



Homes  
England

Date: 18 June 2025

Our Ref: RFI5087

Tel: 0300 1234 500

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

[REDACTED]  
By Email Only

Dear [REDACTED]

**RE: Request for Information – RFI5087**

Thank you for your request for information which was processed under the Environmental Information Regulations 2004 (EIR). Please accept our sincere apologies for the delay in issuing this response to you. We recognise that the handling of your request has fallen below expectations, and the standards set out in the legislation. An internal review has been conducted at your request, the outcome of which has been communicated to you separately.

You requested the following information:

I am writing to request environmental information relating to the land between Bayham Road and Frant Road, on the edge of Royal Tunbridge Wells. This request concerns an ecological site visit that reportedly took place on or around 4th March 2025, as referenced in correspondence from Homes England. According to the correspondence, a “qualified ecologist” assessed the site and found no evidence of nesting birds or other mammal activity, after which site works were undertaken. Given the ecological sensitivity of this location and the importance of transparency, I am requesting the following:

1. The name, qualifications, and employer (or consultancy) of the ecologist who attended the site on or around 4th March 2025.
2. All records, reports, assessments, field notes, emails, photographs, and communications relating to this site visit.
3. Details of the methodology used to assess the site for nesting birds and other protected or notable species, including whether any standard guidance (e.g., from Natural England or CIEEM) was followed.
4. Any instructions, commissioning records, internal emails, or correspondence relating to the purpose and scope of the visit, and any follow-up actions taken.

2<sup>nd</sup> Floor  
The Lumen  
St James Boulevard, Newcastle Helix  
Newcastle upon Tyne, NE4 5BZ

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@HomesEngland  
[www.gov.uk/homes-england](http://www.gov.uk/homes-england)





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5. A description and timeline of any works carried out at or near the site, including what was done, by whom, and under whose authority.
6. Any records of environmental risk assessments or ecological constraints that were considered in connection with the site and the works.
7. Any site photographs, drone footage, or other records taken prior to, during, or following the ecological visit and the subsequent works.
8. Confirmation as to whether any of this information is held on Homes England's behalf by third parties, contractors, or consultants.

### Response

We can confirm that we do hold some of the requested information. We will address each of your questions in turn below.

#### **1. The name, qualifications, and employer (or consultancy) of the ecologist who attended the site on or around 4th March 2025.**

We can confirm that we do hold the requested information. We are withholding the name of the ecologist and some of their qualifications on the grounds that it constitutes third party personal data and therefore engages Regulation 13 of the EIR.

To disclose personal data, such as names, qualifications and professional experience could lead to the identification of third parties and would breach one or more of the data protection principles.

Regulation 13 is an absolute exception which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exception is engaged.

The full text in the legislation can be found on the following link:

<http://www.legislation.gov.uk/ukxi/2004/3391/regulation/13/made>

### Advice and Assistance

We have a duty to provide advice and assistance in accordance with Regulation 9(1) of the EIR. In accordance with this duty we can confirm that the ecologist who attended the site visit is a consultant of Stephenson-Halliday (RSK Group). They hold a FdSc Countryside & Landscape Management degree as well

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as other professional experience. We consider that disclosing the details of the professional experience of the ecologist would allow them to be identified in combination with other publicly available information.

- 2. All records, reports, assessments, field notes, emails, photographs, and communications relating to this site visit.**
- 7. Any site photographs, drone footage, or other records taken prior to, during, or following the ecological visit and the subsequent works.**

Please see enclosed Annex A which contains a copy of an email, that Homes England colleagues were copied in to, from RSK Environment regarding their visit to the site. We can confirm that Homes England were not in receipt of any reports, assessments, field notes, emails or photographs relating to the site visit. Please also see enclosed Annex C which contains a copy of the image sheet prepared by the ecologist. The annex contains additional photos provided by RSK Environment from the 4 March 2025 site visit (pages 6 to 9). Please note that these additional images were not taken as part of the ecology walkover.

#### **Regulation 13 – Personal Data**

We have redacted information in Annex A on the grounds that it constitutes third party personal data and therefore engages Regulation 13 of the EIR.

To disclose personal data, such as names, contact details, addresses and email addresses could lead to the identification of third parties and would breach one or more of the data protection principles.

Regulation 13 is an absolute exception which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exception is engaged.

The full text in the legislation can be found on the following link:

<http://www.legislation.gov.uk/ukxi/2004/3391/regulation/13/made>

- 3. Details of the methodology used to assess the site for nesting birds and other protected or notable species, including whether any standard guidance (e.g., from Natural England or CIEEM) was followed.**

We can confirm that prior to the survey being undertaken, a desktop exercise was undertaken to ascertain any environmental designations at the site. The site is within the High Weald National Landscape. The field survey was undertaken on the 4 March 2025 at 10am in dry weather conditions, partially cloudy with a temperature of 8 degrees Celsius. The trees were bare and without leaf and the scrub area in most parts

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# Homes England

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was possible to visually inspect without disturbance. The thicker areas required manual intervention by hand to be able to access and inspect thoroughly. The treeline was then inspected both with a visual walk past followed by sitting and observing from a distance for 2 hours with binoculars to observe any bird nest behaviour. During the time of the survey no evidence of nesting birds were found, no mammals/mammal nests and no reptiles seen or found.

#### **4. Any instructions, commissioning records, internal emails, or correspondence relating to the purpose and scope of the visit, and any follow-up actions taken.**

Please see enclosed Annexes A and B which contains a copy of email correspondence in relation to the request for the visit to the site along with instructions and details of the works required. We can advise that there were no follow-up actions taken.

#### **Regulation 13 – Personal Data**

We have redacted information in Annex B on the grounds that it constitutes third party personal data and therefore engages Regulation 13 of the EIR.

To disclose personal data, such as names, contact details, addresses, email addresses and personal opinions could lead to the identification of third parties and would breach one or more of the data protection principles.

Regulation 13 is an absolute exception which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exception is engaged.

The full text in the legislation can be found on the following link:

<http://www.legislation.gov.uk/ukxi/2004/3391/regulation/13/made>

#### **5. A description and timeline of any works carried out at or near the site, including what was done, by whom, and under whose authority.**

Please see the following timeline of events for works carried out at the site.

04/03/25 – The Ecologist visited the site and a site key was collected by Esquire (RSK).

05/03/25 – Works on site including scrub and vegetation cutting. This also included lifting some of the lower canopies of trees along the boundary which was completed by MJM Forestry & Land Clearance.

06/03/25 – Works on site continued and the site key was returned by Esquire (RSK).

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The Estates Manager for Homes England was in charge of facilitating access to the site via our consultant and Esquire provided access to their contractor.

**6. Any records of environmental risk assessments or ecological constraints that were considered in connection with the site and the works.**

We can confirm that there were no ecological constraints. On behalf of Homes England, RSK Environment Landscape Manager for the site reviewed the proposed works risk assessment by MJM Forestry & Land Clearance (Contractor instructed by Esquire Developments) and countersigned completed 'Site Access Request Form' for the Homes England land allowing Contractor access due to safe working considerations.

**8. Confirmation as to whether any of this information is held on Homes England's behalf by third parties, contractors, or consultants.**

We can advise that the information and Annexes contained within this response are the information held by Homes England, our consultants and some information is held by Esquire (RSK). We are unable to confirm whether additional information is held by Esquire's contractors as well as this information is not held on behalf of Homes England.

**Right to make Representations**

If you are not happy with the information that has been provided or the way in which your request has been handled, you may request a reconsideration of our response (Internal Review). You can make this representation by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

The Information Governance Team  
Homes England  
2<sup>nd</sup> Floor  
The Lumen  
St James Boulevard  
Newcastle Helix  
Newcastle upon Tyne  
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Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

Your request for reconsideration must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response (Reg 11(2)). Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for reconsideration will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link <https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

**The Information Governance Team**  
For Homes England

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Newcastle upon Tyne, NE4 5BZ

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reg. 13

---

**From:** reg. 13 <reg. 13@stephenson-halliday.com>  
**Sent:** 25 March 2025 08:38  
**To:** reg. 13  
**Subject:** FW: Bayham Road - Tree Works

reg. 13  
Consultant Landscape Manager  
reg. 13

Reg 13



Planning, Landscape & Environment  
an **RSK** company

[stephenson-halliday.com](http://stephenson-halliday.com)

---

**From:** reg. 13  
**Sent:** Tuesday, March 4, 2025 1:33 PM  
**To:** reg. 13; reg. 13; reg. 13  
**Cc:** reg. 13; reg. 13; reg. 13; reg. 13  
**Subject:** RE: Bayham Road - Tree Works

Hi reg. 13

I visited the site this morning and on inspection found no evidence of nesting birds or any other mammal activity that should cause any problems.

As we are getting into bird nesting season could I just ask that if any nests are discovered that a 5 metre cordon be placed around it and the location noted.

Regards

reg. 13  
Consultant Landscape Manager  
reg. 13

Reg 13



[stephenson-halliday.com](http://stephenson-halliday.com)

---

**From:** reg. 13 <reg. 13@esquiredevelopments.com>  
**Sent:** Tuesday, March 4, 2025 1:13 PM  
**To:** reg. 13 <reg. 13@stephenson-halliday.com>  
**Cc:** reg. 13 <reg. 13@homesengland.gov.uk>; reg. 13 <reg. 13@esquiredevelopments.com>; reg. 13 <reg. 13@esquiredevelopments.com>; reg. 13 <reg. 13@homesengland.gov.uk>  
**Subject:** Bayham Road - Tree Works

**CAUTION:** This email originated from outside the Organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi reg. 13

Hope you are well.

I understand you are on site at Bayham Road today and you will be advising on what tree works we are allowed to proceed with. I have also been informed that any works you do allow, must take place tomorrow or Thursday.

As I need to get our contractor booked in as soon as possible to make sure reg. 13 can do it today or tomorrow, please could you let me know at your earliest convenience, the works that you are happy for us to proceed with?

Let me know if you have any questions for me on this.

Regards  
reg. 13



reg. 13  
Project Co-ordinator  
T. reg. 13  
M. reg. 13  
[www.esquiredevelopments.com](http://www.esquiredevelopments.com)

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Longfield Kent DA2 8EB



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reg. 13

**From:** reg. 13 <reg. 13@esquiredevelopments.com>  
**Sent:** 27 February 2025 17:23  
**To:** reg. 13; reg. 13  
**Cc:** reg. 13; reg. 13; reg. 13  
**Subject:** RE: Bayham Access Query  
**Attachments:** BayhamRd (002).png

Good afternoon reg. 13

Thank you for your email. Please see attached the plan marked up showing the area that the works are required within. Below is further detail on the works required.

1. The following works pertain to the area as marked on attached site plan.
2. To strim down / mow all bramble and general undergrowth along the full length of the above boundary, mulching all the material to ground level back to the current boundary line.
3. All mature trees on the boundary to remain.
4. Lift lower canopies from all the remaining mature trees along the boundary to leave a clearance of 3 metres.

I look forward to hearing from you to confirm that the works can commence so that we can arrange a new date with our consultant to carry out the works.

Kind regards

reg. 13



reg. 13  
Senior Land Manager

T. reg. 13  
M. reg. 13

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**From:** reg. 13  
**Sent:** 26 February 2025 17:42  
**To:** reg. 13; reg. 13  
**Cc:** reg. 13; reg. 13  
**Subject:** RE: Bayham Access Query

Hi reg. 13

Before we give this work the ok I need to understand a bit more detail. Please can you mark up the attached plan and detail the level of vegetation removal needed please . This may require input from an ecologist.

Many thanks

reg. 13  
Estates Manager  
reg. 13



Homes

[@HomesEngland](#)

The Lumen

2nd Floor

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Newcastle upon Tyne

NE4 5BZ

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---

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**From:** reg. 13 <reg. 13 [esquiredevelopments.com](mailto:esquiredevelopments.com)>

**Sent:** 21 February 2025 08:54

**To:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:homesengland.gov.uk)>

**Cc:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:homesengland.gov.uk)>; reg. 13 <reg. 13 [homesengland.gov.uk](mailto:homesengland.gov.uk)>;

reg. 13 <reg. 13 [esquiredevelopments.com](mailto:esquiredevelopments.com)>

**Subject:** Re: Bayham Access Query

Morning reg. 13

Appreciate you will not pick this up until Monday. However, following discussions with Wealden DC they have updated their back garden sizes and therefore we require a minimum length of 10m for back gardens. On the western boundary, following a site visit we noticed the boundary needs to be trimmed back and overhanging branches cut down this will enable us to re-survey and show that the 10m distances are achievable.

As it stands the current layout would not be able to accommodate the 10m rear garden distance and we would run the risk of losing a number of units on the western side of the Bayham road element of the scheme.

This is fairly straight forward works and we would like to carry this out now so that we can arrange the new Topo and firm up the layout.

I appreciate we do not have works covered off within our contract but I wondered whether we could agree a simple licence to allow us to carry out the works, this would provide full PI cover for our contractor who has his own insurance covering any event.

Please can you come back to me on this on Monday as we are keen to proceed with the minor works next week.

Kind regards

reg. 13



reg. 13

Senior Land Manager

T.  
M.

reg. 13

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**From:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:reg.13@homesengland.gov.uk)>

**Sent:** Thursday, February 20, 2025 6:18:01 PM

**To:** reg. 13 <reg. 13 [esquiredevelopments.com](mailto:reg.13@esquiredevelopments.com)>

**Cc:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:reg.13@homesengland.gov.uk)>; reg. 13 <reg. 13 [homesengland.gov.uk](mailto:reg.13@homesengland.gov.uk)>

**Subject:** RE: Bayham Access Query

Hi reg. 13

reg. 13 has passed on your query below. It wouldn't be normal for us to allow access for any maintenance works to third parties, whilst the contract allows access for surveys etc it doesn't cover works which has implications for liability, insurance etc.

Can you set out the purpose and scope of the works and perhaps reg. 13 can arrange through our own contractors if you think there are matters that need to be addressed.

I am not in tomorrow but happy to have a call on Monday

Many thanks

reg. 13

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**From:** reg. 13 <reg. 13 [esquiredevelopments.com](mailto:reg.13@esquiredevelopments.com)>

**Sent:** 20 February 2025 11:24

**To:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:reg.13@homesengland.gov.uk)>

**Subject:** RE: Bayham Access Query

Morning reg. 13

Hope all is well. We require access for some trimming back of boundary features (hedges and overhanging branches) along with some cutting. Our contractor has arranged for the works to be carried out on Wednesday 26<sup>th</sup>. Please can you confirm how we can arrange access, I am happy to come to London to get a key, I am in London on Friday. Or please confirm the best way to secure access, I would imagine he will want to commence work from 8am on the day

I look forward to hearing from you

Kind regards

reg. 13



reg. 13

Senior Land Manager

T.  
M.

reg. 13

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From: reg. 13 <reg. 13@homesengland.gov.uk>

Sent: 21 January 2025 14:31

To: reg. 13 <reg. 13@esquireddevelopments.com>

Subject: RE: Bayham Access Query

Ok, thanks reg. 13

Regards

reg. 13

Estates Manager

reg. 13



**Homes**  
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One Friargate  
Coventry  
CV1 2GN

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We believe that affordable, quality homes in well-designed places are key to improving people's lives.

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---

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From: reg. 13 <reg. 13@esquireddevelopments.com>

Sent: 21 January 2025 13:05

To: reg. 13 <reg. 13@homesengland.gov.uk>

Subject: RE: Bayham Access Query

Hi reg. 13

Quick update, we will jump over the gate and have a look around at the proposed works first and then arrange access to carry out the works.

Kind regards

reg. 13



reg. 13

Senior Land Manager

T. reg. 13  
M. reg. 13

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**From:** reg. 13 <reg. 13@homesengland.gov.uk>

**Sent:** 21 January 2025 10:01

**To:** reg. 13 <reg. 13@esquiredevelopments.com>

**Subject:** RE: Bayham Access Query

Hi reg. 13

I'll be popping by on Thursday morning. Is it a walkover or actual work on site?

Thanks

reg. 13

Estates Manager

reg. 13



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OFFICIAL

From: reg. 13 <reg. 13@esquiredevelopments.com>

Sent: 21 January 2025 09:30

To: reg. 13 <reg. 13@homesengland.gov.uk>

Subject: Re: Bayham Access Query

Morning reg. 13

Hope you are well.

We need access to the Bayham Road site, preferably this week. I can pop into London to pick up the key if that is easier?

Look forward to hearing from you at your earliest convenience

Kind regards

reg. 13



reg. 13

Senior Land Manager

T.  
M.

reg. 13

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From: reg. 13 <reg. 13@homesengland.gov.uk>

Sent: Thursday, November 7, 2024 1:19:04 PM

To: reg. 13 <reg. 13@esquiredevelopments.com>

Subject: RE: Bayham Access Query

You don't often get email from reg. 13@homesengland.gov.uk. [Learn why this is important](#)

Hi reg. 13

It's a key'd padlock. We can arrange access if required.

Regards

reg. 13

Estates Manager

reg. 13



Homes  
England

[@HomesEngland](#)

One Friargate

Coventry

CV1 2GN

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**From:** reg. 13 <reg. 13 [esquiredevelopments.com](mailto:esquiredevelopments.com)>

**Sent:** 07 November 2024 11:54

**To:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:homesengland.gov.uk)>; reg. 13 <reg. 13 [homesengland.gov.uk](mailto:homesengland.gov.uk)>

**Subject:** RE: Bayham Access Query

Morning,

I will make contact with the neighbour and confirm HE are now the owners, they very rarely use the gate/access, if at all as they can access from their own farm track.

reg. 13 please can you confirm the gate code in the event we need to gain access

Kind regards

reg. 13



reg. 13

Senior Land Manager

T.  
M.

reg. 13

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**From:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:homesengland.gov.uk)>

**Sent:** 07 November 2024 11:45

**To:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:homesengland.gov.uk)>

**Cc:** reg. 13 <reg. 13 [esquiredevelopments.com](mailto:esquiredevelopments.com)>

**Subject:** RE: Bayham Access Query

You don't often get email from reg. 13 [homesengland.gov.uk](mailto:homesengland.gov.uk). [Learn why this is important](#)

Thanks reg. 13

Regards

reg. 13

Estates Manager

reg. 13



Homes  
England

[@HomesEngland](https://www.homesengland.gov.uk)



One Friargate  
Coventry  
CV1 2GN

**The Housing and Regeneration Agency**

We believe that affordable, quality homes in well-designed places are key to improving people's lives. We make this happen by using our powers, expertise, land, capital, and influence to bring both investment

to communities and to get more quality homes built.

**Please forward any Freedom of Information Requests to:** [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)



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OFFICIAL

**From:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:reg.13@homesengland.gov.uk)>  
**Sent:** 07 November 2024 10:39  
**To:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:reg.13@homesengland.gov.uk)>  
**Cc:** reg. 13 <reg. 13 [esquiredevelopments.com](mailto:reg.13@esquiredevelopments.com)>  
**Subject:** RE: Bayham Access Query

reg. 13

There is a right of access but its through the overgrown hedgeline so not used as far as we have been made aware.

Esquire are in contact with the adjacent landowner and can make them aware of the acquisition by Homes England and Esquire.

reg. 13

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OFFICIAL

**From:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:reg.13@homesengland.gov.uk)>  
**Sent:** 07 November 2024 10:34  
**To:** reg. 13 <reg. 13 [homesengland.gov.uk](mailto:reg.13@homesengland.gov.uk)>  
**Subject:** Bayham Access Query

Hi reg. 13

As we have locked off our main gate, do you know if the neighbouring landowner has any right to use the gates circled red to gain access via our gate on to Bayham Road?

Thanks

reg. 13



OFFICIAL

Homes England is the trading name of the Homes and Communities Agency. Our address for service of legal documents is One Friargate, Coventry, CV1 2GN. VAT no: 941 6200 50. Unless expressly agreed in writing, Homes England accepts no liability to any persons in respect of the contents of this email or attachments.

Please forward any requests for information to: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

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Do not use, copy or disclose the information contained in this message or in any attachment.

For information about how we process data and monitor communications please see our [Personal Information Charter](#).

Homes England

# Estate Management Services

**Vegetation Clearance – Pre works Ecological Check**

**March 2025**

Image Sheet

Pre works Ecological Photo Sheet



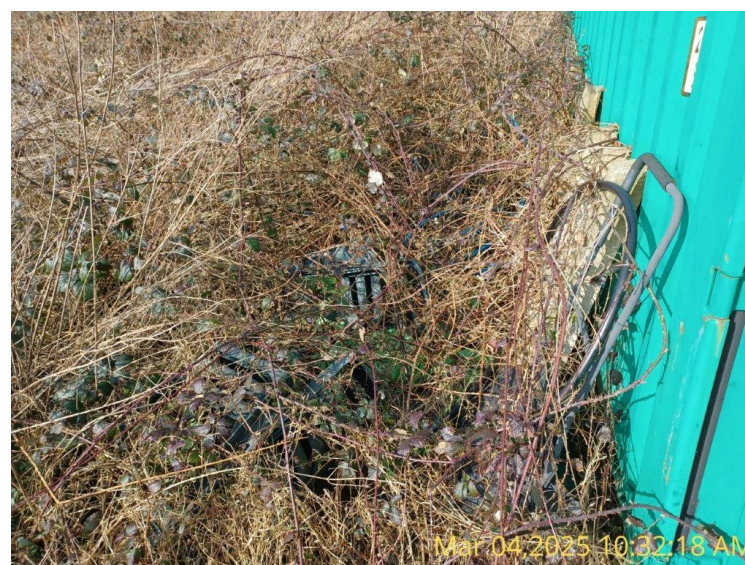
Thicker areas of scrub required manual intervention by hand to access and inspect thoroughly.



Trees without leaf.  
Position for visual inspection for 2 hours with binoculars to ensure no bird nesting behaviour observed.



Areas of detritus inspected behind for Reptile/Mammal activity/nests with no evidence found.



Low level scrub. Sparce enough for visual inspection without disturbance for ground nesting birds/mammal nests/Reptile activity.

























