

1 Landscape and Nature Conservation Principles, Contacts and Publications

Introduction

The principal resource of Tunbridge Wells Borough is the high environmental quality of its countryside, towns and villages. Around 70% of the Borough is designated as part of the High Weald Area of Outstanding Natural Beauty and within the Borough there are more than a hundred sites designated for their importance to wildlife. Through national and international law and Government guidance Tunbridge Wells Borough Council as the Local Planning Authority is charged with protecting and enhancing the landscape and wildlife across the Borough.

Landscape proposals for a new development are required to respect this high quality environment and take account of the character of the area. Design, appearance and layout of external spaces and new planting or landscape features are all significant issues in the planning process that warrant detailed consideration in most new developments.

Nature conservation can be a significant material consideration in determining many planning applications, especially in or near sites designated for their nature conservation interest. However, Government guidance¹ recognises that wildlife is not confined to such sites but is found throughout the countryside and in many urban areas.

These guidelines, produced in five parts, have therefore been drawn up to assist applicants in the difficult task of preparing schemes that take full account of landscape and nature conservation issues and submit proposals that achieve the 'best fit' environmentally for their site. It sets out the issues and principles that should be addressed and adopted in preparing a planning application. Applicants or their agents should, where appropriate, employ suitably qualified professionals to deal with matters concerning Landscape and Nature Conservation.

The requirements for a planning submission are set out in Part 2: 'Application Requirements Checklist'. Part 3: 'Protecting Trees On Development Sites' deals with trees surveys and protection. Further details and guidance on planting design and species selection is given in Part 4: 'Planting Guide', which includes a detailed list of species suitable for Tunbridge Wells Borough. Part 5: 'Protected Species' provides a list and advice on protected species that occur in the Borough. This document is principally concerned with 'soft landscaping', but many of the issues and principles raised apply equally to 'hard landscaping'.

Issues and Principles

The Government is 'committed to the principles of sustainable development'² which, through the planning process, should 'conserve both the cultural heritage and natural resources' including wildlife and landscape. The key components of a sustainable strategy for landscape and nature conservation are Landscape Character, Biodiversity and Good Design.

Landscape Character: The character is a result of the historic land use in turn arising from the natural characteristics such as soil, topography, climate and natural vegetation. Guidance on regional character areas (e.g. High Weald Special Landscape Area) and local character areas as set out in the Tunbridge Wells Borough Landscape Character Area Assessment describe the landscape character of a locality and the elements that should be protected, enhanced or restored.

Biodiversity: Conserving biodiversity, 'the richness and variety of wildlife', is regarded as one of the indicators in the Government's strategy for sustainable development. Development proposals should take into account the objectives and targets of Biodiversity Action Plans and seek to protect and enhance the biodiversity of the site and the surrounding area.

¹PPG 9 1994 Nature Conservation Paragraph 14

²PPG 1 1997 General Policy and Principles Paragraph 4

Good Design: Planning guidance³ states that ‘all proposals should exhibit the qualities of good building, urban or landscape design’ and that applicants ‘should be able to demonstrate how they have taken into account the need for good design in their development proposals and that they have had regard to relevant development plan policies and supplementary design guidance. This should be done in a manner appropriate to the nature and scale of the proposals.’

To maximise sustainability and biodiversity the structure and philosophy of landscape proposals should be based on a natural approach using native species and appropriate vegetation. Landscape proposals should include ecological objectives for the site as well as providing the role of integration, screening and character required by good design.

Proposals should demonstrate a clear response to the conditions and nature of the site and the impacts of the development. Good design should aim to minimise further fragmentation and species isolation and actively seek to ‘re-build’ local ecological networks whilst responding to the local landscape character. Development should address the goals and objectives of the Kent BAP insofar as they apply to the Borough of Tunbridge Wells.

The Royal Town Planning Institute set out an approach to planning decisions for biodiversity in their publication ‘Planning for Biodiversity – a good practice guide’. This approach can also be applied to landscape and visual impacts.

Information

- Is more information about the site’s biological resource needed?
- Is more information about the development and its potential effects needed?
- Is the significance of the effects clear?
- Is there internal or external expertise that can help inform the decision?

Avoidance

- Have all adverse effects on wildlife species and habitats been avoided wherever possible?

Mitigation

- Where adverse effects are unavoidable have they been, or can they be, minimised by the use of mitigation measures that can be guaranteed, for example, by conditions or planning obligations or agreements?

Compensation

- Where, despite mitigation, there will be residual adverse effects that mitigation cannot reduce further, have they been, or can they be, compensated by measures that try at least to offset the harm?
- Can compensatory measures be guaranteed by conditions or planning obligations/ agreements?

New Benefits

- Where there would be no significant harm to wildlife species or habitats, are there opportunities to provide new benefits for wildlife, for example by habitat creation or enhancement, and can these new benefits be guaranteed by conditions or planning obligations/agreements?

It is important that projects are not just thought of in terms of their completion. Consideration should be given to the accumulative and indirect impacts that may occur as a consequence of a proposal. For this reason the nature and effects of the construction phase as well as provision after completion for management and monitoring for the full period of establishment must be taken into account. In addition, much can be done to mitigate impacts in advance of works commencing, such as enhancement of adjoining habitats or species relocation/exclusion.

Much of the above is covered in more detail by ‘Kent Design – A Guide to Sustainable Development’, under Design Objective 10, Green Space, which is to ‘conserve, create and integrate open space, landscape and natural habitats as part of development.’

³PPG 1 1997 General Policy and Principles

Contacts and Publications

Planning Publications

Tunbridge Wells Borough Local Plan – Adopted March 1996

Tunbridge Wells Borough Local Plan Review – 2nd Deposit Copy October 2002

Tunbridge Wells Borough Supplementary Planning Guidance:

- Borough Landscape Character Area Assessment – August 2002
- Rural Lanes
- Residential Development and Recreation Open Space
- Re-use of Rural Buildings
- Conservation Area Appraisals (Royal Tunbridge Wells and Rusthall/Pembury/Cranbrook/Hawkhurst/Lamberhurst and The Down)

Kent Design: A Guide to Sustainable Development – Kent Association of Local Authorities

Planning Policy Guidance Note No. 1: General Policies and Principles – DETR

Planning Policy Guidance Note No. 7: The Countryside and the Rural Economy – DETR

Planning Policy Guidance Note No. 9: Nature Conservation – DEFRA

Regional Planning Guidance for the South East: RPG9 – GOSE

A Better Quality of Life in the South East: The Regional Sustainable Development Framework – SEERA

British Standards:

- BS 3882 : Recommendations and Classification for Topsoil
- BS 3936 : Nursery Stock (all parts)
- BS 3998 : 1989 Recommendations for Tree Works
- BS 4043 : 1989 Recommendations for Transplanting Root Ball Trees
- BS 4428 : 1989 Code of Practice for General Landscape Operations
- BS 5837: 1991 Trees in Relation to Construction
- BS 6031 : Earthworks
- BS 7370 : Grounds Maintenance (Parts 1-5)

Useful Contacts:

Tunbridge Wells Borough Council 01892 526121 – ask for Planning and Building Control Services

Kent Wildlife Trust, Maidstone 01622 662012

English Nature Kent Team, Ashford 01233 812525

Centre for Kentish Studies, County Hall, Maidstone 01622 694363

Tunbridge Wells Library, Civic Way, Royal Tunbridge Wells 01892 522352

Tunbridge Wells Museum, Civic Way, Royal Tunbridge Wells 01892 554171

Other Useful Publications:

Guidelines for Landscape and Visual Impact Assessment – E and F. SPON

Planning for Biodiversity: A Good Practice Guide – Royal Town Planning Institute

Building Biodiversity in Kent: a guide for clients, designers and contractors of building and civil engineering projects – Kent County Council

Kent Biodiversity Action Plan – Kent BAP Steering Group c/o Kent County Council

RSPB Good Practice Guide for Prospective Developers: General Principles – RSPB

Developing Naturally – Michael Oxford, The Association of Local Government Ecologists

Caring for Nature: A guide to good practice in nature conservation – County Planning Officers Society

Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees – National Joint Utilities Group Publication No. 10

Kent Wildlife Habitat Survey 1994 – Kent County Council

Using Local Stock for Planting Native Trees and Shrubs – Forestry Authority

English Nature Publications:

- Natural Areas in the London and South East Region
- Development Control Casework in Kent
- Badgers: Guidelines for Developers
- Great Crested Newts: Guidelines for Developers
- Bats in Roofs: A Guide for Surveyors
- Bat Conservation Trust: Bats and Trees

High Weald AONB Unit Publications:

- Heathlands in the Weald
- Hedges in the Weald
- Wildflower Grasslands in the Weald
- Sandrock in the Weald

Available from the Kent High Weald Project, Cranbrook. 01580 715918

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Landscape and
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Part 1

August 2002