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Area Director: Richard Pearce

## **Re: Colchester Local Plan Preferred Options Regulation 18 Consultation**

Thank you for consulting the Forestry Commission on your local plan.

As a Non-Ministerial Government Department, the Forestry Commission provide no opinion supporting or objecting to applications. Rather we provide advice on the potential impact that the proposed developments could have on trees and woodland including ancient woodland.

We have assessed the allocated sites and have concerns regarding those that are directly adjacent to ancient woodland.

### **Ancient Woodland:**

Ancient woodlands are an irreplaceable habitat. They have great value because they have a long history of woodland cover, being continuously wooded since at least 1600AD with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

Paragraph 193 (c) of the National Planning Policy Framework (Dec 2024), states:

***"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 and a suitable compensation strategy exists"***

It goes on to include what could be considered as "wholly exceptional reasons" and states:

***"For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat."***

As Ancient woodland, ancient trees and veteran trees are irreplaceable, proposed compensation measures should not be considered as part of your assessment of the merits of a development site proposal.

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide](#) and ["Keepers of Time" – Ancient and Native Woodland and Trees Policy in England](#).

The Standing Advice states that proposals should have a buffer zone of at least 15m from the boundary of ancient woodlands to avoid root damage which can result in loss or deterioration of the woodland. Where assessment shows impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone.

Which is in line with your policy EN4, regarding a minimum 15m buffer. However the Standing Advice and the recommended buffer zones are currently under review and are likely to be updated recommending that the minimum buffer requirement will be increased. While a 15m buffer may be appropriate for a single dwelling, for large scale developments, we would recommend this is increased to 30-50m depending on circumstances. Development that encloses a woodland and removes functional habitat links should be avoided.

The Joint NE/FC Standing Advice also states that both the direct and indirect effects of development should be considered for both the construction and operational phases of any proposed development.

Not just including the potential for actual construction to impact on soils, trees and tree roots. But also the potential for effects when residential developments are in use and result in a likely increase in visitor numbers.

Other impacts to the ancient woodland, for example reducing the resilience of the woodland and making it more vulnerable to change. Increasing the amount of dust, light, air and soil pollution and increasing disturbance to wildlife, also trampling of plants, erosion of soil and noise from additional people, traffic and domestic pets.

**Due to the irreplaceable nature of ancient woodland, most temporary effects will result in irreplaceable damage.**

**It is also worth noting that the Town and Country Planning (Consultation) (England) Direction 2024 mandates that Local Planning Authorities notify the Secretary of State if they are minded to approve any planning applications that could lead to the loss or deterioration of ancient woodland.**

**Proposed sites adjacent to Ancient Woodland:**

**Tendring Colchester Borders Garden Community** - 3000 houses. 2 ASNW in the area.

**PP9 North East Colchester** - 2000 houses; site abuts SSSI ASNW

**PP7 Land off Baker's Lane, West Bergholt** - 100 houses; this site abuts and includes ASNW within the site.

**PP32 Land North of Halstead Road, West of Fiddlers Wood Eight Ash Green** - 250 houses abuts ASNW

**PP42 Land at White Hart Lane, West Bergholt** - 50 houses, on the site of orchard – Should also be checked to see if land is mentioned as an LNRS priority.

All sites should also be checked against the LNRS ACiB map to check whether any expansion or connection measures are mapped to them.

**Policies:**

We note policies EN4 and GN4 for Ancient Woodlands and Tree Canopy Cover, as good examples including canopy cover targets and maintenance of new trees.

The Forestry Commission is also promoting the use of home grown timber used in construction as a sustainable building material, therefore reducing the embodied carbon emissions of new builds. In line with the Government's [25 Environment Plan](#) (Page 47), the ["Timber in construction" roadmap](#) and the [Net Zero Strategy](#).

Potential use of timber in development could be suggested as an addition to Policy NZ2.

If you require any further information, please do not hesitate to contact me. Particularly in relation to effective consideration of woodland, avoidance of ancient woodland, or mitigation and enhancement measures for other woodlands affected by development.

Yours sincerely

Sandra Squire  
Local Partnership Advisor