

East & East Midlands Area

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Dear Sirs

Re: Land to the east of West Winch village, Kings Lynn – FUL/2024/0001

We have been made aware of this application and would like to submit comments.

As the Government's forestry experts, we endeavour to provide relevant information to enable the project to reduce any impact on irreplaceable habitat such as Ancient semi natural Woodland, Ancient and Veteran trees, as well as other woodland.

There are no Ancient semi natural woodlands within the application area, however there are at least 7 Veteran trees within the application area and the project will bisect an area of priority habitat deciduous woodland.

Ancient & Veteran Trees:

Ancient and veteran trees are irreplaceable habitats. You should make decisions in line with paragraph 186 (c) of the National Planning Policy Framework, which states:

"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 reasons and a suitable compensation strategy exists"

As Ancient woodland, ancient trees and veteran trees are irreplaceable, you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodlands, Ancient Trees and Veteran Trees](#) – plus supporting [Assessment Guide](#) and ["Keepers of Time" – Ancient and Native Woodland and Trees Policy in England](#).

A veteran tree may not be very old, but it has significant decay features, such as branch death and hollowing. These features contribute to its exceptional biodiversity, cultural and heritage value.

The Joint NE/FC Standing Advice states that both the direct and indirect effects of development should be considered for both the construction and operational phases of the proposed development.

Including the potential for construction to impact on soils, trees and tree roots. But also the potential for increased levels of air and light pollution, noise and vibration or changing the water table or drainage. Impacts may reduce the resilience of the trees making them more vulnerable.

Buffer zones should be used to protect individual ancient and veteran trees. The size and type of buffer zone should vary depending on the scale, type and impact of the development. For example larger buffer zones are more likely to be needed if the surrounding area is less densely wooded or close to residential areas.

For ancient or veteran trees the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a **minimum 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. These zones should contribute to wider ecological networks and could include further tree planting or a mosaic of semi-natural habitats.

The Root Protection Zone (as specified in British Standard 5837) is there to protect the roots of trees, which often spread out further than the tree canopy. Protection measures include taking care not to cut tree roots (e.g., by trenching) or causing soil compaction around trees (e.g., through vehicle movements or stacking heavy equipment) or contamination from poisons (e.g., site stored fuel or chemicals).

Priority Habitat Deciduous Woodland:

We note plans include the partial removal of what the application calls moderate condition Woodland W102.

The proposed road runs through and bisects W102, a deciduous woodland on the Priority Habitat Inventory (England). This recognises that under the UK Biodiversity Action Plan they are recognised as being the most threatened and requiring conservation action. The UK Biodiversity Action Plan has now been superseded by the UK Post-2010 Biodiversity Framework but this priority status remains under the Natural Environment & Rural Communities Act 2006. (NERC)

A scheme that bisects any woodland will not only result in significant loss of woodland cover but will also reduce ecological value and natural heritage impacts due to habitat fragmentation, and have a huge negative impact on the ability of the biodiversity (flora and fauna) to respond to the impacts of climate change. Woodland also provides habitat for a range of Section 41 Priority Species including all bats.

The proposed road will also reduce connectivity of the ecological networks within the wider area by effectively enclosing the majority of the woodland on two sides by roads. This would also have the result of increasing pollution within the woodland from an increase in traffic.

The UK Forestry Standard (UKFS) sets out the UK government's approach to sustainable forestry and woodland management, including standards and requirements as a basis for regulation, monitoring and reporting requirements. The UKFS has a general presumption against deforestation. Page 23 of the Standard states that: "Areas of woodland are material considerations in the planning process...."

Compensation, Mitigation & BNG:

It is expected that there will be a thorough assessment of any loss of all trees and woodlands within the project boundary and the development of mitigation measures to minimise any risk of net deforestation because of the scheme.

It is unclear from the documentation what mitigation measures are planned to compensate for the loss of priority woodland or what protection measures are to be employed to protect both the remaining woodland and the veteran trees during construction.

With the Government aspirations to plant 30,000 ha of woodland per year across the UK by 2025. The Forestry Commission is seeking to ensure that tree planting is a consideration in every development not just as compensation for loss. However, there are a number of issues that need to be considered when proposing significant planting schemes:

- Biosecurity of all planting stock needs to be considered.
- Woodlands need to be climate and pest and disease resilient.
- Maximise the ecosystem services benefits of all new woodland wherever possible (flood reduction)

- Planting contributes to a 'resilient treescape' by maximising connectivity across the landscape.
- Plans are in place to ensure long term management and maintenance of woodland.

We would expect to see hedgerows, individual trees and woodlands within a development site also considered in terms of their overall connectivity between trees and woodlands affected by the development.

We note from the BNG calculations that the application is unable to provide enough BNG to compensate for habitat with high distinctiveness on site. When considering offsite mitigation and compensation measures, opportunities to improve habitat connectivity in the wider area should be considered.

We hope these comments have been useful to you. If you require any further information, please do not hesitate to contact me.

Yours sincerely

Edwin Van Ek
Partnership & Expertise Manager