

Freepost TCB GC

22nd June 2023

Dear Sir/Madam,

The Woodland Trust appreciates the opportunity to comment on the Tendring Colchester Borders Garden Community Submission Version Plan consultation.

As the UK's leading woodland conservation charity, the Woodland Trust aims to protect native woods, trees and their wildlife for the future. We own over 1,000 sites across the UK, covering over 30,000 hectares and we have over 500,000 members and supporters. We are an evidence-led organisation, using existing policy and our conservation and planning expertise to assess the impacts of development on ancient woodland and ancient and veteran trees.

The Trust is concerned about the following ancient woodlands which are sited within the proposed plan area:

- Walls Wood ASNW (grid reference: TM03802728)
- Churn Wood ASNW/PAWS (grid reference: TM03582580)
- Unnamed ASNW at TM03522537
- Home Wood (grid reference: TM03212486)
- Strawberry Grove (grid reference: TM05222650) (unmapped ancient woodland)

Ancient Woodland

Natural England and the Forestry Commission, the Government's respective bodies for the natural environment and protecting, expanding and promoting the sustainable management of woodlands, define ancient woodland as follows within their standing advice¹:

"Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It is a valuable natural asset important for: wildlife (which include rare and threatened species); soils; carbon capture and storage; contributing to the seed bank and genetic diversity; recreation, health and wellbeing; cultural, historical and landscape value. It has been wooded continuously since at least 1600AD. It includes:

- *Ancient semi-natural woodland [ASNW] mainly made up of trees and shrubs native to the site, usually arising from natural regeneration.*
- *Plantations on ancient woodland sites – [PAWS] replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi"*

¹ <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>

Both ASNW and PAWS woodland are given equal protection in government's National Planning Policy Framework (NPPF) regardless of the woodland's perceived condition, its size, or features it contains.

Planning Policy

The National Planning Policy Framework, paragraph 180, states: *"When determining planning applications, local planning authorities should apply the following principles:*

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists;"

Footnote 63, defines exceptional reasons as follows: *"For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat."*

Impacts on ancient woodland

The Government's Keepers of Time Policy Paper² (2022) recognises that *"ancient and native woodlands and ancient and veteran trees support high levels of biodiversity. They are home to a quarter of England's priority species for conservation. They also deliver many ecosystem services including water and soil regulation, carbon storage, support for people's wellbeing and their long-standing cultural values."*

When land use is significantly intensified such as in this situation, woodland plant and animal populations are exposed to environmental impacts from the outside of a woodland. In particular, the habitats become more vulnerable to the outside influences, or edge effects, that result from the adjacent land's change of use. These can impact cumulatively on ancient woodland - this is much more damaging than individual effects.

We are specifically concerned about the following impacts to the ancient woodlands should development be proposed adjacent to the ancient woodland boundary:

- Intensification of the recreational activity of humans and their pets can result in disturbance to breeding birds, vegetation damage, trampling, litter, and fire damage.
- Fragmentation as a result of the separation of adjacent semi-natural habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats.
- Noise, light and dust pollution occurring from adjacent development, during both construction and operational phases.
- Where the wood edge overhangs public areas, trees can become safety issues and be indiscriminately lopped/felled, resulting in a reduction of the woodland canopy and threatening the long-term retention of such trees.
- Adverse hydrological impacts can occur where the introduction of hard-standing areas and water run-offs affect the quality and quantity of surface and ground

² [Keepers of time: ancient and native woodland and trees policy in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/keepers-of-time)

water. This can result in the introduction of harmful pollutants/contaminants into the woodland.

- Development can provide a source of non-native and/or invasive plant species and aids their colonisation of the woodland.
- Where gardens abut woodland or the site is readily accessible to nearby housing, it can result in boundary issues between landowners, such as adjacent landowners extending garden areas into the woodland or dumping garden waste into the woodland.

Natural England and Forestry Commission have identified impacts of development on ancient woodland within their standing advice (please see the Annex at the foot of this document for the full range of impacts outlined). This guidance should be considered Government's position with regards to development impacting ancient woodland, although Natural England and Forestry Commission should still be consulted directly.

Mitigation

Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges. As such, it is necessary for mitigation to be considered to alleviate such impacts.

Additional mitigation approaches are also outlined in our Planners' Manual³; these measures would help ensure that the development meets policy requirement and guidance and include:

- Retaining and enhancing natural habitats around ancient woodland to improve connectivity with the surrounding landscape.
- Measures to control noise, dust and other forms of water and airborne pollution.
- Sympathetic design and use of appropriate lighting to avoid light pollution.
- Producing and funding an access management plan for the woodlands, and/or providing alternative natural greenspace to reduce additional visitor pressure.
- Introduction of sympathetic management for neglected woodlands or trees.
- Implementation of an appropriate monitoring plan to ensure that proposed measures are effective over the long term and accompanied by contingencies should any conservation objectives not be met.

It is also important that an arboricultural impact assessment is undertaken early within the planning process, to ensure that ancient and veteran trees are identified and accounted for as the development proposals are refined. This will ensure that appropriate protection can be incorporated into the design. We would recommend that a review of the Trust's Ancient Tree Inventory⁴ is undertaken to identify any ancient, veteran and notable trees within the site boundary which may pose a constraint to the scheme.

³ <https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf>

⁴ <https://ati.woodlandtrust.org.uk/>

Buffering

Buffering ancient woodland can be an ideal mitigation measure as buffer zones can be used to establish distance between the development and habitat, which helps to alleviate harmful impacts, while also creating new areas of habitat around the ancient woodland. Natural England and Forestry Commission have also produced guidance on mitigation measures to alleviate impacts to ancient woods and trees within their standing advice (please see the Annex at the foot of the document).

Development must be kept as far as possible from ancient woodland, with a buffer area of at least 50 metres maintained between the ancient woodland and the development boundary. Natural England and Forestry Commission's standing advice states that *"the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic."* Further information on buffer zones is outlined in the annex below.

Conclusion

The Woodland Trust **holds concerns** regarding the proposed Garden Community Plan as there is potential for detrimental impact and disturbance to numerous areas of ancient woodland. Secondary woodland should also be retained to ensure that ecological networks are maintained and enhanced.

We hope you find our comments to be of use to you. The Woodland Trust is happy to provide any additional information or support regarding the protection of ancient woodland.

If you require any further information regarding points raised within this document, then please do not hesitate to contact us.

Yours sincerely,

Nicole Moses

Campaigner – Woods Under Threat

Annex:

Natural England and Forestry Commission's standing advice:

Ancient woodland, ancient trees and veteran trees: advice for making planning decisions

Direct and indirect effects of development:

Development, including construction and operational activities can affect ancient woodland, ancient and veteran trees, and the wildlife they support on the site or nearby.

Direct effects of development can cause the loss or deterioration of ancient woodland or ancient and veteran trees by:

- *damaging or destroying all or part of them (including their soils, ground flora or fungi)*
- *damaging roots and understorey (all the vegetation under the taller trees)*
- *damaging or compacting soil*
- *damaging functional habitat connections, such as open habitats between the trees in wood pasture and parkland*
- *increasing levels of air and light pollution, noise and vibration*
- *changing the water table or drainage*
- *damaging archaeological features or heritage assets*
- *changing the woodland ecosystem by removing the woodland edge or thinning trees - causing greater wind damage and soil loss*

Indirect effects of development can also cause the loss or deterioration of ancient woodland, ancient and veteran trees by:

- *breaking up or destroying working connections between woodlands, or ancient trees or veteran trees - affecting protected species, such as bats or wood-decay insects*
- *reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species*
- *reducing the resilience of the woodland or trees and making them more vulnerable to change*
- *increasing the amount of dust, light, water, air and soil pollution*
- *increasing disturbance to wildlife, such as noise from additional people and traffic*
- *increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing the woodland or tree root protection areas*
- *increasing damaging activities like fly-tipping and the impact of domestic pets*
- *increasing the risk of damage to people and property by falling branches or trees requiring tree management that could cause habitat deterioration*
- *changing the landscape character of the area*

Mitigation measures

Mitigation measures will depend on the type of development. They could include:

- *putting up screening barriers to protect ancient woodland or ancient and veteran trees from dust and pollution*
- *measures to reduce noise or light*
- *designing open space to protect ancient or veteran trees*
- *rerouting footpaths and managing vegetation to deflect trampling pressure away from sensitive locations*
- *creating buffer zones*

Use of buffer zones

Buffer zones can protect ancient woodland and individual ancient and veteran trees and provide valuable habitat for woodland wildlife, such as feeding bats and birds. The size and type of buffer zone should vary depending on the:

- *scale and type of development and its effect on ancient woodland, ancient and veteran trees*
- *character of the surrounding area*

For example, larger buffer zones are more likely to be needed if the surrounding area is:

- *less densely wooded*
- *close to residential areas*
- *steeply sloped*

Buffer zone recommendations

Where possible, a buffer zone should:

- *contribute to wider ecological networks*
- *be part of the green infrastructure of the area*

A buffer zone should consist of semi-natural habitats such as:

- *woodland*
- *a mix of scrub, grassland, heathland and wetland*

The proposal should include creating or establishing habitat with local and appropriate native species in the buffer zone.

You should consider if access is appropriate. You can allow access to buffer zones if the habitat is not harmed by trampling.

You should not approve development proposals, including gardens, within a buffer zone.

You should only approve sustainable drainage schemes if:

- *they do not affect root protection areas*
- *any change to the water table does not negatively affect ancient woodland or ancient and veteran trees*