



Preliminary Ecological Appraisal

**Royal British Legion Club
Watts Dyke
Llay**

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Report Reference:	R-2759-01
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The information which we have prepared and provided is true and has been prepared and provided in accordance with the CIEEM's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions. This report does not constitute legal advice.



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Summary

Purpose of report

This report is produced to present an initial assessment of the potential ecological constraints and opportunities relating to a Site associated with a Royal British Legion Club off Wats Dyke, in Llay near Wrexham; to inform its potential for development.

The report has been prepared to advise the client of potential ecological constraints and opportunities, in preparing an application for planning permission.

The report provides a sufficient baseline for the Site, and is suitable in its current form for submission to planning.

Methodology

The report is based on a Desk Study of designated wildlife sites and records of protected or notable species, and an extended Phase 1 Habitat Survey carried out in November 2016.

Findings Key-Points

The Site is comprised almost entirely of habitats of very low ecological value which do not represent a constraint to development.

Hedgerows and trees on Site represent the most valuable features and should be retained and protected through development – any loss should be suitably mitigated in available landscaping.

Buildings on Site are assessed as having negligible suitability for roosting bats, and the proposals are very unlikely to impact upon them.

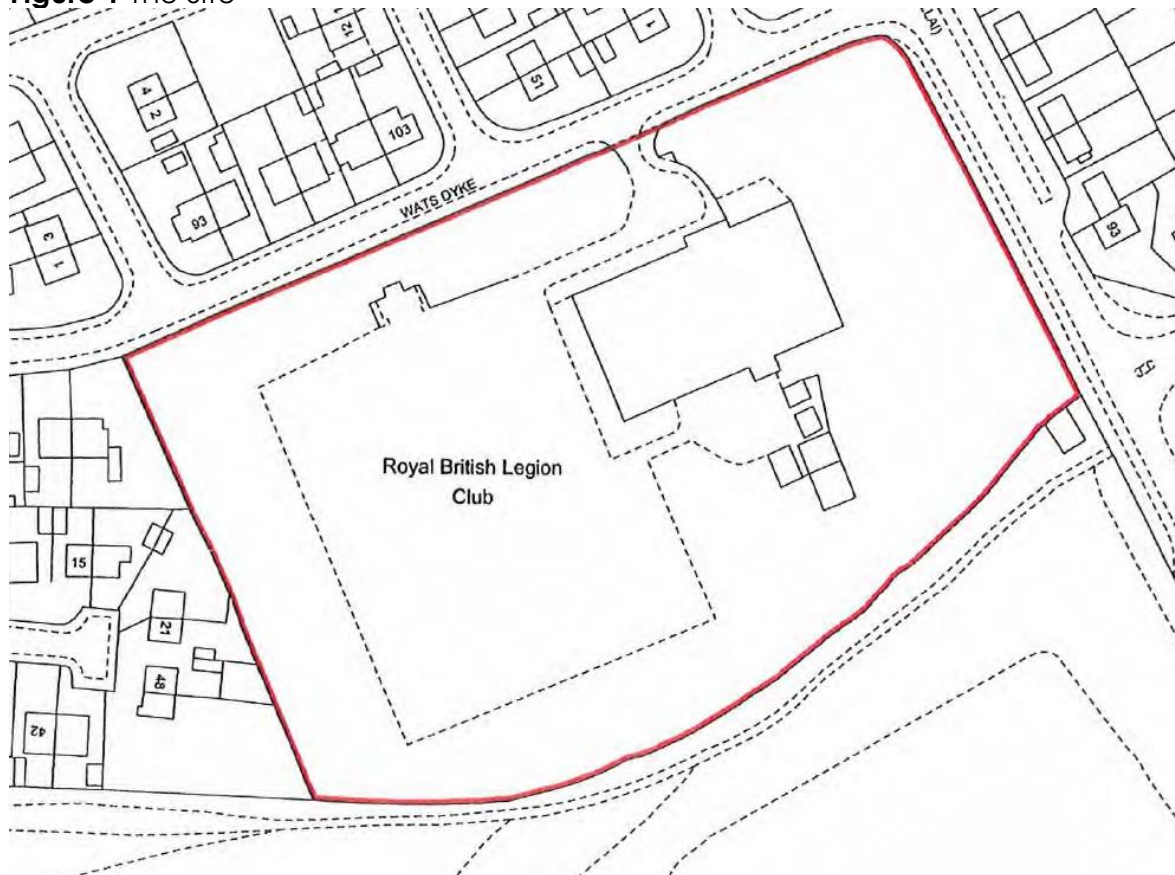
Introduction

1. Brooks Ecological Ltd was commissioned by Knight Frank to carry out a Preliminary Ecological Appraisal of a parcel of land within the grounds of Llay Royal British Legion off Watts Dyke in Llay, Wrexham (SJ 331 553).
2. This report is produced with reference to British Standard BS42020 'Biodiversity Code of Practice for Planning and Development' and the CIEEM (2013) Guidelines for Preliminary Ecological Appraisal.

Scope

3. The application site 'the Site' encompasses Llay Royal British Legion and associated amenity grass in the Village of Llay, near Wrexham.
4. The assessment uses a 2km area of search around the Site for records of protected and notable species and locally or nationally designated wildlife sites.

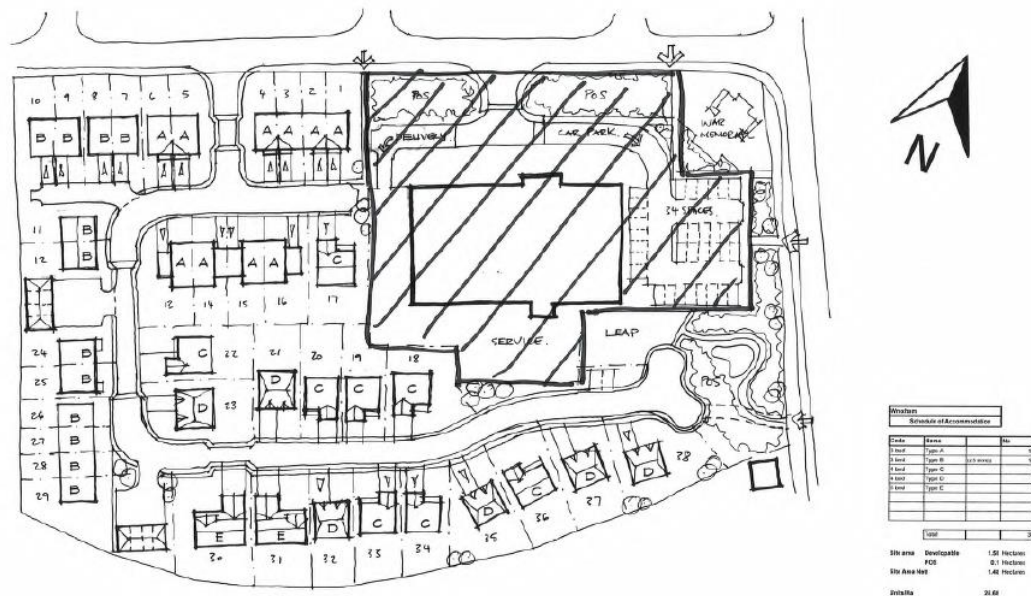
Figure 1 The Site



Proposals

- Proposals are for the retention of the Royal British Legion clubhouse, and construction of 38 residential units in the land surrounding it.

Figure 2 Proposed development taken from VIDA Development SKD03 Option 3



Site context

- The Site is located at the south-western fringe of the village of Llay. Immediate boundaries comprise residential development to the north, east and west, and a footpath to the south followed by a mixture of woodland and amenity grassland. Beyond residential development to the east, a strip of woodland associated with the River Alyn runs roughly north to south, followed by the A483. To the south, a mixture of woodland and open grassland extends until development of Wrexham is reached. To the west, the landscape comprises largely open countryside of a mixture of farmland and woodland.

Wildlife corridors

7. The Site is well connected to areas of high value habitat from its southern boundary which adjoins Alyn Water Country Park. The River Alyn runs through Alyn Water Country Park c.1km to the south-west at its closest point, and along with woodland to which is associated, form a strong linear corridor of high value habitat extending to the west.

Figure 3 Analysis of potentially higher value habitat in relation to the Site



Water bodies

8. No still water bodies are found on mapping within a 500m radius of the Site.

Designated Sites

Statutory Designations

9. A search has been made to identify any nationally designated sites within a 2km radius of the Site, and for internationally designated sites within a 10km radius. The results are shown in the below table.

Table 1 Statutory designated sites

Site name	Distance	Designation	Summary Interest
Llay Bog	770m west	SSSI	Lowland raised bog
Chwarel Singret	1500m north-east	SSSI	Unknown

10. Given the Site's separation from the above designations, impacts are not considered likely from a development of the scale and nature proposed.

Non-Statutory Designations

11. There are 9 locally designated sites within 2km of the Site of relevance to this assessment. This includes 2 sites of Ecological or Geodiversity Importance' (SEGI), 7 Wildlife Sites (WS) and 1 Local Nature Reserve (LNR).

Table 2 Non-Statutory designated sites

Site	Distance	Designation	Summary Interest
Alyn Waters	In part, adjacent to the Site's southern boundary	Local Nature Reserve (LNR), Wildlife Site (WS)	Woodland
Nant-y-Gaer & Llay Valley	c.400m east	WS	Semi-natural woodland
Blast Road Pond	c.1.32km west	WS	Former gravel pit, now a fishing lake.
Bryn Alyn & Wormswood	c.600m south-east	WS	Mixture of semi-natural woodland and grassland.
Woodlands & Fishpond Wood	c.1.9km south	WS	Wetland
Ballswood Quarry & Cockpit Wood	c.1km east	WS	Active quarry with a diverse grassland, and dense scrub
Burton Tower Lake	c.2km north-east	WS	Fishing lake which is of ornithological importance
The Wauns Esker	c.1.8km south-west	Site of Geodiversity Importance (SEGI)	Geological
Wilderness Woods	c.2km south	SEGI	Geological

12. The majority of the above designations are sufficiently separated from the Site for impacts from the development to be unlikely.
13. Alyn Waters (LNR, WS) is in close proximity to the Site, being in part adjacent to the southern boundary. The figure below shows the relationship between the application Site and Alyn Waters. Only a short length of the Sites boundary is adjacent to this designation and as current proposals shown the retention of the southern boundary hedge, impacts upon this designation are unlikely.
14. A number of areas of ancient woodland are found throughout the search area, but not within what is considered the ecological sphere of influence of the development. Impacts on these woodlands are not anticipated.

Figure 4 Location of Alyn Waters (LNR & WS) in relation to the Site.



Habitats

Method

15. The survey was carried out during November 2016¹ and followed Phase 1 habitat survey methodology (JNCC, 2010).

Limitations

16. Sufficient time was afforded the surveyor to carry out the survey. The survey was not constrained by poor weather.

Results

17. The following habitats were identified within the Site and on its immediate boundaries:
 - Buildings
 - Hard-standing
 - Amenity grass
 - Hedge
 - Trees

Buildings

18. Buildings on Site comprise the Royal British Legion clubhouse, and temporary buildings along its southern elevation.
19. The club house is a single storey brick building with flat felt lined roof. Other structures include shipping containers used to store construction materials, and prefabricated concrete sheds.

¹ This Report has been prepared during December 2016 following a visit to the site in November 2016 and our findings are based on the conditions of the site that were reasonably visible and accessible at that date. We accept no liability for any areas that were not reasonably visible or accessible, nor for any subsequent alteration, variation or deviation from the site conditions which affect the conclusions set out in this report.



Figure 5

General view of the Royal British Legion. Northern elevation.

Hard-standing

20. Associated with the clubhouse is a large bitmac carpark. This area is well maintained and largely devoid of significant vegetation.



Figure 6

Showing large car park associated with the clubhouse.

Amenity grass

21. Surrounding the car park and clubhouse along the boundaries of the Site is closely mown amenity grass. This comprises a range of common species including fescues (*Festuca rubra* agg.), perennial rye grass (*Lolium perenne*), meadow grass (*Poa* sp.) and yorkshire fog (*Holcus lanatus*). A limited diversity of common forbs is found throughout including dandelion (*Taraxacum officinale*), white clover (*Trifolium repens*), creeping buttercup (*Ranunculus repens*), ribwort plantain (*Plantago lanceolata*), and locally abundant yarrow (*Achillea millefolium*).

**Figure 7**

Typical area of amenity grass towards eastern boundary.

Hedge

22. Hedgerow is found along all but the western boundary. Along roadside at the east and north, this is dominated by hawthorn (*Crataegus monogyna*), and blackthorn (*Prunus spinosa*) and is well managed to a height of approximately 1.5m, and depth of c.1m.

**Figure 8**

Typical view of well managed hedgerow along the eastern boundary.

23. The hedgerow along the southern boundary, although still seemingly managed, is so to a lesser extent. This hedge runs along an offsite footpath where it grades into scrub. Hawthorn and blackthorn still dominate along this area, with frequent alder (*Alnus glutinosa*) also noted. This hedgerow grades into scrub towards the northern boundary, with bramble (*Rubus fruticosus*), and tall competitive herbs such as

willowherb (*Epilobium* sp.), cow parsley (*Anthriscus sylvestris*) and coarse grasses including cocksfoot (*Dactylis glomerata*), and false oat (*Arrhenatherum elatius*).



Figure 9

View of hedgerow along the southern boundary.



Figure 10

Scrub into which the southern hedge grades.

24. As well as along boundaries, a small planted 'U'-shaped hornbeam (*Carpinus betulus*) hedge is found around a war memorial, close to the northern boundary.



Figure 11

Planted hornbeam hedge towards northern boundary.

Trees

25. Trees on Site are predominantly located along the western boundary along residential gardens. Species include silver birch (*Betula pendula*), pine (*Pinus* sp.), hawthorn and Leyland cypress (*Cupressus × leylandii*).



Figure 12

Trees along western boundary with residential gardens.

26. Elsewhere Leyland cypress is found close to the clubhouse, and a line of 6 cherry (*Prunus* sp.) trees are found close to the northern boundary.



Figure 13

Line of cherry trees along the northern boundary.



Figure 14

Leyland cypress to the south-east of the clubhouse.

Fauna

Bats

27. A range of bat records were returned for within the search radius including common pipistrelle, soprano pipistrelle, Daubenton's, Noctule, brown long-eared and unknown species. None of these records relate to the Site, or adjacent properties.

Roosting

28. The clubhouse building is in good condition and offers very little in the way of potential roost features (PRF's) for bats, with walls being well sealed, and flat roofs rarely offering access points for bats.
29. Plastic panelling runs along the wall tops across the length of the exterior. For the most part this is well sealed to the exterior wall. Where small gaps are apparent, these show no signs of use – no retained droppings are noted, and gaps are covered with cobwebs suggesting this feature is not used by roosting bats.



Figure 15

Showing good condition of brickwork and tight seal between plastic panelling and exterior wall.

30. The clubhouse is assessed as having *negligible* suitability for roosting bats in accordance with the table below.
31. Temporary storage structures, and prefabricated buildings offer no features suitable for roosting and are similarly assessed as having negligible suitability for roosting bats.

Table 3 Bat Roosting Suitability of buildings and trees (BCT 2016)

Suitability	Criteria
<i>Negligible</i>	Negligible habitat features on site likely to be used by roosting bats.
<i>Low</i>	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions, and/or suitable surrounding habitat to be used on a regular basis or by a larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential.
<i>Moderate</i>	A structure or tree with one or more potential roost sites that could be used due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only - the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
<i>High</i>	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protections, conditions and surrounding habitats.

Foraging/ commuting

32. The vast majority of the Site represents species poor managed amenity grass, and hardstanding, which is of negligible value to foraging bats.
33. Hedgerow and boundaries provide features which may be used as features for foraging and commuting, but are unlikely to be of significant value. Hedgerows along roadsides are likely well lit, reducing their value.
34. The southern boundary hedge backs onto a large area of high value habitat in the form of Alyn Waters Country Park. This feature may be used occasionally by bats foraging in the park but is unlikely to be of significant value to local bat populations, especially given the large areas of high value habitat to the south and west.
35. Current proposals show the boundary hedgerows as being retained with only small impacts from the creation of new access points in the north and east. As such, provided a sensitive lighting plan can be produced avoiding excessive lighting of the boundaries, the value of the Site to bats will not be significantly impacted.

Amphibians

36. No ponds are found on Site, or on mapping within 500m of the Site boundaries. The Site represents very low value to this group, and given the lack of suitable breeding habitat in close proximity the development is very unlikely to significantly impact on this group. The likely absence of great crested newt (GCN) can be reasonably concluded.

Birds

37. The habitats on Site are not likely to support any protected or otherwise notable species or assemblages. Trees, scrub and hedges are all likely to support common species in the nesting bird season. Any clearance of vegetation in the period March – August (inclusive) should be preceded by a nesting bird survey. Any active nests identified will have to be protected until chicks have fledged.

Badger

38. Records indicate badger populations are active within Alyn Waters Country Park, which is connected to the Site's southern boundary. Although it is conceivable that badger may occasional stray onto the Site to forage, no evidence of badger activity was found during the walkover.
39. The Site is in a location which is frequently disturbed, and the establishment of setts is considered to be very unlikely. No further precautions are deemed necessary with regards to this species.

Invasive Species

40. No species listed on Schedule 9 of the Wildlife and Countryside Act (1981) were found at the Site during the survey.

Conclusions & Recommendations

41. The Site is dominated by habitats of very low ecological value, which do not represent a constraint to development.
42. Trees and hedgerow represent features of higher value, and these features should be retained where possible. Any loss should be suitably mitigated for through the planting of native species in available landscaping, or by enhancement of existing hedgerow.
43. Consideration should be given to the projects lighting scheme, which should show all street and private security lighting directed towards the ground and away from the southern boundary.

Further Surveys and the Planning Situation

44. This report alone is considered sufficient for planning and no further surveys are required in establishing the Site's baseline.

Ecological Enhancement

45. The requirement for development to make a positive contribution to biodiversity is clearly set out guidance such as the NPPF and BS:42020 - beyond mitigating or compensating any potential impacts.
46. The following themes provide opportunities for the proposals to deliver such a contribution:
 - A range of boxes aimed at declining birds and crevice dwelling bats could be incorporated into the masterplan, with boxes either being integral and built discreetly into the fabric of the new builds, or else fixed securely below the eaves and verges.
 - The landscaping scheme could make use of native trees, shrubs and flowering plants, or else select those non-natives species with a high known benefit to native fauna, i.e. bearing nectar/ pollen rich flowers, fruit or berries.
 - Instead of sowing any new amenity grass areas with a standard rye/bent/fescue heavy seed mix, some or all of these areas could be sown with Emorsgate Seeds EL1 – Flowering Lawn Mixture (or similar). This contains slow growing grasses, with a selection of wild flowers that respond well to regular short mowing, and thus can be managed in the same way as traditional lawns.

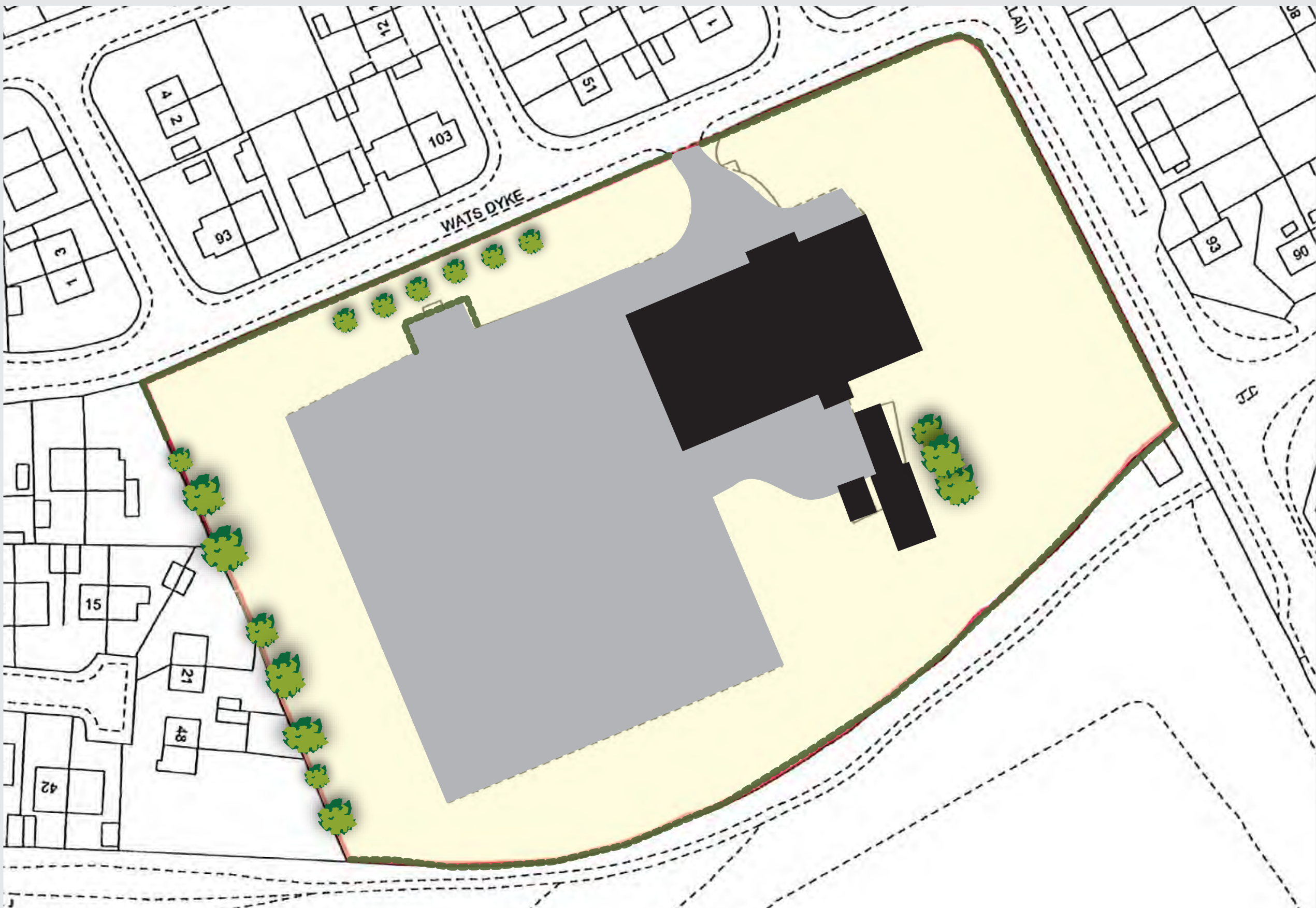
Appendices

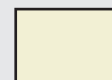
1. Extended Phase 1 Habitat Plan
2. Explanatory Notes and Resources
3. Information on legislation / protection

References

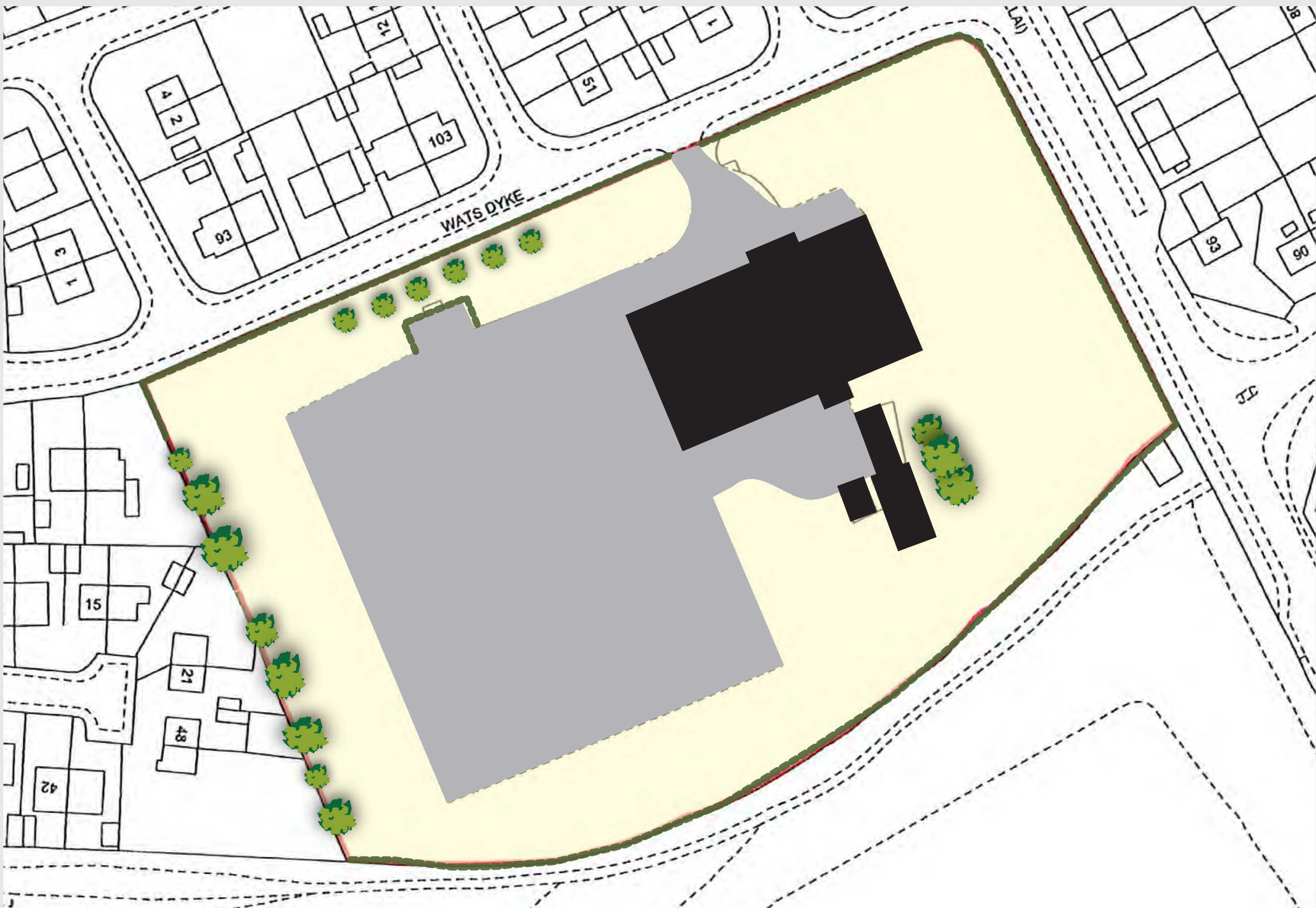
- Andrews H. L. (2011) A habitat key for the assessment of potential bat roost features in trees.
- Bat Conservation Trust (2016) Bat Surveys For Professional Ecologists – Good Practice Guidelines
- Chanin, P. (2003) *Ecology of the European Otter*. Conserving Natura 2000 Rivers Ecology Series No. 10, English Nature.
- BSI (2013) British Standards Institute *BS 42020:2013 Biodiversity — Code of Practice for Planning and Development*.
- CIEEM. (2013). *Guidelines for Preliminary Ecological Appraisal*. CIEEM
- English Nature (2004) Bat Mitigation Guidelines. English Nature, Peterborough.
- English Nature (2001) Great Crested Newt Mitigation Guidelines. http://www.naturalengland.org.uk/Images/GreatCrestedNewts_tcm6-21705.pdf
- Harris S, Jefferies D, Cheeseman C and Booty C (1994). Problems with Badgers, revised 3rd Edition. RSPCA, ISBN 0-901098-04-3
- Gent T and Gibson S, 2003, *Herpetofauna Workers' Manual*, JNCC
- IEA. (1995). *Guidelines for Baseline Ecological Assessment*. Chapman and Hall
- Hill et al. 2005, *Handbook of Biodiversity Methods*. Cambridge
- JNCC (2004) The Bat Workers Manual. 3rd Edition.
- JNCC (2010). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit*.
- Ratcliffe, D.A. (1977) *A Nature Conservation Review*, Cambridge University Press
- Strachan and Moorhouse (2006), *Wolverine Mitigation Handbook*, University of Oxford.

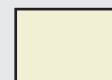
Appendix 1 – Extended Phase 1 Habitat Plan



-  Buildings
-  Hard-standing
-  Amenity grass
-  Hedgerow
-  Trees





-  Buildings
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-  Amenity grass
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Appendix 2 – Explanatory Notes and Resources Used

Site context

Aerial photographs published on commonly used websites were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains. We use Promap Street + scale maps for this purpose.

Designated Sites

A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSI's]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development site with nearby important habitats. In addition, information from the local record holders was referred to on locally designated sites.

Functional linkage with off-Site habitats

When assessing these we consider whether the Site could be functionally linked to them, considering links such as;

- Hydrological links - is the Site upstream downstream, or could ground water issues affect it?
- Physical links - is the site in close proximity and could it be directly or indirectly affected by construction and operational effects? Conversely it may be that despite proximity major barriers separate the two.
- Recreational links - Do footpaths and roads make it likely that increased recreational pressure could be felt?
- Habitat links - Is the site part of a network of similar habitat types in the wider area? These could be joined by linear corridors or could simply be 'stepping stones of habitat of similar form or function.

Method

Phase 1 habitat survey methodology (JNCC, 2010). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2012).

Faunal appraisal

This section first looks at the types of habitat found on Site or within the sphere of influence of potential development, then considers whether these could support protected, scarce or NERC Act 2006 Section 41 species (referred to collectively as 'notable species').

Records of notable species supplied from a 2km area of search by West Yorkshire Ecology (WYE) are used to inform this appraisal.

We discuss further only notable species or groups which could be a potential constraint due to the presence of suitable habitat and their presence (or potential presence) in the wider area. We screen out and do not present accounts of notable species or groups which do not meet these criteria – in some cases it may be necessary to explain this reasoning.

Evaluation

In evaluating the site the ecologist will take into account a number of factors in combination, such as;

- the baseline presented above,
- the site's position in the local landscape,
- its current management and
- its size, rarity or threats to its integrity.

There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP and Section 41 of the NERC Act (2006) to determine if the site supports any Priority habitats or presents any opportunities in this respect.

The assessment of impacts considers the generic development proposals from which potential effects include:

- Vegetation and habitat removal
- Direct effects on significant faunal groups or protected species
- Effects on adjacent habitats or species such as disturbance, pollution and severance
- Operation effects on wildlife such as noise and light disturbance

Consideration is given to the Local Biodiversity Action Plan (LBAP), which for this site is the '**Wrexham Biodiversity Action Plan**'.

Species/group	Habitat
Great-crested newt	Derelict industrial land
Barn owl	garden
Song Thrush	Linear aquatic habitats
Badger	Ponds
Otter	Upland moorland
Lesser horseshoe bat	Woodland
Black poplar	Lowland raised bog
	Lowland wood-pasture and parkland
	Wet woodland

Appendix 3 Wildlife Legislation, Policy and Guidance

This is not an exhaustive list but sets out briefly the relevance of Legislation, Policy and Guidance in terms of planning applications and this assessment.

Legislation

Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (EC Habitats Directive).

Provides framework at an international (EU) level for the consideration / protection of European Protected Species (EPS), and habitats through the designation of sites.

Council Directive 79/409/EEC on the Conservation of wild birds (EC Birds Directive) and The Ramsar Convention on Wetlands of International Importance (1971)

Provides framework at an international (EU) level for the consideration / protection of important bird populations and the sites on which they are dependant.

The Conservation of Habitats and Species Regulations (2010)

This transposes 1 into UK law and provides the basis on which all EPS are protected and impacts on them can be licensed in the UK.

The Wildlife and Countryside Act (1981) as amended

This provides the basis on which UK species are legally protected or restricted and confers protection on Sites of Special Scientific Interest SSSIs. It contains annexes of plants and animals which are legally protected as well as those which are considered to be invasive or harmful. It provides the basis on which impacts on such species can be licensed in the UK and provides controls on work on or near SSSIs.

The Countryside and Rights of Way Act 2000 (CRoW)

Provides a statutory basis for nature conservation, strengthens the protection of SSSIs and UK protected species and requires the consideration of habitats and species listed on the UK and Local Biodiversity Action Plans (UKBAP / LBAP).

Natural Environment and Rural Communities Act 2006 (NERC)

Sets out the responsibilities of Local Authorities in conserving biodiversity. Section 41 of the Act requires the publishing of lists of habitats and species which are "of principal importance for the purpose of conserving biodiversity". At present these largely reflect those making up the UKBAP lists.

Hedgerows Regulations (1997)

Define and provide protection for Important Hedgerows.

Protection of Badgers Act (1992)

Protects badgers from persecution, this includes excavation / development in the proximity of setts.

Protected Sites

Statutory EU / International Protected Sites

Special Areas of Conservation (SACs); and Special Protection Areas (SPAs) and Ramsar Sites contain examples of some of the most important natural ecosystems in Europe. Work on or near these sites is strictly protected and Local Authorities will be expected to carry out 'Appropriate Assessment' of development in proximity of them. In this case there is often an increased burden on the developer in relation to provision of information and assessment.

Statutory UK Protected Sites

Local Nature Reserves (LNRs); National Nature Reserves (NNRs); Sites of Special Scientific Interest (SSSIs) all receive strict protection under UK legislation. Work in or in proximity to these sites would be restricted with any needing to be agreed with Natural England. Natural England now provide guidance on the nature of development which could impact on SSSIs through Impact Risk Zones.

Locally Protected Sites

Local Authorities have a variety of protected wildlife sites designated at a local or regional level. These are gradually being brought under the banner of Local Wildlife Sites (LWS) but at present a plethora of different designations exist - all subject to local policy.

Protected Species

European Protected Species

A number of species (most relevantly bats, great crested newts [GCN], and otters) receive strict protection from killing, injury and disturbance under The Conservation of Habitats and Species Regulations (2010). Protection is also conferred on the habitats on which they rely such as roost space in the case of bats and ponds and fields etc. in the case of GCN.

UK Protected Species

A number of species (including bats, GCN, water vole and white clawed crayfish) are strictly protected under The Wildlife and Countryside Act (1981) as amended, from killing, injury, disturbance and damage or destruction of their resting places etc. Certain species (such as reptiles) and some birds (such as barn owl) receive partial protection e.g. at certain times of the year or from certain activities only. All nesting bird species are protected from damage or destruction of their nests - whilst active.

Invasive species

Schedule 9 of the Wildlife and Countryside Act (1981) as amended, lists these species and makes it an offence to cause or allow their spread in the wild. This often has impacts on development and planning in relation to the presence of invasive plant species such as: himalayan balsam (*Impatiens glandulifera*), japanese knotweed (*Fallopia japonica*) and giant hogweed (*Heracleum mantegazzianum*).

Planning Policy / Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework was published in 27 March 2012 replacing the majority of previous Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs). The most relevant paragraphs from the NPPF are set out below.

The general approach to assessing the natural environment is now embedded within the definition of what 'sustainable development' is. Paragraph 7 (P7) of the NPPF states that sustainable development should "contribute to protecting and enhancing our natural environment" and "help to improve biodiversity". There is also a need for positive inclusion of the natural environment in development design and "moving from a net loss of bio-diversity to achieving net gains for nature" (P9). P14 sets out the Framework's presumption in favour of sustainable development.

The natural environment is stated within the NPPF core principles: development should "*recognise the intrinsic character and beauty of the countryside*" and contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should, "*prefer land of lesser environmental value, where consistent with other policies in this Framework*" (P17).

Section 11 of the NPPF details the approach to the natural environment. The Framework states that development should "*minimise impacts on biodiversity and provide net gains in biodiversity, where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*" (P109).

The Framework sets out ways to minimise the impacts on biodiversity through "*promoting the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets*" (P117).

The NPPF requires the consideration of the impacts of development on the natural environment. The Framework also encourages "*opportunities to incorporate biodiversity in and around developments*" (P118). Importantly this paragraph (P118) sets out the hierarchy of avoiding, mitigating and compensating harm from development - plans should ensure that they can demonstrate engagement with this hierarchy when required.

Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services.

This strategy builds on the Natural Environment White Paper (June 2011) - The Natural Choice: securing the value of nature. Setting out the current UK Government's approach to nature conservation. It promotes a more coherent and inclusive approach to conservation and the valuing in economic and social terms of economic resources.

The strategy promotes initiatives such as Biodiversity Offsetting, Nature Improvement Areas and a focus on well-connected natural networks and introduces the concept of securing a 'no net loss' situation with regard to UKBAP / Section 41 habitats and species.

ODPM circular 06/05 (2005) Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System

Provides guidance to Local Authorities on their obligations to biodiversity – particularly in relation to assessing planning applications and ensuring the adequacy of information.

BSI (2013) British Standards Institute BS 42020:2013 Biodiversity — Code of Practice for Planning and Development.

Provides a standard for the biodiversity assessment and development industries and decision makers such as Local Planning Authorities to work to.