



Report Type: Ecological Appraisal

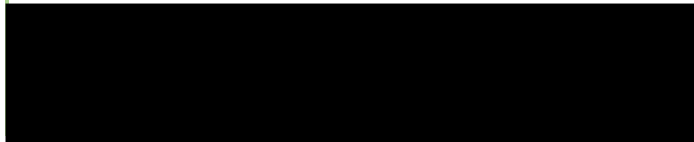
Client Name: Mr Mal Goddard

Site Address: Land at Cleveland  
Four Crosses  
Powys  
SY22 6RL

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Questions arising from the survey report should be directed to the author of the report who will be pleased to clarify any technical issues raised.

Whilst the surveyors make every reasonable effort, Greenscape Environmental Ltd cannot guarantee that all protected species have been identified and survey results are definitive. Many species are cryptic and transitional in habit.

Reports are considered valid for one year for planning purposes, after which time further survey information may be required.

Greenscape Environmental Ltd can provide advice and support for recommendations and planning conditions.

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# 1 Executive Summary

## 1.1 Purpose of the Report

Greenscape Environmental Ltd was commissioned by Dave Parker at DPA on behalf of the client, Mal Goddard, to undertake a preliminary ecological appraisal of land at Cleveland to provide supporting information for a planning application for the construction of three dwellings.

The survey report has these principal aims:

- To provide an initial assessment of the ecological value of the site in local context.
- To provide details supporting further surveys that may be required.
- To identify potential ecological constraints relating to the development, and recommend measures to avoid, reduce or manage negative effects, and to provide a net ecological gain.

## 1.2 Methodology

The appraisal included a desktop study for nearby designated sites and previously recorded protected species, and a site visit undertaken at the site, OS grid reference SJ27641812 on the 23<sup>rd</sup> of August 2022 by Ben Jones.

## 1.3 Key Impacts and Mitigation Measures

The site comprises an area of managed modified grassland and an area of stone hardstanding. Boundaries include intact hedgerows and fences.

The site is of low to negligible ecological value. A small part of the grassland was previously managed as a vegetable plot and is now covered by plastic. Where possible this was lifted to check for sheltering animals, but none were found.

The hedgerows may support nesting birds, but none are likely to be removed. There is a large ash tree on the southern boundary and smaller trees along the eastern boundary including sycamores.

There is one body of water within 250m, this is a SUDS pond associated with the neighbouring housing development to the west. No aquatic vegetation of value for amphibians was found, and the pond is separated from this development site by the new houses.

## 1.4 Conclusion

It is recommended that the biodiversity value of the site will be enhanced post-construction with the inclusion of bat and bird boxes. The plans show that the landscaping will also be improved by planting new native species hedgerows and trees on new boundaries between plots.

The method statements and enhancements provided in this report will be followed.

There are no other ecological constraints to the development as currently proposed.



## 2 Introduction

This report has been compiled by Ben Jones BSc (hons) MSc who has 7 years' experience conducting ecological appraisals. It has been reviewed in line with Greenscape's Quality Management System.

For full details of surveyors and licences please see Appendix A.

### 2.1 Project Background

Greenscape Environmental Ltd was commissioned by Dave Parker at DPPA to conduct a survey to determine the presence of protected species and potential for the damage or destruction of habitats of value. This forms part of the planning application for the construction of three new dwellings.

### 2.2 Purpose of the Report

This report aims to:

- Identify the key ecological constraints to the proposed development.
- Inform planning to allow significant ecological effects to be minimised or avoided where possible.
- Allow any necessary mitigation or compensation measures to be developed following the mitigation hierarchy.
- Identify any additional surveys that may be required to inform the assessment.
- Identify the opportunities offered by a project to deliver ecological enhancement under NPPF Section 15.

### 2.3 Site Context and Location

The site is located on the eastern outskirts of Four Crosses, OS grid reference SJ27641812. It is set in a rural environment surrounded by residential and commercial properties. Field boundary hedgerows extend away from site but do not connect to any noteworthy habitats in close proximity to the site.



## 3 Methodology

Broad methodologies for data collection and interpretation were informed by guidance outlined in CIEEM (2017) – Guidelines for Preliminary Ecological Appraisals. Full details can be found in Appendix B.

### 3.1 Desk Study

The desk study provides contextual information such as the site's proximity to designated areas and known records of protected or notable species.

### 3.2 Field Survey

#### 3.2.1 Date and Survey Conditions

Table 3.1. Survey conditions

Date	Time	Equipment Used	Weather
23/08/2022	15:00	Camera, strong torch, 12x55 monocular	50% cloud, warm, dry underfoot
Comments	One surveyor used: Ben Jones		

#### 3.2.2 Habitats

The level of survey is aimed to identify field signs of, or habitats with the potential to support protected species and therefore assist in the determination of site value.

#### 3.2.3 Hedgerows

The aim of the assessment is to ascertain whether the hedgerow could be classified as important according to the definitions listed in the Hedgerow Regulations (1997).

### 3.3 Species Survey

Features on site were assessed for potential for bat roosts, foraging and commuting. These were conducted in accordance with Bat Surveys for Professional Ecologists: Good Practice Guidelines 3<sup>rd</sup> Edition, BCT, Collins (ed.) (2016).

Badger surveys were conducted following guidance from Surveying Badgers by Harris et al., (1989)

Features on site were assessed for potential for nesting birds.

The terrestrial habitats at the application site were surveyed and assessed with respect to suitability and potential value for great crested newts.

### 3.4 Constraints of the Survey

All areas were accessible for this survey. It was conducted at an optimal time of year for the assessment of protected species. No specific constraints have been identified.



## 4 Baseline Ecological Conditions

### 4.1 Nearby Features of Importance

The map from Natural England presented in Figure 4.1 indicated that the site not within 1km of any designated areas.

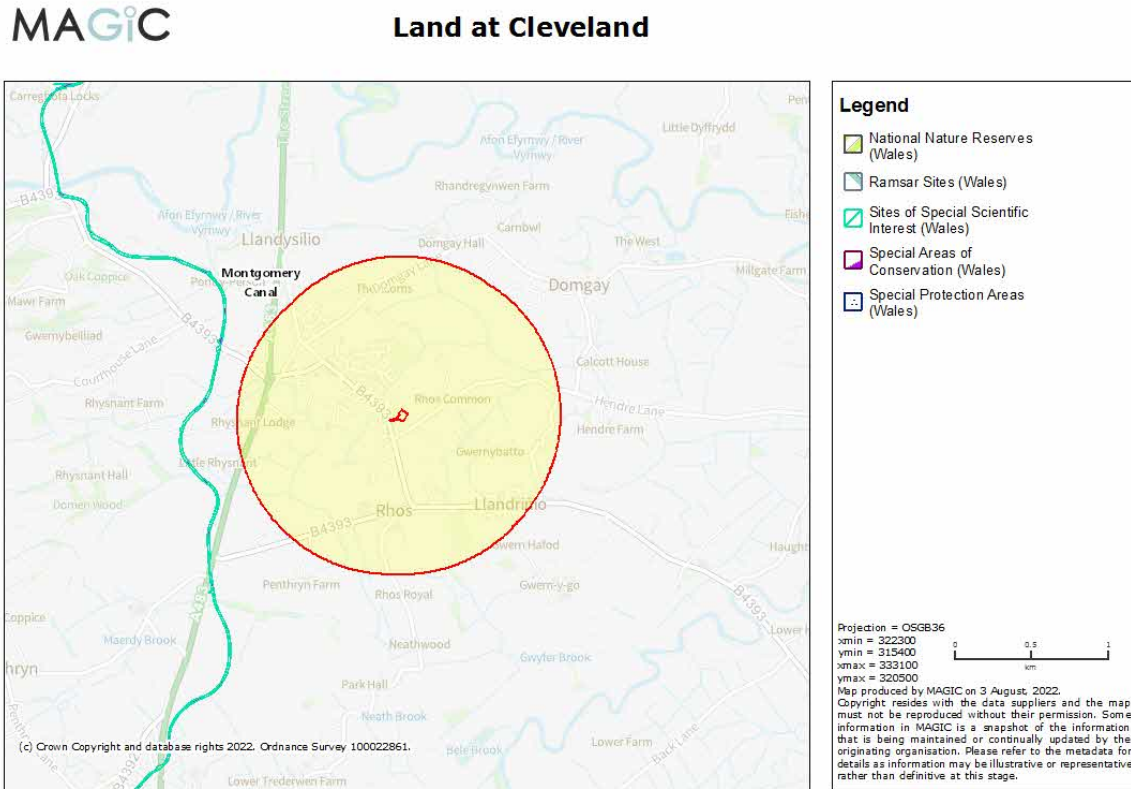


Figure 4.1. Identifying any designated areas near site, a 1km buffer is shown





## 4.2 Habitats on Site

The site comprises two distinct areas; approximately 2/3 of the site is modified grassland (UKHabs code – g3c 66) and the remainder is hardstanding (UKHabs code – u1c 89).



Figure 4.2. Hardstanding to south of site



Figure 4.3. Frequently mown modified grassland

Within the grassland is a former vegetable patch which is now covered with plastic.



Figure 4.4. Plastic covering former vegetable patch



The grassland also contains small fruiting trees inset from the eastern boundary.



Figure 4.5. Small fruiting trees

The site is bound to the north, east and south by hedgerows (UKHabs code - h2b 75 81), and to the west by a wooden fence (UKHabs code - u1e 69).



Figure 4.6. Wooden fence to the west



Figure 4.7. Northern hedgerow



Figure 4.8. Eastern hedgerow



Figure 4.9. Southern hedge behind container



### 4.3 Bats

The site had no features of value for roosting bats. The mature ash tree on the southern boundary was inspected with a scope, and tearouts and knotholes seen that were well healed and did not have any holes that lead into crevices suitable for bats.



Figure 4.10. Features on the ash tree with no roost potential

### 4.4 Other Mammals

The site had no evidence of any terrestrial mammals such as badgers. No footprints, trackways, latrines, foraging signs or sett entrances were visible on the site or its immediate surrounds.

### 4.5 Birds

The hedgerows and trees around site may provide suitable nesting habitat for birds at the correct time of year. No evidence of nests was found during the site assessment, however.

### 4.6 Amphibians

The only areas of significant value for amphibians on site is beneath the vegetable patch plastic and in the hedgerow bases. Where possible, the plastic was lifted and no amphibians were found. There is one pond within 250m, but this is a SUDs pond and had no vegetation or features of value for amphibians in their aquatic phase. A HSI assessment was not conducted due to the transient nature of the pond.

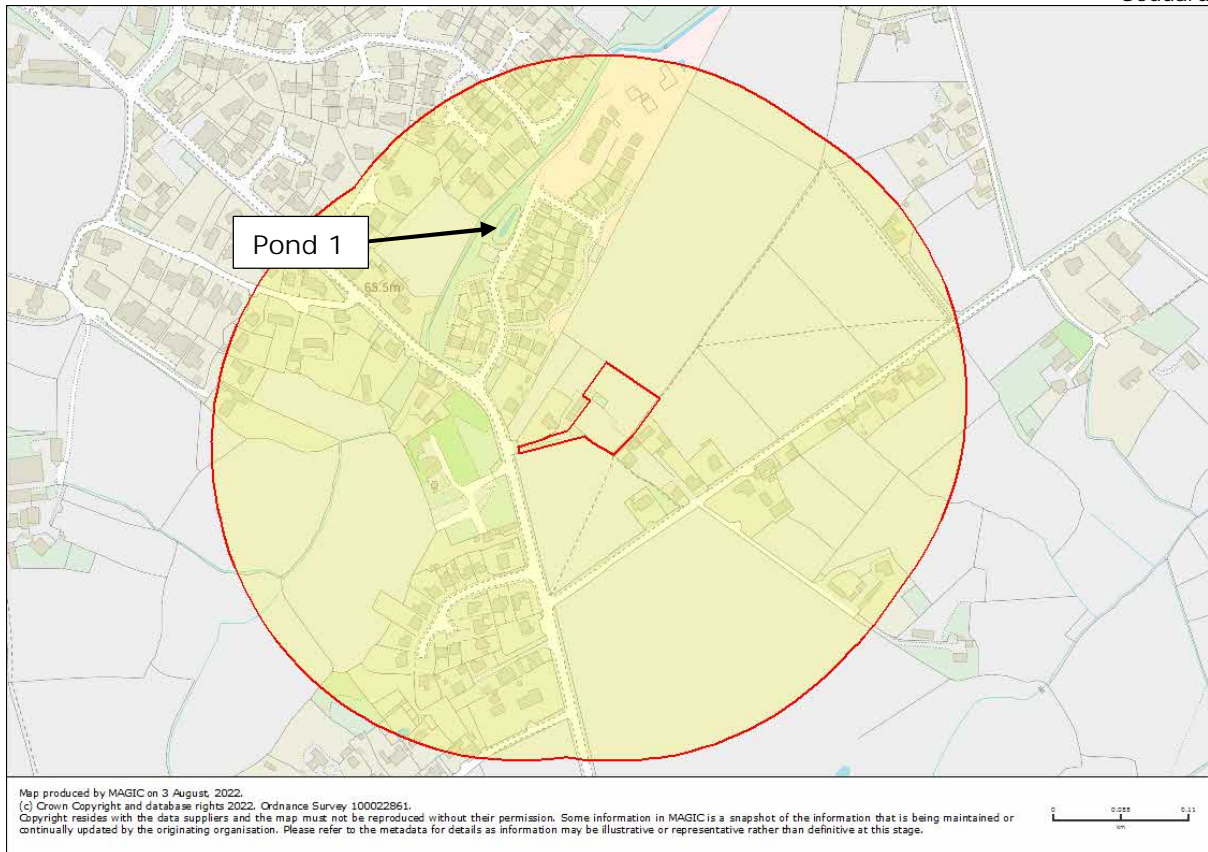


Figure 4.11. OS Map showing a 250m buffer around site, highlighting ponds



Figure 4.12. Pond 1 - SUDs



## 5 Description of Proposed Development

The current plans are for the construction of three detached dwellings on site. The access is shared with existing dwellings to the southwest, and will be kept the same.



Figure 5.1. Proposed site plans



## 6 Impacts, Enhancements and Mitigation

### 6.1 Nearby Features of Importance

Figure 4.1 shows that the nearest SSSI is over 1km away and therefore no potential negative impacts can be expected of a development of this size.

### 6.2 Habitats on Site

#### 6.2.1 Impacts

The development as proposed will not result in the loss of any habitats of principal importance listed in Section 7 of the Environment (Wales) Act 2016. Mitigation and enhancements will be delivered at a species and site level.

#### 6.2.2 Enhancements

The plans show that the new plots will have native species hedgerows delineating plot boundaries. Plants to use for this will include locally sourced native species. These will be planted in accordance with BS3936 (part 1, 1992, Nursery Stock, Specifications for trees and shrubs). Planting will occur between November and April depending on the timing of the development.

Table 6.1. New hedge planting scheme

Common Name	Latin Name	Distribution (%)
Hawthorn	<i>Crataegus monogyna</i>	35%
Blackthorn	<i>Prunus spinosa</i>	35%
Hazel	<i>Corylus avellana</i>	10%
Holly	<i>Ilex aquifolium</i>	10%
Wild Service Tree	<i>Sorbus torminalis</i>	10%

Table 6.2. Fruiting plant enhancement

Common Name	Latin Name
Crab Apple	<i>Malus sylvestris</i>
Wild Cherry	<i>Prunus avium</i>
Wild Pear	<i>Pyrus communis</i>

The plans also show new trees to be planted on site boundaries. These will be from the list below. These should also be native species, locally sourced where possible. Oak should particularly be encouraged because it supports a large diversity of invertebrates.

Table 6.3. Trees proposed for enhancement

Common Name	Latin Name
English Oak	<i>Quercus robur</i>
Sessile Oak	<i>Quercus petraea</i>
Lime	<i>Tilia cordata</i>
Rowan	<i>Sorbus aucuparia</i>
Silver Birch	<i>Betula pendula</i>

#### 6.2.3 Monitoring

All habitat enhancements will be monitored post-development and any failing plants or features will be addressed as appropriate to maintain the value of the enhancement.



## 6.3 Bats

### 6.3.1 Impacts

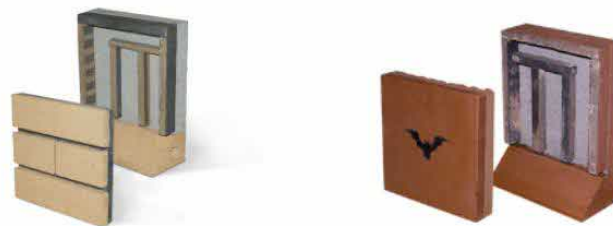
Even without consideration there is unlikely to be any loss or damage of roosts, nor any potential for death or damage of individual bats. No further surveys are necessary.

### 6.3.2 Enhancements

It is recommended that permanent provision be made for roosting opportunities for bats with the inclusion of an integrated bat box in each of the new dwellings. This will be erected at a height of 3-4 m and in a southerly, westerly or easterly facing direction.

#### Enclosed Bat Box (B and C)

- Designed specifically for the pipistrelle bat
- Available in all brick types
- Discrete home for bats
- Various sizes
- Several roosting zones are created inside the box
- Bats are contained within the bat box itself
- Maintenance free with entrance at the base
- Ideal for new build & conservation work



Bat Box B

Bat Box C

Eco Habitats for Bats	Sizes (mm)	Durability
Bat Box Type A	215 x 65	F2 S2 – Fully Frost Resistant
Bat Box Type B	215 x 215 or 215 x 290	F2 S2 – Fully Frost Resistant

Figure 6.1. Example integrated bat box

## 6.4 Other Mammals

As no evidence of non-bat mammals was found on site, no further consideration is required, and enhancements would not be practical or necessary for this site.

## 6.5 Birds

### 6.5.1 Impacts

Work at this site will not require any removal of trees or hedgerows. The proposed landscaping discussed in section 6.2.2 will increase the total area of potential nesting habitat once established.





## 6.5.2 Enhancements

1. It is recommended that a range of woodcrete boxes are erected around the site to provide an enhancement for passerine birds, and a selection of the following would be appropriate.
  - a. 26/32mm hole nest boxes (e.g. Schwegler 1b) should be installed at a minimum height of 3m in a westerly, northerly or easterly aspect.
  - b. Robin boxes should be installed inside vegetation such as a hedge or shrub, ideally at a height of over 2m.
  - c. Wren boxes should be installed inside vegetation such as a hedge or shrub, ideally 1-3m from the ground.



## 6.5.3 Monitoring

Failing boxes or enhancements will be replaced at the cost of the developer if deterioration or damage is noted within five years post-development.

## 6.6 Amphibians

### 6.6.1 Impacts

Only one pond is present within 250m, and this is a very poor value SUDs pond. The site has very limited features of value for great crested newts in their terrestrial phase. The plastic vegetable patch cover may be removed as part of standard garden maintenance, and no other habitats of any interest are present on site that may be impacted.

No further surveys are required, but to further reduce the potential for any negative impacts, a precautionary method statement will be followed.

### 6.6.2 Mitigation and Enhancements

#### Working Method Statement

##### Pre-Construction

1. The site will be kept under management prior to construction. This will reduce the potential for newts to cross the land and reduce the potential for the terrestrial features to improve. All plants will be kept short (<10cm) to ensure there is no shelter for great crested newts on the site



## Site Setup

2. Soil and vegetation will be stripped prior to setting up the site compound to ensure the compound contains no vegetation which could potentially attract great crested newts
3. All cabins and equipment will be located on firm compacted ground, preferably a stone or concrete base.
4. Contractors are advised not to handle newts at any time.

## Construction Phase

5. The site foreman will be responsible for ensuring all contractors are aware of the potential to find newts, and that they are familiar with the appearance of newts. If in doubt the ecologist will be contacted.
6. Contractors are advised to avoid handling newts at any time.
7. Any plants around the site will be kept short to stop the development of an area of terrestrial habitat more suitable for newts.
8. All groundwork will be conducted during daylight hours as newts are least likely to move during this time.
9. Trenches will be dug and filled in on the day created or will be covered over with close-fitting boards at the end of each working day.
10. If it is not possible to cover the trench, a ramp will be placed from the edge of the trench to the base to allow newts and small mammals to escape.
11. Open or covered trenches will be checked the following morning. This is particularly important when newts are most active, between March and November.
12. If a newt is found, then work will stop immediately, and the ecologist contacted for advice. The need for a licence will then be reconsidered.
13. Any heavy machinery will be stored on an area of hardstanding to avoid refugia being created.
14. Stored material will be raised on pallets to reduce the potential they might act as a temporary resting place. This reduces the potential for damage or destruction of individual newts.
15. All waste will be placed straight into skips to reduce the potential of creating refugia.
16. Great crested newts will not be handled or moved without express permission from Natural Resources Wales as this would constitute an offence.



## 7 Concluding Remarks

The survey has focussed on the potential habitats or protected species to be damaged or destroyed as part of this development.

The site is of very low ecological value. A precautionary method statement is provided for amphibians, though none are expected to be found on site.

There is opportunity to enhance the biodiversity value of site by erecting artificial nest boxes for birds and roost boxes for bats.

The plans show that new hedgerows and trees are to be planted on and around the site. These will enhance the value of site for multiple species groups.

The development can proceed without the loss of habitat of significant value, and without the loss of the favourable conservation status of any protected species. As there is no evidence of protected species within and around the development site, there is no requirement to address the three tests under Regulation 55 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

The method statements and enhancements provided in this report will be followed. Other than those listed above, there are no ecological constraints to the development as currently proposed.



## Appendix A – Surveyor Details

Table A.1. Details of surveyors' experience and licences held

Name	Membership of associations/ experience	Licenses
Ben Jones BSc(hons) MSc	Senior Consultant Ben has a degree in Marine and Freshwater biology and a Master's degree in "Managing the Environment". He has 7 years' experience conducting environmental appraisals and phase 2 surveys for bats and newts in England and Wales.	Holder of survey licenses for bats and newts in England and Wales.  <u>England:</u> Bats - 2017-29112-CLS-CLS GCN - 2016-25209-CLS-CLS <u>Wales:</u> Bats - S088669-2 GCN - S091242-1
Logan Maggs BSc(hons)	Senior Consultant Logan has a degree in Conservation and Land Management. He has over 10 years' experience conducting environmental appraisals and phase 2 surveys for bats and newts in England and Wales.	Holder of survey licenses for bats and newts in England and Wales.  <u>England:</u> Bats - 2016-24901-CLS-CLS GCN - 2017-29218-CLS-CLS <u>Wales:</u> Bats - S091096/1



## Appendix B – Methodology

### Desk Study

Table B.1. Data sources

Organisation/Resource	Information Assessed
MAGIC website	International statutory designations (1km) Special Protection areas (SPA) Special Areas of Conservation (SAC) RAMSAR sites National statutory designations (1km) Sites of Special Scientific Interest (SSSI) National Nature Reserves (NNR)

A search on Multi Agency Geographic Information for the Countryside (Magic Maps) determined nearby designated areas. The map is presented in Section 4.1.

### Field Survey

An assessment of habitats was conducted broadly following the UK Habitat Classification v1.1, Sept 2020.

The level of survey is aimed to identify field signs of or habitats with the potential to support protected species and therefore assist in the determination for detailed phase 2 surveys.

Determination of Ecological Value is based on the general criteria provided by IEEM (IEEM 2006).

Table B.2. Criteria of ecological values

Ecological Value	Description and Examples
High	Habitats or features that have high importance for nature conservation, such as statutory designated nature conservation sites of international or national importance or sites maintaining viable populations of species of international or national importance (e.g. Red Data Book species; European protected species).
Medium	Sites designated at a county or district level, e.g. Local Wildlife Site (LWS), ancient woodland site, ecologically 'important' hedgerows or ecological features that are notable within the context of a region, county or district (e.g. a viable area of a Priority Habitat on the county BAP or a site that supports a viable population of a county BAP species).
Low	Sites of nature conservation value within the context of a parish or neighbourhood, low-grade common habitats, such as arable fields and improved grasslands and sites supporting common, widespread species.

### Hedgerows

The aim of the assessment is to ascertain whether the hedgerow could be classified as important according to the definitions listed in the Hedgerow Regulations 1997.

The hedgerow is measured and gaps within a hedge included in the total length as long as the gaps are 20m or less in length.

The total number of woody species present was recorded in the following manner:



- Where the length of the hedgerow did not exceed 30m the total number of woody species present in the hedgerow was recorded
- Where the hedgerow was between 30m and 100m the number of woody species present in the central 30m was recorded
- Where the length was between 100m and 200m the number of woody species in the central 30m stretches of 2 halves of the hedgerow were counted and the mean of the 2 halves calculated
- Where the length of the hedge was over 200m the hedge was divided into thirds and the central 30m of each section counted and the mean calculated

The hedgerow height, width, integrity, structure and management history was recorded.

Notes were made of the following in accordance to the criteria outlined in Schedule 1 of the Hedgerow Regulations 1997:

- Evidence of certain species of birds, animals or plants listed in Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended)
- Number of woody species on average in a 30m length
- Presence of rare tree species such as Black Poplar, Large Leaved lime, Small leaved Lime, Wild Service tree
- Number of standard trees within each 50m length
- Percentage of gaps in the hedge
- Presence of ditches, banks or walls
- Numbers of connections with other hedgerows, ponds or woodland
- Presence of parallel hedgerow within 15m of the hedge
- Presence of bridleways, footpaths, byways of public paths

Non-woody ground flora species listed in Schedule 2 of the Hedgerow Regulations were recorded.

## Species Surveys

### Bats

Methodology used is in accordance with recommendations by BCT, Bat Surveys for Professional Ecologists: Good Practice Guidelines 3<sup>rd</sup> edition, Collins (2016).

Features on site were assessed for potential for bat roosts, foraging and commuting.

All trees were assessed from ground level. All trees examined were categorised on their potential roost features (PRF). These features include cracks, splits in limbs, cavities, loose bark and thick stemmed ivy. Where appropriate and accessible these features were assessed using binoculars and/or endoscopes.

Table B.3. Categorisation of trees for bats

Value for Bats	Example Features
Negligible	A tree that lacks the requisite features to support roosting bats
Low	A tree that contains a feature or features that clearly offer little roosting habitat for bats
Moderate/High	A tree that provides one or more potentially suitable roosting features for bats
Confirmed roost	Bat presence has been confirmed

Daytime surveys were conducted with the aid of a strong torch and a 12x55 monocular. Bat species may leave little evidence of their presence.



Evidence for the presence of bats includes:

- Holes, cracks and rot holes used as roosts, marked by streaks of urine and faeces.
- Smoothed, darkened edges where bats have rubbed and left natural body oils when entering and exiting a space.
- Faeces under a well-used feeding point or a resting spot.
- Feeding signs such as discarded insect wings under a feeding point.
- Presence of roosting or dead bats in or behind any object.

### Badgers

Surveys were conducted in line with Harris, S., Cresswell, P. and Jefferies, D. (1989) Surveying Badgers. Mammal Society - No9.

Daytime surveys for badgers involved looking for:

- Scrapings where badgers have dug for food or used as latrines.
- Signs of a sett, including signs of use such as presence of badger hair.
- Tracks and prints.

### Birds

Searching for evidence of nesting birds, including barn owls, involved looking for:

- Presence of nests
- Collections of droppings and/or feathers
- Highly distinctive droppings or splats under roosting points.
- Presence of owl pellets/feathers
- Listening for bird song
- Recording bird activity

### Amphibians and Reptiles

The terrestrial habitats at the application site were surveyed and assessed for their suitability and potential value for the support of GCN. The general topography, ground conditions and presence or absence of vegetation were recorded. A refugia search was conducted for amphibians and reptiles by looking under any logs, large stones and other debris.



## Appendix C – Policy

The following areas of policy and legislation are of relevance to ecology and provide context to the surveys conducted. Findings presented in this report are in line with the following:

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – as listed in:

Schedule 2. European protected species of animals

Schedule 5. European protected species of plants

The Wildlife and Countryside Act (1981) – as listed in:

Schedule 1. Birds protected by special penalties at all times

Schedule 5. Protected animals

Schedule 8. Protected plants

Countryside and Rights of Way Act (2000)

Environment Act (2021) – Part 6 – Nature and Biodiversity

Hedgerow Regulations (1997)

The Protection of Badgers Act (1992)

Natural Environment and Rural Communities (NERC) Act (2006)

Planning Policy Wales 2002, updated Dec 2018

Section 6.4 – Biodiversity and Ecological Networks

The Nature Recovery Plan for Wales – Setting the course for 2020 and beyond (2015)

Environment Act (Wales) (2016)

Section 7

Powys Local Development Plan: Policy DM2 – The Natural Environment

### Bats

All bat species are protected under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which implements the EC Directive 92/43/EEC in the United Kingdom. It is an offence, with certain exceptions, to:

Deliberately capture or kill any wild animal of a European Protected Species.

Deliberately disturb any such animal.

Damage or destroy a breeding site or resting place of such a wild animal.

Keep (possess), transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of a European Protected Species, or any part of, or anything derived from such a wild animal or plant.

A person found guilty of an offence is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine or to both.

Seven bat species are on the UK Biodiversity Action Plan and are listed as Species of Principal Importance under the provisions of the Natural Environment and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (NPPF) states that to minimise impacts on biodiversity and geodiversity, “planning policies should... promote





the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations”.

## Badgers

Badgers and their setts are specifically protected under the Protection of Badgers Act 1992. The act was primarily brought into force to prevent the deliberate injury to or death of badgers. Some aspects of the act affect developers. It is important that developers are aware of any badger setts located on the land they intend to develop.

All personnel working on sites where there are badgers should be aware of the Protection of Badgers Act 1992. Under this legislation it is an offence to:

- Damage a badger sett or any part of it.
- Destroy a badger sett.
- Obstruct access to, or any entrance of a badger sett.
- Causing a dog to enter a badger sett.
- Disturbing a badger when it is occupying a badger sett.

## Birds

Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), birds, their nests and young are all protected from damage, particularly during the breeding season. The Act allows for fines or prison sentences for every bird, egg or nest destroyed. It makes it an offence to:

- Intentionally kill, injure or take any wild bird.
- Take, damage or destroy the nest of any wild bird whilst it is in use or being built.
- Take damage or destroy the egg of any wild bird.
- To have in one's possession or control any wild bird, dead or alive or egg or any part of a wild bird or egg.

Some bird species are included in the UK and local BAPS and are recognised as species of principal importance for nature conservation in accordance with section 41 of the NERC Act 2006. Such species and their habitats receive protection through the provisions of the NPPF.

## Amphibians and Reptiles

All species of amphibians receive a measure of protection under legislation.

The Wildlife and Countryside Act 1981 has been amended by the Countryside and Rights of Way Act (CRoW) 2000. This applies to England and Wales only. The key relevant fact is:

- Section 9(4) is amended to create an additional offence of reckless damage to, destruction of, or obstruction of access to, any structure or place used for shelter or protection; and reckless disturbance while occupying such a structure or place.

## Great Crested Newts

Great crested newts are protected under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which implements the EC Directive 92/43/EEC in the United Kingdom. It is an offence, with certain exceptions, to:

- Deliberately capture or kill any wild animal of a European Protected Species.
- Deliberately disturb any such animal.



Deliberately take or destroy eggs of any such wild animal.

Damage or destroy a breeding site or resting place of such a wild animal.

Keep (possess), transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of a European Protected Species, or any part of, or anything derived from such a wild animal or plant.

Great crested newts are listed as a priority species on the UK BAP and Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (NPPF) states that to minimise impacts on biodiversity and geodiversity, “planning policies should... promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations”.

A person found guilty of an offence is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.



## Appendix D – Bibliography

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