Planning Inspectorate

South East & London Area Office
Bucks Horn Oak
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Re: Botley West Solar Farm NSIP

Forestry Commission Interested Party/Unique Reference Number: BWSF-ISP001

Dear Examining Authority,

As a statutory body and interested party for this project we have additional comments and requests to be considered as part of Examination for this project. This follows on from our concerns and comments raised on the 7th of May which still apply and do not appear to have been addressed.

Summary comments

We welcome the positive efforts made to protect trees and woodland including to the project's layout to avoid direct loss of ancient woodland, the proposed improvements to hedgerow connectivity and the premise of tree planting and woodland creation as part of biodiversity net gain.

However, in our view, more needs to be demonstrated to ensure that relevant Government policy, legislation and guidance is being met. A summary of our advice is outlined as follows:

1. Explicitly consider **all** direct and indirect impacts on Ancient Woodland, Ancient Trees and Veteran trees in line with the Standing Advice. The following measures could help to avoid deterioration of irreplaceable habitat:
    - Larger and more nuanced buffers that protect and enhance ancient woodland, ancient trees and veteran tree condition
    - Improved ecological connectivity between ancient woodland blocks, ancient trees and veteran trees through habitat enhancement and creation
    - Design buffering in a way that complements the mitigation required for bat species assemblages which Natural England have categorised as an Amber concern in their 21st of May representation.

2. Commit to larger amounts of woodland creation to make it proportionate for a project of this scale considering Government targets and policy regarding tree canopy cover. This could help to integrate the development into the landscape to a greater extent and avoid impacts referred to in Item 1. We also believe there are other improvements to optimise the biodiversity and landscape design which should be explored, particularly for a project of national significance like this.

3. Follow good practice regarding tree and woodland design, establishment and management, including ways to ensure this is landscape-led and delivered effectively so that trees survive and thrive in the face of future threats from climate change and pests and diseases.

Please see our Detailed Comments regarding relevant policy, guidance and advice for each of these items.

We request that we are given the opportunity to meaningfully input into the project's detailed proposals to help the Inspector and applicant ensure that the project is designed and managed effectively to avoid deterioration of irreplaceable habitat and to maximise benefits as part of environmental and landscape design.

Yours faithfully,

[redacted]

Local Partnerships Advisor
South East and London Area Team

Forestry Commission | Bucks Horn Oak| Farnham | Surrey | GU10 4LS

Detailed Comments

Item 1: Explicitly consider all direct and indirect impacts on Ancient Woodland, Ancient Trees and Veteran trees in line with the Standing Advice. We advise that the following measures could help to avoid deterioration of irreplaceable habitat:

- Larger and more nuanced buffers that protect and enhance ancient woodland, ancient trees and veteran tree condition
- Improved ecological connectivity between ancient woodland blocks, ancient trees and veteran trees through habitat enhancement and creation
- Design buffering in a way that complements the mitigation required for bat species assemblages which Natural England have categorised as an Amber concern in their 21st of May representation.

While in general solar projects can be designed to provide biodiversity benefits, the scale of this project and the cumulative impact of woodland encroachment and habitat fragmentation needs careful consideration to ensure measures will be effective and proportionate for ruling out impacts to Ancient Woodland, Ancient Trees and Veteran Trees (AW/AVTs).

There are multiple areas of ancient woodland connected to the application which could result in deterioration or loss without effective mitigation measures due to the scale of the project, the pressures on woodland edges and the effects to ecological connectivity between woodland blocks that would occur. The National Planning Statement for Energy sets out:

> *'5.4.32 Applications should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operation phases."*
>
> *"5.4.53 The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.'*

As part of meeting these policies, we would like to reiterate that the application should ensure effective design of suitable buffers and other mitigation measures are in place to avoid ***all*** direct and indirect impacts during **construction** and **operation**. We have not seen evidence that demonstrates that all potential direct or indirect effects have been considered, avoided and ruled out. The Standing Advice lists different impacts under the '**Direct and indirect effects of development'** section and provides guidance for how to rule impacts including the Assessment Guide that planning authorities can use

to help make planning decisions in line with the NPPF and to keep a record of the assessment.

Woodland buffering

The Applicant's Environmental Statement suggests that adopting a 15m buffer will avoid impacts to Ancient Woodland. 15m buffers are a **minimum** starting point designed for tree root impacts. The Standing Advice states:

> *'For ancient woodlands, the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the 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.'

Based on our desk-based assessment and the scale of this project, we advise that a larger and more nuanced buffer zone is likely required to avoid deterioration of AW/AVTs.

The Standing Advice sets out:

> *'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'*

As part of avoiding deterioration of irreplaceable habitat, we advise designing buffers with a distinct and functional woodland edge habitat by following the principles in this Government guidance to avoid AW/AVT impacts, maximise biodiversity value and incorporate woodlands into the local landscape: Edge design for woodland integration, resilience and biodiversity - GOV.UK We can provide more guidance on this and site-specific advice where helpful.

Habitat fragmentation

We welcome the efforts made to retain or improve habitat connectivity but fragmentation between ancient woodland blocks (and potentially Ancient or veteran trees) is likely to occur due to the extent of development proposed between habitats which could contribute to deterioration of irreplaceable habitat. Fragmenting woodlands can reduce or limit species movement between habitat areas which can

result in a decline in species quality and diversity or local species extinction. Isolating woodlands also reduces their resilience to future threats including climate change, pests and disease. Projects with limited access to woodland for forestry/management operations may make future management difficult or unviable which could threaten condition or impact safety/property damage (eg trees at risk of failing) so long-term access should also be secured.

Incorporating more areas of habitat creation and enhancement, including woodland, scrub, hedgerows and species-rich grassland could help to retain and improve connectivity between AW/AVTs and avoid deterioration. For example, this would be required between ancient woodland sites that could be fragmented by the project, including; Pinsley Wood, Burleigh Wood, Begbroke wood and Bladon Heath.

Ancient trees and veteran trees

We advise that a thorough assessment of trees within the project boundary is required to identify any ancient or veteran trees in line with good arboricultural practice (BS 5837) to ensure their protection in line with the Standing Advice and in line with the guidance on our representations. They should also be considered a priority for enhancement as part of biodiversity gains and landscape design – for example, this could be achieved through good practice management and maintenance and creation/enhancement of connected habitat with the wider landscape.

Protected species and irreplaceable habitat

The presence of assemblages of bat species and Natural England's concerns regarding impacts on these add to the need for more effective buffering, improved connectivity and landscape design that avoid impacts on AW/AVTs and the bat species that are likely to form an integral part of these irreplaceable habitats.

European Protected Species often form an important part of an ancient woodland's ecosystem. AW/AVTs are often uniquely placed to support an array of species that can be very difficult to replicate. Woodland specialists, such as bats, using the woodland are likely to rely on woodland edges and the connected landscape including open areas and hedgerows for foraging and movement between other habitats in the local area. Development between woodland blocks or close to woodland edges can remove suitable foraging habitat and commuting routes.

Bigger and more site-specific buffers can support biodiversity which are designed for the needs of the species present on site. For example, bechstein's bats are known to use open areas, woodland edges and hedgerows/tree lines that can go well beyond a 15m buffer. Mitigation measures for avoiding impacts on AW/AVTs, including buffering, can be designed to complement the measures required to avoid other impacts including to bats.

We recommend incorporating buffering and landscape design that supports roosting, commuting and foraging opportunities throughout the site, with suitable long-term management in line with good practice and according to site surveys and advice from a suitably qualified ecologist and in agreement with Natural England.

Horizontal Direct Drilling

We accept the principle of Horizontal Direct Drilling underneath ancient woodland compared to more harmful methods where suitable evidence demonstrates that this is feasible and will not result in loss or deterioration of ancient woodland, and where all viable alternatives have been exhausted including moving the route away from ancient woodland. This may require ground surveys / geomorphological surveys and ground-truthing to ensure the chosen method will be viable and effective for ruling out impacts. We advise that this be robustly demonstrated before loss or deterioration is considered avoided.

Item 2: ***We would expect the amount of woodland creation being proposed for a project of this scale to be larger considering Government targets and policy regarding tree canopy cover.*** *This could also help to integrate the development into the landscape and avoid impacts referred to in Item 1.*

We believe there are other improvements to optimise the biodiversity and landscape design which should be explored for a project of national significance like this.

EN-1 Overarching National Policy Statement for Energy Section 4.3.20 states:

> *"The Government has set 13 legally binding targets for England under the Environment Act 2021, covering the areas of: biodiversity; air quality; water; resource efficiency and waste reduction; tree and woodland cover; and Marine Protected Areas. Meeting the legally binding targets will be a shared endeavour that will require a whole of government approach to delivery. The Secretary of State have regard to the ambitions, goals and targets set out in the Government's Environmental Improvement Plan 2023 for improving the natural environment and heritage. This includes having regard to the achievement of statutory targets set under the Environment Act."*

We welcome the project's premise to provide woodland creation and an overall gain in hedgerow creation/enhancement as part of delivering biodiversity net gain.

However, the proposed woodland created for this project (less than 5 Ha) represents a small proportion of the whole site (approximately 0.35%). The areas of woodland creation proposed also appear to be very small and limited to narrow strips spread across the site. To put this in context, for other NSIPs we have advised creating individual woodlands of at least 5 Ha on their own. Marginal and narrow areas of tree

planting and woodland creation are welcome and can provide significant benefits (including screening and habitat connectivity). However, they do not provide the same extent of benefits that significant areas of woodland creation can and it is not clear how the woodland proposed meets Government's definition of woodland set out here: Definition of trees and woodland - GOV.UK which states

> *'We will typically apply the following interpretation. To be considered "woodland", the site must meet all the following:*
>
> - *a minimum area of 0.5ha*
> - *a minimum width of 20m*
> - *a potential tree canopy cover of at least 20%*
> - *a canopy consisting of specimens that meet the definition of trees (see Section 3)'*

We advise that higher amounts of woodland creation that meet the above definition, and overall canopy cover gain (including from trees outside woodland) would be more proportionate to the scale of the project considering Government targets mentioned above. This could also contribute to avoiding impacts referred to in Item 1 where woodland/tree planting also supports improved buffering and improved ecological connectivity.

Existing woodland improvement

We encourage the improvement of existing woodland condition as an effective way to achieve biodiversity gains using habitats that are already well established, especially where this can support ancient woodland condition given its high ecological value potential as an irreplaceable habitat.

3. Follow good practice regarding tree and woodland design, establishment and management, including for ways to ensure this is landscape-led, delivered effectively so that trees survive and thrive in the face of future threats from climate change and pests and diseases.

As the Government's forestry experts, we can provide more advice to help the applicant ensure that the right trees are planted in the right places and for the right reasons.

Important guidance regarding good design and establishment of trees and woodland as part of development is outlined below:

- Land-use and project design in keeping with local strategies and priorities including the emerging Oxfordshire Local Nature Recovery Strategy and the Curlew Recovery project.
- Follow UK Forestry Standard. Eg UKFS Landscape & Woodland Design section. The Landscape Character Appraisal Advice Note woodland design process. Landscape Context Analysis can help to create woodland/landscape design that enhances spirit of place, local distinctiveness, creates unity and landscape fit alongside other woodland design principles in UKFS.
- Ensure species are well-suited to local soil and climate
    - Check that species are all well-suited to future climate for the site location (using Ecological Site Classification)
    - Plant in well-matched mixtures (use Forest Development Types to guide) rather than 'cookie-cutter' schemes
    - While native species are likely to be the most appropriate the use of a small percentage of naturalised, near native species can also be acceptable where they will increase habitat heterogeneity

- Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: https://www.gov.uk/government/collections/tree-pests-and-diseases with suspected pests or diseases reported TreeAlert - Forest Research. Eg Plant Healthy Stock Welcome to Plant Healthy - Plant Healthy / Plant Health Management Standard (planthealthy.org.uk)
- Good deer and squirrel management: Woodland creation and mitigating the impacts of deer - GOV.UK
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- Retain deadwood on site

Comprehensive guidance is available here: Tree planting and woodland creation resources - GOV.UK