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Richborough Connection Project Team
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The Planning Inspectorate
Temple Quay House
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8th September 2016

Dear Sir/Madam,

The Woodland Trust is thankful for the opportunity to offer comment on matters relating to ancient woodland and veteran trees in respect of National Grid's Richborough Connection project.

We have been issued a number of points to consider and as such will address each point individually in the manner laid out below.

1) the Applicant's assessment of the effects on West Blean and Thornden Woods SSSI including areas of ancient woodland (refer Q1.2.27 [PD-006]);

The Trust believes that any damage or loss to ancient woodland is inappropriate and should be avoided at all costs. We would ask the applicants that options are fully explored to ensure that no areas of ancient woodland are permanently impacted by the construction works. Although it is considered that impacts on tree roots would be negligible, many trees can suffer from even a small amount of encroachment into their Root Protection Areas (RPAs).

2) the Applicant's response to Q1.2.31 [REP2-016] regarding the Woodland Trust's concerns over removal of ancient woodland;

While the applicant no loss of ancient woodland soil they are removing ancient woodland habitat. We have yet to be convinced that the proposed management of the wayleaves will not result in ecological degradation of the existing woodland.

We are in on-going discussions with the applicant with regards to the proposed management, with a meeting scheduled for the 14th September.

3) any issues of which the Woodland Trust is aware of in relation to the management of the existing 132kV line where it passes through areas of ancient woodland (Q1.2.32 [PD-006]);

The Trust has not considered or undertaken any assessment of the current management of ancient woodland where the existing 132kV line passes through it, so are not able to comment.

4) Wayleaves as set out in the Applicant's response to Q1.2.33 [REP2-016];

The Trust accepts the reasoning behind the width of the wayleaves; however we still remain concerned about potential loss to ancient woodland habitat and consequent ecological degradation through the construction of wayleaves.

5) the Applicant's assessment that the trees that would be removed from Little Hall and Kemberland Woods Pastures LWS are not ancient or veteran (Q1.2.34 [PD-006]);

If the applicant, upon full assessment and through appropriate arboricultural surveys, has not identified any ancient or veteran trees within the area of woodland habitat to be removed then the Trust accepts this assessment.

6) Agreement or otherwise (with reasons) of the Applicant's response to Q1.2.35 [REP2-016] regarding areas of ancient woodland to be removed, affected and managed;

The Trust remains concerned about the removal of ancient woodland habitat as part of the construction of wayleaves through areas of ancient woodland and we are yet to be convinced that the proposed measures constitute 'management' over 'removal'. For this reason we remain in disagreement over the proposed figures quoted by the applicant, though will look to address this matter in the aforementioned scheduled meeting with the applicants.

7) Q1.2.36 [PD-006]), which includes reference to the Applicant's updated Embedded Environmental Measures Schedule submitted at Deadline 2 [REP2-006] and the updated Biodiversity Mitigation Strategy (BMS) [REP3-004] submitted at Deadline 3, noting the Kent Wildlife Trust's response [REP2-083];

We are unsure at this moment in time whether 'mitigation planting' is being undertaken on account of the removal of vegetation or trees that constitute ancient woodland habitat. By definition ancient woodland is irreplaceable; therefore the loss of ancient woodland cannot be mitigated for. Furthermore, mitigation relates to the avoidance or reduction of harm, whereas compensation is defined as the process of making amends for any harm caused.

If the scheme is granted permission then compensatory planting must be secured to compensate for the loss of ancient woodland. The Woodland Trust understands that talks of compensation must not form part of the planning balance. This is supported by Natural England in their Standing Advice for Ancient woodland and veteran trees, which states

“As ancient woodland and veteran trees are irreplaceable, discussions on compensation should not form part of the assessment of the merits of the development proposal.”

If the proposed scheme is granted permission then the Trust will then look to engage with the applicants to discuss matters of compensation, such as planting.

8) the Applicant’s and Councils’ responses to Q1.2.37 [REP2-016] regarding natural regeneration adjacent to ancient woodland and the ExA’s further question in this regard;

There are certainly advantages to natural regeneration as a reinforcement boundary to the ancient woodland as it will create an area of natural habitat.

However, natural regeneration will not work if there aren’t certain conditions in place to protect the young saplings that naturally regenerate. The Trust recommends that fencing should be in place for any areas which the applicant intends to allow natural regeneration to take place to prevent any grazing from deer and other mammals.

We also recommend that the applicant undertake planting of a few individual trees alongside promoting natural regeneration but not at a typical density that would be used for compensatory planting.

9) management and maintenance periods of five years for mitigation planting as proposed by the Applicant (Q1.2.38 [PD-006]);

The Trust is very disappointed at the applicants’ proposed period of management and maintenance being five years.

At a very minimum the Trust recommends that the management and maintenance of an area of compensatory planting (you cannot mitigate for the loss of ancient woodland) should be carried out for a minimum period of 50 years, as an area of planted trees would not start to resemble anything like a woodland until it has been established for at least 50 years. By this point the canopy should have closed over and an understorey will typically have begun to develop.

After five years the planted tree would still be in their establishment phase; one bad patch of weather could still kill off the young trees. The Trust doubts that within five years the applicant would be able to say with any confidence that the planted trees will have established themselves as woodland.

Management of the planted area would likely be relatively minimal after five years; however the applicant must continue monitoring work to ensure that the planted area establishes itself as woodland.

10) management operations within ancient woodland (Q1.2.39 [PD-006]);

We presume that this matter relates to Q1.2.40 rather than Q1.2.39.

In any case, we remain concerned about the applicants' use of both 'removal' and 'management' of woodland. We will look to discuss this matter at the aforementioned meeting that has been organised with the applicants.

11) the updated CEMP, submitted at Deadline 2 [REP2-007] and updated BMS submitted at Deadline 3 [REP3-004];

These matters will be discussed during our meeting with the applicants.

12) the Concept Mitigation Planting Plans submitted at Deadline 2 [REP2-014]; and

If the applicant is proposing 'mitigation planting' for the loss of ancient woodland or any trees within the ancient woodland then the Trust questions the validity of this concept; loss of ancient woodland cannot be mitigated for, only compensated.

Discussions around any compensatory planting will be had at our meeting with the applicants.

13) the Applicant's Response to issues raised at the Open Floor Hearings [REP3-022, Appendix 1].

The Trust was not present at the Open Floor Hearings so are not able to comment on matters raised.

We hope you find our comments to be of use to you. If you are concerned about any of the comments raised by the Woodland Trust then please do not hesitate to get in contact with us.

Yours sincerely,

Jack Taylor
Campaigner – Ancient Woodland