



## Preliminary Roost Assessment

42 High Street, Teddington, TW11 8ES

Unico Developments

| Status   | Issue | Name  | Date       |
|----------|-------|---|------------|
| Draft    | 1     | Giorgina Shaw BSc (Hons), Graduate Ecologist  | 31/07/2023 |
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### Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

### Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

## Executive Summary

Arbtech Consulting Limited was instructed by Unico Developments to undertake a Preliminary Roost Assessment (PRA) at 42 High Street, Teddington TW11 8ES (hereafter referred to as “the site”). The survey was required to inform a planning application for the redevelopment of existing building to provide a shop unit(s) (Class E) at ground floor and basement, and eight residential units over first, second and third floors, together with waste and cycle stores and other associated works (hereafter referred to as “the proposed development”).

**The following is work you will need to commission to obtain planning permission and to comply with legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 6 of this report.**

| Feature  | Survey Results Summary  | Impact Assessment   | Recommendations   |
|--|---|---|---|
| <b>Roosting bats (B1 &amp; East gable wall of the adjacent pub building)</b> | In line with Good Practice Guidelines (Collins, J. (Ed) 2016), B1 and the east gable wall of the adjacent Teddington Arms pub building has <b>negligible</b> value for roosting bats due to a lack of potential roost features and no evidence of bats found in or around the building. | Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on roosting bats as a result of the proposed development. | No further surveys are recommended to inform the planning application.<br><br>In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice. |
| <b>Foraging and commuting bats</b>   | There are no habitats on the site which could be used by bats for foraging or commuting.  | The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.  | None.   |
| <b>Nesting birds (B1 &amp; East gable wall of the adjacent pub building)</b> | B1 and the east gable wall of the adjacent Teddington Arms pub building offer no opportunities for nesting birds. No evidence of nesting birds was found internally or externally.  | None.   | None.   |

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## **1.0 Introduction and Context**

### ***1.1 Background***

Arbtech Consulting Limited was instructed by Unico Developments to undertake a Preliminary Roost Assessment (PRA) at 42 High Street, Teddington TW11 8ES (hereafter referred to as “the site”). The survey was required to inform a planning application for the redevelopment of existing building to provide a shop unit(s) (Class E) at ground floor and basement, and eight residential units over first, second and third floors, together with waste and cycle stores and other associated works (hereafter referred to as “the proposed development”). A plan showing the proposed development is provided in Appendix 1.

The aim of the PRA was to determine the presence or evaluate the likelihood of the presence of roosting bats, and to gain an understanding of how bats could use the site for roosting, foraging or commuting. This has been undertaken with due consideration to the “Bat Surveys for Professional Ecologists —Good Practice Guidelines” publication (Collins, 2016). No previous ecology reports have been produced for this site by Arbtech Consulting Ltd or, to the author’s knowledge, by any other consultancy.

### ***1.2 Site Location and Landscape Context***

The site is located at National Grid Reference TQ 16089 71109 and has an area of approximately 0.03ha. The site is characterised by an end terrace former bank premises with a single storey rear extension to its footprint and hard standing areas to the south and east of the building. The site is located on Teddington high street, within a built, urban area approximately 280m northeast of Teddington train station. The site is enclosed by residential and commercial properties and their associated gardens on all aspects as well as scattered parks and golf clubs in the wider landscape. A site location plan is provided in Appendix 2.

### ***1.3 Scope of the Report***

This report provides a description of all features suitable for roosting, foraging and commuting bats and evaluates those features in the context of the site and wider environment. It further documents any physical evidence collected or recorded during the site survey that establishes the presence of roosting bats. It provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any further surveys to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation. To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A field survey has been undertaken, including an inspection of the built structure, to determine the presence or the suitability of any features which bats could use for roosting and to assess the suitability of the site’s bat foraging and commuting habitat.
- An outline of potential impacts on any confirmed or unidentified roosts has been provided, based on the proposed development.
- Recommendations for further surveys and mitigation have been made, along with advice on the requirements for a European Protected Species Licence (EPSL) application if appropriate.

- Opportunities for the enhancement of the site for roosting, foraging and commuting bats have been set out.

## 2.0 Methodology

### 2.1 Desk Study

The desk study included a 2km radius review of statutory designated sites with bat qualifying interests and granted EPSL records for bats held on magic.gov.uk database. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

### 2.2 Field Survey

The survey was undertaken by Giorgina Shaw (Accredited Agent under Natural England Bat Licence Number: 2019-41480-CLS-CLS) on Wednesday 26<sup>th</sup> July 2023.

The PRA focussed on one built structure which will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging and commuting habitat.

#### For any surveyed buildings:

A non-intrusive visual appraisal was undertaken from the ground, using binoculars to inspect the external features of the building for features which bats could use for roosting, including access or egress points and for signs of bat use including droppings, scratch marks, insect remains and urine smear marks. An internal inspection of the building was also made, including the living areas and any accessible roof spaces, using a torch and ladders. The surveyor paid particular attention to the floor and flat surfaces, window shutters and frames, lintels above doors and windows, and carried out a detailed search of numerous features within the roof space.

### 2.3 Breeding Birds and Other Incidental Observations

The surveyor also made note of any other ecological constraints observed during the survey, notably the likelihood of presence or signs of breeding birds, and the suitability of the site for barn owls.

### 2.4 Suitability Assessment

The built structure was categorised according to the likelihood of bats being present and the types of roost that the identified features could support. This is summarised in Table 1 below. Roost suitability is classified as high, moderate, low and negligible and dictates any further surveys required before works can proceed.

Table 1: Features of a building that are correlated with use by bats

| <b>Classification</b> | <b>Feature of building and its context</b>   |
|-----------------------|--|
| High                  | Buildings or structures with features of particular significance for larger numbers of roosting bats e.g. mines, caves, tunnels, icehouses and cellars.<br>Habitat on site and surrounding landscape of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland. |

|            |  |
|------------|--|
|            | Site is connected with the wider landscape by strong linear features that would be used by commuting bats e.g. river and or stream valleys and hedgerows.<br>Site is proximate to known or likely roosts (based on historical data).<br>Buildings with high suitability could support roosts of high conservation value such as maternity or hibernation roosts.   |
| Moderate   | Buildings or structures with one or more features suitable for more regular roosting due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation value such as maternity or hibernation roosts.<br>Continuous habitat connected to the wider landscape which could be used by bats for commuting such as lines of trees, linked gardens.<br>Foraging habitat in the surrounding area such as trees, scrub, grassland or water. |
| Low        | Buildings or structures with one or more features suitable for use sporadically by individual or small numbers of bats. Potential roost features may be suboptimal for reasons such as shallow depth, poor thermal qualities or upwards orientation with exposure to inclement weather or predators.<br>Habitat suitable for foraging in close proximity, but largely isolated in the landscape. Or an isolated site not connected by prominent linear features.                                   |
| Negligible | Unsuitable for use by bats.  |

### 2.5 Limitations

It should be noted that whilst every effort has been made to describe the features on site in the context of their suitability for roosting bats, this does not provide a complete characterisation of the site. This survey provides a preliminary view of the likelihood of bats being present. This is based on suitability of the habitats on site and in the local area, the ecology and biology of bats as currently understood, and the known distribution of bats as recovered during the desk study. Bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time.

A search for historical bat records has not been undertaken. However, given the location of the site, the nature of the habitats present and the assessed suitability of the site for bats, it is not anticipated that the purchase of historical records data will add any significant weight or alter the conclusions and recommendations outlined in this report. However, these records can be purchased upon request.

This limitation has been taken into account during the evaluation of the site and requirement for further surveys and mitigation.



### 3.0 Results and Evaluation

#### 3.1 Designated Sites

Details of any statutory designated sites with bat qualifying interests within a 2km radius of the site, including their reasons for notification, are provided in Table 2 below.

Table 2: Statutory designated sites with bat qualifying interests within 2km radius of the site.

| Designated site name            | Distance from site      | Reasons for notification from Natural England  |
|---------------------------------|-------------------------|--|
| Ham Lands (LNR)                 | ~850m to the northeast  | Ham Lands local nature reserve is an extensive area of grassland and scrub with abundant wildlife. The site was once extensively excavated for gravel, then backfilled over time with a variety of soil types from all over London. This has created a unique mosaic of different vegetation types attracting many butterfly and bird species. In spring, the site is full of hawthorn blossom and in the summer, the meadows support hundreds of wildflowers. |
| Bushy Park and Home Park (SSSI) | ~1300m to the southwest | Bushy Park and Home Park SSSI is of special interest for its nationally important saproxylic (dead and decaying wood associated) invertebrate assemblage, population of veteran trees and acid grassland communities. These features occur within and are supported by the wider habitat mosaic.   |

#### 3.2 Historical Records

A search of the magic.gov.uk database for granted EPSLs within a 2km radius of the site has been completed. Displaced bats from licensed sites <2km away from the survey site will find alternative habitat either within the mitigation measures implemented as part of the licence or will relocate to other known roosts sites in close proximity to the licensed site. EPSL records for bats are summarised in Table 3.

Table 3: Granted EPSLs for bats within 2km of the site

| EPSL reference                       | Bat species affected  | Impacts allowed by licence     |
|--------------------------------------|---|--------------------------------|
| 2014-274-EPS-MIT (~860m west)        | Soprano pipistrelle   | Destruction of a resting place |
| 2014-2080-EPS-MIT (~1550m southeast) | Common pipistrelle, soprano pipistrelle, natterer's bat, and brown long-eared bat | None Listed                    |
| EPSM2011-2921 (~1550m southeast)     | Common pipistrelle, soprano pipistrelle, natterer's bat, and brown long-eared bat | Destruction of a resting place |

#### 3.3 Field Survey Results


The weather conditions recorded at the time of the survey are shown in Table 4. The results of the field survey are detailed in Table 5 and illustrated in Appendix 3.

Table 4: Weather conditions during the survey

|             |            |
|-------------|------------|
| Date:       | 26/07/2023 |
| Temperature | 23°C       |

|                    |      |
|--------------------|------|
| <b>Humidity</b>    | 45%  |
| <b>Cloud Cover</b> | 40%  |
| <b>Wind</b>        | 6mph |
| <b>Rain</b>        | None |

Table 5: PRA Results

| Feature                            | Description   | Photographs  |
|------------------------------------|---|--|
| Bat foraging and commuting habitat | There is no significant foraging and commuting habitat for bats on site. Streetlights present around the peripheries of the site also introduce light disturbance to the site and potentially deters bat use.   | N/A  |
| B1 - overview                      | <p>The building (B1) is a flat roofed, two-storey former bank premises with a single-storey flat roofed rear extension to its footprint. The building forms the end of a row of terraced houses/shop units and lies adjacent to the Teddington Arms pub.</p> <p>As requested by The London Borough of Richmond upon Thames Council, the east gable wall of the adjacent pub building was included within the PRA assessment, as it will be impacted by the proposals.</p> |  |

B1 – northern elevation

B1 is of brick construction, part rendered, with UPVC windows and doors that are mostly boarded in front. Both flat roofs are formed of bitumen felt and there are no eaves present. There is a small section of timber weatherboards present at the rear of B1 below the windows on the second storey which are in good, tight-fitting condition with no gaps which bats could exploit for roosting.

There is no internal loft void within B1.

The brickwork and rendered sections appear to be in good, sealed condition with no suitable roosting features along this elevation. The timber boards covering the windows and doors are also tightly sealed with no suitable roosting features.

There are no gaps where the bitumen felt roof joins the rendered and brick wall which bats could exploit for roosting or access.

The gable end of the Teddington Arms pub (circled in red and pictured opposite) is likely to be affected as per the proposed development. Upon inspection, the brickwork appears in good condition with no roosting opportunities for bats (see pictures below also).

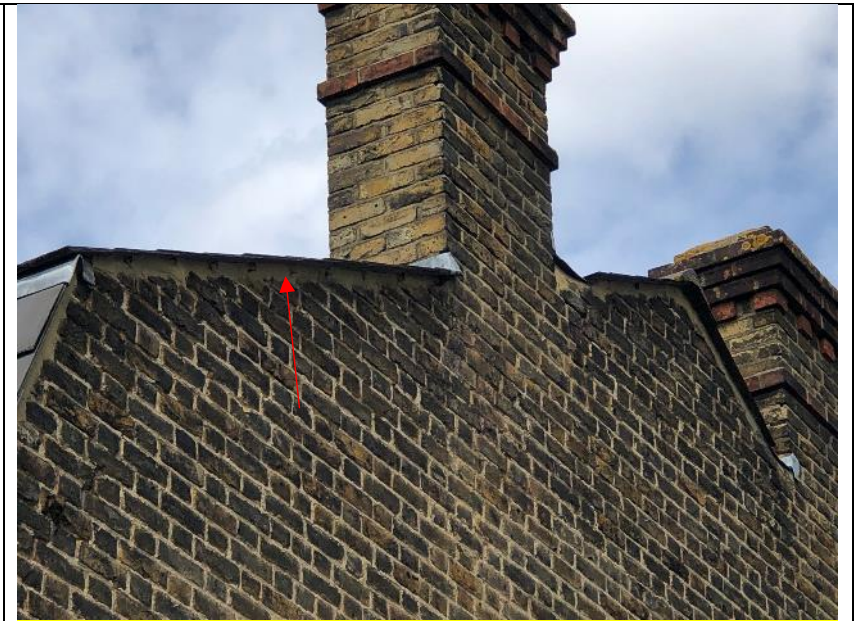






Adjacent east gable end of the Teddington Arms Pub

The brickwork appears in good condition and provides no suitable gaps or cracks for bat use.

The mortar is also well sealed along the verge of the gable end with no gaps or points of entry for roosting bats (see red arrows opposite).



|   |   |  |
|---|---|--|
| <p>B1 – eastern elevation</p>           | <p>The brickwork (including under the staircase), windows and rendered sections appear to be in good, tight-fitting condition along this elevation with no suitable roosting features (see picture of brickwork below).</p> <p>There are no gaps where the bitumen felt roof joins the rendered and brick wall which bats could exploit for roosting or access.</p> |   |
| <p>B1 - eastern elevation brickwork</p> | <p>The brickwork around the building appears in good condition with no gaps which bats could exploit for roosting or access (the picture opposite is representative of its condition on all elevations of B1).</p>  |  |



B1 – southern elevation

The timber boards covering the windows are tightly sealed with no gaps which bats could exploit for roosting or access.

There are no gaps which bats could exploit for roosting or access between the parapets and rendered walls.

The timber cladding (below the window) on the second storey is tightly fitted and flat, with no crevices for bats to use.



B1 – roof structure

The flat roof of B1 has no suitable features for supporting roosting bats.



B1 – interior

There is no internal loft void within B1. The walls and ceilings are well sealed. A search of the floor and flat surfaces in and around the building found no evidence of bat use.





B1 – eastern elevation - electrical/storage cupboard - interior

There is a small (1m<sup>2</sup>) electrical/storage cupboard below the exterior staircase on the eastern elevation of B1 (circled in red opposite).

The brickwork externally appears in good condition and the door is kept closed. The space appears inaccessible to bats and offers no discernible roosting habitat for bats. A search of the floor and walls in and around this storage unit found no evidence of bat use.



#### 4.0 Conclusions, Impacts and Recommendations

Taking the desk study and field survey results into account, Table 6 presents an evaluation of the value of the site for bats and also details any other ecological constraints identified such as nesting birds in relation to the proposed development which will comprise the redevelopment of existing building (B1) into a shop unit(s) and eight residential units over the first, second and third floors.

Table 6: Evaluation of the site for bats and any other ecological constraints

| Building  | Survey Results Summary  | Impact Assessment   | Recommendations   | Biodiversity Enhancement Opportunities <sup>1</sup>   |
|---|---|---|---|---|
| Roosting bats (B1 & East gable wall of the adjacent pub building) | In line with Good Practice Guidelines (Collins, J. (Ed) 2016), B1 and the east gable wall of the adjacent Teddington Arms pub building has <b>negligible</b> value for roosting bats due to a lack of potential roost features and no evidence of bats found in or around the building. | Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on roosting bats as a result of the proposed development. | No further surveys are recommended to inform the planning application.<br><br>In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice. | The installation of a single bat box at the site will provide additional roosting habitat for bats.<br><br>The bat box can be installed on or incorporated within the fabric of the new building on site.<br><br>Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light.<br><br>The bat box will be a specification suitable for both crevice- and void-dwelling species such as the Eco Bat Box (Integrated Eco Bat Box to be incorporated in buildings) or a similar alternative brand. |
| Foraging and commuting bats                                       | There are no habitats on the site which could be used by bats for foraging or commuting.  | The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.  | None.   | None.   |

<sup>1</sup> The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021).

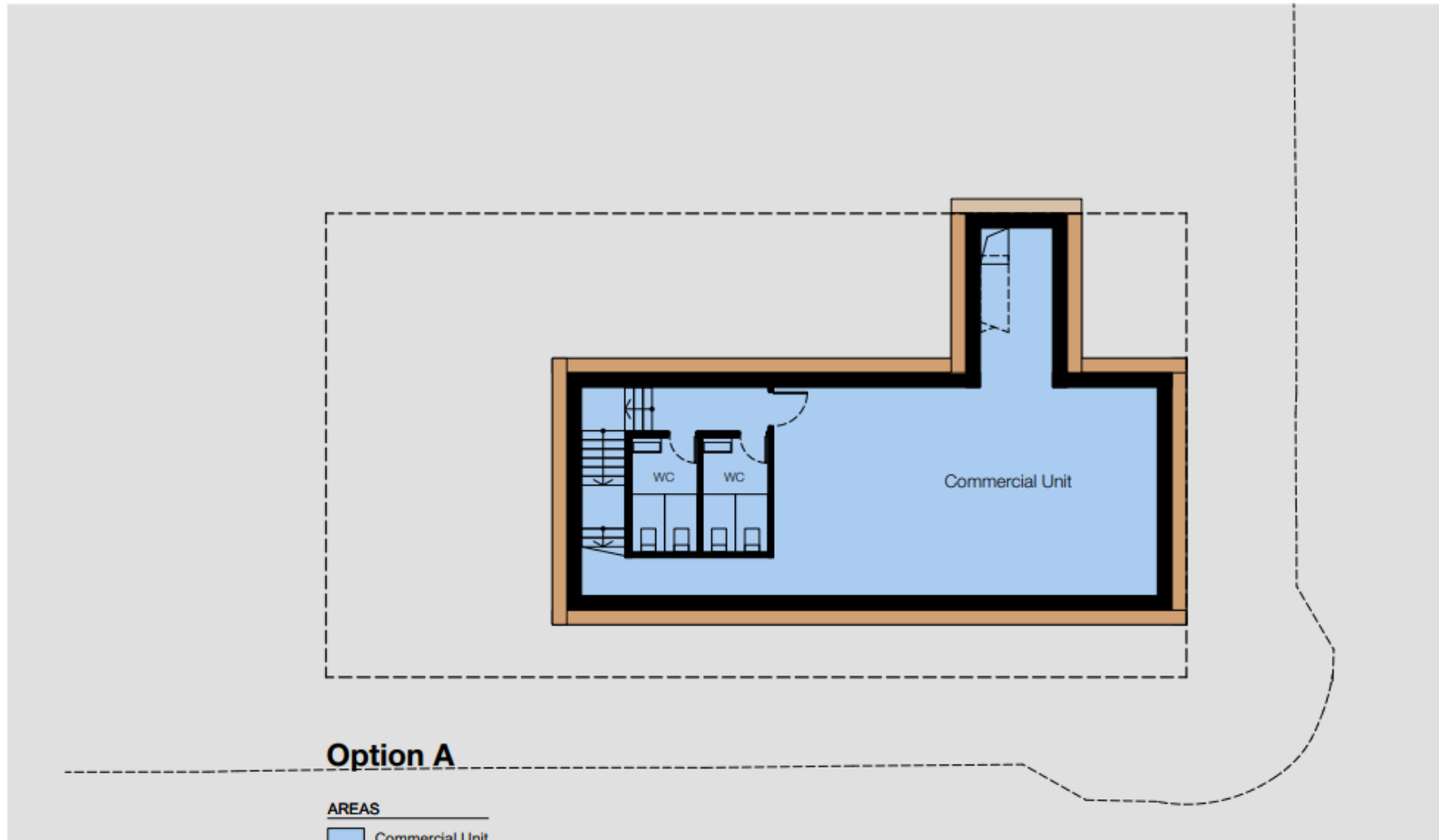
|   |  |       |       |  |
|---|--|-------|-------|--|
| Nesting birds (B1 & East gable wall of the adjacent pub building) | B1 and the east gable wall of the adjacent Teddington Arms pub building offer no opportunities for nesting birds. No evidence of nesting birds was found internally or externally. | None. | None. | <p>The installation of a minimum of a single bird box on the redeveloped building will provide additional nesting habitat for birds.<br/>e.g.<br/>Vivara Pro Seville 32mm WoodStone Nest Box or a similar alternative brand (suitable for a small bird species).</p> <p>Bird boxes should be positioned 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight.</p> |
| Other ecological constraints                                      | None identified.   | N/A   | N/A   | N/A  |

## 5.0 Bibliography

- Collins, J. (2016). Bat Surveys for Professional Ecologists —Good Practice Guidelines, 3<sup>rd</sup> edition, Bat Conservation Trust, London.
- Garland, L. & Markham, S. (2008) Is Important Bat Foraging and Commuting Habitat Legally Protected? <http://biodiversitybydesign.co.uk/cmsAdmin/uploads/protection-for-bat-habitat-sep-2007.pdf>
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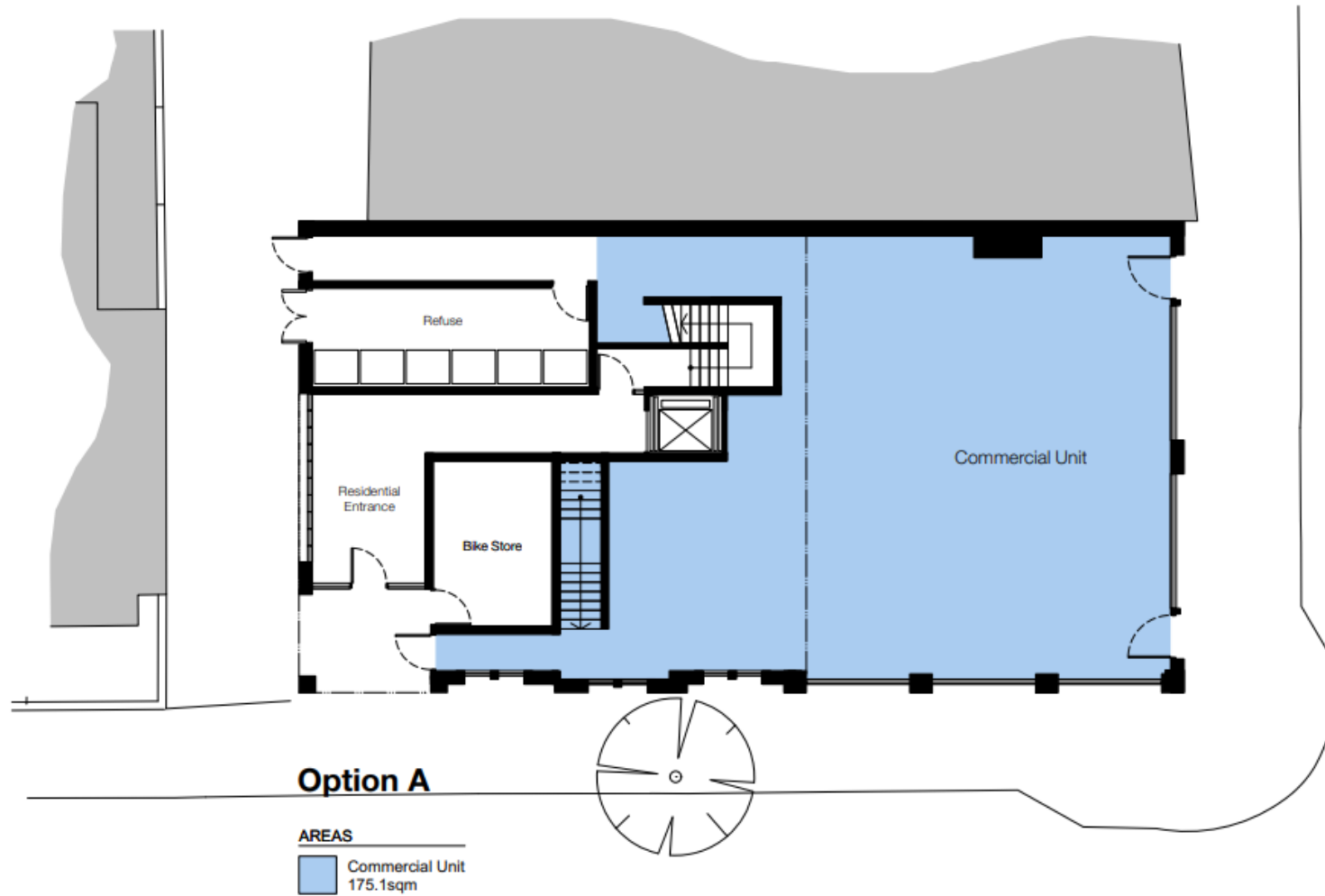
Appendix 1: Proposed Development Plan

Basement



04

### Ground Floor



05

### First Floor



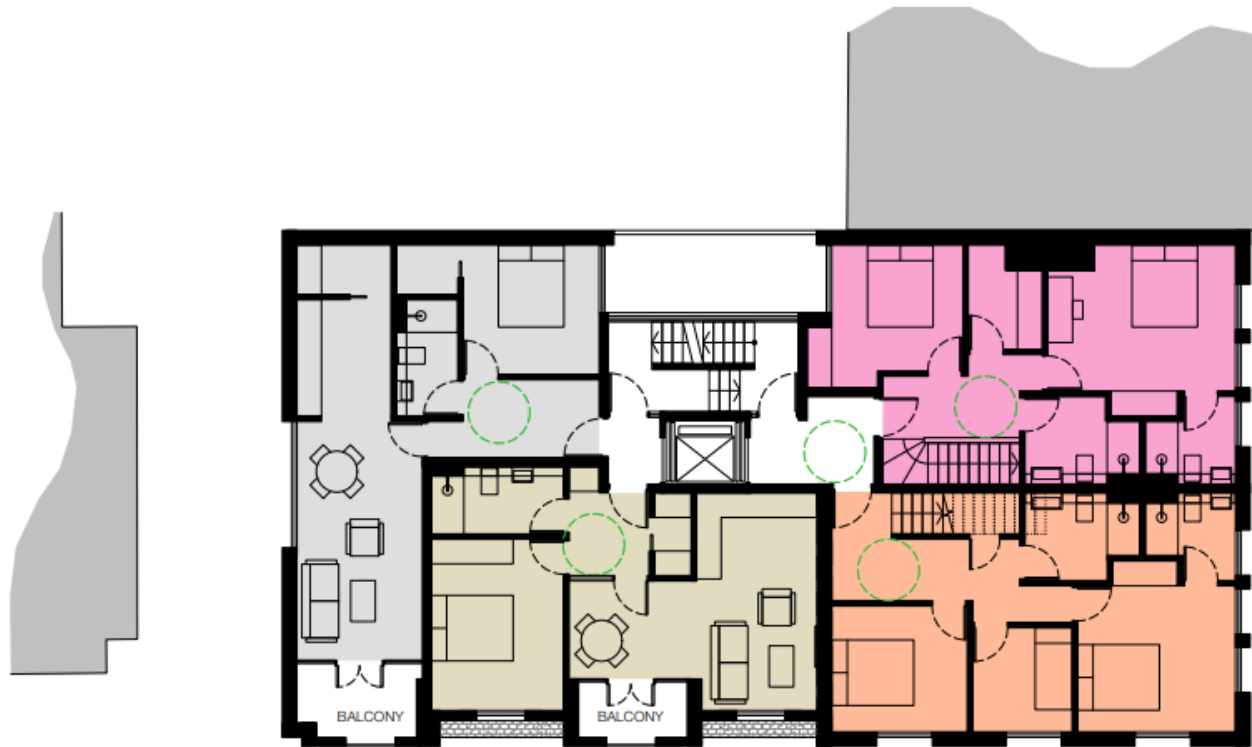
### Option A

AREAS

- 1** Flat 1 53.4sqm
- 2** Flat 2 51.8sqm
- 3** Flat 3 54.1sqm
- 4** Flat 4 54.1sqm

06

## Second Floor



### Option A

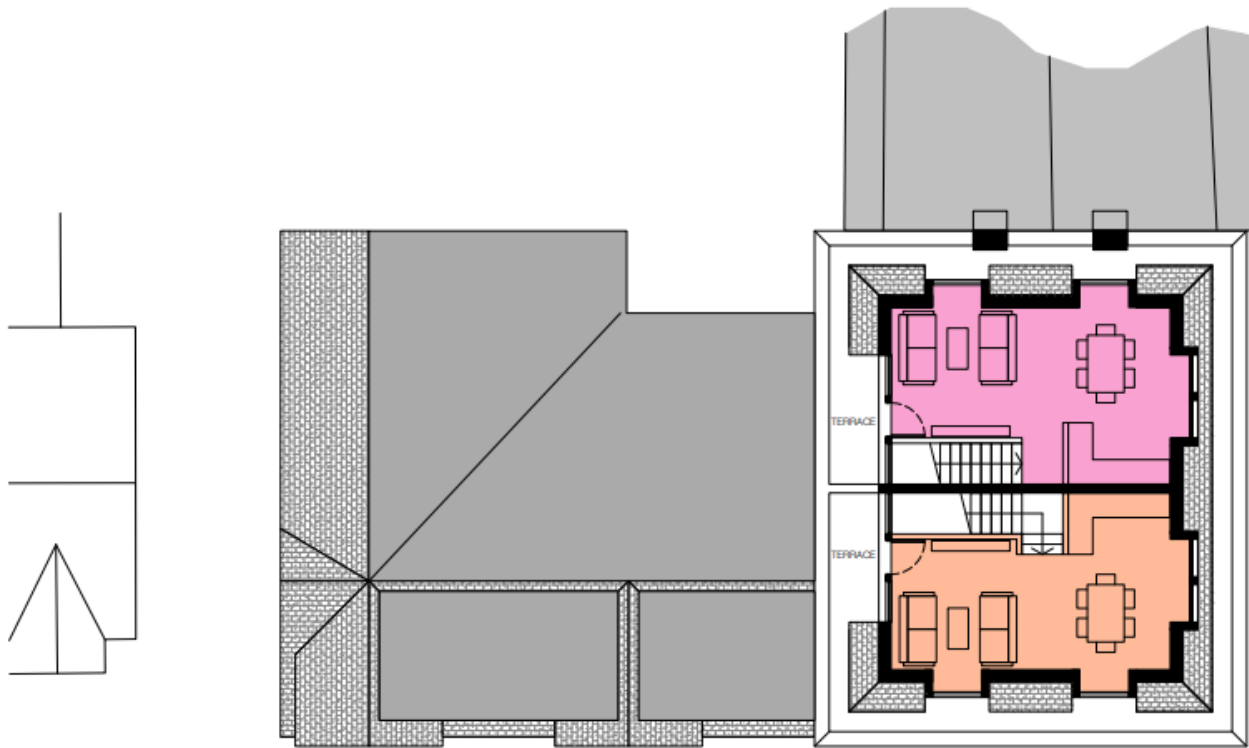
AREAS

- |                         |                       |                                     |                                     |
|-------------------------|-----------------------|-------------------------------------|-------------------------------------|
| <b>5</b> Flat 1 53.4sqm | <b>6</b> Flat 2 50sqm | <b>7</b> Lower floor Flat 3 57.4sqm | <b>8</b> Lower floor Flat 4 54.1sqm |
|-------------------------|-----------------------|-------------------------------------|-------------------------------------|

07



### Third Floor



### Option A

AREAS

**7** Upper floor  
Flat 7 27sqm

**8** Upper floor  
Flat 8 28.1sqm

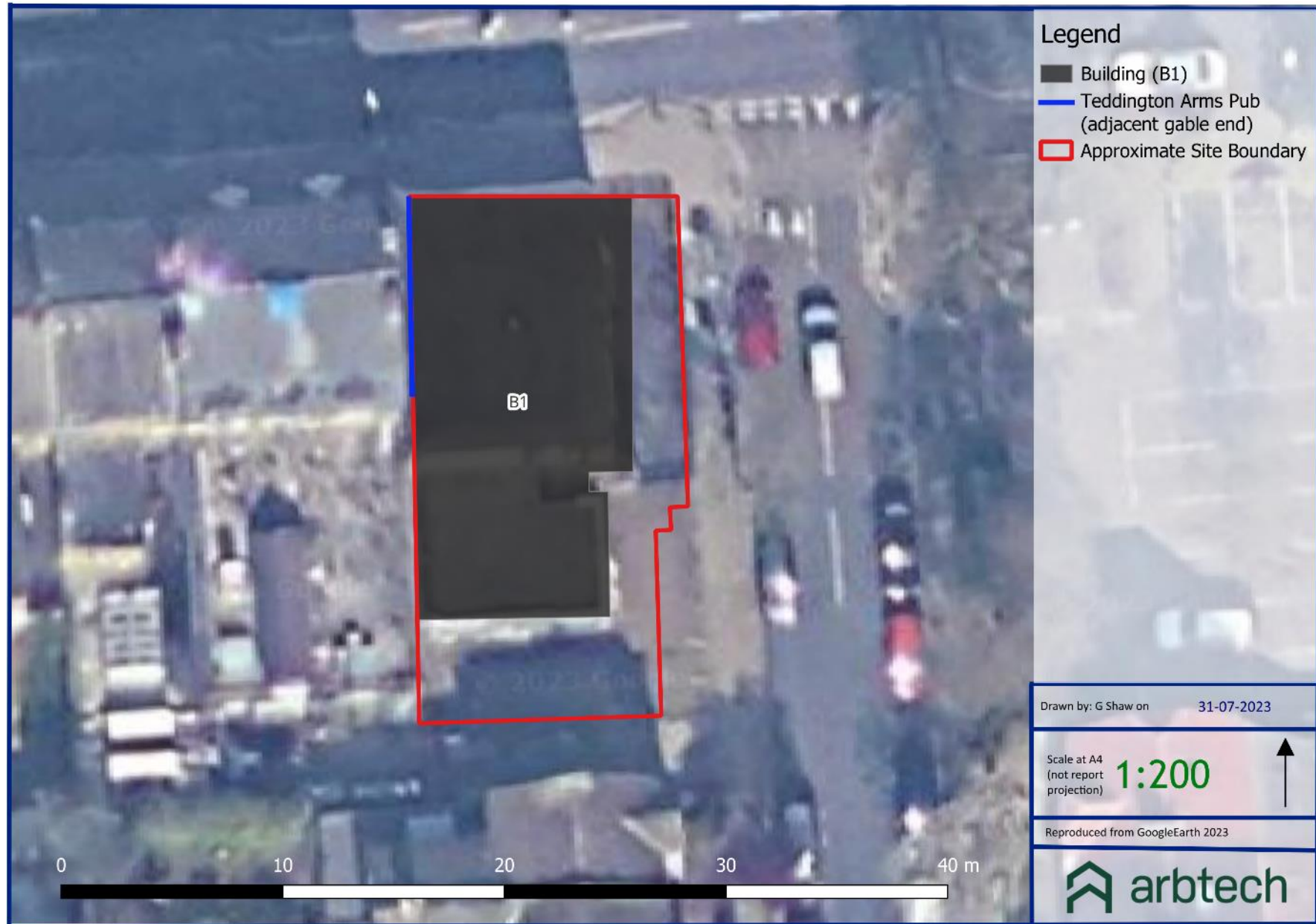
08

### Appendix 2: Site Location Plan





Appendix 3: PRA Plan



## Appendix 4: Legislation and Planning Policy Related to Bats

### LEGAL PROTECTION

All species of bat are fully protected under *The Conservation of Habitats and Species Regulations 2017* (as amended) through their inclusion on Schedule 2.

#### **Regulation 43: Protection of certain wild animals - offences**

(1) A person is guilty of an offence if they:

- (a) Deliberately captures, injures or kills any wild animal of a European protected species,
- (b) Deliberately disturbs wild animals of any such species,
- (c) Deliberately takes or destroys the eggs of such an animal, or
- (d) Damages or destroys a breeding site or resting place of such an animal,

(2) For the purposes of paragraph (1) (b), disturbance of animals includes in particular any disturbance which is likely—

- (a) To impair their ability:
  - (i) To survive, to breed or reproduce, or to rear or nurture their young; or
  - (ii) In the case of animals of a hibernating or migratory species, to hibernate or migrate; or
- (b) To affect significantly the local distribution or abundance of the species to which they belong.

Bats are also protected under the *Wildlife and Countryside Act 1981* (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale

### NATIONAL PLANNING POLICY

#### **National Planning Policy Framework 2021**

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

### ***The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty***

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

### **LOCAL PLANNING POLICY**

#### ***London Borough of Richmond Upon Thames Local Plan (Adopted July 2018)***

The London Borough of Richmond Upon Thames Local Plan can be viewed here: [https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

The following planning policies have implications for developers in relation to bats:

- Policy LP 15 – Biodiversity
  1. Protecting biodiversity in, and adjacent to, the borough's designated sites for biodiversity and nature conservation importance (including buffer zones), as well as other existing habitats and features of biodiversity value;
  2. Supporting enhancements to biodiversity;
  3. Incorporating and creating new habitats or biodiversity features, including trees, into development sites and into the design of buildings themselves where appropriate; major developments are required to deliver net gain for biodiversity, through incorporation of ecological enhancements, wherever possible;
  4. Ensuring new biodiversity features or habitats connect to the wider ecological and green infrastructure networks and complement surrounding habitats;
  5. Enhancing wildlife corridors for the movement of species, including river corridors, where opportunities arise; and
  6. Maximising the provision of soft landscaping, including trees, shrubs and other vegetation that support the borough-wide Biodiversity Action Plan.

#### ***London Borough of Richmond Upon Thames Biodiversity Action Plan***

The London Borough of Richmond Upon Thames Biodiversity Action Plan can be viewed here:

[https://habitatsandheritage.org.uk/wp-content/uploads/2020/10/Biodiversity-Action-Plan-Richmond\\_compressed.pdf](https://habitatsandheritage.org.uk/wp-content/uploads/2020/10/Biodiversity-Action-Plan-Richmond_compressed.pdf)

All bat species are included in the plan.

### **EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS**

A European Protected Species Licence (EPSL) issued by Natural England will be required for works likely 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 and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficiency/success to be monitored. The legislation may also be interpreted such that, 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 (Garland & Markham, 2008).

There are 17 species of bat breeding in England and Natural England issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

Licences are issued for specific purposes stated in the Regulations, if the following three tests are met:

- The purpose of the work meets one of those listed in the Habitats Regulations (see below);
- That there is no satisfactory alternative;
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range

The Habitats Regulations permits licences to be issued for a specific set of purposes including:

1. include preserving public health or public safety or other imperative reasons of over-riding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
2. scientific and educational purposes;
3. ringing or marking; and,
4. conserving wild animals.

Development works fall under the first purpose and Natural England issues bat mitigation licences for developments.

### **EUROPEAN PROTECTED SPECIES POLICIES**

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;

- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.