



Planning and development advice pack

Thank you for your concern for the bats in your area following the potential threat from development. We are a small charity and regrettably cannot get involved in individual cases. We therefore rely on concerned residents like yourself to help us protect bats by bringing matters such as this to the attention of planning authorities and developers. The details contained within the advice pack should assist you in taking relevant action where required.

Bats and the law

In the UK, bats and their roosts are protected by law whether occupied or not. It is illegal to damage, destroy or disturb any bats or roosts without having taken the necessary precautions. A roost is defined as any place that a wild bat uses for shelter or protection and the roost is protected whether bats are present in it or not.

The 'Supporting Legislation' section in advice pack provides a more in-depth overview of bats and the legal system.

How you can help

Contact your local authority or council building control (if it is regarding a demolition and not part of a wider planning application) to find out whether a bat survey has been carried out. If you know bats use the site or bat presence is likely then you are within your rights to request that a survey be completed if one has not been carried out.

The most effective way to contact your local authority is in writing, but we advise that you also follow this up with a phone call to ensure your enquiry is on record. Where possible we would also encourage you to send the letter to the applicant making them aware of possible bat presence.

Local authorities usually acknowledge receipt of letters within five working days so if you do not hear back from the local authority within this time we suggest that you contact them again. You may then need to follow up with them beyond this to request an update. We recommend that you retain a trail of correspondence in case evidence is required later on e.g. if contacting your Local Government Ombudsman if unsatisfied with the response from your local authority or if police require this as part of an investigation.

Planning authorities must abide by a number of rules which, if known, can be used to enforce good practice and protect bats. The 'Getting Your Voice Heard' and 'Submitting a Written Objection' sections in the advice pack outline how best to approach this and give good guidance on how to compose an official letter.

You can find details of whether a survey has been carried out and what was found in the planning application documents. Most local authorities publish information on planning applications on their websites, or you can call the office directly and ask how this may be made available to you. You can find more information on the planning process and the website address for your local planning authority on the Planning Portal:

<http://www.planningportal.gov.uk/inyourarea/searchapplications>.

You could also contact your local bat group for information about bats in the area, especially with regard to recorded bat roosts and bat sightings in the county. However, please be aware that bat groups are voluntary organisations and many do not have the resources to respond to planning related enquires. Bat group details can be found at: <https://www.bats.org.uk/support-bats/bat-groups>.

Your local biological record centre may hold information about bats rather than the bat group. Record centre details can be found at: <http://www.alerc.org.uk/find-an-lerc-map.html>.

What you should expect of the local authority

The planning authority has a legal obligation to consider whether bats are likely to be affected by a proposed development. If a survey has not already been undertaken to determine the potential for bats on site and/or the presence of bats, the planning authority should request that the developers commission an appropriate survey.

If a survey demonstrates that development is likely to affect bat foraging and/or commuting habitat then linear features such as tree lines should be retained, and compensatory planting should be considered wherever possible.

If a survey demonstrates that bats and/or a known roost are likely to be affected by the proposed development, and planning permission is to be granted, a condition should be placed on the decision notice requiring the developer to apply for, and obtain, a European Protected Species Licence before work commences.

The licence will specify planning conditions such as timing of works and mitigation to lessen impacts. If you later suspect that a developer is contravening the conditions of their licence try to check the conditions of the licence with the authority that issued it, this varies depending upon the country (see contact numbers below) and alert the local planning office.

Licensing authority by country:

Natural England- 0300 060 3900

Natural Resources Wales- 0300 065 3000

Scottish Natural Heritage - 01463 725 364

Northern Ireland Environment Agency - 0845 302 0008

If you have viewed the survey report and are not happy with how or when the surveys were carried out, you may wish to take a look at the 'BCT Bat Survey Guidelines' to check whether best practice guidance has been followed. This can be downloaded in full via our website <https://www.bats.org.uk/resources/guidance-for-professionals/bat-surveys-for-professional-ecologists-good-practice-guidelines-3rd-edition>. This pack also includes a shortened version of the decision process of surveying and licensing. Please inform your local authority if you find that insufficient surveying has taken place. Again we advise that you send a letter and follow up with a call and contact them again if you do not hear back within 5 working days. Please note that for resource reasons we are unfortunately unable to comment on any surveys which have been carried out.

If you witness an offence being committed (e.g. bats being disturbed, bat roost being destroyed, or access blocked) please inform the Police Wildlife Crime Officer in your police constabulary, mentioning 'Operation Bat' and request an incident number. (If the Wildlife Crime Officer is not available it should not affect the reporting of the incident, please do so anyway). Please also report this incident along with the incident number obtained from the Police to the Bat Conservation Trust so we can follow this up. If you are aware of a licence breach in Scotland, Wales or Northern Ireland this should also be reported to the police in the same way. If the licence breach is in England however, then the matter should be reported to Natural England's Wildlife Enforcement Specialist on 0300 060 1099.

Getting your voice heard

The Planning System



As a member of your local community you have specific local knowledge that makes your views important. Understanding the planning system and how to respond to planning applications may enable you to influence development at an early stage, perhaps preventing a harmful development or enhancing a proposal's value to bats and other wildlife. This leaflet aims to give you the knowledge you need.

Finding out about planning applications

To build on land, a developer must first submit a planning application to the Local Planning Authority (LPA) (however please refer to section opposite about other permissions/consents). There are a number of ways to find out about planning applications in your area:

- notices posted at the site of the proposed development
- advertisements in the local paper
- neighbours or adjacent landowners will be notified
- files at your LPA
- the Planning Portal (England and Wales), local Planning Authority (Scotland), or Planning Service (NI) website.

Once a planning application has been announced, interested parties have to submit their responses before a deadline that will be a minimum of 14 days.

Different types of planning application

A planning application can be 'full' or 'outline'. Full planning applications include every detail needed for the LPA to decide whether the proposal can go ahead. Outline applications need to contain only enough information for the LPA to decide whether the principle and broad type of development is acceptable, although the LPA may request further details. If an outline application is approved then the applicant must submit a 'reserved matters' application that addresses all the outstanding details, such as visual appearance, servicing and landscaping. This must also be approved before development can start.

The differences between these types of planning application can affect the scope of your comments. For example, if you missed an opportunity to comment on an outline application for a development that affects a wildlife site and it was approved then any objections to the follow-up 'reserved matters' application can only relate to the detailed design and layout of the development, not the principle of it.

Other permissions/ consents

Please note that not all developments/large scale works require planning permission. If the development is minor such as a porch, or extension at the rear of the property, or in some cases a loft conversion, provided certain conditions/ limits are met they may fall into a category known as 'permitted developments'.

For listed buildings; listed building consent is required from the LPA where works to extend or alter it will affect its character or appearance as a building of special architectural/historical interest.

Demolition of a building which is not part of a wider development scheme will usually require the owner to provide a demolition notice to the Building Control department of the LPA. Further information can be found at <http://www.planningportal.gov.uk/permission/>

Why might you take action?

You may want to object to a proposed development as it will have an impact on the habitat and wildlife in your area. An important first step is to assess the wildlife value of the site (see the example Bat Survey Trigger List at the end of this guide for more information). You may also feel that the development could be made more sympathetic to the local environment, enhancing opportunities for biodiversity.

It is important that your concerns have some weight to them, as the planning officers will be influenced only by facts.

Your involvement in the planning system may not be limited to objecting to potentially harmful planning applications. In some circumstances you might want to support an application, as it will be beneficial to biodiversity and be built with consideration for local wildlife.

Early involvement

It is very important to get involved at a very early stage in the planning process. Once the objection period lapses, there is little or no opportunity for influencing planning decisions. However, because many applications are subject to delays it is worth contacting the Planning Officer dealing with the case if you are unsure of deadlines.

Commenting on planning applications

You must send written comments to the LPA determining the application.

See the 'Submitting a written objection' section for some tips on how to draft your comments.

Documents that may help you

When making detailed comments about a planning application you may want to refer to some of the following documents.

Area Plans

The Area Plans are a collection of documents and maps, and their function is to plan changes to local council areas over the next 10–15 years. New and proposed Area Plans can be viewed on the LPA website.

You can use this information to compare how a planning application conforms to guidelines set out in the Area Plans. For example, if an area of open space has been zoned for housing, there is limited scope for objecting to a housing development for that site. Alternatively, if an area is identified in the plan as a Site of Local Nature Conservation Importance it offers support for objections to housing or industrial development on that site.

National Planning Documents

Government policy guidance for biodiversity and nature conservation throughout the UK is provided in the following planning guidance and statements:

England:

- National Planning Policy Framework 2012
- Circular 06/2005: *Biodiversity and geological conservation – Statutory obligations and their impact within the planning system*

- Circular 2/99: *Environmental Impact Assessment* 1999

Wales:

- Planning Policy Wales 2012
- Technical Advice Note TAN 5 Nature Conservation and Planning 2009

Scotland:

- Scottish Planning Policy 2010 [47]
- Planning Advice Note (PAN) 60 Planning for Natural Heritage 2000.
- Circular 6/1995 (revised 2000) *Nature Conservation: Implementation in Scotland of EC Directives on the Conservation of Natural Habitats and of Wild Flora and Fauna, and the Conservation of Wild Birds: The Conservation (Natural Habitats, etc) Regulations 1994*
- *European Protected Species, Development Sites and the Planning System: Interim guidance for local authorities on licensing arrangements*
- Circular 12/1996: *Planning Agreements*
- Circular 1/2010: *Planning Agreements*
- Annex to Circular 1/2010: *Planning Agreements. Planning Obligations and Good Neighbour Agreements*

Northern Ireland:

- Planning Policy Statement 2 Natural Heritage 2013
- Planning Policy Statement 18: Renewable Energy 2009.

Government planning policy guidance throughout the UK requires LPAs to take account of the conservation of protected species when determining planning applications. This makes the presence of a protected species a material consideration when assessing a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. This requirement has important implications for bat surveys as it means that, where there is a reasonable likelihood of bats being present and being affected by the development, surveys must be carried out before planning permission is considered.

See the 'Supporting Legislation' section in this leaflet for information on PPS's and their equivalents.

Environmental Impact Assessment (EIA)

For applications that are likely to significantly affect the environment, an EIA must be carried out. The purpose of an EIA is to assess the extent of the development and try to reduce the negative impacts that it will have. Where one must be carried out, a report on the EIA (usually referred to as the Environmental Statement, ES) is submitted as part of the planning application and you should be able to read it on the LPA website.

Copies of parts of the ES can often be requested for a small fee but if you are serious about objecting to a planning application it is better to own a complete copy so you have easy access to all the detailed information. This may be expensive and considering pooling resources with other campaigning individuals or organisations may be the best approach.

You can include comments about the EIA and the Environmental Statement in your objection letter if you feel it does not comprehensively address all the development's likely impacts on the environment.

Bat survey reports

For applications where an EIA is not necessary, a bat survey will still be required if the proposed work will affect bats or their roosting sites. LPAs usually publish the survey documents along with the planning

application documents on their websites for the public to view, or you can call them directly and ask how this may be made available to you. LPA websites can be found here:

<http://www.planningportal.gov.uk/inyourarea/searchapplications>

Trigger list

The initial decision on whether a bat survey is required comes after consulting a trigger list, which is essentially an assessment of potential for bats to be present or affected by the proposed work. Please refer to your LPA's own trigger list as they will have their own validation requirements for biodiversity in your area. In the absence of this, the template trigger list at the end of this leaflet produced by the Association of Local Government Ecologists (2007) may be used as a guide.

Summary of surveying

The summary of surveying flowchart and table at the end of this leaflet provides some general guidance on when surveys are required and the expected level of surveying effort.

District Council planning committee meetings

LPAs have planning committees for considering planning applications. The LPA consults with Councils at monthly meetings at which councils can make recommendations to the LPA for approval or refusal.

What happens to an application once your comments have been submitted?

Once your objection has been submitted it will be considered together with others in the decision-making process.

Letters of objection are normally acknowledged within five working days of their receipt. Objectors should be kept informed about changes to an application or additional information that has been provided by the developers.

It is worthwhile keeping in touch with the LPA for up to date information. The final decision may be made many months after the initial application. We recommend chasing up your comments in writing.

With each decision the LPA issues a decision notice. Where the decision is to grant permission, the decision notice lists any planning conditions which may be attached to the permission. The notice may also include informatives, which are recommendations, while conditions are mandatory. If the permission is refused, the notice will list reasons for refusal.

The decision notice is not automatically sent out to every objector, but can be requested from the LPA. We recommend that you request this in your objection.

Appeals against a decision

If a planning application is refused, applicants can take their application to appeal. Third parties (e.g. the general public) cannot generally appeal against a planning decision. However, if you have made an objection to a planning application, which is then refused and the developer appeals, you have the right to make further representations to this appeal, and if an inquiry is held, to appear at the inquiry to make your case.

The LPA should get in contact with you with the details of what you have to do when the appeal is lodged. For more information about how the appeals process works please check the relevant pages for your country (England and Wales: www.planningportal.gov.uk/planning/appeals, N. Ireland: www.pacni.gov.uk, Scotland: www.dpea.scotland.gov.uk).

Complaining about a Local Planning Authority

If you have a complaint about the way a planning application was dealt with (rather than the nature of the proposal) you can report it too.

The first thing to do is complain to the council. Please refer to your LPA's individual complaints procedure for the best way to do this. See <https://www.gov.uk/complain-about-your-council> for England and Wales. If you are concerned that the LPA have not fulfilled their duties, send a complaint in writing directly to them.

See the 'Submitting a written complaint' section for some tips on how to draft your complaint.

If dissatisfied with the way in which the council have responded then it is best to report the action to the Local Government Ombudsman (LGO). Once they have received your complaints they will investigate the matter free of charge.

In most cases, however, the LPA must have a chance to sort out the complaint before it can be taken to the LGO i.e. 30 days (or their own target if there is one) to 'show reasonable effort to gain a response'. Full details of the complaints procedure are available on the LGO website: www.lgo.org.uk.

Further information

Planning Portal (England and Wales) - www.planningportal.gov.uk

ePlanning (Scotland) - eplanning.scotland.gov.uk

Northern Ireland Planning Service - www.planningni.gov.uk

Other relevant BCT leaflets and publications

- Bats and the Law
- Bats and Buildings

Submitting a written objection

The Planning System



Get involved at a very early stage in the planning process. Once the objection period lapses, there is little or no opportunity for influencing planning decisions. It is also important that your concerns have some weight to them, as the planning officers will be influenced only by facts.

Commenting on planning applications

You must send written comments to the Local Planning Authority (LPA) that will be determining the application. When submitting a written comment on an application, whether to object to or support it, you should remember the following:

- all planning applications have a name and a specific reference number that you should clearly refer to.
- state your name, address and other contact details.
- you must act within a set timescale, responding before the consultation deadline (if you don't have a letter from the LPA with this on, you can find it out by ringing them)
- clearly state why you are objecting or supporting the development. Include the wording 'I/We object' or 'I/We support' in the text. Be concise and polite! Keep your letter short, a maximum of two sides – put any detailed comments in a supporting document if necessary.
- be specific about important habitats that could be affected and state any eye witness accounts of bat presence, being specific about any evidence e.g. rather than stating 'there is a bat roost' say 'I have seen bats flying out of the eaves at dusk and counted 50 over the summer'. Give dates and times if possible.
- refer to records of known roosts in the area from Local Record Centres (find your nearest one at <http://www.alerc.org.uk/find-an-lerc-map.html>) or any sightings of bats by the local bat group.
- if there has already been a refusal for a similar application at the site, refer to the 'reasons for refusal' in the previous decision notice.
- it may be useful when making a submission with a nature conservation element to send copies of letters of objection to other local groups that may support you.
- planners will also be particularly keen to hear your views on non-wildlife impacts of development such as traffic congestion in the local area, over-burdening of parking spaces and public transport, demands for water from local rivers or resulting pollution in rivers and streams.

If you want your concerns to be taken seriously

- Don't include hearsay or information you are unsure about.
- Don't include unsubstantiated criticism of the LPA or the applicant, e.g. personal circumstances or character.
- Don't exaggerate your claims.
- Don't include information unrelated to the development or its impacts.

- Don't make reference to the effect of the development on property values.

Relevant legislation and case law

Referencing case law and relevant legislation adds weight to your concerns.

If an LPA has not taken the presence of bats into account when considering a planning application the Natural Environment and Rural Communities (NERC) Act 2006 should be referenced.

Example paragraphs could include the following:

Making planning decisions without due consideration of priority species is contrary to the Natural Environment & Rural Communities (NERC) Act 2006 which applies to all public organisations, including local authorities. s.40 of the Act states "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." Under s.41 of the Act, bats are listed by Defra as a priority species for the conservation of biodiversity.

- In England and Wales this duty falls under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006
- In Scotland the duty is contained within Part 1 Section 1 of The Nature Conservation (Scotland) Act 2004

This can then be further supported using case law such as:

A 2009 case involving granting of planning consent affecting bats without mitigation in place resulted in Cheshire East Borough Council being taken to Judicial Review. A local resident challenged the planning consent and the High Court judgement quashed the planning consent. Subject to the decision of the House of Lords in Berkeley v SSE [2001] 2 AC 603, dealing with obligations under EC law, if a permission is found to have been unlawful in any way, then it should be quashed provided that the outcome, if there had been no unlawfulness, may or might have been different.

See the 'Supporting Legislation' section for further information

Additional things to consider

The LPA often imposes planning conditions with planning permission agreements. Planners may welcome suggestions of conditions from interested parties, particularly if they help to make a proposal acceptable. It can be helpful to specify what conditions you think are needed in your letter to the planners.

- Do the proposals retain (as far as possible) any existing wildlife features on the site like ponds and hedgerows?
- Do the proposals use native plants and trees in any landscaping designs?
- Could the development be redesigned, phased or laid out differently to reduce its effects on wildlife?

Care needs to be taken in drawing up conditions and to be useful they must be:

- relevant to planning matters and to the permission
- clear and precise
- enforceable
- reasonable

If your complaint has not been dealt with

If you are dissatisfied with the way in which the council has responded then it is best to report the action to the Local Government Ombudsman (LGO), using the procedure described in the 'Getting Your Voice Heard' section of this leaflet.

Bat Conservation Trust

Supporting legislation

The Planning System



Local Planning authorities (LPAs) have a statutory duty to have regard to conserving biodiversity (which includes restoration and enhancement of biodiversity) in the exercise of their planning functions; this includes having due regard to and safeguarding bats

In summary, the main criminal offences in England and Wales are:

Under the Conservation of Habitats and Species Regulations 2017 (Commonly referred to as the Habitats Regulations):

- deliberately capture (or take), injure or kill a bat.
- deliberately disturb a bat, in particular (i) any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young; (ii) any disturbance which is likely to impair their ability in the case of hibernating or migratory species, to hibernate or migrate; or (iii) any disturbance which is likely to affect significantly the local distribution or abundance of the species to which they belong.
- damage or destroy a breeding site or resting place (roost) of a bat.

Under the Wildlife and Countryside Act 1981(as amended):

- intentionally or recklessly disturb a roosting or hibernating bat i.e. disturbing it whilst it is occupying a structure or place used for shelter or protection).
- intentionally or recklessly obstruct access to a roost (i.e. a structure or place used for shelter or protection).

Some major bat roosts carry statutory protection; in such cases LPAs will have further obligations under the Wildlife and Countryside Act for any *Sites of Special Scientific Interest* and/or *Special Areas of Conservation* designated for their bat interest.

LPAs are a *competent authority* under Regulation 7(1) of the Conservation of Habitats and Species Regulations 2017, under which they must have regard to the requirements of the Habitats Directive.

The Directive includes a strict system of protection for certain European Protected Species (EPS) including all species of wild bats found in the EU. These requirements have been implemented by Part 3 of the Habitats Regulations so LPAs must have regard to the contents of Part 3 prior to granting planning permission where European protected species – such as bats - may be affected.

- In England and Wales this duty falls under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006
- In Scotland the duty is contained within Part 1 Section 1 of The Nature Conservation (Scotland) Act 2004

It is by referencing the duty placed on LPAs that you add weight to your concerns

Other references to the specific planning policy will support your case as will understanding the intricacies of the Habitats Directive and case law.

The following is a summary of planning policy advice that applies to all protected species - see TAN 5 for Wales, NPPF, which references ODPM Circular 06/2005 for England and NPPG 14 Natural Heritage for Scotland.

England

- The presence of a protected species is a material consideration, when an LPA is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat (ODPM 06/2005, paragraph 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 06/2005, paragraph 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 06/2005, paragraph 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 06/2005, paragraph 99).

Wales

- Planning decisions should be based on adequate and up to date information about the potential effects of development on nature conservation (TAN 5; 6.2.4).
- The issues of whether development could give rise to a breach of the Regulations, and whether there may be a potential need for a licence to avoid such a breach, are therefore a material consideration in a relevant planning decision, and where a licence may be needed, the three licensing 'tests' required by the Directive should be considered by the LPA (TAN 5; 6.3.6)
- An LPA should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species (TAN 5 6.2.1.)
- The LPA should also advise developers that they must comply with any statutory species' protection provisions affecting the site concerned (TAN 5; 6.2.1)

Scotland

- LPAs should seek to prevent further fragmentation or isolation and identify opportunities to restore links which have been broken (NPPG, paragraph 19)
- The presence of a protected species or habitat is a material consideration in the assessment of development proposals. (NPPG, paragraph 20)

Case Law

An important judgment was handed down by His Honour Judge Waksman QC sitting as a judge of the High Court at the start of June 2009 in the case of R (on the application of Simon Woolley) v Cheshire East Borough Council. The judgment clarifies for the first time the legal duty of a Local Planning Authority ("LPA") when determining a planning application for a development which may have an impact on European Protected Species ("EPS"), such as bats, great crested newts, dormice or otters.

The court considered that in granting planning permission the LPA had failed in its duty under Regulation 3(4) of the 1994 Habitats Regulations by failing to give consideration to the three derogation tests contained in the species protection provisions of the Habitats Directive.

Furthermore the Court held that a LPA cannot discharge its duty simply by adding a condition to the grant of planning permission which requires a licence from a statutory nature conservation organisation to be obtained.

Relationship between licensing and planning permission - 'The three tests'

The statutory requirements include a system of strict protection for European Protected Species (EPS), such as bats. A derogation (deviation) from this strict protection - by way of a licence granted to a person under the Regulations - is only allowed in certain limited circumstances and only after three specific tests have been satisfied.

Where bats may be harmed by a development proposal (e.g. such that one or more criminal offences is reasonably likely to be committed), the LPA must have regard to the three tests required by the Regulations as well as the licensing authority (due to the duty under Regulation 7(1)).

Consequently, for all LPAs, the following are important material considerations:

- firstly, **is a criminal offence likely** e.g. is an applicant when implementing the proposed development reasonably likely to commit a criminal offence under the Habitats Regulations – such as causing harm to bats?

And where this is the case:

- **can the three tests can be satisfied** e.g. is the eventual granting of a licence likely - so as to permit activities which would otherwise be unlawful?

In other words, the LPA should not grant consent where they suspect a criminal offence might result and where the three licensing tests are unlikely to be satisfied.

The three tests

A licence cannot be granted until the licensing authority is satisfied that:

- the purpose of the intended action (development) is for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment

And as long as:

- there is no satisfactory alternative; and
- 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

This means in proposals where bats may be affected, a planning application must provide sufficient information (in the form of a survey and a report on mitigation measures) for the LPA to consider it against the three licensing tests.

If there isn't evidence that the LPA has gathered enough information, or the LPA have not referenced that an application has satisfied the three tests then an application can be subject to challenge and you are within your rights to request more information is gathered.

Please note that the licence must be in place before commencement of any works.

The Habitats Directive is transposed into UK legislation through the Habitats Regulations; and licences are issued under:

- In England and Wales Regulation 55 The Conservation of Habitats and Species Regulations 2017 - in England and Wales Regulation
- In Scotland Regulation 44 The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 1994 (as amended)
- In Northern Ireland Regulation 40 The Conservation (Natural Habitats, & co) Regulations (Northern Ireland) 1995

Licensing Authorities (by country)

Natural England- 0300 060 3900

Natural Resources Wales - 0300 065 3000

Scottish Natural Heritage - 01463 725 364

Northern Ireland Department Agriculture, Environment and Rural Affairs - 0300 200 7852