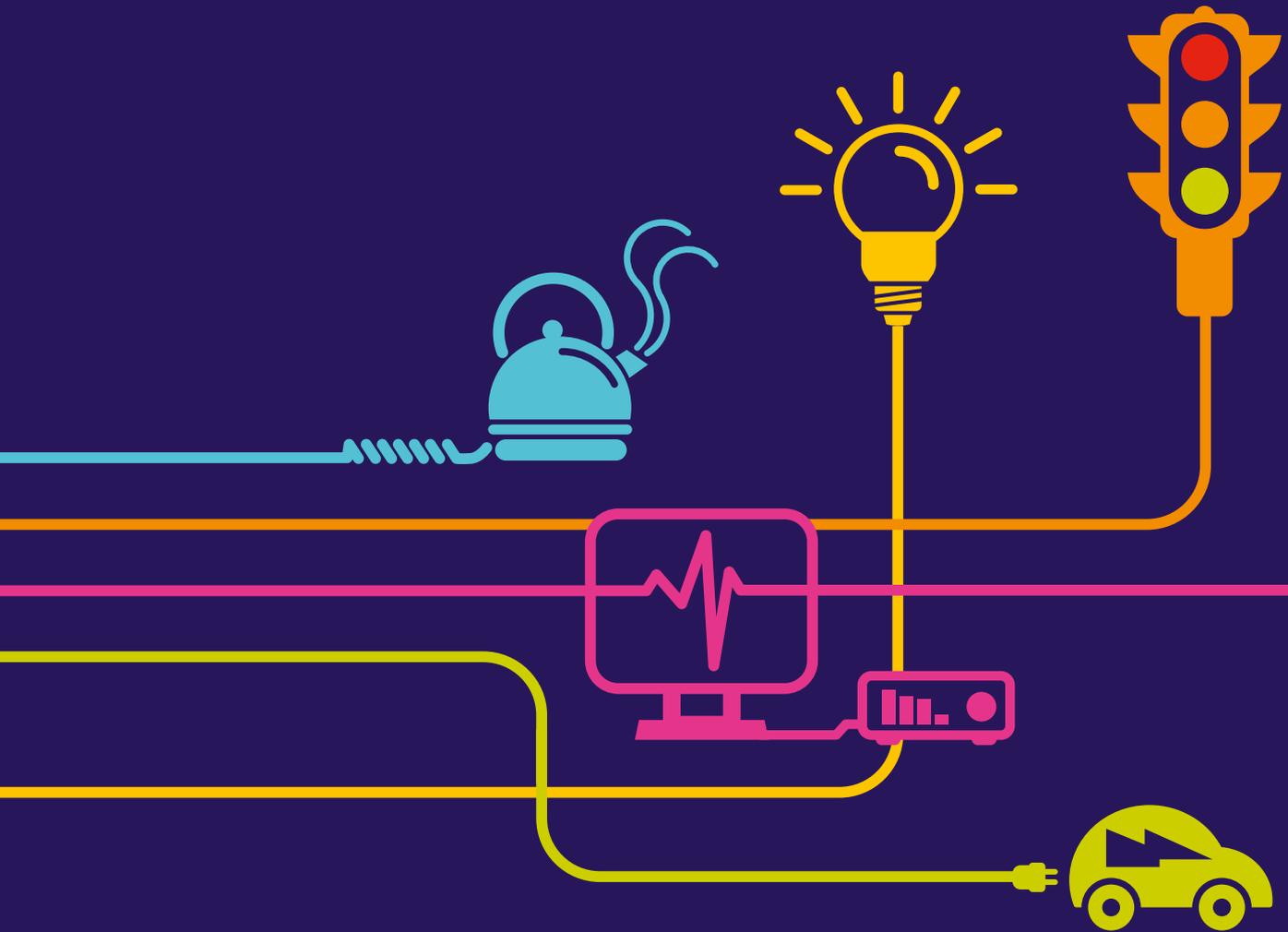


## Statement of Common Ground Woodland Trust

National Grid (Richborough Connection Project) Order





## **Richborough Connection Project**

# **Statement of Common Ground relating to Arboriculture and Ancient Woodland between National Grid and Woodland Trust**

National Grid  
National Grid House  
Warwick Technology Park  
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Warwick  
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November 2016







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# 1 INTRODUCTION

## 1.1 Purpose of this Document

- 1.1.1 This Statement of Common Ground ("SoCG") is between National Grid Electricity Transmission Ltd ("National Grid") and Woodland Trust relating to the Development Consent Order ("DCO") application for the Richborough Connection Project (the "RCP"). The SoCG has been prepared in accordance with the guidance<sup>1</sup> published by the Department of Communities and Local Government.
- 1.1.2 Woodland Trust is a UK registered charity with charitable purposes relating to the conservation of ancient woodland. These purposes are endorsed by over half a million members.
- 1.1.3 In the second round of Examining Authority's Written Questions, matters were raised for joint discussion between National Grid and Woodland Trust. These include Q2.2.12, Q2.2.14 and Q2.2.15, in which Woodland Trust deferred some aspects of its response to be provided following a meeting.
- 1.1.4 A meeting took place between National Grid and Woodland Trust on 14th September 2016 at Woodland Trust offices in Grantham to discuss the SoCG.
- 1.1.5 At the Issue Specific Hearing on Landscape, Visual and Biodiversity Effects including Alternatives (30th September 2016), a joint statement was issued by the Woodland Trust and National Grid to inform the Examining Authority that a SoCG would be produced. The Examining Authority requested that this document should include the following topics:
- Effects on the West Blean and Thornden SSSI;
  - Impacts on ancient woodland in wayleaves and ongoing management;
  - Whether the proposal constitutes 'removal' or 'management';
  - Whether any ancient or veteran trees would be removed;
  - The proposed duration of management; and
  - Compensation planting.
- 1.1.6 This SoCG has been prepared to identify matters agreed and matters currently outstanding between National Grid and Woodland Trust in relation to the interactions between the RCP and ancient woodland as regards arboriculture and, insofar as they inform the holistic assessment of ancient woodland: biodiversity, landscape and visual impact and amenity.
- 1.1.7 This SoCG between National Grid and Woodland Trust is based on correspondence, meetings, and ongoing discussions between the respective expert teams. National Grid and Woodland Trust continue to be in direct communication in respect of the DCO application and issues pertinent to Woodland Trust's interests.

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<sup>1</sup> Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

1.1.8 The National Grid and Woodland Trust expert teams have continued to correspond with the aim of narrowing the issues between them where possible. This is the final version of the SoCG.

## **1.2 Approach to the SoCG**

1.2.1 This SoCG is structured as follows:

- Section 1 provides an introduction to this SoCG and a description of its purpose;
- Section 2 contains the details of the matters agreed and outstanding.
- Appendix A includes the signing off sheet.

## **1.3 Limitations**

1.3.1 This SoCG has been produced in consideration of the specific circumstances of the Richborough Connection Project and on the basis of current research and practises at the time of writing. Woodland Trust makes representations in respect of a wide range of planning applications that may affect ancient woodland. Nothing in this document, including the absence of a particular topic, should be taken to infer the acceptability or otherwise of any aspect of any other scheme. It is also assumed that scheme designs, environmental measures and working methods will be followed faithfully according to the application and examination documents.

## 2 MATTERS AGREED

### 2.1 Summary of current position

2.1.1 Specific matters for which agreement between National Grid and Woodland Trust has been reached to date are set out in Table 2.1 below.

*Table 2.1 Matters agreed between National Grid and Woodland Trust*

SoCG ID	Matter
<b>2.1 Policy and Guidance</b>	
2.1.1	It is agreed that the principal planning test in respect of effects on ancient woodland is that of <i>Overarching National Policy Statement for Energy (EN-1)</i> at paragraph 5.3.14. The principal ambition should be to <i>no loss or deterioration</i> of ancient woodland.
2.1.2	It is agreed that a survey methodology based on <i>British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations</i> is appropriate as a basis for determining the effects of a proposed development on trees based on physical interaction.
2.1.3	It is agreed that, given the lack of a definition for 'aged or veteran trees' within <i>Overarching National Policy Statement for Energy (EN-1)</i> , the most appropriate definition is that given within <i>National Planning Policy Framework</i> , namely: 'A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.'
2.1.4	It is agreed that the policy on veteran trees in <i>Overarching National Policy Statement for Energy (EN-1)</i> is equivalent in effect to the policy on ancient woodland (where those trees are within the woodland) and that such trees have no <i>additional</i> status in policy.
<b>2.2 Effects</b>	
2.2.1	Notwithstanding acceptability or otherwise, it is agreed that the proposal would necessitate some tree removal, pruning of trees, and coppicing within ancient woodland and that the Arboricultural Impact Assessment (AIA) gives a technically accurate account of this requirement.
2.2.2	It is agreed that there would be no permanent reduction in the quantity of ancient woodland or change in its current distribution.
2.2.3	Notwithstanding the significance or otherwise of any harm thereby caused, it is agreed that the proposed 'management' and 'removal' within ancient woodland is a correct account of the practical necessity to undertake tree works to deliver the proposed development, insofar as these terms are defined within the AIA.

2.2.4	<p>It is agreed that removal of an individual tree from within an ancient woodland would not necessarily constitute 'loss of ancient woodland', provided there is no impediment to regeneration or replacement in that location. Removal of an individual tree could constitute 'deterioration', although in certain circumstances tree removal can be beneficial. This balance is principally a function of the qualities of the individual tree, the wider woodland context, and the scale of the works relative to the surrounding woodland.</p> <p>The removal and management of trees within an ancient woodland context as specified in the AIA will not constitute loss of ancient woodland, provided that the assumptions made in this assessment (including the mitigation measures that are embedded) are implemented and effective.</p>
2.2.5	It is agreed that no existing designated ancient woodland would cease to be designated as ancient woodland as a result of the proposed development.
2.2.6	It is agreed that, historically, many ancient woodlands have been coppiced for long periods without degradation and that human activity in woodland is not inherently damaging to tree condition or conservation objectives.
2.2.7	It is agreed that returning existing 132kV easements to woodland canopy as illustrated on Concept Mitigation Planting Plan would have a positive effect in terms of habitat function, connectivity and tree cover. If the current level and distribution of woodland cover can be maintained within new easements, the proposed canopy increases within extinguished easements would constitute a net benefit to the surrounding woodland provided that these woodlands remain and are allowed to mature under private ownership.
2.2.8	<p><b><u>National Grid</u></b></p> <p>National Grid has made a competent assessment of trees that would be affected by the development in accordance with relevant guidance and professional standards. It has concluded that no ancient or veteran trees would be adversely affected by the proposed development.</p> <p><b><u>Woodland Trust</u></b></p> <p>Woodland Trust has not undertaken a survey to verify the findings of National Grid but it is satisfied that the methodology used for the tree survey, including the qualification and competence of surveyors, is appropriate. It therefore has no reason not to take the findings at face value.</p>
<b>2.3 Coppicing</b>	
2.3.1	It is agreed that coppice woodland is capable of providing a biodiverse, structured and functional woodland.
2.3.2	It is agreed that, where appropriate to the site and undertaken in accordance with best practise, coppicing can be correctly described as a management technique and not tree removal.

2.3.3	It is agreed that, coppicing is an accepted management practice for ancient woodland. Where appropriate and successful, re-coppicing of ancient woodland would not constitute loss or deterioration of ancient woodland.
2.3.4	It is agreed that at the edge of coppiced easements a resilient and successful transition to high canopy could be achieved over time. Adjacent areas of coppice and high canopy can be properly regarded as connected and contiguous woodland rather than separate and unconnected habitats.
2.3.5	It is agreed that coppice woodland can offer some benefits that high canopy woodland does not. In particular, it is an underrepresented habitat type. It can also favour some rare or threatened species including those that rely on canopy connectivity such as dormice. It is normally only appropriate in woodland that has previously been coppiced (such as G127 and G64) but new planting can also be coppiced (e.g. in the area of G130) provided that the species used are suitable for this purpose and managed in that way. High canopy woodland offers a different range of qualities and benefits to coppice woodland but neither is inherently preferable. Necessitating the continuation of coppice management as opposed to conversion to high canopy does not constitute a deterioration in woodland quality.
2.3.6	It is agreed that whether a particular wood has been coppiced before is the primary influence on whether it will be suitable to continue this practice. Kemberland Wood and Lynne Wood both have a history of coppicing and could be managed as coppice woodland in the future without adverse effects on the woodland.
<b>2.4 Mitigation</b>	
2.4.1	It is agreed that loss of ancient woodland cannot be mitigated by planting. National Grid does not propose planting within or adjacent to ancient woodland for this purpose. There is some mitigation planting proposed within and adjacent to ancient woodland. This is not to mitigate effects on woodland but effects on specific receptors such as dormouse habitats. Where such measures are judged to be adequate (e.g. by Natural England) those effects would therefore not contribute to any overall effect on the wider woodland.
2.4.2	It is agreed that mitigation measures in respect of effects on ancient woodland can only be those that seek to avoid reduce or control adverse effects.
2.4.3	It is agreed that compensation (enhancement) planting may be discussed or proposed at any point but that this should not inform any judgement on the acceptability of effects on ancient woodland.
2.4.4	It is agreed that the mitigation planting that is illustrated on the Concept Mitigation Planting Plan would have no adverse effects on ancient woodland, subject to the use of locally sourced and grown plants
2.4.5	It is agreed that the enhancement planting that is illustrated on the Landscape and Habitat Enhancement Scheme would have no adverse effects on ancient woodland subject to the use of locally sourced and grown plants.

2.4.6	<p><b><u>National Grid</u></b></p> <p>It is agreed that for natural regeneration to be successful the growing environment must be controlled, particularly in respect of browsing damage. National Grid has described its position in respect of the feasibility of natural regeneration in WQ2.2.16.</p> <p><b><u>Woodland Trust</u></b></p> <p>Woodland Trust accepts the position presented by National Grid and does not consider that it is possible to establish woodland by natural regeneration within 5 years.</p>
2.4.7	<p>It is agreed that it is not possible to create new woodland within five years. Woodland Trust has recommended a 50 year maintenance period for <i>compensatory planting</i> (i.e. woodland creation in response to the removal of ancient woodland). No removal of ancient woodland is proposed and no such compensatory planting is proposed. Therefore, there is no instance in which the 50 year maintenance period would apply within the proposed development.</p>
2.4.8	<p>It is agreed that the construction stage effects can be mitigated by adherence to strict working methods and protective measures. These will be detailed in the Tree and Hedgerow Protection Strategy to discharge Requirement 10, which includes a provision for independent monitoring by an Arboricultural Clerk of Works. It is agreed that the measures proposed to control construction effects are adequate. The Woodland Trust would welcome consultation by the discharging authority in respect of tree protection in areas of ancient woodland.</p>
2.4.9	<p>National Grid confirmed that it is possible to establish a tree within five years as described by BS8545:2014, such that it can be regarded as growing independently in the landscape and subject only to risks that are comparable with those affecting existing trees.</p> <p>The Woodland Trust agrees with this statement.</p>

### 3 ADDITIONAL MATTERS AGREED

#### 3.1 Summary of current position

3.1.1 Specific matters for which agreement between National Grid and Woodland Trust has been reached since the original submission of this document at Deadline 6 are set out in Table 3.1 below.

*Table 3.1 Matters agreed between National Grid and Woodland Trust*

SoCG ID	Matter
<b>3.1 Effects</b>	
3.1.1	The operational management in terms of maintaining clearance to the overhead line of the easements within Ancient Woodland would be the responsibility of National Grid. The maintenance of conductor clearances within these ancient woodland sites can be done using sensitive methods and clear felling would not be necessary in Kemberland Wood or Lynne Wood. Draft DCO (Document 2.1(D)) Requirement 20 provides an appropriate mechanism, through the implementation of an Ancient Woodland Easement Management Plan (AWEMP), to ensure that operational maintenance of conductor clearances from trees will be undertaken without causing loss or deterioration of ancient woodland.
3.1.2	The requirement to seek assent from Natural England for works in the West Blean and Thornden SSSI during operational management of the easement gives an appropriate level of oversight in this area and adequate certainty regarding the long-term effects on ancient woodland associated with the creation of the proposed easement. This approach is agreed with Natural England regarding the SSSI. Draft DCO (Document 2.1(D)) Requirement 20 is compatible with this process.

*Appendix A – Signing Sheet*

<b>APPROVALS</b>	
<b>Signed</b>	
<b>On Behalf of</b>	National Grid
<b>Name</b>	EMER MCDONNELL
<b>Position</b>	SENIOR CONSENTS OFFICER
<b>Date</b>	22.11.2016

<b>APPROVALS</b>	
<b>Signed</b>	
<b>On Behalf of</b>	Woodland Trust
<b>Name</b>	OLIVER NEWHAM
<b>Position</b>	LEAD CAMPAIGNER – ANCIENT WOODLAND
<b>Date</b>	23.11.2016