast elevations.

2.2.2 The slates are lined beneath. The loft was not fully accessible during the survey.

3 Legislation

Full details of relevant legislation and planning policy can be found in Appendix A.

3.1 UK and EU Legislation

Bats

3.1.1 Key legislation regarding the protection of bats and birds:

- Wildlife and Countryside Act 1981 (as amended)
- The Countryside and Rights of Way Act (CROW), 2000
- The Natural Environment and Rural Communities Act (NERC, 2006)
- Conservation of Habitats and Species Regulations (2017)

3.1.2 Under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017, it is a criminal offence to:

- Deliberately capture, injure or kill a bat
- Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats
- Damage or destroy a bat roosting place (even if bats are not occupying the roost at the time)
- Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat
- Intentionally or recklessly obstruct access to a bat roost.

Birds

3.1.3 Under the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations, 2017, it is a criminal offence to:

- kill, injure, or take any wild bird,
- take, damage or destroy the nest of any wild bird while that nest is in use or being built (also [take, damage or destroy the nest of a wild bird included in Schedule ZA1] under the Natural Environment and Rural Communities Act 2006), or
- take or destroy an egg of any wild bird.

3.1.4 Special penalties are available for offences related to birds listed on Schedule 1 of the Wildlife and Countryside Act, 1981 for which there are additional offences of disturbing these birds at their nests, or their dependent young, for example Barn Owl and Red Kite.

3.2 Planning Policy and Legislation

3.2.1 Under the NERC Act 2006, planning authorities are obliged to make sure that they have all the information on the presence of protected species on site before they make a decision on the planning permission.

3.2.2 The National Planning Policy Framework (NPPF) encourages Local Planning Authorities to conserve and enhance biodiversity.

3.2.3 Under the NERC Act 2006, planning authorities are obliged to make sure that they have all the information on the presence of protected species on site before they make a decision on the planning permission.

3.2.4 The National Planning Policy Framework (NPPF) encourages Local Planning Authorities to conserve and enhance biodiversity.

Chapter 15, Para 170 of NPPF states: *''The planning system should contribute to and enhance the natural and local environment by:*

a) ***protecting and enhancing valued landscapes, sites of biodiversity*** *or geological value and soils….*

d) ***minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures***".

Para 171 states: "*Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.''*

Para 174 identifies that plans should do the following to protect and enhance biodiversity and geodiversity:

a) "***Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and***

b) ***Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and peruse opportunities for securing measurable net gains for biodiversity.***"

3.2.5 Para 175 states that "*when determining planning applications, local authorities should apply the following principles:*

a) ***if significant harm to biodiversity from a development cannot be avoided…,adequately mitigated, or, as a last resort compensated for, then planning permission should be refused***''

3.2.6 The local planning authority has a responsibility, therefore, to obtain all information regarding the potential for protected species on a site prior to making a decision about a proposal.

4 Survey Methodology

4.0.1 The Bat Survey (Preliminary Roost Assessment) was undertaken in accordance with current accepted guidance: Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edn). The Bat Conservation Trust, London.

4.1 Desk Study

4.1.1 Data sources used to establish background information about bats and their likely presence in the locality:

- Magic Map, Natural England (2016)
- Bing Maps (2017)

4.1.2 Satellite mapping, Ordnance survey, road map, habitat and designated site data from Magic Map (Natural England, 2014) was used to assess the value of the surrounding habitat for bats in the area at a landscape scale (5km), including any potentially important habitat corridors (linear habitat features), feeding grounds or potential roost opportunities, such as large expanses of woodland. The features and habitats immediately surrounding the site (local area) were also assessed at a finer scale as these influence the likely presence of bats within the survey site.

4.2 Preliminary Roost Assessment

4.2.1 An internal and external inspection of the building was undertaken during daylight on 4th October 2021 to determine the suitability for bats and establish, if possible, whether bats are using the structures or have been using the structures in the past.

4.2.2 All accessible parts of the structure were inspected to look for bats and signs of the presence of bats, including:

- Droppings.
- Feeding remains including moth and butterfly wings.
- Staining from urine or oils near crevices or holes or on timber (such as roof beams), walls, chimney breasts etc.
- Scratch marks on walls and timber.
- Squeaking or chattering calls.

4.2.3 The systematic search inside the building, where possible, included inspection of beams, floors, surfaces of stored materials, loose roof insulation or felt covering, junctions between roof timbers and timbers and the walls, crevices within brickwork. Potential access into the building was also inspected by searching for holes in insulation and any light penetration into the interior from the outside.

4.2.4 The assessment outside the building included inspection of all walls, windows, window sills, fascias, soffits, eaves and tiles, including a search for any crevices under tiles, under lifted lead flashing or lifted roofing felt, missing mortar, gaps in the ridge or gable end of the roofs, crevices in brickwork or under flaking paintwork or render, gaps in cladding or hanging tiles and any other potential bat roost opportunities.

4.2.5 Equipment: During the survey a strong torch with directional beam was used to inspect the buildings.

4.2.6 As a result of the preliminary roost assessment, the structure on site was characterised as having 'negligible', 'low', 'medium' or 'high' suitability for bats. It may also be possible to confirm presence of a roost.

4.2.7 Buildings or structures typically characterised as having:

- **Negligible** suitability for bats will lack features with any potential to support roosting bats. Modern or newly-built well-sealed structures may fall into this category. Structures that are metal clad with metal internal beams might have negligible potential if there are no favourable roosting spaces. Structures may also be unfavourable due to the level of disrepair, being subject to poor weather conditions.

- **Low** suitability for bats will have sub-optimal roost features with limited potential for roosting bats. Features may be used by single bats opportunistically, but do not provide enough space, shelter, protection, appropriate conditions and / or suitable surrounding habitat to be used on a regular basis by large numbers of bats.

- **Medium** suitability for bats may have few features with potential for bats, that provide enough space, shelter, protection and other suitable conditions, or several features with limited potential for bats. It may also be that a potentially suitable structure is situated in an area with habitat that has only low potential for foraging and commuting bats.

- **High** suitability for bats will support at least one or more features that provide opportunities for roosting bats such that they might be used regularly, for longer periods by larger numbers of bats. These may be external features, such as lifted weatherboard

or crevices in brick or stonework, or internal, such as large loft spaces with potential access. Barns, with open doorways and windows with wooden rafters and beams may fall into this category. If a structure is close to good habitat, such as a waterway, marshland or woodland, this also increases potential for roosting bats.

- **Confirmed** roost presence when it is evident as a result of signs from inspection, such as droppings, or sight of bats, that a roost exists within the building. It is not always possible to ascertain presence or absence of a roost even if some signs, such as droppings or feeding remains are found.

4.3 Limitations

4.3.1 The survey was undertaken in daylight in early October. At this time of year bats are likely to be accommodating transitional roosts between summer roost sites and winter hibernation. It was not possible to fully access the loft space for health and safety reasons, but the void was visible from the loft hatch.

4.3.2 Evidence of bats on the exterior of a building may be present, but a lack of evidence does not indicate an absence of the species. However, evidence of use of the interior of a building by bats is likely to be present. where signs (such as droppings and feeding remains) are protected from the elements.

4.3.3 Biological records data was not obtained to inform this assessment, and was considered unnecessary at this stage of survey.

4.3.4 The survey work undertaken is considered sufficient to inform the requirements of further survey work or mitigation.

5 Findings: Preliminary Roost Assessment (Bats)

5.0 Potential for bats

5.0.1 At a landscape level, the area surrounding the survey site is very good for bats. Refer to Figure 2.

5.0.2 Countryside extends to the southeast, south and southwest and encompasses matrix of grassland, arable land, tree lines and hedgerows and waterways. The habitat will support a variety of bat species including widespread species such as common and soprano pipistrelle bat (*Pipistrellus pipistrellus* and *Pipistrellus pygmaeus* respectively. Species that favour open habitats such as Leisler's (*Nyctalus leisleri*) and noctule bat (*Nyctalus noctula*) would also be expected. Species that favour wooded habitat, such as brown long-eared bat (*Plecotus auritus*), Natterer's bat (*Myotis* natterri), whiskered bat (*Myotis mystacinus*) and Brandt's bat (*Myotis brandtii*) are less likely to be present as there are no substantial areas of woodland within 2km.

5.0.3 The linear features (brooks, tree lines and rivers) provide good habitat links that are likely utilised by commuting bats and will facilitate the movement of bats through the landscape.

The Conservation Status of Bats in the Area

5.0.4 The conservation status of bats in the area is shown in Table 1.

***Table 1**: The Conservation Status of Bats in the area at a Local, County and Regional Level*

Species	***Local***	***County***	***Regional***
Common pipistrelle	*Likely to be common in the area. There are records of this species in the area (10km).*	*Common and widespread Frequently recorded.*	*Common and widespread Frequently recorded across the Northwest*
Soprano pipistrelle	*Likely to be present due to the presence of riparian habitat.*	*Widespread. Frequently recorded.*	*Common and widespread Frequently recorded across the Northwest*
Nathusius's pipistrelle	*Likely to be rare in the area.*	*Infrequently recorded, but this may be due to low survey effort. Not yet recorded breeding in the county.*	*Rare across the northwest. A migratory species.*
Brown long-eared bat	*Likely to be in the area. There is a recent record of this species within 10km of the site.*	*Common and widespread Frequently recorded.*	*Common and widespread Frequently recorded across the Northwest.*
Natterer's bat	*Likely to be in the area, although this species favours woodland habitat, which is infrequent in the landscape.*	*Scattered distribution in Lancashire.*	*Widespread and scattered across the Northwest.*
Noctule	*Present*	*Widespread and frequently recorded.*	*Common and widespread. Frequently recorded in the*

			Northwest.
Whiskered bat	*Present but likely rare*	*Present*	*Widespread.*
Brandt's bat	*Rare / absent*	*Present*	*Widespread.*
Alcathoe's bat	*Unknown*	*Unknown*	*Widespread. Likely under-recorded.*
Daubenton's	*Presence is likely due to the riparian habitat present.*	*Widespread, frequently recorded near water.*	*Widespread*
Serotine	*Rare / absent*	*Unknown*	*Restricted to south and southwest Britain, rarely recorded in the northwest.*
Leislers	*Rare*	*Unknown*	*Rare, but widespread in Britain. Present in the northwest.*
Barbastelle	*Unlikely to be present in the area. This species is a woodland-specialist and there is a lack of this habitat present.*	*Unknown*	*Present south of a line from North Wales to the Wash.*

Preliminary Roost Assessment

5.0.5 The building inspection and bat roost assessment was undertaken in daylight on 4th October 2021.

The House

5.0.6 **The house is considered to have moderate- high suitability for roosting bats.**

5.0.7 Externally, the structure has potential to support roosting bats. The walls of the building are in good condition, with no visible crevices, but the roof contains crevices beneath the slates and beneath the roof at the top of the external wall, which may provide opportunities for crevices roosting bats, such as pipistrelle species, to roost between the slates and the lining.

5.0.8 The interior space is considered to be slightly too small to be favoured by bats, such as brown long-eared bat (*Plecotus auritus*) and natterer's bat (*Myotis nattereri*) in which to fly prior to leaving a roost. A single bat dropping was found during the inspection. The presence of a single dropping does not necessarily indicate a roost, but does suggest bats may have entered the structure in the past.

5.0.9 In order to determine the presence/absence of a roost in the roof structure, is recommended that further survey work is undertaken in the spring/summer months.

Showing the northwest elevation of the house and the southeast gable

Showing the northwest elevation of the house and the northwest gable

The loft void

Showing a bat dropping found in the loft void

6 Assessment

6.0 Bats

6.0.1 Following the inspection of the house, the structure is considered to have moderate-high suitability for roosting bats given the number of crevices present within the roof structure and the high quality of the surrounding habitat.

6.0.2 The lack of droppings found internally suggests that the interior of the loft is unlikely to be used by bats.

6.0.3 Further survey work will allow determination of the presence/absence of a bat roost within the roof structure.

6.0.4 If a bat roost is confirmed present, depending upon the location of the roost it may be necessary to obtain a European Protected Species Mitigation (EPSM) licence for bats prior to the start of works on site.

6.0.5 It is considered that the proposals provide adequate opportunity to mitigate for a crevice bat roost (which is most likely), should one be found.

7 Conclusion and Recommendations

7.0 Bats

7.0.1 The house provides potential opportunities for roosting bats. In order to determine the species present and the status of the roost it is necessary to undertake further survey work.

- Two- three evening and/or dawn surveys should be undertaken between May – August with at least one survey in June or July.

7.0.2 The survey work will inform any necessary mitigation.

7.0.3 If a bat roost is confirmed present, prior to the start of works to the building it will be necessary to apply for and attain a European Protected Species Mitigation (EPSM) licence.

7.0.4 An EPSM licence (issued by Natural England) would detail the necessary mitigation and procedures of work required to ensure that no bats are harmed during the works and that the conservation status of the species is retained following the works.

Potential Mitigation

7.0.5 At this stage it is not possible to fully determine the requirements for a bat roost. However, if a bat roost is present, the mitigation is likely to include the following:

- **Appropriate timing of works**: Works would ideally commence in September/ October or March / April when bats are expected to be absent. If the roost is of low conservation status (i.e. small numbers of bats, then the works would not be restricted by season).
- **A toolbox talk on bats given to site operatives prior to the start of works** to ensure they know what to look for and how to undertake the works appropriately to avoid harm to bats that may be present.
- **A pre-check for the presence of bats within the building prior to the start of works**, which must be undertaken by a suitably qualified ecologist (licenced to undertake bat work). This would include inspection of crevices in the walls to determine presence/absence of bats.
- **Installation of the replacement roosts.** This may take the form of bat boxes or creating specially-formed crevices in the roof structure in which bats can roost.
- **Any external lighting installed must be low-pressure or high-pressure sodium** with glass glazing, or alternatively LED. This will reduce the UV output, which attracts insects.
- **Any external lighting must be directional**, installed with baffles if possible and should be directed to avoid light shine around the archway or on roofs of buildings. Lights with movement sensors should be on a short timer to minimise light-time.

8 References

- BING maps (2021) http://www.bing.com/mapspreview
- Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London. ISBN-13 978-1-872745-96-1
- Google maps (Accessed 2021) https://www.google.co.uk/maps
- MAGIC Map (Accessed 2021) http://www.magic.gov.uk/MagicMap.aspx. DEFRA.

APPENDIX A: Wildlife Legislation and Planning Policy

UK AND EU LEGISLATION

1.1. KEY LEGISLATION

1.1.1. Key legislation regarding the protection of bats:

- Wildlife and Countryside Act 1981 (as amended)
- The Countryside and Rights of Way Act (CROW), 2000
- The Natural Environment and Rural Communities Act (NERC, 2006)
- Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations (2018)

1.2. WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

1.2.1. The Wildlife and Countryside Act 1981 is UK legislation.

1.2.2. Bats are listed on Schedule 5 of the Wildlife and Countryside Act (WCA) 1981. Under Section 9 of this legislation it is an offence to:

- Kill, injure or take a bat.
- Possess, a live or dead bat.
- Intentionally or recklessly damage or destroy any structure of place which any bat uses as shelter or protection.
- Intentionally or recklessly disturb a bat whilst it is occupying a structure or place which it uses for shelter or protection.
- Internationally or recklessly obstruct access to any structure or place which a bat uses as shelter or protection.
- Sell, offer or expose for sale any live or dead bat.

1.3. COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

1.3.1. Schedule 12 of the Countryside and Rights of Way (CROW) Act 2000, amended by the Wildlife and Countryside Act 1981 by removing the need to prove intent to damage a roost / harm (etc) a bat or other species listed on Schedule 1 by adding the words 'or recklessly' after 'intentionally' into the wording in Section 9 of the WCA 1981. The CROW act also strengthened the penalties for offences to bats and other species listed on Schedule 5.

1.4. CONSERVATION OF HABITATS AND SPECIES and PLANNING REGULATIONS 2018

1.4.1. The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 consolidate all the various amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994 in respect of England and Wales.

1.4.2. The 1994 Regulations transposed Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law. The regulations came into force on 30 October 1994.

1.4.3. The Regulations provide for the designation and protection of European Sites and European Protected Species, including bats.

1.4.4. Under the Regulations, competent authorities (ie any government department or public body) have

a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive.

1.4.5. With regard to European Protected Species (including bats), the Regulations make it an office to:

- Deliberately capture;
- Kill;
- Disturb or;
- Trade in animals listed in Schedule 2, which include all UK bat species.

1.5. European Protected Species (EPS) Licenses and the Three Tests

1.5.1. These actions can me made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserve public health and safety). For such a licence to be granted the appropriate authority would have to be satisfied that an application has met the three tests, which are:

1) - The licence may be granted ''to preserve public health or public safety or for reasons of overriding public interest, including those of a social or economic nature and beneficial consequences or primary importance for the environment''

2) - There must be ''no satisfactory alternative''

3) - The proposal ''will not be detrimental to the maintenance of the species at a favourable conservation status in its natural range''

1.6. NATURAL ENVIRONMENT AND RURAL COMMUNITIES (NERC) ACT 2006 (PLANNING SYSTEM)

Planning Authorities: A Duty to Conserve Biodiversity

1.6.1. Under this legislation, planning authorities are obliged to make sure that they have all the information on the presence of protected species on site *before* they make a decision on the planning permission.

1.6.2. Part 2, Section 40 confers on the planning authorities a duty to conserve biodiversity and states:

''*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 biodiversity*''

Species of Principal Importance

1.6.3. Part 3, Section 41 requires the Secretary of State to ''*publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of* ***principle importance*** *for the purpose of conserving biodiversity*''.

1.6.4. This requirement lead to production of a list of species and habitats of Principal Importance. This lists includes all UK bats.

PLANNING POLICY

1.7. NATIONAL PLANNING POLICY FRAMEWORK

1.7.1. In March 2012 the Government introduced the National Planning Policy Framework (NPPF). This was revised in 2018.

Chapter 15: Conserving and Enhancing the Natural Environment

Chapter 15, Para 170 of NPPF states: *''The planning system should contribute to and enhance the natural and local environment by:*

b) ***protecting and enhancing valued landscapes, sites of biodiversity*** *or geological value and soils….*

e) ***minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures***".

Para 171 states: "*Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.''*

Para 174 identifies that plans should do the following to protect and enhance biodiversity and geodiversity:

c) "***Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and***

d) ***Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and peruse opportunities for securing measurable net gains for biodiversity*****."**

Para 175 states that "*when determining planning applications, local authorities should apply the following principles:*

b) ***if significant harm to biodiversity from a development cannot be avoided…,adequately mitigated, or, as a last resort compensated for, then planning permission should be refused*****''**

c) ***Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted.*** *The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*

d) ***Development result in the loss of deterioration of irreplaceable habitats (such as ancient woodland or ancient or veteran trees) should be refused,*** *unless there are wholly exceptional reasons and a suitable compensatory strategy exists; and*

e) ***Development whos primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.***

Para 177 states "*the presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined*."

1.8. ODPM CIRCULAR 06/2005: BIODIVERSITY AND GEOLOGICAL CONSERVATION

1.8.1. This document, to be read in conjunction with NPPF provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It makes it clear that it is the intention of the government that local authorities and developers consider protected species at the earliest possible stage in the planning process. Any planning application that is likely to affect protected species should come with details of the surveys which have been undertaken and should include, if necessary, recommendations for mitigation. Applications which do not include sufficient data should be rejected.