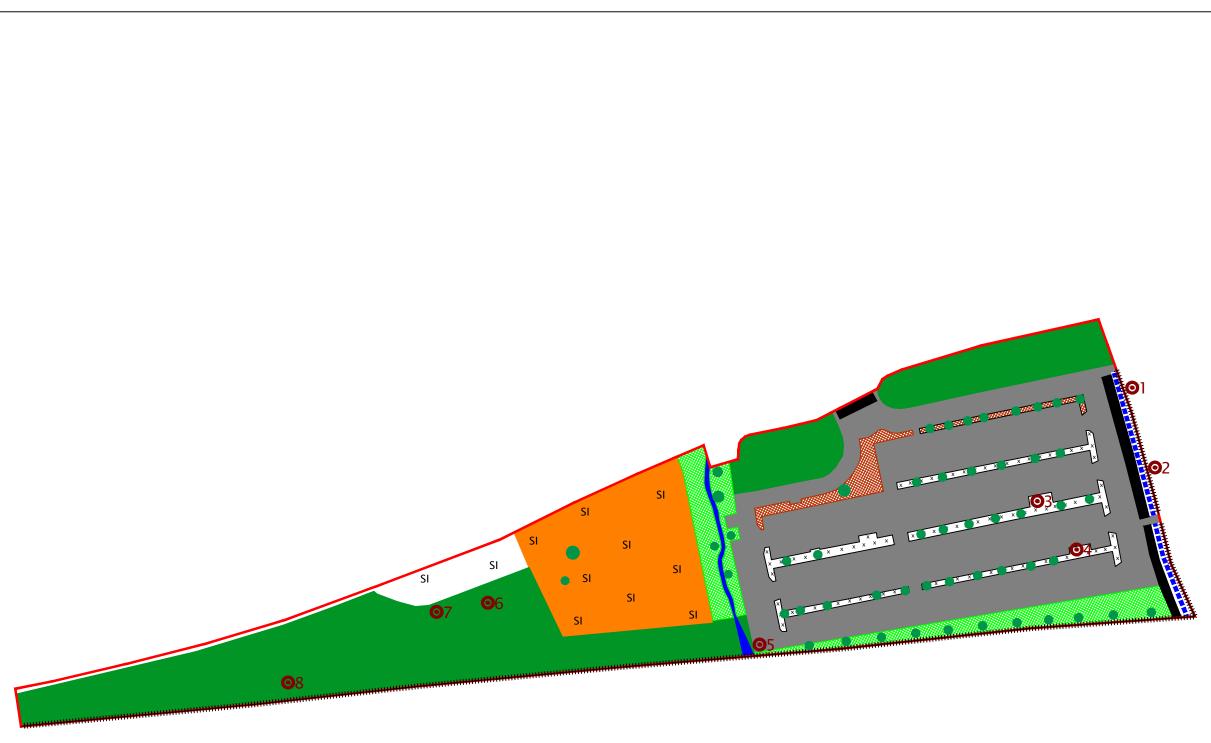
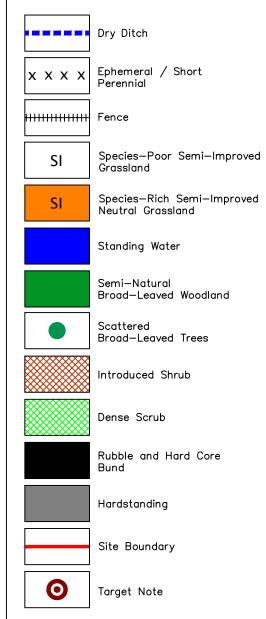


Appendix 3: Habitat Plan









. Do not scale from this drawing . Contractors must check all dimensions o . Any discrepancies must be reported to t

4. This drawing is copyright © D F Clark Ltd 2015

5. The original of this drawing was produced in colour a monochrome copy should not be relied upon.

Target Note Number	Description
1	Oak tree with low bat roost potential
2	Oak tree with low bat roost potential
3	Oak tree with low bat roost potential
4	Ash tree with moderate bat roost potential
5	Willow tree with low bat roost potential
6	Log pile
7	Single badger sett entrance hole
8	Shallow ephemeral area of standing water

Appendix 4: Planning Policy and Biodiversity Legislation

National Planning policy

The UK Post-2010 Biodiversity Framework forms the government response to the 2010 Convention on Biological Diversity, and replaces the UK Biodiversity Action Plan with five internationally agreed strategic goals and targets, including reducing pressures on biodiversity and safeguarding ecosystems, species and genetic diversity. The government's Biodiversity 2020 strategy aims to halt the loss of biodiversity and the degradation of ecosystem services by 2020, to include restoration where feasible. These are used as a guide for decision makers such as local authorities to fulfil their obligations under sections 40 and 41 of the Natural Environment and Rural Communities Act 2006 to have regard to the purpose of conserving biodiversity in carrying out their duties.

The National Planning Policy Framework (NPPF) 2018 states the 'planning system should contribute to and enhance the natural and local environment by...minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'. Further, the NPPF states that 'when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.'

The NPPF also states that 'the following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.'

Statutory Designations

Areas of land can be designated to legally protect a number of species and their habitats, as well as landscape and cultural aspects of the countryside. There are a number of different designations that can be applied with varying levels of protection.

Ramsar Wetlands of International Importance

Ramsar sites are of international importance for the quality of their wetland habitats and features. They are designated under the Ramsar Convention, with the first sites designated in 1976. All Ramsar sites in England are also European conservation sites and protected through the European legislation that protects SACs and SPAs (see below).

Special Areas of Conservation and Special Protection Areas

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are of European wide importance and strictly protected sites under the Conservation of Habitats and Species Regulations 2017. These regulations consolidate all the various amendments made to the Conservation (Natural Habitats etc.) Regulations 1994 (England and Wales). The regulations transpose the Council of the European Communities Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora into national law.

The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of Natura 2000 sites. The Marine and Coastal Access Act 2009 provides provision for the implementation of the protection of such sites in coastal/marine areas.

Sites of Special Scientific Interest

Sites of Special Scientific Interest (SSSIs) represent the best wildlife and geological sites in the country and are of national importance. SSSIs are protected under the Wildlife and Countryside Act 1981 (as amended).

A list of operations likely to damage the SSSI is provided to the landholder who must get permission from the regulator before carrying out any listed activity. Operations/developments adjacent to the SSSI can also have a negative impact and may also require permission from the regulator before being carried out. Natural England's online mapping tool: MAGIC.gov.uk provides SSSI Impact Risk Zones and lists types of developments within the Impact Risk Zones that could have an impact upon adjacent SSSIs.

Areas of Outstanding Natural Beauty

An Area of Outstanding Natural Beauty (AONB) is a precious landscape with distinctive character and natural beauty. There are 36 AONBs in England protected by the National Parks and Access to the Countryside Act of 1949.

AONBs often include flora and fauna of high quality and interest, as well as historical and cultural associations and scenic views.

National Nature Reserves

Sections 16-29 of the National Parks and Access to the Countryside Act 1949 in England establish National Nature Reserves, provisions strengthened by the Wildlife and Countryside Act 1981 (as amended).

A National Nature Reserve (NNR) is an area which is one of the best examples of a particular type of habitat/s. These areas are of national importance for conservation and are given strict protection against damaging operations. Any damaging operations which need to be carried out must be authorised by the designating body.

These protected areas also have strong protection against development on and around it.

Local Nature Reserves

Local Nature Reserves are statutory designations made under Section 21 of the National Parks and Access to the Countryside Act 1949, and amended by Schedule 11 of the Natural Environment and Rural Communities Act 2006, by principal local authorities.

To qualify as a Local Nature Reserve, the site must be of importance for wildlife, geology, education or public enjoyment.

Local Nature Reserves (LNRs) are of local, but not necessarily national importance and are almost always owned by local authorities with good public access and facilities.

LNRs can be given protection against damaging operations, and has protection against development on and around it. Protection to the sites are usually through the Local Plan (produced by the planning authority), and are often supplemented by local by-laws.

The level and type of protection afforded to the LNR is decided locally and varies from site to site.

Local Non-Statutory Designations

The Local Planning Authority for any given area can designate certain areas as of being of local conservation interest. This is the lowest tier of conservation designation and the level of protection provided varies from area to area.

The Local Plan designates a certain level of protection for such areas in the planning process, giving limited protection against developments of certain types. The name for locally designated sites varies from area to area. One name for such a designation is: a Site of Importance for Nature Conservation (SINC).

Protected Species Legislation

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats & Species Regulations 2017 and the Protection of Badgers Act 1992 (as amended) confer various degrees of legal protection on species including bats, reptiles, great crested newts, otters, dormice, water voles, badgers and birds. (A full list of protected species and their specific legal protection is provided within the schedules of the legislation.) This legal protection overrides all planning decisions.

The level of protection afforded to protected species varies dependent on the associated legislation.

In general, European Protected Species (EPS) (e.g. bats, great crested newt, dormice and otter) are afforded the highest level of protection. Any person who deliberately captures, injures or kills an EPS, deliberately disturbs an EPS or who damages or destroys a breeding site or resting place is guilty of an offence. Furthermore, any person who intentionally or recklessly disturbs an animal whilst it is occupying a structure / place used for shelter / protection and who obstructs access to any structure or place that an animal uses for shelter or protection is also guilty of an offence.

The level of protection afforded to species listed on the Wildlife and Countryside Act 1981 (as amended) varies considerably. 'Fully protected species,' such as water vole, are afforded the highest level of protection. Any person who intentionally kills, injures, or takes 'fully protected species,' or who intentionally or recklessly damages or destroys a structure or place used for shelter / protection, disturbs the animal whilst occupying a structure / place used for shelter and protection or obstructs access to any structure / place used for shelter or protection is likely to have committed an offence. Other species, such as common reptiles, are afforded less protection and for these species it may only be an offence to intentionally or recklessly kill or injure animals. All active bird nests, eggs and young are protected from destruction and Schedule 1 listed birds are also protected from disturbance whilst breeding.

Under certain circumstances licences can be granted by the Statutory Nature Conservation Organisation (Natural England in England) to permit actions that would otherwise be unlawful under The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats & Species Regulations 2017 and the Protection of Badgers Act 1992 (as amended).

In addition to the above legislation, the Wild Mammals (Protection) Act (1996) provides protection for all wild mammals from certain cruel acts including crushing and asphyxiation, which can have relevance for methods employed during site clearance works.

Further, there is a requirement for local planning authorities to consider Species (and Habitats) of Principal Importance listed under Section 41 of the Natural Environment and Rural Communities Act 2006 when making planning decisions.

Appendix 5: Reptile Mitigation Strategy