



**Protected Species Survey Report
for Bats and Nesting Birds
and Nocturnal Bat Survey Report**

Mr S and Mrs P Howes

Kingmore Farm
Old Gloucester Road
Winterbourne
Bristol
BS36 1RT

September 2023

Cotswold Environmental Ltd

Office address: Wateredge, Fostons Ash, The Camp, Stroud Gloucestershire GL6 7ER

T: 07557539979/ 01453 823546

E: info@cotswoldenvironmental.co.uk

W: www.cotswoldenvironmental.co.uk

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Methods used to prepare this report, including those carried out in the field followed The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct.

Report Author:	Jason Skinner (NE Class 2 Bat Survey licence 2020-50774-CLS-CLS)
Report Reviewer:	Tom Charlton MSc MRSB (NE Class 2 Bat Survey licence 2018-34622-CLS-CLS)
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Primary Surveyor Experience

Jason Skinner: 7 years professional ecological experience, primarily involved with bats and reptiles through consultancy and assisting on research projects. Experienced with small-scale and large-scale development projects and involvement on multiple bat mitigation licences. Co-author of peer-reviewed research papers on reptiles and amphibians. Member of Staffordshire and Wiltshire Bat Groups.

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1 INTRODUCTION

- 1.1 Cotswold Environmental Ltd was instructed to carry out a Protected Species Survey for bats and nesting birds, as well as subsequent nocturnal bat survey effort, at Kingmore Farm, Old Gloucester Road, Winterbourne, Bristol BS36 1RT. The site is located at approximate National Grid Reference (NGR): ST 64382 82557.
- 1.2 Development proposals are described as the conversion of an existing outbuilding to residential use (See Fig 2. Site Map). A planning application will be submitted to South Gloucestershire Council in due course.
- 1.3 This report provides survey data based on field visits that were carried out in June, August, and September 2023. The purpose of the daytime survey was to assess the building for its suitability to support protected species and to ascertain evidence of any protected species, most notably bats and nesting birds. The field visit results provide information to determine the potential ecological impact the proposed development may have on protected species, and to inform the level of further survey effort and mitigation required to comply with relevant nature conservation policies and legislation. The evaluation and findings in this report can be used by South Gloucestershire Council in their view of the planning application. Survey results should be considered valid for a period of 12-18 months (subject to consultation with the Local Planning Authority and/or Natural England).
- 1.4 The National Planning Policy Framework (NPPF) (July 2021) sets out the government planning policies for England and how they should be applied. Chapter 15: Conserving and Enhancing the Natural Environment, is of particular relevance to this report as it relates to ecology and biodiversity. The Government Circular 06/2005, which is referred to by the NPPF, provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.
- 1.5 Kingmore Farm is located 175 m south-east of the B4427 Old Gloucester Road, approximately 11 km north-east of Bristol city centre. The site location is shown in Fig. 1: Site Location Map.
- 1.6 One outbuilding, which adjoins the north-east elevation of the residential dwelling, located within the curtilage of Kingmore Farm was surveyed during the assessment. The survey boundary is shown in Fig. 2: Site Map.

Survey Objectives

- To determine suitability for protected species

- Ascertain evidence of protected species.
- Determine the potential ecological impact the proposed development will have on protected species
- Inform the level of further survey effort that is required.

2 METHODOLOGY

Desk Study

- 2.1 A records search was undertaken using desktop resources including the Multi-Agency Geographic Information for the Countryside¹ (MAGIC) resource. MAGIC was used to search for records of designated sites, habitats and granted European Protected Species Licenses (EPSLs) within a 2km radius. Google Earth² was also used to study the nearby landscape.

Preliminary Bat Roost Assessment

- 2.2 Ecological consultant Jason Skinner (NE Class 2 Bat Survey licence 2020-50774-CLS-CLS) carried out the protected species survey on Friday 16th June 2023.
- 2.3 Survey effort was completed in line with official assessment guidelines³ and largely followed that recommended by the Chartered Institute for Ecology and Environmental Management (CIEEM)⁴ and British Standard Code of Practice⁵. The assessment followed the standard methodology. The site was searched using visual encounter survey techniques. Potential bat movement corridors and movement barriers were assessed and noted. During the site visit, where possible, all areas of the building were internally and externally examined for evidence of bats. The building survey included an internal and external assessment using a powerful torch and endoscope where required.
- 2.4 Internally, the building was assessed using a powerful torch beam to scan the walls and flat surfaces for droppings and other signs of bat activity. Feeding remains such as moth and butterfly wing concentrations were also surveyed for. All holes and crevices considered by the surveyor as likely to be used as a bat roost were examined to ascertain presence or absence of bats.

¹ Multi-Agency Geographical Information for the Countryside (MAGIC). Crown Copyright and database rights [2015]. Ordnance Survey 100022861. Available at: <http://www.magic.gov.uk/>

² https://www.google.co.uk/intl/en_uk/earth/

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

⁴ CIEEM (2017) Guidelines for Ecological Report Writing. CIEEM, Winchester.

⁵ British Standards Institution (2013) BS 42020:2013. Biodiversity – Code of practice for planning and development. British Standards Institution, London.

- 2.5 Externally, visual ground inspections of all elevations were undertaken using binoculars and a telephoto lens where required. Photographs were taken to capture likely features of ecological value to bats and birds i.e. missing tiles, damaged or missing mortar, exposed gable ends, gaps within soffit board, rotten timber and other potential entry points. Other external aspects of the buildings were surveyed, including windows, windowsills, external doors and the ground within close proximity of the structure was thoroughly inspected for bat droppings and feeding remains.

Table 1: Guidelines summary for assessing potential bat roost suitability

Suitability	Description of building, tree or structure
Negligible	Negligible habitat features on site likely to be used by roosting bats
Low	A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, potential roost sites not suitable for larger numbers or regular use (i.e. maternity or hibernation).
Moderate	A structure or tree with one or more potential roost sites that could be used by bats, but unlikely to support a roost of high conservation status.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time.
Confirmed roost	Evidence of bats or use by bats found.

Nocturnal Bat Surveys

- 2.6 Two dusk nocturnal bat surveys were carried out during August and September 2023 following a daytime survey. Survey effort was carried out by ecologists Jason Skinner (NE Class 2 Bat Survey licence 2020-50774-CLS-CLS) and Kayleigh Stewart.
- 2.7 Nocturnal bat survey effort was completed in line with official assessment guidelines⁶ as well as interim guidance notes issued by the Bat Conservation Trust in May 2022⁷.
- 2.8 During the surveys, surveyors took up separate static positions 15 minutes prior to and 1.5 hours after sunset (see Site Map: Fig. 2). Visual observations of bats were noted, and bat species were identified using bat detectors. The information recorded included weather, timings, whether bats emerged or re-entered the building, direction of travel, species and activity e.g. foraging, commuting. Equipment used

⁶ Collins J (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edn. Bat Conservation Trust, London.

⁷ Interim Guidance Note: Use of night vision aids for bat emergence surveys and further comment on dawn surveys Bat Conservation Trust, May 2022 [Online] [Accessed 1st June 2022] <https://cdn.bats.org.uk/uploads/pdf/Interim-guidance-note-on-NVAs-May-2022-FINAL.pdf?v=1653399882>

during the nocturnal surveys included Echo Meter Touch II recorders coupled to Apple tablets and heterodyne bat detectors.

2.9 Infrared camera systems (SANNCE and Sony FDR-AX53 4K models) coupled with infrared lighting (Night Fox XB5 and XC5 models 850 – 940 nm) were used to strengthen the survey data. Camera locations are shown in Figure 2: Site Map.

2.10 Recorded bat calls were analysed using Kaleidoscope 5.1.9i where required.

2.11 Temperatures were recorded onsite using an Elitech RC-51 Temperature Logger.

Inspection for Birds

2.12 The survey also included an internal and external inspection of the surveyed building for evidence of common nesting birds as well as notable and protected species. Inside the building, artificial light was used to search for birds, dead birds, dead chicks, nesting material and eggs.

2.13 All accessible elements of the surveyed building containing nesting potential were checked to see if the development would have any adverse effects on nesting birds. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (as amended). An active nest is one that is being built, containing eggs or chicks, or on which fledged chicks are still dependent. Birds within Schedule 1, such as barn owl *Tyto alba*, are also protected from disturbance during the nesting period.

2.14 The presence of notable and protected bird species and any signs indicative of their past and present use was taken into consideration during the inspection of the building. Likely perches and nesting locations were checked, and all ledges and cavities were examined for nesting debris where accessible.

Limitations

- Bat droppings deposited in or around the exterior degrade quickly due to weather. The presence of bats or their roost must not be disregarded in the absence of droppings..
- Many bat species in the UK are crevice-dwelling bats and as such, are difficult to find during PRAs.
- Local biological records were not obtained.
- For Health & Safety purposes the roofs of the buildings were assessed from ground level

3 RESULTS

Desk Study

Designated Sites

- 3.1 According to the MAGIC database, two statutory designated sites exist within a 2km radius of the site boundary and the site falls within the Forest of Avon Community Forest, although no further non-statutory sites are found within the same radius. Furthermore, no internationally designated sites for bat conservation exist within a 10 km radius of the site. Information pertaining to the designated sites can be found in Table 2 below.

Table 2: Site Designations

Site Name	Designation	Distance	Direction	Relevant Information
Monks Pool and Bradley Brook	LNR	1.1 km	South-West	A 2.34-ha site comprising four interconnected pools
Three Brooks	LNR	1.6 km	South-West	A 46.69-ha site of biological interest comprising ancient woodland, hazel coppice and a man-made lake

LNR = *Local Nature Reserve*

Local Habitats

- 3.2 The surveyed outbuilding is located within the farm yard curtilage of Kingmore Farm, surrounded by unoccupied agricultural buildings. A row of trees, which begins at the edge of the yard grows along the boundary of adjacent fields to the edge of Perrinpit Road, 870 m to the north-east. The wider environment is sparsely developed, particularly within a 1 km radius, comprising grazing pasture and arable fields bordered by hedgerows and rows of trees line the banks of Bradley Brook to the south-east. Few blocks of Deciduous Woodland (Priority Habitat) surround the site within a 2 km radius, the most notable being an area located 340 m to the north-west and a block of Ancient and Semi-Natural woodland (Ancient Woodland Inventory) known as Corporation Wood 750 m to the north-west. An area of Woodpasture and Parkland (BAP Priority Habitat) exists 230 m to the west.

Granted European Protected Species Licences (EPSLs) within a 2km Radius

- 3.3 According to the Magic website, two EPS licences have been granted for bats within a 2 km radius of the surveyed property. These are shown below in Table 3.

Table 3: Granted EPSLs within 2km of survey site

Species	Distance	Direction	Year Granted
CPIP, BLE	500 m	North-West	2009
BLE	1.4 km	East	2017

CPIP = *Pipistrellus pipistrellus*, BLE = *Plecotus auritus*

Preliminary Bat Roost Assessment Results

Building Assessment

- 3.4 The surveyed outbuilding is a single storey, stone-built structure with a pitched cat-slide roof clad in clay double Roman tiles and a wooden fascia is present at the eaves. Large wooden doors are located at the north-west facing elevation and the structure is subdivided internally, with two sections, the larger of the two featuring a mezzanine floor. The structure does not feature an enclosed roof space (see Fig 2: Site Map).
- 3.5 Externally, features that were considered to offer value to crevice dwelling species of bat, namely pipistrelle *Pipistrellus sp.* and small Myotis species such as whiskered bat *M. mystacinus* that utilise the external fabric of the building for roosting and provide potential ingress points for void dwelling species included:
- Damaged tiles and gaps under tiles which are boarded underneath by wooden boards
 - Gaps beneath wooden fascia
 - Gaps in stonework due to failed mortar
 - Open entrances to south-east facing elevation
- 3.6 Internally, features that offer value to void dwelling and perch feeding species of bat such as brown long-eared, serotine *Eptesicus serotinus* and Natterers *M. nattereri* bats were limited to the exposed timber roof structure which could be accessed by the multiple external entry points.

- 3.7 No bats, droppings or further evidence of bat presence such as feeding remains was discovered during the assessment of the structure.

Table 4: Weather conditions during the preliminary roost assessment

Date	Start	Finish	Temp °C	Wind	Cloud	Rain	Notes
16/06/2023	10:30	11:30	22	Calm	12 %	Dry	N/A

Nocturnal Bat Survey Results

Survey One – B1

- 3.8 During the first nocturnal survey, completed on the 23rd of August 2023, four species of bat were recorded - common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *P.pygmaeus*, brown long-eared bat *Plecotus auritus* and noctule *Nyctalus noctula*. Activity began at 20:34 h, comprising low numbers of commuting noctule over the site grounds. Following this, commuting foraging by low numbers of common and soprano pipistrelle began at 20:39 h; this activity continued throughout much of the survey effort with the last recording made at 21:38 h. Additionally, one brief and non-visual recording of a brown long-eared bat commute was recorded at 21:29 h at the building's south-eastern elevation. Bat activity levels were not considered to be significant, and **at no point were any bats observed emerging from or re-entering the surveyed building.**

Survey Two – B1

- 3.9 During the second nocturnal survey, completed on the 14th of August 2023, low numbers of four species of bat were recorded - common pipistrelle, soprano pipistrelle, serotine *Eptesicus serotinus*, and noctule. Activity started at 20:25 h, comprising irregular commuting passes and foraging by common and soprano pipistrelle at both the NE and SE facing elevations of the farm yard. Furthermore, irregular commuting activity by low numbers of noctule were observed/recorded throughout the survey, and a single non-visual serotine pass recorded at 20:39 h. No other bat species were recorded, and overall activity levels were not considered to be significant.

Additional Observations

- 3.10 Internal inspections of the building made prior to the commencement of the nocturnal bat survey effort revealed no additional evidence of bat activity.

Table 4: Weather conditions during nocturnal bat activity surveys

Date	Start	Finish	Sunrise/ Sunset	Temp °C	Wind	Cloud	Rain	Notes
23/08/23	20:400	22:00	20:17	21	Light breeze	50%	Dry	n/a
06/09/23	19:30	21:20	19:46	25	Still	90%	Dry	n/a

Bird Inspection Results

- 3.11 Four defunct/inactive nests, consistent with those of barn swallow *Hirundo rustica* were discovered inside the building between the timber roof structure and roof.
- 3.12 In addition, no evidence of nesting or roosting barn owl, such as droppings/splash marks or pellets was discovered during the internal inspection of the building and the structure was considered to be largely unsuitable due to the lack of suitable perches.

4 INTERPRETATION AND RECOMMENDATIONS

- 4.1 A daytime assessment was commissioned with a view to assess an outbuilding within the grounds of Kingmore Farm for its potential to support protected species, notably roosting bats and nesting birds. The survey boundary is shown in Figure 2: Site Map. Work proposals are described as the conversion of the building to residential use.
- 4.2 As part of the desk study, online resource MAGIC was checked for granted EPS licences and statutory and non-statutory designated sites. Results from the online desk study showed that two EPSLs have been granted for bats within a 2km radius. Furthermore, two statutory designated sites occur within the same radius. The proposals are considered small-scale, and therefore, no impacts to surrounding priority habitats or sites designated for nature conservation are expected and provided that surrounding ecological features are not subjected to the inappropriate use of nocturnal lighting, no impacts to nearby habitats beyond the site boundary are anticipated as a result of the development proposals.
- 4.3 The site is located within a rural location, surrounded by further buildings and grazing pasture with nearby linear features including rows of trees and a brook that would provide connectivity to surrounding areas of woodland. Hedgerows bordering the surrounding agricultural land will offer value as habitat links, connecting to the blocks of woodland that surround the site and which will likely support a diversity of wildlife, including bat populations of various species.

Building Assessment

- 4.4 Potential Roosting Features (PRFs) included external features of value to crevice dwelling species of bat and potential entry points which would allow void dwelling/perch feeding species to access the exposed internal roof structure.
- 4.5 No bats, droppings or further evidence of bat presence was discovered during the inspection of the building. However, due to the possibility of droppings being obscured by floor debris, combined with the presence of the PRFs outlined above and the suitability of surrounding habitats, roosting by bats cannot be discounted at this stage. Subsequently, **the structure was considered to hold moderate roosting potential**. Therefore, it was recommended that prior to any works commencing, **two nocturnal surveys be undertaken on the building** to ascertain presence/absence of roosting bats. Two surveyors were used to cover the necessary survey area.

Nocturnal Bat Survey – B1

- 4.6 During the nocturnal survey effort, a total five bat species were recorded utilising the wider environment of the farm yard for commuting and foraging, with activity dominated by infrequent commuting common and soprano pipistrelle within habitats surrounding the surveyed building. **However, at no point were any bats observed emerging from or re-entering the surveyed building and as such roosting can be reasonably discounted within this structure.**
- 4.7 Taking the above into consideration, **no further survey effort is recommended**. All workers should be vigilant and mindful of bats during works upon this building, taking extra care at all times during development. In the unlikely event that bats are discovered, work must cease immediately, and a suitably licenced ecologist contacted for further advice. It should be noted that further works would not be able to lawfully proceed without confirmation from Natural England, and bats should not be handled at any time for legal reasons. If bats are discovered during works, Natural England will potentially restrict development until further surveys have been completed and a full mitigation and compensation strategy has been designed. It is likely that, if bats are discovered, a European Protected Species Licence (EPSL) will be required from Natural England.

Outline Nocturnal Lighting Measures

- 4.8 As suitable bat habitat occurs within the nearby surrounding environment, a low-level lighting scheme should be implemented during and after construction to avoid indirect disturbance to bats and other nocturnal animal species that may exploit local habitats. Measures must be taken to ensure nocturnal animals are safeguarded from inappropriate use of light and noise throughout the hours of night during the construction period, as well as to protect important commuting corridors for bats. Any external

lighting installed as part of the development must be used in accordance with Guidance Note 08/23: Bats and Artificial Lighting⁸.

4.9 Sensitive lighting strategy measures during the construction period are as follows:

- Works must not be carried out after dusk and must not commence until after dawn.
- Generators and machinery that emit significant noise levels must not be left to run after dusk.
- LED lighting sources must be used, which generally have a narrower and more directional beam.
- Light spill must be controlled and if lighting is required at night, hooded shields must be fitted to prevent spill onto nearby habitats that are likely to support wildlife, including nearby trees and hedgerows.
- Lighting must not be directed towards any bat or bird compensation features.

4.10 In addition to the above, when selecting appropriate external lighting, the following specifications should be taken into consideration:

- Any external lighting incorporated into the proposed development should be LED luminaires due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
- Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats⁹.
- All luminaires should lack UV elements when manufactured. Metal halide, fluorescent sources should not be used¹⁰

Birds

4.11 Several defunct/inactive birds' nests were discovered within the structure. If at any point nesting birds are discovered within the building, without appropriate mitigation, these may be impacted by the development proposals. Impacts to nesting birds can be avoided by timing works outside the bird nesting season which generally runs between February-August, or by ensuring a site visit is carried out by a suitably qualified ecologist ahead of works commencing.

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

⁹ Stone, E.L. (2013) *Bats and lighting: Overview of current evidence and mitigation*

¹⁰ Bat Conservation Trust & Institute of Lighting Professionals (ILP) 2018. *Guidance Note 8: Bats and artificial lighting in the UK*. Bats and the Built Environment Series.

Biodiversity Enhancement

4.12 The NPPF (2021) outlines obligations of Local Planning Authorities to promote Biodiversity Net Gain where possible. There are various options available with regards to biodiversity enhancement on site:

Bats

4.13 An option to increase biodiversity relating to bats on site would be to affix one or more bat boxes to buildings or nearby mature trees within the site boundary, ideally using either Schwegler 1FF boxes (or similar) or Schwegler 2F boxes (or similar). Alternatively, bat boxes can be installed at the apex of a gable wall, but they can also be placed along other elevations at eaves level or below the fascia and / or soffits. They may also be pole-mounted in a garden. Bat boxes should be positioned no lower than 4m above ground level and they should not face in a northerly direction.

Nesting Birds

4.14 An option to further increase biodiversity relating to nesting birds would be to install one or more external bird nest boxes (Schwegler 1B or similar) onsite. For maximum success, our recommendations are as follows:

- Bird boxes must be positioned away from the building's main access doors where disturbance would be likely.
- Following British Ornithology Trust guidelines, bird boxes must be positioned no lower than 2m from ground level and preferably above 3 m to prevent possible predation.

The proposed placement of the bird nest boxes must allow for a clear flight path, without obstruction to the nest box entrance. It is recommended that they are installed in a north or east facing direction to offer protection from prevailing winds and rain and should ideally be slightly tilted in a downwards position to offer further weather protection

APPENDIX A: LEGISLATION SUMMARY

National Planning Policy Framework July 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.

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; 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.

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. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development 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.

Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), 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.

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.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (which 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.

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.

Bats

In England and Wales, bats and their roosts are protected under the Conservation of Species and Habitats Regulations 2017 (as amended), and the Wildlife & Countryside Act 1981 (as amended). Taken together, this legislation makes it an offence to:

- Deliberately capture (or take), injure or kill a bat
- Intentionally or recklessly disturb a group of bats where the disturbance is likely to significantly affect the ability of the animals to survive, breed, or nurture their young or likely to significantly affect the local distribution or abundance of the species whether in a roost or not
- Damage or destroy the breeding or resting place of a bat
- Possess a bat (alive or dead) or any part of a bat
- Intentionally or recklessly obstruct access to a bat roost
- Sell (or offer for sale) or exchange bats (alive or dead) or parts of bats

A roost is defined as being 'any structure or place that is used for shelter or protection', and since bats regularly move roost site throughout the year, a roost retains such designation whether or not bats are present at the time.

Birds

All common wild birds are protected under The Wildlife and Countryside Act 1981 (and as amended). Under this legislation it is an offence to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while it is in use or being built
- Take or destroy the egg of any wild bird

Certain rare breeding birds are listed on Schedule 1 of The Wildlife and Countryside Act 1981 (and as amended). Under this legislation they are afforded the same protection as common wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs/unfledged young.

APPENDIX B: MAPS

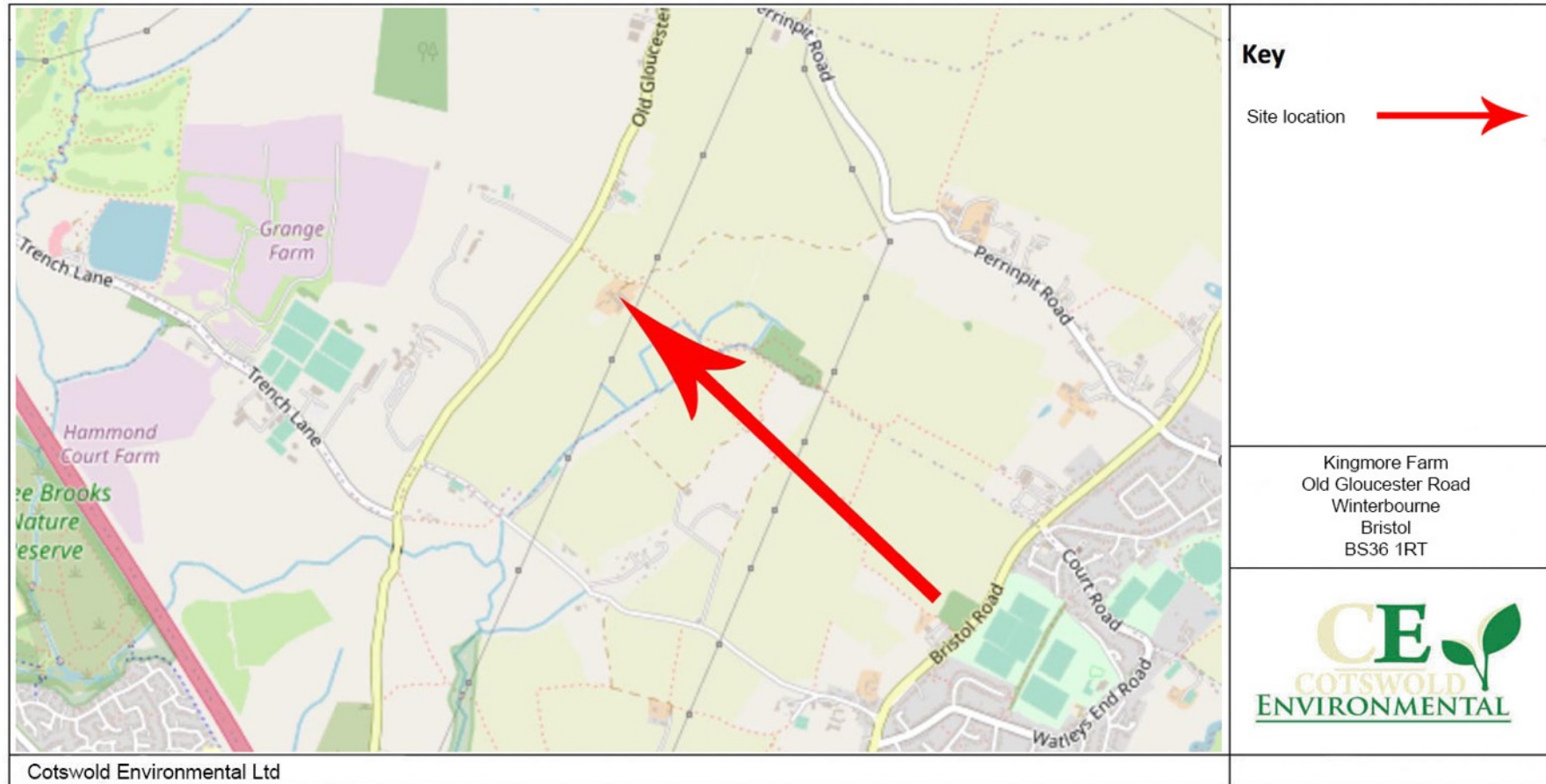


Figure 1: Site location map



Figure 2: Site Map

APPENDIX C: SITE IMAGES



Photo 1: View of building within farm yard with adjoining residential dwelling



Photo 2: Building viewed from the east



Photo 3: Front, north-west facing elevation



Photo 4: North-east facing gable end wall



Photo 5: Partially open south-east facing elevation

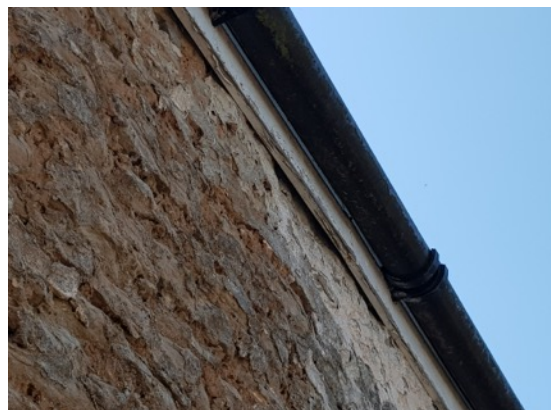


Photo 6: Gaps behind wooden fascia



Photo 7: Gaps in stonework



Photo 8: Gaps in stonework



Photo 9: Damaged roof tiles



Photo 10: Exposed internal roof structure with wooden boards to underside of tiles



Photo 11: Mezzanine floor



Photo 12: Area above mezzanine floor



Photo 13: Example infrared camera view – front NW facing elevation.



Photo 14: Example infrared camera view – front SE facing elevation.