



Bat Emergence and Re-entry Surveys

21-57 Willow Way, London, Lewisham SE26 4QP

Kitewood Estates Ltd

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, paragraph 174 of the National Planning Policy Framework for England.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

Executive Summary

Arbtech Consulting Ltd was commissioned by Kitewood Estates Ltd to undertake a bat Emergence survey at 21-57 Willow Way, Lewisham, London SE26 4QP. The survey was completed on 3rd May 2023. The aim of the assessment was to confirm the presence/likely-absence of a bat roost and to provide a current status on all survey features. This includes providing evidence for species, numbers and levels of activity, to identify any entrance and egress points, and to gain an understanding of the activity of bats using the site in the local landscape.

This report is prepared to inform a future planning application with The London Borough of Lewisham. The proposed development is described as:

- The demolition of the existing buildings and the construction of a mixed-use development.

Recommendations

Ref	Recommendations / Mitigation
Site buildings	No further surveys required, but enhancement recommended. In the unlikely event that bats are unexpectedly found during any stage of the development, work should stop immediately, and a suitably qualified ecologist should be contacted to seek further advice.

Contents

1.0 Introduction and Context..... 6

1.1 Background 6

1.2 Site Context 7

1.3 Scope of the Report 8

1.4 Project Description 9

2.0 Methodology 9

2.1 BERS..... 9

2.2 Surveyors..... 10

2.3 Limitations..... 10

3.0 Results and Evaluation..... 11

3.1 Survey Results 11

4.0 Conclusions, Impacts and Recommendations 12

4.1 Informative Guidelines..... 12

4.2 Evaluation..... 13

5.0 Bibliography..... 14

Appendix 1: Proposed Development Plan..... 15

Appendix 2: Site Location Plan..... 16

Appendix 3: Bat Survey Plan..... 17

Appendix 4: Legislation and Planning Policy Related to Bats 18

1.0 Introduction and Context

1.1 Background

Arbtech Consulting Ltd was commissioned by Kitewood Estates Ltd to undertake a bat Emergence survey at 21-57 Willow Way, Lewisham, London SE26 4QP (hereafter referred to as “the site”). A plan showing the proposed development is provided in Appendix 1.

The aim of the bat survey was to determine the presence or likely absence of roosting bats and to characterise any roosts present. This has been undertaken with due consideration to the “Bat Surveys for Professional Ecologists —Good Practice Guidelines” publication (Collins, 2016).

The survey has been informed by a Preliminary Ecological Appraisal (PEA), which was undertaken by ECOSA, on 30th November 2022. The survey results from this are summarised in Table 1 below:

Table 1: Results of the PRA and subsequent survey requirements

Feature	Survey conclusions (with justification)	Foreseen impacts	Recommendations
Site	<p><i>Desktop Study Results</i></p> <p><i>Consultation with the MAGIC database produced three records of bats within the desktop study area. These licences covered the destruction of a resting place for common pipistrelle <i>Pipistrellus pipistrellus</i> and destruction of a resting and breeding place for Leisler’s bat <i>Nyctalus leisleri</i>. The closest licence is located approximately one kilometre to the west of the site and was granted in 2015.</i></p>	<p><i>B1 and B5 are assessed as having low suitability to support roosting bats and therefore the demolition of these buildings could result in the loss of a roost and/or injury/disturbance to individual bats (if present). Therefore, bats are considered a constraint to the proposals. The proposals at present do not include an increase</i></p>	<p><i>As B1 and B5 have low suitability for roosting bats further bat emergence/re-entry surveys are required in order to ascertain the presence/ likely absence of roosting bats within the buildings. In accordance with the current best practice guidelines (Collins, 2016) for a building assessed as having low suitability a single dusk emergence or dawn re-entry survey is required to establish presence/likely absence. Should the presence of roosting bats be confirmed, the data also allows for an assessment of the status of the roost if present.</i></p>

Bat survey (night)

	<p><i>Building Assessment</i> The field survey assessed two buildings as having low suitability for roosting bats due to the presence of potential roosting features and three buildings as negligible for roosting bats. The full results of the building assessment are provided in Table 1.</p> <p><i>Tree Assessment</i> All trees at the site are assessed as having negligible suitability to support roosting bats.</p> <p><i>Foraging and Commuting Habitat</i> Along the eastern boundary there is a line of vegetation, that is offsite, which is a suitable linear feature for foraging and commuting bats. There is a lot of light spill onto the site from street lights along Willow Way and security lights within the site. The site is dominated by buildings and hardstanding with very limited vegetated habitats present therefore the site is considered to have negligible suitability to support foraging and commuting bats.</p>	<p><i>in lighting levels at the site. In England, bats and their habitat are fully protected under the Wildlife and Countryside Act 1981 through inclusion in Schedule 5. In addition, all bat species are protected under the Conservation of Habitats and Species Regulations 2017. Refer to Appendix 5 for details.</i></p>	<p><i>The survey must be undertaken within the peak bat survey season (May to August, inclusive). The dusk emergence survey will commence approximately 15 minutes before sunset until approximately two hours after sunset. The Dawn survey will commence two hours prior to sunrise until approximately 15 minutes after sunrise. Seven surveyors will be required in order to provide sufficient coverage of the two buildings. Surveyors will be suitably experienced and will be equipped with specialised bat detectors. Upon completion of the surveys, identification of the bats present through bat call analysis can be undertaken to reveal the species utilising the site.</i></p>
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1.2 Site Context

The survey site is centred on National Grid Reference TQ 3505 7214 and has an area of approximately 0.2ha. The survey area consists of commercial buildings and a hard standing yard.

A site location plan is provided in Appendix 2.

Bat survey (night)

1.3 Scope of the Report

This report provides a description of the bat activity observed and recorded during BERS. The aim of the surveys was to determine the presence or likely absence of bats and to characterise any roosts present including species, number of individuals, number and location of roost access points, and to gain an understanding of how bats use the site. The report provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any mitigation proposals, including a European Protected Species Licence (EPSL), where appropriate, to achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- BERS of has been undertaken to determine the presence or likely absence of bat roosts in the identified features of value.
- An outline of potential impacts on any confirmed or unidentified roosts has been provided, based on the proposed development.
- Recommendations for mitigation have been made, along with advice on the requirements for a European Protected Species Licence (EPSL) application if appropriate.
- Opportunities for the enhancement of the site for roosting, foraging and commuting bats have been set out.

1.4 Project Description

This report is prepared to inform a future planning application with The London Borough of Lewisham. The proposed development is described as:

- The demolition of the existing buildings and the construction of a mixed-use development.

2.0 Methodology

2.1 BERS

Bat emergence and/or re-entry surveys (BERS) were undertaken on the survey feature, as per the recommendations from the Preliminary Roost Assessment. The survey schedule involved surveyors positioned around the feature(s) ensuring that all elevations and roof sections/sides with suitable roosting features could be clearly observed. Particular attention was paid to the areas identified as providing suitable access points to bat roosts. Each surveyor was assigned an area of the to observe for the duration of the survey.

Surveyors used heterodyne and frequency division bat detectors, and Echo Meter Touch detectors connected to iPads or Android tablets. Bat echolocation calls recorded during the surveys were analysed using Wildlife Acoustics sound analysis software Kaleidoscope V3.1.7 when required. The Echo Meter Touch includes an auto ID function for bat species, however this is not 100% accurate and further post-survey sound analysis is often required to confirm species that could not be identified by the auto ID software during the survey. Night vision aids (NVA) are used on surveys where required (i.e., when an elevation with a roosting feature becomes too dark to see with the naked eye), including Nightfox Swift and Nightfox Red IR goggles. Surveyors also used head torches, survey record sheets and pens/pencils for recording all activity observed during the surveys. Each surveyor was also provided with a handheld radio for communication between surveyors to assist with confirming ambiguous bat activity e.g. a bat emergence or a bat passing over the feature.

Dusk emergence surveys commence 15 minutes before sunset and continue for 1½ - 2 hours after sunset – depending upon bat activity and surveyor visibility. Dawn re-entry surveys commence 2 hours before sunrise and continue until 15 minutes after sunrise – although based on the *Interim Guidance Note: Use of night vision aids for bat emergence surveys and further comment on dawn surveys* (BCT May 2022) these are no longer considered a mandatory part of a survey schedule for efficacy and health and safety reasons.

Bat survey (night)

Surveys were completed during optimal weather conditions i.e., when temperatures were above 10°C, with no rain or strong winds (greater than 5m/s), as these adverse weather conditions can impact upon bat emergence and foraging behaviour. Periods of high moon illuminance (>80%) were also avoided insofar as possible as this can reduce bat activity.

2.2 Surveyors

The lead surveyor was Craig Williams BSc, MSc, MRSB (Natural England Protected Species Licence Numbers: [Bats] (2018-33540-CLS-CLS) who was assisted by other surveyors with several years of bat survey experience. The number, experience and designated position of each surveyor during each survey is detailed in the tables in Section 3.1 below and shown on the plan in Appendix 3.

2.3 Limitations

The survey follows best practice guidance to confirm presence or likely absence of roosting bats and where present, characterise the roost. However, this information is collected at finite dates and times, and provides an indication of the conditions on site only. The use of the survey features and the site as a whole by bats, at all times cannot be established based on this information. Bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time.

- There were no identified limitations to the survey.

3.0 Results and Evaluation

3.1 Survey Results

The results of each survey are provided in the table(s) below.

Table 2: Survey results

Date		03/05/23
Start and end times		20:12 – 21:57 Sunset: 20:27
Weather conditions		<div>Start:</div> <div>Temp: 10oC</div> <div>Relative Humidity: 65%</div> <div>Cloud Cover: 10%</div> <div>Wind: 4.1m/2</div> <div>Rain: None</div> <div>End:</div> <div>Temp: 9oC</div> <div>Relative Humidity: 72%</div> <div>Cloud Cover: 0%</div> <div>Wind: 3.0m/2</div> <div>Rain: None</div>
Surveyor (position) As shown in Appendix 3		Craig Williams - Natural England Bat Licence: 2018-33540-CLS-CLS (Position 1) Chris Wren – Bat surveyor of 3 years' experience (Position 2) Helen Worlock – Bat surveyor of 10 years' experience (Position 3) Oli Westergaard– Bat surveyor of 7 years' experience (Position 4) David Lionel – Bat surveyor of 7 years' experience (Position 5) Nicholas Foxtton – Bat surveyor of 7 years' experience (Position 6) Hugo James – Bat surveyor of 7 years' experience (Position 7)
Building/tree reference	Surveyor position	Notes/observations:
B1	1	No bats seen or heard for the duration of the survey.
B1	2	No bats seen or heard for the duration of the survey.
B1	3	No bats seen or heard for the duration of the survey.
B1	4	No bats seen or heard for the duration of the survey.
B3	5	No bats seen or heard for the duration of the survey.
B3	6	No bats seen or heard for the duration of the survey.
B3	7	No bats seen or heard for the duration of the survey.

Bat survey (night)

4.0 Conclusions, Impacts and Recommendations

4.1 Informative Guidelines

A summary of the relevant legislation and planning policies is provided in Appendix 4.

Bats are protected under the Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2017 (amended by the Conservation of Habitats and Species Regulations (amendment) (EU Exit) Regulations 2019).

When bat roosts are present, the bat surveys undertaken at a site facilitate the characterisation of the roost type. This allows for appropriate mitigation and compensation to be designed to inform a European Protected Species Licence (EPSL) application to Natural England.

The definitions of bat roost types are provided below, taken from the *Bat Mitigation Guidelines* (English Nature, 2004) and the Bat Conservation Trust (BCT) publication *Bat Surveys for Professional Ecologists – Good Practice Guidelines* (Collins, 2016).

Day roost: a place where individual bats, or small groups of males, rest or shelter in the day but are rarely found by night in the summer.

Night roost: a place where bats rest or shelter in the night but are rarely found in the day. May be used by a single individual on occasion or it could be used regularly by the whole colony.

Feeding roost: a place where individual bats or a few individuals rest or feed during the night but are rarely present by day.

Transitional / occasional roost: used by a few individuals or occasionally small groups for generally short periods of time on waking from hibernation or in the period prior to hibernation.

Swarming site: where large numbers of males and females gather during late summer to autumn. Appear to be important mating sites

Mating sites: sites where mating takes place from later summer and can continue through winter.

Maternity roost: where female bats give birth and raise their young to independence.

Hibernation roost: where bats may be found individually or together during winter. They have a constant cool temperature and high humidity. Sites where hibernating bats have been confirmed by appropriate survey effort should be classed as 'hibernation confirmed'.

Satellite roost: an alternative roost found in close proximity to the main nursery colony used by a few individual breeding females to small groups of breeding females throughout the breeding season.

Other: roost types are interchangeable and not always easy to classify according to the nuances of certain species.

Bat survey (night)

An EPSL **will not be required** to enable the proposed works to be lawfully undertaken. Appropriate justification for this assessment is provided in Table 5 of this report.

4.2 Evaluation

Taking the field survey results into account, Table 7 presents an evaluation of the value of the survey features for roosting bats in relation to the proposed development.

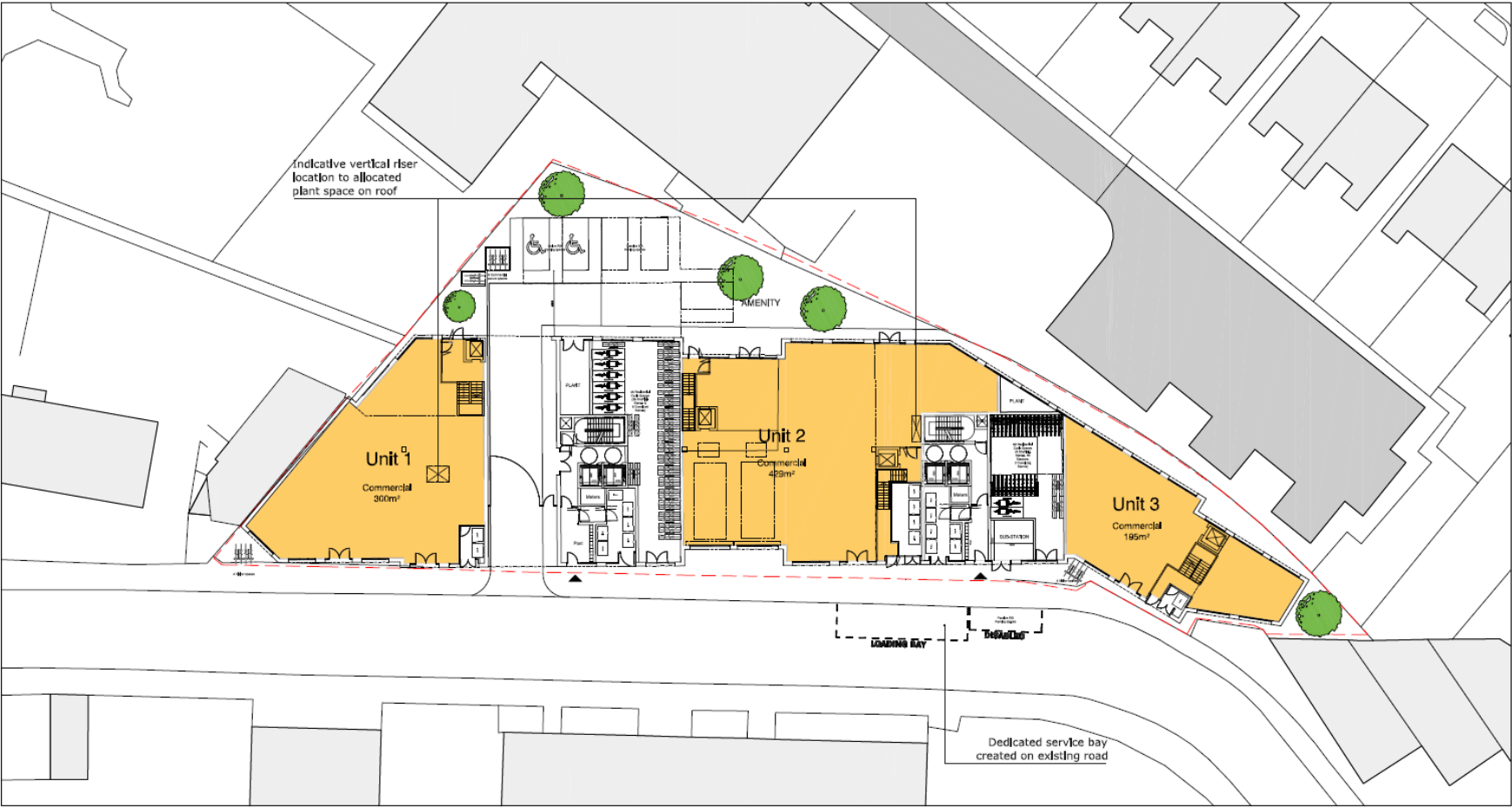
Table 7: Evaluation of survey features on site for roosting bats

Feature	Survey conclusions (with justification)	Foreseen impacts	Recommendations <i>Measures required to adhere to guidance, legislation and planning policies.</i>	Enhancements <i>The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021)</i>
<i>Site buildings including B1 and B5, the subjects of the night survey.</i>	There is a likely absence of roosting bats in B1 and B5 and the other site buildings based on the evidence gathered to date.	Bats are very unlikely to be roosting within B1 and B5, and the other site buildings and as such, there are not anticipated to be any impacts on bats in this location as a result of the proposed development	No further surveys required, but enhancement recommended. In the unlikely event that bats are unexpectedly found during any stage of the development, work should stop immediately, and a suitably qualified ecologist should be contacted to seek further advice.	The installation of a minimum of eight bat boxes on the new buildings will provide additional roosting habitat for bats Bat boxes could be incorporated into new buildings on the site e.g. Habibat Bat Box or other wall integrated model Bat tubes should be inserted into the fabric of the building during construction, positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance and facing landscapes areas, away from artificial light.

5.0 Bibliography

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Appendix 1: Proposed Development Plan



A GROUND FLOOR PLAN
1:200@A1, 1:400@A3

REVISIONS

DRAFT
14/12/2022

0 2 m 10 m

Project:
21-57 Willow Way
Sydenham

Client:
Kitewood Estates Ltd

Scale:
1:200 @A1

Title:
GROUND FLOOR PLAN

Drawing Number:
KTW034-DCR-GF-PL-A-0100

Date:
16,11,2022

Drawn by:
CF

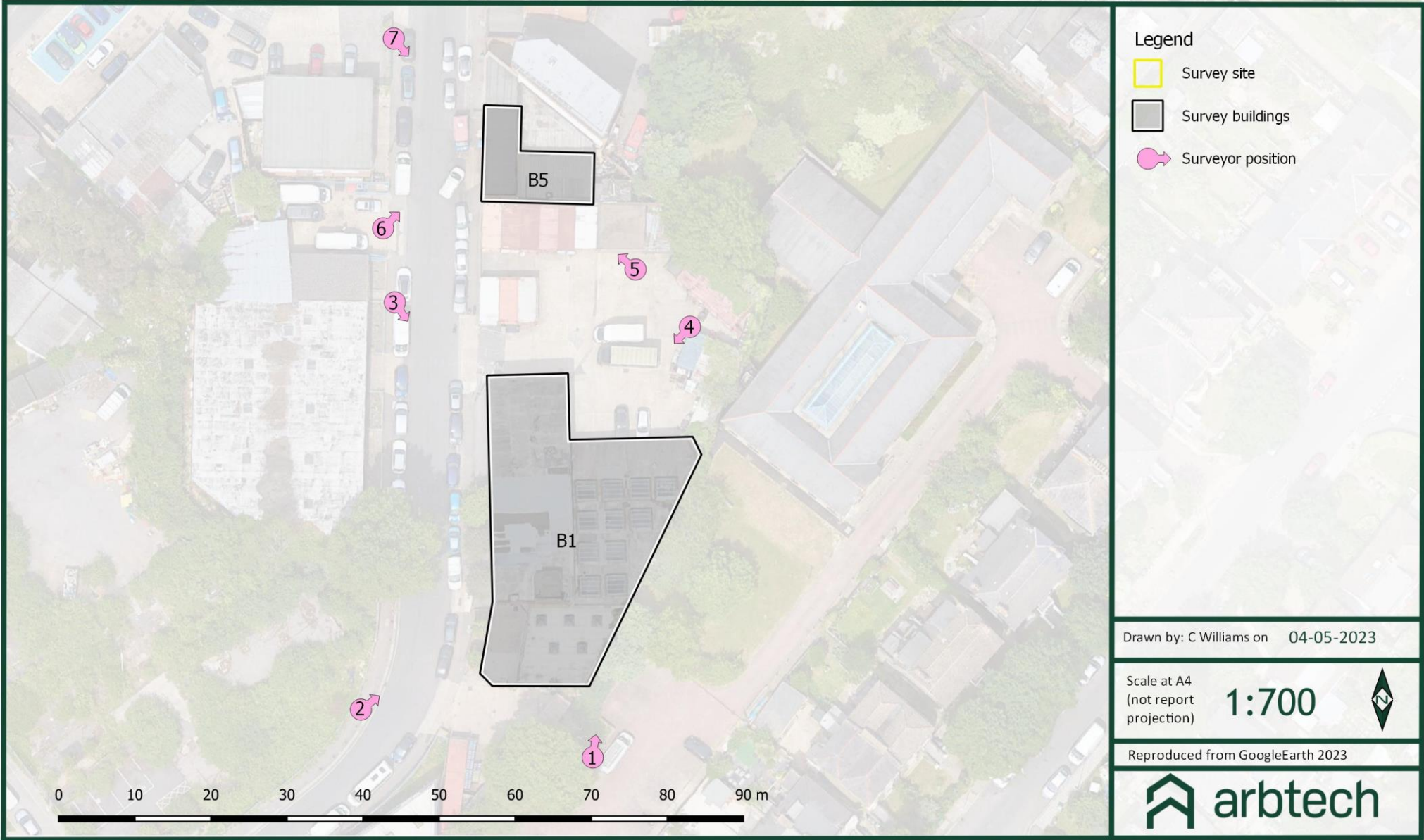
Approved by:
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Appendix 2: Site Location Plan



Appendix 3: Bat Survey Plan



Appendix 4: Legislation and Planning Policy Related to Bats

LEGAL PROTECTION

All species of bat are fully protected under ***The Conservation of Habitats and Species Regulations 2017*** (as amended) through their inclusion on Schedule 2.

Regulation 43: Protection of certain wild animals - offences

(1) A person is guilty of an offence if they:

- (a) Deliberately captures, injures or kills any wild animal of a European protected species,
- (b) Deliberately disturbs wild animals of any such species,
- (c) Deliberately takes or destroys the eggs of such an animal, or
- (d) Damages or destroys a breeding site or resting place of such an animal,

(2) For the purposes of paragraph (1) (b), disturbance of animals includes in particular any disturbance which is likely—

- (a) To impair their ability:
 - (i) To survive, to breed or reproduce, or to rear or nurture their young; or
 - (ii) In the case of animals of a hibernating or migratory species, to hibernate or migrate; or
- (b) To affect significantly the local distribution or abundance of the species to which they belong.

Bats are also protected under the ***Wildlife and Countryside Act 1981*** (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale

NATIONAL PLANNING POLICY (ENGLAND)

National Planning Policy Framework 2021

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by Natural England will be required for works likely to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficiency/success to be monitored. The legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded *de facto* protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost (Garland & Markham, 2008).

There are 17 species of bat breeding in England and Natural England issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

Licences are issued for specific purposes stated in the Regulations, if the following three tests are met:

- The purpose of the work meets one of those listed in the Habitats Regulations (see below);
- That there is no satisfactory alternative;
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range

The Habitats Regulations permits licences to be issued for a specific set of purposes including:

- include preserving public health or public safety or other imperative reasons of over-riding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- scientific and educational purposes;

Bat survey (night)

- ringing or marking; and,
- conserving wild animals.

Development works fall under the first purpose and Natural England issues bat mitigation licences for developments.

EUROPEAN PROTECTED SPECIES POLICIES

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.