

# BIODIVERSITY AND DEVELOPMENT SPG

## Appendix 3: Biodiversity and Minor & Other Development

This appendix relates to the consideration of biodiversity and ecosystem resilience in Minor and other applications

### GUIDANCE FOR ALL MINOR DEVELOPMENT TYPES

A3.1 The first step in any application is to identify if any protected species or habitats are present on the site. Applicants are advised to follow the steps below to establish the biodiversity value of their site.

A3.2 **Refer to Development Checklists – Appendix 1: All applicants should refer to** Appendix 1 to establish the likelihood of any protected species or habitats being present on a site that might be affected the type the type and nature of development proposed. This will inform what ecological survey information applicants will need to submit with their application. For example, a proposal for a loft conversion will affect roofspace which is a potential habitat for bat roosting and bird nesting. The presence of trees and or hedgerows on

or near the site may also be providing habitat for bats or nesting birds.

A3.3 **Where applicants are already aware that protected species are present:** Pre-application advice should be sought as early as possible in order to ensure that the proposed development complies with legislation and that necessary compensation and enhancement is planned for.

A3.4 **Where the applicant is not aware of any protected species on the site:** The Council will consult The South East Wales Biodiversity Records Centre [SEWBREC]<sup>1</sup> Aderyn Database to carry out initial desk based research to establish the likely presence of protected habitats and species on a site and will advise the applicant accordingly on any surveys that will be required to be submitted with an application.

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<sup>1</sup> Aderyn is the LERC Wales' Biodiversity Information & Reporting Database  
<http://www.sewbrec.org.uk/>

A3.5 **Carry out relevant surveys:** If a survey is needed, it must be carried out by a suitably qualified ecologist<sup>2</sup>. The required information should include the necessary survey data, impact assessment, method statements and mitigation/ enhancement strategies. This information will need to be included as part of the planning application. Ecological surveys are seasonal, so the required survey must be carried out at an appropriate month of the year, and time of day. (See Appendix 1).

A3.6 **Where there is no reasonable likelihood for biodiversity features to be affected:** In these cases, survey work will not be required. However, applicants should also be aware that additional information may be requested. The Council can direct the applicant to supply any further information reasonably necessary to determine any planning application.

A3.7 **INNS:** Applicants should consider whether INNs<sup>3</sup> are present on the site (for example Japanese Knotweed). The Council may place a condition on the application to control removal of INNs.



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<sup>2</sup> The **Chartered Institute of Ecology and Environmental Management (CIEEM, [www.cieem.net](http://www.cieem.net))** has a directory of members that can be searched by region and specialism<sup>2</sup> and also provides Guidelines for Ecological Report Writing<sup>2</sup>

<sup>3</sup> Invasive non-native species of flora listed in Schedule 9 Part II section 14(2) of the Wildlife and Countryside Act 1981 (as amended)

**Specific Guidance for HOUSEHOLDER PROPOSALS and LISTED BUILDING CONSENTS**  
**Applications for householder development should be read in conjunction with the Householder Design Guide SPG.**

A3.8 Most householder and Listed Building Consent applications involve only minor alterations. Further investigation is only likely to be required if the proposal involves:

- Roofing or roofing works
- Demolition (full or partial)
- Damage to or loss of habitat features such as ponds, hedgerows and trees.

A3.9 Where this type of development is proposed applicants should check for the following protected species and habitats:

- Bat roosts or nesting bird sites which will be affected (See Aderyn BARB Service)<sup>4</sup>
- Great crested newts in ponds
- TPOs, hedgerow regulations

A3.10 The species surveys most likely to be required in a householder application will be for

- Bats,
- Barn owls,
- Breeding birds
- Badgers
- Great crested newts

A3.11 Where no protected species or habitats are found on the site, the Council may require a simple statement setting out the steps taken to establish that the proposal will not have a negative ecological impact. (In line with the Council's s6 Duty to maintain and enhance biodiversity, the Council may attach advisory notes to a permission which signpost applicants to best practice and advice on measures and improvements that can be integrated into the development which benefit biodiversity.

A3.12 Where protected species and their habitats are found on a site and negative impact cannot be avoided, the Council will require the stepwise process to be followed to ensure that appropriate mitigation, compensation and enhancement measures are considered. (See chapters 3 and 4 of the SPG).

A3.13 If loss of habitat features is unavoidable, it is reasonable to request replacement habitats e.g. by including bird boxes or bat 'bricks' or increasing biodiversity of landscaping, in the new design. These should be identified measures should be included

<sup>4</sup>[http://www.sewbrec.org.uk/content/attachments/How%20to%20use%20Aderyn%20\(Co%20mmercial%20Enquiries%20BARB\).pdf](http://www.sewbrec.org.uk/content/attachments/How%20to%20use%20Aderyn%20(Co%20mmercial%20Enquiries%20BARB).pdf)

within any submitted plans for the design of the development. Where appropriate, permission will be granted for the proposal with reference to the required detail shown on the submitted plans being approved.

A3.14 Any required survey, management, enhancement or development works must be carried out at the appropriate time of year to avoid disturbance to species. Any disturbance may be in contravention of national or European law. For example, it is illegal to disturb nesting birds under the Wildlife and Countryside Act 1981 (See Appendix 1). The breeding season generally lasts from late February to early September

inclusive. It is illegal to undertake works within 30 Metres of an active badger Settle without a licence from NRW

A3.15 Specific guidance on biodiversity in householder developments is provided in the *Householder Design Guide SPG*. This sets out the process for the most commonly found species (Bats, Barn Owls, Nesting Birds and Hedgehogs and Badgers) and provides specific examples of appropriate biodiversity enhancements. Further guidance can be found on the Council's website<sup>5,6</sup>

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<sup>5</sup> Guidance on ecological survey requirements for homeowners *A Householder's Guide to Engaging an Ecologist* <https://cieem.net/resource/a-householders-guide-to-engaging-an-ecologist/> *What to Expect From a Bat Survey: A Guide for UK*

*Homeowners* –<https://cieem.net/resource/what-to-expect-from-a-bat-survey-a-guide-for-uk-homeowners/>

<sup>6</sup> [www.hedgehogstreet.org/hedgehog-friendly-fencing/](http://www.hedgehogstreet.org/hedgehog-friendly-fencing/)