# Bat Survey Report:

# Preliminary Roost Assessment and Presence / Absence Survey

## 24 Rhodes Green

Ellis Lane, Middleton

July 2017

**Prepared for: Mr Lancaster and Ms Siddall**

**Report prepared by: Verity Webster** BSc (Hons) MSc CEcol CMIEEM

# EXECUTIVE SUMMARY

- On 24th July 2017 a Preliminary Roost Assessment was undertaken at 24 Rhodes Green, Middleton, M24 4SL.
- The cottage was considered to have low suitability for bats. Further survey was recommended to determine the presence or absence of bat roosts.
- One evening emergence survey was undertaken 27th July 2017, in accordance with the current survey good practice guidance.
- No bats were seen or heard emerging from the building.
- Given the low level of bat activity in the area, the single evening emergence survey is considered sufficient to give confidence in a negative result (likely absence of a roost within the building).
- The proposals to demolish the building will have no foreseen negative impact upon bats roosting in the area.

]

# 1 Introduction

## 1.1 Application Site

1.1.1. This report details bat survey work at 24 Rhodes Green, Ellis Lane, Middleton, M24 4SL. National grid reference SD 846 058.

1.1.2. Mr Lancaster and Ms Siddall commissioned Verity Webster Ltd to undertake the bat survey work to inform the planning application.

## 1.2 Objectives

1.2.1 The objectives of the Preliminary Roost Assessment and Emergence Surveys are to determine:

- Whether bats are currently using the building to roost and if so, how.
- The species and number of bats present.
- The status of any roost present.
- How bats might be using the rest of the site (garden).
- The potential impacts of the proposals on any roost present or on bats using the site.
- How any impacts might be avoided, mitigated and / or ameliorated, including advice on European Protected Species Mitigation (EPSM) application if required.

## 1.3 Proposals

1.3.1 The proposals for the site comprise the demolition of the cottage and construction of a new dwelling.

## 1.4 Ecologist

1.4.1 The Bat Emergence Survey work was lead and undertaken by Verity Webster. Verity is a licensed bat surveyor (Bat Survey Class Licence WML CL18 (Class 2) Registration number: CLS02606).

1.4.2 Verity has worked as an ecological consultant for over 10 years. She has undertaken preliminary bat assessments and further bat emergence / activity surveys for a large variety of projects and schemes, producing the required impact assessment and subsequent mitigation schemes / method statements when necessary.

# 2 The Survey Site

## 2.1 Site Location

2.1.1 Rhodes Green sits in a quiet area surrounded by arable and pasture lane approximately 450m to the southwest of the built up residential area of Middleton. The residential area of Rhodes lies approximately 550m to the south of the site.

2.1.2 To the north and west there is open landscape divided by the major motorways. The M60 runs northwest to southeast approximately 1.2km to the south, whilst the M62 runs southwest to northeast approximately 1.3km to the northwest.

## 2.2 The Survey Site: Description

2.2.1 24 Rhodes Green comprises a two-storey cottage situated in a large garden.

2.2.2 The garden is composed of grassland with some large trees, which provide a sheltered feel to the site.

### The Cottage

2.2.3 The cottage is a two-storey rendered stone building with a pitched concrete tile roof. Situated on the southern side of the plot, the building is oriented east to west, with gables to the north and south.

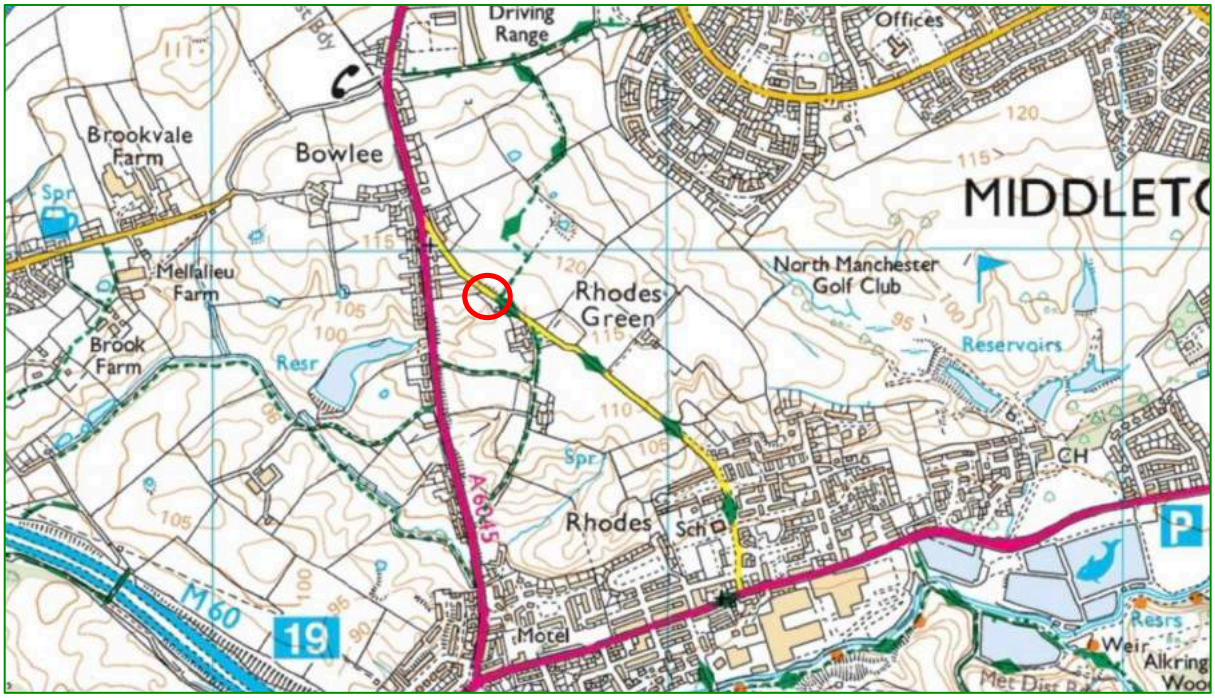
2.2.4 The cottage is in poor condition and is damp inside.

2.2.5 There is a small loft space, approximately 40cm to the apex. The underside of the tiles are lined.



*The east elevation of the cottage*

**Figure 1: Ordnance survey map showing the location of the proposed development site.**




Ordnance survey 1:25000

Key

Survey site

**Figure 2: Aerial image showing the proposed development site and immediate surroundings**




From Bing Maps

150m

Key

Survey site

# 3 Legislation

**Full details of relevant legislation and planning policy can be found in Appendix A.**

## 3.1 UK and EU Legislation

3.1.1 Key legislation regarding the protection of bats:

- Wildlife and Countryside Act 1981 (as amended)
- The Countryside and Rights of Way Act (CROW), 2000
- The Natural Environment and Rural Communities Act (NERC, 2006)
- Conservation of Habitats and Species Regulations (2010)

3.1.2 Under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010,it is a criminal offence to:

- 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
- Intentionally or recklessly obstruct access to a bat roost.

## 3.2 Planning Policy and Legislation

3.2.1 Under the NERC Act 2006, planning authorities are obliged to make sure that they have all the information on the presence of protected species on site before they make a decision on the planning permission.

3.2.2 The National Planning Policy Framework (NPPF) encourages Local Planning Authorities to conserve and enhance biodiversity.

3.2.3 Chapter 11, Para 109 of NPPF states: ''*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…*''

3.2.4 Paragraph 118 states: ''*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*''

3.2.5 The local planning authority has a responsibility, therefore, to obtain all information regarding the potential for protected species on a site prior to making a decision about a proposal.

# 4 Survey Methodology

4.0.1 The Bat Surveys were undertaken in accordance with current accepted guidance: Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edn). The Bat Conservation Trust, London.

## 4.1 Desk Study

4.1.1 Data sources used to establish background information about bats and their likely presence in the locality:

- Magic Map, Natural England (2016)
- Bing Map (2017)

4.1.2 Satellite mapping, Ordnance survey, road map, habitat and designated site data from Magic Map (Natural England, 2014) was used to assess the value of the surrounding habitat for bats in the area at a landscape scale (5km), including any potentially important habitat corridors (linear habitat features), feeding grounds or potential roost opportunities, such as large expanses of woodland. The features and habitats immediately surrounding the site (local area) were also assessed at a finer scale as these influence the likely presence of bats within the survey site.

## 4.2 Preliminary Roost Assessment

4.2.1 An internal and external inspection of the bungalow on site was undertaken during daylight to determine the potential for bats and establish, if possible, whether bats are using the building or have been using the building in the past.

4.2.2 All accessible parts of the buildings were inspected, including the loft voids , to look for bats and signs of the presence of bats, including:

- Droppings.
- Feeding remains including moth and butterfly wings.
- Staining from urine or oils near crevices or holes or on timber (such as roof beams), walls, chimney breasts etc.
- Scratch marks on walls and timber.
- Squeaking or chattering calls.

4.2.3 The systematic search inside the buildings included inspection of beams, floors, surfaces of stored materials, loose roof insulation or felt covering, junctions between roof timbers and timbers and the walls, crevices within brickwork. Potential access into the building was also inspected by searching for holes in insulation and any light penetration into the interior from the outside.

4.2.4 The assessment outside the buildings included inspection of all walls, windows, window sills, fascias, soffits, eaves and tiles, including a search for any crevices under tiles, under lifted lead flashing or lifted roofing felt, missing mortar, gaps in the ridge or gable end of the roofs, crevices in brickwork or under flaking paintwork or render, gaps in cladding or hanging tiles and any other potential bat roost opportunities.

4.2.5 Equipment: During the survey close-focussing binoculars and a strong torch with directional beam was used to inspect the building.

4.2.6 As a result of the preliminary roost assessment, the buildings on site were characterised as having ‘negligible’, ‘low’, ‘medium’ or ‘high’ suitability for bats. It may also be possible to confirm presence of a roost.

4.2.7 Buildings or structures typically characterised as having:

- **Negligible** suitability for bats will lack features with any potential to support roosting bats. Modern or newly-built well-sealed structures may fall into this category. Structures that are metal clad with metal internal beams might have negligible potential if there are no favourable roosting spaces. Structures may also be unfavourable due to the level of disrepair, being subject to poor weather conditions.

- **Low** suitability for bats will have sub-optimal roost features with limited potential for roosting bats. Features may be used by single bats opportunistically, but do not provide enough space, shelter, protection, appropriate conditions and / or suitable surrounding habitat to be used on a regular basis by large numbers of bats.

- **Medium** suitability for bats may have few features with potential for bats, that provide enough space, shelter, protection and other suitable conditions, or several features with limited potential for bats. It may also be that a potentially suitable structure is situated in an area with habitat that has only low potential for foraging and commuting bats.

- **High** suitability for bats will support at least one or more features that provide opportunities for roosting bats such that they might be used regularly, for longer periods by larger numbers of bats. These may be external features, such as lifted weatherboard or crevices in brick or stonework, or internal, such as large loft spaces with potential access. Barns, with open doorways and windows with wooden rafters and beams may fall into this category. If a structure is close to good habitat, such as a waterway, marshland or woodland, this also increases potential for roosting bats.

- **Confirmed** roost presence when it is evident as a result of signs from inspection, such as droppings, or sight of bats, that a roost exists within the building. It is not always possible to ascertain presence or absence of a roost even if some signs, such as droppings or feeding remains are found.

## 4.3 Bat Emergence / Re-entry Surveys and Assessment of Activity

4.3.1 Following the Preliminary Roost Assessment the cottage at 24 Rhodes Green was considered to have low suitability for bats.

4.3.2 The single evening emergence surveys were considered sufficient to give confidence in a negative result (absence of a roost).

4.3.3 Table 7.1 of Collins, J. (ed.) (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edn). The Bat Conservation Trust, London:

**Table 7.3 Recommended minimum number of survey visits for presence/absence survey to give confidence in a negative result for structures.**

| Low roost suitability | Moderate roost suitability | High roost suitability |
|---|---|---|
| One survey visit. One dusk emergence or dawn re-entry survey. | Two separate survey visits. One dusk emergence and a separate dawn re-entry survey. | Three separate survey visits. At least one dusk emergence and a separate dawn re-entry survey. The third visit could be either dusk or dawn. |

4.3.4 One evening emergence survey was undertaken. The bat emergence survey was undertaken from

15minutes before sunset to 1.5 hours after sunset.

4.3.5 During the evening emergence survey two surveyors were positioned around the building such that the elevations were easily observed. The skyline was such that it was clear to see bats against the sky if they were to emerge.

4.3.6 Batbox Duet detectors and Echo Meter Touch detectors were used so that any calls heard that could not be identified were recorded for later analysis.

4.3.7 The time, activity (emergence, foraging, commuting) and species of bats (where possible) were recorded when observed. Notes were made of the activity of bats elsewhere on site as well as around the building. The number of bat passes were recorded to provide an indication of bat activity level within the site.

# 5 Survey Limitations

5.0.1 The survey work was undertaken in July. This is the optimal time to undertake survey work within the bat survey period. At this time of year bats would be expected within their summer roosts. Given the nature of the potential roost features upon the building pipistrelle bat species were most likely to be expected, if a roost were present. The surveys undertaken and data obtained are considered sufficient to make an adequate, reliable assessment of the likely presence / absence of a bat roost within the structure.

5.0.2 Records data from the local records centre was not obtained in order to inform this assessment. In this case, it is considered unnecessary to obtain the data, as the inspection and survey work is adequate to inform any necessary mitigation recommendations.

# 6 Findings: Desk Study

## 6.1 Potential for bats in the area

*Site location in relation to bats*

6.1.1 At a landscape level, the area surrounding the survey site is considered to be very good for bats. Refer to Figure 2.

6.1.2 The landscape within the immediate vicinity of the site comprises a good mix of habitats, including open grassland, scattered trees and water bodies. The habitat will support a variety of bat species, including widespread species such as common and soprano pipistrelle bat (*Pipistrellus pipistrellus* and *Pipistrellus pygmaeus* respectively) and species that favour open landscape in which to forage, such as Leisler's (*Nyctalus leisleri*). Daubenton's bat (*Myotis daubentonii*), which favours open water would also be expected. However, due to the lack of extensive woodland in the vicinity, bats such as brown long-eared bat (*Plecotus auritus*) and Natterer's bat (*Myotis natterii*) that favour woodland are not expected to be present at any great density.

## 6.2 Records Data

*The Conservation Status of Bats in the Area*

7.1.1 The conservation status of bats in the area is shown in Table 1.

***Table 1**: The Conservation Status of Bats in the area at a Local, County and Regional Level*

| ***Species*** | ***Local*** | ***County*** | ***Regional*** |
|---|---|---|---|
| *Common pipistrelle* | *Likely to be common in the area. There are records of this species in the area (10km).* | *Common and widespread Frequently recorded.* | *Common and widespread Frequently recorded across the Northwest* |
| *Soprano pipistrelle* | *Likely to be present due to the presence of riparian habitat.* | *Widespread. Frequently recorded.* | *Common and widespread Frequently recorded across the Northwest* |
| *Nathusius's pipistrelle* | *Likely to be rare in the area.* | *Infrequently recorded, but this may be due to low survey effort. Not yet recorded breeding in the county.* | *Rare across the northwest. A migratory species.* |
| *Brown long-eared bat* | *Likely to be in the area. There is a recent record of this species within 10km of the site.* | *Common and widespread Frequently recorded.* | *Common and widespread Frequently recorded across the Northwest.* |
| *Natterer's bat* | *Likely to be in the area, although this species favours woodland habitat, which is infrequent in the landscape.* | *Scattered distribution in Lancashire..* | *Widespread and scattered across the Northwest.* |
| *Noctule* | *Present* | *Widespread and frequently recorded.* | *Common and widespread. Frequently recorded in the Northwest.* |
| *Whiskered bat* | *Present but likely rare* | *Present* | *Widespread.* |
| *Brandt's bat* | *Rare / absent* | *Present* | *Widespread.* |
| *Alcathoe's bat* | *Unknown* | *Unknown* | *Widespread. Likely under-recorded.* |
| *Daubenton's* | *Presence is likely due to the riparian habitat present.* | *Widespread, frequently recorded near water.* | *Widespread* |
| *Serotine* | *Rare / absent* | *Unknown* | *Restricted to south and southwest Britain, rarely recorded in the northwest.* |
| *Leislers* | *Rare* | *Unknown* | *Rare, but widespread in Britain. Present in the northwest.* |
| *Barbastelle* | *Unlikely to be present in the area. This species is a woodland-specialist and there is a lack of this habitat present.* | *Unknown* | *Present south of a line from North Wales to the Wash.* |

# 7 Findings: Preliminary Roost Assessment

## 7.1 Preliminary Roost Assessment

**7.1.1 Following the Preliminary Roost Assessment, the cottage was considered to have low suitability for bats.**

7.1.2 This is due to the holes and crevices present in the eaves of the roof where mortar has fallen always, providing potential access for bats into the space between the tiles and the lining. A couple of tiles are also missing, allowing potential access into this space. Crevice-dwelling bat species such as pipistrelle (*Pipistrellus*) species favour such features.

7.1.3 Internally the building has negligible suitability for bats. The loft space is very shallow and is far too small to accommodate bats such as brown long-eared bat and Natterer's bat that favour voids in which to fly prior to leaving a roost.

7.1.4 No bats or signs of bats (droppings, staining or feeding remains) were found internally or externally.

7.1.5 Further survey work to determine the presence or absence of bat roosts within the building was recommended and was undertaken in July 2017.



*Showing the west and south elevation*



*Showing crevices beneath the tiles on the south elevation*

# 8 Findings: Presence / Absence Surveys and Activity Assessment

## 8.1 Survey 1: Evening Emergence on 27th July 2017

*Surveyors:* Verity Webster Bsc MSc CEcol MCIEEM (bat licence Class 2) and Emma Marsden BSc
*Weather:* 15.6°c at sunset. 10% cloud cover, dry, humidity 70%, light breeze (wind 7mph southwest).
*Sunset:* 21:14
*Time on site:* 21:00 – 22:45

### Findings

8.1.1 One species of bat was recorded on site: common pipistrelle (*Pipistrellus pipistrellus*).

8.1.2 No bats were seen emerging from the building.

8.1.3 Bat activity within site during the survey was low. Bat activity was first recorded at 21:46, 32 minutes after sunset. Following this initial recording, a single bat was recorded foraging in the garden from 21:55-22:45. A second bat was occasionally recorded foraging also.

8.1.4 No bats were recorded passing through the site.

***Table 1: Emergence Survey 1 data.*** *Pip 45 = Common pipistrelle. Pip 55 = Soprano pipistrelle.*

| Time | Surveyor | Species | No. Passes | Activity/ notes |
|---|---|---|---|---|
| 21:46-22:45 | A | Pip 45 | 20+ | Foraging in the garden. |
| 22:10 – 22:34 | A | Pip 45 | 10+ | A second common pipistrelle foraging occasionally in the garden between these times. |
| 21:46 – 22:45 | B | Pip 45 | 20+ | Foraging in the garden (the same bat as recorded by surveyor A) |

**Figure 3: The positions of surveyors during emergence and re-entry surveys**




KEY

A Surveyor Positions

# 9 Appraisal and Impact Assessment

## 9.1 Appraisal

9.1.1 A single species of bat was recorded within the survey site: common pipistrelle. Bat activity within the site was low.

9.1.2 The first bat was recorded 32 minutes after sunset suggesting the bat emerged from a site relatively close to the survey area, but not from within the cottage.

9.1.3 Two bats were recorded foraging within the garden for the majority of the survey. No bats were recorded passing through the site indicating that the grounds and boundaries are not a favoured commuting route for bats.

9.1.4 The very low level of activity within the site on a night of good weather conditions significantly reduces the likelihood that bats will roost within the building.

9.1.5 No bats were recorded emerging from the building and no bat evidence of bat activity (droppings, feeding remains) was found within the building or on external features.

9.1.6 The survey work is considered sufficient to give confidence in a negative result (likely absence of a roost within the building).

## 9.2 Assessment of Impacts

9.2.1 The survey work indicates the likely absence of a bat roost within the cottage at 24 Rhodes Green. The proposals to demolish the building will have no foreseen negative impact upon bats roosting in the area.

# 10 Conclusion and Recommendations

10.0.1 The survey work undertaken indicates the absence of a bat roost within the building and it is considered therefore that the proposals to demolish the building are very unlikely to have a negative impact upon individual bats or bat populations in the locality.

10.0.2 No further survey or mitigation is recommended.

# 11 References


- Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London. ISBN-13 978-1-872745-96-1
- Google maps (Accessed 2015) https://www.google.co.uk/maps
- MAGIC Map (Accessed 2015) http://www.magic.gov.uk/MagicMap.aspx. DEFRA.

# APPENDIX A: Wildlife Legislation and Planning Policy

## UK AND EU LEGISLATION

### 1.1. KEY LEGISLATION

1.1.1. Key legislation regarding the protection of bats:

- Wildlife and Countryside Act 1981 (as amended)
- The Countryside and Rights of Way Act (CROW), 2000
- The Natural Environment and Rural Communities Act (NERC, 2006)
- Conservation of Habitats and Species Regulations (2010)

### 1.2. WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

1.2.1. The Wildlife and Countryside Act 1981 is UK legislation.

1.2.2. Bats are listed on Schedule 5 of the Wildlife and Countryside Act (WCA) 1981. Under Section 9 of this legislation it is an offence to:

- Kill, injure or take a bat.
- Possess, a live or dead bat.
- Intentionally or recklessly damage or destroy any structure of place which any bat uses as shelter or protection.
- Intentionally or recklessly disturb a bat whilst it is occupying a structure or place which it uses for shelter or protection.
- Internationally or recklessly obstruct access to any structure or place which a bat uses as shelter or protection.
- Sell, offer or expose for sale any live or dead bat.

### 1.3. COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

1.3.1. Schedule 12 of the Countryside and Rights of Way (CROW) Act 2000, amended by the Wildlife and Countryside Act 1981 by removing the need to prove intent to damage a roost / harm (etc) a bat or other species listed on Schedule 1 by adding the words 'or recklessly' after 'intentionally' into the wording in Section 9 of the WCA 1981. The CROW act also strengthened the penalties for offences to bats and other species listed on Schedule 5.

### 1.4. CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010

1.4.1. The Conservation of Habitats and Species Regulations 2010 consolidate all the various amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994 in respect of England and Wales.

1.4.2. The 1994 Regulations transposed Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law. The regulations came into force on 30 October 1994.

1.4.3. The Regulations provide for the designation and protection of European Sites and European Protected Species, including bats.

1.4.4. Under the Regulations, competent authorities (ie any government department or public body) have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive.

1.4.5. With regard to European Protected Species (including bats), the Regulations make it an office to:

- Deliberately capture;
- Kill;
- Disturb or;
- Trade in animals listed in Schedule 2, which include all UK bat species.

### 1.5. European Protected Species (EPS) Licenses and the Three Tests

1.5.1. These actions can me made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserve public health and safety). For such a licence to be granted the appropriate authority would have to be satisfied that an application has met the three tests, which are:

1)- The licence may be granted ''to preserve public health or public safety or for reasons of overriding public interest, including those of a social or economic nature and beneficial consequences or primary importance for the environment''

2)- There must be ''no satisfactory alternative''

3)- The proposal ''will not be detrimental to the maintenance of the species at a favourable conservation status in its natural range''

### 1.6. NATURAL ENVIRONMENT AND RURAL COMMUNITIES (NERC) ACT 2006 (PLANNING SYSTEM)

#### Planning Authorities: A Duty to Conserve Biodiversity

1.6.1. Under this legislation, planning authorities are obliged to make sure that they have all the information on the presence of protected species on site *before* they make a decision on the planning permission.

1.6.2. Part 2, Section 40 confers on the planning authorities a duty to conserve biodiversity and states:

''*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 biodiversity*''

#### Species of Principal Importance

1.6.3. Part 3, Section 41 requires the Secretary of State to ''*publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of* ***principle importance*** *for the purpose of conserving biodiversity*''.

1.6.4. This requirement lead to production of a list of species and habitats of Principal Importance. This lists includes all UK bats.

## PLANNING POLICY

### 1.7. NATIONAL PLANNING POLICY FRAMEWORK

1.7.1. In March 2012 the Government introduced the National Planning Policy Framework (NPPF).

#### Chapter 11: Conserving and Enhancing the Natural Environment

1.7.2. Chapter 11: Conserving and Enhancing the Natural Environment replaces PPS 9: Biodiversity and Geological Conservation.

1.7.3. Chapter 11, Para 109 of NPPF states: ''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…including establishing coherent ecological networks that are more resilient to current and future pressures''.

1.7.4. Para 114 states: ''Local Planning authorities should set out a strategic approach in their local plans, planning positively for the creating, protection, enhancement and management of networks of biodiversity and green infrastructure''.

1.7.5. Para 117 gives guidance about how impacts on biodiversity and geodiversity should be minimised at a landscape scale by identifying and mapping components of local ecological networks and connecting them, and promotes the preservation, restoration and re-creation of priority habitats and ecological networks in relation to priority species populations, and specifies suitable indicators should be identified for the purposes of monitoring.

1.7.6. Para 118 states: ''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;**

- **proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Sites of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted.** Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broad impacts on the national network of Sites of Special Scientific Interest;

- **Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;**
    - opportunities to incorporate biodiversity in and around developments should be encouraged;
    - planning permission should be refused for development resulting in the loss or deterioration of 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;
    - and the following wildlife sites should be given the same protection as European sites:

        - 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, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.''

**ODPM CIRCULAR 06/2005: BIODIVERSITY AND GEOLOGICAL CONSERVATION**

1.7.7. This document, to be read in conjunction with NPPF provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It makes

it clear that it is the intention of the government that local authorities and developers consider protected species at the earliest possible stage in the planning process. Any planning application that is likely to affect protected species should come with details of the surveys which have been undertaken and should include, if necessary, recommendations for mitigation. Applications which do not include sufficient data should be rejected.