

United Environmental Services Ltd

1 Booths Park,
Chelford Road,
Knutsford,
Cheshire
WA16 8QZ

www.ues.org.uk

enquiries@ues.org.uk

01565 757788



BAT SCOPING SURVEY

At

Victoria Mill

Lower Vickers Street
Manchester
M40 7LZ

NGR: SJ 85886 99249

Prepared for: AH Developments NW Ltd.
Written by: Ysobella Cox, UES Graduate Ecologist
Approved by: Mark Halliwell, UES Senior Ecologist

A handwritten signature in blue ink, appearing to read 'M Halliwell', is positioned below the 'Approved by' line.

Date: 5th December 2023
UES reference: UES02187/06





CONTENTS

EXECUTIVE SUMMARY	3
1 INTRODUCTION	4
1.1 Author, surveyors and qualifications	4
1.2 Survey objectives.....	4
1.3 Proposed development	4
1.4 Structure of the report	4
2 METHODOLOGY	5
2.1 General.....	5
2.2 Building survey	5
2.3 Survey limitations.....	6
3 RESULTS.....	7
3.1 Habitat assessment	7
3.2 Building survey	7
4 EVALUATION AND RECOMMENDATIONS	9
4.1 Evaluation of results.....	9
4.2 Mitigation and compensation measures	9
5 CONCLUSION.....	10
6 REFERENCES	11
APPENDICES.....	12
Appendix 1 – Site plan.....	12
Appendix 2 – Aerial photographs.....	13
Appendix 3 – Photographs	14
Appendix 4 – DNA analysis	15
Appendix 5 – Statutory and planning context.....	16

EXECUTIVE SUMMARY

This report is written by Ysobella Cox BSc MBiol and Graduate Ecologist at United Environmental Services Ltd (UES). It provides an assessment of the potential impacts on bats as a result of the proposed development at Victoria Mill, Manchester.

A bat scoping survey was undertaken on 10th November 2023. The objective of the survey was to establish the suitability of the building on site to support roosting bats, based on a site-specific survey and habitat assessment. The building was searched externally and internally (where accessible) for bat presence and features associated with bat activity, as detailed in Bat Conservation Trust (BCT) guidance (2016).

The areas surrounding Victoria Mill provide low quality habitat for bats with localised areas of moderate quality habitat. Rochdale Canal is located directly adjacent to the southern boundary of the site and may provide foraging and commuting opportunities for bats. However, the majority of the surrounding habitat consists of residential buildings, with industrial or built-up areas and well-lit main roads. However, there are areas of green space, woodland and Clayton Vale Local Nature Reserve within the wider surrounding area.

Taking into account the quality of the surrounding habitat, the quality of roosting habitats within the building is low, with a number of external potential roosting features (PRFs) such as cavities within the brickwork and mortar. Internal PRFs were also identified, such as cavities within the brickwork, over the wall plate and crevices within the ceiling. The basement provides some hibernation suitability for roosting bats based on the cold and dark conditions. A low number of historical droppings were located in several locations, although the ability of the basement to support hibernating bats is sub-optimal as it is dry and portions of the basement are subject to extreme fluctuations in temperature due to being exposed to the outside through missing windows or large gaps over doors. **Historical bat droppings were identified in four locations within the basement, including on the internal walls and within crevices in the breezeblock ceiling.**

The building has been assessed as having low potential to support roosting bats. A presence / absence survey was undertaken by UES of the building in July 2023 (see corresponding report UES02187/04). No bats were recorded emerging from this section of the building during the presence / absence survey. Previously identified bat roosts are present on the exterior of the building, but no roosting activity was noted during these surveys, and these historical roosts will not be impacted by the proposed works.

The basement has been assessed as having hibernation potential. As such, hibernation surveys should also be carried out of the building. Hibernation surveys should comprise at least three survey visits between December and March, and should be undertaken by a licenced bat ecologist.

Due to the potential presence of breeding birds within the building at the time of development, it is recommended that the works take place outside of the breeding bird season and should not be undertaken from March to August inclusive. If this is not possible, a breeding bird nest check should be undertaken prior to the commencement of works by a suitably experienced ecologist, and an ecological clerk of works appointed if considered necessary.

The report should be read in conjunction with appendices 1 to 5, which give visual representations of the survey results.

1 INTRODUCTION

1.1 Author, surveyors and qualifications

This report is compiled and written by Ysobella Cox BSc MBIol and UES Graduate Ecologist. Other surveyors include:

- Mark Halliwell MBIol, UES Senior Ecologist. Mark is licensed by Natural England to survey all species of bats by observation using an artificial light under licence number 2020-45183-CLS-CLS (level 1). He is listed as an accredited agent on the bat survey licence of Toby Hart. As such, he has been deemed competent to undertake licensable activities such as using a torch and endoscope to survey for bats. Toby is licensed by Natural England to disturb, take and handle all species of bats under licence numbers 2015-15898-CLS-CLS (level 3) and 2015-15899-CLS-CLS (level 4). Toby is also a registered consultant of the bat mitigation class licence (RC090).

All surveyors have the knowledge, skills and experience identified within CIEEM's "Competencies for Species Survey: Bats" (2013), or were under the supervision of a surveyor with the required competencies.

1.2 Survey objectives

UES was commissioned in October 2023 to conduct site surveys which include the following activities:

- Conduct internal and external building inspections to look for field signs of bats
- Assess the suitability of the building for use by roosting bats
- Recommend further surveys, mitigation and compensation, where appropriate

1.3 Proposed development

At this stage, no detailed proposals have been submitted to UES, although it is expected that the basement will be converted to apartments.

1.4 Structure of the report

This report sets out the methodology, results, and recommendations in relation to a specific bat survey. Recommendations are in line with statutory legislation and planning policy objectives.

The report should be read in conjunction with appendices 1 to 5, which give visual representations of the survey results.

2 METHODOLOGY

2.1 General

All surveys were carried out to recognised guidelines, timings and weather conditions, with particular reference to Natural England and BCT publications (see references for further information).

The habitats on site and in the surrounding area were assessed during a walkover survey and by studying aerial photographs, in order to gauge their suitability to support roosting, foraging and commuting bats.

2.2 Building survey

The building on site was searched both externally and internally for bat presence and features associated with bat activity, as detailed in BCT guidance (Collins, 2016). This was conducted on 10th November 2023 by Mark Halliwell and Ysobella Cox.

2.2.1 External inspection

The external inspection of the building on site was carried out from ground level using binoculars, and also using ladders and an endoscope to investigate suitable gaps. The objective of the survey was to find and record any signs of bat use, for example:

- Bat droppings
- Feeding remains
- Grease staining / urine marks
- Corpses or skeletons

The bat signs listed above are visible from the outside of a building. The following areas were searched, where present:

- | | |
|---------------------------|---|
| • Roof and ridge tiles | • Gaps under felt |
| • Lead flashing | • Cracks / holes in woodwork or behind cladding |
| • Eaves | • Gaps in brickwork and mortar |
| • Boxed soffits | • Air bricks |
| • Fascia and barge boards | • Grills |
| • Window sills and panes | • Vents |
| • Walls | |

2.2.2 Internal inspection

The internal inspection covered all of the accessible rooms and roof spaces within the building.

Bats regularly utilise specific areas within roof spaces, which were searched for any field signs of bats using high-powered torches and an endoscope, where considered necessary by the licenced ecologist. The following features were searched, where present:

- Roof beams and junctions



- Gaps under felt
- Dividing walls
- Chimney breasts
- Gaps in brickwork and mortar
- Cracks / holes in woodwork
- Floor or other surfaces on which droppings could accumulate

2.3 Survey limitations

The survey was carried out in November at a time when bats are spending increasing amounts of time in transitional and hibernation roosts. For this reason, exposed droppings from summer roosts may not be evident as they are likely to have decomposed or have been washed away.

Internal field signs should still be evident at this time of year, as should droppings in sheltered locations.

3 RESULTS

3.1 Habitat assessment

Victoria Mill is located within Miles Platting, inner city district of Manchester. The habitats onsite consist of a former mill building which contains apartments and flats, with areas of hardstanding and amenity grassland.

The surrounding area consists of residential buildings with connected gardens, scattered trees and hedgerows. In addition, the southern aspect of the site is directly adjacent to the Rochdale Canal and surrounding treeline which may provide commuting and foraging opportunities for bats. There are several green spaces within the surrounding area, including local parks and a woodland located approximately 117m to the east of the site.

The wider surrounding area consists of additional green spaces, such as Philips Park which is located approximately 1.07km to the southeast of the site. Clayton Vale Local Nature Reserve is also located approximately 1.6km to the east of the site, which may support an abundance of invertebrates and provide foraging and commuting opportunities for bats.

There is an industrial area approximately 570m northeast of the site, the Manchester City Etihad Stadium and training grounds approximately 840m southeast and the closest point of Manchester city centre is approximately 795m to the west of the site. These areas will likely have higher levels of noise and light pollution due to the well-lit roads.

3.2 Building survey

3.2.1 External inspection

Victoria Mill is a former mill building which contains apartments and flats. Two common pipistrelle roosts were previously identified within the building by UES during presence / absence surveys undertaken in September 2017 (see corresponding report UES02187/01). Roost 1 contained 5 common pipistrelles and were located within a gap underneath a top floor window on the central southern wall in the courtyard. Roost 2 contained a single common pipistrelle and was located within a gap underneath a 1st storey window lintel on the south-western aspect. Both of these roosts will not be impacted by the proposed development as Roost 1 is located on the top-floor and the proposed development is focused on the basement. Moreover, Roost 2 is located on the western aspect of the building, which is not included within the current proposed development boundary. Low numbers of historical droppings have previously been identified within the basement which may indicate historical roosting locations.

The building is seven-storeys tall and has a flat roof (see Appendix 3 – Photographs; Photograph 1). However, the proposed development site is limited to the basement level of the building. The external walls are constructed from redbrick and are in good condition except for a small number of cavities within the brickwork and mortar that may provide potential roosting features (PRFs) for bats (Photograph 2). The windows are surrounded by wooden frames with concrete ledges at the base. Gaps were identified over the window and door frames which will provide direct access into the building (Photographs 1 and 3).

No bat droppings were identified during the external building inspection.



3.2.2 Internal inspection

The internal section of the building that is included within the development boundary is restricted to the basement (Photograph 4).

The ceiling in the southern section of the basement is constructed from breezeblock, whereas the northern-most section of the basement contains rooms with a metal ceiling (Photographs 5 and 6). The internal walls are constructed from a combination of redbrick and breezeblock. PRFs were identified within the internal walls including cavities in the brickwork that extend beyond view, over the wall plate and between the brickwork, metal and timber, which may be suitable for hibernating bats and day roosts (Photographs 7 and 8). There is a bat brick on the southern facing wall in the southern section of the basement presumably installed to support hibernating bats (Photograph 8). However, no bats or evidence of bats was associated with the brick during the walkover survey.

Low numbers of historical bat droppings were identified in four locations within the basement, which are indicated on Appendix 1 – Site Plan, including on the central and eastern walls within the southern section of the building (Photograph 9). A small number of droppings were also identified on the ceiling in the southern section of the basement, directly adjacent to crevices in the breezeblock ceiling. Approximately three droppings were found in a gap that leads up and over the top of the breezeblock ceiling (Photograph 10). As these are old, historic droppings in a sheltered location it is suggested that this is a potential historical roost location. A sample of the droppings were collected for environmental DNA (eDNA analysis) which identified a 98.31% similarity with common pipistrelle *Pipistrellus pipistrellus*.

The glass windows are surrounded by wooden frames (Photograph 11). Gaps were identified within the brickwork directly above the windows which may provide a PRF for bats (Photograph 12). The windows provide light conditions within the southern section of the basement. The basement is generally dry and subject to fluctuations in temperature as a result of missing windows or large gaps over doors, which creates suboptimal conditions for hibernating bats. Furthermore, the rooms on the southern aspect of the basement, near the courtyard, have a higher temperature fluctuation and light ingress than the northern rooms. One of the northeastern rooms also had water on the floor.

Evidence of nesting birds was identified within the basement of the building including historical wren nests, and a dead feral pigeon individual (Photograph 13).

Historical bat droppings were identified in four locations within the basement of the building, including on internal walls and cavities within the ceiling.

4 EVALUATION AND RECOMMENDATIONS

4.1 Evaluation of results

4.1.1 Qualitative assessment of foraging habitats

The areas surrounding Victoria Mill provide low quality habitat for bats with areas of moderate quality. Rochdale Canal is located directly adjacent to the southern boundary of the site and may provide foraging and commuting opportunities for bats. However, the majority of the surrounding habitat consists of residential buildings, with industrial or built-up areas and well-lit main roads. There are areas of green space, woodland and Clayton Vale Local Nature Reserve within the wider surrounding area.

4.1.2 Qualitative assessment of roosting habitats

The building has been assessed as having low potential to support roosting bats. The external PRFs present include cavities within the brickwork and mortar, with access points above the door and window frames.

Internal PRFs which may be suitable for hibernating bats were also identified within the basement during the survey including cavities within the brickwork that extend beyond view, gaps over the wall plate and crevices within the ceiling. Furthermore, historical bat droppings were identified in four locations in the basement, including on the walls and within crevices on the ceiling in the southern section of the site.

4.2 Mitigation and compensation measures

4.2.1 Bats

The building has been assessed as having low potential to support roosting bats. A presence / absence survey was undertaken by UES of the adjacent section of the building in July 2023 (see corresponding report UES02187/04). No bats were recorded emerging from this section of the building during the presence / absence survey.

Historical bat droppings were identified in four locations in the basement and PRFs which remain suitable for use by roosting bats were identified during the scoping survey. As such, hibernation surveys should also be carried out of the building. Hibernation surveys should comprise at least three survey visits between December and March, and should be undertaken by a licenced bat ecologist.

The survey results will need to be submitted to the local planning authority (LPA) as part of the planning application.

4.2.2 Breeding birds

Due to the presence of breeding birds within the building, it is recommended that the works take place outside of the breeding bird season and should not be undertaken from March to August inclusive. If this is not possible, a breeding bird nest check should be undertaken prior to the commencement of works by a suitably experienced ecologist and an ecological clerk of works appointed if considered necessary.



5 CONCLUSION

The areas surrounding Victoria Mill provide low quality habitat for bats with areas of moderate quality. Rochdale Canal is located directly adjacent to the southern boundary of the site and may provide foraging and commuting opportunities for bats. However, the majority of the surrounding habitat consists of residential buildings, with industrial or built-up areas and well-lit main roads. The basement of the building on site presents a number of potential roosting features which could be used by bats.

Historical bat droppings were identified in four locations in the basement, including on the walls and within crevices on the ceiling in the southern section of the site. Furthermore, PRFs which remain suitable for use by roosting bats were identified during the scoping survey. **Therefore, the building has been assessed as having low potential to support roosting bats. A presence / absence survey was undertaken by UES of the building in July 2023 (see corresponding report UES02187/04). No bats were recorded emerging from this section of the building during the presence / absence survey. Previously identified bat roosts are present on the exterior of the building, but no roosting activity was noted during these surveys, and these historical roosts will not be impacted by the proposed works.**

The basement has been assessed as having hibernation potential. As such, hibernation surveys should also be carried out of the building. Hibernation surveys should comprise at least three survey visits between December and March, and should be undertaken by a licenced bat ecologist.

Due to the potential presence of breeding birds within the building at the time of development, it is recommended that the works take place outside of the breeding bird season and should not be undertaken from March to August inclusive. If this is not possible, a breeding bird nest check should be undertaken prior to the commencement of works by a suitably experienced ecologist and an ecological clerk of works appointed if considered necessary.



6 REFERENCES

Chartered Institute of Ecology and Environmental Management (2013). *Competencies for Species Survey: Bats*.

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

Department for Communities and Local Government (2021). *National Planning Policy Framework*.

Mitchell-Jones, A.J. (2004). *Bat Mitigation Guidelines*. English Nature.

Mitchell-Jones, A.J. & McLeish, A.P. (2004). *The Bat Workers Manual*. (3rd ed.) JNCC



APPENDICES

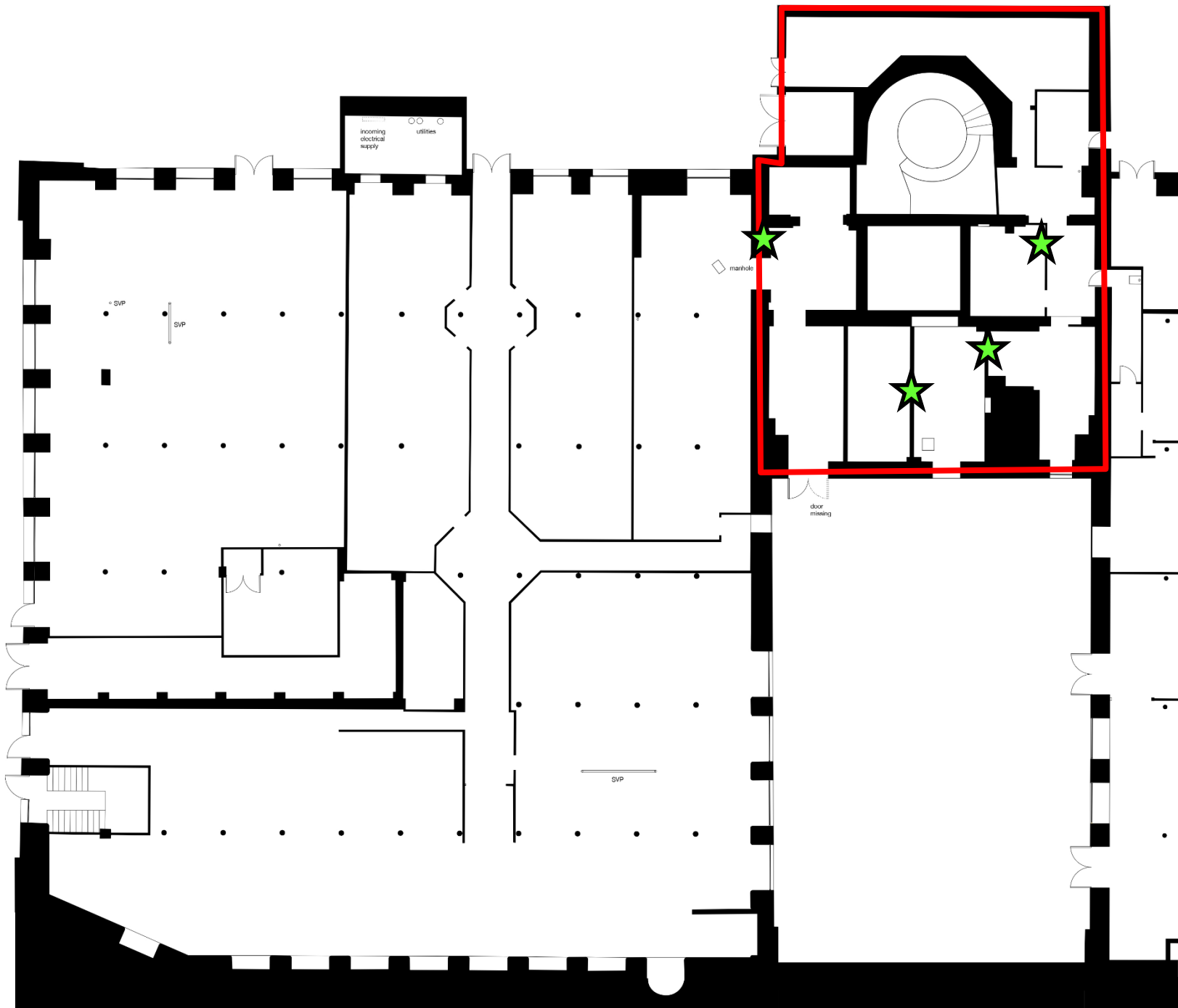
Appendix 1 – Site plan



Victoria Mill, Manchester

Site Plan

- Survey boundary
- ★ Historical bat droppings



DOOR PLAN

PLANNING

REVISION	DATE	DESCRIPTION

CLIENT: VICTORIA MILL BASILANDS LTD
PROJECT: VICTORIA MILL
ADDRESS: LOWER VICKERS STREET, MANCHESTER M14 7JH
DRAWING TITLE: EXISTING LOWER GROUND FLOOR PLAN
SCALE: 1:100 @ A1
DATE: JULY 2017
DRAWING NO: A267_P_100

OLLIER SMURTHWAITE ARCHITECTS
40 King Street, Manchester, M2 8BA
T: 0161 853 0638
F: 0161 853 0639
E: mail@olliersmurthwaite.com



Appendix 2 – Aerial photographs



Victoria Mill, Manchester

Close aerial photograph

— Development boundary





Victoria Mill, Manchester

Wide aerial photograph



Site location





Appendix 3 – Photographs



Photograph 1. The southern aspect of the building, showing an access point above the door.



Photograph 2. Cavities within the brickwork on the southern aspect of the building.



Photograph 3. Access point above a window frame on the southern aspect of the building.



Photograph 4. A room within the southern section of the building.



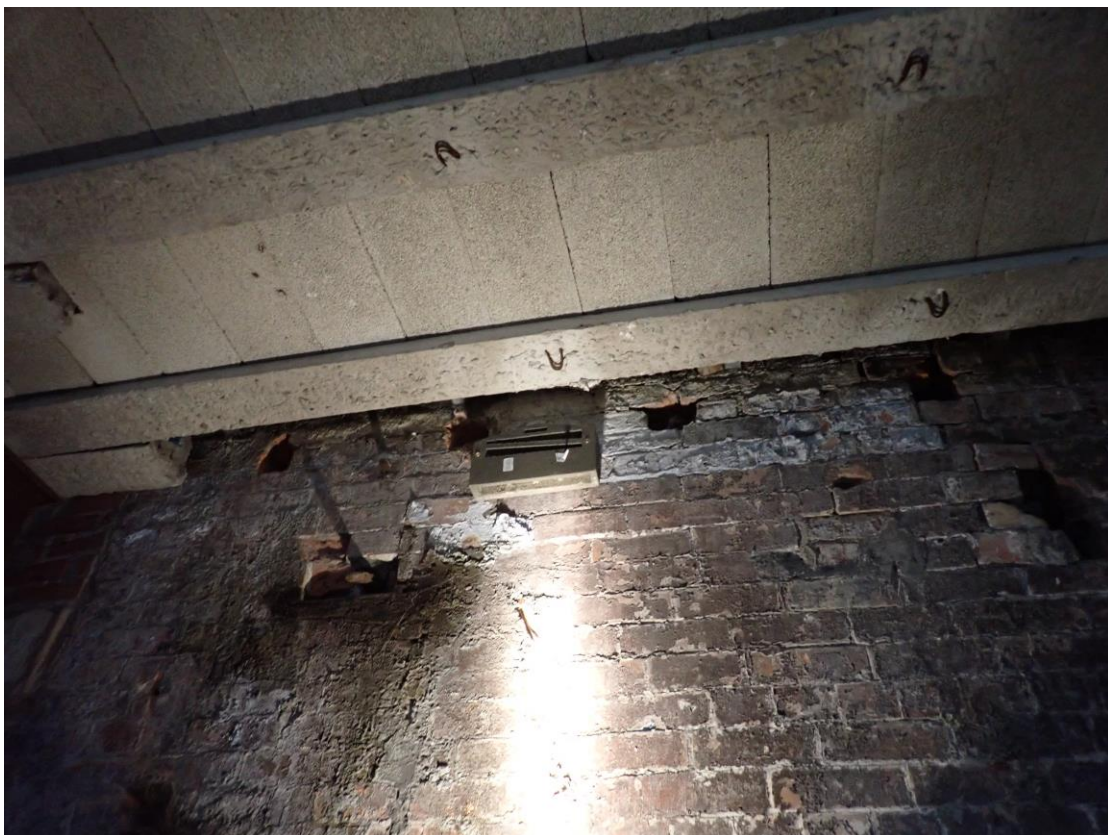
Photograph 5. The breezeblock ceiling, showing gaps above the wall plate.



Photograph 6. A room with a metal ceiling located in the northern section of the basement.



Photograph 7. Cavities within the brickwork.



Photograph 8. Hibernation brick within the basement and cavities in the brickwork.



Photograph 9. Bat droppings identified on a breezeblock wall.



Photograph 10. Bat droppings leading into a crevice in the ceiling.



Photograph 11. A window in the southern section of the site.



Photograph 12. Crevices in the brickwork above the windows.



Photograph 13. Evidence of nesting birds.



Appendix 4 – DNA analysis

Folio No: 155-2023
Purchase Order: UES02187
Contact: United Environmental
Services Ltd (UES)
Issue Date: 17.11.2023

Biological Report

Technical Report



SureScreen Scientifics

Biological Sample Analysis

Summary

Most biological materials (tissue, feces, hair, blood, etc.) contain small amounts of DNA from the organism of which it originated. Using molecular methods such as PCR (polymerase chain reaction) and DNA sequencing, SureScreen Scientifics are able to analyze an unknown sample to determine which species the sample originates from our methods are optimized for the detection of species including bats (over 92% of bat species worldwide can be identified including all 18 UK bat species), mammals; bees, wasps & hornets; birds; fish; plants (from roots, leaves, stem and even dried wood) and many more species.

Results

Lab ID	Site Name	OS Reference	Sample Type	Species Name	Match(%)
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2823	Victoria Mill		Bat Dropping	Common pipistrelle (Pipistrellus pipistrellus)	98.31
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Genetic Sequence

TTGGAACTGACTAGTTCCACTAATAATTGGAGCCCCTGACATGGCATTTCCTCGTATAAATAATATAAGTTTCTG
ACTCCTACCTCCTTCTTTTCTACTACTACTAGCCTCGTCTATAGTAGAAGCGGGAGCGGGTACAGGCTGAACAGT
CTACCCCTCTAGCAGGAAATCTAGCTCACGCTGGAGAGACAACCTAGGTCAGGCACAGTTCGATCTTTTGAAA
TCCCTGCCCCAGTGTGAATCTTCACCTATGACAGCGCCAGCAGCGAGCCACTCATTGCCTATCCGTGCCTTGCT
CACGAGATCAAACCAGAAAAATGGGACACAGCAATATGTAGAAAACCAATTAGCCAAATCGCTCGTCTTTCCCT
CGAACTGCAAGAGGAAAGCCGATGCAAGGTTGCCTATCTTTGGCTTCACTTCGATTGGCCCTGAGATCAAATTT
CCTTGGCGGAGACGCAAGCAATGGAAGAGTTGTATGTCCAAGGTCAAGCAGAGCCGAGCAAGCAGAAGATGAT
AGTGTGTGATCCTTCAAAGATGAACTATTGACGTTGAGGCTGACGGGAAATCTAGCTCA

Matters affecting result: none
Reported by: Chelsea Warner

Approved by: Christopher Troth

Methodology

Once samples have arrived in the laboratory, the DNA is isolated using a commercial DNA extraction kit. Using PCR, DNA (if present within the sample) is amplified using universal molecular markers designed to amplify a short fragment of the DNA of the target species group (i.e. mammal, fish, arthropod, reptile, plant etc.). If amplification is successful, the resulting DNA sequence is revealed using a process known as Sanger Sequencing in order to obtain the genetic sequence of the mitochondrial gene within the sample. The sequence results are aligned against a library of known reference sequences using bioinformatics software, which enables us to determine which species the DNA sequence from the sample matches with, informing the species identity and sequence similarity (match %).

If the initial analysis is unsuccessful, the entire process is repeated up to two additional times with a fresh reserve sample (if available) in order to obtain a species identification. If no DNA is detected after three attempts, then we can be confident that any further analysis of the sample will likely also fail to result in species identification.

Interpretation of Results

Sample Type: The sample you send to us can come from a variety of sources. Fecal, dropping, urine, hair, blood, carcass (skin, flesh, bone), gamete, plant matter or unknown biological material all contain DNA that we can test for in order to identify the species of origin.

Genetic Sequence: The unique DNA sequence obtained from the sample.

Match (%): How closely matched the DNA sequence from your sample is to the sequences within our reference database. This can be interpreted as a score of result accuracy, with the maximum score of 100% indicating an exact match of the sample to the indicated species' reference sequence. Lower scores (80-99%) indicate some variation between the sample and reference sequence, likely due to natural variation between individual genetic sequences and/or systematic variations generated through the sequencing process. Scores below 80% similarity should be interpreted with care and can indicate part degraded or part contaminated samples.

Inconclusive Result:

Degraded sample:
DNA is degraded and we are unable to determine species identification due to degradation of sample DNA. This can happen either before sample collection (old samples, exposure to UV etc.) or after sample collection if stored for long periods before analysis or not handled correctly.

Inhibited/contaminated sample:

We are unable to determine species identity due to contamination or the suspected presence of large quantities of PCR inhibitors. Contamination sources can originate from other species which could have come into contact with the samples, or human contamination during sample collection.

Alternative Result: Sometimes, for targets such as bat dropping analysis, other mammalian species such as rodents are detected. We find this to be a common occurrence as some bat droppings can be similar in appearance to rodent droppings. Although sometimes unexpected, repeat analyses in these cases would likely return the same results.



Appendix 5 – Statutory and planning context

Ecological assessments

Ecological assessments play an important part within the planning context; they include an initial assessment which highlights any specific interests of a site. From the initial site assessment, the surveyor assesses the suitability of habitats within the site to support protected species and makes recommendations for further survey works if required. The following paragraphs provide a brief interpretation of the legislative protection that is relevant to the findings of this report.

Bats

In the United Kingdom, all species of bat and their roosts are afforded full protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Amendment (EU exit) Regulations 2019 (known as the “Habitats Regulations”). The Wildlife and Countryside Act is the domestic implementation of the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) and was amended by the Countryside and Rights of Way Act 2000. This makes it an offence to:

- Deliberately, intentionally or recklessly kill, injure or capture a bat
- Deliberately, intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection
- Deliberately, intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection (even if the bat is not present at the time)
- Keep, transport, sell or exchange, or offer for sale or exchange any live or dead bat, any part of a bat or anything derived from a bat

Under UK law, a bat roost is *any structure or place which any wild [bat] ... uses for shelter or protection*. As bats often reuse the same roosts, legal opinion is that a roost is protected whether or not the bats are present at the time of the activity taking place.

Penalties for offences include fines of up to £5000, plus up to six months imprisonment, for each offence committed.

If an activity is likely to result in any of the above offences, a licence can be applied for to derogate from the protection afforded. These licences must provide appropriate mitigation and are issued by Natural England.

A Natural England mitigation licence application requires a Mitigation Method Statement and, in many cases, a Reasoned Statement of Application. The Mitigation Method Statement contains details of the proposed mitigation works. The Reasoned Statement needs to provide a rational and reasoned justification as to why the proposed development meets the requirements of the Conservation (National Habitats & c.) regulations 1994, namely Regulations 44(2)(e), (f) or (g), and 44(3)(a).

The National Planning Policy Framework 2021 (NPPF) provides guidance on the interpretation of the law in relation to the natural environment and development.

The Natural Environment and Rural Communities (NERC) Act 2006 lists the following bat species as species of principle importance under Section 41:

- Barbastelle *Barbastella barbastellus*
- Bechstein's bat *Myotis bechsteinii*
- Noctule *Nyctalus noctula*
- Soprano pipistrelle *Pipistrellus pygmaeus*
- Brown long-eared bat *Plecotus auritus*
- Greater horseshoe *Rhinolophus ferrumequinum*
- Lesser horseshoe *Rhinolophus hipposideros*

Section 40 requires every public body in the exercising of its functions ‘have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’ (all biodiversity and not just section 41 species and habitats); therefore making these bats a material consideration in the planning process and requiring a detailed ecological bat survey before planning permission can be granted.

Birds

All wild birds, their nests and young are protected throughout England and Wales by the Wildlife & Countryside Act 1981 (as amended). It is illegal to kill, injure or take any wild bird, or damage or destroy the nest or eggs of breeding birds. The legislation applies to all bird species, common and rare.

In addition to the protection afforded to all wild birds, more vulnerable species listed on Schedule 1 of the Act receive enhanced protection when breeding. Schedule 1 species, including their dependent young, are protected from intentional or reckless disturbance whilst at or near the nest, in addition to the protection afforded the more common species.

The NERC Act offers further protection to the nests of some species that regularly re-use their nests, even when the nests are not in use.

The leading governmental and non-governmental conservation organisations in the UK have reviewed the population status of 244 UK bird species. "Birds of Conservation Concern 4: the Red List for Birds" is the most recent publication summarising their findings. Three lists, Red, Amber and Green, have been produced based on the most up-to-date evidence available and criteria include conservation status at global and European levels and, within the UK: historical decline, trends in population and range, rarity, localised distribution and international importance. These lists are a valuable resource when considering conservation priorities.

Planning policy

National Planning Guidance is issued in the form of the National Planning Policy Framework 2021 (NPPF). The most relevant section is 15: Conserving and enhancing the natural environment.

Key relevant principles stated in 15: Conserving and enhancing the natural environment are;

- 174.** 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.
- 179.** 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 biodiversity⁶¹; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶²; 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
- 180.** 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 reasons⁶³ 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.