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The Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

31<sup>st</sup> August 2021

Dear Menaka Sahai,

**Reference: A428 Black Cat to Caxton Gibbet Road Improvement scheme representation**

As the UK's leading woodland conservation charity, the Woodland Trust aims to protect native woods, trees and their wildlife for the future. We own over 1,000 sites across the UK, covering around 29,000 hectares (71,000 acres) and we have over 500,000 members and supporters.

**Veteran trees**

Natural England's standing advice on veteran trees states that they "*can be individual trees or groups of trees within wood pastures, historic parkland, hedgerows, orchards, parks or other areas. They are often found outside ancient woodlands. They are irreplaceable habitats with some or all of the following characteristics... A veteran tree may not be very old, but it has decay features, such as branch death and hollowing. These features contribute to its biodiversity, cultural and heritage value.*"

The proposed scheme will result in the loss of a group of veteran cherry plum trees recorded as G61 within the Arboricultural Impact Assessment Report [APP-183]. Therefore, the Trust would like to lodge **an objection** to this application.

**National planning policy and guidance**

The National Planning Policy Framework, paragraph 180 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>63</sup> and a suitable compensation strategy exists;*"

Paragraph 5.32 of the National Policy Statement for National Networks states: "*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."*

Natural England's Standing Advice for protecting veteran trees is as follows: *"A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter."*

### **Impact of proposals**

The following scheme will result in the direct loss of a group of veteran cherry plum trees. It is essential that no trees displaying ancient/veteran characteristics are lost as part of the development. Any loss of veteran trees would be highly deleterious to the wider environment of veteran trees within close proximity, which may harbour rare and important species.

Furthermore, as outlined in our relevant representation [RR-111], we would appreciate clarity on the Root Protection Area (RPA) afforded to T311, a veteran elm adjacent to the proposed scheme that is also recorded on the Ancient Tree Inventory (ATI no: 189122).

We note within the Arboricultural Impact Assessment that "T311 has been provided an increased RPA of 15 times the trunk diameter, as set out in Veteran Trees: A guide to good management (Ref 1-12)." However, Sheet 35 of the Tree Protection Plan [APP-186] denotes T311 with an RPA in line with the BS:5837:2012, which is usually calculated at 12 times the stem diameter. We ask that confirmation of the size of the RPA afforded to T311 is provided.

### **Conclusion**

In summary, the Woodland Trust requests that the veteran trees within G61 are retained and afforded a Root Protection Area (RPA) in line with Natural England's Standing Advice, and that further clarity is provided with respect to the protection of T311.

The Trust will remain opposed to the proposed project unless the scheme is revised to address our concerns. We consider the scheme is currently in direct contravention of national planning policy due to the loss and damage to irreplaceable habitats.

We hope our comments are of use to you, if you would like to get in touch with the Trust further to discuss any of the points raised please do not hesitate to do so.

Yours sincerely,

Nicole Hillier  
Campaigner – Woods under Threat