

May 2022

Preliminary Ecological Appraisal Survey Report

Site address: Selsted Farm, Stockham Lane, Dover

Prepared on behalf of: DHA Planning

Document ref:	FEL/6785	Survey date	8 th June 2022
Survey type	Preliminary Ecological Assessment		
Grid ref	TR220447	Surveyor	R Ferrett – BSc (Hons) Ecologist

Validity of Report

This report should be read in full and detailed guidance given in this report must be followed to avoid breaching legislation regarding protected species and Habitats. This report is valid for two years from the date of the survey visit. Should works be delayed to later than one year after the survey then a further update survey of the site would be required as habitats change over time, along with their potential to support protected species.

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OVERVIEW

Full site address	Land at Selsted Farm, Stockham Lane, Dover, CT15 7QG
Client / on behalf of	DHA Planning
Survey date	8 th June 2022
Proposals	Construction of ten residential dwellings with associated gardens and vehicle parking.
Baseline Information	Reptile surveys – Fellgrove (2021), PEA – Fellgrove (2020), Revised plans - DHA Planning / OSG Architecture
Ecology surveyor/s	Richard Ferrett – BSc (Hons) Ecologist GCN license ref: 2016-22836-CLS-CLS/L1

Quick Results Summary

The survey identified the following concerns regarding protected species.

Please note these are further analysed and evaluated in sections 4 of this report onwards.

Concern	Impact Level	Recommendations
Nesting birds	<i>Moderate/High</i>	Nesting bird check on site if removals of vegetation or trees are planned during peak nesting season (March – August).
Reptiles	<i>Moderate</i>	Reptile presence / absence surveys (completed 2021)
Amphibians	<i>Low</i>	eDNA analysis for Great Crested Newts of adjacent pond (completed 2022)

1 Introduction

Background

A Preliminary Ecological Appraisal has been commissioned by Fellgrove in response to the revised planning application at Selsted Farm, Stockham Lane, Dover, CT15 7QG. The purpose of this survey was to identify potential for protected habitats and species present in relation to development and to provide a baseline assessment of current site conditions regarding any ecological issues which may arise as a result of the development proposals.

Context

Fellgrove undertook a PEA survey during 2020, this report follows on. With consideration for locally present protected species, this report outlines the method the results of the Preliminary Ecological Appraisal (PEA) in accordance with CIEEM and UK Habitat Guidelines.

Purpose of Survey

Key considerations when surveying this site were to:

- Identify significant ecological features with potential to support protected species.
- Survey and assess both the proposed development site and surrounding local area.
- Include all relevant statutory and non-statutory designated sites as part of the survey.
- Provide an overview of ecological impacts on proposed development.

The results and data obtained from the field survey will be used to provide recommendations for further surveys where necessary and to detail enhancement / biodiversity measures to be taken where appropriate, following best practice timelines.

Development Proposals

The planning application is for the construction of a residential development with associated parking, gardens, and amenity space.

Surveyor

The surveyor and author of this report was Richard Ferrett BSc (Hons), Ecologist. Richard currently holds survey licenses for Great Crested Newts and continues ecological professional development.

2 Site Information

Site Description

The site is located at OS Grid reference: TR220447 (See also Figure 1). Site conditions have changed very little since the first ecological site assessment visit in 2020 and site habitat remains overall the same. Previous woodpiles have been removed and some clearance has occurred, with some soil stripping now showing signs of regeneration. It was noted that a large proportion of the material which could have been suitable for reptiles and reptile shelter (such as log piles) appears to have been removed at the time of this survey.

Important Ecological Features

The site grassland offers suitable foraging habitat for reptiles and amphibians (see *photographs 14 to 12*). There is a line of trees to the west of the site (T1) which offers suitable habitat for nesting birds (see *photograph 3*). A pond adjacent the site (WB1) is suitable for amphibians and potentially presence of Great Crested Newt.

Figure 1 – Indicative Development Plan



3 Method

Field Survey - (PEA)

The Preliminary Ecological Appraisal followed the method outlined in the JNCC (2010) Handbook for Phase 1 Survey and the UK Habitats Classification System. A map showing habitat types and locations on site is included (see Appendix A). Where no evidence of a protected species was identified with no suitable habitats for them, then further surveying for that species can be ruled out.

The general likelihood of protected species being present ranges in a scale from extremely unlikely (negligible) to highly likely (confirmed). The judgement of the surveyor combined with knowledge of habitats present, signs and sightings of animals and evidence from records was used to give an estimated likelihood of presence (see also Appendix C – Likelihood of Species Presence Guidelines).

The site was surveyed on 8th May 2022. It was determined the potential for presence of protected and otherwise important or notable species on site. The protected species most found commonly on potential development sites are bats, birds, reptiles, amphibians (including Great Crested Newts) and terrestrial mammals (badgers, dormice, water voles).

Desk Survey (Data Search)

A desk data search of the site was made using freely available public resources:

- Multi-Agency Geographic Information for the Countryside (MAGIC)
- Kent Landscape Information System (KLIS)
- National Biodiversity Network (NBN)

A search of the MAGIC website was carried out to determine any statutory designated nature conservation sites within 2km of the site and any EPS Licences granted within the same search area. (See Figure 2). The area was also examined for evidence of water bodies within 250m of the site as potential great crested newt breeding sites. (See also Figure 2a).

Constraints

There were no limitations to the survey effort which may have negatively impacted the conclusions of the surveys. The site location and immediate surrounding area were easily accessible and surveyed in fair weather conditions during June 2022.

4 Survey Results

Statutory Designated Sites

Designation	Name	Description
Area of Outstanding Natural Beauty	North Downs AONB	This AONB designation should have little impact on the proposed development other than making sure that enhancing measures are put in place.
Ancient Woodland	Park Wood Stoney Lane Wood	Although there is ancient woodland within the local area the proposed development, due to its size and location it's considered negligible impact on these sites.
Local Wildlife Sites	Park Wood Stoney Lane Wood LWS	Although there is a local wildlife site within the local area of the proposed development, due to its size and location it's considered negligible impact on these sites.

Non-Statutory Designated Sites

Countryside Management Partnerships <i>Non-site-specific designation</i>	CMP help to manage habitats and landscapes, and link communities to those areas.
Biodiversity Opportunity Area <i>Non-site-specific designation</i>	BOA are regional priority areas of opportunity for restoration and creation of Biodiversity Action Plan (BAP) habitats.

Figure 2 – MAGIC Map – Statutory / Non-Statutory Sites (2km)

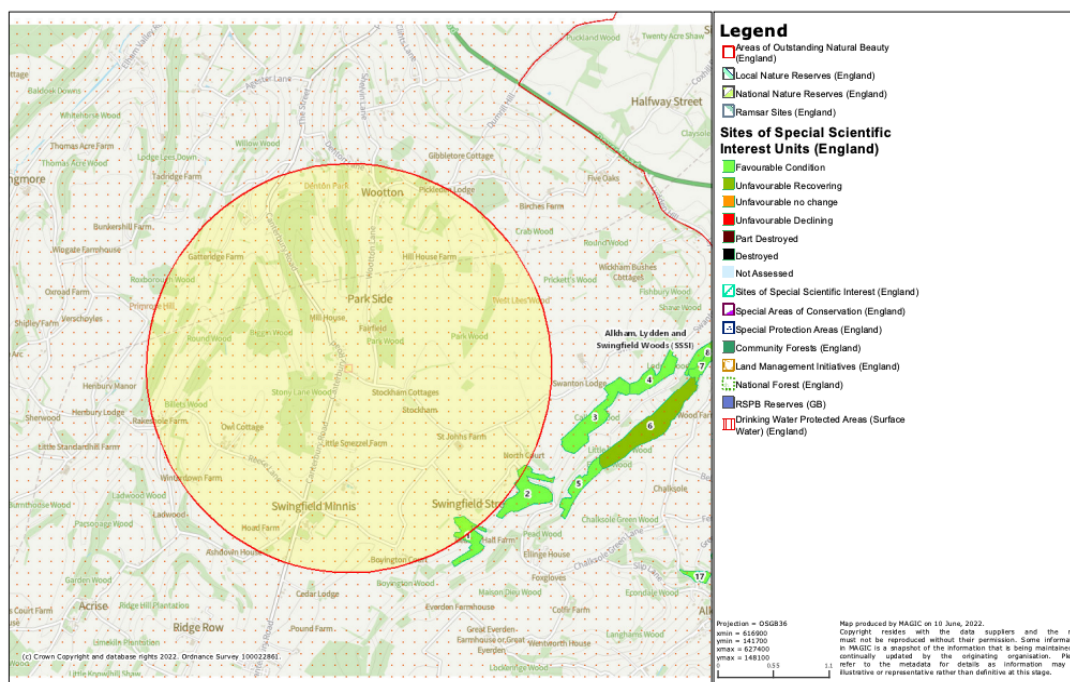


Figure 2 – MAGIC Map – Waterbodies (250m)

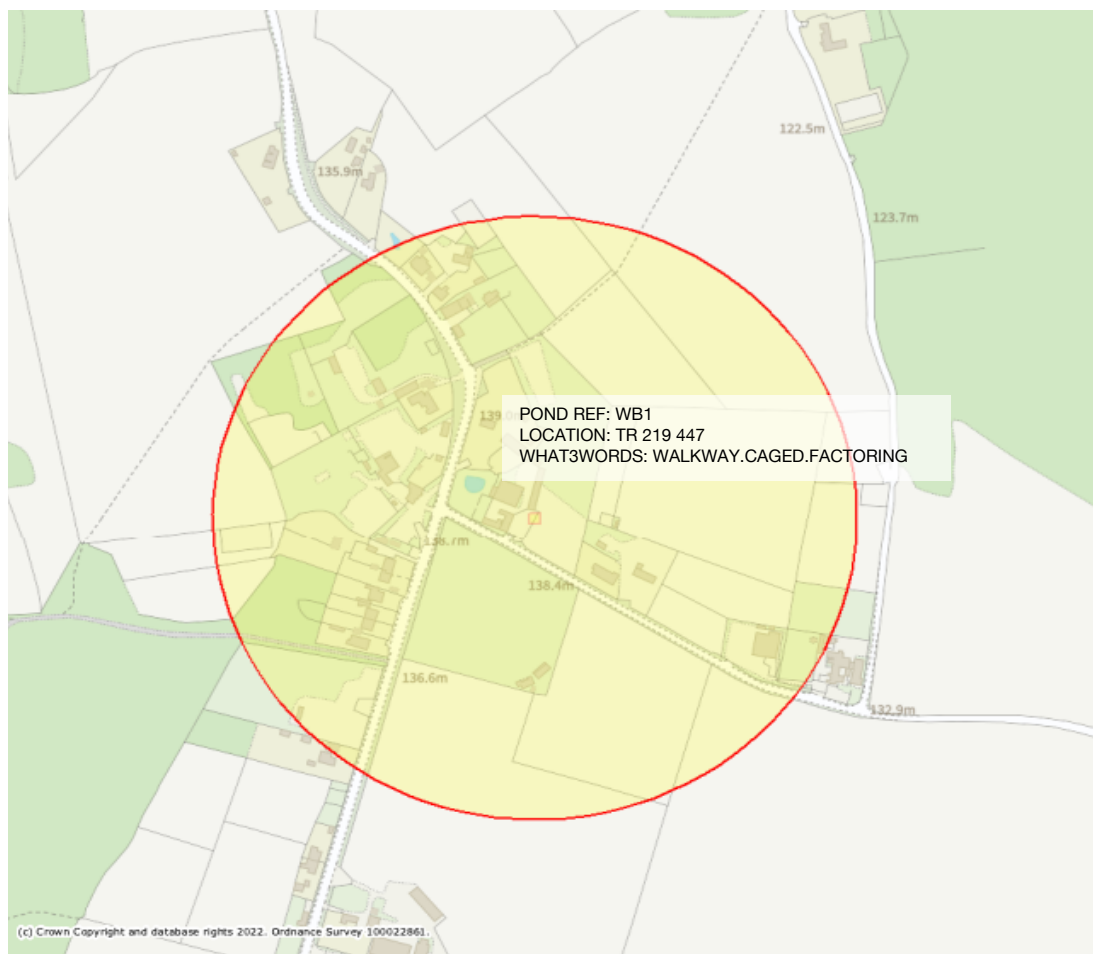


Table 2 - Protected Species Records (2km)

Source: NBN Atlas 2022

Species		Scientific name	Date	Legal protection / status
Reptiles, Amphibians	n/a	n/a	n/a	WCA 1981 Amended
Bats	Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	2017	WCA 1981 Amended
Mammals	European Hedgehog	<i>Erinaceus europaeus</i>	2018	WCA 1981 Amended
	Eurasian Badger	<i>Meles meles</i>	2016	
Wild birds	Bullfinch	<i>Pyrrhula pyrrhula</i>	2016	WCA 1981 Amended
	Brambling	<i>Fringilla montifringilla</i>	2010	
	Yellowhammer	<i>Emberiza citrinella</i>	2014	
	Greenfinch	<i>Chloris chloris</i>	2012	
	Goldfinch	<i>Carduelis carduelis</i>	2012	
	Jackdaw	<i>Coloeus monedula</i>	2012	
	House Sparrow	<i>Passer domesticus</i>	2012	
	Redwing	<i>Turdus iliacus</i>	2012	
	Lapwing	<i>Vanellus vanellus</i>	2014	

4.2 Field Survey

The following habitat types were identified on site and have been assessed as below:

Habitat Assessment

Key Habitat I.D (ukhab)		Description of ecological features
Grassland		
Managed grassland with mixed scrub / bramble	G4	Suitable foraging habitat. Although there are fewer sheltering opportunities for reptile than there where on the previous visit in 2021 there are still some sheltering opportunities present. Specifically, a log pile and the debris that remain after the clearance of the site.
Vegetation		
Low laying bramble mixed with grassland	G4	Suitable foraging habitat for reptiles. Although there are fewer sheltering opportunities for reptile than there where on the previous visit in 2021, there are still some sheltering opportunities present. Specifically, a log pile and the debris that remain after the clearance of the site.
Trees		
Treeline (T1)	W1G6	A lines of trees to the west of the proposed site are suitable habitat for nesting and breeding birds.
Buildings		
B1 – Derelict open barn	U1B5	Provides no suitable habitat to wildlife for foraging or home creation. Previously scoped for roosting bats and potential roost features and found negligible results as this building has not changed since the previous assessment in 2020.
Land		
Developed gravel hardstanding	S	Provides no suitable habitat to wildlife for foraging or home creation and is considered negligible habitat.

Species Assessment

Protected species or features	Potential presence	Suitability of Habitat	Evidence of onsite presence or data suggesting likelihood
Badger / Badger Setts	<i>Negligible</i>	Very limited foraging habitat or sett creation opportunities within the proposed site or adjacent habitats.	Local records. No field signs identified.
Bats / Bat Roosts	<i>Negligible</i>	Very limited roost opportunities within the proposed site or the adjacent habitats. The site barn buildings have previously been scoped and negligible potential was found.	Local records. No field signs identified.
Nesting / Breeding birds	<i>Low</i>	Suitable habitat for some tree nesting birds.	Local records.
Dormouse	<i>Negligible</i>	Very limited opportunities within the proposed site or the adjacent habitats.	No local records. No field signs identified.
Amphibians (including Great Crested Newt)	<i>Low</i>	Limited opportunities within the proposed site. The pond adjacent site has some vegetation and is suitable habitat for amphibians including GCN. eDNA survey for the presence of GCN has been completed and return negative results.	No local records. Field signs identified.
Reptiles	<i>Moderate</i>	Foraging and sheltering habitat for reptiles within the mixed grass and scrub.	No local records. Field signs identified.
Other mammals or wildlife	<i>Low</i>	Foraging and sheltering habitat within the mixed grass and scrub.	Local records. No field signs identified.
Invasive species	<i>Negligible</i>	Although there are ornamental plants there was no evidence of Japanese knotweed or giant hogweed found or seen on site.	

5 Recommendations

Protected Species

Badger / Badger Setts	The survey did not find any setts on site and found negligible suitable habitat for foraging badger within the site. No further survey recommended.
Bats / Bat Roosts	The survey did not identify roost opportunities within the proposed site or the adjacent habitats. The site contains derelict barn buildings which were previously scoped and negligible potential was found. No further survey recommended.
Nesting birds	The survey found suitable habitat for tree nesting birds within the site. A nesting bird check is recommended for the trees to the east boundary and any planned works should ideally take place outside peak nesting season (1 st March – 31 st August). If required during, then these areas should first be checked by nesting by an ecologist shortly before clearance or works are due to occur/be cleared or worked on under the supervision of a suitably qualified ecologist ECOW (Ecological Clerk of Works).
Dormouse	The survey found negligible suitable habitat for foraging dormouse within the site. No further survey recommended.
Amphibians (inc GCN)	There is a waterbody (a pond WB1) with some nearby vegetation adjacent to the proposed site, eDNA samples for GCN have been completed and returned negative results. <i>Please see Appendix C: Survey Photographs.</i>
Reptiles	The survey found foraging and shelter opportunities for reptiles within the proposed site. Further reptile presence and absence surveys were completed by Fellgrove in 2021. Positive results confirmed a population of reptiles onsite with recommendations still current. Ref 6666: Stockham Reptile Survey Report.
Other mammals or wildlife	The survey found suitable foraging and sheltering habitat for hedgehog within the mixed grass and scrub. There are no specific surveys for hedgehog however to help enhancement of the local area for hedgehog we recommend access panels are built into each of the gardens fencing through box should be incorporated into the proposed development landscape design.
Invasive species	As none were found on site, no precautions are required relating to these. No further survey recommended.
Protected Sites	There are three designated protected sites within 2km of the site however because of the relatively small extent of this development proposal, the impact from this development on these is considered negligible.

6 Enhancement

Biodiversity

Opportunities should be sought where appropriate and if at all possible, during the design of landscaping and the following enhancement opportunities have been identified.

Planting

Parking areas instead of concrete or tarmac can use permeable material that allows vehicle access but also allows plants to grow through (if possible and practical).

All new planting should be of native species of local provenance that will have a value as forage and cover for species using the site.

Planting associated with the proposed development should include native, flower rich species, including those that flower in the late and early seasons to benefit pollinators, such as bumblebees, if and where reasonably practicable.

Protected Species

To reduce any loss of nesting opportunities for wild birds, Nest boxes for wild birds to be integrated locations throughout the site. New buildings could also make use of UV coated glass solutions in windows and doors to reduce the risk of bird collisions, if and where reasonably practicable.

To reduce any loss of roosting opportunities for bats, roost boxes can be integrated throughout the site with connectivity to vegetated areas such as trees and woodlands, if reasonably practicable. These boxes can be installed away from windows or any sources of artificial lighting with respect to commuting bats, and at suitable heights and aspects onto retained trees or buildings, if and where reasonably practicable.

Other Wildlife

Creation of hedgehog homes and access routes through gaps in the residential garden fences for hedgehog and other smaller ground dwelling wildlife, if and where reasonably practicable.

7 Summary

Overall Impact

The ecological impact from the proposed development at the area of land adjacent Selsted Farm, Stockham Lane, Dover, is considered moderate with a confirmed population of reptile.

Recommendations

As a result of the findings from the field survey, mitigation and further recommendations are considered necessary. The current site conditions are considered moderate in terms of potential habitat for any protected species.

Conclusion

The survey has achieved the initial objectives and meets the brief by providing an assessment of the broad habitat types and the potential for protected species, plus explanation of methods used and further recommendation made where appropriate.

Basic habitat enhancement measures have also been suggested for biodiversity and to increase the overall local area attractiveness to wildlife species.

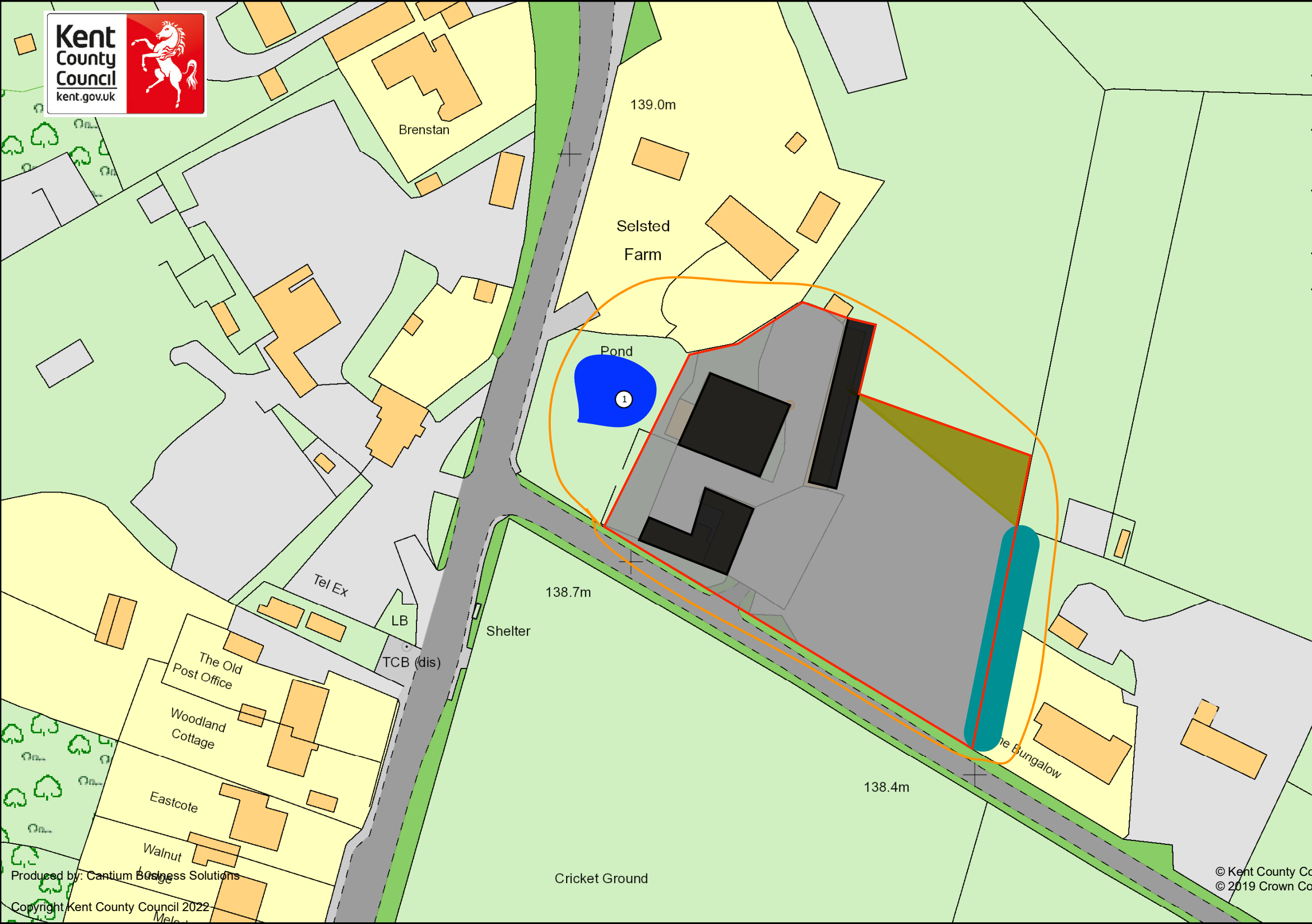
8 References

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- Bright, et al (2006) Dormouse conservation handbook. 2nd Ed. English Nature, UK
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- English Nature (2001) Great Crested Newt Mitigation Guideline
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- Handbook for Phase 1 habitat survey
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- Rose, et al (2006) Table of ancient woodland indicator plants.
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- <http://www.bats.org.uk/data/files/batsandlightingintheukfinalversionversion3may09.pdf>
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- Kent Landscape Information System KLIS - UK
- UK Biodiversity Action Plan <http://www.jncc.defra.gov.uk/>
- MAGIC Mapping www.defra.gov.uk - United Kingdom
- Eaton, M.A. et al (2009). Birds of Conservation Concern 3: The Population Status of Birds in the UK, Channel Islands, and the Isle of Man. British Birds 102, pp296–341

9 – APPENDICES

K-LIS

Status	Planning		
Project	Selsted Farm		
Drawing title	PEA location plan - Appendix A		
Rev	Description	Date	
-	-	-	
-	-	-	
Scale	Date	Drawing Number	Rev
NTS	10/08/22	6785_PEA	V01



Legend

- Site boundary
- Hard Standing
- Grassland with Scrub
- Trees
- Building
- Pond
- Survey Boundary

Target Notes

1: WB1 - eDNA result return negative for GCN
2:
3:
4:
5:

Cited from google earth

Folio No: E15166
Report No: 1
Purchase Order: 6785
Client: FELLGROVE
Contact: Lee Rowbottom

TECHNICAL REPORT

ANALYSIS OF ENVIRONMENTAL DNA IN POND WATER FOR THE DETECTION OF GREAT CRESTED NEWTS (TRITURUS CRISTATUS)

SUMMARY

When great crested newts (GCN), *Triturus cristatus*, inhabit a pond, they continuously release small amounts of their DNA into the environment. By collecting and analysing water samples, we can detect these small traces of environmental DNA (eDNA) to confirm GCN habitation or establish GCN absence.

RESULTS

Date sample received at Laboratory: 28/07/2022
Date Reported: 03/08/2022
Matters Affecting Results: None

Lab Sample No.	Site Name	O/S Reference	SIC	DC	IC	Result	Positive Replicates
1515	SELSTED FARM	TR219447	Pass	Pass	Pass	Negative	0

If you have any questions regarding results, please contact us: ForensicEcology@surescreen.com

Reported by: Jennifer Higginbottom

Approved by: Gabriela Danickova



METHODOLOGY

The samples detailed above have been analysed for the presence of GCN eDNA following the protocol stated in DEFRA WC1067 'Analytical and methodological development for improved surveillance of the Great Crested Newt, Appendix 5.' (Biggs et al. 2014). Each of the 6 sub-sample tubes are first centrifuged and pooled together into a single sample which then undergoes DNA extraction. The extracted sample is then analysed using real time PCR (qPCR), which uses species-specific molecular markers to amplify GCN DNA within a sample. These markers are unique to GCN DNA, meaning that there should be no detection of closely related species.

If GCN DNA is present, the DNA is amplified up to a detectable level, resulting in positive species detection. If GCN DNA is not present then amplification does not occur, and a negative result is recorded.

Analysis of eDNA requires scrupulous attention to detail to prevent risk of contamination. True positive controls, negative controls and spiked synthetic DNA are included in every analysis and these have to be correct before any result is declared and reported. Stages of the DNA analysis are also conducted in different buildings at our premises for added security.

SureScreen Scientifics Ltd is ISO9001 accredited and participate in Natural England's proficiency testing scheme for GCN eDNA testing. We also carry out regular inter-laboratory checks on accuracy of results as part of our quality control procedures.

INTERPRETATION OF RESULTS

- SIC:** **Sample Integrity Check** [Pass/Fail]
When samples are received in the laboratory, they are inspected for any tube leakage, suitability of sample (not too much mud or weed etc.) and absence of any factors that could potentially lead to inconclusive results.
- DC:** **Degradation Check** [Pass/Fail]
Analysis of the spiked DNA marker to see if there has been degradation of the kit or sample between the date it was made to the date of analysis. Degradation of the spiked DNA marker may lead indicate a risk of false negative results.
- IC:** **Inhibition Check** [Pass/Fail]
The presence of inhibitors within a sample are assessed using a DNA marker. If inhibition is detected, samples are purified and re-analysed. Inhibitors cannot always be removed, if the inhibition check fails, the sample should be re-collected.
- Result:** **Presence of GCN eDNA** [Positive/Negative/Inconclusive]
Positive: GCN DNA was identified within the sample, indicative of GCN presence within the sampling location at the time the sample was taken or within the recent past at the sampling location.
Positive Replicates: Number of positive qPCR replicates out of a series of 12. If one or more of these are found to be positive the pond is declared positive for GCN presence. It may be assumed that small fractions of positive analyses suggest low level presence, but this cannot currently be used for population studies. In accordance with Natural England protocol, even a score of 1/12 is declared positive. 0/12 indicates negative GCN presence.
Negative: GCN eDNA was not detected or is below the threshold detection level and the test result should be considered as evidence of GCN absence, however, does not exclude the potential for GCN presence below the limit of detection.



APPENDIX C

Site Photographs



Photo 1 - Hardstanding

Photo 2 - Hardstanding

Photo 3 - Hardstanding

Photo 4 - Grassland, scrub



Photo 5 - cleared debris

Photo 6 - Grassland, scrub

Photo 7 - Grassland, scrub

Photo 8 - Grassland, scrub



Photo 9 - debris pile

Photo 10 - Recent clearance
with regeneration

Photo 11 - Grassland, scrub

Photo 12 - Log piles still
present within proposed site.



Plastic piping connecting
drainage (July 2022)

Thick algae and exposed, dried plastic pond liner (July 2022)

APPENDIX D

Likelihood of Species Presence (guidance)

Confirmed	• Species directly observed on site • Clear evidence of species presence observed (e.g., droppings, burrows, etc.)
High	• Important structures or features of use for breeding or refuge present. For instance, ponds for newts, old trees for bats. • Significant amount of high-quality foraging habitat present • Site adjacent to surrounding areas of suitable habitat, or connected by linear features of use to commuting species (e.g., river) • Site close to known offsite species populations
Medium	• Some features suitable features / foraging habitat for breeding or refuge present. • Site connected to suitable offsite areas of habitat
Low	• Small amounts of low-quality areas for refuge or breeding • Small areas suitable for foraging • Site not connected to suitable offsite habitats or species not likely to enter site.
Negligible	• No suitable habitat on site

APPENDIX E

Policy and Legislation (United Kingdom) (guidance)

This section contains details of legislation and planning policy applicable in Britain only and is provided for general guidance only. While every effort has been made to ensure accuracy, this section should not be relied upon as a definitive statement of the law.

The EC Habitats Directive is to conserve the various species of plant and animal which are considered rare across Europe. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 (as amended) (formerly The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended).

The Wildlife and Countryside Act 1981 (as amended) is a key piece of national legislation which implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection obligations of Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain. Since the passing of the Wildlife & Countryside Act 1981, various amendments have been made, details of which can be found on www.opsi.gov.uk. Key amendments have been made through the Countryside and Rights of Way (CROW) Act (2000) and Nature Conservation (Scotland) Act 2004.

The Conservation of Habitats and Species Regulations 2010 (as amended) does not define the act of 'migration' and therefore, as a precaution, it is recommended that short distance movement of animals for e.g., Foraging, breeding or dispersal purposes are also considered. The sand lizard, smooth snake, natterjack toad and great crested newt receive full protection under The Conservation of Habitats and Species Regulations 2010 (as amended) through their inclusion on Schedule 2. The pool frog is also afforded full protection under the same legislation. Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard, and slow worm, thus avoiding contravention of the Wildlife and Countryside Act 1981 (as amended).

Under The Wild Mammals (Protection) Act 1996 all wild mammals are protected against intentional acts of cruelty under the above legislation.

The Protection of Badgers Act 1992 consolidates the previous Badger Acts of 1973 and 1991. A Development License will be required from the relevant countryside agency (e.g., Natural England) for any development works liable to affect an active badger sett, or to disturb badgers whilst in the set. Depending on the nature of the works and the specifics of the sett

and its environs, badgers could be disturbed by work near the sett even if there is no direct interference or damage to the sett itself. The countryside agencies have issued guidelines on what constitutes a licensable activity. N.B. there is no provision in law for the capture of badgers for development purposes and therefore it is not possible to obtain a licence to translocate badgers from one area to another.

Bats and all species of bat are fully protected under The Conservation of Habitats and Species Regulations 2010 (as amended) through their inclusion on Schedule 2. Bats are also currently protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5.

Dormice (*Muscardinus avellanarius*) are fully protected under The Conservation of Habitats and Species Regulations 2010 (as amended) through their inclusion on Schedule 2. Dormice are also currently protected under the Wildlife and Countryside Act 1981 (as amended) through inclusion on Schedule 5.

Birds (all), with certain exceptions, their nests, and eggs are protected under Sections 1-8 of the Wildlife and Countryside Act 1981 (as amended). In Scotland only, intentionally, or recklessly obstruct or prevent any wild bird from using its nest. Certain species of bird, for example the barn owl, black redstart, hobby, bittern, and kingfisher receive additional special protection under Schedule 1 of the Act and Annex 1 of the European Community Directive on the Conservation of Wild Birds (2009/147/EC). Those species of bird listed on Schedule 1 are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

Wild Plants (with certain exceptions) are protected under the Wildlife and Countryside Act 1981 (as amended). This makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them. Certain rare species of plant, for example some species of orchid, are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). In addition to the UK legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010 (as amended).

Invasive Plant Species and certain species of plant, including Japanese knotweed *Fallopia japonica*, giant hogweed *Heracleum mantegazzianum* and Himalayan balsam *Impatiens*

glandulifera are listed on Part II of Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) in respect to Section 14(2). Such species are generally non-natives whose establishment or spread in the wild may be detrimental to native wildlife. Inclusion on Part II of Schedule 9 therefore makes it an offence to plant or otherwise cause these species to grow in the wild. Although it is not an offence to have these plants on your land per se, it is an offence to cause these species to grow in the wild. Therefore, if they are present on site and development activities (for example movement of spoil, disposal of cut waste or vehicular movements) have the potential to cause the further spread of these species to new areas, it will be necessary to ensure appropriate measures are in place to prevent this happening prior to the commencement of works.

Under The Weeds Act 1959 any landowner or occupier may be required prevent the spread of certain 'injurious weeds' such as spear thistle *Cirsium vulgare*, creeping thistle *Cirsium arvense*, curled dock *Rumex crispus*, broad-leaved dock *Rumex obtusifolius*, and common ragwort *Senecio jacobaea*. It is a criminal offence to fail to comply with a notice requiring such action to be taken. The Ragwort Control Act 2003 establishes a ragwort control code of practice as common ragwort is poisonous to horses and other livestock. This code provides best practice guidelines and is not legally binding.

The National Planning Policy Framework (NPPF) (2019) describes the Government's planning policies for England and how these should be applied.

National Statutory Designated Areas and important areas of special scientific interest, by reason of their flora, fauna, or geological or physiographical features, are notified by the countryside agencies as statutory Sites of Special Scientific Interest (SSSIs) under the National Parks and Access to the Countryside Act 1949 and latterly the Wildlife & Countryside Act 1981 (as amended). As well as underpinning other national designations (such as National Nature Reserves which are declared by the countryside agencies under the same legislation), the system also provides statutory protection for terrestrial and coastal sites which are important within a European context (Natura 2000 network) and globally (such as Wetlands of International Importance). See subsequent sections for details of these designations. Improved provisions for the protection and management of SSSIs have been introduced by the Countryside and Rights of Way Act 2000 (in England and Wales) and the Nature Conservation (Scotland) Act 2004.

The Wildlife & Countryside Act 1981 (as amended) also provides for the making of Limestone Pavement Orders, which prohibit the disturbance and removal of limestone from such designated areas, and the designation of Marine Nature Reserves, for which byelaws must be made to protect them.

Regionally Important Geological and Geomorphological Sites (RIGS) are the most important places for geology and geomorphology outside land holding statutory designations such as SSSIs. Locally developed criteria are used to select these sites, according to their value for education, scientific study, historical significance, or aesthetic qualities. As with local Wildlife Sites, RIGS are a material consideration when planning applications are being determined.

The Hedgerow Regulations 1997 are intended to protect 'important' countryside hedgerows from destruction or damage. A hedgerow is considered important if (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy certain hedgerows without permission from the local planning authority. Hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys are covered by these regulations. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are not.

The National Planning Policy Framework replaced PPS9 and emphasizes the need for sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and priority species. An emphasis is also made for the need for ecological networks via preservation, restoration, and re-creation. The protection and recovery of priority species – presumably those listed as UK Biodiversity Action Plan priority species – is also listed as a requirement of planning policy. In determining planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from adverse harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.