



Waverley Borough Council

WBC ref (for office use)

Biodiversity Checklist

The Natural Environment and Rural Communities (NERC) Act came into force on 1st Oct 2006. **Section 40** of the Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

This duty extends to all public bodies the biodiversity duty of **Section 74** of the **Countryside and Rights of Way Act 2000 (CROW)**, which placed a duty on Government and Ministers.

The aim of the biodiversity duty is to raise the profile of biodiversity in England and Wales, so that the conservation of biodiversity becomes properly embedded in all relevant policies and decisions made by public authorities.

Saved **Policies D1** and **D5** of the **Waverley Local Plan 2002** direct that the Council will have regard to the environmental implications of development; will not permit development that would materially harm protected species of animal or plant, or its habitat; and will promote and encourage enhancement of the environment.

Policy CS17 of the **Waverley Borough Council Pre-submission Core Strategy** directs that the Council will seek to conserve and enhance biodiversity within Waverley and that development that results in harm to, or loss of, features of interest for biodiversity will not be permitted.

The National Planning Policy Framework (NPPF) published in 2012 provides guidance for local planning authorities on the content of their Local Plans, but is also a material consideration in determining planning applications. The NPPF has replaced much existing planning policy guidance.

The NPPF emphasises that the purposes of the planning system is to contribute to the achievement of sustainable development and that this gives rise to the need for the planning system to perform a number of roles, such as contributing to protecting and enhancing the natural, built and historic environment and helping to improve biodiversity. The NPPF also states that the planning system should provide a net gain for biodiversity wherever possible, and contribute to the Government's commitment to halt the loss of biodiversity.

Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System states it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.

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



Guidance for Applicants

This Biodiversity checklist has been informed by Standing Advice from Natural England. For further advice on the Standing Advice please see

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/default.aspx>

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 you will need to submit a Biodiversity Statement or other suitable report 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 in this Checklist
- How alternative designs and locations have been considered
- How adverse impacts will be avoided
- How any unavoidable impacts will be mitigated or reduced (*see Note 4*)
- How impacts that cannot be avoided or mitigated will be compensated (*see note 4*)
- 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 recognised methodologies

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.

A completed version of this Biodiversity Checklist must be submitted with each planning application.

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 Institute of Ecological and Environmental Management <http://www.ieem.net> in the first instance

Site Address

Section 1 – Sites and Habitats

<p>Please answer ALL questions YES or NO by marking the appropriate box against each question</p>	<p>YES</p>	<p>NO</p>	<p>If you have answered 'YES' to any of these, is it likely that the development would have an impact on the identified site? (see note 2) Please explain why / why not, or state if further information is provided (see below***)</p>
<p>1.1 Is the application site on or within 50m of a SSSI, SAC, SPA or Ramsar site? (see Note 1)</p>			
<p>1.2 Are any of the following present on or within 50m of the application site?</p> <p>N.B If yes, there may be a SNCI*, LNR*, RIGS*, Priority Habitat**, or other important feature within or adjacent to the application site see Note 3 for further information on identifying these.</p>			
<p>a) Broad-leaved woodland</p>			
<p>b) Veteran (particularly old / large trees)</p>			
<p>c) Water course (rivers or streams)</p>			
<p>d) Lakes or ponds</p>			
<p>e) Wetlands or marshes</p>			
<p>f) Flower-rich meadow / grassland</p>			

g) Water meadow			
h) Heathland			
i) Mature hedgerow			

*SNCI Site of Nature Conservation Interest.

*LNR Local Nature Reserve

*RIGS Regionally Important Geological /Geomorphological Sites

These are not legally protected, but are identified in the LPA's Local Plan as being of importance for biodiversity and are considered during the planning process – see

http://www.waverley.gov.uk/downloads/download/233/local_plan_proposals_map

Policy C10 of Waverley Borough Local Plan

http://www.waverley.gov.uk/downloads/file/170/local_plan_2002-chapter_3-countryside

** Priority Habitat - natural or semi-natural habitats that have been identified as being at risk (in that they are rare or in decline) or that are important for certain key species of plant or animal - see

<http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/prioritylist.aspx>

*** This may simply be a brief explanation in the box provided, for example stating that the identified feature is outside the development footprint and boundaries, or may be a more formal biodiversity assessment or survey report. Please Note that submitted information will be reviewed by a Case Officer and you may be asked for further clarification if necessary either prior to validation or during the application process.

Section 2 – Species

Please answer ALL questions YES or NO by marking the appropriate box against each question.	YES	NO	If you have ticked YES to any of these, you will need to consider potential impacts to the following:	Survey / Report attached?																	
<p>2.1 Will the proposed works affect existing buildings with ANY of the following features? (see Note 2)</p> <table border="1"> <tbody> <tr> <td data-bbox="193 795 734 976">a) buildings with hanging tiles (see Note 5), timber cladding / weatherboarding where the building is within 200m of woodland or water</td> <td data-bbox="734 795 844 976"></td> <td data-bbox="844 795 946 976"></td> <td data-bbox="946 795 1225 1478" rowspan="5"> <ul style="list-style-type: none"> • Bats and bat roosts </td> <td data-bbox="1225 795 1398 1478" rowspan="5"></td> </tr> <tr> <td data-bbox="193 976 734 1093">b) Pre-1960 buildings or structures within 200m of woodland and/or water</td> <td data-bbox="734 976 844 1093"></td> <td data-bbox="844 976 946 1093"></td> </tr> <tr> <td data-bbox="193 1093 734 1209">c) pre-1914 buildings or structures within 400m of woodland and/or water</td> <td data-bbox="734 1093 844 1209"></td> <td data-bbox="844 1093 946 1209"></td> </tr> <tr> <td data-bbox="193 1209 734 1391">d) pre-1914 buildings with gable ends, traditional clay tile roofs or slate roofs, hanging tiles or weatherboarding regardless of location</td> <td data-bbox="734 1209 844 1391"></td> <td data-bbox="844 1209 946 1391"></td> </tr> <tr> <td data-bbox="193 1391 734 1478">e) structures where there is known current or historic bat use</td> <td data-bbox="734 1391 844 1478"></td> <td data-bbox="844 1391 946 1478"></td> </tr> </tbody> </table>	a) buildings with hanging tiles (see Note 5), timber cladding / weatherboarding where the building is within 200m of woodland or water			<ul style="list-style-type: none"> • Bats and bat roosts 		b) Pre-1960 buildings or structures within 200m of woodland and/or water			c) pre-1914 buildings or structures within 400m of woodland and/or water			d) pre-1914 buildings with gable ends, traditional clay tile roofs or slate roofs, hanging tiles or weatherboarding regardless of location			e) structures where there is known current or historic bat use						
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2.3	Are there 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?			<ul style="list-style-type: none">• Bat foraging habitat• Otters• Water vole• White-clawed crayfish	
2.4	Will the proposals affect (see Note 2) ANY of the following features				
a)	Deciduous (i.e. not mainly conifer) woodland?			<ul style="list-style-type: none">• Bat foraging habitat• Dormice• Breeding birds• Badger	
b)	Field hedgerows over 1m tall and over 0.5m thick?				
c)	Areas of scrub well-connected to woodland or hedgerows?				
2.5	Is the proposal within 200m of a pond, where the surface area of the pond, when water is at its highest level (excluding flood events), is 225m ² (c.15m x15m)?			<ul style="list-style-type: none">• Amphibians (particularly with respect to great crested newts)	
2.6	Will the proposal affect mature/overgrown gardens over 0.25ha, or any rough grassland, derelict/brownfield land, railway land or allotments? (see Note 2)			<ul style="list-style-type: none">• Reptiles• Breeding birds	
2.7	Will the proposal affect flower-rich meadows or grassland on or directly adjacent to the site? (see Note 2)			<ul style="list-style-type: none">• Breeding birds	

Exceptions for When a Survey / Report may not be required

Survey / Reports may not be required in the following instances

- Following consultation by the applicant at the pre-application stage, the Local Planning Authority / Natural England has stated in writing that no protected species / habitat survey is required.
- If it is clear that protected species are not present, despite the guidance in the above table indicating that they are likely, the applicant / agent should provide evidence with the planning application to demonstrate that such species are absent (e.g. this might be in the form of a letter or brief report).

A Biodiversity Checklist is required for all planning applications, with the following exceptions

- a material change in the use of land or buildings, unless it also involves operational development
- extensions to the time limits for implementing existing planning permissions
- development of land pursuant to section 73 (determination of applications to develop land without conditions previously attached) of the Town and Country Planning Act 1990.

Note 1

You can find out if your application site is on or near any of these sites from

www.natureonthemap.org.uk,

www.magic.gov.uk

http://www.waverley.gov.uk/downloads/download/233/local_plan_proposals_map

SSSI	Site of Special Scientific Interest (designated and protected under UK law);
SAC	Special Area of Conservation;
SPA	Special Protection Area (these are designated and protected under EU law)
Ramsar site	Internationally important wetland, designated under the Ramsar Convention - these will also be SPAs / SACs and SSSIs

For more information see

<http://www.naturalengland.org.uk/ourwork/conservation/designatedareas/default.aspx>

Note 2

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 3

Areas of designated Ancient Woodland and some Priority Habitats can be found on www.magic.gov.uk. The LPA's Local Plan Proposals Map may identify the location of any SNCIs. Ordnance Survey maps may also help.

Note 4

Avoidance	measures taken to avoid impacts (should be the first considerations);
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 5

This checklist, where relating to potential impacts on bats, is adapted from the Bat Conservation Trust's guidelines which provide guidance on where bats might reasonably be likely to be found. However, bats can be found in other locations, types or areas of buildings. It is particularly important to note that where a building has hanging tiles but is not within 200m of woodland or water, there is still potentially a reasonable likelihood of bats being present and a survey may be required in situations other than those specifically identified in this checklist.

(See <http://www.bats.org.uk/pages/guidanceforprofessionals.html>)

Important

This checklist can not include all protected species and all circumstances where they may be affected. Legislation relating to protected species applies in all circumstances and it is the responsibility of the developer to ensure that protected species and 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 or a qualified ecologist

If you require any further information / clarification, please call the



Planning Customer and Reception Team
Waverley Borough Council

01483 523583