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BAT SURVEY REPORT

The Old Barn, The Barn House

Site: The Old Barn,
The Barn House,
Ansty, Haywards Heath,
West Sussex, RH17 5AG

Client: Mr M Dykes
The Barn House
Ansty, Haywards Heath
West Sussex RH17 5AG

Survey & Reporting: D P King MEECW - NE Level 2 Bat Class Lic. No. 2015-16001-CLS-CLS
NE Reg. Bat Consultant No. RC182
S L Wright - NE Level 2 Bat Class Lic. No. 2016 -24340 –CLS-CLS

Survey Date: 24th July 2025

Report Date: 27th July 2025

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Bat Survey of The Old Barn, The Barn House, Ansty, Haywards Heath, West Sussex, RH17 5AG
OS Grid Ref: TQ 29601 23336

Executive Summary

Two surveyors from Batscan Ltd returned to the small barn, known as The Old Barn, at The Barn House, in Ansty, West Sussex, on 24th July 2025, to carry out a combined Phase 1 (daytime building inspection) and Phase 2 (dusk emergence check/bat activity survey) .

The barn is situated in the property owners' garden, close to their home, itself a converted barn. Both buildings are believed to date from the 17th Century and the barn which was the subject of this survey, was restored, for use as a garden store, in 2006. There is a small, largely enclosed room at the north end and the walls are clad with unlined, timber weather-boarding. The Barn House is on the eastern edge of the village of Ansty and is largely surrounded by open countryside. The habitat appears to be ideal for bat use.

An initial bat survey of the open-fronted barn was carried out, by the same surveyors, in June 2020. Both surveys have been undertaken on behalf of the owners of The Barn House. No bats or evidence of bat use was discovered in the barn during the 2020 survey and it is understood that the owners were subsequently granted planning permission to convert the building to provide ancillary accommodation. However, the work did not proceed and they now wish to re-obtain planning consent for the project.

No bats were seen inside the barn during the latest daytime inspection. **However, a relatively large accumulation of moth wings was found on the floor of the enclosed section, indicating that this area is used as a feeding 'perch', by a long-eared bat (*Plecotus* sp.).** Some limited potential for roosting bats was noted, where there are gaps in and around timbers, inside the barn and, externally, in any gaps beneath the hand-made, clay, roof tiles.

During the dusk emergence check, a long-eared bat emerged from an unseen crevice inside the enclosed section of the barn and flew around inside before emerging, at eaves level.

It is therefore confirmed that the barn is used as a feeding perch and day roost by a long-eared bat, most likely the brown long-eared bat (*Plecotus auritus*), although, in the absence of bat droppings and conclusive echolocation calls, the species cannot be established with certainty. A further bat survey should be conducted, not less than three weeks from the date of this survey, to provide sufficient information, on the extent of bat use, to allow the county ecologist and Natural England to assess the likely impact of the proposed works. Because bats and their roosts are protected by law, a Natural England Bat Mitigation Licence will be required to allow the proposed redevelopment to proceed. A detailed mitigation and compensation/enhancement plan, in respect of bats, must be agreed, at an early stage in the planning process. Further advice is provided, in this report.

Two active birds' nests were seen in the barn during this survey. Nesting birds are protected by law and must not be disturbed.

1. Introduction & Background

- 1.1 Two surveyors from Batscan Ltd returned to the small barn, known as The Old Barn, at The Barn House, in Ansty, near Haywards Heath, in West Sussex, on the evening of 24th July 2025, to carry out a combined Phase 1 (daytime building inspection) & Phase 2 (dusk emergence check/bat activity) survey, of the open fronted barn. Both surveyors hold Natural England Scientific Bat Licences and one is a registered bat consultant. For details of licences and affiliations, please see this report cover.
- 1.2 The Barn House is situated, a short distance from several other homes, in a very rural area, just to the east of the village of Ansty. The property is surrounded by open countryside, with good connectivity, via hedgerows and tree-lines, to large areas of woodland and to nearby water bodies. The surrounding habitat is considered to be ideal for bat use.
- 1.3 An initial bat survey of the barn was carried out, by the same surveyors, on 19th June 2020, when a building inspection and emergence check was undertaken. Both surveys have been conducted on behalf of the property owners.
- 1.4 No bats or evidence of bat use was discovered in the barn during the 2020 survey and it is understood that the owners were subsequently granted planning permission to convert the building to provide ancillary accommodation. However, the work did not proceed and the owners now wish to re-obtain planning consent for the project.
- 1.5 The barn is situated in the property owners' garden, a short distance from their home, originally a very large barn, which was converted in the 1980s. Both buildings are believed to date from the 17th Century. The small barn was restored, for use as a garden store, in 2006. Much of the east and the south of the barn are open-sided and the walls are clad with unlined, timber weather-boarding.
- 1.6 The hipped, clay-tiled roof is lined, internally, with bitumen roofing felt. There is a small, partly enclosed room at the north end. Bats could gain easy access, to this area, via wide gaps above the north end door and above the partition, dividing this section from the larger, more open part of the barn. The eaves are also open.
- 1.7 Because bats and their roosts are protected by British and European law, appropriate specialist surveys are required, prior to any development which may cause them harm or disturbance. A brief account of the laws relating to bats and of relevant planning considerations, is attached to this report.
- 1.8 At this time of the year, most female bats remain in their summer roosts, as young become independent. Males are roosting singly, or in small groups. All bats, apart from any dependent young, emerge to feed, on nights when conditions are suitable. The weather was ideal for bat activity, during this survey.

2. Phase 1 Survey (Daytime Building Inspection) – 24th July 2025 – Methodology

- 2.1 Prior to the survey, Batscan consultants studied aerial maps of the site, to assess the surrounding habitat for likely bat use. A search of the MAGIC (Multi Agency Geographic

Information for the Countryside) website, provided by DEFRA, was undertaken, to check for any European Protected Species Licences (Bats) which might have been granted within a 2km radius of the site.

- 2.2 The surveyors inspected the exterior of the barn, searching for any evidence of bat use, such as bat droppings on tiles, weather-boarding, or on the ground below roost entrances. Potential roosting places and access points were noted. Binoculars were used to check higher levels of the roof. The surveyors used high powered torches to check under accessible roof tiles, for bats and evidence of bat use.
- 2.3 The interior of this very open barn was searched for bats and evidence of bat use, such as corpses, bat droppings, urine stains on the floor or on stored objects and for insect remains, which may have been dropped by feeding bats. They also checked for 'rub' marks, from the oil on bats' fur, around well-used roosting places. Potential roosts and access points were noted.
- 2.4 The surrounding buildings and open spaces were assessed for the likelihood of bat activity.
- 2.5 Photographs were taken and detailed notes were made. Positions were chosen for the dusk emergence check.
- 2.6 Recommendations from the Bat Conservation Trust's 'Bat Surveys for Professional Ecologists: Good Practice Guidelines' (4th edn)*¹ were followed for the course of this survey.

3. Phase 1 Survey (Daytime Building Inspection) – 24th July 2025 – Results

- 3.1 The search of aerial maps indicated that the surrounding habitat is ideal for bat use. The search of the MAGIC Maps database, revealed that two European Protected Species Licences, with regard to bats (Bat Mitigation Licences), have been granted within approximately 2km of the site. The first of these was dated 2024 and related to a breeding roost, where species recorded included common pipistrelle (*Pipistrellus pipistrellus*), brown long-eared bat (*Plecotus auritus*), soprano pipistrelle (*Pipistrellus pygmaeus*) and Natterer's bat (*Myotis nattereri*). The second licence was dated 2024 and related to a non-breeding roost, where brown long-eared bat, common pipistrelle and soprano pipistrelle were recorded. See MAGIC maps, below. Please note that 'low impact' licences (Bat Mitigation Class Licences) are not included in this data set.
- 3.2 **No bats were seen inside the barn during the daytime inspection. However, a relatively large accumulation of moth wings (mostly yellow under-wing moths) was found on the floor of the enclosed section, indicating that this area is used as a feeding 'perch', most likely by a long-eared bat (*Plecotus* sp.). Light levels are much lower, in the more enclosed section of the barn, than in the open sided area. Some limited potential for roosting bats was noted where there are gaps in and around joints in timbers, inside the barn and, externally, in gaps beneath a small number of the hand-made, clay, roof tiles.**



Fig. 1 – The barn viewed from the east



Fig. 2 – The barn, viewed from the south-east



Fig. 3 – The barn, viewed from the north



Fig. 4 - Rear (W) side of barn



Fig. 5 - Open south end of the barn



Fig. 6 – Small number of gaps beneath roof tiles, E side of roof



Fig. 7 – Interior of open section of barn



Fig. 8 – View S along interior of barn roof

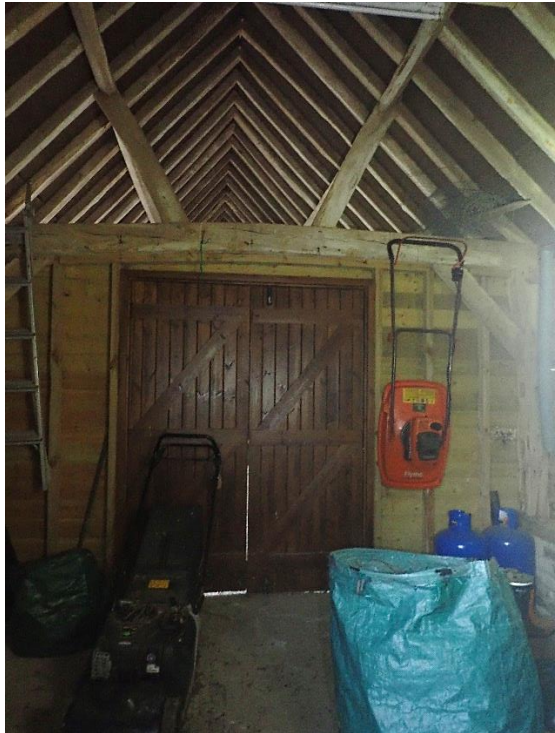


Fig. 9 – View N to partially enclosed, N end room

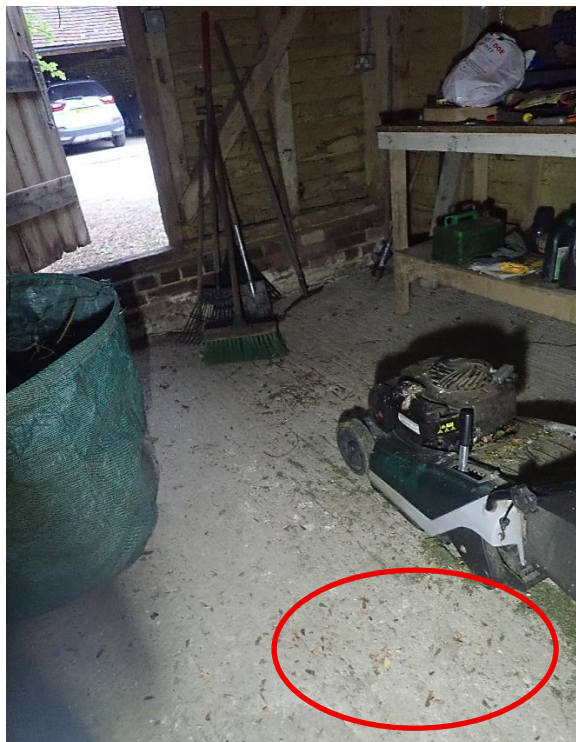


Fig. 10 – Position of feeding remains on floor of store



Fig. 11 - Moth wings beneath feeding 'perch' on floor

3.3 *Two active birds' nests were seen, inside the barn, during this visit and evidence was also noted to suggest that barn swallows (*Hirundo rustica*) have nested in the building.*

3.4 Surrounding Habitat

The surveyors were told, during the survey in 2020, that evidence of bats had been found in the main house, a large, converted, timber-framed barn, some years previously.



Fig. 12 – View from front of barn towards owners' home and countryside beyond

4. Phase 2 Survey (Dusk Emergence Check/Bat Activity Survey) - 24th July 2025 - Methodology

4.1 At dusk, when bats emerge from their roost sites to feed, the surveyors were positioned so as to get the best possible view of any bats emerging from the barn and for bats foraging/commuting in the area.

Surveyor 1: To the south east of the barn – David King

Surveyor 2: To the north of the barn – Sheila Wright

4.2 Equipment

The surveyors used Batbox Griffin time-expansion recorders and Batbox Baton XD detectors to record bat echolocation calls and to identify any bats heard to species level, where possible. Recordings were made, for later computer analysis with BatScan and Sonobat software. Additionally, two Canon XR20 infra-red night vision cameras, with additional IR illuminators, were used to help the surveyors view any emerging bats, as light levels fell. Prior to bats' emergence time, the surveyors used bat detectors to listen for pre-emergence 'chatter', sometimes heard from bat colonies before leaving their roost. The surveyors carried high powered torches and communicated via 2-way radio comms.

4.3 Weather Conditions

The survey was undertaken on a mild, calm, and dry evening with 90% cloud cover. The temperature was 18°C at the start of the survey period, dropping to 17°C for the remainder of the evening. Conditions were considered to be ideal for bat activity.

4.4 Timing

The evening emergence check/bat detector survey started at 20:30. Sunset was at 20:58. The survey continued for one and a half hours.



Fig. 13 – Surveyors' positions ★ IR camera positions

Fields of view



Fig. 14 – IR camera (SE) - field of view



Fig. 15 – IR camera (inside barn) – field of view

5. Phase 2 Survey (Dusk Emergence Check/Bat Activity Survey) - 24th July 2025 - Results

- 5.1 A single long-eared bat emerged, from an unseen crevice, inside the enclosed section of the barn and flew around inside before emerging, at eaves level at 21:30. Otherwise, over-all bat activity, around the site, was low, as was the case during the previous survey, carried out in 2020. Bats seen and heard were as follows:

Time	Species	Activity
21:55	Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	Pass at S of barn
21:52 & 21:55	Soprano pipistrelle (<i>Pipistrellus pygmaeus</i>)	2 x passes, one close to N end of barn
21:30	Long-eared bat (<i>Plecotus</i> sp.)	Flying up and down inside barn, briefly, before emerging, at eaves level, on the N side
22:17 & 22:21	Common pipistrelle	Two passes
No further bat activity		

5.2 Bats recorded during the survey:-

- Long-eared bat – the brown long-eared bat (*Plecotus auritus*) is common and widespread, throughout the UK. The grey long-eared bat (*Plecotus austriacus*) is extremely rare in Britain, but is occasionally recorded in both East and West Sussex. However, the species has yet to be recorded in this area. Long-eared bats are difficult to identify, to species level, by echolocation calls alone. Although analysis of bat droppings can distinguish between the species, no droppings were found, within the barn, during this survey.
- Soprano pipistrelle (*Pipistrellus pygmaeus*) is considered to be common and widespread in the UK.
- Common pipistrelle (*Pipistrellus pipistrellus*) is also considered to be common and widespread in the UK.



Fig. 16 – Long-eared bat flying within barn, prior to emergence

6. Survey Constraints – 19th June 2020

6.1 There were no significant constraints to this survey.

7. Conclusions and Recommendations

7.1 The findings of this survey demonstrate that the barn is used as a feeding perch and day roost by a long-eared bat, most likely the brown long-eared bat (*Plecotus auritus*), although, in the absence of bat droppings and conclusive echolocation calls, this identification cannot be established with certainty.

7.2 A further bat survey should be conducted, not less than three weeks from the date of this of this survey, to confirm the level of bat use and provide sufficient information to allow the county ecologist and Natural England to assess the likely impact of the proposed works. Because bats and their roosts are protected by law, a Natural England Bat Mitigation Licence will be required to allow the proposed redevelopment of this building to proceed. Providing that additional species and/or roost types are not discovered during the repeat survey, a Bat Mitigation Class Licence (BMCL) will be appropriate for the site. **A detailed mitigation and compensation/enhancement plan, in respect of bats, must be agreed, at an early stage in the planning process. Further advice is provided, in this report.**

7.3 Two active birds' nests were seen inside the barn, during the latest survey, a wood pigeon (*Columba palumbus*) nest in the open section and either a robin's (*Erithacus rubecula*) or a wren's nest (*Troglodytes troglodytes*) - (no adult birds seen) in the enclosed section. Nesting birds are protected by law and must not be disturbed.

7.4 Historic evidence of nesting barn swallows was also noted in the barn. The proposed redevelopment will mean that barn swallows can never return to this building. The neighbouring barn, used as a car port, has been netted to prevent birds from nesting (as noted following the previous survey, in 2020). It is recommended that, as compensation, netting is removed from the

car port, in a section which is not used by the owners as a garage and that 2 x artificial nesting cups for barn swallows are fitted, as directed by the manufacturers, to encourage birds to return to the site. (Please note that consideration could also be given to the use of this building, as an alternative bat roosting site, to compensate for the loss of access to the small barn.)

*² Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). The Bat Conservation Trust, London. ISBN-978-1-7395126-0-6

SONOGRAMS – The Old Barn, Ansty – July 2025

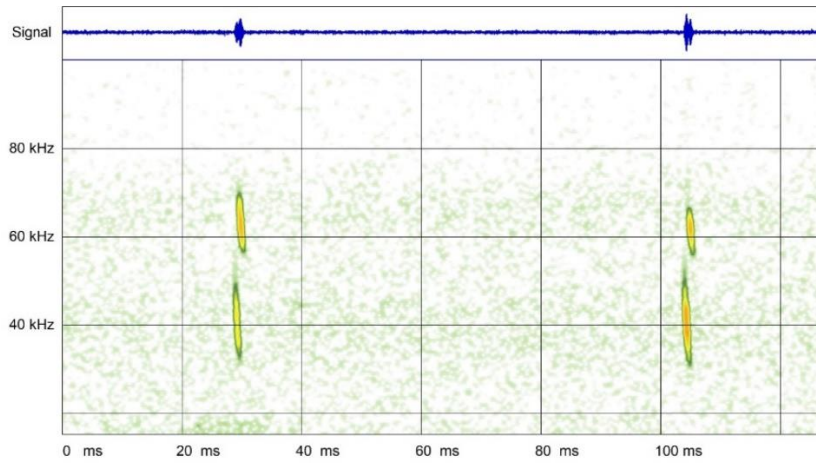


Fig. 17 – Long-eared bat (*Plecotus* sp.)

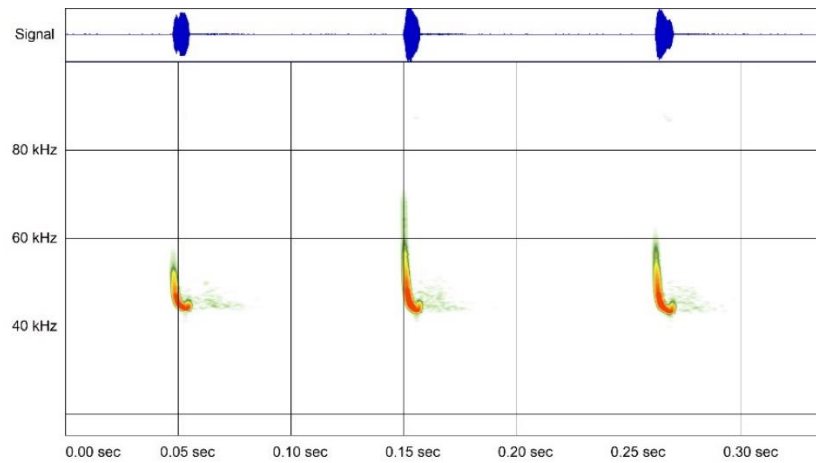


Fig. 18 – Common pipistrelle (*Pipistrellus pipistrellus*)

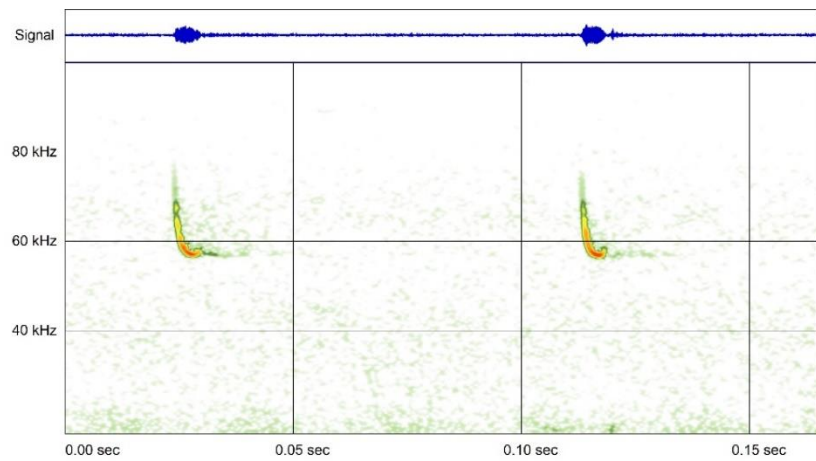


Fig. 19 – Soprano pipistrelle (*Pipistrellus pygmaeus*)

**OUTLINE MITIGATION & COMPENSATION/ENHANCEMENT PROPOSALS (BATS)
– THE OLD BARN**

- **Licence Application**
Once a repeat bat survey has been carried out and when all planning consents are in place, a Natural England Bat Mitigation Licence can be applied for. A walk-over survey of the site must have been conducted no less than three months, prior to application. No works can commence until a licence is in place. Unless a roost type and/or significant additional species are discovered during the repeat survey, a Bat Mitigation Class Licence (BMCL) - 'low impact' licence, would be appropriate for this site.
- **Timing of Works**
Consideration will be required to timing of works, to avoid the most sensitive times of the year for bats, where possible. Generally, works should take place in autumn or spring, when bats are not hibernating or breeding. However, no evidence has been found to suggest that bats are breeding in this building, so it will be more important to avoid the colder months, so as not to disturb any bats which might hibernate in the building.
- **Pre-works Survey, Toolbox Talk & Supervision**
Once a licence is in place and dates have been agreed, a pre-works building inspection (and emergence check, if appropriate) will be carried out. The Registered Bat Consultant will provide a toolbox talk, with regard to bats, to contractors, prior to the removal of roofing materials and will supervise works, as considered necessary.
- **Temporary Bat Roosts**
As a temporary roosting option and prior to the commencement of works, a good quality bat box will be erected on a nearby mature tree or building. Suitable models include the Schwegler woodcrete boxes or the Eco Kent box, which are widely available from online sites such as Wildlife and Countryside Services or NHBS Ltd. The box should be fitted at a height of *at least* 3m, where there is a clear flight path for bats, in and out of the box. Bat boxes, provided as compensation, must remain in place for a minimum of five years.
- **Permanent Bat Roosts**
Provisions for both crevice-dwelling and void dwelling bats should be incorporated into the redeveloped building. A bat loft could be provided for the long-eared bat, in the neighbouring, unconverted former cowshed (see 7.4, above). (Alternatively, see links, with roosting options for long-eared bats, below^{*2}). **Details must be agreed at an early stage in the planning process.**
- Consideration could also be given to the provision of roosting opportunities for crevice-dwelling bats, such as pipistrelles. These could be achieved by fitting, purpose-made bat access tile sets,^{*3} into the refurbished roof of the barn. (See links, below)
- **Please note: 1F roofing felt, or a certified 'bat-safe' membrane, rather than a standard breathable membrane, must be used beneath tiles or weather-boarding in**

all areas where bats might roost. This is because bats can become fatally trapped in woven membranes (BRMs).

- Consideration should be given to any new exterior lighting and light-spill, as many bats are light-averse, so bat roosts and access points should not be illuminated. See <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/> There should be no impact on connectivity, as hedgerows and tree-lines around the site will be retained.
- Bat provisions will be checked on completion, so that a licence return can be submitted to Natural England.

*² [Guide to Brown Long-Eared Bat Mitigation - Acer Ecology](#) (Examples of recommended mitigation measures for long-eared bats)

*³ [Bat Access Tiles & Ridges | Tudor Handmade Roof Tiles, UK](#)

MAGIC Maps



Fig. 20 – The Old Barn, circled

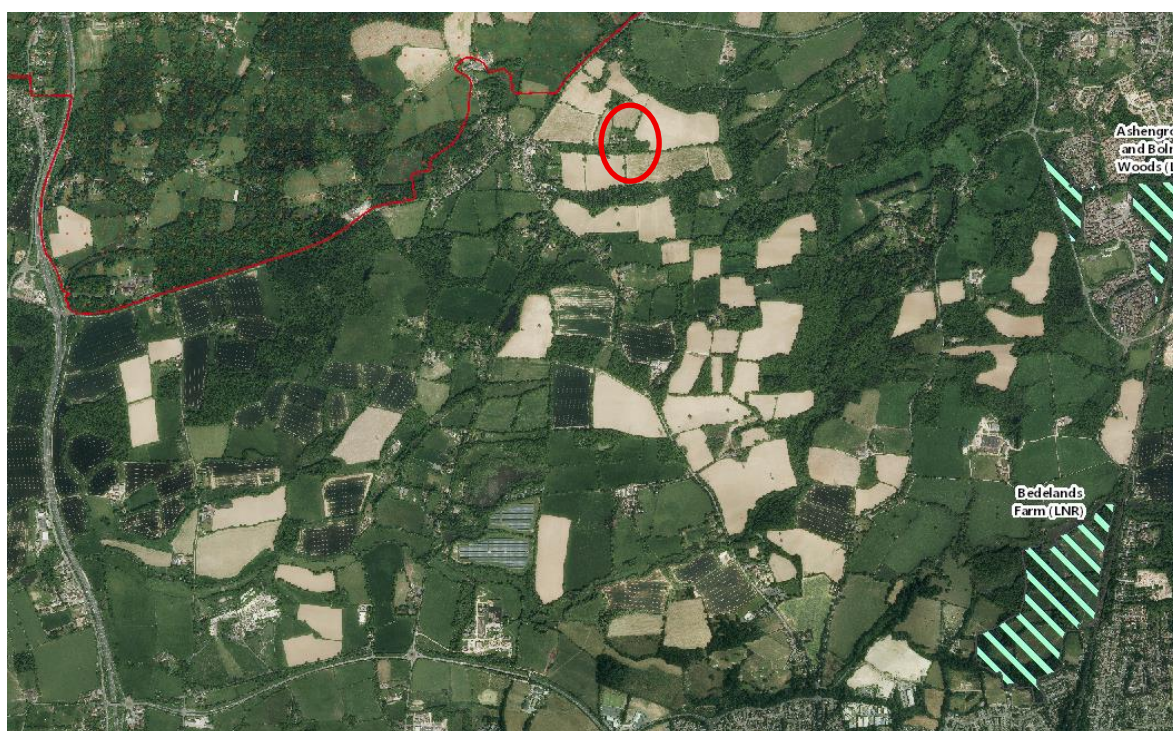


Fig. 21 – The site, circled. Nearby designated sites

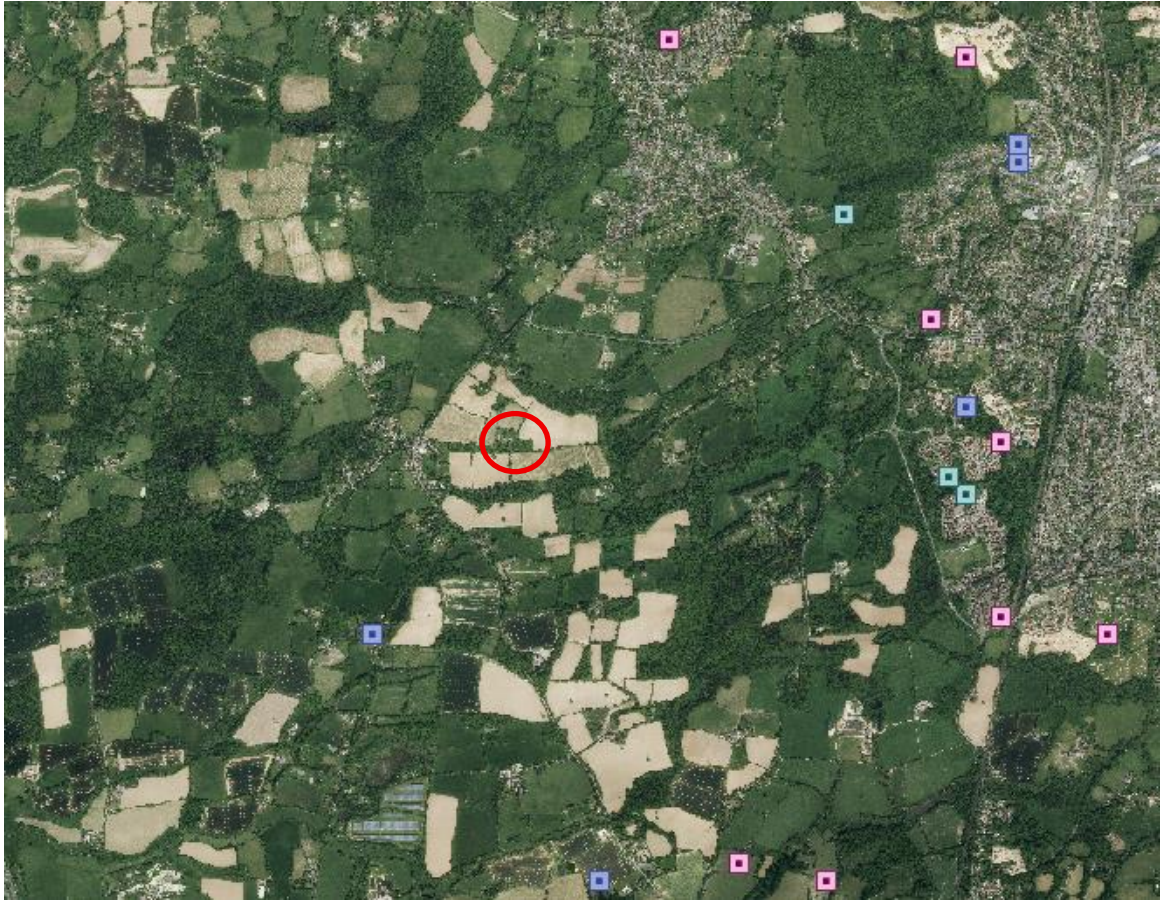


Fig. 22 – Nearby sites where NE EPS Licences (Bats) have been granted (purple squares)

Overview of the law relating to bats – England and Wales (should not be relied on in place of professional legal advice.) - Updated January 2024 with advice from the 4th edition of the Bat Conservation Trust's 'Bat Surveys for Professional Ecologists – Good Practice Guidelines'.*¹

Legal Protection

All bat species and their roosts in England and Wales are protected under The Conservation of Habitats and Species Regulations 2017 (as amended). Annex II of the Council Directive 92/43/EEC 1992, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), lists species of Community interest, for which conservation requires the designation of Special Areas of Conservation (SACs), as part of the Natura 2000 network. (now referred to, in the UK, as 'the National Site Network', following Brexit). Annex IV lists species of Community interest in need of strict protection. This protection means that they are also a relevant consideration in a Habitats Regulations Assessment (HRA). All bat species are listed in Annex IV and some are listed in Annex II (greater horseshoe bat (*Rhinolophus ferrumequinum*), lesser horseshoe bat (*Rhinolophus hipposideros*), barbastelle (*Barbastella barbastellus*) and Bechstein's bat (*Myotis bechsteinii*)).

The EC Habitats Directive was transposed into UK law and the regulations implementing the Directive in the Conservation of Habitats Regs. 2017 (as amended) in England and Wales. The regulations are generally referred to as the Habitats Regulations. When the UK left the European Union in January 2020, although no longer bound by European legislation, the related domestic legislation was retained, so that bats receive the same level of protection as previously. The European Commission published an updated version of their Guidance document (EC 2021) and this remains a relevant source of information.

All species of bats found in the wild in the UK are, therefore, European Protected Species (EPS) and it is unlawful to kill, injure, capture or take a wild bat. It is also unlawful to disturb bats, particularly if the level of disturbance can be shown to impair their ability to survive, to breed or reproduce, to rear young, to hibernate or migrate and also to significantly affect local distribution or abundance. In England and Wales, this offence requires a deliberate action. Throughout the UK, it is illegal to damage or destroy a place used by a bat for breeding or resting. This offence is unique in that it is a strict liability offence which can be committed accidentally; no element of intentional, reckless or deliberate action needs to be evidenced. Under the Habitats Regulations, it is an offence to be in possession of a wild bat, alive or dead, or any part of a bat; to sell, transport or exchange a bat.

It is also illegal in England and Wales, under the **Wildlife and Countryside Act 1981 (as amended)** to intentionally or recklessly disturb a bat, whilst it is occupying a place of shelter or protection. In England and Wales, it is an offence under the W&C Act to intentionally or recklessly obstruct access to any place used by a bat for shelter or protection. As with intentional or reckless disturbance, **The Environment Act, 2021** introduces a new exception to the W&C Act offences for any actions taken under the auspices of a Habitats Regulations Licence. A further change, made in 2022, allows licences to be issued (in England) for reasons of overriding public interest, providing there is no other satisfactory solution and that the activities licensed will not be detrimental to the survival of the species concerned. This provision relates to development works. Actions, which would otherwise be illegal, can be made lawful, if licensed by the appropriate licensing body (Natural England (NE) in England). It is an offence to make a false statement in order to obtain a bat licence or to fail to comply with licence conditions.

A householder who disturbs a bat in its place of protection in a dwelling house, or obstructs access to this place of protection, does not commit an offence if they first seek and advice from Natural England and allow time for such advice to be provided. However, if the bat is within the living space of a dwelling, it is not considered to be an offence to disturb it. It is not illegal to take a disabled bat, for the sole purpose of tending it and releasing it

when appropriate, providing the person can show that it was not harmed deliberately by them. It is also not illegal to kill a bat (unless harmed by their own unlawful act), if there is no reasonable chance of it recovering. These defences only apply where there is no reasonable alternative and when the act will not be detrimental to the Favourable Conservation Status of the species, in its natural range.

Across the UK, Sites of Special Scientific Interest (SSSIs) have been identified by the Statutory Nature Conservation Bodies, including some notified for their bat interest. The relevant legislation is the W&C Act. This provides additional protection for bats and their roosts, in these sites.

The police have the power to stop and search a person who is suspected of committing a bat related offence, enter property (other than a dwelling house) without a warrant, or enter a dwelling house with a warrant. They are empowered to take with them any person or equipment required to exercise these powers.

Those found guilty of offences relating to bats can face unlimited fines in England and Wales, and/or be sentenced to six months imprisonment. Any profit arising from this criminal activity can be confiscated.

The Environmental Damage (Prevention and Remediation) (England) Regulations 2015 aim to prevent damage to the environment, including protected species, such as bats. The regulations require the operator to take all practicable steps to prevent environmental damage and give enforcing authorities the power to serve notice and specify action required to prevent environmental damage. Remediation orders can be imposed to repair any damage which has occurred. This can be used alongside a prosecution under the Habitats Regs., to gain better outcomes.

Licensing

The two main types of relevant licence are **EPS survey licences** and **EPS mitigation licences**:

Survey Licences are granted in England by Natural England and are issued to ecologists, under the Habitats Regs and the W&C Act, to permit them to undertake activities that would otherwise be illegal – i.e. entering bat roosts and disturbing bats. The ecologist is required to be suitably qualified and experienced under British Standard BS42020. Different activities (ie, certain projects and methodologies) are licenced under separate licences. Photographing bats is only permitted under a survey licence when it is 'an incidental part of other licensed bat work'. Where disturbing bats is proposed for the sole purpose of photography, this must be specifically licensed.

Conservation Licences are issued where improvements are made to a bat roost for the specific aim of conserving the species.

Class Licences for surveying bats in England cover all bat-related activity, outside of the NE volunteer bat roost visitor advice service, including bat box checks, hibernation surveys, general surveys and limited use of

equipment such as harp traps etc. There are four levels of licence, allowing for different bat-related activities (both voluntary and professional): **Level 1** (to survey bats by observation only, not including hibernating bats – WML-CL17, **Level 2** (to survey bats using artificial light, inc. hibernating bats, use of hand-held and static nets – WML-CL18, **Level 3** (to survey bats, including previous methods and additionally to use mist nets and acoustic lures (WML-CL19) and **Level 4**, as previous licences but including the use of harp traps.

European Protected Species (EPS) licences (derogation, mitigation or development licences) are issued under the Habitats Regs., by NE in England, after three tests have been satisfied in relation to the proposed action:

The proposed action must be for the purpose of preserving public health or safety or other reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and preventing serious damage to property.

There is no satisfactory alternative to the proposed action and: The action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

The Environment Act 2021 introduced a new exception to the Wildlife and Countryside Act offences, for any actions taken under the auspices of a Habitat Regs. Licence. Another change is that licences can now be issued in England for reasons of overriding public interest, providing the tests are met. This provision for development

activities was not previously available under the W&C Act. In order for the licensing tests to be correctly applied, it is essential that adequate bat survey information is supplied. Without this, a licence may not be granted.

In 2018, NE introduced a new 'low impact' licensing scheme, now titled the **Bat Mitigation Class Licence (BMCL)**. Ecologists can become 'Registered Consultants' to use this type of licence, with appropriate training and assessment. The BMCL is only suitable for low conservation status roosts of common bat species.

In 2018, NE announced the introduction of a **Bats in Churches Class Licence**, allowing appropriately trained Registered Consultants to use a more streamlined process when the presence of bats in a church is resulting in significant impacts.

In 2021, NE began a pilot of the **Earned Recognition Scheme**, where a consultant's competence in undertaking survey work and associated mitigation, etc., is assessed and accredited. Using an accredited consultant allows developers to experience a more streamlined licensing process. A competency framework defines the requirements for different levels of accreditation. A second pilot phase, known as Beta ER, is currently underway.

It is also possible, in England, to apply for an **organisational licence**, which licences organisations (under specific conditions) to carry out certain routine activities affecting bats.

Planning Policy Context

The biodiversity duty is imposed in England through the Environment Act 2021, which amends the **Natural Environment and Rural Communities (NERC) Act 2006** by adding the words 'and enhance' alongside 'conserve'. Public authorities must consider what action they can take to further the biodiversity objective.

Relevant Policy documents in England are:

National Planning Policy Framework (NPPF), Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations & their Impact Within the Planning System (2005) and National Planning Practice Guidance Natural Environment (2019).

In addition to the national policy guidance, regional and local planning policies should be consulted and **NE's Standing Advice to LPAs (GOV.UK.2022A)** may be relevant. Planners are required to consider protected species

as 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. Where bats may be present, this will include the need for adequate bat surveys to establish the presence or absence of bats, to predict the likely impact on bats and their roosts and if

necessary, to design appropriate mitigation measures, etc.. In planning terms, development includes activities requiring outline or full planning permission, permitted development, listed building consent and/or prior approval to demolish. SSSI consent may also be needed. Further details are provided in Clauses 6 to 8 of BS42020 (BS1, 2013) see <https://knowledge.bsigroup.com/products/biodiversity-code-of-practice-for-planning-and-development-standard>

Additionally, the Partnership for Biodiversity in Planning (PBP) Project, funded by the Esmée Fairbairn Foundation, was a partnership of 19 organisations in the conservation, planning and development sectors and has produced an online, interactive trigger list called the Wildlife Assessment check (WAC) – <https://www.biodiversityinplanning.org/wildlife-assessment-check>