



Preliminary Roost Assessment

The Parrot Inn Broadford Rd, Shalford, Guildford, Surrey, GU4 8DW

Chris Hlaing

Status	Issue	Name	Date
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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

Executive Summary

Arbtech Consulting Limited was instructed by Chris Hlaing to undertake a Preliminary Roost Assessment (PRA) at The Parrot Inn, Broadford Rd, Shalford, Guildford, Surrey, GU4 8DW (hereafter referred to as “the site”). The survey was required to inform a planning application for a rear extension and refurbishment works (hereafter referred to as “the proposed development”).

The following is work you will need to commission to comply with planning policy and legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 6 of this report.

Feature	Survey Results Summary	Impact Assessment	Recommendations
Roosting bats (B1)	In line with Good Practice Guidelines (Collins, J. (Ed) 2023), the building was assessed to have a ‘high’ habitat value for supporting roosting bats. This is due to the presence of gaps in the roof tiles and gaps in the hanging tiles which create suitable habitat for crevice dwelling species of bat on the exterior of the building. Additionally, the site is located in close proximity to high quality habitats for bats including, woodlands, grasslands and ponds, and the River Way located 20m west of the site, all of which bats could use regularly for foraging roosting and commuting.	The proposed development is for a 2-storey rear extension and refurbishment works. This could result in damage or destruction of any bat roosts present and could cause disturbance, death or injury to bats.	Three bat emergence and re-entry surveys are required during the active bat season (optimal May to August, suboptimal September) to confirm presence or likely absence of a bat roost in the building. More details are in table 6.
Foraging and commuting bats	The scattered trees and shrubs on site provide some limited foraging resources for bats but are unlikely to function as part of an important foraging resource for bats. Considering the high-value habitat in the local landscape, bats dispersing from nearby roosts could commute across the site with some regularity.	The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.	A low impact lighting strategy will be adopted for the site during and post-development, further details are available in table 6.

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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Chris Hlaing to undertake a Preliminary Roost Assessment (PRA) at The Parrot Inn, Broadford Rd, Shalford, Guildford, Surrey, GU4 8DW (hereafter referred to as “the site”). The survey was required to inform a planning application for a rear extension and refurbishment works (hereafter referred to as “the proposed development”). A plan showing the proposed development is provided in Appendix 1.

The aim of the PRA was to determine the presence or evaluate the likelihood of the presence of roosting bats, and to gain an understanding of how bats could use the site for roosting, foraging or commuting. This has been undertaken with due consideration to the “Bat Surveys for Professional Ecologists —Good Practice Guidelines” publication (Collins, 2023). This site was subject to previous assessment for bats by Arbtech in 2021. Please refer to the Preliminary Roost Assessment Survey report, (Arbtech, 2021) and Bat Emergence and Reentry Survey report, (Arbtech 2021). The results of the previous surveys found the building to offer high habitat value for roosting bats; however, no bats were observed using the building during the surveys. .

1.2 Site Location and Landscape Context

The site is located at National Grid Reference SU99784680 and has an area of approximately 0.1ha comprising a Public House building with associated areas of hardstanding and amenity grass. It is located to the northwest of the village of Shalford with Shalford station to the north. The wider landscape comprises of several areas of deciduous woodland (~27m north), the River Wey (~75m west), coastal and floodplain grazing marsh (~92m southwest), and lowland dry acid grassland (~206m southwest), which all provide commuting, roosting and foraging value for local bat populations. Other habitats surround the site within 2km, which would high habitat value for bats. A site location plan is provided in Appendix 2.

1.3 Scope of the Report

This report provides a description of all features suitable for roosting, foraging and commuting bats and evaluates those features in the context of the site and wider environment. It further documents any physical evidence collected or recorded during the site survey that establishes the presence of roosting bats. It provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any further surveys to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation. To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A field survey has been undertaken, including an inspection of built structures, to determine the presence or the suitability of any features which bats could use for roosting and to assess the suitability of the site’s bat foraging and commuting habitat.
- An outline of potential impacts on any confirmed or unidentified roosts has been provided, based on the proposed development.
- Recommendations for further surveys and mitigation have been made, along with advice on the requirements for a European Protected Species Licence (EPSL) application if appropriate.
- Opportunities for the enhancement of the site for roosting, foraging and commuting bats have been set out.

2.0 Methodology

2.1 Desk Study

The desk study included a 2km radius review of statutory designated sites with bat qualifying interests and granted EPSL records for bats held on magic.gov.uk database. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

2.2 Field Survey

The survey was undertaken by Millie Holland BSc (Hons), Msc, Graduate Ecologist and Josephine McCarthy, Consultant Ecologist, Natural England Bat Licence Number: 2019-41480-CLS-CLS (CL18 Level 2) on 07/02/2024. Josephine McCarthy has 10 years of experience conducting bat surveys and 5 years of experience implementing mitigation for EPSL licensable works, holding a Natural England Class 2 Licence for > 4 years; and is a Qualifying Member of CIEEM.

The PRA focussed on one built structure which will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging and commuting habitat.

For any surveyed buildings:

A non-intrusive visual appraisal was undertaken from the ground, using binoculars to inspect the external features of the building for features which bats could use for roosting, including access or egress points and for signs of bat use including droppings, scratch marks, insect remains and urine smear marks. An internal inspection of the building was also made, including the living areas and any accessible roof spaces, using a torch and ladders. The surveyor paid particular attention to the floor and flat surfaces, window shutters and frames, lintels above doors and windows, and carried out a detailed search of numerous features within the roof space.

2.3 Breeding Birds and Other Incidental Observations

The surveyor also made note of any other ecological constraints observed during the survey, notably the likelihood of presence or signs of breeding birds, and the suitability of the site for barn owls.

2.4 Suitability Assessment

Built structures were categorised according to the likelihood of bats being present and the types of roost that the identified features could support. This is summarised in Table 1 below. Roost suitability is classified as high, moderate, low and negligible and dictates any further surveys required before works can proceed.

Table 1: Features of a building that are correlated with use by bats

Classification	Feature of building and its context
High	Buildings or structures with features of particular significance for larger numbers of roosting bats e.g. mines, caves, tunnels, icehouses and cellars. Habitat on site and surrounding landscape of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland. Site is connected with the wider landscape by strong linear features that would be used by commuting bats e.g. river and or stream valleys and hedgerows. Site is proximate to known or likely roosts (based on historical data).

	Buildings with high suitability could support roosts of high conservation value such as maternity or hibernation roosts.
Moderate	Buildings or structures with one or more features suitable for more regular roosting due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation value such as maternity or hibernation roosts. Continuous habitat connected to the wider landscape which could be used by bats for commuting such as lines of trees, linked gardens. Foraging habitat in the surrounding area such as trees, scrub, grassland or water.
Low	Buildings or structures with one or more features suitable for use sporadically by individual or small numbers of bats. Potential roost features may be suboptimal for reasons such as shallow depth, poor thermal qualities or upwards orientation with exposure to inclement weather or predators. Habitat suitable for foraging in close proximity, but largely isolated in the landscape. Or an isolated site not connected by prominent linear features.
Negligible	Unsuitable for use by bats.

2.5 Limitations

It should be noted that whilst every effort has been made to describe the features on site in the context of their suitability for roosting bats, this does not provide a complete characterisation of the site. This survey provides a preliminary view of the likelihood of bats being present. This is based on suitability of the habitats on site and in the local area, the ecology and biology of bats as currently understood, and the known distribution of bats as recovered during the desk study. Bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time.

There were no specific limitations to the survey.

Within B1, two loft spaces were accessible from the loft hatch, as no hatches are above the other rooms. It is recommended that access to a third loft, above the living accommodation, be gained prior to the BERS surveys, as the tenants were unable to provide access at the time of the PRA survey. Therefore, some roost features or evidence of bats (if present) may have been missed. These limitations have been taken into account during the evaluation of the site. Further assessment for bats has been recommended, which will provide additional opportunities to collect data and enhance understanding of how bats are utilizing the site.

3.0 Results and Evaluation

3.1 Designated Sites

Details of any statutory designated sites with bat qualifying interests within a 2km radius of the site, including their reasons for notification, are provided in Table 2 below.

Table 2: Statutory designated sites within 2km radius of the site.

Designated site name	Distance from site	Reasons for notification from Natural England
Wey Valley Meadows Site of Special Scientific interest (SSSI)	~92m west	This site consists of unimproved meadows supporting rich plant communities with numerous species indicative of ancient, undisturbed grasslands including Surrey's largest populations of one species and one sub-species. The site also contains several areas of majority alder woodland. It is located along a 4 kilometre stretch of the Wey Valley between Guildford and Godalming and its size alone makes the site of exceptional importance. Although this site was not designated for bats, the undisturbed grassland and woodland provides good foraging and commuting habitats which will increase the likelihood of bats in the local areas.
Surrey Hills National landscape	~0.7km west and ~0.8km east	The site includes area of important habitats such as woodland, scrub, hedgerows, and heathland. The hedgerows and woodland are important for providing feeding and commuting opportunities for bats. The site is situated in between three major areas that make up the Surrey Hills, therefore providing more bat habitat.
Chinthurst Hill Local Nature Reserve (LNR)	~1.4km southeast	Chinthurst Hill is a quiet and peaceful spot with fine views from its summit. Here you'll find a stone folly built in the 1930's. In the woodland you will find many different species of tree on the hill, including oak, sweet chestnut, hazel and rowan.

3.2 Historical Records

A search of the magic.gov.uk database for granted EPSLs within a 2km radius of the site has been completed. Displaced bats from licensed sites <2km away from the survey site will find alternative habitat either within the mitigation measures implemented as part of the licence or will relocate to other known roosts sites in close proximity to the licensed site. EPSL records for bats are summarised in Table 3.

Table 3: Granted EPSLs for bats within 2km of the site

EPSL reference	Approximate distance from site	Bat species affected	Impacts allowed by licence
2019-44149-EPS-MIT	~1.3km south	Soprano Pipistrelle	Destruction of a resting place
2018-38653-EPS-MIT	~1.4km southwest	Common pipistrelle, serotine, soprano pipistrelle	Destruction and damage of a breeding site
EPSM2012-4795	~1.4km southwest	Common pipistrelle, soprano pipistrelle, brown long eared, serotine	Destruction of a resting and breeding site
2018-36191-EPS-MIT	~1.4km southwest	Brown long eared, common pipistrelle, serotine, soprano pipistrelle	Destruction of a resting and breeding site
EPSM2011-3101	~1.6km west	Common pipistrelle, barbastelle, brown long eared	Destruction of a resting place

2016-25471-EPS-MIT	~1.6km west	Brown long eared, common pipistrelle, serotine	Destruction and damage of a resting place
2019-41460-EPS-MIT	~1.7km north	Soprano pipistrelle	Destruction of a resting place
2019-42595-EPS-MIT	~1.7km southeast	Common pipistrelle, soprano pipistrelle	Destruction of a resting place

3.3 Field Survey Results



The weather conditions recorded at the time of the survey are shown in Table 4. The results of the field survey are detailed in Table 5 and illustrated in Appendix 3.

Table 4: Weather conditions during the survey

Date:	07/02/2024
Temperature	14°C
Humidity	74%
Cloud Cover	60%
Wind	19mph
Rain	None

Table 5: PRA Results

Feature	Description	Photographs
Bat foraging and commuting habitat	The habitat onsite is assessed to be of limited use for local bat populations, the presences of some grass, shrubs, and scattered trees provide some opportunity for foraging and commuting bats, albeit limited. However, there is optimal habitat in the wider landscape, including the nearby LNR and SSSIs as well as the river running to the west of the site, and the scattered ponds to the north of the site. These are areas of treeline, hedgerows, grassland, and woodlands, which will likely provide foraging, roosting and commuting opportunities. Therefore, due to the high connectivity to optimal habitats, the site is assessed to have high habitat value for bats.	

<p>B1 - overview</p>	<p>B1 is a brick built Public House building, comprising hipped and gable roofs clad in both clay and slate tiles. There is a single storey area to the southeast, that consists of a flat roof, and a single storey area with a hipped roof to the south. The first-floor walls of the main building are clad in clay hanging tiles on the north, east and west elevations.</p> <p>Three chimney stacks are present, two on the southern elevation, one on the north. The construction of the windows and door frames are a mix of timber and UPVC. The pub building is currently not in use. The flat above is occupied by tenants.</p>	
<p>B1 – southern elevation</p>	<p>The chimneys on this elevation are well sealed. The lead flashing surrounding the chimneys is tight fitting with no gaps which bats could exploit for roosting. The single storey porch area however has several areas of slipped tiles and some missing tiles, which bats could roost under (as shown circled in yellow on the opposite photos).</p>	

B1 – southern elevation facing west

The clay tiles on the single storey roof appear in poor condition, with areas of lifted tiles and some missing tiles (as circled opposite). The tile gaps could provide roosting habitat for crevice dwelling bats and access for void dwelling bats, into the loft. The eaves are open with occasional chicken wire present to prevent access for birds. The open eaves could provide access for bats to the voids.



B1 – east elevation



The first-floor walls on the south-east corner have clay hanging tiles which contain numerous gaps which crevice dwelling bats could roost under (circled opposite).



B1 – north-east elevation

The tiles on the north elevation (the area that is part of B1 is highlighted in green in the opposite photos) appear in overall good condition with occasional missing and lifted tiles which bats could exploit for roosting (circled in yellow). The hanging tiles on this elevation also have gaps which crevice dwelling bats could exploit.



L1 – Loft space - northern elevation interior	<p>The loft space (marked L1 on the map) is one of three that are in B1. This loft could only be seen from the loft hatch due to a lack of boarding and a lack of headroom due to the arrangement of the timbers.</p> <p>The loft is constructed of timber beams and is partially lined. The east elevation of the loft is not lined; however, (from what could be seen) the west elevation is lined with bitumen. Daylight can be seen to enter on the west elevation (as shown opposite). Which could indicate a possible access point for bats. There are darker areas within the loft which bats could exploit for roosting. No evidence of bats was visible from the loft hatch.</p>	
L2 -Loft 2 – southern elevation interior	<p>The loft in the single storey area to the south also had limited access, due to lack of a safe route. This loft is constructed of timber beams and is (as far as could be seen) lined with bitumen. Crevice dwelling bats may exploit the gaps between the external roof tiles and the bitumen lining to roost. Void dwelling bats may use the gaps in the roof liner as access points into the loft. Due to the lack of access, evidence of bats or additional roosting features (if any), may have been missed.</p>	
B1 – suitability assessment	<p>In line with Good Practice Guidelines (Collins, J. (Ed) 2023, the building was assessed to have a high habitat value for supporting roosting bats, due to the abundance of suitable roosting features and the optimal surrounding habitat.</p>	
B1 - breeding birds and other incidental observations	<p>None</p>	

4.0 Conclusions, Impacts and Recommendations

Taking the desk study and field survey results into account, Table 6 presents an evaluation of the value of the site for bats and also details any other ecological constraints identified such as nesting birds in relation to the proposed development which will comprise of extensions to the rear of B1.

Table 6: Evaluation of the site for bats and any other ecological constraints

Building	Survey Results Summary	Impact Assessment	Recommendations	Biodiversity Enhancement Opportunities ¹
Roosting bats (B1)	<p>B1 has high value for roosting bats.</p> <p>This is due to the presence of numerous gaps in the roof tiles and hanging tiles which provide suitable roosting habitat for crevice dwelling species of bat and possible ingress/egress points to the voids.</p> <p>The local landscape has a high value for bats, due to the habitat present such as woodlands, river and grassland. Also, a search of the Magic database shows there are 8 EPSL's for previous known bat roosts within 2km of the site confirming that bats are known to be present in the local landscape and to use local development for roosting.</p>	<p>The proposed development includes extension and refurbishment of the building This could result in damage or destruction of any bat roosts present and could cause disturbance, death or injury to bats.</p>	<p>Three bat emergence and re-entry surveys are required during the active bat season (optimal May to August, suboptimal September) to confirm presence or likely absence of a bat roost in the building. At least two of the surveys should be completed during the optimal survey period mid-May to August inclusive.</p> <p>Infra-red cameras should be used as an aid. Surveys should be a minimum of three weeks apart.</p> <p>Five surveyors are required to provide full coverage of the building.</p> <p>If bat roosts are confirmed in the building an EPSL application to Natural England will be required. The EPSL application requires that surveys have been undertaken within the most recent active bat season and planning permission must have been granted and all relevant wildlife-related conditions have been discharged prior to submission.</p>	<p>To be confirmed upon completion of the surveys.</p>
Foraging and commuting bats	<p>The amenity spaces on site provide some limited foraging resources for bats but are unlikely to function as part of an important foraging resource for bats. Considering the high-value habitat in the local landscape, bats dispersing from</p>	<p>The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.</p>	<p>A low impact lighting strategy will be adopted for the site during and post-development, which will include the following measures:</p> <ul style="list-style-type: none"> • Light spill on to scattered tree and shrub should be avoided. • Use narrow spectrum light sources to lower the range of species affected by lighting. 	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development</p>

¹ The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021).

	nearby roosts could commute across the site with some regularity.		<ul style="list-style-type: none"> • Use light sources that emit minimal ultra-violet light. • Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue shortwave length content they should be of a warm / neutral colour temperature <4,200 kelvin. • Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal. • Light spill will be reduced via the use of low-level lighting used in conjunction with hoods, cowls, louvers and shields. Lights will also be directional to ensure that light is directed to the intended areas only. • External lighting will be on PIR sensors that are sensitive to large objects only (so that they are not triggered by passing bats) and will be set to the shortest time duration to reduce the amount of time the lights are on. • Wall lights and security lights will be 'dimnable' and set to the lowest light intensity settings. There are several products on the market that allow the control of the light intensity and the duration that the lights are on. All lighting on the developed site will make use of the most up to date technology available. 	<p>which would be beneficial for foraging bats:</p> <ul style="list-style-type: none"> • Planting of native tree, shrub and hedgerows to increase foraging opportunities.
Nesting birds	<p>There is no evidence of nesting birds on site.</p> <p>Birds could gain purchase to limited areas of the building for nesting, including gaps between tiles and gaps associated with the eaves.</p>	None.	<p>No further surveys are recommended; however, standard precautionary methods of working apply.</p> <p>The Wildlife & Countryside Act 1981 (as amended) makes it an offence to obstruct or prevent any wild bird from using its nest, or to intentionally take, damage or destroy a wild bird's nest while the nest is being used or built.</p>	<p>The installation of two integrated swift bricks (e.g. Ibstock Swift Eco Habitat or similar alternative brand) at the site will provide additional nesting habitat for birds in line with the</p>

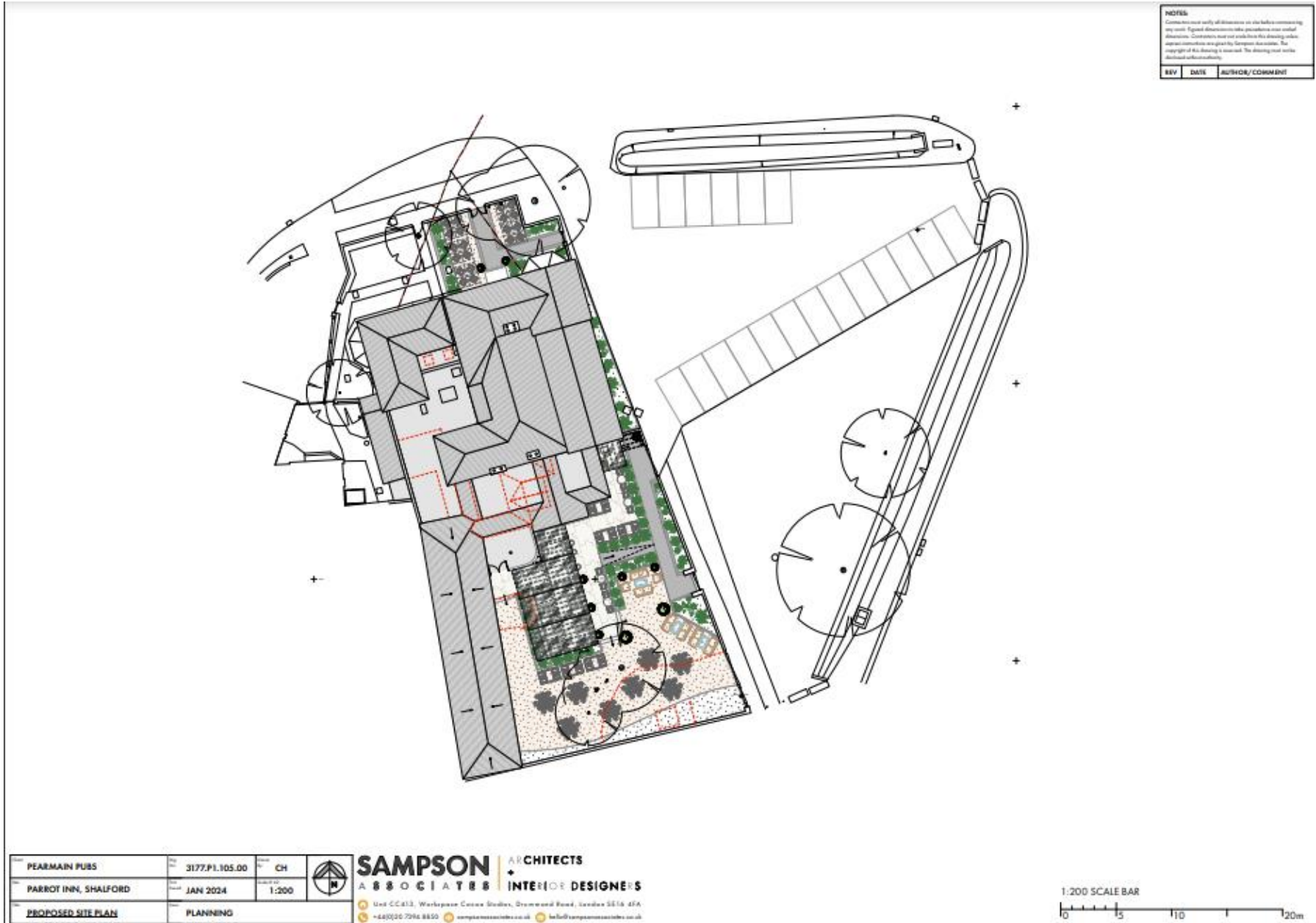
			<p>Precautionary checks for the presence of nesting birds should be undertaken directly before the works start. Buffer zones will need to be created around any active nests to avoid disturbance until the young have fledged.</p>	<p>measures outlined in the British Standard " Integral nest boxes. Selection and installation for new developments. Specification" (BS 42021:2022). Swift bricks should be integrated into the fabric of the building during construction. Boxes should be positioned close together (0.6-1.0m between bricks) as swifts prefer to nest gregariously. The boxes should be placed at least 5m above ground level under the eaves of a building, on a north or east elevation, where they will be sheltered from prevailing wind, rain and strong sunlight. To be suitable for swifts, the bricks require an open aspect with no trees or large shrubs potentially obstructing the birds' flight path up to 5m from the brick. Swift bricks are a "universal nest brick" for small bird species, including red-listed species such as common swift, house sparrow, house martin, and starling.</p>
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Other ecological constraints	None identified.	N/A	N/A	N/A
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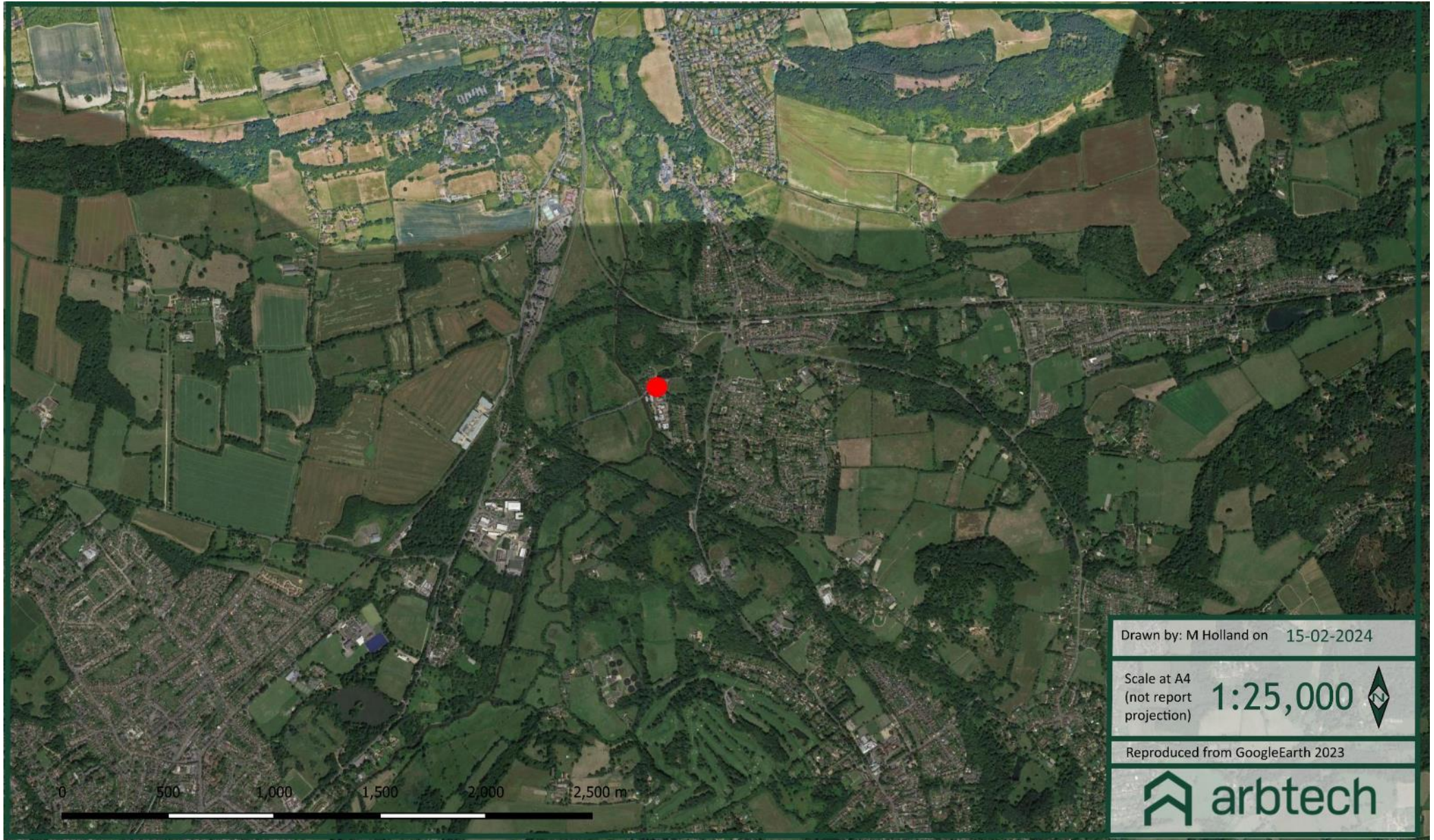
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Appendix 1: Proposed Development Plan



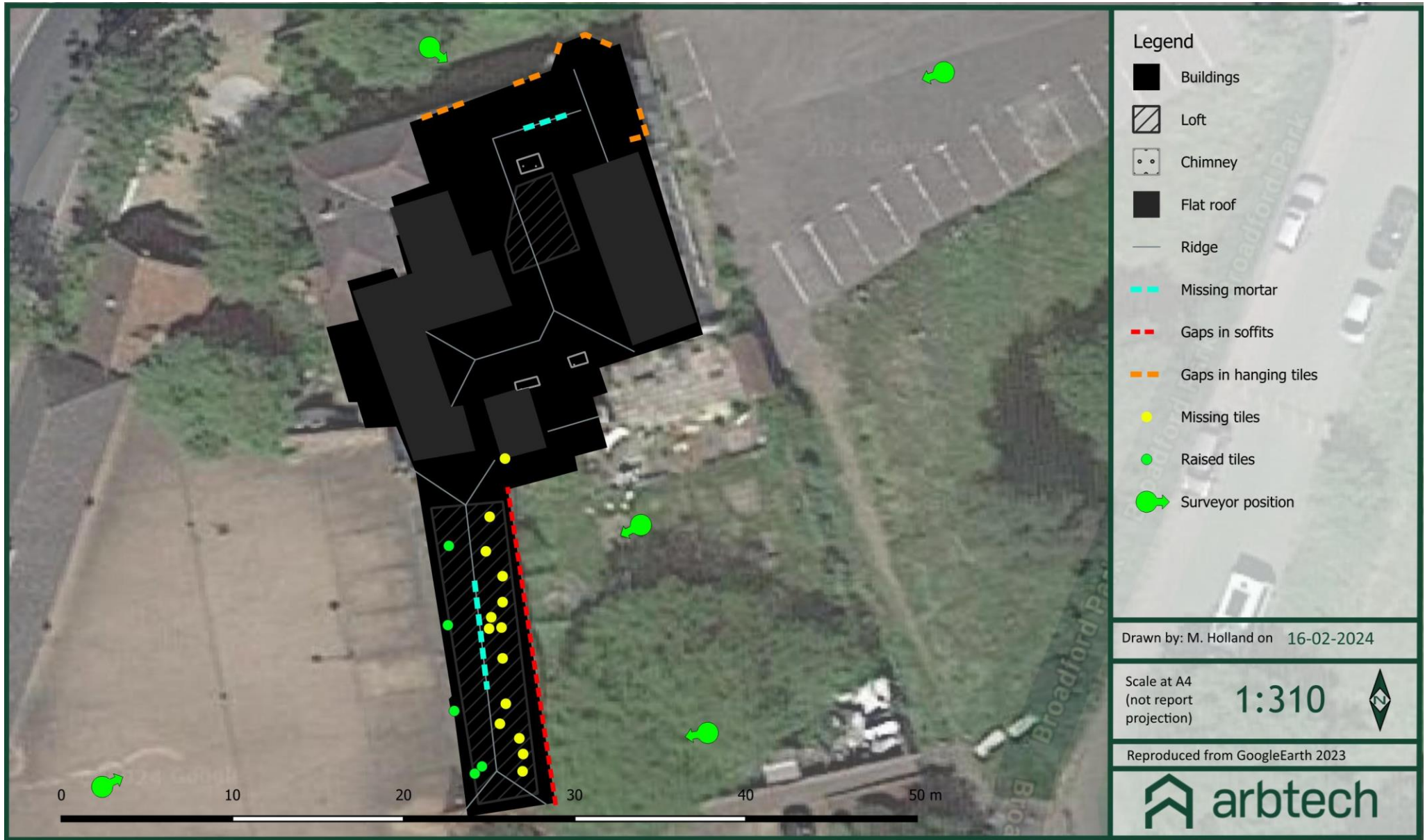
Appendix 2: Site Location Plan



Appendix 3a: PRA Plan



Appendix 3b: Proposed BERS Plan



Appendix 4: Legislation and Planning Policy Related to Bats

LEGAL PROTECTION

All species of bat are fully protected under *The Conservation of Habitats and Species Regulations 2017* (as amended) through their inclusion on Schedule 2.

Regulation 43: Protection of certain wild animals - offences

(1) A person is guilty of an offence if they:

- (a) Deliberately captures, injures or kills any wild animal of a European protected species,
- (b) Deliberately disturbs wild animals of any such species,
- (c) Deliberately takes or destroys the eggs of such an animal, or
- (d) Damages or destroys a breeding site or resting place of such an animal,

(2) For the purposes of paragraph (1) (b), disturbance of animals includes in particular any disturbance which is likely—

- (a) 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
- (b) To affect significantly the local distribution or abundance of the species to which they belong.

Bats are also protected under the *Wildlife and Countryside Act 1981* (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale

NATIONAL PLANNING POLICY

National Planning Policy Framework 2021

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by Natural England will be required for works likely to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficiency/success to be monitored. The legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded *de facto* protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost (Garland & Markham, 2008).

There are 17 species of bat breeding in England and Natural England issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

Licences are issued for specific purposes stated in the Regulations, if the following three tests are met:

- The purpose of the work meets one of those listed in the Habitats Regulations (see below);
- That there is no satisfactory alternative;
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range

The Habitats Regulations permits licences to be issued for a specific set of purposes including:

1. include preserving public health or public safety or other imperative reasons of over-riding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
2. scientific and educational purposes;
3. ringing or marking; and,

4. conserving wild animals.

Development works fall under the first purpose and Natural England issues bat mitigation licences for developments.

EUROPEAN PROTECTED SPECIES POLICIES

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.