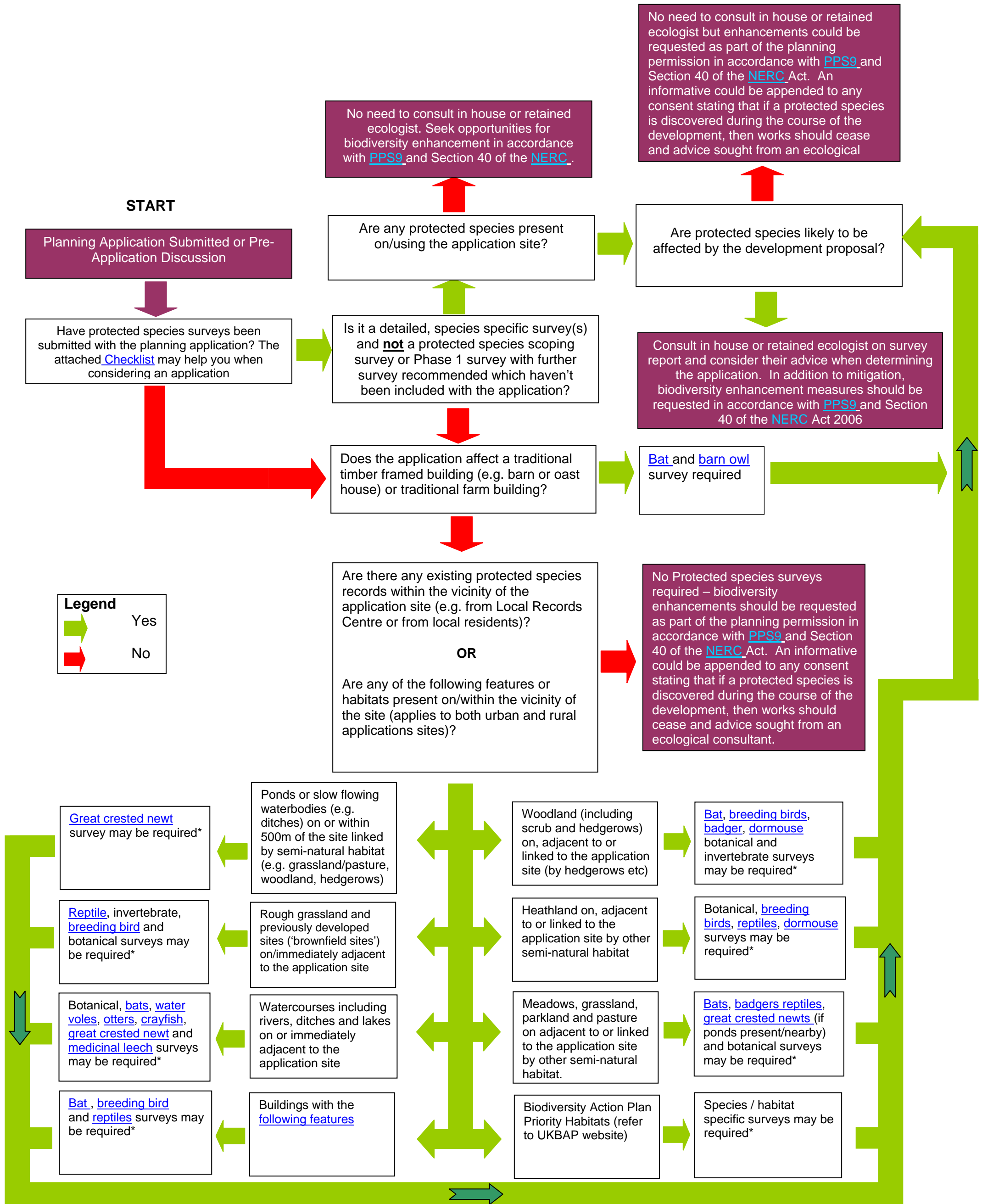


When do we need to conduct/request a protected species survey?



* This flow chart provides general guidance only and is not exhaustive. As such, we strongly recommend that if any of the habitats or features described above are present on, or within the vicinity of, the application site, an initial scoping or extended Phase 1 habitat survey should be conducted to assess the specific site and the results of this used to inform subsequent species specific surveys.

Natural Environment and Rural Communities Act 2006

Section 40 of the Natural Environment and Rural Communities Act (2006) which 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'*. Section 40(3) also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

A full copy of the legislation can be downloaded at:

http://www.opsi.gov.uk/acts/acts2006/pdf/ukpga_20060016_en.pdf

Planning Policy Statement 9: Biodiversity and Geological Conservation

Paragraph 14 of PPS9 states that *'Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate.'* A copy of PPS9 and the accompanying circular and good practice guide can be downloaded from

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/historicenvironment/pps9/>

The Government guidance contained within [Planning](#)

[Policy Statement 9: Biodiversity & Geological Conservation](#) also makes it clear that developments should build in features beneficial to wildlife or geological features as part of the overall design. Natural England recommends that LPA's maximise the opportunities for enhancements associated with all developments. The enhancements should be proportionate to the scale of the development proposed and could range from the installation of nest boxes or bat bricks in a small scale development through to the creation of areas of semi-natural habitat for larger scale applications. Some examples of this are creating new areas of wetland and incorporation of ecological corridors which can also be used as pedestrian or cycle routes.

Further guidance can be found within [Planning for Biodiversity and Geological Conservation: A Guide to Good Practice](#). This publication also presents case studies on how biodiversity has been built in to developments to maximise their biodiversity gain.