

Little Reeds

Hickstead, Haywards Heath RH17 5LY

**Creation of an earth acoustic bund to west of Little Reed with
associated soft landscaping.**

Ecological Enhancement Measures

**5th November 2025
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Version 2



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1 EXECUTIVE SUMMARY

1.1 Overview

- 1.1.1 This document outlines targeted enhancement measures and details of management and remedial responsibilities for the site.
- 1.1.2 This report is submitted to further enhance the site for protected and priority species and contribute to a net gain in biodiversity in accordance with the NPPF requirements and Schedule 7A of the Town and Country Planning Act 1990 as well as policies laid out in the Supplementary Planning Document.
- 1.1.3 Section 3 of this report sets out proposed enhancements of the site which comprises:
 - 1.1.4 Enhancement of grassland
 - 1.1.5 Planting of trees
 - 1.1.6 Planting of hedgerow
 - 1.1.7 Provisions for roosting bats
 - 1.1.8 Provisions for nesting birds
 - 1.1.9 Dead wood hibernacula
- 1.1.10 A broad methodology for these works is laid out in section 3. A further works schedule is provided in section 4, outlining management responsibilities, with section 5 detailing the specification of works that are to be undertaken.
- 1.1.11 This section also recommends that a site inspection is undertaken by a suitably qualified ecologist after completion of enhancement measures to ensure compliance with this report and that all enhancement measures are correctly implemented.

2 INTRODUCTION

2.1.1 Enhancements to the site comprise the enhancement of grassland, planting of trees, planting of hedgerow and provisions for roosting bats, nesting birds and hibernacula's . This report outlines both the proposed enhancement measures and the methodology and implementation requirements for the site and must be implemented in accordance with the instructions set out below.

2.1.2 The mitigation measures laid out within this document are to be issued to the client and all works contractors to ensure that they are carried out in full and in accordance with the methodologies described. Where applicable, implementation of this will be overseen by a suitably licensed ecologist.

2.2 The Site

2.2.1 On completion of the project the site will consist of a graded earth bund with grassland meadow, woodland blocks, hedgerow with an existing perimeter of mature hedgerow and trees.

3 MANAGEMENT PLAN

3.1 Aims & Objectives

- 3.1.1 The aims and objectives for the landscape and biodiversity elements of this development project are as follows:
- 3.1.2 Planting of native grassland / wildflower meadow
- 3.1.3 Planting of woodland
- 3.1.4 Planting of hedgerow
- 3.1.5 Provisions for roosting bats
- 3.1.6 Provisions for nesting birds
- 3.1.7 Dead Wood Piles
- 3.1.8 Hibernacula's

3.2 Proposed Enhancements

- 3.2.1 This enhancement strategy is designed to maximise the ecological value of the site postconstruction. The site currently comprises of amenity grassland, semi managed grassland, hedgerow and mature tree (around the perimeter). A summary of baseline habitats were set out in the ecological appraisal for the site.
- 3.2.2 The enhancements within this document are in accordance with the National Planning Policy Framework (NPPF)¹ which states in section 185:
- 3.2.3 "To protect and enhance biodiversity and geodiversity, plans should:
- 3.2.4 a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and
- 3.2.5 areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- 3.2.6 b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."
- 3.2.7 This section of the report lays out the proposed enhancements for the site, with an overview of proposed habitats post-construction shown in Figures 1 and 5.

3.3 Proposed Grassland / Wildflower Meadow

- 3.3.1 The site predominately consists of primarily grassing pasture. There are e relatively sparse areas of ruderal, 'long' grassland.
- 3.3.2 Figure 1 (Landscape Plan) illustrates areas that will be planted with a native mix of wildflower meadow, creating neutral grassland. The planting of native flowering species will enhance the area with a diverse range of invertebrate species and increase foraging potential for breeding birds and bats as well as aid in retaining the soil structure of the site.

3.4 Enhancement Of Woodland

- 3.4.1 Areas of native woodland are to be planted as illustrated on figure 1 (Landscape Plan). The planted habitat will include only native trees species, with connecting to existing woodland and hedgerow especially to the south and north. The species have been chosen based on the surrounding woodland but also for their ability to grow in poor soils and their hardy nature.



Figure 1 – Landscape Plan and Ecological Enhancement Measures plan Ref 1234.13

3.5 Enhancement Of Hedgerow

- 3.5.1 Figure 1 illustrates the provision of additional hedgerow on the site. The species chosen provide good canopy structure and maintain consistency, making them more likely to successfully establish, as well as offering opportunities for breeding birds and Hedgehog (*Erinaceus europaeus*).
- 3.5.2 NB: All species will be sourced from certified nurseries in the UK and, where possible, from locally sourced saplings, as plants with localised origins are more likely to establish in soils in which they are already adapted, as well as flower at times synchronised to localised populations of pollinating invertebrates.

3.6 Provision For Roosting Bats

- 3.6.1 To provide a net positive benefit for bats within the development, the provision of x10 new bat boxes will be implemented on the sites existing mature trees / woodland. Figure 2 illustrates the type of box to be used. Figure 5 illustrates the location of the bat boxes.



Figure 2 – Example of Bat Box - available from www.nhbs.com

3.7 Provision For Nesting Birds

- 3.7.1 To enhance the site for breeding birds, x10 breeding bird boxes such as the one in Figure 3 will be placed on the existing mature trees along the boundary to the site. Figure 5 illustrates the location of the proposed bird boxes.
- 3.7.2 x2 boxes suitable for Tawny Owl (*Strix aluco*) such as the one in Figure 4 will be placed on two mature trees on the site. Figure 5 illustrates the location of the proposed Tawny Owl boxes.



Vivara Pro Seville
32mm WoodStone
Nest Box, available
from www.nhbs.com

Figure 3 – Example of Nest Box - available
from www.nhbs.com



Eco Tawny Owl Nest
Box, available from
www.nhbs.com

Figure 4 – Example of Owl Box - available
from www.nhbs.com



Figure 5 – Plan Showing Location Of Nesting Boxes and Hibernacula's

3.8 Dead Wood Piles

- 3.8.1 Deadwood invertebrates depend on decaying wood for at least one aspect of their lifecycle and represent 20% of British fauna. They contribute to the decomposition of plant matter and promote nutrient cycling, increasing overall forest productivity and biodiversity.
- 3.8.2 The presence of dead wood will also create refuge for invertebrates such as Stag Beetle (*Lucanus cervus*), as well as amphibians and reptiles, including Great Crested Newt (*Trisurus cristatus*) and Common Toad (*Bufo bufo*). with materials from woodland management utilised to create new ad-hoc log piles within open space to provide further refuge opportunities.



Figure 6 – Examples Of Log Piles

3.9 Hibernacula's

- 3.9.1 See Figure 7 below for design of Hibernaculas. See figure 5 for location of Hibernaculas that will provide ecological and biodiversity enhancements.

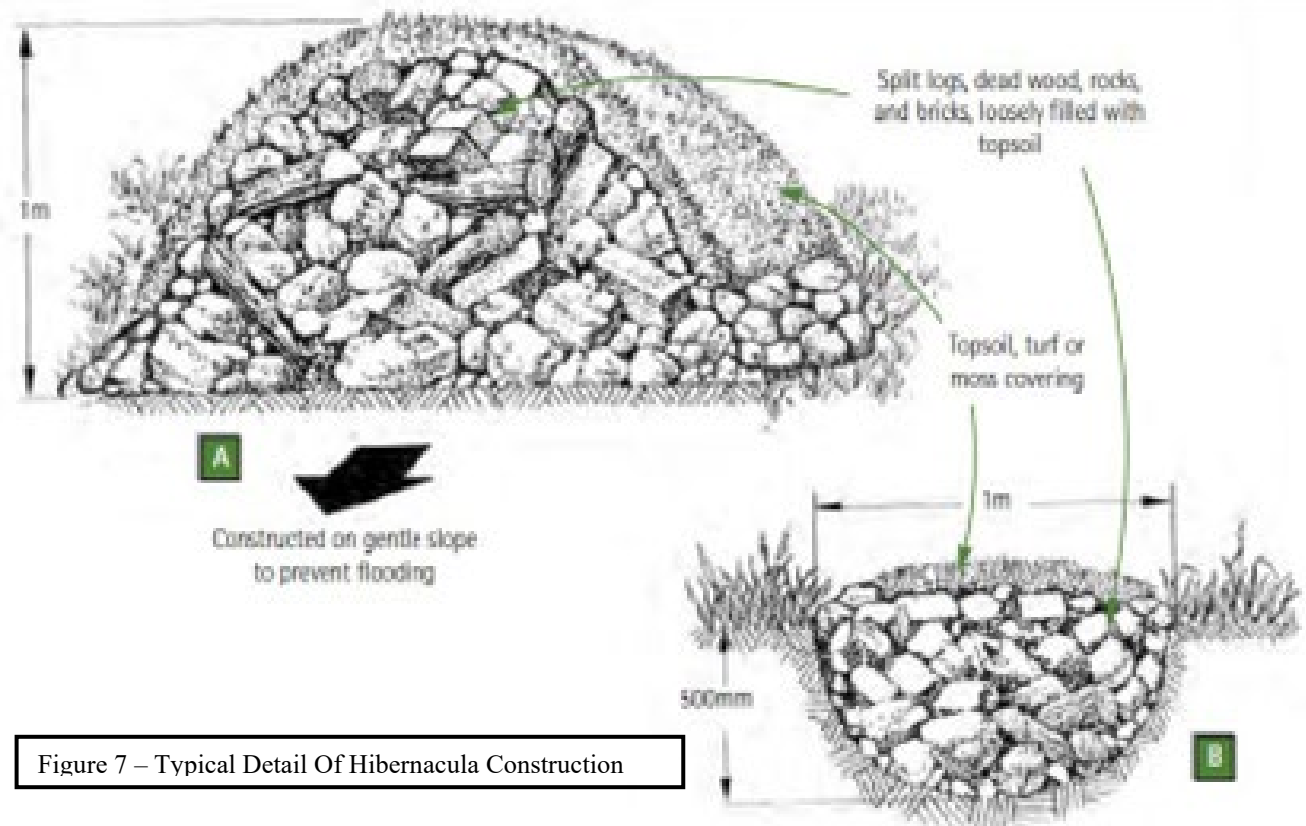


Figure 7 – Typical Detail Of Hibernacula Construction

4 POST CONSTRUCTION MANAGEMENT PLAN

4.1 Enhancement Of Grassland

- 4.1.1 Seed shall be from a local source if possible. The seed mix shall be as detailed in the planting schedules
- 4.1.2 The areas of wildflower grassland will be left to establish, with mowing using a 'cut and collect' method to a height of 5cm approximately six to eight weeks after seedlings appear, with this being repeated every eight weeks throughout the initial summer.
- 4.1.3 Following this, the grassland will be cut to a height of 7.5cm in April and again in June. The cuttings are to be collected as part of the mowing process. The presence of competitive species such as Common Nettle (*Urtica dioica*) and Creeping Thistle (*Cirsium vulgare*) will be controlled through removal. No pesticides will be used on the areas of grassland present on the site and the site will be watered during dry periods.
- 4.1.4 It is the intention that semi natural grassland habitat becomes established with the existing and proposed ecotones adjacent to one another (i.e. the mature trees and woodland and existing hedgerows. This will provide a link across the site from new and existing landscape features.
- 4.1.5 Establishing semi-natural grassland will also provide important connectivity between different landscape elements and further increase the wildlife value by providing dispersal routes for species reluctant to cross open short grazed grassland.

4.2 Native Tree Planting

- 4.2.1 In the first five years the planted trees will be checked regularly for signs of disease by maintenance staff. If disease is identified advice will be sought from an arboriculturist regarding the appropriate method of treatment. Tree guards must also be inspected yearly for the first five years and then removed if planting is well established. Establishing saplings must be kept well-watered during extended dry periods in the first three years whilst they develop their root structures.
- 4.2.2 Replacement planting, timed in the next planting season, will be required where the saplings fail to establish within the first five years.
- 4.2.3 Once matured, the cutting of trees must only be timed outside the bird nesting season (avoiding 1st March to 31st August). The trees will not be cut until the month of February, so that valuable winter food associated with fruiting shrubs/trees is retained for over-wintering birds.

The long term objective is to develop a mix of native trees and shrubs that will form mature copse with a wide variety of microclimates and ultimately an uneven mix of

age, height and density. Eventually, occasional clearing will be made by coppicing to increase diversity of form and species.

4.3 Provision For Roosting Bats

- 4.3.1 The bat boxes placed on the sites mature boundary trees will be placed 3-4m high with at least a 1-2m space in front to allow access. Bat boxes should ideally be sited in open sunny positions, with no further maintenance being required thereafter.

4.4 Deadwood Log Piles

4.4.1 Management rationale

- 4.4.2 Dead wood is typically a component of broad-leaved semi-natural woodland, and this habitat supports a diverse range of bryophytes, lichens, fungi, invertebrates, bats and birds.
- 4.4.3 Sensitive management of dead wood is essential to maximise the biodiversity value of this habitat. Standing dead wood is a different habitat type to fallen dead wood but is equally important as a range of saproxylic species can be encouraged.
- 4.4.4 Quality rather than quantity of dead wood is important and therefore the following management measures will be implemented within a Dead Wood Strategy for the site:
 - 4.4.5 - Size and shape is important and generally, bigger pieces of fallen dead wood provide better habitat;
 - 4.4.6 - Ideally dead wood should be left where it falls. However, the management strategy should ensure that dead wood is present in a range of conditions (e.g. dappled shade, open conditions, near to water, near to existing decayed dead wood, different stages of decay);
 - 4.4.7 - All standing dead wood should be retained in-situ wherever possible unless it presents an unacceptable health and safety hazard. Loss of the dead tree should be avoided wherever possible, and if necessary, consideration should be given to removing the branches and retaining the standing trunk as a 'monolith'. Should it be necessary to fell a tree, the dead wood should be strapped in a vertical position to a nearby mature tree; and
 - 4.4.8 - Creation of additional deadwood habitat through creation of partially buried and stacked logeries within woodland within the site
 - 4.4.9 - Dead wood from any tree management undertaken either on or adjacent to the site will be left in log piles to remain in areas of the site with at least 50% shade, as is any dead wood from the management of boundary trees that may occur in the future. Any dead wood already present on the site will be left in situ, with further dead wood piles being placed in areas which receive at least 50% shade daily to maximise potential for herptiles and invertebrates.
 - 4.4.10 Further materials will be added to the piles as and when required.

5 WORK SCHEDULE

5.1 General

- 5.1.1 Table 1 below provides a summary of the timings of works to be undertaken as enhancements across the site on an annual basis

Action	Timing Of Works
Planting of trees & hedgerow	Between September - January
Monitoring of trees & hedgerow for signs of disease or invasive species	Monthly
Replacement planting of failed tree planting	Between September - January
Replacement planting of failed plants	Anytime

Placement Of Bird & Bat Boxes	Post Construction
Placement Of Hibernacula's	Post Construction
Sowing of Wildflower Grassland	Autumn, to be repeated annually if seed fails
Mowing grassland	Initial cut to be late spring, to be repeated every eight weeks throughout the initial summer. After this, rotationally to be cut to a height of 7.5cm in April and again in June annually.
Placement of dead wood Piles	Whenever tree management occurs

6 SPECIFICATIONS OF WORKS TO BE UNDERTAKEN

6.1 General

- 6.1.1 A site inspection must be undertaken by a suitably qualified ecologist following the implementation of prescriptions under this Biodiversity Enhancement Strategy to ensure compliance with this report.
- 6.1.2 All relevant works must be carried out by someone suitably qualified as follows:
- 6.1.3
 - Installation of all wildlife boxes will be undertaken or overseen by a suitably qualified ecologist;
- 6.1.4
 - initial and monitoring site inspections will be undertaken by a suitably qualified ecologist.
- 6.1.5 If any protected species are found during the proposed work, work should be stopped immediately, and an ecologist must be contacted immediately for advice.

7 APPENDIX 1 - Planting Schedules

Little Reeds - Proposed Landscape Schedules

Woodland Block Planting			1. Plan Reference / 2. Area Of Planting (m2) / 3. Density (plants per m2)											
Species			1	W1	W2	W3	W4	W5	W6	W7	W8	W9		Species Tot
			2	1,919	1.5 centre	1,054	471	91	74	206	233	224		
			3	1.5 centre	1.5 centre	1.5 centre	1.5 centre	1.5 centre	1.5 centre	1.5 centre	1.5 centre	1.5 centre		
Acer campestre	5%	transplant	0.45-0.6m	41	21	23	10	2	2	5	5	5		
Betula pendula	5%	transplant	0.45-0.6m	41	21	23	10	2	2	5	5	5		
Prunus spinosa	10%	transplant	0.45-0.6m	83	42	46	21	4	3	10	10	10		
Corylus avellana	10%	transplant	0.45-0.6m	83	42	46	21	4	3	10	10	10		
Crataegus monogyna	20%	transplant	0.45-0.6m	166	84	92	42	8	7	20	20	20		
Pinus sylvestris	15%	transplant	0.45-0.6m	123	63	70	31	6	5	15	15	15		
Prunus avium	5%	transplant	0.45-0.6m	41	21	23	10	2	1	5	5	5		
Quercus robur	30%	transplant	0.45-0.6m	247	127	140	63	12	10	20	31	30		
Total	100%			825	421	463	208	40	33	90	101	100		2281

Hedgerow Planting		1. Plan Reference 2. Area Of Planting (lnm) 3. Density (7 plants per lnm in a double staggered)				
Species	1	H1	H2			
	2	15	303			318
	3	7 per lnm	7 per lnm			
Crateagus monogyna	50%	53	1061			
Prunus spinosa	20%	21	424			
Acer campestre	15%	16	318			
Corylus avellana	10%	11	212			
Ilex aquifolium	5%	5	106			
Total	100%	106	2121			2227

Mixture For Wetlands EM8

Wild Flowers 20%

Area of site = 153m²

Sowing Rate = 4/m²

0.70% Achillea Millefolium – Yarrow
0.60% Agrimonia eupatoria – Agrimony
0.10% Angelica sylvestris – Wild Angelica
0.20% Betonica officinalis – Betony
3.20% Centaurea nigra – Common Knapweed
1.40% Filipendula ularia – Meadowsweet
0.40% Galium album – Hedge Bedstraw
2.00% Galium verum – Lady's Bedstraw
0.80% Lathyrus pratensis – Meadow Vetchling
0.60% Leontodon hispidus – Rough Hawkbit
1.20% Leucanthemum vulgare – Oxeye Daisy (Moon Daisy)
0.60% Lotus corniculatus – Birdsfoot Trefoil
0.10% Lotus pedunculatus – Greater Birdsfoot Trefoil
1.00% Medicago lupulina – Black Medick
2.00% Plantago lanceolata – Ribwort Plantain
0.40% Primula veris – Cowslip
0.80% Prunella vulgaris – Selfheal
1.20% Ranunculus acris – Meadow Buttercup
0.80% Rhinanthus minor – Yellow Rattle
0.60% Rumex acetosa – Common Sorrel
0.30% Sanguisorba officinalis – Great Burnet
0.50% Silene flos-cuculi – Ragged Robin
0.20% Taraxacum officinale – Dandelion
0.30% Vicia cracca – Tufted Vetch

Grasses 80%

8.00% Agrostis capillaris – Common Bent
8.00% Carex echinata – Star Sedge (w)
30.00% Cynosurus cristatus – Crested Dogstail
18.00% Festuca rubra – Red Fescue
1.60% Hordeum secalinum – Meadow Barley (w)
8.00% Phleum bertolonii – Smaller Cat's-tail (w)
6.40% Poa pratensis – Smooth-stalked Meadow-grass

General Meadow Mixure EM2

Total Area of grassland = 19418m²

Sowing rate 3- 5 g per m²

0.75% Achillea millefolium (Yarrow)
0.45% Agrimonia eupatoria Agrimony
1.80% Centurea nigra – Common Knapweed
0.97% Daucus carota – Wild Carrot
1.12% Galium verum – Lady's Bedstraw
0.82% Knautia arvensis – Field Scabious
0.30% Lathyrus pratensis – Meadow Vetchling
1.75% Leucanthemum vulgare – Oxeye Daisy
1.80% Malva moschata – Musk Mallow
1.72% Plantago lanceolata – Ribwort Plantain
1.12% Poterium sanguisorba ssp sanguisorba – Salad Burnet
0.75% Primula veris – Cowslip
0.30% Prunella vulgaris – Selfheal
0.60% Ranunculus acris – Meadow Buttercup
0.75% Rhinanthus minor – Yellow Rattle
8.50% Agrostis capillaris – Common Bent
29.75% Cynosurus cristatus – Crested Dogstail
25.50% Festuca rubra – Red Fescue
4.25% Phleum bertolonii – Smaller Cat's-tail
17.00% Poa pratensis – Smooth-stalked Meadow-grass

8 APPENDIX 2 - Legislation & Best Practice

8.1 General

8.1.1 The following text is intended for general guidance only and does not constitute comprehensive professional legal advice. It provides a summary of the current legal protection afforded to wildlife in general and certain species. It includes current national planning policy relevant to nature conservation.

8.1.2 The Conservation of Habitats and Species Regulations 2017

8.1.3 These regulations, referred hereafter as “the Habitats Regulations”, represent the primary method by which Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the “Habitats Directive”) is transposed for England and Wales and their territorial seas. The Habitats Directive, in conjunction with the Birds Directive (Council Directive 2009/147/EEC) forms the basis for implementation of Europe’s nature conservation policy through both habitat and species level protection. The Habitats Directive requires the designation of strictly protected European sites known as Special Areas of Conservation (SACs). Together with the Special Protection Areas (SPAs) established by the Birds Directive, these collectively form the Natura 2000 Network of protected sites. The Habitats Directive also requires the strict protection of animals and plants of Community Interest listed under Annex IV. Habitat types requiring strict protection as SACs are listed under Annex I. The conservation of animals and plants listed under Annex II requires the designation of SACs.

8.1.4 The Habitats Regulations require that public bodies must exercise their nature conservation responsibilities to ensure compliance with the Habitats Directive. These regulations also require the conservation of natural habitats and habitats of species through the selection, designation and notification of marine and terrestrial ‘European Sites’ to be afforded protection under the Habitats Directive. The habitats and species of European Importance are listed under Annexes I and II of the Habitats Directive. The regulations also contain provision for the appropriate management of these European Sites including the control of damaging operations, special nature conservation orders and restoration orders, for example. The Habitats Regulations afford strict protection to European Protected Species of animals under Schedule 2 and plants under Schedule 5. Offences (subject to certain exceptions) include the deliberate capture, killing, disturbance or trade in these animals. Similarly plants listed under Schedule 5 are protected (subject to exceptions) from picking, collection, cutting, destruction or trade.

8.1.5 The Wildlife and Countryside Act 1981 (as amended)

8.1.6 The Wildlife and Countryside Act 1981 (as amended) (WaCA) is still a leading mechanism for the legislative protection of wildlife and national parks across the United Kingdom. The WaCA draws on elements of pre-existing legislation and supports the Habitats Regulations in implementing the Bern Convention (1979) and Directive 2009/147/EC on the conservation of wild birds. Schedules within the WaCA provide a list of protected species and habitats, in addition to prohibited actions. It also contains measures for controlling invasive non-native species and amendments to a number of laws. Most notably within the scope of this report are Schedule 9 of the WaCA which lists non-native species that are already established in the wild and continue to pose a conservation threat to native biodiversity and

habitats and stipulates that further releases should be regulated. Schedule 9 also includes some native species (for example, Barn Owl (*Tyto alba*)) in order to provide a level of control to ensure that releases, in particular re-introduction programmes, are carried out in an appropriate manner and biodiversity is properly safeguarded; and Schedule 14, which prohibits the introduction into the wild of any animal of a kind which is not ordinarily resident in, and is not a regular visitor to, Great Britain in a wild state, or any species of animal or plant listed in Schedule 9 of the WaCA.

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

8.1.8 The Natural Environment and Rural Communities Act imposes a Biodiversity Duty (S.40) on all public bodies to conserve biodiversity at both species and habitat levels (S40); “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.”

8.1.9 Section 41 of the Act requires the publication of a list of “living organisms and types of habitat which in the Secretary of State’s opinion are of principal importance for the purpose of conserving biodiversity.”

8.1.10 The list generated under Section 41 of the Act contains a number of types of habitats and species of animal and plant that have the potential to be affected by development projects of a range of sizes and impacts including lowland deciduous woodland, floodplains and calcareous grassland habitats.

8.1.11 The Act also establishes Natural England as the independent body to:

8.1.12 “ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development”.

8.1.13 943 species and 56 habitats of principal importance are included on the S41 list as guidance for public bodies on decisions that affect biodiversity.

8.1.14 The Hedgerow Regulations 1997

8.1.15 On 1 June 1997, the Hedgerow Regulations came into force under section 97 of the Environment Act 1995 to address the dramatic decline in UK hedgerows. The regulations protect important hedgerows by limiting removal through a system of notification via local planning authorities. The regulations are aimed at countryside hedgerows in England and Wales;

8.1.16 Section 3.6: “on or adjoining, common land, village greens, Site of Special Scientific Interest (which include National Nature Reserves, Special Protection Areas under the Birds Directive and Special Areas of Conservation under the Habitats Directive), Local Nature Reserves, or land used for agriculture, forestry or the breeding or keeping of horses, ponies or donkeys”

8.1.17 Written permission is required from the local planning authority before the removal of any hedgerow over 20 metres and more than 30 years old. Hedgerows less than 20 metres long may also be considered if they form part of a continuous network of hedges.

- 8.1.18 The LPA will then either issue a Hedgerow Retention or Hedgerow Removal Notice within 42 days depending on whether they define the hedgerow as important or not based on the following criteria:
- 8.1.19 • “They have been in existence 30 years or more; and”
- 8.1.20 • “They satisfy at least one of the criteria set out in Part II of Schedule 1 of the Regulations.”
- 8.1.21 Exemptions to the Regulations fall into three categories:
- 8.1.22 • “small scale works;”
- 8.1.23 • “works approved under other procedures which ensure careful assessment and consideration of the impact on the local environment; and”
- 8.1.24 • “works authorised under other legislation which justify the removal of a hedgerow without first establishing its importance.”
- 8.1.25 It is an offence to remove a hedgerow subject to a retention notice, or to remove a hedgerow protected under the Hedgerow Regulations without first obtaining the required removal notice.
- 8.1.26 Updated regulations as part of the Hedgerow Regulations due in 2024 regulations will include a two metre ‘buffer strip’ from the centre of hedgerows with no cultivation or application of pesticides or fertilisers, and a hedge cutting ban between 1 March and 31 August to protect nesting birds. These updates are also to include over 90,000km of hedgerows being managed through 16,000 agreements in the government’s Countryside Stewardship and Sustainable Farming Incentive schemes, and more than 13,000km of hedgerows created or restored using Countryside Stewardship grants
- 8.1.27 The UK Post-2010 Biodiversity Framework**
- 8.1.28 The UK Post-2010 Biodiversity Framework was published on 17 July 2012. It was produced by JNCC and Defra, on behalf of the Four Countries’ Biodiversity Group (4CBG), through which the environment departments of all four governments in the UK work together. It covers the period from 2011 to 2020, and was developed in response to two main drivers: the Convention on Biological Diversity’s (CBD’s) Strategic Plan for Biodiversity 2011-2020 and its five strategic goals and 20 ‘Aichi Targets’, published in October 2010; and the EU Biodiversity Strategy (EUBS), released in May 2011. The framework shows how the work of the four UK countries joins up with work at a UK level to achieve the ‘Aichi Targets’ and the aims of the EU Biodiversity Strategy. It identifies the activities required to complement the country biodiversity strategies, and where work in the country strategies contributes to international obligations. In total, 23 areas of work were identified where all the countries agreed that they wanted to contribute to, and benefit from, a continued UK focus.
- 8.1.29 The development of the framework reflects a revised direction for nature conservation, towards an approach which aims to consider the management of the environment as a whole, and to acknowledge and take into account the value of nature in decision-making. The framework sets out the common purpose and

shared priorities of the UK and the four countries, and, as such, is a hugely important document, which is to be owned, governed, and implemented by the four countries.

8.1.30 National Planning Policy Framework (NPPF)

- 8.1.31 This framework acts as guidance for planning authorities (LPAs) in England to form Local Plan policies in favour of sustainable development as part of the government's reforms to increase the accessibility of the planning system and promote long term sustainable growth.
- 8.1.32 The framework states that "planning policies and decisions should contribute to and enhance the local environment" (Section 187).
- 8.1.33 Chapter 15 of the framework focusses on habitats and biodiversity. Specifically, paragraph 193 states:
- 8.1.34 "...when determining planning applications, local planning authorities should apply the
- 8.1.35 following principles:
- 8.1.36 • 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"
- 8.1.37 • 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 Scientific Interest (SSSI);
- 8.1.38 • development proposals whose primary objective is to conserve or enhance biodiversity should be supported;
- 8.1.39 • opportunities to incorporate biodiversity improvements in and around developments should be encouraged;
- 8.1.40 • 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"
- 8.1.41 The NPPF also states section 185 in regard to planning applications:
- 8.1.42 "To protect and enhance biodiversity and geodiversity, plans should:
- 8.1.43 a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping

stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and

- 8.1.44 b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

8.1.45 Circular 06/2005: Biodiversity and Geological Conservation

- 8.1.46 The Circular 06/2005 complements the NPPF by advising on how the law relates to planning and nature conservation in England, with particular reference to designated sites and protected species;

- 8.1.47 “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision” (Paragraph 99).

- 8.1.48 However; “developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.”

- 8.1.49 Part IV also reminds LPAs and developers that licences and mitigation measures may be required in addition to planning permissions if protected species are to be affected by the development

- 8.1.50 “The breach of protected species legislation can often give rise to a criminal offence” (para 101)

8.1.51 Bats

- 8.1.52 All British bats are “European Protected Species” (EPS) and listed on Annex II and Annex IV of the EC Habitats Directive. The Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017. The following actions affecting bats are prohibited under the legislation:

- 8.1.53 • deliberate capture, injury or killing of a bat;

• deliberate disturbance of a bat and in particular disturbance which is likely to impair their ability;

- 8.1.54 • to survive, to breed or reproduce, or to rear or nurture their young, or

- 8.1.55 • in the case of animals of a hibernating or migratory species, to hibernate or migrate;

- 8.1.56 • or to affect significantly the local distribution or abundance of the species to which they belong.

- 8.1.57 • damage or destruction of a breeding site or resting place;

- 8.1.58 • possessing, controlling transporting, selling or exchanging, or offering for sale or exchange any bat or any part of a bat or anything derived from one.
- 8.1.59 Bats are also afforded protection from intentional or reckless 'disturbance' by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by bats for shelter and protection is also an offence under the Act.
- 8.1.60 • Birds**
- 8.1.61 All wild birds in the UK are afforded protection under the Wildlife and Countryside Act 1981 (as amended). This protection includes killing, injuring or taking wild birds as well as taking, damaging or destroying bird nests in use or being built, and taking or destroying eggs. Birds listed under Schedule 1 of the Act are afforded additional protection from disturbance during nesting and offences relating to these birds are subject to special penalties. The nest sites of birds listed under Schedule ZA1 of the act are afforded strict, year-round protection even when the nests are not in active use.
- 8.1.62 • Great Crested Newts**
- 8.1.63 Great Crested Newts (*Triturus cristatus*) are a "European Protected Species" (EPS) and listed as such on Annex II and Annex IV of the EC Habitats Directive. The Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017. The following actions affecting great crested newts are prohibited under the legislation:
- 8.1.64 • deliberate capture, injury or killing of a great crested newt;
- 8.1.65 • deliberate disturbance of a great crested newt and in particular disturbance which is likely to impair their ability:
- 8.1.66 • to survive, to breed or reproduce, or to rear or nurture their young, or
- 8.1.67 • in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.
- 8.1.68 • damage or destruction of a breeding site or resting place;
- 8.1.69 • possessing, controlling transporting, selling or exchanging, or offering for sale or exchange any great crested newt, any part of a great crested newt or anything derived from one.
- 8.1.70 Great crested newts are also afforded protection from intentional or reckless 'disturbance' by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by great crested newts for shelter and protection is also an offence under the Act. This applies to both aquatic and terrestrial habitat.

