

Introduction

Part of what makes Dorset a special place to live, work and play is the high level of biodiversity in the County, made up of plants and wildlife, and the links between them. Dorset Council have a legal duty to conserve and enhance biodiversity and several species and habitats found in Dorset are protected by law. If you are submitting a planning application or Listed Building Consent (LBC) the Planning Team will routinely ask for ecology reports to be submitted prior to validating your application. Even if a planning application is not necessary, wildlife legislation still applies, which means you could be breaking the law if you impact protected species and habitats.

Having protected species or habitats on a site or in a property does not mean that development cannot go ahead, but rather that as the owner you need to take steps to comply with the relevant wildlife legislation. The following guidance will indicate when and what type of ecological information is required. You must submit all the information indicated by this guidance for your application to be validated.

If you have questions about how to follow this guidance you can contact the Dorset Council Natural Environment Team directly at biodiversityprotocol@dorsetcouncil.gov.uk or 01305 224931.

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Glossary of terms

BP	Biodiversity Plan. The standardised form used to secure ecological measures required from planning applications and LBC's
DBAP	Dorset Biodiversity Appraisal Protocol.
DC NET	Dorset Council Natural Environment Team.
EclA	Ecological Impact Assessment. This is a type of ecological report informed by ecological survey results.
EIA	Environmental Impact Assessment.
ES	Environmental Statement.
ha	Hectares.
LBC	Listed Building Consent.
LEMP	Landscape Ecology Management Plan.
LNR	Local Nature Reserve.
PEA	Preliminary Ecological Appraisal. This is an initial type of ecological report.
PRA	Preliminary Roost Appraisal. This is an initial ecological report focused specifically on bats.
SAC	Special Area of Conservation.
SNCI	Site of Nature Conservation Interest.
SPA	Special Protection Area.
SSSI	Site of Special Scientific Interest.

What do I need to do?

Biodiversity is a material consideration of planning applications and LBC's and as such needs to be considered when the Planning Officer makes their decision on your application. DC NET provide advice to the Planning Authority on the impacts of proposals on the natural environment based on the information you provide to support your application. We need adequate information to inform our advice, if the appropriate level of information is not provided, we cannot be certain of the impacts of the proposal, and this could be a reason for the Planning Officers to refuse your application.

To help you understand what information is required to progress your application we have provided an Ecology Flow-chart, Table 1 (pages 8 & 9).

- Follow the Ecology flowchart on page 7 to find out whether you need to submit ecological information with your application.
- Where surveys, reports, Biodiversity Plans (BP) or Landscape Ecology Management Plans (LEMP) are required these must be conducted by a suitably qualified person and surveys must be undertaken within the correct ecological season (see Ecological Consultants, page 6 and Ecological Survey Season Guide, page 9). If survey reports recommend further surveys these must also be

undertaken prior to submission of the planning application. Only once the full set of survey and reports have been completed should these be submitted with your planning application.

Where the flow-chart indicates to go to the Biodiversity Checklist this must be completed to provide a guide as to which surveys are required. Where you have ticked yes to any section, the right-hand column of the checklist notes which survey(s) is required to validate your application. The survey(s) must be completed, and a report provided to you from your Ecological Consultant prior to validation. You may then submit the completed Biodiversity Checklist, required survey report(s) and BP or LEMP (if required) to support your planning application. Where the checklist indicates that no surveys are required, you must submit the completed checklist for your application to be validated.

Table 1 shows when you need to submit each piece of information to the Planning Team based on application type.

[What if I do not agree with the answers I am getting from the flow-chart or checklist?](#)

You can apply for formal [pre-application advice](#) from the planning team who will consult with Dorset Council's Natural Environment Team, or contact the Natural Environment Team directly using the details on page 1.

[What if the survey comes back negative?](#)

In some cases, your ecological survey will come back as negative i.e. there are no protected species or habitats which will be impacted by your proposals. In this case you should submit the negative report with your planning application or LBC.

All planning applications and Listed Building Consents must seek to enhance the site for biodiversity, to ensure your application is in line with the National Planning Policy Framework. This can be easily achieved by providing additional habitat for wildlife in the form of a bat or bird box, or habitat creation as part of your proposal. This can be added to any plan drawings conditioned to your application. Further information on suitable enhancement measures can be found in Part 6.6 of Section A of our guidance, available on our [webpages](#).

[The Dorset Biodiversity Appraisal Protocol](#)

The DBAP is Dorset Council's preferred mechanism to review the ecological information submitted to support planning applications and LBC's. It is designed to deal simply with the requirement to address impacts of development on protected species and important habitats. Under the DBAP, ecological survey(s) are required for outline and full planning applications for development on all sites of 0.1ha or more, or any size of site where there are known protected species or important habitat / habitat features, as indicated by the Biodiversity Checklist.

The information provided from the ecological survey(s) is used by your Ecological Consultant to complete the standardised Biodiversity Plan (BP) which can be found on our [webpages](#).

- For large scale developments (usually 50+ houses, large commercial developments, solar farms) a Landscape Ecological Management Plan (LEMP) may be more appropriate than a BP. These documents describe what ecological interests and features e.g. hedgerows, trees, pond etc. have been found during the survey and assess how they are likely to be affected by the proposed development. The BP or LEMP provide exact details about any mitigation, enhancement, biodiversity net gain and if necessary, compensation required. Plan drawings and illustrative masterplans are used to illustrate these measures and features.
- The ecological survey report(s), BP/LEMP, and a fee for review, are sent to the Dorset Council Natural Environment Team who review the ecological information to ensure compliance with relevant planning policy and legislation. NET review these documents in consultation with partner organisations such as Dorset Wildlife Trust and Natural England and liaises with the ecological consultant to agree any amendments required. By reviewing these documents, NET provides a quality assurance in relation to the BP or LEMP. By doing this, the risk that objections on the grounds of wildlife impacts being lodged during the decision period that can lead to delay and uncertainty, are substantially reduced.
- When satisfied, DC NET will send your ecological consultant a signed copy of the BP or LEMP alongside a Certificate of Approval. This indicates that your application adheres to the relevant wildlife legislation and policies and assures the Planning Team that the application will not have a negative impact on biodiversity. The DC NET signed BP or LEMP and Certificate of Approval should be sent to the Validation Team along with any Ecological reports in support of your application.

Please note that the BP or LEMP only addresses the onsite impacts to biodiversity. Impacts to the Nationally designated sites for wildlife (SSSI, SAC, SPA, Ramsar) are assessed by Natural England, your planning officer will consult with them where applicable as part of the planning process. Where your application is likely to impact a nearby SNCI, the Dorset Wildlife Trust will be consulted.

[Conditioning the BP/LEMP](#)

The ecologist should go through the measures in the BP (or LEMP) with you, but it is important to read it yourself and understand these measures. This is because the approved BP or LEMP will become a condition of permission, if granted, and therefore must be complied with and fully implemented.

[What happens if DC NET refuse to approve a BP or LEMP](#)

If the BP or LEMP cannot be approved because it does not comply with the DBAP guidance, a planning application or LBC can still be submitted. When this happens, NET will write to the planning authority to explain why the BP or LEMP was not approved. In these cases, the application will be considered by the planning authority using [Natural England's Standing Advice](#) and will consult as required with the relevant conservation bodies.

Standard NET BP forms that are not accompanied by a NET issued Certificate of Approval are not valid under the DBAP and the planning authority will not determine an application until approval is gained from NET.

Minerals and Waste

These application types are outside of the scope of the Dorset Biodiversity Appraisal Protocol, instead DC NET provide advice to the Planning Authority as a formal consultee. Appropriate Ecology Report(s) are required prior to validation and in most cases related documents such as LEMPs or Restoration Plans will also be required post-validation. DC NET review and provide comments on the ecological impact of the application, but do not provide formal certification of these documents.

EIA Development

Some developments are required to complete an Environmental Statement (ES) under the Town and Country Planning (Environmental Impact Assessment) Regulations, 2017, information including which development types are covered by the Regulations is available [here](#). EIA developments are likely to require Phase 1 and 2 ecological surveys with the results compiled into an Ecological Impact Assessment (EclA). Developments can apply to the planning authority for screening and scoping advice to inform their submission, [pre-application advice](#) is available from the Dorset Council Planning Team.

Where the ES requires ecological mitigation to be secured, this must be presented to DC NET for approval in either a BP or a LEMP depending on complexity, specific advice can be requested from DC NET; biodiversityprotocol@dorsetcouncil.gov.uk, 01305 224931.

Wildlife Licences

Some species have protection under National Law and require a wildlife licence to be obtained for certain impacts, such as closing a badger sett. Where a European Protected Species such as bats, great crested newts or Hazel dormice will be affected by a proposed development, a specific wildlife mitigation licence from Natural England may be required. Where great crested newts (GCNs) are a consideration; Dorset Council offer a licensing scheme which can be applied for where a site qualifies to help reduce potential delays. More details about the Dorset GCN licensing scheme is available on our [webpages](#).

Obtaining a wildlife licence is a [separate process](#) to applying for planning permission and your ecological consultant will provide separate advice. Information about mitigation licences and when one is required is available [here](#).

Biodiversity Net Gain

All DBAP applications are required to provide net gain, and a requirement for measurable 10% net gain is included in the forthcoming Environment Act and in the draft Dorset Council Local Plan.

It is particularly important that multi-phase and outline applications address the need for net gain from the outset to ensure that subsequent development phases or reserved matters applications include sufficient biodiversity net gain and avoid the need for substantial redesign or impacts to viability at a later stage. Therefore, all development is now encouraged to provide measurable 10% net gain.

Net gain will be quantified through use of the DEFRA Biodiversity Metric and developers are encouraged to use the Metric now, in preparation for the requirement for mandatory net gain in 2023. Further detail can be found in Section A of our guidance for consultants, part 6, available on our [webpages](#).

Types of ecological survey

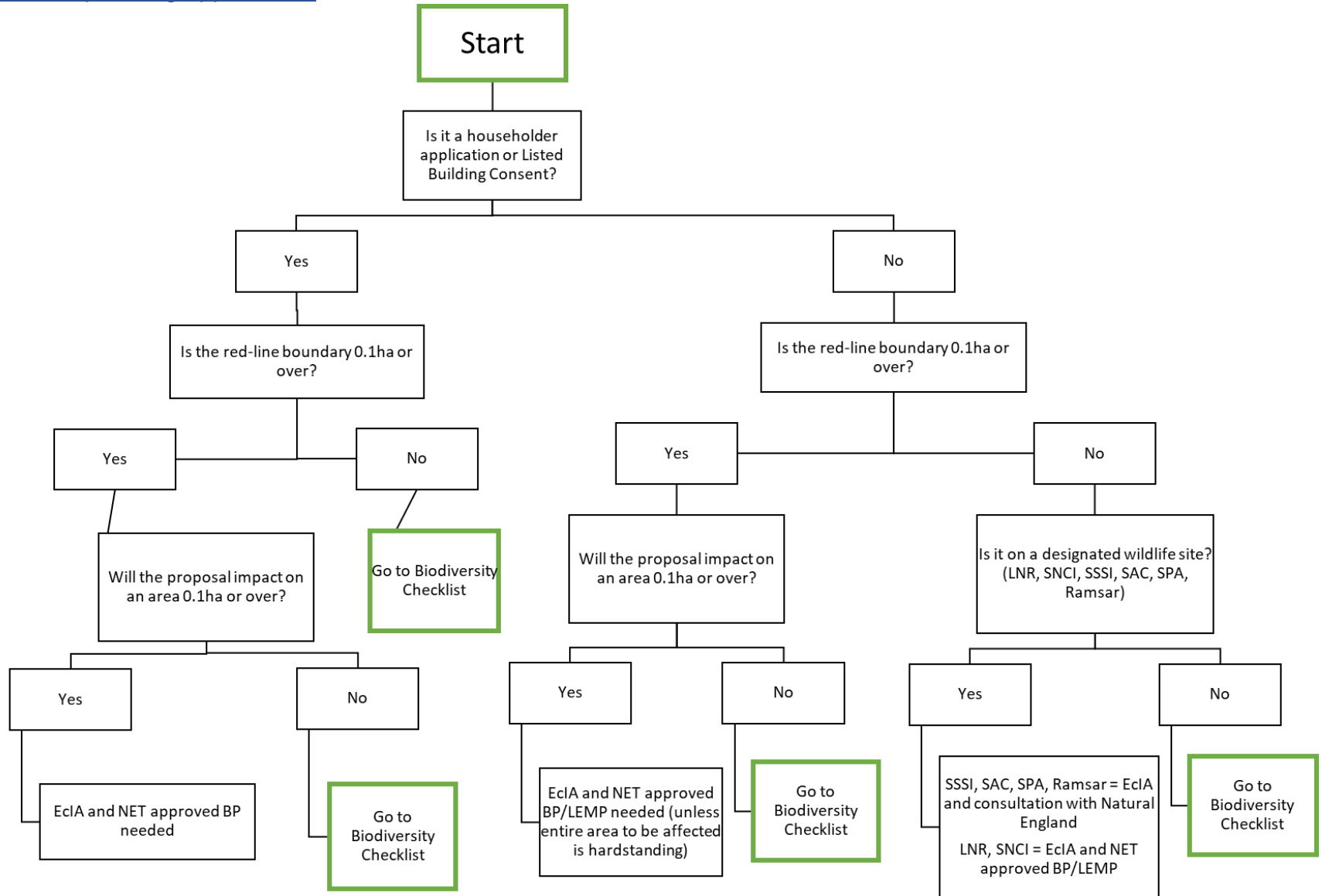
In most cases a Preliminary Ecological Appraisal (PEA) is the first step to identify any direct evidence of protected species and any habitat suitable to support protected species on site, and whether any further specific protected species surveys or vegetation surveys are required. Many ecological surveys are subject to survey season timing constraints, see the Indicative ecological survey season guide on page 9 for more information on survey timing.

Survey name	Description
Preliminary Roost Appraisal (PRA)	Check for evidence of bats or potential roost locations.
Breeding Bird Survey	Check for evidence of breeding birds.
Preliminary Ecological Appraisal (PEA)	Initial survey of the potential of the site to support protected species and important habitats (this will often lead to an EclA being required, depending on what's found in the initial survey).
Phase 2 survey	More detailed survey looking at a specific species.
Botanical survey	Detailed survey of the vegetation onsite.
Ecological Impact Assessment (EclA)	Assessment of the proposal and its likely impacts on the identified biodiversity features of the site.

Ecological Consultants

Unfortunately, as a local authority we are unable to recommend anyone specific, however a list of environmental consultants is available from one of the published directories of environmental consultants such as [Environmental Consultants Directory](#) , or the [CIEEM - Member's Directory](#). It is advisable to ask for a licence number and references before employing a consultant for licensable work and to get a few quotes from different consultants for comparison as prices do vary.

Ecology flow-chart for planning applications



What to provide when – Table 1.

There are a large range of application types seen in Dorset which have very different impacts; therefore, we need to see the right information at the right time. Development type is defined as per the [Development Management Procedure Order](#). Table 1, below, shows which pieces of information need to be provided at which planning stage for the different types of applications. The Planning Validation Team will check your application and any submitted checklists or report(s) and validate your application. Where incorrect or incomplete information has been provided, it will lead to delays in validating your application.

		Validation stage			Live application stage In addition to documents provided at validation stage
		Biodiversity Checklist	Ecological Report(s)	NET approved or unapproved Biodiversity Plan or LEMP	NET approved Biodiversity Plan or LEMP, and Certificate of Approval
Application type	Householder or Listed Building Consent	Yes, only if this indicates no ecological survey required.	Yes, if indicated by flow-chart and checklist.	Yes, BP if reports indicate ecological measures are required.	Yes, prior to decision.
	Minor development (1-9 dwellings, small commercial)	Yes, only if this indicates no ecological survey required.	Yes, if indicated by flow-chart and checklist.	Yes, BP/LEMP if reports indicate ecological measures are required.	Yes, prior to decision.
	Major development (10+ dwellings, energy generating proposals, large commercial)	n/a	Yes	No	Yes, prior to decision.
	Minerals and Waste	n/a	Yes	n/a	No, outside scope of DBAP. NET will advise as a consultee without providing formal certification.

Indicative Ecological Survey Season Guide		Key: Optimal Period Extending Period											
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Survey for:													
Badger													
Bat	roost check												
	Phase 2 (emergence & re-entry)												
	activity (foraging & commuting)												
	hibernation												
Bird	breeding												
	wintering												
Dormouse	nut search and nest search												
	nest tube												
Great Crested Newt	aquatic												
	terrestrial												
	habitat suitability index (HSI) assessment												
Invertebrates	aquatic												
	terrestrial												
Natterjack Toad													
Otter													
Reptiles													
Water Vole													
White-clawed Crayfish													
Habitat/botanic													