

FOREST OF DEAN DISTRICT COUNCIL

BIODIVERSITY TOP TIPS FOR PLANNING APPLICANTS, THEIR AGENTS AND ECOLOGICAL CONSULTANTS

The Forest of Dean District Council's Sustainability Team have recently undertaken a review of planning applications affecting biodiversity. As a result it has identified a number of areas where planning applications could be improved in order to speed up determinations. The review has produced some key recommendations which applicants, their agents and ecological consultants should consider for future applications. These recommendations are outlined below. Feedback on the review recommendations is welcomed.

Surveys

- Surveys should always include a desk study of existing biodiversity records. These records are available on request from Gloucestershire Centre for Environmental Records (for a charge) All survey reports should identify constraints to their methodology and any other information in order to help explain unexpected or negative survey results.
- All surveys should include site photographs.
- Bats – surveys should not just be limited to buildings directly affected by proposed works but include a Phase 1 survey and assessment for all habitats and species on site. In addition, surveys should extend to other outbuildings or other nearby structures where these are present as is often the case for farmsteads, large houses or industrial sites etc.
- Bats – all survey reports should attempt to assign a status to roosts identified. The status assigned should follow the classification set out in Figure 4 of Natural England's Bat Mitigation Guidelines (2004) and always be clearly justified by supporting text.

Mitigation and compensation

- Where surveys confirm the presence of a protected species they should be accompanied by a clearly titled Mitigation Strategy. Where European Protected Species (EPS) are involved, the format should follow that required by Natural England for licensing purposes. Where EPS are not involved the format should follow the format suggested in other relevant Natural England Standing Advice and guidance.
- Mitigation Strategies should include firm and detailed commitments to mitigation and/or compensation measures. Statements such as the 'applicant could...' or 'the applicant might like to consider...' should be avoided. Applicants, their agents and ecological consultants should agree such measures prior to finalising and submitting their Strategy to the Local Planning Authority in order to achieve this.
- Bats – where replacement roosts are proposed the Mitigation Strategy must include scale drawings showing the location of the roost, its dimensions (including height), entrance/exit details and other features (perches, roof linings etc).
- European Protected Species – where proposals are likely to affect bats, dormice or great crested newts for example the Mitigation Strategy must include a section demonstrating how the three derogation tests under Regulation 53 of the Habitat Regulations will be met.

- Mitigation Strategies should include post or pre-development monitoring proposals in line with Standing Advice issued by Natural England.
- Bats – Mitigation Strategies for bats should always include detailed measures to prevent or minimise external lighting impacts.

Guidance

- Natural England produces useful guidance on the information required for licencing activities in relation to protected species. Much of this information is also required prior to determination of planning applications. Ecological consultants are advised to familiarise themselves with these guidelines and keep up to date with any changes. An example of the type of information available can be found at www.naturalengland.org.uk/Images/bat-handy-hints_tcm6-15663.pdf