1. **Title of the module**

LAWS9310 (LW931) Land Development and Conservation Law

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 7

1. **The number of credits and the ECTS value which the module represents**

20 credits (10 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring

1. **Prerequisite and co-requisite modules**

None, though a general background in either law or another discipline relating to the environment is advantageous.

1. **The programmes of study to which the module contributes**

LLM in (Specialisation); LLM in Law; PG Diploma in (Specialisation); PG Certificate in Law

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Demonstrate a sophisticated understanding of the main sources of law relating to land development and conservation and how to access these materials for the purpose of preparing a module assessment and for more general research purposes.
   2. Demonstrate a sound appreciation of the relationship between land development and conservation and the policy objectives that they seek to implement and gain the capacity to critically evaluate particular legal provisions in relation to underlying policy goals.
   3. Demonstrate comprehensive knowledge of the particular legal provisions concerning land development and conservation, and the interrelationships between these, and be able to compare, contrast and assess the different approaches used.
   4. Appreciate the differences between approaches to land development and conservation law at international, European Community and national levels, and the tensions which exist between these, and understand the significance of there being appropriate empowered regulatory bodies to securing effective enforcement in practice.
   5. Ascertain the key policy principles that underlie legal responses to particular kinds of land development and conservation issue.
   6. A sophisticated understanding of the practical application of the law and the importance of evaluating law alongside its theoretical and practical contexts.
2. **The intended generic learning outcomes.  
   On successfully completing the module students be able to:**
   1. Identify relevant issues from potentially complex factual situations;
   2. Formulate written arguments and to provide reasoned and justified opinions as to the possible consequences in particular circumstances;
   3. Carry out sophisticated independent research;
   4. Summarise detailed and complex bodies of information concisely and accurately.
3. **A synopsis of the curriculum**

The module spans environmental and ecological legal issues arising from contexts where land development and conservation are at issue.

Land development places considerable stress upon wildlife conservation, natural resources and environmental quality. As an initial matter, development might contravene common law restrictions upon land use arising in the law of nuisance. However, in most legal systems the decision to grant planning permission is critical in determining whether a development goes ahead. The land use planning system and policy guidance give an opportunity for planning authorities to scrutinise the likely environmental and ecological impacts of a development proposal, before a development is authorised. The anticipatory approach is taken a step further when a proposed development is likely to have a significant effect upon the environment and where Environmental Impact Assessment (EIA) is required before granting permission for development. The methodology of environmental assessment is also applied where Strategic Environmental Assessment (SEA) is required of plans and policies, rather than individual developments. The need to implement requirements from European Union environmental law, with regard to EIA and SEA, is of critical importance.

The conservation and sustainable use of living natural resources is a key element in securing the overarching environmental policy objective of sustainable development. In part, the land development system, referred to above may be used to prevent developments which are excessively damaging to flora, fauna and their habitats or ecosystems. However, conservation or ecological law goes beyond this in attaching a special legal status to non-human living resources and their environment. In part, the laws which provide this special status are of national origin and prevent the destruction of wildlife or require the designation of land for wildlife conservation purposes (such as Sites of Special Scientific Interest). Beyond the national measures for direct protection of wildlife and the protection of ecologically important habitats, important ecological laws from arise from European Union and global international sources. Specifically, the EU Wild Birds and Habitats Directives, and the Biodiversity Convention are used to illustrate some of the key legal features in regional biodiversity conservation law. A concluding session examines the international trade dimension of wildlife conservation law.

1. **Reading List (Indicative list, current at time of publication. Reading lists will be published annually)**

* M. Bowman, P. Davies and C. Redgwell, *Lyster's International Wildlife Law* (2010).
* J. Holder and D. McGillivray (eds.) *Taking Stock of Environmental Assessment: Law, Policy and Custom,* (2007).
* V. Moore and M. Purdue, *A Practical Approach to Planning Law* (13th ed. 2015).
* C. Reid, *Nature Conservation Law* (3rd ed. 2009).
* M. Stallworthy, *Sustainability, Land Use and the Environment* (2002).

1. **Learning and Teaching methods**

Total study hours: 200

Contact hours: 18

Private study hours: 182

1. **Assessment methods.**

13.1 Main assessment methods

The module will be assessed by 100% coursework as follows:

Essay, 4000 words (80%)

Oral Participation, individual, 15-20 minutes (20%)

13.2 Reassessment methods

Reassessment instrument: Coursework 100%

1. **Map of Module Learning Outcomes (sections 8 & 9) to Learning and Teaching Methods (section 12) and methods of Assessment (section 13)**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 9.1 | 9.2 | 9.3 | 9.4 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |
| Combined Lecture/Seminar | X | X | X | X | X | X | X | X |  |  |
| Private Study | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |
| Essay (80%) | X | X | X | X | X | X | X | X | X | X |
| Oral participation (20%) | X | X | X | X | X | X | X | X | X | X |

1. The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, the lecture/seminars will not be recorded as they are heavily discussion-based

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or Centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

This module has a comparative focus looking at the differences between approaches to land development and conservation law at international, European Community and national levels, and the tensions that exist between these, and understand the significance of there being appropriate empowered regulatory bodies to securing effective enforcement in practice.

**FACULTIES SUPPORT OFFICE USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
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