

## **APPENDIX 2 – ECOLOGICAL SURVEYS AND SITES OF IMPORTANCE FOR NATURE CONSERVATION**

It may be necessary to undertake an ecological survey and appraisal of a site to understand the likely effects of the proposed development (see checklist below). Both survey and appraisal contribute to the collection of adequate information in order to process and application, the first part of the 5 point approach.

Surveys are used to obtain the accurate, factual data regarding environmental conditions on site. The appraisal uses this survey data as a means of identifying;

1. Where nature conservation issues must be taken into consideration and;
2. Sites that are considered to be Sites of Importance for Nature Conservation.

This ensures that planning applications are considered in line with policy.<sup>1</sup>

### **Surveys**

This requirement for adequate survey information is mentioned in the UDP at paragraph 3.19 of Policy Q4: Protected and Important Wild Species. It is important that ecological surveys should be carried out early in the planning process, not left to be completed after planning permission has been granted. Ecological surveys should not be considered as reserved matters because the findings of the survey may determine the design of the development and the outcome of the planning application. Due to the technical nature of ecological appraisals the NPA would normally expect the applicant to use independent ecological consultants to undertake them. The Institute of Ecology and Environmental Management (IEEM) will provide lists of recognised professional ecologists. The BBNPA Ecologist and specialists of the relevant Welsh Wildlife Trusts should also be consulted. Where statutory sites (SACs, SSSIs and NNRs) or protected species are involved, the Countryside Council for Wales (CCW) should be consulted too.

All ecological surveys should provide the following information:

- A report including a site grid reference and location plan with the application site. All plan based information must be drawn to an appropriate scale, and other supporting information such as photographs may be submitted.
- A desktop survey to establish if any existing biological information is available from relevant sources for the site proposed for development. A search for any existing records of habitats or species for the survey area should be made early during the process. Such resources may be held by the Biodiversity Information Service (BIS).
- A field survey will be essential in the majority of cases. There is an optimal time for surveying habitats and species (see table below). If the survey has been seasonally constrained or if other constraints such as access have arisen and caused limitations to the survey then this must be stated clearly in the report. Ideally all survey data should be copied to the Biodiversity Information Service so that it can provide a public record.
- The methodology used for undertaking ecological surveys with a justification for their selection. For vegetation surveys in most instances a National Vegetation Classification (NVC) survey or Phase 1 survey will be required. In the case of species surveys, the methodology must be stated and should concur with recent published standards.

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<sup>1</sup> Technical Advice Note (TAN) 5 Section 2.2

- An objective evaluation of the site and the habitats and species it contains according to their status in legislation and the Section 42 NERC list. This may lead to the notification of the site as a Site of Importance for Nature Conservation, SINC (see below).
- An assessment of the impact of the development, both during the construction and operational phases. The impact may be direct or indirect, negative or positive in direction. The impact may be temporary or permanent in duration. In some cases it may be possible to quantify the magnitude of the impact, for example, as a measurable area of the site that will be lost or adversely affected.
- Recommendations in relation to the retention and protection of habitats and species including mitigation, compensation and enhancement proposals.
- If there is a significant time lag between completing the survey report and the onset of development, it is advisable to carry out an additional survey immediately before the onset of development to identify any new wildlife that may need to be accommodated.

For further advice and contacts on surveys please contact the development control section of the Brecon Beacons National Park Authority. In addition, the Institute of Ecology and Environmental Management has recently published "Guidelines for Ecological Impact Assessment in the United Kingdom," which are available via [www.ieem.net](http://www.ieem.net).

### Optimal Survey Times

Habitat/Species	Optimal Survey Time
Grassland	May – August
Woodland/hedgerows	April – June
Ponds/water courses	May – June
All wild birds, their nests and eggs	Breeding March – August Wintering wetland birds October - March
Water vole	March – October
Otter	Search for signs at any time but note flooding along watercourses may remove spraints
Dormouse	Hazel nut searches September – November Nest searches May – September
Bats	Depends on nature of roost e.g., summer roosts and feeding areas April – September but may occupy separate hibernation roosts October – March
Badger	Sett surveys October – April Bait marking February – April and September – October
Grass snake, adder, slow worm, common lizard	April – June and September
Great Crested Newt	Water searches mid March – end of June, land searches mid March – end of September
Fish	Varies for species, life stages and environmental conditions
Invertebrates	All year for different larval and adult life stages. For crayfish, September – November.
Fungi	July - December

## Sites of Importance for Nature Conservation (SINCs)

Planning Policy Wales<sup>2</sup> and TAN 5<sup>3</sup> support the identification of Sites of Importance for Nature Conservation, SINCs. In the Brecon Beacons National Park, this forms UDP policy Q3. These are sites outside of SSSIs and SACs that are of local importance. SINCs are a means of identifying a site of substantial nature conservation value by assessing site survey data against a set of criteria. The criteria function as a threshold, over which sites will be considered to be of substantial nature conservation value. The criteria are also used to evaluate the relative importance of habitats and species. This evaluation will allow the nature conservation considerations to be weighed against other considerations when determining an application. This is a key issue to ensure that responsibilities for sustainable development are delivered.

The criteria are based on protected species and the Section 42 list of the Natural Environment and Rural Communities Act 2006. This ensures that the SINC process is supported by both legislation and policy and that the process is robust, objective and transparent. The nature conservation interest for which the SINC is notified will form a material consideration in determining any planning applications.

### Criteria for the selection of SINCs in the Brecon Beacons National Park

A site will be selected as a SINC if it meets one or more of the following criteria:

1. It contains an area of those habitats listed on S.42.NERC, or;
  2. It contains areas of importance for the *breeding, foraging, resting, hibernation or other activity considered critical to the survival<sup>4</sup>* of a European Protected Species or a species protected under any Schedule of the Wildlife & Countryside Act, or;
  3. A *significant<sup>5</sup>* local population of a species listed on S.42 NERC
  4. A site that while outside of SAC and SSSI boundaries contains features or attributes that directly supports the status or condition of features within a SAC or SSSI.
  5. An area that contains a *significant<sup>5</sup>* local population of a species or habitats identified in the BBNP Local Biodiversity Action Plan or otherwise has substantial nature conservation value in terms of the size, geographic location, number/population of species supported or has a hydrological or habitat connectivity function in mitigating against climate change.
  6. The site contains features of geological importance
- Sites which do not meet these criteria will not be identified as SINCs, but the presence of protected species may still need to be addressed through the AAPG 5 point process.
  - SINC boundaries will conform to hedges, tree lines, fence lines, roads, watercourses or any other feature that delineates the site into a recognisable unit.

Once identified, the landowner of the SINC will be informed of its notification and the nature conservation value will be clearly detailed in terms of the habitats, species or other features that are considered to be of substantial importance. The Brecon Beacons National Park Authority will mark the SINC on Local Development Plan maps. Whenever this map is reviewed, SINCs identified since the last production of the map will be added.

<sup>2</sup> Planning Policy Wales Section 5.3.11

<sup>3</sup> Technical Advice Note 5 (Draft Jan 2007) Section 5.7.1 - 5.7.4

<sup>4</sup> This is considered to be more than the presence of a species

<sup>5</sup> Significance is determined based on the local abundance of the species in question on a case by case basis

## **Methods for the identification of SINC**

National planning policy encourages planning authorities to base local plans and policies on up to date survey information<sup>6</sup>. Therefore the identification of SINC can be seen as an ongoing exercise. Any site on which enough survey data has been collected can be assessed against the SINC criteria. This survey data can be collected in a number of ways including;

1. When a survey is undertaken as a requirement to determine a submitted planning application.
2. For sites submitted to the Authority for inclusion in the LDP as development sites.
3. Sites where a survey has been requested or approved by the landowner.
4. Land targeted for survey work due to its potential function supporting SSSIs/SACs, or may be of otherwise likely significant nature conservation interest.

In each case the landowner will receive a copy of all survey data collected.

## **Effect of SINC status on planning applications**

The presence of a SINC does not mean that development cannot take place, rather than any development proposal should detail how the nature conservation interests present on site will be retained during and after development. The development would be required to comply with wildlife legislation and policies regardless of being previously identified as a SINC. However, the early identification of SINC can benefit an applicant as nature conservation issues are known from the beginning and can be accommodated in both the design and construction timetable. This can help to avoid the need to re-design applications, alter the timing of construction or site clearance and accommodate the possible waiting periods before licenses are issued.

SINC status is only one consideration and others may take priority. Therefore developments that by their nature cannot avoid damaging or destroying nature conservation interests may still be approved. In this instance the SINC criteria help to quantify the value of what has been lost, allowing appropriate mitigation to be conditioned as part of the approved development.

In all cases, development applications should include the means to protect and enhance biodiversity as described within this AAPG document.

SINC status is a tool for planning purposes. Identification as a SINC confers no additional obligations with regard to land management, agricultural practices, access or other activity.

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<sup>6</sup> Technical Advice Note 5 section 2.2