

SUNNICA ENERGY FARM

EN010106

Volume 6

6.2 Appendix 8A Relevant legislation and policy for Ecology and
nature conservation

APFP Regulation 5(2)(a)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009



Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

Sunnica Energy Farm

Appendix 8A Relevant legislation and policy

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1 Introduction

1.1 Purpose of this appendix

- 1.1.1 This ES appendix identifies and describes the legislation, policy and supporting guidance considered relevant to the assessment of the likely significant effects of the Scheme on ecology and nature conservation (collectively referred to as biodiversity).
- 1.1.2 Legislation and policy are considered at national and local levels.
- 1.1.3 This ES appendix does not assess the Scheme against legislation and policy instead the purpose of considering legislation and policy in the EIA is twofold:
- to identify legislation and policy that could influence the determination of important ecological features (and therefore the significance of effects) and any requirements for mitigation; and
 - to identify legislation and policy that could influence the methodology of the EIA and signposting where this dealt with in the ES. For example, a policy may require the assessment of an impact or the use of a specific methodology.
- 1.1.4 The following sections identify and describe the legislation, policy and supporting guidance considered specifically relevant to the biodiversity assessment (the assessment) as presented in **Chapter 8: Ecology and Nature Conservation** of this Environmental Statement [EN010106/APP/6.1].

2 International Legislation, Policy and Guidance

2.1 Legislation

- 2.1.1 The following international legislation is relevant to the assessment of the impacts of the Scheme on biodiversity.
- 2.1.2 European Union and global biodiversity targets are partly delivered through a range of legislative measures, which place obligations on Member States to protect biodiversity and the natural environment. In relation to wildlife and nature conservation, three key Directives relevant to the Scheme have been adopted by the European Union, namely:
- Directive 2009/147/EC on the conservation of wild birds (the codified version of Council Directive 79/409/EEC as amended) (Ref 1) Birds Directive);
 - Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Ref 3) (Habitats Directive); and
 - Regulation (EU) 1143/2014 on the introduction and spread of invasive alien species (Ref 4) (IAS).
- 2.1.3 These Directives provide for the protection of animal and plant species of European importance and the habitats which support them, particularly through the establishment of a network of protected sites, called Natura 2000 sites.

- 2.1.4 Further relevant legislation includes Directive 2000/60/EC (Water Framework Directive) (Ref 5), under which Member States are required to protect and improve their inland and coastal waters.

3 National Legislation, Policy and Guidance

3.1 Legislation

- 3.1.1 The main relevant legislative instruments relating to nature conservation in England are summarised below.

The Conservation of Habitats and Species Regulations 2017

- 3.1.2 The Conservation of Habitats and Species Regulations 2017 (Ref 6) (the Habitats Regulations) (as amended) transposed the requirements of the EC Habitats Directive (Ref 3) and Birds Directive (Ref 1) into UK law, and provide for the designation and protection of European Sites (and adapt planning and other controls for the protection of these sites). This includes Annex I (including habitats) and Annex II (including species) for which such sites can be designated.
- 3.1.3 The Habitats Regulations (Ref 6) also provide protection for certain European Protected Species (EPS) that are listed on Schedule 2 (animals) or Schedule 4 (plants). Provision is made for the granting of licences that permit certain acts as lawful, providing the appropriate authority is satisfied that there is no satisfactory alternative and the favourable conservation status of the species will be maintained.
- 3.1.4 The latest 2019 amendment to the Habitats Regulations (Ref 7) means that Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network, following the UK exit from the EU. The 2019 Regulations (Ref 7) have created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes:
- a. existing SACs and SPAs; and
 - b. new SACs and SPAs designated under these Regulations.
- 3.1.5 The presence of European Sites (referred to in **Chapter 8: Ecology and Nature Conservation** of this Environmental Statement [EN010106/APP/6.1] as designated sites of international importance) and their relationship to the Scheme have been considered in **Appendix 8M** of this Environmental Statement [EN010106/APP/6.2]. The presence of Annex I habitats and Annex II species, and also of any EPS, has been considered within the assessment.

Convention on Biological Diversity

- 3.1.6 Chapter 8 has considered the principles and commitments set out in the United Nations Environmental Programme Convention on Biological Diversity of 1992. Under the Convention, governments undertake to conserve and sustainably use biodiversity. They are required to develop national biodiversity strategies and action plans, and to integrate these into broader national plans for environment and development, particularly, important sectors such as energy (Ref 2).

Ramsar Convention

- 3.1.7 The Ramsar Convention 1971 (Ref 8) is an international treaty which includes the designation of wetlands of international importance. Government policy extends the same level of protection to Ramsar wetlands as that afforded to sites that are designated under the Habitats Directive (Ref 3).
- 3.1.8 Consideration has been given in the assessment to the presence of any Ramsar wetlands.

Wildlife and Countryside Act 1981

- 3.1.9 The Wildlife and Countryside Act (WCA) 1981 (the Act) (Ref 9) (as amended) is a primary piece of UK wildlife legislation, protecting birds, other animals and plants (including vascular plants, bryophytes, lichens and fungi), allowing for the designation of protected areas including Sites of Special Scientific Interest (SSSIs) and promoting protections for such designated areas. The Act (Ref 9) also defines a list of invasive non-native species, making it illegal to spread them in the wild.
- 3.1.10 Designated sites, protected flora and fauna and invasive species covered by the Act (Ref 9) that will be affected by the Scheme have been considered in the assessment.

Countryside and Rights of Way Act 2000

- 3.1.11 The Countryside and Rights of Way Act 2000 (Ref 10) extends powers relating to the protection and management of SSSIs. This includes powers for entering management agreements, placing a duty on public bodies to further the conservation and enhancement of SSSIs, increasing penalties for conviction, and appeal processes for the notification, management and protection of SSSIs. It also introduced the offence of 'reckless' disturbance of threatened species.
- 3.1.12 The legislative provisions relating to designated sites and flora and fauna affected by the Scheme have been considered in the assessment.

The Environment Bill

- 3.1.13 The Environment Bill (Ref 11), which was published by the UK Government in October 2019 and reintroduced into parliament (January 2020), has yet (at the time of writing this ES) to pass the House of Lords but is expected to be made into legislation in late 2021 / early 2022. This includes targets to create or restore 500,000 hectares of wildlife habitat outside protected sites through a Nature Recovery Network. In addition, amendments tabled include a new statutory target to halt species decline by 2030.
- 3.1.14 The draft Environment Bill, published by the UK Government in October 2019 (Ref 11) includes proposals which will lead to a position where biodiversity net gain will be a mandatory requirement within the planning system in England, including for NSIPs and will lead to a requirement for all developments to achieve a minimum 10% net gain in biodiversity units relative to the site's baseline biodiversity value.

Water Environment (Water Framework Directive (WFD) (England and Wales) Regulations 2017

- 3.1.15 The EU Water Framework Directive (WFD) (Ref 5) is transposed into environmental legislation in England by the Water Environment (WFD) (England and Wales) Regulations 2017 (Ref 12). The WFD follows a holistic approach to the sustainable management of water by considering the interactions between surface water (including transitional and coastal waters, rivers, streams and lakes), groundwater and water-dependent ecosystems.
- 3.1.16 The assessment has considered the provisions of the Water Environment (WFD) (England and Wales) Regulations 2017 (Ref 12) in relation to avoiding deterioration of a waterbody from its current status or potential and / or not preventing future attainment of good status or potential where not already achieved. A full WFD Assessment is provided as **Appendix 9B** of this Environmental Statement [EN010106/APP/6.2].

Natural Environment and Rural Communities Act 2006

- 3.1.17 Section 40 of the Natural Environment and Rural Communities Act 2006 (Ref 13) (NERC Act) places a duty on public authorities in England to conserve biodiversity, which includes restoring or enhancing species populations or habitat.
- 3.1.18 In England, Section 41 of the NERC Act (Ref 13) requires the Secretary of State for Environment to publish and maintain a list of habitats and species that are of 'principal importance' for the purpose of conserving biodiversity, and are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework (Ref 14).
- 3.1.19 The occurrence of habitats and Species of Principal Importance (SPI) has been identified in the assessment through a desk study and field surveys, and the design of the Scheme includes measures for their conservation and enhancement.

Protection of Badgers Act 1992

- 3.1.20 The Protection of Badgers Act 1992 (Ref 15), provides specific legislation to protect Badgers *Meles meles* from cruelty. The protection of Badgers through best working practices, including the legal requirement for licences from Natural England (where required), has been considered as part of the assessment.

Hedgerow Regulations 1997

- 3.1.21 The Hedgerow Regulations 1997 (Ref 16) introduced protection for countryside hedgerows that are defined as 'important' because they meet specific wildlife or landscape criteria. The assessment has evaluated hedgerows potentially affected by the Scheme by way of field survey, to determine whether any qualify as important under the ecological criteria.

Salmon and Freshwater Fisheries Act 1975

- 3.1.22 The Salmon and Freshwater Fisheries Act 1975 (Ref 17) (as amended) relates to the protection of freshwater fish, including Salmon *Salmo salar* and Trout species and their habitats.
- 3.1.23 The assessment has considered the provisions of the Salmon and Freshwater Fisheries Act 1975 (Ref 17) in relation to the risk of mortality, migration barriers, pollution and the degradation of habitats potentially resulting from the Scheme.

Eels (England and Wales) Regulations 2009

- 3.1.24 The Eels (England and Wales) Regulations 2009 (the Eel Regulations) (Ref 18) came into force on 15 January 2010 to support the UK in implementing EC Council Regulation (1100/2007) (the EC Eel Regulation) (Ref 19), which aimed to halt and reverse the decline in the European Eel *Anguilla anguilla* stocks, aiming to meet mature adult Eel biomass escapement targets to sea of 40% relative to that expected in the absence of anthropogenic impacts.
- 3.1.25 The assessment has considered the provisions of the Eel Regulations (Ref 18) in relation to safe an unobstructed passage for Eel, and consideration regarding channel alterations, river crossings and culverting.

Animal Welfare Act 2006

- 3.1.26 The Animal Welfare Act 2006 (Ref 20) protects vertebrate animals from harm. The provisions of the Animal Welfare Act 2006 (Ref 20) have been taken account of within the assessment by ensuring the welfare of any animals potentially affected by the Scheme are considered.

Invasive Alien species (Permitting and Enforcement) Order 2019

- 3.1.27 The Invasive Alien Species (Enforcement and Permitting) Order 2019 (Ref 21) came into effect on 1st December 2019. This implemented the EU Invasive Alien Species Regulation 1143/2014 (Ref 22) on the prevention and management of invasive alien plant and animal species in England and Wales, including the relevant licenses, permits and rules for keeping invasive alien species.
- 3.1.28 If it is not a species of special concern, then the Wildlife & Countryside Act 1981, as amended (Section 14, Schedule 9) (Ref 9) still applies.

3.2 Policy

National Policy Statements

- 3.2.1 As outlined in Section 1.3 of **Chapter 1** of this Environmental Statement **[EN010106/APP/6.1]**, the EIA for the Scheme must have regard to the relevant policies of the National Planning Policy Framework (NPPF) and relevant National Policy Statements (NPS) for solar.
- 3.2.2 The Scheme's proposed energy generating technology is not currently specifically referenced by a National Policy Statement (NPS) however in lieu of a technology specific NPS, the EIA takes account of the following NPSs, which are considered

to be matters that will be important and relevant to the Secretary of State's decision as to whether to grant a DCO for the Scheme:

- a. Overarching National Policy Statement for Energy (EN1) (Ref 23), with particular reference to paragraphs 4.2.2 and 4.2.3, which provide national policy on what an ES for a Nationally Significant Infrastructure Project (NSIP) project should contain; paragraph 4.3.1 which states what the Secretary of State must, under the Conservation of Habitats and Species Regulations 2017 consider when granting a development consent order; and part 5 section 5.3 which sets out guidance on generic impacts relating to biodiversity for the applicant's assessment and decision-making on the application;
- b. National Policy Statement for Renewable Energy Infrastructure (EN-3) (Ref 24) with particular reference to paragraph 2.4.2, which underlines the importance of good design for energy infrastructure in design of the project to mitigate impacts such as noise and effects on ecology; and
- c. National Policy Statement for Electricity Networks Infrastructure (EN-5) (Ref 25), with particular reference to paragraph 2.8.9, which details biodiversity considerations when choosing an underground electricity line. This includes the environmental consequences as underground cables can disturb sensitive habitats.

3.2.3 The NPSs set out the Government's energy policy, the need for new infrastructure and guidance for determining an application for a DCO. The NPSs include specific criteria and issues which should be covered by applicants' assessments of the effects of their scheme, and how the decision maker should consider these impacts.

3.2.4 The relevant NPS requirements, together with an indication of where in the ES chapter the information provided to address these requirements, are provided in **Table 3-1**.

Table 3-1 Relevant NPS requirements for the biodiversity assessment

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
NPS EN-1		
Paragraph 4.3.1	Prior to granting a development consent order, the IPC [now Planning Inspectorate, PINS] must, under the Habitats and Species Regulations, (which implement the relevant parts of the Habitats Directive and the Birds Directive in England and Wales) consider whether the project may have a significant effect on a European site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. Further information on the requirements of the Habitats and Species Regulations can be found in a Government Circular. Applicants should also refer to Section 5.3 of this NPS on biodiversity and geological conservation. The applicant should seek the advice of Natural England and/or the Countryside Council for Wales, and provide the IPC with such information as it may reasonably require to determine whether an Appropriate Assessment is required. In the event that an Appropriate Assessment is required, the applicant must provide the IPC with such information as may reasonably be required to enable it to conduct the Appropriate Assessment. This should include information on any mitigation measures that are proposed to minimise or avoid likely effects.	A report to inform Appropriate Assessment is provided in Appendix 8M of this Environmental Statement [EN010106/APP/6.2] .
Paragraph 5.3.3	Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the IPC consider thoroughly the potential effects of a proposed project.	Sections 8.9 and 8.10 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] set out the effects on designated sites of ecological and geological importance, protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity.
Paragraph 5.3.4	The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.	Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] provides information on how the project has taken advantage of opportunities to conserve and enhance biodiversity.

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
Paragraph 5.3.6	In having regard to the aim of the Government's biodiversity strategy the IPC should take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect the most important biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The IPC may take account of any such net benefit in cases where it can be demonstrated.	Chapter 6: Climate Change of this Environmental Statement [EN010106/APP/6.1] includes the climate change assessment for the Scheme. A Needs Statement has also been submitted with the DCO Application [EN010106/APP/7.3].
Paragraph 5.3.7	As a general principle, and subject to the specific policies below, development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives (as set out in Section 4.4); where significant harm cannot be avoided, then appropriate compensation measures should be sought.	Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out information on how the development has sought to avoid significant harm to biodiversity, concluding that no significant effects arise. Chapter 4: Alternatives and Design Evolution of this Environmental Statement [EN010106/APP/6.1] explains how the alternative options for the Scheme were considered during design development.
Paragraph 5.3.8	In taking decisions, the IPC should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.	The appropriate weight has been attached to designated sites in the ecological assessment presented in Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1].
Paragraph 5.3.9	The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for these sites but do not provide statutory protection for potential Special Protection Areas (pSPAs) before they have been classified as a Special Protection Area. For the purposes of considering development proposals affecting them, as a matter of policy the Government wishes pSPAs to be considered in the same way as if they had already been classified. Listed Ramsar sites should, also as a matter of policy, receive the same protection.	Both Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] and Appendix 8.M: Report to Inform Appropriate Assessment of this Environmental Statement [EN010106/APP/6.2] consider pSPAs and Ramsar sites, where relevant.

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
Paragraph 5.3.10	Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs.	The assessment provided in Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] reflects the high degree of protection afforded to SSSIs and National Nature Reserves.
Paragraph 5.3.11	Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs. The IPC should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	Section 8.9 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out the effects on designated sites of ecological importance, including SSSIs. This concludes, that with careful Scheme design and embedded mitigation, there will be no adverse effects on SSSIs.
Paragraph 5.3.13	Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. The IPC should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent.	Section 8.9 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out the effects on designated sites of ecological and geological importance, including sites of regional and local biodiversity interest. This concludes, that with careful Scheme design and embedded mitigation, there will be no adverse effects on these sites.
Paragraph 5.3.14	Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or 'veteran' trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why.	The baseline ecological conditions within the Order limits and relevant Zones of Influence are presented in section 8.6 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1]. The Scheme will not result in the loss or deterioration of ancient woodland or 'veteran' trees.

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
Paragraph 5.3.18	<p>The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:</p> <ul style="list-style-type: none"> ▪ during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; ▪ during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; ▪ habitats will, where practicable, be restored after construction works have finished; and ▪ opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals 	<p>Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out information on how the development will minimize working areas during construction, follow best practice during construction and operation to avoid or minimise disturbance or damage to species or habitats, restore habitats following construction activities and enhance existing habitats and create new biodiverse habitats.</p>
Paragraph 5.3.20	<p>The IPC will need to take account of what mitigation measures may have been agreed between the applicant and Natural England (or the Countryside Council for Wales) or the Marine Management Organisation (MMO), and whether Natural England (or the Countryside Council for Wales) or the MMO has granted or refused or intends to grant or refuse, any relevant licences, including protected species mitigation licences.</p>	<p>Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out the mitigation measures embedded within the Scheme design. Consultation with NE has informed these mitigation measures. No protected species mitigation licenses are required for the principal sites, however a license for closure of a Badger sett at the Burwell National Grid substation extension will be required. The mitigation strategy to support a license application for sett closure is provided in Annex B of Appendix 8K of this Environmental Statement [EN010106/APP/6.2].</p>

Draft National Policy Statements

- 3.2.5 The Government is currently reviewing and updating the Energy NPSs. It is doing this in order to reflect its policies and strategic approach for the energy system that is set out in the Energy White Paper (December 2020), and to ensure that the planning policy framework enables the delivery of the infrastructure required for the country's transition to net zero carbon emissions. As part of the Energy NPS review process, the Government published a suite of Draft Energy NPSs for consultation on 6 September 2021. These include the following Draft NPSs, which are expected to be important and relevant to the Secretary of State's decision, and have therefore been taken into account by the EIA:
- a. Draft Overarching National Policy Statement for Energy (EN-1) (Draft NPS EN-1),
 - b. Draft National Policy Statement for Renewable Energy (EN-3) (Draft NPS EN-3), and
 - c. Draft National Policy Statement for Electricity Networks Infrastructure (EN-5).
- 3.2.6 Where the relevant Draft NPS contain requirements that differ from the requirements of the NPSs, **Table 3-2** indicates where the information to address these requirements is provided within the ES Chapter.

Table 3-2 Relevant Draft NPS requirements for the biodiversity assessment

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
	Draft NPS EN-1	
Paragraph 4.5.1	Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Applicants should therefore not just look to mitigate direct harms, but also consider whether there are opportunities for enhancements. Biodiversity net gain is an essential component of environmental net gain. Projects should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain.	Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] provides information on how the project has taken advantage of opportunities to enhance biodiversity. The layout of these enhancement and mitigation areas are shown in Figures 3-1 and 3-2 and secured pursuant to the OLEMP. A Biodiversity Net Gain Assessment [EN010106/APP/6.7] has been undertaken which concludes that the Scheme will provide a net gain of 83% for habitat units, 16% for hedgerow units and 1% for river units.
Paragraph 4.5.2	Although achieving biodiversity net gain is not an obligation for projects under the Planning Act 2008, energy NSIP proposals should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity where possible. Applicants are encouraged to use the most current version of the Defra biodiversity metric to calculate their biodiversity baseline and inform their biodiversity net gain outcomes and to present this data as part of their application. Biodiversity net gain should be applied in conjunction with the mitigation hierarchy and does not change or replace existing environmental obligations.	Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out how the Scheme has been designed to follow the mitigation hierarchy. A Biodiversity Net Gain assessment, using Defra's Metric 3.0, has also been provided in Biodiversity Net Gain Assessment [EN010106/APP/6.7] .
Paragraph 5.4.4	The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. As set out in Section 4.6, the design process should embed opportunities for nature inclusive design. The applicant is encouraged to consider how their proposal can contribute towards Biodiversity Net Gain in line with the ambition set out in the 25 Year Environment Plan. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains. The scope of potential gains will be dependent on the type, scale, and location of each project.	Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] and the OLEMP demonstrate that the project has taken advantage of opportunities to conserve and enhance biodiversity in line with the 25 Year Environment Plan. A Biodiversity Net Gain assessment has also been provided in Biodiversity Net Gain Assessment [EN010106/APP/6.7] .
Paragraph 5.4.5	The government's 25 Year Environment Plan marked a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to	Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] has been

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
	<p>the aims and goals of the government's 25 Year Environment Plan and any relevant measures and targets. In doing so, the Secretary of State should also take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect and enhance biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated."</p>	<p>produced with regard to the aims and goals of the 25 Year Environment Plan.</p>
Paragraph 5.4.6	<p>As a general principle, and subject to the specific policies below, development should at the very least aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives (as set out in Section 4.2 above); where significant harm cannot be avoided, then appropriate compensation measures should be sought. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.</p>	<p>Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out information on how the development has not led to significant harm to biodiversity.</p>
Paragraph 5.4.8	<p>Important sites for biodiversity are those identified through international conventions and the Habitats Regulations. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas. As a matter of policy, the following should be given the same protection as sites covered by the Habitat's Regulations: (a) potential Special Protection Areas and possible Special Areas of Conservation; (b) listed or proposed Ramsar sites; and (c) sites identified, or required, as compensatory measures for adverse effects on other HRA sites.</p>	<p>Both Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] and Appendix 8.M: Report to Inform Appropriate Assessment of this Environmental Statement [EN010106/APP/6.2] consider pSPAs, pSACs, Ramsar sites (listed or proposed) and sites identified, or required, as compensatory measures for adverse effects on other HRA sites, where relevant.</p>
Paragraph 5.4.10	<p>Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs. The Secretary of State should use requirements and/or planning obligations to mitigate the harmful</p>	<p>Section 8.9 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out the effects on designated sites of ecological importance, including SSSIs. This concludes, that with careful Scheme design and embedded mitigation, there will be no adverse effects on SSSIs.</p>

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
	aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	
Paragraph 5.4.12	Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks. The Secretary of State should give due consideration to such regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent. Development will still be expected to comply with the biodiversity and geological conservation requirements set out in this NPS.	Section 8.9 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out the effects on designated sites of ecological and geological importance, including sites of regional and local biodiversity interest. This concludes, that with careful Scheme design and embedded mitigation, there will be no adverse effects on these sites.
Paragraph 5.4.14	Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, the Secretary of State should maximise such opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering biodiversity net gain. Wider ecosystem services and benefits of natural capital should also be considered when designing enhancement measures.	Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] provides information on how the project has taken advantage of opportunities to enhance biodiversity. A Biodiversity Net Gain assessment has also been provided in the Environmental Statement [EN010106/APP/6.7] which demonstrates that the Schemes provides a net gain of 83.51% in habitat units, 16.87% in hedgerow units and 1% in river units.
Paragraph 5.4.18	The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that: <ul style="list-style-type: none"> • during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works • the timing of construction has been planned to avoid or limit disturbance to birds during the breeding season • during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements 	Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out information on how the development will minimise working areas during construction, follow best practice during construction and operation to avoid or minimize disturbance or damage to species or habitats, restore habitats following construction activities and enhance existing habitats and create new biodiverse habitats.

Relevant NPS paragraph reference	Requirement of the NPS	Where in the ES chapter is information provided to address this
	<ul style="list-style-type: none"> • habitats will, where practicable, be restored after construction works have finished • mitigation measures should take into account existing habitats and should generally seek opportunities to enhance them, rather than replace them. Where practicable, mitigation measures should seek to create new habitats of value within the site landscaping proposals 	
Paragraph 5.4.19	Applicants should consider producing and implementing a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.	The management of Biodiversity throughout the life is Scheme is covered by the following documents: the OLEMP (see Appendix 10I of this Environmental Statement [EN010106/APP/6.2]), Framework CEMP (see Appendix 16C of this Environmental Statement [EN010106/APP/6.2]), Framework OEMP (see Appendix 16F of this Environmental Statement [EN010106/APP/6.2]), Framework DEMP (see Appendix 16E of this Environmental Statement [EN010106/APP/6.2]).
Paragraph 5.4.22	The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered for biodiversity net gain should generally be maintained for a minimum period of 30 years.	The management of Biodiversity throughout the life is Scheme is covered by the following documents: the OLEMP (see Appendix 10I of this Environmental Statement [EN010106/APP/6.2]), Framework CEMP (see Appendix 16C of this Environmental Statement [EN010106/APP/6.2]), Framework OEMP (see Appendix 16F of this Environmental Statement [EN010106/APP/6.2]), Framework DEMP (see Appendix 16E of this Environmental Statement [EN010106/APP/6.2]), all of which are secured via the DCO.

National Planning Policy Framework (NPPF)

- 3.2.7 The National Planning Policy Framework (NPPF) (Ref 26), states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 3.2.8 It specifies the obligations that the Local Authorities and the UK Government have regarding statutory designated sites and protected species under UK and international legislation and how this it to be delivered in the planning system.
- 3.2.9 Section 15 of the NPPF explains the national planning policy with regard to conserving and enhancing the natural environment and how local planning authorities should determine planning applications with regard to ecology and biodiversity. The policies set out in the NPPF to a large extent mirror those that are explained in NPS EN-1. The relevant NPPF paragraphs, together with an indication of where in the ES chapter the information is provided to address these requirements, are provided in **Table 3-3**.

Table 3-3 Relevant NPPF requirements for the ecology assessment

Relevant NPPF paragraph reference	Requirement of the NPPF	Where in the ES chapter is information provided to address this
Paragraph 174	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <p>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</p> <p>...</p> <p>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</p>	<p>In response to Point a, Section 8.9 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out the effects on sites of biodiversity value.</p> <p>In response to Point d, Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out information on how the development has sought to minimise impacts and provide net gains for biodiversity, including the establishing of coherent ecological networks.</p>
Paragraph 180	<p>When determining planning applications, local planning authorities should apply the following principles:</p> <p>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p> <p>b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;</p> <p>c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and</p> <p>d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity</p>	<p>In response to Point a, Sections 8.9 and 8.10 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] set out the effects on designated sites of ecological importance, protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity; and concludes that there is no significant harm caused.</p> <p>In response to Point b, Section 8.9 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out the effects on SSSIs. This concludes, that with careful Scheme design and embedded mitigation, there will be no adverse effects on SSSIs.</p> <p>In response to Point c, Section 8.9 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out the effects on habitats. The baseline ecological conditions within the Order limits and relevant Zones of Influence are presented</p>

Relevant NPPF paragraph reference	Requirement of the NPPF	Where in the ES chapter is information provided to address this
		<p>in section 8.6 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1]. The Scheme will not result in the loss or deterioration of irreplaceable habitats.</p> <p>In response to Point d, Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] sets out how the Scheme will secure measurable net gains for biodiversity.</p>
Paragraph 181	<p>The following should be given the same protection as habitats sites:</p> <ul style="list-style-type: none"> a) potential Special Protection Areas and possible Special Areas of Conservation; b) listed or proposed Ramsar sites; and c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites. 	<p>Both Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] and Appendix 8.M: Report to Inform Appropriate Assessment of this Environmental Statement [EN010106/APP/6.2] consider pSPAs, pSACs and Ramsar sites, where relevant, along with sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.</p>
Paragraph 185	<p>Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:</p> <ul style="list-style-type: none"> a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. 	<p>In response to Point c, Section 8.8 of Chapter 8: Ecology and Nature Conservation of this Environmental Statement [EN010106/APP/6.1] provides information on how the project will limit the impact of light pollution on features of nature conservation importance.</p>

4 Local Legislation, Policy and Guidance

4.1 Legislation

4.1.1 There are is no local legislation relevant to the assessment included with **Chapter 8: Ecology and Nature Conservation** of this Environmental Statement [EN010106/APP/6.1].

4.2 Policy

4.2.1 Local planning policy has been considered when assessing potential ecological constraints and opportunities identified by the desk study and field surveys; and, when assessing requirements for further survey, design options and ecological mitigation. The local planning policy documents relevant to the Scheme are presented in **Table 4-1**.

Table 4-1 Relevant Local Planning Policies

Relevant Document	Relevant policies
East Cambridgeshire District Council Local Plan (Ref 27) Adopted April 2015.	Policy ENV2: Design Policy ENV7: Biodiversity and Geology Policy COM5: Strategic Green Infrastructure Policy SOH16: Green Lanes and Commons
East Cambridgeshire District Council Supplementary Planning Document Natural Environment (Ref 28) September 2020	Policy SPD.NE1: Conserving and Enhancing Biodiversity - Internationally Designated Sites Policy SPD.NE3: Development resulting in the loss or deterioration of a County Wildlife Site (CWS), Local Nature Reserve (LNR) or Protected Roadside Verge (PRV) Policy SPD.NE5: Reviewing planning applications for Protected Species Policy SPD.NE6 Biodiversity Net Gain Policy SPD.NE8 Trees and Woodland Policy SPD.NE9: Landscaping and Biodiversity Policy SPD.NE10: Taking the most appropriate natural environment opportunities Policy SPD.NE11: Provision of sufficient, suitable and robust information
East Cambridgeshire District Council Supplementary Planning Documents Renewable Energy Development (Commercial Scale) October 2014 (Ref 29)	Section 5: Biodiversity and geology
East Cambridgeshire District Council Supplementary Planning Document Wildlife Sites (Ref 30) June 2010 which identifies local ecology sites;	No specific policy – document details local wildlife sites
Forest Heath District Council Core Strategy (Ref 31) Adopted 2010	Policy CS2: Natural Environment Policy CS4: Reduce Emissions, Mitigate and Adapt to future Climate Change Policy CS 13: Infrastructure and Developer Contributions

Relevant Document	Relevant policies
Forest Heath and St Edmundsbury Local Plan: Joint Development Management Policies Document (Ref 32) (last updated February 2015)	Policy DM10: Impact of Development on Sites of Biodiversity and Geodiversity Importance Policy DM11: Protected Species Policy DM12: Mitigation, Enhancement, Management and Monitoring of Biodiversity Policy DM13: Landscape Features
Fordham Neighbourhood Plan (Ref 33) (made December 2018)	Policy 8: Wildlife and Habitats

- 4.2.2 With regards to enhancing and protecting biodiversity and connectivity, the policies require consideration of the impacts on biodiversity by assessing protected species and habitats that could be impacted by the Scheme. Attention is given to the habitats and species listed on the Cambridgeshire and Peterborough Biodiversity Action Plan (BAP) (Ref 34) and Suffolk BAP (Ref 35).
- 4.2.3 The policies also set out that consideration of sites of international, national and local importance is also necessary. Development proposals should be controlled through avoidance, on-site management and on-site mitigation. Proposals likely to have an adverse effect on a designated site will not be permitted unless the benefits of the development clearly outweigh the harm to the nature conservation value of the site. If such benefits exist, the developer will be required to demonstrate that impacts will be avoided and impacts that cannot be avoided will be mitigated on-site.
- 4.2.4 The policies also identify measures to enhance biodiversity and adequately mitigate unavoidable impact on existing biodiversity. They state that high quality green infrastructure should be used to protect, enhance and create wildlife corridors, to maintain ecological connectivity when greenfield land will be lost. In line with the Spatial Principles they note that the river valleys are an important local asset which not only offer natural flood protection but contribute significantly to the local landscape and character of the area and the water quality of the rivers is an important factor in maintaining diverse natural habitats. Delivering a net gain and enhancing the network of habitats is also outlined in these policies. Development resulting in a net gain in priority habitat will, in principle, be supported.
- 4.2.5 It is considered that the Scheme meets all of these policies.

4.3 Other Guidance

- 4.3.1 Other guidance documents relevant to the assessment of the impacts of the Scheme on biodiversity are included below.

The 25 Year Environment Plan

- 4.3.2 In early 2018, the Government published its 25 Year Environment Plan (Ref 36) to provide guidance on its new approach to managing the environment. The plan promotes a natural capital approach that recognises the wider value of the environment and its contribution, such as food, clean water and air, wildlife, energy, wood, recreation and protection from hazards. The plan seeks to embed a net environmental gain principle for development to deliver environmental

improvements locally and nationally. It is considered that the Scheme is consistent with this Plan, as explained above.

Natural England and Department for Environment, Food and Rural Affairs (Defra) Standing Advice (protected species)

- 4.3.3 Standing advice from Natural England and Defra (Ref 36) provides guidance on protected and notable species and includes reference to the best practice approaches to survey, mitigation and compensation. Guidance is also provided on the procedure for obtaining protected species licences.
- 4.3.4 This advice has informed the planning of surveys and the approach to mitigating impacts upon protected species, including where necessary the requirement for Natural England mitigation licences.

UK Post-2010 Biodiversity Framework

- 4.3.5 The UK Biodiversity Action Plan (UKBAP) was launched in 1994 and established a framework and criteria for identifying species and habitat types of conservation concern (Ref 37). The UKBAP was subsequently succeeded by the UK Post-2010 Biodiversity Framework (July 2012) (Ref 38). The UK list of 943 priority species and 56 habitats, however, remains an important reference source and has been used to help draw up statutory lists of priority habitats and species in England, Scotland, Wales and Northern Ireland. For the purpose of this assessment, the UKBAP is still used as one of the criteria to assist in assigning national value to an ecological receptor.
- 4.3.6 The UK Post-2010 Biodiversity Framework is relevant within England in the context of Section 40 of the NERC Act 2006 (Ref 13), meaning that Priority Species and Habitats are material considerations in planning. These habitats and species are identified as those of conservation concern due to their rarity or a declining population trend.
- 4.3.7 The objectives of this framework (Ref 38) have been included in **Chapter 8: Ecology and Nature Conservation** of this Environmental Statement [EN010106/APP/6.1] through consideration of habitats and SPIs.

Birds of Conservation Concern (BoCC)

- 4.3.8 The Birds of Conservation Concern (BoCC) (Ref 39) is an assessment of the conservation status of all regularly occurring British birds. The lists (Red, Amber and Green), that indicate the level of conservation importance for each species, are derived from quantitative assessments from standardised criteria. The assessment is based on the most up-to-date evidence available and criteria include conservation status at global and European levels and, within the UK: historical decline, trends in population and range, rarity, localised distribution and international importance. The lists are drawn together by the UK's leading bird conservation organisations, including the Royal Society for the Protection of Birds (RSPB) and British Trust for Ornithology (BTO).

Cambridgeshire and Peterborough Biodiversity Action Plan (CPBAP)

- 4.3.9 The CPBAP (Ref 40) sets out action plans for 23 habitat types, 205 species and 66 species of additional interest within Cambridgeshire.

Suffolk Biodiversity Action Plan (SBAP)

- 4.3.10 The SBAP (Ref 35) sets out action plans for 20 habitat types and for 59 species within Suffolk.

5 References

- Ref 1 EC (2009). Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version). EC, Brussels.
- Ref 2 United Nations (1992). Convention on Biological Diversity.
- Ref 3 EC (1992). Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. EC, Brussels.
- Ref 4 Regulation (EU) 1143/2014 on invasive alien species (the IAS Regulation).
- Ref 5 EC (2000). Directive 2000/60/EC of the European parliament and of the council of 23 October 2000 establishing a framework for Community action in the field of water policy. Official Journal of the European Communities, Brussels
- Ref 6 HMSO (2018). Conservation of Habitats and Species Regulations 2017 (as amended). HMSO, London
- Ref 7 HMSO (2019) The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. HMSO, London
- Ref 8 Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat. United Nations Educational, Scientific and Cultural Organization (1971).
- Ref 9 HMSO (1981). The Wildlife & Countryside Act 1981. HMSO, London.
- Ref 10 HMSO (2000). Countryside and Rights of Way Act 2000. HMSO, London.
- Ref 11 The Environment Bill (2020).
- Ref 12 Water Environment (WFD) (England and Wales) Regulations 2017 (SI 2017/407).
- Ref 13 HMSO (2006). The Natural Environment and Rural Communities Act. HMSO, London.
- Ref 14 UK Post-2010 Biodiversity Framework. Joint Nature Conservation Committee and Department for Environment, Food and Rural Affairs (2012).
- Ref 15 HMSO (1992). Protection of Badgers Act 1992. HMSO, London.
- Ref 16 HMSO (1997). Hedgerow Regulations 1997. HMSO, London.
- Ref 17 Salmon and Freshwater Fisheries Act 1975.
- Ref 18 The Eels (England and Wales) Regulations 2009 (SI 2009/3344).
- Ref 19 EC. (2007). Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel. Official Journal of the European Union, Brussels
- Ref 20 HMSO (2006). Animal Welfare Act 2006. HMSO, London.
- Ref 21 HMSO (2019) The Invasive Alien Species (Enforcement and Permitting) Order 2019
- Ref 22 EC (2014). Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species. EC, Brussels.

- Ref 23 Department of Energy and Climate Change (DECC), (2011) National Policy Statement for Energy (EN-1)
- Ref 24 DECC (2011) National Policy Statement for Renewable Energy Infrastructure (EN-3)
- Ref 25 DECC (2011) National Policy Statement for Electricity Networks Infrastructure (EN-5)
- Ref 26 National Planning Policy Framework. Department for Communities and Local Government.
- Ref 27 East Cambridgeshire District Council (2015). East Cambridgeshire Local Plan Adopted April 2015. Section 6.8.
- Ref 28 East Cambridgeshire District Council (2020). Natural Environment – Supplementary Planning Document (SPD). Adopted September 2020
- Ref 29 East Cambridge District Council (2014); Supplementary Planning Document Renewable Energy Development (Commercial Scale) October 2014. Section 5.
- Ref 30 East Cambridgeshire District Council (2010) Supplementary Planning Document. County Wildlife Sites. June 2010
- Ref 31 Forest Heath District Council (2010); Forest Heath Local Development Framework – Core Strategy Development Plan Document 200102026 (with housing projected to 2031) Adopted May 2010. Section 2 and 3.
- Ref 32 Forest Heath and St Edmundsbury Local Plan; Joint Development Management Policies Document. February 2015. Section 4.
- Ref 33 East Cambridgeshire District Council (2018) Fordham Neighbourhood Plan
- Ref 34 Cambridgeshire and Peterborough Biodiversity Group (2008). Priority Species and Habitats.
- Ref 35 Suffolk Biodiversity Information Service (2015). Priority species and habitats.
- Ref 36 HMSO (2018) The 25 Year Environment Plan
- Ref 37 Joint Nature Conservation Committee (JNCC) and Defra (2008). UK Biodiversity Action Plan.
- Ref 38 JNCC and Defra (2012) UK Post-2010 Biodiversity Framework
- Ref 39 Eaton, M., Aebischer, N., Brown, A., Hearn, R., Lock, L., Musgrove A., Noble D., Stroud, D. and Gregory, R. (2015). Birds of Conservation Concern 4. The population status of birds in the United Kingdom, Channel Islands and Isle of Man. British Birds 108: 708-746.
- Ref 40 Cambridgeshire and Peterborough Biodiversity Group – list of priority species