This note is for guidance on soft landscaping, biodiversity and trees in relation to planning applications. The notes illustrate the validation requirements and designed to help applicants. In addition they provide guidance in view of the council’s development policies which should be taken into consideration when submitting planning applications.

**Nature conservation requirements/considerations**

All Local Authorities have a duty to consider the conservation of biodiversity (natural environment) when determining a planning application. **Section 40 of the Natural Environment and Rural Communities Act 2006**, places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. Government planning policies for biodiversity are set out in the NPPF.

See - British Standard Guidance: BS42020: 2013 (Biodiversity) – Code of Practice for Planning & Development.

The key issues in implementing policy to protect biodiversity, including local requirements are –

**Landscape**

**Biodiversity and ecosystems**

**Green infrastructure**

**Brownfield land, soils and agricultural land**

**When required**


A Biodiversity and Ecology Report will normally be required to be produced by an appropriately qualified Ecologist (Chartered Institute of Ecological and Environmental Management (CIEEM): [www.cieem.net](http://www.cieem.net)) in the following circumstances -

- Any major development; OR any new building(s) for any type of use including residential; OR any extension greater than 100sqm;

  It should be noted that it may still be appropriate to undertake an ecological survey, for example, where protected species may be present. Furthermore, due diligence checks may be required to comply with the Wildlife & Countryside Act 1981 in respect of nesting birds, bats and wildlife generally prior to demolition or construction works.

  Types of protected sites and areas to consider where it is part of or next to a site designated for its biodiversity values, may include

- Any internationally or European protected site:
  - RAMSAR wetland
  - Special Area of Conservation (SAC)
- Special protection area (SPA)
- Potential SPA, possible SAC or proposed RAMSAR wetland

- A nationally protected site:
  - Site of Special Scientific Interest (SSSI)

- A locally protected site:
  - Sites of Importance for Nature Conservation (SINC) – Metropolitan, Grade 1, Grade 2, Local
  - Local Nature Reserve (LNR)
  - Local Wildlife Site
  - Site for Enhancement of Biodiversity/Habitat
  - Green Corridor

You will need to assess the impact on protected sites and areas and make sure they’re adequately protected in line with their status. Where more than one type of protected site is affected: internationally protected sites have the highest status, followed by European, national, then locally protected sites.

**Minimum Requirements**
- Extended Phase 1 Habitat Survey - to provide information on the existing biodiversity interests and/or protected species and possible impacts on them.
- Details of the qualifications of the person who prepared the report and any surveys.

The report must use up to date surveys, carried out at the appropriate time of year, based on the latest legislation and carried out by a suitably qualified ecologist registered with the Institute of Ecology and Environmental Management (IEEM).

**Additional Guidance**
Dependent on the specific site and ecological interest, you may need to provide further details beyond the minimum validation requirements in order for your application to be determined. The following documents may provide useful information.

**LONDON BAP**

Waltham forest Development Management Policies Local Plan (adopted October 2013) - Policy DM35
https://www.walthamforest.gov.uk/content/development-management-policies

Waltham Forest Local Plan Core Strategy (Adopted March 2012) - Policy CS5

Where proposals are being made for mitigation and/or compensation measures, information to support those proposals will be needed and should be cross referenced to the plans for approval.
Enhancement measures: will vary in scale depending on site; and will therefore be considered on a case by case basis.

- New developments should incorporate a range of artificial nest and roost sites, with the number reflecting the size and scale of the development.

- Features such as bird bricks and internal bat roosts should be designed into the structure of the buildings and should be shown on the soft or hard landscaping plan.

- These features should be specific to the species that occur or are likely to occur in the area. They are likely to include house sparrows, starlings, swifts, house martins, black redstarts, bats.

- Provide these features beneath the eaves of the building if possible, as these locations are preferred by birds.

Examples of enhancement measures where appropriate may include:

A suitable number and type of –

Bird boxes for protected or priority species, swifts, starlings or house sparrows.

- Provision for bats, such as open soffit boxes or access to loft spaces.

- Reptile and amphibian hibernaculum.

- Planting of native species.

- Soft landscaping to include native planting of appropriate trees & shrubs and wildflower areas.

- Creation of a wildlife pond or bog garden.

- Establishment of a wildflower meadow area.

- Creation of a log or rock pile.

- Creation of a connecting wildlife corridor or linear feature for wildlife movement; or Creation of buffer zones along water courses planted with native species of local provenance.

To facilitate the efficient and timely processing of planning applications developers should ensure that applications are carefully prepared with all relevant information included and all material considerations addressed in the layout, design and related access, drainage and infrastructure. Landscaping proposals should be included together with any measures designated to avoid, mitigate or compensate for potential adverse effects on nature conservation. Any proposals for enhancement of nature conservation interests should also be included. These matters should not normally be left for later submission under conditions imposed on any permission given, because they will be material to the determination of whether planning permission should be granted.
Landscaping Strategy (Incorporating Soft and Hard landscaping)

Soft Landscaping

When Required


- All major development
- All developments that include external space
- Minor applications as determined as part of pre-application discussions
- Any proposal including alterations to a front garden for householders in conservation areas or alterations to the garden for listed buildings. (Kirstin the second point seems to cover all here)!

Minimum Requirements

For non-major applications

- Plans showing details of hard and soft landscaping proposals for all parts of the site where no buildings are proposed.

For all major applications

- Plans showing details of hard and soft landscaping proposals for all parts of the site where no buildings are proposed. This must indicate the relevant site features and note those to be retained and the presence of any species of nature conservation interest
- Plans must specify the proposed plant and tree species and must include their size, planting densities and planting positions also detail of planting including pit design, support and planting medium
- Site levels, gradients and any earthworks required, storage areas for bicycles and/or refuse storage areas, boundary treatments and SUDs must be shown as relevant
- Plans showing proposed materials for hard landscaping
- A management plan for a period of no less than 5 years will identify how and by whom any communal landscaping or public realm areas will be maintained

The detail provided should be proportionate to the scale of the development.

Additional Guidance

https://www.gov.uk/guidance/natural-environment

Hard Landscaping

(Kirstin you may like to ask Tania to comment on the hard landscaping here)?
**Green roofs, brown roofs and green walls.**

**When Required**

(DM Policy - 35 Biodiversity and Geodiversity).

The appropriate roof or wall will depend on the development, the location and other specific factors. Specific information needs to be submitted with applications for green/brown roofs and living walls

**Minimum requirements**

Living roofs (green or brown)

Full details required will be:

- Fully detailed plans (to scale) showing and stating the area of the roof. This should include any contoured information depicting the extensive substrate build up and details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings.
- A scaled section through the actual roof (i.e. not a generic section of a living roof) showing the details of the extensive substrate base and living roof components.
- Details of the proposed plug planting and seed composition and planting methodology.

Living Walls

Full details required will be:

- Fully detailed plans (to scale) showing modular panel design required to support plant growth and the appropriate feeding and watering system.
- Fully detailed plans showing how the modules are to be supported
- Full details of proposed plants planting technique, plant varieties and planting sizes and densities.

In addition to the above, the Council will require:

A statement outlining a management strategy detailing how the living roof would be maintained and monitored for a period of at least 5 years post installation shall be provided which will include a statement of the design objectives for the green/brown roof or living wall.
Tree Survey/Arboricultural Report

Trees are of material consideration in the UK planning system, therefore trees need to be categorised, as described in British Standards 5837 (2012) Trees in relation to design demolition & construction – Recommendations.

When Required


All applications where there are trees within the application site or on land adjacent to trees that would influence or be affected by the development (including street trees).

Minimum Requirements

A tree survey will require information prepared by a qualified arboriculturalist and shall include the following.

- Details of the existing species, spread, roots and position of trees
- Details of any trees that will be felled as part of the proposed development
- Details of trees that will be affected by the proposed development (including those located on adjacent sites) and what measures will be taken to protect them during construction
- Plans and documents outlined in accordance with the British Standards 5837 (2012) including, a tree survey, a tree constraints plan, an Arboricultural Implications Assessment and an Arboricultural Method Statement including a Tree Protection Plan.

An Arboricultural Implications Assessment will need to:

- Consider the tree/building relationships that will be produced at the end of the project.
- Identify issues that will be faced during demolition of the existing buildings and construction of the new ones.
- Identify where tree protection measures are needed and what operations are likely to pose threats to retained trees, including any special foundations or methods of work that may be needed if structures are proposed within tree root protection areas, where materials will be stored and where worker facilities will be located.
- Show clearly all the trees to be retained and those to be felled.
- Show where all tree protective fencing is to be erected and all ground protection where important tree roots are at risk of damage.
- Show any areas of landscaping that can be identified, where practicable, be protected by fencing to avoid soil compaction.

Guidance

The report should be undertaken by a suitably qualified arboriculturalist, in line with BS5837 2012.