

Bat Presence/Absence Survey and Bird Survey

Land at Lord Street

Bury, Greater Manchester

August 2025

Prepared for: Mr Mohammed

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



EXECUTIVE SUMMARY

- On 12th June 2025 a Preliminary Roost Assessment and Bird Assessment was undertaken on buildings at Lord Street, Bury, Greater Manchester.

Bats

- Two of the four structures were considered to have low suitability for roosting bats.
- A single evening emergence survey undertaken on 28th June 2025 confirmed the likely absence of a bat roost in the garage.
- The proposals are considered unlikely to have any impact upon bats or their roosts. Reasonable Avoidance Measures are proposed as a precaution to reduce the risk of harm to bats to negligible.

Birds

- No evidence of use of the structures by nesting birds was found during the inspection.
- Reasonable Avoidance Measures are proposed to avoid harm to nesting birds that may nest in crevices in the structures in the future.
- The proposals provide the opportunity to retain and enhance opportunities for roosting bats and nesting birds and recommendations for this have been made.



1. Introduction

1.1 Application Site

- 1.1.1. This report details bat presence/absence survey work of buildings at Lord Street, Bury, Greater Manchester. Ordnance Survey grid reference (centre of site): SD80871049
- 1.1.2. Mr Mohammed 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 Presence/Absence Surveys are to determine:
- Whether bats are currently using the building to roost and if so, how.
 - The species and number of bats present.
 - The status of any roost present.
 - How bats might be using the rest of the site (garden).
 - The potential impacts of the proposals on any roost present or on bats using the site.
 - How any impacts might be avoided, mitigated and / or ameliorated, including advice on European Protected Species Mitigation (EPSM) application if required.
 - The potential for biodiversity net gain on site.
- 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 comprise the refurbishment of existing buildings for retail units and a 1-bedroom flat and construction of a 1-bedroom flat on vacant land.

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 since 2007. 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. Site Location

- 1.4.3 The survey site is located in a built-up residential area of Bury, approximately 250m east of the A58 Angouleme Way and approximately 400m north of a railway line, and 1.1km east of the M66.
- 1.4.4 The immediate surroundings comprise residential housing and retail outlets. However, there are green spaces in the wider area. There is vegetation along the railway line to the south and a large waterbody at Market Street approximately 250m to the southwest. Openshaw Park, a small area of mown grassland with trees lies approximately 650m to the east. The River Roch weaves northeast to south approximately 900m to the east. Beyond this there is extensive open space, divided only by the M66. The River Irwell weaves north to south approximately 1.2km to the west. There are green bankings and to the southwest, approximately 1.6km to the southwest there is extensive open land encompassing grassland and woodland and directly connected to Elton Reservoir and surrounding open countryside, approximately 2km to the southwest.



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





Figure 2: Aerial image showing the proposed development site and immediate surroundings





3. The Survey Site

- 3.0.1 The survey site comprises is roughly rectangular in shape. Back Lord Street runs along the southwest side of the site, while Spring Street runs along the southeast side of the site, Shepherd Street along the northeast side and Lord Street along the northwest side. The property comprises retail outlet and residences in four adjoined structures and one detached garage all of which are classified as developed land; sealed surface.
- 3.0.2 An area of derelict land to the northwest of the site has been colonised by ruderal vegetation and is classified as sparsely vegetated urban land.

The Buildings – Refer to Figure 3.

- **Structure A** – This is the existing restaurant and takeaway. Constructed of brick with a glass frontage to the northwest. The roof is pitched and hipped supporting concrete tiles.
- **Structure B** – This is a partially rendered brick building in an L-shape, with the arm running southeast to northeast slightly higher in elevation than that running northwest to southeast. There is a flat-roof extension on the northeast elevation of the southwest arm of the building. The main roof of each arm is pitched, supporting slates with gable ends. There are wooden fascias along the eaves. The gables do not have a fascias, however, and the slates are joined directly onto the wall tops. This structure has accessible loft voids that were accessible at the time of survey. The loft voids are approximately 2m to the apex with an exposed ridge beam. The slates are lined with bitumen felt and breathable roofing membrane. The windows and doors are UPVC and metal. There are shutter doors on the southwest elevation, which are metal.
- **Structure C** – This is a single-storey flat-roof extension constructed of brick and attached to the northeast elevation of Structure B. There is a second storey storage area constructed on top, constructed of wooden beams and corrugated metal sheeting. This is open to the northeast.
- **Structure D** – This is a two storey brick structure with a pitched, slate roof. The slates are fixed directly onto the walls. There is a garage door and a loft door on the southeast elevation.



The northwest elevation of Structure A



The southwest and southeast elevation of Structure B



The southeast and northeast elevation of Structure C



The northwest elevation of Structure D



Figure 3: Structures within the survey site





4. Legislation

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

4.1 UK and EU Legislation

Bats

4.1.1 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 Regulations 2017 (as amended)

4.1.2 Under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2018, 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.

Nesting Birds

4.1.3 The Wildlife and Countryside Act 1981 consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the conservation of wild birds (Birds Directive) in Great Britain (NB Council Directive 79/409/EEC has now been replaced by Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version)).

4.1.4 The Act makes it an offence (with exception to species listed in Schedule 2) to intentionally:

- 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.

Schedule 1 Birds

4.1.5 In addition to the above, special penalties are available for offences related to birds listed on Schedule 1. Barn owl is included on this schedule.

4.1.6 It is an offence to disturb any Schedule 1 bird at the nest, or to disturb their dependent young.



4.2 Planning Policy and Legislation

- 4.2.1 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.
- 4.2.2 The National Planning Policy Framework (NPPF, 2021) encourages Local Planning Authorities to conserve and enhance biodiversity.

Chapter 15, Para 180 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 181 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 185 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."***

Para 186 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"***

- 4.2.3 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.



5. Survey Methodology

- 5.0.1 The bat emergence survey was undertaken in accordance with currently accepted guidance: Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edn). The Bat Conservation Trust, London.

5.1 Desk Study

- 5.1.1 Data sources used to establish background information about bats and their likely presence in the locality:
- Magic Map, Natural England (2016)
 - Bing Maps (2017)
- 5.1.2 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.

5.2 Preliminary Roost Assessment

- 5.2.1 An internal and external inspection of the structures was undertaken during daylight to determine the suitability for bats and establish, if possible, whether bats are using the building or have been in the past.
- 5.2.2 All accessible parts of the structures 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.
- 5.2.3 The systematic search inside the buildings included inspection of beams, floors, surfaces of stored materials, loose roof insulation or felt covering, junctions between roof timbers and timbers and the walls, and 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.
- 5.2.4 The assessment outside the buildings 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.
- 5.2.5 Equipment: During the survey, a strong torch with directional beam was used to inspect the buildings.



- 5.2.6 As a result of the external preliminary roost assessment, the structures on site was characterised as having 'none', 'negligible', 'low', 'medium' or 'high' suitability for bats. It may also be possible to confirm the presence of a roost.
- 5.2.7 Buildings or structures typically characterised as having suitability at the following levels:
- **None:** No habitat features on site likely to be used by any roosting bats at any time of year.
 - **Negligible suitability:** No obvious habitat features likely to be used by 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:** Structures 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:** Structures may have a 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 an only low potential for foraging and commuting bats.
 - **High suitability:** Structures 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 habitats, such as a waterway, marshland or woodland, this also increases the potential for roosting bats.
 - **Confirmed roost presence:** 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 the presence or absence of a roost even if some signs, such as droppings or feeding remains are found.

5.3 Nesting Bird Assessment

- 5.3.1 An assessment of the suitability of the structures to support nesting birds and to determine the presence/absence of nesting birds, including old bird nests was undertaken during the site visit.
- 5.3.2 Holes and crevices suitable for hole-nesting species were noted and inspected where possible. The structure and the surroundings were searched for evidence of nesting including nest material, feathers and old fragments of eggshells.
- 5.3.3 Observation of the structure was also undertaken to determine any evident nesting activity, including gathering of nest materials or regular visiting to crevices, holes or structures.



5.4 Bat Emergence, Re-entry Surveys and Assessment of Activity

- 5.4.1 Following the Preliminary Roost Assessment (PRA) undertaken in June 2025, Structures B and D were considered to have low suitability for bats, given the presence of cervices under roof tiles.
- 5.4.2 A single evening emergence survey is considered sufficient to provide information about the presence or absence of a bat roost in the barn.
- 5.4.3 The bat evening emergence survey was undertaken 28th June 2025. The emergence survey was undertaken from 15 minutes before sunset to 1.5 hours after sunset. Two surveyors were positioned to observe all elevations of the house. Nightfox Whisker Night Vision Binoculars and Nightfox Swift 2 were also used to determine emergence of bats.
- 5.4.4 Batbox Duet detectors and Echo Meter Touch detectors were used by the surveyors so that any calls heard that could not be identified were recorded for later analysis.
- 5.4.5 The time, activity (emergence, foraging, commuting) and species of bats (where possible) were recorded when observed. Notes were made of the activity of bats elsewhere on site as well as around the building. The number of bat passes were recorded to provide an indication of bat activity level within the site.

6. Survey Limitations

- 6.0.1 The emergence survey was undertaken in late-June, at a time when bats are expected to be occupying summer roost sites. There has been a period of warm weather which means bats are very likely to be active. It was not possible to inspect the internal space of Structure D during the survey.



7. Findings: Preliminary Roost Assessment

7.1 Suitability of the Locality for Bats

- 7.1.1 At a landscape level, the area surrounding the survey site considered to be moderate for bats. Refer to Figure 2.
- 7.1.2 The residential and commercial landscape provides potentially good roosting opportunities for species that adapt to urban settings, such as pipistrelle species.
- 7.1.3 Open space lies in close proximity; a matrix of grassland and woodland with scattered waterbodies lies approximately 650m to the southeast and the River Roch weaves through the landscape from south to northeast around 680m to the southeast at the closest point. The corridor of the River Roch supports a band of natural habitat including woodland and grassland. Approximately 850m to the southwest there is an extensive area of open grassland with waterways passing through, including the River Irwell, approximately 1.1km to the west and the Manchester, Bolton and Bury Canal approximately 1.7km to the southwest. Elton Reservoir lies approximately 1.9km to the southwest. Beyond the M66, approximately 1.2km to the east there is more extensive open landscape.
- 7.1.4 The habitat supports potentially good habitat for a wide range of bat species. The widespread common and soprano pipistrelle bat (*Pipistrellus pipistrellus* and *Pipistrellus pygmaeus* respectively) are likely to be present including species that favour open space, such as Leisler's (*Nyctalus leisleri*) and noctule bat (*Nyctalus noctula*). Daubenton's bat (*Myotis daubentoni*) are likely to be present along the waterways. Species that favour woodland, such as brown long-eared bat (*Plecotus auritus*), Natterer's bat (*Myotis nattereri*), whiskered bat (*Myotis mystacinus*) and Brandt's bat (*Myotis brandtii*) are less likely to be present, however, as this habitat is not prevalent.

The Conservation Status of Bats in the Area

- 7.1.5 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
<i>Common pipistrelle</i>	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
<i>Soprano pipistrelle</i>	Likely to be present due to the presence of riparian habitat.	Widespread. Frequently recorded.	Common and widespread Frequently recorded across the Northwest
<i>Nathusius's pipistrelle</i>	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.



<i>Brown long-eared bat</i>	<i>Likely to be in the area. There is a recent record of this species within 10km of the site.</i>	<i>Common and widespread Frequently recorded.</i>	<i>Common and widespread Frequently recorded across the Northwest.</i>
<i>Natterer's bat</i>	<i>Likely to be in the area, although this species favours woodland habitat, which is infrequent in the landscape.</i>	<i>Scattered distribution in the county.</i>	<i>Widespread and scattered across the Northwest.</i>
<i>Noctule</i>	<i>Present</i>	<i>Widespread and frequently recorded.</i>	<i>Common and widespread. Frequently recorded in the Northwest.</i>
<i>Whiskered bat</i>	<i>Present but likely rare</i>	<i>Present</i>	<i>Widespread.</i>
<i>Brandt's bat</i>	<i>Rare / absent</i>	<i>Present</i>	<i>Widespread.</i>
<i>Alcathoe's bat</i>	<i>Unknown</i>	<i>Unknown</i>	<i>Widespread. Likely under-recorded.</i>
<i>Daubenton's</i>	<i>Presence is likely due to the riparian habitat present.</i>	<i>Widespread, frequently recorded near water.</i>	<i>Widespread</i>
<i>Serotine</i>	<i>Rare / absent</i>	<i>Unknown</i>	<i>Restricted to south and southwest Britain, rarely recorded in the northwest.</i>
<i>Leislars</i>	<i>Rare</i>	<i>Unknown</i>	<i>Rare, but widespread in Britain. Present in the northwest.</i>
<i>Barbastelle</i>	<i>Unlikely to be present in the area. This species is a woodland-specialist and there is a lack of this habitat present.</i>	<i>Unknown</i>	<i>Present south of a line from North Wales to the Wash.</i>



7.2 Preliminary Roost Assessment

7.2.1 The building inspection and bat roost assessment was undertaken in daylight on 12th June 2025.

Structure A

7.2.2 **Structure A is considered to have no suitability for bats.**

7.2.3 Externally and internally the building is in good condition and does not provide any potential roost features. The roof tiles are well-fitted, with no visible gaps. Lighting on the frontage (northeast) is also likely to deter bats.

Structure B

7.2.4 **Structure B is considered to have low suitability for bats.**

7.2.5 Externally the walls of the building are in good condition, but there are numerous crevices under lifted and slipped slates. There are gaps under the slates on the northwest gable in particular, which could provide good potential roost space for crevice-roosting bats between the slates and the bitumen lining. The wooden soffit is well-fitted with no gaps beneath it.

7.2.6 Internally the loft void is of a size that may be favourable for bats such as brown long-eared bats, which favour a space in which to fly prior to leaving a roost. No bats and no evidence of bats was found during the inspection, however. There were lots of cobwebs throughout the loft space, suggesting there have been no bats flying in the void recently.

Structure C

7.2.7 **Structure C is considered to have no suitability for bats.**

7.2.8 Structure C is well-sealed on the ground floor, whilst the upper, open structure is suboptimal because the lack of potential roost features; the structure is exposed, being open to the northeast and is constructed of single-skin metal sheeting which will fluctuate widely in temperature.

Structure D

7.2.9 **Structure D is considered to have low suitability for bats.**

7.2.10 Externally the walls of the building are in good condition, but there are crevices on the northwest and southeast gable under the slates that might provide potential roost space for crevice-dwelling bats such as pipistrelle species.

7.2.11 It was not possible to access this structure at the time of survey and so the need for an evening survey was increased.



Showing exposed ridge beam in the loft of Structure B and dense cobwebs



The loft void of Structure B



The loft void of Structure B – rat droppings are visible on the floor



Showing crevices under the slates on the southeast gable of structure D



Structure C – unsuitable for roosting bats



Showing crevices under slates on the northwest gable of Structure B



Showing crevices under slates on the northeast gable of Structure B



8. Findings: Presence / Absence Surveys and Activity Assessment (Bats)

8.1 Survey 1: Evening Emergence on 29th June 2025 – Structure B and D

Surveyors: Verity Webster BSc MSc CEcol MCIEEM (bat licence Class 2) and Rebecca Cooch (Training for bat licence)

Weather: 15°C, 5 % cloud cover, humidity 76%. Wind 5mph northwest

Sunset: 21:12

Time on site: 20:55– 22:45

Findings

8.1.1 Bat activity on site was very low. A single bat pass, that of a common pipistrelle was recorded at 22:25.

8.1.2 No bats were recorded emerging from the buildings.



Showing the north elevation of the Structure B using the night vision aid.



Showing the northwest elevation of the Structure Using the night vision aid.



Figure 4: Showing the survey site and the location of the surveyors and night vision aids





9. Findings: Bird Survey

- 9.0.1 No evidence of old nests, such as blackbird or pigeon nests were found in the buildings during the daytime inspection.
- 9.0.2 The structures are very unlikely to support pigeon as there is no visible internal access, and the absence of significant flat-roof space renders the likelihood of gulls nesting very low.
- 9.0.3 Nevertheless, precautions are recommended to avoid harm to nesting birds that may start to utilise the buildings in the spring and summer months.

10. Appraisal and Assessment of Impact

Bats

- 10.0.1 During the evening survey of Structure B and D no bats were recorded emerging. Activity on site was extremely low, likely due to the immediate urban surroundings and street lighting.
- 10.0.2 The survey work undertaken indicates the likely absence of a bat roost within Structures B or D.
- 10.0.3 However, due to the numerous potential roost features present in Structures B and D, Reasonable Avoidance Measures are proposed during works to the roofs in order to minimise the risk of harm to itinerant bats in the unlikely event that they will utilise the potential roost features available.
- 10.0.4 The proposals provide the opportunity to retain the ecological functionality of the site for bats and to enhance the site for bats and birds, and recommendations for this have been made.

Nesting Birds

- 10.0.5 No evidence of use of structures by nesting birds was found during the survey.
- 10.0.6 There is a risk that small passerine birds such as house sparrow could utilise crevices in the roof structure of the buildings. For this reason, Reasonable Avoidance Measures are recommended to avoid any negative impact to birds that may start to nest on site in the future.
- 10.0.7 The proposals provide the opportunity to maintain enhance the functionality site for nesting birds.



11. Summary and Mitigation

- 11.0.1 Survey work on buildings at Lord Street has confirmed the likely absence of a bat roost and the likely absence of nesting birds.
- 11.0.2 The proposals to demolish and refurbish the structures are unlikely to impact bats or their roosts and nesting birds in the locality.
- 11.0.3 However, given the high number of potential roost features the risk of itinerant bats utilising the potential crevices and gaps in the roof structure cannot be entirely ruled out. Therefore, Reasonable Avoidance Measures for bats are proposed during works.
- 11.0.4 Similarly, there is a risk that small passerine birds may utilise features to nest in the spring and summer months. Reasonable Avoidance Measures are recommended for nesting birds.
- 11.0.5 The proposals provide the opportunity to retain the ecological functionality of the site for bats and nesting birds and recommendations for this have been made.

11.1 Bats Reasonable Avoidance Measures

- 11.1.1 To avoid harm to itinerant bats, the following must be undertaken:
 - A toolbox talk on bats in buildings is provided to site workers prior to the start of demolition or refurbishment works to the roof of the structures. The toolbox talk will detail the potential for bats, the legislation covering bats, where they might be found, health and safety around bats, and how to minimise harm.
 - Works to the roofs of all structures are undertaken with care, with roof tiles and materials removed by hand and checked for the presence of bats prior to being discarded. If any bats are discovered during works, an ecologist must be contacted for advice.

11.2 Nesting Birds: Reasonable Avoidance Measures

- 11.2.1 To avoid harm to nesting birds, the following must be undertaken:
 - Initial works to the barn should be undertaken outside the bird nesting season (nesting season March – September inclusive).
 - If this is not possible a survey by a suitably experienced ecologist must be undertaken prior to the start of works to determine the presence or absence of nesting birds and to inform any necessary mitigation.



11.3 Enhancement: Bats and Birds

11.3.1 To maintain and enhance the functionality of the site for bats and nesting birds and improve roosting and nesting opportunities, provision of bat and bird boxes is recommended.

11.3.2 It is recommended that:

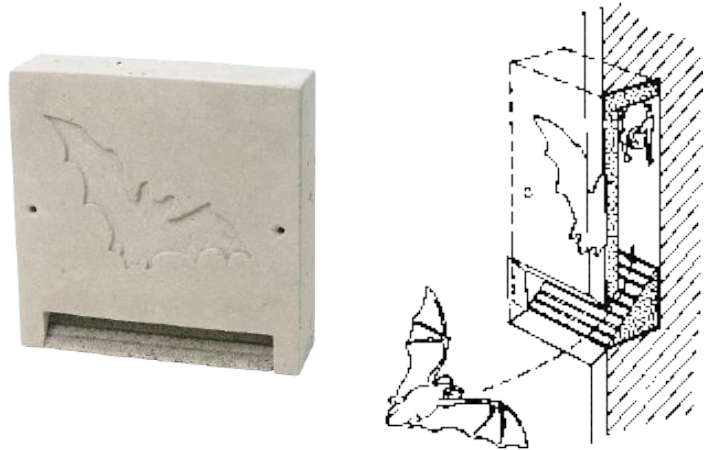
- At least two crevice-roost sites for roosting bats are integrated into or attached externally to the newly refurbished/constructed buildings. See the examples below.
- Alternatively, crevice-roost slates can be installed in the roof of the buildings (see Appendix B). Note that bitumen felt must be used beneath these crevice roost sites and **not** breathable roof membrane as this endangers the life of the bats.
- At least 4 swift nest boxes are integrated under the eaves of the refurbished/constructed buildings. These will be of benefit as swift are a declining species.



Bat Boxes

1FE Schwegler bat access panel

This box is durable and does not require cleaning.



Ibstock Enclosed Bat Box 'C'

This box is durable and does not require cleaning.

Beaumaris Woodstone Bat Box

This box is durable and does not require cleaning.

All bat boxes are available from NHBS Ltd



Vivara Pro WoodStone Swift Nest Box

This box is durable and does not require cleaning.



12 References

- BCT (2003) BATS AND LIGHTING IN THE UK Bats and the Built Environment Series. Version 3. Bat Conservation Trust.
- BING maps (Accessed 2025) <http://www.bing.com/mapspreview>
- Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London. ISBN-978-1-7395126-0-6
- Google maps (Accessed 2025) <https://www.google.co.uk/maps>
- MAGIC Map (Accessed 2025) <http://www.magic.gov.uk/MagicMap.aspx>. DEFRA.



• APPENDIX A: Wildlife Legislation and Planning Policy

UK AND EU LEGISLATION

12.0 KEY LEGISLATION

12.0.1 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 Regulations 2017 (as amended)

12.1 WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

12.1.1 The Wildlife and Countryside Act 1981 is UK legislation.

12.1.2 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 or 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.
- Intentionally 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.

12.2 COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

12.2.1 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.

12.3 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

12.3.1 The Conservation of Habitats and Species Regulations 2017 (as amended) consolidate all the various amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994 in respect of England and Wales.

12.3.2 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.

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



12.3.4 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.

12.3.5 With regard to European Protected Species (including bats), the Regulations make it an offence to:

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

12.4 European Protected Species (EPS) Licenses and the Three Tests

12.4.1 These actions can be 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"

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

Planning Authorities: A Duty to Conserve Biodiversity

12.5.1 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.

12.5.2 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

12.5.3 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".

12.5.4 This requirement leads to production of a list of species and habitats of Principal Importance. This list includes all UK bats.



PLANNING POLICY

12.6 NATIONAL PLANNING POLICY FRAMEWORK

- 10.7.1 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.
- 10.7.2 The National Planning Policy Framework (NPPF, 2021) encourages Local Planning Authorities to conserve and enhance biodiversity.

Chapter 15, Para 180 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 181 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 185 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 186 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***

- 10.7.3 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.

12.7 ODPM CIRCULAR 06/2005: BIODIVERSITY AND GEOLOGICAL CONSERVATION

- 10.8.1 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.



• Appendix B – Bat Access Slate

