

Our ref: 1006596/AB/0017 let NE

01 May 2024

Hayley Fleming / Marc Turner
Natural England
Level 0
County Hall
Spetchley Road
Worcester
WR5 2NP

c/o Aspect Ecology Ltd
West Court
Hardwick Business Park
Noral Way
Banbury
Oxfordshire
OX16 2AF

t: 01295 276066
e: info@sylvan-consulting.com
w: www.sylvan-consulting.com

Sent By E-Mail Only

Dear Hayley / Marc,

ORCHARD FARM, PERSHORE – APPROACH TO MITIGATION RE: TIDDESLEY WOOD SSSI

Many thanks for your time at our recent meeting of 19 April 2024 and for facilitating the attendance of the Wildlife Trust as reserve managers. I attach the minutes of the meeting for your file. The purpose of the meeting was to follow from previous constructive correspondence with Natural England following your original consultation response of 30 November 2023. The meeting particularly took into account the new information in respect of existing path serviceability which has informed the production of an updated mitigation package, as communicated in Sylvan's discussion note TN06 dated 18 April 2024.

We would be grateful if Natural England could confirm that, following the submission of this further information:

- a. it is your view that appropriate mitigation solutions are indeed available, and
- b. that the next steps are to undertake further work to define and refine these.

These steps were discussed in part at our meeting of 19 April 2024, with a number of actions arising from the discussion. Following this meeting, we set out below further information accordingly, namely in respect of:

- Relevant Case Studies
- Alternative Green Space Provision
- Links to offsite PROWs
- Visitor Access Management - Further Mitigation Measures
- Funding of visitor access management measures

Case Studies

The value of case studies was discussed at our meeting so that proof-of-concept and learnings from other sites could be referenced to. In this regard, we attach a Portfolio of some 22 Case Studies for review. The portfolio is divided into three sections, namely:

- a. SSSI ancient woodlands and associated development
- b. Other ancient woodlands and associated development
- c. Ancient woodlands utilised as SANG

These case studies illustrate where decision makers have been satisfied with mitigation measures put forward to safeguard (and very often enhance) ancient woodlands and development has subsequently been permitted.

We would particularly draw attention to the following 3 ancient woodland case studies, which like Tiddesley Wood are all located on clay soils. This detail is of particular relevance because a component of the ground damage at Tiddesley Wood derives from the inherently poor drainage of its clay soil. Thus, this subset of 3 case studies illustrates that the use of modern visitor access management measures has facilitated a win/win situation, where people are able to successfully access and experience ancient woodlands (in line with Government policy, see reference 10), while simultaneously increasing the nature conservation value of the woodlands concerned, despite the more challenging soil type.

- *Howe Park Wood SSSI ancient woodland, Milton Keynes (24.19ha)*. In common with Tiddesley Wood, Howe Park Wood, 'the wood is situated on heavy poorly drained calcareous boulder clays'¹. It is served by two car parks and it is widely promoted to visitors online and by other means, with amenities on the site including a café and toilets. It is surrounded on all sides by development which is only moderately buffered². The woodland is well managed with visitor access management forming a dedicated component of the management plan³. Reference to Natural England's SSSI condition assessment finds that the SSSI is recorded as 'favourable' in its entirety while 'pressures' recorded are 'nil'.
- *Wykery Copse SSSI ancient woodland, Bracknell (3.2ha)*. In common with Tiddesley Wood, Wykery Wood grows 'on London Clay'⁴. The wood is promoted to visitors⁵, surrounded on all sides by development and is only moderately buffered⁶. The woodland is well managed with visitor access management and education forming a focus of the management plan⁷. Reference to Natural England's SSSI condition assessment finds that it is all recorded as 'favourable' while 'pressures' recorded are 'nil'.
- *Lindford Wood, ancient woodland, Milton Keynes (35.1ha)*. In common with Tiddesley Wood, Lindford Wood grows on clay soils. The wood is promoted to visitors⁸, surrounded on all sides by development which is only moderately buffered⁹. The woodland is well managed with visitor access management forming a dedicated component of the management plan¹⁰. As the wood is not a SSSI, a formal condition assessment is not available. However, from personal experience of the woodland and reference to its management plan, its condition can be viewed as favourable throughout.

¹ Howe Park Wood SSSI citation <https://designatedsites.naturalengland.org.uk/PDFsForWeb/Citation/1006067.pdf>

² The buffers are substantially less than those proposed for Tiddesley Wood at typically 5m to residential areas on western boundary; 12-15m to residential areas on southern boundary incorporating 'redway' (wider in some places associated with POS); ~50m to NE (road), containing 'redways'

³ Howe Park Wood SSSI Management Plan <https://www.theparkstrust.com/media/3494/h-p-wood-mngt-plan-13-nov15.pdf>

⁴ Wykery Wood SSSI citation <https://designatedsites.naturalengland.org.uk/PDFsForWeb/Citation/1004173.pdf>

⁵ Online promotion <https://www.bracknell-forest.gov.uk/parks-and-countryside/parks-visit/wykery-copse>

⁶ The buffers are substantially less than those proposed for Tiddesley Wood at typically 20m buffer zones to residential development on W,N and E sides (includes public paths); ~ 3m to a road to the road on the southern boundary

⁷ Woodland Management Plan. Bloor Homes. 2011

⁸ Online promotion <https://www.theparkstrust.com/parks/linford-wood/>

⁹ The buffers are substantially less than those proposed for Tiddesley Wood at 0-25m to industrial areas on western boundary; ~20m to industrial areas on eastern boundary (includes 'redways')

¹⁰ Linford Wood Management Plan <https://www.theparkstrust.com/media/2458/linford-wood-management-plan-july-2014-hires.pdf>

Outcomes reported in Case Studies

These case studies represent examples of ancient woodlands on analogous soils to Tiddesley Wood. However, unlike Tiddesley Wood they are all in favourable condition and do not record public access as a 'pressure' or issue of concern, as the visitor access management measures employed effectively manage footfall into the woodlands. This is in contrast to the baseline condition at Tiddesley Wood where a pre-existing issue of deterioration arising from visitor access remains to be addressed. In particular, it is highlighted that these successful outcomes have been achieved:

- in woodlands all of which are smaller (and thus inherently more vulnerable) than Tiddesley Wood (80.86ha in size);
- in woodlands which are completely surrounded by development, which is by no means the outcome of the proposal in respect of Tiddesley Wood;
- with the use of much smaller buffers (typically no more than 20m) to the woodlands, compared to those proposed at Tiddesley Wood;
- with the provision of no or much reduced associated public green space;
- with the provision of no or much shorter alternative circuitous walks.

The case studies illustrate that with the use of effective visitor access management, existing issues arising from public access are capable of being resolved, as well as providing ample headroom for the woodlands to receive additional visitors. We would refer to the enclosed Portfolio of Case Studies which provides a range of other examples (in addition to the 3). In particular, in all cases of SANG, Natural England has been directly consulted and agreed to the use of ancient woodland within SANG, with the beneficial outcomes achieved for both woodland conservation and access to nature for people achieved. This is likewise the case for SSSIs.

This is important as government national policy, set out in Keepers of Time 2022¹¹, encourages contact with nature:

- *“Our strategic objective is to support ancient and native woodlands and trees to increase their contribution to our health and wellbeing;*
- *We encourage the responsible use of these habitats, especially those woodlands **close to where people live**;*
- *increase the number of people who have access to an ancient or native woodland **near to where they live**” (our emphasis).*

In setting this policy, Keepers of Time highlights that *“Sensitive habitats, such as ancient woodlands, can suffer when people use them excessively for recreation or inappropriate activities and access is not managed appropriately”*. Hence, appropriate visitor access management is important. Keepers of Time goes on to note *“Society benefits from having access to, and recreational use of habitats such as ancient woodland. This high-quality environment stimulates interest in nature as well as offering health and wellbeing benefits, but access needs to be managed appropriately”*.

Alternative Greenspace Provision

The provision of alternative greenspace is an established mitigation measure utilised to offset effects on ecological designations¹². This functions particularly effectively when it is located between the

¹¹ Keepers of time: ancient and native woodland and trees policy in England. Government's statement on England's ancient and native woodland and ancient and veteran trees. May 2022

¹² Greenspace provision is recognised by Worcestershire Wildlife Trust as effective mitigation in respect of Tiddesley Wood SSSI in their response to Planning Application W/24/00270/FUL

development site and the designation. An onerous standard is applied when using this as mitigation in respect of European designations (SAC/SPAs), at a standard of 8ha/1000 residents.

Tiddesley Wood does not carry an SAC/SPA designation and accordingly would not be held to this standard. Nonetheless, applying this as a reference, the greenspace provision at the site is as follows:

- Total site area 26.7ha;
- On site public open space 15.9ha (60% of site);
- Applying the reference of the SANG standard, at 300 units (720 occupants), some 5.6ha of SANG would be required. The greenspace onsite therefore exceeds this standard by 2.8 times;
- An onsite round walk of 1.85km is provided, albeit this could be extended if felt desirable.

This is illustrated on the attached Plan 6596/REC1 Plan of On-site POS / Recreational Capacity.

Links to offsite PROWs

On-site recreational opportunities link to a network of PROWs, which provide longer opportunities. These are illustrated on the attached Plan 6596/REC2 'Plan of Off-site Walking Opportunities'. Some four routes are available namely:

- Circular walks along Bow Brook and west towards Besford Court (both utilise Millennium Way through Tiddesley Woods)
- Short riverside walk utilising broad verges south of Defford Road and riverside footpaths
- Longer riverside walk
- Longer Town and Country circular walk through Pershore and along the river

These opportunities could be presented and promoted in a Home Owners Information Pack which could serve to inform local residents as to the special place that is Tiddesley Wood and that they should seek to use it sensitively and as an alternative utilise other PROWs in the area.

The Pack could also be used as an opportunity to promote membership of the Wildlife Trust and voluntary opportunities to take part in community woodland management activities and work parties. The aim would be to seek to foster a sense of local ownership of the woodland and for local residents to become custodians and promoters of woodland nature conservation.

To promote access to walks to the west, the upgrade and way marking of the Millennium Way through Tiddesley Woods could be desirable.

Visitor Access Management - Further Mitigation Measures

Our meeting of 19 April 2024 was informed by TN06 'Tiddesley Woods SSSI: Discussion Note - Summary of Proposed and Additional Mitigation'. This set out a number of core visitor access management measures that would be appropriate to consider utilising at Tiddesley Wood. These would address the pre-existing issues arising from recreational use and which would also provide increased headroom to accommodate further use by visitors. During the discussion a number of other measures were identified for consideration including:

- Infrastructure e.g. dog bins limited to periphery / entry points (emptying of dog bins on the site/ woodland entry points would be the responsibility of the management company);
- Increased way-marking;

- Use of log edging to pathways to delineate routes and reduce adverse effects occurring from widening;
- Treatment of Millenium Way PROW and the entry point from the site, to improve and delineate pathway to avoid adverse effects from widening;
- Use of ditches to discourage formation of other pathways and maintain a drier nature to existing paths;
- The closure of car parking on a number of days / temporary basis;
- Funding to provide tools and machinery to facilitate management of the woodland by volunteers from the new development, which in turn would foster a sense of ownership and custodianship for the woodland;
- Provision of a Home Owners Pack to explain the special nature of Tiddesley Wood and its sensitives and the alternative greenspace options and walking routes available in the area;
- Wardening to, amongst other things, provide an early warning of excessive path damage and enable timely response.

The proper test of an adverse effect on a nature conservation site, in this case including deterioration of ancient woodland, is whether the site would be in better condition after development, compared to before. An updated list of mitigation measures is enclosed with this correspondence, the aim of which is to ensure, in line with the suite of case studies, that no such adverse outcome would occur here. Indeed, we are strongly of the view that the net effect of the proposals, including mitigation, would be positive, with the existing deterioration being replaced by enhancement.

Funding of visitor access management measures

The funding of visitor access management measures was discussed at our meeting with an available source being that of the proposals. Such funds can be made available where they meet the tests set out in Reg 122 of the CIL Regulations, namely where it is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development.

In this regard, it is relevant to take into account that there is a pre-existing issue of visitor usage of the woodland and that this would be addressed as part of any solution as well as providing further headroom at the woodland to receive additional visitors.

In examining any funding requirement, it would also be relevant to take account of funds which may be accessible from other development proposals such as Hollway (planning ref W/24/00270/FUL) and how these could be made best use of over the long term e.g. by facilitating and leveraging community interest and volunteering opportunities.

There are a large number of examples of how funding has been secured which has facilitated visitor access management and enhancements to woodland management and condition. Indeed, all of the ancient woodland SANG examples at section 4 of the enclosed Portfolio of Case Studies are in receipt of long term funding which has been secured as part of the consent process for the schemes. Mechanisms to achieve this vary and include S106 contributions or funding sources from a management company which collects annual contributions from residents or from houses or commercial buildings e.g. shops that provide an ongoing rental return.

Conclusion

We trust that the discussion at our recent meeting and the provision of this further information evidences that appropriate mitigation solutions are available and that the next steps are to undertake further work to define and refine these. Once you have reviewed the above and associated enclosures, we would be pleased to receive Natural England's updated consultation response and invite you to concur with this view. We would also be pleased to receive your availability for a follow up meeting with yourselves and WWT to take forward the discussion based on the work attached and currently being undertaken.

Yours sincerely



Alistair Baxter



Julian Forbes-Laird

Enclosures

- Minutes of the meeting of 19 April 2024
- Portfolio of Case Studies
- Plan 6596/REC1 Plan of On-site POS / Recreational Capacity
- Plan 6596/REC2 'Plan of Off-site Walking Opportunities'
- Visitor Access Management – List of Options for Further Mitigation Measures