

Royal Borough of Kingston upon Thames

Draft Biodiversity Checklist for Planning Applications

Introduction

Kingston strives to be a borough that takes a leading role in protecting and enhancing the natural environment. There are numerous areas in Kingston that are significant for nature conservation, including legally protected and non-statutory wildlife sites (known as Sites of Importance for Nature Conservation), priority habitats, and a diverse range of legally protected and notable species. Please refer to Note 1 for more information. The degree to which these features may be impacted by a development proposal and any appropriate mitigation measures which may avoid, reduce or offset any impacts must be considered before any planning permission can be granted.

Government planning policies for biodiversity are set out in the National Planning Policy Framework (NPPF), while the [Council's Core Strategy](#) and [Biodiversity Action Plan](#), along with the [London Plan 2021](#) and the [London Environment Strategy](#) will set out how they address these requirements in local policy terms. Planning Officers need to be able to understand what the potential impacts of the development might be and if there are impacts on biodiversity, how these will be avoided, mitigated, or compensated.

This Biodiversity Checklist is intended to provide a 'step by step' tool which can be used by applicants and their agents to help identify if a proposal is likely to adversely affect any biodiversity and natural heritage interests and what information may be reasonably required to accompany a planning application in order to comply with the relevant legislation and planning policy.

A properly completed checklist will enable applicants to identify and consider potential biodiversity issues that could impact on their proposed planning application and/or influence the design of their project.

The Royal Borough of Kingston upon Thames recommends that you consider biodiversity issues at the earliest possible stage of the design process to allow any necessary mitigation to be 'built in' to the design. Each development should follow the [mitigation hierarchy](#).

Carrying out any necessary ecological assessments or surveys at an early stage will also minimise the potential for any future delays in the processing of the planning application, such as through requests for further information or amendments to a proposal. This is particularly relevant when there are seasonal constraints to survey work which could significantly delay any decision being made.

A completed checklist, submitted with a planning application, will assist in considering the potential impacts of development proposals on biodiversity and natural heritage interests and set out what biodiversity information (e.g. surveys) may need to be submitted with an application.

Key aims

- To help ensure that the biodiversity interests of the site are protected and enhanced as part of any proposal;
- To help ensure that biodiversity and natural heritage interests are adequately considered at the earliest possible stage in the planning process;
- To enable appropriate ecological advice to be obtained early in the development of a project to identify any necessary survey requirements or mitigation measures, including amendments to the location, layout and design of a proposal;
- To help speed up the application process for applicants and avoid unnecessary delays through natural heritage issues being discovered at a later date;
- To minimise the cost of ecological surveys or assessments to applicants by identifying any likely impacts to biodiversity and natural heritage interests and ensuring that only surveys which are reasonably required are carried out;
- To help ensure that development proposals comply with relevant nature conservation legislation; and
- To help comply with best practice guidance such as the British Standard 42020:2013, “Biodiversity - Code of practice for planning and development”.

Scope who / what is it for?

This Biodiversity Checklist is designed to be used by applicants (and/or their agents) for all planning applications except

- Applications for a material change in the use of land or buildings, unless the proposal also includes operational development;
- Applications submitted under the provisions of Section 73 (determination of applications to develop land without conditions previously attached) of the Town and Country Planning Act 1990;
- Applications for Lawful Development Certificates;
- Applications for Prior Approval;
- Applications for Non-material amendments;

A properly completed checklist will help applicants determine what potential biodiversity impacts their development proposal may have and what ecological assessments or surveys would reasonably be required to be submitted with their planning application. Planning applications submitted with specific flora and fauna surveys, e.g. bat, badger or habitat surveys would still benefit from the checklist being completed to rule out the requirement for other surveys, unless the ecologist completing the survey(s) has indicated that they do not consider that any further surveys are required.

Guidance for applicants on completing the Biodiversity Checklist

Answer all questions in Part 1 and Part 2.

If you answer **YES** to any question in Part 1 or Part 2 then the Evaluation and Ecological Statement in Part 3 must be completed by an ecologist or other suitably qualified person¹. If you answer **NO** to all questions in Part 1 and Part 2 then you can skip Part 3 and go straight to Part 4.

The Declaration in Part 4 must be signed and dated.

The person completing the checklist must have sufficient knowledge of the site and the proposed development.

The questions in Part 1 and Part 2 of this checklist can be answered by any applicant or their agent. However, if there is doubt over how to answer any question the advice of an ecologist or other suitably qualified person² should be sought.

Part 1 contains questions relating to designated sites and priority habitats. Many developments have the potential to adversely impact designated sites and priority habitats through direct and indirect effects. Direct effects could include the loss of an area of habitat due to the footprint of a development or the pollution of a habitat from the release of polluted effluent or waste. Indirect effects could include changes in the hydrology of a site or habitat through drainage works carried out for a development nearby or impacts to a species associated with a site or habitat outside of the boundary of that site or habitat.

Part 2 contains questions relating to priority species and protected species. Many developments have the potential to adversely impact priority species and protected species through effects such as the damage or destruction of breeding or resting places, loss of foraging habitat and disturbance.

Part 3 requires an evaluation of the proposal and the completion of an Ecological Statement by an ecologist or other suitably qualified person. Any additional information required to

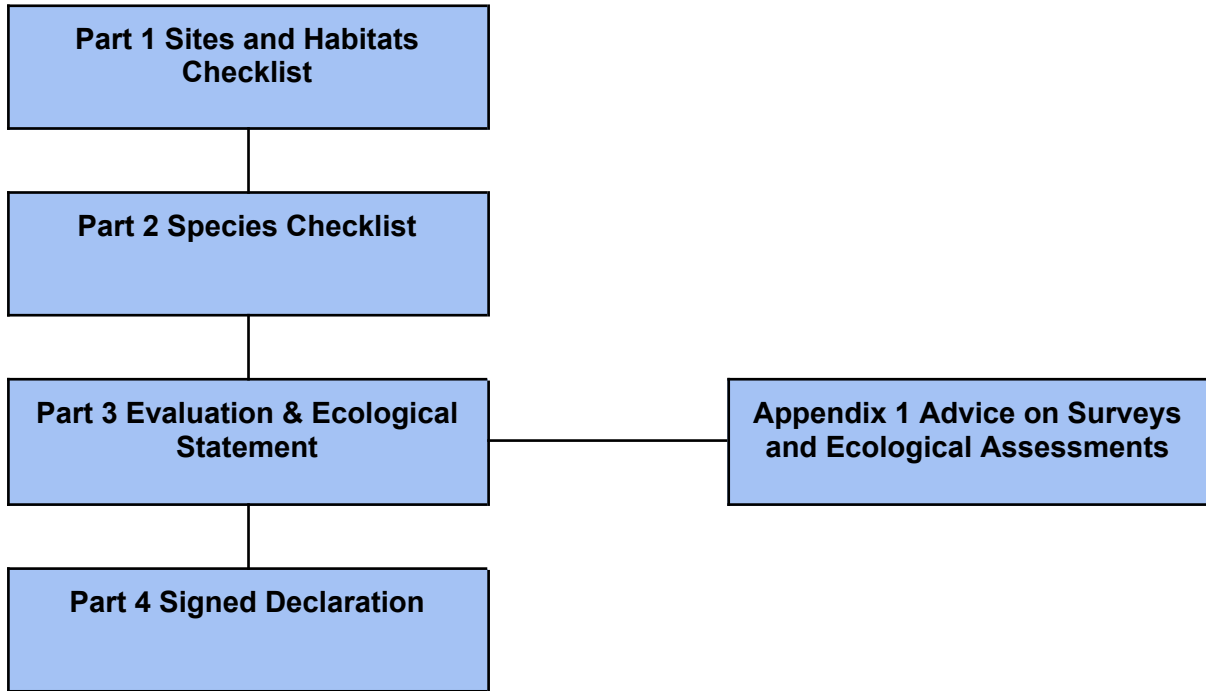
¹ A suitably qualified person may be a planning consultant with an environmental qualification and experience of dealing with ecological issues in development proposals.

² A suitably qualified person may be a planning consultant with an environmental qualification and experience of dealing with ecological issues in development proposals.

support the application, such as ecological assessments or surveys, should be identified. These should be submitted to the planning authority along with the completed checklist. Appendix 1 contains guidance on the type of ecological assessment or survey which may be required and on mitigation.

Natural England has produced [advice for planning applications when there are protected species on or near a proposed development site](#) which may help you to complete the checklist:

Figure 1: Process for Completing Biodiversity Checklist



Biodiversity Checklist - Part 1

PART 1 – Designated Sites and Priority Habitats Checklist		
The following checklist identifies scenarios where development proposals may impact on Designated Sites and Priority Habitats and where survey information may reasonably be required.		
1	Is the application site on or within 50m of a nationally or internationally designated site, SSSI, SAC, SPA or Ramsar site? (see Note 1)	Yes ▾
2	Are any of the following present on or within 50m of the application site?	
2.1	Site of Importance for Nature Conservation (SINC) (see Note 1)	Yes ▾
2.2	Local Nature Reserve (LNR) (see Note 1)	Yes ▾
2.2	Native woodland including ancient semi-natural and replanted woodland	Yes ▾
2.3	Veteran (particularly old / large) trees	Yes ▾
2.4	Water courses (rivers or streams)	Yes ▾
2.5	Lakes or ponds	Yes ▾
2.6	Wetlands or marshes	Yes ▾
2.7	Species-rich meadow / grassland	Yes ▾
2.8	Heathland/acid grassland/mire/scrub	Yes ▾

2.9	Hedgerows supporting mainly native species	Yes ▾
3	Will the development affect or involve the removal of:	
3.1	Field hedgerows or mature tree-lines, more than 30 m long, consisting mainly of native species?	Yes ▾
3.2	Parkland with mature trees?	Yes ▾

Note 1

You can find out if your application site is on or near any of these sites by using [Kingston Council's interactive map](#).

<http://www.magic.gov.uk/>

Or use this link:

<https://kingston.statmap.co.uk/map/map.html?login=public&password=&map=%5CMaps%5CKingston%5CGallery%20Maps%5CLocal%20Development%20Framework%20proposals>

SSSI	Site of Special Scientific Interest
SINC	Sites of Importance for Nature Conservation
SAC	Special Area of Conservation
SPA	Special Protection Area
Ramsar site	Internationally important wetland, designated under the Ramsar Convention - these will also be SPAs / SACs and SSSIs
LNR	Local Nature Reserve

Biodiversity Checklist - Part 2

Part 2 - Protected and Priority Species Checklist		
The following checklist identifies scenarios where development proposals may impact on protected / priority species and where survey information may reasonably be required.		
Does the development involve?:	Please tick as appropriate	If you have answered 'YES' to any question you will need to consider potential impacts to the following species:
<p>1</p> <p>The conversion, modification, demolition or removal of any building (including houses, flats, hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:</p> <ul style="list-style-type: none"> • Houses / flats in a rural location or agricultural buildings (e.g. barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams; • Buildings with weatherboarding and/or hanging tiles that are within 200m of woodland and/or water; • Pre-1960 detached buildings and structures within 200m of woodland and/or water; • Pre-1914 buildings within 400m of woodland and/or water; • Pre-1914 buildings with gable ends or slate roofs, 	<p>Yes ▾</p>	<ul style="list-style-type: none"> • Bats • Breeding birds

	<p>regardless of location;</p> <ul style="list-style-type: none"> • Located within 50m of woodland, parkland or water. 		
2	<p>Any development affecting built structures:</p> <ul style="list-style-type: none"> • Tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; • Unused industrial chimneys that are unlined and of brick/stone construction; • Bridge structures, aqueducts and viaducts or other structures over or near water. 	Yes ▾	<ul style="list-style-type: none"> • Bats • Breeding birds
3	<p>Floodlighting or Lighting (excluding domestic lighting) of:</p> <ul style="list-style-type: none"> • Woodland, parkland, mature trees, river corridors, waterbodies; • Green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water; • Churches, Listed buildings or any building meeting the criteria listed in (1) above; • Caves or built structures listed in (2). 	Yes ▾	<ul style="list-style-type: none"> • Bats • Badgers • Birds • Otters
4	<p>Felling, removal or lopping of:</p>	Yes ▾	<ul style="list-style-type: none"> • Bats • Badgers

	<ul style="list-style-type: none"> • Woodland (either broadleaved or conifer); • Field hedgerows or lines of trees >1m high and 0.5m wide. • Mature trees; • Areas of scrub, including gorse. 		<ul style="list-style-type: none"> • Birds • Otters • Red squirrel • Smooth newt • Protected Plants
5	<p>Development affecting or within 50m of:</p> <ul style="list-style-type: none"> • Semi-natural woodland (broadleaved trees); • Rivers or streams; 	Yes ▾	<ul style="list-style-type: none"> • Bats • Badgers • Birds • Common Lizard • Butterflies & Invertebrates • Fish & freshwater species • Protected plants • Water voles • Slow Worms
6	<p>Development affecting or within 25m of:</p> <ul style="list-style-type: none"> • Any woodland (including broadleaf or conifer plantation); • Parkland or demesnes; • Field hedgerows (>1m high and 0.5m wide), particularly near woodland or water bodies; • Areas of scrub, including gorse, particularly near woodland, field hedgerows or waterbodies. • Ponds or field drains (with slow moving water); 	Yes ▾	<ul style="list-style-type: none"> • Bats • Badgers • Birds • Otters • Water Voles • Smooth Newt • Common Lizard • Butterflies & Invertebrates • Protected Plants • Slow Worms • Stag Beetle

	<ul style="list-style-type: none"> • Railway embankments (used or disused). 		
7	<p>Development within or involving the modification, disturbance or removal of:</p> <ul style="list-style-type: none"> • Mature or overgrown gardens, particularly those adjacent to woodland, parkland, field hedgerows or waterbodies; • Previously developed, derelict or brownfield land which is overgrown or flower rich; • Arable fields with hedgerows or grass margins; • Flower rich meadows / rough or wet grasslands. 	Yes ▾	<ul style="list-style-type: none"> • Bats • Badgers • Birds • Smooth Newt • Butterflies & Invertebrates • Protected Plants • Slow Worms • Stage Beetles
9	<p>Renewable Energy development, particularly:</p> <ul style="list-style-type: none"> • Wind Turbines; • Solar Farms; • Hydroelectric Schemes. 	Yes ▾	<ul style="list-style-type: none"> • Bats • Badgers • Birds • Otters • Butterflies & Invertebrates • Fish & freshwater species
10	<p>Any development within or adjacent to a site where protected or priority species are known to be present?</p> <p>Confirmed as present by either a data search (for example through Greenspace Information for Greater London CIC) https://www.gigl.org.uk/) or as notified to the developer by the planning authority.</p>	Yes ▾	<ul style="list-style-type: none"> • All species

If you have answered **YES** to any of the above questions **Part 3** must be completed by an ecologist or other suitably qualified person³.
If you have answered **NO** to all questions in **Part 1** and **Part 2** you can go straight to **Part 4**.

³ A suitably qualified person may be a planning consultant with an environmental qualification and experience of dealing with ecological issues in development proposals.

Biodiversity Checklist Part 3 - Evaluation and Ecological Statement

If you have answered **YES** to any questions in Part 1 or Part 2 please seek advice from an ecologist or other suitably qualified person to carry out an evaluation of the proposed development and complete the Ecological Statement below.

If you have answered **NO** to all questions skip this step and go to Part 4.

Answering **YES** to any questions in Part 1 or Part 2 indicates that the development may have an impact on biodiversity or natural heritage interests and further ecological assessments or surveys may be required. However, the nature of the development and/or any 'built in' avoidance or mitigation measures may mean that the likelihood of any significant impact is negligible.

An ecologist or other suitably qualified person must complete the Ecological Statement below. If additional ecological assessments or surveys are being, or have been, carried out then this should be stated. If it is considered that no additional ecological assessments are necessary then clear justification for this must be provided.

Ecological Statement

Biodiversity Checklist Part 4 - details of proposal and signed declaration

This section must be completed for any checklist submitted to the planning authority with a planning application.

If only Part 1 and Part 2 of the checklist have been completed and all questions have been answered NO this declaration can be completed by the applicant or their agent.

If any questions have been answered YES this declaration must be completed by the ecologist or suitably qualified person who has completed the Ecological Statement in Part 3.

Proposal (description of development)	
Location (address or location of development)	
Area of Site (hectares)	
Planning Reference (if known)	
Name of Applicant / Agent / Ecologist* (*delete as appropriate)	
Relevant Qualifications / Experience (if applicable)	

I declare that this Checklist has been completed accurately to the best of my knowledge	
Signed:	
Date:	

Appendix 1 - Ecological assessments and surveys

Where potential impacts have been identified to species and/or habitats in Parts 1 and/or 2 an appropriate ecological assessment or survey may need to be carried out and submitted with the planning application. An experienced ecologist can advise on the level of assessment or type of survey required.

For most developments the minimum level of assessment required is a **Preliminary Ecological Appraisal (PEA)**. This is a baseline ecological assessment, undertaken by an ecologist, which involves a desktop assessment and a site visit. It should map the habitats on a site, identify any significant ecological features, including any evidence of protected or priority species, and make recommendations for further surveys, if necessary. Where further surveys are not required the PEA may also recommend avoidance or mitigation measures to protect natural heritage interests on the site.

RBK recommends that PEA's follow the guidelines produced by the Chartered Institute of Ecology and Environmental Management (CIEEM), which can be found here:

<https://cieem.net/resource/guidance-on-preliminary-ecological-appraisal-gpea/>

Where the biodiversity checklist has identified potential impacts to only one particular species a single species survey may be sufficient. However, where there are potential impacts to designated sites, priority habitats and/or more than one species a more comprehensive assessment is likely to be required.

Natural England : Protected species and development: advice for local planning authorities can be found at the following link:

<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

Mitigation

Where an ecological assessment or survey has identified potential impacts to a designated site, priority habitat, protected or priority species, or other natural heritage interest, then mitigation measures must be considered as to how these impacts can be addressed and a mitigation strategy developed to comply with the relevant legislation and planning policy. Mitigation should follow the 'mitigation hierarchy' which seeks, in order of preference, to avoid impacts, then to mitigate unavoidable impacts, and, as a last resort, to compensate for unavoidable residual impacts after avoidance and mitigation measures.

The best form of mitigation is always the avoidance of potential impacts on biodiversity and natural heritage interests in the first place. In most development situations, if important natural heritage features on a site can be retained and adequately protected impacts can generally be avoided and further survey work may not be required. This could involve, for example, the retention of mature trees and hedgerows on a site and their protection by appropriate fencing during construction works, or, the implementation of a suitable buffer, within which no works will take place, to protect natural heritage features from damage or disturbance.

The aim of any mitigation strategy should be to ensure that there is no net loss of biodiversity on a development site and to provide enhancements where possible.