

## Devon Wildlife Checklist (to be filled in by the ecological consultant and included in the front of the Wildlife Report)

### A.1 Protected and priority species (relates to question 13a in the planning application form).

A tick or cross must be placed in all boxes in column two (shaded) and then, where there is a tick, all other boxes in that row. Where species are present please email this form to Devon Biodiversity Records Centre - [DBRC@dbrc.org.uk](mailto:DBRC@dbrc.org.uk).

Location: St Mary Magdelene Church, Huntshaw

Grid reference for centre of site (6 digit):

Planning Application reference: N/A

Name of surveyor and consultancy: Bryony Gillett, Orbis Ecology Ltd

Date that surveys carried out: July/August/Sept 2018

Sent to DBRC: N

Species - terrestrial, intertidal, marine	Walkover shows that suitable habitat present and reasonably likely that the species will be found? <u>Tick or cross</u>	Detailed survey needed to clarify impacts and mitigation requirements?	Detailed survey carried out and included?	Species Present or Assumed to be present on site <u>Indicate with P or A and name the species</u>	Impact on species?	Detailed Conservation Action Statement included?  Sets out actions needed in relation to avoidance / mitigation / compensation / enhancement	EPS offence committed? Three tests met?	Grid reference for specific location of species (if required for large sites)
<b>Bats (roost)</b>	✓	✓	✓	Brown Long-eared Common pipistrelle, lesser horseshoe, serotine, barbastelle, <i>Myotis</i> , noctule	Yes	To follow	Yes	n/a
<b>Bats (flight line / foraging habitat)</b>	X							
<b>Dormice</b>	X							
<b>Otters</b>	X							
<b>Great crested newts (*check consultation zone)</b>	X							
<b>Cirl buntings (*check consultation zone)</b>	X							
<b>Barn owls</b>	X							
<b>Other Schedule 1 birds</b>	X							
<b>Breeding birds</b>								
<b>Reptiles</b>	x							
<b>Native crayfish</b>	X							
<b>Water voles</b>	X							
<b>Badgers</b>	X							
<b>Other protected species</b>	X							
<b>UK BAP priority species</b>	X							
<b>Devon BAP key species</b>	X							
<b>Invasive species</b>	x							

- Devon consultation zones for curlew and great crested newts - <http://www.devon.gov.uk/index/wildlife.htm>
- UK BAP priority species - <http://jncc.defra.gov.uk/page-5717>
- Devon BAP key species - [http://www.devon.gov.uk/dbap-section\\_e.pdf](http://www.devon.gov.uk/dbap-section_e.pdf) (note that this list is currently being updated)

## A.2 Designations / important habitats / sites of geological importance (relates to questions 13 b & c in the planning application form)

A tick or cross must be placed in all boxes in column two and then, where there is a tick, all other boxes in that row.

Designation Terrestrial, intertidal, marine	Within site or potential impact. Tick or cross	Name of site / habitat	Detailed Conservation Action Statement included in report?	Habitat balance sheet included (showing area of habitats lost, gained and overall net gain)	Relevant organisation consulted & response included in the application?
<b>Statutory designations</b>					
European designations - Special Area of Conservation (SAC), Special Protection Area (SPA) and RAMSAR site or within Greater Horseshoe consultation zone	X		Sufficient information included for the LPA to undertake an HRA?		
Site of Special Scientific Interest (SSSIs)	X				
Marine Conservation Zone (MCZ)	X				
Local Nature Reserve (LNR)	X				
<b>Non-statutory wildlife designations</b>					
County Wildlife Site (CWS)	x				
Ancient woodland	X				
Special Verge	X				
UK BAP Priority habitat	X				
Local Biodiversity Network (mapped by Devon Wildlife Trust / through Green Infrastructure work)	X				
<b>Non-statutory geological designation</b>					
County Geological Site (CGS or RIGS)	X				

- List of UK BAP priority habitats - <http://jncc.defra.gov.uk/page-5718>

Table headings last updated: 22nd September 2014



# Final Ecology Report (Bat Surveys)

St Mary Magdalene Church

Huntshaw

Torrington

Prepared on behalf of:

The Diocese of Exeter



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## Quality Assurance Record

This report has been produced in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Report Writing 2017<sup>1</sup> and the BCT Bat Surveys for Professional Ecologists Good Practice Guidelines (Collins 2016)<sup>2</sup>. The report has been prepared in line with current best practice guidance and survey work has been undertaken in line with references within CIEEM's Source of Survey Guidance<sup>3</sup>

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## DISCLAIMER

This is a technical report which does not represent legal advice. You may wish to seek legal advice if this is required. This report may or may not be suitable to support a planning application. Should this report contain recommendations for further survey work or assessment, the results of this would be required in the form of an Ecological Impact Appraisal in order to support a planning application.

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<sup>1</sup> Chartered Institute of Ecology and Environmental Management (2017). *Guidelines for Ecological Report Writing*. Technical Guidance Series. [https://www.cieem.net/data/files/Publications/Ecological\\_Report\\_Writing\\_Dec2017.pdf](https://www.cieem.net/data/files/Publications/Ecological_Report_Writing_Dec2017.pdf)

<sup>2</sup> Collins, J, (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3<sup>rd</sup> edn). The Bat Conservation Trust, London.

<sup>3</sup> <https://www.cieem.net/sources-of-survey-methods-sosm->

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## 1 Executive Summary

- 1.1 The site is a church located in the village of Huntshaw, near Torrington. The church dates from the early C14 and had been modified and restored several times over a 600-year period.
- 1.2 It is proposed that the church will under-go a refurbishment programme which will include a new roof, new guttering, new pointing etc. The precise scope of the work was not established at the time of writing this report. Once the detailed scheme of works is put forward the predicted impacts on bats will be revised.
- 1.3 The preliminary survey conducted in July 2018 found multiple features throughout the church that could support crevice dwelling bat species in areas such as under lifted roof tiles, behind barge board and in stonework. Several hundred bat droppings with features characteristic of lesser horseshoe bats were found under the alter in the main church. A scattering of bat droppings with features characteristic of greater horseshoe bats and long-eared bats were found in the aisles. A bat was observed flying in the tower (it was not possible to verify the species).
- 1.4 A static bat detector was placed in the tower for 12 nights 26/7/19 – 6/8/18. A number of species were recorded inside the tower, including a large number of brown long-eared bat calls.
- 1.5 Further surveys of the church were recommended to enable an assessment of the structure and to establish how bats currently use the building. The recommendation was for a dusk emergence and a dawn re-entry survey to be carried out during the period May – September, with at least one of them in the period May-August.
- 1.6 The additional surveys allowed the following conclusions to be drawn:
  - The church is used by a number of bat species for roosting. Most bats were recorded roosting under roof tiles.
  - The tower is used by low numbers of brown long-eared bats, and is used by barbastelle, serotine and lesser horseshoe bats at low levels (individual bats).
  - Any work to the roof or tower will negatively impact bats if there is no mitigation in place
  - A European Protected Species Licence (EPSL) is required in order to complete the work lawfully.

## 2 Introduction

### 2.1 Site Location and Context

2.1.1 St Mary Magdalene Church is located in the small rural village of Huntshaw and dates from the early C14. A single-track road runs along the southern boundary. Village dwellings are situated on the edge of the churchyard, with farmland to the north and south. The western boundary is planted with mature conifers. Figures 1 and 2 below show the site location.



Figure 1 - Google Earth Image of the church in the landscape



Figure 2 - OS Map showing church location. Ordnance Survey© Crown copyright. All Rights Reserved Licence Number 100060376

- 2.1.2 The church is a stone structure with a slate roof. The roof is in a poor condition, with many dislodged slates and damage along the ridges. There are three separate roof structures, all joined by a valley.
- 2.1.3 There is a small C19 porch on the southern elevation with open rafters. The slate tiles in this area are in particularly poor condition. The west tower was built in 1499 and restored in 1862. The walls are tightly pointed in most places. The ventilation windows on the tower have bird mesh that has come apart, allowing access for bats and birds into the bell chamber.
- 2.1.4 The external north wall has multiple gaps along the wall plate where bats and birds could gain access. The north-west corner of the main church has extensive ivy cover that could provide bird nesting habitat.
- 2.1.5 There are multiple cracks and crevices throughout the external structure which could provide bat access.
- 2.1.6 Internally, the church is accessed via a porch which has a heavy door that is always closed. There is a small vestry at the north-eastern end which is accessed via an internal door which is always locked. There is an internal door at the western end of the church that leads to the tower. The steep steps lead to the deadening chamber, the bell tower and the roof beyond. The image below shows the roof complex of the church.



Figure 3 – Aerial view showing roof complex



Figure 4 - St Mary Magdalene Church (southern elevation and eastern gable)



Figure 5 - Ivy cover of northern building



Figure 6 - Southern porch roof - example of gaps under ridge

## 2.2 Proposed Works

2.2.1 The church is in a poor condition and as such a programme of works will be devised to renovate and improve high risk areas such as the roof. At the time of writing, the exact plans or schemes of work have not been established.

## 2.3 Conclusions of Preliminary Survey

2.3.1 Bats: The preliminary survey concluded that the entire structure has potential to be used by bats. A number of droppings characteristic of long-eared bats and greater horseshoe bats were found in a scattered distribution through-out the nave and aisle areas. Several hundred bat droppings characteristic of lesser horseshoe bats were found under the alter. The droppings were of a varied age. A bat was observed flying in the deadening chamber in the tower. No droppings were found in the vestry or the porch. On this basis the church is **confirmed** as a bat roost for several species of bat. See Figure 7 below for bat dropping locations.

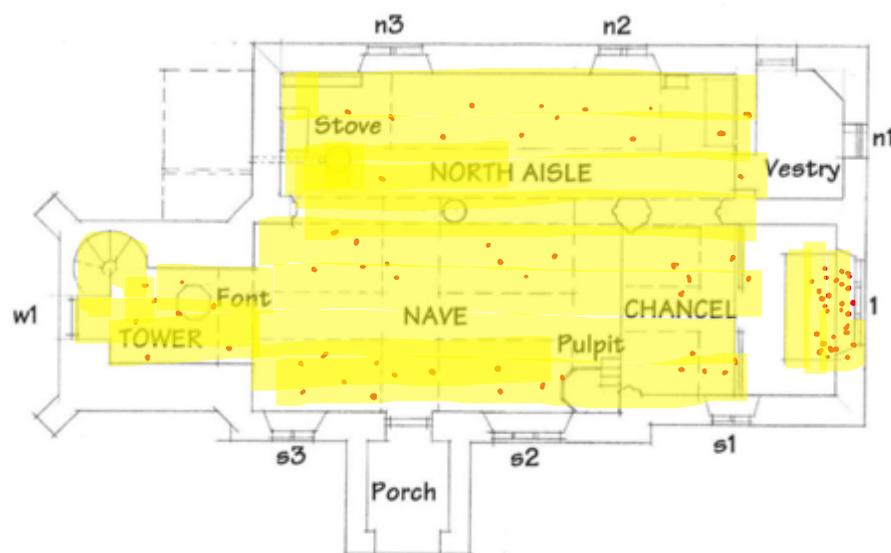


Figure 7 - Plan view showing location of bat droppings

2.3.2 The church structure was assessed as having **moderate/high** bat roost potential for crevice dwelling bats, in particular some of the external features such as the gaps along the northern wall plate, gaps under the ridge tiles and crevices in the stonework were thought to be suitable for crevice dwelling bat species.

2.3.3 A dusk survey and one pre-dawn survey were recommended to be carried out during the period May – September. A remote detector survey was recommended to identify bat species using the tower.

2.3.4 Birds: There was evidence of jackdaw and/or pigeon nesting in the bell chamber of the tower. The louvred vents in the tower have mesh fixed over them but is damaged and so allow birds to gain access into the tower. There was a large amount of nesting material and mess caused by the birds.

## 2.4 Objectives of Detailed Surveys

2.4.1 The purpose of the additional surveys was to assess the presence/absence of bats throughout the building, and to:

- identify the species present
- gain an estimate of the numbers
- characterise the type of roost or how the bats are using the building
- gather information concerning preferred routes to and from the buildings and location of access points

## 2.5 Remote Survey

2.5.1 A static bat detector (Anabat Express) was left in the tower between 26/7/19 – 6/8/18 (12 nights).

## 2.6 Dusk Emergence / Dawn re-entry Surveys

2.6.1 The surveys were carried out according to the most recent guidelines from the Bat Conservation Trust (Collins 2016).

2.6.2 The dusk survey was carried out on the 21<sup>st</sup> August 2018. The dawn survey was carried out on the 13<sup>th</sup> September 2018. The emergence survey started 10 minutes before sunset and continued for 1:30mins after sunset. The dawn re-entry survey started 1h:30mins before sunrise and continued until sunrise. Table 1 below contains details of the timings and prevailing conditions for the surveys.

Table 1: Survey details

	Date	Sunset	Start	Finish	Start Temperature	Wind (Beaufort scale)	Rain	Cloud (% cover)	No. Surveyors
Dusk Emergence	21/08/18	20:26	20:20	22:00	17°C	0 - 1	-	100%	4
Dawn re-entry	13/09/18	06:48	05:10	06:50	10°C	1	-	80%	4

## 2.7 Surveyor Information

2.7.1 The surveyors employed in carrying out the surveys were:

Bryony Gillett MSc ACIEEM	NE Bat Licence 2015-14233-CLS-CLS
Oliver Chope Grad CIEEM	NE Bat License 2016-25250-CLS-CLS
Samantha Pickering	NE Bat License 2015-6923-CLS-CLS
Samantha McColl	Experienced bat surveyor
Greg Smith	Experienced bat surveyor
Tamsin Quinn	Experienced bat surveyor

2.7.2 The equipment used was a Wildlife Acoustics EM3 and Wildlife Acoustics EM Touch Pro and an Anabat Express. Data were analysed using Kaleidoscope software.

## 3 Survey Results

### 3.1 Dusk emergence / dawn re-entry surveys

3.1.1 Surveyors were strategically positioned so that they could see areas with high roost potential. It was not possible to see the valley between the two roofs.



Figure 8 - Surveyor locations

3.1.2 A summary of the results from the emergence surveys are shown in Table 2 below.

Table 2 : Summary of dusk emergence / dawn re-entry survey results

Survey	Date	Results
Dusk emergence	21/08/18	4 common pipistrelle bats emerged from various points (see Figure 9) on the roof of the church. 5 <i>Myotis</i> bats emerged from behind bargeboard on able end of roof 1 (see Figure 9) 5 brown long-eared bats emerged from the church in various locations (see Figure 10) 7 brown long-eared bats emerged from the tower (see Figure 10)
Dawn re-entry	13/09/18	5-6 brown long-eared bats flew in under a line of lifted roof tiles at the junction of the tower and the main roof. Bats were recorded displaying courtship behaviours.



Figure 10 - Photo showing bat roost entry points



Figure 9 – bat access points

3.1.3 Other bat species were recorded flying in the churchyard and included noctule, common and soprano pipistrelle, *Myotis* bats and serotine bats. The surveys recorded a high level of bat activity.

3.1.4 The table below shows the bat species recorded in the tower by the static bat detector and the frequency of their calls. It is possible that some of these calls were picked up from bats flying outside the tower. Due to the large number of brown long-eared bat calls, this species is definitely roosting inside the tower. It is likely that this species was the one observed during the initial building inspection. It is also possible that the tower supports all five species listed below.

Table 3 - Showing bat calls recorded on the static detector inside the tower between 26/7/19 – 6/8/18 (12 nights)

Bat Species	Nights recorded	Total calls
Brown long-eared bats	All nights (12)	2606 (range between 157-300 calls per night)
Barbastelle bats	11 nights	23 (range between 1-5 calls per night)
Noctule bats	11 nights	11 (range between 1-3 calls per night)
Serotine bats	All nights (12)	21 (range between 2-4 calls per night)
Lesser horseshoe bats	5 Nights	8 (between 3 and 8 calls per night)

## 3.2 Evaluation of Results

3.2.1 The results of the preliminary and further surveys indicate that the building is being used by brown long-eared bats, common pipistrelle bats, *Myotis* bats, lesser horseshoe bats and serotine bats. Although there was evidence of greater horseshoe bats, the droppings were not fresh, and it was not clear how this large species would be able to access the interior of the church as there are currently no suitable access points. Other bat species (barbastelle and noctule) are also possibly roosting in the tower.

3.2.2 The results indicate that the church supports a number of species but in low numbers. It is likely that bats use the structure throughout the year, including for both summer and winter roosting. Courtship behaviour was observed during the September survey which means that brown long-eared bats could also mate at the site.

Table 4 - Table showing bat roost location and types

Bat Species	Roost Location	Roost type
<b>Brown long-eared bats</b>	<p>Inside the tower (accessed via damaged netting on vents)</p> <p>Under lifted roof tiles at junction of tower and roof</p> <p>Inside soffit on north east corner</p> <p>On northern external wall plate</p> <p>Under tile on north eastern roof</p>	<p>Possible maternity roost for low numbers of bats. Mating roost at tower/roof junction. Probably summer roost for individual bats under tiles/in soffits etc.</p>
<b>Barbastelle bats</b>	Inside the tower	A single bat probably roosting between wooden rafters/bell frame
<b>Noctule bats</b>	Inside the tower	A single bat probably roosting between wooden rafters/bell frame
<b>Serotine bats</b>	Inside the tower	A single bat probably roosting between wooden rafters/bell frame.
<b>Lesser horseshoe bats</b>	Inside the tower/under the alter	A single bat (or very low numbers) bat, using the tower as an occasional roost. Occasional forays into the main church, with a favoured roosting location under the alter.
<b>Common pipistrelle bats</b>	Under roof tiles in the valley area where the two roofs meet (not visible from the ground)	Small summer roost. Possible breeding site for low numbers of bats.
<b><i>Myotis spp.</i></b>	Behind bargeboard of the middle gable (roof 1)	Species not established. Small summer roost.

## 4 Impact Assessment

4.1 The following negative ecological impacts have been identified;

Bat Species	Impact
Brown long-eared bat	<ul style="list-style-type: none"> <li>• Permanent loss of roost (under bargeboard, under roof tiles)</li> <li>• Damage to roosts on the roof and in the tower (exact location not known)</li> <li>• Noise, dust, vibration, increased human presence during works (disturbance)</li> <li>• Injury/death</li> </ul>
Serotine	<ul style="list-style-type: none"> <li>• Damage to roost in the tower (exact location not known)</li> <li>• Noise, dust, vibration, increased human presence during works (disturbance)</li> <li>• Injury/death</li> </ul>
<i>Myotis</i>	<ul style="list-style-type: none"> <li>• Destruction of bat roost (behind bargeboard on gable end of roof 1)</li> <li>• Noise, dust, vibration, increased human presence during works (disturbance)</li> <li>• Injury/death</li> </ul>
Common pipistrelle	<ul style="list-style-type: none"> <li>• Destruction of bat roost (under ridge tiles on the valley (exact location not known)</li> <li>• Noise, dust, vibration, increased human presence during works (disturbance)</li> <li>• Injury/death</li> </ul>
Barbastelle	<ul style="list-style-type: none"> <li>• Noise, dust, vibration, increased human presence during works (disturbance)</li> <li>• Damage to roost in the tower (exact location not known)</li> <li>• Injury/death</li> </ul>
Noctule	<ul style="list-style-type: none"> <li>• Noise, dust, vibration, increased human presence during works (disturbance)</li> <li>• Damage to roost in the tower (exact location not known)</li> <li>• Injury/death</li> </ul>
Lesser horseshoe	<ul style="list-style-type: none"> <li>• Noise, dust, vibration, increased human presence during works (disturbance)</li> <li>• Damage to roost in the tower (exact location not known)</li> <li>• Injury/death</li> </ul>
Greater horseshoe	<ul style="list-style-type: none"> <li>• Impacts not known.</li> </ul>

- 4.2 Short term impacts include an increase of human presence at the site during construction works, which will create noise, changes in the temperature/humidity regimes, dust and vibrations. All these factors will have a detrimental impact on bats.
- 4.3 There is potential for the disturbance, injury and killing of bats if unmitigated works are undertaken throughout the year. In addition, it is likely that the bat roosts will be destroyed.
- 4.4 Without mitigation the roosts will be either permanently lost or disturbed/damaged. This could impact bats' ability to rest, feed and mate in this area.
- 4.5 It is considered that there will be a negligible impact on bats' ability to forage and commute at this site. There is some good quality bat foraging and commuting habitat in the surrounding environment.

## 5 Conservation Measures: Mitigation, Compensation and Enhancement

### 5.1 European Protected Species Licence

5.1.1 Mitigation refers to measures to protect the bat population from damaging activities and to reduce or remove the impact of the development. Mitigation/compensation proposals should meet the test of 'no adverse effect on the favourable conservation status of populations'. This FCS is defined in the Habitats and Species Directive as 'the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its population within the territory'.

5.1.2 The Habitat Regulations are constructed to give protection to individuals as well as breeding sites and resting places (roosts). This means that precautions must be taken to avoid the deliberate damage or destruction of bat roosts. **In this case, the proposed renovation of the church would cause an offence to be committed under the Conservation of Habitats and Species Regulations 2017 (as amended) and so a licence from Natural England is required.** The proposed works will likely result in a net loss of roosts for a number of species of bats.

5.1.3 A detailed mitigation plan will be required to demonstrate how bats will be incorporated into the development and how the Favourable Conservation Status of bats at this site will be retained. This will be established once the precise nature of the work is known.

5.1.4 Work to the tower vents to restrict bird access may also have the effect of restricting bat access and so replacement of the mesh should not be undertaken without consultation with the bat ecologist.

### 5.2 Avoidance of disturbance / killing / injuring

5.2.1 To avoid negative impacts the following measures are recommended. There may be additional measures which will be identified once the full scope of the works is established;

- Timing the works outside the breeding season (Works should be undertaken between Oct 1<sup>st</sup> and March 31<sup>st</sup>). This will avoid the disruption of breeding behaviours, the injuring or killing of bats and disturbance to bats.
- A 'Tool-box Talk' for contractors, to identify the roosts and the constraints when working around bats.
- A supervised roof strip in areas where bats could be present (bargeboards, soffits, under slates etc.) Bats can then be moved to safety to a pre-installed bat box (under licence).

- Reinstating a suitable crevice features for bats in the same locations. This can be either a bat box or an integrated crevice within the fabric of the building.
- Due to the unspecified nature of the work, there may be other impacts which have not been considered at this stage.

### 5.3 Enhancement

5.3.1 Enhancement opportunities will be clarified once the precise nature of the work is known.

## 6 Compliance with Development Plan Policies and Statutory Obligations

### 6.1 Background to the legislation

The Bern Convention (The Convention on the conservation of European Wildlife and Natural Habitats) was adopted in 1979 and came into force in 1982. To implement this agreement, the European Community (EC) adopted the European Union (EU) Habitats Directive.

The EC Habitats Directive has been transposed into UK legislation by the Wildlife and Countryside Act, 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. The Countryside and Rights of Way Act (CRoW), 2000 strengthened the existing wildlife legislation in the UK.

The UK has also signed the Bonn Convention (The Convention on the Conservation of Migratory Species of Wild Animals) and is therefore party to various agreements.

In relation to a development a person commits an offence if they –

- Deliberately disturb European Protected Species in particular any disturbance which is likely to impair their ability to survive, breed or reproduce, or to rear or nurture their young.
- Intentionally or recklessly disturb any schedule 5 animal while it is occupying a structure or place which it uses for protection or shelter.
- Damage or destroy the breeding site or resting place (even if it is unintentional or when animals are not present).
- Deliberately capture, injure or kill any European Protected Species

### 6.2 Bats

All 17 species of bats are protected under Schedules 5 and 6 of the Wildlife and Countryside Act 1981 (and as amended) and are also protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are listed under Appendix III of the Bern Convention and Annex IV of the EC Habitats Directive. Bats and their habitats are also listed under Appendix II of the Bonn Convention and therefore the UK has an obligation to protect their habitat, including links to important feeding areas.

**With regards to the proposed development, there are impacts predicted to bats or bat roosts based on the results of the preliminary and additional surveys.**

### 6.3 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on (and applies from) the 27th March 2012. This policy framework will replace many of the existing Planning Policy Statements including Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9).

The new NPPF contains reduced content with regards specific advice for biological conservation compared to that set out in PPS9. However, much content is comparable with regards the needs for maintaining and enhancing biodiversity within planning policies and decisions. Specific sections of particular relevance to this development include:

*Paragraph 118: “When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:” including...*

*- “if significant harm 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;”*

*- “Opportunities to incorporate biodiversity in and around developments should be encouraged;”*

There will be impacts to biodiversity predicted as a result of the proposed development. Possibilities for enhancement in terms of provision for bats and nesting birds will be recommended once the full scope of the work is known.

## 7 References

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