



Bat survey requirements

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Why are bat surveys required?

There has been a decline in bat populations over the last century, mainly as a result of land use changes but also due to impacts on roosting habitats including buildings.

The council has a statutory duty to protect these sites from direct or indirect impacts through the planning process. North Somerset is home to a high diversity of bats, including several sites in Banwell, Brockley and Cleve which are breeding and hibernation sites for rare greater and lesser horseshoe bats.

In the UK, there are estimated to be only 6,600 greater horseshoe and approximately 50,000 lesser horseshoe bats. As well as the roost sites themselves, horseshoe bats rely on surrounding high quality habitat for foraging.

Four of the breeding and hibernation sites are designated as sites of special scientific interest (SSSI) and form part of the North Somerset and Mendip bats special area of conservation (SAC), a site of importance on a European scale.

How are bats protected?

All bat species in the UK are protected by law, this includes protection from killing, injury, disturbance to a roost and significant disturbance which effect a bat population away from a roost, for example, removal of key vegetation or foraging area.

Bat roosts are also protected from damage, destruction and obstruction of access, even if bats are not present at the time. For example, it would be a criminal offence to demolish a building which supports a summer roost when bats are not present during the winter hibernation period.



The council has to ensure that the legislation is met through the planning process. The law is also applied independently of the planning process and any breach can lead to prosecution (The Conservation of Habitats and Species (Amendment) Regulations 2012 and the Wildlife and Countryside Act 1981 (as amended)).

What is a bat roost?

The place where a bat lives when not flying is called a roost. In buildings, structures such as loft spaces, cavity walls, hanging tiles or boarding can provide features suitable for bats. Bats also regularly roost in trees, structures such as bridges and tunnels, often using crevices in man-made walls or natural crevices in rock and old mine workings or caves.

Bats require different environmental conditions at different stages of their lifecycle and may

move between roosts numerous times during the course of a year. In the summer, female bats form nursery colonies to have their young. Such colonies are often several dozen bats, but can be hundreds of bats and sites can be used year after year.

Why are bat roosts important?

Interactions between bat populations, including their mating behaviour, are complex and even small or individual roosts can be of importance for some species. If an important roost is destroyed or disturbed, it can lead to permanent damage to a bat population on a local or regional scale.

It is important that roosting opportunities are protected and wherever possible, are created.



Will the presence of bats stop a development?

The presence of bats does not usually prevent development provided adequate measures are taken to avoid disturbance and loss of roosting opportunities.

Depending on the status of a roost, appropriate provision for bats must be made either in the developed structure or an acceptable alternative structure.

Why are bat surveys required?

The council is unable to approve a planning application in the absence of adequate information. In addition, permission must be refused in situations where either it cannot be shown that an appropriate licence would be forthcoming from Natural England, or where adverse impacts to bats cannot be acceptably mitigated.

The key is to ensure that necessary surveys are considered at the earliest possible stage and that mitigation is designed into the scheme, with sufficient evidence provided with a planning application.

If an application meets the bat survey criteria in the planning application requirements or if a survey has been recommended by a qualified ecologist, the application will not be registered by the council until all survey information has been provided.

When are bat surveys needed?

A bat survey is needed when there is 'reasonable likelihood' of bat roosts being present and impacted by the proposals. If potential impacts to a roost can be avoided, then the need for a survey may not be necessary.

A guide to when surveys are required is provided in box one. Planning applications that trigger a need for a survey, as set out in box one, will not be registered or determined until the required survey information is provided.



Box one – trigger for bat surveys

- All development, including demolition, within the Juvenile Sustenance Zone (North Somerset) as set out within the North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: Supplementary Planning Document (adopted January 2018).
- All development, including demolition, but excluding change of use and householder development, within Bat Consultations Zones A and B as set out within the North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: Supplementary Planning Document (adopted January 2018).
- Development that affects existing weatherboarding, hanging tiles or pitched roofs (excluding roofs covered with prefabricated steel or sheet materials, or roof voids that have been converted to living space), on any building within Bat Consultations Zone A as set out within the North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: Supplementary Planning Document (adopted January 2018).
- Alterations to an existing agricultural or equestrian building with externally exposed brick, stone or a wood framed roof.
- Development affecting underground structures, brick or stone built industrial sites or bridge structures.
- Alteration works to any building or structure where bat roosts are known or previously recorded to be present.
- Floodlighting of any building meeting criteria 1 or churches, listed buildings or green space (for example, sports pitches) within 50m of woodland, water, field hedgerows or tree lines with connectivity to woodland and water.
- Felling or removal of mature trees that have a significant amount of (a) complex growth form (b) natural cavities – often present in beech, oak, ash (c) loose bark or ivy cover (d) damage caused by rot/lighting/wind/woodpeckers.
- Felling or removal of woodland of 0.5 hectares or more.
- Removal of hedgerows or tree lines connected to woodland or a significant body of fresh water.

Notwithstanding the above criteria a full bat survey and report is NOT required if an initial bat survey (Scoping Survey, Preliminary Ecological Appraisal (PEA) or an Extended Phase 1 Habitat Survey) is submitted with the application that confirms that the building is unlikely to support bats and that bats are unlikely to be adversely impacted.

If an initial bat survey (Scoping Survey, Preliminary Ecological Appraisal (PEA) or an Extended Phase 1 Habitat Survey) is submitted with the application that confirms that further surveys for bats (Emergence/Re-entry or Activity Surveys) are required, the application will not be valid unless the required survey is carried out in full and a report of the findings are submitted with the application.

*Applications submitted with surveys which are out of date will not normally be considered valid.

What will be needed with a planning application?

A report of the findings of the survey to meet professional standards and guidance will need to be provided with the application. The report will need to include the following:	
1.	The type of survey undertaken (scoping survey, extended phase one habitat survey/preliminary ecological appraisal, emergence/re-entry surveys).
2.	The name and experience of surveyor(s) including licensing information.
3.	The dates, times and where relevant, weather conditions, that surveys were carried out.
4.	Survey methodology including any constraints to assessments and justification for variation to best practice.
5.	A description of any structures or trees which will be impacted by the proposals, including potential access points for bats.
6.	A Bristol Regional Environmental Records Centre (BRERC) data search to provide context and any evidence of nearby records.
7.	An assessment of potential and likelihood of use of structures or trees by bats, with reference to the data search.
8.	Details of whether bats are roosting at or using the development site, including the number and type of species, for example, two common pipistrelle - summer day roost, based on the evidence found.
9.	An assessment of likely impacts of the proposals, including direct impacts to roosts as well as impacts on foraging areas and flight lines, including reference to the North Somerset and Mendip Bats SAC. This will also need to include an assessment of whether the proposals meet the Favourable Conservation Status test.
10.	Mitigation measures that will be implemented to ensure no harm to bats during construction and mitigation that undertaken to maintain the status of each species and type of roost. This will need to include a method statement which details suitable timing in any given year and the sequence of events, based on the information known at the time of submission. Any information regarding compensation or enhancement measures proposed as net gain for wildlife, where no or few protected species were found.
11.	In addition to details of mitigation for roosts, details for maintaining and enhancing flight lines (for example, planting) and restricted lighting will be required.
12.	Details of proposals for and commitment to post-development monitoring to ensure legal compliance.
13.	Measures for other protected species, for example, nesting swallows where relevant.

In addition to the report, mitigation measures will need to be shown on site plans. For example, if a new compensatory roost is proposed, the site, dimensions and location of bat access for this will need to be clearly shown.

Information required will be proportional to the likely impacts of the proposals. For example, a lighting plan would be usually expected before determination for a housing site over one hectare within close proximity to a protected site for horseshoe bats. However, a lighting plan would not be expected for a two storey extension which impacts on small numbers of pipistrelle bats, although broad details of lighting proposals, for example, type and approximate location would be welcomed.



What does a bat survey need to include?

Scoping survey – if buildings, trees or possible roost features are potentially impacted by the proposals, the initial stage for a bat survey is an external and internal inspection, where safe to do so.

This is often called a 'scoping survey' and needs to be completed by a suitably qualified and experienced ecologist. This can be completed at any time of year. It is illegal to disturb bats in a roost so an ecologist holding a Natural England licence is required to complete the inspection if there is a risk of bats being present.

The scoping survey assesses whether there is any evidence of use by bats. Some species, such as pipistrelle bats, can roost in gaps as small as 2cm wide, sometimes leaving very limited signs of use, for example, in roosts under lifted tiles on a roof. Therefore, the survey also needs to assess whether there is potential for bats to be present.

A scoping survey/building inspection for bats should be completed as part of an extended phase one habitat survey/preliminary ecological appraisal if there is potential for important habitats or other protected or notable species to be present.

Emergence/re-entry surveys for buildings – if evidence of bats is found or if the building is considered to have potential to support roosts, an emergence/re-entry survey will be required. These can only be completed during May to mid-September. This is in accordance with Bat Surveys – Good Practice Guidelines 2nd Edition (Hundt et al, 2012).

The expectations for surveys including timings are summarised in box two. Whilst applications will be assessed on a case-by-case basis, the guidelines should be followed. To avoid any

delays it is strongly recommended that sufficient survey visits are completed. Deviations from best practice guidance will be considered providing they are scientifically justified.

Other survey types – if a tree is considered to have potential to support bat roosts, an internal/climbing inspection can be completed at any time of year or emergence/re-entry surveys can be completed during May to September in accordance with guidance (more guidance is available in Bat Surveys for Professional Ecologists – Good Practice Guidelines 3rd Edition (Collins Ed., 2016), Bat Mitigation Guidelines (Mitchell-Jones, 2004) and Natural England Technical Information Note TIN051).

Other survey requirements will depend on the nature of the proposals, location of the site and potential impacts, for example on SSSI component units.

Hibernation surveys are not required for most planning applications. They may be required for larger-scale industrial sites with derelict buildings or structures which are likely to maintain a constant cold temperature in winter. They may also be required for existing underground structures where there is potential bat access.

A hibernation survey involves an inspection by a licensed ecologist in winter and/or monitoring using an automated bat detector. Surveys need to be completed by a suitably qualified, and where necessary, licensed ecologist.

Ecologists operating regularly in North Somerset: **www.cieem.net/members-directory**

It is advisable to seek three quotations and to ask for a summary of examples of similar projects which have been recently completed.

Box two – survey requirements

Surveyor(s)

To be completed by a suitably qualified, licensed and experienced ecologist(s) see NSC Bat Consultants List or Chartered Institute of Ecology and Environmental Management CIEEM Professional Directory.

Data Search

Bristol Regional Environmental Records Centre BRERC data search to be completed.

Effort

To follow best practice standards unless fully justified, as based on *Bat Surveys for Professional Ecologists – Good Practice Guidelines 3rd Edition* (Collins Ed., 2016) i.e. for buildings:

- High risk – three emergence/re-entry surveys
- Moderate risk – two emergence/re-entry surveys
- Low risk – one emergence/re-entry survey

Assessment of foraging and commuting routes as well as roosting behaviour needed.

Equipment

Appropriate detectors to be used, including recording equipment. Remote monitoring to be used to supplement results where possible.

Weather





To be completed in suitable weather conditions, for example, dry weather with temperatures of at least 10oC.

Timings

Key

-  Recommended survey period
-  Possible survey period
-  Not possible to undertake survey

Survey calendar

	J	F	M	A	M	J	J	A	S	O	N	D
 Bat scoping (desk study and walkover)												
 Bat emergence/re-entry surveys												
 Bat activity survey												
 Bat hibernation survey												

Common problems with surveys

It is often lack of information, insufficient survey effort or inappropriate mitigation design which leads to objections for ecological reasons or delays to applications.

Presence of protected species or important habitats rarely means that planning permission is refused. Applications will not be registered or will need to be withdrawn or refused if insufficient information is provided with a planning application.

Common problems include:

1. Lack of survey information

Surveys cannot be conditioned where their outcome is a material consideration to the proposals. Due to planning guidance and Case Law, unless there are exceptional circumstances such as a phased development where update surveys will be required in the future, ecological survey information is required with submission, including all bat survey information.



2. Seasonal delays

It is strongly recommended that ecological constraints are considered at the earliest possible stage within schemes, due to seasonal timings (see box two). Emergence/re-entry surveys can only be completed from May to September.

3. Lack of mitigation information

Often information is provided as what should rather than what will happen. Recommendations detailed in an ecological report are often not consistent with plans for the scheme. If there is limited information, the precautionary principle has to be used where there is reasonable likelihood of protected species and the application cannot be determined until sufficient information is submitted.

Ecological enhancement

Where possible, enhancement measures should be included in schemes. Proposals which include ecological enhancement measures will be considered favourably in the planning process, as they will support the council to meet local and national planning policy.

Enhancement measures are often simple and cost effective if designed in to proposals and can be designed to avoid any maintenance needs or conflict with use of the building.

Native planting elsewhere within the site and sensitive landscaping design can provide habitats which support the invertebrate prey of bats and therefore provide foraging opportunities for bat species.

When is a protected species licence required?

Bats are protected under European law. European protected species (EPS) licences are required whenever works will impact on EPS in a way which would otherwise break the law. For example, this will apply where bat roosts will be removed, significantly modified or obstructed or where there will be disturbance to bats in a roost as a result of works.

Although the council has to assess whether the proposed mitigation and compensation measures are sufficient and whether a licence is likely to be obtained, Natural England are the licensing authority.

Any queries regarding licensing must be directed to Natural England and gaining planning consent does not automatically ensure approval of a licence application. Other than in exceptional circumstances, relevant consents need to be obtained and conditions discharged before a licence application will be registered by Natural England.

Licence applications will not be assessed and approved through the planning process. Detailed guidance can be found at **www.gov.uk/guidance/wildlife-licences**

Further information

We provide a written pre-application advice service. You can learn how to use this service and the required fee on our website (need link to page)

Due to the requirements of some bats species and dynamic nature of bat roosts, bats may unexpectedly be found during development work, even when surveys have demonstrated that they are unlikely to be present.

If bats are found during the construction phase for projects, works must cease and Natural England contacted for advice on **0300 060 3900**.

