

Protected species decision checklist

Apply this checklist to each protected species on site, as the impact of development on each species may be different

Start	<p>Is the application within or close to a designated site eg:</p> <ul style="list-style-type: none">• site of special scientific interest• special area of conservation• special protection area• RAMSAR site• proposed designated site notified for a protected species <p>(See www.magic.gov.uk)</p>	<p>Yes go to A</p> <p>No go to 1</p>
1	<p>Has the survey report confirmed that there's suitable habitat for the species:</p> <ul style="list-style-type: none">• on or next to the application site• within a known range of the species <p>You might need specialist advice to check that the survey report and assessment are adequate.</p>	<p>Yes go to 2</p> <p>No go to B</p>
2	<p>Has the applicant and specialist advice confirmed that:</p> <ul style="list-style-type: none">• it's unlikely the development will have an adverse effect on the species	<p>Yes go to C</p> <p>No go to 3</p>
3	<p>Has the species survey been carried out:</p> <ul style="list-style-type: none">• at the right time of year• using appropriate survey techniques• covering an adequate search area	<p>Yes go to 4</p> <p>No go to F</p>

4	Has evidence of the species been found in the application site or in the study area?	Yes go to 5 No go to 9
5	Will the species and/or their habitat be impacted by the planning application?	Yes go to 6 No go to B
6	Does the mitigation proposed make sure that: <ul style="list-style-type: none"> • there isn't a net loss of quantity or quality of habitat • habitat links will be kept • there's a long-term management strategy for the site for the benefit of the species • replacement sites are: <ul style="list-style-type: none"> • within the home range of the existing population • free from future development threats 	Yes go to 7 No go to E
7	Is the species a European Protected Species?	Yes go to 8 No go to D
8	Are mitigation measures adequate to avoid offences under Regulation 41(1) of the Conservation of Habitats and Species Regulations 2010 (as amended)? Is a mitigation licence needed? After considering the 3 tests , do you think that Natural England is likely to grant a licence?	Yes go to D No go to E
9	Could the proposals indirectly impact on the species eg prevent species movement between habitats?	Yes go to 6 No go to C
A	Consult Natural England if the planning application is within a designated site or site of special scientific interest impact risk zone	End

B	<p>Accept the findings. Consider promoting biodiversity enhancements for the species in accordance with the:</p> <ul style="list-style-type: none"> • National Planning Policy Framework • Biodiversity duty under Section 40 of the NERC Act. 	End
C	<p>Accept the findings. Planning permission may be granted (subject to other material considerations).</p> <p>Secure working methods and programme using planning conditions where necessary to avoid impacts.</p> <p>Consider encouraging biodiversity enhancements as in B.</p> <p>Add an 'informative' to the planning decision notice regarding the action to be taken if protected species are encountered during development.</p>	End
D	<p>Planning permission may be granted subject to appropriate planning conditions and obligations. This may include a detailed mitigation and monitoring strategy.</p>	End
E	<p>Request further or more appropriate mitigation/compensation and reconsider question 6.</p> <p>If the applicant fails to provide satisfactory information, consider refusal of the application as it does not adequately consider protected species or comply with the Wildlife and Countryside Act 1981 (as amended) or the Conservation of Habitats and Species Regulations 2010 (as amended)</p>	End
F	<p>Inadequate survey. Request this is done properly as in question 3 or refuse application.</p>	End