

European Protected Species

What are European Protected Species?

Under the EC Habitats Directive some species of plant and animal are protected by European law. This includes all species of bat, great crested newt and otter.

Development that will affect a European Protected Species must be carried out under license from Natural England. When deciding whether or not to grant a license Natural England considers three derogation tests. In line with the Conservation Regulations 1994, the Local Authority must also consider these three tests when deciding whether to grant planning permission for a development that could harm a European Protected Species.

Additional information to be included with applications that will affect European Protected Species

Planning applicants must therefore demonstrate within their application how the three derogation tests are met before planning permission can be granted for applications that will affect a European Protected Species.

The Three Derogation Tests

- The activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety.
- There must be no satisfactory alternative.
- Favourable conservation status of the species must be maintained.

Providing the above information *does not* replace the need to obtain a Natural England License. It is also no guarantee that a subsequent license application to Natural England will be approved.

For more information contact:

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Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request. Please ask a member of our staff for more information, or if you need any other help or advice. They can arrange to speak to you in your own language if you need them to.