

Bat Survey Report

School House, Townfield, Co. Durham, DH8 9UR



Client: Carolyn Ridley

Date: 4th October 2022

Author: Tim Sexton

Client:	Carolyn Ridley
Site/Job:	School House, Townfield, Co. Durham, DH8 9UR
Author Contact details:	Tim Sexton tim@tyne-ecology.co.uk 07720467577
Local Planning Authority:	Durham
Planning application reference:	
Report reference:	TE2022-NY95134836/Bat/Ver-1.0
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what3words:	https://w3w.co/hamsters.nuance.trading

Surveyor Contact details:	Tim Sexton tim@tyne-ecology.co.uk 07720467577
Desk Study Field Survey Dates	July 2022 08/08/2022 24/08/2022

VERSIONING AND QUALITY CONTROL

Status	Version	Author	Reviewed by	Date
Final	1.0	Tim Sexton, BSc Hons	Debbie Goldsmith	4 th October 2022

DISCLAIMER

This document has been prepared by Tyne Ecology for Carolyn Ridley solely as a Bat Survey Report. Tyne Ecology accepts no responsibility or liability for any use that is made of this document other than by the client for the purposes for which it was originally commissioned and prepared.

The evidence which we have prepared and provided is true, and in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

LONGEVITY

Survey data should ideally be from the last survey season before a planning or licence application is submitted, although the length that survey data remains valid should be decided on a case-by-case basis and is dependent upon several factor (Collins, 2016).

If development works do not begin within eighteen months to two years of the date of the last survey (24/08/2022), an update survey may be required in accordance with guidance in BS 42020:2013¹ and CIEEM (2019), to determine if conditions and evidence of bat use has changed since described in the current report.

¹ As set out in Section 6.2.1, Point 7 which states that ecological information should not normally be more than two/three years old, or as stipulated in good practice guidance.

SUMMARY

Brief and Site Location	This report presents the findings of a bat emergence survey of an outbuilding at the School House, Townfield, Co. Durham, DH8 9UR (Ordnance Survey Grid Reference centred at: NY 9513 4836), referred to in this report as B1.
Proposed Works	Plans are to convert the outhouse into a habitable dwelling.
Surveys undertaken	<p>A preliminary roost assessment (PRA) was undertaken by Tyne Ecology in July 2022. The PRA determined that the building B1 was used by roosting bats with the presence of a brown long-eared bat seen roosting. This report should be read in conjunction with the Preliminary Roost Assessment Report (PRA) (Tyne Ecology, July 2022).</p> <p>Two surveys were undertaken:</p> <ul style="list-style-type: none"> • Dusk emergence survey 08/08/2022 • Dusk emergence survey 24/08/2022
Survey Results	<p>The bat emergence surveys found a single brown long-eared bat using B1 as a day roost (See Appendix V: Roost Definitions), emerging under the eaves of B1.</p> <p>There were gaps suitable for nesting birds, however there was no current evidence of nesting birds nor evidence of any old nests.</p>
Requirements for Additional Surveys	No further surveys required of B1.
Recommendations Bats	<p>A Bat Mitigation Licence must be obtained for the works to be legally undertaken. Such a licence allows for derogation from the legal protection afforded to bats and their roosts and is required to allow the roost site to be legally destroyed and bats to be disturbed. At the time of writing a Bat Mitigation Class Licence (BMCL) would be appropriate for this development proposal and can be used by a Registered Consultant (RC) after registering the site with Natural England.</p> <p>In order to rely on the BMCL, a detailed method statement must be prepared by a RC to ensure that bats are not killed or injured and the site must be registered with Natural England before works commence.</p> <p>The full detail of the mitigation necessary to avoid bats being killed or injured and ensure that the population is maintained at a favourable conservation status, cannot be finalised prior to consultation with the building contractor. However, sufficient detail is provided in section 5.5 of this report to confirm that the works can be carried out with minimal risk of bats being killed or injured, and without negative impact on the favourable conservation status of bats.</p> <p>Existing roost and roost access will be retained and, as enhancements, additional roost access provided. See section 5.6 of this report.</p> <p>An existing security light will be removed/replaced to follow lighting guidance Bats and Artificial Lighting - https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/</p>

Recommendations Birds	Works should avoid the bird nesting season March to August inclusive. If this period cannot be avoided a nesting bird check must be undertaken immediately prior to commencing works by a suitable experienced ecologist. If nesting birds are found to be present, works will have to be postponed until active nests and dependent young are no longer present.
Conclusions	Providing the recommendations given within this report are successfully implemented, the proposed development can proceed without detriment to the maintenance of the population of bats at a favourable conservation status and without impacts on other protected species and habitats.

IMPORTANT NOTE:

It should be noted that implementation of the recommendations listed within this report may be made a condition of any planning permission granted and therefore this report should not be submitted in support of a planning consent application if there is any doubt that all of the recommendations can be fully implemented.

Local Planning Authorities (LPA) may attach a condition to any consent issued that an Ecological Method Statement is submitted for approval by the LPA before works commence.

The recommendations within this report are those we consider are necessary to allow an LPA to grant planning consent. However, if you believe any recommendation may be problematic for your development, please contact Tyne Ecology to discuss any concerns before submitting this report in support of a planning application.

Licensing: *Where a licence is required from Natural England, updating surveys maybe required as a licence application requires survey data from the previous survey season. A licence must be in place prior to any works taking place to avoid a criminal offence being committed. This includes installation of scaffold that can result in obstruction of roosts.*

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1 INTRODUCTION

- 1.1 Tyne Ecology was commissioned by Carolyn Ridley (the client) to undertake two bat emergence surveys of an outbuilding at the School House, Townfield, Co. Durham, DH8 9UR (the site) centred at grid reference NY 9513 4836.
- 1.2 Plans are to convert the outhouse into a habitable dwelling.
- 1.3 The principal author of this report is Tim Sexton, who holds a BSc Honours degree in Environmental Studies, Natural England Bat Licence Level 2 no: 2020-44753-CLS-CLS, and qualifying membership of the Chartered Institute of Ecology and Environmental Management (CIEEM), membership no: 17054. He has 18 years' experience surveying for bats.

Site description

- 1.4 The site is in a small rural hamlet on the edge of moorland in the North Pennines.



Figure 1: Aerial image of the site (red dot denotes the site). Image used under licence (Google 2022). Imagery date 22/07/2022.

Purpose of this report

- 1.5 This report aims where possible to provide sufficient information for the local planning authority to fully assess the potential ecological impacts of the proposed development on bats and birds, or alternatively, to identify what further information is required to fully inform the scheme.
- 1.6 The results of the bat surveys have been used to establish the need for, and extent of, any mitigation or compensation measures required as part of the proposed development.

2 METHODOLOGY

Bat emergence surveys

- 2.1 Two bat emergence/re-entry surveys were undertaken of an outbuilding at the School House, Townfield, Co. Durham, DH8 9UR, referred to in this report as B1.
- 2.2 Three surveyors undertook the survey, each equipped with a full spectrum bat detector (Anabat Scout), 4 x Guide TrackIR Pro 19 thermal cameras, and survey sheets and pens.
- 2.3 The position of each surveyor was noted along with the detector they used (numbered).
- 2.4 Note was made of all bat activity recorded including (where appropriate) roost access points, species, time of roost emergence/re-entry, direction of flight, behaviour (foraging or commuting) and use of landscape features.

Surveyor information

- 2.5 The survey was undertaken by surveyors as detailed below in table 1.

Table 1: Surveyor information.

Surveyor	Licences & Survey Experience	Survey(s)	Position/detector
Debbie Goldsmith	1 years' experience surveying for bats.	Dusk 08/08/2022 Dusk 24/08/2022	1/DG 2/DG
Graeme Smart	Natural England Bat Licence Level 3 (cl19) no: 2016-23158-CLS-CLS Natural England Bat Licence Level 4 (cl20) no: 2015-12414-CLS-CLS 22 years' experience of surveying for bats.	Dusk 24/08/2022	1/7
Ken Wright	5 years' experience surveying for bats.	Dusk 24/08/2022	3/5
Emma Surtees	5 years' experience surveying for bats.	Dusk 08/08/2022	3/3
Mick Surtees	2 years' experience surveying for bats.	Dusk 08/08/2022	2/4

Limitations and assumptions

- 2.6 No limitations were encountered, or assumptions made, and it is considered that, with the access gained and recording undertaken, an accurate assessment of the site's ecological value in relation to bats has been made.

3 RESULTS

Bat Emergence/Re-entry Surveys

Timing and conditions

3.1 The survey timings and weather conditions during the surveys are shown in Table 2.

Table 2: Survey timings and weather conditions.

Date	Type	Survey Timing			Conditions [start/finish]			
		Start	End	Sunset/ Sunrise	Temp [°C]	Cloud Cover [Oktas]	Wind Speed [Beaufort]	Rain
08/08/2022	Dusk emergence	20:41	22:56	20:56	20/18	0/2	1/1	Nil
24/08/2022	Dusk emergence	19:56	22:25	20:20	15/13	6/5	0/3	Nil

3.2 The results of the bat emergence survey are summarised in Table 3.

Table 3: Bat activity survey results. SS±xx refers to the time in minutes before/after sunset and SR±xx refers to the time in minutes before/after sunrise.

Survey type and date	Roosts / points of interest	General observations
Dusk emergence 08/08/2022	One brown long-eared bat was observed emerging from B1 at 22:25.	The first bat recorded, was a common pipistrelle at 21:08 (SS+12). 302 recordings of common pipistrelle were made during the survey. 42 recordings of soprano pipistrelle were made with the first at 21:44 (SS+48). 4 recordings of noctule were made with the first at 22:25 (SS+89). 1 Myotis was recorded at 22:46 (SS+90). A brown long-eared bat was captured on thermal video emerging from B1 at 22:25 (89). Bats seen infrequently during survey foraging around the site, Two bats noted emerging from nearby School House property.
Dusk emergence 24/08/2022	No bats were seen emerging from B1.	The first bat recorded was a common pipistrelle at 20:49 (SS+29). 344 recordings of common pipistrelle were made during the survey. 12 recordings of soprano pipistrelle were made with the first at 20:54 (SS+34). 1 Myotis was recorded at 21:28 (SS+68). Bats were seen infrequently during survey foraging around the site,

3.3 The bat roost entrance in B1 is shown in fig 2 and fig 3 below.



Figure 2: Bat roost entrance location.



Figure 3: : Brown long-eared bat emerging from roost, captured on thermal camera.

4 INTERPRETATION AND ASSESSMENT

- 4.1 The following interpretation and assessment is provided to ensure full compliance with both UK and European legislation and both local and national planning policy (see Appendix VI).

Bat Emergence/Re-entry Surveys

- 4.2 One brown long-eared bat was seen roosting in the apex of the attic roof building B1, during the Preliminary Roost Assessment, and one was observed emerging from B1 on the dusk survey on 08/08/2022 at 22:25.
- 4.3 The roost is considered to be an occasional day roost with a single bat observed and only a small number of scattered bat droppings (characteristic of brown long-eared bats) within the building.

Development plans and potential impacts on bats and birds

- 4.4 Plans are to convert the outhouse into a habitable dwelling which will involve retention of existing roof space and installation of a ceiling using existing rafters.
- 4.5 The development will retain the roof space used by roosting bats and will retain the existing roost access point.
- 4.6 The development could result in the disturbance of bats and bats could be injured/killed during works.

Nesting Birds

- 4.7 There are gaps that could allow nesting birds into the building and active nests could be destroyed during works.

5 CONCLUSIONS AND RECOMMENDATIONS

- 5.1 Tyne Ecology was commissioned by Carolyn Ridley (the client) to undertake two bat emergence surveys of School House, Townfield, Co. Durham, DH8 9UR.
- 5.2 Plans are to convert the outhouse into a habitable dwelling.
- 5.3 Surveys have found an occasional day roost of 1 brown long-eared bat.

Bats

- 5.4 As bats will be disturbed, a Bat Mitigation Licence must be obtained for the works to be legally undertaken. Such a licence allows for derogation from the legal protection afforded to bats and their roosts and is required to allow bats to be disturbed. At the time of writing a Bat Mitigation Class Licence (BMCL) would be appropriate for this development proposal and can be used by a Registered Consultant (RC) after registering the site with Natural England.
- 5.5 The detailed mitigation proposal for bats should be drawn up by a Registered Consultant (RC) able to use the BMCL in consultation with the building contractor specifying or undertaking the works (to ensure that the detailed mitigation proposal is feasible and deliverable from both a construction and an ecological perspective).
- 5.6 While the proposal cannot be finalised prior to the consultation with the building contractor, in general terms the mitigation required will involve:
 - The site being registered with Natural England for the work to be covered under the BMCL before any works commence.
 - A detailed written, method statement (Contractors Method Statement) being produced by the RC setting out the appropriate working methods, and timing of works (avoiding hibernation period Nov-Mar), that will ensure that bats cannot be killed or injured during the work.
 - Prior to any works starting, all contractors being made aware (by means of the Contractors Method Statement and a tool box talk by the RC) of the presence of bat roosts in the building, of the locations known to be used by bats, of their legally protected status, of the working methods and timing to be adhered to, and the appropriate course of action to be taken if bats are found in an unexpected location.
 - Elements of work where there is a risk that bats might be present in the working areas during the works being identified within the CMS and being carried out under the direct ecological supervision of the RC. This may include pre-works checking surveys, endoscope surveys and/or installation of one-way bat exclusion devices to ensure bats cannot be killed or injured during the work. The works requiring ecological supervision are likely to include, but will not necessarily be limited to:
 - Roof repairs
 - Ceiling installation
 - Dismantling or repairs to/repointing of existing walls
 - Installation of biodiversity enhancement measures for bats in the new building being carried out under the guidance and/or following advice from the RC.
- 5.7 The installation of two additional roost access points is considered an appropriate level of biodiversity enhancement for this development. Indicative locations for these are shown on plans below.

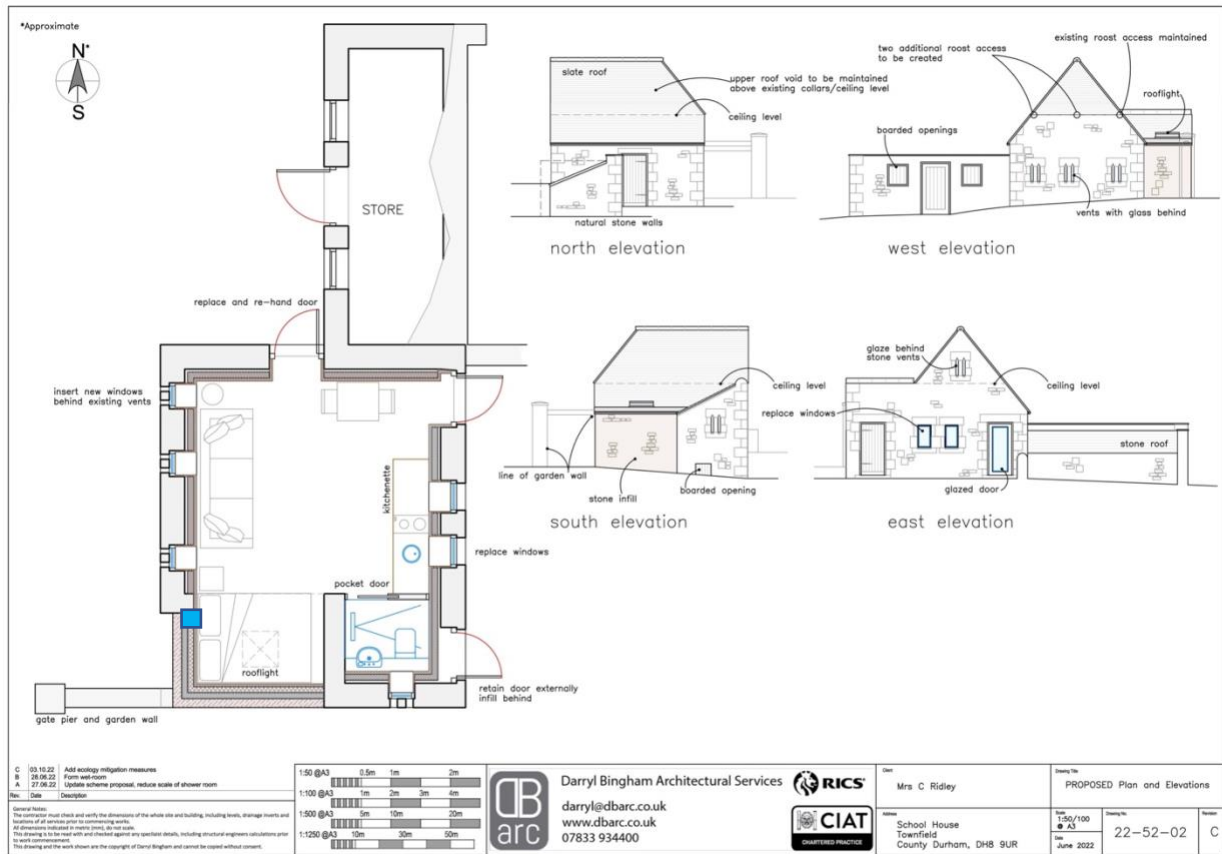


Figure 4: Plans showing mitigation/enhancements for bats.

IMPORTANT NOTE:

It must be noted that **only traditional Type 1F bitumen roofing felt with a hessian matrix can be used** in a building where bats are, or are intended to be, present. Modern roofing membranes (also known as Breathable Roofing Membrane or BRM) cannot be used because of the risk they pose to bats, unless the BRM has a certificate that proves it has passed a ‘snagging propensity test’ as specified by Natural England (See: https://www.gov.uk/government/publications/bats-apply-for-a-mitigation-licence?fbclid=IwAR2i_AJ4C0eKQ9jroVvK0sOpqMVkiYmoCkRjbPbW-6bHdzJO_LLZxAFrGJw). This is a condition of the licence that will be required for the development.

5.8 An existing shower security light will be removed/replaced to follow lighting guidance Bats and Artificial Lighting - <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

Birds

5.9 Works should avoid the bird nesting season March to August inclusive. If this period cannot be avoided a nesting bird check must be undertaken immediately prior to commencing works by a suitable experienced ecologist. If nesting birds are found to be present, works will have to be postponed until active nests and dependent young are no longer present.
Reason: All wild bird species, their eggs and nests are protected by law.

Overall conclusion

5.10 Providing the recommendations given within this report are successfully implemented, the proposed development can proceed without detriment to the maintenance of the population of bats at a favourable conservation status and without impacts on other protected species and habitats.

6 REFERENCES

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

Interim Guidance Note: Use of night vision aids for bat emergence surveys and further comment on dawn surveys. Bat Conservation Trust, May 2022

BSI (2013) BS 42020:2013 Biodiversity - Code of practice for planning and development. British Standards Institution, London.

CIEEM (2019) Advice Note on the Lifespan of Ecological Reports and Surveys <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>

CIEEM (2020) Guidelines for Accessing, Using and Sharing Biodiversity data in the UK. <https://cieem.net/wp-content/uploads/2016/03/Guidelines-for-Accessing-and-Using-Biodiversity-Data-March-2020.pdf>

Mitchell-Jones, A.J. & McLeish, A.P. Ed., (2004) *Bat Workers' Manual* (3rd Edition). Joint Nature Conservation Committee, Peterborough.

Mitchell-Jones, A.J. (2004) *Bat Mitigation Guidelines*. Natural England, Peterborough.

Bats and Artificial Lighting - <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

APPENDIX I: BAT SURVEY PLAN – ROOSTS



Figure 5: Bat survey plan – roosts.

APPENDIX II: DEVELOPMENT PLAN

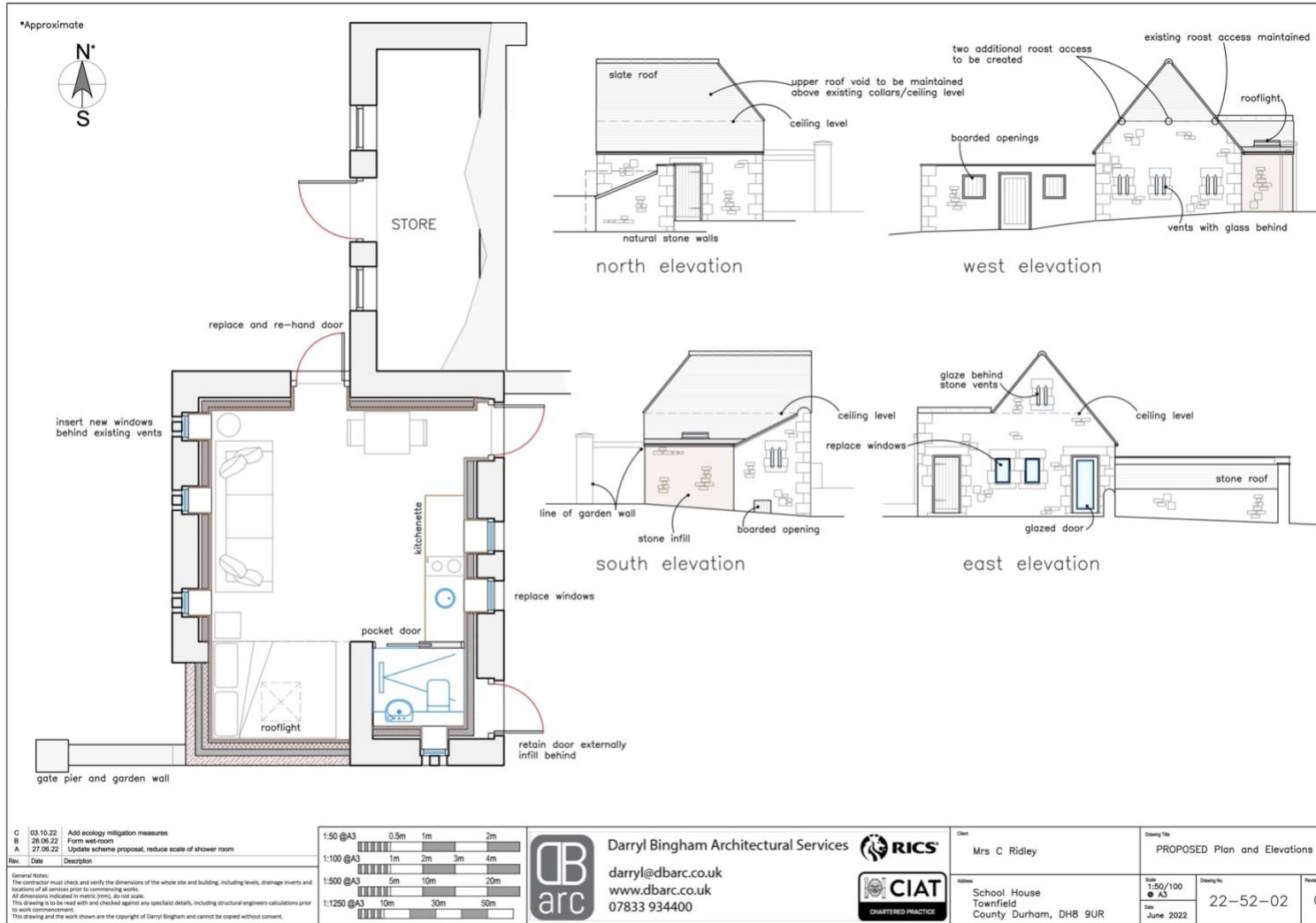


Figure 6: Development/enhancement plan.

APPENDIX III: THERMAL CAMERA FIELD OF VIEWS



APPENDIX IV: SPECIES LIST

To be submitted to the Local Environmental Records Centre.

Site Name: Townfield
Grid Ref: NY 9513 4836
Survey Dates August 2022

Submitted by: Tyne Ecology
Verified by: Tim Sexton

Common name	Scientific Name (if known)	Comment
Common pipistrelle	Pipistrelle pipistrellus	
Soprano pipistrelle	Pipistrellus pygmaeus	
Noctule	Nyctalus noctula	
Myotis	Myotis sp.	
Brown long-eared	Plecotus auritus	Roost, count 1.

APPENDIX V: ROOST TYPES

The definitions of bat roost types are provided below, taken from the *Bat Mitigation Guidelines* (English Nature, 2004) and the Bat Conservation Trust publication *Bat Surveys for Professional Ecologists – Good Practice Guidelines* (Collins, J. (Ed) 2016).

Day roost: a place where individual bats, or small groups of males, rest or shelter in the day but are rarely found by night in the summer.

Night roost: a place where bats rest or shelter in the night but are rarely found in the day. May be used by a single individual on occasion or it could be used regularly by the whole colony.

Feeding roost: a place where individual bats or a few individuals rest or feed during the night but are rarely present by day.

Transitional / occasional roost: used by a few individuals or occasionally small groups for generally short periods of time on waking from hibernation or in the period prior to hibernation.

Swarming site: where large numbers of males and females gather during late summer to autumn. Appear to be important mating sites

Mating sites: sites where mating takes place from later summer and can continue through winter.

Maternity roost: where female bats give birth and raise their young to independence.

Hibernation roost: where bats may be found individually or together during winter. They have a constant cool temperature and high humidity. Sites where hibernating bats have been confirmed by appropriate survey effort should be classed as 'hibernation confirmed'.

Satellite roost: an alternative roost found in close proximity to the main nursery colony used by a few individual breeding females to small groups of breeding females throughout the breeding season.

Other: roost types are interchangeable and not always easy to classify according to the nuances of certain species.

APPENDIX VI: PLANNING POLICY AND LEGISLATION

The following local and national planning policy and both primary and European legislation relating to nature conservation and biodiversity status are considered of relevance to the current proposal.

Planning and biodiversity

Local Authorities have a requirement to consider biodiversity and geological conservation issues when determining planning applications under the following planning policies.

National Planning Policy Framework 2021

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2021) states:

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.*

Legislation and biodiversity

Certain species of animals and plants found in the wild in the UK are legally protected from being harmed or disturbed. These species are listed in the Wildlife and Countryside Act 1981 (as amended) or are named as European Protected Species (EPS) in the Conservation of Habitats and Species Regulations 2017. These two main pieces of legislation have been consulted when writing this report and are therefore described in detail within this section.

Other relevant legislation and policy documents that have been consulted include - The Countryside and Rights of Way Act 2000; Natural Environment and Rural Communities Act 2006; The Hedgerow Regulations 1997; Biodiversity Action Plans, both UK-wide (UKBAP) and Local plans (LBAPs), and The National Planning Policy Framework (NPPF).

There is also legislation that legally protects certain animals - for example, the Protection of Badgers Act (1992) protects badgers and their setts, and the Deer Act (1991) places restrictions on actions that can be taken against deer species.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (see below), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. Signal Crayfish and American Mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and *Rhododendron ponticum*) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonably avoided, or actions within the living areas of a dwelling house.

Licensing: certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence - e.g. bat surveys.

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 came into force on the 01/01/2021 and are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994.

These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function - i.e. when determining a planning application.

There is no defence that an act was the incidental and unavoidable result of a lawful activity.

Licensing: it is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Species protection

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017, making it an offence *inter alia* to:

- Deliberately kill, injure or capture a bat;
- Deliberately disturb bats;
- Damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- Obstruct access to any structure or place which any bat uses for shelter or protection; or
- Disturb any bat while occupying a structure or place which it uses for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural England, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017. All wild birds, their nests and eggs are protected it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any such bird whilst it is in use or being built; or
- take or destroying an egg of any such wild bird.

The law covers all species of wild birds including common, pest or opportunistic species.

Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act.