Bat Survey

Halton Grove Cottage, Corbridge, Northumberland

August 2023

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R01	Draft	15.8.23	1st draft	MEM		
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CONTENTS

TABLES

FIGURES

A. SUMMARY

E3 Ecology were commissioned in July 2023 to undertake a daytime bat risk assessment of a cottage at the Halton Grove wedding venue for a retrospective planning application. The cottage has been extended and clad in timber.

Consultation with the MAGIC website[1] indicated that there are no protected sites listed for bats within 2km. It is within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ), the terms of which are not relevant to this site. The woodland immediately to the north is listed on the Priority Habitat Inventory as deciduous woodland, and on the National Forestry Inventory as broadleaf.

The site is situated in an area dominated by arable and pasture land with hedgerows and small woodland pockets. There is a small area of broadleaf woodland immediately to the north of the site. Overall, the habitats present in the local area are of moderate suitability for use by foraging/commuting bats.

The cottage was inspected in December 2020, prior to any works being undertaken. It was found to be well sealed, with rendered walls and a tiled roof, with the loft void lined with timber sarking. Boxed eaves appeared well sealed. A small flat roofed extension was present to the rear. No field signs for bats were recorded and potential roosting opportunities were limited to a small number of sub-optimal features. The building was considered of low-negligible suitability for roosting bats.

Survey of adjacent an old stone stable range considered of moderate suitability in 2020 recorded use by small numbers of common and soprano pipistrelle, Myotis and brown long eared bats. No evidence of a maternity roost was recorded.

By August 2023, the flat roofed rear extension had been demolished and a larger pitched roof extension had been added to the rear of the building, and the whole building clad in timber. The cladding covers existing boxed eaves and the gable ends are sealed with metal/plastic verges. Potential roosting features are present at the ends of the modern ridge tiles. The building is considered of low-negligible suitability.

The gardens surrounding the cottage have been renovated, with some additional gravel parking added. The extension is on the footprint of the former smaller flat roofed extension and an area of hard standing/gravel. No trees or woodland has been affected by the proposals. Lighting remains low level. Bat and bird boxes have already been provided within the adjacent woodland as part of wider compensation/enhancement proposals.

Potential impacts of the development are considered likely to have been:

- The loss of a small number of potential roost sites.
- Disturbance or harm to a small number of bats that had a low risk of using the building at the time of works.

As works have already been completed, no construction mitigation can be considered. The following compensation measures are proposed:

- Crevice roosting opportunities associated with the new roof will be retained.
- Two bat boxes will be erected, one on each western gable end. Boxes will be woodcrete or other similar long lasting material (eg Beaumaris Woodstone or Schwegler 2FE or similar)

[1] MAGIC website: www.magic.gov.uk

The local planning authority and Natural England are likely to require the means of delivery of the mitigation to be identified. It is recommended that compensation proposals are incorporated into the planning documents.

If you are assessing this report for a local planning authority and have any difficulties interpreting plans and figures from a scanned version of the report, E3 Ecology Ltd would be happy to email a PDF copy to you. Please contact us on 01434 230982.

B. INTRODUCTION

E3 Ecology Ltd was commissioned in July 2023 to undertake a daytime bat risk assessment of a cottage at Halton Grove, Corbridge to address a retrospective planning application.

The purpose of this report is:

To detail the results of the survey work of the building on site that has been undertaken for bats.

To set out the compensation measures required to ensure compliance with nature conservation legislation and to address any potentially significant effects

The site is located to the north east of Corbridge at an approximate central grid reference of NZ 02199 68082.

The figures below illustrate firstly the site boundary and secondly, to provide context, the broad habitats present on site and within an approximate 500m buffer zone.

FIGURE 1: SITE BOUNDARY (PRE-EXTENSION)
(Reproduced under licence from Google Earth Pro.)

FIGURE 2: SITE AND SETTING
(Reproduced under licence from Google Earth Pro.)

B.1 CURRENT DEVELOPMENT INFORMATION

The retrospective planning application is for the demolition of a small rear flat roofed extension, the addition of a larger pitched roof extension, re-roofing the original structure and cladding all the building in timber.

FIGURE 3: COTTAGE PRE AND POST DEVELOPMENT

C. METHODOLOGY

C.1 SCOPE OF STUDY

The scope of the study, in terms of the survey area and the desk study area, is based on professional judgement. The scope has been determined based on the site's characteristics, the nature of the surrounding area, the development proposed at the time of reporting and the likely associated zone of influence.

For this site the survey area comprised the green line boundary as defined within the figure in section B. The survey area included potential roost sites within and adjacent to the survey area that may be affected by the proposed development.

The desk study included an assessment of land-use in the surrounding area and a data search covering a 2km buffer zone (see below for further detail).

The level of survey effort employed at the site has taken account of the recommendations within the Bat Conservation Trust Good Practice Survey Guidelines[2].

C.2 DESK STUDY

Initially, the site was assessed from aerial photographs and 1:25,000 Ordnance Survey maps and the MAGIC website was checked for relevant records.

C.3 PRELIMINARY FIELD STUDY METHODOLOGY

C.3.1 PRELIMINARY ASSESSMENT

The potential suitability of the habitats within the survey area in relation to commuting and foraging bats was classified as negligible, low, moderate or high, based on guidelines provided by the Bat Conservation Trust[3] and detailed within the table below.

TABLE 1: GUIDELINES FOR ASSESSING THE POTENTIAL SUITABILITY OF PROPOSED DEVELOPMENT SITES FOR BATS, BASED ON PRESENCE OF HABITAT FEATURES WITHIN THE LANDSCAPE.
(TO BE APPLIED USING PROFESSIONAL JUDGEMENT, TABLE 4.1 BAT SURVEY GUIDELINES)

Suitability	Commuting and foraging habitats
Negligible	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or un-vegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge.

[2] Collins, J. (ed) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edition). Bat Conservation Trust
[3] Collins, J. (ed) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edition). Bat Conservation Trust

	High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland tree lined watercourses and grazed parkland. Site is close to and connected to known roosts.

C.3.2 DAYTIME BAT RISK ASSESSMENT (STRUCTURES)

A daytime assessment was made of all structures affected by the proposed development, in order to evaluate their potential for supporting bat roosts and, where present, to record signs of use by bats.

Structures were inspected both externally and internally where access was available. Binoculars and extendable ladders were used to assist with the inspection for droppings and other field signs.

Where present, soffits, purlins and ridge boards were searched thoroughly, together with the walls and floor under potential roost sites and any mortise joints, particularly in the gable walls. Wherever practicable, roof spaces and attic areas were surveyed for signs of droppings, which persist all year in dry conditions, food debris, entry points and bats themselves. Where bats were present the survey was adapted to avoid disturbance, with identification being confirmed either by recording bats at emergence and analysing the calls or through undertaking DNA analysis of droppings.

Externally, the building was examined for potential roost access points indicated by clean crevices, urine marks, polished wood or stonework and droppings. Particular attention was given to sheltered areas under the eaves of building, window ledges and towards the tops of windows where droppings are less likely to have been washed off.

Structures were categorised as having negligible, low, moderate or high suitability to be used by roosting bats, based on guidelines provided by the Bat Conservation Trust[4] and detailed within the table below.

TABLE 2: GUIDELINES FOR ASSESSING THE POTENTIAL SUITABILITY OF PROPOSED DEVELOPMENT SITES FOR BATS, BASED ON PRESENCE OF ROOSTING HABITAT FEATURES (STRUCTURES) *(TO BE APPLIED USING PROFESSIONAL JUDGEMENT, TABLE 4.1 BAT SURVEY GUIDELINES)*	
Suitability	**Roosting Habitats**
Negligible	Negligible habitat features on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure with one or more potential roost site that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.

Note that comments on the state of the structures within the site relate solely to their potential use by bats and must not be taken as a professional assessment of the structural integrity or safety of the structures. For example, descriptions of walls and roofs being in 'good' or 'poor condition' relate to likely provision of roost sites for bats, potential access routes to roost sites,

[4] Collins, J. (ed) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edition). Bat Conservation Trust

and likely persistence of field signs such as droppings and feeding remains, which will not persist in exposed conditions. Maternity roosts are less likely to be present in cool, exposed, damp and draughty locations which may develop in a building in poor condition.

C.3.3 PRELIMINARY SURVEY - EQUIPMENT

High powered torch.
Good quality binoculars.
Digital camera
Extendable ladders

C.3.4 PRELIMINARY SURVEY – DATES & ENVIRONMENTAL CONDITIONS

TABLE 3: DAYTIME SURVEY CONDITIONS

DATE	TEMPERATURE °C	CLOUD COVER %	PRECIPITATION	WIND CONDITIONS
3.12.20	3	100	Dry	F2
19.7.23	17	20	Dry	F0

C.4 PERSONNEL

The table below details the personnel who undertook led the survey work.

TABLE 4: PERSONNEL

Name	Position	Professional Qualifications	Natural England Survey Licence Numbers
Mary Martin	Consultant	BSc MCIEEM	2015-12822-CLS-CLS

Further details of experience and qualifications are available at www.e3ecology.co.uk.

C.5 ASSESSMENT METHODOLOGY

The relative value of the ecological receptors (habitats, species and designated sites) was assessed using a geographical frame of reference. For designated sites this is generally a straightforward process with the assigned designation generally being indicative of a particular value, e.g. Sites of Special Scientific Interest are designated under national legislation and are therefore generally considered to be receptors of national value. The assignment of value to non-designated receptors is less straightforward and as recognised by the Guidelines for Ecological Impact Assessment produced by the Chartered Institute of Ecology and Environmental Management[5], is a complex and subjective process and requires the application of professional judgement.

When assessing the value of species and habitats, relevant documents and legislation are considered including the lists of species and habitat of principal importance annexed to the NERC Act (2006) and those provided within relevant local Biodiversity Action Plans. Data provided through consultation is also considered. These data sources can provide context at a local, regional and national scale.

The table below provides examples of receptors of value at different geographical scales.

TABLE 5: ECOLOGICAL RECEPTOR VALUATION

Level of Value	Examples
International	An internationally designated site or candidate site.

5 Chartered Institute for Ecology and Environmental Management (2016) Guidelines for Ecological Impact Assessment in the UK and Ireland - Terrestrial, Freshwater and Coastal

TABLE 5: ECOLOGICAL RECEPTOR VALUATION	
Level of Value	**Examples**
	A site meeting criteria for international designation.
	The site is of functional importance* to a species population with internationally important numbers (i.e. >1% of the biogeographic population)
National	A nationally designated site.
	The site is of functional importance* to a species population with nationally important numbers (i.e. >1% of the national population)
Regional	The site is of functional importance* to a species population with regionally important numbers (i.e. >1% of the regional population)
County	A Local Wildlife Site (LWS) or equivalent, designated at a County level
	The site is of functional importance* to a species population of county value (i.e. >1% of the county population)
District	A Local Wildlife Site (LWS) or equivalent, designated at a District level
	The site is of functional importance* to a species population of district value (i.e. >1% of the district population)
Parish	A species population considered to appreciably enrich the nature conservation resource within the context of the parish.
	Local Nature Reserves
Local	A species population that contributes to local biodiversity but are not exceptional in the context of the parish.
Low	Habitats that are unexceptional and common to the local area.
** Functional importance defined as 'a feature which, based on professional judgement, is of importance to the day to day functioning of the population, the loss of which would have a detectable adverse effect on that population',*	

D. RESULTS

D.1 DESKTOP STUDY

D.1.1 PRE-EXISTING INFORMATION

ORDNANCE SURVEY MAPPING AND AERIAL PHOTOGRAPHY

The most recent aerial photograph of the site (2022, not the one used in this report as the new aerial is of poor quality) indicates that habitats on site are dominated by buildings surrounded by gardens and woodland. Historic imagery suggests that prior to the recent works post 2020, this site had remained largely unchanged since at least 2002.

MAGIC WEBSITE[6]

There are no internationally and nationally statutorily designated sites for bats within 2km. The site does not lie within a SSSI IRZ which is of relevance to this development. There are no records of EPS bat licences having been granted within 2km. Some of the woodland around the building is classed as priority broadleaf woodland.

PREVIOUS E3 SURVEYS

Surveys in 2020 undertaken of the current wedding venue immediately to the west of the cottage, prior to works being undertaken, confirmed the presence of roosts used by a small number of common and soprano pipistrelle, brown long eared and *Myotis* bats. A licence was gained (2021-54451-EPS-MIT) prior to works commencing and key works affecting bat roosts was supervised by the project ecologist. No bats were found during the roof strip of the licensed structure.

D.2 DAYTIME RISK ASSESSMENT

D.2.1 HABITATS

FORAGING HABITATS & COMMUTING ROUTES

The woodland immediately to the north will provide a small area of good quality foraging habitat for bats. The wider area is largely open pasture and arable fields with only small areas of woodland, of moderate suitability for bats.

SHELTERED FLIGHT AREAS

The woodland will provide some shelter from winds.

ALTERNATIVE ROOST LOCATIONS

[6] MAGIC Website: www.magic.gov.uk

Alternative roost locations are present associated with the main house and wedding venue on site, and within the wider area associated with scattered farm buildings and houses.

D.2.2 BUILDINGS

The following text provides building descriptions of the building pre and post development.

Building 1 – Pre-development

Single storey
Rendered walls, fully sealed
Bay window with flat roof
Pitched tiled roof, overall in good condition with occasional gaps at base; these were immediately above a bay window, making them sub-optimal for access
Boxed eaves, tightly sealed
Loft void lined with sarking, with tiles directly attached to sarking.
Small flat roofed extension to rear
Low-negligible suitability

Building 1 (post development)

Single storey
Timber clad walls, generally well sealed
Dual pitched tiled roof, overall in good condition

Flat roofed bay window
Plastic/metal roof verges on gables
Modern ridge tiles, gaps at gable ends
Boxed eaves, enclosed by timber cladding
Two loft voids, not accessible.
Former small flat roofed extension to rear now demolished
Lighting around the building remained low level and low lux
Low-negligible suitability

D.2.3 TREES

No trees have been affected by the works.

D.3 OVERVIEW OF SITE SUITABILITY

TABLE 6: OVERVIEW OF SITE SUITABILITY FOR BATS

HABITATS AND SETTING[7]				
	NEGLIGIBLE	**LOW**	**MODERATE**	**HIGH**
HABITATS AND COVER WITHIN 200M	City Centre	Open, exposed arable, amenity grass or pasture	Hedges and trees linking site to wider countryside	Excellent cover with mature trees and/or good hedges
HABITATS WITHIN 1KM	City Centre	Little tree cover, few hedges, arable dominated	Semi-natural habitats e.g. trees, hedgerows	Good network of woods, wetland and hedges
ALTERNATIVE ROOSTS WITHIN 1KM	City centre	Numerous alternative roost sites of a similar nature	A number of similar buildings in the local area	Few alternative buildings and site of good quality for roosts
SETTING	Inner city	Urban with little green space	Built development with green-space, wetland, trees	Rural Lowland with woodland and trees.
DISTANCE TO WATER/ MARSH	>1km	500m-1000m	200m-500m	<200m
DISTANCE TO WOODLAND/ SCRUB	>1km	500m-1000m	200m-500m	<200m
DISTANCE TO SPECIES-RICH GRASSLAND	>1km	500m-1000m	200m-500m	<200m
COMMUTING ROUTES	Isolated by development, major roads, large scale agriculture	No potential flyways linking site to wider countryside	Some potential commuting routes to and from site	Site is well connected to surrounding area with multiple flyways
BUILDINGS[2]				
	NEGLIGIBLE	**LOW**	**MODERATE**	**HIGH**
AGE (APPROX.)	Modern	Post 1940's	1900-1940	Pre 20th C
BUILDING/ COMPLEX TYPE	Industrial complex of modern design	Single, small building	Several buildings, large old single structure	Traditional farm buildings, country house, hospital
BUILDING - STOREYS	N/A	Single storey	Multiple storeys	Multiple storeys with large roof voids
STONE/BRICK WORK	No detectable crevices	Well pointed	Some cracks and crevices	Poor condition, many crevices, thick walls
ROOF VOID	Fully sealed or flat roof	Small, cluttered void	Medium, relatively open	Large, open, interconnected
ROOF COVERING	Modern sheet materials and tightly sealed	Good condition or very open not weatherproof modern sheet materials	Some potential access routes, slates, tiles	Uneven with gaps, not too open, stone slates
ADDITIONAL FEATURES	Very well maintained and tightly sealed	No features with potential access	Some features with potential access	Hanging tiles, cladding, barge boards, soffits with access gaps
EXTERNAL LIGHTING	Extensive security lights covering much of the site	Widespread areas above 2 lux at night	Intermittent lights of low intensity	Minimal
BUILDING USE	Very noisy, dusty	Regular use	Intermittent use	Disused

[7] Building and habitat risk assessment technique audited in a research project with York University which compared the risk assessment scoring with the results of detailed field assessment for over 100 sites. Statistically significant associations were found between habitat setting and building features and the presence of absence of different bat species. For example habitat connections and nearby woodland were significant for brown long-eared bats and the presence of species-rich grassland is important for many species.

The assessment above is based prior to development. The building contained a small number of features, primarily sub-optimal for bat use and overall was considered of low-negligible suitability for bats.

D.4 ADDITIONAL SPECIES GROUPS

No evidence of badger, red squirrel or hedgehog were recorded in the area of woodland close to the development during the 2020 surveys, and the former site owner, who had been at the site for over 20 years, was unaware of these species being present now, although red squirrel used the woodland some years ago.

E. SITE ASSESSMENT

E.1 ASSESSMENT OF SURVEY FINDINGS

The building prior to works commencing was considered to have few features suitable for bat use and was considered to be of low-negligible suitability.

Post development, a small number of suitable features primarily associated with gaps between ridge tiles and wall tops at gable ends, are present. The building is considered of similar suitability.

E.2 LIMITATIONS AND CONSTRAINTS

The initial survey was undertaken in December 2020 and no activity surveys were undertaken of the cottage prior to development. No field signs indicating bat use were recorded and roosting opportunities were limited.

Loft inspection was not undertaken in 2023, however, all works had already been completed on the development and lofts would be well sealed.

F. IMPACT ASSESSMENT

Works had been completed at the time of assessment. Likely impacts of the work are likely to have included:

F.1 DIRECT DEVELOPMENT IMPACTS

The loss of a small number of potential roost sites.
Disturbance or harm to a small number of bats that had a very low risk of being present in the building at the time of works.

F.2 LONG TERM DIRECT IMPACTS

Increased lighting affecting roosting and foraging bats.

F.3 INDIRECT IMPACTS ON LOCAL POPULATIONS

None anticipated.

G. RECOMMENDATIONS

G.1 FURTHER SURVEY

As works have already been completed, no further survey is proposed.

(see http://www.jncc.gov.uk/pdf/batwork_manualpt4.pdf).

G.2 COMPENSATION STRATEGY

As works have already been completed, no avoidance/mitigation strategy is possible. The following compensation strategy is proposed:

G.2.1.1 *BAT BOXES*

Two bat boxes will be erected, one on each of the western gable ends, away from disturbance and close to the woodland.

G.3 MONITORING

No monitoring is proposed.

APPENDIX 1. LEGISLATION

NATIONAL PLANNING POLICY

The table below details the key paragraphs from the National Planning Policy Framework (NPPF)[8] relating to the natural environment:

TABLE 7: NATIONAL PLANNING POLICY FRAMEWORK: CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT	
Statement	**Paragraph**
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	*174*
Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[9]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.	*175*
Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads[10]. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.	*176*
When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development[11] other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated	*177*

[8] National Planning Policy Framework (July 2021), Department for Communities and Local Government,
[9] Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
[10] English National Parks and the Broads: UK Government Vision and Circular 2010 provides further guidance and information about their statutory purposes, management and other matters.
[11] For the purposes of paragraphs 177 and 178, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

TABLE 7: NATIONAL PLANNING POLICY FRAMEWORK: CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT	
Statement	**Paragraph**
Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 176), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.	*178*
To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity[12]; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation[13]; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.	*179*
When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons63 and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.	*180*
The following should be given the same protection as habitats sites: a) potential Special Protection Areas and possible Special Areas of Conservation; b) listed or proposed Ramsar sites[14]; and c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.	*181*
The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.	*182*

Section 40 of the Natural Environment and Rural Communities Act 2006, places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.

Planning Practice Guidance[15] states:

[12] Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.
[13] Where areas that are part of the Nature Recovery Network are identified in plans, it may be appropriate to specify the types of development that may be suitable within them.
[14] Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar site.
[15] Planning Practice Guidance: Natural Environment (www.planningguidance.communities.gov) Updated July 2021

Planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications. (para. 016)

Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. (para. 018)

Even where an Environmental Impact Assessment is not needed, it might still be appropriate to undertake an ecological survey, for example, where protected species may be present or where biodiverse habitats may be lost. (para. 018)

As with other supporting information, local planning authorities should require ecological surveys only where clearly justified. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity. (para. 018)

The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. (para. 022)

RELEVANT LEGISLATION

Within England all bat species are specially protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

As a result there is a requirement to consult with Natural England before undertaking any works that may disturb bats or their roost, and under the Conservation of Habitats and Species Regulations it is illegal to.

Deliberately kill, injure or capture bats.

Deliberately obstruct access to a bat roost.

Damage or destroy a bat roost.

Deliberately disturb bats; in particular any disturbance which is likely to impair their ability:

(i) to survive, to breed or reproduce, or to rear or nurture their young; or

(ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or

(iii) to affect significantly the local distribution or abundance of the species to which they belong.

Under the Wildlife and Countryside Act (1981) the above offence of disturbing bats includes low level disturbance and as such under this act it is also an offence to:

Intentionally or recklessly disturb at bat while it is occupying a roost.

Intentionally or recklessly obstruct access to a roost.

Under the above legal protection, only the offences under the Conservation of Habitats and Species Regulations 2017 (as amended) are strict liability offences; the remaining offences, under the Wildlife and Countryside Act (1981), are offences only where they are carried out "intentionally or recklessly".

Under the Countryside and Rights of Way Act 2000 (CROW Act) the offence in section 9(4) of the Wildlife and Countryside Act 1981 of disturbing bats is extended to cover reckless damage or disturbance.

The Hedgerow Regulations 1997 provide for the conservation of important hedgerows and their constituent trees. The presence of a protected species such as bats is a relevant consideration when assessing whether a hedgerow is important and may influence a local planning authority's decision on whether to approve removal of such hedges.

PRIORITY SPECIES

Although not afforded any legal protection, national priority species (species of principal importance, as listed in Section 41 of the NERC Act (2006)), and local and regional priority species, as detailed within the relevant biodiversity action plans, are material considerations in the planning process and as such have been assessed accordingly within this report.

The following bat species are listed as national priority species: Barbastelle bat, Bechstein's bat, noctule, soprano pipistrelle, brown long-eared bat, greater horseshoe bat and lesser horseshoe bat. 'Bats' as a species group is also listed on the relevant local biodiversity action plan for this site.