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Maidstone Borough Council
Maidstone House,
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13th November 2018

For the attention of Mr. Simon Rowberry

Dear Mr Rowberry,

Planning Application: 18/504836/EIOUT

Proposal: Outline application (with all matters reserved apart from access) for the erection of up to 1,750 dwellings including affordable housing, 46,000 sq.m of commercial space, a hotel, a local centre, a new primary school, a park and ride facility, strategic highways improvements including new Kent Showground access/egress, accesses/roads including a new bridleway bridge, parking, associated open space, landscaping, services, and Sustainable Drainage Systems. In addition, the proposals include a publicly-accessible country park including the Binbury Motte and Bailey Castle Scheduled Ancient Monument. Binbury Park Binbury Lane Detling Maidstone Kent.

As the UK's leading woodland conservation charity, the Woodland Trust aims to protect native woods, trees and their wildlife for the future. Through the restoration and improvement of woodland biodiversity and increased awareness and understanding of important woodland, these aims can be achieved. We manage over 1,000 sites covering around 24,000 hectares (59,000 acres) and have 500,000 members and supporters.

Ancient woodland is defined as an irreplaceable natural resource that has remained constantly wooded since at least AD1600. The length at which ancient woodland takes to develop and evolve (centuries, even millennia), coupled with the vital links it creates between plants, animals and soils accentuate its irreplaceable status. The varied and unique habitats ancient woodland sites provide for many of the UK's most important and threatened fauna and flora species cannot be re-created and cannot afford to be lost.

The Woodland Trust objects to the above application on the basis of potential damage and disturbance to the following woodlands:

- Murrains Wood (grid ref: TQ80625946 and TQ80865976).
- Longreach Wood (grid ref. TQ82145985).
- Beaux Aires/ Sherway Wood (grid ref. TQ81576034 and TQ 81686025)
- Longton Wood (grid ref. TQ81805952).

With the exception of Longton Wood which is designated as a Plantation on Ancient Woodland Site (PAWS), the above woodlands are designated as Ancient Semi-Natural Woodland (ASNW) on Natural England's Ancient Woodland Inventory.

Policy

National Planning Policy Framework (NPPF) paragraph 175 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 and a suitable compensation strategy exists;

Natural England Standing Advice (November 2018) for Ancient Woodland and Veteran Trees states: "Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It's important for its wildlife (which include rare and threatened species), soils, recreational value, and cultural, historical and landscape value."

"Direct impacts of development on ancient woodland or ancient and veteran trees include:

- 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 around the tree roots
- polluting the ground around them
- changing the water table or drainage of woodland or individual trees
- damaging archaeological features or heritage assets

Nearby development can also have an indirect impact on ancient woodland or ancient and veteran trees and the species they support. These can include:

- breaking up or destroying connections between woodlands and ancient or veteran trees
- reducing the amount of semi-natural habitats next to ancient woodland
- increasing the amount of pollution, including dust
- increasing disturbance to wildlife from additional traffic and visitors
- increasing light or air pollution
- increasing damaging activities like fly-tipping and the impact of domestic pets
- changing the landscape character of the area."

Policy DM3 Natural Environment from the Maidstone Borough Local Plan (Adopted 25 October 2017) clause 1 (i) states 'Protect positive landscape character, areas of Ancient Woodland, veteran trees, trees with significant amenity value, important hedgerows, features of biological or geological interest, and the existing public rights of way network from inappropriate development and avoid significant adverse impacts as a result of development'. In addition, Policy DM3 clause 1 (iv) states 'Enhance, extend and connect designated sites of importance for biodiversity, priority habitats and fragmented Ancient Woodland; support opportunities for the creation of new Biodiversity Action Plan priority habitats; create, enhance, restore and connect other habitats,'

Woodland Trust's Views on the Impact of Development

The Woodland Trust is particularly concerned about the following:

- Intensification of the recreational activity of humans and their pets cause disturbance to the habitats of breeding birds, vegetation damage, litter, and fire damage
- Fragmentation as a result of the separation of adjacent semi-natural habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats;

- Development provides a source of non-native plants and aids their colonisation;
- Noise and light pollution occurring from adjacent development and particularly during construction phases;
- Where the wood edge overhangs public areas, branches and even whole trees can be indiscriminately lopped/felled, causing reduction of the woodland canopy.
- There will inevitably be safety issues in respect of trees adjoining public areas and buildings, which will be threatening to the longer-term retention of such trees.
- Where gardens abut woodland or the site is readily accessible to nearby housing, there is an unfortunate tendency for garden waste to be dumped in woodland and for adjacent landowner to extend garden areas into the woodland.
- There can be changes to the hydrology altering ground water and surface water quantities. Also, the introduction of water run offs from urban development will result in changes to the characteristics and quality of the surface water as a result of pollution/contamination etc.

Any effect of development can impact cumulatively on ancient woodland - this is much more damaging than individual effects.

The illustrative masterplan (drawing ref. 2480-103M Amended) indicates adaptations and improvements to the existing road in the vicinity of the main entrance which will result in direct loss of ancient woodland. For all the reasons stated above this aspect of the development should be redesigned to avoid both direct and indirect impact to ancient woodland.

The Trust notes that the Technical Briefing Note – Ancient Woodland Assessment refers to the outdated National Planning Policy Framework (paragraph 118). The Trust recommends that this document is revised in line with the updated policy wording (paragraph 175), which provides stronger protection for ancient woods and trees.

Recommendations

When land use is changed to a more intensive use as is the case with this development, plant and animal populations are exposed to environmental impacts from the outside of a woodland. In particular, the habitats will become more vulnerable to the outside influences, or edge effects, that result from the adjacent land's change of use. These detrimental edge effects can result in changes to the environmental conditions within the woodland, changing the stable conditions that are within the woodland.

Creation of new areas of woodland or buffer zones around semi-natural habitats, and more particularly ancient woodland, will help to reduce and ameliorate the impact of damaging 'edge effects', serving to improve their sustainability. The size of each buffer zone is dependent on the intensity of land use adjacent to ancient woodland.

In relation to buffering, Natural England's Standing Advice on Ancient Woodland states: "Mitigation measures will depend on the development but could include:

- improving the condition of the woodland
- putting up screening barriers to protect woodland or ancient and veteran trees from dust and pollution
- noise or light reduction measures
- protecting ancient and veteran trees by designing open space around them

- identifying and protecting trees that could become ancient and veteran trees in the future
- rerouting footpaths
- removing invasive species
- buffer zones

A buffer zone's purpose is to protect ancient woodland and individual ancient or veteran trees. The size and type of buffer zone **should vary depending on the scale, type and impact of the development.**

For ancient woodlands, you should have a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.

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

You should avoid including gardens in buffer zones.

Where possible, a buffer zone should contribute to wider ecological networks and be part of the green infrastructure of the area. It should consist of semi-natural habitats such as:

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

You should plant buffer zones with local and appropriate native species."

For buffer zones to be effective they need to be designed on a case by case basis. There is no one size fits all approach to buffer design and each buffer will be unique to its location and the functions it is to fulfil. Buffer zones should be made up of at least 50% native tree cover which should be allowed to develop into a semi natural habitat. Around the trees of 'high value' it should be maintained as scrub or grassland so that younger tree competition does not establish and compromise their crowns. These measures will help to protect the ancient woodland from the impacts of the adjacent development and are in line with the recommendations by Natural England and the NPPF. In addition, a larger buffer will also increase the available habitat onsite helping to contribute to an increase in biodiversity locally as well as mitigating the impacts of this development.

Conclusion

For the reasons set out above, the Trust object to planning permission being granted due to the loss of and damage to ancient woodland. The proposed development does not fit the criteria set out in paragraph 175 of the NPPF and as such should be refused on the grounds it does not comply with the national planning policy.

If permission is to be granted for this development, it is important that the following issues and recommendations are addressed:

1. The adaptations and improvements to the existing road in the vicinity of the main entrance to be redesigned to avoid causing direct and indirect loss of ancient woodland.

2. Ensure that adjacent ancient woodland is protected from the development. To this end, we recommend that the areas of Ancient Woodland at risk from this development must be protected with buffering namely;
 - two locations adjacent to both areas of Murrains Woods; at least 100 metres wide, and
 - adjacent to Longreach Wood and to both areas of Beaux Aires/ Sherway Wood; at least 50 metres wide

The extent and specification of the buffer zones should be agreed with the applicant prior to granting approval. In addition, any floodlighting to sports facilities must be located at least 50 metres from the woodland edge and appropriately designed to prevent light pollution in the woodland.

The Trust requests the council acts on the above recommendations and makes them conditions of any planning consent.

If you would like clarification of any of these points please contact us via campaigning@woodlandtrust.org.uk

Yours sincerely,

The Campaigning Team