



Essex Biodiversity Validation Checklist

Prepared by Place Services

Essex County Council

Version 1.3 | June 2015

Introduction

This checklist is a requirement for all planning applications to Essex County Council (ECC) considered a **major development** as defined by **Article 8(7) of The Town and Country Planning (General Development Procedure) Order 1995**. ECC is the determining planning authority for mineral, waste and Regulation 3 applications.

The assistance of a professional ecologist will be necessary to complete the checklist.

For other applications not defined as a major development, applicants are strongly encouraged to use the checklist where there may be adverse effects on the natural environment. It should be noted that applications not considered a major development will still be reviewed by a planning authority ecologist.

For some developments an Environmental Impact Assessment (EIA) maybe required. In these cases this checklist must still be completed and used to inform the content of the Ecology Chapter of the Environment Statement subject to any Scoping Opinion issued by the planning authority.

This checklist aims to provide a clear, transparent process for both applicant and Local Planning Authority (LPA) and ensure conformity with **British Standard 42020:2013 for Biodiversity (Code of practice for planning and development)**. Its correct application will help the applicant and LPA comply with national biodiversity policy and legislation; thereby reducing the likelihood of delays resulting from the submission of inadequate information.

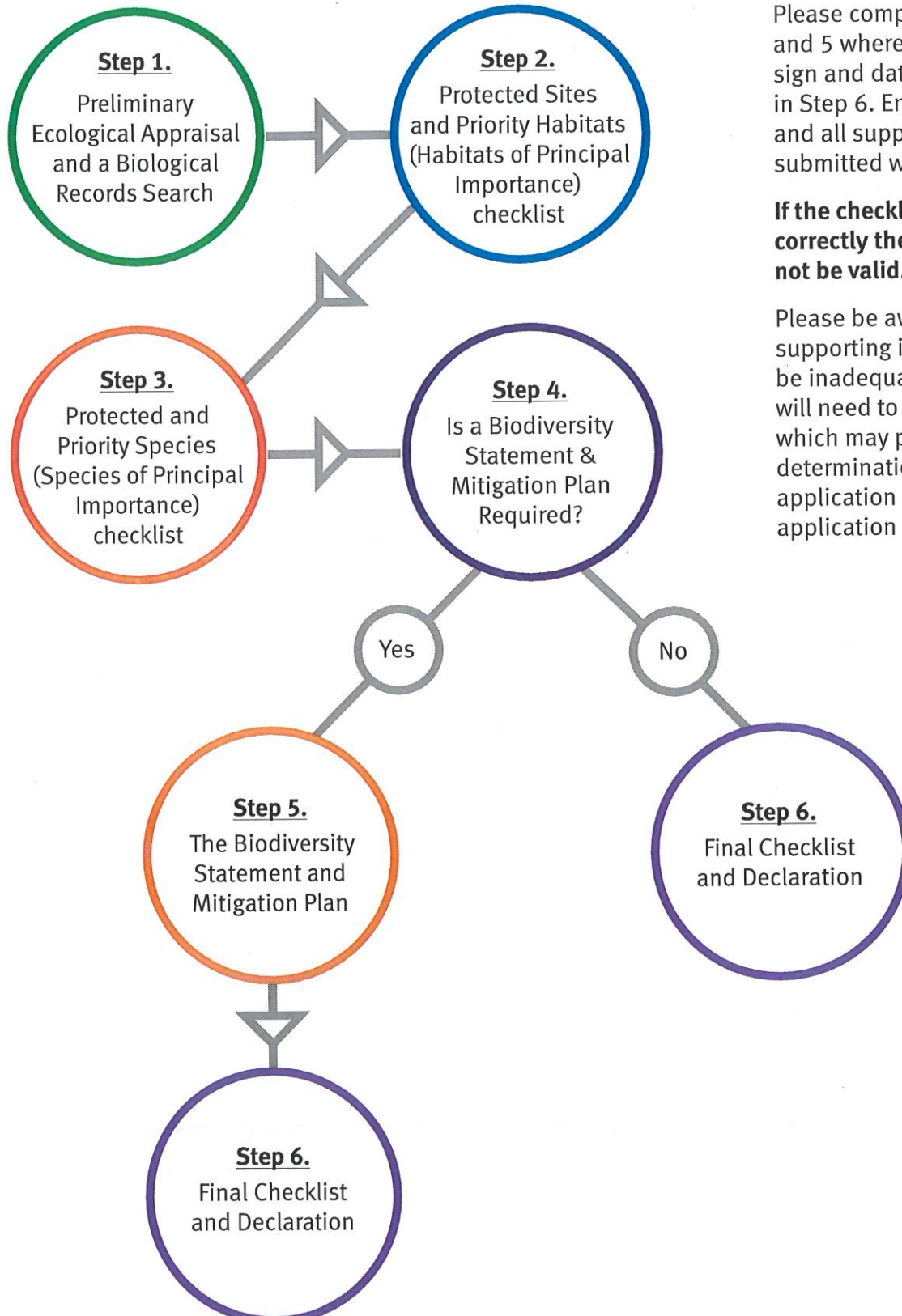
The checklist does not attempt to provide a detailed account of the legislation and policy that underpin biodiversity conservation in England. Further information can be obtained from **Natural England** and links have been provided in the text to external sources of information where appropriate. **A glossary** is also included at the end of the checklist.

The checklist is supported by Natural England's local Land Use Operations team and endorsed by the **Essex Biodiversity Project**.

The checklist is a component of Essex County Council's Supplementary Guidance for the Submission of Planning Applications. It has been produced with funding provided by Natural England.

The Six Steps

The checklist comprises 6 steps:



Please complete steps 1 to 4 - and 5 where necessary - then sign and date the declaration in Step 6. Ensure the checklist and all supporting information is submitted with your application.

If the checklist is not completed correctly the application may not be valid.

Please be aware that if the supporting information proves to be inadequate further evidence will need to be provided, which may potentially **delay** determination of the planning application or lead to the application being **refused**.

Step 1.

Preliminary Ecological Appraisal and Biological Records Search

A Preliminary Ecological Appraisal (PEA) of the application site must be completed in a format consistent with the '[Guidelines for Preliminary Ecological Appraisal](#)' published by the Chartered Institute of Ecology and Environmental Management (CIEEM).

The PEA and any subsequent Biodiversity Statement & Mitigation Plan should be prepared by a competent and qualified Ecologist. To find a suitable Ecological Consultant please contact [CIEEM](#) in the first instance.

The PEA must include a description of any recent works, such as vegetation clearance, that have been undertaken at the application site prior to the ecological appraisal that may affect its findings.

The PEA must include a biological records search of the application site and a 2 kilometre area extending from the sites boundary. It should encompass the following biodiversity features as a minimum:

Protected Sites

- Special Areas of Conservation (SAC), Special Protection Areas (SPA) & Ramsar sites
- Sites of Special Scientific Interest (SSSI)
- Local Sites (i.e. Local Wildlife Sites – LoWS and Special Roadside Verges)

European Protected Species

- Species protected under the Conservation of Habitats and Species Regulations 2010 (as amended)

National Protected Species

- Species protected under the Wildlife & Countryside Act 1981 (as amended)
- Badgers (The Protection of Badgers Act 1992)

Priority Habitats and Species

- Habitats of Principal Importance in England (Priority Habitats)
- Species of Principal Importance in England (Priority Species)

Relevant data can be obtained from the following sources:

- Natural England www.magic.gov.uk
Interactive map displaying information about SPA, SAC, Ramsar, SSSI and Ancient Woodland sites
- Essex Field Club [REDACTED]
Main source of species records
- Essex Wildlife Trust Biological Records Centre [REDACTED]
Holds site, habitat and species records including information about Local Wildlife Sites
- Essex Biodiversity Project [REDACTED]
The Essex Biodiversity Action Plan can be viewed at this site

Using the results of the Preliminary Ecological Appraisal and Biological Records Search please complete **Steps 2 - 5** which will determine whether further survey and assessment work is required.

Step 2.

Protected Sites and Priority Habitats (Habitats of Principal Importance) Checklist

Please complete Column 2 of Table 2.1 below. Links to more information have been provided for each site or habitat in column 1.

Table 2.1 - Sites and Habitats Checklist

1. Question	2. Please tick as appropriate
Is your development within 10km of a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar Site ?	*Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is your development within 2km of a Site of Special Scientific Interest (SSSI)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is your development within 250m of any Habitats of Principal Importance ; Ancient Woodland and/or Local Site ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**If you answer yes to this question additional detail maybe required by the LPA and Natural England to enable the completion of a Habitat Regulations Assessment (HRA). It is strongly recommended that you seek advice from Natural England prior to submitting your application, and submit details of any relevant correspondence with your checklist and application.*

If you have answered 'yes' to any of the questions above please complete [Table 2.2 \(Sites and Habitat Evaluation\)](#) before proceeding to [Step 3](#).

If you have answered 'no' to all of the questions above please proceed directly to [Step 3](#).

Please complete Column 2 of Table 2.2 below, followed by Column 3 as appropriate.

Table 2.2 – Sites and Habitats Evaluation

1.	2.	3.
Site/habitat	Is there a ‘reasonable likelihood’ that the development will affect (either directly or indirectly) a site or habitat in column 1 prior to applying mitigation? (Tick as appropriate)	Where you have answered ‘yes’ name the site(s) or habitat(s) and summarise any possible direct or indirect effects that may occur during construction or operation. For SPA’s this includes ‘qualifying species’ occurring outside of the designated site boundary. Where you have answered ‘no’ please provide a concise statement to support your answer.
SAC/SPA/Ramsar site*	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Please see Ecological Impact Assessment

1. **2.** **3.**

SSSI*

Yes No

Please see Ecological Impact Assessment

Priority Habitats

Yes No

Please see Ecological Impact Assessment

**If you have answered 'yes' please seek advice from Natural England.*

1.	2.	3.
Ancient Woodland	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Please see Ecological Impact Assessment
Local Wildlife Sites	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Please see Ecological Impact Assessment

Step 3.

Protected and Priority Species (Species of Principal Importance) Checklist

Please complete Column 2 in Table 3.1 below. Where 'Yes' is answered a circle in the corresponding row indicates those species with a 'reasonable likelihood' of being present, and for which further surveys may be required. The table has been adapted from the [Natural England Standing Advice for Protected Species](#).

1.	2. (Yes/No)	European Protected Species				Nationally Protected Species (for species groups links to the relevant legislation are provided)							Priority Species (Link to national List)						
		Bats	Dormouse	Great Crested Newt	Otter	Badger	Barn Owl	Breeding Birds	Invertebrates	Native crayfish	Other Protected Birds	Plants (inc. fungi, ferns and bryophytes)	Reptiles	Water Vole	Birds	Fungi	Invertebrates	Mammals	Plants (inc. ferns and bryophytes)
Does the application involve modification, conversion, demolition or removal of any of the following features or types of building: <ul style="list-style-type: none"> • loft space • any roof with gaps or cracks e.g. through uneven tiling • weather boarding • hanging tiles • gable ends • slate roof • clay-tiled pitched roof • wooden cladding • dense climbing plants • Underground structures including but not limited to cellars, tunnels, mines, kilns, ice-houses, air-raid shelters, all bridge structures, aqueducts and viaducts especially over water and wet ground • Agricultural building particularly but not exclusively those of traditional brick, stone or timber construction? • Buildings of pre-20th or early 20th Century construction 	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	●					●	●			●			●					

1.	2. (Yes/No)	European Protected Species				Nationally Protected Species (for species groups links to the relevant legislation are provided)							Priority Species (Link to national List)						
		Bats	Dormouse	Great Crested Newt	Otter	Badger	Barn Owl	Breeding Birds	Invertebrates	Native crayfish	Other Protected Birds	Plants (inc. fungi, ferns and bryophytes)	Reptiles	Water Vole	Birds	Fungi	Invertebrates	Mammals	Plants (inc. ferns and bryophytes)
Does the application site contain or is it adjacent to: a lake; river; canal; stream; ditch; marsh; or reedbed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	●		●	●				●	●				●		●			
Does the application involve new lighting of a building/ structure with features suitable for bats or barn owl (e.g. described in row 1 above); or lighting of green space within 50m of woodland, water, hedgerows or tree lines?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	●					●												
Does the application site contain or is it within 200m of: semi-natural woodland; scrub thicket; or is it bounded by or adjacent to hedgerows of predominantly native species that are greater than 1m tall and 0.5m wide?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	●	●	●		●		●	●		●		●		●		●	●	
Does the application site contain or is it adjacent to a tree/woodland plantation, including of conifers?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	●	●	●		●		●		●		●		●				●	
Does the application site contain trees that are older than 100 years; trees with obvious holes, cracks, cavities, rot, loose bark, woodpecker holes; or trees with a girth greater than 1m at chest height?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	●					●	●	●		●				●	●	●		

1.	2. (Yes/No)	European Protected Species				Nationally Protected Species (for species groups links to the relevant legislation are provided)						Priority Species (Link to national List)							
		Bats	Dormouse	Great Crested Newt	Otter	Badger	Barn Owl	Breeding Birds	Invertebrates	Native crayfish	Other Protected Birds	Plants (inc. fungi, ferns and bryophytes)	Reptiles	Water Vole	Birds	Fungi	Invertebrates	Mammals	Plants (inc. ferns and bryophytes)
Does the application site involve disturbance, modification, demolition or construction on/in: gravel pits; quarries; natural cliff faces; or rock outcrops?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	●		●		●		●	●		●	●	●		●		●	●	●
Does the application site contain or is it within 100m of a pond or other water-body (500m for major developments)? It can be permanent or ephemeral (sometimes dries out)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			●				●							●		●		●
Does the application site contain or is it adjacent to grassland such as meadows, parkland or pasture?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	●		●		●		●			●	●				●	●	●	●
Does the application site contain previously-developed, derelict or brownfield land; or railway land?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	●		●		●	●	●	●		●	●			●		●		
Does the application involve the modification, disturbance or removal of: mature or over-grown gardens; rough grassland; scrubland or allotments?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	●	●	●		●		●			●	●	●		●		●	●	●
Does the application involve disturbance or removal of a compost heap?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>												●						

1.	2. (Yes/No)	European Protected Species				Nationally Protected Species (for species groups links to the relevant legislation are provided)							Priority Species (Link to national List)						
		Bats	Dormouse	Great Crested Newt	Otter	Badger	Barn Owl	Breeding Birds	Invertebrates	Native crayfish	Other Protected Birds	Plants (inc. fungi, ferns and bryophytes)	Reptiles	Water Vole	Birds	Fungi	Invertebrates	Mammals	Plants (inc. ferns and bryophytes)
Does the application involve the modification, disturbance or removal of arable field(s) with hedgerow and/or grass margin?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>							●											●
Does the application site contain or is it within 50m of coastal habitats including estuary, rocky shore, sand dunes and saltmarsh, grazing marsh?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				●			●					●				●		
Does the application site contain or is it adjacent to heathland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	●	●		●	●	●	●	●	●	●	●	●	●	●	●	●	●	●

If you have answered 'yes' to any of the questions above please complete [Table 3.2 \(Species Evaluation\)](#) on the following page.

If you have answered 'no' to all of the questions above please proceed to [Step 4](#).

Please complete column 2 of Table 3.2 below followed by column 3 as appropriate.

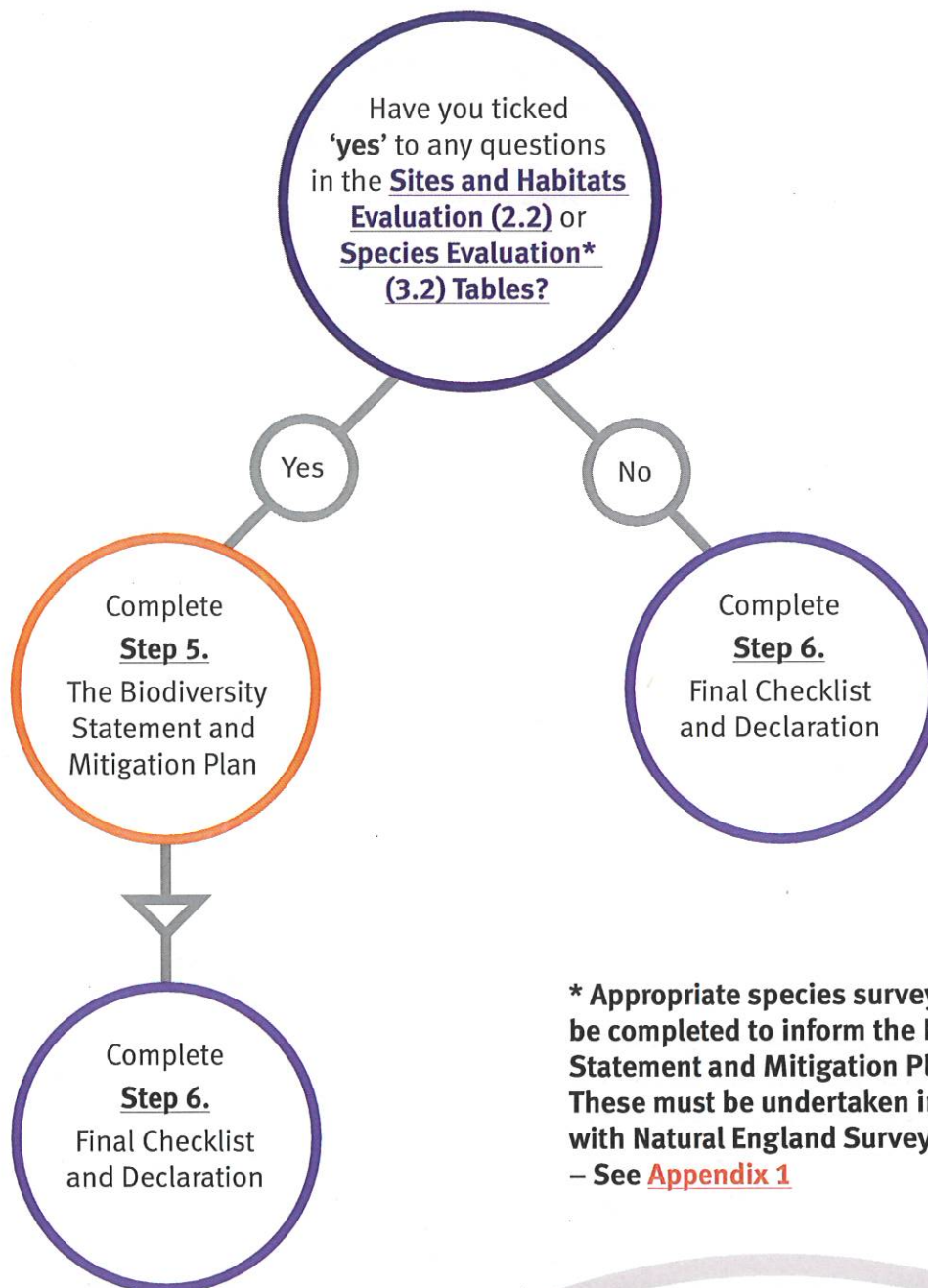
Table 3.2 – Species Evaluation

1.	2.	3.
<p>Species (Identified following the completion of Table 3.1)</p>	<p>Is there a ‘reasonable likelihood’ that the development will affect a species in column 1 prior to applying mitigation? (Tick as appropriate)</p>	<p>Where you have answered ‘yes’ name the species and summarise any possible direct or indirect effects that may occur during construction or operation.</p> <p>Appropriate species surveys will need to be completed to inform the Biodiversity Statement and Mitigation Plan (Step 5). These must be undertaken in accordance with Natural England Survey Requirements – See Appendix 1</p> <p>Where you have answered ‘no’ please provide a concise statement to support your answer.</p>
<p>European Protected Species</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Please see Ecological Impact Assessment</p>

1.	2.	3.
Nationally Protected Species	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Please see Ecological Impact Assessment
Priority Species	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Please see Ecological Impact Assessment

Step 4.

Is a Biodiversity Statement and Mitigation Plan Required?



* Appropriate species surveys will need to be completed to inform the Biodiversity Statement and Mitigation Plan (Step 5). These must be undertaken in accordance with Natural England Survey Requirements – See [Appendix 1](#)

Step 5. Biodiversity Statement and Mitigation Plan

If you have answered 'yes' to any questions in the [Sites and Habitats Evaluation \(2.2\)](#) or [Species Evaluation \(3.2\) Tables](#) you must submit a Biodiversity Statement and Mitigation Plan incorporating the findings of the Preliminary Ecological Appraisal.

The Biodiversity Statement and Mitigation Plan must include the following:

1. A map showing the location of protected sites on or within 2km of the application site boundary (see [Appendix 2](#)).
2. An Extended [Phase 1 Habitat Survey](#) which shows the location and extent of habitats that could be affected by the proposals; together with the features associated with Protected or Priority species.
3. Relevant Protected and/or Priority Species Surveys including results and methods* in accordance with Natural England's Standing Advice for Protected Species Survey Requirements (See [Appendix 1](#)).
4. A qualitative evaluation of the value and likely impacts/effects upon each biodiversity feature (habitat, species or, where appropriate, species assemblage). This should adopt the same approach to the evaluation and identification of impacts as recommended by the Chartered Institute of Ecology and Environmental Management (CIEEM) in their [Ecological Impact Assessment \(EclA\) Guidelines](#).
5. If you have answered 'yes' to any questions in [Table 2.2 Sites and Habitats Evaluation](#) - a quantitative evaluation of the application site's habitats using Defra's [Biodiversity Offsetting Metric](#) i.e. a calculation showing the number of Biodiversity Units within the application site boundary before and after development. An [impact calculator](#) for developers is available on the Environment Bank [website](#).
6. For each biodiversity feature that will be adversely affected a Mitigation Plan detailing:
 - a. How adverse impacts will be avoided**, reduced and/or mitigated***.
 - b. How any residual impacts that cannot be avoided and/or mitigated will be compensated*** for off-site.
 - c. Where appropriate, how mitigation or compensation measures will be managed, resourced and monitored post-permission. Detailed guidance about the format of long-term mitigation and habitat management plans can be provided upon request.
7. Proposals for biodiversity enhancements. This is strongly encouraged for all developments, but especially for applications that occur within recognised local ecological networks such as a [Living Landscape Area](#) or the [Greater Thames Marshes Nature Improvement Area \(NIA\)](#).

All habitat creation or restoration measures should be focused upon local conservation priorities as defined by the [Essex Biodiversity Action Plan](#).

**This should clearly describe the survey work undertaken. Simply stating national survey guidelines were followed is not sufficient.*

***where the final location or design of the development is not necessarily the least harmful to biodiversity, the overriding technical reasons for this choice must be clearly evidenced.*

****Habitat mitigation and/or compensation measures must be expressed in Biodiversity Units (See Defra's Biodiversity Offsetting Metric).*

Supporting Notes

BS 42020 – a code of practice for biodiversity in planning and development

BS 42020 is a standard developed by the British Standards Institution (BSI) in association with biodiversity experts and stakeholders from across all sectors. The standard provides clear recommendations and guidance to ensure that actions and decisions taken at each stage of the planning process are informed by sufficient and appropriate ecological information. The BSI has produced a smart guide that provides an introduction to the benefits of BS 42020 [smart guide](#).

European Protected Species

Please note that for European Protected Species a mitigation licence may be required – post planning permission - in order to carry out the development should permission be granted. It is important that you refer directly to Natural England the licensing body for further guidance, and submit any relevant correspondence with this checklist.

However, The Conservation of Habitats and Species Regulations 2010 requires the Local Planning Authority (LPA) to consider ‘Three Tests’ when determining a planning application that may affect a European Protected Species. These ‘tests’ can be summarised as follows:

- Is there a genuine need and ‘purpose’ for the proposed development?
- Are there any satisfactory alternatives to delivering and meeting the need in the way proposed?
- Will there be any adverse effect on the conservation status of the species concerned?

If there is a risk of European Protected Species being impacted by the development the applicant must submit sufficient evidence to enable these tests to be satisfactorily addressed by the LPA.

Further guidance is provided in the Natural England publication ‘[European Protected Species and the Planning Process](#)’.

European Protected Species are those animals listed under Schedule 2 or plants listed under Schedule 5 of the Conservation of Habitats and Species Regulations 2010. The term European Protected has **not** been used for ‘Nationally Protected Species’ with no protection under the Regulations, but which are listed under Schedule II and/or V of the European Habitats Directive. For example the native crayfish.

Wild Birds

Reg 9A(8) of The Conservation of Habitats and Species Regulations 2010 states that “a competent authority in exercising any function in the UK must use all reasonable endeavours to avoid any pollution or deterioration of habitats of wild birds”. Applicants must demonstrate clearly how any such deterioration or pollution of wild bird habitat will be avoided by the proposed development.

Environmental Impact Assessment (EIA)

Where a formal Environmental Impact Assessment (EIA) is required under the [EIA Regulations](#) the Biodiversity Statement & Mitigation Plan should be incorporated in to the Ecology chapter of the Environmental Statement subject to any Scoping Opinion issued by the Planning Authority.

Biodiversity Offsetting

The Biodiversity Offsetting Metric 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 – its use does **not** assume a need for off-site compensation. Indeed, it can be used to quantify the positive benefits of onsite mitigation or enhancement measures.

Natural England Discretionary Advice Service.

Natural England has a Discretionary Advice Service (DAS) which operates to provide advice for applications prior to submission. This service includes a limited amount of free Initial Advice, followed by Charged Advice for more complex requests. It is strongly recommended that you contact them to discuss the advice you require prior to submitting your application.

Further details are available on their [website](#).

Please go to [Step 6](#).

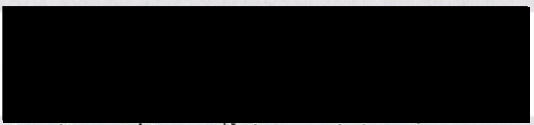
Step 6. Final Checklist and Declaration

This must be submitted along with every application to ECC, if the checklist is not completed correctly the application may not be valid.

Step	Applicant Only		Office Only	
	Item	Tick if Included	Required	Included
Step 1	Preliminary Ecological Appraisal*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Biological Records Search *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Step 2	Table 2.1 Sites & Habitats checklist	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Table 2.2 Sites & Habitats evaluation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Step 3	Table 3.1 Species checklist	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Table 3.2 Species evaluation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Step 5	Biodiversity Statement & Mitigation Plan **	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Correspondence from Natural England/Environment Agency/ Other Conservation Body	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Should be incorporated in to the Biodiversity Statement & Mitigation Plan where one is required.

**Must be incorporated in to the Ecology chapter of an ES if an EIA is required.

Signed:		Date:	20/04/2022
Applicant/Agent (please delete as appropriate)			
Name:	Savills (UK) Ltd		
Address:	Unex House, 132-134 Hills Road, Cambridge CB2 8PA		

Please note that in all circumstances legislation pertaining to protected species still applies and it is the responsibility of the developer to ensure that protected species and sites are not adversely affected as a result of development.

Thank you for completing this checklist. Please submit it, along with all supporting information, with your application.