

BAT SURVEYS

How are Bats Protected?

All 18 species of bats found in the UK are European protected species. This means they are protected not only by UK legislation, but European legislation as well. UK legislation has been consolidated and amended to take in the protection afforded by European legislation. Scotland and Northern Ireland have amendments to their own wildlife legislation. This protection means that bats are a material consideration when assessing a planning application. Legislation in England and Wales covering bats include:

- Wildlife and Countryside Act 1981 (as amended by the Countryside Rights of Way Act 2000);
- Conservation of Habitats and Species Regulations 2017;
- Natural Environment & Rural Communities Act 2006.

This legislation means that not only is the bat itself protected but its roost and feeding perches are also protected. A roost is described as any structure or place, which any wild bat uses for shelter or protection (whether the bat is present or not). **You will be committing a criminal offence if you:** Deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats; damage or destroy a bat roosting place (even if bats are not occupying the roost at the time); possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat; or intentionally or recklessly obstruct access to a bat roost.

Why is a survey needed before a Planning Application?

Local planning authorities have a legal duty (Ref: *Woolley v Cheshire East Borough Council and Millennium Estates Limited* – June 2009) when determining planning applications that may have an impact on European Protected Species (including bats). If, upon assessing a planning application that may have an impact on bats, the local planning authority considers that Natural England (the body responsible for granting licenses for any works likely to harm a protected species) is unlikely to grant a licence for the destruction of a roost required in order to carry out the development of a site, then that local planning authority is legally obliged **not** to grant consent for the development proposed until it is satisfied that the relevant legislation can be adhered to in full. It is for this reason that surveys are required **before** planning applications are determined, so that the potential impact of a development can be fully assessed and that appropriate mitigation is provided. A biological records search may also be required as part of this process.

Why is a Biological Records Search needed?

A search of biological records in the locality relating to bats can be useful to fully assess the potential impact of any development site in relation to bats. It is possible that a local planning authority will decline to determine an application until these records have been obtained. The council ecologist dealing with the planning application will also have access to the records, which are used to evaluate historical bat activity and any bat roosts that may have been recorded on site or in the local area in the past. Records are normally requested within a 1km buffer of the site boundaries, although this is assessed on a case by case basis as some projects may have a greater effect on local bat populations. The records are held by the local biological records centre and a charge is made by them to filter and process the records. When records are required by the local planning authority, they are evaluated by us and incorporated into the report we produce. A copy of the data is appended to the finished report.

Where do Bats Roost?

Bats may use several different roosts throughout the year depending on their needs. Roosts can be found in buildings, trees and caves. Temperature is an important factor in roost selection; bats look for warm roosts in summer and cool roosts in winter. Different species of bat also need different types of access, roost space and structure. Both crevice and roof-void dwelling bats can use gaps as small as 15-20mm high by 20-50mm wide, usually found 2-7m from the ground for access. These crevice dwelling bats can use these size gaps for roosting as well. Roof-void dwelling bats typically roost on the roof timbers within the roof-void; some species require an open uncluttered roof-void to provide space for flying. Horseshoe bats need larger openings to fly into.

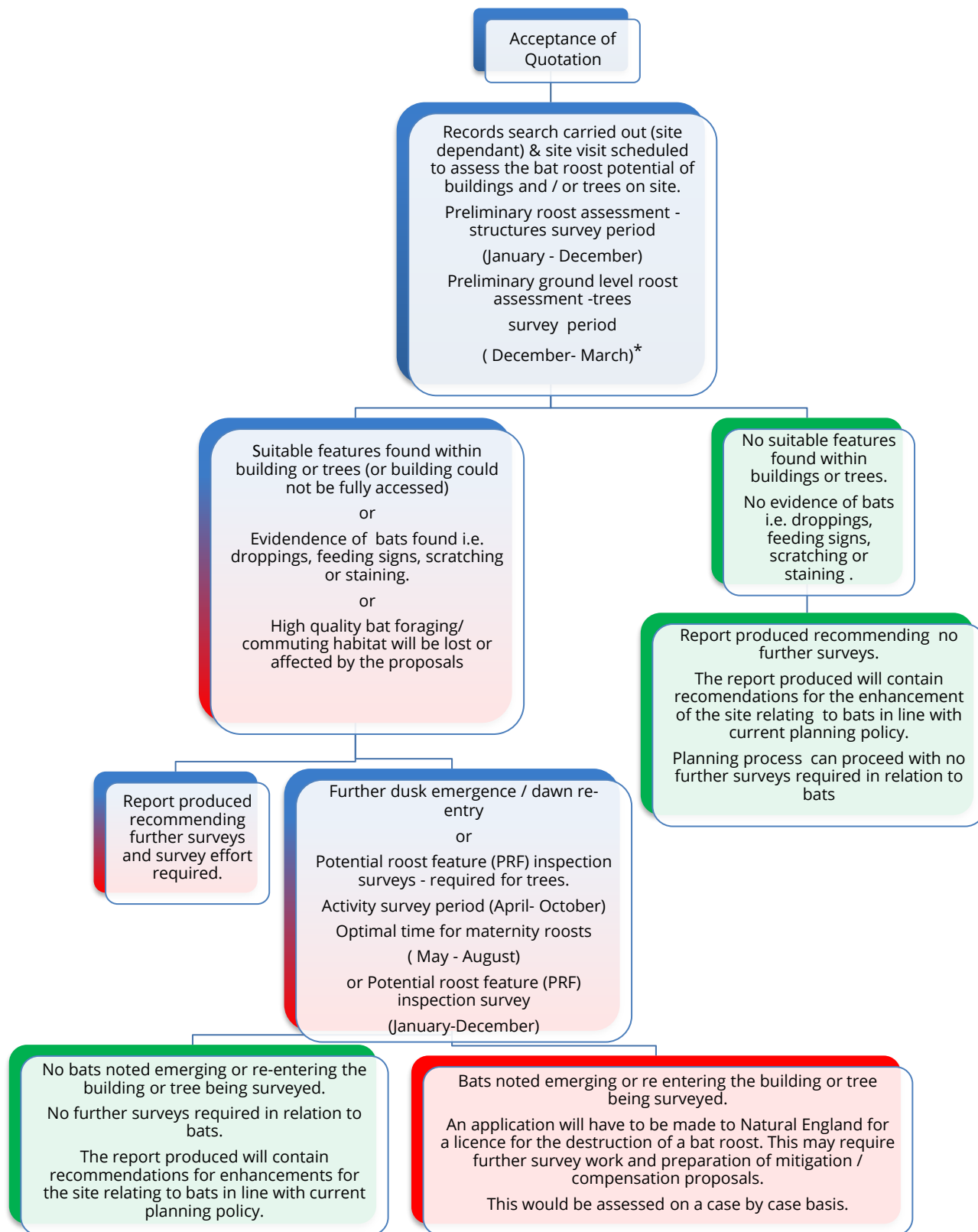
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Typical Work Flow Relating to Bat Surveys



The survey methods we use are set out in guidelines published by the Bat Conservation Trust (BCT) Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edn). Any recommendations made in respect of enhancing a site in relation to bats are made for the purposes of satisfying criteria within the National Planning Policy Framework (NPPF 2019) and relevant local plan policies.

* May be extended in certain tree species.