

# UK Forestry Standard for Planners

## Woodlands, trees and the Planning System in England

Decisions made through the planning system have a significant impact on our trees and woodland in England. The Town and Country Planning Act (1990) Section 197 places a duty on local planning authorities to '*ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees*'. Where woodland is created or managed through such conditions, the [UK Forestry Standard \(UKFS\)](#) can be applied to ensure sustainability.

The UKFS sets out the Government's approach to sustainable forestry. The UKFS can help inform planning decisions in the following ways:

- 1) Summarising the legislation which affects trees and woodlands (p24-25, "Forest Protection")
- 2) Clarifying the roles of Forestry Commission and Local Planning Authorities when dealing with woodland cases (p24-25)
- 3) Setting an appropriate standard for when woodland management or creation are to be covered by planning conditions or Section 106 agreements

This note highlights where planners can find this information in the UKFS.

### The UKFS

**The UKFS is the reference standard for sustainable forest management in the UK.** The UKFS, supported by its series of Guidelines, outlines the context for forestry in the UK, sets out the approach of the UK governments to sustainable forest management, defines standards and requirements, and provides a basis for regulation and monitoring.



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## Summary of legislation

The UKFS (p24-25) summarises the Forestry Act (1967) and its role in Forest protection. It also clarifies the interaction between Town and Country Planning Acts and forestry activities, stating that these Planning Acts only apply to situations where development is proposed on a woodland site. The UKFS requires compliance with all other relevant legislation.



## Summary of policy

The [National Planning Policy Framework \(2012\)](#) refers specifically to trees and woodlands in paragraph 118 (Ancient Woodland) and also Community Forests (paragraph 92). It refers to green infrastructure in a number of places. Trees and woodlands are key components of green infrastructure, and urban trees bring green infrastructure to peoples' doors.

The [Government's response to the Forestry Regulatory Taskforce \(2012\)](#) committed the Government to "Promote the UK Forestry Standard across Government as the consistent benchmark for sustainability in forestry"

The [Government's Forestry and Woodlands Policy Statement \(2013\)](#)

*"Protection of our trees, woods and forests, especially our ancient woodland, is our top priority"*

*"New and better managed woodland also has a role in making our rural and urban landscapes more resilient to the effects of climate change."*

*"Where appropriate the Community Infrastructure Levy and Section 106 agreements can fund green infrastructure, including trees and woodlands, in order to ensure development is sustainable"*

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## Summary of roles

The UKFS (p24-25) notes that Local Authorities can apply Tree Preservation Orders to protect trees that are important in the landscape. It also notes in which situations Environmental Impact Assessment (EIA) determinations occur through the Forestry Commission (afforestation, deforestation, construction of forest roads and quarries)., These may be in addition to EIAs under the Planning system if development is proposed.

The Forestry Commission is a statutory consultee for major infrastructure likely to affect the protection or expansion of forests and woodlands<sup>1</sup> and also conditions on the after-use of minerals sites for forestry<sup>2</sup>. It is also a non-statutory consultee on development affecting or within 500m of ancient woodland<sup>3</sup>.

## Woodland management and creation through the planning system



Areas of woodland may be material considerations in planning decisions. Management and creation of woodlands can be promoted through the planning system. If woodland is lost to development then consideration should be given to compensatory woodland creation elsewhere. There may also be opportunities to improve the management of remaining woodland.

Where the planning authority wishes to grant planning permission subject to conditions concerning woodland management or creation (for example as part of green infrastructure) the conditions could, where appropriate, require design and management according to the UK Forestry Standard. This is consistent with the Forestry Commission who, when giving permission for tree felling and woodland management check proposed activities against UKFS.

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<sup>1</sup> Section 42 of the Planning Act 2008 and The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

<sup>2</sup> Paragraph 4 of Schedule 5 of the Town and Country Planning Act 1990

<sup>3</sup> Table 2 of Appendix B of DOE Circular 9/95 as amended by DETR letter to Chief Planning Officers dated 15 March 1999

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UKFS includes guidance on how woodland management and creation can contribute to broader agendas:

- Requirements of forest management planning (p27, "Forest Management Plan")
- Management for biodiversity (p29, "Forests and Biodiversity")
- Climate change mitigation and adaptation (p31, "Forests and Climate Change")
- Protection of the historic environment (p32, "Forests and Historic Environment")
- Contributing positively to the landscape (p34, "Forests and Landscape")
- Woodlands for people, including access (p35, "Forests and People")
- Protecting soils (p40, "Forests and Soils")
- Protecting watercourses, including the Water Framework Directive (p42, "Forests and Water")
- Ensuring appropriate species mix and structure of woodlands (p54, "Forest Structure")
- Creating Forest Roads, including consulting local authorities (p58, "Harvesting Operations")
- Use of Timber in construction (p65, "Operational carbon footprint")

## Further good practice:

[Trees in the Townscape](#) - This sets out best practice principles for all local decision makers to ensure that urban trees effectively contribute economically, socially and environmentally to our towns and cities.

[The Case for Trees](#) - This showcases how trees can contribute to urban developments – tackling climate change, delivering an economic dividend and providing social benefits

[Right Trees for a Changing Climate](#) - This website helps you decide what trees are suitable to plant in urban areas in face of a changing climate

[Woodland for Water](#) - An evaluation of the key issues relating to woodland and the Water Framework Directive (WFD), recognising that the right tree planted in the right place can protect waters and help to meet the objectives of the WFD

[Slowing the Flow](#) - This case study explores a new approach to flood management in North Yorkshire, trying to store more water in the landscape and slow its passage downstream through targeted woodland creation and management within riparian zones.

[Natural England Standing Advice on Ancient Woodlands](#) - This document gives information on dealing with planning applications affecting ancient woodland, including definitions, how to identify and protect ancient woodland and case study examples of outcomes from planning inquiries

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