East Hampshire District Council

Biodiversity and Planning Guidance

June 2021

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The Value of Biodiversity

- The landscape of the United Kingdom has been shaped by millennia of human activity. In recent decades, the effects of human activity have been such that many areas are now dominated by land uses that do not encourage, or indeed actively diminish, biodiversity. If we are to conserve our remaining biodiversity and allow its recovery, it is essential that measures to protect and enhance it are embedded in the activities that mould our cities, towns, villages, greenspaces and open countryside. The planning system is fundamental in shaping our surroundings and it has a significant role in the protection and recovery of the natural environment.

- Biodiversity is the variety of habitats and species found within a certain area. An area is said to be more biodiverse if it supports a greater variety of species: a square kilometre of arable farmland will support far fewer species than a comparable area of ancient woodland.

- Biodiversity is not only important in its own right but has intrinsic value for human society too. We are dependent on a wide variety of ‘services’ provided by the natural world: clean air, clean water, productive soils, pollination, medicines, scientific research, enjoyment and tourism are all dependent on biodiversity as part of the ‘natural capital’ of our planet.

- The term biodiversity is a useful concept in nature conservation. By supporting a greater variety of species, and greater numbers of those species, biodiverse areas are essential in conserving populations of native flora and fauna. Not only do biodiverse areas support more species, and more diversity within and between species, they act as essential reservoirs of diversity in the landscape, allowing wildlife to percolate through our villages, towns and cities.

1. Introduction

The purpose of this Guidance

1.1. The purpose of this document is to set out clear guidance for the protection and enhancement of biodiversity within the context of the East Hampshire Planning Authority Area i.e. the areas of East Hampshire District that lie outside the South Downs National Park (SDNP). As one of the main drivers of land use change, the planning system has a key role to play in the protection, enhancement and recovery of biodiversity, and biodiversity is a material consideration in the planning process: it must be considered during planning decisions.

1.2. This guidance is complementary to the East Hampshire District Local Plan 2017-2038 and provides essential supplementary detail to enable biodiversity to be addressed appropriately within the planning system within the East Hampshire Planning Authority Area.

1.3. Figure 1 shows the location of the East Hampshire Planning Authority Area.

1.4. Upon adoption of the East Hampshire District Local Plan 2017-2038 this guidance will be updated to reflect Local Plan policies and any changes in national planning or biodiversity policy, guidance or legislation.

1.5. The aim of this document is to offer clear guidance that will help protect and enhance biodiversity through planning. It aims to assist those involved with planning policy and development within the East Hampshire Planning Authority Area: planners, developers, architects, consultants, local government members and councillors, and residents. The central principle is that positive outcomes for biodiversity are readily achievable when development is carefully planned, and biodiversity is considered from the outset.

1.6. It is essential that biodiversity is considered within the local context. Efforts to protect and enhance biodiversity will be most effective if they are guided by local conditions, ensuring that development contributes to the protection and enhancement of the local ecological network.

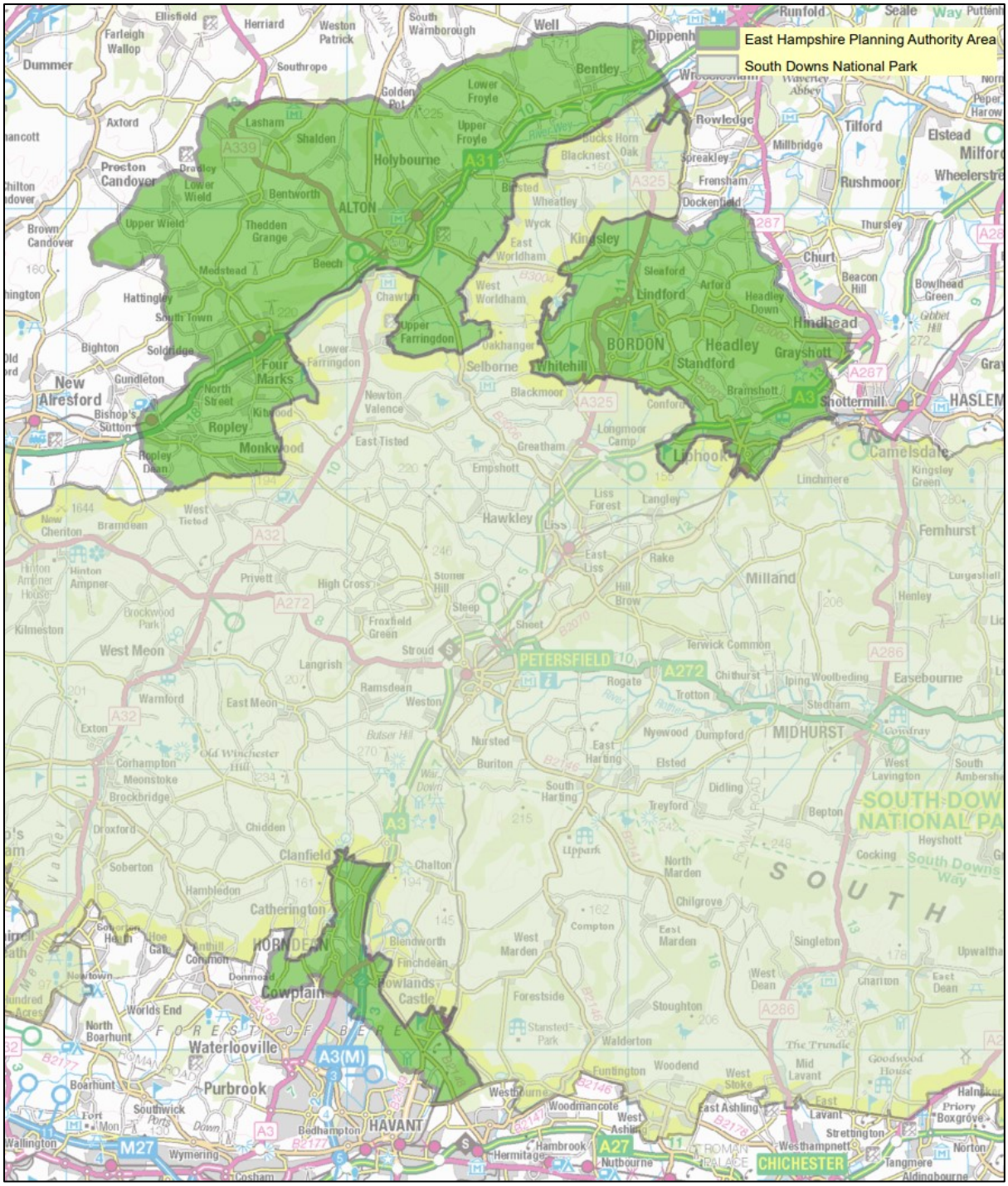


Figure 1: East Hampshire Planning Authority Area

1.7. The objectives of this document are:

- To provide a summary of the biodiversity of the East Hampshire Planning Authority Area;
- To provide clarity on how biodiversity can be protected and enhanced through the planning system;
- To set out the expectations for ecological planning submissions;
- To provide advice on the use of ecological network mapping;
- To provide advice on achieving biodiversity net gain;
- To provide clarity on strategic measures relating to internationally designated nature conservation sites.

1.8. It is hoped that the Guidance will provide clarity within the planning process, assisting with determination of planning applications and allowing development to provide positive outcomes for the special biodiversity of East Hampshire. It is expected that if considering or proposing any kind of planning proposal, whether it be at local plan level or the submission of a planning application, you will refer to this Guidance and use it to help guide your planning proposals.

1.9. This Guidance is not a new or an updated Biodiversity Action Plan (BAP) for East Hampshire[1]. This Guidance does not provide a framework for the protection and enhancement of biodiversity within areas outside of the influence of the planning system, although the principles within it are applicable everywhere.

1.10. Measures for the protection and enhancement of biodiversity within the South Downs National Park are contained within the South Downs Local Plan (2014-2033).

Background to the Guidance

1.11. This is the first biodiversity guidance to support the implementation of the new East Hampshire District Local Plan 2017-2038. Given the current status of the new Local Plan, this guidance will be updated to reflect emerging policy. It

[1] Biodiversity Action Plan for East Hampshire (revised 2009)

provides an initial set of expectations for how biodiversity should be addressed through planning.

1.12. The last Biodiversity Action Plan (BAP) for East Hampshire was produced in 2009. At this time, other local BAPs were produced at parish/neighbourhood level: these documents are still invaluable sources of information and are discussed further below.

1.13. The Biodiversity Action Plan framework was the UK's response to the 1992 Convention on Biodiversity. In the years following the Convention, the UK and its constituent countries developed BAPs at the national and local level as a means of auditing biodiversity and presenting a strategy for conserving biodiversity through measurable targets.

1.14. Since 2010, the BAP framework has evolved as a response to changing international and national policy. As a result, the BAP system has been superseded by the UK Post-2010 Biodiversity Framework which itself is a response to the EU Biodiversity Strategy and a set of internationally-agreed commitments known as the Aichi Targets. The EU Biodiversity Strategy and the Aichi Targets aim to halt biodiversity losses.

1.15. One key element of BAPs is the reliance on coordination between national and local government, statutory and non-governmental conservation bodies and organisations and individuals responsible for the management of the landscape. The delivery of BAP targets (e.g. ensuring reductions in habitat loss, increases in species populations) is therefore wholly reliant on partnership action between separate organisations: it is not always clear how this partnership will work and there is limited certainty that targets can be or have been met.

1.16. With a new East Hampshire Local Plan 2017-2038 there is the opportunity to renew the policy framework for biodiversity. The planning-led focus of this Guidance is therefore designed to provide achievable actions for protecting and enhancing biodiversity within the context of planning: a robust planning policy framework coupled with supplementary guidance is seen as an achievable means of embedding biodiversity within one of the key drivers of land use change in East Hampshire.

2. The Biodiversity of East Hampshire

Introduction

2.1. East Hampshire is a large and diverse district situated in one of the most biodiverse counties in the UK. The landscape of East Hampshire encompasses radically different underlying geologies, resulting in distinct habitat types that support characteristic species. Many of these habitats and species are of national and international conservation importance: a non-exhaustive selection of these habitats and species is described below.

2.2. The East Hampshire Planning Authority Area comprises three separate zones: in the north-west around Alton, in the north-east around Whitehill & Bordon and in the south around Horndean/Rowlands Castle. The remainder of East Hampshire district comprises parts of the South Downs National Park (SDNP) and is administered by the South Downs National Park Planning Authority (SDNPA). Further information on the landscape of East Hampshire can be found within the Hampshire Integrated Character Assessment (Hampshire County Council, 2010[2])

2.3. The three areas making up East Hampshire Planning Authority Area are as follows:

North-west - Alton

2.4. This is the largest area and is centred on the town of Alton. It also includes important village centres such as Four Marks, Medstead, Bentley, Ropley, The Wields, Bentworth, Lasham, Upper and Lower Froyle and Shalden.

2.5. This area is characterised by gently undulating arable and pasture farmland over both clay and chalk soils with small settlements and isolated farm holdings. There is a well-developed network of minor roads, field boundary hedgerows and small woodlands.

2 https://www.hants.gov.uk/landplanningandenvironment/environment/landscape/integratedcharacterassessment

2.6. The main urban settlement is Alton which is situated adjacent to the A31 road corridor and is the source of the River Wey.

North-east – Whitehill & Bordon

2.7. The north-eastern area is dominated by the settlement of Whitehill & Bordon and also includes Bramshott & Liphook, Headley, Headley Down, Oakhanger, Grayshott, Lindford, Kingsley and Standford.

2.8. The underlying geology is predominantly sandstone and therefore the vegetation of the area is characterised by expanses of heathland (parts of the extensive Wealden Heaths) and acid grassland. The area is notable for its woodlands as well as numerous small watercourses and ponds, and contains parts of the River Wey and River Slea valleys.

2.9. Outside the densely developed areas around Whitehill & Bordon, the area is predominantly rural, containing numerous small farms and landholdings.

Coral necklace, a rare plant of damp heathland sands

South - Horndean

2.10. The southern area is centred around Horndean, Clanfield, Catherington, Lovedean, Blendworth and Rowlands Castle.

2.11. The underlying geology is a mix of clay, chalk and gravels resulting in a diverse range of soil and vegetation types.

2.12. This area contains some of the largest expanses of woodland in the district such as Havant Thicket, Southleigh Forest and the Holt/Stein Wood. These form some of the larger remnants of the former Forest of Bere landscape.

2.13. Whilst East Hampshire is generally a very biodiverse part of the county, it is particularly important for certain habitats and species. The following is a selection of some of the most characteristic biodiversity features of the district.

Heathlands

2.14. East Hampshire district contains some of the most important areas of lowland heathland habitat in the UK, predominantly situated in the north-east surrounding Whitehill & Bordon although fragments can be found within woodland clearings in the extreme south of the district.

Lowland heathland, Hogmoor Inclosure

2.15. Heathlands are situated on freely-draining sandy or gravelly soils and are characterised by low-growing shrubs such as heathers alongside areas of bare

soils, acid grassland, bog, swamp, mire, pools and woodland. The variety of dry and wet soils within heathland areas is one reason for their species-richness.

2.16. The grassland types found on heathlands can be particularly species-rich. Very dry grasslands on sandy soils support numerous special plant species as well as rich communities of lichens and mosses.

2.17. Heathlands within East Hampshire support populations of rare or threatened species including all six native reptile species, native amphibians including Great crested newt and Natterjack toad, rare invertebrates and breeding Nightjar, Woodlark and Dartford warbler.

2.18. Within East Hampshire district heathland habitats are afforded legal protection at the national and international level. Most heathland areas within the district are included within the Wealden Heaths Phase II Special Protection Area (designated due to breeding populations of certain bird species) and are also designated as Sites of Special Scientific Interest. These areas are of exceptional ecological importance, linking with extensive heathland sites within the Thames Basin of Surrey.

Common cudweed, a typical plant of heathland and acid grassland

Chalk grassland

2.19. Chalk, or calcareous, grassland occurs throughout the district and is characterised by thin, well-drained soils over a chalk substrate. Notable areas of chalky soils can be found in the north-west around Lasham and Ropley and in the south near to Horndean and Clanfield.

2.20. Today's chalk grasslands are fragments of a once extensive landscape where sheep flocks were grazed for hundreds if not thousands of years. The nutrient-poor soils and regular grazing help to promote an extremely species-rich habitat

of grasses, sedges and wildflowers interspersed with scrub. Chalk grasslands also support populations of numerous insect species.

Species-rich chalk grassland

Acid grassland

2.21. Where the underlying geology is acidic in nature, sandy or gravelly soils are found. In these areas a distinct type of acid grassland occurs, usually in association with lowland heathland.

2.22. As with chalk grassland, the effects of grazing and nutrient-poor soils allows a rich flora to develop in the absence of vigorous competitors. Acid grassland contains a characteristic assemblage of plant species, some of which are very rare. Some acid grasslands are especially rich in lichens.

2.23. With East Hampshire district, acid grassland occurs in the north-east around Whitehill & Bordon and to a lesser extent in the south near Blendworth.

Neutral and Floodplain grassland

2.24. Neutral grasslands are the typical ‘meadow’ grasslands of lowland areas and generally found on deeper, neutral soils such as clays which provided suitable conditions for grass growth. They are often enclosed by hedgerows and situated within the farmed landscape.

2.25. Many of these grasslands have been agriculturally improved with fertilisers, although some examples remain of species-rich traditionally grazed or cut meadows: these can be among the most diverse of our grassland habitats and can be of considerable age.

2.26. Floodplain grasslands are situated close to watercourses and have often been managed by low-intensity grazing or traditional hay cuts for many centuries: they are an intrinsic part of our historic landscape. These grasslands are seasonally inundated by flood waters from adjacent watercourses.

2.27. Although a rare habitat type in the district, floodplain grasslands in the form of traditional water meadows are present along the valleys of the northern and southern River Wey in the north. Examples of remnant water meadow systems can be found at Radford Park near Liphook and Allee’s Meadow near Bramshott.

Woodland

2.28. East Hampshire district contains numerous woodland areas. These vary in biodiversity value, from well-managed plantations of coniferous or broadleaved species, to remnants of ancient woodland mostly of oak, ash and hazel, to impressive beech woodlands on steep hangers. Many woodlands are used for gamebird rearing or are otherwise unmanaged, although traditional woodland management such as coppicing does occur.

2.29. Within river or stream valleys, or other areas with impeded drainage, wet woodland develops. Usually characterised by alder, willows and birches, wet woodland is a distinct and valuable type of woodland.

Wet woodland, Shortheath Common

2.30. Ancient woodlands are those where there has been woodland cover since at least 1600AD. This does include woodlands which have been cleared of trees and replanted after that date. The biodiversity value of ancient woodlands is as much in their soils as their trees: woodland soils are generally undisturbed and support a rich variety of plant, animal and fungal species.

2.31. Large areas of ancient woodland (much of it replanted) are scare in the district but can be found near Alton (Ackender/Alexandra Wood, Bushy Leaze Wood and Chawton Park Wood) and in the south near to Rowlands Castle and

Horndean (Havant Thicket, Southleigh Forest, The Holt/Stein Wood and parts of Staunton Country Park).

Ancient coppice woodland with Bluebells

Scrub

2.32. Scrub is often neglected as a habitat. Scrub develops at the edges of woodland and on grasslands that have been left unmanaged. Although a valuable habitat in its own right, scrub situated adjacent to woodlands, wetland, grassland or hedgerows is particularly valuable in providing food resources and shelter for many animal species as part of a diverse mosaic of habitats.

Hedgerows

2.33. As a predominantly rural district, East Hampshire contains a complex network of hedgerow habitats. Many of the hedgerows are a considerable age and contain a great variety of woody species. The best quality hedgerows usually contain species-rich flora at their bases.

2.34. Where intact and managed well, hedgerows provide a vital resource for wildlife by linking areas of other habitat such as woodland or grassland and by providing food, shelter and dispersal opportunities year-round.

2.35. Hedgerows are particularly important for species such as Hazel dormouse, providing breeding and hibernation habitat and food resources as well as allowing populations to move through the landscape.

Watercourses and Wetlands

2.36. The most prominent river within East Hampshire district is the Wey and its various tributaries. The Wey has a northern arm near Alton and a southern arm that runs near Bordon. Various important tributaries are present, including the River Slea, the Caker Stream, the River Deadwater, the Hollywater Stream and the Oakhanger Stream.

River Wey at Headley

2.37. Rivers and stream provide valuable corridors through the countryside and urban areas, allowing plant and animal species to move freely. Where water quality is

suitable, diverse communities of aquatic plants and animals occur and charismatic species such as Otters and Water vole can thrive.

2.38. Many watercourses suffer from inappropriate management, especially in urban areas. Channel straightening, culverts, weirs, removal of bankside vegetation, pollution and non-native invasive species are all threats to watercourses.

2.39. Still waterbodies such as ponds and lakes occur throughout, ranging in size from small seasonal ponds within heathland habitats to large permanent lakes. These habitats support threatened aquatic plants and are especially important for dragonflies and damselflies.

Arable farmland

2.40. Extensive areas of arable farmland occurs, used for the growing of cereals or other crops. Whilst much arable land is not biodiverse, the margins of arable fields can act as a refuge for a suite of rare or scarce plant species. So-called ‘arable weeds’ or cornfield flowers are the UK’s fastest declining group of wild plants.

2.41. Arable plant species persist at the margins or corners of arable fields, where herbicide sprays do not reach. These species rely on regular cultivation to thrive.

Urban habitats

2.42. The urban environment can be surprisingly biodiverse. Gardens, churchyards, cemeteries, street trees, ponds, road verges, pavements, walls and buildings provide a diverse range of habitats and urban areas contain networks of small habitat patches that connect to the wider countryside.

2.43. Many buildings in both rural and urban areas provide habitat for roosting bats and nesting birds such as Barn owl, House sparrows, Starlings and Common swifts

Hazel dormouse

2.44. The Hazel dormouse *Muscardinus avellanarius* is a scarce, nocturnal mammal found in woodland, scrub and hedgerows. It is generally restricted to the southern

counties of England, although is also found in much of Wales and parts of north-west England.

2.45. Dormice are present throughout East Hampshire, with confirmed records from all parts of the district. Notable clusters of records can be found around Alton, Four Marks and along the A31 corridor, as well as the A3 corridor from Liphook to Horndean.

2.46. A large proportion of records come from hedgerow and scrub habitats, including those within urban/suburban areas, gardens, industrial areas, agricultural land and by busy roads. Dormice are not restricted to woodland habitats.

2.47. The current distribution of records is primarily related to development sites: it is therefore highly likely that this species is present throughout suitable habitat across the entire district. The district is criss-crossed by a complex network of field boundary hedgerows which link woodland and scrub habitats and allow dormice to move across the landscape.

Bechstein's bat

2.48. Bechstein's bat *Myotis bechsteinii* is one of the rarest of the UK's bat species. It is strongly associated with woodland habitats and is currently found only in southern England and south Wales.

2.49. The woodlands and parklands of southern Hampshire support an important population of Bechstein's bat, with several large maternity roosts recorded in recent years.

2.50. The remaining fragments of the former Forest of Bere in the Horndean/Rowlands Castle area appear to be the main stronghold for this species in Hampshire and are undoubtedly linked to larger populations in West Sussex.

2.51. Although strongly associated with woodland habitat, Bechstein's bats are also found within more open parkland areas and will forage across open grassland, hedgerows, scrub and even within coniferous plantation woodland.

Other bat species

2.52. East Hampshire district is important for many other bat species, with most of the UK's resident species having been recorded. The rural character of the district, with its network of woodlands, grasslands, river/stream valleys, ponds and hedgerows means that bats can readily navigate the landscape and access food and shelter. The presence of urban centres containing numerous older buildings provides numerous roosting opportunities, as do buildings in the rural areas.

2.53. A typical rural site in East Hampshire, containing grassland, hedgerows and woodland can be expected to be visited by at least ten or more different bat species. This may include rarer species such as the Western barbastelle *Barbastella barbastellus* and in the last few years Alcathoe's bat *Myotis alcathoe*, a very rare bat that has only recently been discovered in the UK, has been recorded in several locations.

Great crested newt

2.54. The Great crested newt (GCN) *Triturus cristatus* is the largest of the UK's three native newt species. Although it is a generally widespread species across the southern parts of the UK, it is considered to be a rare species in Europe and is afforded high levels of protection in recognition of the importance of the UK population.

2.55. Our knowledge of GCN in East Hampshire district is incomplete but there are certain localities where the species appears to be present in good numbers. The villages of Upper Froyle and Bentley both have recent records of GCN populations, and it is likely that this species is present within farm ponds and ditches dotted throughout the landscape. As with other protected species, records are generated mostly as a result of development and so it can be expected that the species is more widespread in rural areas.

Common swift

2.56. The Common swift *Apus apus* is a summer visitor to the UK, arriving in May. Swifts nest in buildings and are very susceptible to loss of nesting sites through

redevelopment or refurbishment. Common swifts have declined significantly in recent years.

2.57. Several towns in East Hampshire are well-known swift hotspots, with substantial colonies of nesting pairs present in Alton in particular.

3. Planning Policy, Guidance & Legislation

Introduction

3.1. Biodiversity is afforded legal protection in the UK and its protection and enhancement is enshrined in national and local planning policy and guidance. This section provides an overview of the key legislative and policy framework for biodiversity protection and enhancement in the UK and explains why biodiversity is a fundamental consideration within the planning system.

Legislation

The Habitats Regulations

3.2. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (as amended) (the Habitats Regulations) are the UK government's response to European Council Directive 92/43/EEC on the Conservation of Natural Habitats of Wild Fauna and Flora (the Habitats Directive). In addition, the Regulations contain elements of the EC Birds Directive (Directive 2009/147/EC). The objective of the Habitats and Birds Directives is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The Directives set rules for the protection, management and exploitation of habitats and species.

3.3. The two Directives underlying the Habitats Regulations require governments to identify and designate sites for habitats and species identified as being of particular importance at the European scale. These are known as 'European sites' and 'European protected species'.

3.4. European sites are split into Special Areas of Conservation (SACs, designated under the Habitats Directive) and Special Protection Areas (SPAs, designated under the Birds Directive). Together, SACs and SPAs are known as the Natura 2000 network of protected sites. In addition, wetland sites of international importance ratified under the Ramsar Convention are treated as European sites.

3.5. European protected species are those identified as being of particular importance in a European context and which require special protection. In the

UK, some of our most familiar species are afforded this high level of protection, including bats (all species), Hazel dormouse, Otter and Great crested newt.

Habitats Regulations Assessment (HRA)

3.6. Where development activities have the potential to impact a Natura 2000 site, an assessment must be carried out of the potential impacts.

3.7. Regulation 63 of the Habitats Regulations sets out the requirements for both the local planning authority and persons applying for planning consent to undertake an 'appropriate assessment' of the potential impacts: this is the process called Habitats Regulations Assessment. This assessment must determine whether the plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans and projects.

3.8. Where impacts to a Natura 2000 site are identified, actions to avoid or mitigate that impact must be taken. Further detail on the HRA process is provided in section 7 below.

The Natural Environment & Rural Communities Act 2006

3.9. The Natural Environment & Rural Communities (NERC) Act 2006 embeds a duty to conserve biodiversity on all 'public authorities'. Section 40 of the Act states '*The public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*' and that '*Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

3.10. Section 41 of the Act also requires the Secretary of State for the Environment to publish and maintain a list of habitats and species considered to be of 'principal importance' for conserving biodiversity in the UK. These lists of habitats and species are to be used by decision-makers to formulate policy and to accord with the 'duty to conserve' within Section 40.

Wildlife & Countryside Act 1981 (as amended 2010)

3.11. The Wildlife & Countryside Act is the UK's principal legislation relating to protected species. It affords strict legal protection to a wide range of plant and animal species.

Protection of Badgers Act 1992

3.12. Badgers and their places of rest receive special legal protection under this Act.

Hedgerow Regulations 1997

3.13. Where hedgerows are deemed to be 'important' (i.e. they are of considerable age, landscape significance or species-rich) they receive protection under these Regulations. Any works impacting such hedgerows require special permission.

Planning policy and guidance

National Planning Policy Framework (NPPF)

3.14. The NPPF provides details of how planned development is expected to conserve and enhance the natural environment. Development should protect and minimise impacts and provide net gains in biodiversity. The concept of ecological networks is enshrined within the framework.

3.15. NPPF requires that the conservation of the natural environment is addressed at a strategic level within and between local planning authorities.

3.16. Paragraph 175 of the current NPPF requires that when determining planning applications, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Government Circular 06/2005: Biodiversity and geological conservation

3.17. Circular 06/2005 provides guidance on how biodiversity should be addressed in the planning system. They key provision (paragraph 99) within the circular is as follows:

3.18. *'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted*'.

3.19. This paragraph confirms that local planning authorities must base their decisions on up-to-date ecological information and that information must be provided before planning decisions are made. Ecological surveys cannot be subject to condition unless in exceptional circumstances.

Local Planning Policy

3.20. Local planning policy provides further requirements for planning submissions. The East Hampshire Local Plan 2017-2038 contains specific policies on the natural environment. These policies should be viewed together as providing a policy framework for ensuring that biodiversity is considered throughout the planning process. This guidance will be updated following adoption of the East Hampshire Local Plan 2017-2038.

Local Neighbourhood Plans & Local Biodiversity Action Plans

3.21. Many town or parish councils have produced their own Neighbourhood Plans or Village Design Statements. These set out the expectations for development within defined local areas and contain essential contextual information on the landscape, history, character and features of interest within each area. Many of these plans contain detail on biodiversity, including explicit policies for protecting and enhancing biodiversity.

3.22. Similarly, many town and parish councils have produced their own Biodiversity Action Plans. These documents contain detailed information on local biodiversity and provide essential guidance for the key biodiversity considerations within each area. These plans have often been produced by those with detailed local knowledge and set out local priorities for biodiversity protection and enhancement.

3.23. Table 1 below provides links to current existing Neighbourhood Plans, Village Design Statements and Local Biodiversity Action Plans in East Hampshire. These documents should be consulted during information-gathering for planning proposals but maybe updated over time.

Table 1: Neighbourhood Biodiversity Action Plans

Town or Parish Council	Neighbourhood Plan / Biodiversity Action Plan
Alton Town Council	Alton Neighbourhood Development Plan
Horndean Parish Council	Horndean Parish Biodiversity Action Plan http://www.horndeanbiodiversity.co.uk/
Whitehill Town Council	Whitehill Biodiversity Action Plan
Bentley Parish Council	Bentley Neighbourhood Plan
Medstead & Four Marks Parish Councils	Medstead & Four Marks Neighbourhood Plan
Froyle Parish Council	Froyle Village Design Statement
Ropley Parish Council	Ropley Neighbourhood Plan
Beech Parish Council	Beech Neighbourhood Development Plan

3.24. The legislative and national and local planning policy framework clearly details how development proposals must consider biodiversity. For some habitats and species there are strong legal requirements for avoiding harm. Planning policy

- Clear legislative and policy framework for protecting and enhancing biodiversity.
- Consider biodiversity at the earliest stages of development planning, not only protection and enhancement but biodiversity net gain.
- Integrated approach to biodiversity, landscape, trees, heritage, drainage and green and blue infrastructure.
- Incorporate existing biodiversity within green/blue infrastructure.
- Take account of local neighbourhood/parish/town plans and local Biodiversity Action Plans.

highlights the need for consideration of biodiversity in conjunction with other factors in an integrated way.

4. Ecological Networks

Introduction

4.1. The concept of ecological networks is not new but became widely discussed in the UK following the publication in 2010 of '*Making Space for Nature: A review of England's Wildlife Sites and Ecological Network*' (the Lawton report).

4.2. The Lawton report details the state of the UK's protected areas for nature conservation and concludes that they cover only c.2% of all land. In addition, these protected areas are often too small and too isolated and are subject to external influences that damage their biodiversity value. In summary, the UK's protected areas alone are not sufficient for halting or reversing declines in biodiversity: what we need are '*more, bigger, better and joined*' areas for biodiversity.

4.3. In order for biodiversity declines to be halted, and for the recovery of biodiversity to occur within a fragmented landscape, wildlife needs to be able to move across and between protected sites, the wider countryside and built areas. This is the concept of ecological networks.

Components of an ecological network

4.4. All ecological networks should consist of the following elements:

- **Core Areas** – these are the key component of the network and comprise those areas (usually but not always designated protected sites) that support the greatest biodiversity. They act as refuges and reservoirs for habitats and species which allow the spread of biodiversity into the wider landscape.
- **Corridors/stepping stones** – these are areas of land that provide connections between the core areas, allowing species to feed, rest, disperse and reproduce. An example of a corridor might be a hedgerow directly linking two areas of ancient woodland, whereas stepping stones might consist of a series of small, wooded blocks between the two larger core woodland areas.
- **Restoration Areas** – these are areas identified as opportunities to repair, enhance or create habitats that will eventually become additional Core Areas.

These are usually located close to Core Areas in order to expand/compliment them.

- **Buffer Zones** – these are areas immediately surrounding Core Areas, Restoration Areas, Corridors or Stepping Stones that provide protection from external influences (e.g. light spillage, noise disturbance) that might harm their biodiversity interest.
- **Sustainable use areas** – this concept relates to the wider 'matrix' surrounding the ecological network. Whilst it may be unrealistic to expect surrounding areas to be dedicated to ecological protection, there are opportunities for 'softening' the potential impacts of other land uses e.g. by promoting sustainable agriculture, forestry or urban development which reduces impacts on biodiversity more widely and does not negatively affect the network.

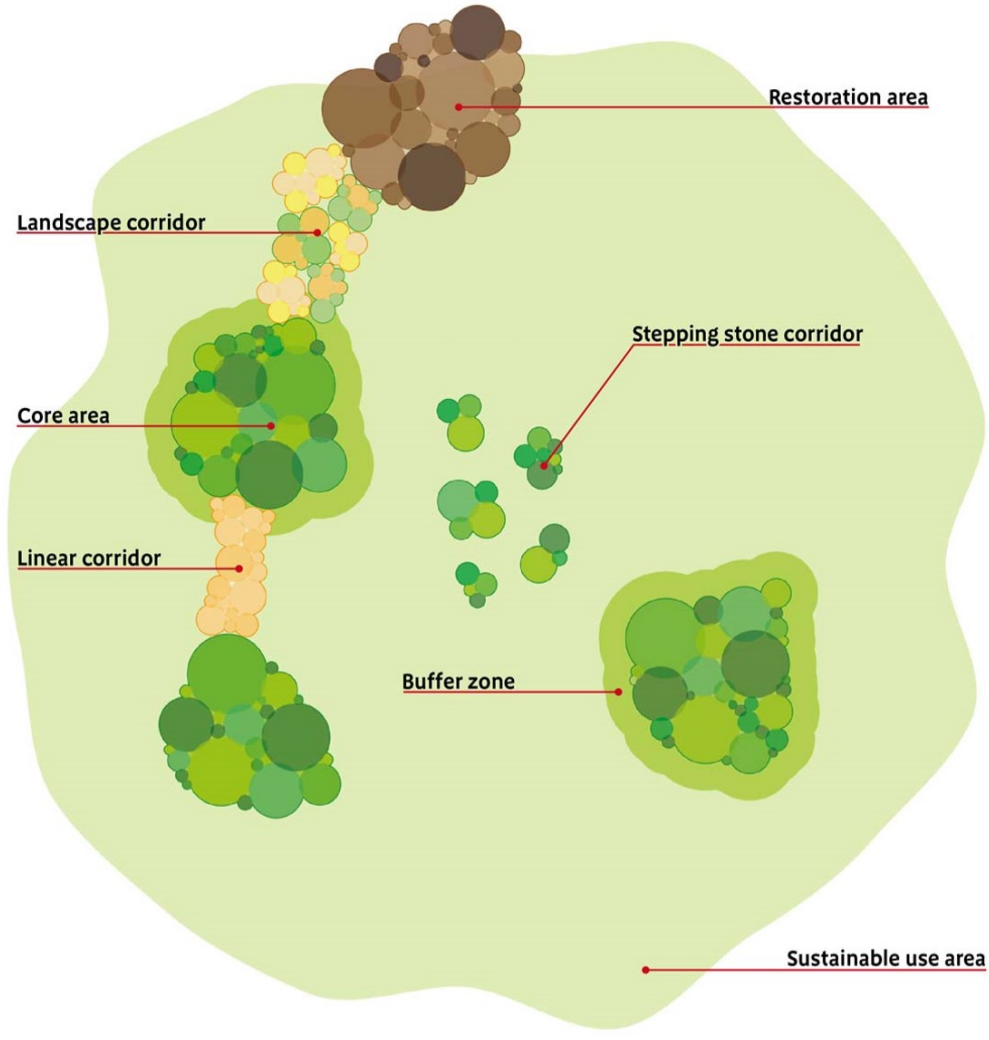


Figure 2: Components of an ecological network (Lawton et al. (2010)

The role of the planning system in Ecological Networks

4.5. The planning system has an obvious role to play in delivering meaningful ecological networks. Planning policy can:

- Provide a strong policy framework for protecting designated sites of all levels;
- Require all development to assess ecological impacts in a robust way;
- Ensure that ecological mitigation and enhancement is provided;
- Enshrine biodiversity net gain in all development.

East Hampshire's Ecological Network

4.6. The Hampshire Biodiversity Information Centre (HBIC) has produced an Ecological Network Map for Hampshire on behalf of local planning authorities. Geographic Information System (GIS) mapping layers and GIS metadata are available from HBIC and should form an integral part of early development planning.

4.7. The precursor to the Ecological Network was Biodiversity Opportunity Areas (BOAs). BOAs still provide an invaluable source of information and should be used for assessing opportunities for biodiversity mitigation, compensation and enhancement.

4.8. As with the UK itself, the existing ecological network in East Hampshire is formed by different layers:

- **Protected sites – International and National** – the various internationally and nationally designated nature conservation sites form the core of the ecological network. These are, by definition, the best examples of particular habitat types in the district. Examples are Special Areas of Conservation, Special Protection Areas and Sites of Special Scientific Interest.

- **Protected sites – Local** – these sites (such as Sites of Importance for Nature Conservation (SINCs)) are designated at the local level and comprise important examples of particular habitat types or support populations of notable species.

- **Priority Habitats/Habitats of Principal Importance** – these are habitat types that are considered to be of importance at the national scale but which occur widely throughout the country. Section 41 of the NERC Act 2006 provides a list of these habitats. They occur both within protected sites and within the wider, unprotected countryside or developed areas.

- **Other landscape designations** - examples include National Parks or Areas of Outstanding Natural Beauty (AONBs). These areas are not designated solely for nature conservation purposes, but they do provide opportunities for incorporating/complementing ecological network components.

- **Unprotected habitats** – the wider countryside and our urban areas contain numerous habitats which can complement the ecological network and provide valuable support to wildlife. Examples include gardens, allotments, rivers, ponds, lakes and parks.

4.9. There is an existing ecological network within East Hampshire. This comprises areas of recognised biodiversity value which are afforded legal protection as well as features in the wider countryside or built environment that serve to link these protected areas. The following sections provide a summary of this existing network.

Protected sites - International

4.10. East Hampshire contains, or is adjacent to, several sites which are of international importance for biodiversity and designated under the Habitats and Birds Directives: these are Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), and Ramsar sites are also included within this selection of sites. These sites are of international importance for particular habitats and species and form the top tier of the ecological network.

Table 2: Internationally designated sites within East Hampshire

International Site Name	Designation	Description
Wealden Heaths Phase II Thames Basin Heaths	SPA	Extensive areas of lowland heathland used by important populations of nightjar, woodlark and Dartford warbler.
Woolmer Forest	SAC	Extensive area of dry and wet lowland heath, acid grassland, pools and mires.
Shortheath Common	SAC	Large area of dry and wet heath, bog woodland and mires.
East Hampshire Hangers	SAC	Extensive areas of beech woodland over chalk soils and containing extremely rich woodland flora.
Chichester & Langstone Harbours	SPA, Ramsar	Extensive estuarine and coastal habitats supporting internationally important populations of wintering bird species.

Protected sites – National

4.11. The key national protected sites are our Sites of Special Scientific Interest (SSSI). These represent the best examples of particular habitat types in the UK and often underlie the international sites. The district contains or is in close proximity to the following nationally-designated sites:

Table 3: Nationally designated sites in East Hampshire

National Site Name	Designation	Description
Broxhead & Kingsley Commons	SSSI	Mosaic of heathland and acid grassland with areas of scrub and secondary woodland. The diversity of habitats supports a rich invertebrate fauna including 25 nationally rare and scarce species, a rich flora, and three species of birds listed in Annex 1 of the Birds Directive.
Bramshott & Ludshott Commons SSSI	SSSI	One of the best remaining examples of open heathland in the western Weald, supporting populations of a number of specialised heathland species. Includes areas of ancient woodland with a notably rich lichen flora.
Woolmer Forest	SSSI	The largest and most diverse area of lowland heathland habitats in

National Site Name	Designation	Description
		Hampshire outside the New Forest and is considered the most important area of heathland in the Weald of southern England. It is the only site in Britain known to support all twelve native species of reptiles and amphibians and supports a nationally important heathland flora, with associated birds and invertebrate fauna.
Shortheath Common	SSSI	Varied area of heathland, acid grassland, woodland and bog/mire communities. Outstanding populations of wetland invertebrates.
Catherington Down	SSSI	Large area of unspoilt chalk downland with a rich flora.

Protected sites – Local

4.12. East Hampshire contains numerous locally designated sites known as Sites of Importance for Nature Conservation (SINCs). Although not generally of national significance, these sites contain examples of habitat types that are of particular value at the local level, as well as supporting populations of rare or notable species. They form a critical component of the overall ecological network and are a material consideration in the planning system.

4.13. The majority of SINCs are in private ownership and therefore management is reliant on landowner cooperation. HBIC carries out regular surveys of SINCs and provides management advice to landowners.

Other sites – Road Verges of Ecological Importance (RVEIs)

4.14. Throughout Hampshire, many road verge habitats have been identified as being of particular importance for plants. Some of the RVEIs support notable populations of rare species whilst others contain good examples of species-rich grassland. Examples of important RVEIs include road verges in Four Marks and Hollywater supporting rare orchids, verges in Hollywater with rare acid grassland species and verges near Medstead supporting rich woodland flora.

4.15. Whilst not receiving legal protection, RVEIs are subject to special management operations to conserve their botanical interest and are often highly valued by local residents.

Wildflower road verge, Four Marks

Priority Habitats

4.16. The term Priority Habitat, or Habitats of Principal Importance, is used to describe semi-natural habitats which are recognised as being of high biodiversity value and which require special protection. Examples are species-rich grassland, old hedgerows, ancient or semi-natural woodland and ponds.

4.17. At present, section 41 of the NERC Act 2006 requires the UK government to draw up a list of Habitats of Principal Importance. This list is then used to guide decision-making. All Habitats of Principal Importance in Hampshire have been mapped by HBIC.

Non-designated habitats

4.18. The overwhelming number of ecological network features receive no protection and are found scattered throughout the wider countryside and our towns and villages. Examples are farmland and roadside hedgerows, road verges, railway embankments, field margins, gardens, allotments, town parks, recreation grounds and street trees.

4.19. Individually these features may not be of particular biodiversity interest but together they provide a fabric of interconnected linkages and stepping stones that allow wild plants and animals to move through the landscape. Even our built environment provides valuable habitat for many species.

- An Ecological Network is the combination of designated sites and habitats within the landscape.
- The Ecological Network is the essential infrastructure for biodiversity to flourish and recover.
- The Local Ecological Network must be considered in all planning proposals.
- The Hampshire Biodiversity Information Centre holds GIS layers and data relating to the Ecological Network as well as all designated sites, Priority Habitats and Protected and Notable species.
- Use the Ecological Network to inform green/blue infrastructure and opportunities for biodiversity mitigation, compensation and enhancement.

5. Ecology reports for planning

Introduction

5.1. Planning decisions are based upon a review of submitted evidence and an assessment of how a development proposal meets national and local planning policy.

5.2. It is essential that the local planning authority is provided with sufficient information to allow planning decisions to be based on robust evidence. For biodiversity impacts an ecology report is usually required.

5.3. Many planning proposals will be accompanied by technical reports produced by specialist consultants: ecology, trees, heritage, transport, landscape etc. These reports will be reviewed by the LPA's planning officers and specialist consultees to see if they provide sufficient detail.

5.4. Not all planning proposals will require detailed ecology reports: some small householder proposals may be unlikely to result in significant biodiversity impacts and do not necessarily need to include detailed reports. Similarly, some sites containing no vegetation or built structures may not require detailed ecological assessment. However, it is strongly recommended that early consultation with East Hampshire District Council is made in order to find out if a proposal is likely to need an ecology report.

5.5. It is essential that the LPA can have confidence in the technical reports submitted with planning proposals and therefore the expectation is that reports will meet minimum professional standards and that any technical assessments are carried out by suitably qualified individuals.

Biodiversity Checklist

5.6. With regards to planning application submissions East Hampshire District Council's advice is that all applicants undertake due diligence in respect to biodiversity and their development proposals. One method of doing this is to use the Biodiversity Checklist.

5.7. There are two types of Checklist: Householder and Full Application. Both checklists allow a quick initial assessment of potential biodiversity issues and should be used to inform the need for ecology reports.

- **Householder Checklist:** this is to be used for smaller householder applications such as extensions or loft conversions.
- **Full Application Checklist:** this is to be used for all applications except smaller householder proposals.

5.8. By completing the Checklist, applicants will be able to see if their proposal is likely to result in biodiversity impacts and, if so, what additional survey requirements there are. The Checklist is not a substitute for an ecology report.

5.9. It is important to note that the Checklists are not exhaustive: there may be situations where biodiversity impacts could occur even where the Checklist indicates otherwise. For example, roosting bats and nesting birds can be found even within modern buildings in urban areas.

5.10. The Checklists should be used in conjunction with Natural England standing advice in order to determine the likelihood of biodiversity impacts. Basic information on the location of protected sites, habitats and species can be found on DEFRA's MAGIC website and should be used to inform the Checklist.

5.11. Where this initial screening indicates that biodiversity impacts are possible, or that further ecological survey work is needed, then an ecology report will be required.

- A Biodiversity Checklist and Natural England's standing advice can be used to screen development proposals for biodiversity impacts;
- Development proposals may affect habitats and species outside the immediate works area;
- Use free online advice and data to help complete the Checklist;
- The Checklists are not definitive: impacts may still be possible even if the Checklist indicates otherwise;
- Engage with the local planning authority in advance of your application.

Ecology reports

5.12. The purpose of an ecology report is to provide an objective assessment of the likely ecological impacts of a development proposal. This will allow the LPA to base planning decisions on the best available evidence: are the ecological impacts understood and can they be avoided or mitigated?

5.13. For some sites, a single report (often called a Preliminary Ecological Appraisal or PEA) will be sufficient for planning purposes: it will allow the applicant to demonstrate that ecological features will either not be impacted at all or that any impacts can be suitably mitigated without the need for additional technical surveys.

5.14. For other sites it will be necessary to undertake further detailed surveys and to incorporate these into a more detailed report (an Ecological Impact Assessment – this can cover a large site containing many habitats and species, or a single habitat or species group). Further detailed surveys may be required for particular species e.g. bats, hazel dormice, great crested newts, vegetation. These further surveys may need to occur over extended time periods (e.g. during a species' active period) and specialist experience will be required.

- An ecology report should describe the development site in terms of its value to habitats and species;
- It must be prepared by a qualified person;
- It should accord with recognised standards;
- It should incorporate desk-based and field-based surveys as necessary;
- It should provide an objective assessment of the predicted construction- and operational-phase impacts of the development.
- It should include a fully-detailed ecological mitigation strategy

5.15. Table 4 below sets out the key stages and considerations for any ecology report.

Table 4: Key stages of ecological assessment

Assessment stage	What to consider
Desk-based Assessment	▪ Existing site conditions – size, location, geology, ownership. ▪ Zone of influence[3] of development proposals. ▪ Presence of known habitats and species within and near site. ▪ Presence of designated site within and near site ▪ Ecological Network features. ▪ Data search from Hampshire Biodiversity Information Centre (HBIC).[4] ▪ Information from previous site surveys. ▪ Information from nearby development applications. ▪ Presence of Natural England European Protected Species licences. ▪ Consultation with Local Planning Authority ecologist.
Field surveys	▪ Comprehensive survey and mapping of vegetation communities to Phase 1 level.[5] ▪ Identification and mapping of other features of interest. ▪ Evidence of or potential for protected species occurrence. ▪ Detailed surveys to assess status of protected species. ▪ Specific survey methods. ▪ Seasonal constraints to some survey works.
Interpretation	▪ Desk-based and field survey results analysed. ▪ Evaluation of habitats and species
Impact Assessment	▪ Evaluation of potential impacts (direct and indirect) to sites, habitats and species within zone of influence. ▪ Evaluation of potential impacts to ecological network. ▪ Consider all stages of development proposal.
Mitigation	▪ Specific measures to address identified impacts. ▪ Must demonstrate use of mitigation hierarchy. ▪ Realistic and deliverable. ▪ Proven methods.

[3] The zone of influence is the area within which impacts associated with a development proposal can be felt. A small extension of a dwelling will have a very limited zone of influence perhaps restricted to a few metres around works. A large housing development may have a large zone of influence, potentially affecting land several kilometres away from the development site.

[4] HBIC holds the most up-to-date biological data for Hampshire. Other free-to-use sources do not hold comparable data and reliance on these is likely to result in misinterpretation of potential risk.

[5] Phase 1 vegetation mapping is the standard methodology for general habitat surveys.

Species surveys

5.16. Where protected/notable species are likely to occur, further detailed surveys will be required e.g. to determine status of bat roosts, badger setts. Each species/group of species will have standard published survey guidelines: it is essential that surveys conform to these guidelines. Table 5 provides a non-exhaustive list of recommended sources of information for ecological surveys.

Table 5: Sources of information for ecological survey methods

Habitat / Species	Suggested Source
Habitats and Species	Good Practice Guidance for Habitats and Species
General Survey Guidance	Guidelines for Preliminary Ecological Appraisal
	Guidelines for Ecological Impact Assessment
General habitats	Handbook for Phase 1 Habitat Survey
	Best Practice Guidance for Habitat Survey and Mapping
Bats	Bat Surveys for Professional Ecologists
	Bat Tree Habitat Key
Badgers	Surveying Badgers
	Surveying for Badgers
Hazel dormouse	The Dormouse Conservation Handbook
Otter	Monitoring the Otter
Water vole	Water Vole Mitigation Handbook
Breeding Birds	Gilbert, G., Gibbons, D.W., & Evans, J. (1998) *Bird Monitoring Methods: A Manual of Techniques for UK Key Species*. RSPB, Sandy, Bedfordshire, England.
	Bibby, C, Burgess, N, Hill, D and Mustoe, S (2000). *Bird Census Techniques 2nd Edition*. Academic Press, London
Reptiles	Froglife Advice Sheet 10: Reptile Survey
	Survey Protocols for the British Herpetofauna
	Great Crested Newt Mitigation Guidelines
Invertebrates	Surveying terrestrial and freshwater invertebrates for conservation evaluation

Finding an ecologist

5.17. It is essential that protected species surveys are carried out by suitably qualified or licensed[6] persons. The Chartered Institute for Ecology & Environmental Management (CIEEM) holds database of professional ecologists and this can be used to find a suitably-qualified consultant.

Impact assessment

5.18. Once the existing site conditions are understood it is necessary to assess the likely impacts of the proposed development. It is important to assess the likely impact of all stages of a proposed development. Potential impacts may include:

Table 6: Consideration of development impacts

Development stage	Impacts to consider
Pre-construction ▪ Vegetation clearance ▪ Ground investigations ▪ Utilities diversions	▪ Loss, isolation and fragmentation of habitat ▪ Loss of connectivity ▪ Impacts to protected species ▪ Noise ▪ Visual disturbance ▪ Water pollution
Construction ▪ Vegetation clearance ▪ Soil movements ▪ Drainage ▪ Fencing ▪ Plant/materials storage ▪ Fuelling ▪ Vehicles/plant use ▪ Landscape planting	▪ Loss, isolation and fragmentation of habitat ▪ Loss of connectivity ▪ Damage to retained habitat ▪ Impacts to protected species ▪ Noise/vibration ▪ Visual disturbance ▪ Lighting ▪ Fires ▪ Litter ▪ Airborne pollution ▪ Waterborne pollution
Operation ▪ Increased human activity ▪ Domestic pets	▪ Increased recreational disturbance ▪ Predation ▪ Garden waste ▪ Lighting
Ongoing maintenance ▪ Habitat management	▪ Inappropriate management ▪ Poor maintenance

[6] Some protected species can only be surveyed by individuals holding specific licenses issued by Natural England. It is essential that any ecologists appointed are suitably licensed and qualified to undertake such work.

5.19. The impact assessment (and any mitigation required) must consider all stages of a species' lifecycle: breeding, hibernation, resting, feeding and dispersal. Development may avoid direct impacts to one aspect of a species' requirements (e.g. a breeding site) but negatively affect another (a habitat used for dispersal).

5.20. Impacts may be restricted to specific areas within a development site (e.g. habitat loss) or they may be likely across wider areas including locations off-site (e.g. waterborne or airborne pollution). An assessment of impacts must consider the likely Zone of Influence of all potential impacts.

The mitigation hierarchy

5.21. The mitigation hierarchy is a useful process for informing development proposals. It seeks to inform ecological impact assessments and is ideally used at the earliest stages of development planning.

5.22. The mitigation hierarchy consists of three elements:

- **Avoid** – Can the impact be avoided in the first place?
- **Minimise** – If impacts are unavoidable, can the effects of that impact be lessened?
- **Compensate** – Can the unavoidable impacts be offset by providing biodiversity improvements somewhere else?

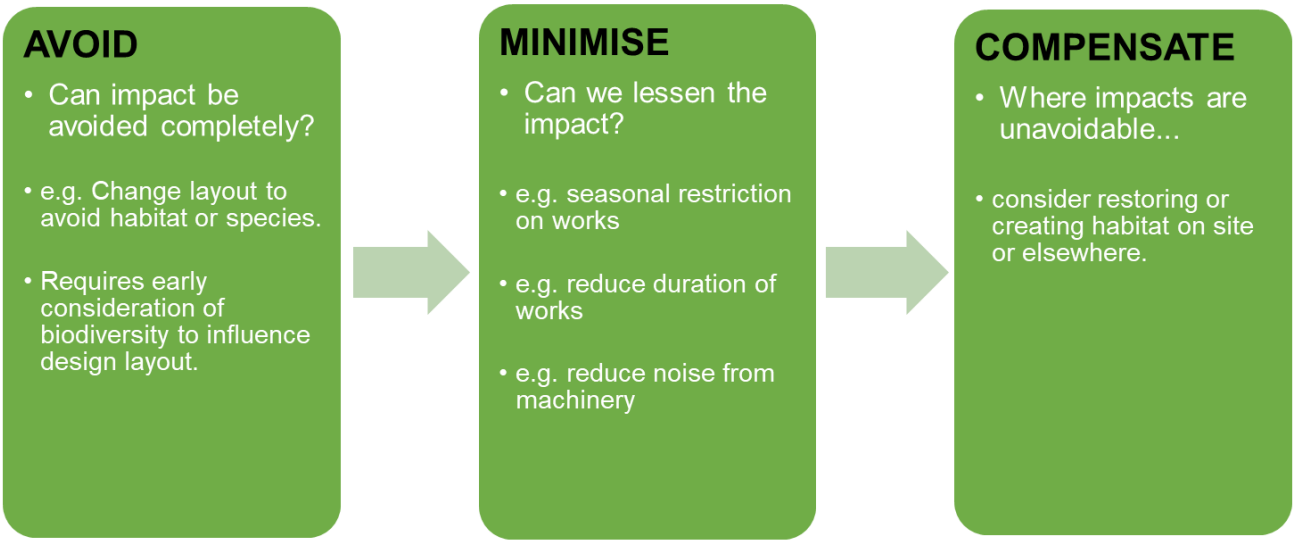


Figure 3: the mitigation hierarchy

Applying the Mitigation Hierarchy

Avoid

5.23. It may not always be possible to avoid impacts completely. Avoiding impacts entirely is likely to require an understanding of those impacts at the very earliest stages of design planning.

5.24. Avoidance may not necessarily mean a change of design. It may be possible to avoid impacts to certain species by carrying out works when they are absent e.g. works during summer to avoid overwintering bird species.

5.25. Some potential impacts can be avoided entirely by having suitable work systems in place. For example, the potential impacts of pollution from construction works can be avoided by implementing necessary prevention measures.

5.26. In summary, in order to avoid impacts it is necessary for ecological constraints to influence development design. This illustrates the need for biodiversity to be fully considered at the earliest stages of the design process and for professional technical advice to be available from the outset.

Minimise

5.27. In most cases it is possible to minimise impacts to avoid their worst effects. It is usually possible, even at later stages of development design, to make amendments that will lessen ecological impacts.

5.28. Similarly, many of the benefits of minimising impacts can be achieved through alterations to e.g. construction methods and timings or building/infrastructure design. Again, it is essential that biodiversity issues are embedded in all stages of design planning.

5.29. Examples of impacts that can readily be minimised are shown in Table 7 below.

Table 8: Minimising impacts

Potential impact	Minimising measures
Habitat loss	▪ Retain key habitat features ▪ Incorporate habitat into green infrastructure, drainage
Noise	▪ Noise limiters on machinery/plant ▪ Attenuation screening ▪ Noise monitoring ▪ Timing of certain activities
Dust	▪ Dust Management Plan
Human activity	▪ Site screening ▪ Site fencing to confine activities
Lighting	▪ Minimum necessary ▪ Consider location, type and hours of use

Compensate

5.30. Where a development proposal will result in impacts to biodiversity, and those impacts cannot be entirely avoided or minimised, compensatory measures can be used as a last resort: compensation is not a substitute for planned avoidance and mitigation.

5.31. Full justification for compensatory measures must be provided: why has it not been possible to avoid or minimise the impact? What alternative options have been considered and why have they been rejected?

5.32. Compensatory measures should provide for the same habitat or population of species as those being affected and ideally be located within or as close to the impacted areas as possible.

5.33. In some circumstances it may be necessary to provide compensatory measures at some distance from the impacted site. Again, justification for this approach will be required.

Submitting your application

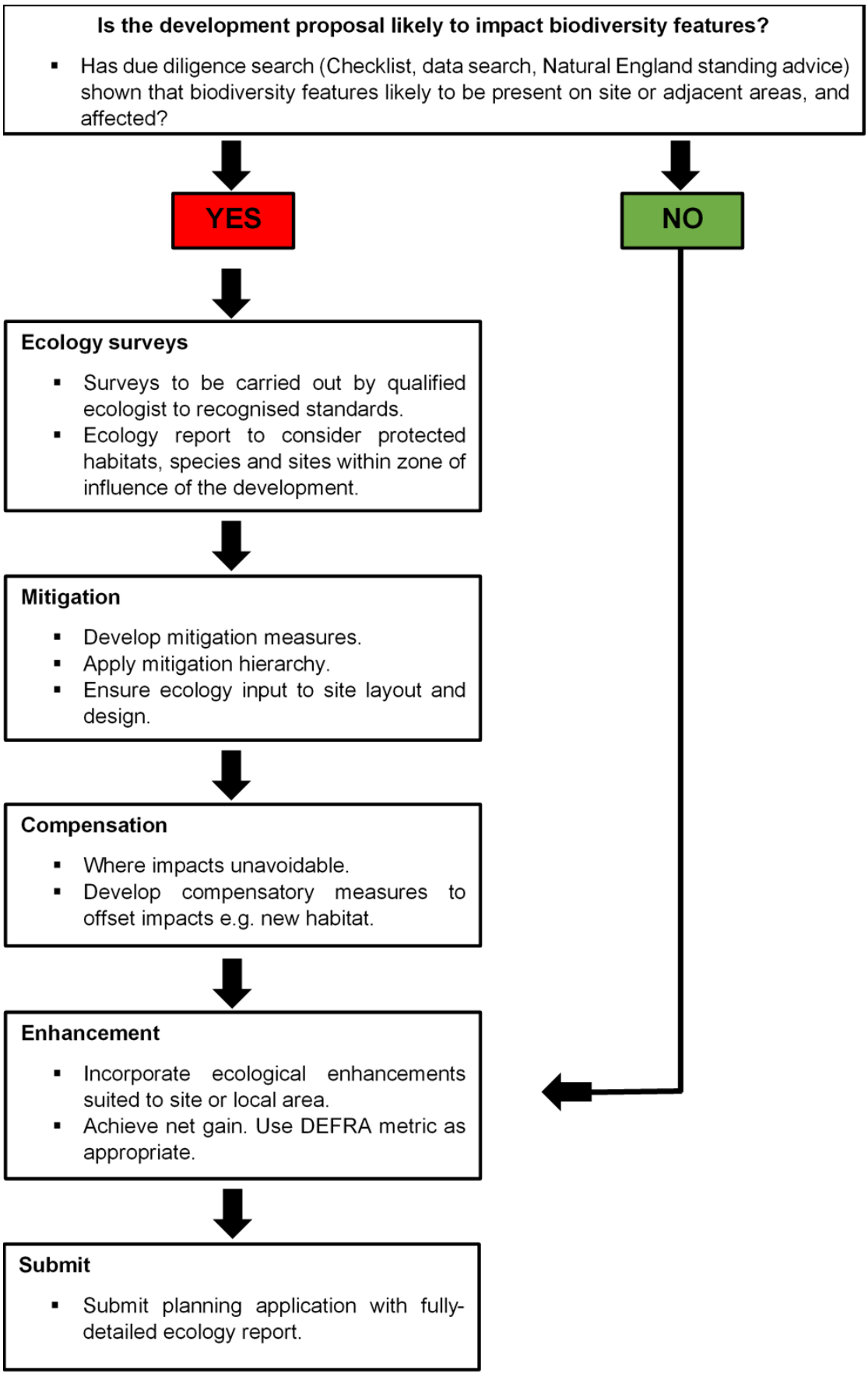
5.34. Planning applications must be accompanied by the necessary ecological information: surveys, mitigation and enhancement measures where these are required. It is essential that this information is up-to-date: the validity of reports over two years old may be questioned and updated works requested, causing delays.

5.35. Once submitted, the information will be reviewed by specialist consultees and there may be clarifications required. Where the information is acceptable, the planning authority will secure all mitigation and enhancement measures by condition or, for off-site measures, through a suitable legal agreement. It is then the applicants responsibility to implement any measures as agreed.

Ecology reports – key points

- EHDC encourages all applicants to engage in pre-application discussions and to adhere to published guidance and advice.
- It is essential that biodiversity is considered at the earliest stages of development planning.
- Where required, secure the services of a qualified ecologist and ensure their involvement in development planning.
- Consider impacts arising from all stages of a development and consider the likely zone of influence of those impacts.
- Where impacts to biodiversity are anticipated, applicants are expected to provide the necessary level of ecological information alongside a planning application. This includes appropriate ecology surveys, reporting and mitigation measures.
- If a planning application does not include the necessary ecology information, delays are highly likely, and the application may be refused.
- Development will be expected to demonstrate the use of the mitigation hierarchy.
- All development will be expected to demonstrate biodiversity net gain.
- Ecological mitigation/compensation/enhancement should seek to integrate fully with green infrastructure.
- Development should protect and enhance the local ecological network.

Figure 4: Ecological assessment flow-chart



6. Biodiversity Net Gain

What is Biodiversity Net Gain?

6.1. Biodiversity net gain is the concept that development should leave the natural environment in a measurably better state than before.

6.2. It is recognised that all development is likely to result in some impacts to biodiversity, but through careful planning it is expected that any impacts can be addressed so that there is a positive outcome for biodiversity and people.

6.3. Net gain is not a substitute for other commitments relating to biodiversity protection (e.g. legal obligations to protect certain species) and is *in addition to* requirements to assess, avoid, mitigate and compensate biodiversity impacts as part of the normal planning application process. Section 5 of this Guidance sets out the expectations for ecological planning submissions.

6.4. Impacts to biodiversity overall must continue to be addressed using the mitigation hierarchy and therefore net gain is an *additional* measure designed to provide a measurable gain in habitat value post-development.

6.5. Net gain is not an appropriate tool for addressing impacts to designated sites or irreplaceable habitats such as ancient woodland.

Justification for net gain

6.6. The concept of and expectation for biodiversity net gain is embedded within national and local planning policy and guidance.

6.7. The National Planning Policy Framework (NPPF) states that planning decisions and policies should protect the natural environment by '*minimising impacts on and providing net gains for biodiversity*'.

6.8. The Environment Bill (currently proceeding through Parliament) includes a requirement for all development to provide a measurable gain in biodiversity. This is expected to be a mandatory 10% gain in the biodiversity value of the development site. The Bill proposes a two-year implementation period.

6.9. The expectation is that mandatory net gain will apply to all development[7] over 0.1Ha.

6.10. EHDC is continuing to develop its approach to net gain and further guidance will be published.

6.11. The purpose of net gain within the East Hampshire Planning Authority Area will be to:

- Provide a measurable gain in biodiversity value for all development over 0.1Ha.
- To bolster the Local Ecological Network.
- To provide quality and sustainable habitat gains in the right place.

Achieving net gain

6.12. The process of trying to achieve net gain is based upon a very simple process:

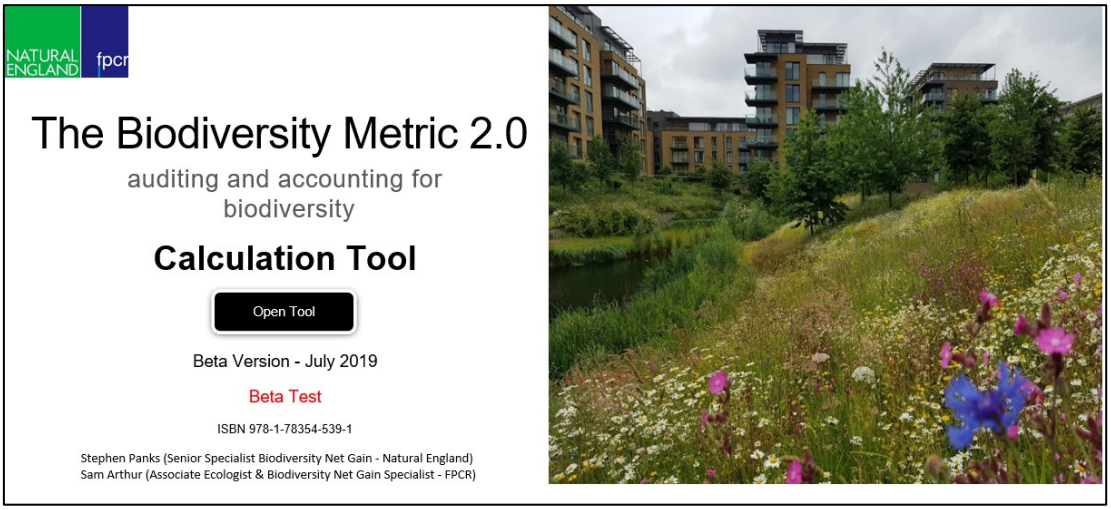
- Understand existing biodiversity value (baseline)
- Assess impacts (what is being lost?)
- Mitigate (using mitigation hierarchy)
- Understand residual biodiversity value
- Add net gain

6.13. In order to provide a measurable gain in biodiversity it will be necessary to understand the existing biodiversity value of a site and compare this to the expected value after development has occurred. One way of measuring biodiversity value is through the use of a metric. The most widely used metric is the DEFRA Biodiversity Metric 2.0.

[7] As defined by the Town & Country Planning Act 1990

The DEFRA Biodiversity Metric

6.14. The Biodiversity Metric 2.0 has been developed by DEFRA and is a free online tool for calculating the biodiversity value of land. The metric will be updated in future.



6.15. In simple terms, the metric calculates 'biodiversity units' (a points score) based on the condition of an area of land pre- and post-development.

6.16. The metric is based entirely on habitats: it takes no account of species presence. Each habitat type within a site is identified, mapped and given a score based on its ecological condition (High, Medium or Low).

6.17. In order to understand the existing condition of a site, an appropriate level of biodiversity assessment must be carried out: this will require specialist technical input from ecologists. Ecology surveys should already be part of pre-submission works where biodiversity impacts have been identified.

6.18. Once the existing value (the number of biodiversity units) is known, the online tool is used to calculate the predicted losses and gains resulting from the development. Biodiversity losses are calculated by assessing:

- Habitat type
- Habitat condition
- Habitat area to be lost

6.19. The metric can then be used in a similar way to calculate the biodiversity value of any compensatory or enhancement habitat to demonstrate that net gain can be achieved.

6.20. The DEFRA metric is being updated and this Guidance will be amended to reflect any future changes.

6.21. The current metric comprises three distinct elements: habitats, hedgerows and watercourses. Net gain should be demonstrated for each element separately (where applicable to the proposed development) rather than a combined 10% gain for the site as a whole.

Information required

6.22. Applications for which net gain is required will need to provide the following information:

1. A Preliminary Ecological Appraisal
2. A completed biodiversity net gain metric – full calculations and summary.
3. Explanatory text describing how the required level of net gain is achieved.
4. Explanation of any on-site or off-site compensatory measures.
5. Net gain plan showing location of habitat losses and gains.

6.23. Net gain calculations are open to subjective opinion (e.g. on the distinctiveness or value of certain habitats) and so will be checked by the planning authority ecologist. Any discrepancies will be subject to discussion with the planning authority ecologist until agreement is reached.

6.24. Net gain proposals must be realistic. The practicalities of habitat establishment and ongoing management commitments must be considered so that a deliverable package of net gain is achieved.

Down trading

6.25. Down trading of habitats will not be accepted. This means that habitats of higher biodiversity value should not be replaced with those of lower value, even where a greater area is proposed. In practice this means that a minimum like-for-like replacement habitat will be required.

6.26. For example, an area of species-rich unimproved grassland should not be replaced with twice the amount of sown wildflower grassland: the loss of unimproved grassland should be avoided in the first instance.

6.27. Similarly, an ancient species-rich hedgerow should be not be replaced by a greater length of newly planted hedgerow. The loss of ancient hedgerows should be avoided.

Locally-relevant habitats

6.28. It is expected that new or replacement habitats will be suited to the locality. Expert ecological input will be essential in ensuring that new or created habitats are suited to the local geological and hyrdological conditions and are therefore realistically likely to establish and persist.

6.29. For example, the use of generic neutral grassland wildflower mixes (which contain a high diversity of plant species) will not be appropriate in many areas of the Planning Authority Area. Wildflower grassland mixes suited to local conditions (and possibly using locally-sourced seed) are more likely to be successful.

6.30. In all cases, the creation of new or replacement habitats should seek to bolster the local ecological network by providing habitat that is relevant to the area and which will compliment the existing habitat matrix.

6.31. East Hampshire District Council will issue further detailed advice on the expectations for Biodiversity Net Gain, including how BNG should be locally-relevant and contribute towards the local ecological network.

Site clearance

6.32. Where deliberate clearance of a development site has occurred prior to an ecological assessment used to inform the net gain calculation, the council will assume a 'worst-case' scenario. The Council has access to existing habitat mapping and data and will assess the likely value of any cleared habitat. Unless details are provided by a qualified person on the pre-existing habitat condition, the Council will assume that lost habitat was in 'good' condition and expect the submitted metric to reflect this.

6.33. Any pre-survey clearance of land will need to be explained and justified fully within planning submissions.

On-site and Off-site delivery

6.34. There is an expectation that net gain will be delivered within the planning application red line boundary. However, where this is not achievable net gain can be delivered off-site. In some instances it may be more sensible or effective to deliver net gain off-site.

6.35. There is a greater potential for long-term success of new/replacement habitat if this is on land under the direct control of the applicant, either on- or off-site.

6.36. The benefits of any net gain proposal (ecologically and for the local community) are easier to justify if new/replacement habitat is situated as close to the affected site as possible.

6.37. Where net gain is to be delivered off-site and on land not under the control of the applicant, full details of any legal agreements/covenants will be required in order to provide certainty of delivery.

Enhancing existing habitat

6.38. Biodiversity net gain does not necessarily need to create new habitat. Rather, BNG resources could be better focussed on securing appropriate management of existing habitats. This may be a more effective route to BNG, providing tangible enhancements to the local ecological network.

Limitations to Biodiversity Net Gain

6.39. Whilst BNG is a useful tool for providing measurable ecological improvements, it is subject to a number of limitations and should not be viewed as a perfect solution in all circumstances.

Species

6.40. BNG calculators are wholly habitat-based and take no account of species. Consideration of species requirements must occur in all cases and will be dependent upon professional judgement by a suitably qualified person. Impacts to protected and notable species must be assessed using recognised best practice survey methods as appropriate, as detailed in Section 5 above.

6.41. As an example of the metric limitations, an area of species-poor grassland would not score highly using the BNG metric but may be critical habitat for terrestrial Great crested newts or even wintering bird species. The metric alone would not allow for this critical function to be highlighted and would risk downplaying the habitat's importance overall.

6.42. Similarly, a species-poor hedgerow would also score poorly but may provide critical connecting habitat for Hazel dormice. Again, the use of the metric alone would downplay this function.

6.43. The lack of species considerations in the BNG metrics will mean that habitats and species are treated in different ways within any ecological assessment and there is currently no method for incorporating species into the metric. It may not be apparent to non-specialists that species are not considered. It is essential that any metric-based calculations are qualified to highlight that they are presented without species considerations.

6.44. The absence of species from the metric calculations and any resulting reports necessarily means that habitats and species will be discussed separately within planning submissions. This may create misunderstandings, and additional expenditure and consultation time.

Locally Important Habitats

6.45. The current BNG metrics are understandably designed to be used across the UK and therefore are not calibrated to take account of the local value of certain habitat types or features.

6.46. For example, in some areas the loss of even a small amount of moderately species-rich grassland may constitute a significant impact at the local level, and yet the full effects of this loss will not be highlighted within the generic metric.

6.47. The metrics do not take account of local ecological networks in a meaningful way. If an ecologist is not aware of local ecological network mapping, the potential uplift in score arising from this will not be included.

It is therefore essential that users acknowledge that the BNG metric is one tool for helping to calculate some aspects of an overall ecological mitigation, compensation and enhancement strategy.

- Biodiversity Net Gain is an increasingly used tool.
- It is likely to become mandatory, requiring at least 10% BNG for all developments.
- BNG is calculated using a metric.
- BNG requires specialist ecological input.
- It is based solely on habitats: species are not included.
- Being based on habitat type and composition, detailed botanical expertise is required to accurately assess habitat.
- Metric calculations will be checked by the LPA ecologist and may be challenged.
- BNG metrics should not be viewed as a perfect solution. Rather, they are a tool to compliment the overall assessment of impacts and mitigation package.

7. Strategic Measures for International Sites

Introduction

7.1. In common with many other local planning authorities, East Hampshire District Council seeks to address some biodiversity issues at a strategic level.

7.2. A strategic approach to nature conservation is best applied to the protection of larger or dispersed statutory designated sites. Within the East Hampshire Planning Authority Area this applies to the main international designated sites such as Special Areas of Conservation and Special Protection Areas.

7.3. Local Plan policies and other supporting information provide the framework for avoiding and mitigating impacts to international sites and these are each based on the assumption that impacts to these sites are likely as a result of:

- Increased atmospheric pollution;
- increased recreational pressure, and;
- increased urbanisation

7.4. Direct loss of land within any international site is unacceptable.

Habitats Regulations Assessment

7.5. All Local Planning Authorities must ensure that their decisions and other activities are in accordance with the law. In respect to international designated sites, the key piece of legislation is the Habitats Regulations. Under the Habitats Regulations, the LPA is a ‘competent authority’ and must undertake an ‘appropriate assessment’ in order to decide whether a particular plan or project is likely to have an impact on any international designated site. This process is called Habitats Regulations Assessment (HRA).

7.6. Whilst the ultimate responsibility for HRA lies with the competent authority, the applicant is expected to provide sufficient information to enable the LPA to carry out the assessment: this information is often called a ‘shadow’ HRA.

7.7. HRA is a process that is used to assess the potential impacts on sites designated under the Habitats and Birds Directives (Natura 2000 sites). The East Hampshire

Local Plan is supported by an HRA which includes an Avoidance and Mitigation Strategy. The Local Plan includes policies specific to relevant International designated sites.

7.8. The potential for impacts to Natura 2000 sites is described as 'likely significant effect'. The effect (impact) is judged to be significant if it undermines the stated Conservation Objectives[8] of a Natura 2000 site and is deemed to be likely if its occurrence cannot be excluded on the basis of objective information.

7.9. The Conservation Objectives are broadly similar for SACs and SPAs and their purpose is to 'ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Birds and Habitats Directives' by maintaining or restoring;

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species;*
- *The structure and function of the habitats of the qualifying features;*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;*
- *The population of each of the qualifying features; and,*
- *The distribution of the qualifying features within the site.*

7.10. If the Conservation Objectives are undermined this could impact the integrity of the designated site.

7.11. HRA is a logical four-stage step-wise process that is designed to influence decision-making: the purpose of this is to refine proposals until impacts are either avoided or there is no alternative and the need for the proposal is shown to be overriding. HRA requires careful consideration and it is strongly advised that expert advice is sought.

[8] Each Natura 2000 site is designated due to the presence of certain habitats or species (these are called qualifying features). The conservation objectives of the site are based on targets for maintaining these features at a favourable conservation status.

7.12. The HRA process is regularly amended by legal rulings: it is essential that those undertaking HRA are aware of the latest guidance. Figure 5 below sets out the key stages of HRA.

Stage 1 Screening

- Evidence gathering stage
- Does plan or project fall within scope of Habitats Regulations?
- Are Natura 2000 sites within zone of influence?
- What are potential impact pathways?
- Is there potential Likely Significant Effect, alone and in combination?
- Mitigation measures cannot be considered here.
- If impacts possible, proceed to Stage 2.

Stage 2 Appropriate Assessment & Integrity Test

- Detailed assessment of potential impact on all designated site Qualifying Features and Conservation Objectives.
- Will the integrity of the designated site be affected?
- Apply mitigation measures + demonstrate how these will avoid/minimise impacts to site integrity.
- Undertake in-combination assessment of your plan/project and others affecting the same designated site.
- If impacts to site integrity cannot be ruled out, proceed to Stage 3.

Stage 3 Alternative Solutions

- Where there is residual impact to site integrity.
- Must describe and assess all reasonable alternatives.
- If all alternatives discounted and residual impact remains, proceed to Stage 4.

Stage 4 Imperative Reasons of Overriding Public Interest (IROPI)

- Where there is residual impact and no alternative.
- Must provide robust evidence of overriding public interest that outweighs impact to the designated site.
- Must provide compensatory measures to address the residual impact.

Strategic Measures for the Wealden Heaths Phase II SPA

7.13. Existing policy is based on a zoned approach, placing conditions on certain types of development within 5km of any part of the SPA. Any new residential development or Gypsy, Traveller and Travelling Showpeople pitches or plots situated within 400m of the SPA will generally be resisted unless it can be demonstrated (through Habitats Regulations Assessment) that impacts to international site integrity can be avoided. The views of Natural England are critical and proposals are highly unlikely to be supported unless Natural England is satisfied.

7.14. It should be noted that the Wealden Heaths Phase II SPA occurs within three different planning authority areas: East Hampshire District Council, Waverley Borough Council and the South Downs National Park Authority.

Mitigating impacts

7.15. In order to mitigate any identified impacts, a mix of strategic measures and site-specific measures are required. The measures currently in use are:

- SANG – Suitable Alternative Natural Greenspace
- SAMM – Strategic Access Management & Monitoring

7.16. Wealden Heaths Infrastructure Projects (WHIPs) is an emerging concept that will seek to mitigate some impacts through improvements to non-SPA local recreation locations. Further details will be published in future iterations of this Guidance.

Suitable Alternative Natural Greenspace (SANG)

7.17. The use of SANG is well-established as a means of providing extensive areas of natural greenspace, the purpose of which is to attract recreational visits (new and existing) that would otherwise be made to the SPA. In this way, the recreational impacts of existing and new development can be mitigated.

7.18. There are four existing SANG sites bespoke to support specific developments within the East Hampshire Planning Authority Area: Hogmoor Inclosure, Bordon Inclosure, Lowsley Farm and Applegarth Farm. The new Local Plan will be expanding on the bespoke SANGs in some areas.

Strategic Access Management & Monitoring (SAMM)

7.19. SAMM is a complimentary measure to SANG, and provides for the ongoing management and monitoring of non-SANG land, the aim of which is to further reduce recreational visitor pressure on the SPA. In practical terms this comprises financial contributions from new development, based on a per-dwelling tariff, which are used to fund visitor management and monitoring activities within the wider SPA. Examples of specific measures may include:

- Site wardening;
- Educational activities;
- Information on alternative recreational options;
- Changes to car parking provision;
- Fencing.

7.20. Together, a mix of ‘hard’ and ‘soft’ measures allow SAMM to compliment the broader aim of reducing the effects of increased recreational pressure.

Glossary

Acid grassland	Grassland formed over sandy or gravelly soils.
Ancient woodland	An area which has been wooded since at least 1600 AD.
Biodiversity	The variety within and between living organisms
Chalk grassland	Grassland growing on thin, chalk or limestone soils. Often grazed and very species-rich.
Ecology	The study of the relationships between living organisms and their environment.
Ecosystem	A community of living organisms interacting with their environment.
EHDC	East Hampshire District Council
Enhancement	Measures to provide a measurable gain in biodiversity.
HBIC	Hampshire Biodiversity Information Centre.
Heathland	A habitat type dominated by low-growing shrubs of the heather family, formed over sandy or gravelly soils.
HRA	Habitats Regulations Assessment
LNR	Local Nature Reserve
LPA	Local Planning Authority
Mitigation	Measures to lessen/reduce impacts to biodiversity features.
Natural capital	Elements of the natural environment that provide benefits to human society such as air, water, soils, geology.
Natura 2000	A Europe-wide network of protected sites for nature conservation.
NERC Act	Natural Environment & Rural Communities Act 2006
NNR	National Nature Reserve
Offsetting	The process of providing biodiversity mitigation/compensation at a location away from the source of impact.
Ramsar site	A site protected for its importance for wetland habitats under the Ramsar Convention 1971.
RVEI	Road Verge of Ecological Importance
SAC	Special Area of Conservation. A site protected for its important habitats and species under the Habitats Directive.
SAMM	Strategic Access Management & Monitoring
SANG	Suitable Alternative Natural Greenspace
SDNPA	South Downs National Park Authority
SINC	Site of Importance for Nature Conservation
SPA	Special Protection Area. A site protected for its importance to certain bird species under the Birds Directive.
SSSI	Site of Special Scientific Interest
Translocation	The method of removing habitat or species from one location (the donor site) to another (the receptor site) as a means of ensuring its survival.
WACA	Wildlife & Countryside Act 1981

WHIP	Wealden Heaths Infrastructure Project

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