

GREATER THAMES MARSHES

PLANNING POLICY ADVICE NOTE

This Advice Note has been produced to ensure that the aims and objectives of the Greater Thames Marshes Nature Improvement Area (the NIA) are incorporated into Local Plans and development proposals. It contains a suggested policy that should be incorporated into Local Plans in line with the National Planning Policy Framework paragraph 117, development management advice, and a list of expected enhancements that can be incorporated into all scales of development.

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SECTION 1 – WHAT IS THE NIA AND WHY DOES IT MATTER FOR LOCAL AUTHORITIES?

Context – The Greater Thames Marshes NIA

The Greater Thames Marshes Nature Improvement Area was formally recognised by Defra in April 2012, along with 11 others across England. NIAs are pilot schemes running from April 2012 – April 2015 funded by the Government, aiming to create ecological networks in strategic locations to benefit wildlife and people. They were a major initiative of the Natural Environment White Paper in 2011¹, and were set up to fulfil the recommendations in Sir John Lawton's 'Making Space for Nature' review², for 'Ecological Restoration Zones' to deliver significant improvements to biodiversity for wildlife and people.

NIAs aim to deliver through:

- Sustainable use of natural resources
- Restoring and creating wildlife habitats
- Connecting local sites
- Joining up local action on a landscape scale

The central tenet of 'Making Space for Nature' and our NIA is for habitats that are 'more, bigger, better and joined-up'.

Our vision for the Greater Thames Marshes Nature Improvement Area is for

“a living and vibrant marshland and estuary landscape where the skills and enthusiasm of residents, visitors, businesses and technical experts are harnessed to work in partnership, delivering more wildlife, more public understanding and enjoyment of the environment and greater resilience by the natural world to the changes brought about by development and climate change”

The Greater Thames Marshes NIA covers over 50,000ha of marshland and estuarine landscape in South Essex, Greater London and North Kent and includes many internationally significant sites for wildlife.

The NIA is important for wildlife and people. It is one of the most rapidly developing areas of the country and the East Thames corridor has been identified as “the largest regeneration project in Europe”³. The population is anticipated to increase from 900,000 to 1.6 million people by 2050 with Medway, Basildon and North Kent focusses for growth and development.

It is also an area that is crucial for the biodiversity of the UK. It is one of the most important estuaries in the whole of Europe for wintering wildfowl, supporting 20% of the world's entire population of dark-bellied brent geese. It has some of the richest habitats in the UK, supporting rare invertebrates and plants found nowhere else in Britain along with many

¹ <http://sd.defra.gov.uk/2011/06/the-natural-choice-securing-the-value-of-nature/>

² <http://archive.defra.gov.uk/environment/biodiversity/documents/201009space-for-nature.pdf>

³ Farrell, T (2009) The Thames Gateway – towards a core vision for the 21st century. In: *The Thames Gateway – where next?* Ed. Farrell. The Smith Institute, London

other protected and priority species such as Skylark and Water Vole. It is a highly designated landscape for biodiversity because of this with the majority of the coastline under European protection, but it is underperforming in the face of pressures from development, invasive species and climate change.

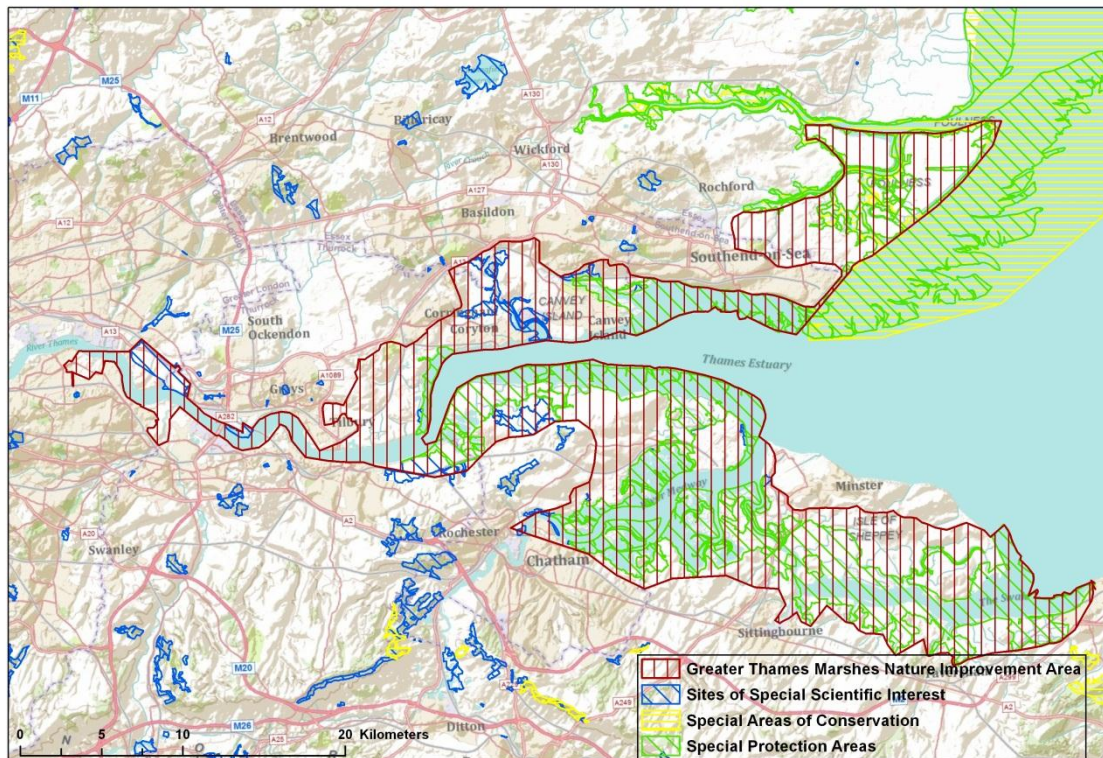


Figure 1 – National and European Protected Sites

NIA Objectives, Targets and Focal Species

Objectives

- 1 Set out all the evidence to date for existing biodiversity value and the anticipated pressures for change in the NIA.
- 2 Deliver on the ground through new and extensive projects for habitat creation, management and restoration. This will include creating and enhancing habitats for the scarce Thames Terrace Invertebrates and for breeding waders.
- 3 Deliver on the ground by working in partnership and adding value to existing initiatives. For example, working with landowners to maximise the biodiversity of the farmed landscape, piloting approaches to biodiversity off-setting and working more creatively with commercial regeneration partners.
- 4 Communication and access – through a variety of activities and projects increase local community and stakeholder understanding and participation in the NIA
- 5 Provide a long term legacy through ongoing funding bids, investment in community involvement, stewardship and fostering long term stakeholder engagement.

Targets

- Create or restore the target Priority habitats
 - Coastal and Floodplain Grazing Marsh
 - Lowland Meadows
 - Open Mosaic Habitat on Previously Developed Land
- Create or restore nesting and foraging sites for the target species groups
 - Over-wintering Wetland Birds
 - Thames Terrace Invertebrates (a suite of rare invertebrates traditionally associated with species-rich grasslands on sands and gravels along the Thames)
- Create of 5km new ditches
- Enhanced wetting of 50ha grazing marsh
- Create or restore 255ha Thames Terrace Invertebrate habitat
- Improve farmland to benefit farmland biodiversity including Brown Hare, Corn Bunting, Redshank and Lapwing
- Improve the Green Infrastructure network
- Improve community access to and engagement with natural habitats, appropriate to the sensitivity of the habitats and species
- Secure funding for the continuation of the NIA post-April 2015

These objectives and targets are explained in greater detail in the [NIA Business Plan](#)⁴.

Focal Species

We would welcome applications that seek to provide improvement for the focal species of the NIA as set out below:

- Lapwing
- Corn Bunting
- Redshank
- Brown Hare
- Water Vole
- European Eel
- Shrill Carder Bee
- Brown-Banded Carder Bee
- Red-Shanked Carder Bee
- Distinguished Jumping Spider
- Hornet Robberfly
- Overwintering birds including: Dark-Bellied Brent Goose; Avocet; Curlew; Black-Tailed Godwit; Dunlin; Knot
- Notable 'Thames' wild flowers listed on the Kent, Essex or London Red Data lists that occur within the NIA

⁴ <http://greaterthamesmarshes.com/wp-content/uploads/2012/10/Stage-2-Business-Plan-GTM-NIA.pdf>

Policy Basis for this Note – National Planning Policy Framework

Paragraph 117

National Planning Policy Framework paragraph 117 states:

To minimise impacts on biodiversity and geodiversity, planning policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries;
- identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;
- promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;
- aim to prevent harm to geological conservation interests; and
- **where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas.**

This Advice Note will:

- ensure that the NIA is identified in relevant Local Plans
- specify the type of development that is acceptable

Duty to Co-operate

In accordance with the Localism Act 2011⁵ and the National Planning Policy Framework, there is a need to demonstrate evidence of having effectively cooperated with relevant bodies and partnerships including Nature Improvement Areas.

The Greater Thames Marshes NIA was formally recognised by Defra in April 2012 along with 11 others in England. Application of this note will contribute to fulfillment of the Duty-to-Cooperate requirement.

⁵ <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

SECTION 2 – ADVICE FROM THE NIA

What Constitutes Acceptable Development?

Development will be considered acceptable if it does not prejudice the aims, objectives and targets of the NIA. Development within the NIA should aid the realisation of these aims, objectives and targets.

Suggested Policy Wording for Local Plans

It is expected that Local Plans will contain a specific policy for the Greater Thames Marshes Nature Improvement Area. The following policy is suggested.

Policy

The Greater Thames Marshes Nature Improvement Area aims to increase the quantity, quality and extent of target Priority habitats to benefit focal species, improve the local ecological network, and increase community engagement with the local natural environment.

Proposals that contribute to the aims, objectives and targets of the Greater Thames Marshes Nature Improvement Area [as set out in this Advice Note] will in principle be supported, subject to other policies in this plan. Development likely to have an adverse impact on the aims and objectives of the NIA will not be permitted.

Supporting Text

It is expected that the contents of this Advice Note will be adapted by the local authority to form the supporting text to accompany the policy.

Development Management Advice

Within the NIA development proposals should not adversely impact on the objectives and targets of the NIA Business Plan.

Development proposals that can contribute a quantifiable benefit to the NIA should be supported.

Such benefits could include:

- New or restored areas of the target Priority habitats
- New nesting or foraging sites for the target species
- New ditches
- Improved management of existing grazing marsh or grasslands
- New Thames Terrace Invertebrate habitat
- Improved farmland
- Improved or new Green Infrastructure
- Improved public access to nature

Development proposals that will have an adverse impact on the aims, objectives and targets of the NIA should not be permitted.

Adverse impacts could include:

- destroying existing Priority habitats or habitats of the Target species
- restricting public access to green space or reducing the amount of accessible green space in an area
- negatively affecting the hydrology of grazing marsh and ditches
- developing a high-quality brownfield site (Open Mosaic Habitat on Previously Developed Land)
- destroying small areas of Priority habitat that alone may be judged insignificant or of low ecological value – they form important parts of the ecological network within the NIA (stepping stones)
- increasing disturbance of overwintering waders
- developing without the inclusion of Green Infrastructure
- interrupting existing green corridors such as hedgerows or ditch lines
- enclosing or piping ditches
- for major proposals, failure to engage with the NIA Project Steering Group (which would prejudice the delivery of Objective 3 of the NIA Business Plan).

All developments should seek to generally enhance the application site for biodiversity as outlined in Appendix 1.

Within the NIA we expect the natural environment to be taken into consideration early in the design process. Connection through and around the development site with the wider habitat networks should be delivered.

For major development proposals⁶, early engagement with the NIA Project Steering Group is expected (see Objective 3 of the NIA Business Plan).

Conditions & Planning Obligations

When planning permission is granted for development, it is usually subject to one or more conditions, sometimes also to a planning obligation. Planning obligations can be entered into through an agreement between the developer and the Local Planning Authority, or the developer alone, a unilateral undertaking. In all circumstances, the Local Planning Authority has the power to enforce a condition or planning obligation. Specific advice on the content of planning obligations and their appropriateness is stated in Circular 1/97.

⁶ As defined by Article 8(7) of The Town and Country Planning (General Development Procedure) Order 1995. Major development is the winning and working of minerals, waste developments, residential development of 10 dwellings or more, or a site larger than 0.5ha if the number of houses is not known, commercial development where floorspace is 1000m² or more or the site is larger than 1ha. <http://www.legislation.gov.uk/ukxi/1995/419/contents/made>

In accordance with government guidance, planning conditions and obligations will only be used to overcome planning objections to development proposals. This means that without the condition or planning obligation, the proposal would not be acceptable. It is important to note that offering extraneous benefits for the community is not a means of obtaining planning permission by inappropriate development. However, these mechanisms are a very important way of making sure that development accords with the Development Plan policies and contributes towards delivering the aims and objectives of the NIA.

Specific advice on the content of planning conditions and their appropriateness is stated in Circular 11/95.

It is important to note that any contribution (either works to be undertaken, or in monetary terms) to the NIA, which is either a condition or planning obligation relating to a planning permission, must relate specifically to the NIA.

Any contribution requested shall be used:

- to contribute to the costs of the establishment and on-going maintenance of new habitat
- to contribute to public awareness of and engagement with the natural environment

Planning conditions or obligations are dependent upon the individual circumstances of the development and may include:

- compensation for the loss of amenity in an area, for example by providing land or access either on site, or on an alternative site
- provision of new planting or other habitats, to reduce the impact of the development on the setting, and/or enhance the existing ecological network
- provision for public access to existing or newly created habitats, including information boards and signs
- Promotion of the future management of the NIA (over a specified timescale) which may be for the benefit of the developer as well as the NIA
- Protection of existing habitats from the processes of construction, restoration and after use
- Help to provide new wildlife habitats

Design Advice

This Advice Note does not describe detailed design guidance on how to realise the aims and objectives of the NIA Business Plan. Instead, it identifies the key issues that should be reconciled, through good practice, whilst also drawing attention to relevant policies, documents and contact names. Following the advice provided in this note will increase the likelihood that development proposals will accord with the aims and objectives of the NIA.

The design of development should reflect the specific objective(s) for each site (e.g. biodiversity, public access). It is important that good design is used to provide and promote accessibility to the NIA for everybody living within it. In turn, this will help to promote the economic vitality and viability of the area. Consequently, applicants' attention is drawn to the need for early contact with Development Management Officers when considering the provision and design of new development.

There are many relevant publications which will address the specifics of design.

Relevant Publications

- Thames terrace invertebrates: A masterplan for landscape-scale conservation in the Greater Thames Marshes [insert link when on web]
- Wet Grassland - <http://publications.naturalengland.org.uk/file/5995185>
- Water Vole Conservation Handbook - http://www.wildcru.org/news-and-events/news-detail/?news_id=88
- Water Vole Mitigation Techniques - <http://publications.naturalengland.org.uk/publication/130025?category=9012>
- Land Management Advice for Farmland Birds - <http://www.rspb.org.uk/ourwork/farming/advice/species.aspx>
- Wild Flowers – http://www.plantlife.org.uk/things_to_do/grow_wild/wildmeadow/
- Brown Hare - <http://publications.naturalengland.org.uk/publication/139003?category=47019>
- Green Infrastructure Guidance- <http://publications.naturalengland.org.uk/publication/35033?category=49002>

This is an indicative list and is not exhaustive.

Appendix 1 – Suggested Enhancement Measures

Option	Benefits	Links to advice/guidance	Notes
Householder and up to 10 houses			
Native species wildflower planting	Nesting sites, food and shelter for insects and small mammals. Provide corridors for wildlife linking areas of habitat.	http://www.plantlife.org.uk/things_to_do/grow_wild/wildmeadow/	Should include species that flower in succession throughout the season
Insect boxes/ Bee hotel	Shelter and nesting sites for invertebrates including bees.	www.wildaboutgardens.org.uk/Buglife http://www.buglife.org.uk/getinvolved/gardening/beenestsforgardeners	Aim to site in a sheltered, sunny location, facing between south-east and south-west.
Bird boxes	Encourages and supports nesting birds, can be incorporated into roof space.	www.rspb.org.uk	Aim to install minimum 2 artificial nest sites per new unit. Unless there are trees or buildings which shade the box during the day, face the box between north and east, thus avoiding strong sunlight and the wettest winds.
Woodpiles/ log shelter	Good for a wide range of invertebrates. Good use of fallen/cut timber.	www.wildaboutgardens.org	Frogs, toads, hedgehogs, beetles and other insects shelter underneath or among the gaps of rotting logs. Create a log pile by loosely arranging together old branches or pieces of log. Leave bark on and use a variety of species if possible.
Ponds and soak-aways	Improve setting of development. Habitat for amphibians, birds and wetland plants.	www.pondconservation.org.uk/	
Living Roofs	Provide habitat for insects and birds. Reduce water runoff and increase insulation.	www.livingroofs.org	

Conversion of traditional and/or old buildings

As above plus			
Swallow nest boxes	Encourages and supports swallows.	www.rspb.org.uk	Create spaces for nests adjacent to masonry or wooden beams in outbuildings or use ready-made nests. Nests should be located inside an outbuilding with constant access for birds to the outside. Artificial nest made from terracotta are available from the RSPB web site.
Barn owl nest box (where surrounding habitat suitable)	Encourages and supports breeding, use of nest boxes enables barn owls to move to new sites with suitable habitat.	www.barnowltrust.org.uk	Nest in roof spaces of barns or outbuildings. Barn owls need tussocky grassland close to a nest site.
Bat boxes	Artificial roosts sites to encourage bats particularly into areas with suitable habitat but few/no roosts.	www.bats.org.uk/ www.habibat.co.uk	Can be placed on trees or outside of buildings, sites close to woodland/ open water needed to provide foraging habitat and cover.
House martin boxes	Provides suitable nest sites, lack of suitable sites is thought to limit numbers in some areas.	www.rspb.org.uk/	
Swift boxes	Provides suitable nest sites, lack of suitable sites is thought to limit numbers in some areas	www.rspb.org.uk/	

Small scale commercial and industrial buildings e.g. retail, factories, offices and warehouses (less than 100m²)

As above plus			
Swift bricks/ internal nest boxes	Provide access to nesting sites for swifts and other birds which use buildings.	www.concernforswifts.com/ www.swift-conservation.org/	Incorporate swift nest bricks around the top of commercial buildings, they do not have to be on a visible façade.

SuDS	Habitat for wetland plants and invertebrates. Valuable for amphibians especially where standing water provided. Add to the setting of a development as part of the green space requirement.	http://www.defra.gov.uk/environment/quality/water/sewage/sustainable-drainage/ http://www.ciria.com/suds/	Developers should be careful to check with bodies adopting/ maintaining any new SuDS scheme for any restrictions in relation to planting and maintenance.
Use of native tree and shrub species in landscaping	Provide shelter and screening. Provide nesting sites and food for birds and insects.	http://www.tdag.org.uk/trees-in-the-landscape.html http://www.tcpa.org.uk/pages/biodiversity-by-design.html	Species to consider depend on site conditions and location and include oak (pedunculate and sessile), rowan, willow sp, wych elm, ash, birch (downy and silver), bird cherry, hazel, elder, alder, aspen, guelder rose, crab apple, hawthorn, blackthorn, broom, gorse, dog rose, juniper, holly.
Green walls/habitat walls, Willow fedge (fence/hedge).	Can provide excellent visual features. Shelter, food and nesting sites for birds and insects. Willow in particular is inexpensive and easy to establish from cuttings.	www.livingroofs.org www.grassroofcompany.co.uk	Fedges require annual maintenance
Introduce wildflowers into verges.	Food plants for butterflies and other insects.	http://www.plantlife.org.uk/roadvergecampaign/why_are_road_verges_so_important	Many grasses are tolerant of fairly high levels of salt but the following are particularly salt tolerant and may be suitable for roadside verges; red fescue, creeping bent, Yorkshire fog, creeping soft grass.
Major development including residential, commercial, mineral and waste⁷			
As above plus Sustainable Urban Drainage Systems	Creation of ponds or wetland habitats will support a variety of wetland plants and attract birds and insects. Even small areas of permanent water or wetland	See links for SuDS and ponds and soak-a-ways above.	Consider reed beds or willow filtration systems as alternatives for water treatment. Living roofs may be most appropriate to

⁷ Major development is the winning and working of minerals, waste developments, residential development of 10 dwellings or more, or a site larger than 0.5ha if the number of houses is not known, commercial development where floorspace is 1000m² or more or the site is larger than 1ha.

<http://www.legislation.gov.uk/ukxi/1995/419/contents/made>

	vegetation in detention basins can be beneficial.		deal with surface water where space is limited.
Incorporate habitats/features within green space to create green corridors.	Retain existing wildlife habitat within the development. Links with other natural areas and the surrounding countryside are important to allow movement of wildlife along corridors. This contributes to a developments green space requirements.	www.woodlandtrust.org.uk	Link existing wildlife habitat and/or newly created green spaces with strategically placed trees, shrubs, hedges, dry stone wall or grass verge.
Habitat creation and restoration of existing habitats.	Contribute to meeting Local Biodiversity Action Plan targets for priority habitats. Creating/restoring high quality green space to enhance development. Consider wildflower grassland and wetland habitats. This contributes to a developments green space requirements.	http://jncc.defra.gov.uk/page-5155 http://ukbars.defra.gov.uk/archive/plans/map_county.asp?X=%7BE9E341BC-FE96-4CB8-8694-C558AF7FB17B%7D&CTRY=%7B7C884413-1AC7-48B6-ADCD-23CBA1482CD6%7D&WES=	Consider opportunities to re-meander canalised streams and rivers, carryout thinning of trees along watercourses, restore wetland habitat.
Use of nectar rich species and food plants for caterpillars in landscaping.	Benefits for butterflies, moths and other insects.	www.butterflyconservation.org	
Buffer strips along watercourses and ditches.	Improvements to quality of water, habitat for wildlife, linear habitat and corridor for the movement of wildlife. This contributes to a developments green space requirements	Natural England Technical Information Note TIN099 2011 Protecting water from agricultural run-off: water retention measures www.naturalengland.org.uk http://www.buglife.org.uk/Resources/Buglife/Documents/Riverflies%20inners%20lr5.pdf	
Use show home garden or demonstration area on industrial site to demonstrate wildlife	Food and shelter for birds, insects and amphibians.	www.gardenforlife.org.uk/	Include use of bat boxes/bird boxes/bee hotels, log piles, planting to encourage butterflies, bumble bees and birds. Wet areas/pond for common frog, newts and damselflies.

gardening.			
Develop a site/ Company Biodiversity Action Plan (BAP).	Contribute to Local and English Biodiversity Action Plan targets and create a work/development site providing a network of habitats.	http://www.businesslink.gov.uk/bdotg/action/detail?itemId=1084076653&type=RESOURCES	All/any of the options listed above could be incorporated into a Site/ Company BAP.
Provide information and advice for new occupiers on how to benefit biodiversity in their gardens	Contribute to all the above	See all above links	
Provide on-site interpretation explaining what the habitats are and why they are beneficial			

