

**HEARTWOOD FOREST (EIA 017900181): NOTICE OF DECISION TO GRANT CONSENT  
UNDER THE ENVIRONMENTAL IMPACT ASSESSMENT  
(Forestry) (England and Wales) Regulations 1999**

**PURPOSE**

To explain the background to the Forestry Commission’s decision to grant consent (subject to conditions) to the above application.

**Legislative Background**

An application for consent was made to the Forestry Commission under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999 (“the EIA (Forestry) Regulations”). These Regulations prohibit the carrying out of any work or operations in relation to a “relevant project” unless consent has been obtained from the Forestry Commission. Afforestation may be a relevant project depending on scale, location and sensitivity of site.

**Application Details - Environmental Statement**

The Forestry Commission first considered the Heartwood afforestation proposal project at Sandridge nr St Albans Hertfordshire 2008.

<b>Date</b>	<b>Stage of EIA process</b>
29 <sup>th</sup> August 2009	Forestry Commission received proposal from Woodland Trust to determine if an EIA was required.
1 <sup>st</sup> September 2008	Forestry Commission informed the Woodland Trust that this afforestation was a relevant project and that an Environmental Statement (ES) was required under the EIA regulations.
19 <sup>th</sup> January 2009	The Woodland Trust held a scoping meeting (see below for more information) with interested parties and individuals where a consultation process was commenced.
13 <sup>th</sup> August 2009	The Woodland Trust applied for consent for the proposal and advertised it in two local newspapers. This included an Environmental Statement setting out the project, the likely impacts on the environment and proposed mitigation measures. This was to allow the public an opportunity to make comments within 28 days of it being advertised to the Forestry Commission
1 <sup>st</sup> October 2009	Forestry Commission carried out site visit and consultation with local residents to explain the EIA process.
14 <sup>th</sup> October 2009	The Forest Commission granted consent to the project and advertised this in the same two newspapers that advertised the ES (see below for more information)

**Scoping meeting – summary of issues raised and subsequently addressed in the Environmental Statement**

Scoping raised numerous points. Annex A summarises the key points that the FC deemed relevant to the project and needed to be addressed by the ES. Annex A also indicates what section of the ES deals with those points.

The Forestry Commission accepted the scope of consideration and provided guidance on the preparation of an ES.

**The Environmental Statement**

Eight responses submitted to the Forestry Commission when the Woodland Trust advertised it’s application for consent. A table listing the concerns and opinions raised together with the Forestry Commission’s response to these is to be found at Annex B.

The consultation responses indicated general support but three issues needed to be addressed during implementation.

- Landscape ~ detailed design
- Access ~ details
- Highways Issues

## **The Forestry Commission's Decision**

Based upon the scoping issues, ES and consultation responses, the FC's decision is to grant consent with standard and extra conditions.

The ES was based on an indicative concept for planting and access across the whole site and fully accepted that detailed design would need to be addressed during implementation and included specific reference to continued dialogue with interested parties. These have therefore been the subject of extra conditions (c & d) attached to the granting of consent.

### **Conditions**

- a) the work must be started between 14<sup>th</sup> October 2009 and 14<sup>th</sup> October 2014
- b) no work shall be carried out after 14<sup>th</sup> October 2019
- c) the routing of permissive paths and a detailed planting layout are subject to consultation and then agreed with the Forestry Commission
- d) the car park, access points to the site and their usage are subject, where necessary, to a planning application and approval

## Annex A

<b>Issue Raised</b>	<b>Environmental Statement Section</b>
Views out of the site	section 5
Views into the site, including historic buildings in locality	see section 5
Integration into the landscape, addressing the necessary areas in the Herts Landscape Character Assessment	see section 5
Assessment of existing habitats and associated species	see section 6
Consideration of non-woodland habitats	see appendix 4
Consideration of adjacent habitats and land use	see appendix 4
Transport - effect of traffic on village, car parking & visitor management, public transport	see section 7
Rights of Way – linking with existing surrounding routes	see section 7
Types of surfacing and infrastructure, hot spots, desire lines etc	see section 7 and appendices 13 & 14
Anti-social behaviour	see section 9
Historical and cultural aspects – previous land management, inclusion of community	see sections 4 & 5
Use of environmentally sensitive materials, including eg non peat-based planting stock	see section 9
Consider management (ie active intervention) of existing woodlands on site	see section 6
Archaeological interests	see section 4
Turning arable land into woodland (i.e. taking land out of food production)	see appendix 17
Effect on soils, geology, hydrology	see section 8
Direct impact on neighbouring properties e.g. light, visitor numbers, privacy etc	see sections 3 & 7

ANNEX B

**FORESTRY COMMISSION RESPONSES TO  
Heartwood Environmental Impact Assessment  
Consultation August-September 2009**

<b>Organisation</b>	<b>ES Chapter</b>	<b>OBJECTION/OPINION/SPECIFIC ISSUE</b>	<b>FC Response</b>
Private Group		Should be limitation to public access and tree planting on the land surrounding our boundaries.	Condition (c) of FC granting consent
Private Group	7	Landscape.... We would require further consultation on implementation	Condition (c) of FC granting consent
Private Group	7	Would wish to preserve some longer views, limit the feeling of enclosure and loss of light	Condition (c) of FC granting consent
Private Group	7	We do not agree with the Woodland Trusts' response of dealing with exact location and species of planting to be agreed in the future,	Condition (c) of FC granting consent
Private Group	7	We would like any permission for the Forest to include strict planting guidelines to the fields adjacent our boundary and noted as influencing views and that implementation can only be done once the design is accepted by Nomansland residents.	Condition (c) of FC granting consent FC, as the competent authority, will make the final decision on what is an acceptable design.
Private Group	7	We therefore strongly object to the noted access points and any within Drovers Lane and within the boundary buffer zone, and would request these not be granted.	Condition (c) of FC granting consent
Private Group	7	Re: full public access. Woodland Trust say that the shrubs would be of a type to deter access. We don't accept this as sufficient and would prefer no public access as per our agreement.	The WT have the right to allow access over their land if they so wish. Note condition (c) of FC granting consent regarding planting design to deter intrusive access.
Private Group	7	We would object to any such site features in any fields surrounding our properties, or in Drovers Lane, or where it would increase visitors to our location, or at a point that we feel would	Condition (c) of FC granting consent

		negatively impact on us, short term or otherwise.	
Private Group	7	We would like a commitment that these events are held away from our boundary, overflow parking is not sighted in surrounding fields and that any signage or tracks suggesting areas of interest, picnic places etc. be moved away from us, as would be of negative impact.	Outside FC control re. events. No suggestion that any parking will occur in the vicinity.
Private Group	7	We are concerned about access to the Forest at night, this would cause residents disturbance and encourage antisocial behaviour and request that any fields surrounding us be closed after dark.	Noted. Not possible to implement particularly as there is an existing right-of-way across adjacent fields.
Private Group	7	We would like an expert report commissioned as to the threat of fire spreading from the Forest to our properties and that any recommendations to eliminate an increased risk are adhered to by the Trust.	Threat of fire is minimal.
Private Group	7	If we do suffer adverse effects ...that firstly the Trust would do all they could to redress those, however if unsuccessful that they would agree to public access being further limited in order to alleviate those adverse effects	Inter-neighbour issue.
Herts Garden Trust	Appendix 3 (3)	We are concerned that the conceptual design gives only a broad indication of the Woodland Trust's plans for this site	Condition (c) of FC granting consent
Herts Garden Trust	Appendix 3 (3)	Certain aspects regarding the issue of views can be construed as subjective.... many of the open views enjoyed for centuries will be lost or altered in the process of afforestation.	Agree that landscape issues are subjective but note Condition (c) of FC granting consent
Herts Garden Trust		We would like to see these ancient woods and wood banks preserved to retain their individual shape and character, within the design of the wider woodland. The treatment of the boundary with Nomansland Common is similarly a sensitive issue.	Not within remit of afforestation EIA. Existing woodlands not considered.
Herts Garden Trust	Appendix 12	Well considered car parking and managed access to the site is essential to prevent dangerous congestion	Condition (d) of FC granting consent
St Albans	7	Have only addressed road safety from a vehicle	Although included within the ES this is not

Cycle Campaign		traffic viewpoint...is totally inadequate	an issue within the remit of an afforestation EIA.
St Albans Cycle Campaign	7	Consideration should be given to a mini roundabout to access the car park to give unambiguous entry/exit priority.	Condition (d) of FC granting consent
St Albans Cycle Campaign	7	Given formal entry by a new road to the proposed car park (there being no other entry focus), cyclists would require lane demarcation as a safety measure.	Condition (d) of FC granting consent
St Albans Cycle Campaign	7	Be minimal traffic movement in the Forest, with any parking close to the B651, plus aided entry and a crossing amenity adjacent.	Condition (d) of FC granting consent
Open spaces society	7	There is no mention of the fitness for purpose of the ' <i>links through the site</i> ' nor in particular of any structures (eg Kissing Gates) on them.	Not significant within EIA but OSS should discuss directly with WT on this matter.
Herts& Middx Butterfly Conservation	2	We agree that at maturity Heartwood Forest has the potential to support many species of butterflies and moths in the long term, but would point out that the likelihood of this opportunity being realised will depend upon the way in which the site is subsequently managed once the plantings mature.	Noted. Not part of an afforestation EIA.
Herts& Middx Butterfly Conservation	2	Trust should consider that some protection or control may be necessary (from deer) in parts of the site to successfully achieve the proposals.	Already covered in ES.
Herts& Middx Butterfly Conservation	2	We would again recommend maximising the opportunity for colonisation by butterflies by including foodplants in planting mixes.	Condition (c) of FC granting consent
Herts& Middx Butterfly Conservation	6	Table 6.1 lists notable species within the nearest 4 10km squares. Purple Emperor Butterfly is a notable omission.	Noted.
St Albans DC		Would welcome discussing further the Trust's plans for managing the woodland,	Noted.
St Albans DC	7	We would ask the Trust to continue to work very closely with local residents and members on the car park design and development.	Condition (c) and (d) of FC granting consent

St Albans DC	7	It will be important to monitor (visitor) usage closely as the forest develops.	Noted. Suggest St Albans DC work closely with WT.
St Albans DC	7	Essential to have good safe cycle paths and clear standards for cycle ways. They need to be accessible for cycles all year round (not just the summer months) and wide enough to accommodate pedestrians and cyclists.	Condition (c) of FC granting consent
St Albans DC	7	Additional footpaths should ideally link to existing footpaths and tracks, and be well signed and promoted.	Condition (c) of FC granting consent
St Albans DC	7	Concerned about whether these facilities will be sufficient to support the expected visitor numbers without creating wider impacts. This may particularly be an issue in relation to provision of toilets	Noted. Suggest St Albans DC work closely with WT.
SA DC Archaeology	4	Prior to any planting, or other development there should be a process of consultation with District Archaeology (St Albans District Council) Future information ..... may need a revised strategy.	Condition (c) of FC granting consent
SA DC Archaeology	Volume 1 Appendix 19	The existing woodlands should also have a management agreement, whereby the integrity of the ancient woodlands is not lost through neglect, with the fabric of the woodland being exploited as part of a sustainability strategy.	Not within remit of afforestation EIA
SA DC Archaeology	4	Any proposed work, whether planned, such as planting, or more 'ad hoc' such as a visitor centre, should come into District Archaeology (St Albans District Council) for pre-determination consultation.	Condition (c) of FC granting consent No indication that a visitor centre is proposed.
Herts Local Access Forum	7	The impact and safety of horse riders and carriage drivers using this area (car park, Pound Lane) must be addressed.	Condition (d) of FC granting consent
Herts CC	Appendix 1 (23)	The Woodland Trust has not specifically made it clear if they intend to dedicate any of the routes shown on their map (appendix 23) as Definitive Rights of Way	Condition (c) of FC granting consent

Herts CC	Appendix 1 (23)	We would ask that they liaise with the County Council Rights of Way Service on any future structures (stiles)	WT have committed to this in ES
Herts CC	Appendix 1 (23)	It is unclear if horse access routes shown in appendix 23 include driven horses (carriages).	Condition (d) of FC granting consent
Herts CC	Appendix 1 (23)	There should be a mechanism for fine tuning route creation and establishment over time and this should be reflected in the form of annual formal liaison meetings and commitment to actions arising from these	Condition (c) of FC granting consent
Herts CC	Appendix 1 (23)	We are particularly concerned about the management of the boundary with Nomansland Common and Wheathampstead/Sandridge Road, Ferrers Lane, Hammonds Lane and Coleman Green Lane	Conditions (c) and (d) of FC granting consent
Herts CC	Appendix 1 (23)	Footpath 18 - The Woodland Trust need to clarify if they are in a position to allow use of the path by horses as we understood that this land was not within their ownership.	HCC to discuss with WT
Herts CC	Appendix 1 (23)	The proposal does not show a link for any class of vulnerable non-motorised users from the eastern side of the Sandridge/Wheathampstead Road to the western side this is of concern to the rights of way service.	Conditions (c) and (d) of FC granting consent
Herts CC	Appendix 1 (23)	We are concerned that the lack of a suitable crossing point where a desire line exists between the eastern and western half of Heartwood may lead to unintended conflict between motorised and non motorised users.	Condition (d) of FC granting consent
Herts CC	Appendix 1 (23)	The section in the east of the site, bounded by Coleman Green and Hammond's Lanes' has only limited horse access, running south to join Footpath 18 on land out side Heartwood. This might result in a potential conflict between the adjacent landowner and riders, unless dedication as a definitive bridleway could be agreed.	Condition (c) of FC granting consent
Herts CC	Appendix 1 (23)	The north eastern section of forest is bisected by Bridleway 7 Sandridge , ....there will be a desire by riders to connect south over Ferrers Lane and	Condition (c) of FC granting consent

		then further south to the proposed horse routes . We consider that horse access and crossing points in this area need to be secured.	
Herts CC		...The phasing of the practical implementation of the Heartwood Forest brings with it its own challenges. We are concerned that the Environmental Statement does not properly address the arrangements which would need to be put in place to ensure safe and successful delivery and operation.	Conditions (c) and (d) of FC granting consent
Herts CC	7	We propose therefore that some form of management framework document is drafted by the Woodland Trust, to provide a mechanism for addressing this type of issue (transportation) as they arise	Condition (d) of FC granting consent
Herts CC	7	It is unclear how the Trust intend to manage the development of such desire lines as they occur,	Condition (c) of FC granting consent
Herts CC	Appendix 6	<b>A safe access is therefore fundamental to acceptability of the scheme (pedestrians).</b>	Condition (d) of FC granting consent
Herts CC	Appendix 6	Essential that access will accommodate (school) coach traffic, and can deliver vulnerable road users such as schoolchildren into the site without the need to walk on roads where there is little or no footway present.	Condition (d) of FC granting consent
Herts CC	6	The impact of the woodland planting on these species (Skylark, linnet, yellowhammer) has not been properly addressed in the Environmental Statement,	ES has covered this adequately
Liz Lake (for Herts CC)	5	The relevant Strategies and Guidelines for managing change for each LCA should be considered and integrated with the proposals.	ES has covered this adequately
Liz Lake (for Herts CC)	5	Stakeholders should be consulted to see if the design of the woodland can accommodate the retention of some of the most popular views.	Condition (c) of FC granting consent
Liz Lake (for Herts CC)		Outline Landscape Proposals should be prepared at 1:500 scale for the new highway access, car park, overspill areas (for busy days and events), future extensions, toilet facilities, all weather	Condition (d) of FC granting consent

		shelters and refreshment facilities. This should be used for to assess the Landscape and Visual Impact with particular regard to the effect on the Green Belt and on the setting of the Conservation Area	
Liz Lake (for Herts CC)	7	The Strategy for coaches should be reviewed with a view to seeing if they can be accommodated in the car park.	Condition (d) of FC granting consent
Liz Lake (for Herts CC)	7	If the proposal remains to park coaches away from the car park the use of farm gateways proposed for coach parking should be identified so as to assess the Landscape and Visual Impact.	Condition (d) of FC granting consent
Liz Lake (for Herts CC)		Planting should be used to screen the railway line but Network Rail should be consulted about the proximity of planting to their boundary.	Condition (c) of FC granting consent
Liz Lake (for Herts CC)		The cycle/ and horse route should be pulled away from the noisy and visually intrusive railway line.	Condition (c) of FC granting consent
Liz Lake (for Herts CC)	Volume 3 (3)	The arm of planting north east of Hill End Farm on the boundary of Nomansland Common should be omitted.	Condition (c) of FC granting consent
Liz Lake (for Herts CC)	Volume 3 (3)	The extent of planting in the area between the B651 and Coleman Green Land should be reduced as the soil type has the potential to support acid grassland or heath land.	Condition (c) of FC granting consent
Liz Lake (for Herts CC)	Volume 3 (3)	The Conceptual Design plan appears preliminary and more detailed information, refinement and design input is required before it can be fully considered.	Condition (c) of FC granting consent
Liz Lake (for Herts CC)		A Management Plan should be provided to set out the principles of future management for all aspects of the proposed forest, and to explain how the resourcing of management will be sustained.	Not within the remit of an afforestation EIA
Liz Lake (for Herts CC)		Details should be provided of how the Management Plan will be monitored by a stakeholder steering group in the long term	ES includes statement that regular consultation with stakeholders but not within the remit of an afforestation EIA