

## Checklist - Devon Householder / Building Applications with only bat roost / bird nesting issues (please note that the Devon Wildlife Trigger Table must also be filled in a submitted)

To speed up assessment by the LPA, this form should be completed by the Ecological Consultant and submitted at the beginning of the Ecology Report.

Ecological consultant: **Lakeway Ecological Consultancy Ltd – Chris Turner MCIEEM**

Date: 01/09/2022

### 1. Impact assessment / survey effort

Have all required impact assessments / surveys been done within the last 12 months, and does it meet national guidance requirements? If there have been any deviations from national guidance, please select No in the right-hand column.	Yes <input checked="" type="checkbox"/> Dates: 18/07/2022 09/08/2022 23/08/2022	No <input type="checkbox"/>
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### 2. Ecological impacts

<b>2a.</b> Proposal impacts on bats / birds and mitigation measures are specified.	Yes (conditions needed) <input checked="" type="checkbox"/> No (no conditions needed) <input type="checkbox"/>
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<b>2b.</b> Proposal has other ecological impacts which the LPA needs to consider (inc. potential impacts from internal or external lighting)	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>
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<b>2c.</b> Is the proposal likely to result in an offence under the Conservation of Habitats and Species Regulations?	Yes (go to 2.d) <input checked="" type="checkbox"/> No (go to 2.e) <input type="checkbox"/>
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<b>2d. If YES (an offence IS likely)</b> Does the roost meet any of the following criteria*: <ul style="list-style-type: none"> <li>• Three or fewer roosts are impacted by the proposals, and</li> <li>• The proposal will have a low or temporary impact, and</li> <li>• The proposal only affects:                         <ul style="list-style-type: none"> <li>- Low conservation status roosts for low numbers of: common pipistrelle, soprano pipistrelle, brown long-eared, whiskered, Brandt's, Daubenton's Natterer's and/or</li> <li>- Feeding, day, night and/or transitional roosts for low numbers of serotine and/or</li> <li>- Day and/or transitional roosts for low numbers of lesser horseshoe.</li> </ul> </li> </ul> *note that these criteria are used by Natural England for the Low Impact Bat Class Licence CL21	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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<b>2e. If NO (an offence is NOT likely)</b> Does the roost meet any of the following criteria: <ul style="list-style-type: none"> <li>• maternity or hibernation roost                         <ul style="list-style-type: none"> <li>• greater horseshoe bat roost</li> <li>• grey long-eared bat roost</li> <li>• more than three species of bat found in small numbers</li> </ul> </li> </ul>	No (none are met) <input type="checkbox"/>	Yes (one or more are met) <input type="checkbox"/>
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<b>2f.</b> Does the proposal potentially impact on barn owls?	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>
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### 3. Expertise

Are you, the ecological consultant, registered under either the Level 1 or the Level 2 Bat Survey Class Licence? If 'Yes', please enter your licence number below	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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**Level 2 Class Licence: 2015-12878-CLS-CLS**  
**Bat Low Impact: WML-CL21 RC150 Annex B, C, D**  
**Barn Owl Class Licence CL29/00578**

Are you a member of CIEEM or a Registered Consultant under Annex B of the Low Impact Class Licence for bats (or under Annex C or D for a serotine or lesser horseshoe roost where relevant)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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# Hollystone, Lapford, Crediton

## Ecological Impact Assessment

A report on behalf of

**Mr & Mrs Holland**

Type of document (Version)	-
Revisions	
Report reference	22-217-EcIA-CT
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Document prepared by	Chris Turner BSc MCIEEM
Quality control/ checked by	Mark Witherall BSC MCIEEM
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## Site Details

<b>Site name</b>	Hollystone
<b>Site location</b>	Lapford, Crediton
<b>Central OS grid reference</b>	SS 73872 07475
<b>Client</b>	Mr & Mrs Holland
<b>Report title</b>	Ecological Impact Assessment



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## 1 INTRODUCTION

This document has been produced by Chris Turner BSc MCIEEM of Lakeway Ecological Consultancy Ltd. It presents an Ecological Impact Assessment for Hollystone, Lapford, Crediton (central OS grid reference: SS 73872 07475). The works were commissioned by Mr & Mrs Holland.

The area within the application boundary is hereafter referred to as the 'Site'.

### 1.1 Context

Proposals include remodelling of the existing bungalow and re-covering the roof. Plans are shown on the accompanying drawings issued by Woodward Smith Chartered Architects.

### 1.2 Aims and Objectives

#### 1.2.1 Field Survey Aims

The survey information contained within this report aims to:

- Establish whether the works will impact protected species, primarily bats and nesting birds.
- Identify and provide context for any other protected species which may be impacted by the proposals.

#### 1.2.2 Report Objectives

The objectives of this report are to:

- Provide the client with sufficient information to fully inform them of their obligations.
- Present an assessment of the likely (significant) effects of the proposed development on ecological features.
- Allow the Local Planning Authority (LPA) to ascertain whether the proposal accords with relevant planning policy and legislation; and,
- Allow the LPA to write planning conditions (where necessary) to secure mitigation, compensation and enhancement measures.

Recommendations have been detailed following the biodiversity mitigation hierarchy in accordance with NPPF paragraph 175 (a) which states:

*"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."*

This report sets out additional measures which provide enhancements on the Site with the aim of providing a net-gain for biodiversity, in line with National and Local planning policy.

Relevant wildlife legislation is provided in **Appendix 1**.

### 1.3 Personnel

All written and survey work was carried out by Principal Ecologist Chris Turner. Chris has been an ecological consultant for eleven years and has a specialism in bat mitigation and conservation. Chris is a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM) and is bound



by their professional Code of Conduct. Chris is registered to use a Level 2 class licence to survey for bats since 2013 (Natural England ref: 2015-12878-CLS-CLS), is a registered consultant on Natural England's Bat Mitigation Class Licence (WML-CL21 – ref: RC150) and is a registered consultant on Natural England's Bat Earned Recognition Pilot Scheme (WML-CL47 – AL2 Ref: BER0046).

This report has been peer reviewed by Mark Witherall BSc MCIEEM. Mark has 20 years' experience as an ecological consultant and is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM). Mark has held a level 2 class licence to survey for bats since 2007 (Natural England Ref: 2015-12404-CLS-CLS) and is a registered consultant on Natural England's Bat Mitigation Class Licence (WML-CL21 – ref: RC154).

## 2 SITE DESCRIPTION

### 2.1 General

The Site comprises a detached dwelling in a garden laid mostly to lawn. The Site is well connected to semi-natural habitats including woodland, watercourses and wetlands by a hedgerow which runs along the lane to the south of the building. A location plan is provided as **Diagram 1** below. Photographs are included in the text.

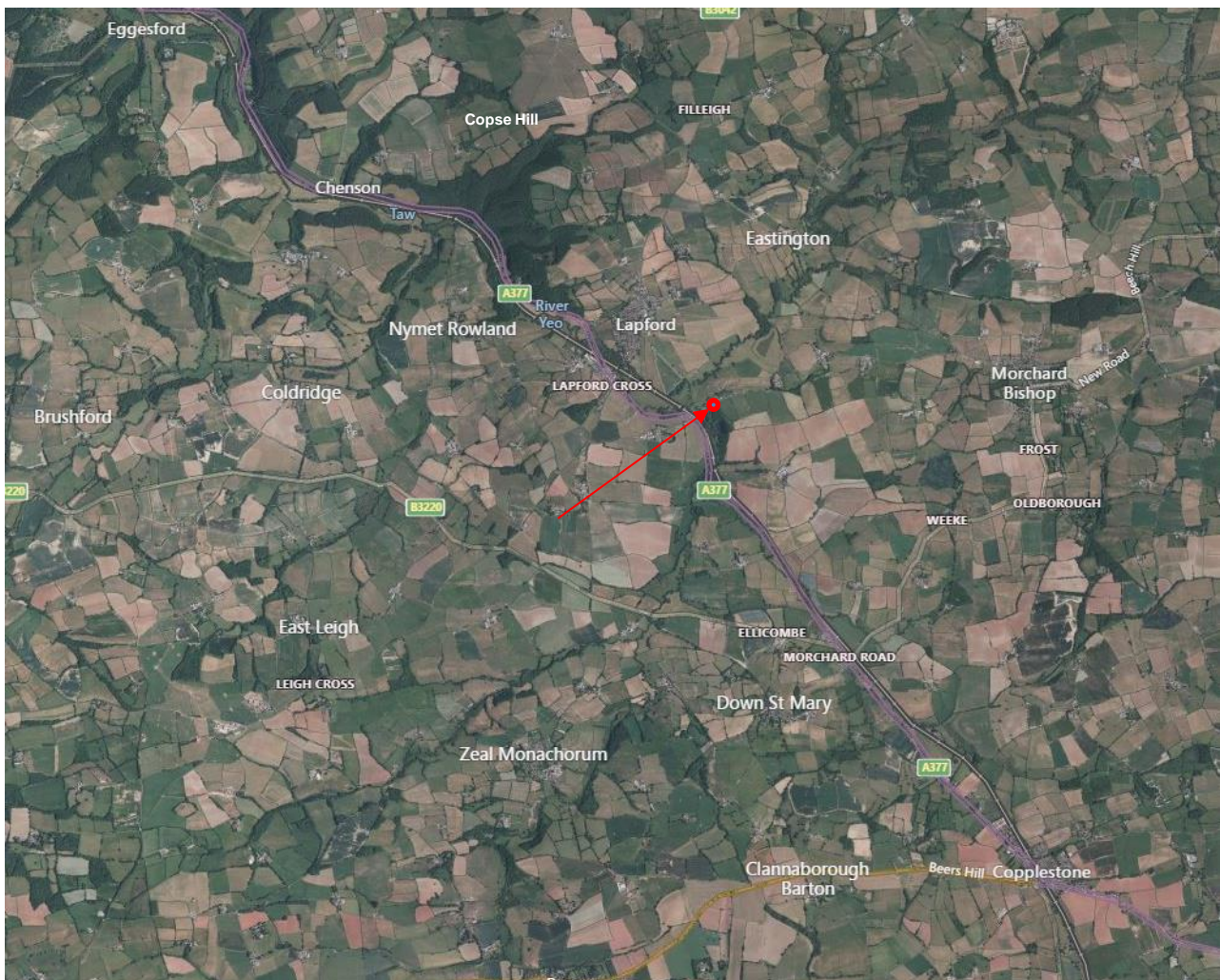


Diagram 1: Site Location (© Bing Maps)

## 2.2 Building Description

The bungalow is roughly L-shaped in plan view and sits under a pitched roof covered with concrete tiles. The main ridge runs roughly east-west and terminates in gable ends. A lower roof protrudes southwards at the western end of the building, linking the garage and office (**Photograph 1**) and a smaller section protrudes south from the eastern end of the main roof (**Photograph 2**). The walls are part exposed brick and part rendered blockwork and windows, doors, soffits and fascias are uPVC.

A loft void occurs over the whole footprint of the property, with the main loft being c.2.5m high to the ridge. Smaller voids occur over the garage and eastern portion of the building, with free access between all voids from within the loft. The loft is partially boarded and trussed rafter roof timbers are visible throughout. The roof is lined with bituminous sarking felt and blockwork of gable ends is exposed.





## 3 METHODS

### 3.1 Desk Study

The following sources were searched on 20<sup>th</sup> August 2022 to provide geographical context and to assess whether the proposals have the potential to impact other protected species or sites:

- The Government's mapping website MAGIC (<https://magic.defra.gov.uk/>) was used to search for priority habitats and statutory sites designated for nature conservation within 2km.
- MAGIC was also searched for internationally designated sites within 10km, and for European Protected Species licences issued by Natural England in the surrounding area since 2008, over a 2km radius.
- The Devon Environment Viewer (<http://map.devon.gov.uk/DCCViewer>) was used to search for priority habitats and statutory sites designated for nature conservation within 2km.
- Aerial photography (<https://wtp2.appspot.com/wheresthepath.htm>) was reviewed to assess connectivity between the Site and areas in the local landscape which may be of importance for protected species (wildlife corridors).

### 3.2 Field Survey

#### 3.2.1 Preliminary Roost Assessment

The structure was assessed for its potential to support roosting bats on the 18<sup>th</sup> July 2022. The survey was carried out by Principal Ecologist Chris Turner BSc MCIEEM.

The structure was assessed externally for signs of bats and points where bats could gain access. Close focusing binoculars, a Rigid CA300 Endoscope and high-powered torch were used where appropriate. A search was made for features which could provide suitable roosting spaces for bats, such as gaps beneath roof coverings, gaps around windows and door frames. Any direct signs (such as droppings stuck to walls) as well as features of potential value to bats were noted on hand drawn maps.

A systematic search was made of all internal areas for the presence of bats, potential roosting sites and evidence such as bat droppings, carcasses and feeding remains (insect fragments).

In line with best practice guidance (Collins, 2016), the structure was prescribed a category based on its potential to support roosting bats as detailed in **Table 1**.

**Table 1: Bat Roost Potential (as detailed in Collins, 2016)**

Suitability	Description of bat roosting potential
Negligible	The building is not considered suitable for bats
Low	A structure with one or more potential roost sites that could be used on a sporadic or occasional basis for feeding or solitary day roosting
Moderate	A structure with one or more areas suitable for roosting due to the features size, shelter, protection, conditions and surrounding habitat that could be attractive to bats and potentially support maternity roosts
High	A structure with many areas suitable for roosting with a large number of potential access points obviously suitable for use by larger numbers of bats on a more regular basis. These are normally sheltered locations, subject to low variation in temperature
Roost	Bats and/or evidence of bats found





### 3.2.2 Evening Emergence Surveys

As some evidence of bats was found within the building and the building presented some potential access points, being assessed as having **moderate** suitability for roosting bats, two evening emergence surveys were conducted, following best practice guidelines (Collins 2016) on the dates detailed in **Table 2**.

**Table 2: Emergence Survey Details**

Date	Sunset time	Start time	Survey length (time)	Weather	Personnel	Equipment used
09/08/2022	20:47	20:30	1 hour 45 min	Dry, 21°C, 10% cloud cover, wind (Beaufort) F0-1 W	Chris Turner MCIEEM Sam Spears BSc Tamsin Quinn	Echometer Touch Pro Anabat Scout
23/08/2022	20:20	20:05	1 hour 45 min	Dry, 22°C, 50% cloud cover, wind F1 SW.	Sam Spears BSc Tamsin Quinn Phil Spears	Echometer Touch Pro

Three experienced surveyors were positioned around the building with a clear view of any potential access points. The surveys commenced 15 minutes before sunset and continued for approximately one and a half hours after sunset, covering the usual emergence times of UK bat species. All surveys were completed during suitable weather conditions of at least 10°C temperature at the start of the survey, and with light winds, the first survey had light rain to begin with, but by sunset this had passed.

### 3.2.3 DNA Analysis

Some bat species are difficult to tell apart from field signs or observation alone. Therefore, in order to establish the species of bats found roosting in the building, one sample of bat droppings were recovered from the western end of the loft prior to the first emergence survey. The sample was sent to Surescreen Scientifics Ltd. <https://www.surescreenscientifics.com/forensic-ecology/bats/>. The analysis follows a standardised procedure for DNA extraction, PCR amplification of bat DNA using universal markers that amplify DNA from all bat species.

## 3.3 Nesting Bird Survey/ Other Protected or Notable Species

The structure was inspected for evidence of and potential for nesting birds.

The Site and immediate surroundings were assessed for the presence of and potential for other protected, notable, or invasive species which could be impacted by proposals.

## 4 LIMITATIONS

Care has been taken to ensure that balanced advice is provided on the information available and collected during the study periods, and within the resources available for the project. However, the possibility of important ecological features being missed due to survey timings, absence during surveys or the year of survey cannot be ruled out. In addition, the lack of evidence or records of protected species on Site does not preclude their presence from Site.



## 5 RESULTS

### 5.1 Desk Study

The search of <https://magic.defra.gov.uk/> returned no records of EPS (Bats) licences granted within 2km of the Site since 2008.

No internationally designated sites lie within 5km and no nationally designated sites lie within 2km of the Site.

The Site does not lie within any consultation zones for protected species and no Habitats of Principal Importance (HPI under the NERC Act 2006) are present within the development boundary.

Owing to the small scale of the proposals, and limited impacts, it is considered that consultation with the Local Biological Records Centre would add little value to the assessment.

### 5.2 Field Survey

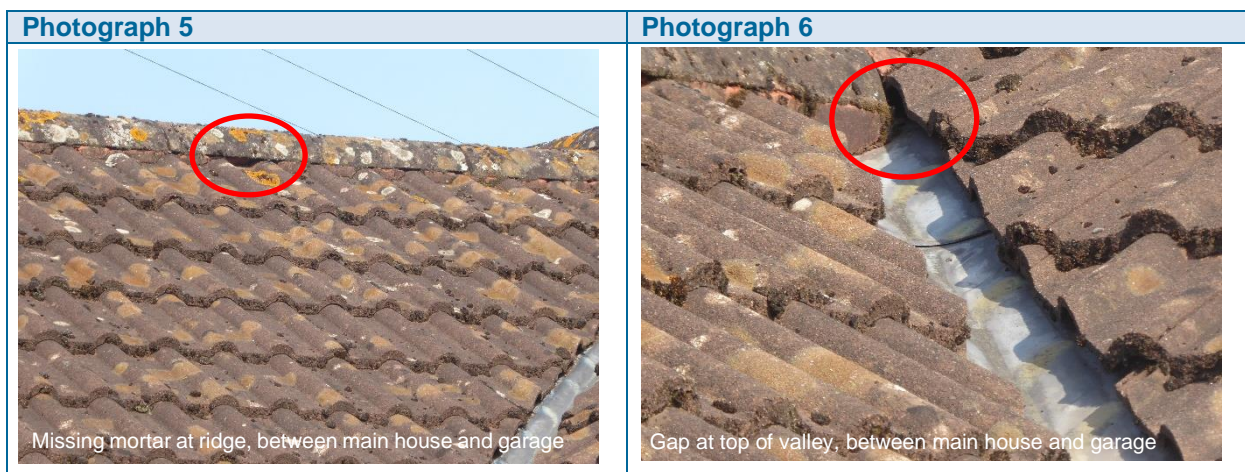
The habitats within the curtilage of the Site and where potential impacts are predicted are of **negligible** conservation importance, comprising hardstanding. These will not be affected by proposals.

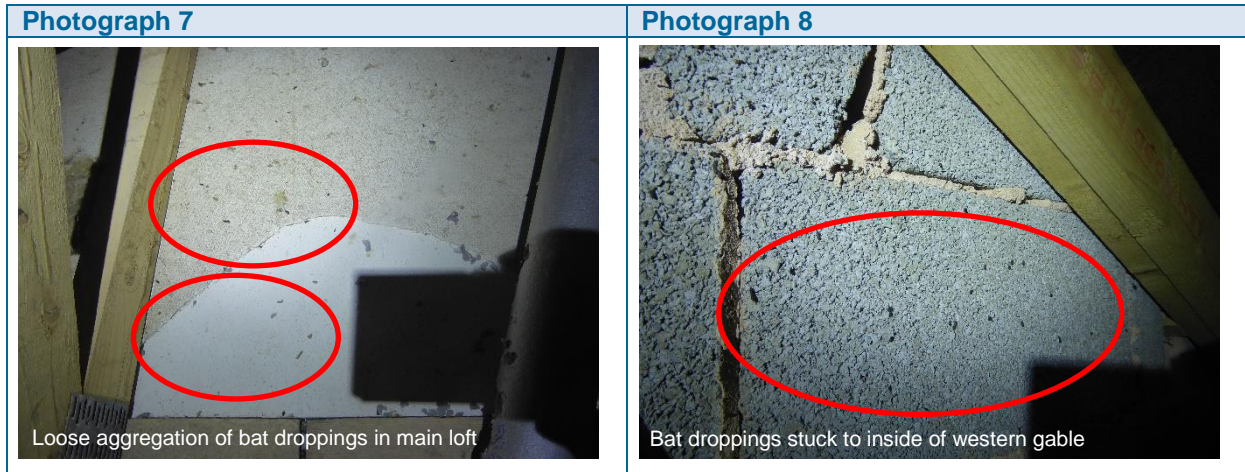
### 5.3 Preliminary Roost Assessment

The building presented potential access for bats beneath ridge tiles, where mortar had fallen away (**Photograph 5**) and between lead and tiles in valleys (**Photograph 6**). Soffits and fascias were in sound condition and no further potential access points were noted, other than within the roof covering.

Three loose aggregations of bat droppings were found on the floor of the loft, below the ridge. By their size, coarse texture and irregular shape, it is considered that they were deposited by a long-eared *Plecotus* bat. Aggregations numbered 20-50 droppings (**Photograph 7**), indicating a roost of a single or low number of bats and nothing to indicate a more significant colony, such as a maternity roost; where female bats gather in large numbers (20-60) to raise their young during the summer months. Approximately 20 bat droppings were also adhered to the inside of the western gable wall, below a crevice at the wall top (**Photograph 8**). These droppings were congruent with long-eared bats. The droppings were varying ages, with more recent droppings (less than 3 months) being dark in colour and older droppings (over a year) being much paler and beginning to lose their form.

Hibernation potential was low as the building lacked damp, thermally stable conditions.





### 5.3.1 Evening Emergence Surveys

#### Visit 1 – 9<sup>th</sup> August 2022

A long-eared bat emerged from the western side of the building, 43 minutes after sunset. It was not clear exactly where it emerged from but by its flight path, it either emerged from the top of the valley, or beneath a ridge tile as shown in **Photograph 9** below. No other bats emerged from the building but all surveyors recorded regular foraging and commuting from common and soprano pipistrelles *Pipistrellus pipistrellus*/*P. pygmaeus* from 15 minutes after sunset until the end of the survey. Other species recorded (but not associated with the building) were noctule *Nyctalus noctula* and Myotis species.



#### Visit 2 – 23<sup>rd</sup> August 2022

No bats emerged from the building during this survey but foraging and commuting activity was recorded by all surveyors as before.



### 5.3.2 DNA analysis

The sample of bat droppings could not confirm species owing to the age of the droppings.

## 5.4 Nesting Bird Survey

No birds' nests were recorded in or on the building and the building presented low nesting potential.

## 5.5 Other Protected/ Notable Species

The presence of badger, dormice, reptiles or other protected species is considered extremely unlikely owing to the limited extent of the proposals and the nature of the habitats present. Other protected species are not considered further.

## 6 FURTHER SURVEY WORK

It is considered that the survey effort reported above is sufficient to provide an assessment of the likely significant effects of the development proposals on ecological features and to inform the mitigation strategy detailed below. No further ecological survey work is considered necessary in order to determine the current planning application and the results are considered valid for one year.

If there are any changes to the proposals or if any significant amount of time has passed since the date of this report, a re-appraisal may be required.

## 7 IMPACT ASSESSMENT AND MITIGATION

### 7.1 Designated Sites

No impacts are predicted to designated sites owing to the small scale of the proposals and the distance of the Site from any designated sites.

### 7.2 Bats

**Table 3** summarises the bat roosts found on site along with their conservation significance.

**Table 3: Summary of bat roosts found on Site (See Appendix 2)**

Species and number	Roost type	Location and notes	Conservation significance
Brown long-eared bat <i>Plecotus auritus</i> *	Day, non-breeding individual	Access to whole loft, with egress point at western end of building beneath ridge or at top of valley	Low

\*Species was not confirmed by DNA analysis as insufficient DNA was retrieved from the sample. On balance, it is considered that the building is used by the more common brown long-eared bat rather than the extremely rare grey long-eared bat. The site lies within marginal habitat and geographical location<sup>1</sup> and the roost type is not typical for known GLE roosts which are more usually found in large, open barns (pers. comm. G. Bemment).

<sup>1</sup>Figure 2: Conserving grey long-eared bats (*Plecotus austriacus*) in our landscape: a conservation management plan, (Whitby et al) and Mammal Society



Renovating the building including extending into the loft will result in the modification/ disturbance of the bat roost and risks killing/ injuring bats in the absence of mitigation. These activities would be an offence under current legislation and impacts would be major adverse at the Site level only owing to the low number of bats found roosting on Site. These impacts cannot be avoided or mitigated and therefore, **a licence will be required from Natural England to derogate from an offence being caused by the works.**

The bat roost found is of low conservation significance and the total number of bats is within the threshold under Natural England's Bat Mitigation Class Licence (BMCL) WML-CL21. Therefore, the Site can be registered under Annex B of the licence, which stipulates no more than three roosts of low numbers of common species (considered to be less than 10 collectively).

The licence would be applied for under reasons of Overriding Public Interest (IROPI) and is used to allow activities which would otherwise be an offence under current legislation. Further details are provided in **Appendix 3.**

As the roost is of low conservation significance and hibernation potential was low, upon successful registration of the Site, works may proceed (under supervision) at any time of year.

One tree or building-mounted bat box will be installed prior to commencement of works, to act as a receptor site if a bat is found during works and as the roosting site and access points in the western gable can be recreated post construction, no specific compensation is required, as long as the western part of the roof retains the traditional bituminous felt sarking as shown in the accompanying planning drawing.

Local bat populations forage and commute around the Site but the Site is not considered to be a particularly important resource for local bat populations. Nevertheless, additional lighting, if required, must be carefully placed to avoid illuminating Site boundaries. Best practice guidance detailed in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT, ILP, 2018) should be followed when siting lights both on and within buildings. Furthermore, security lighting will point downwards and be set on motion sensor with short duration (30s or less). This will ensure that no light barriers are introduced to foraging and commuting bats.

### 7.3 Nesting Birds

No impacts are predicted to nesting birds and no mitigation is required.

## 8 ENHANCEMENTS

In order to enhance the Site for nesting birds and roosting bats, it is recommended that:

- one surface-mounted crevice-type bat box will be installed near the apex of the eastern elevation of the existing building. A Vivara-pro woodstone midi bat box would be suitable.
- One sparrow terrace will be installed under the eaves of the east elevation of the building.

It is recommended that any new landscaping includes a range of shrubs, suitable for the local conditions but of benefit to wildlife. Ideally native species will be selected over purely ornamental plants. A range of plants will be selected from the RHS Plants for pollinators list, downloadable from the RHS website<sup>2</sup>.

These enhancements are recommended to achieve a net gain for biodiversity in accordance with the aims of the NPPF and local policy.

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<sup>2</sup> <https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators>



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## 9 CONCLUSIONS AND RECOMMENDATIONS

The survey data reported above is considered sufficient to assess the potential impacts from proposed works and steps have been recommended taking the mitigation hierarchy into account. The Site is considered to be of relatively low ecological interest, but adverse impacts are predicted on roosting bats in the absence of mitigation.

Once permission has been granted and prior commencement of works, **a mitigation (bats) licence will be required from Natural England to derogate from an offence being caused under current legislation.** Once the licence has been granted, works may proceed at any time of year.

Enhancement measures have been recommended with the aim of providing a net biodiversity gain, contributing to the aims of National Planning Policy Framework and local policy. Enhancement measures have been recommended with the aim of providing a net biodiversity gain, contributing to the aims of National Planning Policy Framework and local policy.



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## 10 REFERENCES

Bat Conservation Trust/ Institute of Lighting Professional (2018) *Guidance Note 08/18 - Bats and Artificial Lighting in the UK*. Bats and the Built Environment Series.

BSI (2013) BS42020: 2013 *Biodiversity. Code of practice for planning and development*. British Standards Institution, London, UK.

CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal (3rd Edition)*. Chartered Institute of Ecology and Environmental Management, Winchester.

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

DEFRA (2011) *Biodiversity 2020: A strategy for England's wildlife and ecosystem services*.



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## Appendix 1 – Protected Species Legislation

### Bats

All species of bat and their breeding sites or resting places (roosts) are protected under Regulation 41 of The Conservation of Habitats and Species Regulations 2017 and Section 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence for anyone to:

- Deliberately capture, kill or injure a bat;
- Intentionally or recklessly to disturb a bat or group of bats in a roost;
- Damage or destroy any place used by bats for shelter, (whether they are present or not);
- Intentionally or recklessly obstruct access to a bat roost;
- Possess, or offer a bat (dead or alive) or part of a bat for sale or exchange.

Licences to permit illegal activities relating to bats and their roost sites can be issued for specific purposes. These are sometimes called 'derogation licences' or 'European Protected Species EPS' licences. These are issued by the relevant Statutory Nature Conservation Organisation (SNCO) under the Habitats Regulations e.g. Natural England (NE) in England.

### Habitat and Species Legislation

Species and habitats receive legal protection in the UK under various legislation, including:

- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Conservation of Habitats and Species Regulation 2019 (EU Exit);
- The Countryside Rights of Way (CRoW) Act 2000;
- The Hedgerows Regulations 1997;
- The Protection of Badgers Act 1992; and
- The Natural Environment and Rural Communities (NERC) Act 2006.

Where relevant, this report takes account of the legislative protection afforded to specific habitats and species.





## Appendix 2 – Conservation Significance of Bat Roost Found on Site

Low	Roost status	Mitigation/compensation requirement (depending on impact)
	Feeding perches of common/rarer species	
	Individual bats of common species	Flexibility over provision of bat-boxes, access to new buildings etc. No conditions about timing or monitoring
	Small numbers of common species. Not a maternity site	
	Feeding perches of Annex II species	Provision of new roost facilities where possible. Need not be exactly like-for-like, but should be suitable, based on species' requirements. Minimal timing constraints or monitoring requirements
	Small numbers of rarer species. Not a maternity site	
	Hibernation sites for small numbers of common/rarer species	Timing constraints. More or less like-for-like replacement. Bats not to be left without a roost and must be given time to find the replacement. Monitoring for 2 years preferred.
	Maternity sites of common species	
<b>Conservation significance</b>		
	Maternity sites of rarer species	Timing constraints. Like-for-like replacement as a minimum. No destruction of former roost until replacement completed and usage demonstrated. Monitoring for at least 2 years.
	Significant hibernation sites for rarer/rarest species or all species assemblages	
	Sites meeting SSSI guidelines	Oppose interference with existing roosts or seek improved roost provision. Timing constraints. No destruction of former roost until replacement completed and significant usage demonstrated. Monitoring for as long as possible.
	Maternity sites of rarest species	
<b>High</b>		

Brown long-eared bat day roost



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## Appendix 3 – Bat Licensing Information

During the licencing process there is a requirement to demonstrate that the application meets the ‘Three Tests’ under the Conservation of Habitats and Species Regulations 2017 (as amended). If met, these tests provide for derogations via the licensing process which allow what would under normal circumstances be illegal acts to take place legally. When considering planning applications local authorities also have a duty to consider whether it is likely that these tests can be met and therefore the likelihood of the EPS licence being granted by Natural England.

The three tests are as follows:

1. Regulation 53(2) (e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
2. Regulation 53(9) (a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.
3. Regulation 53(9) (b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”

The three tests will be met in this case as follows:

- The licence would be applied for under ‘other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’. Additional accommodation is needed, and no alternative properties are available in the area.
- It is considered that there is no satisfactory alternative to the works as the family is growing and so additional space is needed.
- The project will not be detrimental to the population of bats in their natural range, because proportionate mitigation measures and appropriate supervision will be put in place to minimise impacts to roosting bats and to allow bats to continue to roost on Site.

