

Introduction

The planning team in Dorset will routinely ask for ecology surveys to be submitted with planning applications. This is because legislation¹ places a duty upon public bodies to conserve and enhance biodiversity. Several species and habitats are protected by law at national level. The presence of a Protected Species, such as badgers, is a material consideration² in the decision to grant planning permission.

Having protected species on a site or in a property does not mean that development cannot go ahead but rather that applicants need to take steps to ensure the protection of the species to comply with the relevant wildlife legislation.

The Dorset Biodiversity Appraisal Protocol (DBAP) is designed to deal simply with the requirement to address impacts on protected species and important habitats.

1. When do I need a survey?

The first step is to find out whether your application triggers the need for a survey(s). The planning team will be able to advise you, or you can check with the Natural Environment Team (NET), Dorset Council by emailing net@dorsetcouncil.gov.uk.

Under the DBAP, ecology surveys 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. This also applies to any sized site that includes a rural barn so that bats, Barn owls and other birds reliant on buildings, are taken into consideration.

Where buildings and trees are concerned surveys for bats and birds are required in cases including the following:

- ✓ Demolition of any building with an enclosed unconverted roof space, cellar or similar structure
- ✓ Felling of mature trees
- ✓ Conversion of an attic space or barn / outbuildings, insertion of dormer windows or conversion of a cellar
- ✓ Works that will affect hanging tiles, soffits, fascia, sarking and lead flashing
- ✓ Extensions that tie into an existing enclosed roof space
- ✓ Renovation of derelict buildings
- ✓ Removal of chimneys

2. Finding an ecologist

It is important before choosing an ecologist to undertake the survey, that you make sure that they have relevant experience, qualifications and licences (e.g. a licence to survey for bats).

Many consultants are familiar with the DBAP and will guide applicants throughout the process. Detailed guidance is available to ecological consultants ([Biodiversity Appraisal in Dorset - Dorset Council](#)).

3. Addressing the impacts on biodiversity

Having conducted the relevant survey, the ecologist will provide a report and complete a form called a Biodiversity Plan (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 provides 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.

4. European Protected Species

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. This is a process separate 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](#). 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 here](#).

5. What happens next?

The ecologist will go through the measures in the BP, but it is important to read the BP and understand these measures. This is because the BP, once approved by NET under the DBAP, will become a condition of permission if granted and therefore must be complied with and fully implemented.

The BP and survey report(s) is submitted by the ecologist to NET for review. If the BP meets the DBAP guidance NET will provide a Certificate of Approval. There is a fee for this which must be paid when the BP is submitted. Details about the fees and how to pay can be [read here](#).

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. 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.

After this, the BP, survey report(s) and Certificate of Approval should be sent the planning authority to sit alongside the application.

6. What happens if NET refuse to approve a BP?

If the BP cannot be approved because it does not comply with the DBAP guidance, a planning application can still be submitted. When this happens, NET will write to the planning authority

to explain why the BP 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 must not be submitted to the planning authority.

Questions?

Please send any questions to net@dorsetcouncil.gov.uk

¹Natural Environment and Rural Communities (NERC) Act (2006).

²Circular 06/2005: biodiversity and geographical conservation – statutory obligations and their impact within the planning system (part IV, paras.98 and 99).

Other useful links

[Guide to Ecological Surveys and Their Purpose, CIEEM.](#)

[What to Expect from a Bat Survey A Guide for Homeowners, CIEEM.](#)

[Consultants Directory, CIEEM.](#)

[ENDS Directory.](#)