



Preliminary Ecological Appraisal and Nocturnal Bat Survey Report

Report prepared for: Mr David House

Littlecott Mill
Enford
Pewsey
Wiltshire
SN9 6AW

July 2024

Cotswold Environmental Ltd

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

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Primary Surveyor Experience

Jason Skinner – 8 years professional ecological experience, primarily involved with bats and reptiles through consultancy and assisting on research projects. Experienced with small-scale and large-scale development projects and involvement on multiple bat mitigation licences. Co-author of peer-reviewed research papers on reptiles and amphibians. Member of Staffordshire and Wiltshire Bat Groups.

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1 INTRODUCTION

- 1.1 This report provides the results of a Preliminary Ecological Appraisal and subsequent nocturnal bat survey effort undertaken at Littlecott Mill, Enford, Pewsey, Wiltshire SN9 6AW (central Ordnance Survey (OS) Reference SU 14266 51790).
- 1.2 The proposals are described as internal alterations and work to roof of the southern wing of the main residential dwelling which will comprise straightening the ridge and installing dormer windows to the southern aspect. In addition, an annex structure occurring to the east of the residential dwelling will be renovated. In due course, a planning application will be submitted to Wiltshire Council.
- 1.3 This report provides survey data based on field visits that were carried out in April, May, and June 2024 by Cotswold Environmental Ltd. The purpose of the daytime survey was to undertake an appraisal of the site for its potential ecological value to notable and protected wildlife, and to look for evidence of such species. The survey results provide information to determine the likely ecological impact the proposed development will have on wildlife species, and to inform the level of further survey effort and mitigation required to comply with relevant nature conservation policies and legislation. The evaluation and findings in this report can be used by Wiltshire Council in their view of a planning application. Survey results detailed within this report should be considered valid for a period of 12-18 months from the survey date (subject to consultation with the Local Planning Authority and/or Natural England).
- 1.4 The National Planning Policy Framework (NPPF) (December 2023) sets out the government planning policies for England and how they should be applied. Chapter 15: Conserving and Enhancing the Natural Environment, is of particular relevance to this report as it relates to ecology and biodiversity. The Government Circular 06/2005, which is referred to by the NPPF, provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.
- 1.5 The property is located to the north-east of the village, approximately 400m east of the A435. The site location is shown in Fig. 1 and the survey boundary is shown in Fig. 2: Site Map.

Survey Objectives

- To determine suitability for protected species
- Ascertain evidence of protected species.

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

2 METHODOLOGY

Desk Study

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

Field Survey

- 2.2 All protected species were considered during the survey. Only those considered likely to utilise the site are mentioned in this report. The proposals for conversion to residential use of the building are limited to the structure itself, are largely internal and will not directly impact surrounding ecological features, therefore, the building was considered to only offer value to bats and nesting birds.

Preliminary Bat Roost Assessment

- 2.3 Ecological consultant Jason Skinner (NE Class 2 Bat Survey licence 2020-50774-CLS-CLS) carried out the survey on Tuesday 30th April 2024.
- 2.4 Survey effort was completed in line with official assessment guidelines³ and largely followed that recommended by the Chartered Institute for Ecology and Environmental Management (CIEEM)⁴ and British Standard Code of Practice⁵. The assessment followed the standard methodology. The site was searched using visual encounter survey techniques. Potential bat movement corridors and movement barriers were assessed and noted. During the site visit, where possible, all areas of the building were internally and externally examined for evidence of bats. The building survey included an internal and external assessment using a powerful torch and endoscope where required.

¹ Multi-Agency Geographical Information for the Countryside (MAGIC). Crown Copyright and database rights [2024]. Ordnance Survey 100022861. Available at: <http://www.magic.gov.uk/>

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

³ Collins J (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4thedn. Bat Conservation Trust, London.

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

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

- 2.5 Internally, the building was assessed using a powerful torch beam to scan the walls and flat surfaces for droppings and other signs of bat activity. Feeding remains such as moth and butterfly wing concentrations were also surveyed for. All holes and crevices considered by the surveyor as likely to be used as a bat roost were examined to ascertain presence or absence of bats.
- 2.6 Externally, visual ground inspections of all elevations were undertaken using binoculars and a telephoto lens where required. Photographs were taken to capture likely features of ecological value to bats and birds i.e. missing tiles, damaged or missing mortar, exposed gable ends, gaps within soffit board, rotten timber and other potential entry points. Other external aspects of the buildings were surveyed, including windows, windowsills, external doors and the ground within close proximity of the structure was thoroughly inspected for bat droppings and feeding remains.

Table 1: Guidelines summary for assessing potential bat roost suitability

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

Nocturnal Bat Surveys

- 2.7 Two dusk nocturnal bat survey were carried during May and July 2024 following recommendations from the preliminary survey. Three surveyors were required to cover the necessary survey area. Surveys were carried out by ecologists Jason Skinner (NE Class Level 2 Bat Survey Licence), Kayleigh Stewart, and David Howard. Nocturnal bat survey effort was completed in line with official

assessment guidelines⁶ as well as interim guidance notes issued by the Bat Conservation Trust in May 2022⁷.

- 2.8 During the survey, the surveyors took up a static positions 15 minutes prior to and 1.5 hours after sunset (see Site Map: Fig. 2). Visual observations of bats were noted, and bat species were identified using bat detectors. The information recorded included weather, timings, whether bats emerged or re-entered the building, direction of travel, species and activity e.g. foraging, commuting. Equipment used during the nocturnal surveys included Echo Meter Touch II recorders coupled to an Apple tablets and heterodyne bat detector (Elekon Bat Scanner Stereos).
- 2.9 Three infrared camera systems (Canon XA20 models) coupled with field monitors infrared lighting were used to strengthen the survey data. Examples of infrared camera views during the darkest point of the surveys are included within the Site Images of this report.
- 2.10 Recorded bat calls were analysed using Kaleidoscope 5.1.9i where required.
- 2.11 Temperatures were recorded onsite using an Elitech RC-51 Temperature Logger.

Inspection for nesting birds

- 2.12 The survey also included an internal and external inspection of the surveyed building for evidence of common nesting birds as well as notable and protected species. Inside the building, artificial light was used to search for birds, dead birds, dead chicks, nesting material and eggs.
- 2.13 All accessible elements of the surveyed building containing nesting potential were checked to see if the development would have any adverse effects on nesting birds. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (as amended). An active nest is one that is being built, containing eggs or chicks, or on which fledged chicks are still dependent. Birds within Schedule 1, such as barn owl *Tyto alba*, are also protected from disturbance during the nesting period.
- 2.14 The presence of notable and protected bird species and any signs indicative of their past and present use was taken into consideration during the inspection of the buildings. Likely perches and nesting

⁶ Collins J (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edn. Bat Conservation Trust, London.

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

locations were checked, and all ledges and cavities were examined for nesting debris where accessible.

Limitations

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

3 RESULTS

Desk Study

Designated Sites

- 3.1 The River Avon System SSSI and River Avon SAC run through the grounds of the property, the closest bank of which is approximately 12m north-west of the residential dwelling, although no further statutory or non-statutory designated sites exist within a 2km radius (see limitations). In addition, no internationally designated sites, such as special areas of conservation (SACs), designated for their bat populations exist within a 10 km radius of the site.

Local habitats

- 3.2 The property is located within a village setting, situated on the bank of the River Avon with gardens comprised of amenity lawns and scattered mature trees. The lane that is located to the immediate north runs below a vegetated embankment, with a linear group of mature trees. Further afield, the surrounding environment is dominated by a mosaic of pastoral land and arable fields with very few of the fields bordered by hedgerows, although isolated pockets of woodland copse are scattered throughout the agricultural landscape, particularly to the north and south of the site. Use of the MAGIC database indicated an area of Woodpasture and Parkland 750m to the north, although no ancient woodland was identified.

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

- 3.3 According to the Magic website, one EPS licence has been granted in 2019 for brown long-eared *Plecotus auritus*, common pipistrelle *Pipistrellus pipistrellus* and serotine *Eptesicus serotinus* bats at a site located 1.8 km to the south-west.

Field Survey

Table 2: Weather conditions during the field survey

Date	Start	Finish	Temp °C	Wind	Cloud	Rain	Notes
30/04/2024	10:30	11:45	12	Calm	26 %	Dry	N/A

Preliminary Bat Roost Assessment Results

- 3.4 The PRA and all subsequent information pertain to the residential dwelling (B1) and detached annexe (B2) (see Fig. 2: Site Map).

B1 – Residential Dwelling

- 3.5 The surveyed building is a detached two-storey dwelling with brick elevations supporting three connecting pitched roofs clad in plain concrete tiles. A single loft space is located within a roof of the northern wing (See Figure 2: Site Map); however, this area of the structure will not be affected by the proposed works.
- 3.6 Externally, roof tiles were generally in good condition with no areas of damage. Ridge tiles did not feature any gaps or crevices, although an area of the southern roof aspect featured several raised tiles near the western edge of the roof. Some damage was also noted to the end of the soffit box on the south facing roof aspect, offering roosting value to crevice-dwelling bat species.
- 3.7 The internal inspection of the loft space revealed exposed timber rafters and bitumen felt underlining the tiles, though the interior of the building was well sealed; therefore, no accessible features that would offer roosting value to void dwelling bat species were noted and no bats, bat droppings, feeding remains or further evidence of bat activity was discovered during the external and internal inspections of the building.

B2 – Annexe

- 3.8 B2 is a detached single-storey annex with brick elevations supporting a shallow pitched roof clad in clay plan tiles. A single chimney stack is centrally located upon the roof. The structure features a carport and adjoining garage at the northern and southern elevations.

- 3.9 Externally, roof tiles were in good condition with no raises, slipped tiles or further areas of damage. Bedding mortar of ridge tiles was largely intact including at ridge-cap ends, though with a single small area of absent bedding mortar noted at the west-facing roof pitch. Timber soffit edging the roof was securely fitted and without damaged and gaps, and brick elevations were in good condition without any absent mortar, cracking, or further damage that could be exploited by bats for roosting. All doors and windows were closed and tightly sealed at the time of the survey.
- 3.10 The building was well sealed with no accessible features that would offer roosting value to void dwelling bat species were noted and no bats, bat droppings, feeding remains or further evidence of bat activity was discovered during the external and internal inspections of the building. Garage doors were closed and tightly sealed at the time of the survey, without any potential entry points to the interior.

Nocturnal Bat Survey Results

Survey One

- 3.11 During the nocturnal survey, completed on the 31st of May 2024, five species of bat were recorded - common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *P. pygmaeus*, serotine *Eptesicus serotinus*, Daubenton's *Myotis daubentonii*, and noctule *Nyctalus noctula*. Activity was dominated by commuting passes and foraging activity by common pipistrelle within the site grounds, notably around mature trees and shrubs of the surrounding garden area. Low numbers of serotine, soprano pipistrelle, and a single Daubenton's pass were recorded, and in addition, regular commuting passes over the site grounds by nocturnal were recorded throughout the survey effort. No other bat species was recorded during the survey, and **at no point were any bats observed emerging from or re-entering the structures.**

Survey Two

- 3.12 During the nocturnal survey, completed on the 8th of July 2024, four species of bat were recorded - common pipistrelle, soprano pipistrelle, Daubenton's, and noctule. Activity was dominated by regular commuting passes and foraging activity by common pipistrelle within the site grounds, notably within the surroundings of the garden area; the first call recorded from this species was made at 22:12 h, becoming infrequent after 22:48h. In addition, commuting passes by low numbers of noctule were recorded during the early survey effort, starting at 21:40 h. A single pass by a Daubenton's was recorded at 22:19 h, and low numbers of non-visual passes by soprano pipistrelle were recorded throughout the survey. No other bat species was recorded during the survey, and **at no point were any bats observed emerging from or re-entering the structure.**

TABLE 3: WEATHER CONDITIONS DURING NOCTURNAL BAT ACTIVITY SURVEY

Date	Start	Finish	Sunrise/ Sunset	Temp °C	Wind	Cloud	Rain	Notes
31/05/24	21:00	23:00	21:15	14	Still	10%	Dry	n/a
01/07/24	21:10	23:00	21:25	16	Still	100%	Dry	n/a

Inspection for nesting birds

- 3.13 Although the damaged soffit box could offer value to small species such as blue tit *Cyanistes caeruleus*, that utilise small gaps and crevices, the raised tiles were considered to be too small, with gaps of insufficient depth to provide value to birds such as swift *Apus apus*. Overall the building provided little in the way of opportunities for nesting birds and the structure was not internally accessible by species such as barn swallow *Hirundo rustica* or barn owl. As such, no evidence of nesting birds was discovered during the internal and external inspections.

4 INTERPRETATION AND RECOMMENDATIONS

- 4.1 A daytime assessment was commissioned with a view to assess the residential dwelling at Littlecott Mill for its potential to support protected species, notably roosting bats and nesting birds. The survey boundary is shown in Figure 2: Site Map. The proposals to renovate the southern roof and install dormer windows and renovation of a detached annex.
- 4.2 As part of the desk study, online resource MAGIC was checked for granted EPS licences and statutory and non-statutory designated sites. Results from the online desk study showed that one EPSL has been granted for three species of bat within a 2km radius, indicating the presence of common bat species within the surrounding environment. Two designations apply to the River Avon which runs through the grounds of the property, however, the proposals are considered minor, being limited to the structure alone, with no proposed increase in footprint, therefore, provided that surrounding habitats are not subjected to the inappropriate use of nocturnal lighting, no direct impacts to the River Avon SSSI/SAC, its associated riparian zone, or nearby habitats such as mature trees are anticipated as a result of the development proposals.
- 4.3 The property is located within a rural setting, with nearby linear features such as rows of mature trees and the vegetated banks of the River Avon, providing suitable habitat links between the site and the pockets of woodland which are found within the wider landscape. These pockets of woodland will

likely provide food, shelter and suitable breeding habitat to various species, including bats, which have a strong preference for roosting in veteran trees and foraging within woodland.

Building assessment

- 4.4 No evidence of bat roosting was discovered during the site visit. Despite this, habitats surrounding the property are considered to have good potential to support roosting, foraging and commuting activity for bats of various species and a single EPSL was granted for bats within a 2 km radius of the site. The buildings were assessed for their potential to support roosting bat, with both structures found to be well sealed with no opportunities for void-dwelling bats to gain entry to the internal elements. However, a low number external of features were identified upon both structures that would provide opportunities to crevice dwelling species of bat, notably several areas of raised tiles and lead flashing on survey building B1, and a single small area of absent bedding mortar leading beneath ridge-capping of west-facing roof pitch of B2. Subsequently, the residential dwelling (B1) was considered to hold moderate roosting potential, and annexe structure (B2) as low potential. Therefore, it was recommended that prior to any works commencing on the building, **two nocturnal surveys should be undertaken on B1 and one nocturnal survey on B2** to ascertain presence/absence of bats, with the surveys taking place during the optimal survey period.
- 4.5 During the nocturnal bat surveys, moderate levels of commuting and foraging from five species of bat were recorded within the site grounds, with species composition being comparable between surveys. Activity was consistently dominated by commuting and foraging common pipistrelle within the surrounding mature gardens, and addition to infrequent activity recorded from additional species. Results do indicate that local bat populations exploit the site for commuting and foraging. However, no bats were observed emerging from or re-entering the structure, and it is therefore concluded that **bat roosting within survey buildings B1 and B2 can be reasonably discounted**.
- 4.6 Taking the above into consideration, **no further bat survey effort is recommended**, and a European Protected Species Licence is not required for the proposed works to proceed. However, all workers must be vigilant and mindful of bats during works on the above buildings, taking extra care at all times during development. In the unlikely event that bats are discovered, work must cease immediately, and a suitably licenced and experienced ecologist contact for further advice. It should be noted that further works would not be able to lawfully proceed without confirmation from Natural England, and bats should not be handled at any time for legal reasons. If bats are discovered during works, Natural England will potentially restrict development until further surveys have been completed and a full mitigation and compensation strategy has been designed. It is likely that, if bats are discovered, a European Protected Species Licence (EPSL) will be required from Natural England.

- 4.7 Linear features such as rows of trees are important for commuting activity in bats and the mature trees and nearby riparian habitat found to the rear of the building will likely offer foraging opportunities to the local bat population. Use of nocturnal lighting as part of the development works must therefore be carefully considered, as inappropriate usage of nocturnal lighting during or after the development could have a detrimental impact on bats, which utilise corridors such as unlit hedgerows and treelines for navigation.

Nocturnal Lighting Measures

- 4.8 The insensitive use of external lighting within the proposed development could have a negative impact upon bats using the site for foraging and commuting activity.
- 4.9 As suitable bat habitat occurs within the nearby surrounding environment, a low-level lighting scheme should be implemented during and after construction to avoid indirect disturbance to bats and other nocturnal animal species that may exploit local habitats. Measures must be taken to ensure nocturnal animals are safeguarded from inappropriate use of light and noise throughout the hours of night during the construction period, as well as to protect important commuting corridors for bats. Any external lighting installed as part of the development must be used in accordance with Guidance Note 08/23: Bats and Artificial Lighting⁸.
- 4.10 Sensitive lighting strategy measures during the construction period are as follows:
- Works must not be carried out after dusk and must not commence until after dawn.
 - Generators and machinery that emit significant noise levels must not be left to run after dusk.
 - LED lighting sources must be used, which generally have a narrower and more directional beam.
 - Light spill must be controlled and if lighting is required at night, hooded shields must be fitted to prevent spill onto nearby habitats that are likely to support wildlife, including nearby trees and hedgerows.
 - Lighting must not be directed towards any bat or bird compensation features.
- 4.11 In addition to the above, when selecting appropriate external lighting, the following specifications should be taken into consideration:

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

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

Nesting birds

- 4.12 No evidence of nesting was discovered during the building assessment, therefore, it is considered that impacts to nesting birds can be reasonably discounted. In the unlikely event that an active nest is discovered within the building, an exclusion zone should be established, and works must be halted in that area until the nest is no longer active. Works should not then commence without confirmation from a suitably qualified ecologist that no nesting birds exist within the area of impact.

Biodiversity Enhancement

- 4.13 The NPPF (2023) outlines obligations of Local Planning Authorities to promote Biodiversity Net Gain where possible. There are various options available with regards to biodiversity enhancement on site:

Bats

- 4.14 An option to increase biodiversity relating to bats on site would be to affix three or more bat boxes to mature trees within the site boundary, ideally using either Schwegler 1FF boxes (or similar) or Schwegler 2F boxes (or similar). Alternatively, they may also be pole-mounted in an appropriate position or fixed to the walls of buildings. Bat boxes should be positioned no lower than 4m above ground level and they should not face in a northerly direction.

Nesting Birds

- 4.15 Ways to enhance the site value with regards to bird nesting would be to fit nest boxes to existing trees or buildings. Options include close-hole boxes and open-fronted boxes which would then provide opportunity for a variety of bird species. We recommended that one external bird nest box (Schwegler 1B or similar) is installed onsite. For maximum success, our recommendations are as follows:
- Bird boxes must be positioned away from busy areas where disturbance would be more likely.

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

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

- Following British Ornithology Trust guidelines, bird boxes must be positioned no lower than 2m from ground level and preferably above 3 m to prevent possible predation.
- The proposed placement of the bird nest boxes must allow for a clear flight path, without obstruction to the nest box entrance.
- Avoid installing nest boxes in a south-westerly facing direction in order to offer protection from prevailing winds and rain.
- The nest box should ideally be slightly tilted in a downwards position to offer further weather protection.

APPENDIX A: LEGISLATION SUMMARY

National Planning Policy Framework December 2023

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2023) states: Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife. Most European Protected Species offences are now covered under the

Conservation of Habitats and Species Regulations (see below), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. Signal Crayfish and American Mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and *Rhododendron ponticum*) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity. There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonably avoided, or actions within the living areas of a dwelling house.

Licensing

Certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence – e.g. bat surveys.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (which are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994. These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function – i.e. when determining a planning application. There is no defence that an act was the incidental and unavoidable result of a lawful activity.

It is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Bats

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

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

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

Birds

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

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

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

APPENDIX B: MAPS

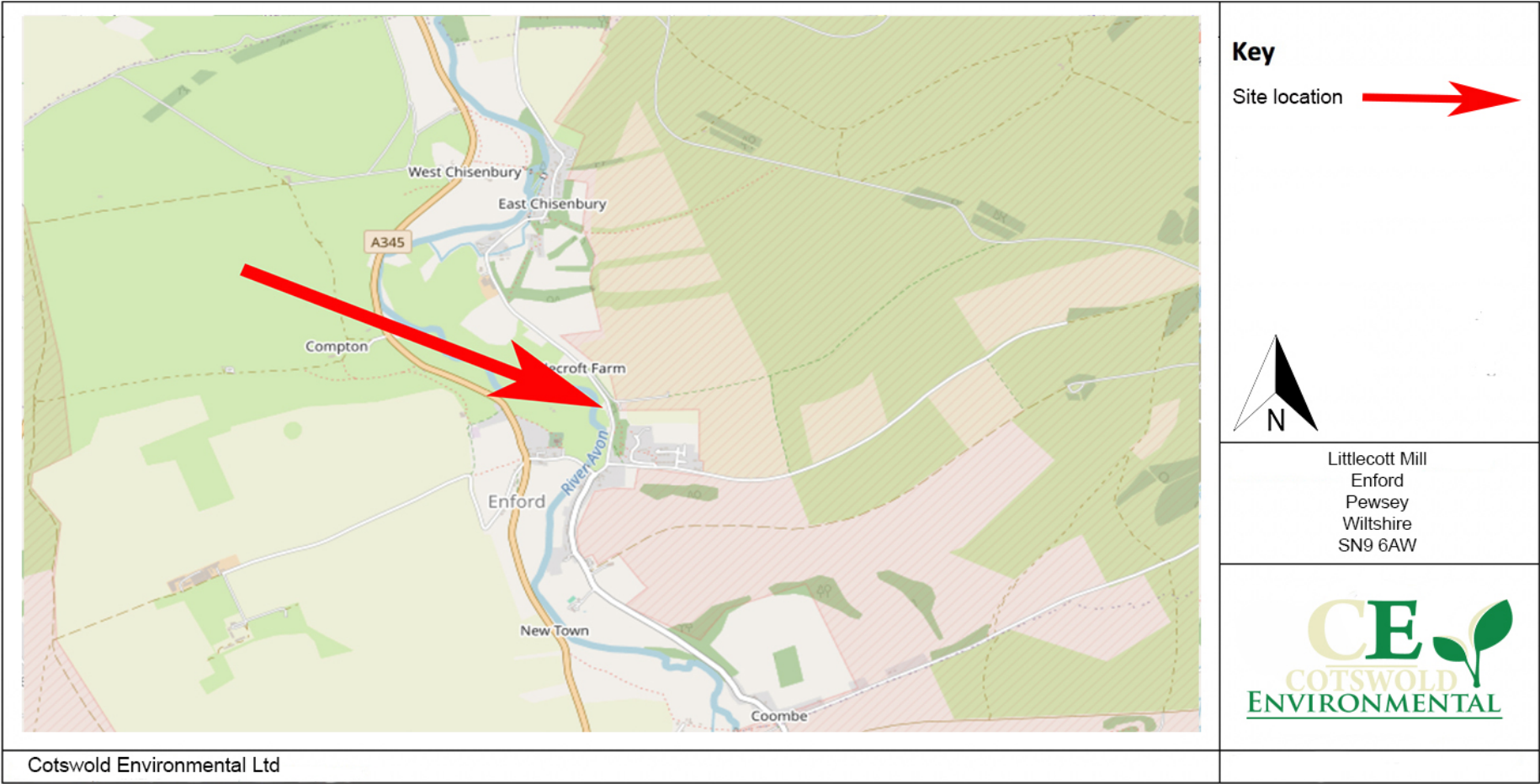


Figure 1: Site location map



Figure 2: Site Map

APPENDIX C: SITE IMAGES



Photo 1: View of the dwelling (B1) from the adjacent lane



Photo 2: B1 - East facing elevation



Photo 3: View of the residential dwelling (B1) from the west



Photo 4: B1 - Gaps under tiles of southern roof aspect



Photo 5: B1 - Internal view of loft element



Photo 6: B2 – west facing elevation



Photo 7: B2- Rear east-facing elevation



Photo 8: B2 - Soffit without damage.



Photo 9: B2- - internal view of carport



Photo 10: B2 - Single small gap leading beneath ridge tile.

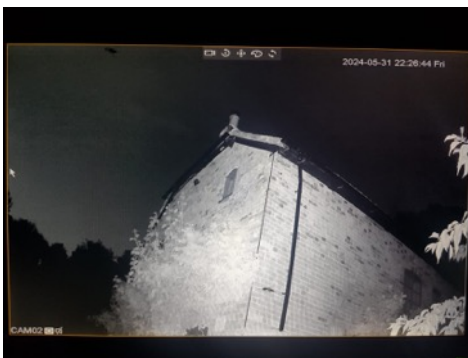


Photo 11: B1 – infrared camera view



Photo 12: B1 – infrared camera view



Photo 13: B2 – infrared camera view