

Preliminary Ecological Appraisal

**Southern Green Farm, Rushden,
Hertfordshire SG9 0SX**

For Mr M. Dingemans

August 2026



Report: SE2606

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LIMITATIONS AND EXCEPTIONS

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This report takes account of the client's instructions and requirements. It is not intended for and should not be relied upon by any third party, and no responsibility is undertaken to any third party.

This report is prepared and written in the context of the proposals stated in the introduction to this report and should not be used in a different context. If any change in circumstances occurs or after the expiry of 18 months from the date of the report, the report should be referred to the author for reassessment and, if necessary, reappraisal.

The Summary and Recommendations sections of the report provide an overview and guidance only and should not be relied upon explicitly until considered in the context of the whole report. Interpretations and recommendations in the report represent my professional opinion, arrived at in accordance with accepted industry practices and based on the legislation in effect at the time. No responsibility is accepted for any inaccuracies in the supplied data.

Scientific survey data will be shared with the local biological records centre in accordance with professional codes of conduct.

Limitations of Surveys

This report documents wildlife observed during the survey, along with anecdotal evidence of certain species. It does not record any animals or plants that may appear at other times of the year and were therefore not evident during the survey visits. The behaviour of animals can be unpredictable and may not conform to standard patterns recorded in scientific literature. Therefore, this report cannot predict with absolute certainty that animal species will occur in apparently suitable locations or that they will not occur in locations or habitats that appear to be unsuitable. Habitats outside the site boundary were visited only when considered appropriate and when access was available.

This survey is valid for 18 months. If development does not occur within this period, it is recommended that the survey be repeated as part of a comprehensive ecological reappraisal.

Andrew Palmer BSc (Hons), DipLA, MCIEEM
Sound Ecology – August 2026

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1 EXECUTIVE SUMMARY

Sound Ecology has compiled this report on behalf of Mr M. Dingemans. It pertains to land at Southern Green Farm, Rushden, Hertfordshire SG9 0SX.

The report comprises the findings and recommendations of a Preliminary Ecological Appraisal (PEA).

Development Proposals

The 0.197-hectare site involves a proposal to erect four detached dwellings on the site of a large steel grain barn. While the development is largely confined to paved and built areas, it also extends to adjacent grassland and Bramble scrub and involves the removal of four trees.

Survey Results

No evidence of protected and priority (NERC S41) species was recorded. The site offers limited suitability for these species. No priority habitats were present within the application boundary.

Biodiversity Net Gain

The proposals are exempt from BNG under the August 2026 regulation changes.

Evaluation, Mitigation & Enhancement

No significant detrimental impacts on biodiversity are anticipated. The applicant farms a large area of the surrounding countryside and has undertaken significant tree planting and wildlife-orientated land management. While this site results in the loss of several trees, new tree planting will be undertaken elsewhere on their land to provide an overall net gain.

Precautionary measures will be adopted during site clearance and construction to eliminate any residual low-level risk. The proposals will also incorporate proportionate enhancement opportunities for wildlife that are likely to occur in the local area.

2 INTRODUCTION AND OBJECTIVES

2.1 Introduction

Sound Ecology has compiled this report on behalf of Mr M. Dingemans. It pertains to land at Southern Green Farm, Rushden, Hertfordshire SG9 0SX (hereinafter referred to as ‘the site’).

The report comprises the findings and recommendations of a Preliminary Ecological Appraisal (PEA). The appraisal informs a new planning application and evaluates development constraints arising from ecological issues, ensuring compliance with wildlife legislation (Appendix A1). It also allows any work that may otherwise be detrimental to protected and biodiversity species to be appropriately scheduled.

Andrew Palmer, BSc (Hons), DipLA, MCIEEM, an experienced and licensed ecological surveyor, conducted and reported on the surveys.

2.2 Development Proposals, Site Location and Ecological Context

The 0.197-hectare site involves a proposal to erect four detached dwellings on the site of a large steel grain barn. While the development is largely confined to paved and built areas, it also extends to adjacent grassland and Bramble scrub and involves the removal of four trees.

The site is located at the eastern end of the hamlet of Southern Green, within an area predominantly of pasture and arable farmland. The landscape is dotted with small woodlands, and small ponds are relatively frequent.

There are no statutorily recognised nature conservation sites within 2 km.

2.3 Scope and Objectives

The objectives of the survey are:

- To undertake a scoping exercise to assess potential impacts on protected habitats and species.
- To recommend follow-up species surveys as needed.
- To make recommendations to mitigate potential negative impacts arising from development proposals.
- To recommend enhancing on-site habitats and wildlife opportunities, resulting in an overall net gain in biodiversity.

2.4 Biodiversity Net Gain (BNG)

The proposals are exempt from BNG under the August 2026 regulation changes.

3 METHODOLOGIES

3.1 Surveyor

The survey was conducted by Andrew Palmer (AP), an experienced ecologist who also meets the requirements of a Suitably Qualified Ecologist (SQE) as specified in BS 42020:2013. AP has held a Level 2 Bat Survey Licence since 2011 (Class Licence Registration Number: 2025-84600-CL18-BAT) and Great Crested Newt and Barn Owl Survey Licences (Class Licences 2025-82676-SCI-CL08 and 2026-87016-CL29-OWL). AP is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

3.2 Desk Study

A desk study was undertaken to provide an ecological context and inform an assessment of the potential ecological constraints to development. MAGIC (Multi-Agency Geographic Information for the Countryside) was searched in August 2026. Current Ordnance Survey maps and aerial photographs were used to identify features within a 500-metre radius of the site that may be used by protected or notable species. Given the discrete nature of the proposal, which is largely confined to hard-sanding and which has the potential to affect only specific species (Bats and Great Crested Newts), it is not considered necessary to undertake a broader search of biological records.

3.3 Habitat Survey

The survey involved a site visit on May 20, 2026, to record and map habitat types and ecological features. It followed the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017).

3.4 Protected & Biodiversity Species Assessment

The site was inspected for evidence of protected and notable species and the potential to support them, including those listed under relevant English legislation (Appendix A1).

3.4.1 Bats

The structure and trees were thoroughly examined in accordance with the Bat Survey Guidelines (BSG) outlined in the BCT Good Practice Guidelines (Collins, 2023). The survey sought evidence of bat utilisation and roost suitability, with the findings categorised as outlined in Table 1a. Trees were also assessed according to the BSG and categorised as per Table 1b. The survey methodology comprised a Ground Level Tree Assessment (GLTA) using binoculars and high-intensity focused lighting to inspect the depth of any visible feature.

Table 1a: Assessment of Bat Roosting Potential in Buildings (from Collins, 2023).

Suitability	Assessment of features present that potentially support roosting bats
None	An absence of suitable roost features
Negligible	Negligible habitat features - unlikely to be used by roosting bats.
Low	The few potential roosting sites are likely to be used by a <i>low number</i> of <i>transient</i> bats.
Moderate	Potential roosting sites, but with features <i>unlikely</i> to support maternity or hibernation.
High	Roosting sites of potential higher conservation value.

Table 1b: Assessment of Bat Roosting Potential in Trees (adapted from Collins, 2023):

Suitability	Assessment of features present that potentially support roosting bats
None	Either there are no PRFs, or it is highly unlikely there are any.
FAR	Further assessment is required to establish if PRFs are present.
PRF	A tree with at least one potential roost feature (PRF) is present.

3.4.2 Bat Foraging and Commuting:

Using the BCT Guidelines (summarised in Table 2), the suitability of habitats to support bat foraging and commuting activity was assessed.

Table 2: Bat Activity Suitability (Commuting and Foraging) - from Collins (2023).

Suitability	Commuting and foraging habitats
None	No habitat features for commuting or foraging bats were present.
Negligible	No obvious habitat features for commuting or foraging bats are present; however, a small element of uncertainty remains.
Low	Isolated or poorly connected habitats that could potentially support small numbers of foraging and commuting bats.
Moderate	Continuous habitats connected to the wider countryside.
High	Continuous high-quality habitats connected to the wider countryside or connecting to known roosts.

3.4.3 Amphibians

Great Crested Newt (GCN) surveys are only relevant where suitable breeding ponds are present within 250 m (extended to 500 m where the habitat between the site and ponds is *highly suitable*). There were suitable breeding sites within a 250 m radius, along with known records. The application site also lies within the Amber Great Crested Newt Risk Zone. Consequently, an assessment of potential risks to GCN was included within the scope of the report. This involved undertaking a Habitat Suitability Index (HSI) assessment of nearby ponds. The methodology followed that set out in the Amphibian and Reptile Groups (ARG UK) advice note 5 (May 2010).

3.4.4 Other Species

The site was evaluated for its suitability for supporting [REDACTED] reptiles, Hedgehogs, and a wide range of bird species. It was unsuitable for other protected/priority species. The site was searched for invasive non-native species (INNS), such as Japanese Knotweed.

3.5 **Limitations and Assumptions**

No significant limitations were encountered, and the surveys adhered to good-practice guidelines. Adjacent land was only examined closely where public access was possible.

4 RESULTS

4.1 Desk Survey - Designated Sites and Habitats

Statutory or non-statutory nature conservation designations do not cover the Site. There are no statutory sites within 2km. The site falls within the impact zone of Blagrove Common SSSI, but at a distance (2.1 km) where detrimental impacts would not be anticipated.

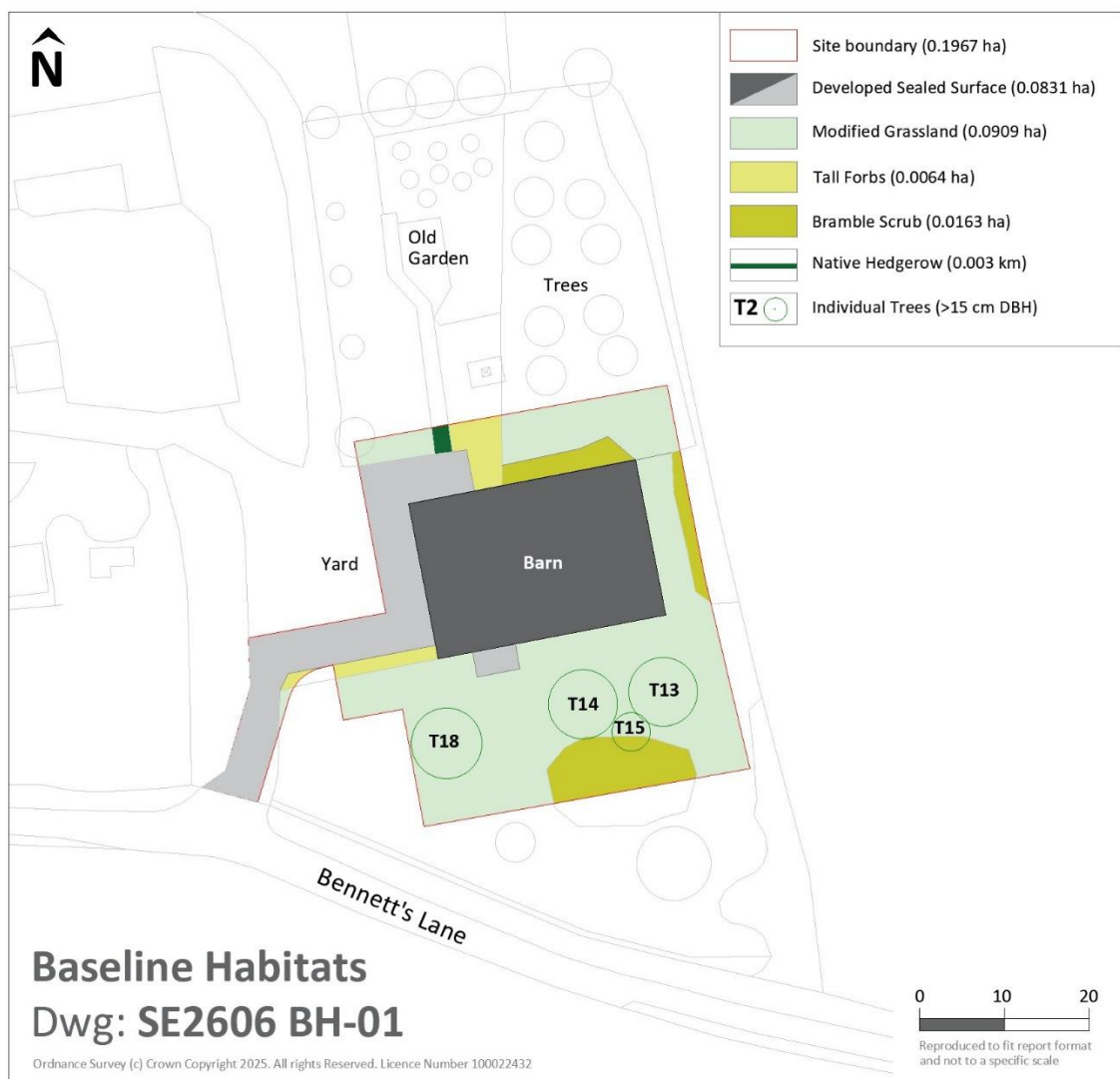
4.2 Desk Survey - Protected and Biodiversity Species

No European Protected Species licence applications had been granted within 1 km. However, there had been one Great Crested Newt Class Survey licence return (2014) within 250 m.

4.3 Habitat Survey

Figure 1 illustrates the distribution of habitats shown in the photographs below. No irreplaceable or priority habitats fell within the application boundary or would be impacted by it.

Figure 1: Baseline Habitats



Photographs: 1 – Concrete apron and barns. **2** – Western elevation (front) of the barns. **3** – North elevation (side). **4** – Internal view. **5** – Wider view looking north towards lawn area. **6** – Area south of the barn where four trees will be removed.



The site comprised two large, interconnected steel-framed grain barns fabricated from corrugated fibre-cement panels and galvanised steel panels (walls and roof). These were set on in situ concrete-paved flooring, which extended to a large apron to the west, linking to the entrance off Bennett's Lane (Photos 1-5).

To the east of the hedgerow were small patches of Nettles and Bramble and occasional other forb species. These areas have been characterised as tall forbs. The eastern boundary of this area was marked by a line of low Bramble scrub, which extended behind the barns.

The grassland to the south of the barn here was species-poor modified grassland dominated by Perennial Rye-grass with Cock's-foot and occasional Timothy and False

Oat-grass. Agricultural Red Clover, White Dead-nettle, Ground-ivy and Germander Speedwell were the only forbs present. This was characterised as being in poor habitat condition. It also held patches of Bramble scrub and occasional trees. Of the six trees in this area, four fall within the red line and will have to be removed to facilitate the development: T13 Hornbeam (Medium 52cm dbh), T14 Elm (Medium 44 cm dbh), T15 Wild Cherry (Small 20 cm dbh) and T18 Pedunculate Oak (Medium 44 cm dbh). T16, a large Elm (80 cm dbh), and T17, a small Whitebeam (24 cm dbh), will be retained.

The southern boundary along Bennett's Lane comprises a hedgerow with large trees. However, this falls outside the application site.

4.4 Protected and Priority Species Scoping Survey

Bats: The barn showed no evidence of bat roost or feeding activity. On account of the materials used and the absence of suitable sheltered crevices, the barn was not suitable for bat roosts. Consequently, the structure was characterised as holding no roost suitability (Table 1a).

None of the trees had potential roost features (PRF) and was thus characterised as having no ('none') roost suitability (Table 1b). None of the adjacent trees held PFR.

The site was characterised as moderately suitable for foraging and commuting bats due to the presence of trees and scrub.

Great Crested Newts: Five ponds were recorded within a 250 m radius, although only four were accessible (P1-P4). Figure 2 shows the location of these relative to the site. The habitat between the ponds and the site was not particularly conducive to GCN movement, requiring them to cross short mown grass and paved areas.

Figure 2: Ponds within 250 m

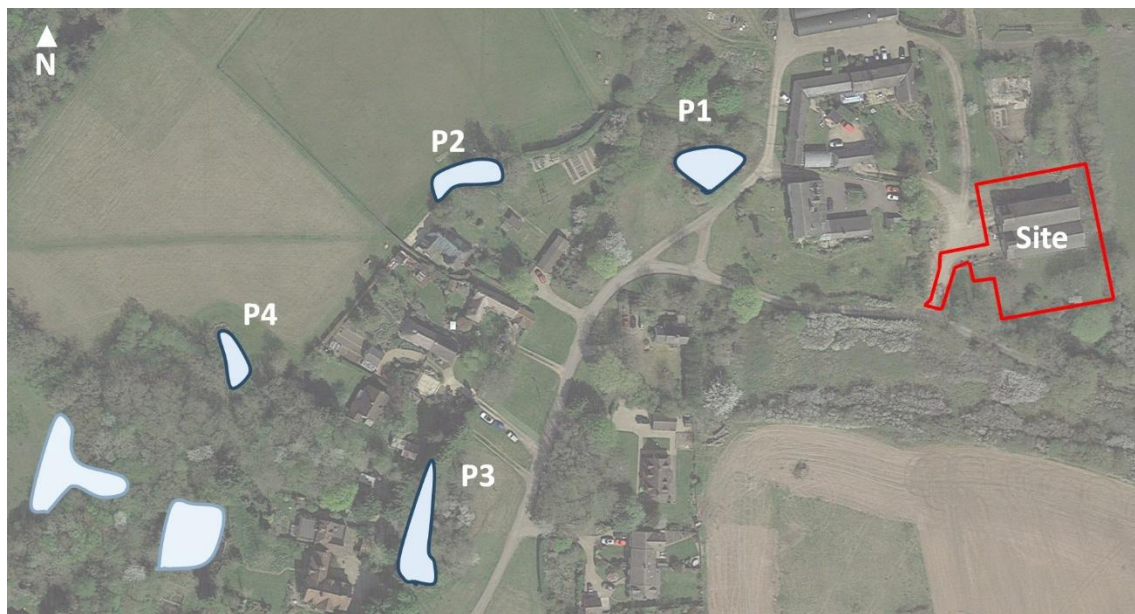


Figure 3 shows the resultant Habitat Suitability Score and distance to the site. All ponds were considered to have HSI scores indicating average or below-average suitability.

Figure 3: Habitat Suitability Index Score**ARGUK GCN HSI Calculator**

Pond Name Grid Ref		POND P1 TL31193181	POND P2 TL31123180	POND P3 TL31103167	POND P4 TL31033173
Distance to Site		80 m	160 m	200 m	250 m
SI No	SI Description	SI Value	SI Value	SI Value	SI Value
1	Geographic location	1	1	1	1
2	Pond area	0.2	0.1	0.3	0.1
3	Pond permanence	0.9	0.5	0.9	0.5
4	Water quality	0.33	0.33	0.67	0.33
5	Shade	0.8	0.8	0.5	1
6	Water fowl effect	1	1	1	1
7	Fish presence	1	1	0.67	1
8	Pond Density	1	1	1	1
9	Terrestrial habitat	0.33	0.33	0.33	0.67
10	Macrophyte cover	0.3	0.3	0.3	0.3
HSI Score		0.59	0.51	0.60	0.57
Pond suitability (see below)		Below Average	Below Average	Average	Below Average

HSI Score	Pond Suitability
< 0.50	Poor
0.50 - 0.59	Below average
0.60 - 0.69	Average
0.70 - 0.79	Good
> 0.80	Excellent

Nesting Birds: The trees and scrub habitat can support widespread garden/woodland species, which are likely to nest in small numbers.

Other Species: There was no evidence of other protected or priority (s41) species, nor any suitability to support them.

The immediate area is not known to be frequented by [REDACTED], although they occur in the wider landscape. No evidence was found within 30 m of the site.

No evidence of Hedgehogs was recorded, although they may still be present in small numbers within the surrounding landscape.

The site has no significant suitability for supporting reptiles and is isolated from habitats capable of sustaining their populations.

No invasive non-native species were recorded.

5 DISCUSSION

5.1 Designated Conservation Sites

The proposed redevelopment is not of sufficient scale to pose risks to statutory sites or more distant, internationally recognised sites of conservation value.

5.2 Potential Impacts on Biodiversity

The development is relatively modest and mainly occupies hard standing and low-quality grassland or scrub habitats. The only notable impact will result from the loss of four medium and small trees.

No evidence of protected species was recorded. The development will not impact bat roosts, and, if mitigated, will not have significant detrimental impacts on the wider area's capacity to support commuting or foraging bats, with the majority of structural vegetation retained.

As the development will occur on primary hard standing and poor quality grassland, impacts on amphibians are not anticipated. Vegetation offering greater suitability around the margins of the site will be largely retained. Ponds within 250 m all scored relatively low on the habitat suitability index, although Great Crested Newts are known to occur. It is unlikely that changes to the site will have any detrimental impact on individual newts or their population, as the ponds are, in all cases, isolated from the site by habitats that do not encourage long-distance commuting. Again, in each case, each pond has better terrestrial habitat nearby. Consequently, animals are unlikely to traverse roads, paved areas, and short-mown grass to frequent suboptimal habitats within the site. Consequently, impacts on Great Crested Newts are considered to be negligible and do not require any further action.

Potential impacts on other protected and Priority (s41) species are negligible. Nevertheless, mitigation and Precautionary Working Methods (PWMS) will eliminate potential residual low-level risks to wildlife during the clearance and construction process and in lighting design. These should protect wildlife during vegetation cutting, such as nesting birds and nocturnal wildlife, from potential illumination of currently dark edge habitats where they might be expected to commute and forage.

5.3 Further Ecological Surveys

The potential impacts arising from redevelopment can be anticipated based on the information collected. No further ecological surveys are required in the avoidance, mitigation or compensation of low-level and residual impacts.

5.4 Opportunities for Biodiversity Enhancement

The proposals will incorporate proportionate new biodiversity-enhancement opportunities, as specified below.

6 RECOMMENDATIONS

6.1 Precautionary Working Methods Statement

Precautionary Working Methods Statement (PWMS) applies immediately before and during construction. Therefore, a copy of this report should be kept on-site throughout clearance and construction work. All site operatives should be made aware of its contents as they relate to the tasks they are undertaking. Additionally, the contact details of a Suitably Qualified Ecologist (SQE) should be available in case advice is required during the operations.

6.1.1 Protected Species

Construction personnel will conduct a brief site walkover and check excavations each day before work commences to ensure no protected species have entered the site overnight.

At any time, if protected species are found during site clearance, demolition, or construction, work will stop, and the SQE will be contacted immediately for advice.

Protected species should not be handled unless they are an immediate and unavoidable danger*. If this arises, the SQE should be contacted immediately. The animal should then be secured in an escape-proof, ventilated container and stored in a shady location before being released by the ecologist. [*Bats should only be handled with gloves so as not to injure the animal, but also to avoid being bitten.]

6.1.2 Birds

All bird species are offered protection under the Wildlife and Countryside Act 1981 (as amended) when nesting or preparing nests (typically, but not exclusively, between March and August inclusive). As such, vegetation removal should be done outside of the breeding bird season (between September and February inclusive) to avoid disturbing or destroying active nests. Should this time frame be infeasible, it is recommended that, before commencing work, the SQE carry out a nesting bird check (recommended year-round). If active nests are observed, vegetation/structures must be left alone until the SQE is satisfied that the young have successfully fledged.

6.1.3 Site Clearance

During debris clearance and timber and rubble pile removal, care should be taken to check them before moving to ensure that wildlife is not seeking refuge. Loose material piles should be dismantled manually rather than mechanically. It is advisable to bring only building products intended for use on the day and store them on site. If building products need to be stored on-site (e.g., overnight or for a few days), they should be stored on pallets or in bags on pallets to prevent the creation of refuges that attract wildlife. Where possible, building products should be placed on hard standings.

All excavations created during construction (e.g., for foundations or services) should be filled in and finished on the same day to avoid leaving any traps into which animals might fall. If this is unavoidable, then an escape route is provided overnight from the hole, which can be in the form of a wooden plank cut into the bank to provide a ramp, or the hole is entirely covered by a heavy sheet or slab flush to the surrounding ground and without holes at the sides to exclude amphibians from crawling beneath. If in doubt, pile soil along the slab's edges to seal the edges.

Security and work floodlighting should be used only where necessary to avoid potential detrimental impacts on commuting bats during construction. These lights should not continuously illuminate boundary vegetation at night. The principles outlined below, as set out in the Institute of Lighting Professionals' Guidance Note, should also be applied to lighting during the construction phase.

6.2 **Mitigation – New Lighting**

There should be no additional light spillage onto the surrounding boundary habitats to avoid detrimental lighting impacts on bats and nocturnal wildlife using the site. Lighting should be restricted to the minimum level required for safety and security, and used only where needed. The following measures should be implemented within the lighting scheme:

- New column-mounted luminaires, lighting bollards, and wall-mounted luminaires should be selected, sited, and angled so they do not spill unnecessary light onto areas without illumination.

- Consider installing internal light fittings in a recess near windows facing the boundary vegetation to reduce glare and light spill.
- Ensure new LED luminaires have dimming capability, a warm white spectrum (ideally less than 2700, but below 3500 Kelvin) with peak wavelengths higher than 550 nm, and no UV output.
- Security lamps should use a trigger (e.g., passive infrared detector) and switch off after a short period (ideally 1-2 minutes) rather than remaining on all night.

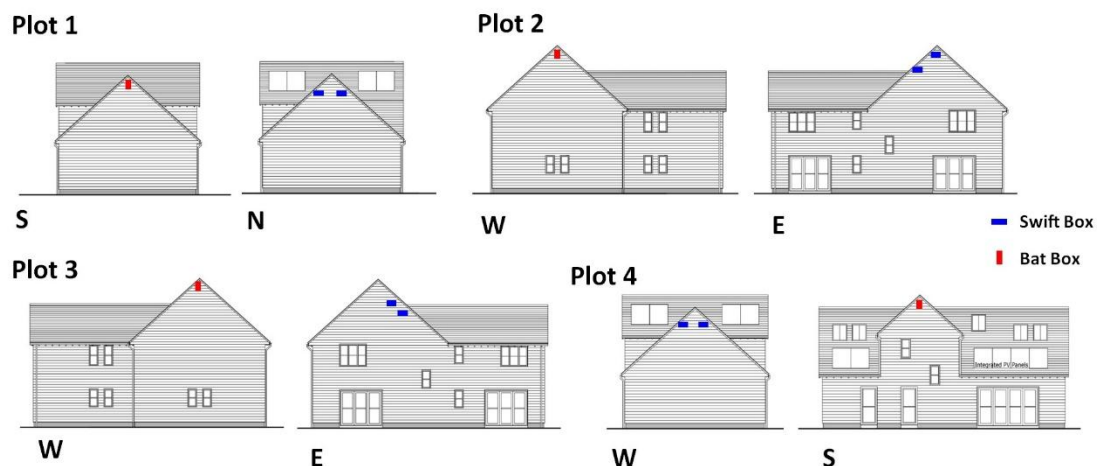
Further guidance is available in Bats and artificial lighting in the UK (ILP 2023).

6.3 Enhancement Opportunities

6.3.1 Proposed Enhancements

The proposals will include one wall-integrated bat box and two wall-integrated Swift boxes (or a single double box) in each unit as shown in Figure 2. Refer to <https://www.actionforswifts.com/bat-boxes-bricks> for suitable bat boxes and <https://www.actionforswifts.com/afs-s-brick> for suitable Swift boxes. The boxes, which can be matched with the bricks used, should be installed in accordance with the supplier's guidelines. While alternatives are available from other sources, the Swift boxes selected are highly recommended because they are based on the species' ecological requirements. The locations on the building have been chosen to avoid potential nuisance to occupants while being suitable for the species concerned. Security lights should not be fixed to these elevations.

Figure 2: Proposed Bat and Bird Boxes



Insect box: For each plot, a durable concrete box (either with holes directly inserted or capable of holding canes or other materials with holes) will be fixed or hung from boundary walls/fences facing south in a sunny location (for example, bit.ly/4dotCQx).

Hedgehog access: A 13cm x 13cm hole will be cut into the base of fences linking adjacent gardens. This will ensure that Hedgehogs that may frequent the existing garden can continue to move through their preferred habitats without obstruction.

Garden planting: A mixture of native trees and native hedging has been provided on the architect's drawings in addition to ornamental shrubs. These may vary in the final scheme (particularly with respect to the chosen tree species). Elsewhere, the garden will be developed to suit the owner's tastes. However, it is recommended that the

selected species include a variety of plants that are attractive to wildlife, particularly pollinating insects, as advised by the RHS (<https://bit.ly/3oxs7GI>). When selecting plants to attract pollinating insects, they should be sourced only from organic suppliers, as many commercial outlets use pesticides such as neonicotinoids, which persist and can remain harmful to invertebrates.

6.3.2 Programme and management of enhancement features

The installation of all features will be confirmed in writing by the Local Planning Authority. The selected boxes and fence holes require no maintenance.

7 REFERENCES

- Collins, J. (2023). *Bat Surveys for Professional Ecologists: Good Practice Guidelines*. 4th Ed. London: The Bat Conservation Trust.
- Institution of Lighting Professionals (2023). *Bats and artificial lighting in the UK*. Guidance Note 08/23.

A1 LEGISLATIVE CONTEXT

A1.1 Protected and Notable Species and Habitats

A1.1.1 European Protected Species (bats, Great Crested Newts, Otters, Dormice, and others)

This information is intended solely as guidance, and the relevant Acts should be consulted for the correct legal wording.

European Protected Species (EPS) are protected under the EC Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora, also known as the Habitats and Species Directive. This legislation is enacted under the Conservation of Habitats & Species Regulations 2017 (the 2017 Regulations). Therefore, works that impact EPS will likely require a licence from Natural England.

Broadly, it is an offence to:

- Intentionally or recklessly/deliberately injure, take, or kill a bat (or other EPS).
- Possess a bat (unless obtained legally), alive or dead.
- Intentionally or recklessly/deliberately damage, destroy or obstruct access to any place that bats (or other EPS) use for shelter or protection, whether bats are present or not.
- Intentionally or recklessly/deliberately disturb a bat (or other EPS) while occupying a structure or place it uses for shelter or protection.
- Deliberately disturbs bats (or other EPS) in such a way as to be likely to affect significantly:
 - i. The ability of any significant group to survive, breed, rear or nurture their young
 - ii. The local distribution or abundance of that species.

Prosecution could result in imprisonment, fines of £5,000 per animal affected and confiscation of vehicles and equipment used.

A European Protected Species Licence is required before any development that may impact bats and their roosts, or other European Protected Species (EPS). An EPS licence could be required for (relevant examples):

- Demolition of a building known to be used by bats before the development of a site.
- When removing trees or pruning out features in which bats roost.
- When undertaking significant alterations to roof voids used by bats.

Exemptions can be granted from the protection afforded to bats under the Habitat Regulations by means of an EPS (European Protected Species) Habitats Regulations licence obtained from Natural England (NE).

Three tests must be satisfied before a licence can permit otherwise prohibited acts. In this case, only Regulation 53(2)(e) is relevant to preserving public health or safety or to other overriding public-interest reasons. This includes social or economic ones, with beneficial consequences of primary importance to the environment.

This is subject to Natural England's satisfaction that the application additionally meets:

- Regulation 53(9)(a) that there is no satisfactory alternative.
- Regulation 53(3)(b) that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

A1.1.2 UK Protected Species (including EPS species, [REDACTED] water voles, barn owls, reptiles, etc.)

In England, Scotland and Wales, all bat species are also protected under the Wildlife and Countryside Act (WCA) 1981 (as amended) through inclusion in Schedule 5. The offences under

this Act, which cover the obstruction of places used for shelter or protection, disturbance, and sale, still apply to European Protected Species.

In England and Wales, the WCA is amended by the Countryside Rights of Way Act 2000 (CROW), which adds the word ' or recklessly ' to S9(4)(a) and (b), makes species offences arrestable, increases the time limits for some prosecutions and increases penalties.

Other species receive protection at a national level, typically against injury and killing, but this may also include the destruction of their resting places and the collection and sale (the latter may also apply to selected named plants). The more common reptile species have partial protection and are also Species of Principal Importance (SPI).

Particular species are protected under other national legislation, for example, the Protection of [REDACTED] Act 1992, which provides special protection against harm to [REDACTED] r their setts.

A1.1.3 Biodiversity Species and Habitats

Some species and habitats that do not merit national protection are nevertheless threatened or endangered at a local scale, usually at the county level, or are declining rapidly. These are listed on the UK Species/Habitats of Principal Importance (S41) list or in county Local Biodiversity Action Plans (BAPs) and are part of the NPPF lower tier.

A1.2 **Planning**

A1.2.1 General

The National Planning Policy Framework (NPPF) (MHCLG, 2024) outlines the Government's planning policies for England and explains how these policies are expected to be applied. The NPPF states that the purpose of the planning system is to contribute to sustainable development and minimise impacts on, while providing net gains for, biodiversity. This includes establishing coherent ecological networks that are more resilient to current and future pressures, as well as incorporating features that support priority or threatened species, such as swifts, bats, and hedgehogs.

In addition, it aims to promote the conservation, restoration, and enhancement of priority habitats and ecological networks, the protection and recovery of priority species, and the identification and pursuit of opportunities to achieve measurable net gains for biodiversity.

The Natural Environment and Rural Communities Act (OPSI 2006) (section 40(1)) states that: *"Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."*

A1.2.2 Species/Habitats of Principal Importance and Biodiversity

A list of species and habitats of principal importance (SPI & HPI) has been produced to aid in assessing and evaluating biodiversity impacts. Natural England has produced standing advice (*Purpose and use of the England Biodiversity List*) regarding SPI as follows:

The England Biodiversity List has been developed to meet the requirements of Section 41 of the Natural Environment and Rural Communities Act (2006). This legislation requires the Secretary of State to publish a list of species of flora and fauna, as well as habitats considered to be of principal importance, for the purpose of conserving biodiversity. The S41 list will be 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 Act 2006 *"to have regard"* to the conservation of biodiversity in England, when carrying out their normal functions (author's italics).

