



Biodiversity and Planning in Epsom & Ewell



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Protecting and enhancing Epsom & Ewell's biodiversity

The purpose of this guidance is to assist Epsom & Ewell Borough Council, developers and residents in ensuring that the Borough's biodiversity is both protected and enhanced when new development takes place. This guidance is linked to the Epsom & Ewell Local Biodiversity Action Plan (EELBAP) and is an outcome of the EELBAP objectives.

The Borough of Epsom & Ewell from the chalk grasslands of the Downs, through the 'Ancient Woodland of Horton Country Park, to the many hectares of residential gardens provides a wide range of habitats that are home to many species. Covering an area of 3,411 hectares and with a population of 70,000 Epsom & Ewell is the smallest most densely populated District in the County of Surrey. Yet within its borders the Borough has 8 out of the 9 natural habitats and all 5 urban habitats covered by the Surrey Biodiversity Action Plan, habitat action plans (all except Floodplain Grazing Marsh).

Much of the Borough's biodiversity is protected by legislation or by planning policy and both National and regional planning policy identifies the need to protect existing biodiversity and deliver enhancements with the aim of achieving a net gain in biodiversity.

This guide aims to assist in the process of identifying when and where biodiversity in Epsom & Ewell will need to be protected by the planning system, as well as assisting in identifying opportunities to deliver biodiversity enhancements.

The guide will be used by the Council's Planning Department to help determine proposals for new development. It will also be available to the general public and the development industry to help them understand how the Council considers biodiversity and what will be expected from them during the planning process.

How to use this guidance

This guidance has been arranged to align with national [Planning Policy Statement 9: Biodiversity and Geological Conservation](#) and is divided into sections dealing with various biodiversity features which should be protected and enhanced through the planning system.

In general, Sections 2 and 3 of the Guide outline those local features and sites that should be protected. Section 4 outlines opportunities to deliver local biodiversity enhancements.

The Guide provides an overview of each feature and locally specific information. The column on the right hand side of each page provides a summary of relevant legislation or planning policy. Boxes on 'Further Information' provide sources of more detailed information and guidance. In the bottom right hand corner you will find 'Key Organisations' who you might wish to contact in relation to a particular issue.

For each biodiversity feature, a map identifies the distribution of that feature in Epsom & Ewell. It should be noted that these maps are intended to provide a strategic overview and only show the situation at time of publication.

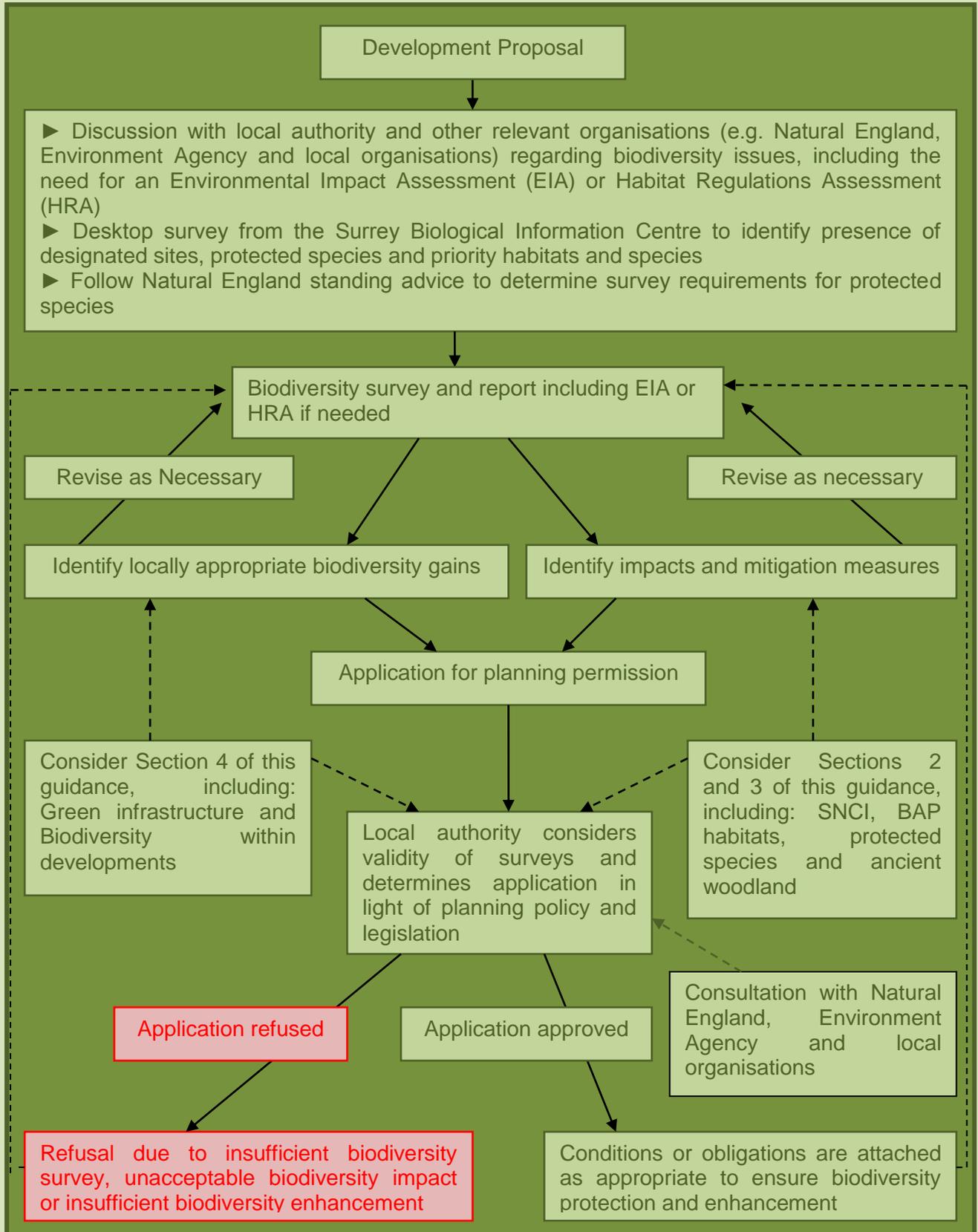
To reduce environmental impact, a limited number of hard copies of this document are available. An online version is provided on the Epsom & Ewell Borough Council website (www.Epsom & Ewell.gov.uk), which will be kept up-to date with changes in legislation and policy. The online version provides links to the documents and websites mentioned in the 'Further information' boxes; key legislation is outlined in Section 5. Appendix I and Appendix II are also on the Epsom & Ewell Borough Council website. Key contacts are provided in Section 6.



Broad Bodied Chaser Dragonfly Epsom Common Local Nature Reserve

1b Biodiversity in the planning process

This flow diagram illustrates the importance of taking biodiversity into consideration at all stages of the planning application process, highlighting the key features to take into account. Please also see Natural England advice on [habitat assessment](#) and [protected species in the planning process](#).



The importance of up-to-date information

Planning Policy Statement 9 requires that development plan policies and planning decisions are based upon up-to-date information about the environmental characteristics of their areas, including the relevant biodiversity resources of the area (see right).

In submitting a planning application, the standard planning application form requires that applicants identify any protected or priority species, designated sites, important habitats, or other biodiversity features on, or adjacent to, the application site. The Guide gives an overview of these features in Epsom & Ewell; more detailed site level information is available from the Surrey Biological Information Centre (SBIC).

Where it is likely that a proposal will impact on any of these features, up-to-date biodiversity information will need to be provided with a planning application. The type of assessment needed will vary from a biodiversity survey and report to Environmental Impact Assessment and Appropriate Assessment if a European Site is involved.

It is not within the scope of this guidance to explain how or when to undertake such assessments, there is other national and regional guidance available on this — see the 'Further Information' box opposite. It is important to bear in mind that the survey work needed to inform such assessments will be seasonally restricted.

Discussion of biodiversity survey needs at pre-application stage can help reduce the likelihood of delays resulting from requirements for survey being identified at a late stage.

All ecological reports should include the following:

- a) What biodiversity is present
- b) How biodiversity impacts can be avoided
- c) If it is not possible to avoid impacts, how they can be mitigated
- d) If there is no way of mitigating impacts, compensation measures should be identified
- e) The report should demonstrate how the application can result in an overall enhancement in biodiversity

Avoidance, mitigation, compensation and enhancement measures must be clearly stated to enable report recommendations to be conditioned and enforced.

Planning policy

Planning Policy Statement 9, first key principle:

'Development plan policies and planning decisions should be based upon up-to date information about the environmental characteristics of their areas. These characteristics should include the relevant biodiversity and geological resources of the area. In reviewing environmental characteristics local authorities should assess the potential to sustain and enhance those resources.'

The [Epsom & Ewell Core Strategy](#) sets out a suite of strategic policies that ensure that future developments contribute towards the development of sustainable communities. It includes high planning policy protection for key biodiversity assets (Policy CS3).

The emerging Epsom & Ewell [Delivery Development Plan Document \(DPD\)](#) will include development management policies that will help to deliver sustainable growth. These may include new policies that expand the requirements set out under Core Strategy Policy CS3.

Further information

- ▶ Construction Industry Research and Information Association — Guidance on Optimal Timing for Carrying Out Specialist Ecological Surveys and Mitigation
- ▶ Ecological Impact Assessment Guidelines (IEEM)
- ▶ Habitats Regulations Guidance Notes:
 1. Appropriate Assessment
 2. Review of Existing Planning Permissions and Consents
 3. Determination of Likely Significant Effect
 4. Alone or In Combination
- ▶ Natural England Standing Advice for Ancient Woodland
- ▶ Natural England Standing Advice on Protected Species



Pond Wood – Horton Country Park Local Nature Reserve

Internationally designated sites: Special Areas of Conservation (SAC)

Epsom & Ewell has no sites designated at this level which fall partly or entirely within the borough. The nearest SAC is the Mole Gap to Reigate Escarpment which does fall partly within neighboring Boroughs. See **Map 1**.

The law is very strict with regard to these sites; development proposals which will adversely affect these sites are not permitted*. If a development is proposed that could possibly impact on a SAC, the applicant will need to submit an assessment of potential impacts and their significance with their planning application; this information is used by the local authority to make an 'Appropriate Assessment' of the implications for the SAC. Impacts that will need to be considered include direct impacts, for example habitat loss through land take, and indirect impacts such as changes to water quality or quantity, air pollution or increased recreational pressure. Indirect impacts could result from development proposals some distance from a SAC; impacts on internationally designated sites in other counties should also be considered. These might include Special Protection Areas (SPAs), designated for their importance for birds (there are no SPAs in Epsom & Ewell the nearest being the Thames Basin Heaths and Wealdon Heaths Phase 1, Thursley, Hankley & Frensham Commons).

** In exceptional circumstances a proposal that would impact negatively on a SAC may be permitted but only where there are no alternative solutions and the proposal is necessary for imperative reasons of overriding public interest. Where this is the case, compensatory measures will be necessary.*

Epsom & Ewell's Special Areas of Conservation

► **The nearest SAC is the Mole Gap to Reigate Escarpment which does fall partly within neighboring Boroughs. See Map 1.**

Key organisations

► Environment Agency

Legislation

- Special Areas of Conservation (SACs)
- EC Habitats Directive
- Special Protection Areas (SPAs)
- EC Birds Directive (Council Directive 79/409/
- EEC on the conservation of wild birds)

In the UK these are implemented through UK law by the Conservation (Natural Habitats, &c.) Regulations 1994 and Wildlife & Countryside Act 1981 (as amended)

Planning policy

Because these sites are strictly protected by law, no further protection is required through PPS9. Equally, national guidance advises that local planning policies should not duplicate national policy.

The South East of England Plan Policy NRM5 provides guidance to local planning authorities on how they shall avoid a net loss of biodiversity and actively pursue a net gain across the region. The policy includes advice on how planning authorities should consider internationally and nationally designated sites when making strategic planning decisions. The policy is accompanied by a map of the sites across the region.

The current government has indicated that they intend to revoke all regional planning policy in the near future. It is understood that when this happens, local planning authorities will be free to fill the vacuum with appropriate local policies. In the interim period, the Council propose to 'save' key policies, such as Policy NRM5 until they can be replaced by local planning policy.



Great Pond – Epsom Common Local Nature Reserve

Nationally designated sites: Sites of Special Scientific Interest (SSSI)

SSSIs are a series of sites from across the UK, which provide a representative sample of the country's best habitats. There are 2 SSSIs in Epsom & Ewell, covering a total of 175 ha. The sites are Epsom Common Local Nature Reserve designated for its rare insects living in dead wood and for its breeding bird habitat and Stone's Road pond for its Great Crested Newts. SSSIs are designated for either their biological or geological interest; they are shown in red on **Map 1**.

SSSIs are given a high level of protection through both the planning and legal system. Normally development which would adversely affect a SSSI is not acceptable. Only in special cases, where the importance of a development outweighs the impact on the SSSI, would an adverse affect be permitted. In such cases, planning conditions or obligations would be used to mitigate the impact.

There is no requirement for development proposals to provide an 'Appropriate Assessment' for SSSIs. However, for developments that are likely to impact on a SSSI an Environmental Impact Assessment will probably be necessary.

Legislation

Wildlife and Countryside Act (1981)
Countryside and Rights of Way Act (2000)

Planning policy

Planning Policy Statement 9 Paragraphs 7 and 8 state that:

"...those features of SSSIs not covered by an international designation should be given a high degree of protection under the planning system..." and

"Where a proposed development on land within or outside a SSSI is likely to have an adverse effect on a SSSI planning permission should not normally be granted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at the site, clearly outweigh both the impacts on the site and the any broader impacts on the national network of SSSIs."

Core Strategy Policy CS3 states that SSSIs will be afforded the highest level of protection and that development that harms the scientific interests of these areas will not be permitted. This includes development proposals that may come forward on land outside of the identified SSSI boundaries.

The [proposals map](#) identifies the location and extent of the SSSIs located within the Borough.



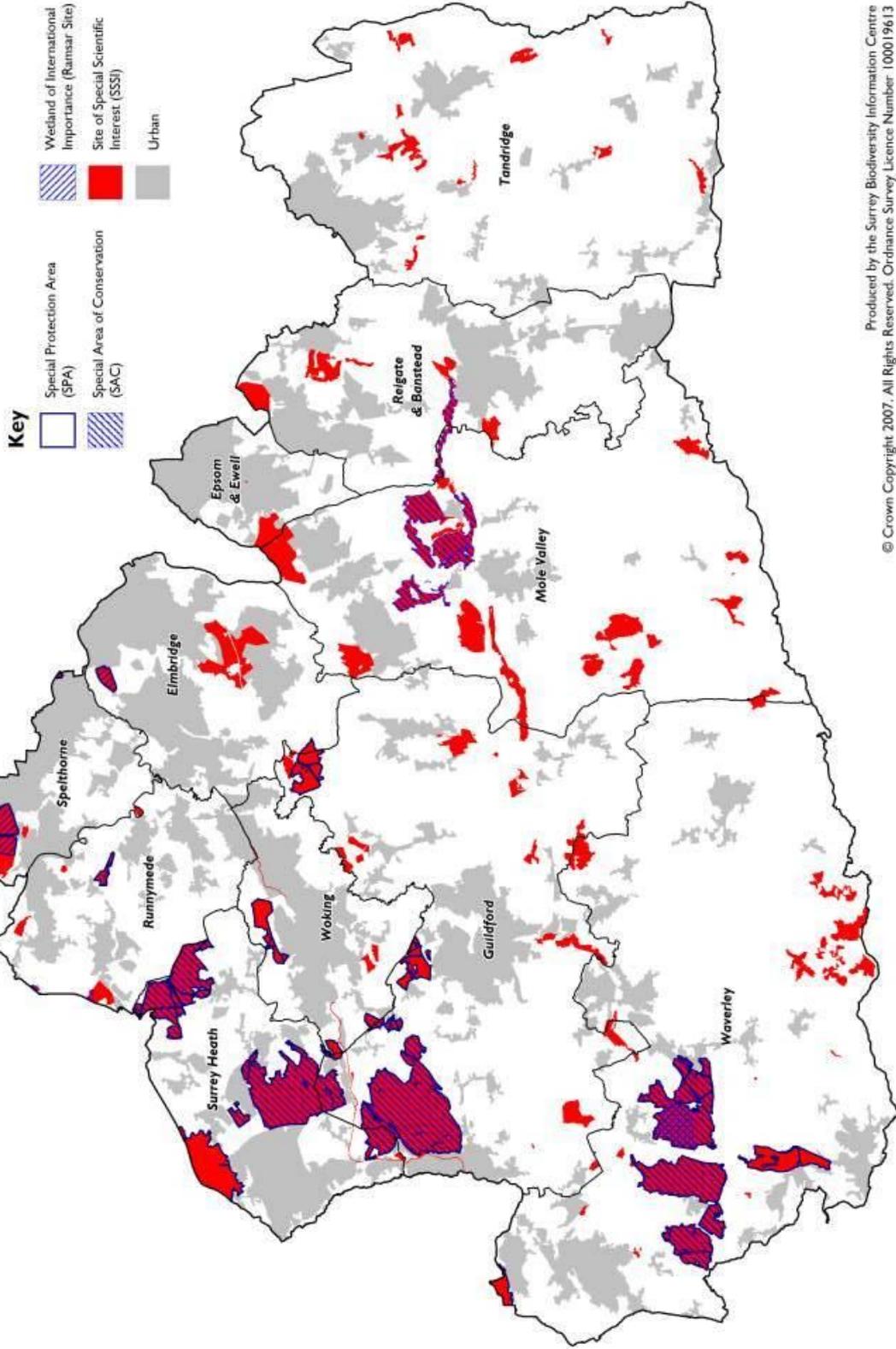
Stew Pond Epsom Common Winter Sun Rise



Female Blue Tailed Damselfly

Map 1

Map 1: Statutory Designated Sites in Surrey



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2b Legally protected species

Protected species occur throughout the borough

The distribution of current records across Surrey is illustrated on **Map 2**. A full list of protected species occurring in Epsom & Ewell, and the level of protection they receive, can be found in Appendix I available on the Epsom & Ewell Borough Council website.

The species receiving the strictest protection are generally referred to as 'European Protected Species' since they are protected under European Directives (see right). The European Protected Species you are most likely to come across in relation to development in Epsom & Ewell are great crested newt and bats. Other Epsom & Ewell species include the dormouse. These species are protected against killing, injury, disturbance in their place of shelter, taking and selling.

Examples of activities that could breach the legislation include: in-filling or earthworks near to a great crested newt pond, felling of trees or demolition of buildings used by bats, clearance of woodland or hedgerows supporting dormice.

Species can receive varying levels of protection under the Wildlife and Countryside Act (WCA); Epsom & Ewell species receiving protection under this act include water vole, common lizard, grass snake, slow worm and roman snail; all these species are protected against killing and injury, sale and advertisement for sale. It is also illegal to take a roman snail or freshwater crayfish. Water voles receive full protection under this Act, additionally making it illegal to obstruct access to, or destroy a water vole burrow, or to disturb a water vole in its burrow. The WCA also makes it illegal to pick, uproot or destroy certain rare plants for example Bluebells.

Development will need to avoid impacts on protected species, and where this is not possible, mitigation or compensation will be necessary. If there is a possibility that a development proposal will impact on a protected species, surveys will need to be submitted with a planning application to determine the impacts. **Please note: surveys to determine the presence of protected species need to be provided upfront with a planning application and should not be made a condition of planning permission since the local authority will need this information to inform their decision (see Circular 06/05, page 9).** If planning permission is granted, a development license, or conservation license, from Natural England may be required.

Birds

All bird nests, eggs and young are protected under the Wildlife and Countryside Act. Therefore, removal of any bird nesting habitat such as trees or scrub (or buildings in the case of birds such as barn owls, swifts, swallows, house martins and house sparrows) should only take place outside of the bird breeding season.

Some birds, listed on Schedule 1 of the Wildlife and Countryside Act receive an extra level of protection which means that they cannot be disturbed during the breeding season; those likely to be found in Epsom & Ewell include kingfisher, barn owl and peregrine. A full list can be found in Appendix I online.



Fly Agaric

Legislation

-EC Habitats Directive, transposed into UK law by Conservation (Natural Habitats, &c.) Regulations 1994

-Wildlife and Countryside Act (1981)

-Protection of Badgers Act 1992

Planning policy

Planning Policy Statement 9 and the South East Plan do not cover protected species specifically since they are protected by law.

As these species are strictly protected by law, no further specific protection is required through local planning policy.

Badgers

Badgers are a fairly common species, and are, therefore, quite likely to be encountered on a potential development site. Whilst not a rare species, badgers receive legal protection due to persecution and animal welfare issues.

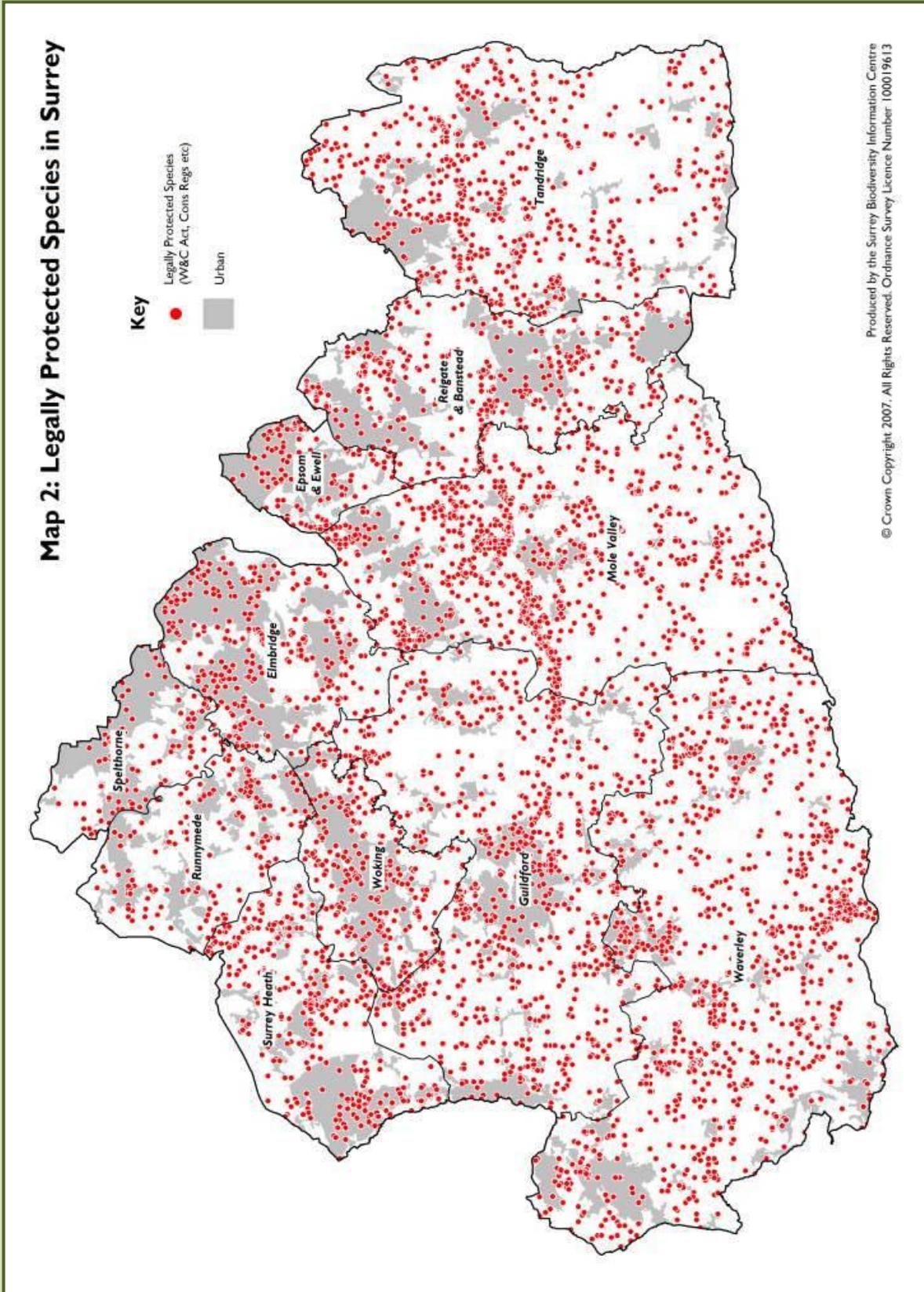
Badgers are protected under the Protection of Badgers Act 1992 against killing, injury or taking. Badger setts are also protected against damage, destruction or obstruction and it is illegal to disturb a badger in its sett.

A badger survey and report will be needed if a development is likely to impact on a badger sett, and appropriate mitigation will need to be put in place if impacts cannot be avoided.

Key organisations

- ▶ Environment Agency
- ▶ Local authorities
- ▶ Natural England
- ▶ RSPB

Map 2

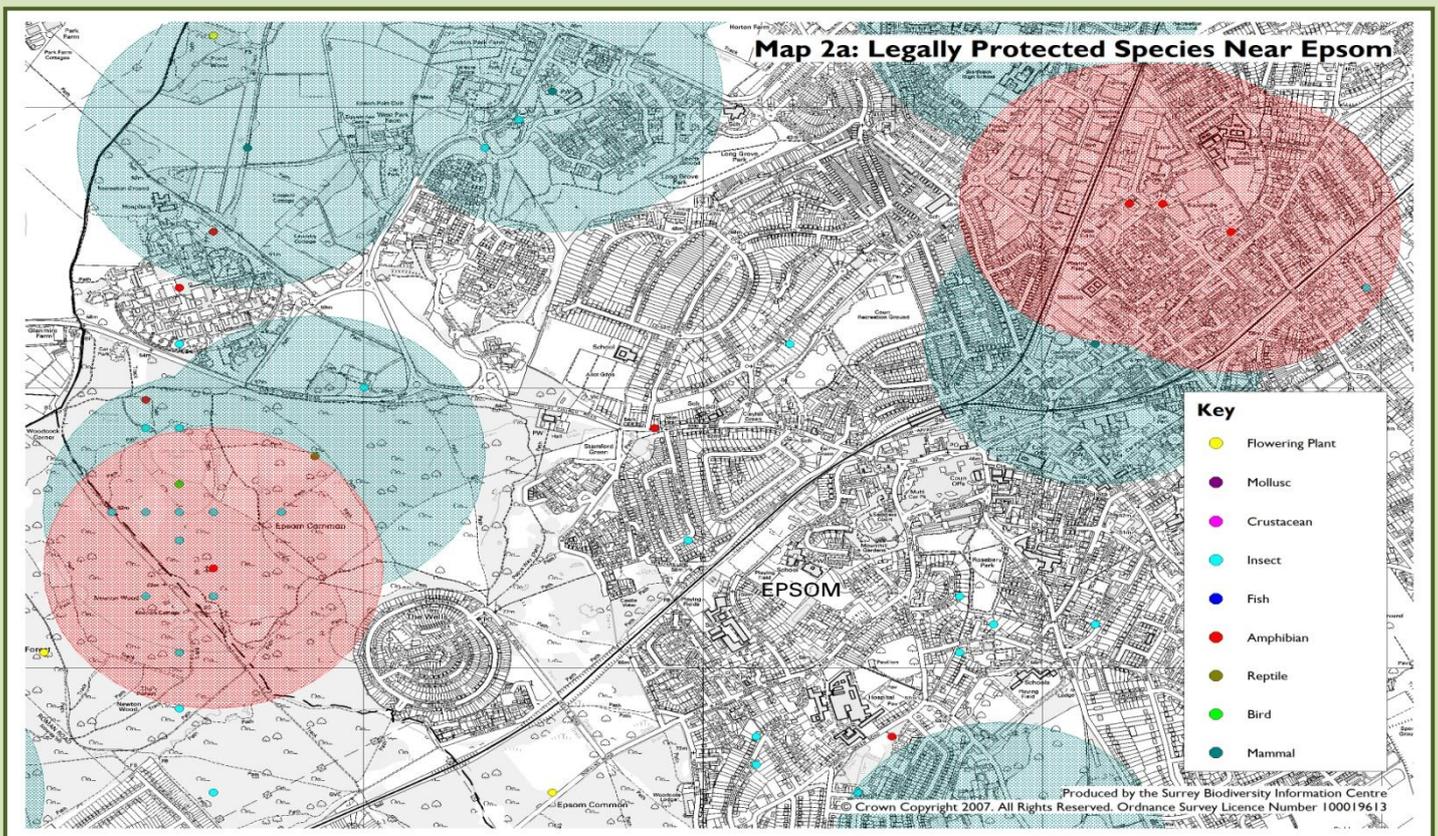


2b Legally protected species

Where are protected species likely to occur?

As **Map 2** demonstrates, there are many records for protected species across Surrey. **Map 2a** below is an example of information produced by Surrey Biological Records Centre to aid local authorities in determining the likely occurrence of protected species in relation to planning issues, it shows the locations where protected species have been recorded. Buffers have been applied around these records to give an indication of where there is a high likelihood of this species occurring. Local authorities can use this information to help work out when protected species survey information needs to be provided to help determine a planning application.

More information on how to determine when a protected species survey is required has been produced by Natural England in a [Standing Advice Note](#). It is important to bear in mind that protected species surveys can usually only be undertaken at certain times of year. For example, surveys of ponds for great crested newts must be undertaken between mid-March and mid-June when newts return to ponds to breed.



Water Vole

Further information

- ▶ Badgers and Development (Natural England)
- ▶ Bat Mitigation Guidelines (Natural England)
- ▶ Circular 06/05: Biodiversity and Geological Conservation — Statutory Obligations and Their Impact Within the Planning System
- ▶ Dormouse Conservation Handbook (Natural England)
- ▶ Great Crested Newts Mitigation Guidelines (Natural England)
- ▶ Natural England Standing Advice on Protected Species
- ▶ Water vole guide for planners and developers (BBOWT)
- ▶ Water voles — the law in practice (Natural England)

3 Local sites and priority habitats and species



Butcher's Grove – Horton Country Park Local nature reserve



Teasel

Protection through the planning system

The following biodiversity features are protected through the planning system:

- ▶ Local Wildlife Sites
- ▶ Ancient Woodland
- ▶ Priority Habitats
- ▶ Priority Species

Normally, development which would adversely affect these features is not acceptable. *Only in special cases, where the importance of a development outweighs the impact on the feature, would an adverse affect be permitted.* In such cases, planning conditions or obligations would be used to mitigate the impact.

Where a development has the potential to impact on a local site, or a priority habitat or species, a biodiversity survey and report will be required; in some circumstances an Environmental Impact Assessment may be needed. The following pages give information on these features as they occur in Epsom & Ewell.

Valuable sites for Epsom & Ewell's local wildlife

Local Sites are sites of substantive nature conservation value or geological interest. In Epsom & Ewell, Local Sites are termed Sites Of Nature Conservation Importance (SNCI) There are 12 SNCI in the Borough and these are shown on **Map 3 which shows SNCI across Surrey**. There are no Regionally Important Geological Sites (RIGS).

All Local Sites which meet the necessary criteria are designated; this differs significantly from the process of identifying SSSIs, as the latter are a representative sample of sites. Thus, Local Sites can be equal in quality to SSSIs. Local Sites do not have statutory status, but do receive protection through the planning system (see right).

The identification of SNCI is an ongoing process including monitoring and review which is undertaken by the Local Sites Partnership (see below). The List of SNCI in the borough is available in Appendix II. Please Note: As the number of SNCI is under continual review the Surrey Biological Records Centre should be contacted for the most up-to-date information.

Before formal selection, proposed SNCI are identified for survey; if a development is likely to affect a proposed SNCI ecological surveys will be necessary. Ideally the site should be visited by the Wildlife Sites Survey Officer, and survey information presented to the Local Sites Selection Panel before a planning application that is likely to affect a proposed SNCI is considered. In any case, a biodiversity survey and report will be necessary to establish any likely impacts.

Legislation

Local Sites are non-statutory sites: no additional legislation applies

Planning policy

Planning Policy Statement 9, Para 9: 'Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education.'

South East Plan (NRM5):

'ensure that damage to county wildlife sites and locally important wildlife and geological sites is avoided.'

Core Strategy Policy CS3:

'Development that would harm SNCIs or Local Nature reserves will not be permitted unless:

- Suitable mitigation measures are put in place, and
- It has been demonstrated that the benefits of a development would outweigh the harm caused.'



Black Tailed Skimmer Dragonfly

Surrey's Local Sites Partnership

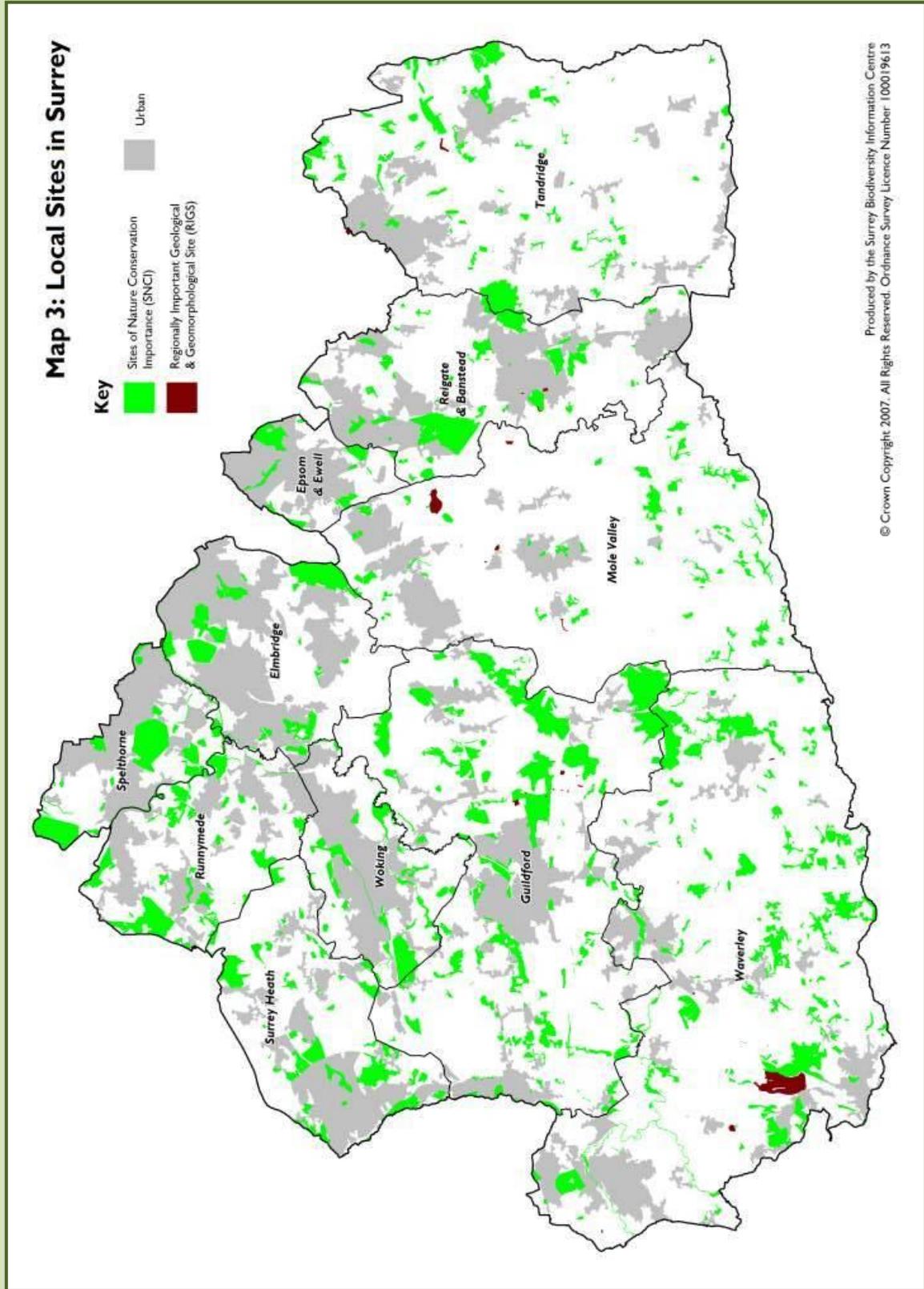
Local Sites are selected at a county level and the process is overseen by a Local Sites Partnership. The Surrey Local Sites Partnership is jointly run by Surrey County Council and Surrey Wildlife Trust, with support from Surrey districts for example Epsom & Ewell Borough Council.

Please note: The performance of local authorities for biodiversity is measured by assessing the number of SNCI in positive conservation management; as part of the Single Data Set and it is reported on annually by Surrey County Council to the Department of Local Communities and Local Government.

Key organisations

- ▶ Surrey Wildlife Trust
- ▶ Local authorities
- ▶ Surrey Biological Records Centre

Map 3



Trees and woodlands

Ancient woods are those that are known to have had continuous tree cover since at least 1600 AD. They are found across Epsom & Ewell, There are thirteen 'Ancient Woodlands' in Epsom & Ewell — these are identified on **Map 4**.

Ancient and veteran trees are old trees, they may be associated with woodlands, wood pasture and parkland, traditional orchard Biodiversity Action Plan (BAP) habitats, or may stand alone, for example, old trees are often found on old parish boundaries. Ancient trees are often in the third and final stage of their life and are old relative to other trees of the same species. Veteran trees on the other hand are usually in the second or mature stage of their life and contain important wildlife features such as holes, deadwood and wounds.

Ancient woodlands, and ancient and veteran trees, are likely to have biodiversity interest, as well as cultural and historical significance. Ancient woodlands, and ancient and veteran trees, may be protected by tree preservation orders, but they are also protected by planning policy (see right).

When assessing the potential impact of a development on trees and woodlands, potential impacts on tree roots, as well as the above ground features, must be taken into account as issues such as compaction or alterations to drainage could have significant impacts on trees.

Biodiversity of ancient woodlands and veteran trees

Ancient woodlands are likely to have greater biodiversity interest than more recently planted woodlands; some ancient woodlands will also be Biodiversity Action Plan priority habitats. Many woodland plants with limited dispersal abilities are associated with ancient woodlands — some of these are used to help identify the presence of an ancient woodland and are known as ancient woodland indicators. In addition to ground flora interest, ancient woodlands are likely to support protected species, such as bats and dormice, as well as woodland birds and butterflies.

It has been estimated that Britain supports 80% of Europe's veteran trees, veteran trees are particularly important for the invertebrate communities they support, as well as providing good roosting habitat for bats and nesting sites for birds. Old trees are also likely to support a rich variety of lichens and mosses.

Key organisations

- ▶ Lower Mole Countryside Management Project
- ▶ Local authorities
- ▶ Natural England
- ▶ Woodland Trust

Further information

- ▶ Natural England Standing Advice for Ancient Woodland



Legislation

Town and Country Planning Act 1990:
Tree Preservation Orders

Planning policy

Planning Policy Statement 9, Para 10:
'Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. Local planning authorities should identify any areas of ancient woodland in their areas that do not have statutory protection (e.g. as a SSSI). They should not grant planning permission for any development that would result in its loss or deterioration unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat. Aged or 'veteran' trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Planning authorities should encourage the conservation of such trees as part of development proposals.'

South East Plan (NRM7):

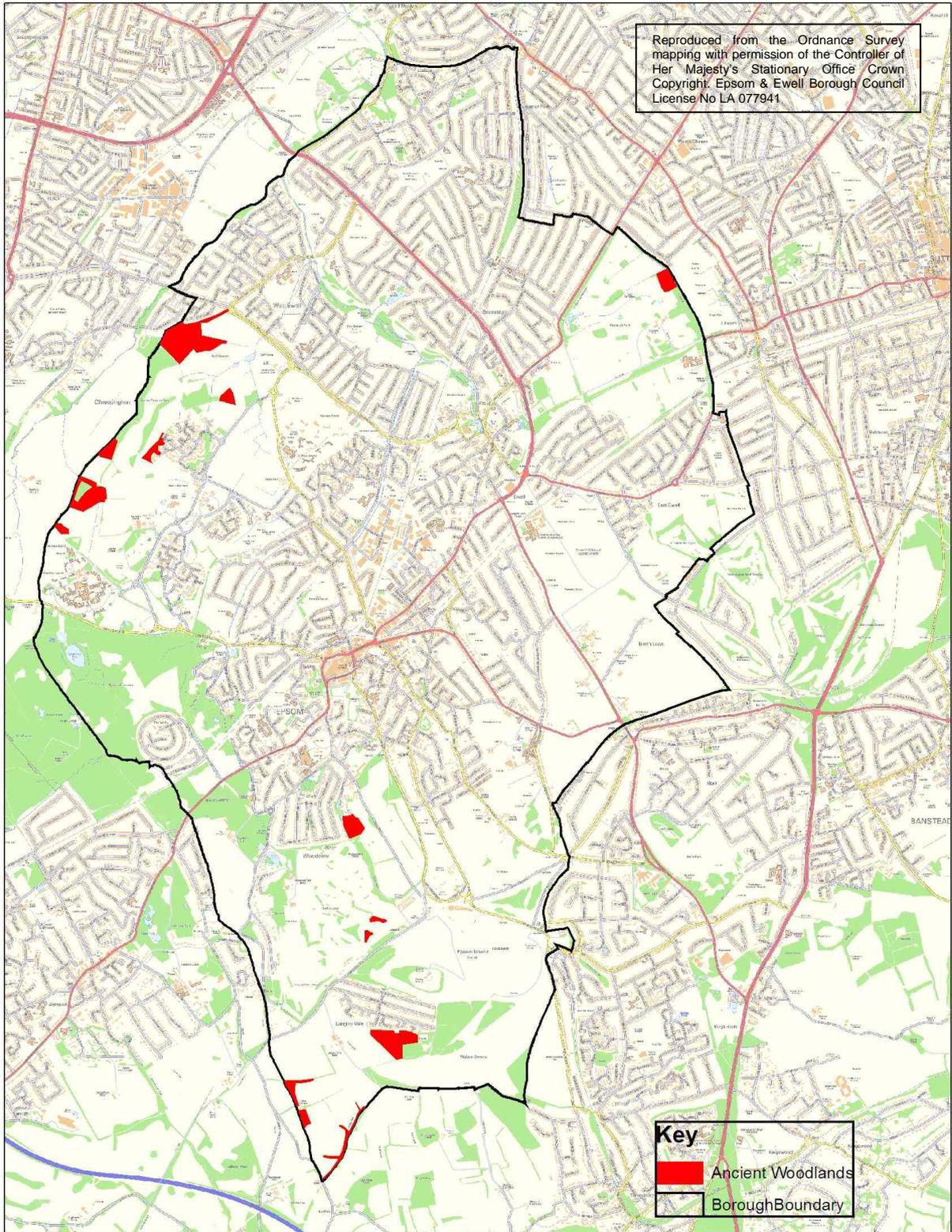
'In the development and implementation of local development documents and other strategies, local authorities and other bodies will support the implementation of the Regional Forestry and Woodland Framework, ensuring the value and character of the region's woodland are protected and enhanced.'

Along with the Borough's SSSIs, Core Strategy Policy CS3 affords identified Ancient Woodland a level of policy protection. Development that harms the scientific interest of Ancient Woodland will not be permitted.

The [proposals map](#) identifies the location and extent of Ancient Woodland located within the Borough. This map will be updated to reflect the latest information on the extent of Ancient Woodland coverage.

The [Local Plan \(May 2000\)](#) includes a number of 'saved' policies that remain part of the local development plan. This includes [Policies NE5 and NE6](#), which relate to the protection of existing trees within new developments.

Map 4



Map 4
Ancient Woodland in Epsom & Ewell 2011



Habitats of principle importance

The UK Biodiversity Action Plan (UK BAP) describes the UK's biological resources and sets out a plan for their protection. This is the UK's response to the Convention of Biological Diversity to which the UK signed up in 1992, committing to halt the decline of biodiversity by 2010.

A local BAP has been produced for Epsom & Ewell, identifying priority habitats as guided by the Surrey Habitat Action plans which is in turn guided by the UK BAP. The Epsom & Ewell BAP is available on line at www.epsom-ewell.gov.uk

The distribution of known Surrey BAP priority habitats in Epsom & Ewell is identified on **Map 5**. These habitats do not receive statutory protection, but are protected by planning policy. They will be found both within and outside designated sites, and may occur in areas outside of those identified on Map 5. BAP habitats correspond to those identified under Section 41 of the NERC Act as habitats of principle importance for the conservation of biodiversity in England and are, therefore, protected by planning policy (see below).

UK BAP Habitats in Epsom & Ewell (Semi Natural Habitats)

► **Chalk Grassland (including chalk scrub)** A UK BAP Priority Habitat. This consists of a mixture of indigenous grasses and herbs occurring on, well-drained, nutrient-poor soils overlaying chalk. For example, Epsom and Walton Downs. Where grazing has ceased a natural succession of more woody species has developed which is an important habitat for many species of bird, mammal and invertebrate. A scrub component to chalk grassland is seen as essential in maintaining the highest possible levels of biodiversity on chalk grassland. For example Juniper Hill on Walton Downs.

► **Farmland:** This includes species rich/ancient hedgerows and cereal field margins; both UK BAP Priority Habitats. In addition it includes habitats noted either of broad importance or local importance. These are improved grassland, land given over to arable/horticulture, for example, Langley Bottom Farm, Northey Fields and Horton Country Park Local Nature Reserve (LNR).

► **Lowland Heathland (Including Acid Grassland and Bog):** A UK BAP Priority Habitat. Open landscape generally occurring on poor, acidic sandy soils, characterised by dwarf shrubs of the heather family; ling (*Calluna vulgaris*), bell heather (*Erica cinerea*) and cross-leaved heather (*Erica tetralix*). It also includes acidic grassland, scattered trees and open water. For example, the remnant heathland areas on Epsom Common LNR.

► **Meadows:** Lowland Unimproved Neutral & Dry Acid Grassland are UK BAP Priority Habitats. Unimproved grassland is where land has seen little if any intensive farming and has been relatively undisturbed over many hundreds of years. Neutral grassland refers to the pH value of the soils which will be neither too wet nor too dry. Outside of farmland and public open space these can be found in recreational sites, churchyards and road verges for example. Dry acid grassland occurs on sandy or acidic clay soils, often found on heathland and along woodland edges and rides. Examples of these habitats within Epsom and Ewell can be found in Nonsuch Park, the Hogsmill, Epsom Common and Horton Country Park Local Nature Reserves.

► **Standing Open Water & Large Reedbeds:** All Lakes, ponds (including seasonal) and their associated wetland areas and adjoining reedbeds are UK BAP priority habitats. Epsom and Ewell has remarkably few lakes and ponds and so Great Pond on Epsom Common and the ponds found in several parks and on Horton Country Park are a very scarce and valuable habitat within the Borough.

► **Wetland:** The UK BAP identifies the component habitats under the wetland heading as of broad or local importance. This includes streams and their tributaries with their associated reedbeds of emergent vegetation, including common reed and sedge opposite open water or not more than 1m wide, and mire. The streams running through Horton Country Park LNR are a good example within the borough.

► **Woodland:** The UK BAP identifies broadleaved mixed and Yew woodland as of broad importance and all other woodland of local importance. Wet woodland is identified as a priority habitat. Woodland is defined as vegetation dominated by trees more than 5m high when mature, forming a distinct though sometimes open canopy. Orchards and scrub, as a successional stage of woodland, are also included. Epsom and Ewell contains several areas of woodland although none is particularly large. Ancient woodland (existed before 1600 AD) can be found in Horton Country Park LNR and Epsom Common. Woodland can be found on other large open space areas such as Epsom Downs and Nonsuch park. Wet woodland can be found on Epsom Common and Horton Country Park LNR's

UK BAP Habitats in Epsom & Ewell (Semi Natural Habitats)

► **Wood Pasture & Parkland:** This is a UK BAP Priority Habitat. The habitat is characterised by a history of grazing amongst trees. The habitat is made up of trees, grazed grass land scrub and sometimes heathland. The trees are often large, some of great age, some pollarded; with partially open canopy, and dead wood on the ground. Epsom Common LNR is the boroughs best example of this kind of habitat with potential on Epsom Common and sites such as Nonsuch Park to restore this habitat.

(Urban Habitats)

► **Managed Greenspace:** This encompasses areas managed primarily for recreation or amenity. It includes orchards, town parks, playing fields and open spaces, green corridors, golf courses, allotments, cemeteries, and churchyards, school and hospital grounds, roadside, corporate grounds, street trees, and private gardens. Within this category also, must be included greenspace managed by local authorities or local communities, sometimes statutory Local Nature Reserves, which may include some semi-natural habitat but which owe more of their wildlife interest to new planting.

► **Regenerating Habitats:** Human induced or naturally regenerating habitats occur on all types of disturbed ground. There is a process to some extent dependent on local conditions by which land is successively dominated first by annual plants and then tall herbs or "ruderal" species. Left to its own devices such an area will after 12 years or so, become scrub and ultimately woodland. Examples include industrial land, railway sidings and embankments, canal side, abandoned allotments, neglected gardens, demolition sites, and other vacant plots. Related habitats include "hard surfaces" such as buildings, roofs, walls and gravestones, all of which can be colonised by plants and tunnels which are frequently used by bats as roosting sites. Churchyards can be especially valuable for mosses and lichens and may also have species-rich grassland communities.

► **Areas of urban semi-natural habitat:** These persist in the urban areas from a more rural past: e.g. various unimproved grasslands, heathland, ancient species-rich hedgerows and woodland.

► **Urban wetlands:** Rivers, brooks, ponds, and springs, canals, flooded mineral workings, reservoirs, artificial lakes and sewage treatment works.

Please note:- A Roadside Verge HAP is currently (2009) in draft form and work to include this Surrey HAP in to the Epsom and Ewell Local BAP will be considered in future. This HAP is not a part of the Urban HAP.

Further information

- **Ponds — A Priority Habitat: best practice guidance for development control planning officers (Pond Conservation)**
- www.ukbap.org.uk

Legislation

Natural Environment and Rural Communities Act 2006, Section 41 lists habitats of principle importance for the conservation of biodiversity in England (this replaces the list under Section 74 of the CRoW Act 2000)

Planning policy

Planning Policy Statement 9, Para 10:

'Through policies in plans, local authorities should also conserve other important natural habitat types that have been identified in the Countryside and Rights of Way Act 2000 Section 74 list, as being of principal importance for the conservation of biodiversity in England and identify opportunities to enhance and add to them.'

South East Plan Para 9.23 Page 94 states:

'Biodiversity protection and enhancement in the region will be achieved by: conserving and enhancing the diversity and distribution of habitats and species, as designated sites only represent the best examples of their kind'.

Core Strategy Policy CS3 states:

'...development that is detrimental to the Borough's biodiversity will be minimised, and where it does take place, adequate mitigating measures should be provided. Wherever possible, new development should contribute



The Hogsmill River

Key organizations

- Epsom & Ewell Nature Biodiversity Partnership
- Epsom & Ewell Borough Council
- Surrey County Council
- Surrey Wildlife Trust
- Lower Mole Countryside Management Project

Map 5

Please note as a part of implementing the Epsom & Ewell Local Biodiversity Action Plan we are working with Surrey Wildlife Trust to complete a priority habitats map for the borough.

3d Priority Species

Species of principle importance

In addition to listing priority habitats (see Section 3c) the UK BAP also identifies species of priority for conservation in the UK. There are 1,149 BAP species; locations where BAP species have been recorded in Epsom & Ewell are identified on **Map 6**. BAP species are likely to be found both within and outside of designated sites, many BAP species will be associated with BAP habitats, but not exclusively so.

BAP species include rare and declining species of mammals, birds, reptiles, amphibians, fish, plants, mosses, lichens and liverworts.

Inclusion on the list of BAP species does not imply legal protection although some BAP species are also protected under law (see Section 2b). The BAP species list has informed the identification, under Section 41 of the NERC Act, of species of principle importance for the conservation of biodiversity in England, which are protected by planning policy (see right).

BAP Species in Epsom & Ewell

A full list of BAP species occurring in Epsom & Ewell can be found in Appendix II; examples of BAP species that could be protected or enhanced through the planning system in Epsom & Ewell include:

► **Stag Beetle:** Britain's largest native beetle. This species is rare in the UK; its distribution is restricted largely to localities in southern eastern Britain. Formerly much more widespread their decline is closely linked to the loss of native woodland and decaying timber. They are known to be present in Epsom & Ewell and have been chosen as the 'Totemic' species in the biodiversity action plan as their presence indicates the existence of woodland and decaying timber which is a vital habitat for many other species. Planning applications should avoid where possible the complete removal of tree stumps and encourage wood from any tree removal to be kept on site in the form of habitat piles.

► **Farmland birds,** including skylark, linnet, yellowhammer, reed-bunting, tree sparrow, bullfinch, starling, song thrush and turtle dove, have shown dramatic declines within the last 30 years. All individual birds are protected under the Wildlife and Countryside Act 1981, however, opportunities should be taken to maintain and enhance the populations of these farmland birds wherever possible. Development could impact on these species by direct loss of habitat, but also through increased recreational disturbance, especially associated with residential developments. Species such as tree sparrow can benefit from the provision of suitable nest sites. Development should avoid habitat fragmentation and impacts on the hydrology of these areas. Opportunities should be taken to improve and extend suitable habitat; this may be combined with areas needed to provide flood protection.

Legislation

Natural Environment and Rural Communities Act 2006, Section 41 lists species of principle importance for the conservation of biodiversity in England (this replaces the list under Section 74 of the CRoW Act 2000)

Planning policy

Planning Policy Statement 9, Para 16: 'Other species have been identified as requiring conservation action as species of principal importance for the conservation of biodiversity in England. Local authorities should take measures to protect the habitats of these species from further decline through policies in local development documents.'

Planning authorities should ensure that these species are protected from the adverse effects of development, where appropriate, by using planning conditions or obligations. Planning authorities should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.'

Key organisations

- Surrey Wildlife Trust
- Surrey Amphibian and Reptile Group
- Bat Conservation Trust
- Butterfly Conservation
- Environment Agency
- Epsom & Ewell Borough Council
- Surrey County Council
- Epsom Common Association
- Lower Mole Countryside Management Project
- Mammal Society
- Royal Society for the Protection of Birds
- Peoples Trust For Endangered Species
- Woodland Trust



Demoiselle Damselfly



Comma



Weasel

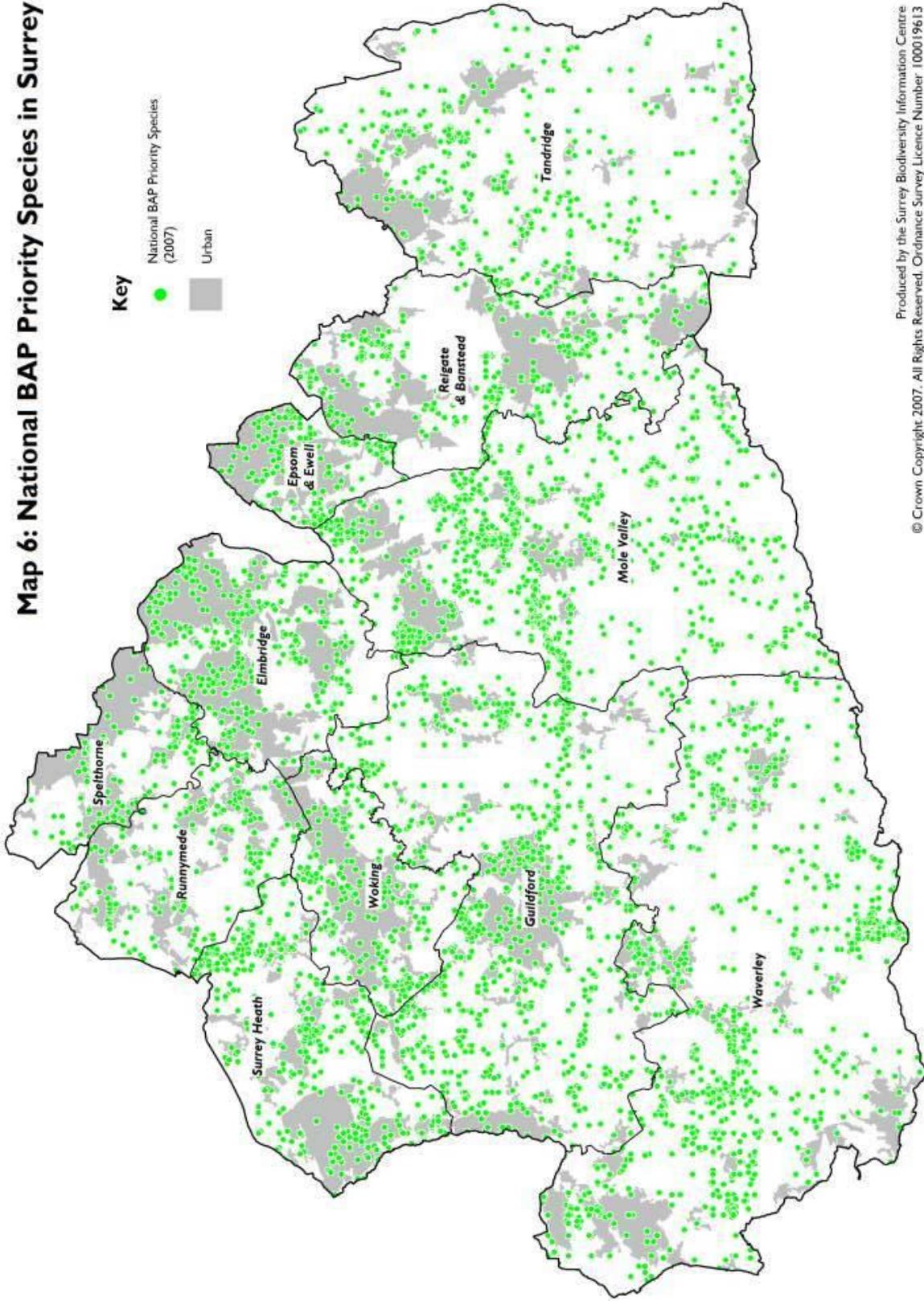


Adder

Map 6

Map 6: National BAP Priority Species in Surrey

Key
National BAP Priority Species (2007)
Urban



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3e Other areas of importance to biodiversity

There are a number of areas and sites of importance to biodiversity within the borough which are identified in addition to (and via other mechanisms to) the biodiversity planning policy and legislation covered by this document. These include nature reserves and Areas of Great Landscape Value.

Nature Reserves

The term 'nature reserve' is used to describe a range of different types of site important for wildlife and people. Some of these nature reserves have a statutory designation in their own right; in other cases, the term 'nature reserve' does not in itself imply any special protection. However, most of these sites will receive another form of designation (SAC, SSSI, SNCI) and most, if not all, support protected species or priority habitats or species. See **Map 7** which in addition to 'Green Belt' shows all sites currently designated for their biodiversity value within Epsom & Ewell.

National Nature Reserves (NNRs): These protect sensitive biodiversity or geological features, provide sites for ecological research and offer opportunities for people to experience the natural environment. NNRs are a statutory designation made by Natural England. Epsom & Ewell does not currently have an NNR but it should be noted that Ashted Common which forms one half of the Epsom and Ashted Commons Site of Special Scientific Interest is a NNR. Epsom Common is currently being assessed for possible NNR status.

Local Nature Reserves (LNRs): These are important for people and wildlife; they have features of local biodiversity or geological interest and offer opportunities for learning. LNRs are a statutory designation made by local authorities. There are 4 LNRs in Epsom & Ewell.

Epsom & Ewell Borough Council Nature Reserves: EEBC manages 3 nature reserves within Epsom & Ewell to protect important biodiversity, and to provide opportunities for people to enjoy local wildlife. These are Epsom Common, Horton Country Park and the Hogsmill LNR's. All have SNCI status and Epsom Common is a SSSI

Surrey Wildlife Trust Reserves: SWT manages Howell Hill LNR

Other Areas

Green Belt: The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; their most important attribute being their openness. About 42% of the Borough is covered by the Green Belt. Approximately 40% of the Green Belt is public open space, including Epsom Downs, Horton Country Park and Epsom Common. It plays an essential role in providing recreational opportunities, securing the Borough's wider landscape setting and in creating the special identity of the area.

Areas of Great Landscape Value (AGLV): The landscape quality of the area that covers Walton Downs, in the south-eastern corner of the Borough and extends into adjoining districts to the south and east has been identified as being of County-wide significance.



Meadow Pond
Horton Country Park Local Nature Reserve

Further information

- ▶ Epsom Common LNR Management Plan
- ▶ Horton Country Park LNR management Plan
- ▶ Hogsmill LNR Management Plan
- ▶ Epsom & Ewell Local Development Framework



Hogsmill Local Nature Reserve

Legislation

National Nature Reserves are designated under the Wildlife and Countryside Act (Section 35) and the National Parks and Access to the Countryside Act 1949. Local Nature Reserves are designated under the National Parks and Access to the Countryside Act 1949.

Green Belts were originally founded in planning legislation published in 1935 and reinforced by the Town & Country Planning Act 1947. The codification of Green Belts came with the publication of a historic government circular in 1955.

The first AGLV areas were originally identified by the County Plan in 1958, subsequent amendments and additions being made to the extent of the AGLV in 1971 and during the early 1980s.

Planning policy

Planning Policy Guidance 2 sets out the role and function of Green Belts and how local planning authorities will determine development proposals.

South East Plan Policy SP5 supports the retention of the broad extent of Green Belts across the region and states that the opportunity should be taken to improve their land-use management and access as part of initiatives to improve the rural urban fringe.

Core Strategy Policy CS2 seeks to maintain the general extent of the Green Belt. Whilst new development continues to take place within the Green Belt, notably on the previously developed footprint of five former hospital sites, there is no strategic need for a review of the Borough's Green Belt. The extent of the Green Belt is identified on the [Proposals Map](#).

The [Local Plan \(May 2000\)](#) includes a number of 'saved' policies that remain part of the local development plan. These include [Policies GB1, GB3, GB5, GB6 and GB7](#) which relate to the control of development proposals within the Green Belt. These policies are set to be replaced by new development management policies that will be contained within the [Epsom & Ewell Delivery DPD](#).

Planning Policy Statement 7, Paragraphs 24 and 25 set out how local planning authorities will identify and protect locally important landscapes. Paragraph 26 sets out how local planning authorities will address the particular land use issues and opportunities to be found in the countryside around all urban areas.

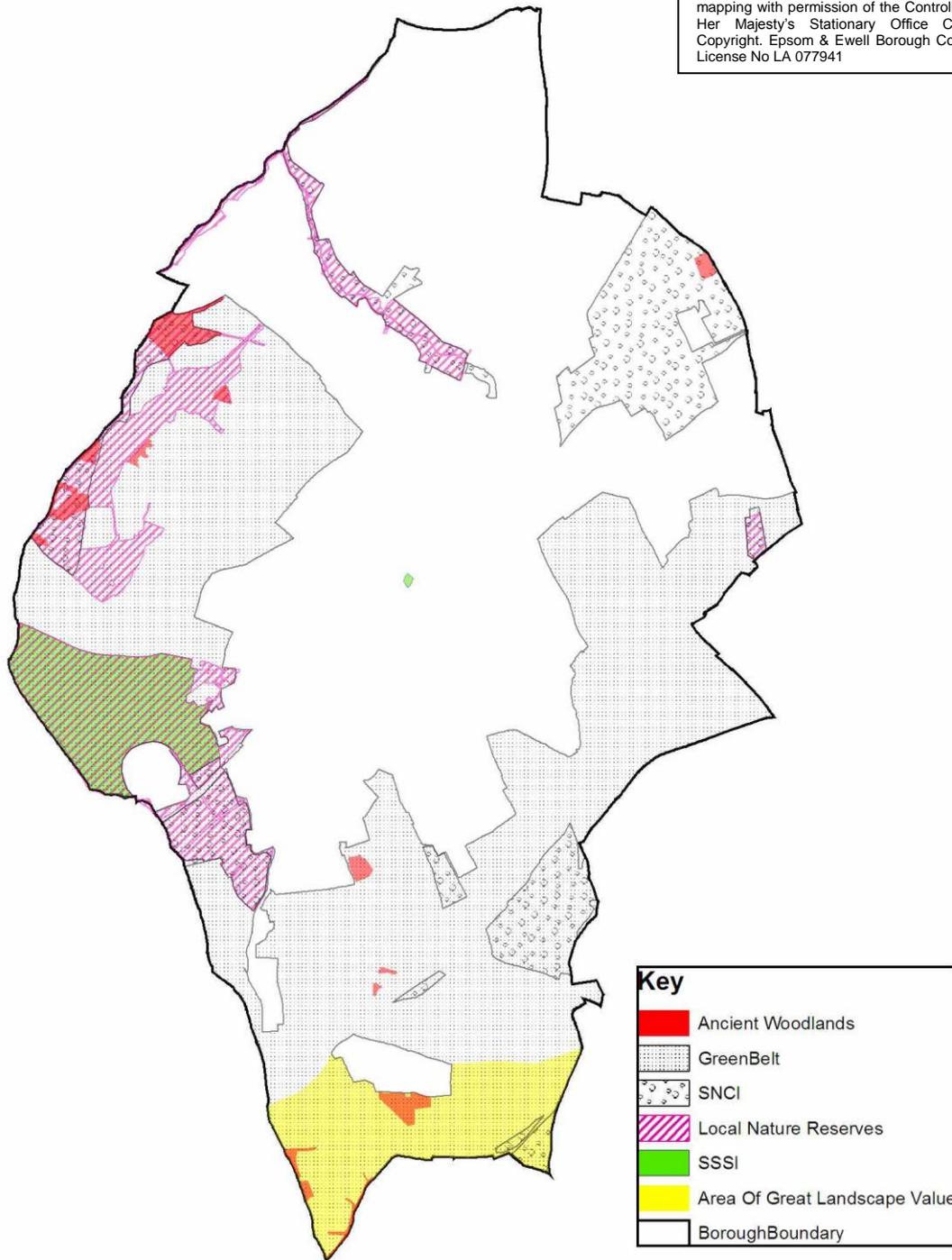
The Borough's AGLV is currently safeguarded under [Local Plan Policy NE2](#) and is identified on the [Proposals Map](#). A recent review of the Surrey Hills AGLV has concluded that a future review of the adjoining Area of Outstanding Natural Beauty (AONB) should re-assess the AGLV and possibly seek to incorporate elements into the AONB.



Dawn at Great Pond
Epsom Common Local Nature Reserve

Map 7

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Map 7
Sites designated for their biodiversity and
landscape value in Epsom & Ewell 2011



4a Biodiversity Opportunity Areas

Important areas for wildlife conservation

Biodiversity Opportunity Areas (BOAs) identify the most important areas for wildlife conservation in Surrey, where targeted conservation action will have the greatest benefit. The main aim within BOAs is to restore biodiversity at a landscape scale through the maintenance, restoration and creation of BAP priority habitats. BOAs in Surrey are identified on **Map 8**, and link with BOAs mapped across the whole of Southeast England in the South East Biodiversity Strategy.

Biodiversity Opportunity Areas are a relatively new concept and the planning policy approach is still in development. There is a requirement under PPS9 for the identification of areas of opportunity for biodiversity improvement in Local Development Frameworks (see below), and BOAs provide an important basis for this.

Until the policy approach has been developed further in Local Development Frameworks, it is suggested that development that would prevent the achievement of the aims of a BOA is avoided. In many cases this involves protecting the designated and priority habitats and species in the BOA (see Sections 2 and 3), but consideration should also be given to whether development will affect habitat connectivity, either positively or negatively.

As with all development, proposals within or adjacent to a BOA will be expected to deliver biodiversity enhancements, but within a BOA such enhancements will be most effective when they are tailored to meet the aims of a BOA. The scale of enhancements should be proportional to the size of the development. Examples of measures that might be involved include:

- ▶ Restoration or maintenance of habitats through suitable management secured by planning obligations;
- ▶ Habitat creation to link fragmented habitats;
- ▶ Funding towards conservation initiatives in the BOA, secured by planning conditions and obligations; and
- ▶ Provision of capital items needed to secure biodiversity enhancements (such as fencing to allow grazing).

Where a development has the potential to impact, either positively or negatively, on the known biodiversity interest of a BOA, a biodiversity survey and report will be required, to identify both constraints and opportunities. In some circumstances an Environmental Impact Assessment may be needed.



Silver Washed Fritillary

Planning policy

Planning Policy Statement 9, para's 5 and 12:

'Local development frameworks should... identify any areas or sites for the restoration or creation of new priority habitats which contribute to regional targets, and support this restoration or creation through appropriate policies.'

'Networks of natural habitats provide a valuable resource. They can link sites of biodiversity importance and provide routes or stepping stones for the migration, dispersal and genetic exchange of species in the wider environment. Local authorities should aim to maintain networks by avoiding or repairing the fragmentation and isolation of natural habitats through policies in plans. Such networks should be protected from development and, where possible, strengthened by or integrated within it.'

South East Plan (NRM5)2:

'Local authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region... Identifying areas of opportunity for biodiversity improvement and setting biodiversity targets... Opportunities for biodiversity improvement, including connection of sites, large-scale habitat restoration, enhancement and recreation in the areas of strategic opportunity for biodiversity improvement should be pursued'. (p.91-92)

Delivering biodiversity gains in Surrey's Biodiversity Opportunity Areas

There are currently around 47 BOAs covering some 39% of Surrey, and these are listed in **Appendix II**. The BOAs were mapped by SBIC in consultation with local authorities and conservation organisations in Surrey. They were identified by taking into account existing concentrations of BAP habitat and important areas for priority species. The potential for habitat restoration was also considered and took into account geology, topography and hydrology.

A statement is in preparation for each BOA identifying the features of biodiversity importance and targets for maintenance, restoration and creation of habitats.

The BOAs provide a focus for co-ordinated biodiversity action in the county, including:

- ▶ Biodiversity project work by a range of organisations;
- ▶ Delivery of agri-environment schemes;
- ▶ Provision of biodiversity enhancements through the planning system.

Delivery of BOA aims is coordinated by the Surrey Biodiversity Partnership (SBP), who will also co-ordinate working groups for BOAs. Details of organisations to lead these working groups are available from SB

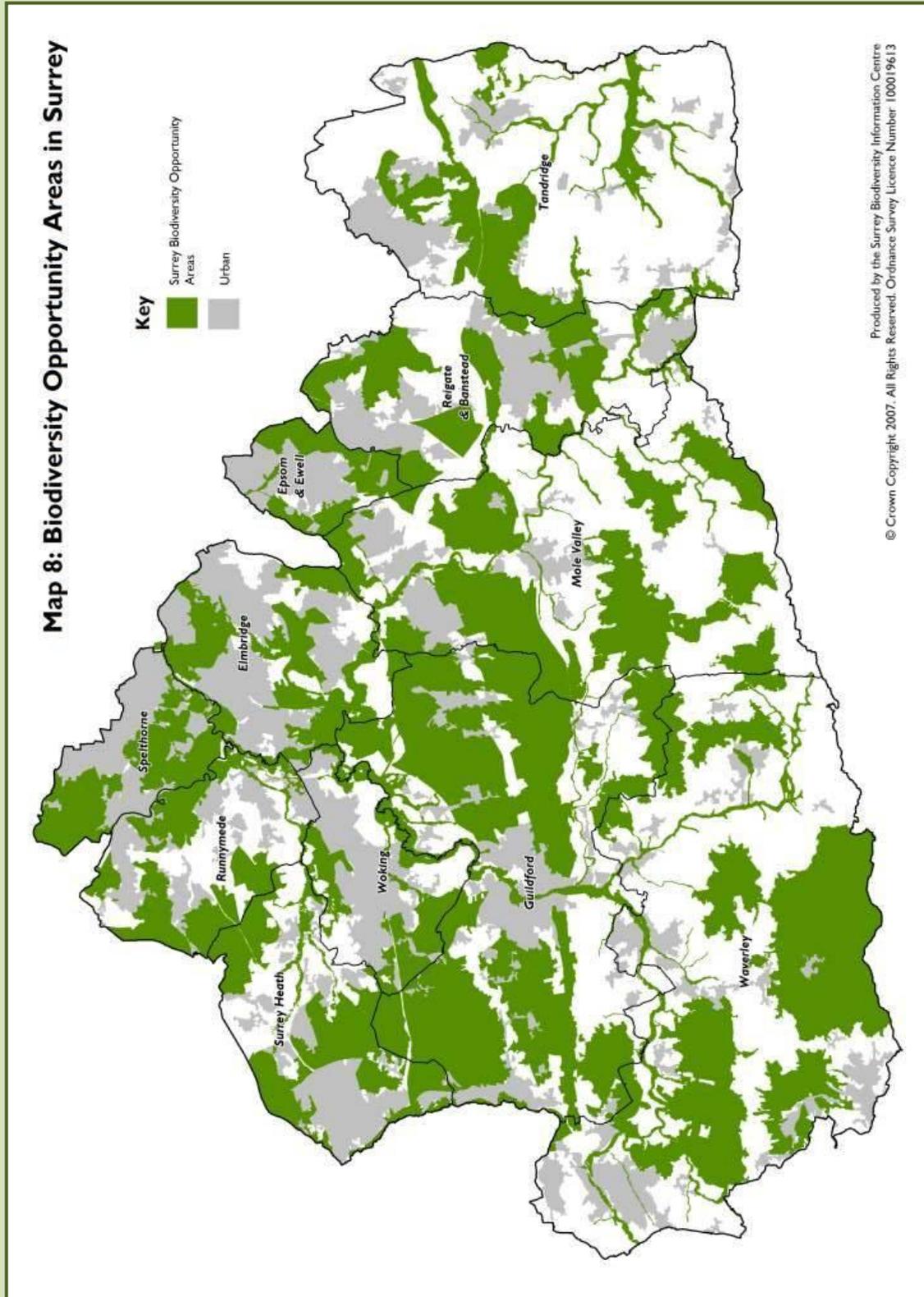
Key organisations

- ▶ Surrey Wildlife Trust
- ▶ Environment Agency
- ▶ Local authorities
- ▶ Natural England
- ▶ South East England Biodiversity Forum
- ▶ Surrey County Council
- ▶ Surrey Biodiversity Partnership
- ▶ Surrey Biodiversity Information Centre



Horton Country Park Local Nature Reserve

Map 8



Networks of green spaces

Green Infrastructure consists of the green areas in both urban and rural settings. It fulfills a variety of functions including provision for biodiversity, alongside delivery of recreational and cultural objectives. Green Infrastructure can include nature reserves, designated sites, recreational grounds, parks and open spaces, public rights of way, canals, allotments, cemeteries and many other green areas.

Green Infrastructure should provide a network of interconnected habitats to enable dispersal of species across the wider environment. Open spaces within developments should be linked to biodiversity in the wider countryside, including on designated sites and BAP habitats. Green Infrastructure should also be planned to provide ecosystem services such as flood protection, microclimate control and filtration of air pollutants. New developments should be designed to maintain existing Green Infrastructure.

In delivering biodiversity enhancements, measures should be taken to contribute to the Green Infrastructure network to maintain existing habitats and to reduce habitat fragmentation. Production of a Green Infrastructure master-plan should be considered for large scale developments. Development should aim to provide enough accessible natural green space relative to the scale of the development to achieve the Accessible Natural Green space Standard (see below) and meet relevant aims of the Rights of Way Improvement Plan. Some planning authorities have developed their own local standards for the provision of natural/semi-natural green space. Local planning authorities should be including policies that address aspects of Green Infrastructure within their Local Development Frameworks.

The development plan for Epsom & Ewell, through Core Strategy and 'saved' Local Plan policies currently identifies a loose network of Strategic, formal and informal open and recreation spaces across the Borough. It is anticipated that the emerging Delivery DPD will formalise these spaces, and many of the sites already mentioned within this document, as a Borough-wide Green Infrastructure Network. This may include green infrastructure mapping similar to that advocated by the [CABE Grey to Green campaign](#).

The Accessible Natural Greenspace Standard (ANGSt)

Access to natural spaces is known to improve quality of life, with benefits to health and well-being, as well as social cohesion. Natural England has developed a standard for the provision of accessible natural green space, known as ANGSt, the standards required are as follows:

- ▶ An accessible natural green space, of at least 2 ha in size, no more than 300 metres (5 minutes walk) from home
- ▶ Local Nature Reserves at a minimum level of 1 ha per thousand population
- ▶ At least one accessible 20 ha site within 2 km of home
- ▶ At least one accessible 100 ha site within 5 km of home
- ▶ At least one accessible 500 ha site within 10 km of home

It is recognised that some of these targets cannot be achieved over a short time period, but they provide a long term goal. In Epsom & Ewell, access to natural green space currently falls short of the standard (see An Analysis of Accessible Nature Green space Provision in the South East):

- ▶ 3% of households are within 300 m of a 2 ha site
- ▶ 36% of households are within 2 km of a 20 ha site
- ▶ 41% of households are within 5 km of a 100 ha site
- ▶ No households are within 10 km of a 500 ha site

It is important to note that whilst access to natural green space is essential, there will be some areas where allowing access would be detrimental to sensitive biodiversity.

Key organisations

- ▶ Surrey Wildlife Trust
- ▶ Environment Agency
- ▶ Surrey County Council
- ▶ Natural England
- ▶ North Downs AONB
- ▶ Epsom & Ewell Borough Council

Further information

- ▶ Natural England's Green Infrastructure Guidance
- ▶ South East Green Infrastructure Framework
- ▶ An Analysis of Accessible Natural Greenspace Provision in the South East



Stream in Pond Wood
Horton Country Park Local Nature Reserve



Brimstone



Wood Mouse



Bee Fly



Essex Skipper



Small Skipper

Planning Policy

Planning Policy Statement 9, Para 12: 'Networks of natural habitats provide a valuable resource. They can link sites of biodiversity importance and provide routes or stepping stones for the migration, dispersal and genetic exchange of species in the wider environment. Local authorities should aim to maintain networks by avoiding or repairing the fragmentation and isolation of natural habitats through policies in plans networks should be protected from development, and, where possible, strengthened by or integrated within it. This may be done as part of a wider strategy for the protection and extension of open space and access routes such as canals and rivers, including those within urban areas.'

South East Plan (CC8, NRM5):

'Local authorities and partners will work together to plan, provide and manage connected and substantial networks of accessible multi-functional green space. Networks should be planned to include both existing and new green infrastructure. They need to be planned and managed to deliver the widest range of linked environmental and social benefits including conserving and enhancing biodiversity as well as landscape, recreation, water management, social and cultural benefits to underpin individual and community health and 'wellbeing'.' '...Local authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region. They shall require Green Infrastructure to be identified, developed and implemented in conjunction with new development.'

Core Strategy Policy CS4 places particular emphasis upon the continued protection and enhancement of the Borough's two Strategic Open Spaces of Nonsuch Park and the Hogsmill River, both of which are identified on the [Proposals Map](#). Policy CS4 also seeks to maintain the amount and quality of open space across the Borough, in order to enable the creation and maintenance of an accessible network of green spaces within the built-up area. Development proposals that result in a deficit of open space provision will not be permitted. The policy also requires that proposals for new housing will be required to provide an appropriate level of new open space and recreational provision as set out within the Council's [Developer Contributions Supplementary Planning Document \(SPD\)](#). For proposals where it is impractical or inappropriate to provide new open space provision on site, the Council will expect a financial contribution from the developer to allow for an alternative means of provision or an enhancement to an existing open space. The extent of such commuted sums is governed by formulae set within the SPD.

The [Local Plan \(May 2000\)](#) includes a number of 'saved' policies that remain part of the local development plan. These include [OSR1, OSR2, OSR4 and OSR5](#), which manage development proposals that involve either the replacement of existing sites, or the delivery of new provision. These policies are set to be replaced by new development management policies that will be contained within the [Epsom & Ewell Delivery DPD](#).



Map 9

For future inclusion in this document following identification of the Borough's Green Infrastructure

4c Biodiversity within developments

Biodiversity is not only found in rural areas; the built environment also provides opportunities to deliver enhancements for biodiversity. For large developments, features for biodiversity should be strategically planned to link up to Green Infrastructure and the wider environment.

Landscaping

Appropriate landscaping within developments can help reduce fragmentation of habitats by allowing wildlife to live within and move through built areas to the wider countryside. Landscaping should aim to retain and enhance existing biodiversity features. Landscaped areas will be of most benefit to wildlife where native plant species are used as they are likely to support a wider range of native animals. Plant species originating from the local area will be even more beneficial. Section 4 can provide useful background information in determining the most appropriate plants to use in landscaping schemes in different parts of Epsom & Ewell. Ponds can also provide an important habitat for wildlife. They should be designed with gently sloping edges to allow animals easy access in and out, and a variety of depths so that they are suitable for a range of different plants. Consideration should be given to the design of balancing ponds to provide wildlife habitat. Landscaping should, wherever possible, link up areas supporting biodiversity. For example, native hedgerows could link up open spaces, providing routes along which species such as hedgehogs, butterflies and bats can move. A series of ponds can link with wetland features in the wider countryside. Street trees can add to the wildlife linkages through developed areas and, again, native species will provide the most benefits. Gardens also contribute to habitat for wildlife within a built area and their layout should be designed to create a network linking with open spaces and Green Infrastructure.

Buildings

Developments are being built to ever increasing environmental standards, and biodiversity should not be forgotten here. There are very simple steps that can be taken to provide nesting and roosting opportunities for species such as bats and birds within buildings. Nest boxes can be mounted on the outside of buildings, special bat or swift bricks can be incorporated into the structure, and entire roof spaces can be designed to provide opportunities for bats to roost. A step further is to provide a green roof, which can provide foraging opportunities for birds, and support a range of native plants. Thought should be given to the impact of lighting on wildlife, especially bats; areas of no or low level lighting along bat foraging routes should be considered.

Roads

Roads can provide a barrier to wildlife, and collisions with animals such as deer can also pose a safety threat. Mammal fencing can be used to exclude mammals from the road, and underpasses can be created for a range of species including badger, hedgehog and amphibians. Green bridges can be created in order to provide a safe crossing for both people and animals.



Rosebery Park

Planning policy

Planning Policy Statement 9, para 14: 'Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate'

Protecting wildlife habitats within developments

Both new and existing biodiversity features within, or adjacent to, a development may be sensitive to human impacts such as recreational disturbance and vandalism.

Buffering of biodiversity features from areas of high human activity, such as roads, residential development or play areas can help to reduce impacts. Interpretation materials can be provided in wildlife conservation areas, where suitable. Community involvement in managing local wildlife areas can help to engender a feeling of ownership and can help ensure the long term survival of such areas.

A monitoring and management plan should be drawn up for green spaces to ensure long term suitable management.

Key organisations

- ▶ Surrey Wildlife Trust
- ▶ Commission for Architecture and the Built Environment
- ▶ Environment Agency
- ▶ Epsom & Ewell Borough Council
- ▶ Town and Country Planning Association

Further information

- ▶ UK Green Building Council Portal
- ▶ Biodiversity by Design (Town and Country Planning Association)

5 Key legislation and policy

Legislation	
Conservation (Natural Habitats, & c.) Regulations 1994 and guidance notes	www.opsi.gov.uk/si/si1994/uksi_19942716_en_1
Countryside and Rights of Way Act 2001	www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_1
EC Birds Directive	www.jncc.gov.uk/page-1373
EC Habitats Directive	www.jncc.gov.uk/page-1374
EIA Regulations	www.opsi.gov.uk/si/si1999/19990293
National Parks and Access to the Countryside Act 1949	www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1949/cukpga_19490097_en_4#pt3
Natural Environment and Rural Communities Act 2006	www.opsi.gov.uk/acts/acts2006/ukpga_20060016_en_1
Protection of Badgers Act 1992	www.opsi.gov.uk/ACTS/acts1992/ukpga_19920051_en_1
Wildlife and Countryside Act 1981	www.jncc.gov.uk/page-3614

Policy
Planning Policy Guidance 2: Green Belts
Planning Policy Statement 7: Sustainable Development in Rural Areas
Planning Policy Statement 9: Biodiversity and Geological Conservation
Planning Policy Statement 9 Good Practice Guide
Circular 06/05: Biodiversity and Geological Conservation — Statutory Obligations and Their Impact Within the Planning System
South East Plan
Epsom & Ewell Local Development Framework
Epsom & Ewell Core Strategy 2007
Epsom & Ewell Delivery DPD (emerging)
Epsom & Ewell Proposals Map
Local Plan May 2000 Saved Policies



Butcher's Grove-Horton Country Park Local Nature Reserve



Hawthorn Blossom

6 Useful Contacts

<p>Bat Conservation Trust 15 Cloisters House, 8 Battersea Park Road, London SW8 4BG T: 020 7501 3635 E: enquiries@bats.org.uk W: www.bats.org.uk</p>	<p>Butterfly Conservation Manor Yard, East Lulworth, Wareham, Dorset BH20 5QP T: 01929 400209 E: info@butterfly-conservation.org W: www.butterfly-conservation.org</p>	<p>East Surrey Badger Protection Society Dr Helen Dorrell, PO Box 2774, Purley, Surrey, CR8 1WY T: 0208 660 9827 E: W: www.badger.org.uk/content/Groups.asp</p>
<p>Environment Agency T: 03708 506 506 W: www.environment-agency.gov.uk</p>	<p>Lower Mole Countryside Management Project 2 West Park Farmhouse Horton Country Park Horton Lane, Epsom, Surrey, KT19 8PL T: 01372 743783 W: www.surreycc.gov.uk</p>	<p>Mammal Society 3 The Carronades, New Road, Southampton SO14 0AA T: 02380 237874 E: enquiries@mammal.org.uk W: www.mammal.org.uk</p>
<p>Natural England, Government Team South East T: 0118 9581222 W: www.naturalengland.gov.uk</p>	<p>North Downs AONB T: 01372 220 653 W: www.surreyhills.org</p>	<p>Pond Conservation c/o School of Life Sciences, Oxford Brookes University, Gipsy Lane, Headington, Oxford OX3 0BP T: 01865 483294 E: info@pondconservation.org.uk W: www.pondconservation.org.uk</p>
<p>Royal Society for the Protection of Birds W: www.rspb.org.uk</p>	<p>Surrey Amphibian and Reptile Group W: www.surrey-arg.org.uk/</p>	<p>Surrey Biological Records Centre T: 01483 795448 W: www.surreywildlifetrust.org</p>
<p>Surrey Wildlife Trust School Lane, Pirbright, Woking, Surrey, GU24 OJN T: 01483 486505 W: www.surreywildlifetrust.org</p>	<p>Town and Country Planning Association 17 Carlton House Terrace, London SW1Y 5AS T: 0207 930 8903 W: www.tcpa.org.uk</p>	<p>Woodland Trust Autumn Park, Dysart Road, Grantham, Lincs NG31 6LL T: 01476 581111 E: enquiries@woodlandtrust.org.uk W: www.woodlandtrust.org.uk</p>

7 Glossary

AGLV	Area of Great Landscape Value
ANGst	Accessible Natural Green Space Standard
AONB	Area of Outstanding Natural Beauty
BAP	Biodiversity Action Plan
BOA	Biodiversity Opportunity Area
CABE	Campaign for the Architectural & Built Environment
DPD	Development Plan Document
EELBAP	Epsom & Ewell Local Biodiversity Action Plan
EIA	Environmental Impact Assessment
HRA	Habitat Regulations Assessment
LNR	Local Nature Reserve
NERC	Natural Environment & Rural Communities Act 2006
NNR	National Nature Reserve
NRM5	Natural Resource Management 5 (South East Plan)
PPS9	Planning Policy Statement 9
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation (European)
SBIC	Surrey Biological Information Centre
SNCI	Site of Nature Conservation Importance
SPA	Special Protection Area (European)
SSSI	Site of Special Scientific Interest
SWT	Surrey Wildlife Trust
WCA	Wildlife & Countryside Act 1981

8 Acknowledgements

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The following lists identify the species that are known to, or thought to, occur in Epsom & Ewell at the time of publication, and which are protected under the identified pieces of legislation.

Conservation (Natural Habitats etc.) (Amendment) Regulations 2007

It is illegal to:

Deliberately capture or kill a wild animal of a European protected species.

Deliberately disturb any such animal, including in particular any disturbance which is likely to impair their ability - to survive, to breed or reproduce, or to rear or nurture their young; or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong; deliberately take or destroy the eggs of such an animal; or to damage or destroy a breeding site or resting place of such an animal.

It is also an offence to keep, transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal of a European protected species, or any part of, or anything derived from, such an animal.

45 Khz Pipistrelle	Pipistrellus pipistrellus 45kHz
55 kHz Pipistrelle	Pipistrellus pipistrellus 55kHz
Barbastelle	Barbastella barbastellus
Bats?	Chiroptera
Brown Long-eared Bat	Plecotus auritus
Common Dormouse	Muscardinus avellanarius
Daubenton's Bat	Myotis daubentoni
Great Crested Newt	Triturus cristatus
Natterjack Toad?	Bufo calamita
Noctule	Nyctalus noctula
Pipistrelle?	Pipistrellus pipistrellus
Serotine?	Eptesicus serotinus
Whiskered Bat	Myotis mystacinus

Wildlife and Countryside Act 1981, Schedule 5 - Section 9 parts 4 (b) and (c) and 5 only (but see also Habitats Regulations)

It is illegal to:

Intentionally or recklessly disturb the animal whilst it is occupying a structure or place which it uses for shelter or protection, or to obstruct access to any structure or place which the animal uses for shelter or protection. It is also illegal to sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or to advertise for buying or selling such things.

45 Khz Pipistrelle	Pipistrellus pipistrellus 45kHz
55 kHz Pipistrelle	Pipistrellus pipistrellus 55kHz
Bats?	Chiroptera
Brown Long-eared Bat	Plecotus auritus

Common Dormouse
Daubenton's Bat
Great Crested Newt
Natterjack Toad?
Noctule
Pipistrelle?
Serotine?
Whiskered Bat

Muscardinus avellanarius
Myotis daubentoni
Triturus cristatus
Bufo calamita
Nyctalus noctula
Pipistrellus pipistrellus
Eptesicus serotinus
Myotis mystacinus

Wildlife and Countryside Act 1981, Schedule 5, parts 1, 5(a) and (b)

It is illegal to:

Intentionally kill, injure, or take the animal. Also sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or to advertise for buying or selling such things.

Adder	Vipera berus, Part 1 in so far as it relates to killing and injury only
Common Lizard	Lacerta vivipara, Part 1 in so far as it relates to killing and injury only
Grass Snake	Natrix natrix, Part 1 in so far as it relates to killing and injury only
Slow-worm	Anguis fragilis, Part 1 in so far as it relates to killing and injury only

Wildlife and Countryside Act 1981, Schedule 5, Section 9 parts 1, 2 and 5

It is illegal to:

Intentionally kill, injure, or take the animal. Possess or control a wild animal (live or dead, part or derivative). Also sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or to advertise for buying or selling such things.

Roman Snail?	Helix pomatia
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Wildlife and Countryside Act 1981, Schedule 5, Section 9 all parts

It is illegal to:

Intentionally kill, injure, or take the animal. Possess or control a wild animal (live or dead, part or derivative). Also sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or to advertise for buying or selling such things. Damage, destroy, or obstruct access to any structure or place used by the animal for shelter or protection, and disturb the animal occupying such a structure or place.

Water Vole	Arvicola terrestris
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Wildlife and Countryside Act 1981, Schedule 5, Section 9 parts 5(a) and (b)

It is illegal to:

Sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative), or advertise for buying or selling.

Brown Hairstreak	<i>Thecla betulae</i>
Chalk-hill Blue?	<i>Lysandra coridon</i>
Common Frog	<i>Rana temporaria</i>
Common Toad	<i>Bufo bufo</i>
Palmate Newt	<i>Triturus helveticus</i>
Purple Emperor	<i>Apatura iris</i>
Silver-studded Blue?	<i>Plebejus argus</i>
Small Blue	<i>Cupido minimus</i>
Smooth Newt	<i>Triturus vulgaris</i>
Stag Beetle	<i>Lucanus cervus</i>

Wildlife and Countryside Act 1981, Schedule 8

It is illegal to:

Pick, uproot, or destroy these plants.

A basidiomycete fungus?	<i>Buglossoporus pulvinus</i>
Broad-leaved Cudweed?	<i>Filago pyramidata</i>
Creeping Marshwort?	<i>Apium repens</i>
Downy Woundwort?	<i>Stachys germanica</i>
Field Cow-wheat?	<i>Melampyrum arvense</i>
Grass-poly?	<i>Lythrum hyssopifolia</i>
Green Hound's-tongue?	<i>Cynoglossum germanicum</i>
Meadow Clary?	<i>Salvia pratensis</i>
Orange-fruited Elm-lichen?	<i>Caloplaca luteoalba</i>
Pennyroyal	<i>Mentha pulegium</i>
Rough Marsh-mallow?	<i>Althaea hirsute</i>

Wildlife and Countryside Act 1981, Schedule 8, Section 13 Part 2

It is illegal to:

Sell, offer for sale, possess or transport for the purpose of sale (live or dead, part or derivative).

Bluebell	<i>Hyacinthoides non-scripta</i>
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Protection of Badgers Act 1992

It is illegal to:

Take, injure or kill or treat with cruelty. To interfere with setts, sell, possess mark or ring live badgers.

Badger	<i>Meles meles</i>
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Wildlife and Countryside Act 1981, Schedule 1

It is illegal to:

Disturb the birds or their dependent young while on the nest.

Barn Owl	<i>Tyto alba</i>
Black Redstart?	<i>Phoenicurus ochruros</i>
Cetti's Warbler?	<i>Cettia cetti</i>
Firecrest	<i>Regulus ignicapillus</i>
Garganey	<i>Anas querquedula</i>
Goshawk	<i>Accipiter gentilis</i>
Hobby	<i>Falco subbuteo</i>
Kingfisher	<i>Alcedo atthis</i>
Little Ringed Plover?	<i>Charadrius dubius</i>
Montagu's Harrier	<i>Circus pygargus</i>
Peregrine	<i>Falco peregrinus</i>
Quail	<i>Coturnix coturnix</i>
Red Kite	<i>Milvus milvus</i>
Woodlark?	<i>Lullula arborea</i>

The following lists identify the UK Biodiversity Action Plan species that are known to, or may occur in Epsom & Ewell at the time of publication.

UK Biodiversity Action Plan Priority Species:

<i>Adonis annua</i> ?	Pheasants-eye
<i>Blysmus compressus</i> ?	Flat-sedge
<i>Campanula rapunculus</i> ?	Rampion Bellflower
<i>Carex vulpina</i> ?	True Fox Sedge
<i>Centaurea cyanus</i> ?	Cornflower
<i>Cephalanthera damasonium</i> ?	White Helleborine
<i>Clinopodium acinos</i> ?	Basil Thyme
<i>Clinopodium menthifolium</i> ?	Wood Calamint
<i>Cynoglossum germanicum</i> ?	Green Hound`s-tongue
<i>Euphrasia pseudokernerii</i> ?	Chalk Eyebright
<i>Filago pyramidata</i> ?	Broad-leaved Cudweed
<i>Galeopsis angustifolia</i> ?	Red Hemp-nettle
<i>Gentianella campestris</i> ?	Field Gentian
<i>Iberis amara</i> ?	Wild Candytuft
<i>Juniperus communis</i>	Juniper
<i>Monotropa hypopitys</i> ?	Yellow Bird`s-nest
<i>Muscari neglectum</i> ?	Grape-hyacinth
<i>Oenanthe fistulosa</i> ?	Tubular Water-dropwort
<i>Ophrys insectifera</i> ?	Fly Orchid
<i>Orchis anthropophora</i> ?	Man Orchid
<i>Platanthera bifolia</i> ?	Lesser Butterfly-orchid
<i>Pulsatilla vulgaris</i> ?	Pasqueflower
<i>Ranunculus arvensis</i> ?	Corn Buttercup
<i>Scandix pecten-veneris</i> ?	Shepherd`s Needle
<i>Scleranthus annuus</i> ?	Annual Knawel
<i>Stellaria palustris</i> ?	Marsh Stitchwort
<i>Torilis arvensis</i> ?	Spreading Hedge Parsley
<i>Carabus monilis</i> ?	Necklace Ground Beetle
<i>Cryptocephalus coryli</i> ?	Hazel Pot Beetle
<i>Gnorimus nobilis</i> ?	Noble Chafer
<i>Lucanus cervus</i>	Stag Beetle
<i>Austropotamobius pallipes</i> ?	White-clawed freshwater crayfish
<i>Asilus crabroniformis</i> ?	Hornet robberfly
<i>Dorycera graminum</i> ?	Phoenix Fly
<i>Bombus ruderarius</i> ?	Red-shanked Carder-bee
<i>Chiasmia clathrata</i> ?	Latticed Heath
<i>Coenonympha pamphilus</i>	Small Heath
<i>Cupido minimus</i>	Small Blue
<i>Erynnis tages</i>	Dingy Skipper
<i>Hipparchia semele</i>	Grayling
<i>Lasiommata megera</i>	Wall
<i>Limenitis Camilla</i>	White Admiral
<i>Pyrgus malvae</i>	Grizzled Skipper

Satyrium w-album
Thecla betulae
Acronicta psi?
Acronicta rumicis?
Adscita statices?
Agrochola helvola?
Agrochola litura?
Agrochola lychnidis?
Allophyes oxyacanthae?
Amphipoea oculea?
Amphipyra tragopoginis?
Apamea anceps?
Apamea remissa?
Aporophyla lutulenta?
Arctia caja?
Atethmia centrigo?
Brachylomia viminalis?
Caradrina Morpheus?
Celaena leucostigma?
Diarsia rubi?
Diloba caeruleocephala?
Ennomos erosaria?
Ennomos fuscantaria?
Ennomos quercinaria?
Epirrhoe galiata?
Eulithis mellinata?
Euxoa nigricans?
Graphiphora augur?
Hemistola chrysoprasaria?
Hepialus humuli?
Hoplodrina blanda?
Hydraecia micacea?
Lycia hirtaria?
Malacosoma Neustria?
Melanchra persicariae?
Melanthia procellata?
Mesoligia literosa?
Mythimna comma?
Noctua orbona?
Orthonama vittata?
Orthosia gracilis?
Pelurga comitata?
Perizoma albulata albulata?
Polia bombycina?
Scotopteryx bipunctata?
Scotopteryx chenopodiata?
Spilosoma lubricipeda?
Spilosoma luteum?
Tholera cespitis?
Tholera decimalis?

White Letter Hairstreak
Brown Hairstreak
Grey Dagger
Knot Grass
The Forester
Flounced Chestnut
Brown-spot Pinion
Beaded Chestnut
Green-brindled Crescent
Ear Moth
Mouse Moth
Large Nutmeg
Dusky Brocade
Deep-brown Dart
Garden Tiger
Centre-barred Sallow
Minor Shoulder-knot
Mottled Rustic
The Crescent
Small Square-spot
Figure Of Eight
September Thorn
Dusky Thorn
August Thorn
Galium Carpet
The Spinach
Garden Dart
Double Dart
Small Emerald
Ghost Moth
The Rustic
Rosy Rustic
Brindled Beauty
The Lackey
Dot Moth
Pretty Chalk Carpet
Rosy Minor
Shoulder-striped Wainscot
Lunar Yellow Underwing
Oblique Carpet
Powdered Quaker
Dark Spinach
Grass Rivulet
Pale Shining Brown
Chalk Carpet
Shaded Broad-bar
White Ermine
Buff Ermine
Hedge Rustic
Feathered Gothic

Timandra comae?	Blood-vein
Trichiura crataegi?	Pale Eggar
Tyria jacobaeae?	The Cinnabar
Tyta luctuosa?	Four-Spotted Moth
Xanthia gilvago?	Dusky-lemon Sallow
Xanthia ictertia?	The Sallow
Xanthorhoe ferrugata?	Dark-barred Twin-spot Carpet
Bembidion quadripustulatum?	Scarce Four-dot Pin-palp
Ecliptopera silaceata?	Small Phoenix
Lipsothrix nervosa?	Southern Yellow Splinter
Pisidium tenuilineatum?	Fine-lined Pea Mussel
Pseudanodonta complanata?	Depressed river mussel
Gyraulus acronicus?	Thames Ram`s-horn Snail
Harpalus melancholicus?	Lagoon Spire Snail
Vertigo moulinsiana?	Desmoulin's Whorl Snail
Bufo bufo	Common Toad
Triturus cristatus	Great Crested Newt
Anguis fragilis	Slow-worm
Lacerta vivipara	Common Lizard
Natrix natrix	Grass Snake
Vipera berus	Adder
Alauda arvensis	Sky Lark
Anthus trivialis?	Tree Pipit
Carduelis cannabina	Common Linnet
Coccothraustes coccothraustes?	Hawfinch
Cuculus canorus	Common Cuckoo
Cygnus columbianus?	Bewick's Swan
Dendrocopos minor	Lesser Spotted Woodpecker
Emberiza citronella	Yellowhammer
Emberiza schoeniclus?	Reed Bunting
Locustella naevia	Grasshopper Warbler
Lullula arborea?	Woodlark
Motacilla flava?	Yellow Wagtail
Motacilla flava flavissima?	Yellow Wagtail
Muscicapa striata?	Spotted Flycatcher
Numenius arquata	Curlew
Parus montanus?	Willow Tit
Parus palustris?	Marsh Tit
Passer domesticus	House Sparrow
Passer montanus?	Eurasian Tree Sparrow
Perdix perdix?	Grey Partridge
Phylloscopus sibilatrix?	Wood Warbler
Prunella modularis	Dunnock
Pyrrhula pyrrhula	Common Bullfinch
Streptopelia turtur?	Turtle Dove
Sturnus vulgaris	Common Starling
Turdus philomelos	Song Thrush
Vanellus vanellus	Northern Lapwing
Arvicola terrestris	Water Vole
Erinaceus europaeus	Hedgehog

Lepus europaeus
Micromys minutus
Muscardinus avellanarius
Mustela putorius?
Nyctalus noctula
Pipistrellus pipistrellus 55kHz
Plecotus auritus

Brown Hare
Harvest Mouse
Dormouse
Polecat
Noctule
55 kHz Pipistrelle
Brown long-eared bat

Epsom & Ewell Biodiversity Action Plan Priority Habitats

Semi Natural Habitats:

- Chalk grassland (including chalk scrub)
- Farmland
- Lowland Heathland (including acid grassland and bog)
- Meadows
- Standing open water and large reed beds
- Wetland
- Woodland
- Wood pasture and parkland

Urban Habitats:

- Managed greenspace
- Regenerating Habitats
- Areas of urban semi-natural habitat
- Urban wetlands
- Road verges

Designated Sites

Special Areas for Conservation (SACs)

Site Name:

Non exist within Epsom & Ewell

Sites of Special Scientific Interest (SSSI)

Site Name:

Epsom Common
Stones Road Pond

Local Sites (Sites of Nature Conservation Importance SNCI) – See Map 7 page 24

Site Name:

Epsom Golf Course	Pond Wood
Epsom Cemetery	Butchers Grove
Horton Coutry Park	Walton Downs A
Nonsuch Park	Howell Hill Local Nature Reserve
Epsom Common South	Epsom Downs West
Walton Downs B	Hogsmill River, West Ewell