



**AEWC**<sup>Ltd</sup>

Animal Ecology & Wildlife Consultants

## **Protected Species Walkover Survey**

### **Calcot Farm Bungalow**

**Horsham Road  
Steyning  
West Sussex  
BN44 3AA**

Ivana Murphy

25-086  
July 2026

AEWC Ltd Birch Walk, Lower Street, Fittleworth, West Sussex, RH20 1JE  
Tel: 08452 505585, [info@aecwc.co.uk](mailto:info@aecwc.co.uk), [www.aecwc.co.uk](http://www.aecwc.co.uk)

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|---------------------------|--------------------|
| Author                    | Monika Cuskova     |
| Authorised by             | Ivana Murphy       |
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## Summary

- AEWCLtd were commissioned by Batcheller Monkhouse Ltd on behalf of their client to undertake a protected species walkover survey at Calcot Farm Bungalow, Horsham Road, Steyning, West Sussex, BN44 3AA at grid reference TQ 17912 14488 to help inform the proposed development of the site.
- This report details the results of the survey, which was carried out on the 20<sup>th</sup> November 2025 by qualified ecologists Ivana Murphy and Paul Thrift, to assess the site for the potential presence of any protected species or species of conservation concern and identify habitats of conservation importance.
- The site is approximately 0.64ha in size and largely comprises a grass field and an area of unsealed hardstanding, with native hedgerows along the eastern and northern boundaries.
- **No further surveys are recommended.**
- **Precautionary working method statement regarding hazel dormouse and reptiles must be produced and adopted for the works.**
- **Further recommendations to avoid ecological impacts are detailed in Section 6. These include, but are not limited to, minimisation and careful control of lighting, hedgerow clearance outside of the breeding bird period, and observing good building practice.**

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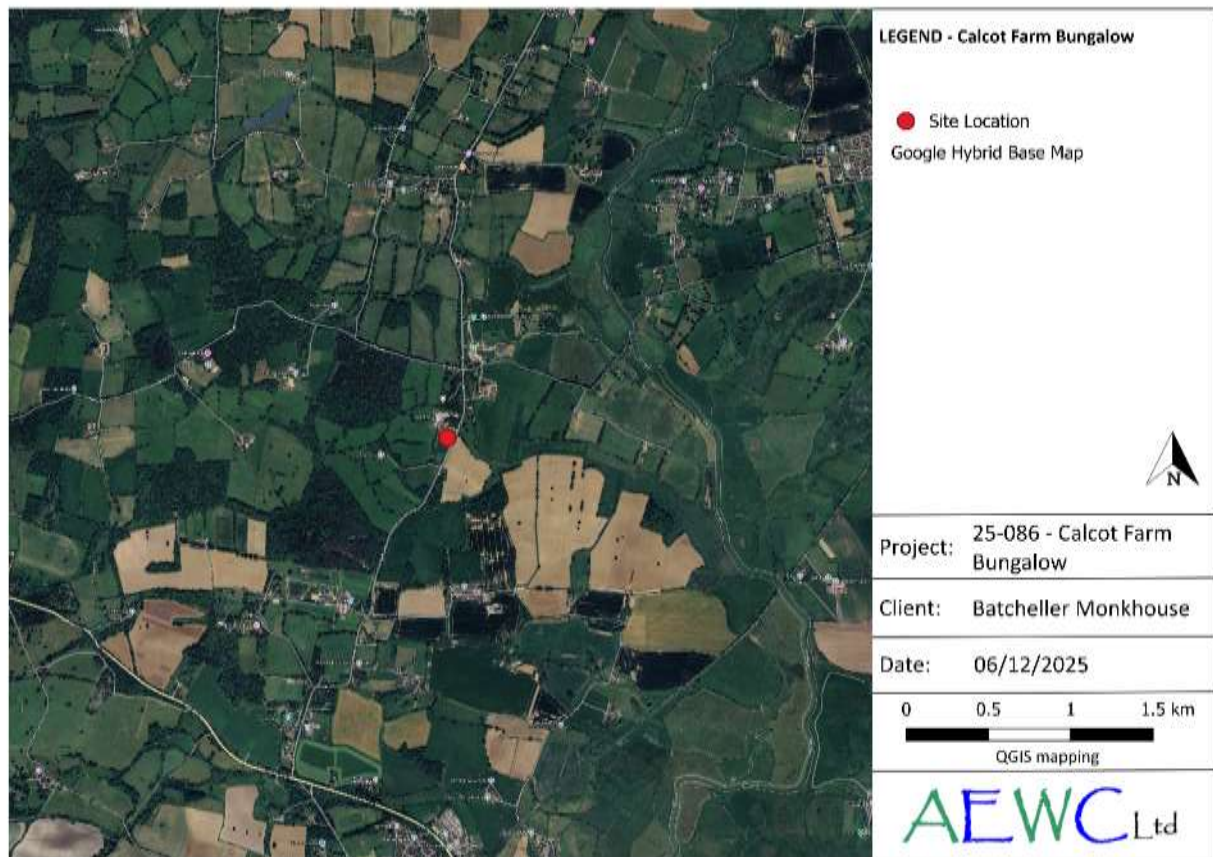
The information and data which has been prepared and provided is true and has been prepared and provided in accordance with the 'Guidelines for Preliminary Ecological Appraisal' and 'Code of Professional Conduct' issued by the Chartered Institute of Ecology and Environmental Management (CIEEM). We confirm that the opinions expressed are our true and professional bona fide opinions.

## 1. Introduction

- 1.1 AEWCLtd were commissioned by Batcheller Monkhouse Ltd on behalf of their client to undertake a protected species walkover survey at Calcot Farm Bungalow, Horsham Road, Steyning, West Sussex, BN44 3AA to help inform the proposed development of the site.
- 1.2 This survey comprised an ecological walkover survey for all protected wildlife and species of conservation importance, including habitats, and was carried out by a qualified ecologists Ivana Murphy and Paul Thrift on the 20<sup>th</sup> November 2025.
- 1.3 The purpose of this report is to give an assessment as to the presence or potential presence of any protected species, ecological issues and impacts that would be generated by the proposed development and identify recommendations or further surveys that may be necessary.

## 2. Background

- 2.1 The proposed development site is located at Calcot Farm Bungalow, Horsham Road, Steyning, West Sussex, BN44 3AA at central grid reference TQ 17912 14488.
- 2.2 The site is located on the northern edge of Steyning, approximately 1.4km south of the village of Ashurst. The surrounding landscape comprises agricultural fields, hedgerows, pasture, and scattered woodland blocks with connective tree and hedge lines. The nearest major road is the A283, located approximately 2.3km to the south. See Figure 1.
- 2.3 The site is approximately 0.64ha and largely comprises a grass field and an area of unsealed hardstanding, with native hedgerows along the eastern and northern boundaries. The field is used for pasture and to grow hay. See Figure 2.
- 2.4 The proposed development plan involves the construction of two access tracks. This will involve the removal of a small section of native hedgerow and grassland. The development will include planting of new hedgerow and trees. The majority of the habitat area on site is unlikely to be negatively affected by these proposals.



**FIGURE 1: SHOWING THE SITE LOCATION**



**FIGURE 2: AERIAL VIEW OF THE SITE SHOWING THE SITE BOUNDARY**

### 3. Methods

- 3.1 A daytime ecological walkover assessment was carried out on the 20<sup>th</sup> November 2025 to evaluate the site for its potential to support protected species in addition to other species of conservation importance that could be relevant in respect of planning policies.
- 3.2 An assessment was made of habitat suitability in and around the site for those protected species that occur in the region. Obvious signs and incidental sightings of protected species are noted when encountered, but walkover surveys do not usually confirm species presence or absence.
- 3.3 Taking into consideration the geographical region and habitat type, species that could be encountered are:
- badger;
  - bats;
  - breeding birds;
  - great crested newt;
  - hazel dormice;
  - reptiles;
  - other mammals; and
  - other Species of Principal Importance (SPI) (e.g. hedgehog, stag beetle etc).
- 3.4 In addition, observations of any invasive species, important plant communities, plant species of note, Habitats of Principal Importance (HPI) or other valuable ecological features will be recorded and detailed.
- 3.5 Details of the initial survey method for each species are given below.
- 3.6 **Badger** – an initial assessment was carried out to identify areas that might be used by badgers (*Meles meles*). Signs of badgers including setts, incidental foraging signs, runs, hairs and latrines are recorded if encountered during the survey. Where possible the area within 30m of the site is also searched for badger setts.
- 3.7 **Bats** – The site was assessed for bat roosting potential and the surrounding area was assessed for the suitability of the habitat to support bats. Any buildings were examined and assessed for evidence of bats, such as rub marks, staining or droppings or for features that have good potential to be used by bats, such as loft voids, raised tiles, hanging tiles, gaps in soffits and lead flashing cracks, crevices and mortise joints. Trees were assessed for their potential to be used by bats such as woodpecker holes, splits, cracks and crevices or loose bark plates which can be used as roost features by bats. Such features are noted and examined by using equipment such as a high-powered torch and binoculars, in order to determine their suitability for bats.
- 3.8 **Breeding Birds** - habitats were assessed for their suitability for nesting birds. This would centre on birds that favour hedgerows, areas of longer grassland, scrub, trees as well as buildings.
- 3.9 **Great Crested Newt** - initial surveys centre on identifying suitable habitat within the site. If breeding ponds are present within the locality, then great crested newts

(*Triturus cristatus*) could potentially be using the terrestrial habitat on the site. Maps are used to identify any ponds (that are not isolated by unsuitable habitat or physical barriers) within 500 metres of the site. A Habitat Suitability Index (HSI) is used to quantifiably assess whether a pond is suitable, this is undertaken for any onsite ponds during the walkover survey.

- 3.10 **Hazel Dormice** – scrub and areas of dense vegetation are assessed for their suitability for foraging and nesting hazel dormice (*Muscardinus avellanarius*). Favoured berry and nut bearing species such as hawthorn, hazel and bramble were looked for in particular. Additionally, the connectivity of this habitat and to suitable habitat beyond the site is also assessed. If hazel nuts are present a brief search for nuts that have been chewed by hazel dormouse (i.e. displaying the characteristic smooth round hole) was conducted.
- 3.11 **Reptiles** - the site was assessed for habitat suitable for reptiles, such as long grassland and areas of scrub, with particular attention paid to those features that provide suitable basking areas (e.g. south-facing slopes and walls), hibernation sites (e.g. banks, log piles and piles of rotting vegetation) and opportunities for foraging (e.g. rough grassland and scrub).
- 3.12 **Other Species of Principal Importance (SPI)** – the habitats present on site were assessed for the likelihood of presence for species of regional and national importance.
- 3.13 **Other Mammals** – any signs of occupancy by other mammals (e.g. rabbit warrens) are recorded.
- 3.14 **Invasive Species** - Any invasive plant or animal species identified during the site walkover are recorded.
- 3.15 **Plant Species of Note** – Any plant species of conservation concern found on the site are recorded.
- 3.16 **Habitats of Principal Importance** - Habitats of Principal Importance within or adjacent to the site (such as arable field margins, traditional orchards, ponds, rivers, wet woodlands, native hedgerows) are recorded.
- 3.17 **Other Valuable Ecological Features** - Other ecological features e.g. ancient woodland, veteran trees, bird feeding stations, habitat enhancements etc. within or adjacent to the site are recorded.

## 4. Constraints/Limitations

- 4.1 An initial site assessment such as this is only able to act as a snapshot to record any flora or fauna that is present at the time of the survey. It is therefore possible that some species may not have been present during the survey but may be evident at other times of the year. For this reason, habitats are assessed for their potential to support some species, even where no direct evidence (such as droppings) has been found.

- 4.2 The survey was carried out outside of the growing season; therefore, some plant species may not have been visible above ground or readily identifiable.

## 5. Results and Evaluation

### *Habitat Summary and Evaluation*

- 5.1 The majority of the site comprises modified grassland that is regularly grazed and managed for hay, resulting in a species-poor sward. Dominant species recorded included Yorkshire fog (*Holcus lanatus*), with sorrel (*Rumex acetosa*) and creeping buttercup (*Ranunculus repens*) also present. An area of unsealed hardstanding is located at the western boundary. Native hedgerows are present along the northern and eastern boundaries, containing woody species such as blackthorn (*Prunus spinosa*), hawthorn (*Crataegus monogyna*), and hazel (*Corylus avellana*). Overall, habitats on site are common, widespread, and largely of low ecological value.
- 5.2 The native hedgerows have higher ecological value and qualify as native hedgerow priority habitat. They are considered unlikely to meet the criteria of important hedgerows under the 1997 UK Hedgerow Regulations, due to not being species-rich, having trees, or being associated with other features such as a ditch.



### *Badgers*

- 5.3 No badger setts were identified present on site. No evidence of badger activity such as latrines, tracks, guard hairs or snuffle holes were observed on or directly adjacent to the site. It is considered unlikely that any badger setts are present within 30m of the site boundary as no evidence of badger activity was identified during the survey and the habitats do not seem to be those favoured by badgers for sett-building.

### *Bats*

- 5.4 There are no buildings or trees on site that would provide roosting opportunities for bats.
- 5.5 The native hedgerows along the site eastern boundary provide good quality linear habitat for commuting and foraging bats. The central field area is likely of low value

for foraging bats due to the sparse vegetation cover, which is unlikely to attract high numbers of prey species and provides no sheltered habitat for bat species that favour closed or edge habitats.

### *Breeding Birds*

- 5.6 There is habitat suitable for a range of breeding birds on the site within the boundary hedgerows. The field is unlikely to support ground-nesting birds as it is regularly grazed and cut.

### *Great Crested Newts (GCN)*

- 5.1 The site is considered to have some potential to support terrestrial GCN. The central field area was considered sub-optimal for GCN due to the sparse vegetation cover and regular disturbance. The boundary hedgerows provide some habitat for GCN to shelter, forage, and commute through the landscape.
- 5.2 No ponds were recorded within the site boundary. The site is therefore unsuitable for breeding GCN.
- 5.3 The Ordnance Survey map available via MAGIC was reviewed for ponds within the accepted dispersal distance of 500m that are not separated from the site by significant barriers to dispersal such as main roads. One pond was found occurring in all directions (Pond 1), with four other ponds separated from the site by the tributary of river Adur and Horsham Road. These are listed below:
- Pond 1: 45m to the west of the site
  - Pond 2: 143m to the north of the site
  - Pond 3: 178m to the north of the site
  - Pond 4: 271m to the north of the site
  - Pond 5: 205m to the northeast of the site



**FIGURE 3: WATERBODIES WITHIN 500M**

### *Hazel Dormice*

- 5.4 The native hedgerow along the eastern boundary is of a suitable structure and species composition to provide commuting, foraging and nesting habitat for hazel dormice. However, the section of hedgerow proposed for removal is considered to have very low potential to support dormice due to its limited connectivity. Approximately 70 m north of the proposed new access, the hedgerow terminates at an existing 10 m wide gateway and access track, interrupting habitat continuity and reducing the likelihood of dormice moving along this section of hedge. Greater habitat connectivity is present to the south of the site, where the hedgerow links to additional hedgerows, tree lines and woodland.
- 5.5 The proposed access has been deliberately positioned within the poorest-quality section of the hedgerow to minimise ecological impacts. This section is noticeably sparser and less structurally diverse than the adjacent retained hedgerow, offering reduced suitability for commuting, foraging and nesting hazel dormice. The higher quality sections of hedgerow on either side will be retained and protected throughout the works.
- 5.6 No hazel nuts were available to check for those that may have been chewed by hazel dormouse.

### *Reptiles*

- 5.7 It is highly unlikely that the grassland covering entire site would be used by reptiles, due to the very short sward length that offers no cover from predators. Common reptiles such as slow worms, common lizards and grass snakes could utilise the boundary hedgerows for commuting, foraging and sheltering.

### *Other Species of Principal Importance*

- 5.8 There is potential for the site to support SPI such as hedgehog and common toad predominantly within the boundary hedgerows.

### *Other Mammals*

- 5.9 No evidence of other mammals was recorded within the site

### *Invasive Species*

- 5.10 No invasive species of note were identified.

### *Plant Species of Note*

- 5.11 No plant species of note were identified.

### *Habitats of Principal Importance*

- 5.12 Habitats data available via MAGIC was reviewed for the presence of Habitats of Principal Importance (HPI). No HPI are mapped within the site boundary; however, deciduous woodland and broadleaved forest are present immediately to the north of the site, and a traditional orchard is located approximately 100m to the northeast.



FIGURE 4: SHOWING HABITATS OF PRINCIPAL IMPORTANCE ON AND ADJACENT TO THE SITE.

## 6. Conclusions & Recommendations

- 6.1 In line with Natural England's Standing Advice, where further survey for protected species is recommended these should be conducted prior to submitting a planning application and appropriate mitigation measures be incorporated into the development design.

### *Badgers*

- 6.2 The survey did not identify any evidence of badgers on the site, and it is considered unlikely that there is a sett present within 30m. No further surveys for badgers are considered necessary. **As badgers could potentially be present within the wider area, good building practice such as covering trenches at night should be followed.**

### *Bats*

- 6.3 No buildings or trees are present on site.
- 6.4 Lighting can have notable negative impacts on commuting bats, that are known to be present locally. There is potential for lighting during and post-development to cause indirect disturbance. **Lighting should be avoided or kept to the minimum necessary, and preferably downlit and on a motion sensor to reduce lighting time. Hedgerows adjacent to the site boundaries must not be directly illuminated.**

*Breeding Birds*

- 6.5 **Hedgerow clearance should be undertaken outside the breeding bird period from March to August. Should hedgerow clearance be scheduled to take place between the beginning of March and the end of August, this must be immediately preceded by a survey to check for nesting birds. No vegetation can be cleared whilst a nest is occupied, regardless of species.**

*Great Crested Newts (GCN)*

- 6.6 No ponds were recorded within the site boundary; therefore, the site is unsuitable for breeding GCN.
- 6.7 Although the site contains some potential habitat for GCN within the boundary hedgerows, Pond 1, located approximately 45m west of the site, was confirmed during the site visit to be a slurry pit rather than a pond. It appears to have been used as a slurry pit for a considerable length of time and therefore does not offer suitable aquatic habitat for breeding GCN. Additionally, the rest of the ponds within the 500m of the site are separated from the site by significant barriers, therefore the likelihood of terrestrial GCN being present on site is highly unlikely. As such the likelihood of this species being present is negligible and therefore no further surveys or mitigation are required.

*Hazel Dormice*

- 6.8 There is some sub-optimal habitat for hazel dormouse within the eastern boundary hedgerow. However, an approximately 10m gap is present in the eastern hedgerow to the north, reducing connectivity to surrounding suitable habitats to the north. Additionally, impacts from the proposed works will be limited to the cutting back of a short section of hedgerow to facilitate construction of the access track, with the majority of hedgerow retained. Additionally, significant hedgerow planting is included in the development proposal to increase the available habitat and connectivity for hazel dormice within the site. As such, the risk to dormice is considered low, and further surveys are considered disproportionate.
- 6.9 **As only a small section of hedgerow will be impacted and the habitat is considered to have very low potential for use by hazel dormice, a Precautionary Working Method Statement (PWMS) will be implemented during hedgerow clearance to minimise any residual risk to this species.**

***Precautionary Working Method Statement***

- Hedge clearance will be limited to the small section required to create the proposed new access.
- The retained hedgerow and newly planted hedgerow will be protected from the works using Heras fencing or similar.
- All site personnel will receive a toolbox talk covering the legal protection of hazel dormice, species identification and the requirements of this PWMS. Guidance will be available on site.
- Vegetation clearance will be undertaken outside the bird nesting season (March–August inclusive), unless a prior check confirms no active nests are present.

- A two-stage clearance approach will be adopted to encourage any hazel dormice to move from the affected area:
  - Stage 1 (September–February): Vegetation will be cut to approximately 300 mm above ground level, leaving the basal vegetation intact. This stage will be supervised by a suitably qualified ecologist.
  - Stage 2 (May–August): Remaining vegetation, ground-level growth and stumps will be removed following emergence from hibernation. This stage will also be supervised by an ecologist and will include a fingertip search of the clearance area immediately prior to works.
- These timings also align with the recommended precautionary approach for other protected species, including great crested newts, where applicable.
- If a hazel dormouse or dormouse nest is discovered during the works, all works in the immediate area will cease immediately and a suitably licensed ecologist will be contacted before works recommence.

| Works / Timings                   | Sept | Oct | Nov | Dec | Jan | Feb | March | April | May | June | July | Aug |
|-----------------------------------|------|-----|-----|-----|-----|-----|-------|-------|-----|------|------|-----|
| Hedgerow planting                 |      |     |     |     |     |     |       |       |     |      |      |     |
| Above ground vegetation clearance |      |     |     |     |     |     |       |       |     |      |      |     |
| Ground level vegetation clearance |      |     |     |     |     |     |       |       |     |      |      |     |

FIGURE 5: TIMINGS OF PROPOSED WORKS

### *Reptiles*

6.10 The site provides a small amount of habitat for reptiles restricted to the boundary hedgerows, with the grassland being in unsuitable condition to support reptiles. Since the boundary habitats are largely proposed for retention, only a small area of suitable habitat is to be affected and therefore the risk to reptiles and overall potential impacts are considered to be very low.

6.11 **However, a reptile method statement will be required for the hedgerow clearance, detailing the precautionary approach that must be adopted and followed, this will include but not be limited to the following measures:**

- Vegetation must be gradually cut down.
- During the active season (March to September) the hedgerow can then be cut; the top 10cms or so of topsoil must be removed by a toothed excavator under the supervision on an ecologist.
- Log piles, rubble piles and compost heaps should be dismantled carefully (by hand if possible).
- Any animals caught should be relocated to a safe area of suitable habitat beyond the development boundary.

6.12 **Vegetation within the proposed working area should be maintained as a short sward in the interim before the works commence, to prevent these areas from becoming more suitable for reptiles.**

### *Other Species of Principal Importance*

6.13 West European hedgehog and common toad will be protected through precautionary methods adopted for hazel dormouse and reptiles.

*Other Mammals*

- 6.14 **Site clearance work should be undertaken carefully (by hand if necessary) to avoid crushing small mammals within their burrows.**

*Invasive Species*

- 6.15 No invasive species were recorded and therefore no further action is required.

*Plant Species of Note*

- 6.16 No plant species of note were recorded and therefore no further action is required.

*Habitats of Principal Importance*

- 6.17 The native hedgerows are HPI and should be retained and protected as far as possible. Any unavoidable losses will require appropriate compensation.

## Appendix 1 – Survey Timetable

| Species            | Survey                     | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|--------------------|----------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Badger             | Bait marking & sett search |     |     |     |     |     |     |     |     |     |     |     |     |
| Bats               | Roost assessments          |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Ground level tree assess   |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Emergence and activity     |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Hibernation                |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Trapping                   |     |     |     |     |     |     |     |     |     |     |     |     |
| Birds              | Wintering                  |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Breeding                   |     |     |     |     |     |     |     |     |     |     |     |     |
| Great crested newt | HSI                        |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | eDNA                       |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Presence/absence & popn    |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Refugia                    |     |     |     |     |     |     |     |     |     |     |     |     |
| Hazel dormouse     | Tube                       |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Nut search                 |     |     |     |     |     |     |     |     |     |     |     |     |
| Otter              | Field signs                |     |     |     |     |     |     |     |     |     |     |     |     |
| Reptiles           | Refugia & search           |     |     |     |     |     |     |     |     |     |     |     |     |
| Water vole         | Field signs                |     |     |     |     |     |     |     |     |     |     |     |     |
| Invertebrates      | Presence & communities     |     |     |     |     |     |     |     |     |     |     |     |     |
| Vegetation         | Phase 1 habitat & NVC      |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Optimal                    |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Sub-optimal                |     |     |     |     |     |     |     |     |     |     |     |     |
|                    | Outside survey season      |     |     |     |     |     |     |     |     |     |     |     |     |

## Appendix 2 – Legal Protection

### General

This section briefly describes the legal protection afforded to protected species. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation but summarises the salient points.

### Badger

Badgers are protected under the *Protection of Badgers Act 1992*. Under this legislation it is an offence to kill or injure a badger, to damage, destroy or block access to a badger sett, or to disturb badger in its sett. The Act also states the conditions for the protection of badger's licence requirements.

### Barn Owl

Barn owls are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981 (as amended)* which makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- take, damage or destroy the nest while that nest is in use or being built;
- take or destroy the egg;
- disturb them while they are in, on, or near a nest containing eggs or young, or to disturb their dependent young;
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

The penalty for an offence involving a barn owl, its nest, or egg, includes a fine of up to £5,000, or up to six months imprisonment, or both, per bird, nest or egg.

### Bats

All species of bats are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)* which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

A roost is defined as 'any structure or place which a bat uses for shelter or protection'. As bats tend to reuse the same roosts, legal opinion is that a roost is protected whether or not bats are present.

Furthermore, seven bat species (barbastelle, bechstein's, noctule, soprano pipistrelle, brown long-eared, lesser horseshoe and greater horseshoe) are also Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

## Breeding Birds

All species of wild bird are protected under Section 1 of the *Wildlife and Countryside Act 1981 (as amended)*. Protection was extended by the *Countryside and Rights of Way (CROW) Act 2000*. Under the above legislation, it is an offence to 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 being built; or
- take or destroy an egg of any wild bird.

Certain species are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981 (as amended)* and receive protection under *Sections 1(4) and 1(5)*. There are special penalties where the offences listed above are committed for any *Schedule 1* species and it is also an offence to intentionally or recklessly:

- disturb any such bird when it is building its nest or while it is in or near a nest containing dependant young; or
- disturb the dependant young of any such bird.

## Amphibians

Natterjack toad, northern pool frog and great crested newt are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)* which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

Palmate newts and smooth newts are also afforded protection against sale only under *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*.

Natterjack toad, common toad, great crested newt and northern pool frog are also Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

## Hazel dormouse

Hazel dormouse is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)* which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

Hazel dormouse is also a Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

### **Otter**

Otter is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*, which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

Otter is also a Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

### **Reptiles**

Common lizard (*Lacerta vivipara*), grass snake (*Natrix helvetica*), slow worm (*Anguis fragilis*), and adder (*Vipera berus*) are listed under *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*, in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the *Countryside and Rights of Way (CROW) Act 2000*. Under the legislation, it is an offence to:

- intentionally or deliberately kill or injure any individual of these species; or
- sell or attempt to sell any part of these species either alive or dead.

Smooth snake (*Coronella austriaca*) and sand lizard (*Lacerta agilis*) are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*, which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

All UK reptile species are Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

### **Water vole**

Water vole (*Arvicola amphibious*) is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*, which affords them protection under *Section 9*, as amended. This makes it an offence to:

- capture, kill or injure;
- damage, destroy or block access to a place of shelter;
- disturb whilst in a place of shelter or possessing, and

- sell any part of a water vole, dead or alive.

### **Other Mammals**

All mammals receive some protection under the *Wild Mammals (Protection) Act 1996*, which makes it an offence to crush or asphyxiate an animal (e.g. within its burrow).

### **Species and Habitats of Principal Importance**

*Section 41 of the Natural Environment and Rural Communities (NERC) (2006)* requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The S41 list has 56 Habitats of Principal Importance and 943 species of principal importance listed and has been drawn up in consultation with Natural 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 Act 2006*, to have regard to the conservation of biodiversity in England, when carrying out their normal functions.

### **Invasive species**

It is an offence to plant, or otherwise cause to grow in the wild non-native plant species listed under *Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)*, for which *Section 14* of the Act applies. These include, but are not limited to:

- Himalayan balsam
- Cotoneaster sp.
- Japanese knotweed
- Giant hogweed.

### **Ancient woodland**

*The National Planning Policy Framework (2012)* states that ‘*Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss*’. In addition, Natural England’s standing advice for ancient woodland states that *an appropriate buffer zone of semi-natural habitat [be in place] between the development and the ancient woodland (depending on the scale and impact of development), a minimum buffer should be at least 15 metres to avoid root damage and at least 50m for pollution or trampling*”.

Ancient woodlands, and ancient and veteran trees, may also be protected by Tree Preservation Orders.

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