

NATURAL REGENERATION

Biodiversity
conservation in the
Thames Gateway



MUDFLATS

**LOWLAND
MEADOWS**

REEDBEDS



principal strategic policies and
objectives for a greener Gateway



**WOODLAND
AND SCRUB**

**CHALK
GRASSLAND**

**URBAN
HABITATS**

INTRODUCTION

“Greening the Gateway calls for the landscape to be regarded as the functional green infrastructure which is needed to create a positive sense of place, provide environmental protection for local communities and enhance the quality of life of those who live and work here.”

Creating sustainable communities:
Greening the Gateway



The Government has set out a clear vision, in the document **Creating sustainable communities: Greening the Gateway**, for the environmental enhancement of the Thames Gateway. This sees the natural environment as integral to the sustainable development of the region^{1,2}.

The implementation of this objective will be achieved by a number of different organisations and stakeholders. Therefore it is important to establish a set of over-arching principles to direct development and ensure key players share a common purpose.

English Nature, the Environment Agency, RSPB and the Wildlife Trusts in Thames Gateway are working in partnership to provide comprehensive guidance on the conservation of wildlife in Thames Gateway. This guidance builds on the core principles set out in Greening the Gateway, in order to help ensure existing obligations are met (and regeneration of the Gateway should not prevent the area fulfilling its essential contribution to national biodiversity objectives and targets), and to show how real enhancement of the area's biodiversity can be achieved.

The partnership includes government agencies and non-governmental organisations. Partnership members act variously as regulators, experts, facilitators and advisers. As such, all are instrumental in the implementation of the Government's vision for sustainable development in the Thames Gateway.

Summary

The natural environment should be seen as integral to the sustainable development of the Thames Gateway. As well as maintaining existing natural assets, the regeneration of the area needs to deliver significant enhancements to biodiversity. By doing so, there is an opportunity to

address recognised strategic nature conservation objectives. Successful economic and social regeneration of the Thames Gateway will depend on successfully capitalising upon the natural, green and wild space resources within the region. This document sets out a series of core principles to guide planning, development and environmental projects in Thames Gateway so that the shared ambition for a world-class community with a world-class environment can be fully realised. The core principles, which are described in detail below, cover three key themes:

- **Effective planning** in which the protection and enhancement of the natural environment must be an integral part of development at all scales, and a green infrastructure achieved which dovetails new development with existing open space strategies in order to enhance the green space network in the gateway.
- **Protection of natural assets**, avoiding direct or indirect damage to existing wildlife habitats or protected species; ensuring no overall loss of wildlife value; protecting, maintaining and enhancing the network of sites designated as being of international, national, regional and local importance; and having regard to Biodiversity Action Plan habitat and species targets through the planning and development process.
- **Positive action** exploiting opportunities for habitat creation and biodiversity enhancement, reducing habitat fragmentation and enhancing ecological connectivity and establishing mechanisms and programmes for the long-term maintenance and management of existing and new wildlife habitats, open space and other natural assets.

¹ Planning and Compulsory Purchase Act 2004

² Planning Policy Statement 1: Delivering Sustainable Development

1 EFFECTIVE PLANNING

RIVERS AND STREAMS

“ If the greenspace framework for the Gateway is to be used to complement other changes such as new built development and transport infrastructure, then it must be strongly promoted. Establishing the scale, extent and overall pattern of greenspace provision as a clear priority in the early stages of regeneration is likely to make the desired integration much more achievable.”

Creating sustainable communities:
Greening the Gateway



1.1 The natural environment must be seen as part of the essential infrastructure of all development. Plans for the protection and enhancement of the natural environment must be an integral part of planning at all scales, from Thames Gateway as a whole down to individual developments, and should be developed at the earliest possible stage.^{1,2,3,4,5}

In order to integrate greenspace with built development and transport infrastructure it will be necessary to apply this approach at every scale of planning, and as early as possible in the process. This is critical if potential conflicts are to be resolved and environmental benefits maximised, and if the planning process is to be speedy and effective. It is especially crucial in relation to enhancing the ecological functionality of a greenspace network which will not just deliver biodiversity benefits, but help meet social targets for health, open-space provision, and play, as well as securing important environmental services, such as flood management and amelioration of local climate.

1.2 Opportunities should be identified for significant biodiversity enhancements throughout the planning process, including habitat restoration and creation. These should aim to deliver maximum strategic biodiversity gain by reflecting national, regional and local Biodiversity Action Plan targets, and should seek to mitigate likely negative impacts arising from development.^{1,4}

Appropriate targeting will increase the effectiveness of any work to enhance the natural environment. Strategic planning for biodiversity should be focused on those habitats and/or species for which Thames Gateway (and/or its component areas) are most important. However, in doing so, it should not ignore opportunities for wider biodiversity enhancement especially where specific strategic biodiversity conservation objectives cannot justifiably be delivered.

1.3 Green space strategies should take account of English Nature's Accessible Natural Greenspace Standard (ANGSt), which sets measured targets to address natural green space deficiencies and to guide new development. In the case of existing developed areas which do not meet the ANGSt minimum, the standard should be seen as a target to be met, and if possible exceeded, through action to improve open space provision.

PPG17 (Open Space, Sport and Recreation) establishes the importance of green spaces for a wide number of functions, including biodiversity conservation and people's enjoyment of the natural world. It sets out the requirements for comprehensive open space strategies in order to rectify deficiencies and guide new development. ANGSt is identified within PPG17 as an appropriate tool to address natural greenspace deficiencies and to guide new development.

1.4 In drawing up strategic policy for Thames Gateway, the most up-to-date best practice guidance from the nature conservation sector should be drawn upon, and advice sought from qualified ecologists and the appropriate conservation bodies.⁶

The ecological and nature conservation issues affecting Thames Gateway are many and complex. Expert ecological advice will be necessary if the issues are to be addressed in a robust fashion in both spatial strategy, detailed design, and on-ground delivery. The partnership of biodiversity conservation organisations working in the Gateway are able to directly provide much of this expertise, or to signpost other relevant specialists with whom it has successfully worked.

“Thames Gateway has the potential to become a world class demonstration of success in integrating nature conservation into new built development. We will encourage the relevant government agencies and non-governmental organisations to make existing wild places in Thames Gateway accessible and enjoyable for the general public, whilst at the same time seeking to maximise ecological integrity.”

Creating sustainable communities:
Greening the Gateway



¹ Section 28G of the Wildlife & Countryside Act 1981, as amended

² The Town and Country Planning Act 1990

³ Regulation 3 (4) of The Conservation (Natural Habitats, &c.) Regulations 1994

⁴ Section 74 of the Countryside and Rights of Way Act, 2000

⁵ Introduction, 1 (iii), & 1 (vii) of Draft Planning Policy Statement 9 (PPS 9)

⁶ Draft Planning Policy Statement 9 (PPS 9)

2 PROTECTION OF EXISTING NATURAL ASSETS

“ The natural environment of Thames Gateway is remarkably rich. It is dominated by the tidal river itself and the inter-tidal mudflats are of international importance, particularly for overwintering birds. There are also a number of extensive grazing marshes, which are fragmented but still significant. Ancient woodland is an important feature in a few places, particularly on some of the higher ground and there are local pockets of heathland in some parts of the Gateway. Parks and gardens, street trees and naturally revegetated post-industrial land are especially important in some of the built-up areas and there is considerable scope for the various existing landscape elements to be retained, extended and enhanced within the context of substantial new built development. ”

Creating sustainable communities:
Greening the Gateway

2.1 Sites designated as being of international, national or regional importance for biodiversity must be protected from direct or indirect damage. ^{2,3,4}

Designated wildlife sites form the core ecological capital of the area and are protected by existing legislation and planning guidance. Sustainable development committed to enhance biodiversity must recognise that protection of existing assets is the first priority.

2.2 The integrity of the network of statutory sites and the non-statutory Sites of Importance for Nature Conservation (also known as SINC, SNCs or Local Wildlife Sites) should be maintained and, where possible, strengthened and enhanced. ³

Greening the Gateway recognises that whilst the statutory sites form the core, their value is enhanced by a wider network of sites, many of which provide the foundations of initiatives such as the Green Grid. Although it is recognised that the protection afforded local wildlife sites may be less than that given to nationally or internationally important sites, they must still be regarded as an integral part of the ecological network. ⁴

2.3 The planning and development process should ensure best practice in the treatment of legally protected species.

It is important that protected species are safeguarded from the potentially adverse impacts of development. It is also important that the viability of their populations is maintained, and, where possible, enhanced. The adoption of best practice, and of positive conservation management, in the treatment of protected species should ensure that they do not become a serious barrier to well planned development.

2.4 The planning and development process must give protection to those UK Biodiversity Action Plan species where site protection or

maintenance of existing distribution is a priority. ^{3,5,6}

There are a number of key BAP species and habitats found in the Thames Gateway, which help to underpin its unique character. All development proposals, whether for buildings or open spaces, should take these into account. The UK Biodiversity Action Plan sets objectives for each priority species. In some cases, the protection of existing populations, or maintenance of the geographical range of a species, is identified as a key objective. In these cases, development should not result in loss of or damage to a population or its range. To prevent this, it is essential to understand both the overall area and types of habitat (including both feeding and breeding habitats) required by the species concerned.

2.5 Development should avoid direct or indirect damage to existing nature conservation interest. Where loss of wildlife habitat or other negative impacts on biodiversity are unavoidable, and there is an overriding need for the development, then appropriate mitigation and/or compensation should be put in place. ^{3,5,6,7}

Some semi-natural habitats, for example ancient meadow, have evolved as a result of complex ecological and cultural inter-relationships. Such habitats are therefore, far more difficult to re-create than others; every effort should therefore be made to retain valued habitats in situ, especially where these are long established and ecologically complex. Where this is not possible, it should be recognised that recreated habitats take time to establish and may never achieve the same importance for biodiversity as existing habitats. It is therefore important that compensation for lost habitat goes beyond area-for-area replacement if the recreated habitat is to have anything like the wildlife value of that which was lost.

“ Thames Gateway contains extensive areas of post-industrial brownfield land and much of this will be redeveloped over the next few years. It is important to acknowledge its existing ecological and social importance, to protect it prior to any eventual development, and to provide replacement habitat where possible as a part of new built development.”

Creating sustainable communities:
Greening the Gateway



2.6 The wildlife value of brownfield sites should be evaluated and the most important features conserved; mitigation and/or compensation must be provided for important wildlife interest lost to development.^{3,5,6,7}

Although the emphasis on developing brownfield sites rather than greenfield sites is in general accordance with principles of sustainability, many brownfield sites have substantial biodiversity value. In many cases this value can be much greater than that of greenfield land which may have lost biodiversity due to intensive management practices. Brownfield land may support rare species, maintain ecological connectivity, and provide public access to wildlife, especially in urban areas. Innovative solutions should be sought to conserve the biodiversity associated with these sites.

2.7 Habitat restoration and re-creation, and other enhancements, must be sensitive to the character of the landscape and its component habitats and species, and, in their design and maintenance, should aim to preserve and enhance local distinctiveness. Any landscape enhancements that involve planting should utilise and take account of species that are locally appropriate.^{3,6}

Care should be taken to ensure that restoration and re-creation of habitats complements existing habitats in the area, and reflects what would naturally be present on a site. To this effect an important consideration will be the use of plants of local provenance wherever practicable. In this respect, an understanding of the landscape history of a site or area may be important, and reference should be made to both English Nature’s Natural Area Profiles and the relevant local Biodiversity Action Plans.

“ The wide variety of underlying soils, the pattern of streams and rivers, and the varied buildings and vegetation all add to the inherent character of Thames Gateway. Sensitive landscape treatment is one of the most important ways in which the growth area can maintain its diversity and avoid the risk of blandness. Sustainable development calls for local distinctiveness to be reinforced as a consequence of the way in which the greenspace network is designed, built, planted and managed.”

Creating sustainable communities:
Greening the Gateway



¹ Section 28G of the Wildlife and Countryside Act 1981

² Regulation 3 (4) of the Conservation (Natural Habitats, &c) Regulations 1994

³ Draft Planning Policy Statement 9 (PPS 9)

⁴ Habitats Directive, (92/43/EEC) Article 3.3 & Article 10

⁵ Regulation 39) of the Conservation (Natural Habitats, &c) Regulations 1994

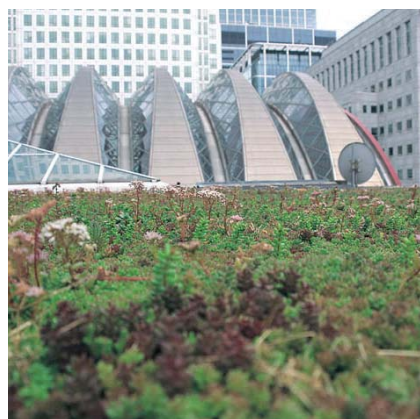
⁶ Section 74 of the Countryside and Rights of Way Act, 2000

⁷ Part I of the Wildlife & Countryside Act 1981

3 POSITIVE ACTION FOR BIODIVERSITY

“ A comprehensive network of ecologically designed and managed green spaces will help to make Thames Gateway an even richer region for wildlife. We will encourage government agencies and others to promote the Thames Gateway as a model of best practice in the integration of wildlife and economic regeneration. ”

Creating sustainable communities:
Greening the Gateway



3.1 Opportunities for habitat creation and/or significant biodiversity enhancement should be exploited as part of all new developments. It should be recognised that even within entirely built landscapes, biodiversity can be enhanced through good design. Where significant biodiversity gain cannot be delivered on a site, it may be desirable to seek a contribution towards off-site enhancement work.^{1,2}

Enhancement of the natural environment should not be limited to those developments having an impact on wildlife, but should be seen as integral to all new development. This may include the use of green roofs and living walls in built areas, as well as measures to create habitats or other features of value to wildlife as part of any open space landscaping. Such habitats and features can often have additional environmental benefits such as amelioration of urban micro-climates and attenuation of localised flooding or atmospheric pollution.

3.2 Habitat creation and other biodiversity enhancements should seek to reduce habitat fragmentation, and enhance connectivity with nature conservation resources, by creating and maintaining effective ecological links and stepping-stones between new and existing habitats.³

Linking wildlife habitats through schemes such as Green Grid will not only enhance the robustness of wildlife habitats and populations of wild species, but will help deliver objectives for public access and open space provision. This will be particularly effective if links extend out into the wider countryside which surrounds Thames Gateway. Delivery of these objectives must be at both strategic level and within individual developments.

The ecological functioning of Green Grid and other green corridor or stepping-stone projects must be addressed as part of strategic planning and site design. If such schemes are to be effective, they must be targeted at key species and habitats, and must be based on a sound understanding of the ecology and behaviour of target species.

3.3 The regeneration of Thames Gateway should include the positive management of open space within the Metropolitan Green Belt and urban fringe for nature conservation.⁴

Greening the Gateway identifies the positive management of the Green Belt and urban fringe as a priority, as does recent planning guidance. The potential for enhancing the biodiversity interest of the Green Belt is also significant, and strengthening the links between towns and the surrounding countryside will improve ecological continuity and provide major amenity benefits. Mechanisms to achieve this should be sought by the appropriate agencies.

3.4 Development must include the establishment and securing of mechanisms and programmes for the long-term maintenance and management of existing and new wildlife habitats, open space and other natural assets.⁴

Greening the Gateway recognises the need for appropriate long-term mechanisms to be secured in order to manage green space, including the variety of wildlife habitats. All environmental enhancement, mitigation and compensation must be capable of being sustained, and the establishment and maintenance of the social benefits of green space will also require appropriate management. It is therefore essential that the long-term management of any schemes is considered at the planning stage.

¹ Section 74 of the Countryside and Rights of Way Act, 2000

² Draft Planning Policy Statement 9 (PPS 9): 1 (vi), 13

³ Draft Planning Policy Statement 9 (PPS 9): 9, 11.

⁴ Regulation 37 of the Conservation (Natural Habitats, &c) Regulations 1994



**WATER
VOLE**

**GRASS
SNAKE**



4 RELEVANT LEGISLATION & POLICY

4.1 Part I of the Wildlife & Countryside Act 1981 (as amended) protects all wild birds and Schedule 5 animals from intentional killing, injury and disturbance, and protects nesting birds and their eggs. Places used by animals listed in schedule 5 for shelter and protection are safeguarded against intentional damage, destruction, and obstruction. Section 13 of the act identifies measures for the protection of wild plants.

4.2 Section 28G of the Wildlife and Countryside Act 1981 (as amended) states that public bodies must “take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of SSSIs”.

4.3 The Town and Country Planning Act 1990 places a duty on Local Planning Authorities to include policies in their development plans that relate to the conservation of the natural beauty and amenity of the land, including its wildlife.

4.4 Article 3.3 and Article 10 of the Habitats Directive (92/43/EEC) require Member States to endeavour to improve ecological coherence of Natura 2000 sites by maintaining and where appropriate developing features of the landscape, outside the sites themselves, which are important to wildlife.

4.5 Regulation 3 (4) of the Conservation (Natural Habitats, &c) Regulations 1994 requires every competent authority in the exercise of its functions to have regard to the provisions of the Habitats Directive so far as they might be affected by those functions.

4.6 Regulation 37 of the Conservation (Natural Habitats, &c) Regulations 1994 requires Local Planning Authorities to include policies encouraging the management of features of the landscape of major importance for wild flora and fauna.

4.7 Regulation 39 of The Conservation (Natural Habitats, &c) Regulations 1994 makes it an offence deliberately to capture, kill or disturb a member of a European protected species or to damage or destroy the breeding site or resting place of such an animal. Equivalent provisions apply in respect of European protected species of plants.

4.8 Section 74 of the Countryside and Rights of Way Act, 2000, requires government departments to have regard for biodiversity in carrying out their functions and to take positive steps to further the conservation of listed species and habitats.

4.9 The Planning and Compulsory Purchase Act 2004 simplifies the way planning decisions are made and enables local communities to get more involved in the

decision making and planning process. It prioritises sustainable development, allowing economic growth whilst protecting the environment and encouraging careful use of natural resources.

4.10 Planning Policy Statement 1: Delivering Sustainable Development sets out the overarching planning policies on the delivery of sustainable development through the planning system. Its policies seek to protect and enhance the environment and the promotion of biodiversity.

4.11 Draft Planning Policy Statement 9: Biodiversity and Geological Conservation, 2004 sets out the Government’s broad policy objectives in relation to biodiversity and geological conservation in England, and its proposed planning policies that will help deliver these objectives. These policies need to be taken into account by regional planning bodies and the Mayor of London in the preparation of regional spatial strategies (Spatial Development Strategy in London) and by local planning authorities in the preparation of local development documents, and may be material considerations in the determination of individual planning applications.

4.12 Planning Policy Guidance Note 17: Open Space, Sport and Recreation, 2002, sets out the Government’s objectives for protecting and maintaining a network of green spaces that meet a broad range of functions, including, importantly, supporting biodiversity and people’s access to nature.



FURTHER INFORMATION

Accessible Natural Green Space Standards; a review and tool-kit for their use in urban areas, English Nature 2003. Available as a download at:

www.english-nature.org.uk/pubs/publication/PDF/526.pdf

Biodiversity by Design: A guide for Sustainable Communities. Town and Country Planning Association 2004. Available as download at:

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Design for Biodiversity. English Nature/ London Development Agency/GLA. Available as download at: www.london.gov.uk/mayor/strategies/biodiversity/docs/design_for_biodiversity.pdf

Essex Biodiversity Partnership www.essexbiodiversity.org.uk

Kent Biodiversity Action Plan www.kentbap.org.uk

London Biodiversity Partnership www.lbp.org.uk

Revealing the value of nature. English Nature 2002. Available as download at:

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Photo credits:

Cover Riverside Country Park **Sue Young**; black-tailed godwit **John Buckingham**; banded demoiselle **Andy Vidler**; water vole **Environment Agency**.

P2 Chalk grassland **Dan Attwood**; six spot burnet moth **Sue Young**; dormouse **Paul Bright**.

P4-5 QEII bridge **Sue Young**; emperor dragonfly **Environment Agency**; black-tailed godwit **Tony Swandale**.

P7 Knots flying **John and Irene Palmer**; saltmarsh riverbank **Sue Young**.

P8-9 Canary Wharf, Brookmill Park **Mathew Frith**; great crested newt, perch, water vole, sedge warbler and chicks **Environment Agency**; reed bunting and damsel fly **Andy Vidler**.

P10-11 Erith marsh **John Wiley**; ox-eye daisies and Thames Chase wildflower planting **Mathew Frith**; shrill carder bee **Sue Young**.



HEDGEROWS

SHRILL
CARDER BEE

FLOWER
RICH
GRASSLAND



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English Nature is the Government agency that champions the conservation of wildlife and natural features throughout England.

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