

#### Background

Producing biodiversity reports that meet required professional standards reduces the risks of delay with associated planning applications through the planning process.

In our experience the quality and adequacy of biodiversity reports submitted to local planning authorities to support planning applications is – across the whole of the UK - extremely varied and inconsistent. Where reports are inadequate, this can lead to failure to achieve desired outcomes for biodiversity conservation as well as running the risk of delays, increased costs and uncertainty for applicants over whether planning consent will be granted. In the worst case, a planning consent that is granted based upon inadequate information may be open to legal challenge.

### Purpose

The purpose of this form is to ensure a competent review of the biodiversity information provided to support a planning application by the applicant has been undertaken. The form is designed to encourage those responsible for providing biodiversity reports to ensure they follow good professional practice and are fit for their intended purpose, i.e. is in accordance with Clauses 6 and 8.1 of BS42020:2013 and therefore adequate to enable determination by the relevant competent authority. This is based on the Ecological Impact Assessment (EcIA) Checklist available on the Chartered Institute of Ecology and Environmental Management (CIEEM) website <a href="https://cieem.net/resource/ecological-impact-assessment-ecia-checklist/">https://cieem.net/resource/ecological-impact-assessment-ecia-checklist/</a>

#### Use

This form shall be used for all full and outline applications <u>where there are likely to be implications for</u> <u>biodiversity</u>. Consequently, the form shall be used for all types of development, whether the proposed development is listed on Schedule 2 of the EIA Regulations or not. In line with the Validation Checklist, biodiversity information would be submitted in the form of either a Preliminary Ecological Appraisal or an Ecological Impact Assessment (EcIA) Report (in accordance with CIEEM guidelines; see Endnote vii).

The Local Planning Authority will only accept biodiversity information in the form of a Preliminary Ecological Appraisal Report (PEA) Report where all 3 of the following apply:

1. No further surveys\* - beyond those that are complete and reported fully in the PEA Report - are required;

\*A PEA Report will normally be based on a desk study and extended Phase 1 habitat survey (or equivalent), but may also include the results of Phase 2 surveys.

## 2. And either:

a. The report provides an adequate assessment of biodiversity impacts; or

*b.* The report is able to conclude robustly that there would be no significant residual biodiversity impacts.

3. And the report provides adequate information about the biodiversity mitigation, compensation and enhancement measures proposed; and these are capable of being secured through a planning condition, obligation and/or protected species licence.



The terms 'Ecological Impact Assessment' (EcIA), 'EcIA Report', 'Preliminary Ecological Appraisal' (PEA), 'PEA Report', 'Extended Phase 1 habitat survey' and 'Phase 2 surveys' are defined by the Chartered Institute of Ecology and Environmental Management (CIEEM) in the '*Guide to Ecological Surveys and Their Purpose'* (December 2017), available at https://cieem.net/resource/guide-to-ecological-surveys-and-their-purpose/

#### How to complete this form

**Part A** of this form provides general background information and a signed declaration. It should be completed by the Ecologist representing the Applicant.

**Part B** of this form is a declaration that should be completed by the Applicant to demonstrate that they have read and understood the content of the biodiversity report and also agree to any recommendations that have implications for the proposed development, i.e. implementation of necessary biodiversity mitigation measures.

**Part C** should be completed by the Ecologist representing the Applicant (it is expected that, in most cases, this will be the lead author of the biodiversity report). Part C shall act as a checklist of the issues which should be addressed in the biodiversity report. The Ecologist should confirm that the information requested has been provided in the report and provide the appropriate paragraph reference numbers to allow the Local Planning Authority to quickly confirm that each criterion has been met.

Where the Ecologist finds that they cannot justifiably answer 'Yes' or 'Not applicable', or where they cannot cross-refer to a paragraph of the report which demonstrates that they have complied with a given criterion, they should revisit the work undertaken and revise the report accordingly, prior to its submission.

**Part D** of the form is to be completed by the Local Planning Authority's 'nominated person with biodiversity expertise' (i.e. a qualified ecologist or a planner with responsibility/expertise for biodiversity matters) during the Local Planning Authority's determination of the planning application.



PART A – GENERAL INFORMATION AND ECOLOG	IST'S DECLARATION	
Name of Applicant: Click or tap here to enter text.	Site Name: Click or tap here to enter tex	t
nume of Applicant. ellek of tap here to enter text.	one numer energy of tup here to enter tex	
Site Location (Post Code/Grid Reference): Click or tap he	re to enter text.	
Brief Description of Proposed Development: Click or tap h	nere to enter text.	
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For instance: Conversion of stone built agricultural barn w Biodiversity features likely to be affected include bats, ba		
blouversity jeutures intery to be ujjetteu include buts, bu	in owis, and other breeding birds such as swe	
Details of Biodiversity Report		
Report title: Tallet Yard, Duntisbourne Leer –	Name and Qualifications of Lead Author: N	leil K Musgrave
Updating Bat Survey Report	<b>B.Eng.</b> Natural England bat licence No.	-
	_	
Date: <b>19</b> <sup>th</sup> <b>December Reference Number:</b> 40323-01		
2023 NKM Assoc		
Type of Diadivarcity Depart Submitted with the Diagning A	enligation (and Southans 2 and 4 in Dumpers and	
<ul> <li>Type of Biodiversity Report Submitted with the Planning Ap</li> <li>Full Ecological Impact Assessment (EcIA)</li> </ul>	oplication (see Sections 3 and 4 in Purpose ab	Y N
<ul> <li>A Preliminary Ecological Appraisal Report (PEAR)</li> </ul>		
Summary and Recommendations:		
Brief description of key biodiversity features likely to be a	ffected and mitigation required.	
Click or tap here to enter text.		
Is a Protected Species Licence from Natural England requi	red?	Y NX
If so, what species and which type of licence?		
Click or tap here to enter text.		
Are planning conditions required to secure proposed miti	gation?	Y NX
If so, what for?	Battori	
Click or tap here to enter text.		
Ecologist's Professional Declaration (lead author or perso	· · · · · · · · · · · · · · · · · · ·	
Are full details of professional memberships, qualification		
biodiversity report, provided in the EcIA / PEAR?	Y⊠ I	NL
I hereby confirm that the information provided in this for	m is accurate and is a true record of the work	undertaken.
Name of Ecologist: Sign		Date:
N K Musgrave N K	Musgrave	19 <sup>th</sup> December 2023
Qualifications and Experience of the above Ecologist (if diff	erent from Lead Author identified above):	
Click or tap here to enter text.		
PART B – APPLICANT'S DECLARATION		
I hereby confirm that I have read and understand the find	lings, implications and recommendations for	impact avoidance,

mitigation, compensation and enhancement set out in the report referred to in Part A above. I understand that the mitigation, compensation and enhancement measures set out in the report may be secured through a licence from the appropriate statutory conservation body and/or through condition(s) or obligations imposed by the Local Planning Authority, or other decision making authority.

Name of Applicant (or Agent): Ian Golding Signed: Ian Golding



	Checklist to ensure decisions are based on adequate information in accordance with	Y, N, N/A?	Repo
	Clauses 6.2 and 8.1 of BS42020:2013		Ref para
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Pre-app	1. Where pre-app advice has been received from the LPA and/or an NGO and/or	□Yes□No	Click
	statutory body (e.g. NE DAS) <sup>i</sup> , it has been fully accounted for in the report.	⊠N/A	or tap
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	2. The scope, structure and content of the report is in accordance with published good	⊠Yes□No	Click
	practice <sup>ii, iii and iv</sup> .	□n/A	or ta
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Surveys, Species &	3. Adequate <sup>v</sup> and up-to-date <sup>vi</sup> :	⊠Yes⊡No	Click
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	<ul> <li>b. Phase 1 habitat survey has been undertaken<sup>7</sup>; and</li> <li>c. Phase 2 surveys have been undertaken (where necessary)<sup>viii</sup>.</li> </ul>		here
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	4. All statutory and non-statutory sites likely to be significantly affected are clearly and correctly identified.	□Yes□No ⊠N/A	Click
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	5. All protected or priority species and priority habitats <sup>ix</sup> likely to be significantly	□Yes□No	Click
	affected are clearly and correctly identified, and adequate surveys have been	⊠N/A	or ta
	undertaken to inform the baseline.		here
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	6. Any invasive non-native plant species present are clearly and correctly identified.	□Yes□No	Click
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	7. Where a separate preliminary ecological appraisal (phase 1) report states that Phase	□Yes□No	Click
	2 surveys are required, these have been undertaken in full and results submitted with	⊠N/A	or ta
	the application (or lack of such surveys is justified).		here
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	8. The assessment is based on clearly defined development proposals along with	⊠Yes□No □N/A	Click
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Effects	submitted with the application): OR		
	submitted with the application); OR 9. The biodiversity effects are considered to be not significant at any geographical scale		
	<ul> <li>submitted with the application); OR</li> <li>9. The biodiversity effects are considered to be not significant at any geographical scale irrespective of the detailed development proposals, and the assessment is based on a</li> </ul>		here to ente



# **Biodiversity Report Declaration of Adequacy**

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## **Biodiversity Report Declaration of Adequacy**

			enter
			text.
	19. All biodiversity surveys and mitigation measures accord with published good practice	e □Yes□No	Click
	methods and guidelines OR deviation from such guidelines is made clear and fully	⊠N/A	or tap
	justified, and the implications for subsequent conclusions and recommendations		here
	made explicit in the report <sup>i</sup> .		to
			enter
			text.
	20. All ecologists and surveyors hold appropriate species licences (where relevant)	⊠Yes□No	Click
	and/or have all necessary competencies to carry out the work undertaken.	□n/A	or tap
			here
			to
			enter
			text.
Conclusions	21. The report clearly identifies where the proposed development complies with relevan	it □Yes□No	Click
	legislation and policy, highlighting any possible non-compliant issues, and highlightin	g ⊠N/A	or tap
	circumstances where a conclusion cannot be drawn as it requires an assessment of		here
	non-biodiversity issues (such as socio-economic ones).		to
			enter
			text.
	22. The report provides a clear summary of losses and gains for biodiversity and a	□Yes□No	Click
	justifies conclusion of overall net gain for biodiversity	⊠N/A	or tap
			here
			to
			enter
			text.
	23. Justifiable conclusions <sup>ii</sup> based on sound professional judgement <sup>iii</sup> have been drawn a		Click
	to the significance of effects on any designated site, protected or priority	□n/A	or tap
	habitat/species or other biodiversity feature, and a justified scale of significance has		here
	been stated.		to
			enter
			text.

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## PART D - CONCLUSIONS OF THE LOCAL PLANNING AUTHORITY'S REVIEW OF THE BIODIVERSITY REPORT

The scope, structure and content of the biodiversity report submitted is fit and adequate to inform the determination of the planning application.					
Use	Use the table below to identify the implications for the grant or refusal of planning consent.				
Сог	ntinue on a separate sheet if	necessary.			
Planning Recommendation		Comments – including reference to any corresponding criteria from Section C			
		Click or tap here to enter text.			
		Where adequacy of information provided dictates what recommendation can be made below.			
1.	Approval (no biodiversity issues)	<ul> <li>         No outstanding ecological issues      </li> <li>         And no requirement for any conditions/obligations or EPS licence     </li> </ul>			
2.	Approval (conditional with no likely delays to commencement)	<ul> <li>Biodiversity report follows good practice</li> <li>Conditions are required to secure implementation of mitigation, etc. (i.e. no precommencement conditions)</li> <li>No delay to commencement of development arising from biodiversity issues</li> </ul>			



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3.	Approval (Conditional with possible delays to commencement)	<ul> <li>Biodiversity report follows good practice</li> <li>Condition(s) are required to secure the submission of information for approval before commencement</li> <li>Development delayed until these conditions are discharged</li> </ul>
4.	Approval (Conditional with likely significant delays to commencement)	<ul> <li>Biodiversity report does not meet requirements of good practice</li> <li>May only be approved subject to significant pre-commencement conditions (and potentially also implementation conditions)</li> </ul>
5.	Deferral (pending submission of further essential information)	<ul> <li>Biodiversity report currently does not meet good practice requirements and is inadequate</li> <li>□ Further information must be submitted prior to determination</li> <li>□ Application cannot yet be conditioned</li> <li>□ Potential substantial delays and/or costs inevitable</li> </ul>
6.	Refusal – insufficient information, inadequate biodiversity report	<ul> <li>Biodiversity report very poor and provides inadequate information to inform lawful determination of the application</li> <li>Not capable of being conditioned to secure necessary information (i.e. against policy)</li> </ul>
7.	Refusal – other biodiversity reasons for refusal	<ul> <li>Biodiversity report is sufficient, but there are other reasons for refusal based on biodiversity (e.g. objection in principle to the proposal)</li> </ul>

Details of the individual reviewing the biodiversity report on behalf of the Local Planning Authority		
Name: Click or tap here to enter text.	Role: Click or tap here to enter text.	
Qualifications and Experience: Click or tap here to enter text.		

Signature: Click or tap here to enter text.	Date: Click or tap here to		
	enter text.		



Biodiversity Report Declaration of Adequacy

ENDNOTES