



# Rushmoor Plan

**DRAFT**

**Biodiversity**

**Supplementary Planning Document**

**August 2023**

**RUSHMOOR**  
BOROUGH COUNCIL

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## Consultation

The Adopted Rushmoor Local Plan (2019) sets out the development strategy for the borough up to 2032.

This draft Biodiversity Supplementary Planning Document (SPD) provides further guidance to support Policies NE1 and NE4 and addresses how biodiversity considerations should inform new development to deliver high quality and sustainable places to live which enhance biodiversity and support healthy lifestyles.

This draft SPD is available for public consultation for a period of six weeks between 29<sup>th</sup> August to 5pm on 10<sup>th</sup> October 2023.

Comments can be submitted:

Using our **online survey** via [www.rushmoor.gov.uk/planningpolicyconsultations](http://www.rushmoor.gov.uk/planningpolicyconsultations)

**By email:** [planningpolicy@rushmoor.gov.uk](mailto:planningpolicy@rushmoor.gov.uk)

**By writing in person to:**

The Planning Policy and Conservation Team  
Rushmoor Borough Council  
Council Offices  
Farnborough Road  
Farnborough  
GU14 7JU

**Please note:** the comments received during this consultation cannot be treated as confidential so please do not include any personal information with your comments. Responses will be published on the Council's website, together with the name and/or organisation name of the respondent.

You can find out how we will use the information you send us at:

[Privacy notice for planning policy - Rushmoor Borough Council](#)<sup>1</sup>

We will consider all comments received on the document and amend it, if necessary, before deciding whether to adopt it as formal supplementary planning guidance later this year.

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<sup>1</sup> <https://www.rushmoor.gov.uk/your-council/legal-information/freedom-of-information/privacy-notice/privacy-notice-for-planning-policy/>

# 1. Introduction

## What is a Supplementary Planning Document?

- 1.1 A Supplementary Planning Document (SPD) supports national planning policy guidance and elaborates upon policies in the Development Plan, in this instance the [Rushmoor Local Plan 2014-2032](#) (adopted February 2019)<sup>2</sup>. SPDs are one of the material considerations that can be taken into account when determining a planning application.
- 1.2 This SPD elaborates upon the following Local Plan policies:
  - Policy NE1 – Thames Basin Heaths Special Protection Area
  - Policy NE4 - Biodiversity

## What is the Purpose of this SPD?

- 1.3 The purpose of this SPD is to provide further guidance and explain how biodiversity considerations, including Biodiversity Net Gain (BNG), should be incorporated into the development process from the outset to ensure that legislation and Local Plan policy requirements are met, and best practice standards are achieved.
- 1.4 This SPD outlines the principles that will be followed in determining planning applications. However, each case will always be considered on its own merits, taking account of all relevant policies of the Local Plan. The biodiversity considerations identified in this document should be brought together with other site considerations and other design objectives to inform the overall design and layout of development.

## What is Biodiversity and Why Does it Matter?

- 1.5 Biodiversity is the variety of plant and animal life which is found in a place. It encompasses the whole range of mammals, birds, reptiles, amphibians, fish, insects and other invertebrates, plants, fungi, and micro-organisms such as protists, bacteria and viruses. It is essential for the processes that support all life on Earth, including humans.
- 1.6 A healthy and abundant biodiversity is vital to support the ecosystems we rely on, including food production through crop pollination and soil nutrients, flood protection through rainfall absorption and the slowing of water flow, and air filtration, through the removal of pollutants and combating climate change. An implication of losing biodiversity is that we will struggle to maintain the ecosystem services needed to sustain life.

## What types of development does this Supplementary Planning Document apply to?

- 1.7 The guidance is relevant to all scales of development (including those that require a statutory Environmental Impact Assessment (EIA)) although it is recognised that not all the requirements will be relevant to every type of proposal. The council will seek information proportionate to the scale of the development proposed and the extent to which it is likely to impact upon the natural environment (for example, development adjacent to designated habitats will generally require a greater level of information). It is recognised that household

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<sup>2</sup> <https://www.rushmoor.gov.uk/rushmoorlocalplan>

applications and small-scale proposals will usually have more limited impacts upon the natural environment.

### Structure and Contents of the Supplementary Planning Document

1.8 The SPD sets out the guidance and good practice for all stages of the planning and development process and is structured as follows:

- The planning policy and legislative context (chapter 2)
- Information on Biodiversity within the Borough (chapter 3)
- Advice on meeting the mandatory Biodiversity Net Gain requirement (chapter 4)
- Advice on how proposals should take account of biodiversity, including the mandatory Biodiversity Net Gain requirement, at each stage of the planning process (chapter 5)

### Professional Advice

1.9 It is recommended that appropriate professional advice is sought when addressing the requirements of this SPD. A list of locally-based appropriately qualified ecological consultants can be found within the Professional Directory of the Chartered Institute of Ecology and Environmental Management (CIEEM) ([www.cieem.net](http://www.cieem.net)). More information on securing appropriate ecological advice is set out in Appendix 2.

## 2. Policy and Legislation

### Legislation

2.1 There is a wide variety of legislation and policy provision relating to biodiversity from an international level through to a local level. Applicants must demonstrate that proposals are compliant with all relevant legislation regarding the protection of wildlife and habitats and should ensure that they receive the necessary professional advice to be able to do so. Key legislation is summarised in Table 1.

Table 1 – Summary of Relevant Legislation

Legislation	Key Information
<a href="#">Environment Act 2021</a> <sup>3</sup>	<p>Enacted in November 2021 with a target to halt a decline in the abundance of species. Schedule 14 makes provision for biodiversity gain to be a condition of planning permission setting out key requirements in relation to biodiversity and development management through amendments to the Town and Country Planning Act 1990 including:</p> <ul style="list-style-type: none"> <li>• mandatory delivery of minimum 10% Biodiversity Net Gain (BNG) above the pre-development value of the site unless exempt;</li> <li>• biodiversity value and BNG to be measured using the Defra Biodiversity Metric by a suitably qualified and experienced ecologist;</li> <li>• submission of a Biodiversity Gain Plan as a condition of planning permission;</li> <li>• BNG to be provided on-site, off-site or through a statutory biodiversity credit scheme;</li> <li>• habitat secured for at least 30 years via planning obligations or conservation covenants.</li> </ul> <p>The requirements for BNG are due to become mandatory in November 2023. Full details of all requirements will be provided through secondary legislation.</p>
<a href="#">Natural Environment and Rural Communities Act 2006</a> <sup>4</sup>	<p>Section 40 (as amended by the Environment Act) places a duty on public bodies in England to conserve and enhance biodiversity. It requires local authorities to have regard to the purpose of conserving and enhancing biodiversity in a manner that is consistent with the exercise of their normal functions such as policy and decision making. Section 41 requires the Secretary of State to publish and maintain lists of species and types of</p>

<sup>3</sup> <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/2006/16/contents>

Legislation	Key Information
	habitats to be of "principal importance" for the purposes of conserving biodiversity, known as Priority habitats and species.
<a href="#">Wildlife and Countryside Act 1981 (as amended)</a> <sup>5</sup>	The primary mechanism for the protection of all wildlife in the UK and includes schedules that set out those species with additional levels of protection. It also provides the basis for the identification of sites of national importance for nature conservation, Sites of Special Scientific Interest.
<a href="#">Conservation of Habitats and Species Regulations 2017 (as amended)</a> <sup>6</sup>	Often referred to as the Habitats Regulations, these provide protection for designated sites, habitats and species considered to be of international importance, including the designation of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) Sites and European Protected Species.
<a href="#">Protection of Badgers Act 1992</a> <sup>7</sup>	This Act refers specifically to Badgers, making it an offence to kill, injure or take a Badger, or to damage or interfere with a sett or disturb a badger while it is occupying a sett, unless a licence is obtained from a statutory authority.
<a href="#">Hedgerow Regulations 1997</a> <sup>8</sup>	These Regulations provide a framework for the identification of protected hedgerows with importance for wildlife, landscape and heritage. For projects that do not require planning consent, the requirements of the Regulations need to be met to permit the removal of any hedgerow or hedgerow section, except if it forms a curtilage to a property.
<a href="#">Crime and Disorder Act 1998</a> <sup>9</sup>	Section 17 states that all relevant authorities, including city, town and parish councils, have a duty to consider the impact of all their functions and decisions on crime and disorder in their local area. To prevent wildlife crime, planning decisions, including permitted development and listed building consents, need to consider how to avoid any action which contravenes current legislation governing the protection of wild animals and plants.

## National and Regional Policy Context

2.2 The [National Planning Policy Framework](#)<sup>10</sup> (NPPF) sets out broad principles, which councils must take into consideration when deciding whether to grant planning permission. Chapter 15 sets out the Government's objectives with regards to 'Conserving and Enhancing the Natural Environment', including through protecting and enhancing valued landscapes and sites of

<sup>5</sup> <https://www.legislation.gov.uk/ukpga/1981/69/contents>

<sup>6</sup> <https://www.legislation.gov.uk/uksi/2017/1012/contents/made>

<sup>7</sup> <https://www.legislation.gov.uk/ukpga/1992/51/contents>

<sup>8</sup> <https://www.legislation.gov.uk/uksi/1997/1160/contents/made>

<sup>9</sup> <https://www.legislation.gov.uk/ukpga/1998/37/contents>

<sup>10</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

biodiversity or geological value; recognising the intrinsic character and beauty of the countryside; and minimising impacts on and providing net gains for biodiversity.

- 2.3 National guidance to support the NPPF is published online in the form of [Planning Policy Guidance](#)<sup>11</sup>, including links to [Natural England's standing advice](#)<sup>12</sup> on protected sites and species.
- 2.4 [Government Circular 06/2005](#)<sup>13</sup> provides further guidance on the law relating to planning and nature conservation. It clarifies the need for information submitted in support of planning applications to be sufficient to provide LPAs with certainty of likely impacts including whether mitigation measures can be secured, prior to determination. It gives weight to the conservation of biodiversity within the planning process to avoid decisions being challenged.
- 2.5 The approach to mitigation set out in South East Plan Policy NRM6 is further detailed in the [Thames Basin Heaths Special Protection Area Delivery Framework \(2009\)](#)<sup>14</sup>. This was endorsed by the Thames Basin Heaths Joint Strategic Partnership Board (JSPB) in 2011 and informs the approach followed by local authorities affected by the SPA.
- 2.6 Within 400m of the SPA the impact of new residential development is considered likely to be such that it is not possible to conclude no adverse effect on the SPA regardless of mitigation. On this basis, there is a presumption against development within this zone.
- 2.7 The Delivery Framework provides a recommended approach to the provision of measures in respect of sites between 400m and 5km from the SPA to avoid an in-combination likely significant effect and/or adverse effects on the integrity of the SPA. The strategy advocates the provision of Suitable Alternative Natural Greenspace (SANG) to attract visitors away from the SPA to less sensitive natural areas, and Strategic Access Management and Monitoring (SAMM) measures, including funding for a team of rangers to educate users of the SPA, and the public in general, regarding the need to control dogs and avoid disturbing the nesting birds.
- 2.8 The Council has published an [Avoidance and Mitigation Strategy](#)<sup>15</sup> that enables residential development to take place in Rushmoor, which the special protection area legislation would otherwise prevent.

### Local Policy Context

- 2.9 The [Rushmoor Local Plan](#)<sup>16</sup> includes a 'vision' of how the Borough might look once the Local Plan policies have been implemented and includes the following vision relating to the Borough's natural environment:

*"Rushmoor's environmental assets, both natural and man-made, provide a sustainable environment for present and future generations (healthy, green, open).*

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<sup>11</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>12</sup> <https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

<sup>13</sup> <https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>

<sup>14</sup> <https://www.rushmoor.gov.uk/media/g2xfm2g2/thames-basin-heaths-special-protection-area-delivery-framework.pdf>

<sup>15</sup> <https://www.rushmoor.gov.uk/media/2fvbfgju/tbh-ams-2023.pdf>

<sup>16</sup> <https://www.rushmoor.gov.uk/rushmoorlocalplan>



*This includes the parks of Aldershot and Farnborough and other green infrastructure, such as the Suitable Alternative Natural Greenspaces (which help to deflect recreational pressures away from internationally important heathlands) and important watercourses in the Borough, specifically the Blackwater River, Basingstoke Canal and Cove Brook (green, open, great places to go, lots to do)."*

2.10 The adopted Local Plan also includes the following objective to:

*"To conserve and enhance the Borough's built, historic and natural environment, including heritage assets, areas of ecological value and the water environment."*

2.11 This SPD seeks to assist in the delivery of these objectives by providing further detail to support the implementation of the following Local Plan policies:

- Policy NE1 – Thames Basin Heaths Special Protection Area
- Policy NE4 - Biodiversity

2.12 The SPD should also be read in conjunction with the council's other planning policy documents. These are available on the Council's website at [www.rushmoor.gov.uk/planningpolicy](http://www.rushmoor.gov.uk/planningpolicy)

### Local Strategies

2.13 There are a number of strategies which are relevant to the requirements set out in this SPD.

Table 2 – Summary of Relevant Local Strategies

Strategy	Relevant Information
Local Nature Recovery Strategies (LNRS)	Local Nature Recovery Strategies (LNRS) are spatial strategies that will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits. In July 2023, The Secretary of State for Environment, Farming and Rural Affairs appointed Hampshire County Council as the 'responsible body' to prepare the LNRS for Hampshire. More information on the relationship between LNRS and Biodiversity Net Gain is set out in chapter 4 below.
<a href="#">Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy</a> <sup>17</sup>	The Avoidance and Mitigation Strategy sets out the approach that the Council will follow to seek to avoid harm on the Special Protection Area arising from additional residential development.
<a href="#">Green Infrastructure Strategy</a> <sup>18</sup>	This Strategy identifies the valuable Green Infrastructure in and around the Borough, seek to protect, harness and sustain the benefits it provides, and identify opportunities to enhance what we have.
Biodiversity Opportunity Areas	Targeted landscape-scale approach to conserving biodiversity within Hampshire. They identify opportunities

<sup>17</sup> <https://www.rushmoor.gov.uk/media/2fvbfgju/tbh-ams-2023.pdf>

<sup>18</sup> <https://www.rushmoor.gov.uk/planning-and-building-control/planning-policies/green-infrastructure-strategy/>

	for habitat creation and restoration where such actions will have the greatest positive impact for wildlife.
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### Best Practice

- 2.14 The Council advises that applications follow the relevant British Standards, including Biodiversity - Code of practice for planning and development (BS42020) and Process for designing and implementing Biodiversity Net Gain (BS8683). BS42020 gives recommendations and provides guidance primarily for ensuring that actions and decisions taken at each stage of the planning process are informed by sufficient and appropriate ecological information. BS8683 builds on BS42020 and sets out a process for implementing biodiversity net gain (BNG) at all stages of the planning process.
- 2.15 Surveys and data submitted in support of applications should be undertaken in accordance with industry best practice. More information is provided in Appendix 2.

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### 3. The Borough's Biodiversity Resource

- 3.1 This section identifies and summarises designated sites, and provides an overview of legally protected, notable and Priority habitats and species, which need to be identified, protected and enhanced throughout the design and development process (inclusive of direct and indirect impacts). All such sites and species are material to planning decisions.
- 3.2 The table below provides a summary and maps are provided below to show the location of designated sites in and around the Borough. Further information on internationally and nationally statutory designated sites can be obtained through the [Multi-Agency Geographic Information for the Countryside \(MAGIC\) Map](#)<sup>19</sup>, including boundaries and links to site descriptions. Information on locally designated sites is available via [Rushmoor Local Plan Online Maps](#) and [Hampshire Biodiversity Information Centre](#)<sup>20</sup>

Table 3 – Summary of Rushmoor's Biodiversity Resource

Designation/Species/ Habitats	Key Information
Internationally Designated Statutory Nature Conservation Sites	<p>Special Protection Areas (SPA) and Special Areas of Conservation (SAC) are sites of international importance which form the UK's national site network protected by The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations). Ramsar Sites are wetlands of international importance that have been designated under the criteria of the international Ramsar Convention on Wetlands; these are also protected under the Habitats Regulations. Collectively, these sites are now known as Habitats Sites as defined by the NPPF. There is one Habitats site located within Rushmoor Borough: <a href="#">Thames Basin Heaths Special Protection Area</a><sup>21</sup></p> <p>There are a number of Habitats sites around the Borough and therefore any potential impacts of certain types of development may need to be considered. More information is available in the <a href="#">Local Plan Habitats Regulations Assessment</a><sup>22</sup>.</p> <p>These sites have the strongest level of protection in planning under The Conservation of Habitats and Species Regulations 2017 which restricts the granting of planning permission for development which is likely to have a significant effect on an SPA or SAC. The approach to applications in relation to the Thames Basin Heaths Special Protection Area is set out in Local Plan Policy NE1 (Thames Basin Heaths Special Protection Area) and further guidance is available in the <a href="#">Avoidance and Mitigation Strategy</a><sup>23</sup>.</p>

<sup>19</sup> <https://magic.defra.gov.uk/MagicMap.aspx>

<sup>20</sup> <https://rushmoorcouncil.sharepoint.com/sites/CorporatePlanning/PolicyAndConservation/SPDs, Guidance and Strategies/Biodiversity SPD>

2023/experience.arcgis.com/experience/eb76b6189b774d30b6bdc42e34ff678f

<sup>21</sup> <https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9012141.pdf>

<sup>22</sup> [https://www.rushmoor.gov.uk/media/wrznaddk/habitats\\_reg\\_assessment\\_2017\\_-\\_final.pdf](https://www.rushmoor.gov.uk/media/wrznaddk/habitats_reg_assessment_2017_-_final.pdf)

<sup>23</sup> <https://www.rushmoor.gov.uk/spa>

Designation/Species/ Habitats	Key Information
<p>Other Statutory Nature Conservation Sites</p> <p>Sites of Special Scientific Interest (SSSI)</p>	<p>Sites of Special Scientific Interest (SSSI) are designated due to the special interest of their flora, fauna, geological, geomorphological or physiographical features. The five Sites of Special Scientific Interest (SSSI) within the Borough area:</p> <ul style="list-style-type: none"> <li>• Bourley and Long Valley SSSI</li> <li>• Castle Bottom to Yateley and Hawley Meadows SSSI</li> <li>• Eelmoor Marsh SSSI</li> <li>• Foxlease and Ancells Meadows SSSI</li> <li>• Basingstoke Canal SSSI</li> </ul> <p>More information on SSSIs is available via the <a href="#">Multi-Agency Geographic Information for the Countryside (MAGIC) Map</a></p>
<p>Other Statutory Nature Conservation Sites</p> <p>Local Nature Reserves</p>	<p>Local Nature Reserves (LNR) are statutorily protected local sites, designated by local authorities for their special natural interest, educational value and the access to nature that they offer. There is one Local Nature Reserve located within the Borough area<sup>24</sup>:</p> <p><a href="#">Rowhill Copse Local Nature Reserve</a><sup>25</sup></p>
<p>Locally Designated Non-Statutory Sites</p> <p>Sites of Importance for Nature Conservation</p>	<p>Rushmoor has 38 Sites of Importance for Nature Conservation (SINCs), formally selected by panel for their important habitats and species. The location of SINCs are available on <a href="#">Rushmoor Local Plan Online Maps</a><sup>26</sup> and more information on SINCs is available from the Hampshire Biodiversity Information Centre<sup>27</sup>.</p>
<p>Locally Designated Non-Statutory Sites</p> <p>Road Verges of Ecological Importance (RVEI)</p>	<p>Rushmoor Borough has two Road Verges of Ecological Importance (RVEI)<sup>28</sup>, a Hampshire-wide non-statutory wildlife conservation designation designed to identify and appropriately manage wildlife-rich road verges. Both RVEIs in Rushmoor Borough are owned and managed by the MoD and have been selected for their botanical interest. More information on RVEI is available from <a href="#">Hampshire Biodiversity Information Centre</a><sup>29</sup>.</p>

<sup>24</sup> Rowhill Copse Local Nature Reserve, owned by Rushmoor Borough Council, is on the southern edge of Aldershot but is primarily within Surrey.

<sup>25</sup> <https://www.rushmoor.gov.uk/rowhillnaturereserve>

<sup>26</sup> [experience.arcgis.com/experience/eb76b6189b774d30b6bdc42e34ff678f](https://experience.arcgis.com/experience/eb76b6189b774d30b6bdc42e34ff678f)

<sup>27</sup> [www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/sincs](http://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/sincs)

<sup>28</sup> Shoe Lane, Aldershot (east side of Shoe Lane, south-west corner of the Army Golf Course) and A325 Slip to Alison's Road (South side of road on corner with Farnborough Road).

<sup>29</sup> [www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/roadverges](http://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/roadverges)

Designation/Species/ Habitats	Key Information
Protected Species	<p>These species are protected by law. The presence of legally protected species and the extent to which they could be impacted is a material consideration in the determination of planning applications. Populations of many species are dynamic, therefore existing records can only be used as a guide to likely presence and should be tested by appropriate field survey work based on current best practice, including expiration of validity. Local records of protected species are available from the <a href="#">Hampshire Biodiversity Record Centre</a>.</p>
Priority Species	<p>Priority species are those identified as being the most threatened and in need of conservation action. They are included within the Section 41 list prepared under the Natural Environment and Rural Communities Act (Annex 3 – Table 3.1)</p> <p>Hampshire Biodiversity Record Centre provides records of Priority Species within its <a href="#">data search</a>.<sup>30</sup></p>
Notable Species	<p>The term “notable” has a specific meaning relating to assessing and monitoring the distribution of species and is typically used to understand distribution trends with the use of additional criteria e.g., Red Data Book (Red List), providing status in a global or national context, and alongside the International Union for Conservation of Nature (IUCN) rarity levels. Notable habitats and species are not legally protected but are considered to be of local importance and conservation concern of relevance for biodiversity consideration.</p> <p>Local records of protected species are available from the <a href="#">Hampshire Biodiversity Record Centre</a>.</p>
Priority Habitats	<p>Priority habitats are those identified as being the most threatened and therefore in need of conservation action and are of principal importance for the conservation of biodiversity. These are included within the Section 41 list prepared under the Natural Environment and Rural Communities Act. (See Annex 3 – Table 3.3)</p> <p>Natural England maintains inventories of Priority habitats, which can be viewed on the <a href="#">Multi-Agency Geographic Information for the Countryside</a><sup>31</sup> map. These inventories should only be viewed as provisional, with the presence or absence of Priority habitats to be confirmed by up-to-date field survey results, with reference to the published UK Priority habitat descriptions.</p>

<sup>30</sup>

<https://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/requestdatasearch>

<sup>31</sup> <https://magic.defra.gov.uk/MagicMap.aspx>

Designation/Species/ Habitats	Key Information
Rare Species Inventory	<p>The nature conservation status of species has been determined by the assessment of populations against threat and rarity criteria, often at local, national and international levels. Species with higher rarity and threat status are generally known as Red List species. Swift, greenfinch and house martin were added to Red Lists in December 2021. The Hampshire Biodiversity Record Centre maintains the Hampshire Rare Species Inventory, which includes all national Red List species along with those that are considered rare in Hampshire according to stated criteria.</p>
Irreplaceable Habitats	<p><a href="#">Paragraph 175 of the NPPF (2018)</a><sup>32</sup> includes a presumption against development that would result in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) unless there are wholly exceptional reasons, and a suitable compensation strategy exists.</p> <p>Irreplaceable habitats are defined in the <a href="#">NPPF Glossary</a><sup>33</sup> as:</p> <p><i>“Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.”</i></p>
Invasive non-native species	<p>Vigorous or invasive non-native plant species can impact negatively upon biodiversity by out-competing native flora, limiting the available feeding and cover areas and becoming monocultural habitat.</p> <p>Landscaping schemes should look to avoid invasive non-native species listed and known to be a local problem, opting to include locally appropriate and beneficial species of biodiversity value.</p> <p>Terrestrial species of particular concern include Cotoneaster species, Japanese Knotweed (<i>Fallopia japonica</i>), Indian Balsam (<i>Impatiens glandulifera</i>) and Giant Hogweed (<i>Heracleum mantegazzianum</i>). More information is available on the webpages of the <a href="#">GB Non-native Species Secretariat</a><sup>34</sup>.</p> <p>It is an offence to spread, or cause to grow, certain plant species listed on Schedule 9 of the <a href="#">Wildlife and Countryside Act, 1981 as amended</a><sup>35</sup>. It should be noted that where proposals could result in the spread of non-native invasive plant species, suitable measures will need to be agreed and/or undertaken to control them.</p>

<sup>32</sup> <https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment>

<sup>33</sup> <https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>

<sup>34</sup> <https://www.nonnativespecies.org/home/index.cfm>

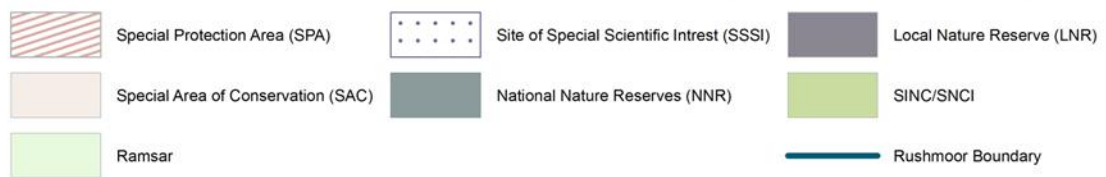
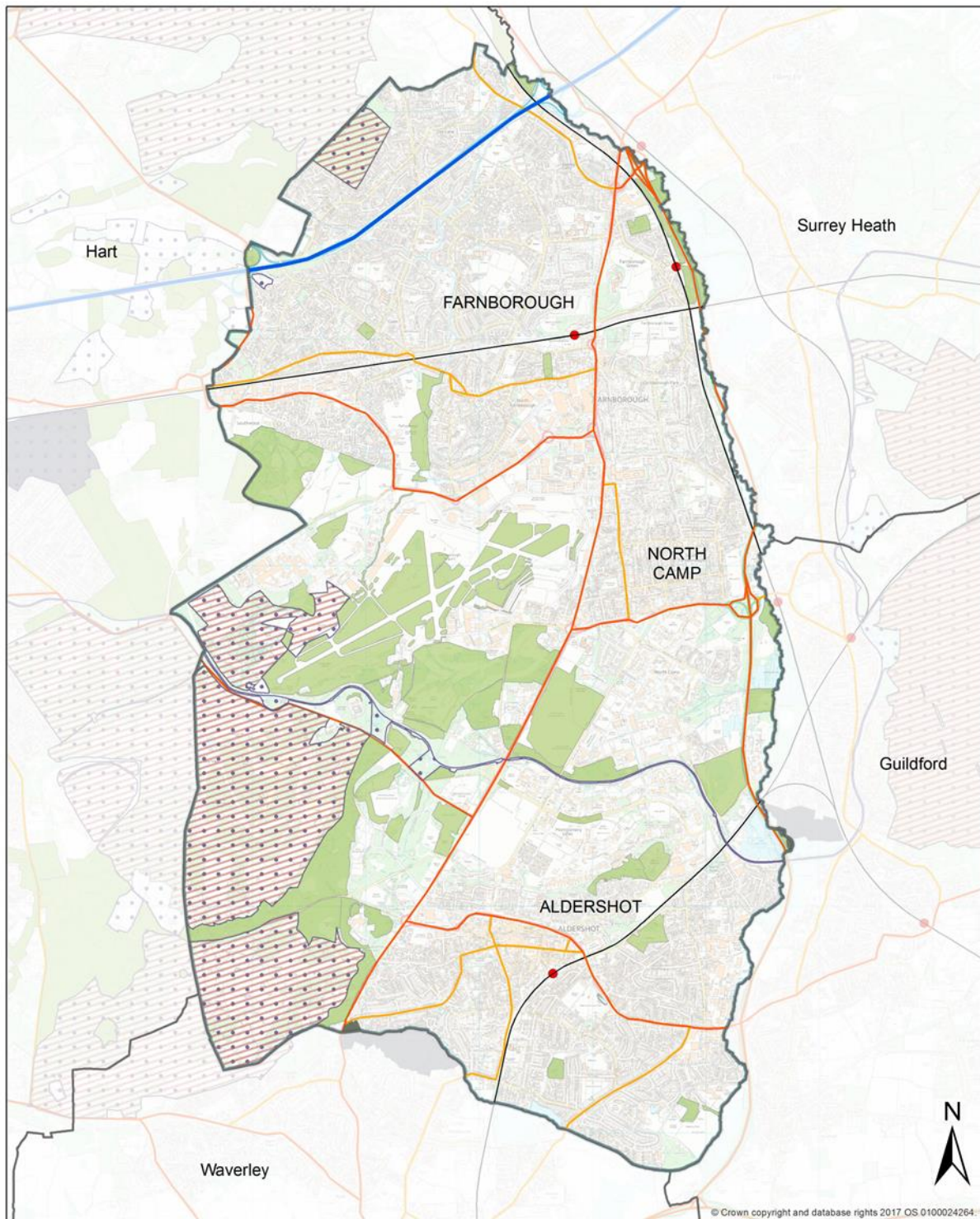
<sup>35</sup> <https://www.legislation.gov.uk/ukpga/1981/69/contents>

Designation/Species/ Habitats	Key Information
Biodiversity Opportunity Areas (BOAs)	Biodiversity Opportunity Areas (BOAs) have been identified across South-East England to provide a landscape-scale framework for delivering the maintenance, restoration and creation of wildlife habitats. Their purpose is to identify areas where there is the most potential for improving biodiversity and subsequently serve as a focus for where conservation effort and resources can have the greatest benefit. More information is available from the <a href="#">Hampshire Biodiversity Information Centre</a> <sup>36</sup>
Ecological Network Mapping	An Ecological Network Map within the Borough has been produced by the Hampshire Biodiversity Information Centre (HBIC) on behalf of the Hampshire Local Nature Partnership (LNP). It consists of areas identified as being suitable for habitat creation based on habitat mapping for the county and other factors such as geology, hydrology and topography. More information is available from the <a href="#">Hampshire Biodiversity Information Centre</a> <sup>37</sup>

<sup>36</sup>[www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/information#step-6](http://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/information#step-6)

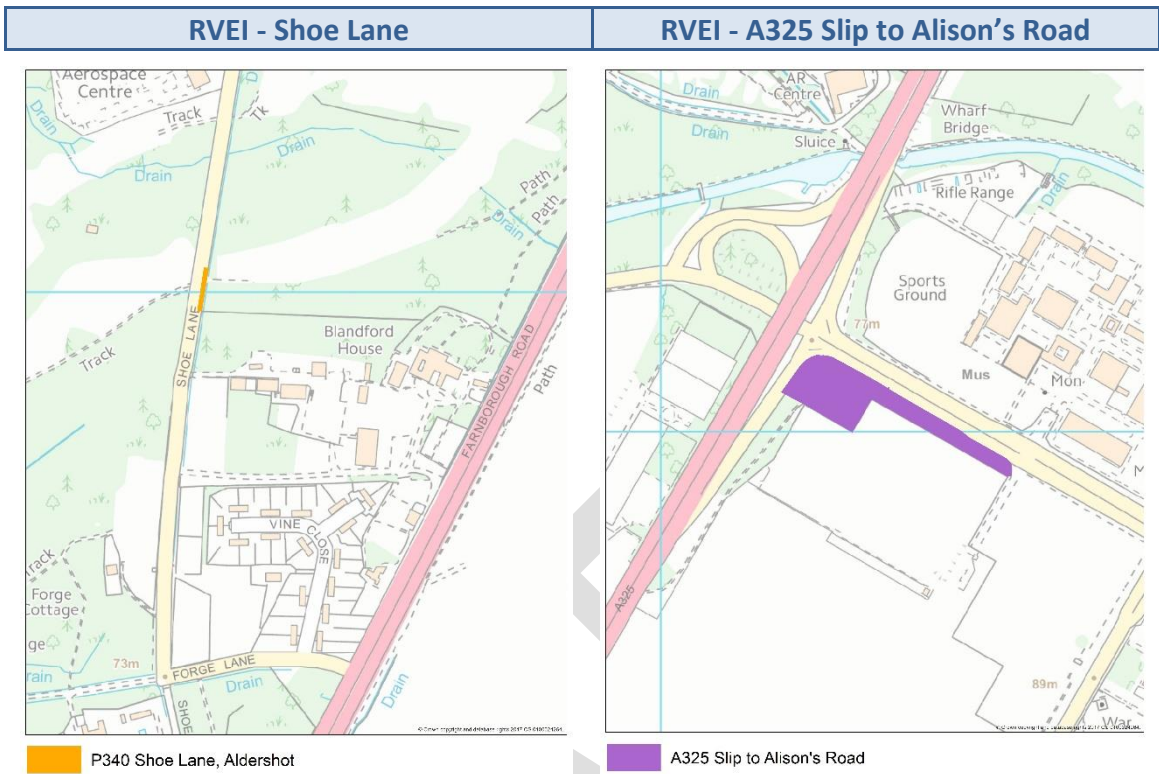
<sup>37</sup>[www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/information#step-7](http://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/information#step-7)

Map 1 – Designated Sites





Map 2 and 3 – Road Verges of Ecological Importance (RVEI)



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## 4. Biodiversity Net Gain

### What is Biodiversity Net Gain (BNG)?

- 4.1 Biodiversity Net Gain (BNG) is an approach to development that aims to leave biodiversity in a measurably better state than it was beforehand. Where a development will have an impact on biodiversity, developers need to provide an increase in appropriate natural habitat and ecological features over and above that being affected. This can be achieved through the creation of new habitats or by enhancing existing natural habitats.
- 4.2 To achieve BNG, developments should seek to:
  - Value the environment in decision-making,
  - Leave the environment in a better state than they found it,
  - Create more habitat for wildlife.
- 4.3 The idea behind BNG is that developers will have to quantify their proposed development's anticipated impact on biodiversity as part of their planning application. They will be required to identify, and subsequently fund, a long-term plan that can deliver at least a 10% improvement to the biodiversity of the site's species and habitats, either on-site, or, if this cannot be achieved partially or entirely, they must do so off-site.

### Relationship between BNG and the Mitigation Hierarchy

- 4.4 Development proposals must comply with relevant planning policies requiring the protection and enhancement of ecological features such as trees, hedgerows and streams within the application site boundary, and incorporate green infrastructure and open space within development design. In accordance with paragraph 180a of the NPPF, proposals must also follow the 'mitigation hierarchy' which seeks to limit the negative impacts of development on biodiversity from the outset.
- 4.5 According to the mitigation hierarchy, avoidance of harm to biodiversity must always be sought in the first instance. Where avoidance of harm is not possible, minimisation of the negative impact of the development should be sought, followed by restoration where negative impacts cannot be avoided or minimised. As a last resort, offsetting of the negative impacts through compensation must be provided.
- 4.6 The need to provide BNG does not override the various existing statutory legal and policy protections in place for designated (protected) sites, protected or priority species and the habitats that support them, and irreplaceable or priority habitats. Therefore, it is important to note that the requirement for BNG is in addition to adherence to the mitigation hierarchy as shown in Figure 1 below.

Figure 1 – The Relationship between the Mitigation Hierarchy and BNG

<b>Positive +</b>					<b>Net Gain</b>
<b>Negative -</b>	<i>Impact on Biodiversity</i>	<i>Residual Impact on Biodiversity</i>	<i>Residual Impact on Biodiversity</i>	<i>Residual Impact on Biodiversity</i>	Offset
				Restore	Restore
		Minimise	Minimise	Minimise	
		Avoid	Avoid	Avoid	Avoid
<i>Step 1</i> → <i>Step 2</i> → <i>Step 3</i> → <i>Step 4</i>					

4.7 The potential impact of new development on a protected site or species and priority habitats inside or outside the development site boundary has to be considered in the usual way in accordance with statutory obligations. Compensation and mitigation needed to comply with legislation in connection with designated sites, protected or priority species and priority habitats are unlikely to contribute towards BNG. BNG is required in addition to any mitigation/compensatory measures required for these features.

#### BNG and Irreplaceable Habitats and Protected Species

4.8 Development cannot provide BNG to compensate for any losses or impacts to internationally and nationally designated sites and other irreplaceable habitats or features, defined in the NPPF Glossary such as ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.

4.9 However, internationally and nationally designated sites (such as SPAs/SACs, SSSIs NNRs and LNRs) and irreplaceable habitats may potentially be used for off-site BNG providing the net gain is appropriate, suitable and accords with the conservation objectives of those sites. However, it should be noted that the Government intends to produce further guidance on the circumstances in which these wildlife sites can be used for BNG. BNG on these sites is likely to be harder to achieve due to the existing high ecological baseline.

4.10 There is potential for stacking of environmental benefits particularly where development requires mitigation for protected species or to achieve nutrient neutrality as examples. However, early consultation with Natural England and the Council’s Ecologist strongly advised that where stacking of environmental benefits is proposed, it must be ensured that there is no impermissible double counting involved.

- 4.11 Locally protected non-statutory sites such as Sites of Importance for Nature Conservation (SINCs) and Country Parks can be used for off-site BNG, subject to the requirement to demonstrate measurable additional biodiversity net gain above the elevated existing baseline of these sites.
- 4.12 A thorough understanding of a proposed development site's habitat, the presence of protected and priority species, and the potential impacts arising from proposed development, including on biodiversity outside the application site is needed. As ecological expertise will be required, it is suggested that applicants enlist the help of a suitably qualified ecologist such as those listed under the directory on the Chartered Institute of Ecology and Environmental Management (CIEEM) to undertake this task.

### Which Planning Applications Will Biodiversity Net Gain Apply to

- 4.13 From November 2023, a Biodiversity Net Gain will be required on developments in the Town and Country Planning Act 1990, unless exempt.

#### Small Sites

- 4.14 From April 2024, the 10% requirement will also be introduced for small sites. Small sites are defined for the purpose of BNG as:
- For residential: where the number of dwellings to be provided is between one and nine inclusive of a site having an area of less than one hectare, or where the number of dwellings to be provided is not known, a site area of less than 0.5 hectares.
  - For non-residential: where the floor space to be created is less than 1,000 square metres OR where the site area is less than one hectare.

#### Exemptions

- 4.15 The Environment Act 2021 already makes exemptions for permitted development and urgent crown development. It also gives existing sealed surfaces (such as tarmac or existing buildings) a zero score, meaning that these surfaces are effectively exempted from the percentage gain requirement.
- 4.16 Based on the [Government's response to the recent consultation on Biodiversity Net Gain Regulations and Implementation in February 2023](#)<sup>38</sup>, the Government have indicated that they intend to use regulations to make exemptions for:
- development impacting habitat of an area below a 'de minimis' threshold of 5m x 5m, 25 squared metres of non-priority habitat type as identified within the DEFRA Biodiversity Metric V4.0, or 5m for linear habitats such as hedgerows or watercourses,
  - householder applications,
  - biodiversity gain sites (where habitats are being enhanced for wildlife)
- 4.17 In addition to the exemptions above, the Government is proposing to exempt small scale self-build and custom housebuilding. However, the Government acknowledges that this

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<sup>38</sup> <https://www.gov.uk/government/consultations/consultation-on-biodiversity-net-gain-regulations-and-implementation/outcome/government-response-and-summary-of-responses>

exemption will need to be defined in a way that addresses the risks of exempting large sites made up of many custom plots.

- 4.18 The Government recognises that exempt development outside the scope of mandatory net gain still provides opportunity for biodiversity enhancements that could be secured through planning policy and are intending to develop planning policy for minor development such as householder and de-minimis development, to seek to secure proportionate on-site biodiversity enhancements where possible.

### Demonstrating BNG (the Biodiversity Metric)

- 4.19 Demonstrating BNG requires an approach to measuring biodiversity. A [Biodiversity Metric](#)<sup>39</sup> has been produced by Defra as a tool to measure biodiversity. DEFRA has also produced a simplified version of the Biodiversity Metric called the [Small Sites Metric](#)<sup>40</sup> which can be used by small scale development subject to certain criteria being met.
- 4.20 Both metrics are designed to provide a means of assessing changes in biodiversity value (losses or gains) brought about by development or changes in land management. It uses habitat, the places in which species live, as a proxy to describe biodiversity. These habitats are converted into measurable 'biodiversity units' which are the 'currency' of the metric.
- 4.21 A BNG baseline assessment is required to enable the post-development biodiversity value (BNG) of the site to be demonstrated upon application. Pre-development biodiversity value must be calculated before any site clearance or other habitat management work has taken place. However, if this is known to have happened, the condition of the site on or after 30th January 2020 will be taken as the baseline of the habitat as stated in Schedule 14 Part 1 paragraph 6 of the Environment Act.
- 4.22 Trading Rules ('Rule 3') to compensate for losses is automatically applied by the metric and sets minimum habitat creation and enhancement requirements to compensate for specific habitat losses (up to the point of no net loss). These requirements are based on habitat type and distinctiveness, as set out in Table 3-2 of the [Metric 4.0 User Guide](#)<sup>41</sup>. This is to ensure that enhancements deliver either like-for-like or better ('trading up') and in order to protect the existing biodiversity value, the metrics require there to be no "trading down" of habitat distinctiveness.

### Strategic Significance of BNG

Strategic significance is the local significance of the habitat based on its location and habitat type. Assessors should assign a strategic significance category (Table 5-3 of the [Metric 4.0 User Guide](#)<sup>42</sup>) for each individual habitat parcel both at baseline and at post-intervention. This should be determined by the use of published plans, strategies or policies which are relevant to the habitat's location, including:

- Local Nature Recovery Strategy (*once published*)
- Species Conservation Strategies (*once published*)

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<sup>39</sup> <https://publications.naturalengland.org.uk/publication/6049804846366720>

<sup>40</sup> <https://nepubprod.appspot.com/publication/6047259574927360>

<sup>41</sup> <https://publications.naturalengland.org.uk/file/6188841413902336>

<sup>42</sup> <https://publications.naturalengland.org.uk/file/6188841413902336>

- Protected Site Strategies (*once published*)
- Hampshire Biodiversity Opportunity Area Statements
- Rushmoor Green Infrastructure Strategy

#### Local Nature Recovery Strategies

4.23 Local Nature Recovery Strategies (LNRS) are spatial strategies that will establish priorities and map proposals for specific actions to drive nature’s recovery and provide wider environmental benefits. Once produced, LNRSs and associated maps can be used to target delivery of Biodiversity Net Gain through identifying areas and opportunities for the creation, enhancement and recovery of habitats. BNG measures could therefore contribute to the locally identified objectives and targets for recovery of nature that may be set out in the LNRS.

#### Species Conservation Strategies

4.24 Established by the Environment Act 2021, species conservation strategies aim to safeguard the future of the species that are at greatest risk. The strategies will find better ways to comply with existing legal obligations to protect species at risk and to improve their conservation status.

#### Protected Site Strategies

4.25 Established by the Environment Act 2021, protected site strategies take a new approach to protecting and restoring species and habitats in protected sites. Protected site strategies will provide ways to overcome offsite pressures such as nutrient pollution in the wider catchment.

#### Biodiversity Opportunity Areas

4.26 BOAs represent a targeted landscape-scale approach to conserving biodiversity in Hampshire. They identify opportunities for habitat creation and restoration where resources can be focused to have the greatest positive impact for wildlife. BOAs were identified through extensive mapping work carried out by the Hampshire Biodiversity Information Centre (HBIC) in consultation with a wide range of biodiversity partners. 41 BOAs were selected representing core areas of biodiversity interest in Hampshire. Statements have been produced for each BOA to indicate priorities for that area. More information is available from [Hampshire Biodiversity Information Centre](#)<sup>43</sup>, including maps and statements

4.27 Rushmoor is located within the following BOAs:

- [Thames Basin Heaths & Plantations \(Hants\)](#) (BOA 37)<sup>44</sup>
- [Blackwater Valley \(Hants\)](#)<sup>45</sup> (BOA 13)

4.28 The [Blackwater Valley BOA statement](#)<sup>46</sup> (*see page 12 of the Hampshire BOA Statements*) highlights the importance of the River Blackwater and its tributaries for instream aquatic species and floodplain grassland habitats. The network of lakes associated with gravel

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<sup>43</sup>

<https://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/information#step-6>

<sup>44</sup> <https://documents.hants.gov.uk/biodiversity/37ThamesBasinHeathsBOAmap.pdf>

<sup>45</sup> <https://documents.hants.gov.uk/biodiversity/13BlackwaterValleyBOAmap.pdf>

<sup>46</sup> <https://documents.hants.gov.uk/biodiversity/BOAStatements.pdf>

extractions and the diverse range of bird species found in these wetlands, are referenced. Opportunities for biodiversity restoration or enhancements within the Blackwater Valley BOA are identified as wetland habitats features (Floodplain grazing marsh; wet woodland; Purple moor grass and rush pastures; lowland meadows; reed beds and enhancement of gravel pits for biodiversity following mineral extraction).

- 4.29 The [Thames Basin Heaths and Plantations BOA statement](#)<sup>47</sup> (see page 35 of the Hampshire BOA Statements) highlights the importance of the Thames Basin Heaths Special Protection Area (SPA) and the internationally rare and protected habitats and species present. Opportunities for biodiversity restoration and enhancements within the Thames Basin Heaths and Plantations BOA are restoration of heath and related habitats (lowland dry acid grassland; lowland heath; purple moor grass and rush pastures; lowland meadows).

#### Rushmoor Green Infrastructure Strategy

- 4.30 The [Rushmoor Green Infrastructure Strategy](#)<sup>48</sup> assessed the Borough's existing green infrastructure assets and network. This included an analysis of how the network currently functions by area, where assets were grouped by themes (including Biodiversity) to analyse how the different elements of green infrastructure functions offer different benefits across the area.

#### **Achieving Biodiversity Net Gain**

- 4.31 Opportunities are likely to exist within most development proposals to retain, create and manage habitats for biodiversity and provide BNG on-site. The National Planning Policy Framework (NPPF) sets a clear mitigation hierarchy. Significant harm resulting from development should be avoided. Where it can be demonstrated that harm cannot be avoided, impacts must be adequately mitigated for. Finally, off-site compensation for loss should be implemented only as a last resort.
- 4.32 BNG should therefore be achieved on-site with retained and enhanced habitats, appropriate buffers and creation of habitats to increase connectivity for wildlife. Where appropriate evidence demonstrates that BNG cannot be fully achieved on-site, off-site BNG can be explored.
- 4.33 On this basis, Biodiversity Net Gain shall be provided following a sequential approach:

1. Onsite
2. A combination of partial onsite and off-site solutions within the Borough
3. Complete off-site provision within the Borough,
4. Complete off-site provision which is geographically adjacent to the Borough or physically connected to the Borough's ecological network,

<sup>47</sup> <https://documents.hants.gov.uk/biodiversity/BOAStatements.pdf>

<sup>48</sup> <https://www.rushmoor.gov.uk/planning-and-building-control/planning-policies/green-infrastructure-strategy/>

5. Complete off-site provision outside of the Borough, with preference given to locations within adjacent Local Authorities, having regards to opportunities to restore and enhance functional green corridors that connect with the Borough.
6. As a last resort, the Environment Act 2021 allows applicants to purchase [Statutory Biodiversity Credits](#)<sup>49</sup> under the national scheme for the purpose of meeting BNG.

4.34 The Council will seek evidence through the Biodiversity Gain Plan of how this sequential hierarchy approach has been followed, as part of the justification of any off-site BNG. The Biodiversity Metric referenced above, includes a spatial distance multiplier which incentivises implementation of the planning mitigation hierarchy presented in paragraph 4.33 above.

### Onsite Net Gain

4.35 Where the metric calculations demonstrates that at least 10% or more net gain can be achieved onsite, there is no need to consider any further measures. Onsite BNG measures shall be located so that they are connected to the wider ecological network enabling greater habitat connectivity and linkages. Applicants should seek the support of an ecologist to ensure this is achieved in line with the Biodiversity Gain Plan submitted in accordance with planning condition prior to commencement of development. More information on the ecological network is provided in the [Hampshire Ecological Network Map](#)<sup>50</sup> and in the [Rushmoor Green Infrastructure Strategy](#)<sup>51</sup>. Measures need to be secure in land tenure and funding for a minimum of 30 years to ensure delivery of BNG in line with statutory obligations. Ongoing management may be secured by legal agreement or Conservation Covenant.

### Providing and Securing Off-Site Biodiversity Net Gain in the Borough

- 4.36 If it is not possible to achieve 10% minimum BNG completely onsite, and off-site measures are required, the same assessment process has to be undertaken to establish the biodiversity unit values on the off-site compensatory land predevelopment and post-development to calculate how many units the 'net gain delivery site' can contribute as compensation.
- 4.37 The change in biodiversity units on the development site is then added to the change in units on the delivery site to provide a total change in biodiversity units for the development. The total change in units needs to be sufficient to ensure a 10% minimum net gain is achieved.
- 4.38 Rushmoor Borough Council will be establishing a Habitat Bank of units (more detail is provided in paragraph 4.39 below). If applicants choose not to purchase these units to provide off-site net gain, it will be the applicant's responsibility to find a suitable location for the delivery of off-site BNG, in accordance with the sequential approach set out in paragraph 4.33.
- 4.39 Where developers have provided an off-site BNG solution, a legal agreement or Conservation Covenant between the landowner and/or provider of the off-site solution, applicant and the

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<sup>49</sup> <https://www.gov.uk/guidance/statutory-biodiversity-credit-prices>

<sup>50</sup>

<https://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/information#step-7>

<sup>51</sup> <https://www.rushmoor.gov.uk/planning-and-building-control/planning-policies/green-infrastructure-strategy/>



Council will be required. The purpose of the legal agreement or Conservation Covenant is to secure the habitat creation and enhancement ambitions of the DEFRA Biodiversity Metric and ensure the Biodiversity Statement accompanying the Metric is delivered and subsequently managed and monitored for at least 30 years. Actions set out in the Biodiversity Statement accompanying the Metric will underpin the Biodiversity Gain Plan required by planning condition to be submitted to the Council for approval in writing after the grant of planning permission and prior to the commencement of development. The legal agreement or Conservation Covenant will also include a provision for the responsibility of undertaking the works to achieve BNG to be passed on to any subsequent landowner(s).

### **Rushmoor Habitat Bank**

4.40 Rushmoor Borough Council is establishing a 'Habitat Bank' of BNG units. Applicants will be able to purchase these units in accordance with the sequential approach in the box in paragraph 4.33. Prior to the launch of the Rushmoor Habitat Bank, a procedure note will be prepared setting out the process for securing units. Units will be costed at a price below those for sale under the national statutory biodiversity credits scheme, in order to incentivise delivery of BNG locally.

### **Providing and Securing Off-Site Biodiversity Net Gain outside of the Borough**

- 4.41 Where it has been clearly shown there are no available opportunities to deliver BNG off-site in the borough, applicants may provide BNG outside of the borough in accordance with the sequential approach set out in paragraph 4.33, or as a last resort purchase statutory BNG credits using the national statutory credit scheme or other future habitat bank schemes being developed by third parties.
- 4.42 If applicants purchase statutory biodiversity credits, a 'spatial risk multiplier' will apply, which doubles the amount of credits you need. You must buy 2 credits for every 1 biodiversity unit you need to compensate for. You can find more information about the spatial risk multiplier in the [Biodiversity Metric 4.0 user guide](#), section 7.4 (page 29).
- 4.43 Applications that propose to provide BNG outside of the Borough or purchase statutory credits will be reviewed on a case-by-case basis to ensure they have complied with the planning mitigation hierarchy sequential approach to BNG provision.

## Monitoring, Management, Maintenance of BNG and evaluation of compliance

4.44 The Environment Act required mandatory BNG habitat to be secured for at least 30 years via planning obligation or conservation covenants. It is the responsibility of the developer / person securing the habitat, to ensure and demonstrate delivery of habitat in accordance with the agreed Biodiversity Gain Plan. At time of writing, Natural England are developing a standardised Habitat Management and Monitoring Plan report template. The template is to be submitted by the developer / person securing the habitat to the Council, for approval in writing, to demonstrate compliance with the Biodiversity Gain Plan for the required 30 years. The Council may set specific and proportionate monitoring requirements as part of planning conditions and obligations. Further details of how BNG is to be monitoring, managed and maintained is expected through secondary legislation. The planning enforcement regime will be the principal mechanism for enforcing delivery of BNG. At time of writing, it is anticipated that secondary legislation and further government guidance will provide clarification.

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## 5. Biodiversity and the Planning Process

- 5.1 The purpose of this chapter is to show how issues relating to biodiversity, including Biodiversity Net Gain will need to be assessed to inform the planning process.
- 5.2 It is crucial that biodiversity is considered at an early stage and proposals are supported with appropriate evidence, where relevant. This will help enable efficient and effective decision-making. Appendix 4 provides guidance on opportunities to enhance and integrate biodiversity into new development.
- 5.3 Applicants will often require an ecologist to undertake ecological surveys and reporting to meet the council’s requirements for providing adequate ecological information. Contracting a member of a professional institute, such as the [Chartered Institute of Ecology and Environmental Management \(CIEEM\)](#)<sup>52</sup> means that you are engaging a professional who is working to high standards. Applicants needing to find an ecological consultant can use the [find-a-consultant tool](#)<sup>53</sup> on the CIEEM website. The CIEEM website also provides further information on ecological surveys and their purpose, which describes the different types of reports that you may be asked for by the council and includes a householder’s guide to engaging an ecologist. More information is available in Appendix 2.
- 5.4 The table below outlines the recommended procedure to follow in order to ensure that biodiversity is properly addressed through all stages of the planning process. Further guidance on each stage is set out below.

Table 4 – Summary of the recommended procedure at each stage

Stage	Key Considerations	Outputs
<b>Stage 1 – Pre-Application and Design Stage (Preparing the Planning Application)</b>		
1a – Biodiversity Checklist	Check whether biodiversity features are present and likely to be affected.	Biodiversity Checklist.
1b – Pre-application Advice	Option to seek pre-application advice to ensure policy and statutory requirements are fully understood and to clarify the scope of any information likely to be required in further assessments.	Preliminary Ecological Appraisal (PEA) including Ecological Constraints and Opportunities Plan (ECOP). Pre-Application Advice.
1c – Ecological Survey and Assessment	Appropriate habitat and species surveys and assessment carried out by suitably qualified ecologist.	Ecological Impact Assessment with information from all

<sup>52</sup> <https://cieem.net/>

<sup>53</sup> <https://cieem.net/i-need/finding-a-consultant/>

Stage	Key Considerations	Outputs
1d – Avoidance, Mitigation and Compensation	<p>Scheme layout design and landscaping revised to avoid harm / impacts to protected species and habitats; minimise impacts to identified features, then compensate for harm as a last resort in accordance with the planning mitigation hierarchy.</p> <p>Opportunities to restore and enhance biodiversity sought and demonstrated.</p>	ecological surveys including PEA / ECOP, and habitats and species surveys.
1e – Biodiversity Net Gain viability	<p>For non-exempt developments, BNG habitat baseline assessment carried out using the relevant Defra Biodiversity Metric.</p> <p>Opportunities to ensure a minimum 10% biodiversity net gain as a result of development should be presented within the DEFRA Metric. Proposals should have regards to site specific species and habitat surveys as well as whether proposals are realistically viable in view of proposed site usage. Identify BNG requirement.</p> <p>Proposals must specify where the minimum 10% biodiversity net gain is to be achieved having regards to the sequential approach presented in paragraph 4.33 above and the strategic significance of location as detailed above.</p>	Defra Biodiversity Metric and accompanying habitat mapping.
1f – Demonstrate Biodiversity Net Gain	<p>For non-exempt developments, landscaping and site layout designed to incorporate enhancements to effectively deliver net gains, having regards to proposed site usage.</p> <p>Defra Biodiversity Metric completed for post-development design, demonstrating an achievable minimum 10% biodiversity net gain.</p> <p>Where off-site delivery of biodiversity net gain is proposed, identify or reserve biodiversity units in the off-site market or through statutory credits as a last resort having regards to the sequential approach presented in paragraph 4.33 above and the strategic significance of location as detailed above.</p>	<p>Completed Defra Metric and accompanying habitat mapping.</p> <p>Biodiversity Statement based on Metric findings, including details of off-site biodiversity units where relevant.</p>
<b>Stage 2 – Application and Validation (Submitting the Planning Application)</b>		
Submission of planning application and	Ensure the application includes the required assessments and accompanying information.	Biodiversity Checklist

Stage	Key Considerations	Outputs
accompanying information	Ensure all assessments undertaken in accordance with specified standards by suitably qualified professionals.	<p>Ecological Surveys and Impact Assessment (where relevant) including EclA / PEA / ECOP</p> <p>Completed DEFRA Metric submitted in full excel format.</p> <p>Biodiversity Statement report, detailing how DEFRA Metric biodiversity net gain proposals are to be implemented, including habitat condition and distinctiveness having regards to practical land use constraints.</p>
<b>Stage 3 – Determination of planning application</b>		
Biodiversity net gain secured by legal agreement / conservation covenant	Proposed net gain must be financially secure and secure in land tenure for a minimum of 30 years, having regards to all expected habitat delivery costs as well as ongoing management, monitoring and remediation actions.	If required, secure biodiversity units in the off-site markets or statutory credits from Natural England where appropriate.
Discharge of pre-commencement planning conditions – Biodiversity Net Gain	<p>Planning permission for all developments required to demonstrate a Biodiversity Net Gain, will be subject to a pre-commencement planning condition which requires submission of a Biodiversity Gain Plan.</p> <p>The Biodiversity Gain Plan should demonstrate secure delivery of a minimum 10% biodiversity net gain, secure for at least 30 years, implementing the results of the submitted DEFRA Biodiversity Metric and in line with the legal agreement or conservation covenant.</p>	Submission of final Biodiversity Gain Plan for approval in writing by Council.
Discharge of pre-commencement planning conditions - other	<p>Production of required documentation, which may include;</p> <p>Construction Environmental Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP).</p>	Submission of required supporting documentation for approval in writing by the Council.
<b>Stage 4 – Construction Phase</b>		

Stage	Key Considerations	Outputs
Construction	Ensure good practice is followed during construction including protected species impact avoidance, mitigation and enhancement recommendations, CEMP and LEMP requirements.	Demonstration of working in accordance with Biodiversity Gain Plan, species impact avoidance, mitigation and enhancement recommendations,  Construction Environmental Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP)
<b>Stage 5 – Management and Monitoring</b>		
Operation	Ensure adequate provision is made for ongoing management and monitoring of biodiversity habitats retained or created including any requirements relating to a species specific actions and LEMP, where relevant.	LEMP – Landscape and Ecology Management Plan
Biodiversity Net Gain	BNG Habitat Management and Monitoring Plan written in accordance with best practice and template document (under development by natural England at time of writing).	Demonstrate adherence to Biodiversity Gain Plan to Council via regular submission of Habitat Management and Monitoring Plan, as required.

## Stage 1 – Pre-Application and Design Stage (Preparing the Planning Application)

### 1a – Biodiversity Checklist

- 5.5 The Biodiversity Checklist (Appendix 1) helps to identify developments which may have an impact on certain habitats and species. If the Checklist indicates that development could have a potential impact on protected or Priority habitats or species, or sites such as a designated site, further ecological survey and assessment will be required.
- 5.6 If the checklist flags up a potential impact on a protected or Priority habitat or species, seeking the early advice and input from a suitably qualified and experienced ecologist, and the undertaking of a Preliminary Ecological Appraisal can help to ensure biodiversity is considered

throughout the design of the development and ensure that any sensitivities are identified at an early stage, in order to avoid impacts and manage ecological constraints and opportunities in a more transparent, efficient and cost-effective way.

#### 1b – Pre-application Advice

- 5.7 The council offers a [paid pre-application advice service](#)<sup>54</sup>. This may help to ensure that policy and statutory requirements are fully understood at an early stage; and that potential biodiversity sensitivities are identified, and discussions held at an early stage, in order to seek advice and avoid impacts. The pre-application service may be particularly valuable to householders and those who are not regularly involved in development, who may not routinely seek professional ecological support, or be aware of all the relevant legislative requirements or issues. For large developments, appropriate early consideration of ecological constraints will enable design and layout to better have regards to and avoid these constraints.
- 5.8 Applicants should [seek environmental advice from Natural England](#) early in the planning process, if development proposals:
- are likely to affect protected sites and areas.
  - are likely to affect protected species.
  - affects the best and most versatile agricultural land (1, 2 or 3a).
  - affects ancient woodland.
  - includes restoring land previously used for mining or waste management to agricultural use.
  - includes environmental opportunities that could be achieved such as ‘green infrastructure’ and biodiversity improvements of the site and surrounding area.

#### 1c – Ecological Survey and Assessment/BNG Baseline Assessment

- 5.9 Where appropriate, planning applications will need to be supported by adequate ecological information, using up to date desk studies and site assessment to inform survey methodologies sufficient in scope to allow the impact of a proposal to be appropriately assessed to enable the council to demonstrate in the exercise of planning functions how it is fulfilling the duty to have regard to the conservation and enhancement of biodiversity. This includes householders and developers of small sites where there may be risks of impacts to habitats and species. More information on this is set out in Appendix 2 and is available from [CIEEM](#)<sup>55</sup>.
- 5.10 Surveys for many habitats and protected species can only be undertaken at certain times of year in order to provide reliable data and meet best practice survey guidelines. More information, including a survey calendar is provided in Appendix 2.

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<sup>54</sup> <https://www.rushmoor.gov.uk/planning-and-building-control/planning-permission-and-applications/planning-applications/advice-for-developers-and-householders/pre-application-advice/>

<sup>55</sup> <https://cieem.net/resource/guide-to-ecological-surveys-and-their-purpose/>

- 5.11 A BNG baseline assessment is required to enable the post-development biodiversity value (BNG) of the site to be demonstrated upon application (see stage 1e below). As required by the Environment Act, pre-development biodiversity value must be calculated before any site clearance or other habitat management work has been undertaken. However, if this is known to have happened, the condition of the site on or after 30th January 2020 will be taken as the baseline of the habitat as stated in Schedule 14 Part 1 paragraph 6 of the Environment Act. An earlier baseline may be required where activity has reduced the biodiversity value of a site. Where previous surveys are not available, this will be established through best available evidence including Hampshire Biodiversity Records Centre records and habitat areas identified through aerial photographs.
- 5.12 Habitat mapping methodologies need to be appropriate to their purpose. For BNG calculations, UK Habitats Classification is required to populate the Defra Biodiversity Metric.
- 5.13 Applications should be supported by the full Metric calculations in original excel spreadsheet format.

#### 1d – Avoidance, Mitigation and Compensation

- 5.14 The results of any ecological surveys and assessment should feed into the initial design process, as should the ECOP. These will help ensure the layout and design of the development avoids wherever possible and minimises impacts to the features identified in steps A1 and A3, thus ensuring design is in accordance with the mitigation hierarchy. Design in accordance with the mitigation hierarchy should be considered as a sequential process, with each step in the hierarchy being considered in turn and incorporated into the design, before the next step is considered.

#### 1e and 1f– Biodiversity Net Gain

- 5.15 BNG or biodiversity enhancements are additional to any measures necessary to deal with impacts from the development and should not be used to provide either mitigation or compensation. All BNG should conform to Biodiversity Net Gain - Good Practice Principles for Development<sup>56</sup>.
- 5.16 Please note that some development is exempt from the mandatory BNG requirement (see paragraph 4.15 to 4.18 for more information).

#### *BNG for small sites*

- 5.17 For small sites, BNG measures should be clearly identified in supporting information and illustrated on the relevant plans. The measures should be proportionate to the scale and type of development, appropriate to the site's location and surroundings, and should be focussed on supporting recognised nature conservation priorities.
- 5.18 For small sites, the [Defra small sites Biodiversity Metric](#)<sup>57</sup> is available in a beta version and should be used to demonstrate biodiversity value and net gain. It has been specifically designed for use on small development sites, defined (for the purposes of this Small Sites Metric) as sites where the following criteria are met:

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<sup>56</sup> <https://cieem.net/i-am/current-projects/biodiversity-net-gain/>

<sup>57</sup> <https://publications.naturalengland.org.uk/publication/6047259574927360?cache=1685636071.86>



5.19 Residential development:

- there are fewer than 10 residential units on a site area (no more than 9 units) less than 1 hectare; or
- if number of residential units is not known, the site area is less than 0.5 hectares

5.20 Non-residential development:

- where the floor space to be created is less than 1,000 square; or
- where the site area is less than 1 hectare

5.21 The Small Sites Metric cannot be used on such sites where:

- habitats not available in the Small Sites Metric are present
- priority habitats are within the development site (excluding some hedgerows and arable field margins)
- European protected species are present on the development site
- any offsite interventions are required

5.22 Guidance has been published by Natural England on how to use the metric and this is [available to download](#)<sup>58</sup> alongside the metric.

*BNG for larger applications*

5.23 For larger developments, or where a priority habitat is present on site, the latest version of the [Defra Biodiversity Metric](#)<sup>59</sup> should be used as a tool to inform the assessment of demonstrating biodiversity value and measurable mandatory net gain of at least 10%. Guidance has been published by Natural England on how to use the metric and this is [available to download](#)<sup>60</sup> alongside the metric.

5.24 A Biodiversity Net Gain report should also be submitted. It is anticipated that the government will provide further guidance on the content of a BNG report, however prior to this being released, a Biodiversity Net Gain report in line with [Biodiversity Net Gain Report and Audit Templates \(CIEEM, 2021\)](#)<sup>61</sup> should be submitted with planning applications.

5.25 For outline applications, a Biodiversity Net Gain Feasibility Assessment report should be submitted, and for full and reserved matters applications, a Biodiversity Net Gain Design Stage report should be submitted. This should include:

- Steps taken to avoid adverse impacts to biodiversity
- Pre-development and post-development biodiversity value
- Additional information to explain and justify the approach to delivering net gain, including notes on the existing and target habitat condition and any assumptions made.

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<sup>58</sup> <https://publications.naturalengland.org.uk/publication/6047259574927360?cache=1685636071.86>

<sup>59</sup> <https://publications.naturalengland.org.uk/publication/6049804846366720>

<sup>60</sup> <https://publications.naturalengland.org.uk/publication/6049804846366720>

<sup>61</sup> <https://cieem+.net/resource/biodiversity-net-gain-report-and-audit-templates/>

5.26 The council will verify the accuracy of the biodiversity value calculations and consider the merits of any on or off-site BNG measures. Any scheme for BNG must include a mechanism for delivery of the target habitats, management, and monitoring of their condition, and an approach to remediation in the event of targets not being met. Schemes for the delivery of BNG should be developed with regards to BS8683:2021 “Process for designing and implementing biodiversity net gain – Specification”. Planning conditions will be used to secure delivery of BNG measures and their long-term management. Obligations, such as Section 106 agreements may be used where BNG is on land outside the applicant’s control.

## **Stage 2 – Application, Validation (Submitting the Planning Application) and Determination of planning permission**

5.27 Planning applications must be accompanied by all necessary and relevant ecological information in order for it to be validated and determined. This will vary between applications and will depend on the proposal and the site itself. The [local requirements list](#)<sup>62</sup> will be updated to reflect the information required depending on planning application type, in accordance with the adopted version of this SPD. Information required could include:

- Biodiversity Checklist (validation requirement for certain applications)
- Preliminary Ecological Appraisal
- Ecological Impact Assessment
- Ecological Constraints and Opportunities Plan
- Defra Biodiversity Metric
- Biodiversity Statement

5.28 Protected species information is key to supporting determination. Validation of an application does not necessarily mean there is sufficient information to allow for determination. The submitted EclA has to provide the council with certainty of all likely ecological impacts on designated sites and protected or Priority species, and demonstrate that effective and deliverable mitigation can be secured either by condition or mitigation licence from Natural England.

5.29 If insufficient ecological information is provided, the council may suggest the application is withdrawn, decline to validate the application, or refuse it on grounds that there is insufficient information to make a lawful determination.

5.30 Where a development is required to demonstrate a Biodiversity Net Gain, the requirement to submit a Biodiversity Gain Plan will be subject to a pre-commencement planning condition. Submission to and approval in writing of a Biodiversity Gain Plan by the Council prior to the commencement of development will secure discharge of this condition.

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<sup>62</sup> <https://www.rushmoor.gov.uk/planning-and-building-control/planning-permission-and-applications/planning-applications/apply-for-planning-permission/local-requirements-for-planning-applications/>

### Stage 3 – Construction Phase

- 5.31 The construction process may involve demolition or clearance of vegetation which has the potential for impacts on biodiversity. Even where development does not involve demolition or site clearance, wildlife can still suffer from disturbance. The Hazard Prevention Checklist (Appendix 3) identifies a range of hazards associated with the construction stage.
- 5.32 Practical measures which may be appropriate depending on the scale of development include:
- Sensitive siting and timing of construction activities including works compounds,
  - Fencing to protect sensitive features,
  - Wildlife exclusion barriers,
  - Sensitive construction lighting,
  - Provision of temporary shelters,
  - Containment and control of invasive species
- 5.33 A precautionary approach to site clearance will be required for all development to ensure reckless actions are avoided and wildlife crime is prevented. All protected and Priority species on site will need to be moved to a place of safety. This may include supervision of any habitat works by an Ecological Clerk of Works.
- 5.34 A Construction Environment Management Plan: Biodiversity may be required by condition for some developments. This will need to include details of all necessary ecological mitigation measures, including protection measures for retained habitats and species and any requirement for ecological supervision during works on site using a suitably experienced Ecological Clerk of Works. Where mitigation or compensatory measures are sought, these must be delivered in accordance with best practice.

### Stage 4 – Management and Monitoring

- 5.35 Where habitats are retained within a development site boundary, the council will seek to secure their long-term management via condition requiring relevant details to be provided within a Landscape and Ecological Management Plan.
- 5.36 Where species are predicted to be affected by proposals and habitat to support their population is retained or created on or off site, such as receptor sites for translocated animals, the council will seek to include monitoring of the effectiveness of mitigation. This will be separate from any legal requirement attached to a licence approved by Natural England and will be secured by condition. Additional monitoring may be required for novel mitigation solutions.
- 5.37 All management plans should include appropriate monitoring to ensure effectiveness and should include a process for remediation and review for any measures that have not been effective. The results of such monitoring should be reported to the council for review of management aligned to the LEMP.

### Monitoring Biodiversity Net Gain

5.38 To deliver genuine Biodiversity Net Gain on-site will require careful design, zoning and management to ensure there are no recreational conflicts with the proposed areas for habitat creation that might prevent objectives from being achieved. The Environment Act requires mandatory BNG habitat to be secured for at least 30 years via planning obligations or conservation covenants. More details of how BNG should be monitored is expected through secondary legislation.

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## Appendix 1 – Biodiversity Checklists

- A1.1 Protected species and habitats are a material consideration within the planning process. This means our planning officers are required to consider potential adverse impacts of a development as part of the planning application process.
- A1.2 Hampshire County Council have developed Biodiversity Checklists for Householders and for Full applications  
<https://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/development/checklists>
- A1.3 The Checklists can help identify if potential adverse impacts on protected species or habitats may occur and whether further ecological information may be required. We recommend that the relevant checklist is completed and submitted at pre-application and / or application stage.
- A1.4 Conclusions are indicative. A response of 'no' does not necessarily rule out the requirements for further survey. You may be required to substantiate your answers. You may wish to seek professional ecological advice when completing the Checklist to ensure accuracy.

## Biodiversity Checklist for Householder Applications

Planning ref: (for office use)

Site address:

There are many legally protected sites of nature conservation importance (see Note 1) across Hampshire alongside non-statutory wildlife sites (Note 2), priority habitats (Note 3) and a wide range of legally protected and other notable species (Note 4). Developments can adversely affect these, and Local Planning Authorities (LPAs) are legally required by Government to consider the conservation of biodiversity when determining a planning application. Government planning policies for biodiversity are set out in the National Planning Policy Framework (NPPF), while the Local Authority's local plan will set out how they address these requirements in local policy terms. LPAs need to be able to understand what the potential impacts of the development might be and if there are impacts on biodiversity, how these will be avoided, mitigated, or compensated.

This Checklist will help you work out if your proposal is likely to affect biodiversity, what additional information you will need to provide to support your application and how to get that information.

### Guidance for applicants

If your answers to the questions in **Sections 1** and/or **2** identify that your project may potentially have an adverse impact on designated sites, priority or other notable habitats or legally protected or notable species then you will need to submit a suitable report such as a Preliminary Ecological Appraisal, Ecological Impact Assessment or species-specific survey which demonstrates the following:

- Information about the sites, species, habitats or features that could be affected (such as location, size, abundance, importance)
- Likely impacts of your development on habitats, sites or species identified
- How alternative designs and locations have been considered
- How adverse impacts will be avoided
- How any unavoidable impacts will be mitigated (reduced) (*see note 6*)
- How impacts that cannot be avoided or mitigated will be compensated (*see note 6*)
- Any proposals for enhancements of biodiversity

Where more targeted and specific reports are necessary (for example bat surveys), these must:

- Be undertaken by an appropriately qualified and experienced person
- Be of appropriate scope and detail (i.e., be carried out to established standards)
- Be conducted at an appropriate time of year, in suitable weather conditions and using approved methodologies.

Reports may not be required where applicants are able to provide pre-application correspondence from Natural England, the Local Authority ecologist or your ecological adviser that confirms that they are satisfied that the proposal will not have an adverse impact on any features identified in Sections 1, or 2. Your local authority ecologist contact details are given on page 5.

The application may not be validated if any of the information submitted proves to be inadequate. If validated and the information is subsequently found not to fully address any potential impacts then further information may be required during the course of any planning application, for instance if any of the information you have provided needs clarification, or if other potential impacts are identified. **If sufficient information on ecological issues is not provided by the time the application needs to be determined, the application may be refused. This can include information (surveys and data searches) considered out of date.**

It is strongly advised that you consider biodiversity at the **earliest** possible stage in your project as there are seasonal constraints to much of the survey work that may be needed to support your application.

For further advice on competent ecologists that can undertake specialist survey work, please see the Chartered Institute of Ecological and Environmental Management <http://www.cieem.net> in the first instance.

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Please let us know if this checklist has been completed or checked by a qualified ecologist

YES/NO

## SECTION 1 – Designated Sites and Habitats

Please answer ALL questions <b>Yes</b> or <b>No</b>		YES/NO
If you have answered ' <b>YES</b> ' is it possible that the development could have an impact on the identified site? (see note )		
Please provide further information***		
<b>1.1</b>	Is the application site on or within <b>50m</b> of a SSSI, SAC, SPA or Ramsar site? (see note 1)	
<b>1.2</b>	Are any of the following present on or within <b>50m</b> of the application site? <i>Please see <u>note 2 &amp; 3</u> for further information on identifying these.</i>	
	<b>a)</b> Site of Importance for Nature Conservation	
	<b>b)</b> Native woodland including ancient semi-natural <u>and replanted</u> woodland	
	<b>c)</b> Veteran (particularly old / large) trees	
	<b>d)</b> Water courses (rivers or streams)	
	<b>e)</b> Lakes or ponds	
	<b>f)</b> Wetlands or marshes	
	<b>g)</b> Species-rich meadow / grassland	
	<b>h)</b> Heathland/acid grassland/mire/scrub	
	<b>i)</b> Coastal grassland/saltmarsh/shingle/mudflats	
	<b>j)</b> Hedgerows supporting mainly native species	

\*\*\* This may simply be a brief explanation stating that the identified feature is outside the development footprint and boundaries, or it may be a more formal biodiversity assessment or survey report. Please note that submitted information will be reviewed by the Planning Authority's ecological advisor and you may be asked for further clarification if necessary either prior to validation or during the application process.

Data on site designations, habitats and species can be obtained from the [Hampshire Biodiversity Information Centre](#)



## Section 2 – Legally protected and other notable species

<b>PROPOSAL DETAILS</b> Please answer ALL questions <b>Yes</b> or <b>No</b> by marking against each feature	<b>YES/ NO</b>	If you have ticked 'YES' to any of these, you will need to consider potential impacts to the following:	<b>Survey attached?</b>
<b>3.1 Will the proposal affect any of the following features / structures? (note 5 and note 7)</b>			
Buildings or structures exhibiting features likely to support bat roosts or swift nests (e.g. in gaps/crevices/cracks within building materials; hanging tiles, timber weatherboarding/cladding; roof voids; etc.)		Bats and bat roosts	
Underground structures (e.g. cellars, caves, mines)		Swift nests	
Structures where there is known current or historic bat use			
<b>3.2 Will the proposal affect trees with any of the following features? (notes 4, 5 and 7)</b>			
Old and veteran trees or other trees with a circumference greater than 1m at chest height		Bats and bat roosts Nesting birds	
Trees exhibiting, or likely to exhibit holes, cracks, splits, cavities etc. and/or heavy vegetation		Other Notable species	
<b>3.3. Will the proposals affect any of the following wetland features (notes 4 and 5)</b>			
Streams, rivers or lakes on or within 25m of the application site that would be affected (including their banks and adjacent habitat) by the development?		Bat foraging habitat Otters, Water vole White-clawed crayfish Nesting birds Other Notable species	
Ponds within 100m, particularly any that are well-connected to the application site by hedgerows, ditches, woodland, grassland or field boundaries?		Amphibians (particularly with respect to great crested newts)	
<b>3.4 Will the proposals affect any of the following features (notes 4 and 5)</b>			
Deciduous (i.e. not mainly conifer) woodland?		Bat foraging habitat	
Field hedgerows over 1m tall and over 0.5m thick?		Dormice Nesting birds	
Areas of scrub well-connected to woodland or hedgerows?		Badger Reptiles	
Species-rich meadows or grassland on or directly adjacent to the site?		Other Notable species	
Mature or overgrown gardens, rough grassland, derelict/brownfield land, railway land or allotments			
Coastal grasslands/arable		Brent Geese & wader feeding/roost sites	

## Notes

### Note 1

SSSI = Site of Special Scientific Interest, designated and protected under UK law.; <https://designatedsites.naturalengland.org.uk/>

SAC = Special Area of Conservation and SPA = Special Protection Area. These are designated and protected under EU law. See <http://jncc.defra.gov.uk/page-1527> They will also be designated as SSSI.

Ramsar site = internationally important wetland, designated under the Ramsar Convention. These sites may also be SPAs / SACs and SSSIs. See <http://jncc.defra.gov.uk/page-1527> for more information.

You can find out if your application site is on or near any of these sites from [www.magic.gov.uk](http://www.magic.gov.uk) or the LPA's Local Plan Proposals Map, or from the [Hampshire Biodiversity Information Centre](#)

### Note 2

[SINC – Site of Importance for Nature Conservation](#). These are not legally protected, but are identified in planning policy as being of importance for biodiversity and are considered during the planning process.

The LPA's Local Plan Proposals Map may identify the location of any SINC's but more definitive and up-to-date maps are available from the [Hampshire Biodiversity Information Centre](#)

### Note 3

Priority Habitats are also called [Habitats of Principal Importance in England under Section 41 NERC Act 2006](#). They comprise natural or semi-natural habitats that have been identified as being at risk (in that they are rare or in decline) or are important for certain key species of plant or animal. Areas of designated Ancient Woodland and some Priority Habitats can be found on [www.magic.gov.uk](http://www.magic.gov.uk). More definitive and up-to-date maps of Priority habitats are available from the [Hampshire Biodiversity Information Centre](#)

### Note 4

Notable species include species protected under European legislation and the Wildlife & Countryside Act 1981 (as amended); species listed under; S41 of the Natural & Environment and Rural Communities Act 2006 (Priority species); the IUCN Red List of Threatened Species; the Birds of Conservation Concern Red list; and species listed as being nationally, county, or vice-county rare or scarce.

The [Hampshire Biodiversity Information Centre](#) holds data on the known locations of over 1million protected and notable species records. However, absence of a record does not mean absence of a species.

### Note 5

Effects could be DIRECT, such as destruction, removal or modification, or INDIRECT through disturbance such as run-off, noise, dust, lighting or increased recreational use.

### Note 6

Avoidance = measures taken to avoid impacts – should be the first consideration; Mitigation = measures which make unavoidable impacts less severe; Compensation = measures which counterbalance remaining impacts, resulting in an overall no net loss of biodiversity. (NB 'Mitigation' as a general term, or a 'mitigation strategy' is often used to cover all these processes).

### Note 7

The types of feature highlighted in this Checklist have a higher likelihood of supporting bats and is taken from the list produced by the Bat Conservation Trust in their good practice survey guidelines (see <http://www.bats.org.uk/pages/guidanceforprofessionals.html>) .However, it is important to recognise that many buildings that do not meet these criteria may also support bats.

**Important:** this checklist cannot include reference to *all* protected or notable species in *all* circumstances where they may be affected. Legislation relating to protected species does apply in all circumstances and it is the responsibility of the developer to ensure that the species and their habitats are not impacted as a result of development.

**If protected species are found during the course of development, work should be halted and advice sought from Natural England, the local authority ecologist or a qualified private ecologist.**

## Biodiversity Checklist for Full Applications

Planning ref: (for office use)

Site address:

There are many legally protected sites of nature conservation importance (see Note 1) across Hampshire alongside non-statutory wildlife sites (Note 2), priority habitats (Note 3) and a wide range of legally protected and other notable species (Note 4). Developments can adversely affect these, and Local Planning Authorities (LPAs) are legally required by Government to consider the conservation of biodiversity when determining a planning application. Government planning policies for biodiversity are set out in the National Planning Policy Framework (NPPF), while the Local Authority's local plan will set out how they address these requirements in local policy terms. LPAs need to be able to understand what the potential impacts of the development might be and if there are impacts on biodiversity, how these will be avoided, mitigated, or compensated.

This Checklist will help you work out if your proposal is likely to affect biodiversity, what additional information you will need to provide to support your application and how to get that information.

### Guidance for applicants

If your answers to the questions in **Sections 1, 2** and/or **3** identify that your project may potentially have an adverse impact on designated sites, priority or other important habitats or legally protected or notable species then you will need to submit a suitable report such as a Preliminary Ecological Appraisal, Ecological Impact Assessment or species-specific survey which demonstrates the following:

- Information about the sites, species, habitats or features that could be affected (such as location, size, abundance, importance)
- Likely impacts of your development on habitats, sites or species identified
- How alternative designs and locations have been considered
- How adverse impacts will be avoided
- How any unavoidable impacts will be mitigated (reduced) (*see note 6*)
- How impacts that cannot be avoided or mitigated will be compensated (*see note 6*)
- Any proposals for enhancement of biodiversity

Where more targeted and specific reports are necessary (for example bat surveys), these must:

- Be undertaken by an appropriately qualified and experienced person
- Be of appropriate scope and detail (i.e. be carried out to established standards)
- Be conducted at an appropriate time of year, in suitable weather conditions and using approved methodologies.

Reports may not be required where applicants are able to provide pre-application correspondence from Natural England, the Local Authority ecologist or your ecological adviser that confirms that they are satisfied that the proposal will not have an adverse impact on any features identified in Sections 1, 2 or 3.

The application may not be validated if any of the information submitted proves to be inadequate. If validated and the information is subsequently found not to fully address any potential impacts then further information may be required during the course of any planning application, for instance if any of the information you have provided needs clarification, or if other potential impacts are identified. **If sufficient information on ecological issues is not provided by the time the application needs to be determined, the application may be refused. This can include information (surveys and data searches) considered out of date.**

It is strongly advised that you consider biodiversity at the **earliest** possible stage in your project as there are seasonal constraints to much of the survey work that may be needed to support your application.

For further advice on competent ecologists who can undertake specialist survey work, please see the Chartered Institute of Ecological and Environmental Management <http://www.cieem.net> in the first instance.

<b>Please let us know if this checklist has been completed or checked by a qualified ecologist</b>	<b>YES/NO</b>
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## SECTION 1 – Legally protected sites for nature conservation

<p>Please answer <b>Yes</b> or <b>No</b> to the following question. If you answer '<b>YES</b>', it is possible that the development could have an impact on the designated site (see note 5). Please provide further information with your application.</p>	<b>YES/NO</b>
<p><b>Does the application lie within:</b></p> <ul style="list-style-type: none"> <li>• <b>2km of a SAC, SPA or Ramsar site</b></li> <li>• <b>An SSSI Impact Risk Zone (IRZ)</b> and does it correspond to any of the development types listed in the results.</li> </ul> <p>See Note 1 and <a href="http://magic.defra.gov.uk/Metadata_for_magic/SSSI%20IRZ%20User%20Guidance%20MAGIC.pdf">http://magic.defra.gov.uk/Metadata_for_magic/SSSI%20IRZ%20User%20Guidance%20MAGIC.pdf</a> for guidance on the interpretation and use of the <b>Impact Risk Zones for Sites of Special Scientific Interest</b></p>	

## SECTION 2 – Habitats and locally designated sites

<p>Please answer ALL questions <b>Yes</b> or <b>No</b></p> <p><i>Many of the features described below may support a <b>Priority Habitat</b>. See note 3 for further information on identifying these.</i></p> <p>If you have answered '<b>YES</b>', is it possible that the development may have an impact on the designated site or habitat? Please PROVIDE further information if that is the case</p>	<b>YES/ NO</b>
<p><b>Are any of the following present on or within 100m of the application site?</b></p>	
<ul style="list-style-type: none"> <li>▪ <i>Site of Importance for Nature Conservation (SINC) See Note 2</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Native woodland including ancient semi-natural and <u>replanted</u> woodlands</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Veteran (particularly old / large) trees</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Water courses (rivers or streams)</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Lakes or ponds</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Wetlands or marshes</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Unimproved/semi-improved species-rich grassland</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Arable field margins supporting assemblages of rare arable plants</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Heathland/acid grassland/mire/scrub</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Coastal grassland/saltmarsh/shingle/mudflats</i></li> </ul>	
<ul style="list-style-type: none"> <li>▪ <i>Hedgerows supporting mainly native species</i></li> </ul>	

The [Hampshire Biodiversity Information Centre](#) can provide detailed maps showing boundaries of all site designations and Priority habitats.

### Section 3 – Legally protected and other notable species

<b>PROPOSAL DETAILS</b> Please answer ALL questions <b>Yes</b> or <b>No</b> by marking against each feature	<b>YES/ NO</b>	If you have ticked 'YES' to any of these, you will need to consider potential impacts to these species.	<b>Survey attached?</b>
<b>3.1 Will the proposal affect any of the following features / structures? (see note 2 and note 7)</b>			
Buildings or structures exhibiting features likely to support bat roosts or swift nests (e.g. in gaps/crevices /cracks/voids within roofs or building materials such as hanging tiles, soffits, cladding etc.)			
Underground structures (e.g. cellars, caves, mines)		Bats and bat roosts Swift nests	
Bridges or similar structures			
Structures where there is known current or historic bat use			
Agricultural buildings particularly of traditional brick, timber or stone construction and/or with exposed timber beams greater than c.20cm thick.		Bats and bat roosts Barn owl/Little owl Nesting birds	
Other large agricultural buildings		Barn owls/Little owl	
<b>3.2 Will the proposal affect trees with any of the following features? (see note 2)</b>			
Old and veteran trees or other trees with a circumference greater than 1m at chest height		Bats and bat roosts Nesting birds	
Trees exhibiting, or likely to exhibit holes, cracks, splits, cavities etc. and/or heavy vegetation		Other Notable species	
<b>3.3. Will the proposals affect any of the following wetland features (note 2)</b>			
Streams, rivers or lakes on or within 25m of the application site that would be affected (including their banks and adjacent habitat) by the development?		Bat foraging habitat Otters, Water vole White-clawed crayfish Nesting birds Other Notable species	
Ponds within 100m, particularly any that are well-connected to the application site by (e.g. Hedges, ditches, woodland, grassland or field boundaries?)		Amphibians (particularly with respect to great crested newts)	
<b>3.4 Will the proposals affect any of the following features (note 2)</b>			
Deciduous woodland?		Bat foraging habitat	
Field hedgerows over 1m tall and over 0.5m thick?		Dormice Nesting birds	
Areas of scrub well-connected to woodland or hedgerows?		Badger Reptiles	
Species-rich meadows or grassland on or directly adjacent to the site?		Other Notable species	
Mature or overgrown gardens, rough grassland, derelict/brownfield land, railway land or allotments			
Coastal grasslands/arable		Waders and Wildfowl feeding/roost sites	

## Notes

### Note 1

Impact Risk Zones (IRZs) is a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. The SSSI IRZ Dataset can be downloaded from the [Natural England Open Data Geoportal](https://naturalengland-open-data-geoportal.naturalengland.org.uk/). It is also available to view on [www.magic.gov.uk](http://www.magic.gov.uk)

SSSI = Site of Special Scientific Interest, designated and protected under UK law.; <https://designatedsites.naturalengland.org.uk/>

SAC = Special Area of Conservation and SPA = Special Protection Area. These are designated and protected under EU law. See <http://jncc.defra.gov.uk/page-1527> They will also be designated as SSSI

Ramsar site = internationally important wetland, designated under the Ramsar Convention. These sites may also be SPAs / SACs and SSSIs. See <http://jncc.defra.gov.uk/page-1527> for more information.

You can find out if your application site is on or near any of these sites from [www.magic.gov.uk](http://www.magic.gov.uk) or the LPA's Local Plan Proposals Map, or from the [Hampshire Biodiversity Information Centre](http://hampshirebiodiversityinformationcentre.org.uk/)

### Note 2

SINC – Site of Importance for Nature Conservation. These are not legally protected, but are identified in planning policy as being of importance for biodiversity and are considered during the planning process.

The LPA's Local Plan Proposals Map may identify the location of any SINCS but more definitive and up-to-date maps are available from the [Hampshire Biodiversity Information Centre](http://hampshirebiodiversityinformationcentre.org.uk/)

### Note 3

Priority Habitats are also called Habitats of Principal Importance in England under Section 41 NERC Act 2006. They comprise natural or semi-natural habitats that have been identified as being at risk (in that they are rare or in decline) or are important for certain key species of plant or animal. Areas of designated Ancient Woodland and some Priority Habitats can be found on [www.magic.gov.uk](http://www.magic.gov.uk). More definitive and up-to-date maps of Priority habitats are available from the [Hampshire Biodiversity Information Centre](http://hampshirebiodiversityinformationcentre.org.uk/)

### Note 4

Notable species include species protected under European legislation and the Wildlife & Countryside Act 1981 (as amended); species listed under; S41 of the Natural & Environment and Rural Communities Act 2006 (Priority species); the IUCN Red List of Threatened Species; the Birds of Conservation Concern Red list; and species listed as being nationally, county, or vice-county rare or scarce.

The [Hampshire Biodiversity Information Centre](http://hampshirebiodiversityinformationcentre.org.uk/) holds data on the known locations of over 1million protected and notable species records. However absence of a record does not mean absence of a species.

### Note 5

Effects could be DIRECT, such as destruction, removal or modification, or INDIRECT through disturbance such as run-off, noise, dust, lighting or increased recreational use.

### Note 6

Avoidance = measures taken to avoid impacts – should be the first consideration; Mitigation = measures which make unavoidable impacts less severe; Compensation = measures which counterbalance remaining impacts, resulting in an overall no net loss of biodiversity. (NB 'Mitigation' as a general term, or a 'mitigation strategy' is often used to cover all these processes).

### Note 7

The types of feature highlighted in this Checklist have a higher likelihood of supporting bats and is taken from the list produced by the Bat Conservation Trust in their good practice survey guidelines (see <http://www.bats.org.uk/pages/guidanceforprofessionals.html>). However, it is important to recognise that many buildings that do not meet these criteria may also support bats.

**Important:** this checklist cannot include reference to *all* protected or notable species in *all* circumstances where they may be affected. Legislation relating to protected species does apply in all circumstances and it is the responsibility of the developer to ensure that the species and their habitats are not impacted as a result of development.

If protected species are found during the course of development, work should be halted and advice sought from Natural England, the local authority ecologist or a qualified private ecologist.

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## Appendix 2 – Ecological Survey and Assessment

- A2.1 Where appropriate, planning applications will need to be supported by adequate ecological information, using up to date desk studies and site assessment to inform survey methodologies sufficient in scope to allow the impact of a proposal to be appropriately assessed to enable the council to demonstrate in the exercise of planning functions how it is fulfilling the duty to have regard to the conservation and enhancement of biodiversity. This includes householders and developers of small sites where there may be risks of impacts to habitats and species. More information is available from [CIEEM](#).<sup>63</sup>

### Securing Appropriate Ecological Advice

- A2.2 All ecological surveys, including protected species and habitat surveys, must be undertaken in accordance with accepted industry best practice survey guidelines. Surveys and data gathered not in accordance with best practice guidelines may not be accepted as constituting appropriate supporting information.
- A2.3 It is therefore advisable to seek professional advice and support through suitably qualified ecological consultants, as appropriate.
- A2.4 The Chartered Institute of Ecology and Environmental Management (CIEEM) is the leading professional membership body representing and supporting ecologists and environmental managers in the UK. Members of CIEEM are required to work in accordance with specified professional standards, whose competence has been assessed as part of their membership registration, driving best practice compliance.
- A2.5 The CIEEM ‘Registered Practices Directory’ provides a ‘search’ function to allow searches for local consultants qualified in the relevant specialism that you require. Directory Registered Practices are committed to ensuring that all their ecologists and environmental managers are working to high standards and undertake regular continuing professional development.
- A2.6 The Registered Practices Directory can be found online here at <https://cieem.net/i-need/finding-a-consultant/>
- A2.7 Be aware that different surveys may require different specialisms. Please ensure that the consultant you appoint is qualified to undertake the survey work you require, including protected species licences if appropriate.
- A2.8 It is often helpful to appoint an ecological consultancy who is based locally to your project site. Not only will this reduce travel and expenses, the ecological consultant will also have useful local knowledge of the types of habitats and species present locally and relevant to your proposals.

### Baseline Information

- A2.9 Appropriately detailed biodiversity baseline information is required to inform the need for further detailed survey and support evidence-based conclusions. Such data identifies the presence of designated sites and existing records of protected and priority habitats and

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<sup>63</sup> <https://cieem.net/resource/guide-to-ecological-surveys-and-their-purpose/>

species that could be affected by development within the appropriate and sufficient zone of influence<sup>64</sup>. Some ecological data is available from open access sources such as DEFRA's MAGIC [Multi Agency Geographic Information for the Countryside \(MAGIC\) map](#)). However, more detailed and locally specific data is only available from the Hampshire Biodiversity Records Centre (HBIC) (<https://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre>). Developers are advised to commission an ecological data search from HBIC to support their planning application prior to submission, in order to ensure that all relevant ecological constraints are appropriately identified and addressed. The data generated through a desk study should be properly analysed and interpreted, with the results used to inform further ecological survey where required in line with ecological best practice. Results should also inform the development proposal design including implementation of the mitigation hierarchy to support a planning application.

- A2.10 Data search requests should be for a minimum 1 km buffer from the red line boundary for protected and Priority species and 2 km for all designated sites, extending further where for example mobile species, such as bats and birds could be affected whilst passing through the project site.
- A2.11 While older data may be less relevant in some cases, it may provide the only baseline available for a site and so should not be discounted.
- A2.12 An absence of records does not mean a record of absence and ecological consultants need to use their professional judgment to ensure that biodiversity features are not overlooked. Survey and assessment of all species likely to be present on and adjacent to the development site and any which could be affected indirectly should be covered.

### **Preliminary Ecological Appraisal (PEA)**

- A2.13 A PEA is a rapid assessment, carried out by ecologists, of the ecological features present or potentially present within a site and its surrounding area (zone of influence) and typically comprises a desk study and a walkover survey. It is an initial means of recording the habitats and condition of a site and predicting the likely ecological constraints and opportunities that might arise if the site is developed.
- A2.14 PEAs should be commissioned at the earliest stages of design, and their results used to inform the developer's design team, influence the layout and form of the proposals and as an evidence-base to show the implementation of the mitigation hierarchy. Identifying important ecological features at the outset and avoiding impacts will limit the loss of biodiversity and reduce the need for mitigation and compensation measures.
- A2.15 Where relevant, these reports will include recommendations for further survey, particularly in relation to protected and Priority species where habitats likely to support such species are recorded and are to be impacted by the development.
- A2.16 A PEA should only be submitted as part of a planning application where it can be demonstrated that the project would have no significant ecological effects, no mitigation is

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<sup>64</sup> The area(s) over which ecological features may be affected by the biophysical changes caused by a proposed development project and associated activities.

required, and no further surveys are necessary. Where these cannot be demonstrated, the PEA should be superseded by an Ecological Impact Assessment (EclA) report.

- A2.17 A PEA is unlikely to be sufficient where designated sites and/or protected and priority habitats and species are likely to be affected and further surveys will be required. Development affecting non-designated sites and some householder applications may need a PEA.
- A2.18 More information PEA is available from [CIEEM](#)<sup>65</sup>

### Ecological Impact Assessment (EclA)

- A2.19 Where the Biodiversity Checklist/PEA identifies likely development impacts on biodiversity and / or the need for further ecological survey work, the results of such surveys must be submitted with the planning application, clearly assessing the impacts of the proposed development on such ecological features, identifying any significant effects as well as impacts on any designated sites or protected species, and detailing both the mitigation measures required, and how these will be secured. The findings of an assessment will help the council understand the project's ecological constraints and requirements and provide assurance that effective and deliverable mitigation can be secured. Surveys must be carried out during the appropriate season (see Annex 4) and in accordance with published standards.
- A2.20 An EclA should be produced in accordance with best practice guidance (BS42020:2013) and should contain all necessary survey results and a full assessment of ecological impacts. It should include reporting on all biodiversity features within the development site and wider area (zone of influence), proportionate and fully detailed mitigation and compensation measures that can be secured by condition or obligation, or by appropriate species licensing, and contain evidence that it has informed the design and has recommendations that have been embedded into the design.
- A2.21 Surveys and reports have a finite lifespan due to the response of habitats to environmental factors and changes in management and the dynamic nature of species populations. CIEEM guidance highlights issues with lifespan and the validity of reports in different circumstances. Outline or phased developments are likely to require conditions for further surveys to keep the survey information up to date.
- A2.22 In addition to the information within BS42020:2013, CIEEM provides detailed guidance about expectations in the reporting of biodiversity information in support of planning applications. Applicants are encouraged to choose professional ecologists that will comply with these expectations and can demonstrate their suitability for the role. Full details of those involved in survey work and reporting should be included in all reports with a summary of their experience and competence.
- A2.23 Where ecological information on species and habitats does not follow the mitigation hierarchy or is inadequate in the EclA, further ecological surveys will be required and should be provided prior to determination. Further surveys will not be secured through planning

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<sup>65</sup> <https://cieem.net/wp-content/uploads/2019/02/Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf>

conditions, unless in exceptional circumstances, as identified in paragraph 9.2.4 of BS42020:2013. An ecological report needs to be fit for purpose as this will reduce the risk of delay, cost and/or uncertainty associated with determination. All ecological reports need to be clear and unambiguous as to what measures will be implemented.

A2.24 The council expects that all biodiversity records obtained during surveys to be submitted to Hampshire Biodiversity Record Centre, as required by CIEEM's code of professional conduct. Applicants must not seek to restrict their ecological consultants from submitting biodiversity records.

A2.25 More information EclA is available from [CIEEM](#)<sup>66</sup>

### Ecological Constraints and Opportunities Plan (ECOP)

A2.26 An Ecological Constraints and Opportunities Plan (ECOP) is a useful tool/drawing, submitted as part of the required ecology reports, used to present or 'traffic light' ecological information to other professionals and can assist with gaining the best outcomes for biodiversity. It has three main roles:

- at the pre-application stage, an ECOP may be used as an iterative tool within the design team to inform the overall design process;
- at the decision-making stage, it may be used to provide summary information for the decision-maker showing graphically how the mitigation hierarchy has been applied in practice – as such, it is an opportunity to show what and where the key biodiversity constraints and opportunities are associated with the proposed development described in the planning application; and
- at the implementation stage, it may be used to provide an overview, showing how and where biodiversity is to be addressed during the actual development works or aftercare period (e.g. as a summary drawing forming part of a construction environmental management plan)

A2.27 An ECOP should be prepared using the results from ecological surveys, and initial identification of sensitive features and potential impacts, along with an assessment of their condition in relation to their potential for enhancement.

A2.28 The level of detail in the ECOP should be proportionate to the nature and scale of the proposed development and should be used to inform the site design and layout, with biodiversity balanced against other competing needs, e.g. the need for amenity space.

A2.29 An ECOP should be submitted as part of an EclA where potential ecological impacts are predicted and to evidence-base implementation of the mitigation hierarchy.

### BNG Baseline Assessment

A2.30 Unless a site is exempt, a BNG baseline assessment is required to enable the post-development biodiversity value (BNG) of the site to be demonstrated upon application. As required by the Environment Act, pre-development biodiversity value must be calculated

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<sup>66</sup> <https://cieem.net/wp-content/uploads/2018/08/ECIA-Guidelines-2018-Terrestrial-Freshwater-Coastal-and-Marine-V1.1Update.pdf>

before any site clearance or other habitat management work has been undertaken. However, if this is known to have happened without the benefit of existing planning permission or felling licence, the condition of the site on or after 30th January 2020 will be taken as the baseline of the habitat as stated in Schedule 14 Part 1 paragraph 6 of the Environment Act. An earlier baseline may be required where activity has reduced the biodiversity value of a site. Where previous surveys are not available, this will be established through best available evidence including Hampshire Biodiversity Records Centre records and habitat areas identified through aerial photographs.

A2.31 Habitat mapping methodologies need to be appropriate to their purpose. For BNG calculations, UK Habitats Classification is required to populate the Defra Biodiversity Metric.

### Other Types of Assessment

A2.32 The consultant ecologist should determine whether the site falls within a SSSI Impact Risk Zone, as shown on the [Multi Agency Geographic Information for the Countryside \(MAGIC\) map](#)<sup>67</sup>, which would indicate that the development could result in indirect impacts that require consultation with Natural England.

### When to Undertake Ecological Surveys

A2.33 Surveys for many habitats and protected species can only be undertaken at certain times of year in order to provide reliable data and meet best practice survey guidelines.

A2.34 The following survey calendar indicating optimal and suboptimal survey windows for the more common habitat types and protected species.

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<sup>67</sup> <https://magic.defra.gov.uk/>

## Survey Calendar

	Optimal
	Sub-optimal
	Not acceptable

The following table provides a guide on appropriate survey seasons and is based on current industry best-practice.

Survey Type	January	February	March	April	May	June	July	August	September	October	November	December			
Vegetation				Extended Phase 1 habitat and NVC (Woodland: April-June; Grassland: June-August)											
Badger		Bait marking and sett search							Bait marking and sett search						
Bats	Preliminary Roost Assessment (all year); Preliminary Ground Level Tree Roast Assessment (optimal between November and March)														
	Hibernation				Emergency/ return to roost and activity						Hibernation				
Hazel Dormouse				Nest tube (nut search from September to December)									Nut search		
Otter			Preferable survey season												
Water Vole															
Birds	Wintering birds		Migratory/ breeding birds	Breeding birds					Migratory birds		Wintering birds				
Great Crested Newt	Habitat suitability index														
							eDNA presence/absence								
			Presence/absence and population size class assessment												
				Refugia search											
Natterjack Toad															
Reptiles															
Invertebrate															
White-clawed Crayfish															

### Appendix 3 - Biodiversity on Development sites: A hazard prevention checklist during construction and operation

A3.1 This checklist aims to help implement the mitigation hierarchy: avoid impacts and embed mitigation during construction as well as inform the design and location of compensation post construction.

Table 5 – Recommended Hazard Checklist

Hazard	Considerations
<b>Construction Phase</b>	
Ancillary structures such as paths and other hardsurfaces	<p>These are often excluded from planning application drawings, but their construction and location can damage biodiversity features. Ensure their design, location and construction method take account of biodiversity features e.g. permeable paving systems which can integrate vegetation.</p> <p>Development design should have regards to maintaining commuting and foraging routes of mobile protected species such as badgers and bats. Vegetated wildlife corridors across development sites should be retained while new roads should incorporate mammal tunnels in suitable locations, to avoid road deaths.</p>
Assembly areas for components of construction.	Plan locations in advance and site well away from sensitive areas. Include in Ecology report site plan.
Demolition operations.	<p>Falling rubble and storage areas for demolished structures can cause unnecessary damage if not properly planned for.</p> <p>Consideration is required to avoid emissions of chemical pollutants, aerial dust and siltation of surface waters.</p>
Interruptions to established management regimes	It is important to maintain established habitat management regimes throughout the construction process. In some cases, it may be necessary to modify these to help buffer biodiversity features from construction impacts. Seek ecological advice
Introduction of imported soils	Often landscaping schemes involve the importation of topsoil which is inappropriate to the locality or the nature conservation feature. In general, nutrient-rich topsoil should be avoided in habitat management and creation schemes. Introduction of topsoil can also promote the spread of invasive plant species.
Lighting	Lighting/floodlighting can interfere with nocturnal animal behaviour patterns. All lighting schemes should be designed to minimise light spill and maintain dark unlit features on and off-site including on

Hazard	Considerations
	<p>surrounding natural features such as trees and greenspaces. Schemes should be in accordance with best practice guidelines BCT &amp; ILP (2023) Guidance Note 08/23. Bats and artificial lighting at night. Bats and the Built Environment. Bat Conservation Trust, London &amp; Institution of Lighting Professionals, Rugby.</p> <p><a href="https://www.bats.org.uk/news/2023/08/bats-and-artificial-lighting-at-night-ilp-guidance-note-update-released">https://www.bats.org.uk/news/2023/08/bats-and-artificial-lighting-at-night-ilp-guidance-note-update-released</a></p>
<p>Provision of services and utilities (e.g. underground power lines, water supply and drainage / gully pots)</p>	<p>These are often excluded from planning application drawings, but their construction and location can damage biodiversity features including trapping and killing animals such as toads and amphibians in gully pots. Ensure their location is included in the Ecology report and their design and effects fully considered.</p>
<p>Removal of site offices/ compounds and final site clearaway after construction</p>	<p>Due care is needed, for example to ensure protective fencing is maintained in good condition until all danger of damage to biodiversity features by construction-related activity is passed.</p>
<p>Storage areas for construction and landscaping materials</p>	<p>Ensure such storage areas are identified and considered in the ecological report.</p>
<p>Structural works to existing buildings including conversions.</p>	<p>Although the footprint of the development may be the same as existing, construction activity may affect nearby biodiversity features. Such development may also affect species which use buildings, such as bats and nesting birds.</p>
<p>Temporary access routes for construction vehicles - both on and off site.</p>	<p>Plan locations in advance and site well away from sensitive areas. Include in ecological report site plan.</p>
<p>Temporary fencing</p>	<p>Protective fencing should be sturdy and form a sufficiently robust barrier to prevent accidental damage to nature conservation features. Temporary fencing for construction purposes should avoid severing areas of habitat.</p>
<p>Temporary offices and compounds</p>	<p>Plan locations in advance and site well away from sensitive areas. Include in Ecology report site plan.</p>
<p>Topsoil and sub-soil removal</p>	<p>Consider locations for storage and include in Ecology report. Ensure topsoil removal does not promote the spread of invasive species to new locations. Consideration is required to avoid emissions of chemical pollutants, emissions of aerial dust and siltation of surface waters.</p>



Hazard	Considerations
Vegetation clearance	Direct loss of habitat; timing of removal to minimise impact and meet legislative requirements for protected species (e.g. nesting birds, hibernating herptiles); ensure controlled removal of undesirable species such as Invasive Non-native Species (e.g. Japanese Knotweed)
<b>Occupation/Operational phase</b>	
Landscape management	Appropriate aftercare, such as watering, is crucial to the successful integration of nature conservation features into development. Specialist contractors may be required at particularly sensitive locations. Chemical applications should be avoided.
Pets	Pets can have a severe predation and disturbance effect on reptiles, mammals and birds. Major scheme design should aim to minimise this risk, for example by buffering habitat resources such a woodland from development, and in the location and types of nest boxes and bird feeders used.
Public access	Increased public access to urban nature conservation features should be encouraged but such access should be carefully considered in the design and management of schemes to ensure nature conservation benefits are sustained.
Vandalism	The design of nature conservation features within development should take account of potential vandalism issues and other anti-social behaviour.
Vehicle access around and on/off-site	Plan locations for all roads and paths in advance and site well away from sensitive areas. Soil compaction issues. Ensure temporary access is included in ecological report site plan.

## Appendix 4 - Opportunities to Enhance Biodiversity on Development Sites

- A4.1 When determining planning applications, National planning policy requires local planning authorities to seek opportunities to improve biodiversity in and around developments, integrated as part of their design.

### Species Enhancement Opportunities

- A4.2 Protected species are a material consideration within the planning process. Inclusion of species enhancement features within the design of a new build will help a developer demonstrate to the Council that the development has taken protected species into account within design and is seeking a net gain in biodiversity as a result of the build. This will help a developer meet national planning policy obligations even where a development may be exempt from statutory obligations under the Environment Act to demonstrate a biodiversity net gain.

### Integrated Boxes

- A4.3 Integrated habitat boxes are solid boxes usually made of insulating concrete that provide an internal roost or living space, ready to be integrated into the fabric of a building as it is built or renovated. Such features can also be retrospectively fitted to existing buildings. Integrated habitat boxes are designed to require minimal or no maintenance, are discrete and long lasting. These features are permanent and provide good temperature. Integrated boxes are therefore encouraged as best practice. Such features are available for bats, a range of bird species, solitary bees, bumble bees and other insects. Bat access roof tiles can provide roosting opportunities for crevice dwelling species or access into roof void where appropriate, for void dwelling species.

### Bird Boxes and Swift Bricks

- A4.4 Species record searches and ecological surveys will identify habitat types present at and adjacent to a development site, as well as which species are present. Proposals for bird boxes should have regards to existing records and seek to retain and enhance these existing species. Species specific bird boxes are available for a range of species including swift, starlings, sparrows, different species of tit, redstarts, robins and wrens. Integral nest boxes should be selected and installed in accordance with British Standard BS42021:2022 'Integral nest boxes. Selection and installation for new developments. Specification'.

### Bat Boxes

- A4.5 Species record searches will identify which bat species are present locally to the development site. Proposals for bat boxes should have regards to existing records and seek to retain and enhance these existing species. Where active bat roosts have been identified as present within or adjacent to the development site, a protected species mitigation licence may be required from Natural England prior to the commencement of works in order to ensure compliance with protected species law. Works must be undertaken in accordance with the methodology set out within the agreed protected species licence, which may include provision of bat habitat features.

## Reptiles

A4.6 Widespread reptiles are often present within our more urban environments. Developments should have regards to maintaining wildlife corridors so that reptiles may continue to move across development sites for foraging. Reptiles thrive in non-uniform habitats such as grassland with tussocks and areas of southfacing open ground for basking. Retention of log piles and creation of more formal hibernacula in sunny and warm locations, will also provide safe refuge spaces. Advice on logpile and hibernacula design best practice are available online from trusted sources such as The Wildlife Trusts or Amphibian and Reptile Conservation.

## Bug-hotels and Log Piles

A4.7 Bug-hotels and log piles Inclusion of landscaping features that mimic natural insect habitats specifically dead wood piles and stands for beetles such as stag beetle, and nesting sites for solitary bees and wasps (Aculeate hymenoptera), when combined with biodiverse planting, provide easy-wins for local wildlife including shelter and foraging opportunities for birds and bats and other mammals such as hedgehog. Features can be as small as a few logs piled in the corner linking to boundary hedges, or bug hotels comprising of wood drilled with small holes located in a sunny spot. If development requires vegetation or tree removal, then the arisings can be used to create instant habitat features on the site without the need to bring in outside materials and with no added costs.

## Butterfly and Bee Banks

A4.8 Butterfly and bee banks can be easily created from mounds of chalk planted with wildflower species which thrive on chalk such as ox-eye daisy, field scabious, betony and kidney vetch. Low-lying species that do not have a particularly high sward are of particular value to invertebrates, as are areas of bare ground and chalk. Relatively small banks can be created in sunny aspects and connected to the wider landscape as part of a landscaping scheme and will attract a range of pollinating insects such as bees and butterflies, as well as providing habitat for many other invertebrates.

## Biodiverse Roofs and Walls

A4.9 Biodiverse, living or green roofs and walls can provide valuable habitat on sites particularly where space for new habitat creation is constrained and are therefore good options for highly urban developments. They can play an important role in providing new habitat for species displaced by the development, for invertebrates and wildlife species that already live in the city and gardens and for connecting up the wider landscape. In addition to ecological and aesthetic improvements, biodiverse roofs can provide a range of other benefits, such as slowing storm runoff, reducing flood risk, cooling urban areas and increasing energy efficiency. There is also evidence that green roofs increase the efficiency of photo voltaics.

## Sustainable drainage systems (SuDS)

A4.10 SuDS can include permanent water features, such as ponds, as well as features such as rain gardens and swales that fill up during rainfall events to manage surface water run-off, helping to ensure water quality is not adversely affected by development. SuDS have the potential to improve biodiversity by enhancing existing and creating new wildlife habitats

and can deliver BNG if designed to provide natural habitats, particularly using locally native species. [Further guidance](#)<sup>68</sup> on maximising the benefits to biodiversity from SuDS has been published by the RSPB and Wildfowl and Wetlands Trust.

- A4.11 SuDS can also provide additional benefits such as improved air quality, noise mitigation and access to nature. Inclusion of SuDS within a site is the preferred approach to managing rainfall and surface water runoff. It is essential that the management of water is considered at the earliest stage of a development and built into the design, although SuDs can also be retrofitted. The choice and design of SuDS must be appropriate to the site to ensure there is no adverse impact on groundwater quality.

### Habitat Enhancement Opportunities

- A4.12 Planting palates should favour native species or species of known biodiversity benefit when planting new trees and shrubs, preferably of local provenance from seed collected, raised and grown only in the UK, suitable for site conditions and complimentary to surrounding natural habitat. Planting should focus on nectar-rich flowers and/or berries as these can also be of considerable value to wildlife.

### Green Infrastructure and Ecological Networks

- A4.13 The arrangement of garden spaces within a development should aim to form a connected network, with links to surrounding green space and the wider landscape including Priority habitats and designated sites, thus forming part of a nature recovery network, rather than creating isolated pockets or islands within the built landscape. Boundaries should be designed to facilitate the movement of wildlife between properties within a development. Native species rich hedgerows are the preferred boundary treatment.
- A4.14 Further guidance is available in the [Natural England Green Infrastructure Planning and Design Guide](#)<sup>69</sup>

### Maintenance and management of measures

- A4.15 To ensure long-term benefits for biodiversity are maximised, any measures incorporated within a development must be maintained and appropriately managed. Where measures provide mandatory biodiversity net gain, these must be maintained and managed for a minimum period of 30 years, as required by the Environment Act 2021. Maintenance and management may be secured by planning condition or obligation.

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<sup>68</sup> <https://www.rspb.org.uk/globalassets/downloads/documents/positions/planning/sustainable-drainage-systems.pdf>

<sup>69</sup> <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/downloads/Design%20Guide%20-%20Green%20Infrastructure%20Framework.pdf>