

A1 in Northumberland: Morpeth to Ellingham

Scheme Number TR010059

7.5 E Statement of Common Ground: Forestry Commission

Rule 8 (1) (e)

Planning Act 2008

The Infrastructure Planning (Examination Procedure
Rules) 2010

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**The Infrastructure Planning
(Examination Procedure
Rules) 2010**

The A1 in Northumberland: Morpeth to Ellingham

Development Consent Order 20[]

**STATEMENT OF COMMON GROUND: FORESTRY
COMMISSION**

Regulation Number:	Rule 8 (1) (e)
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Rev 0	January 2021	Deadline 1 Version

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) the Forestry Commission

Signed.....

[NAME]

Project Manager

on behalf of Highways England

Date: **[DATE]**

Signed.....

[NAME]

[POSITION]

on behalf of the Forestry Commission

Date:

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1 INTRODUCTION

1.1 Purpose of this Document

1.1.1 This Statement of Common Ground (SoCG) relates to an application made by Highways England (the Applicant) to the Planning Inspectorate (the Inspectorate) under the Planning Act 2008 (the 2008 Act) for a Development Consent Order (DCO). If made, the DCO would grant consent for the A1 in Northumberland, Morpeth to Ellingham (the Scheme). A detailed description of the Scheme can be found in **Chapter 2: The Scheme** of the Environmental Statement (ES) [APP-037].

1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Inspectorate website

<https://infrastructure.planninginspectorate.gov.uk/projects/North%20East/A1-in-Northumberland---Morpeth-to-Ellingham/>

1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not yet been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

1.2.1 This SoCG has been prepared by (1) **Highways England** as the Applicant and (2) the **Forestry Commission**.

1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.

1.2.3 The Forestry Commission is the government department responsible for protecting, expanding and promoting the sustainable management of woodlands.

1.3 Terminology

1.3.1 In the tables in the Issues chapter of this SoCG, “Not Agreed” indicates a final position, and “Under discussion” where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. “Agreed” indicates where the issue has been resolved.

1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to the Forestry Commission, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to the Forestry Commission.

2 RECORD OF ENGAGEMENT

- 2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and the Forestry Commission in relation to the impacts of the Application is outlined in **Table 2-1** and **2-2**.
- 2.1.2 Discussions have only been held with the Forestry Commission in relation to Ancient Woodland. As there is no Ancient Woodland in close proximity to Part B, engagement with the Forestry Commission was only undertaken in relation to Part A of the Scheme. This engagement is recorded in Table 2-2, below.

Table 2-1- Record of Engagement in relation to the Whole Scheme

Date	Form of correspondence	Key topics discussed and key outcomes

Table 2-2- Record of Engagement in relation to Part A Only

Date	Form of correspondence	Key topics discussed and key outcomes
31/10/18	Meeting with Natural England and the Forestry Commission	<p>Key Topics</p> <p>The Applicant presented the following points to the Forestry Commission:</p> <ul style="list-style-type: none"> • Scheme overview as of October 2018 and key design elements; • Overview of arboricultural resource and key receptors; <ol style="list-style-type: none"> I. Duke’s Bank Wood. II. High and Medium value features. III. Coronation Avenue. • Overview of arboricultural resource and key receptors; • Ancient woodland salvage and ancient woodland compensation; • Felling licences and other local Forestry Commission interests; and • Ash dieback impacts constraints and licencing. <p>Key Outcomes</p> <ol style="list-style-type: none"> 1. Scheme overview and overview of arboricultural resource and receptors - The Forestry Commission consider the partial loss of part of Duke’s Bank Wood undesirable but accept the effects of the Scheme on Duke’s Bank Wood. 2. Ancient woodland salvage and ancient woodland compensation – The Forestry Commission have been engaged in compensation as part of the Ancient Woodland Strategy, in particular, the need for a suitable ratio for replacement (confirmed as 12:1) and that the need for a management plan was emphasised. This has been addressed within the Ancient Woodland Strategy [APP-247].

Date	Form of correspondence	Key topics discussed and key outcomes
		<p>3. Felling Licence – Presently a felling licence is not expected where trees are removed as part of planning consent, as they are exempt. The likely requirement for a felling licence for the River Coquet GI works was discussed and considered unlikely to be needed due to exemption under planning consent. This was to be confirmed in writing by FC. No response has been received.</p> <p>4. Ash die back impacts, constraints and licencing - Although ash dieback typically presents a significant constraint to soil translocation as it will contain infected material, the Forestry Commission agreed that translocation is desirable, and the risks were low, given the short distance of translocation and mode of infection by Ash dieback. The Ancient Woodland Strategy [APP-247] sets out that suitable biosecurity controls are to be detailed in a Biosecurity Method Statement to be developed at detailed design. This Biosecurity Method Statement would also detail actions to be followed to prevent the spread of ash dieback. Action at detailed design stage - agree a Statutory Plant Health Notice (SPHN) with the Forestry Commission.</p> <p>Completion of a method statement and agreement for a SPHN to enable controlled and biosecure processing and transportation of ash material.</p>

2.1.3 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) the Applicant and (2) the Forestry Commission in relation to the issues addressed in this SoCG.

3 ISSUES

Table 3-1 - Issues related to the Whole Scheme

Item	ES Chapter	Paragraph Reference	Forestry Commission Comment	Highways England Response	Status
1.	Environmental Statement - Appendix 7.5 Arboricultural Report Part A	Whole Document	<p>1. Both the Forestry Commission and Natural England consider the partial loss of part of Duke's Bank Wood undesirable.</p> <p>2. Both the Forestry Commission and Natural England highlight the effects of the Scheme on Duke's Bank Wood.</p>	<p>1.The Applicant acknowledges this and accepts a requirement to mitigate the impacts of the Scheme on Duke's Bank Wood.</p> <p>2. The Applicant accepts this, and considers that some impact on this wood is an unavoidable feature of the Scheme.</p> <p>Through the design of the bridge footings and construction working areas the applicant has sought to minimise the loss of ancient woodland as far as it is practical to do so.</p> <p>The applicant has also worked in consultation with Natural England to develop the proposals for compensating for the loss of ancient woodland at the River Coquet. Following discussion between the Applicant's ecology, arboriculture team and Natural England, a strategy of mitigation and compensation, alongside other objectives, has been produced.</p>	Under Discussion, partly resolved.

Item	ES Chapter	Paragraph Reference	Forestry Commission Comment	Highways England Response	Status
			<p>3. The requirement for a management plan with regards to replacement planting was raised by the Forestry Commission and Natural England.</p> <p>4. The Forestry Commission and Natural England agreed that translocation of ancient woodland soils is desirable despite the presence of Ash dieback and the risks were low, given the short distance</p>	<p>This is captured in the Ancient Woodland Strategy [APP-247] that would be secured through measure A-L6 of the Register of Environmental Actions and Commitments contained within the Outline Construction Environmental Management Plan (Outline CEMP) [APP-346] and Requirement 5 of the draft DCO.</p> <p>3. A 12:1 replacement planting ratio of additional woodland to be provided for ancient woodland lost was requested by The Forestry Commission and agreed by the applicant.</p> <p>The submitted Ancient Woodland Strategy [APP-247] incorporates the agreed 12:1 replanting ratio and sets out the requirements of indicative management plan for this replacement planting.</p> <p>4. The Applicant acknowledges a requirement for this to be developed at the detailed design stage. The Ancient Woodland Strategy [APP-247] sets out that suitable biosecurity measures to control the risk of Ash dieback are to be detailed in a Biosecurity Method Statement.</p>	

Item	ES Chapter	Paragraph Reference	Forestry Commission Comment	Highways England Response	Status
			<p>of translocation and mode of infection by Ash dieback.</p> <p>5. The translocation of materials was therefore considered acceptable in principle, with an agreed method of movement of ash material, under the approved terms of a Statutory Plant Health Notice (SPHN) issued by the Forestry Commission.</p>	<p>5. Noted and agreed that the translocation of material is considered acceptable in principle. The Applicant agrees that a SPHN with the Forestry Commission as part of the Biosecurity Method Statement in order to enable controlled and biosecure processing and transportation of ash material. The applicant confirms willingness to apply for a SPHN with the Forestry Commission to address this issue.</p>	

