



# RSPB Conwy Active Travel Llandudno Junction Ecological Desk Study

Prepared For: Conwy County Brough Council Document

Reference: 10313.004

March 2024

Version 1.0

TEP

401 Faraday Street Birchwood Park Warrington WA3 6GA

Tel: 01925 844004

Email: [tep@tep.uk.com](mailto:tep@tep.uk.com)

Offices in Warrington, Market Harborough, Gateshead, London and Cornwall

<b>Project Name:</b>	RSPB Conway Active Travel
<b>Location:</b>	Llandudno Junction
<b>Document Title:</b>	Ecological Desk Study
<b>Client:</b>	Conwy County Brough Council
<b>Year of Surveys:</b>	2024
<b>Prepared by:</b>	The Environment Partnership Ltd
<b>Office:</b>	Warrington
<b>Document Ref:</b>	10313.004

Document history and status:

Version	Date	Description of Issue	Author	Checked	Approved
1.0	28.03.24	First Draft	KR/SB	AE	AE

The Environment Partnership Ltd is a private limited company registered in England. Registered number 7745159. Registered office: 401 Faraday Street, Birchwood Park, Warrington, WA3 6GA.

© Copyright 2024 The Environment Partnership Ltd. All Rights Reserved.

This document has been prepared by The Environment Partnership Ltd (“TEP”) for sole use of our Client in accordance with the provisions of the contract between TEP and the Client. No third party may use or rely upon this document or its content. TEP accepts no liability or responsibility for any such use or reliance thereon by any third party.



TEP is a Registered Practice of the Chartered Institute of Ecology and Environmental Management. The content of this document has been prepared in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) Code of Professional Conduct and is compliant with British Standard BS42020:2013 Biodiversity Code of Practice for Planning and Development.

The conclusions and recommendations contained in this document are based upon information gathered by TEP and provided by third parties. Information provided by third parties and referred to herein has not been independently verified by TEP, unless otherwise expressly stated in the document.

Nothing in this report constitutes legal opinion. If legal opinion is required, the advice of a qualified legal professional should be secured.

Contents	Page
1.0 INTRODUCTION .....	5
Location of Scheme .....	5
Context .....	6
Purpose .....	6
2.0 METHODS.....	7
Scope and Data Sources.....	7
Additional Supporting Data .....	10
3.0 LEGISLATION AND POLICY .....	11
National Planning Policy .....	13
Relevant Policy.....	14
Local Planning Policy.....	16
4.0 BIODIVERSITY INITIATIVES AND STRATEGIES .....	19
Nature Recovery Action Plan Wales .....	19
5.0 WILDLIFE SITES.....	20
Statutory Sites .....	20
Non-Statutory Wildlife Sites .....	31
6.0 NOTABLE HABITATS .....	35
Habitats of Principal Importance (HPI).....	35
7.0 PROTECTED AND NOTABLE SPECIES.....	37
Pre-existing Species Records.....	37

## Figures

Figure 1: Location of Scheme.....	5
Figure 2: Extract of Conwy Local Development Plan 2007-2022 interactive map (Accessed March 2024) .....	18
Figure 3: Internationally Designated Sites within a 10km Buffer .....	27
Figure 4: Nationally Designated Sites within a 5km Buffer.....	28
Figure 5: Statutory Locally Designated Sites within a 2km Buffer .....	30
Figure 6: Non-statutory wildlife sites within 2km of the site (map provided by COFNOD).....	33

Figure 7: Extract from COFNOD showing the site within a B-line, Cymru (map provided by COFNOD) 34

Figure 8: Notable habitats within 250m of the site ..... 36

## Tables

Table 1: Scope and preliminary ecological Zones of Influence (ZOI)..... 7

Table 2: Statutory wildlife sites ..... 20

Table 3: Non-statutory local wildlife sites ..... 31

Table 4: Summary of pre-existing species records returned by COFNOD records centre ..... 37

## Annexes

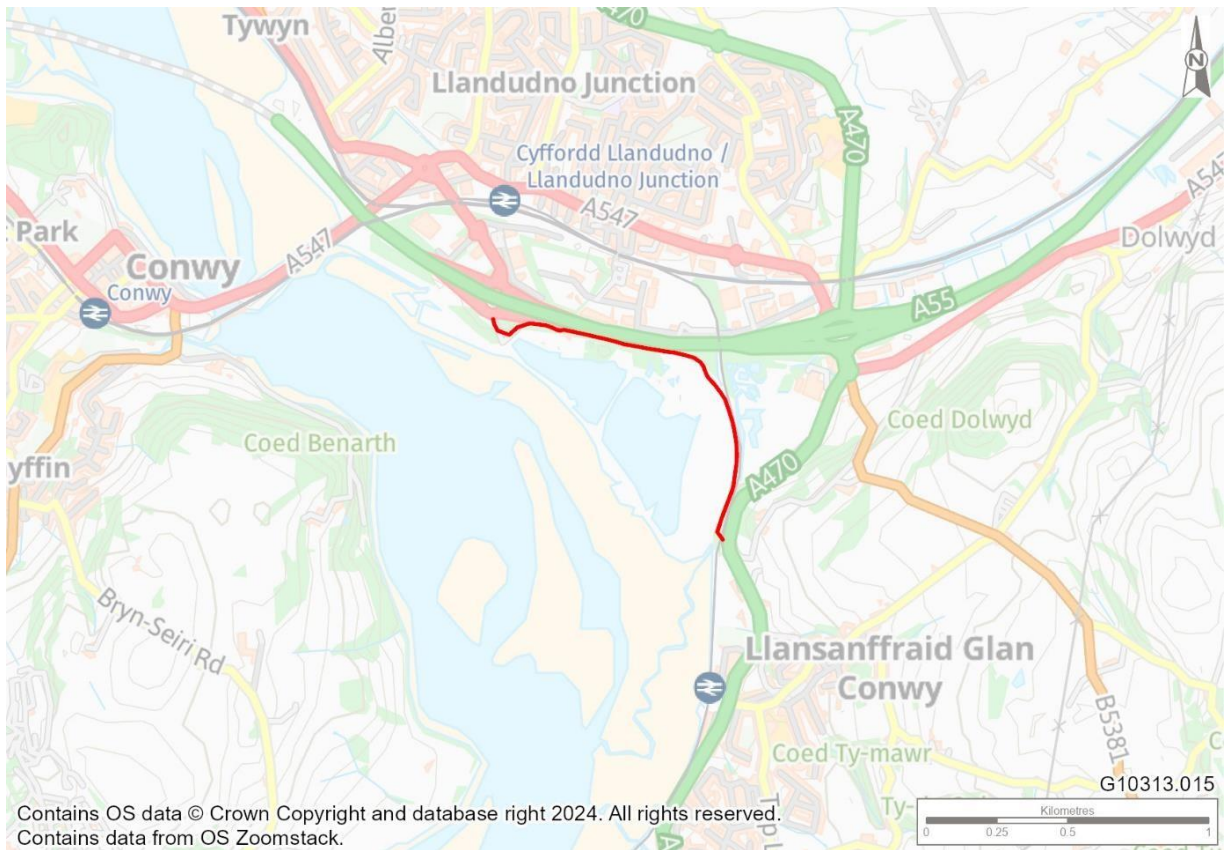
Annex A: Key Ecological Legislation and National Policy

# 1.0 Introduction

1.1 The Environment Partnership (TEP) was commissioned by Conwy County Borough Council in February 2024 to complete an Ecological Impact Assessment (EclA) for a proposed construction of a new active travel link, comprising a footpath/cycleway between the RSPB Conwy Reserve and Glan Conwy. To inform the EclA, an ecological desk study was completed.

## Location of Scheme

1.2 The Scheme is within the administrative area of Conwy County Borough Council. The location of the site is depicted by the red line shown in Figure 1. The approximate central grid reference of the site is SH 80236 77166.



*Figure 1: Location of Scheme*

## Context

- 1.3 Planning permission is needed for all of the works, except for temporary access and site compound.
- 1.4 The proposed scheme falls under Conwy Local Development Plan 2007 - 2022 (Adopted 2013)
- 1.5 The proposal is that a planning application is to be submitted early 2024 for the construction of a new active travel link, comprising a footpath/cycleway between the RSPB Conwy Reserve and Glan Conwy. New bridges are also proposed over the railway line and the Afon Ganol at the southern end of the route.

## Purpose

- 1.6 This Ecological Desk Study report details the method of data gathering and interpretation and presents the findings of the desk-based assessment.
- 1.7 This report is not sufficient in isolation to support a planning application. This report should be read in conjunction with the EclA (TEP Report Ref: 10313.005).



## 2.0 Methods

### Scope and Data Sources

- 2.1 The ecological Zone of Influence (ZOI) is an area defined by the ecological assessment within which valued ecological features may be subject to significant biophysical changes as a consequence of the proposed development under assessment.
- 2.2 For the purposes of this assessment, the preliminary ZOIs within which ecological features were searched for as part of this desk study were varied according to the geo-spatial and/or legal significance of the feature.
- 2.3 Table 1 summarises the scope and the preliminary ZOIs applied for this desk study. The preliminary ZOIs were applied by extending search radii of the respective distances from the Scheme boundary.

*Table 1: Scope and preliminary ecological Zones of Influence (ZOI)*

Feature	Scope	Key Source(s)	ZOI
Statutory wildlife sites:	Ramsar sites Proposed Ramsar sites Special Areas of Conservation (SAC) Possible SAC SAC with marine components Special Protection Areas (SPA) Potential SPA Marine Conservation Zones	MAGIC Maps <sup>1</sup> (public sector information)  North Wales Environmental Information Service (COFNOD) <sup>2</sup>  Conwy Local Development Plan (LDP) (Adopted 2013) <sup>3</sup>	10km
	Sites of Special Scientific Interest (SSSI) National Parks National Nature Reserves (NNR) Local Nature Reserves (LNR) Country Parks Strategic Nature Areas	Natural Resources Wales (NRW) (public sector information)  North Wales Environmental Information Service (COFNOD)  Conwy Local Development Plan (LDP) (Adopted 2013)	5km
	Local Nature Reserves (LNR) Country Parks	Natural Resources Wales (NRW) (public sector information)	2km

Feature	Scope	Key Source(s)	ZOI
	Strategic Nature Areas	North Wales Environmental Information Service (COFNOD)  Conwy Local Development Plan (LDP) (Adopted 2013)	
Non-statutory wildlife sites:	County Wildlife Sites (CWS) Site of Biological Importance (SBI) Site of Nature Conservation Interest (SNCI) Site of Importance for Nature Conservation (SINC) Local Wildlife Site (LWS)	North Wales Environmental Information Service (COFNOD)  Conwy Local Development Plan (LDP) (Adopted 2013)	2km
Notable habitats:	Ancient Woodland Habitats of principal importance Main rivers Habitat Network / Nature Recovery Network	North Wales Environmental Information Service (COFNOD)  Natural Resources Wales (NRW) (public sector information)  Welsh Government Nature recovery action plan – Our Strategy for Nature 2015 <sup>4</sup> and Nature Recovery Action Plan 2020-21  MAGIC Maps (public sector information)	0.5km
Protected or	Pre-existing records for protected or notable species <sup>5</sup> , non-native invasive species	North Wales Environmental Information Service (COFNOD)	1km

<sup>1</sup> Magic Maps <https://magic.defra.gov.uk/magicmap.aspx> (Accessed March 2024)

<sup>2</sup> COFNOD <https://emapper.lerc.online/?src=co&id=13526&key=Sv12rMlxn9v7OzQL> (Accessed March 2024)

<sup>3</sup> Adopted Local Development Plan (LDP) <https://www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Strategic-Planning-Policy/Adopted-Local-Development->



*Plan-LDP/Adopted-Local-Development-Plan-LDP.aspx* (Accessed March 2024)

4 Our Strategy for Nature 2015 <https://www.gov.wales/sites/default/files/publications/2019-05/nature-recovery-action-plan-2015.pdf> (Accessed November 2023)

- 5 Notable and protected species records may include those listed under any of the following:
- Protected species listed under Schedule 2 (animals) or Schedule 5 (plants) under the Conservation of Habitats and Species Regulations 2017 (EPS);
  - Protected bird species under Schedule 1 of the Wildlife and Countryside Act 1981, as amended (WCA1);
  - Protected animal species under Schedule 5 of the Wildlife and Countryside Act 1981, as amended (WCA5);
  - Protected plant species under Schedule 8 of the Wildlife and Countryside Act 1981, as amended (WCA8);
  - Invasive non-native plant species under Schedule 9 of the Wildlife and Countryside Act 1981, as amended (WCA9);
  - Invasive Alien Species (Enforcement and Permitting) Order 2019 (IAS);
  - Protection of Badgers Act 1992 (PBA);
  - Species of principal importance (SPI) listed by requirements under S7 Environment (Wales) Act 2016

Feature	Scope	Key Source(s)	ZOI
notable species:			
Policy and Related Guidance	Land allocations and relevant environment / biodiversity policy Local biodiversity priority habitats and species	Welsh Government Nature recovery action plan (NRAP) (Updated 2021) <sup>6</sup> Conwy Local Development Plan (LDP) (Adopted 2013)	As applicable to Scheme

- 2.4 An absence of records does not indicate the absence of protected species from the search area.
- 2.5 Geological sites are not designated for ecology reasons and is therefore excluded from further consideration in this ecological assessment.

### Additional Supporting Data

- 2.6 A search on Conwy County Council’s planning portal spanning the previous ten years revealed the previous ecological reports within a 10km radius of the site, however nothing on the site itself
- 2.7 An ecology report dated July 2015 identified records of breeding slow-worm and possible common lizard 2km northeast
- 2.8 An ecology report dated November 2017 identified the possible presence of Lesser Horseshoes bats in the basement of a building 2km northeast.

- 
- Red and Amber listed Birds of Conservation Concern – Wales (WBR/WBA); and
  - Local Biodiversity Action Plan Species (LBAP).

<sup>6</sup> NRAP <https://www.gov.wales/sites/default/files/publications/2020-10/nature-recovery-action-plan-wales-2020-2021.pdf>  
(Access January 2024)

## 3.0 Legislation and Policy

3.1 The following summarises the legislation and planning policy which may have relevance to the scheme. Only legislation and policy of key relevance to biodiversity are listed. Further information is provided in Annex A.

- International Conventions:
  - ▶ The Convention on Wetlands of International Importance especially as Waterfowl Habitat ('Ramsar Convention'<sup>7</sup> or 'Wetlands Convention');
  - ▶ The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention<sup>8</sup>);
  - ▶ The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention<sup>9</sup> or CMS)
  - ▶ The Convention on Biological Diversity (Biodiversity Convention<sup>10</sup> or CBD)
- Conservation of Habitats and Species Regulations 2017<sup>11</sup> (the 2017 Regulations);
- Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019<sup>12</sup> (the 2019 Regulations);
- Wildlife and Countryside Act (WCA) 1981<sup>13</sup>;
- Habitats and Species of principal importance for the purpose of maintaining and enhancing biodiversity conservation in Wales as listed in Section 7 of the Environment (Wales) Act 2016;
- Environment Act 2021<sup>14</sup>;
- Countryside and Rights of Way Act (CROW) 2000<sup>15</sup>;
- Environment (Wales) Act 2016 <sup>16</sup>;
- Hedgerow Regulations 1997<sup>17</sup>;
- Protection of Badgers Act (PBA)1992<sup>18</sup>;
- Wild Mammals (Protection) Act (WMPA) 1996<sup>19</sup>;
- Planning Policy Wales 2024<sup>20</sup>; and
- Government Circular 06/2005<sup>21</sup>.

---

<sup>7</sup> Convention on Wetlands of International Importance especially as Waterfowl Habitat, Ramsar, 2.2.1971 <https://www.ramsar.org/>

<sup>8</sup> Convention on the Conservation of European Wildlife and Natural Habitats. Bern, 1979 <https://www.coe.int/>

- 9 Convention on the Conservation of Migratory Species of Wild Animals, Bonn, June 1979  
<https://www.cms.int/>
- 10 Convention on Biological Diversity, Rio de Janeiro, June 1992 <https://www.cbd.int/>
- 11 Conservation of Habitats and Species Regulations 2017 (SI 2017/1012)  
<https://www.legislation.gov.uk/uksi/2017/1012/>
- 12 Conservation of Habitats and Species Regulations 2019 (SI 2019/579)  
<https://www.legislation.gov.uk/uksi/2019/579/>
- 13 Wildlife and Countryside Act 1981 c. 69 <https://www.legislation.gov.uk/ukpga/1981/69/>
- 14 Environment Act 2001 c.30 <https://www.legislation.gov.uk/ukpga/2001/30/>
- 15 Countryside and Rights of Way Act 2000 c. 37 <https://www.legislation.gov.uk/ukpga/2000/37/>
- 16 Environment (Wales) Act 2016 <https://www.legislation.gov.uk/anaw/2016/3/contents/enacted>
- 17 The Hedgerow Regulations 1997 (SI 1997/1167)  
<https://www.legislation.gov.uk/uksi/1997/1160/>

## National Planning Policy

### Planning Policy Wales 2024

3.2 Planning Policy Wales delivers land use planning policy for Wales and provides a framework for the effective preparation of local planning authorities' development plans. Chapter 6 contains the key policy relating to nature conservation and biodiversity.

3.3 TAN 5 states that the town and country planning system in Wales should:

- work to achieve nature conservation objectives through a partnership between local planning authorities, NRW, the Environment Agency Wales, voluntary organisations, developers, landowners and other key stakeholders;
- integrate nature conservation into all planning decisions looking for development to deliver social, economic and environmental objectives together over time;
- ensure that the UK's international and national obligations for site, species and habitat protection are fully met in all planning decisions;
- look for development to provide a net benefit for biodiversity conservation with no significant loss of habitats or populations of species, locally or nationally;
- help to ensure that development does not damage, or restrict access to, or the study of, geological sites and features or impede the evolution of natural processes and systems especially on rivers and the coast;
- forge and strengthen links between the town and country planning system and biodiversity action planning particularly through policies in local development plans and the preparation of supplementary planning guidance that adds value to Local Biodiversity Action Plans (LBAPs) by highlighting the ways in which the planning system can help to deliver the objectives of LBAPs in practical ways; and
- plan to accommodate and reduce the effects of climate change by encouraging development that will reduce damaging emissions and energy consumption and that help habitats and species to respond to climate change.

TAN 14: coastal planning states that the some of the key issues for Nature and Landscape Conservation include:

- the role of physical and biological processes in creating, maintaining and altering features of nature and landscape conservation value;
- the effects of statutory and other nature and landscape conservation policies in the coastal zone which may not always be contiguous with the low watermark; and

- the importance of the integrity and special features of Marine Nature Reserves, candidate marine SAC's and coastal SAC's, Special Protection Areas and Ramsar sites. EC directives relevant to planning in the coastal zone should always be borne in mind.

---

18 Protection of Badgers Act 1992 c. 51 <https://www.legislation.gov.uk/ukpga/1992/51/>

19 Wild Mammals (Protection) Act 1996 c.3 <https://www.legislation.gov.uk/ukpga/1996/3>

20 Planning Policy Wales 2024 [https://www.gov.wales/sites/default/files/publications/2024-02/planning-policy-wales-edition-12\\_1.pdf](https://www.gov.wales/sites/default/files/publications/2024-02/planning-policy-wales-edition-12_1.pdf)

21 Office of the Deputy Prime Minister (2005) 'Government Circular: Geological and Biological Conservation – Statutory obligations and their implications within the planning system' ODPM circular 06/2005, DEFRA circular 01/2005  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7692/147570.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf)





## Relevant Policy

### Environment (Wales) Act 2016

- 3.4 Section 6 of the Environment Act places a duty on public authorities to ‘seek to maintain and enhance biodiversity’ so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to ‘promote the resilience of ecosystems.
- 3.5 Section 7 of the Environment Act requires the Welsh Ministers to publish, review and revise lists of living organisms and types of habitats in Wales, which they consider are of key significance to sustain and improve biodiversity in relation to Wales. This is known as the S7 list.

### Natural Resource Wales (NRW) Area Statements

- 3.6 NRW has developed seven Area Statements covering different areas of Wales. These statements are seen as a collaborative response to the Natural Resources Policy, published by the Welsh Government in 2017.
- 3.7 The following sections of the Area Statement relate to biodiversity and nature conservation in North-West Wales:
  - Climate and environment emergency<sup>22</sup>;
  - Reconnecting people with nature<sup>23</sup>;
  - Opportunities for a resilient ecosystem<sup>24</sup>

---

<sup>22</sup> Climate and environment emergency - <https://naturalresources.wales/about-us/what-we-do/strategies-and-plans/area-statements/north-west-wales-area-statement/climate-and-environment-emergency-adaptation-and-mitigation/?lang=en> [Accessed 17/11/2023]

<sup>23</sup> Reconnecting people with nature - *Natural Resources Wales*  
<https://naturalresources.wales/about-us/what-we-do/strategies-and-plans/area-statements/north-west-wales-area-statement/reconnecting-people-with-nature/?lang=en> Reconnecting people with nature [Accessed 28/11/2023]

<sup>24</sup> Opportunities for a resilient ecosystem - <https://naturalresources.wales/about-us/what-we-do/strategies-and-plans/area-statements/north-west-wales-area-statement/opportunities-for-a-resilient-ecosystem-working-together-to-tackle-the-nature-emergency/?lang=en> [Accessed 28/11/2023]

## Local Planning Policy

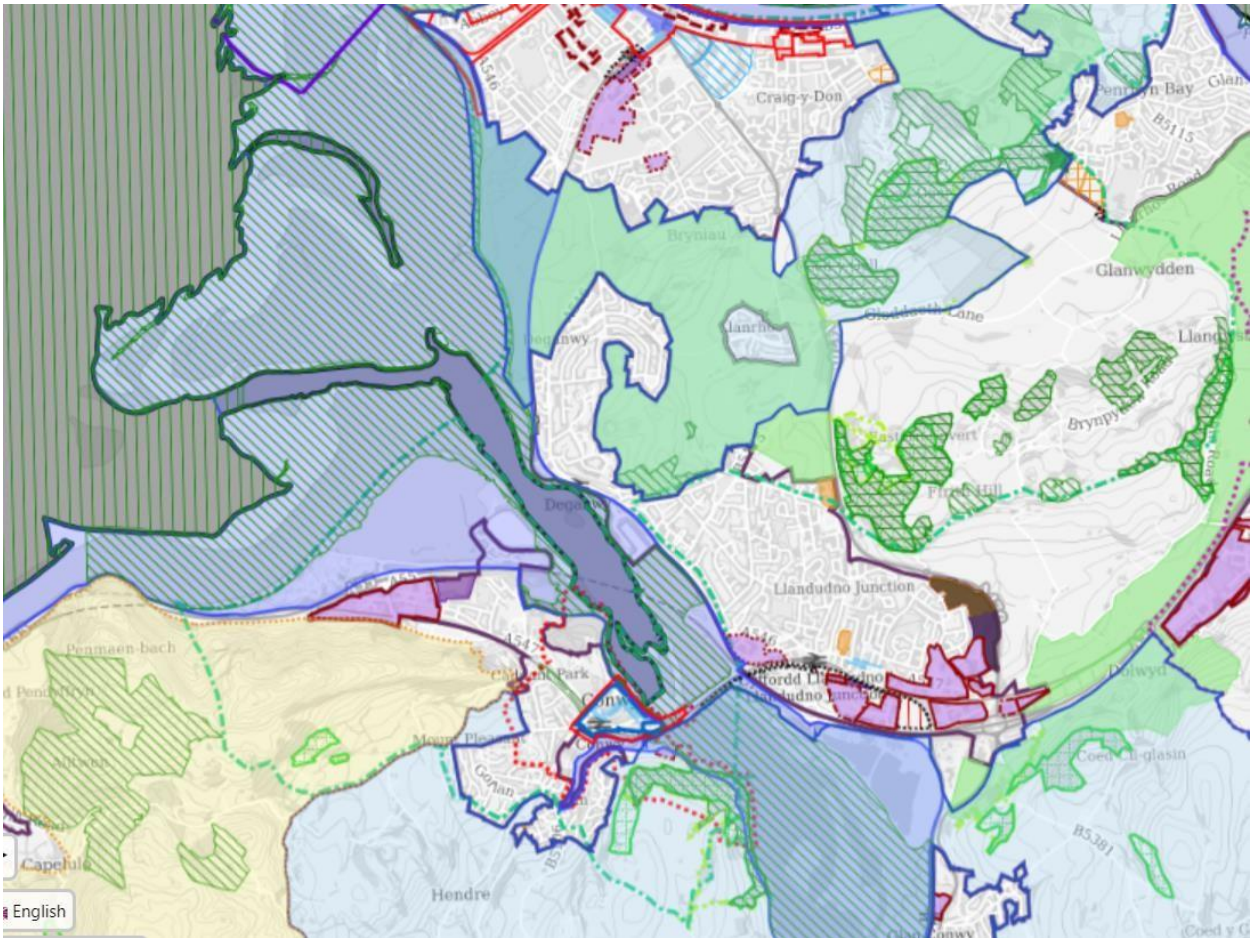
- 3.8 The current Local Plan is the Conwy Local Development Plan (LDP) 2007- 2022 (Adopted 2013). One the objective of the plan is that there will be an improved public transport, walking and cycling network together with a sustainable public transport interchange facility at Llandudno and Colwyn Bay.
- 3.9 Of particular relevance to the site is the spatial strategy which sets out Llandudno, Llandudno Junction and Conwy is promoted as a key economic hub at the heart of North Wales. The area’s connectivity between the residential element and Llandudno Junction town centre to the north of the rail line and the employment and retail land uses to the south will be improved, in particular through a new footbridge from the railway station to the leisure and entertainment area. New higher value employment opportunities and a rail-freight allocation will have promoted more sustainable travel and a shift from the car to more walking, cycling and public transport usage.
- 3.10 Of particular relevance to natural assets and the natural environment are the following:
- Strategic Policy NTE/1 – The Natural Environment
    - ▶ Safeguarding the Plan Area’s biodiversity, geology, habitats, history and landscapes through the protection and enhancement of sites of international, national, regional and local importance, in line with Policy DP/6 – National Planning Policy and Guidance’;
  - Policy NTE/5 – The Coastal Zone
  - A Coastal Zone is defined on the Proposals Map. Development in the Coastal Zone, outside settlement boundaries, will only be permitted where the development:
    - ▶ Specifically requires a coastal location;
    - ▶ Does not adversely affect the open character of the zone;
    - ▶ Does not adversely affect the nature conservation value of the zone with any effects identified mitigated for;

- ▶ Does not detract from the tourism value or facilities;
- ▶ Does not interfere with natural coastal processes;
- ▶ Does not impede the function of any existing coastal defence structures;
- ▶ Accords with the Development Principles of the Plan.

- Policy NTE/4 – The Landscape and Protecting Special Landscape Areas
- Special Landscape Areas are designated in the following locations:
  - ▶ Conwy Valley
- In order to conserve the attributes of the Special Landscape Areas development proposals will have to show particular regard to the character of each locality in order to minimise their impact. Development will only be permitted if it is shown to be capable of being satisfactorily integrated into the landscape. In appropriate cases planning applications should be accompanied by a Landscape and Visual Impact Assessment to assess the visual and landscape impacts of the development.
- All proposals, both within and outside SLAs, will be considered against the Development Principles and other policies in the Plan designed to protect the environment and landscape character

3.11 The interactive policies map for Conwy's Adopted Local Development Plan can be viewed by following the link below: [Conwy's Adopted Local Development Plan](#)

3.12 Conway Borough Council are currently preparing a new Local Development Plan for the area.



*Figure 2: Extract of Conwy Local Development Plan 2007-2022 interactive map (Accessed March 2024)*

Conwy County Borough Council

© Crown copyright and database rights 2024 Ordnance Survey AC0000809654

## 4.0 Biodiversity Initiatives and Strategies

- 4.1 The Local Biodiversity Action Plan has been replaced by the Regional Nature Recovery Action Plan (NRAP)<sup>25</sup> in collaboration with Northeast Wales conservation partners and the Northeast Wales Biodiversity Partnership – Bionet.
- 4.2 Priority habitats and species are listed on the Section 7 list of the habitats/species of principle importance which can be accessed here: [Wales Biodiversity Partnership – Section 7 \(biodiversitywales.org.uk\)](http://biodiversitywales.org.uk)

### Nature Recovery Action Plan Wales

- 4.3 The national Nature Recovery Action Plan (NRAP) was first published in 2015 and consists of Part I (Our Strategy for Nature) and Part II (Our Action Plan). It is an all-Wales plan for everybody involved in biodiversity action in Wales. Part II has been refreshed for 2020-21 following input from a range of stakeholders.
- 4.4 A number of objectives have been identified to address the issues that are driving the decline in biodiversity, and to support recovery:
- Engage and support participation and understanding to embed biodiversity throughout decision making at all levels;
  - Safeguard species and habitats of principal importance and improve their management. Including the requirement on Welsh Ministers to prepare and publish a list of the living organisms and types of habitats which are of principal importance for the purpose of maintaining and enhancing biodiversity in Wales;
  - Increase the resilience of our natural environment by restoring degraded habitats and habitat creation;
  - Tackle key pressures on species and habitats;
  - Improve our evidence, understanding and monitoring; and,
  - Put in place a framework of governance and support for delivery

---

<sup>25</sup> *Nature Recovery Action Plan - <https://www.bionetwales.co.uk/nature-recovery-plan/> [Accessed 23/01/23]*

## 5.0 Wildlife Sites

### Statutory Sites

- 5.1 Five internationally significant statutory wildlife designations within 10km are illustrated on Drawing G10313.016 (Figure 3).
- 5.2 Eight nationally significant statutory wildlife sites within 5km are illustrated on Drawing G10313.017 (Figure 4).
- 5.3 One regionally or locally significant statutory wildlife sites within 5km are illustrated on Drawings G10313.018 (Figure 5).
- 5.4 These statutory wildlife sites are summarised in Table 2 below. Distances are calculated between the closest points. Links to data forms and citations are also provided, where applicable.

*Table 2: Statutory wildlife sites*

Site Name	Designation & Citation Link	Distance and Direction from Scheme	Reason(s) for Designation
Statutory wildlife sites of international significance within 10km of Scheme (Drawing G10313.016)			
Coedwigoedd Penrhyn Creuddyn/ Creuddyn Peninsula Woods	SAC <sup>26</sup>	1.4km North	<p>Annex I habitats that are a primary reason for selection:</p> <ul style="list-style-type: none"> <li>▶ 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)</li> <li>▶ 91J0 Taxus baccata woods of the British Isles * Priority feature</li> </ul> <p>The canopy is primarily of ash Fraxinus excelsior and sycamore Acer pseudoplatanus, with a calcicolous understorey and ground flora. Characteristic species include dog's mercury Mercurialis perennis, hart's-tongue Phyllitis scolopendrium and spurge laurel Daphne laureola. Yew Taxus baccata dominates locally, and there are gradations to oak Quercus petraea woodland. In places</p>

<sup>26</sup> JNCC <https://sac.jncc.gov.uk/site/UK0030124> (Accessed March 2024)



Site Name	Designation & Citation Link	Distance and Direction from Scheme	Reason(s) for Designation
			<p>there are mosaics with rich calcareous grassland containing many rare species:</p> <ul style="list-style-type: none"> <li>▶ 6210 <i>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia)</i> (* important orchid sites)</li> </ul>
Y Fenai a Bae Conwy / Menai Strait and Conwy Bay	SAC <sup>27</sup>	3.3km Northwest	<p>Annex I habitats that are a primary reason for selection:</p> <ul style="list-style-type: none"> <li>▶ 1110 Sandbanks which are slightly covered by sea water all the time</li> <li>▶ 1140 <i>Mudflats and sandflats not covered by seawater at low tide</i></li> </ul> <p>5.5</p> <ul style="list-style-type: none"> <li>▶ 1170 Reefs</li> </ul> <p>5.6</p> <p>Annex II species that are a primary reason for selection:</p> <ul style="list-style-type: none"> <li>▶ 1160 Large shallow inlets and bays</li> <li>▶ 8330 Submerged or partially submerged sea caves</li> </ul> <p>5.7</p>
Liverpool Bay / Bae Lerpwl (Wales)	SPA <sup>28</sup>	4.9km Northwest	<p>It is classified for the protection of red-throated diver (<i>Gavia stellata</i>), common scoter (<i>Melanitta nigra</i>), and little gull (<i>Hydrocoloeus minutus</i>) in the non-breeding season; common tern (<i>Sterna hirundo</i>) and little tern (<i>Sterna albifrons</i>) in the breeding season, and an internationally important waterbird assemblage.</p>

<sup>27</sup> JNCC <https://sac.jncc.gov.uk/site/UK0030202> (Accessed March 2024)

<sup>28</sup> JNCC <https://jncc.gov.uk/our-work/liverpool-bay-spa/> (Accessed March 2024)

Site Name	Designation & Citation Link	Distance and Direction from Scheme	Reason(s) for Designation
Great Orme's Head / Pen y Gogarth	SAC <sup>29</sup>	6.1km Northwest	<p>Annex I habitats that are a primary reason for selection:</p> <ul style="list-style-type: none"> <li>▶ 4030 <i>European dry heaths</i></li> </ul> <p>This north Wales site is the finest example of limestone heath in the UK. Characterised by a short sward in which heather <i>Calluna vulgaris</i> and bell heather <i>Erica cinerea</i> occur in an intimate mixture with a rich assemblage of calcicolous grasses and herbs, such as meadow oat-grass <i>Helictotrichon pratense</i> and dropwort <i>Filipendula vulgaris</i></p> <ul style="list-style-type: none"> <li>▶ 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites)</li> </ul> <p>Great Orme's Head in north Wales supports one of the largest stands in the UK of CG1 <i>Festuca ovina</i> – <i>Carlina vulgaris</i> grassland. There is also an extensive area of CG2 <i>Festuca ovina</i> – <i>Avenula pratensis</i> grassland. This is one of only three selected sites in the UK where this Xerobromion grassland type occurs</p> <p>Annex II species that are a primary reason for selection:</p> <ul style="list-style-type: none"> <li>▶ 1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts</li> </ul>
Eryri / Snowdonia	SAC <sup>30</sup>	10km Southwest	<p>Annex I habitats that are a primary reason for selection:</p> <ul style="list-style-type: none"> <li>▶ 3130 Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or of the <i>Isoëto-Nanojuncetea</i></li> </ul>

<sup>29</sup> JNCC <https://sac.jncc.gov.uk/site/UK0014788> (Accessed March 2024)

<sup>30</sup> JNCC <https://sac.jncc.gov.uk/site/UK0012946> (Accessed March 2024)

Site Name	Designation & Citation Link	Distance and Direction from Scheme	Reason(s) for Designation
			<ul style="list-style-type: none"> <li>▶ 6150 Siliceous alpine and boreal grasslands</li> </ul> <p>5.8</p> <p>Snowdonia has the best-developed and most extensive areas of Siliceous alpine and boreal grasslands in Wales and is the largest example of the habitat type south of Scotland</p> <ul style="list-style-type: none"> <li>▶ 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels</li> </ul> <p>Snowdonia is the most southerly site selected and contains the most extensive and diverse examples of hydrophilous tall herb fringe communities in Wales</p> <ul style="list-style-type: none"> <li>▶ 8110 Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>)</li> <li>▶ 8210 Calcareous rocky slopes with chasmophytic vegetation</li> </ul> <p>5.9</p> <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</p> <ul style="list-style-type: none"> <li>▶ 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i></li> <li>▶ 4030 European dry heaths</li> </ul> <p>5.10</p> <ul style="list-style-type: none"> <li>▶ 4060 Alpine and Boreal heaths</li> </ul> <p>5.11</p> <ul style="list-style-type: none"> <li>▶ 6170 Alpine and subalpine calcareous grasslands</li> </ul> <p>5.12</p>

Site Name	Designation & Citation Link	Distance and Direction from Scheme	Reason(s) for Designation
			<ul style="list-style-type: none"> <li data-bbox="877 409 1481 539">▶ 6230 Species-rich <i>Nardus</i> grasslands, on silicious substrates in mountain areas (and submountain areas in Continental Europe) * Priority feature</li> <li data-bbox="877 566 954 600">5.13</li> <li data-bbox="877 640 1481 703">▶ 7130 Blanket bogs (* if active bog) * Priority feature</li> <li data-bbox="877 730 954 763">5.14</li> <li data-bbox="877 804 1481 866">▶ 7150 Depressions on peat substrates of the <i>Rhynchosporion</i></li> <li data-bbox="877 896 954 929">5.15</li> <li data-bbox="877 969 1481 1032">▶ 7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>) * Priority feature</li> <li data-bbox="877 1061 954 1095">5.16</li> <li data-bbox="877 1135 1166 1169">▶ 7230 Alkaline fens</li> <li data-bbox="877 1196 954 1229">5.17</li> <li data-bbox="877 1270 1481 1364">▶ 7240 Alpine pioneer formations of the <i>Caricion bicoloris-atrofuscae</i> * Priority feature</li> <li data-bbox="877 1393 954 1426">5.18</li> <li data-bbox="877 1467 1481 1529">▶ 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</li> </ul> <p data-bbox="877 1570 1481 1632">Annex II species that are a primary reason for selection:</p> <ul style="list-style-type: none"> <li data-bbox="877 1664 1481 1727">▶ 1393 Slender green feather-moss <i>Drepanocladus (Hamatocaulis) vernicosus</i></li> <li data-bbox="877 1756 1481 1818">▶ 1831 Floating water-plantain <i>Luronium natans</i></li> </ul>

Site Name	Designation & Citation Link	Distance and Direction from Scheme	Reason(s) for Designation
Statutory wildlife sites of national significance within 5km of Scheme (Drawing G10313.017)			
Aber Afon Conwy	Site of Special Scientific Interest (SSSI) <sup>31</sup>	0.1km South	Aber Afon Conwy is of special interest for its marine and terrestrial invertebrate biology. Bonus features are wading birds and Atlantic salmon.
Benarth Wood	SSSI <sup>32</sup>	1.3km West	A mixed deciduous woodland on Silurian rocks adjacent to the Conwy Estuary and receiving a low rainfall. The wood is ungrazed and has a diverse ground flora and adequate tree regeneration.
Creuddyn	SSSI <sup>33</sup>	1.4km North	Creuddyn is of special interest for its botanical and entomological features; semi-natural woodland, calcareous grassland, rare vascular plant assemblage including spiked speedwell <i>Veronica spicata</i> and grassland invertebrate assemblage.
Cadnant	SSSI <sup>34</sup>	2.4km Northwest	Cadnant Dingle, a woodland in a narrow valley near Llandegfan, has been selected as a representative example of the <i>Brachypodium sylvaticum</i> - <i>Quercus/Fraxinus</i> (slender falsebrome - oak/ash) group of broadleaved woodlands
Chwareli a Glaswelltir Degannwy	SSSI <sup>35</sup>	2.5km Northwest	Chwareli a Glaswelltir Degannwy is of special interest for its geological and biological features: exposures of fossiliferous late Ordovician mudstone and sandstone rocks, maiden pink <i>Dianthus deltoides</i> , small-leaved sweet briar <i>Rosa agrestis</i> and a rare vascular plant assemblage.

<sup>31</sup> Natural Resource Wales [https://naturalresources.wales/media/666940/SSSI\\_2545\\_Citation\\_EN0017c94.pdf](https://naturalresources.wales/media/666940/SSSI_2545_Citation_EN0017c94.pdf) (Accessed March 2024)

<sup>32</sup> Natural Resource Wales [https://naturalresources.wales/media/655969/SSSI\\_0957\\_Citation\\_EN001eb65.pdf](https://naturalresources.wales/media/655969/SSSI_0957_Citation_EN001eb65.pdf) (Accessed March 2024)

<sup>33</sup> Natural Resource Wales [https://naturalresources.wales/media/648137/SSSI\\_0639\\_Citation\\_EN0016278.pdf](https://naturalresources.wales/media/648137/SSSI_0639_Citation_EN0016278.pdf) (Accessed March 2024)

<sup>34</sup> Anglesey Nature <http://angleseynature.co.uk/webmaps/cadnantdesc.html> (Accessed March 2024)

<sup>35</sup> Natural Resource Wales [https://naturalresources.wales/media/676462/sssi\\_0030\\_citation\\_en001.pdf](https://naturalresources.wales/media/676462/sssi_0030_citation_en001.pdf) (Accessed March 2024)

Site Name	Designation & Citation Link	Distance and Direction from Scheme	Reason(s) for Designation
Coed Ffordd-Las	SSSI <sup>36</sup>	2.7km South	A biological site selected to represent a type of broadleaved woodland which is uncommon in North Wales. The woodland is situated in a steep sided stream valley at low altitude and with a low rainfall. The soils are predominantly of an acid nature with a tree canopy dominated by sessile oak <i>Quercus petraea</i> and sycamore <i>Acer pseudoplatanus</i>
Bryn Euryrn	SSSI <sup>37</sup>	3.8km Northeast	An area of species rich grassland developed on a prominent hill formed mainly of Carboniferous Limestone which outcrops on the southern side in a series of crags.
Sychnant Pass	SSSI <sup>38</sup>	4.8km West	A large area of heath is the dominant vegetation of this site with smaller, areas of bracken and acid grassland. Bell Heather <i>Erica cinerea</i> and Ling <i>Calluna vulgaris</i> are the major components of the heath, the former predominating on the driest slopes
<b>Statutory wildlife sites of regional/local significance within 5km of Scheme (Drawing G10313.018)</b>			
Bodlondeb Woods	LNR <sup>39</sup>	1.8km West	This attractive mixed woodland of 7.5 ha lies between Bodlondeb Park in Conwy and the southern bank of the Conwy Estuary, and is home to a variety of mammals, birds and butterflies. There are good footpath links from the town and also numerous footpaths through the woods with wonderful views over the estuary and out to sea towards the Great Orme.

<sup>36</sup> Natural Resource Wales [https://naturalresources.wales/media/646577/SSSI\\_0577\\_Citation\\_EN001daee.pdf](https://naturalresources.wales/media/646577/SSSI_0577_Citation_EN001daee.pdf) (Accessed March 2024)

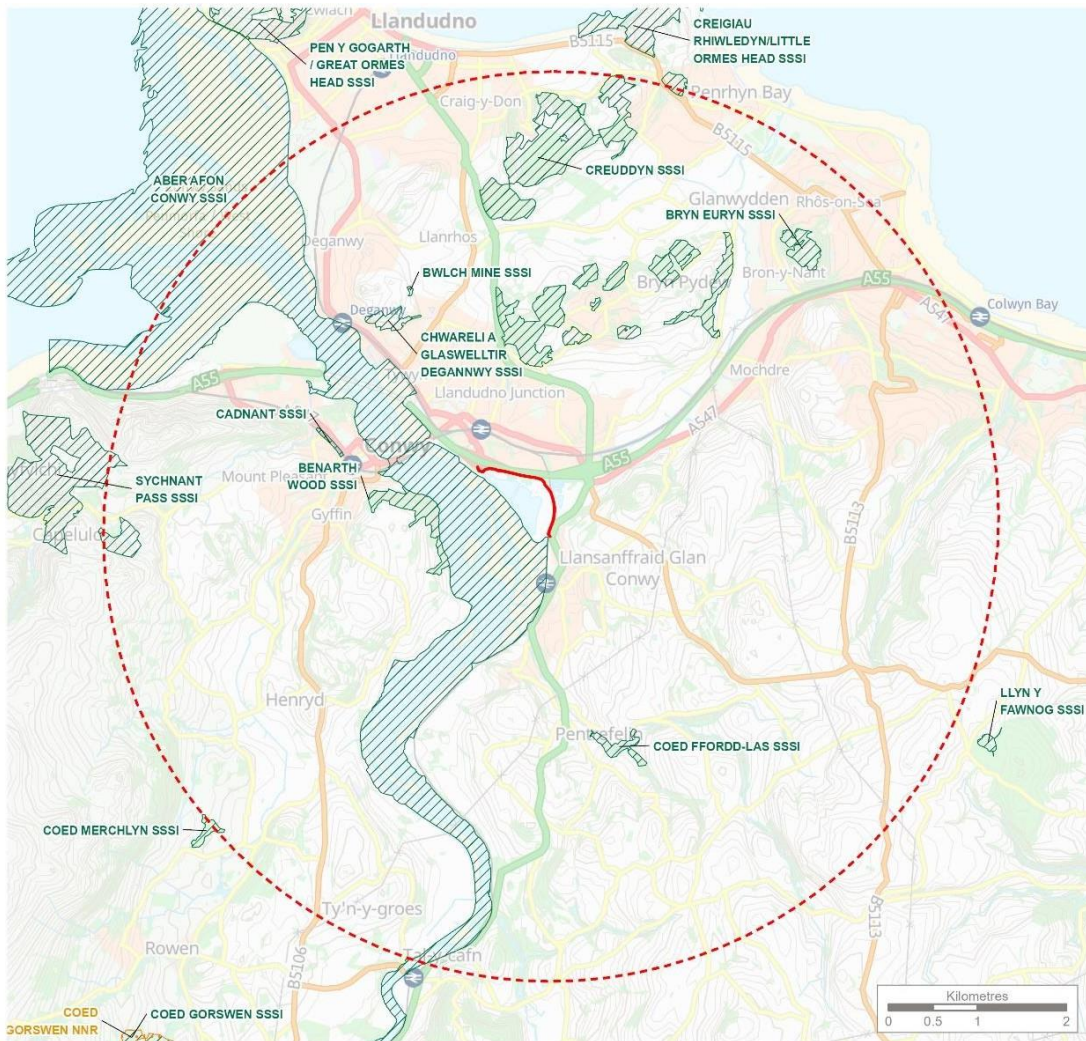
<sup>37</sup> Natural Resource Wales [https://naturalresources.wales/media/634555/SSSI\\_0071\\_Citation\\_EN001e26e.pdf](https://naturalresources.wales/media/634555/SSSI_0071_Citation_EN001e26e.pdf) (Accessed March 2024)

<sup>38</sup> Natural Resource Wales [https://naturalresources.wales/media/655097/SSSI\\_0919\\_Citation\\_EN00161cc.pdf](https://naturalresources.wales/media/655097/SSSI_0919_Citation_EN00161cc.pdf) (Accessed March 2024)

<sup>39</sup> Local Nature Reserve Citation <http://citations.lercwales.org.uk/lnr/79> (Accessed March 2024)







**Key**

- Site boundary
- Site boundary - 5km buffer
- National Nature Reserve (NNR)
- Sites of Special Scientific Interest (SSSI)

Sites searched for were as follows:  
 - Sites of Special Scientific Interest (SSSI)  
 - National Nature Reserve (NNR)  
 - Area of Outstanding Natural Beauty (AONB)

**THE ENVIRONMENT PARTNERSHIP**  
 401 Faraday Street, Birchwood Park, Warrington, WA3 6GA  
 Tel: 01925 844004 e-mail: tep@tep.uk.com www.tep.uk.com

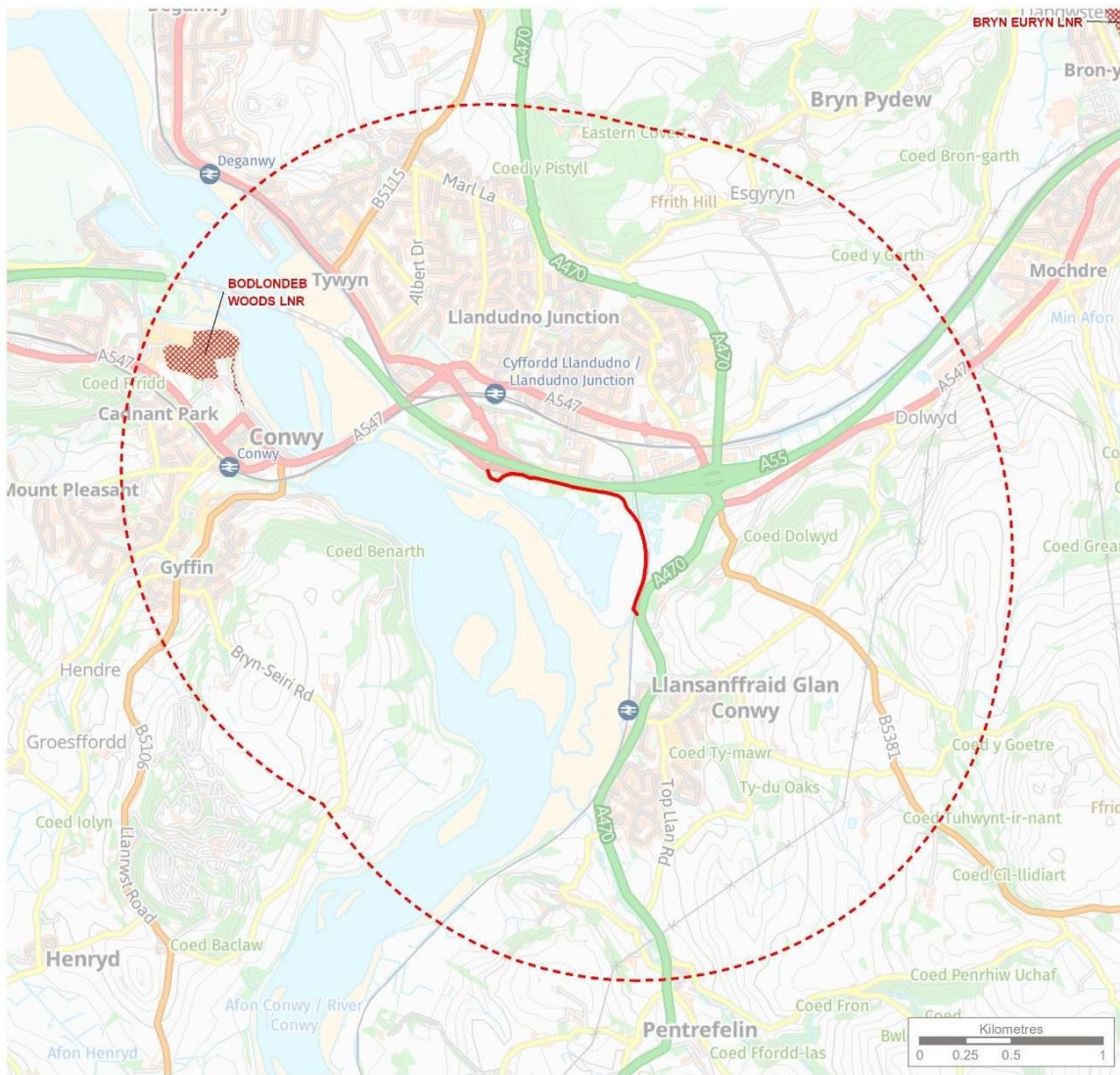
Project: **RSPB Conwy**

Title		
Nationally Designated Sites Within a 5km Buffer		
Drawing Number		
G10313.017		
Scale	Date	
1:60,000 @ A4	28/03/2024	
Drawn	Checked	Approved
AR	CW	SB

© Natural England  
 Contains public sector information licensed under the Open Government Licence v3.0.  
 © Scottish Natural Heritage  
 Contains public sector information licensed under the Open Government Licence v3.0.  
 OS licence number 100017908  
 © Natural Resources Wales  
 Contains public sector information licensed under the Open Government Licence v2.0.  
 OS licence number 100019741  
 Ordnance Survey Data  
 Contains OS data © Crown copyright and database right 2024.  
 Contains data from OS Zoomstack

*Figure 4: Nationally Designated Sites within a 5km Buffer*





- Key**
- Site boundary
  - Site boundary - 2km buffer
  - Local Nature Reserve (LNR)

Sites searched for were as follows:  
- Local Nature Reserves

**THE ENVIRONMENT PARTNERSHIP**  
401 Faraday Street, Birchwood Park, Warrington, WA3 6GA  
Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project  
**RSPB Conwy**

Title  
**Statutory Locally Designated Sites Within a 2km Buffer**  
Drawing Number  
**G10313.018**

Scale  
**1:30,000 @ A4** Date  
**28/03/2024**

Drawn <b>AR</b>	Checked <b>CW</b>	Approved <b>SB</b>
--------------------	----------------------	-----------------------

© **Natural England**  
Contains public sector information licensed under the Open Government Licence v3.0.  
© **Scottish Natural Heritage**  
Contains public sector information licensed under the Open Government Licence v3.0.  
© **Natural Resources Wales**  
Contains public sector information licensed under the Open Government Licence v2.0.  
OS licence number 100019741  
**Ordnance Survey Data**  
Contains OS data © Crown copyright and database right 2024.  
Contains data from OS Zoomstack



*Figure 5: Statutory Locally Designated Sites within a 2km Buffer*

## Non-Statutory Wildlife Sites

5.19 Table 3 summarises the five non-statutory locally designated wildlife sites identified within 2km of the site. The location of these are shown in Figure 6.

*Table 3: Non-statutory local wildlife sites*

Site Name	Status	Distance and Direction from Scheme	Key Interest Feature(s)
RSPB Conwy	RSPB reserve <sup>40</sup>	0.0km	Conwy RSPB reserve is a nature reserve of the Royal Society for the Protection of Birds situated on the east side of the Conwy estuary in Conwy county borough, North Wales. It covers 47 hectares and protects a variety of habitats including grassland, scrubland, reedbeds, salt marsh and mudflats
Benarth Meadows	LWS <sup>41</sup>	1.2km West	Neutral grassland
Coed Cilglasin	Local Wildlife Site (LWS) <sup>42</sup>	1.4km East	Broadleaved woodland.
Fron Pabo (Bryn-teg Pasture)	LWS <sup>43</sup>	1.7km Northeast	Semi-improved limestone grassland.
Hendre Wen Reedbeds	LWS <sup>44</sup>	1.7km East	Reeds

5.20 The Scheme lies within a B-line<sup>45</sup>, Cymru (Figure 7). B-line is an initiative that has mapped insect pathways and the Cymru area is a stronghold for rare species such as the Shrilc carder bee.

<sup>40</sup> RSPB Conwy [https://www.rspb.org.uk/days-out/reserves/conwy?channel=paidsearch&gad\\_source=1&gclid=EAAlQobChMIx-7o\\_ciAhQMVZ2VBAh0uEg-PEAAAYASAAEgLFFfD\\_BwE&gclidsrc=aw.ds](https://www.rspb.org.uk/days-out/reserves/conwy?channel=paidsearch&gad_source=1&gclid=EAAlQobChMIx-7o_ciAhQMVZ2VBAh0uEg-PEAAAYASAAEgLFFfD_BwE&gclidsrc=aw.ds) (Accessed March 2024)

- 41 Safeol <https://safleol.lercwales.org.uk/Public?ID=567> (Accessed March 2024)
- 42 Safeol <https://safleol.lercwales.org.uk/Public?ID=561> (Accessed March 2024)
- 43 Safeol <https://safleol.lercwales.org.uk/Public?ID=156> (Accessed March 2024)
- 44 Safeol <https://safleol.lercwales.org.uk/Public?ID=230> (Accessed March 2024)
- 45 Buglife <https://www.buglife.org.uk/our-work/b-lines/b-lines-wales/> (Accessed March 2024)





Figure 6: Non-statutory wildlife sites within 2km of the site (map provided by COFNOD)



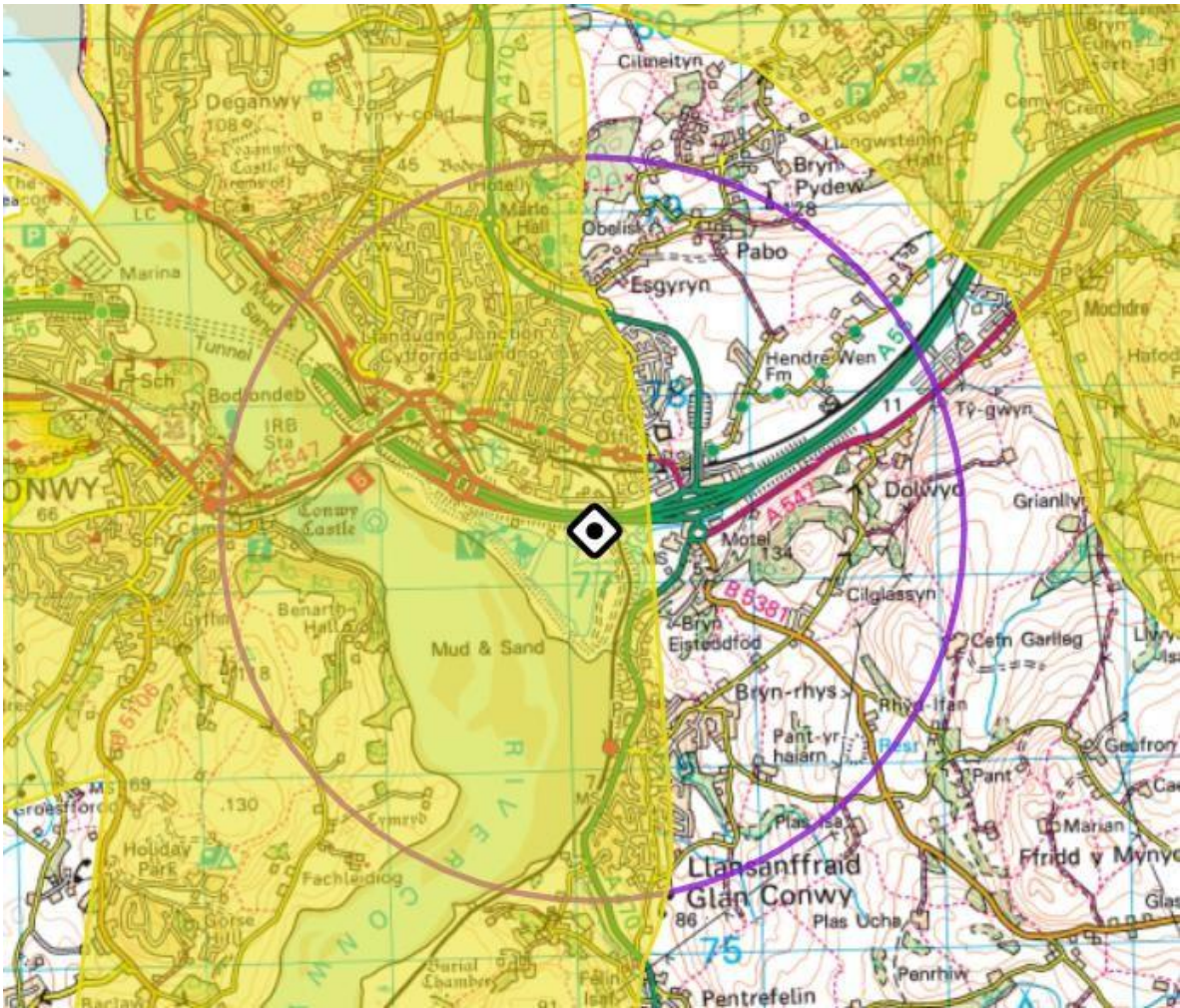


Figure 7: Extract from COFNOD showing the site within a B-line, Cymru (map provided by COFNOD)



## 6.0 Notable Habitats

6.1 Afon Ganol statutory main river as identified on Natural Resources Wales mapping is present on and immediately adjacent to site (Figure 8).

### Habitats of Principal Importance (HPI)

6.2 The following priority habitats are identified within and immediately adjacent to site:

- Afon Conwy and Afon Ganol (Statutory Main Rivers);
- Intertidal Mudflats
- Lowland fens and reedbeds; and
- Saltmarsh.



- Key**
- Site boundary
  - Site boundary - 250m buffer
  - Notable Watercourses**
  - Statutory main rivers
  - Terrestrial Habitats of Principle Importance**
  - Lowland fens and reedbeds
  - Marine Habitats**
  - Seagrass beds
  - Saltmarsh
  - Intertidal mudflats
  - Estuarine rock

401 Faraday Street, Birchwood Park, Warrington, WA3 6JA  
Tel 01925 844054 | email tep@tep.uk.com | www.tep.uk.com

Project  
**RSPB Conwy**

Title  
**Notable Habitats Within and Adjacent to the Site**

Drawing Number  
**G10313.019**

Scale	Date
<b>1:8,000 @ A4</b>	<b>24/04/2024</b>

Drawn	Checked	Approved
<b>AR</b>	<b>CW</b>	<b>SB</b>

**© National Grid**  
Contains Ordnance Survey data. © Crown copyright and database right 2024. OS Licence number 100022021. Contains data created and provided by Centria Biodiversity Data Centre on behalf of Centria Wildlife Trust under a CC BY 4.0 International License.  
**© National Resources Wales**  
Contains public sector information licensed under the Open Government Licence v2.0. OS Licence number AC300084844. Derived in part from data provided under licence by the British Geological Survey © NERC.  
**Ordnance Survey Data**  
Contains OS data © Crown copyright and database right 2024.

Figure 8: Notable habitats within 250m of the site

## 7.0 Protected and Notable Species

### Pre-existing Species Records

7.1 Numerous species records were returned from Cofnod for within 2km of the Scheme. These are summarised in **Error! Reference source not found.**4. As the boundary for the new path is limited the distances are shown in meters rather than kilometres.

*Table 4: Summary of pre-existing species records returned by COFNOD records centre*

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
<b>Amphibians</b>			
Common Toad <i>Bufo bufo</i>	S7, WCA5	3	73m South
Smooth Newt <i>Lissotriton vulgaris</i>	WCA5	5	38m South
Newt Sp <i>Lissotriton Sp</i>	WCA5	2	33m South
Common Frog <i>Rana temporaria</i>	WCA5	3	17m South
<b>Birds</b>			
Lesser Redpoll <i>Acanthis cabaret</i>	S7, WBR, LBAP	2	110m South
Arctic Tern <i>Sterna paradisaea</i>	WBR	2	534m West
Grey Plover <i>Pluvialis squatarola</i>	WBR	1	500m South
Wheatear <i>Oenanthe oenanthe</i>	WBA	7	155m South
Whitethroat <i>Curruca communis</i>	WBA	6	56m South
Willow Warbler <i>Phylloscopus trochilus</i>	WBA	8	53m South
Woodcock	WBA	2	67m South

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
<i>Scolopax rusticola</i>			
Greylag Goose <i>Anser anser</i>	WCA1.2	4	137m Southwest
Meadow Pipit <i>Anthus pratensis</i>	WBA	5	157m South
Teal <i>Anas crecca</i>	WBA	5	162m South
Shelduck <i>Tadorna tadorna</i>	WBA	11	41m South
Common Swift <i>Apus apus</i>	WBA	28	125m South
Avocet <i>Recurvirostra avosetta</i>	WBA, WCA1.1	1	261m Southwest
Barn Owl <i>Tyto alba</i>	WBA, WCA1.1, WCA9	1	419m Northwest
Bullfinch <i>Pyrrhula pyrrhula</i>	WBA	13	26m South
Goshawk <i>Accipiter gentilis</i>	WCA1.1, WCA9	1	1027m West
Skylark <i>Alauda arvensis</i>	WBA, S7, LBAP	2	460m South
Tree Pipit <i>Anthus trivialis</i>	WBA, S7	4	90m South
Scaup <i>Aythya marila</i>	WBA, WCA1.1	3	147m South
Spotted Flycatcher <i>Muscicapa striata</i>	S7, WBA,	4	50m South
Common Sandpiper <i>Actitis hypoleucos</i>	WBA	2	176m West
Common Scoter <i>Melanitta nigra</i>	WBA, WCA1.1, S7	2	82m South
Grasshopper Warbler	S7, BRd	4	0m

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
<i>Locustella naevia</i>			
Water Rail <i>Rallus aquaticus</i>	WBA	9	44m South
Ruff <i>Calidris pugnax</i>	WCA1.1, WBA	2	225m South
Crossbill <i>Loxia curvirostra</i>	WCA1.1	3	348m Southwest
Temminck's Stint <i>Calidris temminckii</i>	WCA1.1	2	351m South
Nightjar <i>Caprimulgus europaeus</i>	S7	1	570m South
Cetti's Warbler <i>Cettia cetti</i>	WCA1.1	5	51m Southwest
Coal Tit <i>Periparus ater</i>	WBA	5	45m South
Common Guillemot <i>Uria aalge</i>	WBA	1	498m South
Little Ringed Plover <i>Charadrius dubius</i>	WCA1.1	1	401m Southwest
Ringed Plover <i>Charadrius hiaticula</i>	S7, WBA	5	155m South
Black Tern <i>Chlidonias niger</i>	WCA1.1	3	285m South
Black-headed Gull <i>Chroicocephalus ridibundus</i>	S7, WBA, LBAP	17	35m South
Great Black-backed Gull <i>Larus marinus</i>	WBA	8	95m South
Chough <i>Pyrhocorax pyrrhocorax</i>	WCA1.1, S7, WBA	4	141m South

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
Long-tailed Duck <i>Ciangula hyemalis</i>	WBA	4	95m South
Cuckoo <i>Cuculus canorus</i>	S7, WBA	1	2300m West
Curlew <i>Numenius arquata</i>	S7, WBA	13	142m Southwest
Curlew Sandpiper <i>Calidris ferruginea</i>	WBA	2	160m South
Whooper Swan <i>Cygnus cygnus</i>	WCA1.1	2	165m South
Dunlin <i>Calidris alpina</i>	WBA	6	188m West
Dunnock <i>Prunella modularis</i>	S7, WBA	6	37m South
Fieldfare <i>Turdus pilaris</i>	WCA1.1, WBA	1	333m South
Firecrest <i>Regulus ignicapilla</i>	WCA1.1, WBA	8	0.0km
Garden Warbler <i>Sylvia borin</i>	WBA	4	0m
Garganey <i>Anas querquedula</i>	WCA1.1, WBA	4	97m South
Golden Plover <i>Pluvialis apricaria</i>	S7, WBA, LBAP	5	101m South
Common Goldeneye <i>Bucephala clangula</i>	WCA1.2, WBA	3	100m South
Goldcrest <i>Regulus regulus</i>	WBA	10	0m
Green Sandpiper <i>Tringa ochropus</i>	WCA1.1, WBA	7	182m West
Great White Egret <i>Ardea alba</i>	WBA	16	89m South

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
Pochard <i>Aythya ferina</i>	WBA	4	162m South
Rook <i>Corvus frugilegus</i>	WBA	5	160m South
Greenfinch <i>Chloris chloris</i>	WBA	19	0m
Greenshank <i>Tringa nebularia</i>	WCA1.1	6	166m South
Yellowhammer <i>Emberiza citrinella</i>	S7, WBA	1	0.0km
Reed Bunting <i>Emberiza schoeniclus</i>	S7	1	44m South
Merlin <i>Falco columbarius</i>	WCA1.1, WBA	3	400m West
Peregrine <i>Falco peregrinus</i>	WCA1.1	6	158m South
Hobby <i>Falco subbuteo</i>	WCA1.1	3	326m Southwest
Hooded Crow <i>Corvus cornix</i>	WBA	1	1150m West
House Martin <i>Delichon urbicum</i>	WBA	8	74m South
House Sparrow <i>Passer domesticus</i>	S7, WBA	13	57m South
Iceland Gull <i>Larus glaucoides</i>	WBA	1	172m South
Kestrel <i>Falco tinnunculus</i>	S7, WBA	5	80m Southwest
Hoopoe <i>Upupa epops</i>	WCA1.1	2	140m South
Jack Snipe <i>Lymnocyptes minimus</i>	WBA	1	208m South



Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
Snipe <i>Gallinago gallinago</i>	WBA	7	99m South
Red-breasted Merganser <i>Mergus serrator</i>	WBA	4	158m South
Yellow-legged Gull <i>Larus michahellis</i>	WBA	2	406m West
Turnstone <i>Arenaria interpres</i>	WBA	4	372m West
Shoveler <i>Spatula clypeata</i>	WBA	4	105m South
Spotted Redshank <i>Tringa erythropus</i>	WBA	5	92m South
Mistle Thrush <i>Turdus viscivorus</i>	WBA	5	26m West
Redshank <i>Tringa totanus</i>	WBA	12	47m South
Shag <i>Gulosus aristotelis</i>	WBA	4	533m West
Pintail <i>Anas acuta</i>	WCA1.2, WBA	4	233m West
Short-eared Owl <i>Asio flammeus</i>	WBA	1	551m West
Sandwich Tern <i>Thalasseus sandvicensis</i>	WBA	5	486m Southwest
Wigeon <i>Mareca penelope</i>	WBA	7	412m Northwest
Oystercatcher <i>Haematopus ostralegus</i>	WBA	21	125m South
Kingfisher <i>Alcedo atthis</i>	WCA1.1	3	154m South

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
Knot <i>Calidris canutus</i>	WBA	5	162m South
Lapwing <i>Vanellus vanellus</i>	S7, WBA	9	100m South
Lesser Black-backed Gull <i>Larus fuscus</i>	WBA	17	60m South
Brambling <i>Fringilla montifringilla</i>	WCA1.1	2	45m South
Red-throated Diver <i>Gavia stellata</i>	WCA1.1, WBA	2	301m Southwest
Velvet Scoter <i>Melanitta fusca</i>	WCA1.1, WBA	1	666m Southwest
Little Gull <i>Hydrocoloeus minutus</i>	WCA1.1, WBA	2	360m South
Spoonbill <i>Platalea leucorodia</i>	WCA1.1, WBA	3	337m South
Mediterranean Gull <i>Ichthyaetus melanocephalus</i>	WCA1.1, WBA	3	76m South
Osprey <i>Pandion haliaetus</i>	WCA1.1, WBA	8	229m South
Herring Gull <i>Larus argentatus</i>	S7, WBA	28	283m West
Wood Sandpiper <i>Tringa glareola</i>	WCA1.1, WBA	1	370m South
Yellow Wagtail <i>Motacilla flava</i>	S7, WBA	2	275m West
Redwing <i>Turdus iliacus</i>	WCA1.1	4	365m South
Common Gull <i>Larus canus</i>	WBA	2	352m West
Bar-tailed Godwit	S7, WBA	4	180m West

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
<i>Limosa lapponica</i>			
Black Tailed Godwit <i>Limosa limosa subsp. limosa</i>	WCA1.1, WBA	11	100m South
Linnet <i>Linaria cannabina</i>	S7, WBA	9	146m, South
Starling <i>Sturnus vulgaris</i>	S7, WBA	9	42m South
Song Thrush <i>Turdus philomelos</i>	S7	13	0.0km
Whimbrel <i>Numenius phaeopus</i>	WCA1.1, WBA	5	158m South
Turtle Dove <i>Streptopelia turtur</i>	S7, WBA	2	157m South
Red Kite <i>Milvus milvus</i>	WCA1.1, S7	4	88m South
<b>Flowering Plants</b>			
Bluebell <i>Hyacinthoides non-scripta</i>	WCA8	6	810m Northeast
New Zealand Pigmyweed <i>Crassula helmsii</i>	WCA9	4	77m South
Purple Ramping-fumitory <i>Fumaria purpurea</i>	S7	2	865m East
Entire-leaved Cotoneaster <i>Cotoneaster integrifolius</i>	WCA9	1	150m South
Himalayan Balsam <i>Impatiens glandulifera</i>	WCA9, IAS	2	1900m Northeast

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
Himalayan <i>Cotoneaster</i> <i>Cotoneaster simonsii</i>	WCA9	4	60m South
Japanese Rose <i>Rosa rugosa</i>	WCA9	8	108m South
Montbretia <i>Crocsmia pottsii x aurea = C. x crocosmiiflora</i>	WCA9	6	42m South
Three-cornered Garlic <i>Allium triquetrum</i>	WCA9	1	1450m North
Variegated Yellow Archangel <i>Lamiastrum galeobdolon subsp. argentatum</i>	WCA9	1	1820m East
Wall Cotoneaster <i>Cotoneaster horizontalis</i>	WCA9	6	35m South
Rhododendron <i>Rhododendron ponticum</i>	WCA9	1	1360m Southwest
Spiked Speedwell <i>Veronica spicata</i>	WCA8	1	1592m Northeast
<b>Terrestrial Mammals</b>			
American Mink <i>Neovison vison</i>	WCA9	2	168m Southwest
Badger <i>Meles meles</i>	PBA	9	168m Southwest
Common Pipistrelle <i>Pipistrellus pipistrellus</i>	EPS, WCA5, LBAP	6	170m West
Daubenton's Bat	EPS, WCA5	5	170m West

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
<i>Myotis daubentonii</i>			
Hedgehog <i>Erinaceus europaeus</i>	S7	8	595m North
Lesser Horseshoe Bat <i>Rhinolophus hipposideros</i>	EPS, WCA5, S7	2	170m West
Nathusius's Pipistrelle <i>Pipistrellus nathusii</i>	EPS, WCA5	2	170m West
Natterer's Bat <i>Myotis nattereri</i>	EPS, WCA5	2	170m West
Noctule <i>Nyctalus noctula</i>	EPS, WCA5, S7, LBAP	2	194m West
Otter <i>Lutra lutra</i>	EPS, WCA5, S7	2	205m Southwest
Pipistrelle Bat species <i>Pipistrellus</i>	EPS, WCA5	1	1307m South
Polecat <i>Mustela putorius</i>	S7, LBAP	2	408m Northwest
Soprano Pipistrelle <i>Pipistrellus pygmaeus</i>	EPS, WCA5, S7, LBAP	9	185m Southwest
Whiskered Bat <i>Myotis mystacinus</i>	EPS, WCA5	2	185m Southwest
Whiskered/Brandt's Bat <i>Myotis mystacinus/brandtii</i>	EPS, WCA5	1	291m Southwest

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
Invertebrates			
Hornet Robberfly <i>Asilus crabroniformis</i>	S7	1	20m South
Beaded Chestnut <i>Agrochola lychnidis</i>	S7	4	73m South
Broom Moth <i>Ceramica pisi</i>	S7	1	145m Southeast
Buff Ermine <i>Spilosoma lutea</i>	S7	4	82m South
Centre-barred Sallow <i>Atethmia centrago</i>	S7	1	1480m Northwest
Cinnabar <i>Tyria jacobaeae</i>	S7	6	61m South
Dark-barred Twin-spot Carpet <i>Xanthorhoe ferrugata</i>	S7	1	158m South
Dingy Skipper <i>Erynnis tages</i>	S7	11	697m North
Double Dart <i>Graphiphora augur</i>	S7	1	141m South
Dusky Brocade <i>Apamea remissa</i>	S7	1	81m South
Dusky Thorn <i>Ennomos fuscantaria</i>	S7	3	45m South
Figure of Eight <i>Diloba caeruleocephala</i>	S7	1	1460m North
Garden Tiger <i>Arctia caja</i>	S7	1	169m South
Ghost Moth <i>Hepialus humuli</i>	S7	3	60m South
Grayling <i>Hipparchia semele</i>	S7	9	350m South

Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
Green-brindled Crescent <i>Allophyes oxyacanthae</i>	S7	6	75m South
Grey Dagger <i>Acronicta psi</i>	S7	1	55m South
Knot Grass <i>Acronicta rumicis</i>	S7	1	94m South
Large Wainscot <i>Rhizedra lutosa</i>	S7, WCA5	4	90m South
Mottled Rustic <i>Caradrina morpheus</i>	S7	5	70m South
Oak Hook-tip <i>Watsonalla binaria</i>	S7	1	159m South
Powdered Quaker <i>Orthosia gracilis</i>	S7	1	69m South
Rosy Rustic <i>Hydraecia micacea</i>	S7	4	49m South
Rustic <i>Hoplodrina blanda</i>	S7	1	53m South
Sallow <i>Cirrhia icteritia</i>	S7	3	100m South
Shaded Broad-bar <i>Scotopteryx chenopodiata</i>	S7	10	25m South
A ruby-tailed wasp <i>Chrysis fulgida</i>	S7	1	1270m West
Shoulder-striped Wainscot <i>Leucania comma</i>	S7	2	136m South
Silver-Studded Blue <i>Plebejus argus cretaceus</i>	S7, WCA5	1	1740m South



Name of Species	Relevant Legislation / Status (as assigned by Cofnod records centre)	Number of records	Nearest record relevance (in meters)
Small Heath <i>Coenonympha pamphilus</i>	S7	6	663m North
Small Square-spot <i>Diarsia rubi</i>	S7	2	60m South
Wall <i>Lasiommata megera</i>	S7	5	1270m North
White Ermine <i>Spilosoma lubricipeda</i>	S7	2	71m South
White-letter Hairstreak <i>Satyrrium w-album</i>	S7, WCA5	2	1060m North
Reptile			
Common Lizard <i>Zootoca vivipara</i>	WCA5, S7	1	100m West
Slow-worm <i>Anguis fragilis</i>	WCA5, S7	7	471m Southeast

## Annex A: Key Ecological Legislation and National Policy

## Relevant Legislation

### International Conventions

- a. The UK is a Contracting Party to numerous environmental conventions, the commonest form of international agreements to encourage a coordinated response to managing the environment. Key environmental conventions ratified in the UK include:
- The Convention on Wetlands of International Importance especially as Waterfowl Habitat ('Ramsar Convention'<sup>46</sup> or 'Wetlands Convention') - provides the only international mechanism for protecting sites of global importance;
  - The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention<sup>47</sup>) - imposes legal obligations on contracting parties, protecting over 500 wild plant species and more than 1,000 wild animal species;
  - The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention<sup>48</sup> or CMS) - provides strict protection for endangered migratory species. The UK has currently ratified four legally binding Agreements under the convention relating to bats (EUROBATS), African-Eurasian migratory birds (AEWA), small cetaceans in the Baltic, Irish and North Seas (ASCOBANS) and albatrosses and petrels (ACAP) in addition to five Memorandum of Understanding (MoU) and is non-party range state to a further Agreement and a further MoU;
  - The Convention Concerning the Protection of the World Cultural and Natural Heritage (UNESCO World Heritage Convention) - seeks to protect both cultural and natural heritage;
  - The Convention on Biological Diversity (Biodiversity Convention<sup>49</sup> or CBD) - provides a legal framework for biodiversity conservation. Within the UK, delivery of the CBD and the Strategic Plan for Biodiversity 2011-2020<sup>50</sup> is guided by the UK Post-2010 Biodiversity Framework<sup>51</sup>.

---

<sup>46</sup> Convention on Wetlands of International Importance especially as Waterfowl Habitat, Ramsar, 2.2.1971 <https://www.ramsar.org/>

<sup>47</sup> Convention on the Conservation of European Wildlife and Natural Habitats. Bern, 1979 <https://www.coe.int/>

<sup>48</sup> Convention on the Conservation of Migratory Species of Wild Animals, Bonn, June 1979 <https://www.cms.int/>

<sup>49</sup> Convention on Biological Diversity, Rio de Janeiro, June 1992 <https://www.cbd.int/>

50 In October 2010, at the 10th Conference of the Parties to the CBD in Nagoya, Japan, the Parties adopted a new 'Strategic Plan for Biodiversity 2011–2020' along with its 20 'Aichi targets'. <https://www.cbd.int/sp/>

51 The framework is overseen by the Environment Departments of the four UK governments working through the Four Countries' Biodiversity Group. It demonstrates how the UK, through each of the four countries, contributes to achieving the 'Aichi targets', and identifies the activities required to complement the individual country biodiversity strategies <https://jncc.gov.uk/our-work/uk-post-2010-biodiversity-framework/>

- b. The legal obligations of the multiple Conventions to which the UK is a Contracting Party are enacted through a suite of national environmental legislation. The most relevant are described in the following paragraphs.

## Conservation of Habitats and Species Regulations

- c. The Conservation of Habitats and Species Regulations 2017<sup>52</sup> (2017 Regulations) transposed the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Wild Birds Directive (Directive 2009/147/EC) (known as the Nature Directives) into domestic law.
- d. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019<sup>53</sup> (2019 Regulations) amends the 2017 Regulations to make them operable following the withdrawal of the United Kingdom from the European Union (EU). Most of the changes involve transferral of functions from European Commission to the appropriate authorities in England and Wales, also extending to Scotland and Northern Ireland and applies to Scotland and Northern Ireland (including the adjacent territorial sea to a limited degree), as regards reserved and excepted matters respectively. It also amends Section 27 of the Wildlife and Countryside Act 1981 to maintain existing protections and enforcement for species of wild birds.
- e. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance and obligations (of a competent authority) remain relevant.

## National Site Network

- f. Under the 2019 Regulations, Special Areas of Conservation (SAC) and Special Protection Areas (SPA) in the UK no longer form part of the EU's 'Natura 2000' ecological network, but instead (along with new SACs and SPAs designated under the 2019 Regulations) form the new National Site Network (NSN). Ramsar sites<sup>7</sup> do not form part of the NSN but remain protected in the same way as SACs and SPAs.
- g. Proposals which may significantly affect a site belonging to the NSN and which are not connected with or necessary to the management of that site require (by Regulations 63 and 64 of the 2017 Regulations, as amended by Regulations 24 and 25 of the 2019 Regulations, respectively) competent authorities to undertake an Appropriate Assessment of the implications of the plan or project in view of that site's conservation objectives. This process is commonly referred to as a 'Habitats Regulations Assessment'

---

<sup>52</sup> Conservation of Habitats and Species Regulations 2017 (SI 2017/1012) <https://www.legislation.gov.uk/ukSI/2017/1012/>

<sup>53</sup> Conservation of Habitats and Species Regulations 2019 (SI 2019/579) <https://www.legislation.gov.uk/ukSI/2019/579/>

(HRA). The assessment must consider the potential effects both of the plan/project itself and in combination with other plans or projects. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest (IROPI) and if the necessary compensatory measures can be secured.

## Protected Species

- h. Certain animals and their breeding sites or resting places are protected under Regulation 43 of the 2017 Regulations, which makes it illegal to:
- Deliberately capture, injure or kill any such animal or to deliberately take or destroy the eggs of such an animal;
  - Deliberately disturb such an animal; and
  - Damage or destroy a breeding site or resting place of such an animal.
- i. Disturbance is defined in the 2017 Regulations as an activity which is likely to impair a species' ability to survive, to breed or reproduce, to rear or nurture young or, in the case of animals hibernating or migratory species, to hibernate, migrate or which may affect significantly the local distribution or abundance; of the species.
- j. A bat's resting place is known as a roost site. Because bats tend to be faithful to roost sites but their biology is such that different roost site characteristics are preferred at different times of the year by different species for different functions, a bat roost is considered to be afforded protection even when it is not occupied.
- k. Certain plant species are protected under Regulation 47 of the 2017 Regulations against deliberate picking, collecting, cutting, uprooting or destruction. It is also an offence to be in possession or control and to transport any live or dead plant or part of a plant of such a species which has been taken in the wild.
- l. The 2017 Regulations (Regulation 55) enables a relevant licensing body to grant a licence for certain activities that may affect animal or plant species protected by the above provisions. The purpose must conform to one of those listed under Regulation 55(2). For most development related activities, the purpose normally relates to Regulation 55(2)(e) 'preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment' – commonly known as the IROPI test. Regulation 55(9) introduces two further tests that the licensing body must consider:
- There is no satisfactory alternative; and

- The favourable conservation status of the species concerned will be maintained and/or enhanced.
- m. Under Regulation 9(1) of the 2017 Regulations (as amended), competent authorities “must exercise their functions which are relevant to nature conservation... so as to secure compliance with the requirements of the Directives”. Regulation 9(3) requires a competent authority, in exercising any of its function, to “have regard to the requirements of the Directives so far as they be affected by the exercise of those functions.” Local planning authorities must therefore consider the above three ‘tests’ when determining if planning permission should be granted for developments likely to cause an offence under the Regulations.

## Wildlife and Countryside Act 1981

- n. The Wildlife and Countryside Act 1981 (as amended)<sup>54</sup> (WCA) is a major legal instrument for wildlife protection in the UK. In respect of habitats and flora, the WCA protects important habitats and/or species as Sites of Special Scientific Interest (SSSI). The designation of UK Ramsar sites<sup>7</sup> has usually been underpinned through prior notification of these areas as SSSI and accordingly they receive statutory protection under the WCA.
- o. The obligations of the Bern Convention<sup>8</sup> (the protection of wild plant and animal species and their natural habitats) are transposed into law for England and Wales<sup>55</sup> by the WCA. The legal requirement for the protection of migratory species listed by the Bonn Convention<sup>9</sup> is also provided by the WCA.
- p. All wild birds (as defined by the WCA and with exception to species listed in Schedule 2) are protected under the WCA, which makes it illegal to:
  - Intentionally kill, injure or take any wild bird;
  - Take, damage or destroy the nest (whilst being built or in use) of any wild bird; or
  - Take or destroy the eggs of any wild bird.
- q. Special penalties are available for offences related to birds listed in Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young. The Secretary of State may also designate Areas of Special Protection (subject to exceptions) to provide further protection to birds. The WCA also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity.

---

<sup>54</sup> Wildlife and Countryside Act 1981 c. 69 <https://www.legislation.gov.uk/ukpga/1981/69/>

<sup>55</sup> In Scotland by the Nature Conservation (Scotland) Act 2004 (as amended) and in Northern



Ireland by Wildlife (Northern Ireland) Order 1985 and the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.

- r. Certain animal species (listed under Schedule 5) of the WCA receive protection which makes it illegal (with certain exceptions) to:
- Intentionally kill, injure or take any such animal;
  - Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal;
  - Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.
- s. The Environment Act (EA) 2021 amends the licensing regime under Section 16 of the WCA 1981 to enable licences to be granted (in England only) for reasons of overriding public interest. This new purpose will enable those involved in development activities to apply for a derogation under the WCA for species domestically protected under Schedule 5 of the WCA 1981.
- t. The amendments introduced by the EA 2021 at Section 16(3) requires that licensed may only be granted (in England) where:
- there is no other satisfactory solution, and
  - the grant of the licence is not detrimental to the survival of any population of the species of animal or plant to which the licence relates.
- u. Plant species listed under Schedule 8 of the WCA 1981 are protected from unauthorised intentional picking, uprooting and destruction.
- v. It is an offence to plant or otherwise cause to grow in the wild any plant that is included in Schedule 9.

## Countryside and Rights of Way Act 2000

- w. Part III of the Countryside and Rights of Way Act 2000<sup>56</sup> (CROW) deals specifically with wildlife protection and nature conservation. It requires that Government Departments have regard for the conservation of biodiversity, in accordance with the CBD. In addition, it requires that The Secretary of State publishes a list of living organisms and habitat types that are considered to be of principal importance in conserving biodiversity.
- x. CROW also amends the WCA, expanding the terms of offences to include reckless activity. It increases the legal protection of threatened species, by also making it an offence to “recklessly” obstruct access to a sheltering place used by an animal listed in

---

<sup>56</sup> Countryside and Rights of Way Act 2000 c. 37 <https://www.legislation.gov.uk/ukpga/2000/37/>

Schedule 5 of the WCA or “recklessly” disturb an animal occupying such a structure or place.

## Environment (Wales) Act 2016

- a. Section 6 of the Environment Act places a duty on public authorities to ‘seek to maintain and enhance biodiversity’ so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to ‘promote the resilience of ecosystems.
- b. Section 7 of the Environment Act requires The Welsh Ministers to publish, review and revise lists of living organisms and types of habitats in Wales, which they consider are of key significance to sustain and improve biodiversity in relation to Wales. This is known as the S7 list.
- c.

## Hedgerow Regulations 1997

- d. Important hedgerows are protected from removal by the Hedgerows Regulations<sup>57</sup> (as amended). Regulation 3 defines the hedgerows to which the Regulations apply. Regulation 4 sets out the criteria for identifying “important hedgerows” including ecological, landscape or historical/cultural reasons. Under the Hedgerow Regulations it is against the law to remove or destroy certain hedgerows without permission from the local planning authority. Works to “important hedgerows” are exempt under the Hedgerow Regulations if planning consent is granted which allows their removal.
- e. The identification of important hedgerows also provides an additional means to value hedgerows aside from their botanical value (e.g. species richness) as the assessment of importance also includes characteristics relating to maturity and structure (e.g. associated features, connectivity, integrity) which will affect the functional value of the hedgerow.

## Protection of Badgers Act 1992

- f. Badgers and their setts receive statutory protection under the Protection of Badgers Act 1992 (PBA)<sup>58</sup>. This makes it an offence to wilfully kill, injure, take, possess or

---

<sup>57</sup> The Hedgerow Regulations 1997 (SI 1997/1167) <https://www.legislation.gov.uk/ukSI/1997/1160/>

<sup>58</sup> Protection of Badgers Act 1992 c. 51 <https://www.legislation.gov.uk/ukpga/1992/51/>

cruelly ill-treat a badger, or to attempt to do so; or to intentionally or recklessly interfere with a sett.

- g. Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it. A badger sett is defined in the legislation as “any structure or place, which displays signs indicating current use by a badger.”

## Wild Mammals (Protection) Act 1996

- h. All UK wild mammals are afforded a degree of protection from certain cruel acts. The Act is intended to preserve animal welfare more so than nature conservation. The Act makes it an offence to use a variety of methods to intentionally cause suffering to a wild mammal. It also has exemptions including in relation to euthanasia and otherwise lawful use of certain methods of killing.

## Relevant National Policy

### Planning Policy Wales 2021

- y. Planning Policy Wales delivers land use planning policy for Wales and provides a framework for the effective preparation of local planning authorities’ development plans. This is supplemented by 21 topic based Technical Advice Notes (TANs). Technical Advice Note 5- Nature Conservation and Planning is a key TAN in relation to nature conservation and biodiversity. TAN 5 states that the town and country planning system in Wales should:
- work to achieve nature conservation objectives through a partnership between local planning authorities, NRW, the Environment Agency Wales, voluntary organisations, developers, landowners and other key stakeholders;
  - integrate nature conservation into all planning decisions looking for development to deliver social, economic and environmental objectives together over time;
  - ensure that the UK’s international and national obligations for site, species and habitat protection are fully met in all planning decisions;
  - look for development to provide a net benefit for biodiversity conservation with no significant loss of habitats or populations of species, locally or nationally;
  - help to ensure that development does not damage, or restrict access to, or the study of, geological sites and features or impede the evolution of natural processes and systems especially on rivers and the coast;
  - forge and strengthen links between the town and country planning system and biodiversity action planning particularly through policies in local development plans and the

preparation of supplementary planning guidance that adds value to Local Biodiversity Action Plans (LBAPs) by highlighting the ways in which the planning system can help to deliver the objectives of LBAPs in practical ways; and

- plan to accommodate and reduce the effects of climate change by encouraging development that will reduce damaging emissions and energy consumption and that help habitats and species to respond to climate change.







THE  
ENVIRONMENT  
PARTNERSHIP

---

**HEAD OFFICE**

Tel: 01925 844004  
E-mail: [tep@tep.uk.com](mailto:tep@tep.uk.com)

**MARKET  
HARBOROUGH**

Tel: 01858 383120  
E-mail: [mh@tep.uk.com](mailto:mh@tep.uk.com)

**GATESHEAD**

Tel: 0191 605 3340  
E-mail: [gateshead@tep.uk.com](mailto:gateshead@tep.uk.com)

**LONDON**

Tel: 020 3096 6050  
E-mail: [london@tep.uk.com](mailto:london@tep.uk.com)

**CORNWALL**

Tel: 01326 240081  
E-mail: [cornwall@tep.uk.com](mailto:cornwall@tep.uk.com)

---