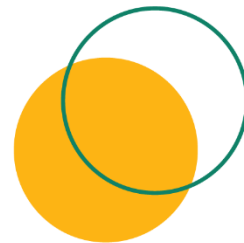




Preliminary Roost Assessment



Paul Vinyard
Dorothy House Hospice Care, Winsley, Bradford on Avon, Wiltshire, BA15 2LE
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The findings, assessments, and recommendations in this report are based on the information available at the time of writing. If project details, design plans, or site conditions change, this report will require revisiting and reviewing to ensure its continued relevance and accuracy. No warranties or guarantees, express or implied, are provided regarding the conclusions drawn in this report, and it should not be considered an up-to-date assessment if project conditions evolve.

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1 Introduction

1.1 Overview

Paul Vinyard ('the client') is seeking consent for a proposed development at 57 Princedale Road, London W11 4NP (hereafter referred to as the 'proposed development site'), which is within the Wiltshire Council (WC).

We understand that a Preliminary Roost Assessment is required for a double-storey extension to the Nicholson House building located northwest of Dorothy House.

ACP Consultants Ltd. was instructed by the client to conduct a Preliminary Bat Roost Assessment to accompany the planning application to WC, seeking consent to undertake the proposed work. The purpose of the Preliminary Roost Assessment is to determine the presence of roosting bats and identify the need for any further surveys, where necessary. If necessary, appropriate mitigation measures are to be identified and recommended.

A Preliminary Roost Assessment report has been prepared to determine the presence/likely absence of roosting bats for this proposed development and identify need for any further consideration.

Local Authorities are tasked with determining new development and local planning applications against a wide range of social, economic, and environmental criteria. The purpose of this report is to assess whether the development proposal is compliant with the relevant local policies in terms of ecological impact as a result of the proposed development.

This assessment has been carried out in accordance with good practice guidelines, including the National Planning Policy Framework (2024) and applicable local supplementary guidance. Planning policy is located in Appendix C.

The remainder of this report is presented in the following order:

- Section 2: Methodology.
- Section 3: Results and Evaluation.
- Section 4: Recommendations for Further Survey, Mitigation and Enhancement.
- Section 5: Conclusions.

1.2 Objectives

- To gain an understanding of the importance of the defined survey area for bats.
- To identify potential bat roosts provided by buildings within the site.
- To determine the presence/likely absence of roosting bats within suitable features.
- To determine levels of bat foraging and commuting activity within habitat potentially affected by the proposed development.

2 Methodology

To achieve the objectives outlined in Section 1.2, a desktop study was completed followed by a site visit led by Ayan Chakravartty (Level 2 Bat Licence number - 2024-12540-CL18-BAT) and Brydie Stacey.

2.1 Desktop Study

The desk study was undertaken by referring to the following data sources:

- Defra (2025). Multi-Agency Geographic Information for the Countryside (MAGIC)

Satellite mapping, Ordnance survey, road map, habitat, and designated site data from Defra (2025) was used to assess the value of the surrounding habitat for bats in the area at a landscape scale (5km), including any potentially important habitat corridors (linear habitat features), feeding grounds or potential roost opportunities, such as large expanses of woodland. The features and habitats immediately surrounding the site (local area) were also assessed at a finer scale as these influence the likely presence of bats within the survey site. Defra was also used to determine if any Granted European Protected Species Applications for bats are present with 2km of the site.

2.2 Preliminary Roost Assessment

On the 4th of September 2025, an inspection of the site was undertaken by Ayan Chakravartty and Brydie Stacey during daylight hours to determine the suitability for bats. This was to establish, if possible, whether bats are using the buildings or have been using the buildings in the past. An assessment of the buildings was undertaken in accordance with the latest published best practice guidance (Collins, 2023).

All accessible parts of the buildings were inspected internally and externally, to look for bats and signs of the presence of bats, including:

- Droppings.
- Feeding remains including moth and butterfly wings.
- Staining from urine or oils near crevices or holes or on timber (such as roof beams), walls, chimney breasts etc.
- Scratch marks on walls and timber.
- Squeaking or chattering calls.

The assessment outside the building included inspection of all walls, windows, windowsills, and tiles, including a search for any crevices under tiles, missing mortar, gaps in the ridge or gable end of the roofs, crevices in render and brickwork, gaps tiles and any other potential bat roost opportunities.

Table 1: Guidelines for assessing the proposed development site for bats (from Collins, 2023).

Suitability	Roosting structures	habitats	in	Potential flightpaths and foraging habitats	Number of activity survey visits required
None	<i>No habitat features on site likely to be used by any roosting bats at any time of year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).</i>			<i>No habitat features on site likely to be used by any commuting or foraging bats at any time of year (i.e. no habitats that provide continuous lines of shade/protection for flight-lines or generate/shelter insect populations available to foraging bats).</i>	None

Suitability	Roosting structures	habitats in	Potential flightpaths and foraging habitats	Number of activity survey visits required
Negligible	<i>No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.</i>		<i>No obvious habitat features on site likely to be used as flight-paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.</i>	None
Low	<i>A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by a larger number of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site but could be used by individual hibernating bats).</i>		<i>Habitat that could be used by small numbers of bats as flight-paths such as gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat.</i> <i>Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.</i>	One
Moderate	<i>A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation – the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).</i>		<i>Continuous habitat connected to the wider landscape that could be used by bats for flight-paths such as lines of trees and scrub or linked back gardens</i> <i>Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.</i>	Two
High	<i>A structure 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 due to their size, shelter, protection, conditions and surrounding habitat. These structures have the potential to support high conservation status</i>		<i>Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight-paths such as river valleys, streams, hedgerows, lines of trees and woodland edge.</i> <i>High quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved</i>	Three

Suitability	Roosting structures	habitats	in	Potential flightpaths and foraging habitats	Number of activity survey visits required
		<i>roosts, e.g. maternity or classic cool/stable hibernation site.</i>		<i>woodland, tree-lined watercourses and grazed parkland.</i> <i>Site is close to and connected to known roosts.</i>	

2.3 Limitations

The results of the survey and assessment work undertaken by ACP Consultants Ltd. are representative at the time of surveying.

Any third party and external data sources used may vary due to the quality and scale, the supporting information used to define locations/boundaries and sensitivity of the data itself. ACP Consultants Ltd. cannot take responsibility for the accuracy of external data sources and as such discrepancies and inaccuracies may occur. Any distances, locations or dimensions appearing in the report should be considered as estimates.

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.

A thorough inspection of the building, including cavities, cannot be conducted without specialist access equipment, meaning only accessible areas have been surveyed. Therefore, a negative result does not definitively prove the absence of protected species. The absence of bats can only be fully confirmed with bat activity/emergence surveys.

We encourage the client and authorised users of the report to remove any information containing records of protected species locations within the report prior to publishing in the public domain to prevent human interference.

3 Results and Evaluation

3.1 Overview

The following section sets out the existing conditions in relation to ecology for the proposed development. Relevant ecological information is available from several sources including local, regional, and national ecological reports and websites. For the purpose of this assessment, some data has been obtained from Defra provided geographical sources¹.

3.2 Designated Sites and Existing Landscape

Details of any statutory designated sites within a 5km radius of the proposed development including their reasons for notification, are provided in Table 2 below.

Table 2: Designated sites within a 5km radius of the survey site.

Site Name	Designation	Distance from Site	Hectares (Ha)
Winsley Mines	Site of Special Scientific Interest (SSSI)	0.2km west	1.48Ha
Bath and Bradford on Avon Bats	Special Areas of Conservation (SAC)	0.2km west	107.86
Ilford Manor	Site of Special Scientific Interest (SSSI)	1.8km south	0.38Ha
Midford Valley Woods	Site of Special Scientific Interest (SSSI)	2km northwest	23.59Ha
Inwood, Warleigh	Site of Special Scientific Interest (SSSI)	2km north	58.02Ha
Gripwood Quarry	Site of Special Scientific Interest (SSSI)	2.4km southeast	1.47Ha
Hinton Charterhouse Pit	Site of Special Scientific Interest (SSSI)	4.3km southwest	0.38Ha
Brown's Folly	Site of Special Scientific Interest (SSSI)	4.5km north	41.38Ha
Combe Down and Bathampton Down Mines	Site of Special Scientific Interest (SSSI)	4.6km northwest	6.26Ha
North Road Quarry	Site of Special Scientific Interest (SSSI)	4.8km northwest	0.28Ha
Hinton Charterhouse Field	Site of Special Scientific Interest (SSSI)	4.8km southwest	0.32Ha
Cleaves Wood	Site of Special Scientific Interest (SSSI)	4.9km southwest	41.37Ha
Hinton Hill, Wellow	Site of Special Scientific Interest (SSSI)	4.9km southwest	0.22Ha

Defra (2025) has been used to undertake a review of the proposed site and surrounding area. The site is situated in an urban area located in Winsley, Bradford on Avon. The landscape within the immediate vicinity of the site comprises of suburban land, with residential houses and greenspaces. There are areas of scattered woodland within 2km listed in Table 3 below. These areas could provide suitable bat foraging and commuting habitat for bats.

Table 3: Priority habitats within 2km of the site

Habitat Type	Number of Parcels within 2km	Distance of Closest Parcel to the Site (km)
Broadleaved Woodland	42	0.1km southeast
Assumed Woodland	3	0.6km northwest
Coniferous Woodland	3	1km northwest

Defra (2025). Multi-Agency Geographic Information for the Countryside (MAGIC)

Habitat Type	Number of Parcels within 2km	Distance of Closest Parcel to the Site (km)
Mixed Mainly Broadleaved	10	1km northwest
Ancient Woodland	14	1km southwest
Mixed, Mainly Coniferous Woodland	7	1.1km northwest
Young Trees	1	1.8km northwest

3.3 Data Search and Historical Records

Defra (2025) was used to provide bat records for within 2km of the site. This was primarily due to the nature of the proposed development. Results of bat records within a 2km buffer can be seen below in Table 4.

Table 4: Bat records within a 2km buffer

Bat Record	Distance from Site	Start and End Date	Bat Species Present
Granted European Protected Species Applications (England)	0.3km southwest	29/07/2015-31/12/2015	<i>Plecotus auritus</i> , <i>Pipistrellus pipistrellus</i>
		23/03/2012-31/12/2015	<i>Plecotus auritus</i> , <i>Pipistrellus pipistrellus</i>
Granted European Protected Species Applications (England)	0.4km southwest	22/11/2016-22/11/2016	<i>Pipistrellus pipistrellus</i> , <i>Pipistrellus pygmaeus</i> , <i>Rhinolophus hipposideros</i>
		01/10/2016-01/10/2021	<i>Pipistrellus pipistrellus</i> , <i>Pipistrellus pygmaeus</i> , <i>Rhinolophus hipposideros</i>
Granted European Protected Species Applications (England)	1km southeast	30/11/2016-30/11/2016	<i>Pipistrellus pygmaeus</i>
Granted European Protected Species Applications (England)	1.1km southwest	29/02/2016-30/11/2021	<i>Pipistrellus pygmaeus</i>
		07/06/2018-07/06/2028	<i>Pipistrellus pipistrellus</i> , <i>Pipistrellus pygmaeus</i> , <i>Rhinolophus hipposideros</i> , <i>Plecotus auritus</i>
Granted European Protected Species Applications (England)	1.2km west	29/04/2013-30/08/2014	<i>Pipistrellus pipistrellus</i>
Granted European Protected Species Applications (England)	1.3km west	31/01/2012-31/08/2013	<i>Pipistrellus pygmaeus</i>
Granted European Protected Species Applications (England)	1.6km northwest	04/03/2019-04/03/2029	<i>Pipistrellus pipistrellus</i> , <i>Rhinolophus hipposideros</i>
Granted European Protected Species Applications (England)	1.7km west	17/05/2018-17/05/2023	<i>Pipistrellus pipistrellus</i> , <i>Eptesicus serotinus</i> .
		13/12/2018-13/12/2023	<i>Pipistrellus pipistrellus</i> , <i>Eptesicus serotinus</i> .
Granted European Protected Species Applications (England)	1.7km west	05/12/2018-31/03/2019	<i>Pipistrellus pipistrellus</i>
Granted European Protected Species Applications (England)	1.7km southwest	22/04/2015-31/03/2025	<i>Pipistrellus pipistrellus</i> , <i>Pipistrellus pygmaeus</i> , <i>Rhinolophus hipposideros</i> , <i>Plecotus auritus</i> , <i>Rhinolophus ferrumequinum</i>
Granted European Protected Species Applications (England)	1.9km south	27/09/2018-01/04/2029	<i>Pipistrellus pipistrellus</i> , <i>Pipistrellus pygmaeus</i> , <i>Rhinolophus hipposideros</i> ,
		26/01/2019-01/04/2029	<i>Plecotus auritus</i> , <i>Rhinolophus ferrumequinum</i> ,

Bat Record	Distance from Site	Start and End Date	Bat Species Present
			<i>Myotis daubentonii</i>

3.4 Field Survey Results

The weather conditions recorded at the time of the survey are shown in Table 5.

Table 5: Summary of conditions during survey

Abiotic Factor	Survey 1
Survey Type	Preliminary Bat Roost Assessment
Date Completed	29.08.2025
Temperature °C	19°C
Precipitation	0
Weather Conditions	Clear sky

3.5 Site Features

The results of the Preliminary Bat Roost Assessment are summarised in Table 6 below. Photograph references (Appendix B) relate to the building descriptions below.

Table 6: Site features and descriptions linking to photos in Appendix B.

Building Reference	Internal or external	Description (if applicable)	Use by birds	Bat Signs, Access Points and Features
A	External B1	Exterior brickwork and soffit boxes	None recorded	N/A
B	External B1	Exterior brickwork and lower tiles	None recorded	N/A
C	External B1	External brickwork and soffit boxes	None recorded	N/A
D	External B1	External electric wire	None recorded	Potential access point for roosting bats however this entrance is currently being used by wasps nesting in the loft space.
E	Internal B1	Interior timber beams and brick wall	None recorded	N/A
F	Internal B1	Interior wooden beams and insulation	None recorded	N/A
G	External B2	External brickwork and mineral felt roofing	None recorded	N/A
H	External B2	Wooden soffit boxes	None recorded	N/A
I	Internal B2	Wood and brick internal loft	None recorded	N/A
J	Internal B2	Wood and brick internal loft, large window	None recorded	Large window is in good condition meaning there is a high light ingress within the building, reducing the likelihood of roosting bats.

3.5.1 Exterior of Building One

The existing building on site is comprised brick walls and tile roofing. The brickwork and tiles are in good condition with no missing or broken bricks or tiles (Building References A-C). However, electric wire entering the internal structure of the building could be used as an access point for roosting bats, although a number of wasps were seen entering through this point – thereby likely mitigating the suitability of this potential access point for bats (Building Reference D).

3.5.2 Interior of Building One

Internally, the building is in good condition. The wooden beams, insulation, and loft material were all in good condition with no potential roosting features, including cracks in brickwork, splinters in the wooden beams, or tears in the material that could create internal voids (Building References E and F). No physical signs of bats were found during the internal inspection.

3.5.3 Exterior of Building Two

There is one small porch attached to the main building that is comprised same components: brick walls and tiled roofing. Again, there were no missing or broken bricks, no raised or missing tiles, and the soffit boxes had no gaps (Building Reference G and H).

3.5.4 Interior of Building Two

The internal structure of the second, smaller building was in good condition. There was a high level of light ingress and the building looked to be regularly used, deterring bat roosting. No internal voids or gaps in the brickwork or internal roofing structure were observed (Building References I and J).

3.5.5 Results

Based on the external and internal inspection of the buildings on site, the overall suitability to support bat roosts is assessed as negligible. Although there were bat records within 2km of the proposed development, the buildings on site were in good condition with no potential roosting features observed (Building References Building References A-J). Moreover, no physical evidence of bats was found. In addition to this, there was a wasp nest within the main buildings loft, likely deterring bat presence.

4 Recommendations for Further Survey, Mitigation and Enhancement

Due to the negligible suitability and risk of proposals harming bats or their roosts (as explained in Section 3), no further surveys are required. This is due to the absence of any bat evidence in the building interiors, the lack of potential access points, and the lack of suitable habitats within 2km (Tables 2 and 3).

As a good practice measure, a sensitive lighting scheme should be used, including low sodium lamps directed towards the ground using hoods or covers, to prevent unnecessary dispersal of light into surrounding habitats and to minimise impact on nocturnal species such as bats. Lighting should only be used where necessary within the completed development, avoiding artificial lighting of hedgerows, trees and attenuation basins.

This precautionary method of work during construction and alteration is recommended:

- Works to remove any timbers, tiles and works to remove walls will be undertaken with care, by hand.
- During such works, timbers must be checked for the presence of bats and for signs of bats (droppings).
- If bats or signs of bats are found during works, works must stop, and an ecologist must be contacted for further advice.

Further bat legislation can be found in Appendix D.

5 Conclusions

This report provides an assessment and evaluation of a Preliminary Bat Roost Survey of the following potential key impacts associated with the proposed development for the Dorothy House Hospice Care, Winsley, Bradford upon Avon, Wiltshire, BA15 2LE. The aims were:

- To gain an understanding of the importance of the defined survey area for bats.
- To identify potential bat roosts provided by buildings within the site.
- To determine the presence/likely absence of roosting bats within suitable features.
- To determine levels of bat foraging and commuting activity within habitat potentially affected by the proposed development.

Due to the lack of potential access points, the internal condition of the buildings (such as good condition truss frames, lining, roofs and brickwork), and presence of a wasp's nest, the risk of proposals harming bats or their roosts is negligible. This is further explained in Sections 3 and 4.

The proposed work is unlikely to cause disturbance that would significantly affect the ability for bats to survive, breed, reproduce, nurture young and hibernate if bat roost(s) are found within the building. Therefore, no further surveys have been recommended, although precautionary measures will be undertaken during works when removing any tiles/timbers.

Appendices

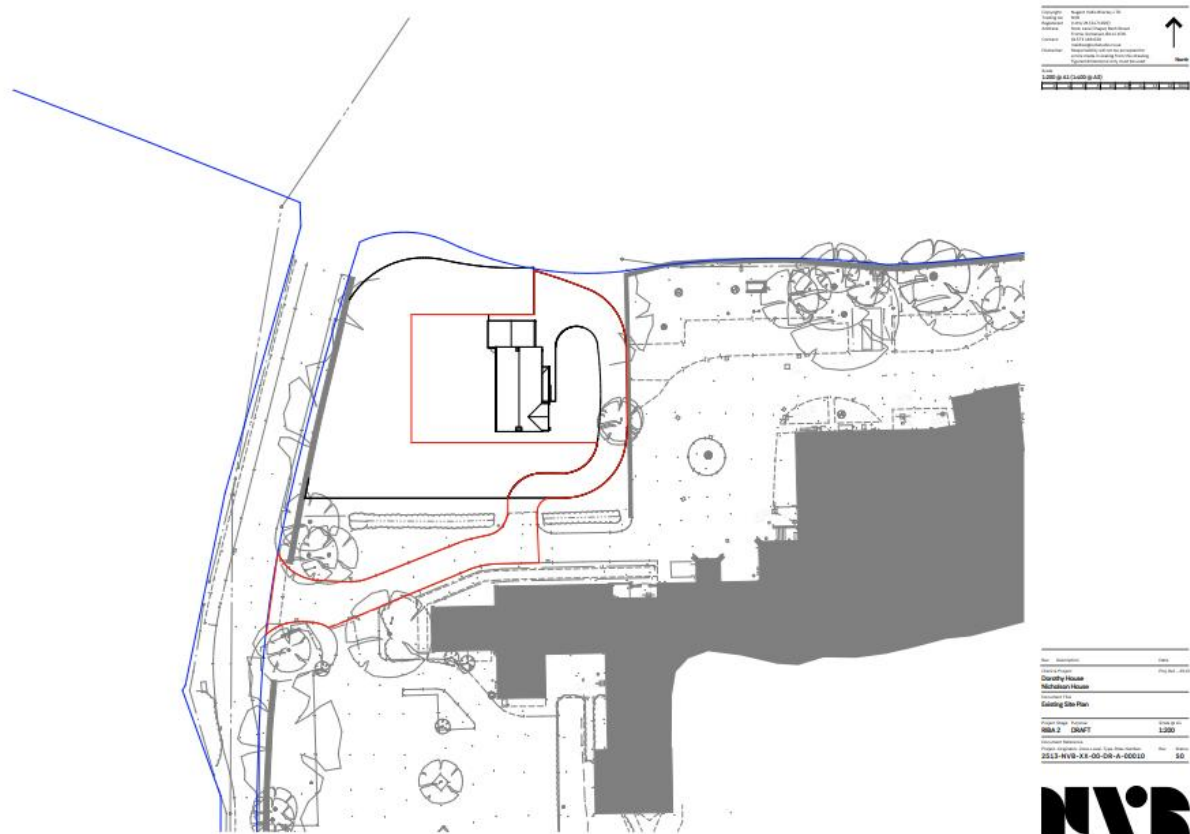
Appendix A: Existing Plans

Appendix B: Site Photographs

Appendix C: Planning Policy & Legislation

Appendix D: Bat Legislation

Appendix A: Existing and Proposed Plans



Existing plans (Source: Client, 2025)

Appendix B: Site Photographs

Building Reference	Photograph
A	 A photograph of a three-story stone building with a light-colored stone facade. The building has several windows with white frames and blue curtains. A black downspout runs vertically down the side of the building. The building is surrounded by greenery, including trees and bushes, and a blue sky with white clouds is visible in the background.
B	 A close-up photograph of a stone wall with a window. The wall is made of light-colored stone blocks. The window has a white frame and blue curtains. Below the window is a stone roof with dark, irregular stones. A black downspout is visible on the left side of the wall.

Building Reference	Photograph
C	

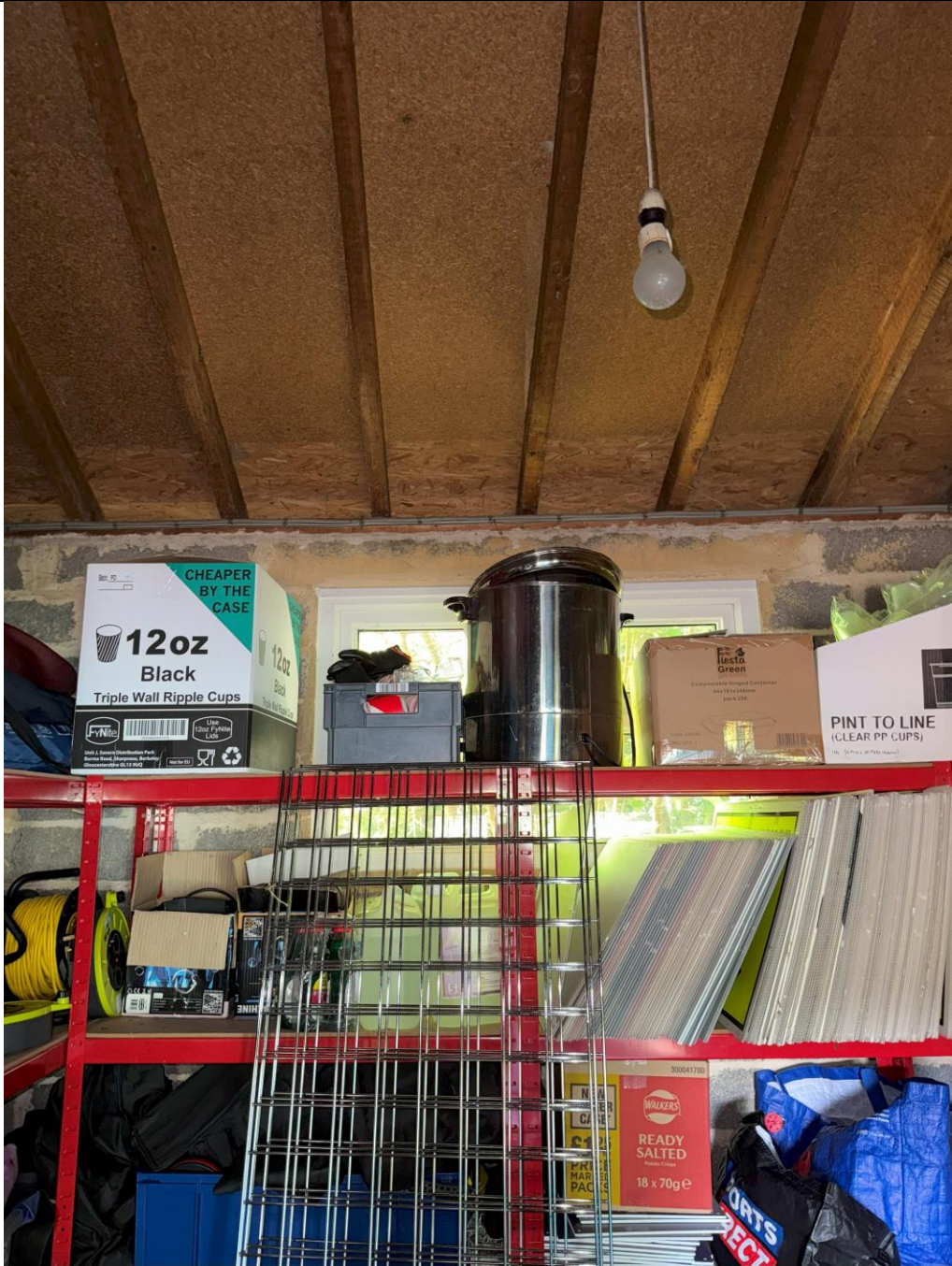
Building Reference	Photograph
D	

Building Reference	Photograph
E	 A photograph showing the interior of a roof space. The structure consists of several wooden rafters supporting a roof. A grey brick chimney is visible in the center. The floor of the roof space is covered with a layer of brown insulation, and some yellow insulation is visible in the bottom left corner.

Building Reference	Photograph
F	 A photograph showing the interior of a roof space. Several wooden rafters are visible, supporting a white, textured surface. In the foreground, there is a large, brown cardboard box with the Panasonic logo and the text 'SUPER DRIVE' and 'NV-SD220B'. The box is resting on a pile of brown, fibrous material, possibly insulation or debris. The lighting is bright, coming from above.

Building Reference	Photograph
G	 A photograph showing the exterior of a building with light-colored stone walls. A white door is visible, and a black bin is placed outside. A 'GIVE WAY' sign is on the ground. A black downspout runs vertically on the right side of the entrance.
H	 A close-up photograph of a light fixture mounted on a dark red wall. The fixture is a simple, cylindrical, white light bulb. The wall is made of dark red wood paneling. A window with a white frame is visible in the lower left corner.

Building Reference	Photograph
1	 A photograph showing the interior of a roof structure. The ceiling is composed of wooden rafters and plywood sheathing. A brick chimney is visible on the left side. A yellow gas pipe and a white gas meter are visible in the lower left corner. A warning sign is also present near the meter.

Building Reference	Photograph
J	

Appendix C: Planning Policy & Legislation

This section summarises the relevant National and Local legislative and policy background, statutory and non-statutory guidelines relevant to the potential commercial development.

National Policy

National Planning Policy (December 2024)

The principal national planning policy guidance with respect to the potential development is the National Planning Policy Framework (NPPF). The most recent update of the NPPF was published in December 2024 by the Ministry of Housing, Communities and Local Government. This guidance sets out the Government's planning policies for England and how they are expected to be applied. Three dimensions to sustainable development have been identified in the NPPF: economic, social, and environmental.

The NPPF Section 187 states that:

"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 and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
- 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."*

Section 188 states that:

"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."

Section 189 states that:

"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes, 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 Broads⁶³. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."

Section 190 states that:

“When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development⁶⁴ 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.”*

Section 192 states that:

“To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

Section 193 states that:

“When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

Section 194 states that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

Relevant National Planning Practice Guidance (NPPG, 2016)

NPPG is a web-based resource which brings together planning guidance on various topics into one place. It was launched in March 2014 and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

The guidance note on 'Natural Environment' explains key issues in implementing policy to protect and enhance the natural environment, including local requirements. This has been referred to when preparing this report. It states that:

"Planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications. Guidance on the law affecting Habitats Sites, protected species and SSSIs.

Natural England has issued standing advice on protected species. A protected species mitigation licence from Natural England may be required before any work can start."

The PPG also states that:

"Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Pre-application discussions can help to scope whether this is the case and, if so, the survey work required.

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

As with other supporting information, local planning authorities should require ecological surveys only where clearly justified. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity. Further guidance on information requirements is set out in making an application."

Biodiversity net gain is mentioned in the PPG and states that:

"The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under Section 40 of the Natural Environment and Rural Communities Act 2006."

Species and Habitats Legislation

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

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidates all various amendments made to The Conservation (Natural Habitats & c.) Regulations 1994, in respect of England and Wales. The 1994 Regulations transposed the EC Habitats Directive 1992 (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) into national law.

Annexes I and II of the Habitats Directive list (respectively) habitats and species for which member states are required to establish and monitor SACs. The EC Birds Directive provides a similar network of sites (SPAs) for all rare or vulnerable species listed in Annex I and all regularly occurring migratory species, with particular focus on wetlands of international importance.

Together with SACs, SPAs form a network of pan-European protected areas known as 'NATURA 2000' sites.

The Habitats Regulations also make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade on the animals listed in Schedule 2, or pick, cut, uproot, destroy or trade in the plants listed in Schedule 4.

This legislation was amended in January 2021: The main changes to the 2017 Regulations are:

- “the creation of a national site network within the UK territory comprising the protected sites already designated under the Nature Directives, and any further sites designated under these Regulations
- the establishment of management objectives for the national site network (the ‘network objectives’)
- a duty for appropriate authorities to manage and where necessary adapt the national site network as a whole to achieve the network objectives
- an amended process for the designation of Special Areas of Conservation (SACs)
- arrangements for reporting on the implementation of the Regulations, given that the UK no longer provides reports to the European Commission
- arrangements replacing the European Commission’s functions with regard to the imperative reasons of overriding public interest (IROPI) test where a plan or project affects a priority habitat or species
- arrangements for amending the schedules to the Regulations and the annexes to the Nature Directives that apply to the UK.”

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979)

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979) aims to ensure conservation and protection of all wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to afford special protection to the most vulnerable or threatened species (including migratory species).

The Wildlife and Countryside Act 1981 (as amended) (WCA 1981)

The WCA is the primary UK mechanism for statutory site designation (Sites of Special Scientific Interest [SSSIs]) and the protection of individual species listed under Schedule 1,2,5 and 8 of the Act, each subject to varying levels of protection.

The Countryside and Rights of Way Act 2000

This legislation strengthens the provision of the 1981 WCA (as amended), both in respect of statutory sites such as SSSIs and protected species. It also places a statutory obligation on Local Authorities and other public bodies to further conservation of biodiversity in the exercise of their functions, thus providing a statutory basis to the Biodiversity Action Plan (BAP) process, which began in 1994. Section 74 of the Act lists the habitat types and species of principal importance in England. The UK Biodiversity action Plan has now been superseded by the ‘UK Post-2010 Biodiversity Framework’ (July 2012), however, many of the species and habitats in the UK and local BAPs have not been updated and are still considered relevant to date.

A Bill to amend the Countryside and Rights of Way Act 2000 to extend the right of public access to the countryside, including to woodlands, the Green Belt, waters and more grasslands; and for connected purposes is currently in second reading in the House of Commons (November 2022).

Appendix D: Bat Legislation

All bat species, their breeding sites and resting places are fully protected by law - they're European protected species.

You may be able to get a licence from Natural England if you cannot avoid disturbing them or damaging their habitats, or if you want to survey or conserve them.

What you must not do

You're breaking the law if you do certain things including:

- *deliberately capture, injure or kill bats*
- *damage or destroy a breeding or resting place*
- *obstruct access to their resting or sheltering places*
- *possess, sell, control or transport live or dead bats, or parts of them*
- *intentionally or recklessly disturb a bat while it's in a structure or place of shelter or protection*

Either or both of the following could happen if you're found guilty of any offences:

- *you could be sent to prison for up to 6 months*
- *you could get an unlimited fine*

Activities that can harm bats

Activities that can affect bats include:

- *renovating, converting or demolishing a building*
- *cutting down or removing branches from a mature tree*
- *repairing or replacing a roof*
- *repointing brickwork*
- *insulating or converting a loft*
- *installing lighting in a roost, or outside if it lights up the entrance to the roost*
- *removing 'commuting habitats' like hedgerows, watercourses or woodland*
- *changing or removing bats' foraging areas*
- *using insecticides or treating timber*

<https://www.gov.uk/guidance/bats-protection-surveys-and-licences>