



Victoria Cottage Hospital

Ecological Appraisal



NHS Property Services

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Contents

Executive Summary.....	1
Glossary.....	2
1.0 Introduction	3
1.1 Background	3
1.2 Site Location.....	3
1.3 Development Proposals	3
1.4 Purpose of the Report	3
2.0 Methodology	4
2.1 Desk Study	4
2.2 Field Surveys	4
2.3 Limitations.....	7
3.0 Baseline Conditions	8
3.1 Designated Sites	8
3.2 Habitats	9
3.3 Protected & Notable Species	13
3.4 Importance of Ecological Features.....	16
4.0 Relevant Planning Policy & Legislation	18
4.1 Revised National Planning Policy Framework.....	18
4.2 Biodiversity 2020: A strategy for England's wildlife & ecosystem services	19
4.3 Local Biodiversity Action Plan	19
4.4 Local Plan.....	20
4.5 Legislation	22
5.0 Discussion.....	23
5.1 Designated Sites	23
5.2 Habitats	23
5.3 Protected & Notable Species	24
6.0 Summary	25
6.1 Designated Sites	25
6.2 Habitats	25
6.3 Protected & Notable Species	25
7.0 References.....	26

FIGURES

Figure 1 – Site Location Plan

Figure 2 – Phase 1 Habitat Plan

Appendix A – Report Conditions

Appendix B – Wildlife Legislation



Executive Summary

Contents	Summary
Site Location	The site is located within the village of Emsworth, (Ordnance Survey National Grid Reference SU 74894 05934). The survey area, comprises a vacant late Victorian building with a number of more recent single story extensions. Areas of hardstanding are present around the building and an area of garden with a summer house / shed and associated flower beds, trees and lawn.
Proposals	The development proposals for the site are not known.
Existing Site Information	There is no known information on the existing site.
Scope of this Survey(s)	The scope of this report is to complete an assessment of the potential ecological receptors present on site, identify any constraints they pose to future development and recommend any further surveys, avoidance, mitigation or enhancement measures that are needed (as appropriate).
Results	Habitats: - The habitats on site are of either negligible or low ecological importance. Protected and notable species: - Trees and shrubs on site offer high potential for nesting birds. - Building 1 has high potential to support roosting bats.
Recommendations	Further surveys: - Three bat emergence/re-entry surveys for Building 1 (high potential) between May and September. Precautionary measures: - Pre-commencement surveys for birds survey are recommended if trees or ornamental planting is removed during the bird nesting season (March-August).



Glossary

Badger Act	Protection of Badgers Act 1992
BCT	Bat Conservation Trust
BoCC	Bird(s) of Conservation Concern
BTO	British Trust for Ornithology
CEnv	Chartered Environmentalist
CIEEM	Chartered Institute of Ecology & Environmental Management
CRoW Act	Countryside and Rights of Way Act 2000
DEFRA	Department for the Environment, Food and Rural Affairs
EcIA	Ecological Impact Assessment
ECoW	Ecological Clerk of Works
EIA	Environmental Impact Assessment
EPS	European Protected Species
EPSL	European Protected Species Licence
GCN	Great Crested Newt
Habitat Regulations	Conservation of Habitats and Species Regulations 2017
HAP	Habitat Action Plan
Hedgerow Regulations	Hedgerow Regulations 1997
HPI	Habitat(s) of Principal Importance
HRA	Habitats Regulations Assessment
JNCC	Join Nature Conservation Committee
LERC	Local Ecological Record Centre
LBAP	Local Biodiversity Action Plan
LNR	Local Nature Reserve
LPA	Local Planning Authority
LWS	Local Wildlife Site
MAGIC	Multi-Agency Geographic Information for the Countryside
MCIEEM	Member of Chartered Institute of Ecology & Environmental Management
Natura 2000 site	A European site designated for its nature conservation value
NBN	National Biodiversity Network
NERC Act	Natural Environment and Rural Communities Act 2006
NNR	National Nature Reserve
NPPF	National Planning Policy Framework
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SPA	Special Protection Area
SPI	Species of Principal Importance
SSSI	Site(s) of Special Scientific Interest
SBRC	Sussex Biodiversity Records Centre
W&CA	Wildlife & Countryside Act 1981 (as amended)



1.0 Introduction

1.1 Background

WYG was commissioned by NHS Property Services on 11th September 2018 to undertake an Ecological Appraisal of the site known as Victoria Cottage Hospital.

This report has been prepared by Senior Ecologist John Simper MCIEEM.

1.2 Site Location

The site is located within the village of Emsworth in Hampshire and is centred at Ordnance Survey National Grid Reference SU 74894 05934. The survey area, hereafter referred to as the 'site', is shown on Figure 1 and comprises a vacant late Victorian building with a number of more recent single story extensions. Areas of hardstanding are present around the building and an area of garden with a summer house, shed and associated flower beds, trees and lawn.

1.3 Development Proposals

No proposals were available at the time of writing.

1.4 Purpose of the Report

The objective of this report is to complete:

- A desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence;
- A preliminary ecological appraisal involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species, and a reconnaissance survey for evidence of protected fauna or habitats capable of supporting such species; and
- An assessment of the potential ecological receptors present on site, identify any constraints they pose to future development and (if possible) any recommendations for any further surveys, avoidance, mitigation or enhancement measures that are needed (as appropriate).

Note that scientific names are provided at the first mention of each species and common names (where appropriate) are then used throughout the rest of the report for ease of reading.



2.0 Methodology

2.1 Desk Study

2.1.1 Local Ecological Records Centre

Information was requested from the Hampshire Biodiversity Records Centre (HBIC) for information on any nature conservation designations and protected or notable species records within 2 km of the site.

The data search covers:

- Statutory designated sites for nature conservation, namely SACs, SPAs, Ramsar sites, SSSIs, NNRs and LNRs;
- Non-statutory designated sites for nature conservation, namely LWS;
- Legally protected species, such as great crested newts (*Triturus cristatus*), bats and badger (*Meles meles*);
- Notable habitats and species, such as those listed as Habitats or Species of Principal Importance (HPI or SPI); and
- Priority habitats or species within the Hampshire BAP.

The data search did not cover:

- Tree Preservation Orders (TPOs); or
- Conservation Areas designated for their special architectural and historic interest.

2.1.2 Online Resources

A search for relevant information was also made on the following websites:

- Multi Agency Geographic Information for the Countryside (MAGIC) www.magic.gov.uk – Department for the Environment, Food and Rural Affairs (DEFRA) interactive web-based database used to search for information on any European Protected Species Licences (EPSL) applications that have been granted in the local area since 2015.
- The SSSI Impact Risk Zones Tool accessed via MAGIC was also used to determine whether the proposals could trigger assessment of effects on SSSIs.
- MAGIC was also used to search for Natura 2000 sites within 5km of the site which is considered to be an appropriate zone of influence for the proposed development of the site.
- National Biodiversity Network (NBN) Atlas <https://nbnatlas.org/> – for records of protected and notable species.

Note that the use of some NBN Atlas data is limited (e.g. commercial use of data provided under a CC BY-NC licence is not possible) therefore we may not be able to report full details of those records in such cases.

2.2 Field Surveys

The following methodologies have been used to identify the ecological receptors present on or near the site, which are relevant to the proposed development.

2.2.1 Habitats

An extended Phase 1 habitat survey was undertaken on the site on Friday 21st of September by WYG Senior Ecologist John Simper MCIEEM. The weather conditions were fine and mild at the time of the survey.

The vegetation and broad habitat types within the site were noted during the survey in accordance with the categories specified for a Phase 1 Vegetation and Habitat Survey (Joint Nature Conservation Committee (JNCC), 2010). Dominant plant species were recorded for each habitat present using nomenclature according to Stace (2010). The site was also appraised for its suitability to support notable flora, with regard to the CIEEM Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017).

2.2.2 Protected & Notable Species

The site was inspected for evidence of, and its potential to support, protected or notable species, especially those listed under the Schedule 2 of the Habitat Regulations, Schedule 5 of the W&CA, the CRoW Act, those given extra protection under the NERC Act, and species included in the Hampshire BAP.

Great Crested Newt

The site was appraised for its suitability to support GCN. The assessment was based on Guidance outlined in the *Herpetofauna Workers' Manual* (Gent and Gibson, 2003) and the *Great Crested Newt Conservation Handbook* (Langton, Becket and Foster, 2001).

Bats

Roosting bats – Buildings/structures/trees

Any suitable buildings, structures or trees on site were assessed from the ground for their suitability to support breeding, resting and hibernating bats using survey methods based on the BCT *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (CIEEM, 2016) – hereafter referred to as the 'BCT Guidelines'. The system used to categorise the bat roost suitability of any features found are shown in Table 1.

Table 1 Categories of Bat Roost Suitability (BCT Guidelines)

Suitability	Typical Roosting Features
Negligible	Negligible habitat feature on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain potential roost features but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).

Suitability	Typical Roosting Features
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis & potentially for longer periods of time due to their size, shelter, protection, conditions & surrounding habitat.

Foraging/commuting bats

The BCT Guidelines use the criteria given in Table 2 to categorise the potential value of habitats and features for use by foraging and commuting bats and these have been used to characterise the value of this site.

Table 2 Categories of Habitat Suitability (BCT Guidelines)

Suitability	Typical Foraging & Commuting Features
Negligible	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.

Reptiles

The site was appraised for its suitability to support reptiles. The assessment was based on guidance outlined in the *Herpetofauna Workers' Manual* (Gent and Gibson, 2003).

Badgers

The site was surveyed for evidence of badger setts or other badger activity such as paths, latrines or signs of foraging. Methodologies used and any setts recorded were classified according to published criteria (Harris, Cresswell and Jefferies, 1989).

Hazel Dormice

The site was surveyed for its suitability to support hazel dormice. The assessment was based on guidance outlined in Bright *et al.* (2006).



Other Species

The site was also appraised for its suitability to support other protected or notable fauna including mammals, amphibians, birds and invertebrates with regard to CIEEM's *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017) and *BS42020:2013 Biodiversity – Code of Practice for Planning and Development* (BSI Group, 2013). Evidence of any current or historical presence of such species was recorded.

2.2.3 Invasive Species

The site was searched for evidence of invasive plant species, such as Japanese knotweed *Fallopia japonica*, Indian (Himalayan) balsam *Impatiens glandulifera*, giant hogweed *Heracleum mantegazzianum*, wall cotoneaster *Cotoneaster horizontalis* and rhododendron *Rhododendron ponticum* × *Rhododendron maximum*. A full list is provided in Appendix B.

2.3 Limitations

To determine presence or likely absence of protected species usually requires multiple visits at suitable times of the year. As a result, this survey focuses on assessing the potential of the site to support species of note, which are considered to be of principal importance for the conservation of biodiversity with reference to those given protection under UK or European wildlife legislation. This report cannot therefore be considered a comprehensive assessment of the ecological interest of the site. However, it does provide an assessment of the ecological interest present on the day the site was visited and highlights areas where further survey work may be recommended.

The small internal loft voids could not be accessed to search for evidence of bat roosting. However the building was assessed as having high suitability for bats based on external features therefore this does not represent a significant limitation.

The details of this report will remain valid for a period of **two years** from the date of the survey, after which the validity of this assessment should be reviewed to determine whether further updates are necessary. Note that the recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the red line boundary or development proposals which this report was based on.

HBIC was contacted for records of designated sites and protected/notable species from within 2km of the site. The West Sussex county boundary is located approximately 220m from the site to the east. However, as the site is small in scale and isolated from any habitat that is of high ecological value records were not sought from the Sussex Biodiversity Records Centre (SBRC).

3.0 Baseline Conditions

3.1 Designated Sites

Designated sites of ecological importance within 2km of the site are presented in Table 2. These are listed in order of decreasing importance and then by distance from site within each category.

Table 3 Designated Sites within 2km

Designation	Site Name	Distance & Direction	Summary of features
Ramsar/SPA	Chichester and Langstone Harbours	350m S	Chichester and Langstone Harbours are located on the south coast of England in Hampshire and West Sussex. They are large, sheltered estuarine basins comprising extensive sand and mudflats exposed at low tide. The basin contains a wide range of coastal habitats supporting important plant and animal communities. The site is of particular significance for waterbirds, especially in migration periods and in winter. It also supports important colonies of breeding terns.
SSSI	Chichester Harbour	350m S	Chichester Harbour is a large estuarine basin in which at low water extensive mud and sandflats are exposed, drained by channels which unite to make a common exit to the sea. The site is of particular significance for wintering wildfowl and waders and also breeding birds both within the Harbour and in the surrounding permanent pasture fields and woodlands. There is a wide range of habitats which have important plant communities.
SSSI	Warblington Meadows	1.8 km SW	Unimproved grazing marsh
LNR	Brook Meadow	120m E	Grassland, woodland and two streams
SINC	Emsworth Millpond	120m SW	Semi-natural coastal and estuarine habitats, including saltmarsh, intertidal mudflats, sand dunes, shingle, brackish ponds, grazing marsh and maritime grasslands.
SINC	Westbook Stream, Bridge Road	150m W	Supports the Country Rare plant narrow-leaved water-plantain <i>Alisma lanceolatum</i> .
SINC	Lumley Meadow	190m E	Agriculturally unimproved grasslands.

Designation	Site Name	Distance & Direction	Summary of features
SINC	Stream West of Emsworth Recreation Ground	600m NW	Supports the Country Rare plant narrow-leaved water-plantain.
SINC	Land West of Emsworth Recreation Ground	740m N	Semi-improved grasslands which retain a significant element of unimproved grassland.
SINC	Brook Farm B	1.1 km SW	Supports the Red Data Book listed weasel's snout <i>Misopates orontium</i> and corn spurrey <i>Spergula arvensis</i> .
SINC	Nore Grassland and Saltmarsh	1.1km SW	Semi-natural coastal and estuarine habitats, including saltmarsh, intertidal mudflats, sand dunes, shingle, brackish ponds, grazing marsh and maritime grasslands.
SINC	Conigar Point Meadows	1.3 km SW	Semi-improved grasslands which retain a significant element of unimproved grassland/ Semi-natural coastal and estuarine habitats, including saltmarsh, intertidal mudflats, sand dunes, shingle, brackish ponds, grazing marsh and maritime grasslands.
SINC	Southleigh Forest	1.8km N	Pasture woodland and wooded commons, which are of considerable biological and historical interest.
SINC	Land East of Long Copse Lane	1.8km NE	Semi-improved grasslands which retain a significant element of unimproved grassland.

3.2 Habitats

The following habitats have been identified through our assessment.

3.2.1 Hard Standing

Much of the area surrounding the buildings comprised of hard standing (**Photograph 1**) with no vegetation being present in most areas. A small area comprising sprawling variegated ivy *Hedera helix* and a brash pile was located adjacent to the southern elevation of the building.

Photograph 1 Hadstanding

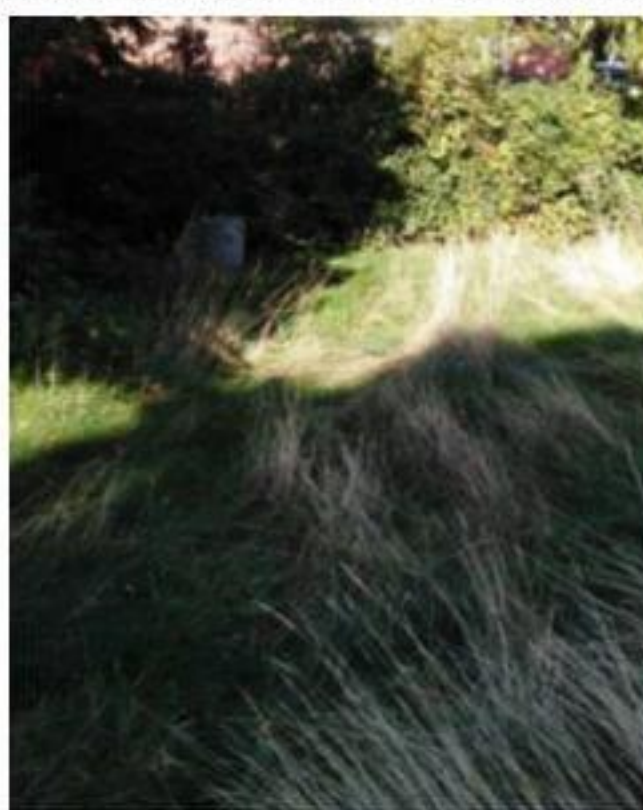


3.2.2 Neutral Semi-improved Grassland

A small area of semi-improved grassland was present close to the south west of the main building (**Photograph 2**) – this is likely to have formerly been amenity grassland that has been uncut.

Botanical interest included common fleabane *Pulicaria dysenterica*, dandelion *Taraxacum officinale* agg., common ragwort *Jacobaea vulgaris*, creeping cinquefoil *Potentilla reptans*, red fescue *Festuca rubra* and cock's foot *Dactylis glomerata*.

Photograph 2 Neutral Semi-improved grassland



3.2.3 Amenity Grassland

A large proportion of the walled garden situated in the south of the survey area was amenity grassland (**Photograph 3**) that is closely mown with the following species being recorded common daisy *Bellis perennis*, dandelion, broadleaf plantain *Plantago major* and perennial rye grass *Lolium perenne*.

Photograph 3 Amenity grassland



3.2.4 Dense Scrub

A small area of scrub was present along the western boundary of the site (**Photograph 4**) consisting of bramble *Rubus fruticosus* agg., goat willow *Salix caprea* and occasional snowberry *Symphoricarpos albus*.

Photograph 4 Scrub along western boundary



3.2.5 Scattered Trees

Occasional trees were found in the southern portion of the site including holm oak *Quercus ilex* (**Photograph 5**), bay tree *Laurus nobilis*, yew *Taxus baccata*, ash *Fraxinus excelsior*, cherry *Prunus spp.*. Two pear trees *Pyrus communis* were recorded including an older specimen along the eastern boundary that is in poor condition.

Photograph 5 Holm Oak



3.2.6 Flower beds/ ornamental planting

The southern boundary wall of the site was flanked by flowerbeds and ornamental planting (Photograph 6) with species such as *Choisya*, variegated dogwood *Cornus alba elegantissima* and a number of other species.

Photograph 6 Flower beds and ornamental planting



3.2.7 Species-poor hedgerow

A 20m length of privet hedgerow was present along the eastern boundary of the site adjacent to the B2148 (**Photograph 7**). Occasional brambles and ivy were recorded along with the previously mentioned mature pear tree in poor condition.

Photograph 7 Species-poor hedgerow and pear tree



3.2.8 Buildings

The buildings are discussed further with regard to their potential to be suitable for roosting bats (see Section 3:3:3).

3.3 Protected & Notable Species

3.3.1 Great Crested Newts

The desk study found that the ditches and tributaries linked to the River Ems, the closest of which is approximately 150m to the east of the site. No records of GCN within 2km of the site were returned by HBIC.

There are no water bodies present on site and the site is assessed as having *negligible potential* for GCN.

3.3.2 Reptiles

The HBIC search revealed records of slow worms (*Anguis fragilis*) within 2km of the site. The closest of which are associated with Brooke Meadows 150m to the east.

Semi-improved grassland potentially suitable for the species is present on site but this is isolated from other suitable habitat by areas of hard standing and brick walls which encircle the site. Therefore the site has been assessed as having *negligible potential* for reptiles.

3.3.3 Bats

The data search returned records of 12 species of bat along with records for unidentified species. Species recorded include barbastelle (*Barbastella barbastellus*), serotine (*Eptesicus serotinus*), Bechstein's bat (*Myotis bechsteinii*), Daubenton's bat (*Myotis daubentonii*), Natterer's Bat (*Myotis nattereri*), Leisler's bat (*Nyctalus leisleri*), noctule (*Nyctalus noctula*), Nathusius' pipistrelle (*Pipistrellus nathusii*), soprano pipistrelle (*Pipistrellus pygmaeus*), common pipistrelle (*Pipistrellus pipistrellus*) and brown Long-eared bat (*Plecotus auritus*).

Roosting Bats - Buildings

Building 1

Building 1 is a late Victorian brick built building with a pitched clay tiled roof (Photograph 8). Loft spaces are limited to a small areas around the base of the roof – most of which could not be accessed during the survey (Photograph 9). The majority of the attic space has been converted to office space with dormer windows. A number of single storey brick and concrete block extensions are present, the majority of these have flat roofs clad in bitumen felted roof whist one has a shallow pitched corrugated metal clad roof and one has a pitched clay tiled roof.

Photograph 8 Building 1



Photograph 9 Extensions to Building 1



The original three storey portion of the building has a number of areas of loose and broken tiles that offer potential roosting locations for bats (Photographs 10 and 11) as a result of this, this portion has been assessed as having *high potential* for roosting bats

Photographs 10 and 11: Potential bat roosting features in the roof of Building 1



Building 2 and 3

Buildings 2 and 3 comprise a timber constructed summer house with a bitumen clad roof along with a timber shed. Both of these buildings do not have suitable features for roosting bats and have therefore been assessed as having *negligible potential* for roosting bats.



Roosting bats – Trees

No features suitable for roosting bats were found in any trees on site and there have therefore been assessed as having *negligible potential* for roosting bats.

Foraging and Commuting Bats

The area of garden habitat and isolated trees present on site offer some limited foraging opportunities for foraging bats – these are isolated from further foraging areas within the surrounding landscape and the site as been assessed as having *low potential* for foraging bats.

3.3.4 Badger

No records of badgers from within 2km of the site were returned by the HBIC data search. Most of the site is unsuitable for the species due to the large amount of hardstanding and the garden area is enclosed by a boundary wall and gates preventing access to the interior by badgers. The site has been assessed as having *negligible potential* for badgers.

3.3.5 Hazel Dormice

No suitable habitat is present on site for this species and it has *negligible potential* for the species.

3.3.6 Otter & Water Vole

No habitats suitable for either water voles (*Arvicola amphibius*) or otters (*Lutra lutra*) are present on site and it as therefore been assessed as having *negligible potential* for the species.

3.3.7 Birds

Due to the sites' proximity to the coastal habitats associated with Langstone Harbour, a large number of bird records were returned by HBIC. Most of these are marine species that the habitats on site do not have the potential to support.

Species recorded that have the potential to be on site include herring gull (*Larus argentatus*), house sparrow (*Passer domesticus*), starling (*Sturnus vulgaris*) and song thrush (*Turdus philomelos*).

3.3.8 Invertebrates

Habitats an site are widespread and common in the locality and wider landscape and are unlikely to be suitable for notable invertebrates.

3.4 Importance of Ecological Features

In line with the CIEEM PEA Guidelines, and based on the above baseline information, each ecological feature recorded within the study area is considered to have the importance levels presented in Table 4, using the methodology as defined in Section 4 of the CIEEM EcIA Guidelines (2016).

Table 4 Importance of Ecological Features

Feature	Importance	Rationale
Chichester and Langstone Harbours SPA/Ramsar	International	A designated Natura 2000 site for breeding and wintering birds.



Feature	Importance	Rationale
SSSI	National	Two nationally designated sites due to the presence of important fauna and flora.
LNR/SINC	Local	One LNR and ten SINC: non-statutory designated sites due to locally important habitats and species.
Hardstanding	Negligible	The habitat is of negligible importance in terms of its botanical diversity and unlikely to support and protected and notable species.
Semi-improved grassland	Negligible	Low value semi-improved grassland with a low diversity of species.
Amenity grassland	Negligible	Low value amenity grassland with a low diversity of species.
Dense scrub	Negligible	Low value small area of scrub only
Scattered trees	Negligible	Low number of trees only.
Bats (roosting)	Unknown	Further night-time surveys required on Building 1.
Bats (foraging/commuting)	Negligible	Low value site poorly connected to other suitable habitat.
Birds	Negligible	Provides suitable habitat for common breeding birds, unlikely to support important assemblages of breeding birds.
Either: International (incl. European) / National / Regional / County / Local / Negligible Or: Unknown (i.e. further surveys/information needed)		

The potential for the proposals to have adverse or beneficial impacts on these features, along with the need for any mitigation or enhancement measures are discussed in detail below.



4.0 Relevant Planning Policy & Legislation

4.1 Revised National Planning Policy Framework

The revised NPPF was issued on 24th July 2018 (Ministry of Housing Communities and Local Government, 2018) and currently supplements government Circular 06/2005, *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System* (Office of the Deputy Prime Minister (ODPM), 2005).

Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. Paragraph 107 of the NPPF also states that '*Planning policies and decisions should contribute to and enhance the natural environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

The conservation and enhancement of wildlife is also specifically reference re: development within the National Parks or the Broads.

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.*

Regarding EcIA's and HRA's – any sites identified, or required, as compensatory measures for adverse effects on any Natura 2000/habitats site should also be given the same level as protection as the pSPA's and cSAC's themselves. In addition, when an application is being determined, "*The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site*"

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should....:

- c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

4.2 Biodiversity 2020: A strategy for England's wildlife & ecosystem services

Biodiversity 2020 (DEFRA, 2011) replaces the previous UK Biodiversity Action Plan and sets national targets to be achieved. The intent of Biodiversity 2020, however, is much broader than the protection and enhancement of less common species, and is meant to embrace the wider countryside as a whole.

The priority species and habitats considered under Biodiversity 2020 are the SPI & HPI detailed under NERC Act (see Appendix B for further details).

4.3 Local Biodiversity Action Plan

Biodiversity Action Plans (LBAPs) identify habitat and species conservation priorities at a local level (typically County by County) and are usually drawn up by a consortium of local Government organisations and conservation charities. Although they are no-longer managed at a national level many are still reviewed and updated at a local level.

The Hampshire BAP (Hampshire Biodiversity Partnership, 2000) is the relevant document for this site and it contains the Habitat and Species Action Plans listed in Table 5.

Table 5 Hampshire BAP SAPs

Species Action Plans	
Rare flora*	Southern damselfly (<i>Coenagrion mercuriale</i>)
Hericium tooth fungi*	Butterflies and moths*

Species Action Plans	
Stiptate hynoid tooth fungi*	Bumblebees*
Woodland lichen*	Hornet robberfly (<i>Asilus crabroniformis</i>)
European otter	Noble chafer beetle (<i>Gnorimus nobilis</i>)
Water vole	Stag beetle (<i>Lucanus cervus</i>)
Barbastelle bat	Gilkicker weevil (<i>Pachytychius haematocephalus</i>)
Serotine bat	Medicinal leech (<i>Hirudo medicinalis</i>)
Bechstein's bat	Natterjack toad (<i>Epidalea calamita</i>)
Pipistrelle bat*	GCN
Greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)	Smooth snake (<i>Coronella austriaca</i>)
Seed-eating farmland birds*	Sand lizard (<i>Lacerta agilis</i>)
Birds of wet grassland*	White-clawed crayfish (<i>Austropotamobius pallipes</i>)
Shorebirds*	Large-mouthed valve snail (<i>Valvata macrostoma</i>)
Rare flora*	Southern damselfly (<i>Coenagrion mercuriale</i>)
Hericium tooth fungi*	Butterflies and moths*

*Group of species.

Table 6 Hampshire BAP HAPs

Habitats Action Plans	
Ancient semi-natural woodland	Heathland, acid grassland, bog
Wood pasture and parkland	Standing open water
Hedgerows	Chalk streams
Arable land	Rivers and streams
Neutral grassland	Canals
Lowland calcareous grassland	Coast
Lowland wetland grassland	Wetland

It should be noted that the existence of a SAP or HAP does not always infer an elevated level importance for those features. These plans may be designed to encourage an increase in these habitats/species, rather than to protect a county-scarce feature (for example).

4.4 Local Plan

Policy CS11 of Havant Borough Local Plan Part 1: Core Strategy adopted in March 2011 states that:



Planning permission will be granted for development that:

- 1. Ensures the key landscape and built form principles set out in the Havant Borough Townscape, Landscape and Seascape Character Assessment are protected and where possible enhanced by partnership working with developers, groups and the wider community.*
- 2. Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest. Protection and enhancement will be achieved by appropriate adaptation and mitigation measures including wardening, education and information and the creation of new habitats, water bodies/courses planting of new trees and woodland.*
- 3. Has particular regard to the following hierarchy of nature conservation designations within the borough (as identified on the Proposals Map):*
 - (i) Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar [International].*
 - (ii) Sites of Special Scientific Interest (SSSI) and National Nature Reserves [National].*
 - (iii) Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), other Ancient Woodland not identified in (ii) above [Local].*
- 4. Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.*
- 5. Supports an ongoing programme of survey of habitats and species and designation of Sites of Importance for Nature Conservation.*
- 6. Incorporates partnership working with conservation organisations to improve public understanding of biodiversity and to manage public access to designated sites, particularly on the coast, to reduce harm to nature conservation interests.*
- 7. Incorporates partnership working with landowners and developers to ensure land management practices restore, enhance and where appropriate create new valued landscapes, habitats and their soil structure, particularly the ancient woodland remnants of the Forest of Bere and coastal salt marsh.*



8. *Protects wildlife habitats and wildlife corridors to prevent the fragmentation of existing habitats and to allow species, for example Brent Geese, to respond to the impacts of climate change by making provision for habitat adaptation e.g. coastal managed realignment and species migration.*
9. *Maintains undeveloped gaps between the settlements of Emsworth/Havant; Havant/Waterlooville; Havant/Portsmouth; Emsworth/Westbourne and Leigh Park/Rowlands Castle as shown on the Proposals Map.*
10. *Protects the best and most versatile agricultural land that has the greatest potential for local food security.*
11. *Responds to the emerging evidence from the Solent Disturbance and Mitigation Project, the published recommendations, and future related research.*

4.5 Legislation

Full details of the UK legislation and offences which are relevant to the ecological receptors identified are included in Appendix B. However, based on the findings of our assessment, it is considered that the proposals will need to consider the following legal provisions:

- Harm to a Natura 2000 site – Should the site be developed for residential purposes then there is the potential for increased reactional pressure on the Chichester and Langstone Harbours SPA and Ramsar.
- Disturbance or killing of an EPS – The buildings on site have the potential to support roosting bats. Their absence would need to be proved by surveys prior to any works that could affect potential roosting features. If bats are found then a European Protected Species Licence would need to be obtained prior to works.
- Disturbance of nesting wild birds – If trees and scrub are removed during the breeding season (March to August) then there is the potential for active nests to be disturbed.



5.0 Discussion

5.1 Designated Sites

Natura 2000 Sites

Chichester and Langstone Harbour SPA and Ramsar is located 350m to the south of the site. The site is small in scale and there are no direct connections (such as hydrological) with Langstone Harbour. As such, no direct impacts such as noise air or water pollution are considered likely.

There is potential for an increase in residential dwellings (if these form part of any future proposals) to result in increased disturbance to overwintering birds within the SPA. In order to mitigate this effect, including in-combination effects, all planning applications for new homes that fall within 5.6km of the Solent SPAs are required to make a financial contribution in line with the charging schedule as detailed in the Solent Recreation Mitigation Strategy (Bird Aware Solent, 2017). This may be applicable to this development. Due to the proximity to the site, it is likely that a Habitats Regulations Assessment will need to be undertaken to determine whether any significant effects are likely once the development proposals are known.

Sites of Special Scientific Interest

Chichester Harbour SSSI is located 350m to the south of the site – due to the small scale of the site and the lack of connectivity there are not expected to be any impacts. Similarly, Warblington Meadow SSSI 1.8km to the South is unlikely to be impacted upon by any future due to the distance and small scale of the site.

Local Wildlife Sites

There are 10 SINC's within 2km of the site, none of which fall within the boundaries of the site. The closest SINC is Brook Meadow 120 m to the east of the site and separated from the site by roads and development. As such impacts are considered unlikely.

5.2 Habitats

Habitats within the site are common and widespread. The potential development may result in the loss of areas of semi-improved and amenity grassland. The replacement of lost habitats should be adequately addressed through appropriate and sensitive landscaping of the finished site.

In accordance with NPPF, to achieve the government objectives for planning to enhance biodiversity, consideration should be given to the following measures designed to enhance the site for wildlife in the long-term:

- Wildlife friendly planting is included with any future landscaping schemes using a range of native species where possible.
- The inclusion of a range of bird nesting features on the main building would likely include the value of the site for nesting birds, specifically for house sparrow and swift.



5.3 Protected & Notable Species

5.3.1 Birds

The site has moderate potential to support breeding birds. If present on site, construction-phase activities have the potential to cause damage or destruction of active bird nests. This constitutes offences under the Wildlife and Countryside Act 1981 (as amended).

Removal of any trees or scrub / ornamental shrubs is recommended to be undertaken outside of the breeding season (March to August inclusive) or after an inspection by an experienced ecologist no earlier than 24 hours before commencement of works. If nesting birds are located, the ecologist will suggest suitable buffers are put in place to prevent further disturbance.

5.3.2 Bats

Roosting

Building 1 (not including single storey extensions) has been assessed as having high potential to support roosting bats. Further survey are required to assess the presence or absence of roosting bats and to assess any populations present. This is needed to inform a suitable mitigation strategy (if required) and meet the requirements of local and national planning policy and legislation.

In accordance with BCT guidelines, three visits will be needed between May and September with at least two of these being between May-August (i.e. three visits between April and October) in appropriate weather conditions for bats is recommended.

Further detailed recommendations will be made following the results of the surveys, but may include the application of a EPSL to Natural England or the provision of roosting boxes on site.



6.0 Summary

6.1 Designated Sites

The background data search found the following designated sites supporting features with the potential to be affected by development of the site:

- Langstone and Chichester Harbour (Ramsar, SPA, SSSI);
- The Wild Grounds (SSSI, LNR); and
- 10 SINC.

Adverse impacts are considered unlikely for all with the exception of Portsmouth Harbour SPA and Ramsar, if the site developed for residential use. Adverse effects in the absence of mitigation could therefore be via increased recreation to the SPA and Ramsar. To mitigate this a financial contribution would need to be paid in line with the charging schedule as detailed in the Solent Recreation Mitigation Strategy (Bird Aware Solent, 2017).

Due to the site's proximity to the nearby Chichester and Langstone Harbours SPA an HRA screening report may need to be undertaken to determine if any significant effects are likely.

6.2 Habitats

Habitats on site were common and widespread and included amenity grassland, scrub, scattered, flower beds and ornamental planting trees. Recommendations for habitat replacement and ecological enhancement are recommended as part of any future landscaping scheme.

6.3 Protected & Notable Species

Further surveys are recommended for the following species:

- Bats – comprising bat emergence/return surveys of Building 1 to take place between May and September.

Avoidance measures are recommended for the following species:

- Nesting birds – Pre-commencement check for nesting birds on site prior to vegetation removal.



7.0 References

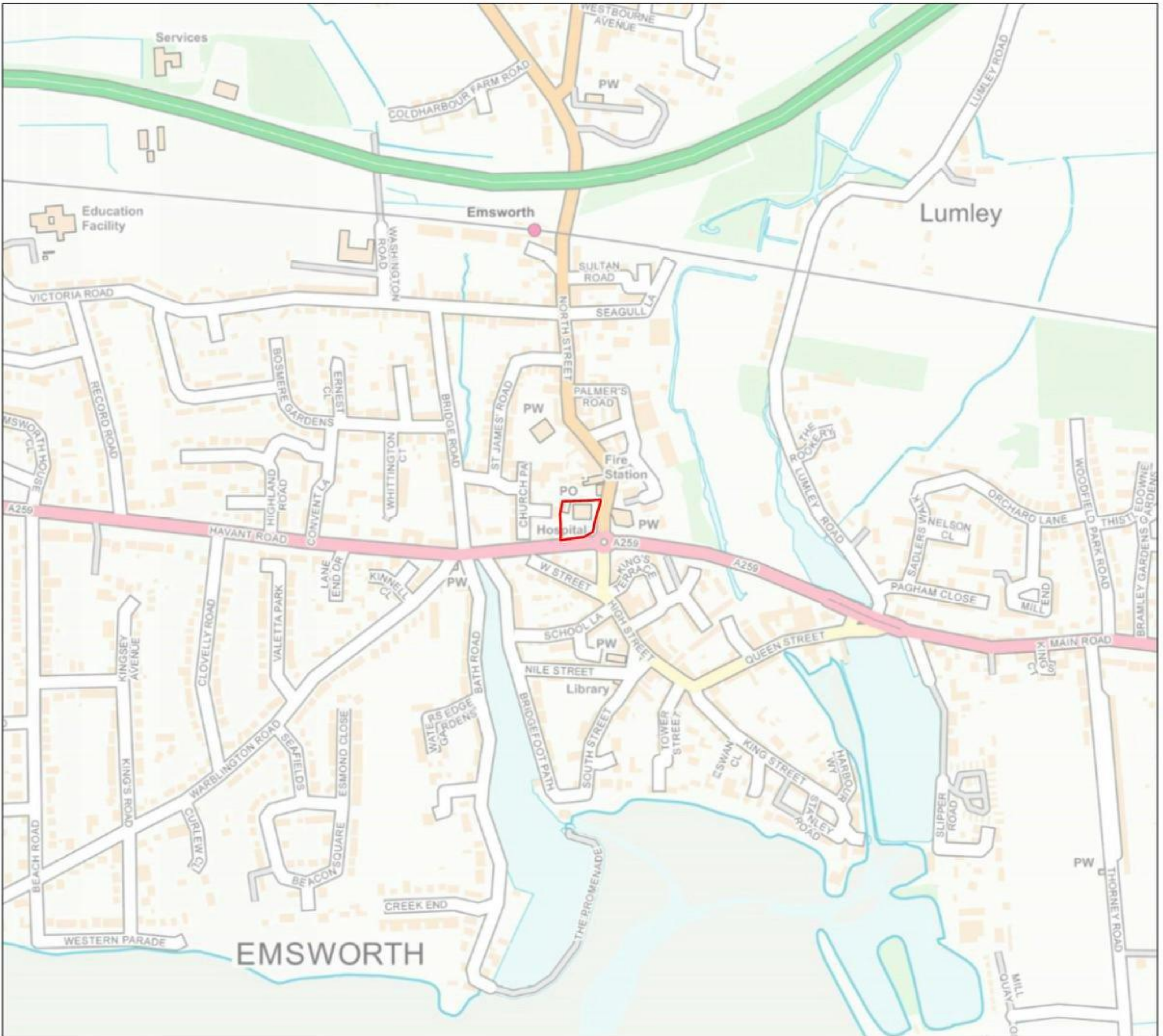
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FIGURES

Figure 1 – Site Location Plan

Figure 2 – Phase 1 Habitat Plan



Rev	Date	Notes
A	17/10/18	Initial map production

Legend

- Site boundary



Site Location Plan

Victoria Cottage Hospital
NHS Property Services

Scale at A3: 1:5,000	Project No: A110328	Drawing No: Figure 1	Revision: A
Drawn by: Ben Blowers	Drawn date: 17/10/2018	Approved by: John Simper	

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Appendix A – Report Conditions



REPORT CONDITIONS

This Report has been prepared using reasonable skill and care for the sole benefit of NHS Property Services ("the Client") for the proposed uses stated in the report by [WYG Environment Planning Transport Limited] ("WYG"). WYG exclude all liability for any other uses and to any other party. The report must not be relied on or reproduced in whole or in part by any other party without the copyright holder's permission.

No liability is accepted or warranty given for; unconfirmed data, third party documents and information supplied to WYG or for the performance, reliability, standing etc of any products, services, organisations or companies referred to in this report. WYG does not purport to provide specialist legal, tax or accounting advice.

The report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections'. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times. No investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather-related conditions. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions. The "shelf life" of the Report will be determined by a number of factors including; its original purpose, the Client's instructions, passage of time, advances in technology and techniques, changes in legislation etc. and therefore may require future re-assessment.

The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.

The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. WYG accept no liability for issues with performance arising from such factors.



Appendix B – Wildlife Legislation



Bern Convention

The *Convention on the Conservation of European Wildlife and Natural Habitats* (the *Bern Convention*) was adopted in Bern, Switzerland in 1979, and was ratified in 1982. Its aims are to protect wild plants and animals and their habitats listed in Appendices 1 and 2 of the Convention, and regulate the exploitation of species listed in Appendix 3. The regulation imposes legal obligations on participating countries to protect over 500 plant species and more than 1000 animals.

To meet its obligations imposed by the Convention, the European Community adopted the *EC Birds Directive* (1979) and the *EC Habitats Directive* (1992 – see below). Since the Lisbon Treaty, in force since 1st December 2009, European legislation has been adopted by the European Union.

Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals or 'Bonn Convention' was adopted in Bonn, Germany in 1979 and came into force in 1985. Participating states agree to work together to preserve migratory species and their habitats by providing strict protection to species listed in Appendix I of the Convention. It also establishes agreements for the conservation and management of migratory species listed in Appendix II.

In the UK, the requirements of the convention are implemented via the Wildlife & Countryside Act 1981 (as amended), Wildlife (Northern Ireland) Order 1985 (as amended), Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and the Countryside and Rights of Way Act 2000 (CRoW).

Habitats Directive

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, or the 'Habitats Directive', is a European Union directive adopted in 1992 in response to the Bern Convention. Its aims are to protect approximately 220 habitats and 1,000 species listed in its several Annexes.

In the UK, the Habitats Directive is transposed into national law via the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales, and via the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) in Northern Ireland.

Birds Directive

The EC Directive on the Conservation of Wild Birds (79/409/EEC) or 'Birds Directive' was introduced to achieve favourable conservation status of all wild bird species across their distribution range. In this context, the most important provision is the identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex 1 of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance.

Conservation of Habitats and Species Regulations 2017

Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I or II of the Habitats Directive respectively) to the European Commission. These sites, if ratified by the European Commission, are then designated as Special Protection Areas (SPAs) within six years. Public bodies must also help preserve, maintain and re-establish habitats for wild birds.

The Regulations also make it an offence to deliberately capture, kill, disturb or trade in the animals listed in Schedule 2, or pick, uproot, destroy, or trade in the plants listed in Schedule 5 - see below:

Schedule 2 – European Protected Species of Animals

Schedule 5 – European Protected Species of Plants



Horseshoe bats <i>Rhinolophidae</i> - all species	Shore dock <i>Rumex rupestris</i>
Common bats <i>Vespertilionidae</i> - all species	Killarney fern <i>Trichomanes speciosum</i>
Large Blue Butterfly <i>Maculinea arion</i>	Early gentian <i>Gentianella anglica</i>
Wild cat <i>Felis sylvestris</i>	Lady's-slipper <i>Cypripedium calceolus</i>
Dolphins, porpoises and whales <i>Cetacea</i> – all sp.	Creeping marsh-wort <i>Apium repens</i>
Dormouse <i>Muscardinus avellanarius</i>	Slender naiad <i>Najas flexilis</i>
Pool frog <i>Rana lessonae</i>	Fen orchid <i>Liparis loeselii</i>
Sand lizard <i>Lacerta agilis</i>	Floating-leaved water plantain <i>Luronium natans</i>
Fisher's estuarine moth <i>Gortyna borelii lunata</i>	Yellow marsh saxifrage <i>Saxifraga hirculus</i>
Great crested newt <i>Triturus cristatus</i>	
Otter <i>Lutra lutra</i>	
Lesser whirlpool ram's-horn snail <i>Anisus vorticulus</i>	
Smooth snake <i>Coronella austriaca</i>	
Sturgeon <i>Acipenser sturio</i>	
Natterjack toad <i>Epidalea calamita</i>	
Marine turtles <i>Caretta caretta</i> , <i>Chelonia mydas</i> , <i>Lepidochelys kempii</i> , <i>Eretmochelys imbricata</i> , <i>Dermochelys coriacea</i>	

Wildlife & Countryside Act 1981 (as amended)

This is the principal mechanism for the legislative protection of wildlife in the UK. This legislation is the chief means by which the 'Bern Convention' and the Birds Directive are implemented in the UK. Since it was first introduced, the Act has been amended several times.

The Act makes it an offence to (with exception to species listed in Schedule 2) intentionally:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use; or
- take or destroy an egg of any wild bird.

Or to intentionally do the following to a wild bird listed in Schedule 1:

- disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird.

In addition, the Act makes it an offence (subject to exceptions) to:

- intentionally or recklessly kill, injure or take any wild animal listed on Schedule 5;
- interfere with places used for shelter or protection, or intentionally disturbing animals occupying such places; and
- The Act also prohibits certain methods of killing, injuring, or taking wild animals.

Finally, the Act also makes it an offence (subject to exceptions) to:

- intentionally pick, uproot or destroy any wild plant listed in Schedule 8, or any seed or spore attached to any such wild plant;
- unless an authorised person, intentionally uproot any wild plant not included in Schedule 8; or
- sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Following all amendments to the Act, Schedule 5 'Animals which are Protected' contains a total of 154 species of animal, including several mammals, reptiles, amphibians, fish and invertebrates. Schedule 8 'Plants which are Protected' of the Act, contains 185 species, including higher plants,

bryophytes and fungi and lichens. A comprehensive and up-to-date list of these species can be obtained from the JNCC website.

Part 14 of the Act makes unlawful to plant or otherwise cause to grow in the wild any plant which is listed in Part II of Schedule 9.

It is recommended that plant material of these species is disposed of as bio-hazardous waste, and these plants should not be used in planting schemes.

Schedule 1 - Birds which are protected by special penalties

Avocet	<i>Recurvirostra avosetta</i>	Osprey	<i>Pandion haliaetus</i>
Bee-eater	<i>Merops apiaster</i>	Owl, Barn	<i>Tyto alba</i>
Bittern	<i>Botaurus stellaris</i>	Owl, Snowy	<i>Nyctea scandiaca</i>
Bittern, Little	<i>Ixobrychus minutus</i>	Peregrine	<i>Falco peregrinus</i>
Bluethroat	<i>Luscinia svecica</i>	Petrel, Leach's	<i>Oceanodroma leucorhoa</i>
Brambling	<i>Fringilla montifringilla</i>	Phalarope, Red-necked	<i>Phalaropus lobatus</i>
Bunting, Cirl	<i>Emberiza cirlus</i>	Plover, Kentish	<i>Charadrius alexandrinus</i>
Bunting, Lapland	<i>Calcarius lapponicus</i>	Plover, Little Ringed	<i>Charadrius dubius</i>
Bunting, Snow	<i>Plectrophenax nivalis</i>	Quail, Common	<i>Coturnix coturnix</i>
Buzzard, Honey	<i>Pernis apivorus</i>	Redstart, Black	<i>Phoenicurus ochruros</i>
Capercaillie	<i>Tetrao urogallus</i>	Redwing	<i>Turdus iliacus</i>
Chough	<i>Pyrrhocorax pyrrhocorax</i>	Rosefinch, Scarlet	<i>Carpodacus erythrinus</i>
Corncrake	<i>Crex crex</i>	Ruff	<i>Philomachus pugnax</i>
Crake, Spotted	<i>Porzana porzana</i>	Sandpiper, Green	<i>Tringa ochropus</i>
Crossbills (all species)	<i>Loxia</i>	Sandpiper, Purple	<i>Calidris maritima</i>
Curlew, Stone	<i>Burhinus oedecnemus</i>	Sandpiper, Wood	<i>Tringa glareola</i>
Divers (all species)	<i>Gavia</i>	Scaup	<i>Aythya marila</i>
Dotterel	<i>Charadrius morinellus</i>	Scoter, Common	<i>Melanitta nigra</i>
Duck, Long-tailed	<i>Clangula hyemalis</i>	Scoter, Velvet	<i>Melanitta fusca</i>
Eagle, Golden	<i>Aquila chrysaetos</i>	Serin	<i>Serinus serinus</i>
Eagle, White-tailed	<i>Haliaeetus albicilla</i>	Shorelark	<i>Eremophila alpestris</i>
Falcon, Gyr	<i>Falco rusticolus</i>	Shrike, Red-backed	<i>Lanius collurio</i>
Fieldfare	<i>Turdus pilaris</i>	Spoonbill	<i>Platalea leucorodia</i>
Firecrest	<i>Regulus ignicapillus</i>	Stilt, Black-winged	<i>Himantopus himantopus</i>
Garganey	<i>Anas querquedula</i>	Stint, Temminck's	<i>Calidris temminckii</i>
Godwit, Black-tailed	<i>Limosa limosa</i>	Swan, Bewick's	<i>Cygnus bewickii</i>
Goshawk	<i>Accipiter gentilis</i>	Swan, Whooper	<i>Cygnus cygnus</i>
Grebe, Black-necked	<i>Podiceps nigricollis</i>	Tern, Black	<i>Chlidonias niger</i>
Grebe, Slavonian	<i>Podiceps auritus</i>	Tern, Little	<i>Sterna albifrons</i>
Greenshank	<i>Tringa nebularia</i>	Tern, Roseate	<i>Sterna dougallii</i>
Gull, Little	<i>Larus minutus</i>	Tit, Bearded	<i>Panurus biarmicus</i>
Gull, Mediterranean	<i>Larus melanocephalus</i>	Tit, Crested	<i>Parus cristatus</i>
Harriers (all species)	<i>Circus</i>	Tree-creeper, Short-toed	<i>Certhia brachydactyla</i>
Heron, Purple	<i>Ardea purpurea</i>	Warbler, Cetti's	<i>Cettia cetti</i>
Hobby	<i>Falco subbuteo</i>	Warbler, Dartford	<i>Sylvia undata</i>
Hoopoe	<i>Upupa epops</i>	Warbler, Marsh	<i>Acrocephalus palustris</i>
Kingfisher	<i>Alcedo atthis</i>	Warbler, Savi's	<i>Locustella luscinioides</i>
Kite, Red	<i>Milvus milvus</i>	Whimbrel	<i>Numenius phaeopus</i>
Merlin	<i>Falco columbarius</i>	Woodlark	<i>Lullula arborea</i>
Oriole, Golden	<i>Oriolus oriolus</i>	Wryneck	<i>Jynx torquilla</i>

Animal (Vertebrate) Species Listed in Schedule 5 (full legal protection at all times)



Horseshoe Bats (all species)	<i>Rhinolophidae</i>	Newt – Great Crested	<i>Triturus cristatus</i>
Typical Bats (all species)	<i>Vespertilionidae</i>	Snake – Smooth	<i>Coronella austriaca</i>
Dolphin – Bottle-nosed	<i>Tursiops truncatus (tursio)</i>	Toad, Natterjack	<i>Epidalea calamita</i>
Dolphin – Common	<i>Delphinus delphis</i>	Turtles – All Species	<i>Cheloniidae & Dermochelyidae</i>
Dormouse – Hazel	<i>Muscardinus avellanarius</i>	Basking Shark	<i>Cetorhinus maximus</i>
Pine Marten	<i>Martes martes</i>	Burbot	<i>Lota lota</i>
Porpoise – Harbour	<i>Phocaena phocaena</i>	Goby – Giant	<i>Gobius cobitis</i>
Otter – Eurasian	<i>Lutra lutra</i>	Goby – Couch's	<i>Gobius couchii</i>
Squirrel – Red	<i>Sciurus vulgaris</i>	Seahorse – Short-snouted ¹	<i>Hippocampus hippocampus</i>
Walrus	<i>Odobenus rosmarus</i>	Seahorse – Spiny	<i>Hippocampus guttulatus</i>
Water Vole	<i>Arvicola amphibius</i>	Sturgeon	<i>Acipenser sturio</i>
Whales – All Species	<i>Cetacea</i>	Vendace	<i>Coregonus albula</i>
Wildcat	<i>Felis sylvestris</i>	Whitefish	<i>Coregonus lavaretus</i>
Lizard – Sand	<i>Lacerta agilis</i>		
Animal (Vertebrate) Species Protected under Section 9 (1) part: Killing and Injuring & Section 9 (5) Sale			
Adder	<i>Vipera berus</i>	Slow-worm	<i>Anguis fragilis</i>
Lizard – Viviparous	<i>Zootoca vivipara</i>	Snake – Grass	<i>Natrix helvetica (natrix)</i>
Animals (Vertebrate) Species Protected under Section 9 (5) Sale only			
Frog – common	<i>Rana temporaria</i>	Newt – Smooth	<i>Lissotriton vulgaris</i>
Newt – Palmate	<i>Lissotriton helvetica</i>	Toad – Common	<i>Bufo bufo</i>
Animals (Vertebrate) Species Protected under Section 9 (1) (4)(a): Killing, Injuring & Taking and Damage / Destruction of place of shelter / protection only			
Allis Shad	<i>Alosa alosa</i>	Shark – Angel	<i>Squatina squatina</i>
Twaite Shad	<i>Alosa fallax</i>		
Butterflies & Moths – Full Protection under Schedule 5² at all times			
High brown fritillary	<i>Argynnis adippe</i>	Fisher's Estuarine Moth	<i>Gortyna borelii</i>
Large Blue	<i>Maculinea arion</i>	Barberry Carpet	<i>Pareulype berberata</i>
Heath Fritillary	<i>Mellicta athalea</i>	Black-veined Moth	<i>Siona lineata</i>
Marsh Fritillary	<i>Eurodryas aurinia</i>	Sussex Emerald	<i>Thalera fimbriata</i>
Swallowtail	<i>Papilio machaon britannicus</i>	Essex Emerald	<i>Thetidia smaragdaria</i>
Large Copper	<i>Lycaena dispar</i>	Fiery Clearwing	<i>Bembecia chrysidiformis</i>
Reddish-buff Moth	<i>Acosmetia caliginosa</i>	New-Forest Burnet	<i>Zygaena viciae</i>
Butterflies – Protected under Section 9 (5) Sale Only			
Purple Emperor	<i>Apatura iris</i>	Adonis Blue	<i>Lysandra bellargus</i>
Northern Brown Argus	<i>Aricia artaxerxes</i>	Chalkhill Blue	<i>Lysandra cordon</i>
Pearl-bordered Fritillary	<i>Boloria euphrosyne</i>	Glanville Fritillary	<i>Melitaea cinxia</i>
Chequered Skipper	<i>Carterocephalus palaemon</i>	Large Tortoiseshell	<i>Nymphalis polychloros</i>
Large Heath	<i>Coenonympha tullia</i>	Silver-studded Blue	<i>Plebejus argus</i>
Small Blue	<i>Cupido minimus</i>	Black Hairstreak	<i>Strymonidia pruni</i>
Mountain Ringlet	<i>Erebia epiphron</i>	White-letter Hairstreak	<i>Strymonidia w-album</i>
Duke of Burgundy	<i>Hamearis lucina</i>	Brown Hairstreak	<i>Thecla betulae</i>
Silver-spotted Skipper	<i>Hesperia comma</i>	Lulworth Skipper	<i>Thymelicus acteon</i>
Wood White	<i>Leptidea sinapis</i>		

¹ Both sea horse species are protected in England only.

² Viper's Bugloss Moth *Hadena irregularis* was removed from Schedule 5 in 1996 as it is believed to be extinct.

Other Invertebrates – Full Protection under Schedule 5 at all times			
Rainbow Leaf-beetle	<i>Chrysolina cerealis</i>	Tadpole Shrimp	<i>Triops cancriformis</i>
Spangled Diving-beetle	<i>Graphopterus zonatus</i>	Trembling Sea-mat	<i>Victorella pavid</i>
Lesser Silver Water-beetle	<i>Hydrochara caraboides</i>	De Folin's Lagoon Snail	<i>Caecum armoricum</i>
Moccas Beetle	<i>Hypebaeus flavipes</i>	Sandbowl Snail	<i>Catinella arenaria</i>
Violet Click-beetle	<i>Limoniscus violaceus</i>	Freshwater Pearl Mussel	<i>Margaritifera margaritifera</i>
Bembridge Beetle	<i>Parcymus aeneus</i>	Glutinous Snail	<i>Myxas glutinosa</i>
New Forest Cicada	<i>Cicadetta montana</i>	Lagoon Snail	<i>Paludinella littorina</i>
Wart-Biter	<i>Decticus verrucivorus</i>	Lagoon Sea Slug	<i>Tenellia adspersa</i>
Mole-Cricket	<i>Gryllotalpa gryllotalpa</i>	Northern Hatchet-shell	<i>Thyasira gouldi</i>
Field-Cricket	<i>Gryllus campestris</i>	Tentacled Lagoon-worm	<i>Alkmaria romijni</i>
Norfolk Hawker Dragonfly	<i>Aeshna isosceles</i>	Lagoon Sand-worm	<i>Armandia cirrhosa</i>
Southern Damselfly	<i>Coenagrion mercuriale</i>	Medicinal Leech	<i>Hirudo medicinalis</i>
Fen Raft Spider	<i>Dolomedes fimbriatus</i>	Marine Hydroid	<i>Clavopsella navis</i>
Ladybird Spider	<i>Eresus niger (cinaberinus)</i>	Ivell's Sea Anemone	<i>Edwardsia ivelli</i>
Fairy Shrimp	<i>Chirocephalus diaphanus</i>	Starlet Sea Anemone	<i>Nematosella vectensis</i>
Lagoon Sand Shrimp	<i>Gammarus insensibilis</i>	Atlantic Stream (White-clawed) Crayfish	<i>Austropotamobius pallipes</i>
Other Invertebrates Protected under Section 9 (1) Possession & 9 (2) (5) Sale only			
Stag Beetle	<i>Lucanus cervus</i>	Roman Snail ³	<i>Helix pomatia</i>
Fan Mussel	<i>Atrina fragilis</i>	Pink Sea-fan	<i>Eunicella verrucosa</i>
Other Invertebrates Protected under Section 9 (4) (a) Damage / Destruction of Place of Shelter / Protection only			
Mire Pill Beetle	<i>Curimopsis nigrita</i>		
Vascular Plant Species - Full Protection under Schedule 8 at all times (previous Scientific name in brackets)			
Adder's-tongue Least	<i>Ophioglossum lusitanicum</i>	Lily – Snowdon	<i>Lloydia serotina</i>
Alison- Small	<i>Alyssum alyssoides</i>	Marsh-mallow – Rough	<i>Althaea hirsuta</i>
Broomrape – Bedstraw	<i>Orobancha caryophyllacea</i>	Milk-parsley – Cambridge	<i>Selinum carvifolium</i>
Broomrape – Oxtongue	<i>Orobancha loricata (picridis)</i>	Mudwort – Welsh	<i>Limosella aquatica</i>
Broomrape – Thistle	<i>Orobancha reticulata⁴</i>	Naiad – Holly-leaved	<i>Najas marina</i>
Cabbage – Lundy	<i>Rhynchosynapsis wrightii</i>	Orache – Stalked	<i>Halimione pedunculata</i>
Calamint – Wood	<i>Calamintha sylvatica</i>	Orchid – Early Spider	<i>Ophrys sphegodes</i>
Catchfly – Alpine	<i>Lychnis alpina</i>	Orchid – Ghost	<i>Epipogium aphyllum</i>
Centaury – Slender	<i>Centaureum tenuiflorum</i>	Orchid – Lapland Marsh	<i>Dactylorhiza lapponica</i>
Cinquefoil – Rock	<i>Potentilla rupestris</i>	Orchid – Late Spider	<i>Ophrys fuciflora</i>
Clary – Meadow	<i>Salvia pratensis</i>	Orchid – Lizard	<i>Himantoglossum hircinum</i>
Club-rush – Triangular	<i>Scirpus triquetrus</i>	Orchid – Military	<i>Orchis militaris</i>
Colt's-foot – Purple	<i>Homogyne alpina</i>	Orchid – Monkey	<i>Orchis simia</i>
Cotoneaster – Wild	<i>Cotoneaster integerrimus</i>	Pear – Plymouth	<i>Pyrus cordata</i>
Cotton-grass – Slender	<i>Eriophorum gracile</i>	Pennycress – Perfoliate	<i>Thlaspi perfoliata</i>
Cow-wheat – Field	<i>Melampyrum arvense</i>	Pennyroyal	<i>Mentha pulegium</i>
Crocus – Sand	<i>Romulus columnae</i>	Pigmyweed	<i>Crassula aquatica</i>

³ England only

⁴ The Weeds Act 1959 does not apply to thistles *Cirsium* & *Carduus* species supporting this broomrape.



Cudweed – Broad-leaved	<i>Filago pyramidata</i>	Pine - Ground	<i>Ajuga chamaepitys</i>
Cudweed – Jersey	<i>Gnaphalium luteo-album</i>	Pink – Cheddar	<i>Dianthus gratianopolitanus</i>
Cudweed – Red-tipped	<i>Filago lutescens</i>	Pink – Childing	<i>Petrorhagia nanteuillii</i>
Cut-grass	<i>Leersia oryzoides</i>	Ragwort – Fen	<i>Senecio paludosus</i>
Deptford Pink	<i>Dianthus armeria</i>	Ramping-fumitory – Martin's	<i>Fumaria martinii</i>
Diapensia	<i>Diapensia lapponica</i>	Rampion – Spiked	<i>Phyteuma spicata</i>
Eryngo – Field	<i>Eryngium campestre</i>	Restharrow – Small	<i>Ononis reclinata</i>
Fern – Dickie's-bladder	<i>Cystopteris dickieana</i>	Rock-cress – Alpine	<i>Arabis alpina</i>
Fleabane – Alpine	<i>Erigeron borealis</i>	Rock-cress – Bristol	<i>Arabis scabra</i>
Fleabane – Small	<i>Pulicaria vulgaris</i>	Sandwort – Norwegian	<i>Arenaria norvegica</i> ⁵
Galingale – Brown	<i>Cyperus fuscus</i>	Sandwort – Teesdale	<i>Minuartia stricta</i>
Gentian – Alpine	<i>Gentiana nivalis</i>	Saxifrage – Drooping	<i>Saxifraga cernua</i>
Gentian – Dune	<i>Gentianella uliginosa</i>	Saxifrage – Tufted	<i>Saxifraga cespitosa</i>
Gentian – Fringed	<i>Gentianella ciliata</i>	Solomon's-seal – Whorled	<i>Polygonatum verticillatum</i>
Gentian – Spring	<i>Gentiana verna</i>	Sow-thistle – Alpine	<i>Cicerbita alpina</i>
Germander – Cut-leaved	<i>Teucrium botrys</i>	Spearwort – Adder's-tongue	<i>Ranunculus ophioglossifolius</i>
Germander – Water	<i>Teucrium scordium</i>	Speedwell – Fingered	<i>Veronica triphyllos</i>
Gladiolus – Wild	<i>Gladiolus illyricus</i>	Speedwell – Spiked	<i>Veronica spicata</i> ⁶
Goosefoot – Stinking	<i>Chenopodium vulvaria</i>	Spike-rush – Dwarf	<i>Eleocharis parvula</i>
Grass-poly	<i>Lythrum hyssopifolia</i>	South-stack Fleawort	<i>Tephrosia integrifolia ssp. maritima</i>
Hare's-ear – Sick-leaved	<i>Bupleurum falcatum</i>	Star-of-Bethlehem – Early	<i>Gagea bohemica</i>
Hare's-ear – Small	<i>Bupleurum baldense</i>	Starfruit	<i>Damasonium allisma</i>
Hawk's-beard – Stinking	<i>Crepis foetida</i>	Strapwort	<i>Corrigiola littoralis</i>
Hawkweed – Northroe	<i>Hieracium northroense</i>	Violet – Fen	<i>Viola persicifolia</i>
Hawkweed – Shetland	<i>Hieracium zetlandicum</i>	Viper's-grass	<i>Scorzonera humilis</i>
Hawkweed – Weak-leaved	<i>Hieracium attenuatifolium</i>	Water-plantain – Ribbon-leaved	<i>Alisma gramineum</i>
Heath – Blue	<i>Phyllodoce caerulea</i>	Wood-sedge – Starved	<i>Carex depauperata</i>
Helleborine – Red	<i>Cephalanthera rubra</i>	Woodsia – Alpine	<i>Woodsia alpina</i>
Horsetail – Branched	<i>Equisetum ramossissimum</i>	Woodsia – Oblong	<i>Woodsia ilvensis</i>
Hound's-tongue – Green	<i>Cynoglossum germanicum</i>	Wormwood – Field	<i>Artemisia campestris</i>
Knawel – Perennial	<i>Scleranthus perennis</i> ⁷	Woundwort – Downy	<i>Stachys germanica</i>
Knot-grass – Sea	<i>Polygonum maritimum</i>	Woundwort – Limestone	<i>Stachys alpina</i>
Leek – Round-headed	<i>Allium sphaerocephalum</i>	Yellow-rattle – Greater	<i>Rhinanthus angustifolius</i>
Lettuce – Least	<i>Lactuca salina</i>		
Vascular Plant Species – Partial Protection under Section 13 (2) Protection from commercial exploitation and sale			
Bluebell	<i>Hyacinthoides non-scriptus</i>		
Bryophytes – Full Protection under Schedule 8 at all times			

⁵ All subspecies occurring in the UK

⁶ Both subspecies: *spicata* & *hybrida*

⁷ Includes both subspecies: *perennis* & *prostratus*



Anamodon – Long-leaved	<i>Anomodon langifolius</i>	Flamingo Moss	<i>Desmatodon cernuus</i>
Blackwort	<i>Southbya nigrella</i>	Frostwort	<i>Gymnomitrium apiculatum</i>
Crystalwort – Lizard	<i>Riccia bifurca</i>	Glaucous Beard Moss	<i>Barbula glauca</i>
Earwort – Marsh	<i>Jamesoniella undulifolia</i>	Green Shield Moss	<i>Buxbaumia viridis</i>
Feathermoss – Polar	<i>Hygrohypnum polare</i>	Hair Silk Moss	<i>Plagiothecium piliferum</i>
Flapwort – Norfolk	<i>Leiocolea rutheana</i>	Knothole Moss	<i>Zygodon forsteri</i>
Grimmia – Blunt-leaved	<i>Grimmia unicolor</i>	Large Yellow Feather Moss	<i>Scorpidium turgescens</i>
Petalwort	<i>Petalophyllum ralfsii</i>	Millimetre Moss	<i>Micromitrium tenerum</i>
Lindenberg's Leafy-Liverwort	<i>Adelanthus lindenbergianus</i>	Multi-fruited River Moss	<i>Cryphaea lamyana</i>
Feather-moss Slender Green	<i>Drepanocladus vernicosus</i>	Nowell's Limestone Moss	<i>Zygodon gracilis</i>
Alpine Copper-Moss	<i>Mielichhoferia melicoferia</i>	Rigid Apple Moss	<i>Bartramia stricta</i>
Baltic Bog-Moss	<i>Sphagnum balticum</i>	Round-leaved feather Moss	<i>Rhynchostegium rotundifolium</i>
Blue Dew-Moss	<i>Saelania glaucescens</i>	Schleicher's Thread Moss	<i>Bryum schleicheri</i>
Blunt-leaved bristle-Moss	<i>Orthotrichum obtusifolium</i>	Triangular Pygmy Moss	<i>Acaulon triquetrum</i>
Bright-Green Cave-Moss	<i>Cyclodictyon laetevirens</i>	Turpswort	<i>Geocalyx graveolens</i>
Cordate Beard Moss	<i>Barbula cordata</i>	Vaucher's Feather Moss	<i>Hypnum vaucheri</i>
Cornish Path Moss	<i>Ditrichum cornubicum</i>	Western Rustwort	<i>Marsupella profunda</i>
Derbyshire Feather Moss	<i>Thamnobryum angustifolium</i>		
Stoneworts – Full Protection under Schedule 8 at all times			
Bearded Stonewort	<i>Chara canescens</i>	Foxtail Stonewort	<i>Lamprothamnium papulosum</i>
Lichens – Full Protection under Schedule 8 at all times			
New Forest Beech Lichen	<i>Enterographa elaborata</i>	Forked Hair Lichen	<i>Bryoria furcellata</i>
Snow Caloplaca	<i>Caloplaca nivalis</i>	Golden Hair Lichen	<i>Teloschistes flavicans</i>
Tree Catapyrenium	<i>Catapyrenium psoromoides</i>	Orange-fruited Elm Lichen	<i>Caloplaca luteoalba</i>
Laurer's Catillaria	<i>Catillaria laurei</i>	River Jelly Lichen	<i>Collema dichotomum</i>
Convolut Cladonia	<i>Cladonia convoluta</i>	Starry Breck Lichen	<i>Buellia asterella</i>
Upright Mountain Cladonia	<i>Cladonia stricta</i>	Caledonia Pannaria	<i>Pannaria ignobilis</i>
Goblin Lights	<i>Catolechia wahlenbergii</i>	New Forest Parmelia	<i>Parmelia minarum</i>
Elm Gyalecta	<i>Gyalecta ulmi</i>	Oil Stain Parmentaria	<i>Parmentaria chilensis</i>
Tarn Lecanora	<i>Lecanora archariana</i>	Southern Grey Physcia	<i>Physcia tribacioides</i>
Copper Lecidea	<i>Lecidea inops</i>	Ragged Pseudo-cyphellaria	<i>Pseudocyphellaria lacerata</i>
Arctic Kidney Lichen	<i>Nephroma arcticum</i>	Rusty Alpine Psora	<i>Psora rubiformis</i>
Ciliate Strap Lichen	<i>Heterodermia leucomelos</i>	Rock Nail	<i>Calicium corynellum</i>
Coralloid Rosette Lichen	<i>Heterodermia propagulifera</i>	Serpentine Selanopsora	<i>Selanopsora liparina</i>
Ear-lobed Dog Lichen	<i>Peltigera lepidophora</i>	Sulphur Tresses	<i>Alectoria ochroleuca</i>
Lichens – Partial Protection under Section 13 (2) Commercial Exploitation and Sale Only			
Tree Lungwort	<i>Lobaria pulmonaria</i>		
Fungi – Full Protection under Schedule 8 at all times			
Royal Bolete	<i>Boletus regius</i>	Oak Polypore	<i>Buglossosporus pulvinus</i>
Hedgehog Fungus	<i>Hericius erinaceum</i>	Sandy Stilt Ball	<i>Battaria phalloides</i>

Invasive plant species listed in Schedule 9

Australian swamp stonecrop or New Zealand pygmyweed	<i>Crassula helmsii</i>	Japanese rose	<i>Rosa rugosa</i>
Californian red seaweed	<i>Pilea californica</i>	Japanese seaweed	<i>Sargassum muticum</i>
Curly waterweed	<i>Lagarosiphon major</i>	Laver seaweeds (except native species)	<i>Porphyra</i> spp
Duck potato	<i>Sagittaria latifolia</i>	Parrot's-feather	<i>Myriophyllum aquaticum</i>
Entire-leaved cotoneaster	<i>Cotoneaster integrifolius</i>	Perfoliate alexanders	<i>Smyrniium perfoliatum</i>
False Virginia creeper	<i>Parthenocissus inserta</i>	Pontic rhododendron	<i>Rhododendron ponticum</i>
Fanwort or Carolina water-shield	<i>Cabomba caroliniana</i>	Purple dewplant	<i>Disphyma crassifolium</i>
Few-flowered garlic	<i>Allium paradoxum</i>	Red algae	<i>Grateloupia luxurians</i>
Floating pennywort	<i>Hydrocotyle ranunculoides</i>	Rhododendron	<i>Rhododendron ponticum</i> × <i>Rhododendron maximum</i>
Floating water primrose	<i>Ludwigia peploides</i>	Small-leaved cotoneaster	<i>Cotoneaster microphyllus</i>
Giant hogweed	<i>Heracleum mantegazzianum</i>	Three-cornered garlic	<i>Allium triquetrum</i>
Giant kelp	<i>Macrocystis</i> spp.	Variegated yellow archangel	<i>Lamiastrum galeobdolon</i> subsp. <i>argentatum</i>
Giant knotweed	<i>Fallopia sachalinensis</i>	Virginia creeper	<i>Parthenocissus quinquefolia</i>
Giant rhubarb	<i>Gunnera tinctoria</i>	Wakame	<i>Undaria pinnatifida</i>
Giant salvinia	<i>Salvinia molesta</i>	Wall cotoneaster	<i>Cotoneaster horizontalis</i>
Green seafingers	<i>Codium fragile</i>	Water fern	<i>Azolla filiculoides</i>
Himalayan cotoneaster	<i>Cotoneaster simonsii</i>	Water hyacinth	<i>Eichhornia crassipes</i>
Hollyberry cotoneaster	<i>Cotoneaster bullatus</i>	Water lettuce	<i>Pistia stratiotes</i>
Hooked asparagus seaweed	<i>Asparagopsis armata</i>	Water primrose	<i>Ludwigia grandiflora</i>
Hottentot fig	<i>Carpobrotus edulis</i>	Water primrose	<i>Ludwigia uruguayensis</i>
Hybrid knotweed	<i>Fallopia japonica</i> × <i>Fallopia sachalinensis</i>	Waterweeds	<i>Elodea</i> spp.
Indian (Himalayan) balsam	<i>Impatiens glandulifera</i>	Yellow azalea	<i>Rhododendron luteum</i>
Japanese knotweed	<i>Fallopia japonica</i>		

Protection of Badgers Act 1992

The main legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992 (the 1992 Act). Under the 1992 Act it is an offence to: wilfully kill, injure, take or attempt to kill, injure or take a badger; dig for a badger; interfere with a badger sett by, damaging a sett or any part thereof, destroying a sett, obstructing access to a sett, causing a dog to enter a sett or disturbing a badger while occupying a sett.

The 1992 Act defines a badger sett as: "any structure or place which displays signs indicating current use by a badger"



Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of Habitats and Species which are of Principal Importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

Hedgerow Regulations 1997

The Hedgerow Regulations were made under Section 97 of the Environment Act 1995 and came into force in 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification. Important hedgerows are defined by complex assessment criteria, which draw on biodiversity features, historical context and the landscape value of the hedgerow.

Birds of Conservation Concern

This is a review of the status of all birds occurring regularly in the United Kingdom. It is regularly updated and is prepared by leading bird conservation organisations, including the British Trust for Ornithology (BTO), Joint Nature Conservation Committee (JNCC) and The Royal Society for the Protection of Birds (RSPB).

The latest report was produced in 2015 (Eaton *et al*, 2015) and identified 67 red list species, 96 amber species, and 81 green species. The criteria are complex, but generally:

- **Red list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years.
- **Amber list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included, together with those whose 50% of the population is localised in 10 sites or fewer and those whose 20% of the European population is found in the UK.
- **Green list** species are all regularly occurring species that do not qualify under any of the red or amber criteria are green listed

Global IUCN Red List

The International Union for Conservation of Nature (IUCN) Threatened Species was devised to provide a list of those species that are most at risk of becoming extinct globally. It provides taxonomic, conservation status and distribution information about threatened taxa around the globe.

The system catalogues threatened species into groups of varying levels of threat, which are: Extinct (EX), Extinct in the Wild (EW), Critically Endangered (CE), Endangered (EN), Vulnerable (VU), Near Threatened (NT), Least Concern (LC), Data Deficient (DD), Not Evaluated (NE). Criteria for designation into each of the categories is complex, and consider several principles.



Local Biodiversity Action Plan (LBAP)

Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level), and are usually drawn up by a consortium of local Government organisations and conservation charities.

Some LBAP's may also include Habitat Action Plans (HAP) and/or Species Action Plans (SAP), which are used to guide and inform the local decision making process.

Wild Mammals (Protection) Act 1996

This Act offers protects a form of protection to all wild species of mammals, irrespective of other legislation, and focussed on animal welfare, rather than conservation.

Unless covered by one of the exceptions, a person is guilty of an offence if he mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering.

It's application is typically restricted to preventing deliberate harm to wildlife (in general) during construction works etc.



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**WYG Environment Planning Transport
Limited.**

Registered in England & Wales Number:
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