



**Ground Level Tree
Assessment for Roosting Bats**

Land Stoney Wood Quarter,
Barnet

August 2026

Ground Level Tree Assessment for Roosting Bats

Land Stoney Wood Quarter, Barnet

20/08/2026

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Contents

1.	Introduction.....	3
2.	Methodology.....	4
3.	Results	7
4.	Discussion and Recommendations	10
5.	Conclusions	14
6.	References	15

Appendices

Appendix A – Photographs

Appendix B – Survey Map

Appendix C – Legislation

Non-technical Summary

Phlorum Ltd was commissioned by Stoney Wood Property Developments Ltd to carry out a Ground Level Tree Assessment (GLTA), which was undertaken on the 14th April 2026, to assess the potential for roosting bats within trees at Land at Stoney Wood Quarter, Barnet, NW7 3HP.

Version (V3) has been produced to update the main text.

This version (V4) has been produced to update the main text referring to further survey work.

The Preliminary Ecological Appraisal by Phlorum (2025) identified two trees within the woodland habitats to the northwest of the site, which were considered to offer roosting potential for bats and were classed as FAR (further assessment required). These were T1 (pedunculate oak) and T2 (pedunculate oak). Both T1 and T2 had heavy cover of ivy to the upper limbs and trunk and, due to the survey being carried out in spring, some potential roost features (PRF's) would not have been visible from ground level and a ground level tree assessment was recommended to be undertaken during the optimum season for this type of survey.

The trees identified with the Preliminary Ecological Appraisal (Phlorum, 2025) as having roosting potential for bats were covered by the assessment.

The main findings of the survey are as follows:

-  The data search showed records of pipistrelles (occurring within the 1km search area in the past 15 years).
-  T1 was surveyed from the ground. Several knot holes and splits in branches and bark were noted across the upper limbs which were not previously visible from the ground due to the leaf spread and was classified as PRF-M (potential roost feature for multiple bats).
-  T2 was surveyed, other than the ivy cladding, no other potential roosting features beyond these factors were seen. T2 was therefore considered potentially suitable for individual bats or very small numbers of bats. The tree was assigned to PRF-I (potential roost feature for individual bats) due to the degree of ivy cladding.
-  The remaining trees around the site were considered as PRF-I due to ivy cladding of the trees or NONE (no PRFs). No further survey work is required for PRF-I or NONE trees, however we recommend a precautionary approach to trees classed as PRF-I.

- 🌿 Further survey work, such as an aerial tree climb/potential roost feature survey of the tree is recommended for T1 which has been classified as PRF-M. Further survey work must be undertaken in relation to roosting bats prior to any works taking place on these trees, this could include aerial tree inspection of the features present on the trees or a bat emergence/activity survey.
- 🌿 It is recommended that a precautionary approach, including soft-felling and an ecological watching brief, is adopted for the removal of the trees/groups with PRF-I suitability for roosting bats.

If bats are found during the tree works within any trees on the site that are to be removed, activities should cease immediately, and advice sought from a suitably qualified ecologist.

Bat boxes should be installed to provide additional roosting opportunities on the site and lighting should be controlled to minimise impact on any potential roosting or foraging bats.

1. Introduction

Background

- 1.1 Phlorum Limited was commissioned by Stoney Wood Property Developments Ltd to undertake a Ground Level Tree Assessment (GLTA) regarding roosting bats of the trees within the proposed development site at Land at Stoney Wood Quarter, Barnet, NW7 3HP (hereafter referred to as “the site”).
- 1.2 As part of the assessment, a desktop review and a site visit were carried out. The results of which were used to assess the potential of the trees to support roosting bats, a protected species.
- 1.3 This report has been compiled in accordance with current guidelines (British Standard 42020:2013 Biodiversity. Code of Practice for Planning and Development, 2013 and CIEEM, 2017 and 2018).
- 1.4 It is understood that the proposed development is for *“Redevelopment of the site for residential use (Class C3), in buildings up to 5 storeys with ancillary flexible commercial spaces (Use Class E) uses at ground floor level. Together with plant, play space, car and cycle parking, hard and soft landscaping and all other works associated with the development”*.

Site Description

- 1.5 The site is located in the London Borough of Barnet. The site is located adjacent to The Fairway and east of the M1. A large part of the site is dedicated to a car park. Within the site and immediately adjacent to the north is woodland, with several waterbodies present in the immediate and wider surroundings and greenspaces including golf courses. The site is bound to the east by a school and its grounds and residential and urban areas to the south and west, and major and minor roads. In the wider surroundings is urban land, fragmented woodland and greenspaces, and the wider city of London.
- 1.6 The site is not subject to any statutory or non-statutory designations. The site is adjacent to the Mill Hill Golf Club Site of Importance for Nature Conservation (SINC) a non-statutory site.
- 1.7 The site comprised other lowland mixed deciduous woodland (UK priority habitat), developed land sealed surface, artificial unvegetated, unsealed surface, modified grassland with children’s play space, individual urban trees, line of trees, non-native and ornamental hedgerow, native hedgerow (non-priority), other neutral grassland and other neutral grassland with earth banks and ruderal and ephemeral.
- 1.8 The National Grid Reference for the centre of the site is TQ 20590 93480. The survey area extended over approximately 1.7 hectares (ha).

2. Methodology

Data Search

- 2.1 Records for bats within a 2km radius of the site were obtained from the Local Records Centre Greenspace information for Greater London (GiGL, 2025) as part of the Preliminary Ecological Appraisal.

Review of Previous Reports

- 2.2 The desk study has involved the review of the following previous report carried out for the site:
-  Preliminary Ecological Appraisal (Phlorum, 2025).
 -  Arboricultural Report (Quaife Woodlands, 2025).

Personnel

- 2.3 The GLTA was carried out by suitably qualified ecologist, Amber Howie (BSc (Hons), CIEEM (QCIEEM), who holds a Bat Level 1 Survey Class Licence CL17 (Ref:2025-12638-CL17-BAT) with over 3 years' experience in undertaking a range of protected species surveys for bats including bat preliminary roost assessments, potential roost feature inspections/aerial bat tree inspections, day time bat walkover surveys, bat activity/emergence surveys, bat hibernation surveys and night time bat walkover surveys.
- 2.4 The survey results and assessment was reviewed by Paul Carter (BSc (Hons), MBA, MCIEEM), an ecologist with over 20 years of experience of managing ecological and landscaping projects and holder of a Bat Class Licence Level 1 CL17 (Ref: 2025-83983-CL17-BAT), and by the project director Richard Schofield (BSc (Hons), MSc, CSJK, MCIEEM, MISEP (formerly MIEMA), CEnv), with over twenty years of experience in managing projects and holder of a Bat Class Licence Level 2 CL18 (Ref: 2025-84671-CL18-BAT).

Ground Level Tree Assessment

- 2.5 A ground level tree assessment (GLTA) of the on-site trees that were considered by the PEA report to be FAR (Further Assessment Required) was carried out. The FAR trees have been labelled in the Phlorum PEA report as T1 and T2 (Phlorum, 2025).
- 2.6 The remaining trees within the woodland where T1 and T2 are located were also surveyed but have not been individually numbered.

- 2.7 The survey was carried out on the 14th April 2026 in accordance with good practice guidelines (Collins, 2023). Weather conditions during the survey were dry, sunny and warm.
- 2.8 The survey was carried out early in the year whilst the trees were in bud, therefore the trunk and limbs of all trees onsite could be viewed well except the areas that were covered by ivy.
- 2.9 The assessment was carried out in line with current good practice guidelines for bat surveys for professional ecologists (Collins, 2023).
- 2.10 The inspection of the trees included a review of potential bat roost features, which include but are not limited to woodpecker holes; knot holes; rot holes; cracks/splits; ivy; partially detached flaky bark; and other hollows or cavities. The inspection also included a search for any secondary evidence of bats. Secondary evidence includes droppings, feeding remains, scratch marks, and oil and urine staining.
- 2.11 Any features that could potentially support roosting bats were viewed remotely from the ground using binoculars to assess suitability and identify signs of use.
- 2.12 The none, negligible, low, moderate, high classification for potential bats roosts in trees do not work well, so the following table is use (Collins, 2023).

Table 2.1: Guidance for assessing the suitability of trees on proposed developments site for bats

Suitability	Description
NONE	Either no Potential Roost Features (PRF) in the tree or highly unlikely to be any.
FAR	Further assessment required to establish if PRFs are present in the tree.
PRF	A tree with at least one PRF present.

- 2.13 When a potential roost feature (PRF) is found Table 2.2 provides the guidance to assessing it (Collins, 2023).

Table 2.2: Guidance for categorising the potential suitability of PRFs on a

proposed development site for bats

Suitability	Description
PRF-I	PRF is only suitable for individual bats or very small number of bats either due to size or lack of suitable surrounding habitats.
PRF-M	PRF is suitable for multiple bats and may therefore be used by a maternity colony.

- 2.14 The tree numbers used in this report are consistent with those given in the Arboricultural Impact Assessment.

Constraints

Data Search Constraints

- 2.15 It is important to note that, even where data is held, a lack of records for a defined geographical area does not necessarily mean that there is a lack of ecological interest; the area may be simply under-recorded.

Bat Survey Constraints

- 2.16 Bats are mobile animals which can move roost sites both within and between years. It is possible that surveys carried out in April could miss roosts occupied earlier or later in the year. Detection of secondary evidence for small numbers of crevice-dwelling species can be difficult, for example where droppings accumulate within an inaccessible void.
- 2.17 It is considered that the survey was sufficiently rigorous to assess the roosting potential of the trees for the purposes of this assessment.

3. Results

Data Search

- 3.1 The data search showed records of pipistrelles (occurring within the 1km search area in the past 15 years).

Review of Previous Reports

Preliminary Ecological Appraisal (Phlorum, 2025)

- 3.2 The report identified the woodland to the north of the site and small section of woodland at the north of the site to be the priority habitat, deciduous woodland.
- 3.3 The report identified two trees within the woodland habitats to the northwest of the site, which were considered to offer roosting potential for bats. These were T1 (pedunculate oak) and T2 (pedunculate oak).
- 3.4 Both T1 and T2 had heavy cover of ivy to the upper limbs and trunk and, due to the survey being carried out in spring, some PRF's may not have been visible from ground level and a ground level tree assessment was recommended to be undertaken during the optimum season for this type of survey.

Arboricultural Report (Quaife Woodlands, 2025)

- 3.5 The report summarises that *"to maximise the benefit and the affordable housing delivery 74 individual trees, 3 lines of Cypress and 2 lines of Birch trees are to be removed whilst 71 trees are to be retained and protected. All Category A trees and all but 2 Category B trees are to be retained in particular in the areas of woodland on the western boundary and the north-eastern corner of the site. There is a bund of some 2.5 metres in height along the northern boundary and many of the trees on the northern side of it have fallen across it such that the crowns overhang into the subject site. Such overhang will be cut/pruned back. The woodland to the north is excluded from any construction activity whether direct or associated."*
- 3.6 We understand that trees T1 and T2 – are referred to in the existing tree plan as tree 17 (T17), referred to in this report as T1 and tree 16 (T16) referred to in this report as T2.
- 3.7 We understand from the above reports that trees and 16 and 17 will be retained.

Ground Level Tree Assessment

Trees to be Removed or Partially Removed

- 3.8 It has been proposed that 74 trees will be removed from around the site.
- 3.9 Trees with potential roosting features for bats were all assessed from ground level.

- 3.10 A total of two target trees identified by the PEA (T1 & T2) were included in this assessment, along with a further inspection of the trees in the surrounding woodland which have not been individually numbered. This has been guided by Preliminary Roost Assessment which was carried out as part of the PEA survey and the Arboricultural Impact Assessment (Quaife Arboriculture, 2025).

PRF-M

- 3.11 One tree (T1) within the survey area was assessed as having PRF-M (roost features suitable for multiple bats and may therefore be used by a maternity colony) due to the presence of a moderately sized and large area of loose/lifted bark to one of the upper limbs and several holes located on the upper limbs. A total of six potential roost features were recorded on the upper limbs of the tree and the ivy cladding of the trunk.
- 3.12 We understand that this tree will be retained under the current scope of works.

PRF-I

- 3.13 Approximately 80% of trees at the site, were noted to have some degree of ivy cladding and were recorded as PRF-I (roost features only suitable for individual bats).
- 3.14 Dominant species included ash and oak. The trees were assigned to PRF-I due to some degree of ivy cladding, however no potential roosting features beyond these factors were seen. It was considered most likely that the trees were unsuitable for bats, due to their small girth and lack of significant potential roosting features. No secondary evidence of use by bats was seen in any of the trees.
- 3.15 Other than T2 which was identified by the PEA/PRA (Phlorum, 2025) as requiring further survey work, the PRF-I trees have not been individually numbered.
- 3.16 Due to the large number of low value PRF-I trees, these were not individually numbered; the trees were located within the woodland area at the northwest of the site and across the northern boundary.

NONE

- 3.17 All remaining trees around the site were assessed as NONE (no potential roost features) as they did not have any visible potential roosting features at the time of the survey or were considered to be relatively young and small with no potential to support roosting bats.
- 3.18 The trees lacked significant climbing ivy, cracks/splits, flaking bark, holes, or other cavities. None were of a size or stature that would make them likely roost sites. No secondary evidence of use by bats was found. Most of the trees were small in size and/or very slender in stature.

Summary

- 3.19 One tree (T1) within the survey area was considered to offer PRF-M opportunity for roosting bats. Further assessment will be required should any works be expected to impact PRF-M trees. This could include ground and aerial tree climb PRF assessment, and or emergence/activity surveys. This survey work has been undertaken and the results presented in a separate report by Phlorum (2026).
- 3.20 Any works to the trees such as felling should be undertaken with precautionary working measures once bat absence has been confirmed.
- 3.21 All other trees within the survey area were considered PRF-I or NONE, and largely unsuitable for roosting bats due to being small in size and/or very slender in stature. No further survey work is required for PRF-I or NONE trees.
- 3.22 It is recommended that all the trees with a PRF-I potential for roosting bats on-site are re-inspected just before their removal (maximum 1 week before) to ensure no bats have moved into any of PRFs during the time between this inspection and their scheduled removal. We recommend that they are soft felled, also referred to as section felling (e.g. branches and trunk cut into sections and carefully lowered by ropes so they can be inspected on the ground), under a watching brief with a suitably qualified ecologist present who will guide the works. If a bat is found in any cavity in the cut sections, then that section should either be, hung up in a nearby tree, or the sections left at the base of the tree for the bat to leave on their own.
- 3.23 Trees with a PRF-I potential for roosting bats do not require emergence/re-entry surveys before their removal following best practice guidelines (Collins, 2023). If a bat is found all works must cease immediately and if necessary, further surveys and a licence obtained from Natural England.

4. Discussion and Recommendations

- 4.1 The survey site is located at Land at Stoney Wood Quarter, Barnet, NW7 3HP. The site area extends over approximately 1.7 hectares (ha). A total of two trees identified by the PEA were included in this assessment, and a further inspection of the trees in the surrounding woodland which have not been individually numbered. This has been guided by Preliminary Roost Assessment which was carried out as part of the PEA survey and the Arboricultural Impact Assessment (Quaife Woodlands, 2025). The trees have been assessed for their potential to support roosting bats.
- 4.2 The proposed development is for *“Redevelopment of the site for residential use (Class C3), in buildings up to 5 storeys with ancillary flexible commercial spaces (Use Class E) uses at ground floor level. Together with plant, play space, car and cycle parking, hard and soft landscaping and all other works associated with the development”*.
- 4.3 One tree (T1) within the survey area was considered to offer PRF-M opportunity for roosting bats. Further assessment will be required should any works be expected to impact PRF-M trees. This could include ground and aerial tree climb PRF assessment, and or emergence/activity surveys. This survey work has been undertaken and the results presented in a separate report by Phlorum (2026).
- 4.4 Any works to the trees such as felling should be undertaken with precautionary working measures once bat absence has been confirmed.
- 4.5 All other trees within the survey area were considered PRF-I or NONE. Trees with a PRF-I potential for roosting bats do not require emergence/re-entry surveys before their removal following best practice guidelines (Collins, 2023).
- 4.6 If bats are found during the tree works within any trees on the site that are to be removed or pruned, activities should cease immediately, and advice sought from a suitably qualified ecologist.
- 4.7 It is recommended that bat boxes should be installed on the site to provide additional roosting opportunities.
- 4.8 It is recommended that the illuminating of the site boundaries with artificial lighting is avoided.
- 4.9 Details regarding the recommended precautionary approach, habitat enhancement, and lighting measures are provided below.

Recommendations

PRF-M Trees

Aerial Tree Climb Survey/Potential Roost Feature Inspection

- 4.10 A suitably licenced ecologist should inspect the PRF-M trees with bat roosting potential; trees will be assessed via an aerial climbing assessment and endoscope survey of potential roost features to search for evidence/presence of bats. The surveys will be undertaken by suitably trained and qualified bat ecologists working under appropriate bat survey level licenses.
- 4.11 Further bat emergence/activity surveys may be required following the results of the survey.
- 4.12 The results of the survey(s) can then be used to inform specific mitigation and enhancement measures for this species group to include a lighting scheme that is sympathetic to bats
- 4.13 Where a roost is likely to be impacted by the works, and where avoidance is not possible, it may be necessary to obtain a bat Licence (such as, a European Protected Species Mitigation -EPSM, or a Low Impact Licence/Bat Mitigation Class Licence -BMCL, or Earned Recognition (ER) licence) before the works can proceed and to complete any necessary mitigation.
- 4.14 A EPSML licence would need to be obtained from Natural England once full planning permission is in place. The application will require the drafting of a detailed mitigation strategy including timing and construction methods in addition to the mitigation measures proposed. Natural England currently require 30 working days to determine a licence application
- 4.15 If a bat roost is found for a common bat species and the roost is of low conservation value, then a Low Impact Licence/Bat Mitigation Class Licence -BMCL may be obtained for the site instead. This type of licence is typically obtained within 15 days. The ecologist will then discuss the stages of the tree removal works with the on-site contractors and will oversee and guide these works.

PRF-I Trees

Precautionary Approach

- 4.16 Bats receive protection under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended).
- 4.17 A precautionary approach to the removal/pruning of PRF-I trees within the site boundary should be undertaken.

- 4.18 It is recommended that these trees are removed outside of the hibernation period when bats are considered least vulnerable. The hibernation period is taken to run between mid to late November and mid-March, weather dependant. Where this is not possible, works to the trees must be undertaken under the supervision of a suitably qualified bat ecologist.
- 4.19 A suitably experienced ecologist should oversee the removal of these trees and groups. On arrival to the site the ecologist will re-inspect the trees to look for evidence of roosting bats. An on-site assessment can then be made by the ecologist regarding the likelihood that any roosts are present.
- 4.20 A 'soft-felling' technique will be followed for the removal of these trees, under a watching brief by the suitably qualified ecologist. This involves removing the top branches first and then working down the tree, removing it in sections. If any potential roosting features, such as cavities, holes, or cracks, are identified during the process, these sections will be lowered carefully using ropes to ground level. Each section should be laid on the ground with the potential roosting feature facing upwards to give roosting bats an opportunity to vacate the tree. Cutting through cavities should be avoided.
- 4.21 If bats are subsequently found during the tree works, within any trees on the site that are to be removed, activities should cease immediately, and advice sought from a suitably qualified ecologist.
- 4.22 Where a roost is likely to be impacted by the removal works, and where avoidance is not possible, it may be necessary to obtain a Protected Species Mitigation Licence for bats before the removal works can proceed and to complete any necessary mitigation.
- 4.23 Such a licence would need to be obtained from Natural England once full planning permission is in place. The application will require the drafting of a detailed mitigation strategy including timing and felling methods in addition to the mitigation measures proposed. Natural England currently require 30 working days to determine a licence application.

Habitat Enhancement

- 4.24 Additional roosting opportunities should be incorporated into the final design to enhance the site for roosting bats post works. This should include the installation of bat boxes, such as the Schwegler 1FF bat box, located on mature trees around the site and/or the buildings. These should be orientated with a south, southeast, or southwest aspect and located at least 3m from ground level.
- 4.25 It is understood that a number of new native trees are to be planted as part of the proposed development. Once established, these should provide habitat for foraging and/or roosting bats.

Bats and Lighting

- 4.26 Different species of bat have been found to react differently to night-time lighting. However, research has found that generally all species of bats are sensitive to artificial lighting and that excessive lighting can delay bats from emerging, thus shortening the time available for foraging, as well as causing individuals to move away from suitable foraging grounds or roost sites to alternative dark areas (Stone, 2014). Bats can also become isolated from their foraging grounds if the linear features they use for commuting are suddenly illuminated, creating a light barrier (Stone, 2014).
- 4.27 New development provides the opportunity to enhance the site's value for foraging bats and to minimise indirect impacts from lighting associated with the new development. This can be achieved by following accepted best practice (Chartered Institute of Ecology and Environmental Management 2023, Institute of Lighting Professionals 2023, Bat Conservation Trust, 2023):
-  The level of any artificial lighting including flood lighting should be kept to a minimum, particularly around trees and other vegetated habitat;
 -  LED lights are a preferred option to low pressure sodium lights or high-pressure sodium or mercury lamps. LED lights do not emit UV radiation, towards which some insects are attracted, drawing them away from bat foraging areas in the surrounding landscape;
 -  All lights should be directed at a low angle with minimal light spillage wherever possible;
 -  Ideally the site boundaries should be kept dark, preferably at bat emergence (0-1 hour after sunset) and during peak bat activity periods (e.g. 1.5 hours after sunset and 1.5 hours before sunrise);
 -  Artificial lighting should not directly illuminate any potential bat commuting areas such as trees and linear features. Similarly, any newly planted linear features or buffer areas around the site boundary should not be directly lit; and
 -  If security lights are required, then they will be set on a Passive Infrared (PIR) sensor and timer so that the light is only emitted for the short time period required.

5. Conclusions

- 5.1 A Ground Level Tree Assessment was undertaken at Land at Stoney Wood Quarter, Barnet to identify the potential for roosting bats to be utilising the on-site trees that are to be removed or pruned as part of the proposed development.
- 5.2 One tree within the survey area (T1) was considered to be PRF-M. Further assessment will be required to determine suitability for roosting bats. This could include a ground and aerial tree climb assessment, and or bat emergence/activity surveys. This survey work has been undertaken and the results presented in a separate report by Phlorum (2026).
- 5.3 The remaining trees within the survey area were found to have PRF-I or negligible potential to support roosting bats due to small degrees of ivy cladding or complete absence of potential roosting features.
- 5.4 It is recommended that a precautionary approach, including soft-felling and an ecological watching brief, is adopted for the removal of the trees and groups with PRF-I suitability to support roosting bats.
- 5.5 If bats are found during the tree works, within any trees on the site that are to be removed or pruned, activities should cease immediately and advice sought from a suitably qualified ecologist.
- 5.6 Bat boxes should be installed to provide additional roosting opportunities on the site, either on mature trees or the buildings, and lighting should be controlled to minimise impact on any potential roosting or foraging bats.

6. References

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Appendices

Appendix A

Photographs

Photographs

Feature	Photograph of Feature
T1 was a large oak and was classified as PRF-M	

Knot hole on T1



Hole in an upper branch of T1



The base of T1 showing large cavity at the base of the trunk



Branch split on T1



Multiple small trees had some degree of ivy cladding, the image shows T2



Multiple small trees had some degree of ivy cladding



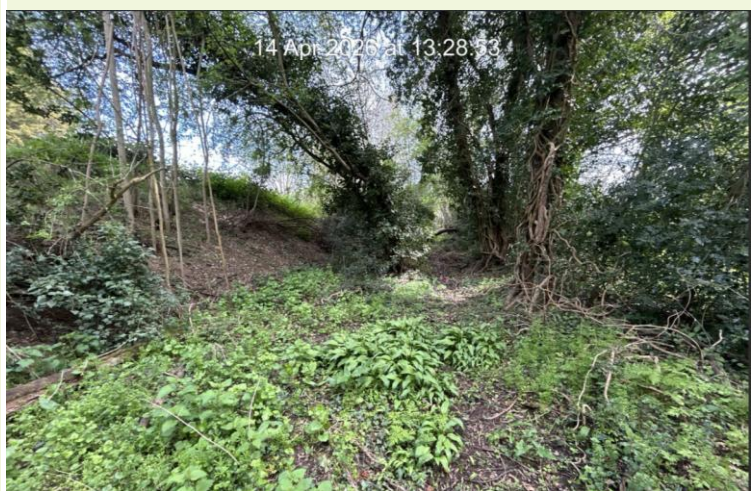
Multiple small trees had some degree of ivy cladding



The base of T1 showing large cavity at the base of the trunk



Multiple small trees had some degree of ivy cladding



Multiple small trees had some degree of ivy cladding



Appendix B

Ground Level Tree Assessment Survey Map



Figure 1 - GLTA map for Land at Stoney Wood Quarter, Barnet

Contains Ordnance Survey Data © Crown copyright and database right 2010-2023.

Job No: 13786
Author: A.Howie
Date: 29/06/2026
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Appendix C

Legislation

Legislation

This section contains information pertaining to the legislation and planning policy applicable in Britain. This information is not applicable to Northern Ireland, the Republic of Ireland the Isle of Man or the Channel Islands. Information contained in the following appendix is provided for guidance only.

Species

The objective of the EC Habitats Directive¹ is to conserve plants and animals which are considered to be rare across Europe. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 (as amended) (formerly The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended).

The Wildlife and Countryside Act 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and also implements the obligations set out for species protection from the Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Various amendments have been made since the Wildlife & Countryside Act came into force in 1981. Further details pertaining to alterations of the Act can be found on the following website: www.opsi.gov.uk. Key amendments have been made through the Countryside and Rights of Way (CROW) Act (2000) and Nature Conservation (Scotland) Act 2004.

There are a number of other legislative Acts affording protection to species and habitats. These include:

-  Countryside and Rights of Way (CROW) Act 2000;
-  Deer Act 1991;
-  Natural Environment & Rural Communities (NERC) Act 2006;
-  Protection of Badgers Act 1992; and
-  Wild Mammals (Protection) Act 1996.

Bats

Bats are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). This act protects individuals from:

-  intentional or reckless disturbance (at any level);

¹ Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.

- 👁️ intentional or reckless obstruction of access to any place of shelter or protection; and
- 👁️ selling, offering or exposing for sale, possession or transporting for purpose of sale

In addition, 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 (all bats);
- 👁️ deliberate disturbance of bat species as to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.
- 👁️ deliberate disturbance of bat species as to affect significantly the local distribution or abundance of the species;
- 👁️ damage or destruction of a breeding site or resting place; and
- 👁️ keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

A European Protected Species Mitigation (EPSM) Licence issued by Natural England will be required for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake activities listed above. A licence is required to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and monitored.



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