



## Planning: Woodlands

There are concerns that changes to planning regulations could lead to damage to ancient woodland although the government has stated that it is committed to protecting, improving and expanding our public and private woodlands. The [National Planning Policy Framework](#) states that 'planning permission should be refused for development resulting 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 need for, and benefits of, the development in that location clearly outweigh the loss'.

Lists and maps of ancient woodlands can be found on Natural England's lists and registers page: [Ancient Woodland Inventories](#). Naturenet has produced some [best practice guidelines](#) for taking trees into account when making planning applications. Woodlands has produced [a guide](#) to regulations affecting development within woodlands.

### Woodland management & tree felling

Much of our country was once covered in trees so woodlands are particularly important for our native wildlife. Many rare species are found in woodlands. Forests or woodlands have been managed by people for hundreds of years and [traditional forms of management](#) can greatly enhance their value for wildlife. Forests and woodlands also provide us with products such as fuel and wood for use in our daily lives and are part of the solution to climate change.

Forest and woodland management often involves tree felling. Before trees can be felled, a [felling licence](#) is likely to be needed from the Forestry Commission. A

felling licence usually includes restocking conditions, meaning that the felled area must be restocked and the newly planted trees maintained for up to ten years. However a felling licence for thinning trees can be obtained without any restocking condition.

The Forestry Commission can also give [advice on tree felling](#), and how to apply for a licence and when a licence may be needed. Unless woodland is covered by a Tree Preservation Order, or lies in a Site of Special Scientific Interest, the Forestry Commission rules allow most routine cutting. A licence is not needed for felling up to five cubic metres of timber in any calendar quarter when not more than two cubic metres is sold. Also, certain types of work or felling do not require permission:

- Lopping and topping trees
- Felling fruit trees or trees growing in a garden, churchyard or designated public open space
- Felling trees as part of an approved dedication plan

### Advice on woodland management

The following organizations can provide advice on woodland management for landowners: [Forestry Commission](#) and [Small Woods Association](#).



Acorn on an oak tree - Credit: Philip Precey



## Legal protection of trees & woodlands

Some types of forest are protected under the Habitats Directive, and ancient trees, home to many rare species of wildlife, have some legal protection, although concerns have been raised about the lack of legal protection given to ancient woodlands. The Forestry Commission has produced a guide to safeguarding European protected species found in woodlands.

## Reporting illegal or damaging tree felling

If the felling of trees is taking place and it is possible that the landowner may not have permission to conduct the felling, the first course of action is to contact the Forestry Commission. If no licence has been issued, the Forestry Commission has the power to impose a financial penalty and require the landowner to replant the trees.

## Felling a small number of trees

If the number of trees or area of woodland to be felled is not large enough to qualify for a felling licence the trees may be covered by a Tree Preservation Order. Single trees are unlikely to have little legal protection unless they are under a Tree Preservation Order [TPO] or grow in a



Winter trees - Credit Stuart Peck

Conservation Area. The local Planning Authority can be contacted to find out whether particular trees or woodland have any form of protection. If the trees are protected, written permission is needed to remove them, or to carry out any tree surgery. If trees are removed or work carried out without permission, the local authority has a right to prosecute the offender.

## Tree Preservation Order

It is possible to request a local authority to place a Tree Preservation Order on a particular tree or group of trees. Any trees proposed for a TPO should be visible from a public place (e.g. a road or footpath). Tree Preservation Orders offer the strongest protection but can be complicated. In England and Wales Tree Preservation Orders: a guide to good practice explains how preservation orders are used.

## Further information

For more planning documents visit [www.ywt.org.uk/we-defend-wildlife](http://www.ywt.org.uk/we-defend-wildlife) or call 01904 659570.



Common beech - Credit Elliott Neep (www.elliottneep.com)