

Standing Advice for ancient woodland

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Local Planning Authorities to which this Standing Advice applies:	All Borough, County, District, Unitary and National Park Authorities (within their function as Planning Authorities) within Berkshire, Buckinghamshire, Hampshire, Isle of Wight, Kent, Oxfordshire, Surrey and Sussex (excluding metropolitan London Boroughs within the above counties)
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STANDING ADVICE FOR ANCIENT WOODLAND

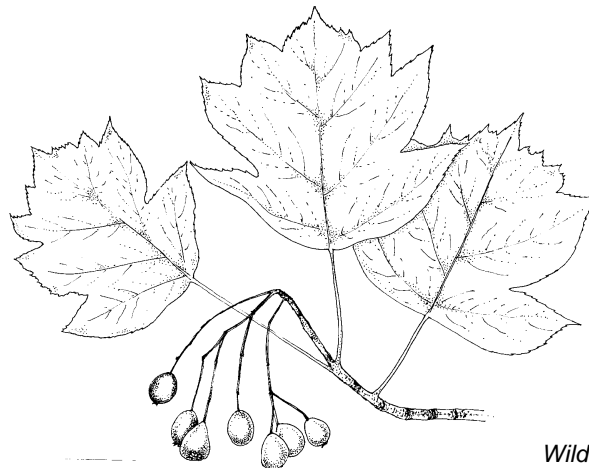
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Summary of Key Points

- Ancient woodland is an irreplaceable resource of great importance for its wildlife, its history and the contribution it makes to our diverse landscapes. Local authorities have a vital role in ensuring its conservation, in particular through the planning system.
- Local planning authorities must take into account Standing Advice, which, for the avoidance of doubt, is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.
- To help them in their decisions this advice provides:
 - Definitions of ancient woodland.
 - Details of policies protecting ancient woodland.
 - Advice on how ancient woodland can be identified and protected through Local Plans.
 - Advice on protecting ancient woodland through development management.
 - Advice on the test regarding ancient woodland set out in the National Planning Policy Framework (NPPF), including examples of outcomes from planning inquiries.
- And, in the appendices:
 - Advice on ways in which ancient woodland can be affected by development proposals.
 - Advice on mitigation and compensation measures for development affecting ancient woodland.



Wild service tree, one of a number of species indicative of ancient woodland

1) Use of Standing Advice

1.1 This advice is issued in accordance with:

- Article 10(1) of the Town and Country Planning (Development Management Procedure) Order 2010 SI 2010/2184 and any subsequent relevant amending Order.
- Section 28I of the Wildlife and Countryside Act, 1981 (as amended by the Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006).
- ODPM Circular 06/2005: Biodiversity and Geological Conservation –Statutory Obligations and their impact within the Planning System; and
- The National Planning Policy Framework (March 2012)

1.2 When any of the Local Planning Authorities (“LPAs”) named on [page 1](#) receive a planning application which requires consultation with Natural England¹ they should first check whether any up-to-date Standing Advice exists which is relevant to the development.

1.3 This Standing Advice is up-to-date if the next review date (see [page 1](#)) is later than the date of the initial planning application on which the authority wishes to consult Natural England. If unsure, the LPA should check with Natural England.

1.4 For planning applications affecting:

- Other wildlife and landscape designations not covered by standing advice; or
- Requiring an Environmental Impact Assessment; or
- Likely to damage features of an SSSI; or
- Likely to have a significant effect upon an SPA, SAC or Ramsar site

LPAs should still consult Natural England as usual (or as agreed if local consultation arrangements are in place).

¹ Natural England is the statutory successor to English Nature and the Nature Conservancy Council and was created by the Natural Environment and Rural Communities Act on 1st October 2006.

2) Status of Standing Advice

- 2.1 When determining an application for development that is covered by Standing Advice, in accordance with Government guidance in circular 06/2005, LPAs must take into account the Standing Advice.
- 2.2 For the avoidance of doubt, Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.
- 2.3 When this and other Standing Advice is revised or withdrawn, the LPAs named on [page 1](#) will be informed directly by e-mail or letter. Any new Standing Advice will be published on Natural England's website and the replaced Standing Advice removed.

3) The purpose of this advice

- 3.1 Ancient woodland is an irreplaceable resource of great importance for its wildlife, its history and the contribution it makes to our diverse landscapes. Local authorities have a vital role in ensuring its conservation, in particular through the planning system. This advice aims to help you, the local planning authority, to meet your obligations to protect ancient woodland from damage or loss by development. This is with particular regard to the requirements under the NPPF (Para. 118)² which states:

'Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;'

- 3.2 Local authorities therefore need to know where proposals may be affecting ancient woodland, either directly or indirectly. To help them in their decisions this advice sets out what ancient woodland is, policies protecting ancient woodland, and some of the issues that may arise over its identification and treatment during planning cases. It supersedes earlier guidance produced by English Nature³.
- 3.3 Natural England envisages this standing advice will be sufficient to empower the local planning authority to execute robust protection of ancient woodland through land use planning.
- 3.4 Natural England's aims with regard to ancient woodland are:

² CLG (2012)

³ Kirby & Goldberg (2006)

- Maintenance of the area of ancient woodland, because this is an irreplaceable biological and cultural asset;
- Improvement in the condition of our tree and woodland resource, through sensitive, sustainable management, including restoration of native woodlands to replace commercial plantations on ancient woodland sites and protection of veteran trees.

3.5 In order to protect ancient woodland, Natural England advises local authorities that Local Plans should include a policy requiring the strict protection of ancient woodland from loss or deterioration through development and undertake development management in line with the NPPF.

4) What is ancient woodland?

4.1 Definition of ancient woodland

4.1.1 Ancient woodland in England is defined as an area that has been wooded continuously since at least 1600 AD⁴. If woodland has been through a long phase in the last 400 years when the land was open, for example as grassland, heath, moor or arable, then the site is classed as recent woodland. It may still have high value for nature conservation, but it is not ancient woodland.

4.1.2 'Continuously wooded' in the above definition does not require there to have been a continuous physical cover of trees and shrubs across the entirety of a site. Open space, both temporary and permanent, is an important component of woodlands. Habitats such as glades, deer lawns, rides, ponds and streams, as well as gaps created by natural disturbance, may all occur within woodland and add to its diversity.

4.1.3 In most, if not all ancient woods, the trees and shrubs have been cut down periodically. The time between the felling occurring and the tree canopy being re-established will vary depending on the management regime, and regrowth may be delayed by deer grazing or other factors. Provided that the area has remained as woodland, the stand is still considered ancient. Since it may have been cut over many times in the past, ancient woodland does not necessarily contain old trees.

4.1.4 Ancient woodland includes both ancient semi-natural woodland and plantations on ancient woodland sites:

- **Ancient semi-natural woodland (ASNW)**

⁴ Spencer & Kirby (1992)

4.1.5 Ancient semi-natural woodland is where the stands are composed predominantly of trees and shrubs native to the site that do not obviously originate from planting. The stands may have been managed by coppicing or pollarding in the past, or the tree and shrub layer may have grown up by natural regeneration.

- **Plantations on ancient woodland sites (or PAWS, also known as ancient replanted woodland)**

4.1.6 These are areas of ancient woodland where the former native tree cover has been felled and replaced by planted stock, most commonly of a species not native to the site. These will include conifers such as Norway spruce or Corsican pine, but also broadleaves such as sycamore or sweet chestnut.

4.1.7 Both ASNW and PAWS are ancient woodland, and thus both types should be treated equally in terms of the protection afforded to ancient woodland in the NPPF (see [section 5.2](#)). This has been confirmed by the Forest Pines⁵ planning inquiry decision, where the inspector found that there is no policy distinction between ‘semi-natural ancient woodland’ and a ‘plantation on an ancient woodland site’. Further details of this case are provided in [section 7.4](#) and [Appendix 3](#).

4.1.8 Wood-pastures, even if there is only a thin scatter of trees, can be a distinct form of ancient woodland. Typically they are associated with parks, areas of present or former common and Royal Forests. Many have not been included on the Ancient Woodland Inventory (see [section 4.4](#)), because their low tree density meant that they did not register as woodland on the historical maps consulted⁶. Where ancient wood-pastures are identified they should receive the same consideration as other forms of ancient woodland.

4.2 The extent of the ancient woodland resource

4.2.1 Ancient woodland in England is a scarce resource, covering only about 3% of the country’s land area⁷. It has been estimated that between 1930 and the production of the ancient woodland inventories in the 1980s (see [section 4.4](#)), some 7% of the remaining ancient woodland in England and Wales was permanently cleared.⁸

4.2.2 England is also one of the least wooded countries in Europe, with woodland covering approximately 8.5% of the land surface, compared

⁵ Cullingford (2010)

⁶ Ibid.

⁷ Defra/ Forestry Commission (2005)

⁸ Spencer & Kirby (1992)

with 11.5% in the UK ⁹ and an average of 40% in the European Union countries ¹⁰. Of England's woodland resource, only a third is ancient woodland ¹¹. The South East is particularly important for its woodland cover, being the most heavily wooded region in England, and containing some 40% of the country's ancient woodland. ¹²

4.3 The value of ancient woodlands

4.3.1 Ancient woodlands are of prime ecological and landscape importance, providing a vital part of a rich and diverse countryside. In particular, ancient woodlands:

- Are exceptionally rich in wildlife, and support many rare and threatened species.
- May contain surviving descendants and features from the original natural forests.
- Act as reservoirs from which wildlife can spread into new woodlands.
- Are an integral part of England's historic landscapes.
- Contain a wealth of features of historical and archaeological importance little altered by modern cultivation or disturbance.
- Contribute to people's sense of place and imagination.
- Are important elements in the biological and visual functioning of a landscape.

4.3.2 England also has a particularly rich heritage of veteran trees which are important in their own right, but also as hosts for rich communities of epiphytic lichens and deadwood invertebrates. The rot holes and decay in these trees also provide opportunities for hole-nesting birds and bats. ¹³

4.4 Locating Ancient Woodland in your Authority Area - The Ancient Woodland Inventory

4.4.1 The key information source for identifying ancient woodlands in England is the Ancient Woodland Inventory (AWI), administered by Natural England. Ancient woodland inventories were originally compiled in the 1980s and early 1990s by the Nature Conservancy Council and English Nature. They provided boundaries, by county, of **ancient woodland sites greater than two hectares** considered to have been continuously wooded since 1600

⁹ Forestry Commission (2002)

¹⁰ Defra (2003)

¹¹ Defra (2007a)

¹² South East Forestry Framework Steering Group (2004)

¹³ Natural England (2008)

AD. In many Local Authority areas the inventory has now been revised to include smaller woodlands ([Appendix 2](#)).

- 4.4.2 These inventories are now known collectively as the Ancient Woodland Inventory, and include both ASNW and PAWS. The Ancient Woodland Inventory can be downloaded as a Geographic Information System (GIS) dataset from Natural England's website¹⁴. **Digital maps depicting ancient woodland boundaries** are also available at www.magic.gov.uk. Please note that where the AWI is being revised in some areas to include woods smaller than two hectares there will be a delay before this information is uploaded.
- 4.4.3 The inventory, however, is not a definitive register of ancient woodland. It is described as provisional, as at any stage information may become available that shows that woods not currently on the inventory are likely to be ancient or vice versa. Such information, when provided to Natural England, will be considered and a decision taken on whether a site should be removed or added to the inventory. Nevertheless, although the revised inventory is described as provisional, the survey's thorough methodology, with the use of both desk-based and field work, and the use of digital mapping technology, mean that it represents the most complete and detailed update of the inventory yet undertaken at the regional scale.

5) Policy protecting ancient woodland

- 5.1 Policies for the protection and enhancement of ancient woodland are contained in a number of statutory instruments and national policy documents which are detailed below. This section is of particular relevance to the protection of ancient woodlands outside of statutory sites.

5.2 National Planning Policy Framework

- 5.2.1 The National Planning Policy Framework, issued in March 2012, is a key government policy document for ancient woodland planning cases. The importance of ancient woodlands is reflected by their specific inclusion in the NPPF, which states (paragraph 118):¹⁵

'planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;'

- 5.2.2 This statement in the NPPF provides clear recognition in government policy of the irreplaceable nature of this habitat.

¹⁴ See web link: http://www.gis.naturalengland.org.uk/pubs/gis/tech_aw.htm

¹⁵ CLG (2012)

- 5.2.3 However, whilst stating a general presumption against the loss or deterioration of ancient woodland, the NPPF also requires planning authorities to balance the need for, and benefits of a development in a given location. This is discussed in more detail in [section 7.2](#).
- 5.2.4 The NPPF makes no differentiation in the treatment or protection of veteran trees found outside of ancient woodland.

5.3 Keepers of Time

- 5.3.1 Keeper's of Time, issued in 2005, is a statement of policy for England's ancient and native woodland which re-emphasises their value, evaluates threats and opportunities and sets out a range of actions to improve their protection and quality.¹⁶
- 5.3.2 The document provides a strong framework for ancient woodland protection and enhancement, and includes the statement that:

'England's ancient woodlands and trees represent a living cultural heritage, a natural equivalent to our great churches and castles. They are also our richest wildlife habitat and are highly valued by people as places of tranquillity and inspiration.'

- 5.3.3 The document has as its vision that:

'Ancient woodlands, veteran trees and other native woodlands are adequately protected, sustainably managed in a wider landscape context, and are providing a wide range of social, environmental and economic benefits to society.'

- 5.3.4 The document also includes six policy statements for ancient woodland:

- *The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland.*
- *Ancient and native woodland and trees should make an increasing contribution to our quality of life.*
- *Ancient and native woodland should be exemplars of sustainable development, and provide opportunities for enterprise and employment.*

¹⁶ Defra/ Forestry Commission (2005)

- *The ecological condition of ancient and native woodland should be improved and maintained.*
- *Rare, threatened or Priority species associated with ancient and native woodland should be conserved and enhanced.*
- *The cultural heritage associated with ancient woodland and veteran trees should be protected and conserved.*

5.3.5 Keepers of Time recognises a number of threats to ancient woodland, with specific reference to the threat posed by development pressures:

‘There are still occasions where native and ancient woodland is threatened by development, and many woods suffer attrition through incursions at their boundaries. Even if the woodland itself is protected, it can suffer serious disturbance where houses or roads are built right up to its margins, both directly from the impact of development, or indirectly through changes to drainage.’

5.4 UK Biodiversity Action Plan

5.4.1 In 1992 the UK and 159 other governments signed the Convention on Biological Diversity (CBD) at the Earth Summit in Rio de Janeiro. The CBD called for signatories to develop national strategies and action plans to conserve biodiversity, and the UK responded with the UK Biodiversity Action Plan (UK BAP). This was first published in 1994 and included specific plans for species and habitats afforded priority conservation action. These plans set out the threats faced by species and habitats as well as the actions being taken or to be taken to help tackle the threats. The UK BAP list was updated in 2007 and now contains 1,149 species and 65 habitats.

5.4.2 The UK BAP includes six priority woodland habitats, which will often be ancient woodland, with all ancient semi-natural woodland in the South East falling into one or more of the six types. These are (see [Appendix 1](#) for more details):

- Lowland beech and yew woodland
- Lowland mixed deciduous woodland
- Upland mixed ashwoods
- Upland oakwood
- Wet woodland
- Wood pasture and parkland

- 5.4.3 Associated with these woodland types are a number of priority species, including heath fritillary, pearl-bordered fritillary butterfly, Barbastelle and Bechstein's bats and dormouse.¹⁷
- 5.4.4 These habitats and species are covered by the provisions of the Natural Environment and Rural Communities (NERC) Act (2006) as they are included in the Section 41 list of Habitats and Species of Principal Importance in England (see below).

5.5 Natural Environment and Rural Communities Act

- 5.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC Act) places a duty on Local Authorities to consider biodiversity in the full range of their activities. It is a legal requirement that:¹⁸

'Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.'

- 5.5.2 The duty affects all public authorities in England and Wales, which include public bodies, government and statutory undertakers. The latter includes bodies carrying out functions of a public character under a statutory power¹⁹.
- 5.5.3 The aim of the biodiversity duty is to raise the profile of biodiversity in England and Wales, so that the conservation of biodiversity becomes properly embedded in all relevant policies and decisions made by public authorities.
- 5.5.4 Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The S41 list (as it is often known) is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the NERC Act, to have regard to the conservation of biodiversity in England, when carrying out their normal functions.
- 5.5.5 Fifty-six habitats of principal importance are included on the S41 list. These are all the habitats in England that have been identified as requiring action in the UK BAP. These include the six woodland habitats detailed in para. 5.4.2 above and [Appendix 1](#), which will either largely

¹⁷ See web link:
<http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁸ HMSO (2006)

¹⁹ Defra (2007b)

comprise, or, in the case of wood pasture and parkland, may include ancient woodland.

6) Advice on including ancient woodland in Local Plans

6.1 The following presents Natural England's advice on how ancient woodland can be identified and protected through Local Plans.

6.2 Identify and map the ancient woodland in your authority area

6.2.1 The first step is to establish the baseline of ancient woodland in your authority area. As described in [Appendix 2](#), Natural England is working with local authorities and other partners in the South East to revise the Ancient Woodland Inventory. This revision includes ancient woodlands of less than two hectares, which were omitted from the original inventories produced in the late 1980s and early 1990s. These small woodlands can represent a significant resource in many local authority areas in the region.

6.2.2 Absence of a woodland from the inventory does not necessarily mean that it is not ancient woodland. The inventory lists ancient woodland but the NPPF and other policies do not seek reliance on the inventory as the basis for protecting a site – it is simply a matter of whether or not the site is judged to be ancient. The inventory is described as provisional, as at any stage it is possible that information may become available that shows that woods not currently on the inventory are likely to be ancient or vice versa. Such information, when provided to Natural England, will be considered and a decision taken on whether a site should be removed or added to the inventory.

6.3 Including ancient woodland protection policies in Local Plans

6.3.1 Once the extent and location of ancient woodland has been identified local authorities should adopt a spatial planning approach to ensure opportunities for protecting ancient woodland are captured. Policies should be included in Local Plans which protect ancient woodland habitat in line with policy protection listed in [Section 5](#). Additionally, Natural England advises that LPAs should not include development sites with the potential to damage ancient woodland within their Local Plans unless they are clearly able to meet the tests of the NPPF.

6.3.2 The NPPF (see [section 5.2](#)) requires planners to protect ancient woodlands and veteran trees outside of ancient woodland from further loss and damage. Natural England advises, in keeping with the NPPF, that local authorities should adopt policies that seek to avoid the loss of

veteran trees, and encourage the conservation of such trees as part of development proposals.

6.3.3 The NPPF (Para.117) also calls for the protection and creation of networks of natural habitats:

To minimise impacts on biodiversity and geodiversity, planning policies should:

promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan'

6.3.4 Habitats such as hedgerows, copses and shaws between ancient woodlands can provide a link supporting the viability of species populations within the woodland blocks they connect, particularly for mobile species using ancient woodland within the wider landscape. These links, once severed, increase the isolation of ancient woodland blocks and species populations.

6.3.5 This may have negative effects on the long-term viability of species such as through the permanent removal of access to sources of food, and the potential for genetic exchange being reduced. Populations in isolated habitats also become more vulnerable in the longer term to threats such as disease, extreme weather conditions, or habitat degradation.

6.3.6 Areas identified for development within Local Plan allocations should be assessed for any potential to damage or enhance their function as a link between ancient woodland habitat.

7) Advice on protecting ancient woodland through development management

7.1 Assessing Impacts on ancient woodland

7.1.1 The following guidance should be used by local authorities when dealing with applications affecting ancient woodland. The steps to take in granting permission are also included in a [flow chart](#).

- a) Identify if an application is likely to cause direct loss of, or impact on, ancient woodland, use the most up-to-date woodland mapping you have to make this assessment.
- b) Identify any impacts on ancient woodland. An assessment [checklist](#), which is designed to aid planners in assessing the effect of individual applications on ancient woodland, is provided at the end of this document. Examples of the ways in which ancient woodland can be affected by development proposals are outlined below and further described in [Appendix 4](#):

Effects from development within woodland:

- Reduction in (or complete destruction of) the area of ancient woodland.
- Loss of veteran trees.
- Ground damage, loss of understorey, or disturbance within the woodland.
- Damage to archaeological or historical features within ancient woodland or associated with ancient or veteran trees.

Effects from development of adjacent land:

- Effects on the root protection area of individual trees.
 - Reduction in the area of other semi-natural habitats adjoining ancient woodland.
 - Increased likely exposure to pollutants from the surrounding area.
 - Changes to the local hydrology.
 - Increased public use near veteran trees such that safety works leading to possible damage to the tree may be needed.
 - Change to the landscape context for ancient woods and veteran trees.
- c) Identify any mitigation measures which could be used to reduce or remove the impacts upon the ancient woodland. Advice on mitigation and compensation measures is included in [Appendix 5](#).

- 7.1.2 While it may be possible for planning officers to carry out some aspects of an assessment from their desk it is likely that many aspects will require work to be carried out by ecological consultants engaged by the applicant. In these cases the standing advice and checklist can be used as a tool to ensure that ecological reports are considering all that they should in order to allow a full assessment of impacts.

7.2 The granting or refusal of planning permission

- 7.2.1 The local planning authority should fully consider the assessment [checklist](#) before deciding whether or not to grant planning permission.
- 7.2.2 The NPPF (see [section 5.2](#)) presents local authorities with the need to undertake a balancing exercise when considering the relative importance of development need, and ecological importance. Help with deciding upon the appropriate balance will come from the outcomes of key public inquiries which consider the NPPF test in detail.
- 7.2.3 The NPPF represents a recent change in planning policy. As yet there are no key planning appeals or public inquiries which have tested the policy protection given to ancient woodland within the NPPF. However, there is no material difference between the test as set out in the NPPF and that in its predecessor Planning Policy Statement 9: Biodiversity & Geological Conservation (PPS9) which stated:

“Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. Local planning authorities should identify any areas of ancient woodland in their areas that do not have statutory protection (e.g. as a SSSI). They should not grant planning permission for any development that would result in its loss or deterioration unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat.”

- 7.2.4 Previous inquiry decisions can therefore still provide relevant guidance. Two important inquiry decisions, Bolnore Village, and Forest Pines, are outlined below, and described in more detail in [Appendix 3](#).

7.3 The Bolnore Village Phases 4 & 5, Haywards Heath, West Sussex (Appeal decision October 2007) ²⁰

- 7.3.1 This inquiry concerned an ancient woodland, Four Acre Wood, which was threatened by proposed residential development. In reaching his decision, the Inspector considered both the viability of the proposed

²⁰ Asquith (2007)

scheme if the woodland were excluded from the development area (in effect, an economic test), and an ecological test when weighing up the requirements of PPS9 in relation to the effects of the proposed development on the area of ancient woodland. In his report, the Inspector concluded that Four Acre Wood:

'... is ancient woodland and is an ecologically important habitat which should be conserved. Up-to-date planning policy guidance in PPS 9 supports this... The need for and benefits of potential development in this location would not outweigh the loss of this habitat. I consider that these constitute relevant material considerations sufficient to outweigh the site's allocation for residential development within the Mid Sussex Local Plan.'

7.3.2 The Secretary of State also agreed that the development should not include the woodland:²¹

'The Secretary of State agrees with the Inspector... that policy guidance in PPS9 supports the conservation of Four Acre Wood, as do those elements of the Local Plan which relate to the protection of sites of national and local importance.'

7.3.3 The decision has been seen as an important landmark in ancient woodland protection. The case is important in that it concerned a site that had been allocated for development prior to its being identified as ancient woodland. The wider implication from this case is that land which has already been allocated for development through Local Plans will still need to meet the requirements of the test with regard to ancient woodland.

7.4 Forest Pines, Lincolnshire (appeal decision April 2010)²²

7.4.1 In his report on this inquiry, the inspector dismissed an appeal concerning the development of a golf course that would have resulted in the loss of 33 hectares of ancient woodland classified as a PAWS (plantation on ancient woodland). With reference to the test in PPS9, the inspector considered that there is no policy distinction between types of ancient woodland:

'I have found that the key policy test is set out in PPS9 and seeks to balance the irreplaceable ecological and historical nature of 'ancient woodland' against the need for, and benefits of, the proposed development. That test applies to both 'semi-natural ancient woodland' and 'plantations on an ancient woodland site.'

²¹ Secretary of State decision letter for Bolnore Village Phases 4 & 5 (2008)

²² Cullingford (2010)

7.4.2 The Inspector also found that the irreplaceable nature of the woodland outweighed the value of the compensatory measures being proposed, and that its loss did not meet the test set out in PPS9:

‘Clearly, the value of ancient woodland is that it is ancient. The complex interrelationships between plants, animals, soils, climate and people have developed over centuries and, for that reason, the habitat is practically irreplaceable.’

‘...I find that the loss and damage to this ‘ancient woodland’ is not outweighed by any need for, or benefits of, the proposed development. Hence, and having considered all the other matters raised, I find nothing sufficiently compelling to alter my conclusion that this appeal should be dismissed.’

7.5 Examples of conditions which may be attached to the grant of planning permission to protect ancient woodland.

7.5.1 Clearly it is a matter for the LPA to decide what conditions are required to be attached to a planning permission and then to frame those conditions. However, we have set out below some example themes²³ for conditions which may be attached to a grant of planning permission which may mitigate partially the effects of the development on ancient woodland.

- Development close to, though not directly involving destruction of an ancient woodland can nevertheless be damaging to the site (see [Appendix 4](#)). Whilst development should be kept as far as possible from ancient woodland, a minimum buffer of at least 15 metres (see [Appendix 3](#)) in width should be maintained between the ancient woodland and development boundary.²⁴
- Management plan for the woodland and identified wildlife features (such as hedgerows, etc.) to ensure long term viability. This should be secured in a Section 106 Agreement to provide long term security.
- Connectivity of woodland to be maintained (including maintenance and enhancement of hedgerows, copses) and then included in the Section 106.
- The provision of interpretative material to inform new residents of the importance of the ancient woodland.

²³ These are examples only and should not be used word for word as legally enforceable conditions

²⁴ The 15m buffer as used in the Four Acre Wood case is an example of best practice. Depending on their size buffer zones can create space to allow the development of a varied woodland edge and for any run-off from a development to be slowed and absorbed. In addition buffer zones can avoid or reduce many potentially harmful effects of development including damage to tree roots, disturbance, noise, pet predation, light spill and the need for tree management.

- Mechanisms for the control of pollution/maintenance of hydrology to be secured as appropriate.
- Lighting should be designed to face away from woodland and minimise light spill onto the woodland and woodland edge.

Appendices

Appendix 1

BAP priority woodland types

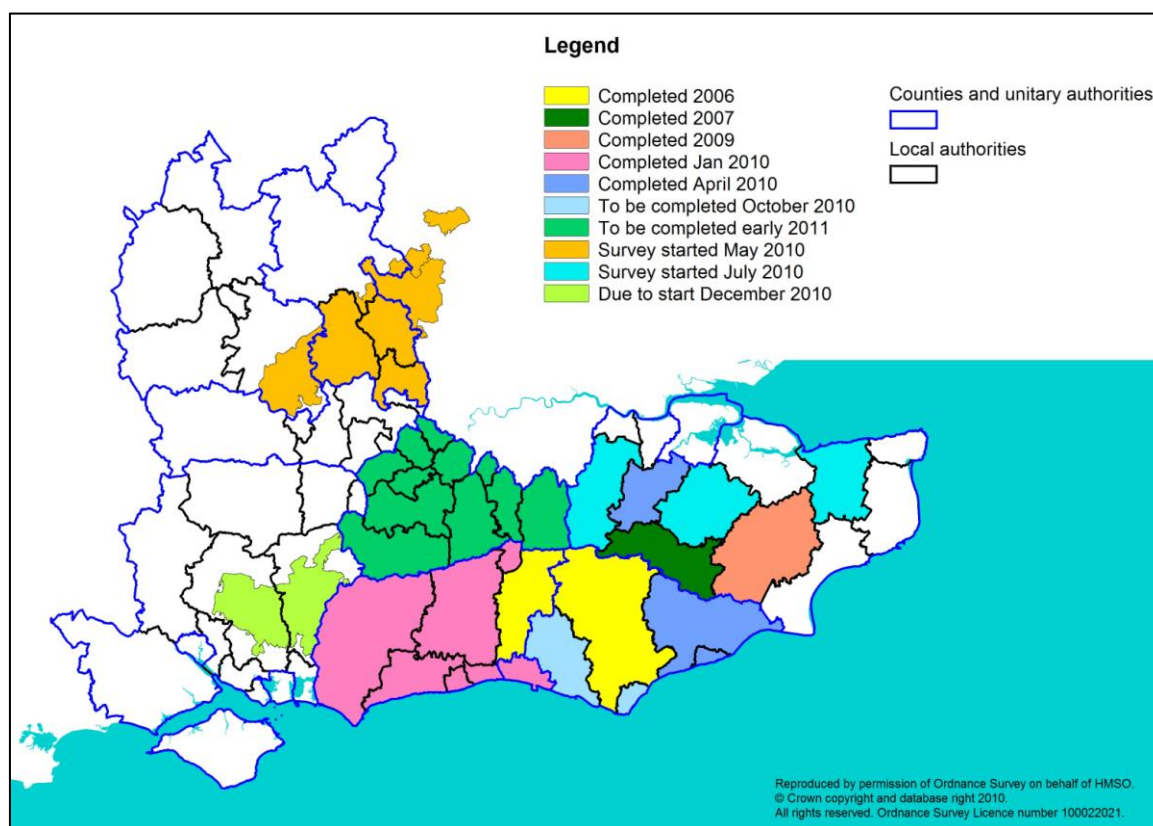
Broadleaved, mixed and yew woodland	
<i>Lowland beech and yew woodland</i>	Lowland beech and yew woodlands occur on a variety of soil and topographical conditions. Beech can grow on both acidic and calcareous soils, although its association with yew tends to be most abundant on the calcareous sites. These woods have been managed historically as coppice, coppice with standards, wood-pasture, high forest and minimum intervention. They are often found as intricate mosaics with other woodland communities.
<i>Lowland mixed deciduous woodland</i>	Lowland mixed deciduous woodland is found on soils ranging from very acidic to base-rich, and takes in most semi-natural woodland in southern and eastern England. It thus complements the ranges of upland oak and upland ash types. Oak and/or ash tend to be the commonest trees, but locally lime, hornbeam or sweet chestnut may dominate. It occurs largely within enclosed landscapes, usually on sites with well-defined boundaries, at relatively low altitudes, although altitude is not a defining feature.
<i>Upland mixed ashwoods</i>	Upland mixed ashwoods occur on base-rich soils in the north and west, in most of which ash is a major species, although locally oak, birch, elm, small-leaved lime and even hazel may be the most abundant species. Yew may form small groves in intimate mosaics with the other major tree species.
<i>Upland oakwood</i>	Upland oakwood comprises woodland, mainly in the north and west on generally acid soils. There is a predominance of oak (most commonly sessile, but locally pedunculate) and birch in the canopy, with varying amounts of holly, rowan and hazel as the main understorey species.
<i>Wet woodland</i>	Wet woodland occurs on poorly drained or seasonally wet soils, usually with alder, birch and willows as the predominant tree species. It is found on floodplains, as successional habitat on fens, mires and bogs, along streams and hill-side flushes, and in peaty hollows.
<i>Wood pasture and parkland</i>	Wood-pastures and parkland are the products of historic land management systems. Typically this structure consists of large, open-grown or high forest trees (often pollards) at various densities, in a matrix of grazed grassland, heathland and/or woodland floras. Wood-pasture sites are often therefore an overlapping category including woods and other habitats

Appendix 2

Revising the Ancient Woodland Inventory in the South East

In the South East region, Natural England is working with partners including the Forestry Commission, protected landscapes, Biodiversity Record Centres, and local authorities, to carry out a complete revision of the Ancient Woodland Inventory, including, for the first time, woodlands less than two hectares. The project was started in Wealden district in 2004, with the methodology established in this survey²⁵ now used to cover surveys in Sussex, Kent, Surrey, the Chilterns and Hampshire.

Ancient Woodland Inventory revision progress in the South East – October 2010



The aims of the survey are:

- To carry out a revision of the Ancient Woodland Inventory in the South East including, for the first time, woodlands under two hectares.
- To provide a robust evidence base to help inform planning decisions affecting ancient woodland.
- To raise awareness of and increase protection for ancient woodland.

²⁵ Westaway (2005). See also, for example, the report for Ashford - Sansum et al (2009)

- To help identify threats to the resource, areas for improving habitat connectivity, and opportunities for the strategic management of key woodlands.

In 2008, Mid Sussex District Council was awarded a 'Green Apple' environmental award for the survey in its area.

Appendix 3

Two examples of ancient woodland protection through appeal decisions

1. Bolnore Village phases 4 and 5 development, Haywards Heath, West Sussex (Appeal decision 2007)
2. Forest Pines, Broughton, Lincolnshire (Appeal decision 2010)

1. **Bolnore Village phases 4 and 5 development, Haywards Heath, West Sussex (Appeal decision October 2007)**²⁶

This inquiry considered whether (amongst other issues), an area of woodland, Four Acre Wood, should be developed as part of the Bolnore Village phases 4 and 5 development, near Haywards Heath in West Sussex.

Although the woodland had already been allocated for housing before being identified as ancient woodland, Mid Sussex District Council, in its evidence to the Inquiry, considered that the ancient woodland status of Four Acre Wood outweighed its development allocation. The authority argued that the balancing exercise set out in PPS9 fell ‘firmly in favour’ of preventing the development of the ancient woodland. The local authority considered that:

‘There is no viable argument provided... [by the developer] to support any contention that this particular part of the proposed development is required to be built within Four Acre Wood and nor is any argument put forward that the need for development at “that location” must “outweigh the loss of woodland habitat”... PPS 9, its Companion Guide, and ‘Keepers of Time’ all stress the vital importance of ancient woodland as an irreplaceable natural resource, which needs to be retained and protected.’²⁷

The Inspector noted that the site’s inclusion as ancient woodland within the Mid Sussex revised Ancient Woodland Inventory and the publication of PPS 9 all post-dated the Mid Sussex Local Plan. He also cited Paragraph 19 of PPS 1, which indicates that planning decisions should be based on up-to-date information on the environmental characteristics of an area. These issues and the fact that the Council now considered that the Local Plan allocation of the woodland was inappropriate in the light of new information and guidance, were considered by the Inspector to be ‘highly relevant and material considerations.’ In reaching his decision, the Inspector considered both the viability of the whole proposed development (in effect, an economic test) and an ecological test when weighing up the requirements of PPS9 in relation to the proposed development on the area of ancient woodland:

‘It was accepted by the appellant’s planning witness that there is no strategic need for dwellings within Four Acre Wood itself... Further, it is not argued that development of Four Acre Wood is necessary in terms of the viability of the wider

²⁶ Asquith (2007)

²⁷ Ibid. paras. 8.178 & 8.180

scheme. I therefore do not consider it has been demonstrated why there is a need for development in this particular location.’²⁸

‘I conclude that (Four Acre Wood) is ancient woodland and is an ecologically important habitat which should be conserved. Up-to-date planning policy guidance in PPS 9 supports this... Residential development on the site would not achieve the satisfactory safeguarding of this habitat. The need for and benefits of potential development in this location would not outweigh the loss of this habitat. I consider that these constitute relevant material considerations sufficient to outweigh the site’s allocation for residential development within the Mid Sussex Local Plan.’²⁹

Considering the report of the Planning Inspector, the Secretary of State agreed in her decision letter³⁰ that the development should not include the woodland, recognising that it was identified as ancient in the Mid Sussex survey after the site was allocated for housing:

‘Subsequent to its allocation as housing land in the Local Plan, Four Acre Wood was included in A Revision of the Ancient Woodland Inventory for Mid Sussex District, West Sussex, published in 2006. The Secretary of State agrees with the Inspector... that Four Acre Wood is ancient woodland, as categorised in the Inventory. The Secretary of State also agrees with the Inspector... that Four Acre Wood has considerable other acknowledged ecological interest and importance. In addition, she agrees with the Inspector... that there is no strategic need for dwellings within Four Acre Wood itself. Like the Inspector, she therefore concludes that no residential development should take place on Four Acre Wood... She agrees with the Inspector that policy guidance in PPS9 supports the conservation of Four Acre Wood, as do those elements of the Local Plan which relate to the protection of sites of national and local importance.’

The SoS’s decision letter provides a valuable guide to the weight and meaning to be attached to PPS9. The inquiry outcome also demonstrated that new information or environmental policies can be sufficient to override the allocation of sites in local plans. In addition, the SoS also supported the arguments for a buffer around the ancient woodland (and individual trees) of 15 metres, providing a potentially valuable guide (though given in the context of this development) for the many other planning cases where this is an issue:

‘The Secretary of State agrees with the Inspector... that, on balance, a considerable degree of protection would be afforded to individual trees if the suggested Buffer Zone scheme were to be implemented. Like the Inspector, she considers that, in terms of the need to adequately protect the ecological value of the ancient woodland components in and abutting the appeal sites, the balance lies in favour of the adoption of buffer zones of a minimum width of 15m around

²⁸ Ibid. para. 13.73

²⁹ Ibid. para. 13.74

³⁰ Secretary of State decision letter for Bolnore Village Phases 4 & 5 (2008)

their edges and agrees that this could be achieved by the imposition of suitable conditions.'

2. Land containing woodlands and golf courses beside Forest Pines Hotel Golf and Country Club, Broughton, Lincolnshire (Appeal decision April 2010)³¹

This inquiry concerned a change of use of woodland into golf course extension and alterations to an existing golf course. This would have resulted in the direct loss of 33 hectares of ancient woodland classified as a PAWS (plantations on ancient woodland sites). In his conclusion, the inspector considered both the importance of PPS9 and the relevance of its measures to ancient woodland classified as PAWS:

*'I have found that the key policy test is set out in PPS9 and seeks to balance the irreplaceable ecological and historical nature of 'ancient woodland' against the need for, and benefits of, the proposed development. That test applies to both 'semi-natural ancient woodland' and 'plantations on an ancient woodland site.'*³²

Considering, with reference to Natural England's Standing Advice for ancient woodland, that there is no policy distinction between 'semi-natural ancient woodland' and a 'plantation on an ancient woodland site', the Inspector also highlighted the need for planning measures to ensure the appropriate management of ancient woodland:

*'...in policy terms, the protection afforded to 'ancient woodland' would appear to be independent of its 'quality' or species richness. This stance is reinforced by the Standing Advice from Natural England. Not only should Core Strategies provide strict protection for 'ancient woodland', but also such protection for that 'irreplaceable resource' should include management measures to maintain and enhance its special character.'*³³

The Inspector also considered that the irreplaceable nature of the woodland outweighed the value of the compensatory measures being proposed:

'Clearly, the value of ancient woodland is that it is ancient. The complex interrelationships between plants, animals, soils, climate and people have developed over centuries and, for that reason, the habitat is practically irreplaceable.'

*'I consider that the direct and indirect effects of the scheme would severely damage that woodland. I doubt that these woods would necessarily suffer significant and continual decline in the absence of the proposed development and any deterioration likely would not compare with the irreplaceable loss entailed by the scheme... I do not accept that the management of the woods that would remain or the creation of new and radically different habitats would compensate for the loss and fragmentation of this ancient woodland.'*³⁴

Judging that the economic benefits of the proposal were overstated, the inspector concluded:

³¹ Cullingford (2010)

³² Ibid. para. 54

³³ Ibid. para. 17

³⁴ Ibid. para. 27

'I find that the loss and damage to this 'ancient woodland' is not outweighed by any need for, or benefits of, the proposed development. Hence, and having considered all the other matters raised, I find nothing sufficiently compelling to alter my conclusion that this appeal should be dismissed.'

Appendix 4

Ways in which ancient woodland can be affected by development proposals

a) Effects from development within woodland

Reduction in the area of ancient woodland

Ancient woodland is a scarce and threatened resource, and many species are dependent on the range of habitats it provides. As well as the direct loss of the area affected, the reduction in the area of the remaining ancient woodland can have a considerable impact on the value of the habitat area for species, and increase the negative impacts of edge effects.

The special features of ancient woodland and ancient wood-pasture have also developed over centuries. These features may include rich and varied ground flora communities, relatively undisturbed soils, old trees or coppice stools, and historic features. These are often irreplaceable components of ancient woodland which can be completely destroyed if the land is developed.

Loss of veteran trees

Ancient woodland does not necessarily contain old trees, but there are often very old coppice stools. If the area has been treated as wood pasture in the past there may well be veteran trees present. Britain, and particularly England, have a high density of veteran trees compared to many continental countries, giving rise to a particular responsibility to ensure that old coppice stools and veteran trees are not damaged unnecessarily. The NPPF makes provision for veteran trees outside of ancient woodland, advising local authorities that:

‘Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;’

Ground damage, loss of understorey, or disturbance within the woodland.

Ancient woodland is more than just the trees: it includes the shrub layer, the ground flora, the soil itself. So even if the trees are left alone there can still be unacceptable damage to these layers, for example through increased trampling, vehicle traffic, and soil disturbance through activities such as paintballing and four-wheel drive vehicle courses.

Damage to archaeological or historical features within ancient woodland or associated with ancient or veteran trees

The great age of ancient woodlands is often reflected in their wealth of historic features, such as ancient boundaries, wood banks, charcoal hearths, and saw pits. Such features provide a link to how the people lived and used the landscape in the past, and can be completely destroyed if the land is developed.

b) Effects from development of adjacent land

Effects on the Root Protection Area of individual trees (as specified in BS 58372)

The roots of trees spread out often far beyond their canopy, so work on land adjacent to ancient woodlands or veteran trees can impact on the trees. In particular, care should be taken not to cut tree roots, e.g. by trenching or other ground disturbance, or cause soil compaction around trees. This can occur through activities such as vehicle movements and the temporary or (effectively) permanent dumping of material around the base of trees.

Reduction in the area of other semi-natural habitats adjoining ancient woodland

Many species live partly in woodland but also use adjacent grassland, heath or wetland for feeding or breeding. Changes to the immediate surroundings of the woodland can therefore also impact on the richness of the woodland itself.

Increased likely exposure of ancient woodland to air and water born pollutants from the surrounding area

Developments may increase the local concentrations of oxides of nitrogen and sulphur, for example through run-off from new roads. These can affect woodland species. Nitrogen enrichment, particularly at the edges of woodlands, may lead to competitive plants such as goosegrass and nettles becoming more abundant at the expense of typical woodland herbs. Sulphur dioxide pollution led to the loss of lichens from many trees and woods across lowland England. New industrial sites should be considered with particular caution as they may result in a number of different pollutants.

Changing the local hydrology

Altering the drainage into woods or the water table around woods and veteran trees may affect their long term viability and composition. This must also be considered with respect to pollution of the woodland and any associated gill stream interest. Gills (or 'ghylls'), often found in the Weald of Sussex, Surrey and Kent, are valley woodlands where a stream has eroded the underlying rock. These woodlands are particularly notable for their bryophytes (mosses and liverworts) and lichens, and are very susceptible to pollution.

Increased public use near veteran trees such that safety works may be required, which may lead to damage to, or loss of the tree

There is increasing concern about the potential risks from trees, such as from falling trees or branches. Development which leads to more people using a wood or area with veteran trees may also increase the pressure for remedial works to reduce such threats. This may include demands for trees to be heavily pruned or felled, which can damage or totally destroy the trees, as well as greatly reduce their value for wildlife.

Changing the landscape context for ancient woods and veteran trees

Ancient woods and veteran trees do not exist in isolation, but may be connected physically and historically with a much wider landscape. Streams and hedges, other patches of rough ground, and ponds may provide biological links with other woods nearby. Ancient woodlands and veteran trees may also be part of designed landscapes or associated with particular people or events in the past. Developments can break these links either by destroying the surrounding features or creating barriers between the wood and its surroundings.

In addition to the above, a number of other significant effects can occur from development adjacent to ancient woodland. These include:

- Disturbance (to breeding bird populations).
- Recreational pressures.
- Increased predation, from cats, of small mammals, amphibians and birds.
- Light pollution (affecting, for instance, bats).
- Fly-tipping, garden encroachment, etc.

Appendix 5

Natural England's advice on mitigation and compensation measures for development affecting ancient woodland

Mitigation and compensation measures may be offered by a developer to offset the damage to, or loss of environmental resources. This appendix provides advice on Natural England's view of the appropriateness of such measures with regard to ancient woodland.

1. Mitigation and compensation for developments affecting ancient woodland

The key issue for ancient woodland, in relation to mitigation and compensation, is that it is defined in government policy as being an irreplaceable habitat.

In addition, Keeper's of Time, a statement of policy for England's ancient and native woodland provides a strong framework for ancient woodland protection and enhancement, and includes the statement that:³⁵

'England's ancient woodlands and trees represent a living cultural heritage, a natural equivalent to our great churches and castles. They are also our richest wildlife habitat and are highly valued by people as places of tranquillity and inspiration.'

The document includes six policy statements for ancient woodland, with the first of these underlining the need for the resource to be protected:

'The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland.'

The irreplaceable nature of ancient woodland means that its loss or damage cannot simply be rectified by measures such as translocation or new woodland planting (discussed in more detail below in [section 3](#) and [section 4](#) respectively). Since these measures do not provide a replacement for the loss or damage of an irreplaceable resource, Natural England's advice is that they should not be considered as 'benefits', within the meaning set out in the NPPF:

'Planning permission should be refused.....unless the need for, and benefits of, the development in that location clearly outweigh the loss;'

Therefore, where measures seek to address issues of loss or deterioration of ancient woodland, through the provision, for instance, of replacement habitat (compensation), or else through attempting to minimise the area of ancient woodland affected (mitigation), Natural England's advice is that these should be issues for consideration only *after* it has

³⁵ Defra/ Forestry Commission (2005) p.5

been judged that the wider benefits of a proposed development outweigh the loss or damage of ancient woodland.

2. The 'twin-track' approach to planning cases affecting ancient woodland

Natural England accepts that there is the possibility that developments affecting ancient woodland may receive planning permission. Natural England therefore uses, and advocates, a twin-track approach for dealing with such cases. This approach allows an objection to be maintained, whilst work is undertaken in a positive manner to consider a scenario where a decision is taken that the scheme's benefits outweigh the loss of environmental assets. In such circumstances we may advise on the potential merits of mitigation and compensation proposals.

However, discussion of what might be feasibly included as mitigation and compensation should not be taken as implying that this would, if delivered, resolve objections to a scheme.

3. Ancient woodland translocation

Ancient wood as a system cannot be moved. It has developed over hundreds, and sometimes thousands of years. The soil composition and structure, varied topography, range of micro-habitats, species assemblages, and mycorrhiza fungi associations with tree roots, cannot be moved in their entirety. Translocation may also involve the loss of mature tree cover that cannot be replaced for tens if not hundreds of years. Therefore, whilst the translocation of ancient woodland is sometimes proposed as a compensation measure for the loss of ancient woodland, it is not possible to replicate the conditions at the site lost. At best some elements of the system – for example coppice stools, some soil (but not its current structure), large pieces of dead wood – can possibly be moved but the long-term benefits from this for biodiversity are largely unproven.

This view is supported in the policy on translocation provided by the JNCC in its 'A Habitats Translocation Policy for Britain'. This document states:³⁶

'The translocation of habitats is considered by the statutory conservation agencies not to be an acceptable alternative to in situ conservation. The statutory conservation agencies will continue to make the strongest possible case against translocating habitats from within SSSIs and from ancient habitats (or other areas with significant biodiversity interest) elsewhere.'

'For these reasons SSSIs should not be subjected to translocation in whole or in part, and for other areas where there is significant wildlife interest, such as ancient habitats (including ancient woodland, wetland or grassland, for example) and those critical habitats occupied by species of conservation significance (protected species, UKBAP priority species or Red Data Book species), there should also be a strong presumption against translocation of habitats.'

³⁶ JNCC (2003) pp. 9-10.

4. New woodland planting

New woodland creation does not provide a direct replacement for the conditions found in ancient woodland and hence cannot be considered as mitigation for an irreplaceable environmental asset. In their paper *'The creation of compensatory habitat—Can it secure sustainable development?'*, Morris et al consider the timescales needed to re-create woodland habitats:³⁷

'Our review highlights considerable differences in the timescales needed to create conservation habitat of a comparable quality. Some wetlands may take just a few years, some grasslands of nature conservation value are known to be relatively young (<80 years old), but woodlands may need to be hundreds of years old before they achieve a similar level of interest.'

The authors go on to argue that ancient woodland, by the nature of its characteristics, cannot be re-created:³⁸

'The most valuable (woodland) wildlife sites tend however, to be longest established... This is because of the time taken for the trees and shrubs to go through their life-cycle (anything from 50 to 500 years), the slower development of woodland soils, and the apparently poor dispersal capabilities of many characteristic plant and animal species. A further conservation factor, though only in part an ecological one, is that the distinctive features of individual ancient woods may include or be the result of centuries of management. This history cannot be replicated: the cultural and physical environment in which new woods develop will inevitably be different. Furthermore, the climatic condition under which old forests developed may have been quite different from present conditions. Therefore ancient woods are not re-creatable: our objective can only be to create a wood that may eventually have a similar level of value. Yet, because of the time-scales involved we can never know if the process will be successful.'

Further support for this view is given in the UK Biodiversity Action Plan which comments that:³⁹

'... the full suite of communities and features associated with ancient woodland can never be replicated. Given time, perhaps centuries, new woods may be able to achieve the same level of biodiversity as ancient woodland.'

As part of the twin-track approach discussed above, Natural England may suggest the location, type, and levels of new woodland planting that might be appropriate in the event that a development proposal is granted despite the impact on ancient woodland. Such woodland creation may provide some value in terms of improved habitat connectivity,

³⁷ Morris et al (2006). Summary, p.1

³⁸ Ibid. pp. 4 and 8.

³⁹ HMSO (1994) p.66

carbon storage, and new access opportunities, but is very unlikely to substitute for the richness and diversity of the lost ancient woodland resource.

Appendix 6

Guidance available on the restoration and management of ancient woodland

Can be purchased online:

Harmer, R., Kerr, G. & Thompson, R (2010) Managing Native Broadleaved Woodland. Forestry Commission.

<http://www.forestry.gov.uk/fr/INFD-89PDQH>

Available online:

Thompson, R., Humphrey, J., Harmer, R., Ferris, R. (2003) Restoration of Native Woodland on Ancient Woodland Sites

[http://www.forestry.gov.uk/pdf/fcpg014.pdf/\\$FILE/fcpg014.pdf](http://www.forestry.gov.uk/pdf/fcpg014.pdf/$FILE/fcpg014.pdf)

Woodland Trust (2005) The conservation and restoration of plantations on ancient woodland sites: A guide for woodland owners and managers

<http://www.woodlandtrust.org.uk/SiteCollectionDocuments/pdf/policy-and-campaigns/woodland-restoration/paws-guide-09.pdf>

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ODPM (2006) Planning for Biodiversity and Geological Conservation – A Guide to Good Practice. Office of the Deputy Prime Minister. The Stationery Office, London.

RTPI (1999) Good Practice Guide: Planning for Biodiversity. The Royal Town Planning Institute, London.

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Secretary of State decision letter for Bolnore Village Phases 4 & 5 (2008) Appeal by Crest Nicholson (South) Limited Re Land to the South West of Haywards Heath, West Sussex, Known As Bolnore Village Phases 4 & 5. Applications: HH/04/02676/OUT; ref HH/04/02964/FUL; HH/04/02681/OUT; and HH/04/02965/FUL. Department for Communities and Local Government, Planning Central Casework Division, London.

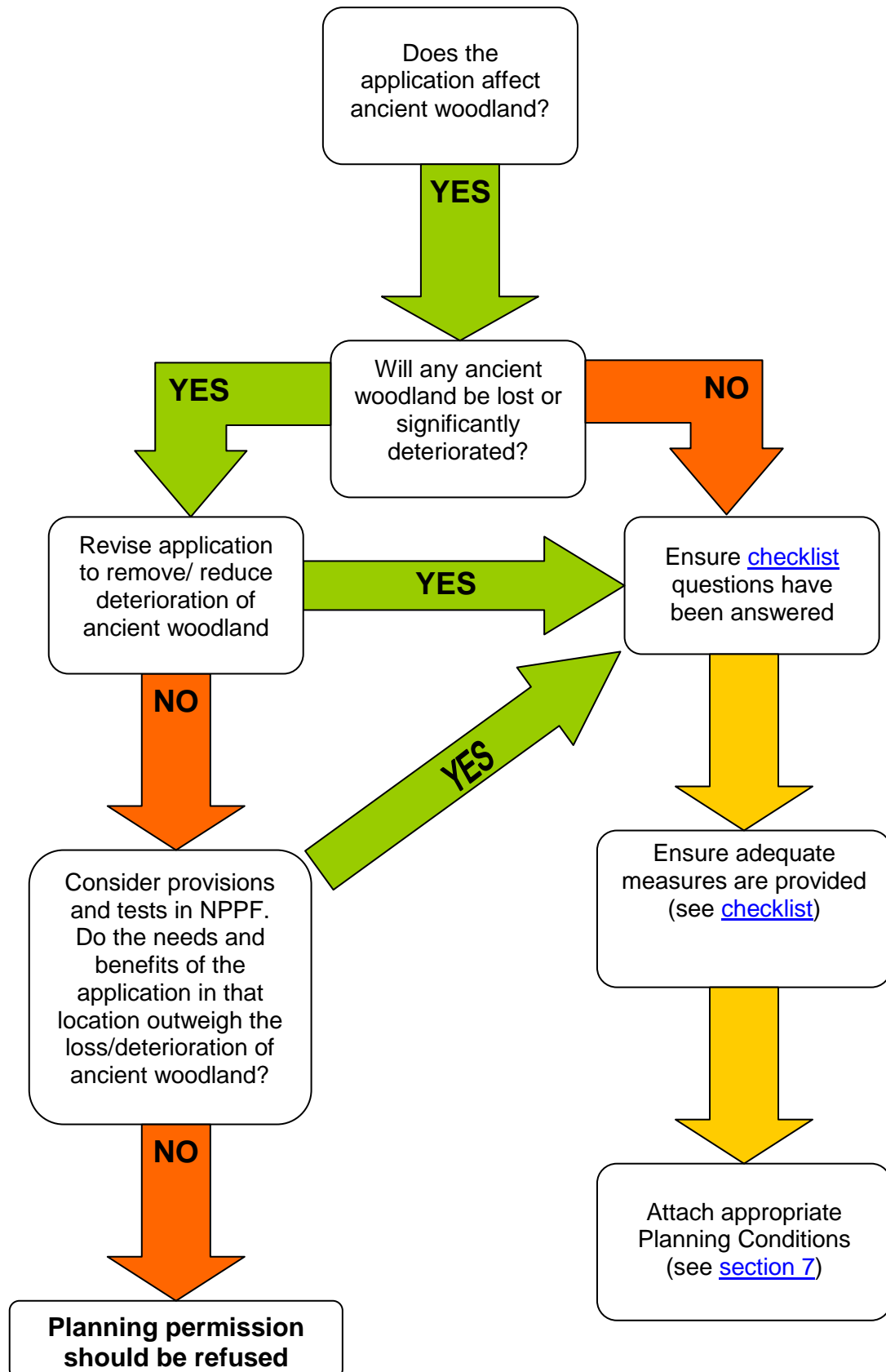
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Decision-making flowchart

The following flow chart shows the decision making process for local authorities when dealing with applications affecting ancient woodland. This flowchart should be used in conjunction with the assessment [checklist](#).



Assessment checklist for applications affecting ancient woodland

Planning applications should seek to identify and protect ancient woodland from adverse effects to comply with the NPPF. Natural England advises that the following checklist is completed for all applications affecting ancient woodland. The checklist aims to guide planners in making a comprehensive assessment of the potential effects of a development on ancient woodland and in identifying which aspects may require mitigation.

	Subject to be assessed	Assessed Y/N?
1	<p>The size of area of the woodland affected.</p> <p>Advice: The importance of small woods must not be underestimated for their own diversity, and also their function as stepping stones for the dispersal of species. Small ancient woodlands may be the remnants of formerly larger areas, and thus have a higher biodiversity importance than might be assumed. Ecological diversity in woodlands is not solely linked to the size of a woodland, as it is also dependent on factors such as the range of habitats, different species, and soil conditions found within a woodland.</p>	
2	<p>Will an area of woodland be lost?</p> <p>See section below on ancient woodland loss and also sections in Appendix 3 on reduction in the area of ancient woodland, loss of veteran trees and damage to archaeological/historical features</p> <p>Has the nature of the woodland to be affected been established?</p>	
3	<p>Will there be damage to the Root Protection Area of individual trees?</p> <p>Consult the relevant section in Appendix 3 for further details.</p>	
4	<p>Is the application within an AONB/ National Park?</p> <p>Advice: Consult the appropriate AONB unit, or National Park authority.</p> <p>If this is a major new development within the AONB/ National</p>	

	Subject to be assessed	Assessed Y/N?
	Park, you should have already consulted Natural England regarding landscape impacts.	
4	<p>Has a survey for protected species been included in the application?</p> <p>Advice: If protected species are present then additional assessments of noise and light pollution may be necessary. An assessment of light pollution may be particularly important where protected species surveys have identified the woodland as being important for bats.</p> <p>Many species live partly in woodland but also use other adjacent semi-natural habitat for feeding or breeding. Will the development result in the change or reduction of important habitats adjoining the woodland?</p> <p>See Natural England's Standing Advice for Protected Species.</p>	
5	<p>The connectivity of the woodland – is it isolated or connected to other woodland blocks? Will connectivity be damaged?</p> <p>Advice: connecting habitat such as hedgerows and copses should be maintained and enhanced and long term protection secured in a Section 106 agreement.</p>	
6	<p>Has an Impact Assessment for pollution (air and water) been conducted and mitigation secured?</p> <p>The sections on pollutants and hydrology in Appendix 3 give some further guidance.</p> <p>Advice: Impacts from air and water pollution have the potential to occur at significant distances from the source of the pollutant/s.</p> <p>A Hydrological Impact Assessment should cover any change in hydrology (quality and quantity of water) and any potential effects. This is of particular importance to ancient gill woodlands as they often contain important communities of lower plants (mosses, liverworts, and lichens).</p> <p>Industrial developments will also require a strict and tailored</p>	

	Subject to be assessed	Assessed Y/N?
	assessment of pollutants.	
7	<p>Will access to the woodland increase?</p> <p>There is the potential for the remaining woodland to be damaged by visitors and domestic pets. Impacts to consider include disturbance to birds, protected species, woodland flora and soil; fly tipping; garden encroachment and cat predation. You should also consider the potential for increased public use near veteran trees as covered in Appendix 3.</p> <p>Advice: If access is included it should form part of an ongoing management plan, to include:</p> <ul style="list-style-type: none"> • Guidelines for visitor access. • Areas in which access is zoned to allow minimal disturbance to wildlife and potential for deterioration and ground disturbance of ancient woodland in designated areas. • Interpretative material to inform local residents of the importance of the valuable wildlife resource on their doorsteps and encourage protection and involvement in any management or enhancement activities. 	
8	<p>What is the function of the land to be lost to development?</p> <p>Advice: It is important to fully assess the land to be lost for its function in enhancing and or supporting the adjacent ancient woodland. For example, is the proposal located in a network of ancient woodland blocks? Could the development have a knock-on effect on a number of ancient woodlands?</p> <p>Its loss could incur a deterioration in quality of the adjacent woodland and this should be considered and mitigated for. For example, the application site could include areas of scrub and grassland which contribute to supporting species within the ancient woodland and thus contribute to its biodiversity.</p>	
9	<p>Does the landscaping scheme include native species preferably of local provenance?</p> <p>Advice: Landscaping should involve native species preferably of local provenance. Exotic species can escape from gardens into the adjacent woodland and compete with native species. This</p>	

	Subject to be assessed	Assessed Y/N?
	process will degrade the woodland over time. Landscaping should be in keeping with the surrounding habitats.	

Ancient woodland loss

Natural England’s advice is that measures such as the provision of replacement habitat which seek to address issues of loss or deterioration of ancient woodland are not ‘benefits’ within the meaning of the NPPF. As discussed in [Appendix 5](#), a ‘twin-track’ approach allows such measures to be considered through, and without prejudice to, the planning application and determination process. Where the benefits from a development are deemed to outweigh the value of the ancient woodland to be lost, despite the policies lending protection to ancient woodland, then the measures outlined below are examples of those that might be considered on a case-by-case basis:

- **Beneficial management of alternative sites**
 A proposal may be put forward to secure a long term management agreement on an area of unmanaged habitat (often another ancient woodland nearby).
- **Planting of a much larger, new woodland area**
 New woodland planting may have greater benefit where it provides connectivity between areas of existing woodland or other semi-natural habitat.