

DAERA Environmental Advice for Planning Standing Advice – BATS

This standing advice is for planning officers to inform decision making AND applicants seeking planning permission for development of land which may affect BATS.

This guidance should be read in conjunction with other DAERA Standing Advice for developments which can affect natural heritage interests, the NI Biodiversity Checklist and associated guidance for planners.

Main reason for delays in consultation process

The main reason why there are delays in the consultation process is because of incomplete surveys and incomplete or illegible documentation.

To speed up the consultation process, all documents should be submitted as one package – i.e. all potential impacts on the natural environment from a development proposal should be considered at an early stage and any relevant and necessary ecological information, including all surveys, front loaded with your application. NED has published a Biodiversity Checklist to help you to identify whether you need expert ecological input for your proposed development.

Introduction

Bats are a European protected species (EPS) and some are priority species. They are subject to a system of strict protection and are a material consideration during the planning process. Development can cause disturbance to bats or can impact directly on their places of refuge or on feeding areas. Therefore, bats must be considered carefully when determining any planning application which has the potential to impact on bats.

Typical Habitat and Features Used by Bats

There are currently 8 species of bat in Northern Ireland. Global climate change may bring conditions which may make habitats in Northern Ireland more attractive to the two other species currently found within the Republic of Ireland.

The resting or breeding place of any bat is called a roost and depending on the species and habitat availability, roosts can be found in buildings, bridges, dead and live trees, caves and underground culverts and any other structures with suitable conditions.

Bats feed on insects and as a result they hibernate in winter due to lack of food. They forage over water, along trees and hedgerows and within insect rich habitats such as woodlands or wet grasslands. They can travel great distances to find good foraging habitat and use linear features in the landscape such as hedgerows, tree lines and river corridors to navigate.

In April, bats begin to emerge from hibernation and return to the same roosting sites year after year. They will also use smaller transitional roosts for as little as one night whilst foraging or

commuting to feeding areas or roosting sites. Figure 1 summarises the annual life cycle of bats.

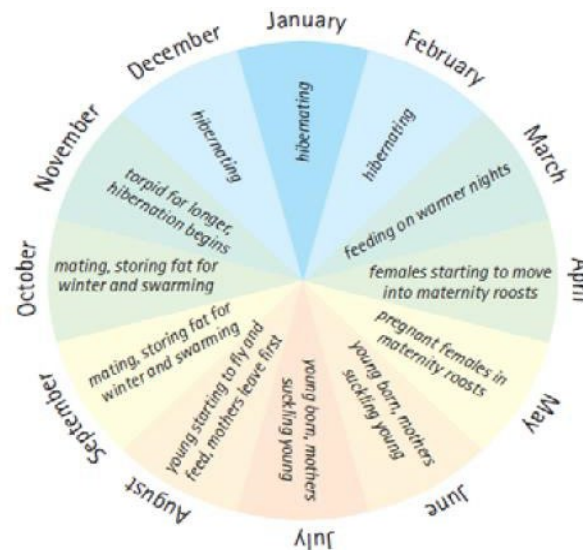


Figure 1: Life cycle of bats. Source: Bat Conservation Trust 2016

Legislation

All bat species in Northern Ireland are listed on Annex IV of the EC Habitats Directive (92/43/EEC) and are protected under the **Conservation (Natural Habitats etc.) Regulations (Northern Ireland) 1995** (as amended), known as the Habitat Regulations. Under the Regulations it is an offence:

- Deliberately to capture, injure or kill a wild animal of a European protected species
- Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection
- Deliberately to disturb such an animal in such a way as to be likely to:
 - affect the local distribution or abundance of the species to which it belongs
 - impair its ability to survive, breed or reproduce, or rear or care for its young; or
 - Impair its ability to hibernate or migrate
- Deliberately to obstruct access to a breeding site or resting place of such an animal; or
- To damage or destroy a breeding site or resting place of such an animal.

There is no provision within the legislation to issue licences to kill bats for the purpose of development.

Policy

Planning Policy Statement 2 Natural Heritage (PPS2), Policy NH2 and the Strategic Planning Policy Statement state that a development proposal shall not harm a protected species.

The policies also state that development proposals are required to be sensitive to all protected species and sited and designed to protect these species and their habitat, and to prevent deterioration and destruction of their breeding sites and/or resting places.

The policy incorporates consideration of the three legal tests necessary for European Protected Species when harm may occur.

Impacts from development

Bats are threatened by loss of roost sites and loss and fragmentation of habitat, particularly important foraging area and commuting features. They can also be impacted by pollution leading to reduced insect prey. Bats may be significantly impacted by artificial lighting. As bats often live in close proximity to humans, living in and around farmland, as well as in villages, town and cities using different types of buildings, they are susceptible to developments involving demolition or renovation.

Different species of bats prefer different conditions to live in. For example, Daubenton's bats are closely associated with habitats that include water, whilst Brown long-eared bats prefer woodland. Bat habitats and roosting sites can be threatened by human activities such as residential development, road construction, industry, forestry, lighting, renewable energy infrastructure and agricultural practices.

Bats may be directly impacted by construction works through injury or disturbance and/ or their resting places/roosts may be destroyed or disturbed - **an offence under the Habitats Regulations**.

By carrying out appropriate **bat surveys** and incorporating mitigation measures into planning proposals, impacts on bats can be avoided or minimised. Where required, a licence may be obtained to exclude bats and destroy a roost from the NIEA Wildlife Team thus enabling development to continue whilst protecting and conserving the bats and their habitat. (NIEA Wildlife Team, Northern Ireland Environment Agency, Clare House, 303 Airport Road West, Belfast BT3 9ED. Tel. 028 9056 9558 or 028 9056 9557)

Different types of development impact on species in varying amounts. Bats can be significantly impacted by loss of roost sites, loss of habitat and foraging areas, lighting, especially directed on a roost or a feeding area, loss of water features, water pollution and turbine development.

The process to consider for planning applications is shown in **Appendix 1. Appendix 2** gives an indication of how different potential impacts affect different bat species.

Survey Requirements

The Northern Ireland Biodiversity Checklist should be used to establish if a bat survey is required <https://www.daera-ni.gov.uk/publications/ni-biodiversitychecklist-documents>. The checklist should be completed for all applications involving works to existing buildings, floodlighting, wind turbines and proposals that remove or light up trees, hedgerows, woodland and/or water features. **Please ensure that all necessary surveys are complete before consulting NED.**

The likelihood of bats using a site for roosting increases with its proximity to habitat features such as woodland or waterbodies as there will be more food and insects available at these locations.

Bat survey specifications are available on the DAERA website at <https://www.daerani.gov.uk/articles/site-surveys>. Note that there are different specifications for different types of development due to the differing impacts. All surveys¹ should meet the Bat Conservation Trust's 'Bat Surveys: Good Practice Guidelines 4th edition 2023*' found at <https://www.bats.org.uk/resources/guidance-for-professionals/bat-surveys-for-professional-ecologists-good-practice-guidelines-4th-edition>. All surveys should be undertaken by suitably experienced surveyors (**working under licence where necessary**) [***NED will accept reports following the 3rd edition guidelines for the 2024 season, although tree surveys must include use of NVAs**].

There are three main categories of bat survey:

1. Bat Roost Potential (BRP) Survey – These usually involve external inspections of buildings, trees and other structures to look for evidence of bats. This can be carried out, for example, by looking for roosting features such as holes, cracks and crevices, searching for faeces or staining on walls/trees or looking for feeding remains. The surveyor should identify whether the habitat on site is suitable for bats to roost and/or to forage and attribute a value to the potential roosting feature or habitat feature. If this indicates that there is a medium / high potential for bats, **you will need further surveys. These must be completed prior to consulting with NED.**

2. Bat Roost Survey - These usually involve a detailed inspection of a known or potential roost combined with dawn and dusk activity surveys using bat detector equipment to identify and, if necessary, count the number and species of bats using the roost. A Bat Roost Survey should determine if a roost is present, and classify any roosts found by type and by bat species. A Bat Roost Survey may involve intrusive surveys such as a Tree climbing survey or endoscope survey which may only be carried out under licence from the **NIEA Wildlife Team**.

3. General Activity Survey – These are surveys of bat activity on and adjacent to a development site. They involve surveyors using specialist bat detecting and recording equipment to identify if and how bats are using a site. They will record bat numbers and species and their behaviour. The survey should identify any important bat habitat features on the site which should be retained or compensated for.

Some types of bat survey will require a licence to disturb bats to be issued by NIEA. In particular, any survey involving entering a known or potential bat roost will require a licence. Non-intrusive surveys do not require a licence.

General Activity Surveys can only be carried out when bats are active (see Figure 1). In Northern Ireland bat activity peaks between April and September. Bat Roost Potential Surveys can be carried out at other times of year, however during the winter months, when bats are dormant, any visible signs are much more likely to be absent. Please note that a full bat roost survey may still be required.

¹ Please note that the survey specifications are written from a GB policy prospective; caveats apply to bat surveys in Northern Ireland.

Applications for floodlighting should consider all buildings, habitat and landscape features that will be directly lit or are likely to be affected by light spill. A full season of activity surveys is typically required.

All wind turbine applications require an assessment of bat activity. NIEA no longer recommends that a 50m buffer to habitat features alone is sufficient mitigation and we require a suitable assessment of bat use for each site to enable us to advise on site suitability and potential harm to bats.

All bat surveys for wind turbine applications should be sent to NIEA along with all other consultation documents which must include as a minimum a Biodiversity Checklist as a full package.

The Centre for Environmental Data and Recording (CEDaR) (<http://www2.habitas.org.uk/records/home>) and National Biodiversity Network Gateway (<https://nbnatlas.org/>) may provide useful information in relation to bat records for a site, including roosts.

Mitigation Guidelines

Mitigation refers to all works required to comply with legislation and minimise impacts on protected species when developing sites where they are present. The first consideration should be to avoid impacts on bats and their roosts. This is likely to involve the design and implementation of appropriate mitigation measures to safeguard the animals, their roosts and their foraging habitat.

Where bats are present on or near a site the following mitigation measures should be applied as a minimum:

- Retain all roosting sites and foraging corridors;
- Retain lines of mature vegetation, water features and areas of woodland;
- Ensure that lighting does not illuminate habitat features or any bat roosts in the area;
- Plant native species of trees and shrubs to provide foraging habitat and to help retain connections with the existing lines of trees and hedgerows in the surrounding area; a helpful tool in achieving connectivity is to look at aerial photographs of the area;
- When creating grassland areas within a site include native rough grass and wild flower seed mix, where possible, as this will provide a flower rich habitat that attracts insects and in turn provides feeding areas for bats;
- If there is a river or stream within the site or on the boundary of the site, consider planting native trees along the river or stream to provide a wildlife corridor and create dark areas for feeding bats.

Where a Bat roost(s) is present:

- Refer to the Bat Conservation Trust Bat Roost Mitigation Resource <https://www.bats.org.uk/our-work/buildings-planning-and-development/avoidance-mitigation-compensation>
- CIEEM in conjunction with BCT has published an updated detailed bat mitigation document: UK Bat Mitigation Guidelines 2023 <https://cieem.net/resource/uk-bat-mitigation-guidelines-2023/> .
- Consult NIEA with the relevant survey information.

For new builds:

- Refer to the Bat Conservation Trust's 'Designing for Biodiversity – A technical guide for new and existing buildings' when designing buildings and bat roosts. http://www.bats.org.uk/pages/guidanceforprofdesigning_for_biodiversity_a_technical_guide_for_new_and_existing_buildings-1089.htm

Licensing

NIEA is the Regulating Authority in Northern Ireland with regard to European protected Species (EPS). The Habitats Directive (transposed by the Habitat Regulations) includes a strict system of protection for EPS. The Habitats Regulations also provides the Regulating Authority (NIEA) with the 'Power to Grant Licences' where bats may be disturbed or a roost may be destroyed in order for a development to go ahead.

Licence applications are subject to strict procedures and a licence may only be granted where a proposal meets the three legal tests sets out in the Habitats Regulations. For planning applications these are:

1. there are imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; and
2. there is no satisfactory alternative; and
3. the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. Before granting a licence, NIEA will require detailed survey information on bat use of a site and detailed mitigation and/or compensation measures. If a licence is granted it will be conditional on all necessary mitigation and compensation measures being implemented. Where bats have been identified as using or resting within a development site, all possible means of mitigation should be investigated to avoid the need to apply for a licence.

The Planning Authority's Role in Protecting Bats

In order to comply with the Habitats Regulations, the planning authority must ensure that they have adequately considered any potential impacts on an EPS from a development proposal.

This is achieved by ensuring an appropriate survey is undertaken when there is a reasonable likelihood of EPS being present. Where EPS are found to be present and likely to be disturbed, the planning authority must consider the three legal tests within the legislation (and detailed within PPS2) before any permission can be granted. If bat roosts are found to be on site then impacts should be avoided if at all possible, and that all reasonable alternatives should be pursued to avoid disturbance.

Where disturbance to bats is unavoidable, NIEA should be consulted with the bat survey to inform the planning authorities' judgement along with the response to the three tests as set out above.

Reference Material

Updated: July 2026

The NIEA booklet 'Bats and Development' provides some more background information on bats and how to mitigate for them. See: <https://www.daerani.gov.uk/sites/default/files/publications/doe/natural-information-bats-and-development-2008.pdf> (PDF, 1.64MB)

Relevant caselaw on EPS which provides some clarity on planning and EPS are: R (Simon Woolley) v Cheshire East Borough Council and Millennium Estates Limited (the Woolley case) and the Supreme Court decision in R (Vivienne Morge) v Hampshire County Council (the Morge case).

Bat Informative for Decision Notices

The applicant's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence:

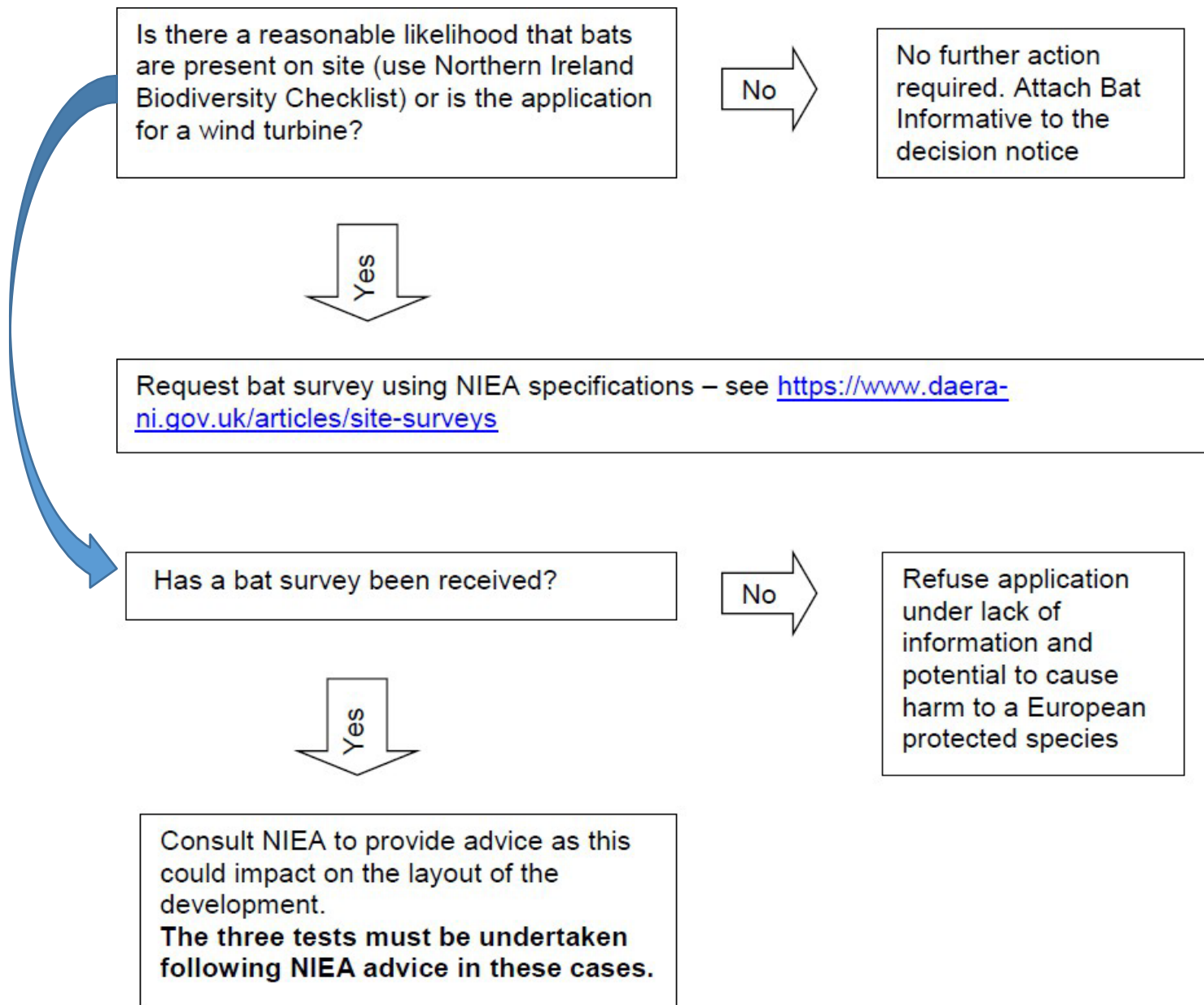
- a) Deliberately to capture, injure or kill a wild animal of a European protected species, which includes all species of bat;
- b) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
- c) Deliberately to disturb such an animal in such a way as to be likely to;
 - (i) affect the local distribution or abundance of the species to which it belongs;
 - (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or
 - (iii) Impair its ability to hibernate or migrate;
- d) Deliberately to obstruct access to a breeding site or resting place of such an animal; or
- e) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of bat activity / roosts on the site, **all works should cease immediately and further advice sought from the Wildlife Team**, Northern Ireland Environment Agency, Clare House, 303 Airport Road West, Belfast BT3 9ED. Tel. 028 9056 9558 or 028 9056 9557.

For general planning enquiries, contact:

DAERA Planning Response Team
17 Antrim Road,
Lisburn,
BT23 3AL.
T: (028) 9056 9604
E: PlanningResponse.Team@daera-ni.gov.uk
W: <https://www.daera-ni.gov.uk/topics/environmental-advice-planning>

Appendix 1: Flowchart showing the process to consider for applications when dealing with Bats



Appendix 2 - Table of potential impacts of Development on Bats (updated table from Bats and Development booklet)

Impacts on Bats from Development	Common pipistrelle	Daubentons	Whiskered	Natterer's	Leisler's	Nathusius'	Soprano pipistrelle	Brown long eared
Loss of Roost Site	***	***	***	***	***	***	***	***
Loss of Insect Rich Habitat/Foraging Areas	**	** if water ***	** if water or woodland ***	** if woodland ***	**	** if water ***	** if water ***	** if woodland ***
Loss of vegetated linear features for navigation	**	***	***	***	*	**	***	***
Impact from Lighting -direct lighting of roosts *** for all species	*	***	***	**	*	*	*	***
Impact from wind turbine. -if swarming site *** all species	**	*	*	*	***	***	**	*
Water Pollution	*	***	**	**	*	***	***	**

*** Very Significant Impact ** Significant Impact * No Significant impact known at present.