

North Norfolk District Council Local Validation requirements for Designated Sites, Priority Habitats and Protected Species (version: Dec 2024)

If the application involves any of the development proposals shown below, an appropriate ecological assessment (e.g. Preliminary Ecological Appraisal (PEA)) should be submitted with the planning application and take into consideration the potential for impacts upon the identified ecological receptors. Any recommended protected species surveys must be completed prior to determination of an application to allow the Council to fully assess the application in accordance with its statutory duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) (see also Paragraph 99 of ODPM Circular 06/2005). The Council reserves the right to not validate an application where an ecology report recommends further protected species surveys, except where necessary prior to commencement of works (e.g. pre-construction badger check).

Development	Designated Sites & Priority Habitats	Species Which May Be Affected And Require Assessment												
		Amphibians, including Great crested newt	Badgers	Bats	Breeding Birds (including Barn Owl)	Migratory Birds	Fish	Notable Invertebrates	Natterjack Toad	Otter	Reptiles	Water Vole	White-clawed Crayfish	Notable Plants, Fungi or Lichen (e.g. Schedule 8)
<p>1. Developments which are:</p> <p>a) major proposals, i.e. for 10 or more dwellings or 0.5 hectares or greater, or for non-residential development of 1,000m² or greater floor area or 1 hectare or greater in site area.</p> <p>b) within, or lie in close proximity to, a designated site, protected area or Priority Habitat.</p>	✓													
<p>2. The conversion, modification, demolition or removal of buildings and structures (especially roof voids) involving the following:</p> <p>a) all buildings (e.g. farmhouses, barns and outbuildings) and redundant agricultural buildings, of brick and stone construction and with exposed old wooden beams (e.g. with mortise and tenon joints, or splits in the beams)</p> <p>b) all buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water and/or within 100m of a Medieval Church or building supporting a known bat roost;</p> <p>c) pre-1980s detached buildings and structures within 500m of woodland and/or water and/or within 100m of a Medieval Church or building supporting a known bat roost;</p> <p>d) pre-1914 buildings with gable ends or slate/pantile roofs, regardless of location;</p> <p>e) conversion of an attic space (includes dormer window, solar panel and roof window installation) or conversion of a cellar on all buildings within 200m of woodland and/or water and/or within 100m of a Medieval Church or building supporting a known bat roost;</p> <p>f) extensions that tie into an existing enclosed roof space on all buildings within 200m of woodland and/or water and/or within 100m of a Medieval Church or building supporting a known bat roost; and</p> <p>g) any building located within, or immediately adjacent to woodland and/or immediately adjacent to water or a Medieval Church or building supporting a known bat roost.</p> <p><i>Note: The above criteria also apply to hotels, schools, hospitals, churches, commercial premises and derelict buildings.</i></p>			✓	✓				✓ for g) (water) only		✓ for g) (water) only				
<p>3. Development affecting built structures:</p> <p>a) tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures;</p> <p>b) bridge structures, aqueducts and viaducts (especially over water and wet ground).</p>				✓					✓ b) only		✓ b) only			
<p>4. Floodlighting of:</p> <p>a) churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water.</p> <p>b) any building meeting the criteria listed in 2. above.</p>				✓	✓									

Development	Designated Sites & Priority Habitats	Species Which Could Be Affected And Require Assessment												
		Amphibians, including Great crested newt	Badgers	Bats	Birds (breeding)	Birds (migratory)	Fish	Notable Invertebrates	Natterjack toad	Otter	Reptiles	Water vole	White-clawed crayfish	Notable Plants, Fungi or Lichen (e.g. Schedule 8)
5. Felling, removal or lopping of: a) woodland; b) field Hedgerows and/or lines of trees with connectivity to woodland or waterbodies; c) trees that are older than 100 years or considered veteran trees exhibiting ancient features; d) trees with obvious holes, cracks or cavities or ivy covered (Potential Roost Features),				✓	✓									✓
6. Proposals affecting water bodies: a) In or within 200m of rivers, streams, canals, lakes, or other aquatic habitats.		✓		✓	✓			✓	✓		✓		✓	
7. Proposals located in or immediately adjacent to: a) gravel pits or quarries b) natural cliff faces and rock outcrops with crevices, caves or underground streams.				✓	✓							✓		✓
8. Proposals involving the development of wind turbines				✓	✓	✓								
9. Major development proposals within 500m of a pond or Minor proposals within 250m of a pond <i>Note: A major proposal is one that is for 10 or more dwellings or of 0.5 hectares or greater, or for non-residential development of 1,000m² or greater floor area or 1 hectare or greater in site area.</i>		✓												
10. Proposals affecting 'derelict' land (brownfield sites) or suburban wasteland, allotments, and road/railway land, cuttings and embankments.		✓	✓	✓	✓				✓			✓		✓
11. Proposals affecting, or involving the loss of, rough grassland, heathland (wet or dry), coppiced woodland, sand dunes, golf course roughs, open woodland and woodland edge, immature forestry plantations, sea cliffs, un-intensively managed farmland and wild gardens.		✓	✓	✓	✓				✓	✓		✓		✓
12. All proposals where protected species are known to be present. This may include proposed development affecting any type of building, structure, feature or location.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Designated Sites includes the following designations: Special Area of Conservation (SAC); Special Protection Area (SPA); Ramsar wetland sites; Site of Special Scientific Interest (SSSI); National Nature Reserve (NNR); County Wildlife Site (CWS); Local Nature Reserve (LNR); County Geodiversity Sites (CGS), including candidate sites; Roadside Nature Reserve (RNR); Ancient Woodland; Ancient semi-natural woodland (ASNW) and plantations on ancient woodland sites (PAWS).

Priority Habitats includes those listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act, locally listed in the Norfolk Biodiversity Action Plan, and veteran trees.

Woodland is defined as land of 0.25ha or more, under stands of trees with a canopy cover of at least 20%

Water is defined as tributaries, streams, rivers, ponds and lakes or the sea.

A pond is defined as a waterbody which holds water for at least four months of the year and includes linear waterbodies such as ditches.

Survey & Report Requirements:

Surveys should be undertaken by competent persons with suitable qualifications and experience, at the appropriate time of year and using recognised survey methods in line with current best practice guidance. Surveys conducted outside of optimal survey periods may be unreliable. Negative results obtained outside of the optimal period should not be interpreted as an absence of a species and further survey work may be required during the optimal survey season, particularly where existing surveys and records indicate the species as being present on or close to the site. An application may not be considered valid until survey information is obtained during an appropriate time of year.

Reports should follow the requirements set out in BS 42020:2013 Biodiversity – Code of practice for planning and development, the most recent versions available of Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Preliminary Ecological Appraisal and Guidelines for Ecological Impact Assessment in the UK and Ireland, and be proportionate to the potential impacts upon ecological receptors.

A Preliminary Ecological Appraisal (PEA), incorporating a desk-based study and survey of habitats present at and adjacent to the site, provides a rapid assessment of ecological features present, or potentially present, identifies any ecological constraints requiring consideration, and identifies any further surveys necessary. A Preliminary Roost Assessment (PRA) may be considered more appropriate where impacts are considered likely to only impact upon bats and breeding birds (e.g. a barn conversion or removal of mature trees). A PEA or PRA will often be superseded by an Ecological Impact Assessment (EclA) which incorporates the results of any further survey work required.

Where impacts upon European Sites (i.e. Special Areas of Conservation (SAC), Special Protection Area (SPA) and Ramsar wetland sites) cannot be screened out, a Shadow Habitat Regulations Assessment (sHRA) will also need to be submitted to include details of screening (Stage 1) and the potential pathways of impacts progressed to the Appropriate Assessment (Stage 2) where necessary. However, submission of a sHRA will not be necessary where the only realistic potential pathways of impacts are determined to be in-combination recreational and/or nutrient impacts which will be accounted for through payment of the Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMS) tariff and/or the provision of evidence demonstrating the development complies with Nutrient Neutrality (NN) requirements.

Assessment Requirements:

The Assessment should identify and describe potential development impacts likely to harm designated sites, priority habitats or protected species (both direct and indirect effects, during and after construction). Where harm is likely to occur, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced; and
- How impacts that cannot be avoided, mitigated or reduced, will be compensated.

Exceptions for when a full Ecological Impact Assessment (EclA) may not be required and a Preliminary Ecological Appraisal (PEA) or Preliminary Roost Assessment (PRA) will suffice:

Applications may be supported by a Preliminary Ecological Appraisal (PEA) or Preliminary Roost Assessment (PRA) only when:

- The results of the PEA or PRA clearly indicate that further survey and assessment is not required;
- A non-technical summary is provided of the net losses and gains for biodiversity of the development;
- The PEA or PRA has provided clarity and certainty regarding the ecological impacts of the development and the Local Planning Authority has sufficient information in order to make a decision in accordance with BS42020:2013.

Exceptions for when a full survey may not be required:

If it is considered that protected species are absent from the development site and that the proposal is unlikely to affect protected species and other ecological receptors, supporting evidence may be provided to demonstrate this, e.g. this might be in the form of a short letter or brief report from a suitably qualified and experienced person which is proportionate to the ecological value of the site and potential impacts of the proposal.

If it is clear the development proposal will not affect any protected species, a statement from the applicant or agent demonstrating there are no protected species on the development site and that a likely effect on protected species is not expected as a result of the development may be provided. However, the evidence must demonstrate this is based on information provided by someone suitably qualified to make that judgment and must include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm a protected species should they subsequently be found or disturbed as a result of the development.

If you are in doubt about the answers to the above questions or any of the information contained within this document, please seek the advice of a professional ecologist and refer to BS 42020:2013 and government advice for further guidance on what is required by the Local Planning Authority to provide certainty and clarity to enable a decision to be made.

Useful Links:

[MAGIC Map](#) - Interactive map with Internationally and Nationally Designated Sites

[Designated Sites in Norfolk](#)

[Habitats and species of principal importance in England](#)

[Locally Listed Habitats and Species](#)

[CIEEM | A Householders' Guide to Engaging an Ecologist](#)

[CIEEM | What to Expect From a Bat Survey: A Guide for UK Homeowners](#)

[CIEEM | Members Directory](#)

[CIEEM | Guidelines for Preliminary Ecological Appraisal \(GPEA\)](#)

[CIEEM | Guidelines for Ecological Impact Assessment \(EclA\)](#)

[BS 42020:2013 Smart Guide](#)

[Wildlife Assessment Check – Partnership for Biodiversity in Planning](#)