

From: [REDACTED]
To: [Sunnica Energy Farm](#)
Subject: EN010106 – Sunnica Energy Farm
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By email only

To whom it may concern

Thank you for consulting the Forestry Commission. As the Government's forestry experts, we endeavour to provide as much relevant information to enable the project to reduce any impact on irreplaceable habitat such as Ancient\semi natural Woodland as well as other woodland.

The Forestry Commission notes that there is no Ancient Woodland within the project area, however there are a number of areas of woodland bordering or within the project area.

Section 7.3.2 of the Arboricultural report states that there are "two individual trees, two tree groups, part of 4 woodland groups are to be removed to facilitate the project.". It is unclear to us which trees are to be removed.

Therefore it should be noted that some of the woodlands within the project site were established with the support of either:

- the English Woodland Grant Scheme (EWGS), Farm Woodland Payments (FWP)
- the Farm Woodland Premium Scheme (FWPS)

Sunnica East A: Borders FWPS Lee Farm no 9616
Grid Connection Route A : Borders FWPS 4798

Sunnica East B: EWGS Park Farm no 36284 has several areas within the project area.

Sunnica West A: EWGS Chippenham Park no 39182 & 18133 both have areas within the project area.

Sunnica West B: Borders FWPS no 7982
EWGS 18133 & 39182 have areas within the project area.

Grid Connection borders FWPS no 10391

These grants are still in 'obligation'. The obligation period can last for up to thirty years from the date the first instalment of grant was paid, depending on the species planted at the start, and the percentages used of each species.

The landowner is expected to meet all of the Terms and Conditions of the agreement contract. Failure to do so is likely to require the Forestry Commission to seek to recover all of the relevant grant that has been paid (if there were any remaining grants due after you took over ownership), or from the original owner.

The Terms and Conditions of the scheme require that a woodland must be created before the end of the obligation period. Failure to do so will result in the recovery of all grant payments that are still in obligation.

You therefore need to be aware of the following:

- If the previous owner removed the trees and replanted the area affected, then as you have succeeded to the scheme you simply need to continue to manage the woodland in line with the Terms and Conditions of the agreement contract. Failure to do so would result in the Forestry Commission seeking to reclaim the grant, from the original agreement holder.
- If the previous owner removed the trees but had chosen not to replant, and instead they elected to encourage natural regeneration of the site, you will be expected to continue with this work to ensure that an acceptable woodland is established. If you are unsure of what is required or need advice in managing this area in line with the Terms and Conditions of the scheme, then please contact your local Woodland Officer, who will be able to talk through your options and what is required in order to avoid a potential reclaim of grant.
- If the previous owner, or you as the new owner, have removed the trees, and have chosen not to replant but instead decided to revert the land to an alternative use other than woodland, then you need to be aware that we will be required to seek the recovery of any grant that is still in obligation.

In addition to this we may be required to seek further action. This is because any change of use from woodland to an alternative use will mean that the change in use will fall under the Environmental Impact Assessment Regulations (Forestry) 1999 and as such we are required to determine whether the removal and change of land use will have a significant impact on the environment. Failure to do so may result in prosecution, a fine or both.

You can contact your local Forestry Commission Woodland Officer who will be able to talk through your options.

We hope you find this information useful. If you require any further information please do not hesitate to contact us.

Yours sincerely

Sandra Squire

Local Partnership Advisor
East & East Midlands



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