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13<sup>th</sup> January 2025

Dear Project Team

**Reference: EN010140**

**Proposal: Application by Enso Green Holdings D Limited for an Order Granting Development Consent for the Helios Renewable Energy**

The Woodland Trust is the UK's largest woodland conservation charity and a leading voice in bringing to the attention of government, landowners and the general public the state of the UK's woods and trees. 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 veteran trees. Planning responses submitted by the Trust are based on a review of the information provided as part of the development consent application to the Planning Inspectorate.

### **Woodland Trust Position**

The Woodland Trust **holds concerns** in relation to the impact of the proposals on veteran trees. Our concerns in particular relate to the potential for encroachment on root systems arising from insufficient buffering.

### **Ancient and Veteran Trees**

Ancient and veteran trees are irreplaceable habitats and afforded a high level of protection in planning policy. They possess unique features which provide a rich and diverse range of habitats, playing host to countless other species. In particular, many rare invertebrate, fungi and lichen species are dependent on the decaying wood provided by such trees<sup>1</sup>. Veteran trees are disproportionately valuable parts of the natural environment and where they occur outside of woods they are also particularly important for landscape connectivity.<sup>2</sup> They are an essential part of our landscape and cultural heritage.

The Government's '*Keepers of Time*' policy stresses the importance of ancient and veteran trees: "*Ancient and veteran trees are rich in biodiversity. They provide food, shelter and*

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<sup>1</sup> <https://www.ancienttreeforum.org.uk/wp-content/uploads/2015/02/ancient-tree-guide-6-special-wildlife.pdf>

<sup>2</sup> [Ancient and veteran trees. An assessment guide. \(woodlandtrust.org.uk\)](https://www.woodlandtrust.org.uk/ancient-and-veteran-trees-an-assessment-guide/)

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*breeding sites to large numbers of species including birds, bats, fungi and insects, which are often restricted in their distribution. They can be found both inside and outside of woodlands.”*

### **Planning Policy**

The National Planning Policy Framework (NPPF), paragraph 193, 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 reasons<sup>70</sup> and a suitable compensation strategy exists;”*

Footnote 70 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.”*

### **Impact on Veteran Trees**

We note the Applicant’s response (16<sup>th</sup> December 2024) to the concerns raised by the Woodland Trust in our Relevant Representation.

We welcome clarification that there will be no modifications to Sandwith Lane and therefore the two ATI veteran oak trees ID 14482 and ID 14481 will be unaffected by the proposals. We note also the clarification that incorrect terminology was used to describe trees T255 and T278 as “*borderline ancient*” and that this description will be amended in an updated revision of the Arboricultural Impact Assessment to “*borderline veteran*”.

With regards to the assessment and classification of trees, the methodology used by the Applicant to determine the veteran status of trees on site is unclear. We acknowledge that government definitions do not provide precise, measurable parameters against which to easily recognise veteran trees. It is therefore important that the Applicant provides information to demonstrate how Natural England and Forestry Commission’s standing advice, government’s planning practice guidance (see below), and expert reference texts, have been taken into account in respect of the classification of veteran trees. We would recommend that the assessment is carried out by a veteran tree specialist, ideally accredited through VETcert - [Arboricultural Association - VETcert \(trees.org.uk\)](https://www.trees.org.uk).

Planning Practice Guidance (PPG) for the ‘Natural Environment’, updated on 21<sup>st</sup> July 2019 and intended to clarify and interpret the NPPF, states: “*Veteran trees may not be very old but exhibit decay features such as branch death or hollowing. Trees become ancient or veteran because of their age, size or condition. **Not all of these three characteristics are needed to make a tree ancient or veteran as the characteristics will vary from species to species.***”

Veteran features are not necessarily a product of tree age or size; they are also influenced by a tree’s life or environment. A key function of the term ‘veteran’ is to capture trees that have exceptional habitat value as well as those with cultural and heritage value. The term is not a true ecological grouping and serves to help us identify trees important for biodiversity in their own right and as part of a wider assemblage; veteran trees are important for the accumulation of features that are unable to be replicated within our lifetime.

### **Mitigation and Buffering**

We note the Applicant's response that *"the specific details of works around individual trees will be the subject of LPA consent through the Detailed Design Approval process as part of Requirement 3 of the dDCO"*.

As part of this process we would expect the Applicant to take into account Paragraph 5.2.4 of BS 5837 guidelines, which states: *"particular care is needed regarding the retention of large, mature, over-mature or veteran trees which become enclosed within the new development"* and that *"adequate space should be allowed for their long-term physical retention and future maintenance"*.

Importantly, whilst BS 5837 guidelines state that trees should have a root protection area of 12 times the stem diameter (capped at 15m), the guidelines recognise that veteran trees need particular care to ensure adequate space is allowed for their long-term retention. Natural England and Forestry Commission's standing advice<sup>3</sup> states the following with regards to root protection areas/buffer zones: *"For ancient or veteran trees (including those on the woodland boundary), 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."*

### **Conclusion**

Veteran trees are irreplaceable habitats and must be protected from loss and deterioration in accordance with the National Planning Policy Framework.

As the design progresses, the Applicant should provide additional information on the methodology and approach used to identify and classify veteran trees so that the Examining Authority and the Local Planning Authority can be assured that all veteran trees on site have been provided with appropriate mitigation and protection.

We hope you find these comments helpful - if you would like clarification or further advice, please contact us at [planningcasework@woodlandtrust.org.uk](mailto:planningcasework@woodlandtrust.org.uk)

Kind regards

Cathy Johannesen  
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<sup>3</sup> <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>