

Advice on Consents, Permissions, and key considerations for ReNature Projects

Planning

The majority of Nature recovery activities such as tree planting, meadow creation, will not require planning permission. However, anything that is classed as an engineering operation (works involving building or excavations on, over or under land) or material changes to the use of any buildings or land will likely require planning permission. This would include digging of new ponds.

Agricultural holdings have certain permitted development rights depending on their size.

This can include certain changes of use, although any physical works required to facilitate the use will likely require planning permission.

You can seek advice as to whether a proposal requires planning permission via [Do I need planning permission?](#)

Trees and the planning system

In some cases trees may be protected by a tree preservation order or be within a conservation area, in these cases consents may be needed and you can find further guidance on the links below.

- [Felling licences and Tree Preservation Orders](#)
- [Tree Preservation Orders and Conservation Areas](#)

Working near water

EA consents

Any works or activity within 8 metres of a riverbank (16 metres for tidal rivers) of a river classed as 'Main River' will require consent from the Environment Agency.

This can include activities that involve excavation but may also include tasks such as tree planting. You can check if you require consent [on the Government website](#).

Ordinary Watercourse consent

These watercourses are not covered by the Environment agency but are the responsibility of either the local lead flood authority (LLFA, usually the County Council) or an internal drainage board where they exist.

These watercourses are important for drainage or flood mitigation.

You may need consent if **you intend to carry out work, which could affect the flow of water within a watercourse or the profile of that watercourse.**

Even if you have planning permission or other consents, you may still require Ordinary Watercourse Consent.

Contact your LLFA for advice.

Designated Wildlife sites and protected species

Natural England Consent - SSSI sites

There are certain things you cannot do on SSSI land without consulting Natural England and getting consent first.

For example, you might want to change the way you manage woodland or change a grazing regime.

Each SSSI has a list of activities, known as 'operations requiring NE consent (ornec)' these vary from site to site and so you will need to [search for specific site details on the Natural England website](#).

For SSSI designated sites – any work, including forestry operations, require [SSSI consent from NE](#)

If there is likely to be an impact on a European designated site (SAC or SPA) then there will need to be [a habitats regulations assessment of the works](#), at least to the screening stage.

Protected species

If you know that protected species are in the area and your activity is likely to cause disturbance then you may need a licence. (For example disturbance of a badger sett).

Always consider the timing of activities as disturbance can often be avoided at certain times of year.

Further guidance can be [found on the Government's website](#).

You need a mitigation **licence** if your work will have impacts on **European protected species** (EPS) that would otherwise be illegal. Further details can be [found on this web page](#) on the Government website.

Trees, Woodlands and Forestry activities

Generally, any work that involves felling trees will need a licence from the Forestry Commission (there are a few exceptions). Further information can be [found on this page](#) on the Government website.

In some cases where major changes in land use are proposed [an Environmental impact assessment](#) will be required.

Common Land

Areas of common land are subject to some restrictions especially any activities that might affect common rights or impeded access to a common.

If restoration work involves fencing on common land then [consent from the Planning Inspectorate](#) (on behalf of the Secretary of State for Environment, Food and Rural Affairs) to carry out any works is required.

Nature Recovery and the Historic Environment

Conservation of cultural heritage is enshrined in Purpose 1 of National Parks.

It is therefore best practice to ensure that any decisions relating to nature recovery activities utilises historic environment data to inform decisions, support planning and ensure due diligence and care for the cultural heritage of the National Park.

You should also ensure you are aware of the full range of statutory protections covering land, which includes some protections specific to the historic environment. You should seek to access and review **baseline historic environment data** to build a picture of a site and its archaeological potential and sensitivity.

Sources of information:

Review **Historic Environment Record** (HER) data. Note any of the following near a proposed area for nature recovery activity:

- Designated assets (Scheduled Monuments)
- Archaeological Notification Areas (ANAs)
- Non-scheduled assets (archaeological sites recorded on the HER that are not Scheduled Monuments)
- Conservation Areas
- Find-spots

Where **Scheduled Monuments** are near the proposed site (or where a proposed site falls within a Scheduled area), you can access further information through Historic England's [National Heritage List for England](#) (NHLE).

This resource also holds information on, **Registered Parks and Gardens** or **Registered Historic Battlefield** sites.

- You can find out more about Registered Parks and Gardens [here](#).
- You can find out more about Registered Historic Battlefields [here](#).

You can also access the **Aerial Archaeology Mapping Explorer**, which compiles all aerial archaeological data in a searchable platform.

You can access the [Aerial Archaeology Mapping Explorer](#) for free.

Landscape Character

Consideration should also be given to the [landscape character of the area](#) and especially sensitivities within that landscape.

More information on this is available in the Nature recovery by landscape type section on our website nature recovery Resources hub.

If in doubt, seek advice.