PETER RAYMENT design
Architectural Designers • Peter Rayment • Richard Waller

TITLE	Design & Heritage Statement
PROJECT	Proposed extension and conversion of existing outbuilding to form estate office at Church Houses Cottage, Farndale.
CLIENT	Farndale Estate

VERSION 1.1 DATE 10.06.2019 DRAWING NO's 190 522 01 to 03

OVERVIEW

The property comprises a simple linear range of single storey detached outbuildings located adjacent to and to the east of Church Houses Cottage.

We are proposing the conversion of this outbuilding to create an estate office for the Farndale Estate. An extension to the north end of the building will provide additional floor space. An existing lean to at the south end of the building will remain as fuel and bicycle storage for Church Houses Cottage which is within the same ownership.

The North York Moors National Park Core Strategy and Development Policy 8 (conversion of rural buildings) is relevant to this proposal and our scheme is broadly compliant with the required criteria.

The proposed conversion will provide office accommodation for one full time and one part time employee of the Farndale Estate and will bring the estate management in-house rather than being managed remotely by a third party agent.

The location is ideal in that it is a central hub of the estate activities and the existing main holiday letting complex across the road at Church Houses Farm. The estate extends to 4300 acres and includes 8 holiday letting cottages.

IMAGES

West elevation.

North gable.

DESIGN

The overall design of the proposed conversion has been considered to make the best use of the existing building whilst retaining its character and subservient appearance in relation to Church Houses Cottage. A modest extension is planned for the north end of the building and this is in a minimalist style. Due to the low height and narrow span of the host building we have shown the roof of the extension to be continuous with the existing roof as we that feel to try and step the new roof level down from the existing would create an awkward lead flashing detail too close to the level of the existing roof verge. Instead, to create a distinction, we have chosen to deeply inset the proposed glazed doors which form the 'link' between the old and the new. The walls of the new section of building will be clad in natural unfinished Larch boarding in contrast to, rather than competing with, the existing high quality tooled stonework.

ACCESS AND BOUNDARIES

Access to the site is currently adjacent to Church Houses Cottage and this access point will remain to serve the cottage.

An existing field access gateway will be utilised to provide access for two parking spaces for the proposed office. Integrated with this will be a new field access and an area of planting separated from the adjacent field with a simple 1.2m high post and rail fence. The planting will screen fuel oil tanks which are currently only partially screened by domestic fencing.

Hard standing areas will mostly be in gravel but with some stone paved areas for parking and access paths to comply with the regulations for access by disabled persons.

It is not intended to alter the existing external boundary to Daleside Road.

HERITAGE STATEMENT

Heritage Assets for the site can be identified as both the built form of the locality and its setting within the wider landscape of the North York Moors National Park. The proposed development is compact and in keeping with its setting in the hamlet of Church Houses. The provision of an estate office and associated employment will enhance the vitality of the area and will make good use of an existing semi-redundant outbuilding.

NORTH YORK MOORS NATIONAL PARK

NON MAINS DRAINAGE ASSESSMENT FORM

This form must be completed if your planning application includes proposals to use non mains drainage. Please complete and return 4 copies with your Planning Application *(to enable prompt consultation with the appropriate bodies).*

In order that the suitability of these proposals can be assessed, the following information is required. All the relevant information requested must be supplied. Failure to do so may result in the Environment Agency objecting to your proposals until such time as the information is received, which means that your application will either be refused or not determined.

Location of the application site CHURCH HOUSES COTTAGE. FARNDALE

1. Please indicate distance to nearest mains drainage MORE THAN 1 MILE
2. Number of Occupiers of proposed development:

   Full Time 1
   Part Time 1
3. Number of previous occupiers (if applicable) 0
4. What method of foul drainage is proposed (please tick the relevant box)

   Septic Tank ☐ Package Treatment Plant ☑ (EXISTING) Cess Pool ☐

   If discharge to a soakaway is proposed please attach percolation test results, which should be carried out in accordance with BS 6297. You will need to have a percolation test carried out. For guidance on how to undertake this test, you may wish to seek advice from:

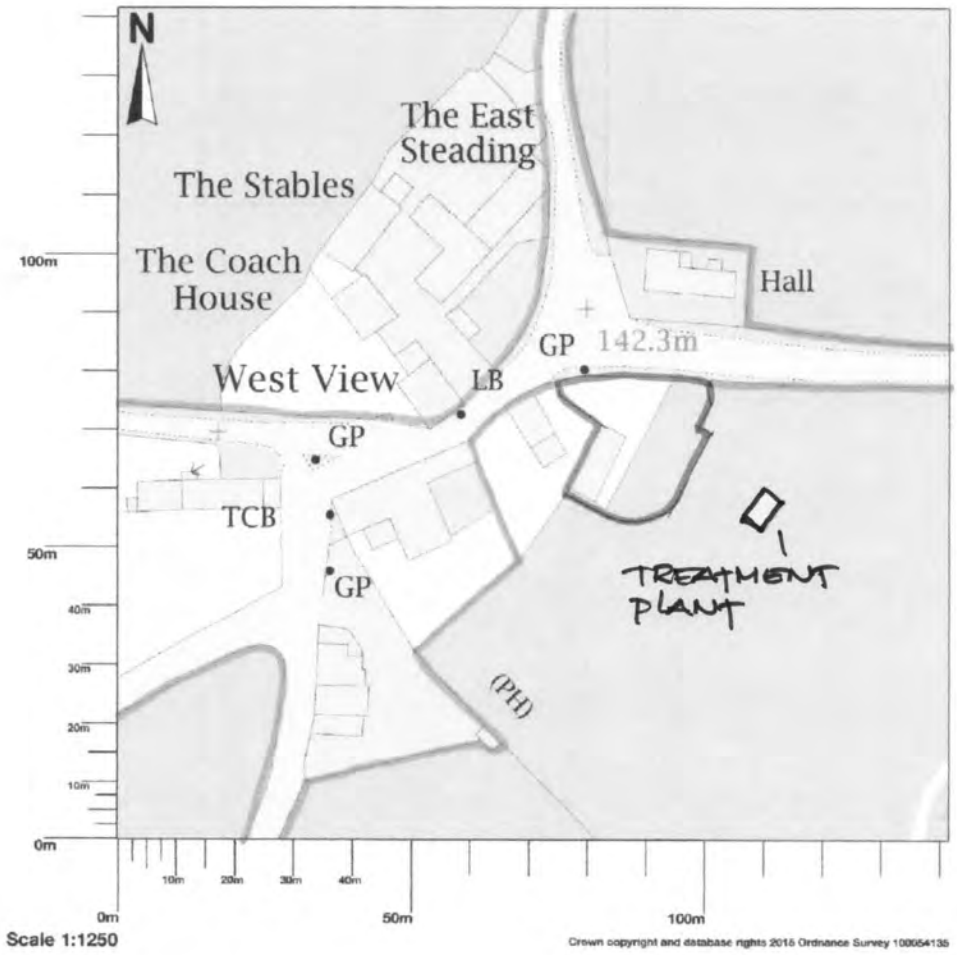
   The Environment Agency, Coverdale House, Aviator Court,
   Amy Johnson Way, Clifton Moor, York, YO3 4UZ.
   Tel: 01904 692296

   NB: If no results are provided, the Environment Agency may issue a prohibition notice preventing the use of the septic tank until such results are supplied.
5. If a package treatment plant is proposed please supply details of plant manufacturer and model.
   NB: A discharge consent may be required for discharge from a treatment plant to watercourse or soakaway. Please contact the Environment Agency for an application form if you have indicated that a treatment plant is to be installed.
6. i) If a cess pool is proposed please indicate why this method has been chosen in preference to an alternative such as a package treatment plant or septic tank

   ii) Please advise capacity of cess pool (minimum size 18 cubic metres)

KLARGESTER BIO DISK STP TYPE BE.

The Cottage, Church Houses, Kirkbymoorside, York, YO62 7LF



Farndale Estate
c/o Strutt & Parker
Thornfield Business Park
Standard Way
Northallerton
DL6 2XQ

STRUCTURAL REPORT ON SUITABILITY FOR CONVERSION OF A STONE OUTBUILDING TO AN ESTATE OFFICE UNDER CLASS Q of the TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 AT CHURCH HOUSES COTTAGE, CHURCH HOUSES NORTH YORKSHIRE YO62 7LF

Report prepared by:
T M HUNT BENG CBUILDE MCABE

24 June 2019

4 Isis Court ▪ Rosetta Way ▪ Ouseacres ▪ York ▪ YO26 5NA

SchofieldsEQS LTD
CONSULTANT ENGINEERS & QUANTITY SURVEYORS

REPORT in connection with a structural survey at Outbuilding to Church Houses Cottage, Church Houses, North Yorkshire for R R Lucas trading as Farndale Estate.

1.0 BRIEF

Scope and limitation

1.1 On instruction from Laura Fieldsend of Strutt & Parker the above property was visited and *visually inspected* on 21st June 2019 by myself.

1.2 This report is limited in scope to the matters discussed therein and should not be taken as a general statement of structural adequacy or otherwise.

1.3 The inspection was undertaken internally and externally as necessary and was subject to access being available.

1.4 The report has been prepared at Strutt & Parker's request and therefore any liabilities that may arise are restricted to them and the Farndale Estate. No responsibility can be accepted for any action taken by others to whom this report may be made available.

Orientation

1.5 For the purpose of this report, unless otherwise stated, the front elevation is shown on the title page of the report with the doors and all references to left and right are given as if viewing a plan of the property with the front elevation located to the bottom and the rear elevation located to the top of the plan.

Property address

1.6 Outbuilding to Church Houses Cottage
Mill Lane
Church Houses
Kirkbymoorside
North Yorkshire
YO62 7LF

Task

1.7 Structural survey of property to investigate its suitability for conversion and prepare our own report.

2.0 BACKGROUND INFORMATION

Brief Description

2.1 This document is submitted as part of a formal proposal to convert an agricultural building to an estate office in accordance with Class Q of the Town and Country Planning (General permitted development) Order 2015 at Outbuilding to Church Houses Cottage, Church Houses, North Yorkshire YO61 4SF

2.2 Photographs were taken and these are archived in our offices.

3.0 OBSERVATIONS

3.1 The building which it is proposed to convert is a traditional stone-built structure with a pantile roof. The building is built into a slight slope to the rear. There are four separate rooms to the outbuilding.

3.2 The roof is dual pitched from front to rear with a small mono-pitched roof to the right elevation. The roof has previously been relaid with the replacement of rafters and installation of felt. It is likely that the roof timbers will need to be strengthened to support new insulation and finishes.

3.3 The construction of the walls is stone with timber lintels for the windows and doors. There are signs of movement to the rear elevation where the wall has bowed slightly, and cracks have formed within the internal face of the left elevation and internal wall of the garage where the rear purlins bear directly onto the stonework.

3.4 The central room has a crack in the rear elevation wall and further cracking under the front purlin. To the storeroom in the front right corner of the property a crack has also formed between the internal wall and the shed to the rear. The cracking will need to be repaired.

3.5 The floor is a mixture of gravel, concrete and stone flags. It will need to be replaced.

4.0 CONCLUSIONS

4.1 Part 3 Class Q of the Town & Country Planning (General Permitted Development) Order 2015 allows

- the use of up to 450m² of existing floor space
- the replacement or installation of windows, doors, roofs, exterior walls, water, drainage, electricity, gas and other services "to the extent reasonably necessary for the building to function as a dwelling."
- the partial demolition "to the extent reasonably necessary to carry out the allowable building operations."

4.2 The existing building is structurally sound and suitable for conversion to an estate office.

T M Hunt BEng CBuildE MCABE

for Schofields EQS Ltd

SchofieldsEQS Ltd
CONSULTANT ENGINEERS & QUANTITY SURVEYORS

Bat, Breeding Bird and Barn Owl Scoping Survey

Church Houses Cottage (Outbuilding), Farndale

July 2019

MAB Environment & Ecology Ltd

11a Kirkgate, Thirsk, North Yorkshire

YO7 1PQ

www.mab-ecology.co.uk

Registered in the U.K. no.6504129

Registered office: The Old Chapel, Knayton, Thirsk YO7 4AZ

Author	Sarah Emerson Grad CIEEM	
Status	**Date**	**Checked by:**
Final		Ione Bareau MCIEEM

Site:

Church Houses Cottage
Church Houses
Kirkbymoorside
York
Farndale East
YO62 7LF

Dates:

Scoping Survey: 21st June 2019
Emergence survey: 18th July 2019

Client:

Farndale Estate

Client's agent:

Strutt & Parker
Thornfield Business Park
Standard Way
Northallerton
DL6 2XQ

Planning Authority:

Ryedale District Council

Our ref:

2019-743

Table of Contents

1 Summary

A bat, breeding bird, and barn owl survey was carried out at an outbuilding at Church Houses Cottages in Farndale, to inform an application for planning consent for conversion.

During a visual inspection in June 2019, no evidence of bat use was found. However, low potential bat roost habitat was identified, within masonry, timber and tile crevices located within the traditional buildings. An emergence survey was carried out in July 2019, in order to complete an assessment of any bat use of the identified potential habitat. No bats were seen to emerge during the dusk emergence survey, which was carried out at an optimal time of year and in optimal conditions. We can, therefore, rule out any use of the buildings by roosting bats, with no requirement for any further survey work and no mitigation for bats considered necessary.

A professional long-lasting crevice bat box (Schwegler Type 1FF which can be affixed to external walls and/or Type 2F general purpose bat boxes which can be affixed to trees) will be installed in a suitable location on site, to ensure there is no loss of biodiversity and to enhance the site.

Evidence of past and present nesting by birds, including swallows, was found during the inspection. We recommend that a check should be made immediately prior to work for the presence of any nesting birds in areas to be worked on. If any active nests are found, then work to those areas should be delayed until after the bird breeding season or once any chicks have fledged. We recommend that alternative nesting provision for swallows should be made on site in the form of a fly-in area with exposed timbers, such as a lean-to store.

2 Introduction

MAB Environment and Ecology Ltd was commissioned by Strutt & Parker to undertake a bat, breeding bird and barn owl scoping survey on a single-storey outbuilding at Church Houses Cottage, Church Houses to accompany a planning application for conversion.

The site is located in Farndale East (Central grid reference: SE66989750). The location of the site is shown on Figure 1.

The report was written by Sarah Emerson Grad CIEEM of MAB Environment and Ecology Ltd.

The report's primary objective is to provide an impact assessment for the development on bats, define any necessary mitigation proposals, and to assess the requirement for a Protected Species Licence. A secondary objective is to assess potential impact on breeding birds.

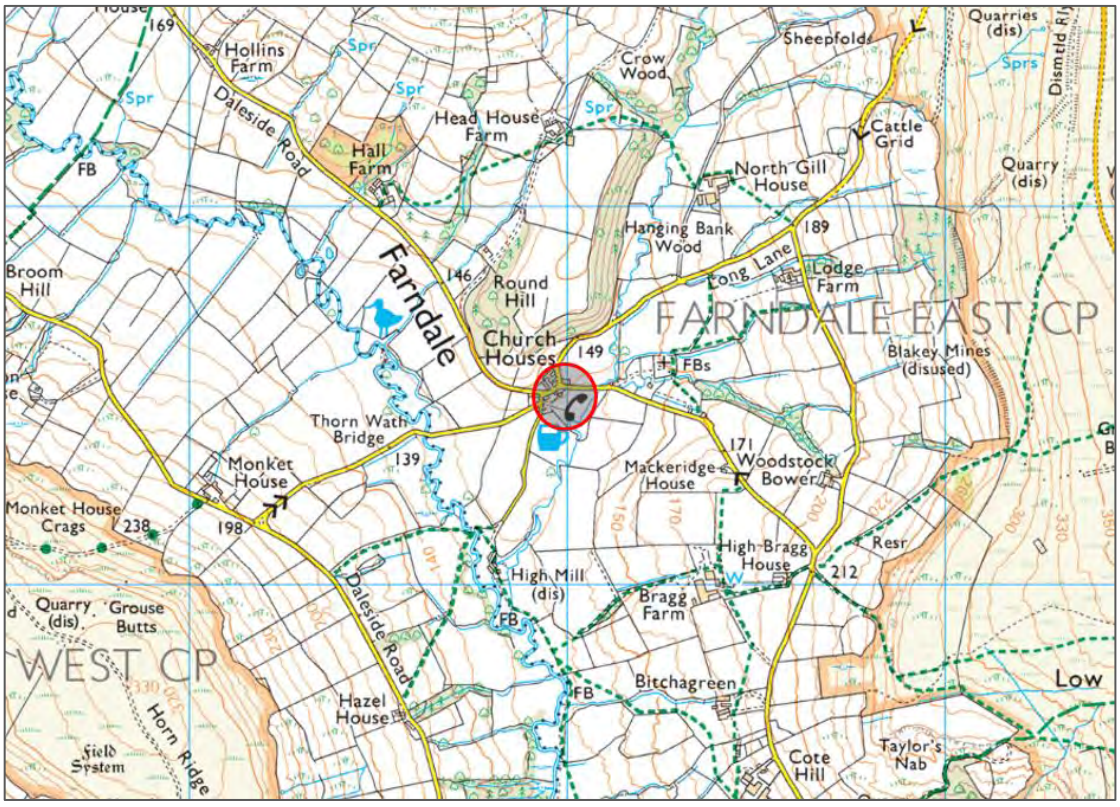


Figure 1: Site location.

3 Methodology

3.1 Desktop study

3.1.1 Bat roost records for a 2km radius around the site were commissioned from the North Yorkshire Bat Group (NYBG).

3.1.2 Aerial imagery from Google Earth and 'MAGIC' government website were used to assess the location of the site and the surrounding habitat for value to bats. This includes proximity of the site to good bat foraging habitat such as woodland and water bodies and if the site is linked to such habitats by linear features like hedgerows, woodland edges or rivers which bats use to commute around the environment.

3.2 Field survey

3.2.1 The site was surveyed by Sarah Emerson Grad CIEEM who has worked as an ecologist since 2015 and for MAB since 2017. She holds a Class Survey Licence WML-A34 (Bat Survey Level 2) registration number: 2016-26716-CLS-CLS. She also holds a Class Survey Licence for Great Crested Newts WML-CL09 (level 2) registration number 2016-19358-CLS-CLS. The surveys were carried out in accordance with the Bat Conservation Trust, Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn).

3.2.2 The interior and exterior of the buildings were inspected during the day using halogen torches (500,000 candle power), binoculars, ladders, and a flexible endoscope (a Sea Snake LCD inspection scope). All normal signs of bat use were looked for, including bats, bat droppings, feeding waste, entry and exit holes, grease marks, dead bats, and the sounds / smells of bat roosts.

3.2.3 The buildings were assessed for their degree of potential to support roosting bats. This includes assessing the building design, materials and condition.

Colour code	Bat roost potential.	Roosting habitats	Commuting and foraging habitats
	Confirmed	Signs of roosting bats present (e.g. entry / exit points, accumulated bat droppings, visible bats).	
Red	High risk	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.
Amber	Moderate risk	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only-the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as a line of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
Yellow	Low risk	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. Unlikely to be suitable for maternity or hibernation)	Habitat that could be used by small numbers of commuting bats such as gappy hedgerow or unvegetated stream, but isolated, i.e. Not very well connected to the surrounding landscape by other habitat. Suitable but isolated habitat that could only be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Green	Very low risk	All potential bat roost habitat *comprehensively* inspected and found to be clear of past or present bat usage.	
Grey	Negligible risk	Negligible habitat features on site likely to be used by roosting bats.	Negligible habitat features on site likely to be used by commuting or foraging bats.

Table 1: Guidelines for assessing the suitability of proposed development sites for bats. Adapted from BCT Bat surveys for Professional Ecologists, Good Practice Guidelines 2016.

3.2.4 Trees within the area were also assessed for value to bats and their importance as foraging and commuting habitat.

3.2.5 Emergence surveys were carried out on 18th July 2019 using 2 surveyors with ultra-sound detectors (Pettersson D240x, Pettersson D230, and BatBox Duet). The D240x detector was set to 10x expansion with manual triggering with an Edirol R09 WAV solid state recording device for the time expansion channel, with heterodyne output through the other channel. The D230 and Duet used heterodyne detection were set to 50 kHz. Time expansion recordings were analysed with BatSound software. Surveyors used were Giles Manners (as above).

3.2.6 Surveyors used were:

- Sarah Emerson Grad CIEEM (SE) has worked as an ecologist since 2015 and holds a Class Survey Licence WML-A34 (Bat Survey Level 2) registration number: 2016-26716-CLS-CLS.
- Thomas Spears (TS) who is a trainee seasonal bat surveyor.

3.2.7 All signs of breeding bird activity and barn owl (*Tyto alba*) activity were looked for. Signs looked for included white droppings, often vertical down walls or beams; active nests and nesting materials; (birds flying into and out of barns: generally, summer only); bird feathers, particularly swift (*Apus apus*), swallow (*Hirundo rustica*) and house martin (*Delichon urbica*), bird corpses, feeding waste (including pellets), and the sound/smell of birds.

4 Constraints

The surveys were not constrained.

5 Site Description

The outbuilding is a one-storey, stone-built structure. The roof has single clay pantile on the northwest aspect and triple clay pantile on the southeast aspect. There is a low section with a lean-to single clay pantile roof on the south-west end of the outbuilding. Internally, there are 4 rooms of different sizes.

Photo 1: South-east aspect of the outbuilding at Church Houses Cottage.

6 Results

6.1 Desktop study

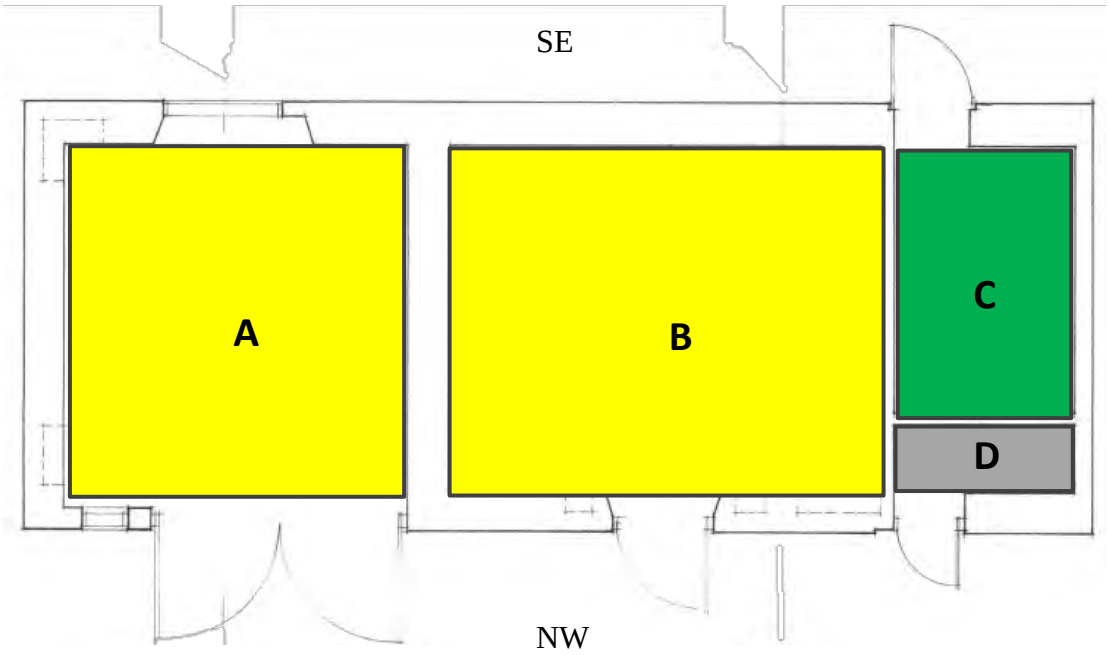
The site is located within an area of moderate quality bat foraging habitat. The location is rural, surrounded primarily by permanent pastureland, with boundaries of hedges and trees, which provide commuting oportunities for bats. Fish Beck runs 70m to the east, and provides connectivity to Hanging Bank Wood, an ancient woodland 120m north of the site. The River Dove, 350m to the west, also connects to Fish Beck. The woodlands and waterways provide potential foraging and commuting habitats for bats.

Figure 2 Aerial view of the surrounding landscape.

6.1.2 Bat Group records

Bat records have been requested from the North Yorkshire Bat Group and will be appended on receipt.

6.2 Visual inspection



Building ref.	Description	Features with potential bat roost habitat (PBRH).
A- Low potential risk of supporting bats	Well-sealed clay tiles on NW side, more gaps on SE side. Lined roof, some crevices. Gaps under eaves, at roof ridge and at apex which could be access points for bats (Photo 2, 3). Internally, wooden beams (Photo 4). No bat signs. Swallow nest on slat (Photo 5).	Limited PBRH between liner and tiles with potential access under eaves and at ridge. Limited PBRH for crevice-dwelling bats.
B- Low potential risk of supporting bats	Tiles same as room A (Photo 6), with some gaps at the roof apex. Gaps under eaves partially filled by expending foam on SE side (Photo 7). Internally, wooden beams (Photo 8). Room is undisturbed, so bat signs would be preserved, but no droppings or insect wings found (Photo 9). Bird's nest on central beam (Photo 10).	Limited PBRH between liner and tiles with potential access under eaves and at ridge. Limited PBRH for crevice-dwelling bats.
C- Very low potential risk of supporting bats	Very low room with lean-to roof. Roof is lined and has many loose tiles. Crevices internally, cobwebby, damp. No bat signs. Four swallow nests (Photo 11, 12, 13)	Limited PBRH for crevice-dwelling bats.
D- Negligible risk of supporting bats	Very small, low, damp room. No bat signs.	No PBRH.

Site photographs

Photo 2: NW aspect withwell-sealed stone-work and door to room A.

Photo 3: Gaps under eaves.

Photo 4: Wooden beams and lined room in room A.

Photo 5: Swallow nest in room A.

Photo 6: SE side of building with door to room C.

Photo 7: Expanding foam filling gaps in eaves on roof of room B.

Photo 8: Room B.

Photo 9: Room B undisturbed, bird droppings visible on table.

Photo 10: Bird's nest in room B.

Photo 11: Loose tiles on lean-to rood of rooms C and D.

Photo 12: Swallow nests in room C.

Photo 13: Swallow nests in room C.

6.3 Emergence survey

Date: 18/07/2019
Start time: 21:11 **End time:** 22:56 **Sunset:** 21:26
Conditions: 14.5°C start, 10.3°C end. Dry. 10% cloud cover start, 15% cloud cover finish. Calm (BF0).

Surveyors: Sarah Emerson (EM); Tom Spears (TS)

Equipment used: 1x Pettersson D240x time expansion ultrasound detector with Edirol R09 recorder; 1x BatBox Duet. Heterodyne detectors set to 50KHz.

Results summary:
Low level of bat activity throughout the survey. No bats emerged from the building. 2 common pipistrelles observed foraging near to site.

Observations:

Surveyor	Time	Species	Number	Activity	Annotation
SE, TS	22:04-22:19	Common pipistrelle, *Pipistrellus pipistrellus*	1	Foraging among trees	
TS	22:10	Common pipistrelle, *Pipistrellus pipistrellus*	1	Commuting over outbuilding	

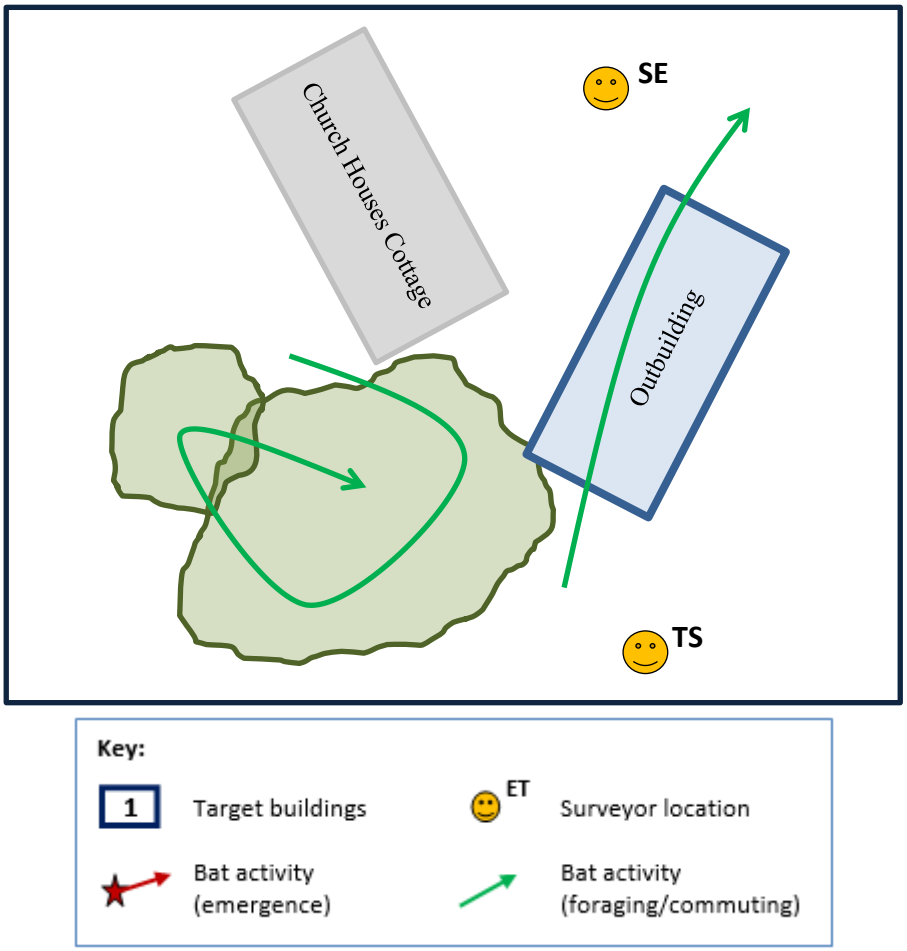


Figure 3 – Surveyor locations and bat activity recorded

7 Discussion and analysis

The results of the surveys clearly demonstrate that the buildings are not used as a roost site by bats; no signs of bat roosting were found during the building inspection or the subsequent emergence survey. The survey was carried out at an optimal time of year, therefore if any signs of bats were present, they should have been identified.

The surrounding area offers moderate quality bat foraging habitat, however the low level of bat foraging activity during the survey could be due to the isolation of the site. There is, therefore, a negligible risk of any impact on bats or their roosts and no further survey work or mitigation is considered necessary.

Birds (primarily swallows) have used beams and crevices for nesting in rooms A, B and particularly C in the surveyed building. Several nests were active at the time of the scoping survey.

8 Impact assessment

There is a negligible risk of any impact on bats due to works as no bat roosts have been identified.

There will be a reduction in available swallow nesting sites caused by the development and there is a risk of harm or disturbance to nesting birds if work is carried out where active nests are present.

9 Mitigation & Compensation

9.1 Mitigation summary

As the surveys have revealed no evidence of roosting bats, no further survey work is considered necessary.

A professional long-lasting crevice bat box (Schwegler Type 1FF which can be affixed to external walls and/or Type 2F general purpose bat boxes which can be affixed to trees) will be installed in a suitable location on site, to ensure there is no loss of biodiversity and to enhance the site.

If work takes place during the bird breeding season, then a check should be made prior to work for any active bird nests within buildings to be worked on. If nests are found, then no work to these immediate areas will take place until any chicks have fledged. We recommend that an open sided structure, such as timber framed lean-to store be created within the development to provide replacement nesting habitat for swallows.

9.2 Method statement

9.2.1 A Schwegler Type 1FF or Type 2F bat box will be installed in a suitable location as advised by the ecologist

9.2.2 If work takes place during the bird breeding season, then a check should be made prior to work for any active bird nests within buildings to be worked on. If nests are found, then no work to these immediate areas will take place until any chicks have fledged.

9.3 Planning and Wildlife.

The updated July 2018 National Planning Policy Framework (NPPF) has replaced PPS9 (Planning Policy Statement on Biodiversity and Geological Conservation) as the relevant national planning guidance in relation to ecological issues.

Paragraph 174 refers to the requirement of plans to "protect and enhance biodiversity and geodiversity" In order to do this, "plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

In paragraph 175 the NPPF indicates that "when determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity 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;
b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity."

The accompanying ODPM / Defra Circular 06/2005 remains pertinent; circular 06/2005 is prescriptive in how planning officers should deal with protected species, see paragraphs 98 and 99:

The presence of a protected species is a material consideration when considering a proposal that, if carried out, would be likely to result in harm to the species or its habitat (see ODPM/Defra Circular, para 98)

LPAs should consider attaching planning conditions/entering into planning obligations to enable protection of species. They should also advise developers that they must comply with any statutory species protection issues affecting the site (ODPM/Defra Circular, para 98)

The presence and extent to which protected species will be affected must be established before planning permission is granted. If not, a decision will have been made without all the facts (ODPM/Defra Circular, para 99)

Any measures necessary to protect the species should be conditioned/planning obligations used, before the permission is granted. Conditions can also be placed on a permission in order to prevent development proceeding without a Habitats Regulations Licence (ODPM/Defra Circular, para 99).

The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.

Further to NPPF and OPDM Circular 06/2005, Section 40 of the Natural Environment and Rural Communities Act (2006) states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

10 References

BS42020. Biodiversity - Code of Practice for planning and development. British Standards Institution 2013.

Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System. http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity

Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edn). The Bat Conservation Trust, London.

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Mitchell-Jones, A.J. & McLeish, A.P. (2004). *Bat Workers Manual*. JNCC

Mitchell-Jones, A.J. (2004). *Bat Mitigation Guidelines*. English Nature.

National Planning Policy Framework 2018: https://www.gov.uk/government/collections/revised-national-planning-policy-framework#revised-national-planning-policy-framework

The Conservation of Habitats and Species Regulations 2017. https://www.legislation.gov.uk/uksi/2017/1012/contents/made

UKBAP 1995. *UK Biodiversity Action Plan*. http://www.ukbap.org.uk/

Appendix 1: NYBG bat roost records