

EIA Opinion

Afforestation at Wall Shield, Northumberland.

1 Purpose and Findings

This document explains why the initial afforestation at the above site (shown in Map 1) is a relevant project under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999 ([Statutory Instrument 1999:2228](#)) (the EIA Regulations).

The Forestry Commission (FC) has considered the afforestation project at Wall Shield and on the basis of the revised proposals is of the view the project will not have a significant impact on the environment and would therefore not require the FC's consent under the EIA Regulations. This document sets out the reasons for our decision and provides the context and response to the issues identified in the screening process.

2 Background to the EIA Regulations

The EIA Regulations are a UK expression of European legislation and ensure that deforestation, initial afforestation and the creation of forest roads and/or forest quarries are appropriate and that impacts on the environment are considered before work starts. These regulations operate independently to the English Woodland Grant Scheme.

The Forestry Commission (FC) must provide an *opinion* on any proposal which meets the criteria in table 1. This *opinion* determines whether the project requires the FC's consent. In exceptional cases the EIA Regulations allow the FC to give an *opinion* that consent is required when the proposal covers an area that is less than the relevant threshold.

Table 1: Thresholds to identify projects requiring EIA Opinion

| Proposal | Threshold if ANY PART of the proposal is in a sensitive area | Threshold where NO PART of the proposal is in a sensitive area |
|---|--|--|
| Initial afforestation / New tree planting | 2 hectares where the land is in a National park or AONB. No threshold applies for other sensitive areas | 5 hectares |
| Deforestation / Removal of trees and scrub to create open habitat. | 0.5 hectares where in a National park or AONB. All projects in other sensitive areas. | 1 hectare |
| Forest Roads | All projects | 1 hectare |
| Forest quarries | All projects | 1 hectare |

To reach an opinion the proposals go through a *screening* stage where FC gather any relevant information to make an opinion. There are no statutory consultees in this process but the FC typically seek the views of key stakeholders, usually combining this with any consultation required for an associated felling permission or supporting grant scheme.

If the FC's *opinion* is that the proposal will have a significant impact(s) on the environment FC must then *determine* whether consent can be given for the work. Any consent may include conditions to mitigate an impact's affects.

In cases where the FC has identified that a proposal *will* have a significant impact an Environment Statement is required to inform the determination process. This document must objectively analyse the impacts the proposal will have and provide FC with the information needed to make the *determination*. The Environmental Statement is subject to (several rounds of) consultation to ensure the FC's final decision accounts for expert opinion and the views of parties who would be affected by the proposal.

3 Outline of work

In 21st August 2013 FC accepted an application (FC Ref. 33831) for grant aid to create a 77 hectare woodland at Wall Shield in Northumberland (at National Grid Ref.: NY706713 - see Map 1).

The site is located within the Northumberland National Park and the Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Site (WHS) buffer zone. It lies 3km north of Hadrian's Wall and 0.8 km from the southern boundary of Wark Forest – an extensive conifer plantation which makes up the southern part of the Kielder Forest managed by Forest Enterprise. The nearest properties are the Wall Sheild and Whiteside farmsteads to the west of the main planting and Scotchcoulard which include holiday properties to the north. The site is mainly semi-improved land open to grazing and around 60% of the site, mainly to the site's eastern side is a reclaimed open cast coal mine.

The initial application was for 77 hectares of conifer, with Sitka spruce as the main species (60%) but with Scots pine and Norway spruce to also be planted. Over the course of the EIA screening and grant consultation process the applicant has modified the proposals to address concerns raised by stakeholders. The current proposal is to now create 42.87 hectares of woodland by planting 31.49 hectares of conifer and planting or maintaining 11.38 hectares of broadleaf / open space.

4 Screening Process

The proposal is relevant under the EIA regulations as initial afforestation which also exceeds the two hectare threshold for initial afforestation in a National Park (see table 1). As a result FC is required to make a decision whether the project will have a significant impact(s) on the environment. When FC receives a grant application for initial afforestation it is screened so that FC can provide an EIA Opinion. This Opinion is given under the FC's "own motion" rather than at the request of the applicant.

As part of the screening process undertaken to consider the proposal's impacts FC has consulted with a number of interested parties to gather their views a screening meeting was held on the 11th October 2013.

Stakeholders invited to comment or who made comment through this process were:

- Northumberland National Park Authority
- Royal Society for the Protection of Birds
- Natural England
- English Heritage
- Environment Agency
- Henshaw Parish Council
- Councillor Alan Sharp (Northumberland County Council & Northumberland National Park Authority Member).
- A neighbouring land owner.
- Ramblers Association.
- The Local Access Forum.

A summary of the comments along with our views in relation to each point are provided in Appendix 2 (Issues Log). A record of the meeting is presented as Appendix 3 (Record of Screening Meeting).

5 The Proposal's Environmental Impacts

The screening process identified the impacts discussed in this section.

5.1 Landscape and Visual Impact

To address the concerns about landscape and visual impacts an independent Landscape and Visual Impact Assessment (LVIA) was commissioned. This considered the proposal's impact on landscape within eight kilometres of the proposal site and the visual impact from 13 view points identified in conjunction with the National Park Authority (NPA).

5.1.1 Landscape

The LVIA considered the impacts on two Landscape Character Types and three Landscape Character Areas (LCA) that lie within the study area.

5.1.1.1 Landscape Character Type 14: 'Parallel Ridges and Commons'

Key characteristics of this landscape include: dramatic rock outcrops, open moorland, peat bog, improved pastures and commons and loughs, limited tree cover of small broadleaved copses and blocks of coniferous plantation and the area's significance for outdoor recreation.

The proposals lie within two Landscape Character Areas (LCAs) within this Landscape Character Type:

- 14a: Thirlwall Common – the proposals lies within this LCA.
- 14b: Haltwhistle, Melkridge and Ridley Commons – to the north and north west of the proposals.

Both of these LCAs are predominantly open landscapes. The historic use of the eastern side of the Thirlwall Common LCA - around the planting site - has resulted in a slightly different nature. Here farming, small scale forestry and open cast mining has resulted in "a darker green and more cultivated appearance than the lighter boggy rough grassland which covers the upper areas of the common" and the presence of small forestry plantations.

Both LCAs were considered to be highly sensitive due to the features of landscape value they contain (location in a National Park and World Heritage Site buffer zone, and proximity to Public Rights of Way, SSSI and SAC). However, the magnitude of change was considered to be medium due to the nature, size and location of the proposed planting, its proximity to the Moorland Forestry Mosaic Landscape Type (of which expansive forestry is a feature) and the existing small to medium sized forestry plantations in the immediate area. In light of this despite, the LCA's high sensitivity the LVIA concluded the significance on these LCAs was moderate rather than significant. The overall conclusions of the LVIA were that the proposal would not give rise to significant landscape and visual effects.

5.1.1.2 Landscape Type 6: 'Moorland Forestry Mosaic'

This landscape type lies to the north of the site and with key characteristics that recognise its mixture of large-scale coniferous plantation, open grass and heather moorlands and mires and that it is dynamic with significant areas subject to ongoing tree felling and restocking.

More specifically the Kielder, Wark and Redesdale Forest LCA (6a) lies within the study area. This comprises the large expanses of dense conifer plantation. This LCA recognises in particular that the current structure of Wark Forest has limited sensitivity to topography, burns and edges (in contrast to Kielder and Redesdale Forest).

This LCA was considered of lesser – medium – sensitivity to the others. While the land was still part of the National Park and was appreciated by national and local receptors, large expanses of this LCA are already subject to continual change due to forestry and recreational activity. The magnitude of the proposals' impact was limited by the expansive forestry that is already a feature of this LCA and as a result the impact on this LCA was considered to be moderate/minor.

5.1.2 Visual Impact

The proposal's visual impact was considered by assessing the likely impacts of the plantation at maturity (a tree height of 22 metres) from 13 views points. These view points were selected, guided by NNPA, as those of key concern due to their location along public rights of way and the views over the National Park landscape and from and to Hadrian's Wall. The LVIA considered each view point's visual sensitivity and the magnitude of change the proposals would result in, the change's significance and proposed mitigation measures.

While the visual assessment identified that some view points have a high sensitivity (being appreciated by visitors to the National Park and users of the Public Rights of Way/ Hadrian Wall/Pennine Way trails) the proposals highest level of impact was considered to be only moderate because either:

- Landform screened the proposals,
- Plantation forestry was already present in the wider view,
- The planting design would use broadleaved trees to soften the plantation edges, or;
- The plantation would not occupy the entire view.

One specific visual impact raised as a concern at the screening meeting was that views of the Craggs from Scothcoulard would be screened off by the proposals. While an existing forestry plantation current sits between Scothcoulard and the craggs the applicant is prepared to modify the planting proposal to pull the new planting back from the craggs.

5.1.3 Mitigation

The LVIA suggested further broadleaved planting but recognises that the planting design has already been subject to considerable change to reduce its size (77 to 42.87 hectares) in order to maintain a degree of visual separation with the existing forestry to the north east, keep views to the craggs open and improve its 'fit' with the existing adjacent forestry plantations.

Deciduous tree planting, shrubs and open ground have been incorporated into the planting design to minimise the impact on views across the landscape from rights of way close to the edge of the proposed plantation and improve the plantation's visual appearance.

5.1.4 FC Analysis

The FC's own landscape architect reviewed the LVIA and concluded the study had been made following established best practice. Based on the information it presented along with his own judgement concluded the proposals would not have a significant impact:

- The nature of the proposal is rural and the setting has an extensive backdrop of forestry. The proposal aligns and integrates with this existing landscape and creates a linkage particularly when viewed from the Hadrian's Wall.
- The rolling topography facilitates the integration of the new woodland within the landscape - from no viewpoint can the entire forest be seen at once which significantly reduces visual intrusion.
- Within the Thirlwall Common LCA there is a distinct boundary between the more open westerly Common and the area with forestry blocks and previous land uses to the east of the Tipalt Burn. The application is within this eastern portion where it can be successfully integrated.
- The LVIA process is iterative and the application has been fine tuned to further assist landscape integration by ensuring softer graduated forest edges from scrub, broad leaves to a textural blend of three species of conifer. This detailed consideration will aid the visual and ecological assimilation of the forest into the surrounding environment.
- The application should be seen in the context of landscape change across the visual watershed. Much of the forestry backdrop is due for felling and replanting in accordance with UKFS guidelines and some areas will be permanently kept open in line with open space policy and restoration of biodiversity habitats.

5.2 Ecology

NNPA, RSPB and NE all raised concerns that the proposals would have a detrimental impact on waders and ground nesting birds such as curlew, lapwing, redshank, snipe and yellow wag tail by reducing land available for nesting and foraging and providing habitat for predators.

FC consider that the close proximity of the planting proposal to Wark Forest and the existing presence of several small woodland areas in the immediate vicinity of the planting scheme undermines any conclusion that the proposals will result in a significant impact on birds by increasing predation. Proposals to restore areas of open habitat within and on the edge of Wark Forest will also help to offset any increase in habitat for predators. Assessment of the current Wark Forest Design plan indicates that 108ha of open space will be created along the southern edge of Wark Forest during the plan period. This would more than offset the increase in woodland cover delivered by this scheme.

To support concerns about the loss of habitat (in March 2014) NNPA provided information on ground nesting bird activity derived from the Bird Conservation Targeting Project. This shows that the site is within a zone where four of the bird species listed above have been seen. Bird Atlas data for this area also lists lapwing, snipe, redshank and curlew breeding in NY77(A) and NY76(E), which corresponds with this survey data. Data collected to support an HLS application on adjacent land (Higher Edges green) indicates snipe are present in the area.

This data shows the site is within the area used by these species, though it did not identify the extent to which this proposed planting site is used.

Data from the Bird Conservation Targeting Project has been used to target agri-environment and woodland grants for bird conservation and is a useful indicative tool for that purpose. However, FC would require data on specific species use of the site to justify a requirement for a site survey or to conclude an Environmental Statement was required.

RSPB and NE were concerned that the tree planting had the potential to detrimentally affect Higher Level Stewardship (HLS) options recently put in place on adjacent land (Higher Edges Green) to benefit ground nesting and wading birds through the spread of conifer seed. This concern has been addressed to Natural England's satisfaction (e-mail of 4th December 2013) by the revised planting design which has pulled the tree planting back from the border with Higher Edges Green leaving a buffer of open space around 300 metres wide.

While the proposal will remove habitat used by ground nesting and wading birds, on balance FC do not believe the proposal will have a significant impact on such species. Significant areas of suitable open habitat will remain in the immediate area, much of which is subject to HLS options to support these birds. The planting proposal has been reduced to safeguard land known and managed for these species (the HLS land at Higher Edges Green). We understand HLS has operated on an invitation only basis for the last five years and while it is subject to stewardship options for the archaeological features (Rig and Furrow) the land has not been targeted for HLS on the basis of its ground nesting and wading birds while adjacent land has been. This, combined with the site's exclusion from land within the Moorland Line suggests the site has been considered differently and has limited potential for these bird species.

On balance, given the scale of the planting scheme in terms of the wider habitat that will remain available for ground nesting or wading birds and the mitigation put in place to safeguard the HSL options for these species on the adjacent land, FC do not consider the proposals will have significant impact on these birds.

We also note that the planting scheme itself is not without its own merits for bird species. The mixture of conifer and broadleaved planting has the potential to provide habitat for birds of conservation concern such as whinchat, merlin, short eared owl, hen harrier and black grouse. These species are also important ecologically. With regards to black grouse RSPB has identified the need to re-establish habitat connectivity for this species through Northumberland, and that Thirwall Common is a

potential target area for such action. On this site the changes to the planting design made by the applicant to increase the proportion of open space and broadleaved tree planting along the woodland edges will provide habitat for black grouse.

Concern was also raised that the proposals might impact on white clawed crayfish present in the Tipalt Burn. Checks with the Environment Agency (EA) have confirmed that white clawed crayfish are not present in Tipalt Burn. EA did however advise that sediment is not released into any watercourse and that the planting design includes open space alongside watercourses.

Riparian open space and broadleaved planting is part of the revised planting proposals and the applicant has confirmed their intention to comply with the UK Forestry Standard Forests and Water Guidelines which will ensure the Tipalt burn's water quality is maintained.

5.3 Water

Screening identified a concern that the afforestation would affect the two sources of spring water to Scotchcoulter, one of which is the sole supply of domestic water. Previous problems due to the existing plantation immediately to the south of Scotchcoulter were cited as evidence of this. Trees, especially conifers, can evaporate more water than grass and potentially reduce water supplies (see Forestry Commission Information Note 65 for more details).

To address this the applicant has modified the planting design to ensure no tree planting will take place on the slopes that run down to and form the catchment area and source of the two spring supplies. In light of this change and after checking with principle forest hydrologist in Forest Research, we have concluded that the proposals are unlikely to have a significant impact on the domestic and secondary water supplies.

5.4 Historic Environment

5.4.1 Setting of the Frontiers of the Roman Empire (Hadrian's Wall) WHS

English Heritage (EH) raised concerns that the proposed woodland would have an impact on the World Heritage Site (WHS). UNESCO documentation makes clear that setting plays a role in the appreciation and understanding of Roman Military planning and EH consider that reducing the landscape's openness would harm appreciation of the role the landscape north of the wall played in control of the area.

EH's screening response was that, the proposal was not desirable but, due to the landform and proximity of the site to the existing forest the harm the planting would cause to the WHS was (in National Planning Policy Framework terms) less than

substantial. Since the time of this comment in September 2013 the proposal has been reduced in area.

In light of this and the findings of the LVIA (the proposal's impacts on landscape and views to and from Hadrian's Wall were considerations of the LVIA) FC do not consider the proposals will cause substantial harm to the WHS and have therefore concluded that the scheme will not have a significant impact on the WHS. However, FC recognise that if this scheme goes ahead it represents the accrual of an undesirable land use in the WHS buffer zone and any cumulative impact would need to be considered for future schemes.

5.4.2 Archaeology

The proposals have been modified to ensure the known archaeological remains on the site (rig and furrow features subject to management under environmental stewardship options) are not planted. Beyond these remains FC is not aware of any known features of interest on the site, or within a 1km buffer and we have not been provided with any evidence of specific features of interest within the project area.

It is recognised that a significant proportion of the site is previously disturbed land (open cast mine) and the remainder is semi-improved grassland and so likely to have been ploughed and re-seeded. As a result of the previous land use and an examination of available archaeological data the site has low potential for significant remains.

The screening process has not identified any specific features of interest in the project area and therefore the proposed method of ground preparation - shallow ploughing (up to 30cm depth) - is considered acceptable. Otherwise the proposals will follow normal forestry practice as detailed in the UK Forestry Standard. This includes looking to minimise the soil disturbance necessary to secure the management objectives.

5.5 Access

Stakeholders including the Local Access Forum raised concerns that the proposals would have an impact on access by removing land subject to access rights as open land under the Countryside and Rights of Way Act 2000¹. However, FC are unable to conclude that loss of such access land will have a significant impact.

The immediate area is well served by Public Rights of Way (see Map 1) and there is a legal requirement that these remain unobstructed. Of these rights of way only one has a stretch which runs along the eastern edge of the revised planting design. There is no evidence to suggest the area of planting is used sufficiently by the public to

¹ It should be noted that the land will only cease to have status as open land under CROW 2000 when the access maps are reviewed and only then if the land was reclassified as woodland.

indicate a significant impact and feedback from the Ramblers Association was that they were content with the proposal.

In conclusion FC do not consider the potential future loss of the open access land to be a significant impact in light of the public rights of way that are present in the area and lack of evidence that the planting site is heavily used as such. Nevertheless FC would make the provision of permissive access through the site a requirement for the EIA opinion and EWGS grant agreement. The applicant has also agreed to provide permissive access which runs from east to west (linking areas of access land) as part of the scheme. While the burn (river) acts as a barrier to crossing the site east and west this is not an impact associated with the afforestation scheme.

5.6 Conclusions

FC consider that the screening has identified no compelling evidence to show the planting scheme's impacts will be significant. The proposal clearly lies in an important and sensitive landscape and the land owner has adjusted the scheme considerably to account for concerns about the landscape and visual impacts. An independent assessment into the landscape and visual impacts has concluded that the proposals will not have a significant impact visually or on the landscape and EH have accepted, while undesirable, the proposals will not cause significant harm to the setting of the Frontiers of the Roman Empire (Hadrian's Wall) WHS.

While the proposals will remove habitat from ground nesting and wading birds there is nothing to indicate the proposals will have a significant impact given:

- (a) The areas of open habitat in the immediate vicinity that will remain available after tree planting.
- (b) The existing presence of woodland in the immediate area which could already harbour predators.
- (c) The planting design has been modified to ensure the land subject to management for these birds will not be affected by the proposal.

The proposals have been modified to safeguard known archaeological features and there is nothing to suggest from the historic land use of the site other archaeological remains are present on the site. Concerns about water supply to neighbouring property have been addressed by modifying the planting design, pulling the tree planting back from the springs so that no trees will be planted on the slopes that run down to the spring.

Finally there is no evidence to show the likely long-term loss of this land as open access land will have a significant impact given the network of PROW that surround the site. The proposal is for a rural land use already present in the area in a rural setting. This, in conjunction with the LVIA's conclusion that the visual impact is no

more than moderate, provides no evidence that the proposals will significantly affect the area's tranquillity.

The EIA regulations require FC to decide whether the project's impacts will be significant in terms of:

- **The extent of the impact** – *the geographical area and size of the affected population*. This has been considered through the LVIA which has concluded the impacts are moderate rather than significant.
- **The trans-frontier nature of the impact**. While the Frontiers of the Roman Empire (Hadrian Wall) WHS is a transnational designation the impacts of this project will be limited to only the local area.
- **The magnitude and complexity of the impact** – *whether the impact is so substantial and or complex it therefore should be considered*. This is a relatively simple project which involves tree planting with its main impacts being on landscape and visual change. The LVIA considered the magnitude of these impacts, concluding they were not significant.
- **The probability of the impact**. The project will have impacts but there is no evidence to show that these will be significant.
- **The duration, frequency and reversibility of the impact**. We anticipate the project will represent a permanent land use change. We consider that its impacts will have permanent impacts visually, on the landscape and on the available habitat for ground nesting and wading birds (despite areas of the tree planting being harvested at different times). However, afforestation does not represent an irreversible land use change – it could be reverted to pasture subject to the relevant regulatory controls being addressed.

When these factors are considered the FC's Opinion is that the project will **not have a significant impact on the environment and it does not require our consent**.

5.7 Legal obligation to consider protected landscapes in reaching this Opinion

FC are required under the EIA regulations to decide whether the project's impacts will be significant. This decision is the FC's to make and there are no statutory consultees in the EIA screening process. However, in reaching this Opinion FC have considered our other duties.

These include having regard to the statutory purposes of Northumberland National Park to conserve and enhancing the special qualities of the area and promoting opportunities to enjoy it (required of the FC under section 11A(2) of the National Parks and Access to the Countryside Act 1949 as amended by Section 62(2) of the Environment Act 1995).

In this instance we have sought fulfil this duty by consulting the National Park Authority about the proposals. To address the concerns raised by the NPA and wider stakeholders about the proposals impacts the applicant agreed to modify the scheme considerably by reducing its area.

While FC felt this addressed the key concerns NNPA remained concerned that the proposals would have a significant visual and landscape impacts. To ensure these impacts were fully considered before reaching a final decision a Landscape and Visual Impact Assessment (LVIA) was undertaken. The NNPA were involved in defining the scope and approach to the LVIA to ensure it met their requirements.

We believe these steps have fulfilled the requirement to have regard to the National Park's protected landscape. However, while we respect the NPA's view on the proposals the conclusions of the LVIA (see section 5.1) lead us to the conclusion the visual and landscape impacts of this application are not significant.

6 Further information

For more information on the EIA regulations please see:

<http://www.forestry.gov.uk/forestry/INFD-6DFKBC>.

[http://www.forestry.gov.uk/pdf/wgseia.pdf/\\$FILE/wgseia.pdf](http://www.forestry.gov.uk/pdf/wgseia.pdf/$FILE/wgseia.pdf)