

TONBRIDGE & MALLING BOROUGH COUNCIL
PLANNING and TRANSPORTATION ADVISORY BOARD

26 February 2007

Report of the Director of Planning, Transport & Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 LOCAL NATURE RESERVES

Summary

The purpose of this report is to provide information about a potential Local Nature Reserve at Ditton Court Quarry and seek authority to delegate powers of designation to Ditton Parish Council. Reference is also made to a potential Local Nature Reserve designation at Haysden Country Park, Tonbridge.

1.1 Background

1.1.1 A nature reserve is defined in section 15 of the National Parks and Access to the Countryside Act 1949 (as amended) as:-

- (a) land managed solely for a conservation purpose, or
- (b) land managed not only for a conservation purpose but also for a recreational purpose, if the management of the land for the recreational purpose does not compromise its management for the conservation purpose.

1.1.2 Guidelines for the declaration of Local Nature Reserves are contained in the English Nature publication "Local Nature Reserves in England."

1.1.3 Local Nature Reserves are a useful planning tool. They:-

- increase people's awareness and enjoyment of their natural environment
- provide an ideal environment for everyone to learn about and study nature
- can help to build relationships between local authorities, national and local nature conservation organisations, and local people
- protect wildlife habitats and natural features

- offer a positive use for land which local authorities would prefer was left undeveloped
- make it possible to apply bye-laws which can help in managing and protecting the site

In addition, because it is a statutory designation, it is a very clear signal to a local community of the local authority's commitment to nature conservation. LNRs can help local authorities meet Local Agenda 21, Local Biodiversity Action Plan and Sustainable Development targets.

- 1.1.4 There are currently two potential sites for Local Nature Reserves (LNRs) in the Borough. Ditton Parish Council wish to designate part of Ditton Court Quarry and the Borough Council are investigating the possibility of declaring Haysden Country Park, Tonbridge.

1.2 Ditton Court Quarry

- 1.2.1 The Parish Council has for some time aspired to have Ditton Court Quarry declared as a LNR. The site is designated as a Site of Nature Conservation Interest in the adopted Tonbridge and Malling Borough Local Plan 1998 and, as such, already enjoys statutory protection for its ecological value. It is a former ragstone quarry which has developed through natural colonisation and some post-operation planting into a mosaic of habitat types. It has an area of 12.25 ha and is jointly owned by the Parish Council and Tarmac. The Parish Council is seeking to progress with the declaration of a LNR on the part of the site which it owns.
- 1.2.2 English Nature has inspected the site and confirms that they would be fully in favour of the declaration of the site as a LNR. They suggested that the next step would be to prepare a Management Plan detailing how the site is to be managed for nature conservation and recording details of the species present. This would then need to be sent to English Nature for comment and approval before the issuing of an official notice stating that consultation has been satisfactorily carried out. After this, the LNR can be declared by either the Borough. The Parish Council is now in the process of preparing a Management Plan.

1.3 Haysden Country Park, Tonbridge

- 1.3.1 Haysden Country Park is owned and maintained by the Borough Council. The Park is currently maintained under the guidance of a five-year Management Plan, adopted by the Council in 2004.
- 1.3.2 Within the approved Management Plan is the aspiration to investigate the formal designation of part or the entire site as an LNR in 2006/07. Investigations have commenced and this has included a preliminary site visit by English Nature, which has confirmed the park's suitability for such an application. A detailed report will be presented to a future meeting for Members to consider and approve a way

forward in regard to LNR designation at the Country Park following appropriate consultation.

1.4 Legal Implications

1.4.1 The Council have powers to designate Local Nature Reserves and are able to do this on the application of landowners if appropriate.

1.5 Financial and Value for Money Considerations

1.5.1 The main cost to the Borough Council will be staff time in producing the legal agreement.

1.6 Risk Assessment

1.6.1 The progression of the LNR would lead to greater public interest in the site and the opportunity for improved management initiatives.

1.7 Recommendations

1.7.1 It is **recommended** that

- 1) the Executive supports Ditton Parish Council in its proposals to progress with the declaration of a Local Nature Reserve at Ditton Court Quarry; and
- 2) Members note the proposals in regard to the potential Local Nature Reserve designation for Haysden Country Park.

Background papers:

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Haysden Country Park Management Plan 2004-2009

National Parks and Access to the Countryside Act
1949

Local Government Act 1972

“Local Nature Reserves in England” by English Nature
(1999)

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