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Land to the rear of 15-17 Tavistock Place, London WC1H 9SH

Preliminary Bat Assessment

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(Class 2 licence; Registration No. 2015-10493-CLS-CLS)

Date: December 2015

Reference No: 2015_027

CONTENT

EXECUTIVE SUMMARY

Planning permission (2015/3406/P) is being sought for the demolition of existing shed buildings (Class D1) and the erection of a part single-, two- and three-storey medical research laboratory and higher education facility (Class D1) with associated plant on roof and new basement accommodation (2 floors) at 15-17 Tavistock Place, London WC1H 9SH.

A preliminary bat assessment was commissioned in December 2015 to evaluate the potential for the existing buildings to support a bat roost and the likely impacts of the proposals on these European Protected Species.

The key findings of the survey are as follows:

- The London Bat Group data search revealed two bat roosts, thirteen bat casualty records and 97 bat flight records within a 4 x 4km square centred on the site. No records were from the application site.
- The application site was occupied by shed buildings. These were considered unsuitable as a bat roost since: the interior of the structure was well lit by artificial and natural light; they were in regular use and therefore subject to high levels of disturbance; the structure was open, draughty and temperature and humidity conditions within the building were deemed unstable; and, the structure of the building offered limited accessible roosting opportunities.
- No evidence of bats was discovered from the survey.

CONCLUSIONS:

The proposals are considered to have NEGLIGLE risk to hibernating or summer roosting bats.

In the unlikely event that bats are discovered during works, further activities must stop and advice sought from an appropriately qualified ecologist.

ENHANCEMENTS

Proposals to include a green roof within the new building designs will increase the biodiversity value of the site. A biodiverse green roof should be installed in preference to sedum.

Bat roost and bird nest features could also be incorporated within the new building designs.

Any new lighting scheme should be appropriately designed to avoid adverse impacts to bats and other wildlife.

1. INTRODUCTION

1.1 BACKGROUND

1.1.1 Planning permission (2015/3406/P) is being sought for the demolition of existing shed buildings (Class D1) and the erection of a part single-, two- and three-storey medical research laboratory and higher education facility (Class D1) with associated plant on roof and basement accommodation (2 floors).

1.1.2 A Preliminary Bat Assessment was commissioned in December 2015 to assess the potential value of the existing buildings to roosting bats and the likely impacts of the proposals on these European Protected Species (refer to Appendix A1 for wildlife legislation).

1.1.3 This report details the methodology, results and conclusions of a Preliminary Bat Assessment undertaken on 11th December 2015. Recommended mitigation and enhancement measures, to be considered within the proposals, are also discussed.

1.2 DESCRIPTION OF SITE

1.2.1 The application site, is located to the rear of 15-17 Tavistock Place in the London Borough or Camden, WC1H 9SH. The site forms part of the London School of Hygiene and Tropical Medicine which is a registered Grade II listed building. The application site is 0.08 hectares (ha) in size and the National Grid Reference for the centre of the site is TQ300824.

1.2.2 The application site is currently occupied by shed buildings that offer storage facilities, cycle and car parking, two electricity substations and plant. An aerial view of the application site can be found in Appendix A1 (Plan 1).

1.2.3 The site is situated in a heavily urbanised area of north London and the surrounding land use is dominated by buildings and hard surfacing. An aerial view of the habitats occurring within a 1km search radius of the application site can be found in Appendix 2, Plan 2.

1.2.4 There are a number of city squares and gardens within 500 metres (m) of the application site which comprise mostly amenity grassland and mature trees. Cartwright Gardens is located immediately north, St George's Gardens is situated 270m east, Tavistock Square and Gordon Square are 180m and 380m west and Coram Fields is 355m to the south-east. These are all small in extent and poorly connected by street trees.

1.2.5 No statutory conservation designations apply to the application site and no statutory conservation designated sites occur within 1km. Nine non-statutory conservation designated sites occur within a 1km radius of the application site and include two Sites of Metropolitan Importance and seven Sites of Local Importance for Nature Conservation. These are listed in Table 1. Metropolitan sites are of regional

importance (to the whole of Greater London). Local sites are of most value in a particular neighbourhood.

Table 1: Statutory and non-statutory conservation designated sites within 1km of the application site

Name of site	Habitats and species for which the site was designated	Distance/orientation from application site
Sites of Metropolitan Importance		
London Canals	London's canals support a wide range of aquatic flora, including a number of locally uncommon species e.g. narrow-leaved water plantain *Alisma lanceolatum*, rigid hornwort *Ceratopyllum demersum* and shining pondweed *Potomageton lucens*, which are all species of clean, clear waters. Many waterside plants, including several London rarities, also grow on the brickwork and banks of the canal. The canals support an important invertebrate fauna (including several species of dragon/damselflies), a diverse fish community, and breeding waterfowl. London's network of canals fulfils an important function in allowing nature into heavily built-up environments.	960m, north
Camley Street Natural Park Local Nature Reserve	One of Britain's oldest and most influential urban ecology parks, internationally renowned as a centre of excellence in environmental education. Created on previously derelict land in 1984, the park now features a valuable mosaic of habitats and supports a remarkable diversity of wildlife for its inner city location. Over 300 higher plants have been recorded, including common broomrape *Orobanche minor*) hairy buttercup *Ranunculus sardous* and common spotted-orchid *Dactylorhiza fuchsia*. Breeding birds include reed warbler.	935m north
Local Sites of Importance for Nature Conservation		
Russell Square	This square is one of the largest in central London. Mature tree species include London plane *Platanus x hispanica*, common lime *Tilia x europaea*, ash *Fraxinus excelsior*, horse-chestnut *Aesculus hippocastanum*, tree of- heaven Ailanthus altissima, hawthorn *Crataegus monogyna* and holly *Ilex aquilifolium*. A hedge of hornbeam *Carpinus betulus* has been planted at the boundary of the site together with planted shrubberies.	370m, south
St George's Garden	This is an old churchyard site that is now a recreational area. It contains many mature trees, particularly London plane, weeping ash *Fraxinus excelsior var pendula* and common lime. There are areas of planted shrubberies with cherry laurel *Prunus laurocerasus*, spotted laurel *Aucuba japonica* and other nonnative species but these also contain insect attracting plants such as	270m, east

	buddleia *Buddleja davidii*, rose *Rosa sp* and lavender *Lavandula sp*. Blackbirds and wrens are known to be resident here.	
Gordon Square	This is a small but very well used square. London plane trees as well as common lime, beech *Fagus sylvatica*, flowering cherry *Prunus sp* and purple cherry-plum *Prunus "Pissardii"* are present and the boundary of the square has been planted with a variety of mostly non-native species e.g. snowberry *Symphoricarpos rivularis*, lilac *Syringa vulgaris*, mock orange *Philadelphus sp*, spotted laurel, buddleia and hazel *Corylus avellana*. The planted ground flora' of flowerbeds includes primrose *Primula vulgaris* and bluebell *Hyacinthoides non-scripta*. Bird species recorded include wren, robin, blackbird, blue tit, mistle and song thrush.	300m, west
Coram Fields	Although this site is primarily aimed at providing sports facilities for children, it contains several features which ensure that visiting children and parents have plenty of opportunity for contact with nature. There are numerous mature London plane trees mostly at the perimeter and a hedge of beech. At the western edge of the site white mulberry *Morus alba* and black mulberry *M. nigra* have been planted. To the east is a wildlife garden. The site also boasts a city farm.	350m, south-east
Calthorpe Community Project	The garden contains a number of scattered trees including young beech, ash, hawthorn, flowering cherry and oak *Quercus sp*. There is an artificial stream planted with yellow iris *Iris pseudacorus* and hard rush *Juncus inflexus*. The rockery gardens are planted with a number of insect-attracting species, for example rosemary *Rosemarinus officinalis*, Canadian goldenrod *Solidago canadensis*, foxglove *Digitalis purpurea*, Michaelmas-daisy *Aster sp*, ivy *Hedera helix* and oxeye daisy *Leucanthemum vulgare*.	595m, east
St. James Garden	This is an old churchyard site that is now a recreational area. Most of the trees are London plane but weeping ash, holly and yew *Taxus baccata* are also present. In addition there are planted shrubberies and the lawns although regularly mown contain wild flowers, including red deadnettle *Lamium purpureum*, wavy bitter-cress *Cardamine flexuosa*, red campion *Silene dioica*, creeping buttercup *Ranunculus repens*, ivyl-eaved speedwell *Veronica hederifolia* and the London notable common stork's-bill Erodium cicutarium. A few of the mature trees have small bushes of elder *Sambucus nigra* growing near their bases. Two small areas of waste	700m, north-west

	ground are present; one behind the basketball court and another in the south-western corner of the site. Here cow parsley *Anthriscus sylvestris*, buddleia, hedge bindweed *Calystegia sepium*, creeping thistle *Cirsium arvense*, Canadian fleabane *Conyza canadensis*, nipplewort *Lapsana communis*, hawkweed oxtongue *Picris hieracioides*, stinging nettle and red campion are located.	
St Andrews Gardens	Lawns, flowerbeds and shrubberies combine to make this a particularly attractive site. Mature common lime, beech, and London plane trees line the paths and boundaries. Planted shrubberies include many insect-attracting plants including buddleia, lilac, hazel and rose. The lawns contain a number of wildflower species e.g. lesser celandine *Ranunculus ficaria* and yarrow *Achillea millefolium*. Blackbirds and wrens are resident here.	680m, east

1.3 DEVELOPMENT PROPOSAL

1.3.1 The existing shed buildings (Class D1) would be demolished and a part single-, two- and three-storey medical research laboratory and higher education facility (Class D1) with associated plant on roof would be constructed within the existing built footprint. A 2-floor basement area would also be created to provide additional accommodation. Green roofs would be established on the new buildings.

1.4 THE ECOLOGICAL SURVEY

1.4.1 A Preliminary Bat Assessment site was completed by a Class 2 Natural England Bat Licensee (Registration No. 2015-10493-CLS-CLS). The survey followed the methodology outlined in the Bat Conservation Trust (2012) Bat Surveys – Good Practice Guidelines and included a data search and daytime site assessment.

1.5 LIMITATIONS

1.5.1 The survey was completed outside of the bat activity period, but did cover the bat hibernation period.

2. METHODOLOGY

2.1 DESK STUDY

2.1.1 A data search of all known bat records within a 4 x 4km square centred on the application site was requested from the London Bat Group in December 2015. The purpose of the study was to determine whether there was any historical evidence of a roost within or near to the site and to ascertain the species of bat known to be present within the immediate surrounding area.

2.2 SITE ASSESSMENT

2.2.1 A daytime survey of the application site was carried out on 11th December 2015. The survey included an internal and external inspection of the buildings and was carried out using a ladder, close focusing binoculars and a high power torch.

Identification of potential roost habitat

2.2.2 Features of potential value to bats as a roost site or entry point into the building (e.g. gaps within the brickwork, under roof tiles, flashing, weatherboarding) were identified from an external survey and droppings were searched for on the exterior walls and window sills below suitable openings or crevice features. A search for evidence of bats (bats, droppings, feeding remains and staining or scratch marks) within the structure was also completed.

Bat foraging and commuting habitat

2.2.3 The suitability of the site and immediate surrounding area to provide foraging and commuting opportunities for bats was assessed based on observations made during the site assessment and from aerial images of the site and surrounding area (Google Earth). The value of the habitat to foraging bats was assessed according to the occurrence of vegetation that typically supports high insect biomass such as edge and mosaic habitats, sheltered habitat features, broadleaved trees and aquatic habitats.

3. RESULTS

3.1 DESK STUDY

3.1.1 Records returned from the London Bat Group data search are summarised in Table 2 below.

3.1.2 Two *Pipistrellus sp* bat roosts were noted. The nearest record was 1.3km from the site.

3.1.3 Thirteen casualty records, which are often indicative of a roost occurring nearby, for common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *P.pygmaeus*, Kuhl's pipistrelle *P.kuhlii*, unidentified *Pipistrellus* species and unidentified vesper bats were also noted. The nearest record was 930m from the site.

3.1.4 Ninety-seven bat flight records for: common pipistrelle (No. 29), soprano pipistrelle (No.19), Nathusius' pipistrelle *P.nathusii* (No.3), noctule *Nyctalus noctula* (No.5), Daubenton's bat *Myotis daubentonii* (No.3) and unidentified *Pipistrellus* species (No.25), *Myotis* species (No.1), *Nyctalus* species (No.1) and unidentified vesper bats (No.11) were returned. The majority of records were from Regent's Park (26%), the Regent's Canal (15%), St Pancras Churchyard (16%) and St. Giles Churchyard (11%) which are more than 900m from the site. The nearest records to the site were from Gordon House Square (410m, west), Russell Square Gardens (530m, south) and Gray's Inn Road (625m, south-east)

Table 2: Summary of London Bat Group Data Search

Common name	Scientific name	No. of records	Nearest record to site
Roost records			
Unidentified Pipistrelle bat	*Pipistrellus sp*	2	1.3km
Casualty			
Unidentified Pipistrelle bat	*Pipistrellus sp*	3	980m, north-west
Unidentified Vesper bat	*Vespertilionidae*	1	1.7km, south-east
Common pipistrelle	*Pipistrellus pipistrellus*		1.6km, south-east
Soprano pipistrelle	*P.pygmaeus*		1.28km, west
Kuhl's pipistrelle	*P.kuhlii*		850m, north
Field Records			
Common pipistrelle	*P.pipistrellus*	29	410m, west
Soprano pipistrelle	*P.pygmaeus*	19	1km, north
Nathusius' pipistrelle	*P. nathusii*	3	410m, west
Noctule	*Nyctalus noctula*	5	725m, south-east
Daubenton's bat	*Myotis daubentonii*	3	1.8km, north-west
Unidentified pipistrelle bat	*Pipistrellus sp.*	25	840m, north-west
Unidentified *Nyctalus* species	*Nyctalus sp*	1	800m, north-west
Unidentified *Myotis* species	*Myotis sp.*	1	960m, north
Unidentified vesper bat	*Vespertilionidae*	11	1.16km, south-west

3.2 SITE ASSESSMENT

3.2.1 The weather conditions during the survey were 14°C, 100% overcast but dry with a light breeze. Heavy rain was reported overnight and on the days leading up to the survey.

3.2.2 A description of the site is provided below. Notable features are described as Target Notes (TN) and there location is shown in Appendix A2, Plan 3. Photographs to support the descriptive text are provided in Appendix 3.

Potential roost habitat

3.2.3 The application site was occupied by a large single storey 'shed/warehouse' style building. The building was constructed of brick and breeze blocks with a metal frame that supported a multi-pitched roof that was covered with of a mixture of fibre cement, metal and translucent poly-carbonate corrugated roofing sheets. There was open access to the building from the southern and eastern façades. The building was in constant use and provided two electricity substations, storage facilities, bike and car parking and a refuge area. It was well lit by artificial lighting as well as natural light from the translucent roofing sheets (TN1; Photograph 1).

3.2.4 The building did not support a separate roof space but bird netting had been fitted across its full extent and is likely to impede access by bats to the roof (Photograph 2 and 8). An inspection of a small area of plant on top of one of the substation roofs found that although the ridge of the roof offered some crevice opportunities, the roofing materials are unlikely to provide suitably stable, sheltered or undisturbed habitats to be of value to bats as a roost (Photograph 3).

3.2.5 The two electricity substations were single storey and constructed of brick with a flat concrete roof (Photograph 4). They were located in the southern and north-eastern parts of the building (TN2 and TN3). These structures were well sealed and did not offer opportunities for bats to enter. An inspection of the cavity space between the north-eastern substation and the northern wall of the building found mouse droppings but no signs of bats (TN4; Photograph 5).

3.2.6 Three storage areas occurred within the building. The northern store rooms (TN5; Photograph 6) were used to store stationary, marketing materials and office furniture and were in regular use. No openings into this structure were identified and no evidence of bats was discovered here. The south-western store (TN6) was open on the date of survey and in a poor state of repair. Although some low value crevice features were identified such as behind pealing plaster/paintwork and broken coving (Photograph 7), no evidence of bats was discovered to suggest use of these features by bats. The north-western storage area was only superficially separated from the main area of the building by wooden hoarding (TN7; Photograph 8). It was well lit by artificially lighting and offered negligible roosting opportunities for bats.

3.2.7 A courtyard separated the application site from the main School of Hygiene and Tropical Medicine (TN8; Photograph 9). The exterior wall of some of the buildings located immediately adjacent to the shed

buildings (TN9) were found to support small crevice features associated with lost mortar and damaged masonry but no evidence of bats was discovered to suggest use as a roost.

3.2.8 No evidence of bats was discovered and overall the building was assessed as having NEGLIGIBLE value to bats as a roost site.

Bat foraging and commuting habitat

3.2.9 The courtyard (TN8) supported ornamental planting which offered some limited foraging opportunities for bats (Photograph 9). Cartwright Gardens (TN10) immediately north of the site, which has mature trees at its boundary, also offers low potential feeding opportunities for bats near to the site.

4. CONCLUSIONS

4.1 SITE EVALUATION

4.1.1 The application site is considered unsuitable for bats and the impact of the proposals on roosting bats is assessed as NEGLIGIBLE.

4.1.2 In the unlikely event that bats are discovered during works, further activities must stop and advice sought from a suitably qualified ecologist.

5. ENHANCEMENTS

5.1 BAT ROOST FEATURES

5.1.1 Bat bricks or bat tubes (e.g. Schwegler woodcrete Brick box No.27 for bats or 1FR bat tubes) could be installed within the structure of the three-storey section of the new building, close to the roof edge, to provide potential bat roosting opportunities. These should be installed away from windows, doorways and artificial light sources.

5.2 BIRD NEST SITES

5.2.1 Nest boxes suitable for notable species such as swift (No. 17A Schwegler Swift Nest Box (Triple Cavity) could also be provided, to enhance the biodiversity potential of the application site. These should also be located near to the roof edge of the three-storey building, out of direct sunlight, ideally facing easterly or westerly and not directly lit by artificial light sources.

5.3 GREEN ROOFS AND LIVING WALLS

5.3.1 Biodiverse roofs (>200mm substrate depth) should be constructed in preference to sedum roofs since these offer greater foraging opportunities for bats (Pearce & Walters, 2012). Green roofs can be created using recycled aggregate and seeded with a native wildflower mix (http://wildseed.co.uk/mixtures/view/57) as well as plug-planted with certified native wildflower stock such as from wildflowers.uk.com (or approved alternative). Features such as substrate mounds, dead wood piles and rubble mounds should be included within the designs since these provide micro-climates and shelter for wildlife and increase its biodiversity value. Where possible the roof should be designed to hold rainwater for at least part of the year.

5.3.2 Trellises or wires planted with ivy *Hedera helix*, Traveller's-joy *Clematis vitalba,* honeysuckle *Lonicera periclymenum* and/or hops *Humulus lupulus* could be provided on the façade of the new building to create a living wall.

5.4 LIGHTING

5.4.1 Any new lighting scheme should be appropriately designed to minimise the amount of lighting and light spill. This could be achieved by:

5.4.2 Ensuring lights are only erected where they are needed, illuminated only during the time period that they will be used, and at levels that enhance visibility.

5.4.3 Using narrow spectrum bulbs, to lower the range of species affected by lighting, and avoiding the use of light sources that emit ultraviolet. LED lighting, ideally amber LED (bat-lamps) that have a negligible UV component may be a preferred option since these show a low insect attractiveness comparable to low pressure sodium lamps and they are more directional, thus reducing light spill (Fure 2012).

5.4.4 External lights should comprise sensor activated lamps (Jones 2000; BCT & ILE 2008) or an appropriate management system should be provided that ensures lights are only operational when they are needed.

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A1: LEGISLATION

Bat Legislation

All bat species in the UK are fully protected under The Conservation (Natural Habitats, &c.) Regulations 2010 (as amended) through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or taking (capture) of bats
- Deliberate disturbance of bats in such a way as to: (a) impair their the ability to survive, breed, or rear or nurture their young; or (b) affect significantly the local distribution or abundance of bat species; or (c) impair their ability to hibernate or migrate
- Damage or destruction of a bat breeding site or resting place i.e. roost
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

All bat species in the UK are also protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. Under this Act, it is an offence to:

- Intentionally or recklessly disturb any bat while it is occupying a structure or place which it uses for shelter or protection
- Intentionally or recklessly obstruct the access to any place of shelter or protection used by bat(s)
- Sell, offer or expose for sale, possess or transport a bat(s) for the purpose of sale.

A European Protected Species Mitigation (EPSM) Licence issued by the relevant countryside agency (e.g. Natural England) will need to be applied for to allow derogation from the relevant legislation i.e. for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young, hibernate, migrate). In certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded de facto protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost.

Bird Legislation

All birds, their nests and eggs are protected under Sections 1-8 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to:

- Kill, injure or take any wild bird, or to take or destroy their eggs;
- Take, damage or destroy the nest of any wild bird while it is in use or being built. Certain species receive additional special protection under Schedule 1 of the Act.
- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young;
- Intentional or reckless disturbance of dependent young of such a bird.

Species listed under Annex 1 of the European Community Directive on the conservation of Wild Birds (79/409/EEC) qualify sites for designation as a Special Protection Area (SPA) if certain selection criteria are met, such as a site supports internationally important populations of an Annex 1 species.

Conservation (Natural Habitats etc) Regulations 2010

The species protection provision of the EC Habitats Directive 1992, as implemented by the Conservation of Habitats and Species Regulations 2010, comprises three "derogation tests" which must be applied by the Local Planning Authority when deciding whether to grant planning permission for a development that could harm a European Protective Species. The three tests are that:

- The activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety
- There must be no satisfactory alternative; and
- Favourable Conservation Status (FCS) of the species must be maintained.

It is the responsibility of the applicant to submit sufficient information to address these tests when applying for planning permission. For development activities, an EPSM Licence application can only be obtained after planning permission has been granted. However, the granting of planning permission does not guarantee that a licence will be issued by the relevant countryside agency.

National Planning Policy Framework (2012)

The National Planning Policy Framework (NPPF) (2012) sets out the Government's national policies on different aspects of planning in England. Section 10 paragraphs 109 to 125 details planning policies on the conservation and enhancement of the natural environment. Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

In summary:

- The planning system should contribute to and enhance the natural and local environment by: 'minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.' (NPPF Section 10, para 109)
- When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused (Section 10, para 118).
- Proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted (Section 10, para 118).
- Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted (Section 10, para 118).
- Opportunities to incorporate biodiversity in and around developments should be encouraged (Section 10, para 118).
- Planning permission should be refused for development resulting in the loss or deterioration of

irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss (Section 10, para 118).

- Potential Special Protection Areas and possible Special Areas of Conservation, listed or proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on European sites, should be given the same protection as European sites (Section 10, para 118).

- The presumption in favour of sustainable development (para 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined (Section 10, para 119).

- Planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (Section 10, para 125).

Local planning authorities must take account of the conservation of protected species when determining planning applications. The presence of protected species is a material consideration when assessing a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. This requirement has important implications for bat surveys as it means that, where there is reasonable likelihood of bats being present and being affected by the development, surveys must be carried out before planning permission is considered' (BCR 2012). In order for the Local Planning Authority to adequately assess a development proposal against National and Local Planning Policy, full comprehensive ecological surveys need to be carried out and suitable mitigation strategies compiled prior to the submission of any planning application. This information will be reviewed by the Local Planning Authority in consultation with the relevant countryside agency and other conservation bodies.

Any developer should, in the first instance, consult the relevant Local Plans to assess the suitability of their proposal (refer to NPPF Section 10 paras 113 to 117).

Natural Environment and Rural Communities Act 2006 (NERC)

Part 3, Section 40 of the NERC Act 2006 states that 'every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity', otherwise known as the Biodiversity Duty. Under Section 41 of the Act, the Secretary of State must publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity. This list is based on those species listed in the UK Biodiversity Action Plan (BAP) as priority species. The S41 list replaces the list published under Section 74 of the Countryside and Rights of Way (CRoW) Act 2000.

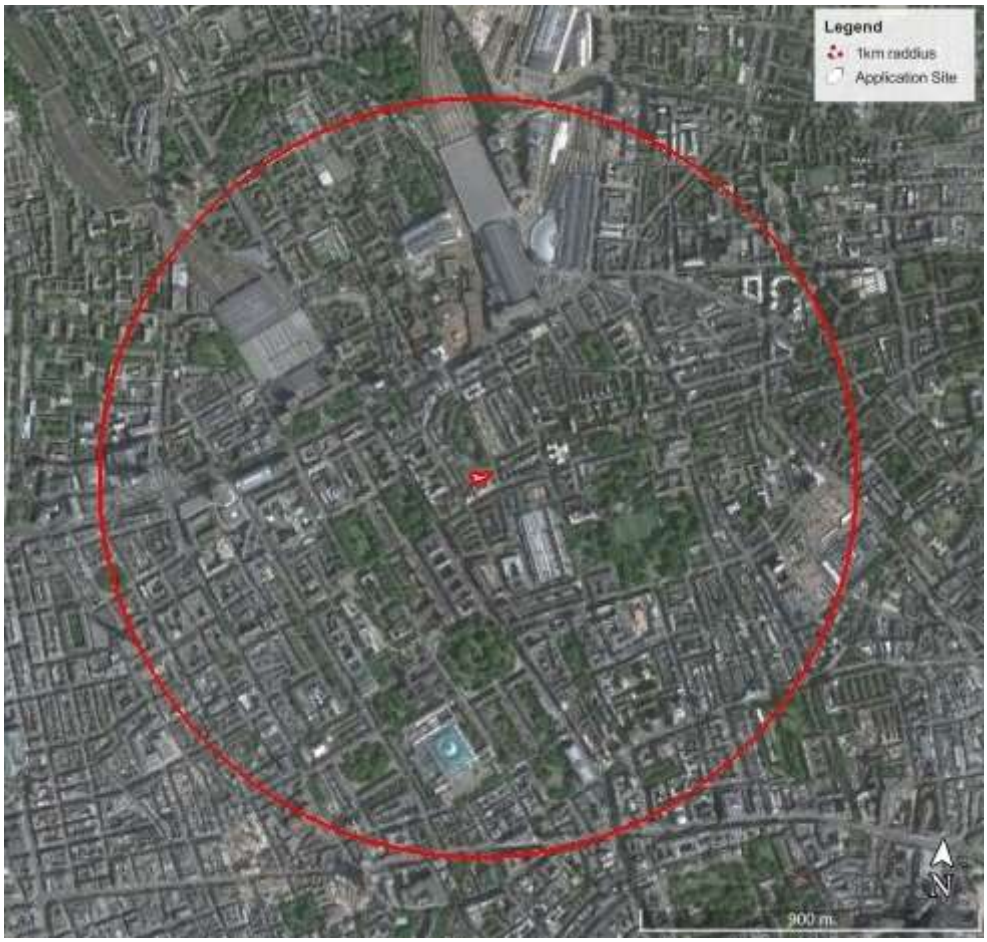
Biodiversity Action Plan

Biodiversity Action Plans (BAPs) set out actions for the conservation and enhancement of biological diversity at national, regional and local level. They consist of both Habitat Action Plans (HAPs) and Species Action Plans (SAPs) and species and habitats listed within these are defined as being of Principal Importance for the Conservation of Biodiversity under Section 41 of the NERC Act 2006. Local authorities must consider these species and habitats when determining planning applications.

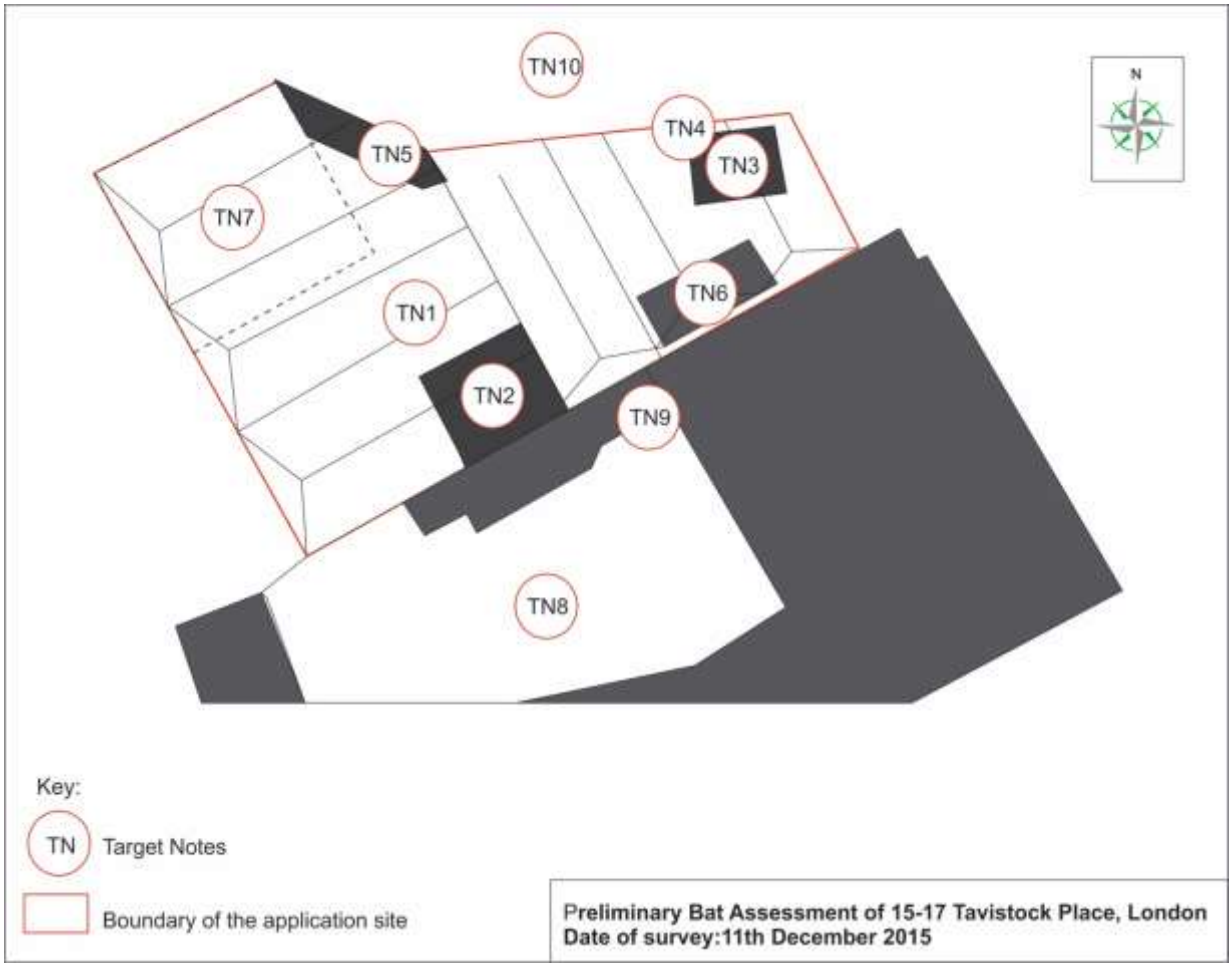
A2: PLANS

Plan 1: Aerial view of the application site.

Plan 2: Aerial view showing the habitats occurring within a 1km radius of the application site



Plan 3: Preliminary bat assessment showing Target Notes (TN)



A3: PHOTOGRAPHS

Photograph 1 (TN1): Interior of the building occupying the application site

Photograph 2: Bird netting covering the full extent of the roof likely impedes access to any potential roost features.

Photograph 3 (TN2): Ridge of the roof comprised materials considered unsuitable for roosting bats

Photograph 4 (TN2): Electricity substations were well sealed and offered no opportunities for bats to enter into these structures

Photograph 5 (TN4): Cavity space behind the north-eastern substation

Photograph 6 (TN5): Northern storage rooms

Photograph 7 (TN6): Southern storage area offered low value roost features but no evidence of bats was found to suggest use.

Photograph 8 (TN7): North-western storage area. Bird netting covering the full extent of the roof

Photograph 9 (TN8): Courtyard to the south of the building