



Minor Development Biodiversity Validation Checklist

Uttlesford District Council

This checklist is one of three prepared by Place Services. Please ensure that you are using the one that is most appropriate to the size and scale of your development. Please use this checklist for any development which does not fit into either of the categories below:

- For **major developments** (developments that contain more than nine houses and/or are greater than one hectare, as defined by the Town and Country Planning Act 1990) you must use Essex County Council's Essex Biodiversity Validation Checklist.
- For **householder developments and/or works requiring listed building consent** please use the Householder and Listed Building Consent Biodiversity Validation Checklist.

The purpose of this checklist is to assess potential impacts upon important wildlife sites, habitats or species from proposed development. Sites, habitats and species are afforded varying levels of protection under European and/or UK legislation and through national and local planning policies. The Council also has a duty under the Natural Environment and Rural Communities Act (2006) to have regard to biodiversity in all its functions.

Applicants are reminded that they have a legal responsibility to ensure their development does not result in harm to biodiversity and that an offence is not committed during any work on site.

This checklist will help the applicant and the Local Planning Authority comply with national policy, legislation and the British Standard (BS 42020:2013), thereby reducing the likelihood of delays resulting from the provision of inadequate information. If biodiversity (ecological) surveys are required but not included, your application will not be validated. If the information received is not adequate, the application may be refused. It is therefore important for both the applicant and the council that the questions enclosed are answered accurately.

This checklist must be completed by the applicant or their agent and submitted with a planning application. It must be viewed electronically to access the internet links enclosed. If additional information is required, it will need to be provided by a professional and suitably qualified ecologist.

This Checklist is divided into four sections. All four sections should be completed.

- 1. Protected Sites and Habitats**
- 2. Protected and Priority Species**
- 3. Ecological Assessments, Surveys and Mitigation**
- 4. Site Details and Declaration**



SECTION 1: PROTECTED SITES AND HABITATS

Note: there are freely available sources of information relating to statutory sites (Question 1), and non-statutory sites and protected habitats (Question 2). Links to this information can be found at the end of this section.

Question 1: Is there a Site of Special Scientific Interest, National Nature Reserve, or Local Nature Reserve within 100 metres of your development?

~~YES~~ / NO

Question 2: Is there a Local Wildlife Site, Special Roadside Verge or irreplaceable/priority habitat within 100 metres of your development?

~~YES~~ / NO

If you have answered YES to either Question 1 or 2, please submit with your application:

- an evaluation of potential impacts upon the relevant site/habitat(s);
- a location map of the site/habitat(s); and
- details of how any impacts will be avoided or mitigated.

This should be provided by a professional and suitably qualified ecologist and should form part of an EclA/PEA (described in section 3). This should be submitted with your planning application.

Information links:

The Government's MAGIC website provides location details for Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR), Local Nature Reserves (LNR), priority habitat (also known as 'Habitats of Principal Importance' and 'Biodiversity Action Plan habitats'), and irreplaceable habitats (e.g. ancient woodland, veteran trees and unimproved grassland). The location of SSSI's, NNR's, Special Roadside Verges and Local ('County') Wildlife Sites can be found on Uttlesford District Council's website.

If your ecologist predicts adverse impacts on an SSSI or NNR, you must consult Natural England. If there are likely to be adverse impacts on a Local Wildlife Site we recommend that you contact the Local Wildlife Sites Officer at Essex Wildlife Trust. If there are likely to be adverse impacts on a Special Roadside Verge we recommend you contact Saffron Walden Museum.

SECTION 2: PROTECTED AND PRIORITY SPECIES

Question 3: Are you aware of any protected or priority species present on or adjacent to your development site?

~~YES~~ / NO



If YES, please state the protected species (i.e. those protected under legislation such as the Conservation of Habitats and Species Regulations (2010) and the Wildlife and Countryside Act (1981, as amended)) and/or priority species (also known as 'species of principal importance' or 'biodiversity action plan species', NERC Act (2006)) of which you are aware:

N/A

Question 4: Please tick all of the following that apply to your development:

Note: this will help to determine the need for a Preliminary Ecological Appraisal or Ecological Impact Assessment (see Section 3) by taking into consideration habitats and features associated with protected and priority species. The list below has been adapted from the Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd Edition (Bat Conservation Trust 2016).

Conversion, modification, demolition or removal of buildings (including hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:

- agricultural buildings (e.g. farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams;
- buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water;
- pre-1960 detached buildings and structures within 200m of woodland and/or water;
- pre-1914 buildings within 400m of woodland and/or water;
- pre-1914 buildings with gable ends or slate roofs, regardless of location;
- located within, or immediately adjacent to, woodland and/or immediately adjacent to water; or
- Dutch barns or livestock buildings with a single skin roof and/or board-and-gap or Yorkshire boarding.

Development affecting built structures:

- tunnels, mines, kilns, ice-houses, military fortifications, air-raid shelters, cellars and similar underground ducts and structures;
- disused industrial chimneys that are unlined and of brick/stone construction; or
- bridge structures, aqueducts and viaducts (especially over water and wet ground).

Floodlighting of:

- churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, or field hedgerows or lines of trees with connectivity to woodland or water; or
- any building/structure meeting the criteria listed above.



Felling, removal or lopping of:

- woodland;
- field hedgerows and/or lines of trees with connectivity to woodland or water bodies;
- old and veteran trees; or
- mature trees with obvious holes, cracks or cavities, or that are covered with mature ivy (including large dead trees).

Proposals for:

- wind farm developments (multiple or single); or
- the modification, disturbance or removal of arable field(s) with a hedgerow and/or grass margin.

Proposals located in or within 50 metres of:

- woodland;
- quarries or gravel pits;
- natural cliff faces/rock outcrops with crevices, caves or sink holes;
- heathland; or
- meadow grassland, previously developed land ('brownfield site'), parkland or pasture.

Proposals:

- within 200m of rivers, streams, canals, lakes, reed beds or other aquatic habitats;
- within 500m of a pond or slow-flowing water body (e.g. ditch) that is linked to the site by semi-natural habitat; or
- where bats are known to be present (including development affecting any type of building, structure, feature or location).

SECTION 3: ECOLOGICAL ASSESSMENTS, SURVEYS AND MITIGATION

Note: the documents referred to in this section must be completed by a competent and qualified ecologist and submitted with your planning application.

3.1: Ecological assessment

If you have answered YES or ticked any part of any of Sections 1 or 2, an ecological assessment will be required to support your application. This will be either:

a) An Ecological Impact Assessment;

OR

b) A Preliminary Ecological Appraisal;

OR

c) Justification from an ecologist that no further action is required.



Details:

a) Ecological Impact Assessment

An Ecological Impact Assessment (EclA) needs to be in a format consistent with the Ecological Impact Assessment Guidelines and the Guidelines for Ecological Report Writing, published by CIEEM.

EclA is a process of identifying, quantifying and evaluating potential effects of development-related or other proposed actions on habitats, species and ecosystems. The findings of an assessment helps competent authorities understand ecological issues when determining applications for consent. EclA can be used for the appraisal of projects of any scale.

An EclA report (or the ecological chapter of an Environmental Impact Assessment) should clearly and simply describe the significant effects of any project on ecology so that all interested parties understand the implications of what is proposed. EclA is a process that is most effective if all contributing ecologists and other specialists work in collaboration.

b) Preliminary Ecological Appraisal

A Preliminary Ecological Appraisal (PEA) needs to be in a format consistent with the Guidelines for Preliminary Ecological Appraisal and the Guidelines for Ecological Report Writing, published by CIEEM. All PEAs should include a desktop study. Links to sources of site and habitat data are provided in Section 1.

PEAs have a range of purposes. One key use is in the site development process to gather data on existing conditions, often with the intention of conducting a preliminary assessment of the likely impacts of development schemes, or establishing the baseline for future monitoring. They include some evaluation of the ecological features present, as well as scoping for notable species and habitats, identification of potential constraints to proposed development schemes, and any recommendations for necessary mitigation. Developers are encouraged to enter into discussions with planning authorities as early in the development process as possible.

A PEA, together with any ecological evaluation undertaken, does not replace the more formal Ecological Impact Assessment (EclA). A PEA may be prepared before undertaking a full EclA or may be a standalone document where no EclA is required.

Depending on the results of the PEA, you may need to obtain additional surveys to support your application (see Section 3.2).

The PEA must include species records from a local record centre. Essex does not have a single local record centre. Relevant species data can be obtained from:

- Essex Field Club
- Essex Wildlife Trust Records Centre

c) Justification from an ecologist that no further action is required

The information supplied should be proportionate to the habitat on and near to your site, the scale of the development, and its potential to affect biodiversity. There are occasions where an EclA or PEA would be disproportionate. If you have answered YES or ticked any part of the previous sections, but your ecologist considers that an EclA or PEA is not necessary, they should provide justification of this, including supporting photographs. This justification must contain an explanation of how all potential impacts on biodiversity will be avoided and/or why protected and priority species will not be affected by the proposed development.



Question 5: Have you submitted an ecological assessment with your application?

~~YES~~ / NO

If you have answered NO to all parts of Section 2 and established that there will be no impacts on statutory or non-statutory wildlife sites or priority habitats or species, please go straight to the Declaration in Section 4. No further ecological information is required for planning submission.

3.2: Further species surveys

The results of the ecological assessment will determine whether further species surveys will be required. All required surveys should be submitted with your planning application, as required by paragraphs 98 and 99 of the ODPM Circular 06/2005: Biodiversity and Geological Conservation.

Additional species surveys should be up-to-date, carried out at the right time of year and use recognised methods that are appropriate for the species and the scale/type of habitat. Any previous surveys referred to should also be submitted.

You should carry out a protected species survey if there is a reasonable likelihood of protected species being present on the site, or affected by the development, based on the findings of your ecological assessment. Please go to the Government's website for further information.

Question 6: Does your ecological assessment recommend additional surveys?

~~YES~~ / NO

If YES, please list the surveys in the space below:

N/A

Question 7: Are the results of any protected species surveys recommended included with your application?

~~YES~~ / NO

3.3: Mitigation

If your ecologist has identified potential impacts upon designated wildlife sites, protected species or priority species/habitats, an outline of the intended mitigation must be provided as part of any ecological assessment prior to determination.



Where European protected species (EPS) are concerned, Uttlesford District Council, as the competent authority, needs to be satisfied that the development will meet the Three Tests of The Habitats Directive. An outline mitigation strategy is required to enable Uttlesford District Council to do this.

In accordance with Paragraph 118 of the NPPE, the applicant should seek to avoid harm to biodiversity, before they mitigate or compensate (as a last resort) any losses, through the mitigation hierarchy. Where a development cannot satisfy the requirements of the mitigation hierarchy, planning permission should be refused. Applicants should aim to achieve biodiversity net-gain using Good Practice Principles for Development.

Ecologists should use the Biodiversity Offsetting Metric where habitat loss is expected. This provides a standardised and transparent approach to ensuring mitigation and compensation measures are sufficient to secure no net-loss of biodiversity. The Metric is a stand-alone tool, and its use does not assume a need for off-site compensation. It can be used to quantify the positive benefits of on-site mitigation or enhancement measures.

Question 8: Has a summary of mitigation been submitted with this application?

~~YES~~ / NO

SECTION 4: SITE DETAILS AND DECLARATION

Site Address:

GLAN HOWY, BANKISTER GREEN
FELSTED, GT. DUNMOW, ESSEX CM6 3NH

I confirm that to the best of my knowledge the information provided in this checklist is accurate. I understand that if the information provided is inaccurate it may result in a delay in the determination of my application, or its refusal.

Applicant/Agent's name:

D. TUTTLEBURY

Applicant/Agent's organisation (where applicable):

SYCAMORES, HIGH EASTER CHELMSFORD ESSEX CM14QR

Signed:

[Redacted signature]

Date:

26-2-24



Links to further information:

- For more information about important habitats in Essex, including the Essex Biodiversity Action Plan, please go to the Essex Biodiversity Project website;
- Uttlesford biodiversity information.