

## 5 Valued Environments

**5.3.5** Any benefits of a proposal required to outweigh nature conservation or geological value will depend on the importance of the individual site. The national importance of SSSIs justifies the special scrutiny of development proposals within or likely to affect such areas.

### Policy 71

#### **Additional Nature Conservation Sites**

If during the course of an application for a development proposal the nature conservation interest of the site becomes evident, the protection and active management of that site will be sought as part of the proposal.

#### **Supporting Text**

**5.3.6** It is likely that, through the development control process, additional sites of nature conservation interest will become evident. Where such circumstances arise, the Council will carry out a full assessment of that interest in consultation with relevant nature conservation bodies and, where appropriate, recommend sites' formal designation in order to protect indigenous species and/or habitats. Where appropriate, the designation of further Local Nature Reserves will be supported.

### Policy 72

#### **Protected Species**

Planning permission will not be granted for development or change of use of land that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitats.

#### **Supporting Text**

**5.3.7** Many plant and animal species (including badgers, bats, dormice, great crested newts and some species of birds) are statutorily protected. The Wildlife and Countryside Act 1981 contains schedules of many of the species which are given protection. For the purposes of this policy, statutorily protected species are those included on Schedules 1, 5 and 8 of the Act or national and European legislation (e.g. badgers) and guidance for the protection of habitats and species. The UK Biodiversity Plan (1994) identifies priority species as a valuable ecological resource to be conserved. These are listed under section 41 of the Natural Environment & Rural Communities Act 2006. These schedules are updated on a regular basis and local authorities are kept informed of any changes. In addition, the Biodiversity Plan identifies the Priority Species for Bromley, including plant,

fungi, bird, and butterfly species of rare or threatened status. These should be taken into special consideration when development or change of use occurs and mitigation measures secured as above.

### Policy 73

#### Development and Trees

Proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Tree preservation orders will be used to protect trees of environmental importance and visual amenity. When trees have to be felled, the Council will seek suitable replanting.

#### Supporting Text

**5.3.8** Trees are important features of the Borough's environment and are a valuable resource for wildlife. The Council places a high priority on their retention and protection. They can be protected by the making of a Tree Preservation Order (TPO) which can relate to individual trees, groups of trees or areas of woodland. Trees will be assessed against criteria that take into account public visibility, retention span, condition and the risk of loss. Numerous trees and woodlands throughout the Borough are protected by TPOs. Policy 43 sets out how the Council will assess applications for the felling of trees in Conservation Areas.

**5.3.9** When considering development proposals the Council will seek the retention value healthy trees of amenity. Where trees are retained within new development sites, they can help to create a settled appearance to the landscape while newly planted trees will take a number of years to reach maturity. Where new trees are planted, native species and local provenance will be sought as appropriate.

**5.3.10** When development proposals threaten to impact negatively important/significant trees, the Council will require the submission of a tree survey, and arboriculture implications assessment in accordance with British Standard BS5837:2012 – trees in relation to construction.