

## Your Responsibilities

Before submitting a planning application you should take account of the following:

- You should seek advice on what information may be required to be submitted with your planning application.
- You may need to employ an appropriately qualified and experienced professional ecologist to detect the presence or potential presence of protected species through ecological surveys.
- If protected species are present the planning application will need to show how protected species and their habitat would be protected during and after the development. Without such details it may not be possible to assess the application.
- Some species can only be surveyed at certain times of the year e.g. Great Crested Newts. It is therefore very important to plan your application and associated ecology surveys well in advance. This can save time and money later on.

## How Do Protected Species Affect Me?

- Protected species occur in many different locations throughout South Holland from the centre of our towns and villages to the most remote rural areas.
- They can affect almost any planning application, e.g. development on green field sites and previously developed land (brown field), work on trees, removal of hedges, development near/involving ponds and water courses, loft conversions, building demolition and any work involving roofing, gutters and soffits etc.

## Further Information

If you are in any doubt about what will be required for your planning application contact the Planning and Development Department at South Holland District Council before you submit a planning application. For guidance refer to chapter 6 of the South Holland Local Plan (Written Statement adopted July 2006). Further guidance is provided in Chapter 8 of the Lincolnshire Structure Plan: (adopted September 2006) and Planning Policy Statement 9 (Biodiversity and Geological Conservation), available from the Department of Communities and Local Government.

For more information about different species and their protection contact Natural England.

- Natural England, First Floor, The Maltings, Wharf Road, Grantham, Lincolnshire, NG31 6BH
- **Tel:** 01476 584800
- **Fax:** 01476 584838
- **Email:** eastmidlands@naturalengland.org.uk
- Natural England Publications  
[www.naturalengland.org.uk](http://www.naturalengland.org.uk)  
Water Vole: Guidance for planners, developers. (2001)  
Badgers and development (2002)   
Bat mitigation guidelines (2004)  
Focus on Bats (2004)  
Great Crested Newts mitigation guidelines (2001)  
Barn Owls on site: a guide for developers and planners (2003)

South Holland District Council, Planning Department

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# Protected Species and your Planning Application



# Protected Species

## Protected Species and the Law

Certain plants and animals are protected by law. Wildlife law is complex and this leaflet only provides a very brief introduction to the subject of protected species legislation. It does not give a comprehensive explanation and applicants should seek specialist advice before submitting a planning application. The regulations governing the protection of trees and rare plants is even more complex and the need to seek advice is essential.

- Breaching protected species legislation is a criminal offence and can result in fines or imprisonment.
- The Local Planning Authority is required to take account of the impact of a development on protected species and habitats.
- Planning permission does not overrule the legislation relating to protected species.

## Some Protected Species in South Lincolnshire

Listed below are some of the species that are protected by law and that can be affected by development.

Note: The possible presence of any protected species on the site needs to be given consideration before submitting a planning application.

## Bats

All species of bats and their roosts and hibernation places are protected. They use a variety of places to roost and hibernate, including buildings of all sorts, bridges, trees and underground places. They hibernate in winter and many roosts are used only seasonally, however the protection remains even when identified roosts are not in use.



## Great Crested Newts

Great Crested Newts and their habitats are protected. Great Crested Newts breed in ponds and other water bodies, but spend most of their lives on land, sometimes venturing several hundred metres from the pond. They hibernate during the winter.



## Badgers

Legislation protects Badgers and their sets. Badgers can occur in a wide variety of places.



## Otters

Otters and their habitats are protected. They live and breed in and near open water and watercourses.



## Water Voles

Once common and widespread, the Water Vole has suffered severe decline in the last 30 years due to habitat loss and predation. Their habitats include farmland, and open water.



## Wild Birds

Wild birds, their nests and eggs are protected. Wild birds can nest in a variety of places such as trees, hedges, buildings and on the ground. Some rare or vulnerable birds have additional protection, for example Barn Owls.



Kingfisher



Song Thrush