

Yorkshire & North East

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Area Director
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Date: 7th December 2017
Our ref: YNE/01/I&R/Statutory/2017
Your ref: TR010031-000007

Emma Cottam
EIA and Land Rights Adviser
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN
BY EMAIL ONLY

Dear Ms Cottam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impacts Assessment) regulations 2017 (the EIA Regulations) – Regulations 10 and 11: Application by Highways England for an Order granting Development Consent for the A1 Birtley to Coal House Improvement Scheme

Location: A1 Birtley to Coal House, Gateshead

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 8th November 2017. This a formal follow up to the email sent yesterday by the Forestry Commission, Area Admin Officer, Serena Clifford.

The Forestry Commission is the Government experts on forestry & woodland and a statutory consultee (as defined by Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms And Procedures) Regulations 2009)^[1] for major infrastructure (Nationally Significant Infrastructure Projects (NSIPs)) that are likely to affect the protection or expansion of forests and woodlands (Planning Act 2008).

The Forestry Commission's responsibility is to discharge its consultee roles as efficiently, effectively and professionally as possible, based on the forestry principles set out in [The UK Forestry Standard](#) (4th edition published 2017). **Page 23** Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance (SLNCIs).

^[1] <http://www.legislation.gov.uk/ukxi/2009/2264/contents/made>

As highlighted in the *Irreplaceable habitats including ancient woodland and veteran trees* section of the National Policy Statement National Networks (NPSNN):

Paragraph 5.32

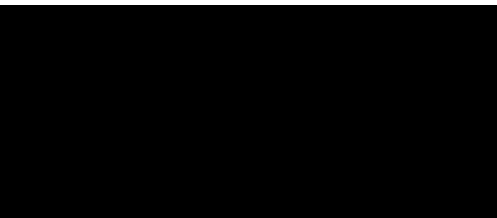
"Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this."

The Forestry Commission has also prepared joint [standing advice](#) with Natural England on ancient woodland and veteran trees which we refer you to as it notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland. It highlights the Ancient Woodland Inventory as a way to find out if woodland is ancient.

In regards this being a consultation on what information is assessed as part of the Environmental Statement: We have reviewed Section 10 Biodiversity, and are satisfied with what has been scoped in and out, as well as the level of assessment of what has been scoped in. We recognise the ambition for no net loss of biodiversity. We note that if they are irreplaceable habitats, the loss of which cannot be fully compensated for. We have no further comments at this stage of the process.

If you wish to consult us further in relation to the Environmental Statement with the Forestry Commission please contact the Yorkshire and North East Office at the above address.

Yours sincerely



Jim Smith
Local Partnership Adviser