

## APPENDIX 2

### LEGISLATIVE AND NATIONAL POLICY CONTEXT

The following documents should be referred as key sources of reference and guidance with respect to biodiversity in the planning system:

- PPS9 *Biodiversity & Geological Conservation* (2005); available at:  
[www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/historicenvironment/pps9/](http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/historicenvironment/pps9/)
- ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within The Planning System; available at:  
[www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/historicenvironment/pps9/](http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/historicenvironment/pps9/)
- *Planning for Biodiversity and Geological Conservation: A Guide to Good Practice* (2006); available at:  
[www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/historicenvironment/pps9/](http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/historicenvironment/pps9/)
- *Natural Environment and Rural Communities Act (NERC), 2006, Section 41*. This requires the publication of a list of the living organisms and types of habitats which are of principal importance for the purpose of conserving biodiversity. A full list of the Section 41 species and habitats can be found at:  
[www.opsi.gov.uk/acts/acts2006/pdf/ukpga\\_20060016\\_en.pdf](http://www.opsi.gov.uk/acts/acts2006/pdf/ukpga_20060016_en.pdf)
- Note: the NERC Act, Section 41, replaces Section 74 of the Countryside and Rights of Way Act, under which Defra published a similar list in 2002 which was identical with the UK BAP list at the time.

