



Planning: Barn Owls

The best habitat for barn owls is rough tussocky grassland which supports an abundance of small mammals such as field voles.

Other good habitats where barn owls can hunt include marshland or along watercourses, wide rough grassy margins or ditches and, whilst barn owls are not woodland birds, along woodland edges and wide clearings.

Barn owl protection

Barn owls are the Schedule 1 species most often affected by development because of the type of roosting sites they prefer to use. Barn owls will make use of church towers, dovecotes and bale stacks as well as disused and agricultural buildings, and trees with hollows or cavities. The Wildlife & Countryside Act 1981 provides protection for barn owls meaning the penalty for an offence involving a barn owl (or its nest or egg) includes a fine up to £5,000 (per bird, nest or egg) and up to six months imprisonment.

Barn owl nests

Sites used by barn owls have no protection per se, however, because nesting adults and dependent young are protected against disturbance, the buildings or trees they occupy are effectively protected during these periods.

Barn owl nest-places are characterised by a compacted layer of nest debris (pellet debris) that is considered to be their nest. Removing whatever supports, surrounds or shelters the nest should be considered as nest damage or destruction. Since barn owls do not 'build' a nest, their protection against disturbance is generally considered to commence as soon as the first egg is laid, although it could be argued that the shredding of pellets or the

making of a shallow scrape in preparation for egg laying constitutes nest 'building'. Protection against disturbance ends when the last young owl becomes independent (or dies). It is important to bear in mind that the young do not truly become independent until they are up to 14 weeks old therefore nest sites cannot be disturbed throughout this time. Outside of these periods nest and roost sites can be legally altered or even destroyed. Adult barn owls are only protected against disturbance whilst in or near a nest containing eggs or young. 'Near' is open to interpretation, but normally means within the same building or just outside, and within 30 m in the case of a tree nest.

Development of a site with barn owls

If something potentially disturbing is planned, and if it is reasonable to expect the developer to know that barn owls might be present and breeding, and if they fail to check then they may be deemed 'reckless' and found guilty of an offence. Where the protection of breeding barn owls has called a temporary halt to the



Barn owl - Credit Andrew Mason



development, the delay will not normally exceed four months in total. Where development work awaits the completion of a breeding cycle, a nest inspection should be carried out by a licence holder before work is resumed.

Local authorities have a statutory duty not only to protect species but also to help restore or enhance populations and habitats, which they should take into consideration when assessing planning applications. The National Planning Policy Framework (NPPF) highlights that the planning system should contribute to and enhance natural environments by minimising impacts on biodiversity, and providing net biodiversity gains where possible. It states that the Government's planning objectives are to '*promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations*'. It advises that the planning system must plan for biodiversity at a landscape-scale across local authority boundaries. NERC 2006 also includes the '*duty to conserve biodiversity*' which includes '*restoring or enhancing a population or habitat*' (S.40(3)). Therefore as barn owls are dependent

upon the availability of prey-rich foraging areas as well as nest sites for population recovery the impacts on these areas should also be taken into consideration in planning applications.

More information about surveys for barn owls can be found in 'Barn Owl *Tyto alba* Survey Methodology and Techniques for use in Ecological Assessment'.

Old nests

Traditional barn owl sites seem to attract the species as a whole, and these nest sites can be re-used over long periods of time, not only by the same birds, but by successive generations of unrelated individuals, and even re-occupied by new individuals after long periods of absence. So although legally temporarily vacant sites can be removed or altered, it isn't recommended as the site will most likely be used again at a later date.

Licence for disturbance


Anyone who intends to undertake an activity that is likely to result in the disturbance of nesting barn owls or their dependent young, or handle nesting barn owls, their eggs or young, should apply for a licence or permit well in advance. These are occasionally issued by the relevant country agencies: Natural England, Scottish Natural Heritage, the Countryside Council of Wales and the Northern Ireland Environment Agency and are location specific.


Further information

For more planning documents visit www.ywt.org.uk/we-defend-wildlife or call 01904 659570.

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