

Technical Briefing Note

Natural England Standing Advice: Ancient woodland and veteran trees: protecting them from development

Technical Briefing Note: Review of updates to standing advice dated 27 November 2017

Date: 29 November 2017

Introduction

1. Natural England's Standing Advice on Ancient Woodland and Veteran Trees with regards to development has been updated as part of the biennial review. The updated advice can be found here: <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>.
2. This briefing note identifies the main changes to the advice and offers comments on key areas.

Main updates to the standing advice

3. The updates to the standing advice of interest are as follows:
 - a. Ancient woodland definition – the definition of 'Plantations on Ancient Woodland Sites' has been updated to now read:

"plantations on ancient woodland sites - replanted with conifer and broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi"

- b. Avoid impacts, reduce impacts, and compensate as a last resort – a new paragraph has been introduced:

"You should not take account of the existing condition of ancient woodland (if this is poor) as a factor in favour of the development proposal, because you can usually improve its condition with good management proposals. It may be relevant to consider the scope, to improve its condition as part of the compensation measures, if you decide to grant permission for development"

- c. Mitigation – new or updated measures have been introduced including:

"leaving an appropriate buffer zone of semi- natural habitat between the development and the ancient woodland (depending on the scale and impact of development, a minimum buffer should be at least 15 metres to avoid root damage and at least 50m for pollution or trampling)"

"leaving a buffer zone at least 15 times larger than the diameter of a veteran tree or 5m from the edge of its canopy, if that's greater"

“identifying and protecting trees that could become veteran trees in the future”

- d. Compensation - new or updated measures have been introduced including:

“connecting woodland and veteran trees separated by development with green bridges, tunnels or hedgerows”

“long-term management plans for new woodland and ancient woodland”

- e. Plant new native woodland – new advice is set out:

“New woodland creation can be effective where it links to and extends existing woodland as long as it doesn’t affect:

- o *other semi-natural habitats*
- o *heritage features”*

- f. Restore or improve ancient woodland - This section has been updated to read now that it is only possible to ‘partially’ compensate. Also other measures are added such as ‘access for management purposes’. Reference to Wood Pasture has also been added.

- g. Further information - The reference list has been considerably updated

Discussion

4. It is noteworthy that the reference list to the standing advice has been updated. In particular, it is highlighted that two Woodland Trust publications are included in respect of “Impacts of nearby development on the ecology of ancient woodland”. The Woodland Trust is a well known conservation pressure group and the inclusion of these documents on the reference list indicates that the Woodland Trust has been campaigning to directly influence the revised standing advice and / or working alongside Natural England in its preparation. It may be no coincidence that the Woodland Trust has also recently published a new document entitled ‘Planning for Ancient Woodland – Planner’s Manual for Ancient Woodland and Veteran Trees’ October 2017¹.
5. In particular, the new recommendation in the standing advice for *“a minimum buffer should be at least 15 metres to avoid root damage and at least 50m for pollution or trampling”* appears to arise from the Woodland Trust publications and has been a measure that the Trust has long campaigned for.
6. At present the standing advice for a buffer of *“at least 50m for pollution or trampling”* is not accompanied by any explanation as to why it has been introduced or when it is intended to be utilised. It is of particular concern that the word ‘pollution’ is included which could be widely interpreted, while the word ‘pollution’ features in the ‘potential impacts’ section of the standing advice and includes:

¹ <https://www.woodlandtrust.org.uk/publications/2017/09/planning-for-ancient-woodland/> This includes a recommendation for a 50m buffer: *“As a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance”*.

- polluting the ground around them [ancient woodland or veteran trees]
 - increasing the amount of pollution, including dust
 - increasing light pollution
7. Accordingly, the inclusion of a 50m buffer in the standing advice, if not tightly interpreted, could have wide ranging implications for land take of development sites and hence site viability.
8. It is noteworthy that the Woodland Trust publication² which promotes increased buffers also concludes that:
- “The lack of quantitative information about size and effectiveness of buffers is a concern, and is an area that requires further research”.*
- “Many papers suggest the use of buffers as a means of protecting core woodland areas, but very few provide quantitative figures for how big a buffer should be. Furthermore, none reviewed for this report discussed what form the buffer should take. This is an area that definitely requires more research”.*
9. Accordingly, the inclusion of a need for a 50 metre buffer in the revised standing advice may be premature in the absence of further research that demonstrates such a requirement is necessary or effective. This is significant given the potential implications for development in England.

² Ryan (2012) [Impacts of nearby development on the ecology of ancient woodland - addendum](#)