



Appendix E

Ecological

When are assessments / surveys likely to be required

A protected species/ Phase 1 Habitat Survey will likely be required for the following developments:

- 1) Development involving the modification conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:
 - agricultural buildings (e.g. farmhouses and barns) particularly brick or stone construction and /or with exposed wooden beams greater than 20cm thick;
 - buildings with weather boarding and/ or hanging tiles that are within 200m of woodland/ or water;
 - pre-1960 detached buildings and structures within 200m of woodland and/ or water;
 - pre-1914 buildings within 400m of woodland and/ or water;
 - all tunnels, mines, kilns, ice houses, adits, military fortifications, cellars and similar underground ducts and structures;
 - bridge structures, aqueducts and viaducts (especially over water and wet ground).
- 2) Proposals involving lighting of churches and listed buildings or flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water.
- 3) Proposals affecting gravel pits or quarries and natural cliff faces and rock outcrops with crevices, caves or swallets.
- 4) Proposed development affecting any buildings, structures, feature or locations where protected species or species of principal importance as listed under s41 of the Natural Environment and Communities Act 2006
- 5) All development within or adjacent to a designated site – Site of Special Scientific Interest (SSSIs), Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Ramsar sites, sites of biological or geological importance including Regionally Important Geological and Geomorphological Sites (RIGS), sites involving ancient woodland.
- 6) An ecological/geological survey and assessment may also be required in the following instances:
 - Development (within or adjoining) that could impact on a designated site - Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR), Local Sites or Local Nature Reserves) through water or air pathways;
- 12) Evidence to evaluate an assessment of likely significant effect (under the Conservation of Habitats and Species Regulation 2017)
 - Proposed major development sites;
 - Sites located in close proximity to Sites of Special Scientific Interest and Special Areas of Conservation.

Appendix E: Ecology Assessment

Local Requirements for Protected Species Assessments / Phase 1 Habitat Survey. Including Criteria and Indicative Thresholds

**Figure 1: Standard Application Form Question for Protected Species Assessments/
Phase 1 Habitat Survey.**

Biodiversity and Geological Conservation/ Ecological assessments
<p>Having referred to the guidance notes and the authority's local Planning Application Requirements, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:</p> <p>a) Protected and priority species (see help text):</p> <p>Yes, on land adjacent to the development site</p> <p>Yes, on the development site</p> <p>No</p> <p>b) Designated sites, important habitats or other biodiversity features (see help text):</p> <p>Yes, on the development site</p> <p>Yes, on land adjacent to the development site</p> <p>No</p> <p>c) Features of geological conservation importance (see help text):</p> <p>Yes, on the development site</p> <p>Yes, on land adjacent to the development site</p> <p>No</p>

PART 1 - LOCAL REQUIREMENTS FOR PROTECTED SPECIES

The planning authority has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Badgers Act 1992. Where a proposed development is likely to affect protected species, the applicant must submit a *Protected Species Survey and Assessment*.

If the application involves any of the development proposals shown in Table 1 (Column 1), a protected species survey and assessment must be submitted with the application. In some instances an assessment may not be required; this is also explained in the table. The survey should be undertaken and prepared by competent persons with suitable qualifications and experience. It must be carried out at an appropriate time of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail, and must show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The Assessment should also give an indication of how species numbers are likely to change, if at all, after development e.g. whether there will be a net loss or gain.

The information provided in response to the above requirements are consistent with those required for an application to Natural England for a European Protected Species License - A protected species survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

Further information on appropriate survey methods can be found at [Guidelines for Ecological Impact Assessment \(EclA\) | CIEEM](#) published by the Chartered Institute of Ecology and Environmental Management.

* Distances may be amended to suit local circumstance on the advice of the local Natural England team and/or Local Biodiversity Partnership

** Confirmed as present by either a data search (for instance via the local environmental records centre) or as notified to the developer by the local planning authority, and/or by Natural England, the Environment Agency or other nature conservation organisation.

Exceptions for when a full species survey and assessment may not be required:

Following consultation by the applicant at the pre-application stage, the LPA has stated in writing that no protected species surveys and assessments are required.

If it is clear that no protected species are present, despite the guidance in the above table indicating that they are likely, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. this might be in the form of a letter or brief report from a suitably qualified and experienced person, or a relevant local nature conservation organisation).

If it is clear that the development proposal will not affect any protected species present, then only limited information needs to be submitted. This information should, however, (i) demonstrate that there will be no significant effect on any protected species present and (ii) include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm protected species should they subsequently be found or disturbed.

In some situations, it may be appropriate for an applicant to provide a protected species survey and report for only one or a few of the species shown in the Table above e.g. those that are likely to be affected by a particular activity. Applicants should make clear which species are included in the report and which are not because exceptions apply.

PART 2 LOCAL REQUIREMENTS FOR DESIGNATED SITES, PRIORITY HABITATS AND GEOLOGICAL CONSERVATION

The planning authority has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of designated sites and priority habitats. Where a proposed development is likely to affect such a site, habitat or geological feature, the applicant must submit:

Ecological/Geological Survey and Assessment.

If the application is likely to affect any of the designated sites, priority habitats or biodiversity features listed in **Table 2** or geological features listed in **Table 3**, a survey and assessment for the relevant feature must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in these tables. The **Survey** should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological or geological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail, and must:

- Record which habitats and features are present on and where appropriate around the site;
- Identify the extent/area/length present;
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

The **Assessment** should identify and describe potential development impacts likely to harm designated sites, priority habitats, other listed biodiversity features or geological features (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to designated sites priority habitats, other biodiversity features or geological features. The Assessment should give an indication of likely change in the area (hectares) of priority habitat on the site after development e.g. whether there will be a net loss or gain. An ecological/geological survey and assessment may form part of a wider Environmental Impact Assessment.

Notes:

Existing environmental information may be available from Local Record Centres, Wildlife Trusts, and Local RIGS Groups etc. Also online information on internationally and nationally designated sites can be found at: www.natureonthemap.org.uk.

Table 2: Local Requirements for Designated Sites and Priority Habitats Criteria (Trigger List) for When a Survey and Assessment are required

1. DESIGNATED SITES

(as shown on the Council's Development Plan Proposals Map)

Internationally designated sites

Special Protection Area (SPA)

Special Area of Conservation (SAC)

Ramsar Site

Nationally designated sites

Site of Special Scientific Interest (SSSI)

National Nature Reserve (NNR)

Regionally and locally designated sites

Local Sites

Local Nature Reserve (LNR)

2. PRIORITY HABITATS

(Habitats of Principal Importance for Biodiversity under S.41 of the NERC Act 2006)

- Ancient and/or species-rich hedgerows
-
- Coastal saltmarsh, sand dunes, vegetated shingle and inshore sands, muds and gravels, saline lagoons
-
- Floodplain grazing marsh
-
- Fen, marsh, swamp and reedbeds
-
- Purple moor grass and rush pastures
-
- Lowland beech and yew woodland
-
- Lowland calcareous grassland (e.g. species-rich chalk and limestone grasslands)
-
- Lowland heathland and/or dry acid grassland
-
- Lowland meadows (e.g. species-rich flower meadows)
-
- Lowland mixed deciduous woodland (ancient woodland)
-
- Lowland raised bog or Upland blanket bog

- Lowland wood-pasture and parkland
- Maritime cliffs and slopes and littoral and sub-littoral rock outcrops
- Native pine woodlands or Upland woodlands (e.g. mixed ashwoods, oakwoods, and birchwoods)
- Rivers and streams (e.g. chalk streams)
- Standing open water and canals (e.g. lakes, reservoirs, ponds, aquifer fed fluctuating water bodies)
- Upland calcareous grassland and upland hay meadows
- Upland heathland
- Wet woodland

3. OTHER BIODIVERSITY FEATURES

(as identified by the Local Biodiversity Partnership - see paragraph 84 ODPM Circular 06/2005))

- Secondary Woodland and Mature/Veteran Trees
- Caves and disused tunnels and mines (e.g. roosts for bats)
- Trees and scrub used for nesting by breeding birds
- Previously developed land with biodiversity interest
- Urban green space (e.g. parks, allotments, flower-rich road verges and railway embankments)

Exceptions when a full survey and assessment may not be required

International and National Sites: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national or international importance.

Regional and Local Sites and Priority Habitats: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with the Local Planning Authority's ecologist (where employed), or ecological advisor and/or the local Wildlife Trust that they are satisfied that the proposed development will not affect any regional or local sites designated for their local nature conservation importance or any other priority habitats or listed features.

Table 3: Local Requirements for Designated Geodiversity Sites and Features Criteria (Trigger List) for when a Survey and Assessment are required

1. DESIGNATED SITES (as shown on the council's Development Plan Proposals Map)

Nationally designated sites:

- Site of Special Scientific Interest (SSSI)
- National Nature Reserves (NNRs)
- Regionally and locally designated sites:
- Regional Important Geological Sites (RIGS)
- Local Nature Reserves (LNRs)

2. OTHER GEOLOGICAL CONSERVATION FEATURES

(Based on the Earth Science Conservation Classification)

Exposure or Extensive Sites:

- Active quarries and pits
- Disused quarries and pits
- Coastal cliffs and foreshore
- River and stream sections
- Inland outcrops
- Exposure underground mines and tunnels
- Extensive buried interest
- Road, rail and canal cuttings

Integrity Site

- Static (fossil) geomorphological
- Active process geomorphological
- Caves
- Karst

Finite Sites

- Finite mineral, fossil or other geological
- Mine dumps
- Finite underground mines
- Finite buried interest

Figure 2: ECOLOGICAL SURVEY SEASONS

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Badgers		■	■	■	■	■	■	■	■	■	■	■
Bats (Hibernation Roosts)	■	■	■								■	■
Bats (Summer Roosts)				■	■	■	■	■	■	■		
Bats (Foraging/Commuting)				■	■	■	■	■	■	■		
Birds (Breeding)			■	■	■	■	■	■				
BIRDS (Over Wintering)	■	■									■	■
Dormice	■				■	■	■	■	■		■	■
Great-Crested Newts		■	■	■	■	■	■	■	■	■		
Invertebrates				■	■	■	■	■	■			
Natterjack Toads				■	■							
Otters	■	■	■	■	■	■	■	■	■	■	■	■
Reptiles			■	■	■	■			■			
Water Voles		■	■	■	■	■	■	■	■	■		
White-Clawed Crayfish							■	■	■			
Habitats/Vegetation				■	■	■	■	■	■			

TERRESTRIAL

AQUATIC

Key:

Optimal Survey Time ■

Extending into ■

Points to note regarding surveys are as follows:

- For certain species and habitats surveys can be carried out at any time of year, but for other species, particular times of year are required to give the most reliable results, as indicated in Figure 2
- Surveys conducted outside of optimal times (Figure 2) may be unreliable. For certain species (e.g. Great Crested Newt) surveys over the winter period are unlikely to yield any useful information. Similarly negative results gained outside the optimal period should not be interpreted as absence of a species and further survey work maybe required during the optimal survey season. This is especially important where existing surveys and records show the species has been found previously on site or in the surrounding area. An application may not be valid until survey information is gathered from an optimum time of year.
- Species surveys are also very weather dependent so it may be necessary to delay a survey or to carry out more than one survey if the weather is not suitable, e.g. heavy rain is not good for surveying for otters, as it washes away their spraint (droppings). Likewise bat surveys carried out in wet or cold weather may not yield accurate results.
- Absence of evidence of a species does not necessarily mean that the species is not there, nor that its habitat is not protected (e.g. a bat roost is protected whether any bats are present or not).
- Local Biological / Environmental Records Centre may have useful existing information and records.

Competent ecologists should carry out any surveys. Where surveys involve disturbance, capture or handling of a protected species, then only a licensed person can undertake such surveys (e.g. issued by Natural England). Surveys should follow published national or local methodologies.