



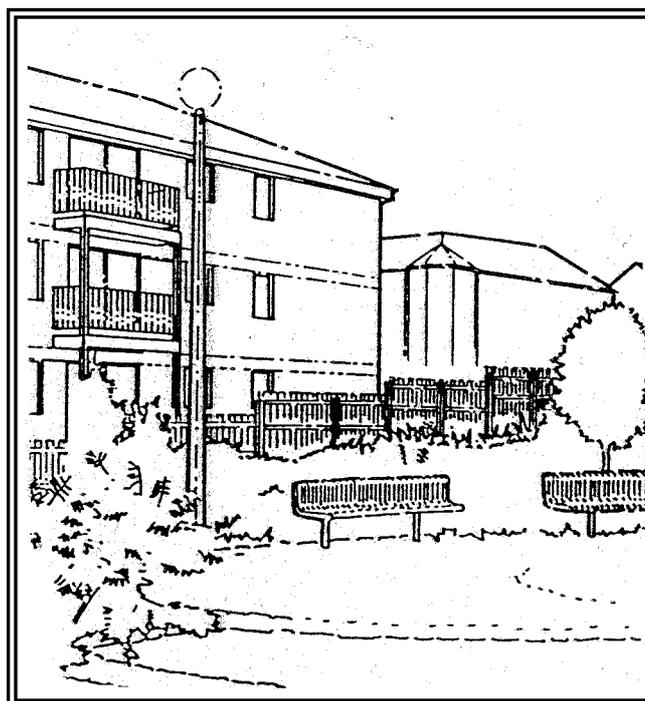
**BLACKBURN**  
*with*  
**DARWEN**  
BOROUGH COUNCIL

**SUPPLEMENTARY PLANNING GUIDANCE**

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# Natural Environment 1: Landscaping & Wildlife Habitat Creation

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**BLACKBURN WITH DARWEN  
BOROUGH LOCAL PLAN**

## **SUPPLEMENTARY PLANNING GUIDANCE**

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This is one of a series of supplementary planning guidance notes prepared by the Council to raise awareness of good design and to improve the quality of new development.

The following titles are available from the Council's Technical Services Department at Blackburn and Darwen Town Halls.

### **Residential and Other Related Uses**

1. New Residential Development
2. Extensions for Detached and Semi-detached Houses
3. Extensions for Terraced Houses
4. Community and Other Uses within Residential Areas
5. Residential Institutions

### **Conservation and Design**

6. Listed Buildings
7. Conservation Areas
8. Outdoor Advertisements and Signs
9. Shopfront Design and Security
10. Industrial and Warehousing Buildings

### **Rural Areas**

11. Agricultural Buildings
12. The Conversion of Buildings in the Countryside
13. Village Appraisals

### **Natural Environment**

14. Landscaping and Wildlife Habitat Creation
15. Species Protection

### LANDSCAPING

The spaces around buildings are as important as the buildings themselves to the character and amenity of an area. Landscaped areas benefit users of the development itself and the surrounding area. They provide a setting for buildings and a buffer between development and adjoining land as well as offering shelter from the elements, a filter for air borne pollutants and a habitat for wildlife. Existing natural features incorporated into a development immediately provide identity and character to a scheme and continuity with the past.

All proposals must therefore consider the landscape setting of a development at the earliest stages and not as an afterthought. The consideration of open areas and their landscape in any development ensures that a basic environmental quality is secured. Landscape conditions are now standard on all planning permissions for significant new developments. Developers should refer to Local Plan Policy HD9 which sets out the requirements for landscaping on development proposals.

#### **What is landscaping?**

In practice, landscaping may include some or all of the following:

- retention of existing features such as trees, hedges, walls or water courses;
- planting of new trees or hedges or creation of new habitats. Tree planting can be one of the quickest and easiest ways of improving the environment, but must not be at the expense of other habitats;
- formation of banks, terraces or other mounding;
- provision of other amenity features such as seating or playgrounds; or
- hard landscaping.

#### **What landscaping details are required when submitting a planning application?**

This will depend on the scale and location of the proposed development. In every case, however, the onus is on the applicant to provide sufficient information and appropriately detailed plans to enable the Council to judge the full impact of the proposal.

## LANDSCAPING & WILDLIFE HABITAT CREATION

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The following checklists A to D are a guide to the information required by the Council. Developers should work through the checklists and decide which items are relevant to their applications:

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### **Checklist A      Survey of Existing Features**

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A plan at an appropriate metric scale (generally 1:200) of the site and its immediate surroundings showing:

Title, north point, scale and key.

The position of all existing landscape features on the site such as trees, walls and water courses and adjacent to the site where the development may affect the future survival of a feature.

Details of existing trees, hedge or shrub groups following the format suggested in Table 1 (Page 7).

*Note: Trees covered by a Tree Preservation Order must be identified separately*

Existing levels (contours and/or spot levels as appropriate)

Existing services and manholes, drains, ditches, channels and other water features.

Existing hard surfaces, buildings, other structures and all other artefacts.

Existing footpaths and Public Rights of Way on or adjoining the site.

Specialist surveys of the site may be required, e.g. Ecological, Arboricultural or Archaeological.

## LANDSCAPING & WILDLIFE HABITAT CREATION

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### Checklist B Site Layout Details

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The site layout plan of the proposed development must include the following:

Position of trees and other landscape features identified in the survey, clearly indicating those to be retained, those to be removed and those requiring surgery.

For trees etc. to be retained, details of protection during construction, including the position and type of protective fencing (See British Standard 5837 section 8 for details).

Proposed services layout including surface and foul drainage, electricity, gas, water, telecommunications, manholes and underground storage tanks. Excavation dimensions to be provided wherever critical in relation to vegetation.

Details of temporary site access points or roads.

Position of site huts and materials storage areas.

Details of highway sight lines and visibility splays.

Hard landscape plan showing all new structures and hard surfaces in outline.

Areas to be set aside for new planting.

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### Checklist C Proposed Planting Scheme

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A landscape plan indicating all proposed trees, hedges, shrubs or other features including the following details:

Exact location, species, number (or density of planting), size at planting\* and ground preparation measures.

Schedule of maintenance operations for first five years including standards and frequency.

Note: Landowners/developers must undertake maintenance directly or agree to arrangements to ensure that initial and subsequent occupiers undertake maintenance (Section 106 Agreements).

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*\*See Plant Specification Chart for Tree and Shrub Standards in Table 2.*

**Checklist D                      Management Proposals**

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At an early stage the developer should clearly define private garden space, private amenity space, public amenity areas, highway verges and sight lines. The developer should also indicate what land will be retained by the company.

Where land may be transferred to the Borough Council as public open space or as an adopted highway an early indication of the proposed landscaping will be necessary.

The developer should be aware that a commuted sum may be negotiated for where adoptable highway verges have tree or shrub planting. A commuted sum will also be negotiated for all Public Open Space areas.

**When are landscape details required?**

Normally, full landscape details, i.e. checklists A to D, will be required with a detailed planning application. In some cases the proposed planting scheme in Checklist C may be submitted after planning permission has been granted but before work starts on site, in accordance with a condition attached to the permission. However, the survey of existing features and site layout details included in Checklists A and B must be submitted with the initial application.

For outline applications the survey of existing features in Checklist A will be required along with as many details in Checklist B as possible.

### **How will the landscape scheme be assessed?**

The main principles on which landscaping will be judged are as follows:

- Existing trees, hedges and significant shrubs should be retained where appropriate. Planning for the retention and protection of trees should follow the guidelines of British Standard 5837 'Code of Practice for Trees in Relation to Construction'.
- New or existing landscape features must be appropriate to the setting. Planting schemes should use species appropriate to the situation. They should be native and of local provenance wherever possible.
- A harmonious arrangement should be planned between the new development and new or existing landscape features. The ultimate height and spread of plants should be carefully considered so that they do not cause unreasonable nuisance to buildings or their occupants. A useable garden area should be provided beyond the crown of existing or proposed trees. The Council wishes to avoid the situation where complaints are received from occupants of houses built too close to trees.
- Landscaping should not normally be used to screen a development which would otherwise be visually unacceptable.
- New or existing landscaping must not obscure highway sight lines or visibility splays.
- Landscaped areas should be planned to ensure that maintenance is straightforward and does not become a future problem, particularly in relation to highway sight lines.
- Private garden space should not be relied upon to achieve landscaping of larger developments. Public open spaces, private communal open spaces or highway verges should be provided to allow for 'structural planting' i.e. planting provided for wider public benefit.

### **What action should be taken before site works start?**

The developer must ensure that all conditions, particularly those relating to protection of trees and other landscape features, have been complied with before any site works start. Landscape features to be retained must be clearly identified and protective fencing must be erected.

### **What are the priorities during the construction period?**

This is the critical stage of a development when all preliminary plans and good intentions can be undone with a heavy machine in a matter of minutes.

### **Trees**

The majority of tree roots are in the upper 600 mm of soil and are very sensitive to changes in ground conditions. Damage or death of the root system will affect the health, growth, life expectancy and safety of the rest of the tree. Damage to the trunk and branches can also severely disfigure the tree as well as being detrimental to its health.

The main operations on a construction site which are likely to damage trees are:

- excavation or soil tipping
- compaction of the ground by heavy equipment or frequent trampling
- raising or lowering soil levels
- covering the rooting area with impervious surfaces
- changes in drainage conditions
- leaks or spills of toxic materials
- storage of materials
- fire or heat damage
- breaking branches or scuffing bark

If protective fencing has been erected in an agreed position and is not moved during the construction period, trees should survive, although it is advisable to avoid damaging operations in areas adjacent to the protected zone. The area within the protective fence must be treated as a 'no-go' area for people, machinery and materials for the duration of the construction period.

## LANDSCAPING & WILDLIFE HABITAT CREATION

**TABLE 1 Tree Survey**

**Site:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Surveyed By:** \_\_\_\_\_

<b>Information Required</b>	
Tree No. or Reference	
Species	
Legal	T. P. O., Conservation Area, Condition etc.
<b>For All Existing Trees</b>	
Class	See BS 5837 section 5.2
Height	Estimated in metres
Crown Spread	Radius on north side, east side etc.
Age	0-1/3 Young (new plant to one third of total life expired)
	1/3-2/3 Middle aged (one third to two thirds of total life expired)
	2/3-1 Mature or over mature
Vigour	NV Normal Vigour
	LV Low Vigour
Diameter Breast Height	Diameter at 1.5 m (in mm)
Protected Area (Radius)	In meters, radius from centre of tree as defined by BS 5837
Comments	
<b>Forecast *</b>	
Height	Estimated in metres
Crown Spread Diameter	Average in metres

\* dependent on local conditions. Assumes tree crown developed naturally unless regular management is proposed (e.g. crown reduction) and is shown on approved plans.

Source: Arboricultural Association 1997

### **Specification of Trees and Shrubs**

**Seedling:** Seedlings shall have been grown from seed and have remained undisturbed since sowing. Their age in years shall be specified when the plants are offered for sale.

**Transplant:** A transplant shall have been transplanted or undercut at least once. The age and height shall be stated. The number of transplants or undercuts shall also be stated if occurring more than once.

**Container Grown Shrubs and Conifers:** Container grown shrubs and conifers shall, whatever the time of year they are sold, have been established long enough in the container for substantial new root growth to have been produced within the container.

Upright growing shrubs and conifers shall be measured by their overall height from ground level, excluding any container. Spreading shrubs and conifers shall be measured by their mean diameter of spread.

**Heavy and Extra-Heavy Standard Trees:** All standards shall be supplied bare root, root-balled or container grown.

All standards shall have been previously transplanted at least once during their life and should have reasonably straight stems. Bottom-worked trees may have no more than a slight bend at the union. The head shall be well developed for its type and evenly balanced. Standards shall have a central leader.

For all standards, other than weeping standards, the overall height shall be stated when plants are offered for sale. For all weeping standards the clear stem height shall be stated.

**Table 2 Plant Specifications**

<b>Designation</b>	<b>Relevant British Standard</b>	<b>Circumference of Measured 1m from Ground Level</b>	<b>Height from Ground Level</b>	<b>Clear Stem Height from Ground Level to Lowest Branch</b>
Seedling Seedling Undercut Seedling (1u1) Undercut Seedling (1u2) Transplant (1+1) Transplant (1+2)	BS3936	Does not apply	15-30cm 30-45cm 45-60cm 60-90cm 90-120cm	Does not apply
Whip	BS3936	Does not apply	1.2-1.5m 1.5-1.8m 1.8-2.1m 2.1-2.5m	Does not apply
Feathered	BS3936	Does not apply	1.5-1.8m 1.8-2.1m 2.1-2.5m 2.5-3.0m 3.0-3.5m	Does not apply
Short standard Half standard Extra light standard Light standard Tall standard Selected standard	BS3936	Not specified Not specified 4-6cm 8-10cm 8-10cm 10-12cm	Not specified 1.8-2.1m 2.1-2.5m 2.5-3.0m 3.0-3.5m 3.0-3.5m	1.0-1.2m 1.2-1.5m 1.5-1.8m 1.5-1.8m 1.8 min 1.8 min 1.8 min
Heavy standard Extra heavy standard Extra heavy standard Extra heavy standard	BS5236	12-14cm 14-16cm 16-18cm 18-20cm	3.5-4.25m 4.25-6.0m 4.5-6.25m 4.5-6.5m	1.8 min 1.8 min 1.8 min
Semi-mature	BS4043	20-75cm	6.0-12.0m	To be specified

### **Other Features**

Other features such as ponds and walls can also be damaged by poor site management and it is important that they too are protected by a buffer zone. The size of the protected area will be dependent on the feature in question, but all of the above can have equally damaging effects on other habitats and features to the detriment of the development.

### **Key Actions**

- Erect and maintain protective fencing
- Avoid damaging operations adjacent to protected areas
- KEEP OUT of protected areas

### **Note on protected species**

Several species of plant and animal are specially protected by the Wildlife and Countryside Act 1981 (as amended). Of concern in this Borough are Bats, Barn Owls and Great Crested Newts which are covered by this legislation and badgers, which are covered by separate legislation, the Badgers Act 1991. Developers should be aware that it is an offence to interfere with these species or the places in which they live and breed. A separate guidance note, "Natural Environment 2: Species Protection" outlines the main areas of the law that developers should be aware of in drawing up development proposals.

**WILDLIFE HABITAT CREATION**

**Creating New Native Woodland**

On larger development sites there may be scope to create areas of new native woodland. The type of woodland created should be influenced by the location of the development. The following is a summary of the common woodland types that occur in Lancashire and this Borough. The tables have been drawn from the Forestry Commission’s publication ‘Creating New Native Woodland’ Bulletin 1132, prepared by the Lancashire Trees and Woodlands Forum.

The use of native trees and shrubs to create new woodlands has increased greatly in recent years because of a growing interest in obtaining environmental benefits from new planting.

The guidance is intended to help in choosing the most appropriate tree and shrub species, and woodland type, for the site to be planted. The guidance is based on expert knowledge of the most natural surviving woodlands in Lancashire, in terms of where they grow and what trees and shrubs they contain (very rare types of woodland are excluded).

**The Main Native Woodland Types in Lancashire**

<b>Woodland Types</b> (Codes refer to National Vegetation Classification)		<b>Appropriate Situation</b>
W6	Alderwood	Seasonally waterlogged sites, often by lowland watercourses
W7	Alderwood	Damp valley slopes with groundwater seepages
W8	Mixed Broadleaved Woodland	Well-drained base-rich lowland sites (often over limestone)
W9	Mixed Broadleaved Woodland	Well-drained base-rich upland fringe sites (sometimes over limestone)
W10	Oakwood	Neutral or rather acid soils on the plain and lower valley slopes: the commonest type of native woodland in Lancashire
W11	Oakwood	Neutral or rather acid soils on the larger valley sides and lower hills
W16/17	Oak-birch woods	Upland clough or gill sites on strongly acid soils

## LANDSCAPING & WILDLIFE HABITAT CREATION

### Species to be Planted in New Native Woodland Schemes in Lancashire

#### Native Woodland Types

	Lowland			Upland Fringe			Upland		
	W6	W8	W10	W7	W9	W10	W11	W16	W17
<b>Trees</b>									
Alder	●			●	○				
Ash	○	●	○	●	●	○			
Aspen		○	○						
Downy Birch	○			○	●	●	●	●	●
Silver Birch		○	●						
Bird Cherry				○	○				
Gean		○	○						
Holly		○	○	○	○	○	○		
Common Oak	○		●						
Sessile Oak		●			○	●	●	●	●
Rowan		○	○	○	●	○	○	○	○
Goat Willow	○	○		○					
Crack Willow	●								
<b>Shrubs</b>									
Blackthorn		○	○	○		○			
Guelder Rose		○	○	○		○			
Hawthorn		●	●	●	○	●	●		
Hazel		●	●	●	●	●	●		
Grey Sallow	●	○		●	○				

1. Closed circles (●) are major components; open circles (○) minor components in a planting mix.
2. Woodland-type codes refer to the National Vegetation Classification. Note that W10 occurs in both lowland and upland fringe situations.
3. This table is for guidance only; variations in the way the species listed are combined may be appropriate to suit individual site conditions.
4. Other native tree or shrub species may also be appropriate on certain sites, but expert advice should be obtained before using them. Other species may be appropriate on very difficult or unusual sites.
5. Expert advice is also recommended on the relative proportions of the species shown to suit individual sites.
6. It is important to use species of native provenance wherever possible in the creation of new woodland and preferably to use stock from sources in the North West.
7. As with tree planting generally, woodland should not be created on habitats that are already of value in their own right.

## LANDSCAPING & WILDLIFE HABITAT CREATION

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These are very basic guidelines. For more detail, developers are referred to the Forestry Commission's publication 'Creating New Native Woodland' and 'Wild about the North West: A Biodiversity Audit of North West England'. Applicants are encouraged to take expert advice when creating new native woodland.

The Council, in conjunction with partner organisations in East Lancashire, has developed a strategy to increase woodland cover in the area and to maximise its social value. Wherever appropriate, developers will be encouraged to prepare landscaping plans in ways that contribute to the strategy's objective.

*(Information reproduced with permission of Lancashire County Council Environment Directorate).*

Trees are not the only habitat that should be conserved or created in conjunction with new development. The following is an outline of the other habitats commonly found in the urban parts or the urban fringes of Blackburn with Darwen Borough and which it would be appropriate to create. Habitat creation should only take place in situations where there is presently no habitat of any worth. The information given regarding the introduction of new habitats is brief and does not cover all eventualities and expert advice may need to be sought from Lancashire Wildlife Trust, English Nature or a private consultant. Descriptions of all habitats found within the Borough can be found in 'Wild about the North West: A Biodiversity Audit of North West England' (1999).

### **Lowland heath creation**

Lowland heath, characterised by heather and bilberry, is an important habitat that can still be found in the urban parts of the Borough. Heathland creation is particularly suited to areas of bare, sandy soils with little or no topsoil, where tree planting would be inappropriate. It is a suitable treatment where it would extend or link with existing areas of heath or where it is known that heathland would have been present in the past.

Where heathland vegetation has been lost completely the site should be scraped to the mineral soil layer and all surface litter removed. On former heathland sites there may be an existing seed bank, but seed would need to be added if rapid cover is required. Local seed in the form of cuttings or heather litter from native heathland in northern England, is more likely to establish locally and therefore should be used wherever practicable. The site should first be disced in two directions and cuttings should be applied by hand or manure spreader to a depth of 2 cm and at a rate of 6,000 to 10,000 kg/hectare of fresh material. This should be followed by Cambridge rolling to promote germination and establishment, which may take a number of years, depending on weather conditions.

The site should not be disturbed for 3 to 4 years and there should be no applications of fertiliser unless the substrate is particularly deficient in mineral nutrients. Invasion of unwanted species should be controlled by mechanical means or herbicide application where there is no alternative. Bracken can be a particularly invasive plant. Where it becomes invasive asulam spraying may prove to be the most cost effective control. Once established, the heath will require to be cut to keep the heather in good condition. On lowland heath, it may be managed by burning, mowing and grazing although mowing is often the only practical means of management. It should be done on a 5 to 10 year rotation, although management regimes may be varied to accommodate specific bird species that may colonise the heath.

### **Ponds**

Ponds are rapidly being lost from the British landscape and with them, important habitats for wildlife. Water features add to the landscape, especially in an area like Blackburn where natural water bodies are relatively scarce. Ponds are particularly welcome in larger residential and industrial developments to provide variety in the landscape.

The pond should be sited away from pollution sources such as roads and should not be shaded by buildings or trees. If close to houses, the basin should be shallow, no more than 1 metre deep at the deepest point and should shelve gradually with no sudden changes in level. If the pond is not in the vicinity of houses, it can be deeper and have shelves at different levels. The pond should not be sited where it may drain adjacent wetlands. Pond liners may be necessary where the soil is other than clay. Holes may simply be excavated and left and the pond allowed to fill and colonise naturally. If a more rapid effect is required, then locally native plants should be introduced to the water body and its margins. Edge planting should not shade the pond.

### **Wildflower grassland creation**

Conservation of wildflower meadows is a high priority because so few have survived modern agricultural practices. New meadows cannot replace the ancient habitats, but they help to secure the future for native plants and animals and are very attractive.

Wildflower grass creation should expand and link existing areas of wildflower-rich meadow, pasture or other wildlife habitat, or act as a 'buffer' to protect land from disturbance or pollution. Meadow creation is most likely to succeed on land that has not been under intensive cultivation and where soil fertility is low. Fertility can be reduced by artificially stripping top soil, but this must not upset adjacent drainage patterns. There are several methods by which wildflower meadows can be created:

#### **Overseeding**

The sward is rotavated and a wildflower seed mixture (without a grass mix) is sown on top

#### **Slot seeding**

Using for example, a rotary strip-seeder, this method provides a means of enriching an existing sward without destroying it completely. On fertile soils, however, young seedlings can be swamped by grass regrowth into slots.

#### **Wildflower plugs and slots**

Plants are introduced when the sward is established. This method is particularly useful for species that establish slowly from seed, such as harebell.

#### **Natural colonisation**

Can produce attractive meadows, but is likely to take too long to reach an acceptable condition.

Preparation of the seed bed is important. It should have a fine tilth, a firm surface to prevent wind erosion and be free of weeds. It may be necessary to break up compacted sub-soil by chain harrowing, discing and rolling to create a fine tilth. Soil disturbance encourages weed growth. This can be combated by sowing a nurse crop such as Westerwolds ryegrass, which will help the wildflowers to out-compete the weeds and then disappear itself, by cutting, rolling or 'bruising' the weeds before they flower or by careful use of non-persistent herbicides.

Sowing plants that are adapted to local site conditions can prevent expensive failures. Only native species must be used to avoid changes to British habitats. Species developed for agricultural use tend to be aggressive, crowding out native plants and should be avoided.

It is important that seeds should be sourced, using sustainable techniques, from native, long-established grasslands in North West England, preferably from sites that are as local as possible. This is far preferable to using mixes from agricultural/amenity supplies which are unlikely to be of local provenance and may even contain imported seed.

Proprietary seed mixes may be acceptable where the intention is, for example, to create a 'flowery sward' as part of a landscaping scheme rather than a meadow. In such instances a seed mix of 5 to 10 species of grass, making up 80% of the mix, and 5 to 25 species of wildflower, making up the remainder, should be adequate in most cases. Sowing rates should be 2 to 3 grammes per square metre (20-30 per hectare). The charts on the following pages list species suitable for this Borough. Sowing in August or September will generally give the best results because conditions tend to be both warm and moist, giving plants a good start. Some wildflower seeds need a spell of cold weather to stimulate germination the following spring.

Management is essential to keep wildflower meadows looking attractive and to ensure their long-term survival. Ideally they should be managed using traditional farming techniques with an annual hay cut taken no earlier than mid-July and as late as September if possible, to provide maximum wildlife benefit.

The management regime adopted will be influenced by growth rates and the type of meadow desired. For the first two years, three cuts a year may be required: in April to depress weed growth and allow flowers to establish; June, following flowering and September to tidy the site before winter. If a high proportion of annuals has been sown to provide a colourful display in the first year, then do not cut in the following spring, wait until the end of June when these species have flowered and set seed. Where annuals such as Yellow Rattle have been sown in a general purpose mix, set the cutter bar high if carrying out an early cut and do not cut after the beginning of April.

Meadows sown in autumn need no management until the following spring. Where growth is vigorous cut to a height of 4cm where the sward exceeds 10cm. A second cut may be required in early May. Cut again in mid-September or mid-October.

Meadows sown in spring should be cut to a height of 4 cm when the average sward exceeds 10cm, about 6-8 weeks after sowing. A final cut should be made in September or October.

Once established, the management regime will be dependent on the type of meadow required.

### **Spring meadow**

Cut once a month from mid-June to September. The first cut to 5 cm, the remainder to 10cm.

### **Summer meadow**

Cut once a month April to June to a height of 5 cm or make one cut in mid to late July, the traditional hay cutting time.

## LANDSCAPING & WILDLIFE HABITAT CREATION

### Minimal maintenance

Requires a single cut in autumn to 5 cm. This keeps coarse grasses in check but produces a less attractive meadow.

Do not cut too low as bare soil encourages weed invasion. Do not cut when damp as machinery may damage the ground. All cuttings must be removed.

<b>SPECIES</b>		<b>SOIL CONDITIONS</b>		
<b>Grasses</b>		<b>Neutral</b>	<b>Acid</b>	<b>Damp</b>
<i>Agrostis capillaris</i>	Common Bent	✓	✓	
<i>Agrostis stolonifera</i>	Creeping Bent		✓	
<i>Alopecurus pratensis</i>	Meadow Foxtail	✓	✓	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	✓	✓	
<i>Briza media</i>	Quaking Grass	✓		
<i>Cynosurus cristatus</i>	Crested Dog's Tail	✓		
<i>Deschampsia flexuosa</i>	Wavy Hair Grass		✓	
<i>Deschampsia cespitosa</i>	Tufted Hair Grass			✓
<i>Festuca ovina</i>	Sheep's Fescue		✓	
<i>Festuca pratensis</i>	Meadow Fescue	✓		✓
<i>Festuca rubra commutata</i>	Chewings Fescue	✓		
<i>Festuca rubra rubra</i>	Red Fescue	✓	✓	
<i>Festuca tenuifolia</i>	Fine-leaved Sheep's Fescue		✓	
<i>Poa compressa</i>	Flattened Meadow Grass	✓		
<i>Poa pratensis</i>	Smooth Meadow Grass	✓		
<i>Poa trivialis</i>	Rough Meadow Grass	✓		✓

<b>SPECIES</b>		<b>SOIL CONDITIONS</b>		
<b>Wildflowers</b>		<b>Neutral</b>	<b>Acid</b>	<b>Damp</b>
<i>Achillea millefolium</i>	Yarrow	✓	✓	✓
<i>Achillea ptarmica</i>	Sneezewort	✓		✓
<i>Agrimonia eupatoria</i>	Agrimony	✓		
<i>Ajuga reptans</i> <sup>T</sup>	Bugle			✓
<i>Caltha palustris</i>	Marsh Marigold			✓
<i>Campanula rotundifolia</i> <sup>T</sup>	Harebell	✓	✓	
<i>Cardamine pratensis</i>	Lady's Smock	✓		✓
<i>Centaurea nigra</i>	Knapweed	✓	✓	
<i>Filipendula ulmaria</i>	Meadowsweet			✓
<i>Galium verum</i>	Lady's Bedstraw	✓		
<i>Geranium pratense</i>	Meadow Cranesbill	✓		
<i>Glechoma hederacea</i> <sup>T</sup>	Ground Ivy	✓		
<i>Hieracium perforatum</i>	Perforate St John's Wort	✓		
<i>Hypericum pulchrum</i>	Slender St John's Wort	✓	✓	
<i>Hypericum tetrapterum</i>	Square Stalked St John's Wort		✓	✓
<i>Hypochoeris radicata</i>	Common Cat's Ear	✓	✓	
<i>Leontodon autumnalis</i>	Autumn Hawkbit	✓	✓	
<i>Leontodon hispidus</i>	Rough Hawkbit	✓		
<i>Leuchanthemum vulgare</i>	Oxeye Daisy	✓		
<i>Lotus corniculatus</i> <sup>*</sup>	Bird's Foot Trefoil	✓	✓	

*continued*

## LANDSCAPING & WILDLIFE HABITAT CREATION

SPECIES	SOIL CONDITIONS		
	Neutral	Acid	Damp
<b>Wildflowers</b>			
<i>Lotus uliginosus</i> *			✓
<i>Lychnis flos-cuculi</i> <sup>D</sup>	✓		✓
<i>Lycopus europaeus</i>			✓
<i>Plantago lanceolata</i>	✓	✓	
<i>Plantago media</i>	✓		
<i>Potentilla erecta</i>	✓	✓	✓
<i>Pulicaria dysenterica</i>			✓
<i>Prunell vulgaris</i>	✓	✓	✓
<i>Ranunculus acris</i>	✓		✓
<i>Ranunculus bulbosus</i>	✓		
<i>Ranunculus repens</i>	✓	✓	✓
<i>Rhinanthus minor</i>	✓	✓	✓
<i>Rumex acetosa</i>	✓	✓	
<i>Rumex acetosella</i>	✓	✓	
<i>Sanguisorba officianalis</i>	✓		✓
<i>Silene vulgaris</i>	✓		
<i>Stachys officianalis</i>	✓	✓	
<i>Stachys palustris</i>	✓		✓
<i>Succisa pratensis</i>	✓	✓	✓
<i>Tragopogon pratensis</i>	✓		
<i>Vicia cracca</i>	✓		
<i>Vicia sepium</i>	✓		

<sup>T</sup> = plant as a transplant

\* = legume (use native strain only)

<sup>D</sup> = damp soil

### Greenspace corridors

Greenspace corridors are linear open spaces or 'necklaces' of open space that link the town with the surrounding countryside. Corridors facilitate the migration of wildlife, offer people opportunities for informal recreation and provide a break in the built-up area.

These corridors will work provided they are allowed to remain as linear open spaces. The type of open space within corridors may vary from the formal to informal open space. The latter is more valuable to wildlife whilst the former may be preferred by people. A compromise can generally be reached to maintain wildlife habitats that are sufficiently well managed to be acceptable and to be perceived as safe by people.

### The corridors must remain intact

A corridor will cease to function effectively if it becomes a series of individual green spaces. Breaks in the line hinder the movement of wildlife and reduce the opportunities for human use. Buildings or uses that encroach on the corridor must have sufficient space around them to enable the corridor to function. The amount of space required is dependent on the individual proposal and its location in terms of the corridor's wildlife value, its current human use (both type and extent) and the contribution the space makes to the appearance of the local area. The prime aim is to maintain as much useable space as possible.

### **Improve the space for people and wildlife**

Space that is attractive to people and wildlife is more valuable as a recreational and amenity feature. It generates a sense of ownership and therefore acceptability locally. Opportunities should be taken to improve parts of the corridor to enhance its function. The treatment of any space within the corridor is again an issue specific to the location. A balance needs to be struck between the landscape setting of a development and the original condition of the corridor. However, sterile landscapes of amenity grassland are discouraged in favour of more naturalistic treatment that favours wildlife and brings more colour and texture into an area.

Habitat creation should retain existing features and re-introduce native species. Water features such as ponds and natural water courses should be retained wherever possible. Consideration should be given to the safety of the public when they will be encouraged to use an area of open space.

### **Encourage people to use the space**

The need for security will prevent some spaces within certain curtilages being used by people. In these instances every attempt should be made to provide a visual space through the use of, for example, fencing rather than walls. Elsewhere, the general public should be encouraged to use green space and provision should be made to ensure that they can do so safely and easily. Public rights of way may be exploited to link spaces and used as a means of diverting the public away from sensitive wildlife areas. Local people should be consulted where appropriate on decisions regarding the use of green space and its subsequent management.

The network of corridors illustrated on the Local Plan Proposals Map is intended to be a basic framework rather than a definitive statement. Opportunities will arise in the future through, for example, development or clearance, which will enable other linear spaces to be created and enhanced. Some of these will be relatively small scale whilst larger ones will clearly add to the existing framework. Flexibility within the overall goal of retaining linear open space, which enhances the townscape and is of use to people and wildlife is the ultimate aim.

### **Is further advice available from the Council?**

Applicants are encouraged to obtain professional advice from arboricultural consultants or landscape architects to carry out tree surveys and prepare landscaping schemes. However, the Council employs specialist staff who will provide guidance at all stages of the process.

Arboricultural Officer,  
Technical Services Department,  
Town Hall,  
Blackburn,  
BB1 7DY.  
☎ (01254) 585474

Planning Service,  
Technical Services Department,  
Town Hall,  
Blackburn,  
BB1 7DY.  
☎ (01254) 585689

### **Further information**

#### **British Standard Codes of Practice**

British Standard 3998	Recommendations for Tree Work
British Standard 5837	Guide for Trees in Relation to Construction (1991)
British Standard 3936	Nursery Stock (1980)
British Standard 4043	Transplanting Semi-Mature Trees (1966)
British Standard 5236	Cultivation and planting of Trees in the Advanced Nursery Stock Category (1975)
British Standard 4428	Recommendations for General Landscape Operations (1989)

#### **Arboricultural Association Leaflets**

Leaflet No. 9	Protection of Trees on Development Sites Part 1: Drawing Board: Obtaining Planning Consent
Leaflet No. 10	Protection of Trees on Development Sites Part 2 : On Site: Implementing Planning Consent
Leaflet No. 11	Trees: Excavations and Highway Maintenance Including Trenching, Kerbing, Surfacing and Entrance Crossings

'Wild about the North West: A Biodiversity Audit of North West England'  
Regional Biodiversity Strategy Group for N. W. England, January 1999

*All publications can be viewed at the Town Hall, Technical Services Department.*

*Acknowledgements: With thanks to Dacorum Borough Council for permission to use material contained in 'Landscaping of Development sites -Advice to Applicants'.*

## SUPPLEMENTARY PLANNING GUIDANCE

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Further information is available from:  
Development Control Group ☎ (01254) 585638  
Forward Planning and Transportation Group ☎ (01254) 585356



### **BUILDING CONTROL**

- Once you have received Planning Approval you will then need to consider obtaining Building Regulation Approval - Can we help?
- ◆ We are happy to give informal pre-submission advice.
  - ◆ We will deal with your plans quickly.
  - ◆ Our approach is flexible and can be tailored to meet your particular requirements
  - ◆ We will provide a same day inspection service.

**For more information telephone (01254) 585747**



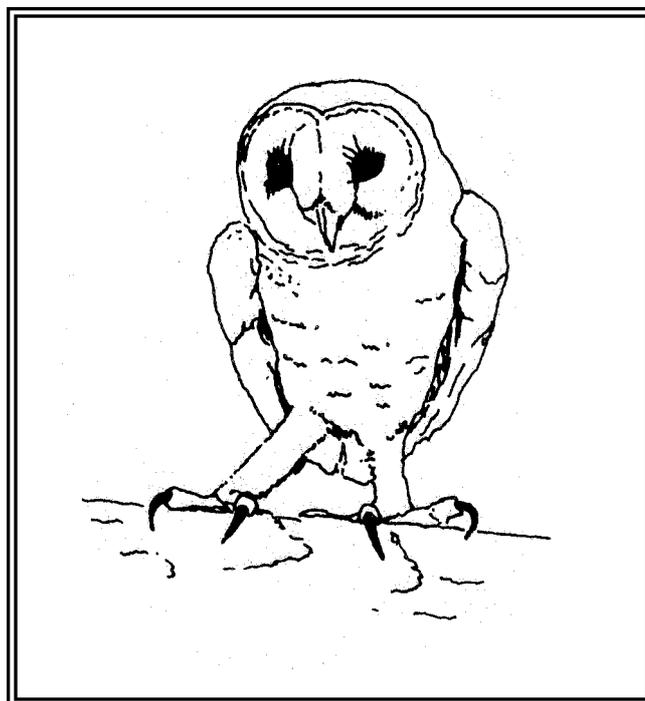
**BLACKBURN**  
*with*  
**DARWEN**  
BOROUGH COUNCIL

**SUPPLEMENTARY PLANNING GUIDANCE**

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# Natural Environment 2: Species Protection

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**BLACKBURN WITH DARWEN  
BOROUGH LOCAL PLAN**

## **SUPPLEMENTARY PLANNING GUIDANCE**

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This is one of a series of supplementary planning guidance notes prepared by the Council to raise awareness of good design and to improve the quality of new development.

The following titles are available from the Council's Technical Services Department at Blackburn and Darwen Town Halls.

### **Residential and Other Related Uses**

1. New Residential Development
2. Extensions for Detached and Semi-detached Houses
3. Extensions for Terraced Houses
4. Community and Other Uses within Residential Areas
5. Residential Institutions

### **Conservation and Design**

6. Listed Buildings
7. Conservation Areas
8. Outdoor Advertisements and Signs
9. Shopfront Design and Security
10. Industrial and Warehousing Buildings

### **Rural Areas**

11. Agricultural Buildings
12. The Conversion of Buildings in the Countryside
13. Village Appraisals

### **Natural Environment**

14. Landscaping and Wildlife Habitat Creation
15. Species Protection

## SPECIES PROTECTION

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### Introduction

Special site designations are an inappropriate means of protecting species that are widely distributed. Instead, the law seeks to protect the individual animal and its habitat, wherever it occurs.

Within this district the species of particular concern are bats, Barn Owls and Great Crested Newts, protected under the Wildlife and Countryside Act 1981 (as amended) and badgers, protected under the Protection of Badgers Act 1992. Bats and Great Crested Newts are also European protected species under the Conservation (Natural Habitats, etc.) Regulation 1994, which applies the 1992 European Union Directive on the Conservation of Natural Habitats and Species to British Law. European protected species are described by the Directive as requiring 'strict protection'. It is an offence to kill or injure any of these species, damage or destroy its nest, sett or structure or place used for protection or breeding or obstruct access to it. It is also an offence to disturb any wild bird listed in Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) whilst it is nest building or is at (or near) a nest with eggs or young; or disturb the dependent young of such a bird.

In accordance with the Government's Planning Policy Guidance Note 9 'Nature Conservation', the presence of a protected species is a material consideration in dealing with planning applications. Where a development is likely to result in harm to the species or its habitat, the Borough Council will take advice from English Nature and may attach conditions or negotiate Section 106 Agreements, obliging developers to secure protection of that species. The Borough Council will also take the advice of other nature conservation organisations, for example the Lancashire Wildlife Trust, the Royal Society for the Protection of Birds (RSPB), or specialist groups such as the Lancashire Badger Group, as appropriate.

The aims of using conditions are in the following order of priority:

- to avoid adverse impacts;
- to mitigate for adverse impacts; and
- to compensate for unavoidable loss of wildlife habitats.

Planning permission itself does not give consent to disturb any protected species. Where a protected species is found in the course of work, all work must stop immediately and English Nature be contacted for advice on how to proceed. Where the presence of a protected species is likely, a survey should be undertaken *in advance* of submitting a planning application. For any large scale development or any development requiring an Environmental Impact Assessment, such surveys shall be required in all instances. The findings of such surveys should then be submitted *as part of the planning application*. The presence of a protected species can only be considered as a material consideration at the time when the planning application is being determined. Prospective developers are advised to undertake surveys for protected species before considering the purchase of a site.

This guidance note offers some general advice on making provision for these species in development proposals. The information is drawn from publications produced by English Nature and other interest groups. These are listed at the end of this section.

## **SPECIES PROTECTION**

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The Supplementary Planning Guidance does not purport to cover all aspects of legislation; developers are referred to the individual Acts, Directives and Regulations for full details. The guidance is not by any means a comprehensive guide to species of conservation importance in this Borough. Developers are encouraged to take specialist advice to identify the nature conservation interest of a site and to refer to 'Wild about the North West: A Biodiversity Audit for North West England' (1999) for information about the current status of species of conservation importance.

It is proposed to keep this Supplementary Planning Guidance under review with the aim of providing more comprehensive guidance. Revisions will be made following discussions with local, regional and national nature conservation organisations.

## **SPECIES PROTECTION**

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### **BARN OWLS (TYTO ALBA)**

A bird of open country found in low lying areas of farmland, particularly those with abundant rough, tussocky grassland over which it hunts for prey. The Barn Owl mates for life, nesting in large holes in trees, quiet farm buildings or in specially provided nest boxes in either of these situations. The Barn Owl population has fallen dramatically this century because changing farming methods have reduced feeding areas and building conversions and changes of use have resulted in the loss of suitable nesting places.

The Barn Owl is specially protected under Section 1 of the Wildlife and Countryside Act 1981. It is illegal to kill, injure or take a barn owl or take or destroy its eggs. It is also an offence to disturb a barn owl except under licence, while it is in, on or near a nest containing eggs or young.

Farm buildings and other structures may be home to the Barn Owl. Therefore, when contemplating conversion or renovation of barns and other buildings, it is recommended that prior to the design stage, the developer should check the building to confirm whether or not barn owls are using the site. Their presence can usually be confirmed by long streaks of 'whitewash' on beams and wall ledges and a build up of pellets underneath the favoured roost site. The absence of these signs, however, is not necessarily proof that barn owls do not use the site. It is suggested that The Barn Owl Trust booklet 'Barn Owls on Site' is used as a guide during searches.

If there is any evidence of Barn Owl occupation, then the RSPB should be contacted for advice. The local contact is:

**RSPB,  
Westleigh Mews,  
Wakefield Road,  
Denby Dale,  
Huddersfield,  
HD8 8QD.  
☎ (01484) 861148**

The Barn Owl Trust can also be contacted for advice and information (see page 4 for details).

Licences are not normally granted for the removal of Barn Owls, for the translocation of Barn Owls or active nests, or for killing Barn Owls. English Nature grant licences (normally site specific) for barn owl nest inspection. The contact is:

**The Licensing Officer,  
English Nature Licensing Section,  
Northminster House,  
Peterborough,  
PE1 1UA.  
☎ (01733) 455000**

The local authority will also take advice from English Nature and may attach conditions or negotiate a Section 106 Agreement to protect the nest or roost or make further provision for the Barn Owl.

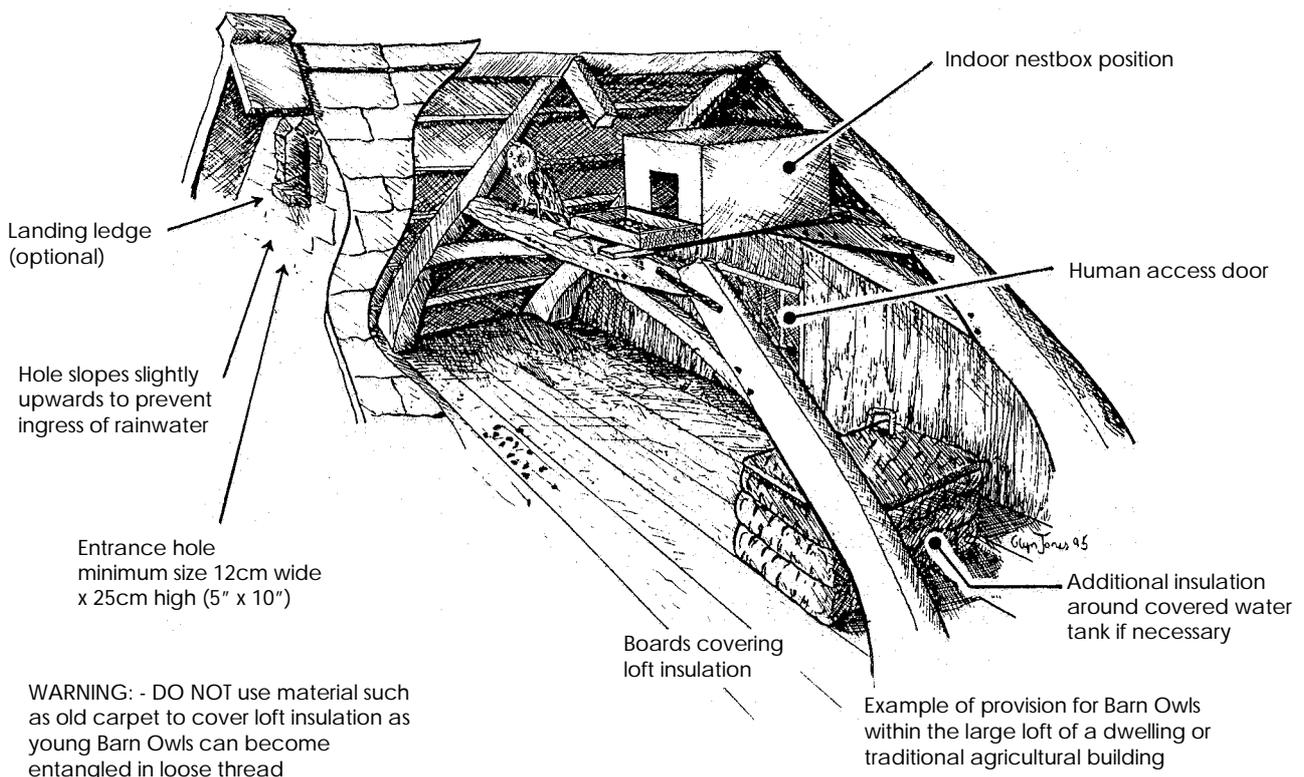
If Barn Owls are discovered in the course of work it must stop immediately and it is advised that the RSPB or English Nature are contacted immediately.

## SPECIES PROTECTION

There is no reason why people and Barn Owls cannot exist alongside one another and any one of the following methods may be adopted to allow the owls to remain at the site:

- Provision of nest boxes in other nearby buildings that are not due for development.
- Time works to avoid the bird's breeding season (March - August).
- Incorporate provision for Barn Owls into part(s) of the development used by the birds.

Barn Owls seem to prefer an enclosed nesting cavity high above the ground and there are numerous ways in which provision for the birds can be incorporated into buildings. It is usually quite a straightforward procedure to board off an area beneath the apex of the barn roof to provide a floor area not less than 900 mm long and 900 mm wide with a minimum of 400 mm headroom. The base and end panels should be covered with insulating board on their outer side to reduce noise levels in the loft area. The back of the loft should be panelled off and include an inspection door at least 300 mm square to enable it to be cleaned out every few years in December or January (see Figure 1).



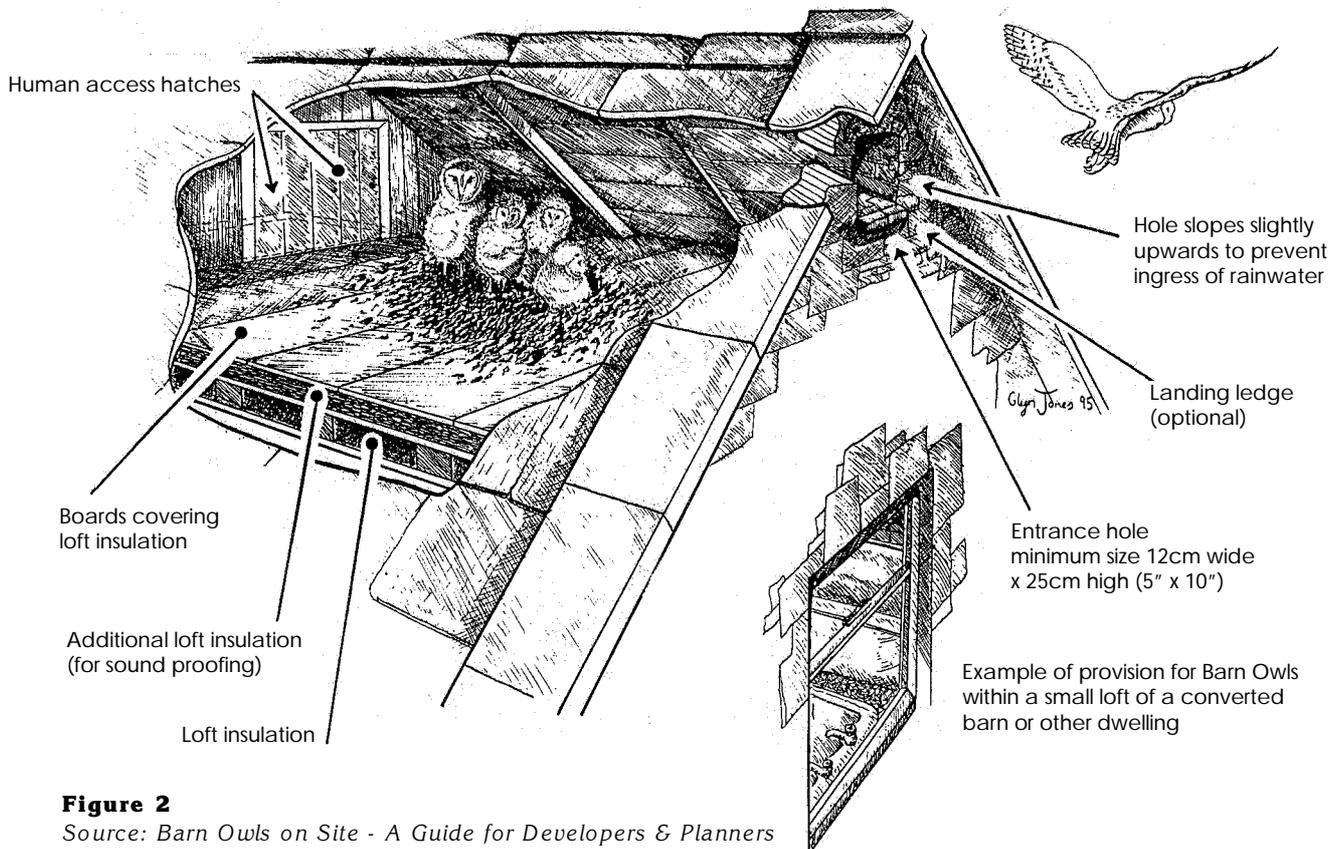
**Figure 1**

Source: *Barn Owls on Site - A Guide for Developers & Planners*  
The Barn Owl Trust 1995

An indoor nest box can be provided within a boarded-off loft space or, where the loft area is too small, it can be attached to the roof timbers. The minimum dimensions of an indoor nest box will be 650 mm x 460 mm x 460 mm with an opening of 230 mm square.

## SPECIES PROTECTION

Boxes need to be placed at least 3 m above ground level, in the least disturbed and darkest part of the building and positioned to enable the owls to have an easy flight path to and from the box. An access hole is necessary, and whenever possible, existing holes should not be blocked up. The hole should be 120 mm x 250 mm and face away from the prevailing wind. It should also be positioned 40 cm above the level of the nest area to help prevent the nestlings falling out. (See Figure 2).



The Barn Owl Trust has produced a booklet entitled 'Barn Owls on Site: A Guide for Developers and Planners' which offers a comprehensive approach to identifying and dealing with Barn Owls on potential development sites. The Guide can be purchased from:

**The Barn Owl Trust,  
Waterleat,  
Ashburton,  
Devon,  
TQ13 7HU.  
☎ (01364) 653026.**

There are no current records of Barn Owls nesting in the Borough. However, this is not proof that the birds are not present in the area. Developers are strongly urged to have properties surveyed where it is suspected that Barn Owls have used the property in the past. The incorporation of nest boxes into the development may encourage Barn Owls into the area.

## **SPECIES PROTECTION**

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### **BADGERS (MELES MELES)**

Under the Protection of Badgers Act 1992 it is an offence to:

- wilfully kill, injure, take, possess or cruelly ill-treat a badger or attempt to do so;
- interfere with a sett by damaging or destroying it, obstruct access to, or any entrance of a badger sett\*; or
- disturb a badger when it is occupying a sett, either by direct interference with the sett or by the carrying out of operations nearby that disturb the animal.

\* A badger sett is defined as 'any structure or place which displays signs indicating current use by a badger'.

The legislation was introduced primarily to deal with badger hunting and baiting which causes the death of around 10,000 of these creatures every year (Countryside Law, J F Garner and B L Jones, 1997).

Badgers live in family or social units (known as clans) within a fiercely defended territory that contains water and food sources which support the family throughout the year. Within their territory badgers live in a number of underground tunnels - setts - which provide safety and shelter from the weather. The main setts, which are always occupied and used for breeding and raising young, can be very extensive. There may also be a number of peripheral, less frequently used setts. Although badgers are most common in south-west England, they are also widespread throughout northern England and are known to be present in this Borough.

Badgers are creatures of habit. They are extremely loyal to their setts and tend to use the same pathways to foraging areas and will continue to try to do so despite any obstacles placed in their way. New fences may be broken down and new roads crossed despite any difficulty or danger presented. It is important, therefore, that developers take appropriate advice wherever badgers are thought to be present, not only to ensure compliance with the law, but to avoid problems in the future for new occupiers of the land.

The Council will also take advice from English Nature and may attach conditions or negotiate Section 106 Agreements to secure the well-being of the badgers and their habitats. Translocation of badgers is very difficult and will only be considered as a last resort. Alternatives that should be considered first are:

- careful design in the development layout to retain existing setts and access routes;
- provision of artificial setts and enhancement of the area to compensate for partial loss of badger habitat; or
- humane exclusion of badgers between July and November to encourage them to relocate to newly created artificial setts or other natural setts within their existing territory.

## SPECIES PROTECTION

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The Lancashire Badger Group will be able to give advice on the above. They have a good understanding of badger ecology and behaviour and a good knowledge of badger clans in Lancashire. They may be contacted at:

**Lancashire Badger Group,  
PO Box 58,  
Lancaster,  
LA1 5AF.  
☎ (0354) 413394 (24 hour answering service)**

The granting of planning permission does not permit the disturbance of badgers. The Protection of Badgers Act 1992, however, recognises the need for a whole range of activities to be carried out and allows licences to be granted for certain purposes, permitting work that would otherwise be illegal. English Nature is the licensing authority for sett interference or disturbance to badgers within setts which will result from land development. Licences are not normally issued during the breeding season - December to June - and cannot be issued retrospectively. Full planning permission has to be secured before an application for a licence will be considered.

Contacts at English Nature are:

**Assistant Conservation Officer,  
English Nature North West Team,  
Pier House,  
Wallgate,  
Wigan,  
WN3 4AL.  
☎ (01942) 820342**

**The Licensing Officer,  
English Nature Licensing Section,  
Northminster House,  
Peterborough,  
PE1 1UA.  
☎ (01733) 455000**

## **SPECIES PROTECTION**

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### **BATS (CHIROPTERA)**

Bats are the only true flying mammal. 14 species are known to live and breed in Great Britain, although some are very rare. They are all small and live on insects which they catch in flight or pick off the water, the ground or foliage and for this reason are generally welcome visitors. The Pipistrelle is the most common bat in the country and the most frequently occurring in this area.

All bat species are suffering from decline in population size because of loss of roost sites and feeding places resulting from development and changing land use. Under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, etc.) Regulations 1994 it is an offence to deliberately kill, injure, take from the wild or disturb bats. It is also an offence to damage, destroy, disturb or obstruct access to a bat roost within the non-living parts of a house (lofts, attics, wall cavities, crevices between bricks or masonry, voids beneath floor-boards, behind barge boards on roofs, under ridge tiles etc.) without the prior approval of English Nature. Bats found within the living area of a house may be carefully and humanely removed without the need to contact English Nature provided they are released back into the wild at dusk during fine weather.

Bats are colonial animals which may roost in trees, caves or buildings during either the summer or winter months. With the reduction in natural roost sites many now roost more frequently in buildings, for example in roof spaces, under ridge tiles and in wall cavities. Bats can enter through the smallest of holes, for example the Pipistrelle needs a space of only 15 - 20 mm to enter. In buildings however, bats encounter new problems such as disturbance from people (either incidental or intentional) and toxic chemicals used in remedial timber treatment. Many, such as organochloride pesticides, are particularly toxic and bats may die from the direct effects of the chemical or vapour. Bats do not make nests and do no damage to buildings or roof timbers. They are seasonal visitors, so they may only be in the same roost for a few months each year. In winter they choose the most sheltered, undisturbed site in which to hibernate.

Bats are difficult to detect and it is therefore prudent to have a survey carried out before work commences. If bats are known to be using buildings or trees affected by development then English Nature must be approached for advice. The Borough Council will also take advice from English Nature and may attach conditions or negotiate a Section 106 Agreement requiring developers to progress a planning permission in a manner that does not interfere with the bats. This may involve making provision for them in the development, provision elsewhere on the site or timing work so that it does not disturb the bats.

Where lofts are to be converted to living space it is not usually possible to retain a bat roost for those species. In these cases, it is important that works only take place during those seasons of the year when the roost is not in use; once the roost is vacated, bats may need to be 'excluded' from their roost by an experience person using accepted humane methods subject to advice from English Nature. Where building conversions are proposed, sections of loft space may be set aside from the rest of the development and retained as disturbance-free bat roosts with suitable access provision. If bats are discovered during the course of the work it must stop immediately and English Nature must be approached for advice.

Bat boxes are suitable for species which roost in confined spaces, such as pipistrelle, and typical bat box dimensions are given in Figure 3. Other species, however, may require larger roosting spaces such as open, undisturbed lofts and attics. Means of accessing such spaces are illustrated in Figure 4. A good example of a species

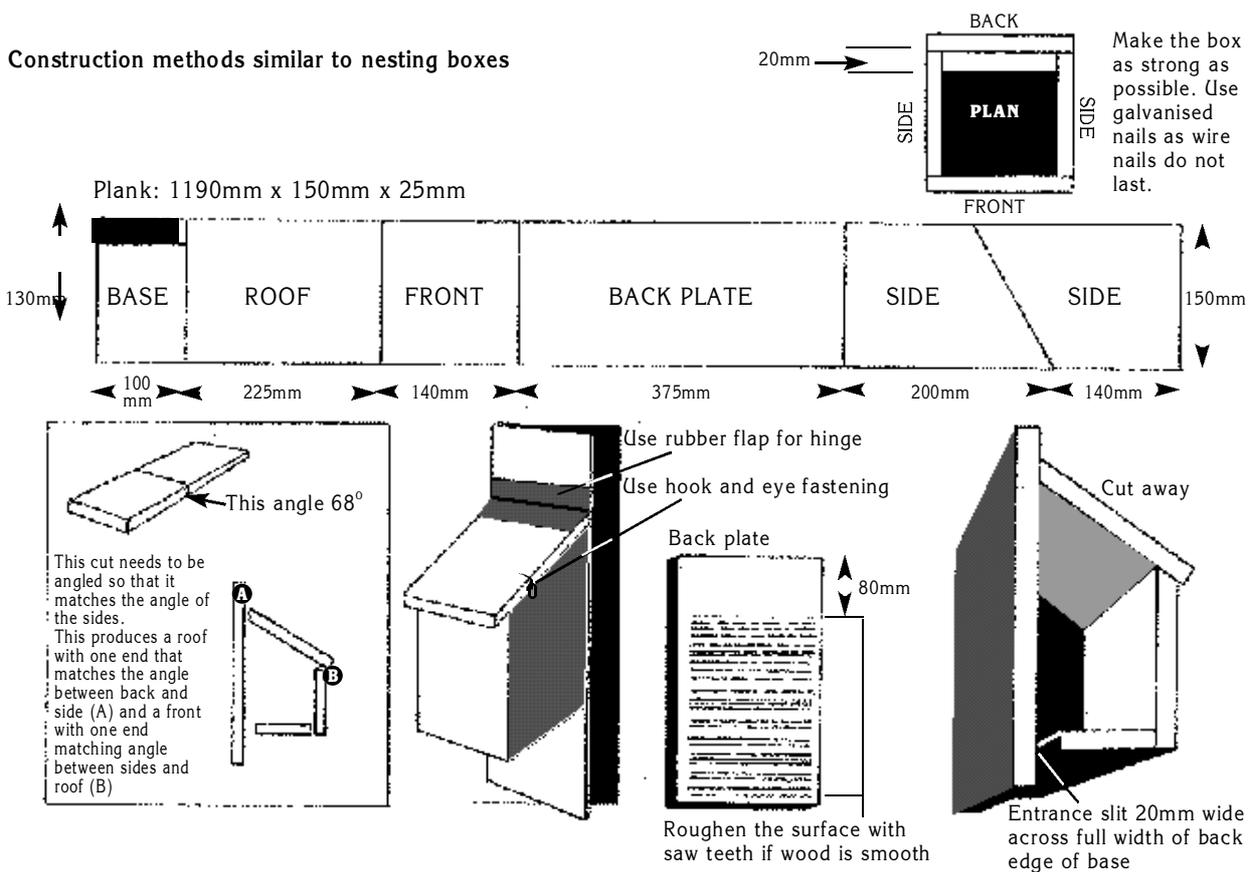
## SPECIES PROTECTION

requiring larger roosting space is the brown long-eared bat which will only roost in open loft spaces; it is one of our more common species but its numbers have declined in recent decades. English Nature can provide further advice on incorporating appropriate roosting space into building conversions and information about chemicals of remedial wood treatments that are non-toxic to bats. Their contact is:

**Conservation Officer (Species),  
English Nature North West Team,  
Pier House,  
Wallgate,  
Wigan, WN3 4AL.  
☎ (01942) 820342**

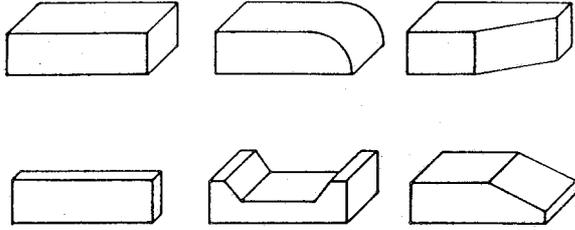
Bat surveys may be undertaken by the East Lancashire Bat Group. They may also be able to give advice on the timing of building operations and incorporating roost space into building conversions. Their contact is:

**Michael Birt or Trevor Smith  
☎ (01254) 814204 (24 hour answering service)  
Fax: (01254) 813736**

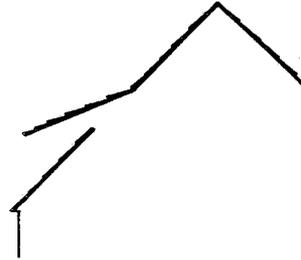
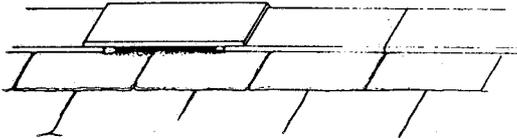
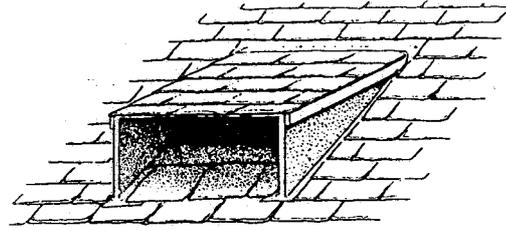


**Figure 3** Building Bat Boxes

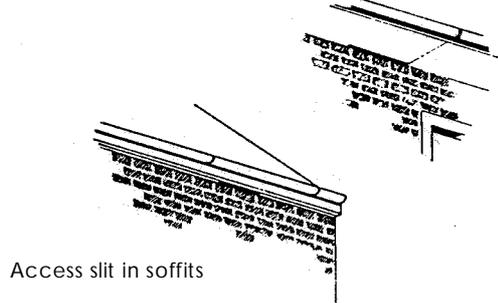
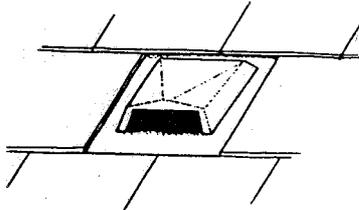
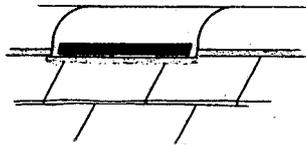
**SPECIES PROTECTION**



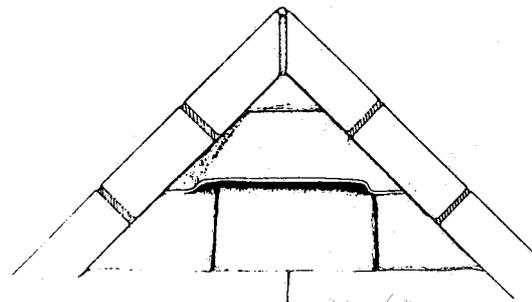
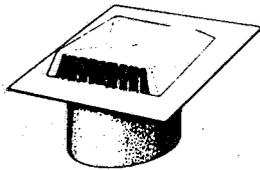
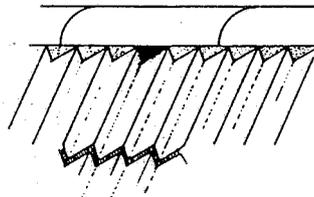
Walling bricks for creating bat access points. A standard brick is shown top left



Dormer entrance, particularly suitable for horseshoe bats



Access slit in soffits



Lead saddle in place of a slate to allow bats access to ridge or roof void



Ridge ventilators can be adapted as bat access points. It may be necessary to remove internal mesh or plastic moulding

**Figure 4** Bat Access Holes  
Source: English Nature

Horseshoe bats prefer to fly into their roosts, but only small holes or slots are needed for other species and this also helps deter colonisation by birds

### **GREAT CRESTED NEWTS (TRITURUS VULGARIS)**

The Great Crested Newt is one of the 6 species of amphibian native to the British Isles. They need a number of different habitats in close proximity - water for breeding and for development of their tadpoles, rough grassland for feeding and wood piles, rock piles or ground fissures for hibernation. Great Crested Newts frequently return to the pond in which they were hatched to breed. They usually hibernate between October and February. During the active part of the year they are nocturnal and hunt for invertebrates on mild nights.

Some of the largest populations in the world are found in England, but numbers have declined drastically since World War II because of the loss of suitable habitats through drainage schemes and infilling for agriculture and development. Great Crested Newts are present in this Borough.

Great Crested Newts and their places of shelter and breeding are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, etc.) Regulations 1994. It is illegal to intentionally kill, injure, capture or disturb them or to obstruct their access to places where they shelter and breed. These areas are also protected against damage or destruction. The law applies to eggs, tadpoles and juveniles as well as to the adults. As the species is vulnerable in a European context it is listed in Appendix II (specially protected fauna species) of the Convention of European Wildlife and Natural Habitats (Bern Convention) and in the European Directives on the Conservation of Habitats and Species.

If there is a pond within, or up to 500 metres from a proposed development site, expert advice should be sought to determine whether Great Crested Newts are present. Suitable ponds may be permanent, seasonal or ephemeral in nature. Prospective developers are advised to undertake surveys for protected species before considering the purchase of a site. Where the presence of Great Crested Newts on the proposed development site is likely, a survey should be undertaken *in advance* of submitting a planning application. For any large development or any development requiring Environmental Assessment, such a survey shall be a requirement in all instances. The findings of this survey should then be submitted *as part of the planning application*. When the presence of Great Crested Newts is likely and no survey findings are submitted, the application shall be refused on the grounds of insufficient information. Surveys for Great Crested Newts should occur during the late spring or early summer. It should be noted that the surveyor must be licensed by English Nature to handle the newts and all licensed work must be completed to a high standard. The survey should assess the number of newts, what part of the site they are using and the impact the development is likely to have on them.

Newt habitats are likely to be affected by any work that involves:

- developing land, including any clearing or landscaping, around ponds used by Great Crested Newts (to a distance of up to 500 metres);
- substantially lowering the water level of ponds, pumping them dry, or using them as a water source;
- introducing fish;
- deepening ponds, or altering their size;
- infilling ponds or wet places;
- altering drainage; and
- chemical pollution.

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If Great Crested Newts are known to be present, the Borough Council will consider the presence of that species alongside the proposed mitigation and, on advice from English Nature, assess what impact this would have on the conservation status of the newts. Planning applications which would result in a reduction in conservation status will be generally refused. Conservation status is defined not only in terms of total population within an area, but also in terms of the number of separate breeding colonies, the distribution of these colonies (i.e. widespread within their natural range) and connectivity between the colonies.

Mitigation should aim to achieve *in situ* conservation as a priority. *In situ* conservation will require the layout of the proposed development to be carefully designed so as to ensure the retention of important areas for newts. Existing draft plans may need to be altered accordingly.

The option of translocation *should not be considered as a justification for development*, but merely as a form of mitigation *if the benefits of the proposed development outweigh the value of in situ conservation*. It is for local planning authorities to decide whether this is the case, but English Nature advises that the presence of Great Crested Newts be given equal weight to any other material consideration. The socio-economic significance of the development and the availability of alternative sites need to be taken into account. Where translocations are subsequently required, a proposed translocation scheme will be submitted as part of the planning application. This must be to the satisfaction of the Borough Council. English Nature has an advisory role in that process. Mitigation/translocation schemes will be attached to the permission either as a condition or as a Section 106 Agreement.

Planning Authorities should be aware that English Heritage does not promote translocation in order to facilitate development. However, where a local planning authority has concluded that the benefits of the proposed development outweigh the value of in situ conservation, translocation will be required. English Nature advises that lost habitat must be sufficiently compensated for. The 'end product' of any translocation scheme must be at least as good as that population which currently exists. This often requires more than 'like-for-like' compensation as natural habitats are difficult to replicate in terms of their quality. Each translocation should maintain the number of separate breeding colonies within an area; the translocation of several colonies over time into just one major site reduces the conservation status of newts in that area.

Developers must be aware that translocation schemes should be planned well in advance and must be implemented in a professional and thorough way. Translocation schemes may be time consuming and should not be seen as a 'soft option' For example, they will inevitably incur costs, such as professional consultants fees.

The granting of planning permission does not legally permit the killing or injuring of Great Crested Newts. The developer must make every reasonable effort to ensure that the newts are safely translocated before a development may commence. Any translocation scheme requires the issue of a licence from English Nature. Licences are issued for each specific translocation scheme. The holding of a licence to disturb for research and survey purposes is not sufficient. Licences are only issued when English Nature is satisfied that a suitable receptor site is already available and that the proposed translocation scheme is sufficiently thorough and would be carried out under the supervision of a competent person(s).

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A good translocation scheme should run from February to September; translocations are not practically possible outside this period. Translocation schemes may occur within a shorter time scale, but would need to be more labour intensive as a result and consequently, may be more costly and probably less effective in terms of moving newts. As a translocation scheme should start in February, it should be planned, prepared and approved by English Nature before the end of the previous year. Ideally, translocation schemes should occur over three years. They should employ such techniques as pit-fall traps in association with amphibian fencing, search of likely places of shelter on land and search of breeding ponds by bottle trapping and netting in order to capture humanely and effectively Great Crested Newts. It is good practice also to translocate other, more common amphibians such as common frog, common toad and smooth newt at the same time.

Each translocation scheme requires a suitable receptor site to which the newts are to be moved. Such a site must contain enough suitable habitat to support a long-term, viable population of Great Crested Newts and sustain at least current levels of the population. Receptor sites should have a variety of suitable habitat including tussocky grassland, scrub, hedgerows, woodland and ponds as well as log or rock piles or ground fissures to offer shelter and frost-free hibernation sites. Ponds should be about 10 - 20 metres in diameter, be free of fish, have a variable depth and preferably be one of a number of suitable ponds within 250 metres of each other which provide a range of conditions. Receptor sites should be prepared in a suitable condition as far in advance of the translocation as possible.

Receptor sites should be located as close as practically possible to the current Great Crested Newt site. One hectare of suitable habitat will generally support no more than 250 Great Crested Newts; poorer habitats sustain fewer. Less than half a hectare, even of ideal habitat, is unlikely to sustain a viable population. Receptor sites should also be adjacent to open countryside rather than surrounded by development on all sides. Developers should make a commitment to the long term management of the newt habitat such as pond clearance during the winter and mowing or light grazing of grassland. Areas up to 250 metres from breeding ponds should be managed for Great Crested Newts.

The contact at English Nature for Great Crested Newts locally is:

**Assistant Conservation Officer,  
English Nature North West Team,  
Pier House, Wallgate,  
Wigan, WN3 4AL.  
☎ (01942) 820342**

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### Acknowledgements

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### Sources

Barn Owls on Site: A Guide for Developers and Planners Barn Owl Trust, English Nature	1995
Building for Barn Owls The Hawk and Owl Trust	(Leaflet, 1996)
Planning for Barn Owls: Advice for Local Authorities and Developers The Hawk and Owl Trust, R. S. P. B.	(Leaflet, 1996)
Badgers: Guidelines for Developers English Nature	1995
Bats and Trees: A Guide to the Management of Trees The Bat Conservation Trust	(Leaflet, 1997)
Bat Helpline The Bat Conservation Trust	(Leaflet, undated)
Great Crested Newts: Guidelines for Developers English Nature	1996
Bats in Roofs: A Guide for Surveyors English Nature	1991 (& 1992/93/95/96)
The Barn Owl and its Habitat The Hawk and Owl Trust	1990
Wildlife on Site: A Guide for Developers and Planners English Heritage	undated

All of these publications are available from the authors, sometimes for a small charge. They are also available for inspection from the Planning Service at the Town Hall, Blackburn.

### Further Reading

Focus on Bats English Nature	Tony Mitchell-Jones	(Leaflet)
Bats, Barn Owls and Conservation Work Bristol, Bath and Avon Wildlife Trust		(Leaflet)
Where Bats Live in Britain - (1) Buildings The Vincent Wildlife Trust		(Leaflet)
On Converting Buildings in the Countryside Preston Borough Council		(Leaflet)
Guidelines for Guardians of Wild Barn Owl Sites The Barn Owl Trust		(Leaflet)
Barn Owls The World Owl Trust		(Information Sheet)
"Wild About the North West: A Biodiversity Audit for North West England" Regional Biodiversity Steering Group for NW England		January 1999

### Contact Addresses

#### General

English Nature  
Pier House  
Wallgate  
Wigan  
WN3 4AL  
☎ (01942) 820342

Lancashire Wildlife Trust  
Cuerden Park Wildlife Centre  
Shady Lane  
Bamber Bridge  
Preston  
PR5 6AU  
☎ (01772) 324129  
Fax: (01772) 628849  
e-mail: lancswt@cix.compulink.com.uk

#### Licences

The Licensing Officer  
English Nature Licensing Section  
Northminster House  
Peterborough  
PE1 1UA  
☎ (01733) 455000

#### Barn Owls

The Barn Owl Trust  
Waterleat  
Ashburton  
Devon  
TQ13 7HU  
☎ (01364) 653026

The Hawk and Owl Trust  
c/o The Zoological Society of London  
Regents Park  
London  
NW1 4RY

RSPB  
North West England Office  
Westleigh Mews  
Wakefield Road  
Denby Dale  
Huddersfield  
HD8 8QD  
☎ (01484) 861148

#### Badgers

The Lancashire Badger Group  
PO Box 58  
Lancaster  
LA1 5AF  
Badgerline (0345) 413394

#### Bats

The Bat Conservation Trust  
15 Cloisters House  
8 Battersea Park Road  
London  
SW8 4BG  
☎ (0171) 627 8822

National Bat Helpline  
☎ (0171) 627 8822

East Lancashire Bat Group  
contact Michael Birt or Trevor Smith  
☎ (0254) 814204  
(24 hour answering service)  
Fax: (01254) 813736

#### Great Crested Newts

The British Herpetological Society  
c/o The Zoological Society of London  
Regents Park  
London  
NW1 4RY

## SUPPLEMENTARY PLANNING GUIDANCE

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Further information is available from:  
Development Control Group ☎ (01254) 585638  
Forward Planning and Transportation Group ☎ (01254) 585356



### **BUILDING CONTROL**

- Once you have received Planning Approval you will then need to consider obtaining Building Regulation Approval - Can we help?
- ◆ We are happy to give informal pre-submission advice.
  - ◆ We will deal with your plans quickly.
  - ◆ Our approach is flexible and can be tailored to meet your particular requirements
  - ◆ We will provide a same day inspection service.

**For more information telephone (01254) 585747**

