

Birmingham City Council

Validation Guidance and Local Information Requirements for Planning Applications

Local requirements for biodiversity and geological conservation, including criteria and indicative thresholds

When deciding whether a planning application needs to be supported by an ecological/geological assessment, applicants are advised to review their proposals against both **Part 1** and Part 2 of the local requirements for biodiversity and geological conservation.

Part 1: Local requirements for designated sites, priority habitats and geological features

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, local authorities have a duty to have regard for the conservation of biodiversity in the exercise of all of their functions. This means Birmingham City Council has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of designated sites, priority habitats and important geological features. Where a proposed development is likely to affect such a site, habitat or geological feature, the applicant must submit an Ecological/Geological Survey and Assessment.

Effects on designated sites may be direct or indirect; the proposed development may, in some cases, be some distance from the site, for example where there may be hydrological or air quality effects. Particular attention should be given to the potential for effects on nationally designated sites. If a development is in or near to a Site of Special Scientific Interest (SSSI), applicants are also advised to review Natural England's [Impact Risk Zones for SSSIs](#) to see how their proposal could affect the designated site. Applicants may wish to consult [Natural England](#) about the scope of the assessment required.

If the application is likely to affect any of the designated sites, priority habitats or biodiversity or geological features listed in **Table 1**, a survey and assessment for the relevant feature must normally be submitted with the application.

The survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available. The survey should be informed by the results of a search for ecological or geological data from [EcoRecord](#) (the ecological database for Birmingham and the Black Country) and other relevant data sources. The survey must be to an appropriate level of scope and detail and must:

- Record which habitats and features are present on, and where appropriate, around the site
- Identify the extent/area/length of the habitat or feature being recorded as present
- Map their distribution on site and/or in the surrounding area by illustration shown on an appropriate scale plan

The assessment should identify and describe potential development impacts likely to harm designated sites, priority habitats, other listed biodiversity features or geological features (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, 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
- How impacts that cannot be avoided or mitigated will be compensated

In addition, proposals are to be encouraged that will enhance, restore or add to designated sites, priority habitats, other biodiversity features or geological features. The assessment should give an indication of likely change in the area (hectares) of priority habitat on the site after development, eg whether there will be a net loss or gain.

Further guidance on survey standards, evaluation and impact assessment, and mitigation standards is available from the [Chartered Institute of Ecology and Environmental Management](#).

Table 1: Local requirements for designated sites, priority habitats and important geological features criteria (trigger list) for when a survey and assessment are required.

Designated sites	
Nationally designated sites	<ul style="list-style-type: none"> • Site of Special Scientific Interest (SSSI) • National Nature Reserve (NNR)
Regionally or locally designated sites	<ul style="list-style-type: none"> • Local Nature Reserve (LNR) • Site of Importance for Nature Conservation (SINC) • Site of Local Importance for Nature Conservation (SLINC)
Other sites	<ul style="list-style-type: none"> • Potential Site of Importance (PSI)
Biodiversity habitats and features	
Priority habitats (Habitats of Principal Importance for Biodiversity under S41 of the NERC Act 2006)	<ul style="list-style-type: none"> • Ancient and/or species-rich hedgerows • Lowland mixed deciduous woodland including ancient woodland • Lowland wood-pasture and parkland • Wet woodland • Floodplain grazing marsh • Fen, marsh, swamp and reed beds • Lowland heathland • Lowland dry acid grassland • Lowland meadows (eg species-rich flower meadows) • Open mosaic habitats on previously developed land • Purple moor grass and rush pastures • Rivers and streams • Standing open water (including lakes, reservoirs, ponds and aquifer-fed fluctuating waterbodies) and canals • Arable field margins • Inland rock outcrops and scree habitat
Biodiversity features of local importance (as identified by the Local Biodiversity Partnership [Circular 06/2005, paragraph 84])	<ul style="list-style-type: none"> • Ancient woodland • Canals • Urban green space (eg parks and open spaces, allotments, flower-rich road verges and railway embankments, gardens)
Geological features	
Exposure or extensive site	<ul style="list-style-type: none"> • Active or disused quarries and pits • River and stream sections • Inland outcrops • Extensive buried interest • Road, rail and canal cuttings