



Bat Survey - Emergence and Re-Entry

Southmere Farm, Langstone, Hampshire PO9 1QX

Claire Ray – Langstone Estates

Status	Issue	Name	Date
Draft	1	Natalie Evans BA (hons) MA, MRSB, Senior Consultant	11/06/18
Reviewed	1.1	Jo Gregory BA (Hons) MSc GradCIEEM, Senior Consultant	14/06/18
Final	3	Natalie Evans BA (hons) MA, MRSB, Senior Consultant	14/06/18

Arbtech Consultant's Contact details:

Natalie Evans MA, MRSB

Senior Consultant

Tel: 07860951397 Email: ne@arbtech.co.uk

Arbtech Consulting Ltd

<https://arbtech.co.uk>

Limitations and Copyright

Arbtech Consulting Limited has prepared this report for the sole use of the above-named Client or their agents in accordance with our General Terms and Conditions, under which our services are performed. It is expressly stated that no other warranty, expressed or implied, is made as to the professional advice included in this Report or any other services provided by us. This report may not be relied upon by any other party without the prior and express written agreement of Arbtech Consulting Limited. The assessments made assume that the sites and facilities will continue to be used for their current purpose without significant change. The conclusions and recommendations contained in this report are based upon information provided by third parties. Information obtained from third parties has not been independently verified by Arbtech Consulting Limited.

© This report is the copyright of Arbtech Consulting Limited. Any unauthorised reproduction or usage by any person other than the addressee is strictly prohibited.

Executive summary

Arbtech Consulting Ltd. undertook a suite of emergence/re-entrance surveys at Southmere Farm, Langstone, Hampshire PO9 1QX on 3rd May, 25th May and 9th June 2018. The aim of the assessment was to determine the presence/likely absence of bat roosts in the building as identified in the PRA (Arbtech 2017).

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

The development proposals will involve demolition of all existing buildings to redevelop the site for housing - 3 x 4 bedroom detached houses, 2 with detached garage, 1 with integral garage.

Recommendations

Ref	Survey assessment conclusions (Type of bat roost present)	Foreseen impacts	Recommendations / Mitigation	Enhancements
B1	No roosts confirmed. The site is an important foraging and commuting resource for local bat roosts. The track leading towards the stream is used by common pipistrelles, soprano pipistrelles and myotis bats.	The proposed development will lead to an increase in lighting on site which will disrupt foraging and commuting.	- Lighting will be controlled across the developed site. - The key area of the site which is sensitive to artificial lighting is the track running along the southern boundary which is used by numerous bats as a commuting route to and from the stream and woodland which is used as a foraging resource. - The lighting on the developed site will be limited to the new buildings only. No lighting will be installed that will illuminate the site boundaries thereby maintaining the existing dark areas within the developed site for bats. - Low impact lighting strategies will be adopted from the guidance outlined in the Bat Conservation Trust “Bats and Lighting” publication: http://www.bats.org.uk/pages/bats_and_lighting.html	The Local Planning Authority has a duty to ask for enhancements under the NPPF and circular 06/2005: Biodiversity and Geological Conservation. Para.99 An integrated bat box will be added to the southern elevation of each new house. These will be positioned high up close to the eaves and must be unlit by artificial light.

			• The lighting on the site will: - Use narrow spectrum light sources to lower the range of species affected by lighting - Use light sources that emit minimal ultra-violet light - Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue short wave length content they should be of a warm / neutral colour temperature <4,200 kelvin. - Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal. • Light spill will be reduced via the use of low level lighting used in conjunction with hoods, cowls, louvers and shields. Lights will also be directional to ensure that light is directed to the intended areas only. • External lighting will be positioned below the eaves, be on PIR sensors that are sensitive to large objects only (so that they are not triggered by passing bats) and will be set to the shortest time duration to reduce the amount of time the lights are on. • Wall lights and security lights will be 'dimnable' and set to the lowest light intensity settings. There are several products on the market that allow the control of the light intensity and the duration that the lights are on. All lighting on the developed site will make use of the most up to date technology available.	
B1	Birds – The site is a confirmed nesting site for swallows in B1. There was also a nest of another species present in B2.	Active nests could be destroyed or disturbed during the works.	Buildings will be demolished outside of the nesting season (March-August). If this is not possible to avoid this time frame then a nesting bird check will be carried out by an ecologist immediately prior to the start of work. If any active nests are identified these must be left in situ, undisturbed until the young have fledged.	The following nest boxes will be added to the new buildings: Schwegler 10 Swallow Nest x 2 on each building

	A barn owl was seen on site during the dawn re-entry surveys. Evidence of barn owl roosting was found in B3 in the form of droppings and pellets.	Barn owls could be disturbed during demolition. There will be a loss of roosting habitat.	Barn owl boxes have already been erected in the tree line south of the site. These will be checked prior to the start of work to ensure they are suitable and will provide long-term compensation for the loss of the barns. Prior to demolition of any of the buildings, a barn owl survey will be carried out to establish whether this species is currently utilising the buildings for roosting/nesting.	Schwegler 9b Double House Martin Nest x 1 on each building. The boxes will be placed under the eaves in a sheltered position.
--	--	--	---	---

For full justification of these recommendations, please go straight to section [4.0 Conclusions, Impacts and Recommendations](#). Otherwise, the full report starts below.

Contents

1.0 Introduction and Context	7
1.1 Background	7
1.2 Site Context	7
1.3 Scope of the report	7
1.4 Project Description	8
2.0 Methodology	8
2.1 Desk Study methodology	8
2.2 Site Survey methodology	8
2.3 Surveyors	9
2.4 Survey Timings and Weather Conditions	9
2.5 Limitations – evaluation of the methodology	10
3.0 Results and Evaluation	11
3.6 Survey Results	11
4.0 Conclusions, Impacts and Recommendations	14
4.1 Informative guidelines	14
4.2 Evaluation	15
5.0 Bibliography	18
Appendix 1: Survey Plan	19
Appendix 2: Proposed Site Plan	20
Appendix 3: Legislation and Planning Policy related to bats	21

1.0 Introduction and Context

1.1 Background

Arbtech were commissioned by Langstone Estates to undertake a suite of emergence/re-entrance surveys at Southmere Farm, Langstone, Hampshire PO9 1QX. The assessment is informed by the Bat Conservation Trust Publication *Bat Surveys for Professional Ecologists – Good Practice Guidelines* (Collins, J. (Ed.) 2016).

These surveys were completed following recommendations made in the Preliminary Roost Assessment Survey report (Arbtech Consulting Ltd. March 2018)

1.2 Site Context

The site is located at National Grid Reference SU 7147 0527 and covers approx. 1,500m². The site lies on the southern outskirts of Langstone in close proximity to Chichester and Langstone Harbours Ramsar Site, Langstone Harbour Site of Special Scientific Interest (SSSI), and Chichester and Langstone Harbours Special Protection Area (SPA).

1.3 Scope of the report

This report provides a description of the bat activity observed and recorded during each survey. The aim of the assessment was to characterise any roosts present including species, numbers and access points, roosting locations, timing of use and type of roost, and to gain an understanding of how bats use the site.

Robust data has been collected, following good practice guidelines, to inform an assessment of the potential impacts of the proposed development on bats, and inform mitigation and enhancement. This report provides information on constraints to the proposals as a result of roosting bats, and summarises any mitigation required to achieve planning permission, and statutory consent to comply with wildlife legislation.

To achieve the aims of the assessment, the following steps have been taken:

- A desk study has been carried out, including a request for information from the local records centre - please refer to the Preliminary Roost Assessment Survey report (Arbtech, 2018).
- A field survey has been undertaken, including an external survey and internal inspection.
- An outline of likely impacts on any known roosts has been provided, based on current development proposals.
- Recommendations for further survey and assessment have been made, along with advice on European Protected Species Mitigation Licensing if appropriate.

A survey plan is presented in Appendix 1 showing the location of each surveyor and the bat activity observed and recorded during each survey, the proposed plan is included in Appendix 2 (where available), and a summary of relevant legislation can be found in the Appendix 3.

1.4 Project Description

The development proposals involve demolition of all existing buildings to redevelop the site for housing - 3 x 4 bedroom detached houses, 2 with detached garage, 1 with integral garage. The proposed site plan is included in Appendix 2 (where available).

2.0 Methodology

2.1 Desk Study methodology

Existing bat records relating to the site and a surrounding 2km radius (the study area) are required to conform to national guidelines and these have been obtained from Hampshire Biodiversity Information Centre (HBIC). A review of the landscape structure using aerial images from Google Earth and OS maps, and designated sites, habitat and granted EPSL records held on Magic.gov.uk was completed for this report.

2.2 Site Survey methodology

The survey methods were informed by the Preliminary Roost Assessment (PRA) completed by Arbtech Consulting Ltd (March 2018). This survey identified the following survey requirements in line with best practice:

B1 – Roost presence/likely absence surveys are required on the building.

Three bat emergence/re-entry surveys are required during the active bat season (May – September). To comply with national guidelines at least two of the surveys should be completed during the optimal survey period (mid-May to August), and one of the surveys must be a dawn re-entry survey.

Three surveyors are required to provide full coverage of the building.

The surveys involved surveyors positioned around the building ensuring that all elevations and roof sections could be clearly observed. Particular attention was paid to the areas of the building identified as providing suitable access points to bat roosts. The location of each surveyor during each survey is shown in Appendix 1. Each surveyor was assigned an area of the building to observe for the duration of the survey. Surveyors used Heterodyne and Frequency Division bat detectors, and Wildlife Acoustics EM3+ and Echo Meter Touch detectors connected to iPads. Bat echolocation calls recorded during the surveys were analysed using Wildlife Acoustics sound analysis software Kaleidoscope V3.1.7 when required. That is, the Echo Meter Touch includes an Auto ID bat species, however this is not 100% accurate and further post-survey sound analysis is often required to confirm species misidentified by the Auto ID software during the survey. Surveyors also used survey record sheets, pens/pencils, head torches for recording all activity observed during the surveys including foraging and commuting behaviour as well as emergence/re-entries by bats. Surveyors equipped with night vision binoculars and/or thermal imaging equipment are identified by “NV” or “ThIm” in Table 7. All surveyors had hand held radios for communication between surveyors to assist with confirming obscure bat activity e.g. a bat emergence or a bat passing over the building.

Emergence and Activity Bat Surveys

In accordance with the latest bat survey guidelines (Collins, J. 2016) dusk emergence surveys commenced 15 minutes before sunset and continued for 1½ - 2 hours after sunset – depending upon bat activity and surveyor visibility. Dawn re-entry surveys commenced 2 hours before sunrise and continued until 15 minutes after sunrise.

Surveys were completed during optimal weather conditions i.e. when temperatures were above 10°C, with no rain or strong winds, as these environmental variables can impact upon bat emergence and foraging behaviour.

2.3 Surveyors

The lead surveyor is Natalie Evans, Bat Licence England: 2016-11257-CLS-CLS and was assisted by 2 other surveyors over the three visits, both with several years of bat survey experience. The designated position of each surveyor during each survey is detailed in the tables in Section 3.6 below and shown on the plan in Appendix 1.

2.4 Survey Timings and Weather Conditions

The dates and times of each survey are presented in Table 1, along with sunset/sunrise times as applicable and the weather conditions at the start and end of each survey.

Table 1: Survey schedule and weather conditions

Reference	Survey date	Survey Start and End Times Sunset/sunrise time	Weather Conditions Start	Weather Conditions END
B1	03/05/18	20:15 – 22:15 Sunset: 20:28	Temp: 14°C Humidity: 58% Cloud Cover: 85% Wind: 3mph Rain: None	Temp: 8.4°C Humidity: 93% Cloud Cover: 95% Wind: 4mph Rain: none
B1	25/05/18	03:00 – 05:20 Sunrise: 05:01	Temp: 13.1°C Humidity: 84% Cloud Cover: 20% Wind: 1mph Rain: None	Temp: 7.7°C Humidity: 98% Cloud Cover: 0% Wind: 1mph Rain: None
B1	09/06/18	02:55 – 05:15 Sunrise: 04:55	Temp: 14.5°C Humidity: 83% Cloud Cover: 5% Wind: 3mph Rain: None	Temp: 12.2°C Humidity: 98% Cloud Cover: 80% Wind: 5mph Rain: None

2.5 Limitations – evaluation of the methodology

These surveys follow best practice guidance to confirm presence/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 building and the site as a whole by bats, at all times cannot be established based on this information.

The eastern elevation of the building could not be observed due to it's the proximity to the boundary. This could lead to an under-recording of bat activity in this area. Despite this limitation it is unlikely that bat roosts were missed in this area as two dawn surveys were carried out and re-entry behaviour would have been seen by Surveyor 2 in this area even if the precise re-entry point would not have been.

3.0 Results and Evaluation

3.6 Survey Results

The results of each survey are provided in the tables below.

Table 2: Survey results – Dusk Emergence Survey

Date		03/05/18
Start and End Times		20:15 – 22:15 Sunset: 20:28
Surveyor (position) As shown in Appendix 1		Natalie Evans - Natural England Bat Licence Number: 2015-11257-CLS-CLS (Position 1 – observing the south and west elevations of B1) Jonathan Kewell – four years' survey experience (Position 2 – observing the southern elevations of B1) Michelle Barnes – one years' survey experience (Position 3 – observing the north elevations of B1)
Building Reference	Surveyor Position	Notes/observations:
B1	1	Prior to the start of the survey an internal inspection of the barn was carried out. No bat evidence was found within the interior of the barn. Nesting swallows were present. From 20:29 onwards there was frequent and constant activity from common and soprano pipistrelles <i>Pipistrellus pipistrellus/pygmaeus</i> with soprano pipistrelles being higher in number. Up to four bats were using the site at any one time for foraging. There was a lot of activity around the roof structure of the survey building with bats circling close to the roof. The whole site was being used as a foraging site. Bats were commuting east to west along the track and to the stream. Noctules passed unseen at 21:00, 21:06 and 21:06. Unidentified <i>Myotis</i> <i>Myotis</i> sp x 3 passed east to west towards the stream at 21:10, 21:12 and 21:13. A Daubenton's bat passed unseen at 21:01 heading to the stream to the west.
B1	2	From 20:29 onwards there was frequent and constant activity from common and soprano pipistrelles with soprano pipistrelles being higher in number. Up to four bats were using the site at any one time for foraging. There was a lot of activity around the roof structure of the survey building with bats circling close to the roof. The whole site was being used as a foraging site. Bats were commuting east to west along the track and to the stream. Unidentified <i>Myotis</i> <i>Myotis</i> sp x 3 passed east to west towards the stream at 21:10, 21:12 and 21:13.
B1	3	From 20:29 onwards there was frequent and constant activity from common and soprano pipistrelles with soprano pipistrelles being higher in number. Up to four bats were using the site at any one time for foraging. There was a lot of activity around the roof structure of the survey building with bats circling close to the roof. Bats were commuting and foraging along the wall to the north to the stream and back.

Table 3: Survey results – Dawn Re-entry Survey

Date		25/05/18
Start and End Times		03:00 – 05:20 Sunrise: 05:01
Surveyor (position) As shown in Appendix 1		Natalie Evans - Natural England Bat Licence Number: 2015-11257-CLS-CLS (Position 1 – observing the south and west elevations of B1) Jonathan Kewell – four years' survey experience (Position 2 – observing the southern elevations of B1) Michelle Barnes – one years' survey experience (Position 3 – observing the north elevations of B1)
Building Reference	Surveyor Position	Notes/observations:
B1	1	Frequent common and soprano pipistrelles passes throughout the survey with bats passing to and from the stream to the west and feeding around the site. A noctule passed at 04:09 unseen. A barn owl passed through the site towards the stream at 04:45.
B1	2	Frequent common and soprano pipistrelles passes throughout the survey with bats passing to and from the stream to the west and feeding around the site. A single common pipistrelle fed in the courtyard from 04:05 until 04:45. A noctule passed at 04:09 unseen.
B1	3	Frequent common and soprano pipistrelles passes throughout the survey with bats passing to and from the stream to the west and feeding around the site.

Table 4: Survey results – Dawn re-entry Survey

Date		09/06/18
Start and End Times		02:55 – 05:15 Sunrise: 04:55
Surveyor (position) As shown in Appendix 1		Natalie Evans - Natural England Bat Licence Number: 2015-11257-CLS-CLS (Position 1 – observing the south and west elevations of B1) Jonathan Kewell – four years’ survey experience (Position 2 – observing the southern elevations of B1) Michelle Barnes – one years’ survey experience (Position 3 – observing the north elevations of B1)
Building Reference	Surveyor Position	Notes/observations:
B1	1	Frequent soprano pipistrelle passes throughout the survey, mostly commuting up and down the track to and from the stream. Bats would regularly fly from the stream, down the track a little way then north east diagonally across the site, passing Surveyor 2 and often stopping to feed in the courtyard. Occasional common pipistrelle passes also in the same directions. At 03:44 an unidentified Myotis passed from the stream down the track west to east.
B1	2	Frequent soprano pipistrelle passes throughout the survey, mostly commuting up and down the track to and from the stream. Bats would regularly fly from the stream, down the track a little way then north east diagonally across the site, passing the Surveyor and often stopping to feed in the courtyard. Occasional common pipistrelle passes also in the same directions. At 03:44 an unidentified Myotis passed from the stream down the track west to east.
B1	3	Regular common and soprano pipistrelle passes west to east/east to west along the northern boundary and across the site north to south and south west towards the stream.

4.0 Conclusions, Impacts and Recommendations

4.1 Informative guidelines

The surveys undertaken to date in and around B4 and B5 provide sufficient information to inform a planning decision. A European Protected Species Mitigation Licence (EPSML) **will not** be required.

Appropriate justification for this assessment is provided in Section 3 and Tables 1 and 2 of this report.

4.2 Evaluation

Taking the desk based assessment and site survey results into account, the following recommendations are reached for each site survey feature.

Table 5: Evaluation of building on site

Ref	Survey assessment conclusions (Type of bat roost present)	Foreseen impacts	Recommendations / Mitigation	Enhancements The Local Planning Authority has a duty to ask for enhancements under the NPPF and circular 06/2005: Biodiversity and Geological Conservation. Para.99
B1	No roosts confirmed. The site is an important foraging and commuting resource for local bat roosts. The track leading towards the stream is used by common pipistrelles, soprano pipistrelles and myotis bats.	The proposed development will lead to an increase in lighting on site which will disrupt foraging and commuting.	- Lighting will be controlled across the developed site. - The key area of the site which is sensitive to artificial lighting is the track running along the southern boundary which is used by numerous bats as a commuting route to and from the stream and woodland which is used as a foraging resource. - The lighting on the developed site will be limited to the new buildings only. No lighting will be installed that will illuminate the site boundaries thereby maintaining the existing dark areas within the developed site for bats. - Low impact lighting strategies will be adopted from the guidance outlined in the Bat Conservation Trust “Bats and Lighting” publication: http://www.bats.org.uk/pages/bats_and_lighting.html - The lighting on the site will: - Use narrow spectrum light sources to lower the range of species affected by lighting - Use light sources that emit minimal ultra-violet light	An integrated bat box will be added to the southern elevation of each new house. These will be positioned high up close to the eaves and must be unlit by artificial light.

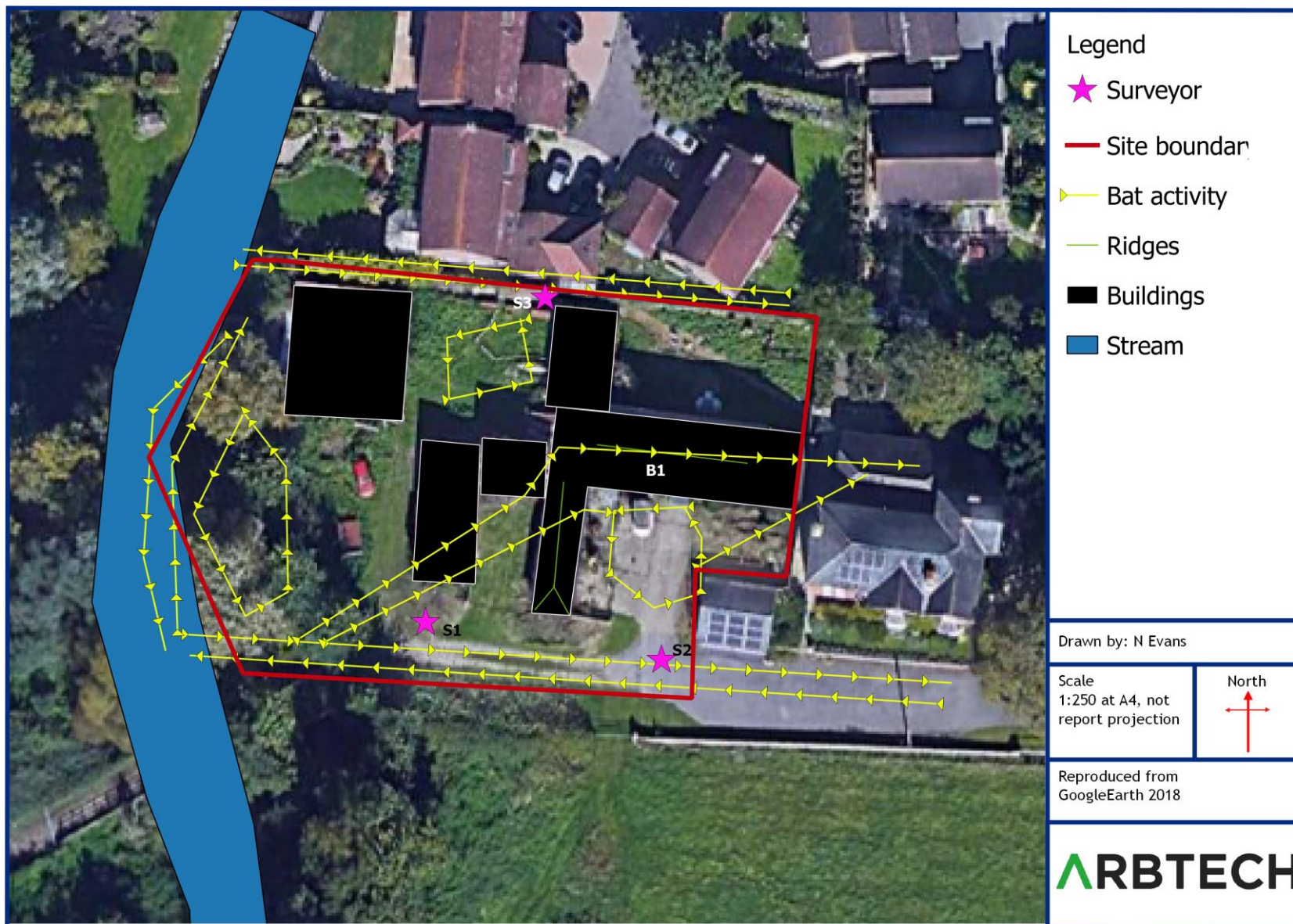
			- Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue short wave length content they should be of a warm / neutral colour temperature <4,200 kelvin. - Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal. • Light spill will be reduced via the use of low level lighting used in conjunction with hoods, cowls, louvers and shields. Lights will also be directional to ensure that light is directed to the intended areas only. • External lighting will be positioned below the eaves, be on PIR sensors that are sensitive to large objects only (so that they are not triggered by passing bats) and will be set to the shortest time duration to reduce the amount of time the lights are on. • Wall lights and security lights will be 'dimmable' and set to the lowest light intensity settings. There are several products on the market that allow the control of the light intensity and the duration that the lights are on. All lighting on the developed site will make use of the most up to date technology available.	
B1	Birds – The site is a confirmed nesting site for swallows in B1. There was also a nest of another species present in B2.	Active nests could be destroyed or disturbed during the works.	Buildings will be demolished outside of the nesting season (March-August). If this is not possible to avoid this time frame then a nesting bird check will be carried out by an ecologist immediately prior to the start of work. If any active nests are identified these must be left in situ, undisturbed until the young have fledged.	The following nest boxes will be added to the new buildings: Schwegler 10 Swallow Nest x 2 on each building Schwegler 9b Double House Martin Nest x 1 on each building.

	A barn owl was seen on site during the dawn re-entry surveys. Evidence of barn owl roosting was found in B3 in the form of droppings and pellets.	Barn owls could be disturbed during demolition. There will be a loss of roosting habitat.	Barn owl boxes have already been erected in the tree line south of the site. These will be checked prior to the start of work to ensure they are suitable and will provide long-term compensation for the loss of the barns. Prior to demolition of any of the buildings, a barn owl survey will be carried out to establish whether this species is currently utilising the buildings for roosting/nesting.	The boxes will be placed under the eaves in a sheltered position.
--	--	--	---	--

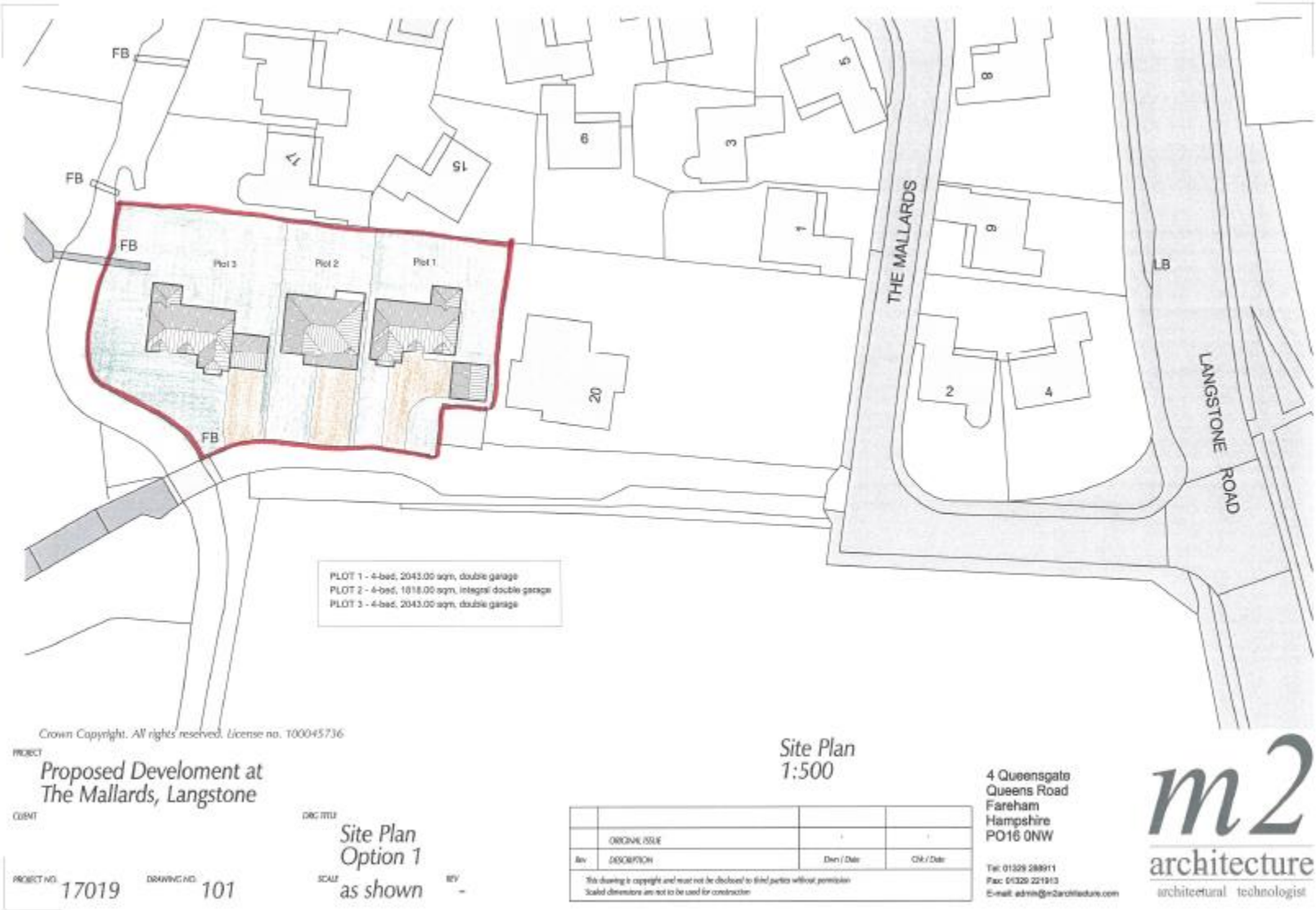
5.0 Bibliography

- Collins, J. (ed.) (2012). Bat Surveys for Professional Ecologists —Good Practice Guidelines, 3rd edition, Bat Conservation Trust, London.
- Garland & Markham (2008) Is important bat foraging and commuting habitat legally protected?
- Google Earth (2017)
- Mitchell-Jones, A.J. (2004). Bat Mitigation Guidelines. English Nature, Peterborough.

Appendix 1: Survey Plan



Appendix 2: Proposed Site Plan



Appendix 3: Legislation and Planning Policy related to bats

LEGAL PROTECTION

All species of bat are fully protected under The Conservation of Habitats and Species Regulations 2010 (as amended) through their inclusion on Schedule 2.

Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats)
- Deliberate disturbance of bat species as:
 - a) to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young
 - (ii) to hibernate or migrate
 - b) to affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

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

Effect on development works:

A European Protected Species Mitigation (EPSM) Licence issued by the relevant statutory authority (e.g. 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)

NATIONAL PLANNING POLICY (ENGLAND)

National Planning Policy Framework

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 UK Biodiversity Action Plan priority species) 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; opportunities to incorporate biodiversity in and around developments are encouraged; 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 (Section 42 in Wales) 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.