

Protected Species

What are protected species?

Indigenous species of high conservation value or national importance that require international, national or local protection are known as 'protected species'.

Whilst some of these species occur in statutory protected sites others may be found outside of these and therefore are vulnerable.

Species are protected under different types of legislation including the Wildlife and Countryside Act, the Conservation (Natural Habitats, &c.) Regulations, the Hedgerow Regulations and Protection of Badgers Act. The regulations provide different levels of protection to a variety of plants and animals. Some of these species will only be allowed to be disturbed or moved following the granting of a license from Natural England or the Department of Environment Food and Rural Affairs.



Water Vole, Source: www.wildlifeextra.com

Why should species be protected?

Species are protected by legislation for a variety of reasons including a response to the persecution of a species such as collecting and baiting, to the direct impacts of development which destroys habitats and species.



Norfolk has seen a decline in some species as a result of factors such as increased development, decline in water quality, lack of appropriate management and agricultural intensification. Consequently Norfolk has a responsibility in maintaining its International, National and local sites of wildlife value.

Barn Owls, Source: www.naturalsciences.org

Where can I find out which species are protected?

Lists of protected species can be found on the internet contained in the Wildlife and Countryside Act 1981, and the Habitats Regulations 1994. Local Natural England offices will also be able to provide guidance.

What are the penalties for not reporting protected species if they are present?

If a person knows that there are protected species on site and fails to report this to the local planning authority in a planning application then that person is committing a criminal offence which can result in a fine and/or imprisonment. A person is not guilty of offence if harm to a protected species was the incidental result of a lawful operation, and could not have been reasonably avoided.

What do I do if have protected species on site and I need to do work?

Once it is established that either there are protected species on site or they are very likely to be present then a qualified ecologist will need to be approached to undertake a survey to be submitted with a planning application. Details of choosing an ecologist can be found in the guidance note 'Choosing an Ecologist' on the Council website.



Long Eared bats
Source: www.greengirls.global.com

Submitting a species survey after the application has been submitted could risk withdrawal or refusal as the presence of protected species is a material consideration and if there is mitigation needed to protect a species, then this will need to be agreed with the planner prior to a decision being granted.