



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

13<sup>th</sup> February 2023

Dear Adrian Hunter,

**Reference: A12 Chelmsford to A120 Widening Scheme**

**Objection – direct loss of veteran trees**

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 over 30,000 hectares and we have over 500,000 members and supporters. We are an evidence-led organisation, using existing policy and our conservation and planning expertise to assess the impacts of development on ancient woodland and ancient and veteran trees. Planning responses submitted by the Trust are based on a review of the information provided as part of the consultation.

**Impact to ancient woodland and veteran trees**

The Trust **strongly objects** to the proposed scheme due to the loss of up to five veteran trees identified as T236, T316, T367, T452 and T542 respectively within the Arboriculture Impact Assessment [ref: APP-122]. We also hold concerns regarding likely impacts to another ten veteran trees/tree groups from their proximity to the works proposed, as well as detrimental impact to a number of ancient woods and trees from nitrogen deposition.

**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 also irreplaceable habitats. A veteran tree may not be very old, but it has significant decay features, such as branch death and hollowing. These features contribute to its exceptional biodiversity, cultural and heritage value.*" We consider that not all veteran trees are ancient, but all ancient trees are also veteran trees.

**Ancient Woodland**

Natural England and the Forestry Commission, the Government's respective bodies for the natural environment and protecting, expanding and promoting the sustainable management of woodlands, define ancient woodland as follows within their standing advice<sup>1</sup>:

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<sup>1</sup> <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>

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*“Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It is a valuable natural asset important for: wildlife (which include rare and threatened species); soils; carbon capture and storage; contributing to the seed bank and genetic diversity; recreation, health and wellbeing; cultural, historical and landscape value. It has been wooded continuously since at least 1600AD. It includes:*

- *Ancient semi-natural woodland [ASNW] mainly made up of trees and shrubs native to the site, usually arising from natural regeneration.*
- *Plantations on ancient woodland sites – [PAWS] replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi”*

### **Planning Policy**

**The National Policy Statement for National Networks (NNNPS)** Paragraph 5.32 states:

*“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 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;”*

Further to this, paragraph 174 of the NPPF states the following: *“Planning policies and decisions should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”*. Where an application involves the loss of irreplaceable habitats, such as veteran trees, net gain for biodiversity cannot be achieved.

**Highways England’s (now National Highways) Biodiversity Action Plan (2015)** outlines key environmental goals for minimising environmental impact: *“Biodiversity is entrenched within the Government’s Road Investment Strategy and Highways England’s Strategic Business Plan. In particular, the Road Investment Strategy states that by 2020, the company must deliver no net loss of biodiversity and that by 2040 it must deliver a net gain in biodiversity.”* As such, by putting forward a proposal of this nature, National Highways is in **direct contravention** of its own biodiversity policies.

### **Reducing Carbon Emissions**

A number of important developments in UK climate change policy have occurred in recent times. Meeting the recently adopted target of net zero carbon by 2050 represents a major policy challenge of which transport is a central component. The UK Committee on Climate

Change (CCC) reports that transport emissions increased by 6% between 2013 and 2019 and were 4% higher than in 1990. Road transport accounts for 91% of the UK's domestic surface transport emissions. Although vehicles have become more fuel efficient, this has been offset by increasing travel demand.

To overcome such trends, the CCC Net Zero report highlighted the need for new policy frameworks to be developed. The Department for Transport acted on this recommendation, publishing a Green Paper, *'Decarbonising transport - setting the challenge'*, in March 2020. This includes recognition that *"We will use our cars less and be able to rely on a convenient, cost-effective and coherent public transport network."* The Government has further committed to tackling the issue by the publication of *'Decarbonising Transport - A Better, Greener Britain'* in July 2021. A successful strategy to reduce transport's carbon emissions must include measures to manage road travel demand, not accommodate its growth, and we would challenge whether the A12 Chelmsford to A120 Widening Scheme is consistent with this approach.

Any decision regarding the A12 Chelmsford to A120 Widening Scheme must be consistent with the UK's international commitments regarding carbon emissions. The court decision concerning plans for a third runway at Heathrow highlighted the need for consistency in the Government's legal objectives regarding emissions cuts and major infrastructure development proposals which are predicated on increasing transport movements. While the court decision was overturned, the Government must lead the way in cutting emissions if the UK is to remain credible at climate negotiations.

### **Ancient and Veteran Trees**

The proposed scheme will result in the loss of five trees considered 'potential veteran' trees in the Arboriculture Impact Assessment. It is essential that no veteran trees are lost as part of the development, as the loss of any such trees can have a significant impact on local wildlife, particularly those which depend on the habitat provided by veteran trees. Any loss of veteran trees can also be highly deleterious where there is a wider population of veteran trees within close proximity, which may harbour rare and important species.

In addition, T439 (Veteran Lime), T441# (Veteran Lime), T443 (Veteran Horse Chestnut), T744 (Veteran Oak) and both G489 and G595 (mixed veteran groups) will likely be subject to root encroachment from their proximity to the proposed works, and a temporary haul route will cut across G543 (an Elm and Field Maple veteran group), yet there is no information provided on the proposed impact of these works on the tree group. Equally, tree groups G518-G520 are located within the proposed borrow pit locations, but it is unclear whether any root encroachment is likely to occur as a result of the works. We would appreciate clarification on both these matters.

### **Impacts from Nitrogen Deposition**

The Trust also holds concerns regarding potential nitrogen deposition on ancient woods and trees surrounding the proposed road. Chapter 9 (Biodiversity) of the Environmental Statement outlines a likely increase in air quality impacts to two areas of ancient woodland (Perry's Wood and Porter's Grove), one ancient tree, and 22 veteran trees (9.9.22). We are of the opinion that development must be able to demonstrate that any resulting increase in the levels of nitrogen will be insignificant (<1% of the critical load) at all ancient woodland sites. The scheme may need to be amended to include further control measures or other proposals in order to attempt to reduce the process contribution to <1%.

### **Mitigation for veteran trees**

Trees are susceptible to change caused by construction/development activity. As outlined in 'BS5837:2012 - Trees in relation to design, demolition and construction' (the British Standard for ensuring development works in harmony with trees), construction work often exerts pressures on existing trees, as do changes in their immediate environment following construction of any new infrastructure. Root systems, stems and canopies, all need allowance for future movement and growth, and should be taken into account in all proposed works on the scheme through the incorporation of the measures outlined in the British Standard.

While BS5837 guidelines state that trees should have a root protection area (RPA) of 12 times the stem diameter (capped at 15m), this guidance does recognise that veteran trees need particular care to ensure adequate space is allowed for their long-term retention. It is imperative that Natural England and Forestry Commission's standing advice on root protection areas for veteran trees is taken into account in planning decisions. This advice states: "*For ancient or veteran trees (including those on the woodland boundary), the **buffer zone should be at least 15 times larger than the diameter of the tree.** The buffer zone should be **5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter.** This will create a minimum root protection area. Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone.*"

### **Conclusion**

Veteran trees are irreplaceable habitats, once lost they are gone forever. Any development resulting in loss or deterioration of ancient woods and trees must consider all possible measures to ensure avoidance of adverse impact.

Yours sincerely,

Nicole Moses  
Campaigner – Woods Under Threat  
Woods Under Threat Team

Annex 2:

**Natural England and Forestry Commission's standing advice:**

***Ancient woodland, ancient trees and veteran trees: advice for making planning decisions***

***Direct and indirect effects of development:***

*Development, including construction and operational activities can affect ancient woodland, ancient and veteran trees, and the wildlife they support on the site or nearby.*

*Direct effects of development can cause the loss or deterioration of ancient woodland or ancient and veteran trees by:*

- *damaging or destroying all or part of them (including their soils, ground flora or fungi)*
- *damaging roots and understorey (all the vegetation under the taller trees)*
- *damaging or compacting soil*
- *damaging functional habitat connections, such as open habitats between the trees in wood pasture and parkland*
- *increasing levels of air and light pollution, noise and vibration*
- *changing the water table or drainage*
- *damaging archaeological features or heritage assets*
- *changing the woodland ecosystem by removing the woodland edge or thinning trees - causing greater wind damage and soil loss*

*Indirect effects of development can also cause the loss or deterioration of ancient woodland, ancient and veteran trees by:*

- *breaking up or destroying working connections between woodlands, or ancient trees or veteran trees - affecting protected species, such as bats or wood-decay insects*
- *reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species*
- *reducing the resilience of the woodland or trees and making them more vulnerable to change*
- *increasing the amount of dust, light, water, air and soil pollution*
- *increasing disturbance to wildlife, such as noise from additional people and traffic*
- *increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing the woodland or tree root protection areas*
- *increasing damaging activities like fly-tipping and the impact of domestic pets*
- *increasing the risk of damage to people and property by falling branches or trees requiring tree management that could cause habitat deterioration*
- *changing the landscape character of the area*

***Mitigation measures***

*Mitigation measures will depend on the type of development. They could include:*

- *putting up screening barriers to protect ancient woodland or ancient and veteran trees from dust and pollution*
- *measures to reduce noise or light*
- *designing open space to protect ancient or veteran trees*
- *rerouting footpaths and managing vegetation to deflect trampling pressure away from sensitive locations*
- *creating buffer zones*

### **Use of buffer zones**

*Buffer zones can protect ancient woodland and individual ancient and veteran trees and provide valuable habitat for woodland wildlife, such as feeding bats and birds. The size and type of buffer zone should vary depending on the:*

- *scale and type of development and its effect on ancient woodland, ancient and veteran trees*
- *character of the surrounding area*

*For example, larger buffer zones are more likely to be needed if the surrounding area is:*

- *less densely wooded*
- *close to residential areas*
- *steeply sloped*

### **Buffer zone recommendations**

*Where possible, a buffer zone should:*

- *contribute to wider ecological networks*
- *be part of the green infrastructure of the area*

*A buffer zone should consist of semi-natural habitats such as:*

- *woodland*
- *a mix of scrub, grassland, heathland and wetland*

*The proposal should include creating or establishing habitat with local and appropriate native species in the buffer zone.*

*You should consider if access is appropriate. You can allow access to buffer zones if the habitat is not harmed by trampling.*

*You should not approve development proposals, including gardens, within a buffer zone.*

*You should only approve sustainable drainage schemes if:*

- *they do not affect root protection areas*
- *any change to the water table does not negatively affect ancient woodland or ancient and veteran trees*