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BAT PRESENCE / ABSENCE SURVEY

At

Higher House
Moor Road
Holcombe
BL8 4NX

NGR: SD 78194 16695

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EXECUTIVE SUMMARY

A bat presence / absence survey was undertaken at Higher House, Holcombe by United Environmental Services (UES) Ltd in May and June 2022. This follows a bat scoping survey also conducted by UES, in November 2021 which assessed the four buildings on site as having moderate suitability to support roosting bats.

The objective of this survey was to establish whether or not bats are using the buildings on site to roost, and if so to assess the type and importance of roosts in order to inform the planning process. The surveys were carried out to recognised guidelines, timings and weather conditions, with particular reference to Natural England and Bat Conservation Trust (BCT) publications. The proposed plans involve renovation and conversion of the existing outbuildings to form one residential dwelling.

Higher House is situated in an area which provides moderate quality habitat for bats. The nearby mosaic of habitats, particularly to the north and east of the site, including woodland, blanket bogs, wet and dry heathlands, acid grasslands and hay meadows will provide an abundance of insects on which bats can forage. Furthermore, the treelines, hedgerows and watercourses will provide commuting opportunities, while the residential dwellings and mature trees will provide alternative roosting opportunities. However, habitats to the south and east are of lower quality, as they are urban, with large areas of residential housing and well-lit busy roads, providing limited opportunities for foraging and commuting bats.

There are four outbuildings which will be impacted by the current proposed development plans. These buildings have been numbered for the purposes of the report (see Appendix 1 – Site Plan). No evidence of roosting bats was recorded during the scoping or updated internal inspection prior to the emergence survey in May 2022, but the quality of roosting habitat within the buildings on site is considered to be moderate. A number of external potential roosting features (PRFs) were identified, such as lifted roof and ridge tiles and gaps in the stonework. Furthermore, a number of internal PRFs were identified, such as cracks in the stonework and gaps at the wall plate.

One species of bat were recorded during the survey: common pipistrelle *Pipistrellus pipistrellus*. The level of activity was generally high with near constant foraging during the emergence survey and for large parts of the re-entry survey, although this primarily comprised single to low numbers (a maximum of three common pipistrelle) foraging along the treeline to the north of the site. No bats were recorded roosting on site during the presence / absence survey.

No bats were found to be roosting within the buildings on site. Therefore, no further survey or mitigation work is required for the development to proceed, with regards to bats.

Due to the potential presence of breeding birds in the buildings on site, it is recommended that the initial site clearance (including vegetation) and demolition works take place outside of the breeding bird season and should not be undertaken from March to August inclusive. If this is not possible, a breeding bird nest survey should be undertaken prior to the commencement of works by a suitably experienced ecologist, and an ecological clerk of works appointed if considered necessary.

This report should be read in conjunction with appendices 1 to 5, which provide visual representations of the survey results and statutory and planning context.

1 INTRODUCTION

1.1 Author, surveyors and qualifications

This report is compiled and written by Mark Halliwell MBiol, UES Ecologist. Mark is licensed by Natural England to survey all species of bats by observation using an artificial light under licence number 2020-45183-CLS-CLS (level 1).. Other surveyors include:

- Toby Hart BSc MCIEEM PIEMA, UES Managing Director. Toby is licensed by Natural England to disturb, take and handle all species of bats under licence numbers 2015-15898-CLS-CLS (level 3) and 2015-15899-CLS-CLS (level 4). Toby is also a registered consultant of the bat low impact class licence (RC090).
- Robert Mooney MSc. UES Graduate Ecologist.

All surveyors have the knowledge, skills and experience identified within CIEEM's "Competencies for Species Survey: Bats" (2013), or were under the supervision of a surveyor with the required competencies.

1.2 Survey objectives

UES was commissioned in November 2021 to conduct site surveys which include the following activities:

- Conduct internal and external building inspections to look for field signs of bats
- Confirm bat presence or likely absence by conducting emergence and re-entry surveys of the buildings
- Assess the type and importance of the roost(s), if present
- Recommend appropriate mitigation and compensation, if applicable

1.3 Proposed development

The proposed plans involve renovation and conversion of the existing outbuildings to form one residential dwelling.

1.4 Structure of the report

This report sets out the methodology, results, and recommendations in relation to a specific bat survey. Recommendations are in line with statutory legislation and planning policy objectives.

The report should be read in conjunction with appendices 1 to 5, which give visual representations of the survey results.

2 METHODOLOGY

2.1 General

All surveys were carried out to recognised guidelines, timings and weather conditions, with particular reference to Natural England and BCT publications (see references for further information).

The habitats on site and in the surrounding area were assessed during a walkover survey and through studying aerial photographs, in order to gauge their suitability to support roosting, foraging and commuting bats.

2.2 Building inspections

The buildings on site were searched both externally and internally for bat presence and features associated with bat activity, as detailed in BCT guidance (Collins, 2016). The initial bat scoping survey was conducted by Emily Clark and Jacob Miller on 17th November 2021. A subsequent updated internal inspection was conducted by Toby Hart and Robert Mooney on 11th May 2022.

2.2.1 External inspection

The external inspections of the buildings were carried out from ground level using binoculars, and also using ladders and an endoscope to investigate suitable gaps. The objective of the survey was to find and record any signs of bat use, for example:

- Bat droppings
- Feeding remains
- Grease staining / urine marks
- Corpses or skeletons

The bat signs listed above are visible from the outside of a building. The following areas were searched, where present:

- Roof and ridge tiles
- Lead flashing
- Eaves
- Boxed soffits
- Fascia and barge boards
- Window sills and panes
- Walls
- Gaps under felt
- Cracks / holes in woodwork or behind cladding
- Gaps in brickwork and mortar
- Air bricks
- Grills
- Vents

2.2.2 Internal inspection

The internal inspections covered all of the accessible rooms and roof spaces within the buildings.

Bats regularly utilise specific areas within roof spaces, which were searched for any field signs of bats using high-powered torches and an endoscope, where considered necessary by the licenced ecologist. The following features were searched, where present:

- Roof beams and junctions
- Gaps under felt
- Dividing walls
- Chimney breasts
- Gaps in brickwork and mortar
- Cracks / holes in woodwork
- Floor or other surfaces on which droppings could accumulate

2.3 Emergence and re-entry surveys

Potential roost access points were identified during the building inspections. These points were covered by a surveyor during the dusk emergence and dawn re-entry periods.

Bat echolocation, flight and habitat characteristics were recorded where possible, in order to determine the species. The level and type of bat activity was also recorded to establish how bats are using the site.

2.3.1 Equipment

BATLOGGER M bat detectors and recorders were used during the survey. This device records bat echolocation calls across the full spectrum, with a sensitivity range of 10 – 150 kHz. The integrated heterodyne live monitoring also allows the observer to hear the echolocation calls in real time, with automatic tuning. The recordings are individually time/date, GPS and temperature stamped, and are of high enough quality to produce time expansion quality sonograms.

A Canon XA11 Professional Video Camera was used in conjunction with an infra-red LED illuminator to monitor the exterior of the buildings. Footage of the survey is recorded and reviewed post-survey. During the survey, the camera was positioned to the south of the buildings in an area shaded by nearby buildings. This enabled a more thorough assessment of the use of the building throughout the entirety of the survey. This ensured that any bats using the building were identified, even when ambient light levels prohibited surveyors from observing bats.

2.3.2 Weather conditions

Table 1 - Weather conditions and survey timings

DATE	SURVEY TYPE	TIMINGS	SUNSET / SUNRISE	TEMP.	WIND	RAIN	CLOUD COVER
11/05/22	Emergence	20:33 – 22:18	20:48	12°C	Still	Dry	0%
01/06/22	Re-entry	03:16 – 05:01	04:46	11°C	Still	Dry – but had rained	70%

						prior to survey	

2.4 Survey limitations

It rained overnight before the dawn re-entry survey on 1st June, but there was no rain during the survey. Furthermore, bats were still recorded as being active during the survey and invertebrate activity was high. Therefore, this is not considered to have significantly affected the results.

3 RESULTS

3.1 Habitat assessment

Higher House is located on the outskirts of Ramsbottom, a small rural village in Bury, Greater Manchester. The habitats on site include several buildings and a courtyard, but there is a mature garden, with scattered trees surrounding the site.

The immediate surrounding area to the north and west is rural, with hedge and tree-lined pasture fields surrounding the site. Furthermore, West Pennine Moors Site of Special Scientific Interest (SSSI) is located approximately 200m west of the site. West Pennine Moors SSSI is designated for its diverse mosaic of habitats, including blanket bogs, wet and dry heathlands, acid grasslands, hay meadows and wet and dry woodland. These habitats will provide high quality foraging and commuting habitat for bats. Furthermore, there are several woodlands within 500m of the site, which will provide additional foraging, commuting and roosting opportunities for bats in the local area. However, habitats to the south and east are of lower quality, as they are urban, with large areas of residential housing and well-lit busy roads.

In the wider surrounding area, the habitats are similar in composition; the landscape to the north and west is rural with a mosaic of habitats, including heathland, moorland, and woodland, divided by a network of narrow country lanes. Furthermore, Lower Red Lees Pasture SSSI is also located approximately 1.2km north of the site, which is designated for the presence of herb-rich unimproved neutral to slightly acidic pasture typical of south-east Lancashire. This habitat will provide high quality foraging habitat for the bats. However, habitats to the east are of lower quality as they are urban and the M66 motorway is located approximately 1.5km east, which will act as a barrier to movement for bats to habitats beyond the motorway. However, the River Irwell is located approximately 700m east and there are pockets of greenspace (gardens, playing fields, parks) which will provide some low quality habitat for bats.

3.2 Building inspections

3.2.1 External inspection

There are four outbuildings which will be impacted by the current proposed development plans. These buildings have been numbered for the purposes of this report (see Appendix 1 – Site plan).

Building 1 is a small stone-built rectangular building with a mono-pitched roof, located within the north-eastern section of the site, see Appendix 3, Photographs, Photograph 1. The roof is clad with stone roof and ridge tiles (Photograph 2) and there are several gaps where the roof tiles are lifted on the south-eastern aspect of the building. Although, several of the gaps were inspected using an endoscope and no evidence of roosting bats was recorded, but the features are considered suitable for use by bats occasionally. Furthermore, mortar is missing from a small number of the ridge tiles on the south-eastern aspect. In addition, ivy is present on a large proportion of the roof, although it is not dense enough for roosting bats, it does have the potential to support breeding birds (Photograph 2). The walls of the building are generally in good condition, but there a small number of gaps present on the south-western aspect of the building (Photograph 3). However, they were fully inspected using an endoscope, and no evidence of bats was recorded. Furthermore, the structure has no windows, but one open doorway is present on the south-western aspect of the building, providing access into the building (Photograph 3).

Building 2 is located along the south-eastern site boundary. The building is constructed from stone and has a sloping mono-pitched roof, (Photographs 4 and 5). The roof is clad with slate roof tiles and there are slate ridge tiles present on the south-eastern aspect of the building (Photograph 4). There are multiple gaps present where the ridge tiles have lifted or are missing mortar, providing access to the wall plate, see Photographs 6 and 7. Visibility to the western aspect of the roof was limited due to the proximity of the surrounding buildings and the height of Building 2. However, a small number of lifted slate roof tiles were noted. The walls are generally in good condition, but there are a small number of gaps present, particularly on the northern and western aspects of the building. On the northern aspect, several stones are missing, creating a large gap and an old bird's nest was noted within the feature, see Photograph 8. On the western aspect of the building, there are several gaps in the stonework where mortar is missing, see Photograph 9. All features on the western aspect of the building were fully inspected with a high-powered torch and found to be superficial. Furthermore, there are several windows present on the south-eastern aspect of the building, which have stone or wooden lintels that are in excellent condition with no PRFs noted. Several of the windows and doorways on the south-eastern aspect have been boarded with MDF and there are numerous gaps around the MDF boarding providing bats potential access into the building (Photograph 10). Finally, there is also a doorway on the south-western aspect of the building, which is constructed from wood, but this is tightly sealed and in excellent condition, see Photograph 11.

Building 3 is a stone-built outbuilding which attached to the north-western aspect of Building 2. The building has a shallow mono-pitched roof which is clad with stone roof and ridge tiles (Photograph 12) and there are several gaps where mortar is missing from under the roof and ridge tiles. The stonework is generally in good condition, however there are several gaps near the apex of the wall on the eastern aspect of the building, see Photographs 13 and 14. However, the gaps are relatively large and as such are considered to be more suitable for nesting birds rather than roosting bats. The building also has two open doorways on the south-western and eastern aspects, allowing bats access into the building.

Building 4 is a stone-built outbuilding located along the north-western site boundary. The building has been built into the sloping garden and as such has a shallow mono-pitched roof, see Photograph 15. The roof is clad with roof and ridge tiles and there are large gaps where the tiles are lifted, although many of these were inspected and no evidence of roosting bats was recorded. However, the features are still considered to suitable for one or two bats to use occasionally. There is lead flashing present where the building joins the residential building to the south, which is tightly sealed, see Photograph 16. There is a wooden barge board present on the south-eastern aspect of the building and there is a slight gap between the barge board and wall. However, the gap was fully inspected, and no evidence of roosting bats was recorded (Photograph 17), but the feature is considered to be suitable for use by small numbers of roosting bats occasionally. Finally, the building has two open doorways on the south-eastern aspect, which will allow bats access into the building.

No evidence of bats, such as droppings, was found during the external building inspections.

3.2.2 Internal inspection

Building 1 has no loft void. The roof is a traditional purlin rafter construction, constructed from wooden beams and is unlined (Photograph 18). The roof is in good condition, but there are several gaps between the roof tiles, but these were inspected with an endoscope and no

evidence of roosting bats was recorded. Furthermore, additional gaps are present above the wall plate, see Photograph 19, but these gaps were also inspected using an endoscope and no evidence of roosting bats was recorded, but many of the features could not be fully inspected. The stone walls within the building are in good condition with no PRFs recorded.

Building 2 has no loft voids but the building has been split into two via an internal stone wall, see Appendix 1 – Site Plan and both sections are used for storage.

Section A has a typical wooden purlin rafter design, and the roof is lined with bitumen roofing felt creating additional PRFs between the roofing felt and roof tiles (Photograph 20). The walls within the building are generally in good condition, however there are several gaps present along the wall plate and there are gaps between the end rafter and stone wall (Photograph 21). Furthermore, there is one large crack in the stonework on the northern aspect of the building (Photograph 22). The crack was inspected and extended approximately 40cm into the wall, providing a suitable roosting feature for bats, although no evidence was recorded. Furthermore, one historic birds' nest was noted within the building (Photograph 23).

Section B is similar in design and construction, and the roof is also lined with bitumen roofing felt, see Photographs 24 and 25. Furthermore, there are additional access points into the building due to the gaps around the windows and doors. The walls within Section B have been rendered and are in excellent condition with no PRFs identified, although gaps are still present along the wall plate. Furthermore, one bird's nest was recorded within the building (Photograph 26).

Buildings 3 has no loft void and due to the absence of doors, the building is extremely draughty. The roof is a typical wooden purlin rafter design, but it is in poor condition and the roof has partially collapsed and is currently supported via steel supports (Photograph 27). However, the intact sections of the roof are partially lined with bitumen felt, which is in poor condition with numerous rips present (Photograph 28). Furthermore, there are several gaps in the brickwork, but these were inspected with a high-powered torch and the majority were found to be superficial (Photograph 29). Due to the partially collapsed roof, the building is extremely damp and there is significant water ingress, reducing the suitability of the building for roosting bats.

Building 4 has no loft void and has been split into two small rooms. The roof within both rooms is a typical purlin rafter design and is lined with bitumen roofing felt (Photograph 30), creating PRFs between the roof tiles and roofing felt. Furthermore, gaps were noted along the wall plate and between the end rafter and stone wall. The stonework within the building is in good condition with no PRFs noted.

No evidence of bats, such as droppings, was found during the internal building inspections.

3.3 Activity summary

Table 2 – Bat activity summary

DATE	SURVEY TYPE	SPECIES	NOTES
11/05/22	Emergence	Common pipistrelle	There was a high level of common pipistrelle activity with near constant foraging observed throughout the survey. However, this was restricted primarily to a single

			individual, with a maximum of two bats observed at any one time.
01/06/22	Re-entry	Common pipistrelle	Activity was generally lower during the re-entry survey for the first 20 minutes, although constant foraging was observed by 1 – 3 common pipistrelle to the south of the development boundary, and along the tree line to the north and west.

4 EVALUATION AND RECOMMENDATIONS

4.1 Evaluation of results

In summary, Higher House is situated in an area which provides moderate quality habitat for bats. The nearby mosaic of habitats, particularly to the north and east of the site, including woodland, blanket bogs, wet and dry heathlands, acid grasslands and hay meadows will provide an abundance of insects on which bats can forage. Furthermore, the treelines, hedgerows and watercourses will provide commuting opportunities, while the residential dwellings and mature trees will provide alternative roosting opportunities. However, habitats to the south and east are of lower quality, as they are urban, with large areas of residential housing and well-lit busy roads, providing limited opportunities for foraging and commuting bats.

Although no evidence of roosting bats was recorded during the scoping survey or updated internal inspection, the quality of roosting habitat within the buildings on site is considered to be moderate. A number of external PRFs were identified, such as lifted roof and ridge tiles and gaps in the stonework. Furthermore, a number of internal PRFs were identified, such as cracks in the stonework and gaps at the wall plate.

One species of bat was recorded during the bat presence / absence survey: common pipistrelle. Activity was generally high, although this activity comprised single to low numbers (maximum of three) of common pipistrelle foraging along the treeline to the north of the site.

No bats were recorded roosting on site during the presence / absence survey.

4.2 Mitigation and compensation measures

4.2.1 Bats

As no bats were found to be using the buildings or structures on site to roost, no further mitigation or compensation measures are required with regards to bats.

4.2.2 Birds

Due to the potential presence of breeding birds in the buildings on site, it is recommended that the initial site clearance (including vegetation) and demolition works take place outside of the breeding bird season and should not be undertaken from March to August inclusive. If this is not possible, a breeding bird nest survey should be undertaken prior to the commencement of works by a suitably experienced ecologist and an ecological clerk of works appointed if considered necessary.

5 CONCLUSION

Higher House is situated in an area that presents moderate quality habitat for foraging, roosting and commuting bats. The buildings on site also present a number of potential roosting features which could be used by bats.

No field signs of bats, such as droppings, were found during the building inspections conducted in November 2021 or again in May 2022. Furthermore, no bats were recorded roosting in the buildings on site.

As no bats were found to be using the buildings or structures on site to roost, no further mitigation or compensation measures are required with regards to bats.

Due to the potential presence of breeding birds within the building at the time of development, it is recommended that the works take place outside of the breeding bird season and should not be undertaken from March to August inclusive. If this is not possible, a breeding bird nest check should be undertaken prior to the commencement of works by a suitably experienced ecologist and an ecological clerk of works appointed if considered necessary.

6 REFERENCES

Chartered Institute of Ecology and Environmental Management (2013). *Competencies for Species Survey: Bats*.

Collins, J. (ed.) (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines.* (3rd ed.) The Bat Conservation Trust, London.

Ministry of Housing Communities and Local Government (2021). *National Planning Policy Framework.*

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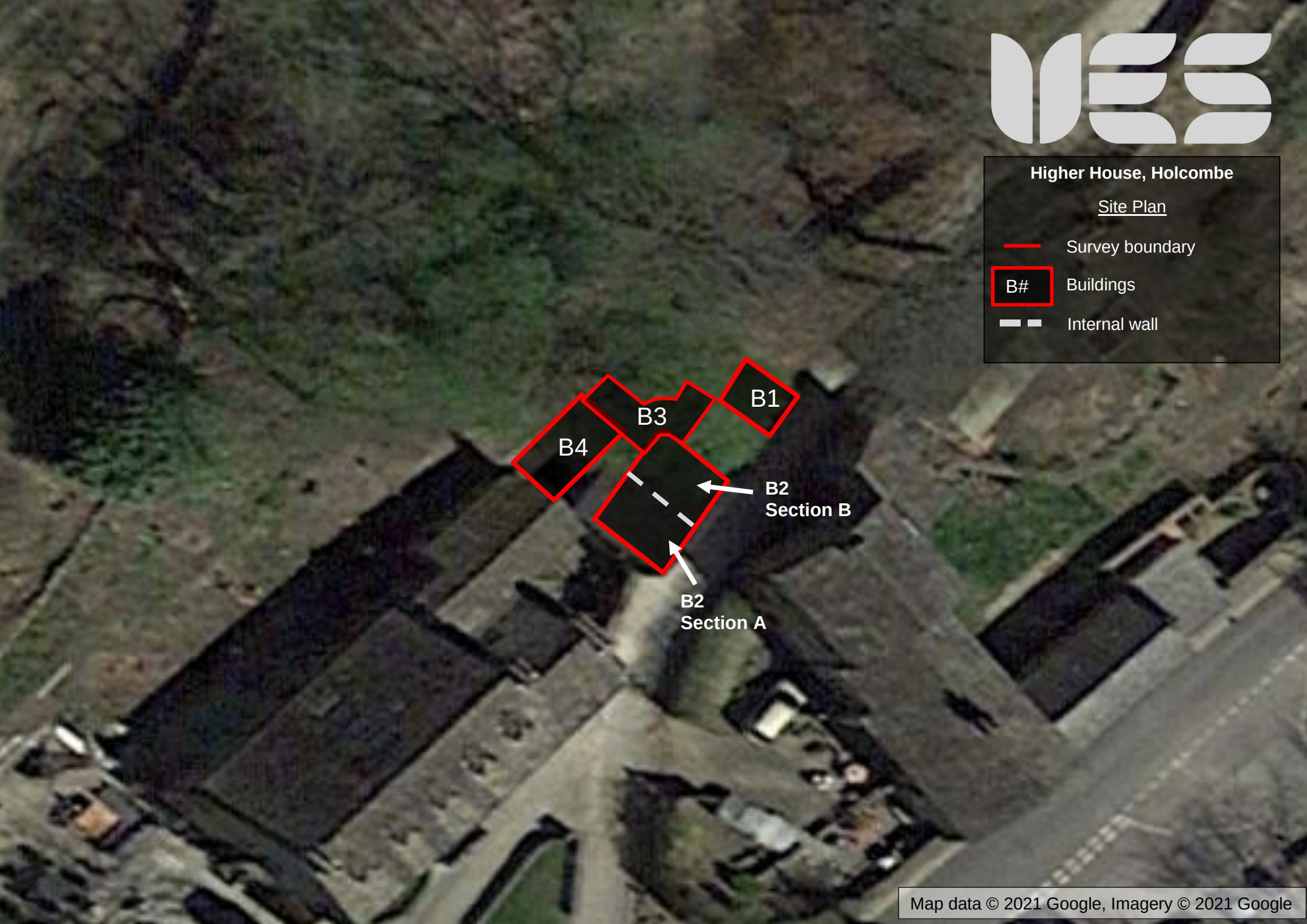
Mitchell-Jones, A.J. & McLeish, A.P. (2004). *The Bat Workers Manual.* (3rd ed.) JNCC

APPENDICES

Appendix 1 – Site plan


Higher House, Holcombe
Site Plan
Survey boundary
B#
Buildings
Internal wall
B1
B3
B4
B2
Section B
B2
Section A
Map data © 2021 Google, Imagery © 2021 Google

Appendix 2 – Aerial photographs

Higher House, Moor Road, Holcombe
Close aerial photograph
Development boundary
Map data © 2021 Google, Imagery © 2021 Google

Higher House, Moor Road, Holcombe
Wide aerial photograph
Site location
Map data © 2021 Google, Imagery © 2021 Google

Appendix 3 – Photographs

Photograph 1 – South-eastern aspects of Building 1 and Building 2.

Photograph 2 – The eastern aspect of Building 1.

Photograph 3 – Southern aspect of Building 1, arrow pointing to gap in stonework.

Photograph 4 – South-eastern aspect of Building 2.

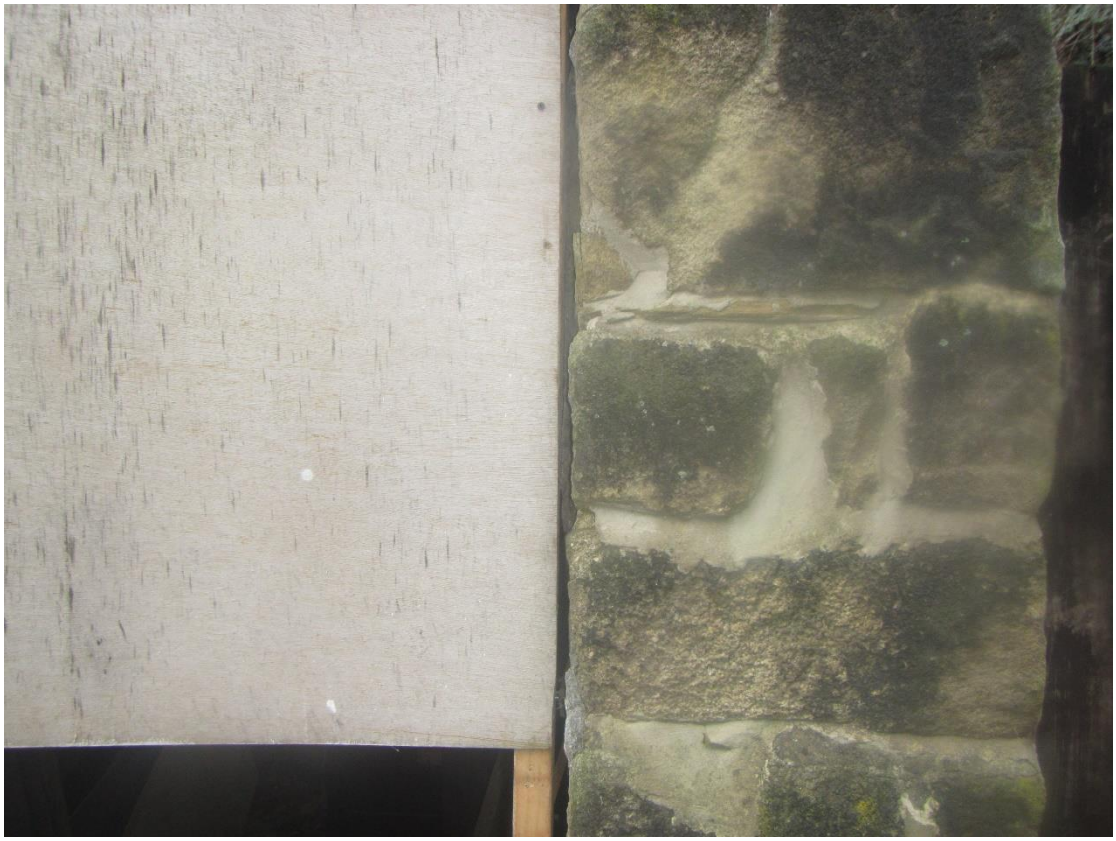
Photograph 5 – Eastern aspect of Building 2.

Photograph 6 – Gaps where mortar is missing underneath the ridge tiles on Building 2.

Photograph 7 – Example gap on the ridge tile on Building 2 where mortar is missing.

Photograph 8 – The northern aspect of Building 2, view of large gap below tiles where stonework is missing. Arrow pointing to location of a historic bird's nest.

Photograph 9 – Western aspect of Building 2, with several superficial gaps in the stonework.



Photograph 10 – Gaps between the stone and MDF boarding on the eastern aspect of Building 2.

Photograph 11 – South-western aspect of Building 2.

Photograph 12 – Southern aspect of Building 3.

Photograph 13 – Eastern aspect of Building 3.

Photograph 14 – Close view of the large gaps at the apex of the wall on the eastern aspect of Building 3.

Photograph 15 – Eastern aspect of Building 4.

Photograph 16 – View of lead flashing on the eastern aspect of Building 4.

Photograph 17 – Gap between the wooden barge board and the wall on Building 4.

Photograph 18 – Internal view of Building 1.

Photograph 19 – Example gaps above the wall plate within Building 1.

Photograph 20 – Internal view of Section A within Building 2.

Photograph 21– Internal view of Section A within Building 2.

Photograph 22 – Large crack in the stonework identified during the internal inspection within Section A of Building 2.

Photograph 23 – Birds nest located within Section A of Building 2.

Photograph 24 – Internal view of roof within Section B of Building 2.

Photograph 25 – Internal view of Section B within Building 2.

Photograph 26 – Birds nest within Section B of Building 2.

Photograph 27 – View of steel support within Building 3.

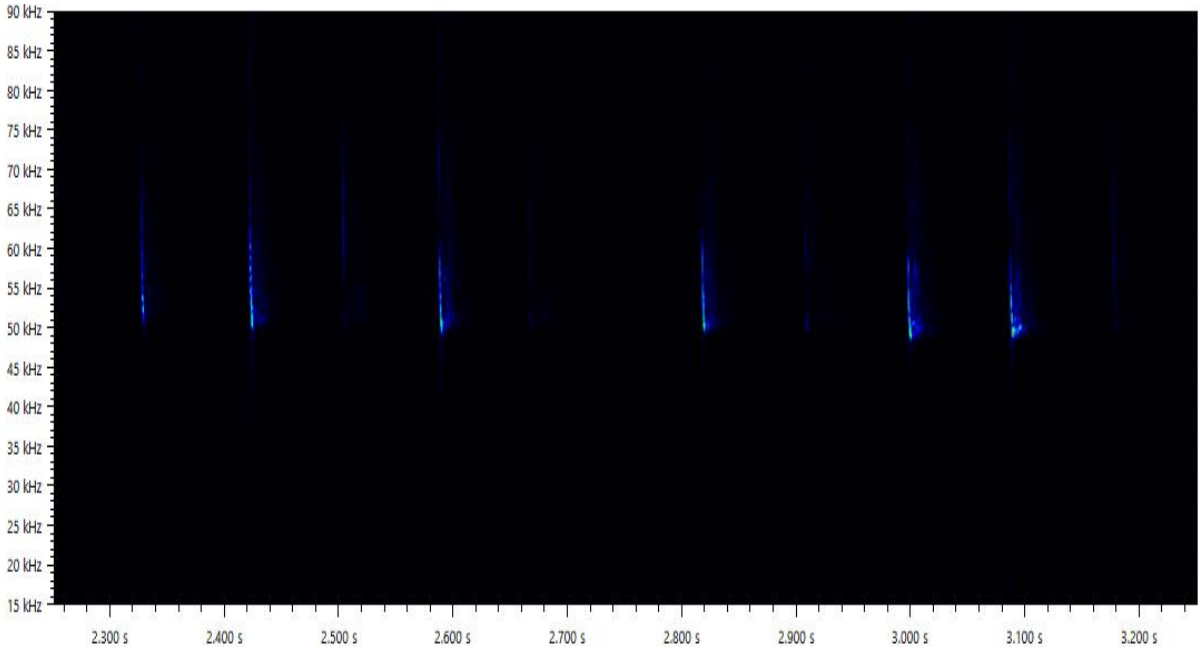
Photograph 28 – Internal view within Building 3.

Photograph 29 – Gaps in the stonework within Building 3.

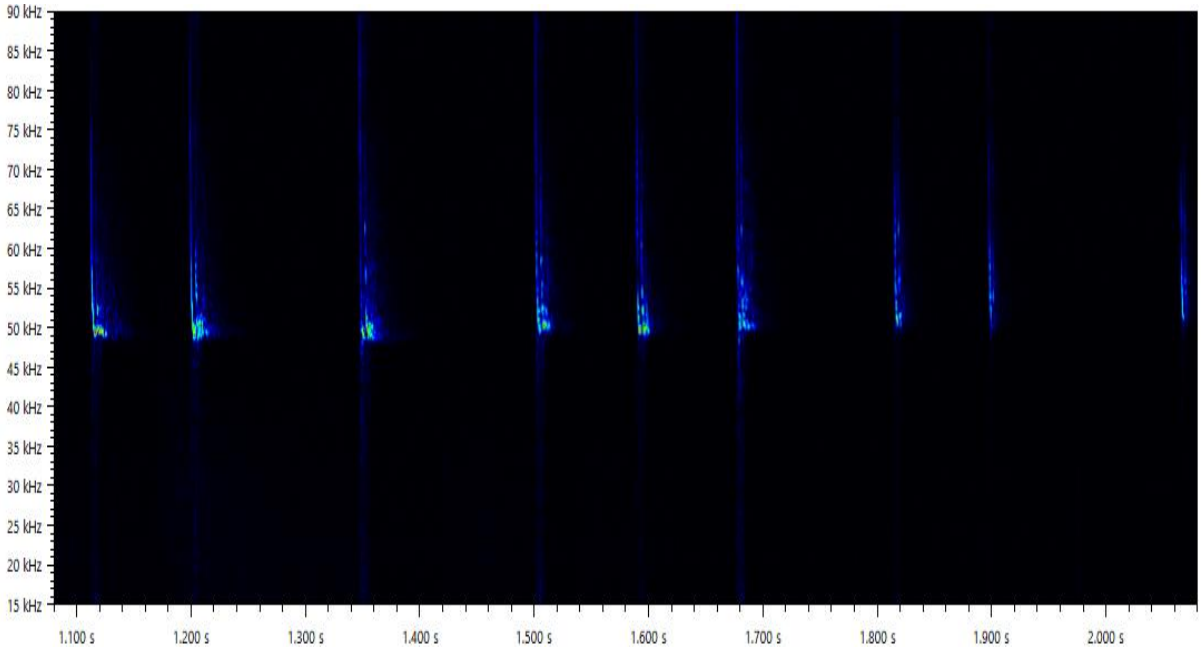
Photograph 30 – Internal view of Building 4.

Photograph 31 – Internal view within Building 4, gaps above the wall plate.

Appendix 4 – Results



Sonogram 1. Common pipistrelle recorded commuting along the tree line north of the site at 21:05 on 11th May 2022.



Sonogram 2. Common pipistrelle recorded in between foraging activity to the south of the site at 04:00 on 1st June 2022.

Appendix 5 – Statutory and planning context

Ecological assessments
Ecological assessments play an important part within the planning context; they include an initial assessment which highlights any specific interests of a site. From the initial site assessment, the surveyor assesses the suitability of habitats within the site to support protected species and makes recommendations for further survey works if required. The following paragraphs provide a brief interpretation of the legislative protection that is relevant to the findings of this report.

Bats
In the United Kingdom, all species of bat and their roosts are afforded full protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Amendment (EU exit) Regulations 2019 (known as the "Habitats Regulations"). The Wildlife and Countryside Act is the domestic implementation of the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) and was amended by the Countryside and Rights of Way Act 2000. This makes it an offence to:

- Deliberately, intentionally or recklessly kill, injure or capture a bat
- Deliberately, intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection
- Deliberately, intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection (even if the bat is not present at the time)
- Keep, transport, sell or exchange, or offer for sale or exchange any live or dead bat, any part of a bat or anything derived from a bat

Under UK law, a bat roost is *any structure or place which any wild [bat] … uses for shelter or protection*. As bats often reuse the same roosts, legal opinion is that a roost is protected whether or not the bats are present at the time of the activity taking place.

Penalties for offences include fines of up to £5000, plus up to six months imprisonment, for each offence committed.

If an activity is likely to result in any of the above offences, a licence can be applied for to derogate from the protection afforded. These licences must provide appropriate mitigation and are issued by Natural England.

A Natural England mitigation licence application requires a Mitigation Method Statement and, in many cases, a Reasoned Statement of Application. The Mitigation Method Statement contains details of the proposed mitigation works. The Reasoned Statement needs to provide a rational and reasoned justification as to why the proposed development meets the requirements of the Conservation (National Habitats & c.) regulations 1994, namely Regulations 44(2)(e), (f) or (g), and 44(3)(a).

The National Planning Policy Framework 2021 (NPPF) provides guidance on the interpretation of the law in relation to the natural environment and development.

The Natural Environment and Rural Communities (NERC) Act 2006 lists the following bat species as species of principle importance under Section 41:

- Barbastelle *Barbastella barbastellus*
- Bechstein's bat *Myotis bechsteinii*
- Noctule *Nyctalus noctula*
- Soprano pipistrelle *Pipistrellus pygmaeus*
- Brown long-eared bat *Plecotus auritus*
- Greater horseshoe *Rhinolophus ferrumequinum*
- Lesser horseshoe *Rhinolophus hipposideros*

Section 40 requires every public body in the exercising of its functions 'have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity' (all biodiversity and not just section 41 species and habitats); therefore making these bats a material consideration in the planning process and requiring a detailed ecological bat survey before planning permission can be granted.

Birds
All wild birds, their nests and young are protected throughout England and Wales by the Wildlife & Countryside Act 1981 (as amended). It is illegal to kill, injure or take any wild bird, or damage or destroy the nest or eggs of breeding birds. The legislation applies to all bird species, common and rare.

In addition to the protection afforded to all wild birds, more vulnerable species listed on Schedule 1 of the Act receive enhanced protection when breeding. Schedule 1 species, including their dependent young, are protected from intentional or reckless disturbance whilst at or near the nest, in addition to the protection afforded the more common species.

The NERC Act offers further protection to the nests of some species that regularly re-use their nests, even when the nests are not in use.

The leading governmental and non-governmental conservation organisations in the UK have reviewed the population status' of 244 UK bird species. "Birds of Conservation Concern 4: the Red List for Birds" is the most recent publication summarising their findings. Three lists, Red, Amber and Green, have been produced based on the most up-to-date evidence available and criteria include conservation status at global and European levels and, within the UK: historical decline, trends in population and range, rarity, localised distribution and international importance. These lists are a valuable resource when considering conservation priorities.

Planning policy

National Planning Guidance is issued in the form of the National Planning Policy Framework 2021 (NPPF). The most relevant section is 15: Conserving and enhancing the natural environment.

Key relevant principles stated in 15: Conserving and enhancing the natural environment are;

174. Planning policies and decisions 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 (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- 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;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

179. To protect and enhance biodiversity and geodiversity, plans should:
- 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[61]; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation[62]; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity

180. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
b) 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;
c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons63 and a suitable compensation strategy exists; and
d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.