Bat and Barn Owl Survey Report

The Old Cornmill

New Road, Whaley Bridge, SK23 7JG

October 2017

Prepared for: Trusted IT Ltd

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

EXECUTIVE SUMMARY

- On 02nd October 2017 a Preliminary Roost Assessment was undertaken at The Old Cornmill, Whaley Bridge to assess the suitability of the building for roosting bats and to search for bats and signs of the presence of bats. An assessment of the suitability of the building for barn owl was also undertaken.

Bats

- No bats or signs of bats were found during the inspection.
- The building is considered to have negligible suitability for roosting bats.

Barn owl

- No evidence of use of the building by barn owl was found during the inspection. The building is considered to have negligible suitability for this species.
- **The proposals to refurbish and convert the building will have no foreseeable negative impact on bats or barn owl. No further survey or mitigation is proposed for these species / species groups.**

1. Introduction

1.1 Application Site

1.1.1. This report details a survey to determine the suitability for bats and barn owls within building(s) at The Old Cornmill, New Road, Whaley Bridge, SK23 7JG. National grid reference SK23 7JG.

1.1.2. Trusted IT Ltd 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 for bats and barn owl Inspection are to determine:

- The suitability of the building on site to support a bat roost or nesting or roosting barn owls.
- Whether bats or barn owl are currently using the building, or have done in the past.
- The potential status of any bat roost present.
- 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 only) or barn owl licence if required.

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

1.3 Proposals

1.3.1 The proposals comprise the refurbishment and conversion of the building into office space. The works will include removal and reinstatement of the roof.

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 bats, and barn owl inspections for a large variety of projects and schemes, producing the required impact assessment and subsequent mitigation schemes / method statements when necessary.

2. Site Location

2.0.1 The site is located on the southern outskirts of Whaley Bridge at Horwich End. A mix of residential housing and light industrial land lies to the north, southeast and southwest of the site. Open countryside extends to the south and beyond the immediate built-up area to the northeast, southeast and west.

2.0.2 The surrounding countryside supports a good mix of habitat types across a varied topography. The majority of the landscape is composed of arable and pasture land divided by treelines and hedgerows. There are scattered plots of woodland, but the greatest continuous areas of wooded landscape follow the waterways.

2.0.3 The River Goyt runs south to north approximately 200m to the west of the site. Two arms of Randal Carr Brook run northwest (from a connection to the River Goyt) to southeast and lie just 100m to the east. The railway corridor of linear vegetation runs north to southwest approximately 200m to the east.

3. The Survey Site

3.0.1 The survey site comprises an industrial building and associated grounds. The grounds are small in area. To the front (northeast) there is hard standing, part of which is disturbed, with soil mounds present. To the rear (southwest) there is an area of hard standing and a high, unmaintained grassy bank.

3.0.2 There are residential houses with gardens immediately to the northwest, south and southeast. Open landscape commences immediately to the west of the site behind the houses. New Road runs along the northern boundary of the property, beyond which there is an old industrial building (FM Motors).

The northeast elevation of the building

The Building

3.0.3 The building is roughly rectangular, oriented northwest to southeast. The whole building is two-storeys and constructed of brick and rendered. It can be divided into two main sections. The easternmost section is taller than that to the west, with a pitched, tiled roof, which is relatively new. The westernmost section, which is the larger portion, has a pitched, corrugated metal roof. Both sections have PVC windows and wooden fascias.

3.0.4 There are three outbuildings attached to the southwest elevation constructed of breeze block with flat or shallow-pitched corrugated metal roofs. These were accessible at the time

of survey.

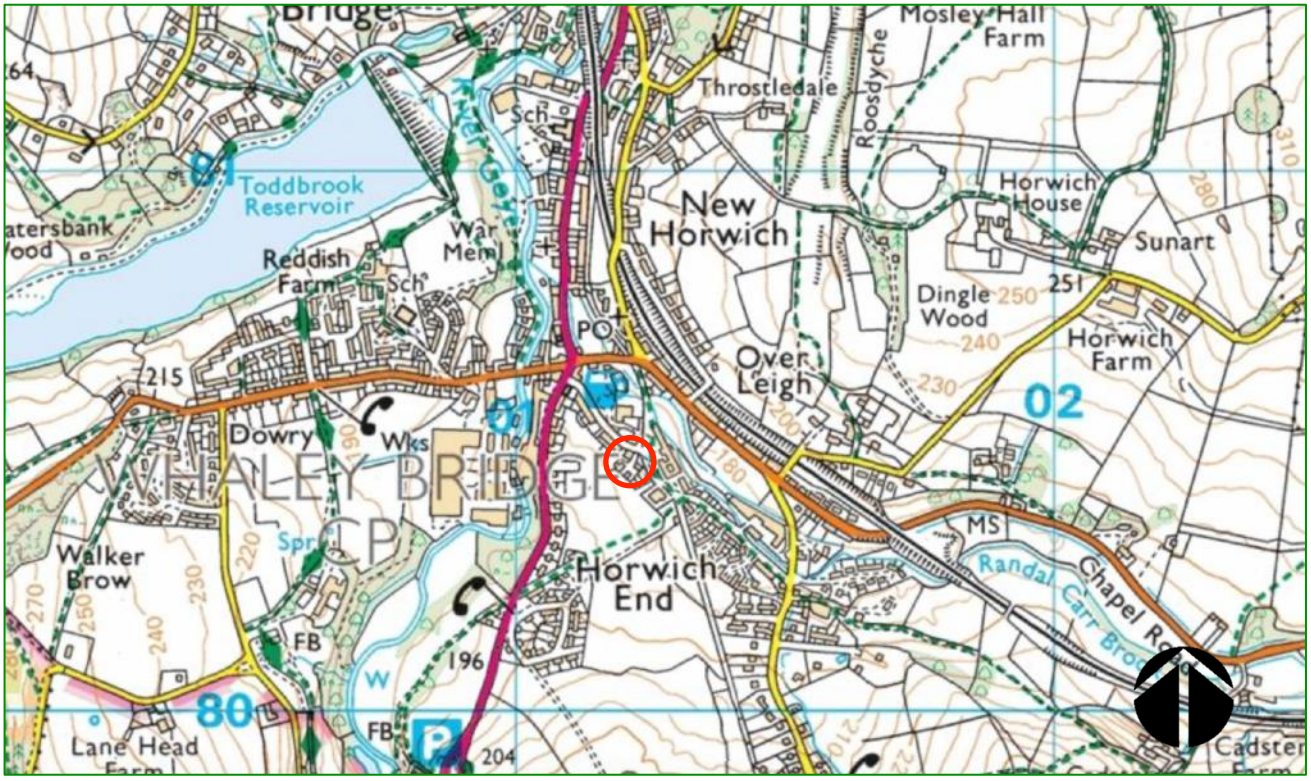
3.0.5 Internally, the easternmost section of the main body of the building has a shallow loft void, which is unsuitable for bats in which to fly, and is well-sealed.

3.0.6 The westernmost section supports a layered roof structure of the corrugated metal, asbestos and insulation. There is only a small void (approximately 40cm high) between the pitch and the internal plasterboard ceiling.

3.0.7 There is a door on the west elevation of the building, which is currently open, although barred. There are wooden beams across the wooden ceiling of the ground floor. The internal walls are exposed brick. There are numerous gaps around the roller-shutter doors and windows on the ground floor.

3.0.8 The upper-storey of both sections of the buildings are well-sealed.

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



Ordnance survey 1:25000

Key

Survey site

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

From Bing Maps

250m

Key

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 (2010)

4.1.2 Under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010,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.

Barn Owls

4.1.3 Key legislation regarding the protection of barn owls:

4.1.4 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)).

4.1.5 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

4.1.6 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.

4.1.7 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) encourages Local Planning Authorities to conserve and enhance biodiversity.

4.2.3 Chapter 11, Para 109 of NPPF states: ''*The planning system should contribute to and enhance the natural and local environment by…minimising impacts on biodiversity and providing net gains in biodiversity where possible…*''

4.2.4 Paragraph 118 states: ''*if significant harm 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*''

4.2.5 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 Surveys were 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.

5.1 Desk Study

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

- National Biodiversity Network (2014)
- Magic Map, Natural England (2014)

5.1.2 An analysis of bat data available on the National Biodiversity Network (public records) was used to determine the likely presence of roosts within close proximity to the survey site and to make a rough assessment of the species frequently recorded in the local area.

5.1.3 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 and Owl Inspection

5.2.1 An internal and external inspection of the building on site was undertaken during daylight to determine the suitability for bats and barn owls and establish, if possible, whether bats or barn owl are using the building or have been using the building in the past.

5.2.2 All accessible parts of the building were inspected, including loft voids and cellars, to look for bats and signs of the presence of bats, including:

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

5.2.3 The systematic search inside the building 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.

5.2.4 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.

5.2.5 Equipment: During the survey a ladder, close-focussing binoculars and a strong torch with directional beam was used to inspect the building.

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

5.2.7 With regard to bats, 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.

6. Survey Limitations

6.0.1 The survey work was undertaken in late-September. At this time of year most bats would have dispersed from their summer roosts and would be occupying transitional roosts between summer roosting and winter hibernation sites. If the building were used with any regularity over the summer months, signs of the presence of bats in accessible and sheltered areas (for example the loft void) would be expected. However, evidence of bats, such as droppings may not be present on the exterior as it may be removed by the weather.

6.0.2 Data from the local biological records centre of known bat roosts and bats recorded in the area was not obtained to inform this assessment. This is because it is considered unnecessary given the scale of the proposals. The inspection alone is considered sufficient to inform any necessary requirements for further survey work and / or mitigation.

7. Survey Findings

7.1 Desk Study

Potential for bats and barn owl in the area

Site location in relation to bats and barn owl

7.1.1 At a landscape level, the area surrounding the survey site is good for bats and barn owl. Refer to Figure 2.

7.1.2 There is a good mix of habitat types, including waterways, stretches of woodland and extensive arable and pasture land.

7.1.3 The pasture intersected with hedgerows and tree lines is ideal for foraging barn owl.

7.1.4 Linear habitat features such as the river and the tree lines and hedgerows provide good commuting corridors for bats, facilitating their movement through the landscape.

7.1.5 The matrix of habitat will support a variety of bat sspecies including widespread species such as common and soprano pipistrelle bat (*Pipistrellus pipistrellus* and *Pipistrellus pygmaeus* respectively). Brown long-eared bat (*Plecotus auritus*) and other species that favour woodland, such as Natterer's bat (*Myotis* natterri), whiskered bat (*Myotis mystacinus*) and Brandts bat (*Myotis brandtii*) would also be expected, but in lower density. Species that favour open habitats such as Leisler's (*Nyctalus leisleri*) and noctule bat (*Nyctalus noctula*) are also likely to be present in the locality.

The Conservation Status of Bats in the Area

7.1.6 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.*

7.2 Preliminary Roost Assessment: Bats

7.2.1 The building inspection and bat roost assessment was undertaken in daylight on 2nd October 2017.

7.2.2 **The building is considered to have negligible suitability for roosting bats.**

Roost potential

7.2.3 There are no visible features externally or internally that might provide suitable roosting opportunities for bats.

7.2.4 The easternmost sector of the building supports a very new roof, which is tightly sealed; there are no crevices or gaps that might be used by crevice-dwelling bat species such as pipistrelles. The walls of the building are in good condition, with no holes or cracks. The wooden soffit is tightly fitted.

Showing the good condition of the roof on the easternmost sector of the building.

7.2.5 Internally the loft space of the easternmost sector of the building is small and well-sealed. This void has negligible suitability for bats such as brown long-eared bats, which favour space in which to fly prior to leaving a roost.

7.2.6 The westernmost sector of the building supports a corrugated metal roof underlined with corrugated asbestos and insulation, below which there is a shallow (approx. 40cm) void to the ridge above the plasterboard ceiling. This structure provides no suitable roosting opportunities for bats. There is very little space between the layers and in addition, the corrugated metal roofing would fluctuate widely in temperature, which is not a factor favoured by roosting bats.

Showing the roof and outbuildings on the westernmost sector of the building.

7.2.7 Internally, although there are gaps around the roller- shutter door and window, and through the barred door on the western elevation, only a single bat dropping was found on the upper floor in the western sector of the building. It is likely that a single bat entered the building to forage or investigate. There is no evidence to suggest that bats are regularly using the building to forage or to roost.

7.2.8 The two breeze-block outbuildings at the rear of the Corn Mill are also devoid of features suitable for bats or barn owl. No signs of bats were found during the inspection of these buildings.

The western gable and door that is grilled, but open.

7.3 Building Assessment: Barn Owl

7.2.9 **The building has negligible suitability for barn owl.**

7.2.10 This is because there are no suitable areas within the building or outbuildings that might be utilised by this species. There are no large holes in which they may enter and no suitable features that might be utilised as nesting platforms.

7.2.11 No evidence of the use of the building by barn owl, including feathers, droppings or pellets was found during the survey, nor was it expected.

The ground floor of the building

8. Appraisal and Impact Assessment

8.1 Appraisal

8.1.1 No bats and no signs of the presence of bats were found during the external and internal inspection of the building.

8.1.2 The building is considered to have negligible suitability for bats as there are no features that might be utilised for roosting.

8.1.3 Similarly the building has negligible suitability for barn owl as there is no available access, nor any suitable nesting features.

8.1.4 The proposals to renovate and convert the building are very unlikely to have any negative impact upon bats or barn owls in the locality.

9. Conclusion and Recommendations

9.0.1 The building at The Old Cornmill, New Road, Whaley Bridge is considered to have negligible suitability for bats and barn owls as the building lacks the features that would provide suitable roosting or nesting opportunities for these species.

9.0.2 The proposals to renovate and convert the building are very unlikely to have any negative impact upon bats or barn owls in the locality.

9.0.3 No further survey work or mitigation is recommended.

10. References

- BCT (2003) BATS AND LIGHTING IN THE UK Bats and the Built Environment Series. Version 3. Bat Conservation Trust.
- BING maps (2016) 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 2015) https://www.google.co.uk/maps
- MAGIC Map (Accessed 2015) http://www.magic.gov.uk/MagicMap.aspx. DEFRA.

• APPENDIX A: Wildlife Legislation and Planning Policy

UK AND EU LEGISLATION

9.1 KEY LEGISLATION

9.1.1 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 (2010)

9.2 WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

9.2.1 The Wildlife and Countryside Act 1981 is UK legislation.

9.2.2 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.

9.3 COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

9.3.1 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.

9.4 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010

9.4.1 The Conservation of Habitats and Species Regulations 2010 consolidate all the various amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994 in respect of England and Wales.

9.4.2 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.

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

9.4.4 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.

9.4.5 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.

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

9.5.1 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''

9.6 Birds including Barn Owl

9.6.1 Key legislation regarding the protection of barn owls:

10.1.1 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)).

10.1.2 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

10.1.3 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.

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

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

Planning Authorities: A Duty to Conserve Biodiversity

9.7.1 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.

9.7.2 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

9.7.3 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*''.

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

PLANNING POLICY

9.8 NATIONAL PLANNING POLICY FRAMEWORK

9.8.1 In March 2012 the Government introduced the National Planning Policy Framework (NPPF).

Chapter 11: Conserving and Enhancing the Natural Environment

9.8.2 Chapter 11: Conserving and Enhancing the Natural Environment replaces PPS 9: Biodiversity and Geological Conservation.

9.8.3 Chapter 11, Para 109 of NPPF states: ''The planning system should contribute to and enhance the natural and local environment by…minimising impacts on biodiversity and providing net gains in biodiversity where possible…including establishing coherent ecological networks that are more resilient to current and future pressures''.

9.8.4 Para 114 states: ''Local Planning authorities should set out a strategic approach in their local plans, planning positively for the creating, protection, enhancement and management of networks of biodiversity and green infrastructure''.

9.8.5 Para 117 gives guidance about how impacts on biodiversity and geodiversity should be minimised at a landscape scale by identifying and mapping components of local ecological networks and connecting them, and promotes the preservation, restoration and re-creation of priority habitats and ecological networks in relation to priority species populations, and specifies suitable indicators should be identified for the purposes of monitoring.

9.8.6 Para 118 states: ''When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- **if significant harm 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;

- **proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Sites of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted.** Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broad impacts on the national network of Sites of Special Scientific Interest;

- **Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;**
    - opportunities to incorporate biodiversity in and around developments should be encouraged;
    - planning permission should be refused for development resulting in the loss or deterioration of habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;
    - and the following wildlife sites should be given the same protection as European sites:

        - Potential Special Protection Areas and possible Special Areas of Conservation
        - listed or proposed Ramsar sites; and
        - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.''

ODPM CIRCULAR 06/2005: BIODIVERSITY AND GEOLOGICAL CONSERVATION

9.8.7 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.