

Bats and Planning:

how and when should bats be considered during land planning processes?

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What are land planning processes?

Forward Planning

- ▶ Local Plans, incl land allocations
- ▶ Local Development Frameworks – for key allocations
- ▶ Supplementary Planning Documents
- ▶ Neighbourhood Development Plans

Development Management

- ▶ Planning applications
- ▶ Enforcement on naughty people

Development Management

In Teignbridge we require applicants to submit:

- ▶ A bat roost survey report for anything that might impact a bat roost
 - ▶ e.g. demolitions, roof works, barn conversions, etc
- ▶ A bat activity & roost survey report for all greenfield developments

Bat Survey reports:

- ▶ Show the survey findings
- ▶ Assess the impacts of the development
- ▶ Propose a suite of mitigation measures
- ▶ Give batty advice to the applicant
- ▶ Explain any need for a NE licence

After the Survey

The Report then 'informs' the planning decision:

- ▶ If no bats, add an Informative, saying 'Just in case a bat turns up..';
- ▶ If bats are present mitigation / compensation is secured by Conditions;
- ▶ If it's a really important roost, refusal may be necessary.

What sort of Conditions?

- ▶ Retention of existing roost and access
- ▶ Provision of an alternative roost
- ▶ Timing / methods to avoid disturbing bats
- ▶ Lighting controls
- ▶ Retention of dark corridors / vegetation
- ▶ Creation of new habitats / corridors

Bat SACs

- ▶ SAC = Special Areas of Conservation
- ▶ = Legally protected European wildlife site

- ▶ South Hams SAC for greater horseshoe bats
- ▶ Beer Quarry & Caves SAC for Bechstein's, GHB & LHB

SAC protection

Under the Habitat Regulations:

- ▶ **Reg 63** says Euro sites must be protected through planning process.
- ▶ Planners do an **Appropriate Assessment** of the effect on the integrity of SAC.
- ▶ Full avoidance / mitigation of harm must be secured.
- ▶ If harm cannot be fully mitigated, permission **MUST** be refused.

South Hams SAC

- ▶ Six GHB roosts designated
- ▶ Bats' habitats get protection too....
- ▶ Five Councils share a joint approach to protecting SH SAC bats
- ▶ 4km Sustainance Zones round SAC roosts
 - Protect/mitigate foraging land and flight routes
- ▶ Between Sustainance Zones
 - Protect landscape scale network of flyways

South Hams SAC Appropriate Assessments

- ▶ Councils do an Appropriate Assessment of the proposal & mitigation
- ▶ AA may show more mitigation is needed
- ▶ Refuse the application if full mitigation is not possible
- ▶ This can only be over-ridden if the development is of 'overriding public importance'
- ▶ The Secretary of State for development stuff decides in such cases

SAC Supplementary Planning Document

- Natural England's South Hams SAC Planning Guidance is out of date
- A new South Hams SAC SPD will replace it
- Consultation ends on 13 June
- Google South Hams SAC SPD to comment

Forward Planning - Land Use Plans

Habitat Regulations **105 & 106** require Land Use Plans documents to be Appropriately Assessed too, i.e. every new:

- ▶ Local Plan & Revisions
 - ▶ Local Development Framework
 - ▶ Neighbourhood Development Plan
 - ▶ and many Supplementary Planning Documents.
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- ▶ NE must be consulted on these AAs.

How you can be involved

- Respond to Public Consultations
 - keep an eye on the media
- Comment on Planning Applications
 - listed online and adverts on site
- Help produce your local Neighbourhood Development Plan

Neighbourhood Development Plans: What they can and can't do...

NDPs aren't allowed to:

- ▶ Undermine, repeat, or give greater protection than existing national / local plan policies !

They can:

- ▶ Say how the Parish's cut of Community Infrastructure Levy money will be spent
- ▶ Identify and protect Local Green Spaces for wildlife
- ▶ But these must be justified with evidence

THE END

