

Forestry Commission Decision

50. Having considered the Environmental Statement, national and regional policy contexts, advice received from statutory and other bodies, the views of consultees and the appropriate decision making framework set out within the regulations, the Forestry Commission (Forest Services) has approved the application for consent, subject to the conditions below.

Conditions of Consent

51. **Condition (a):** The proposals hereby permitted shall be commenced before the expiration of two years from the date of this permission.

Reason: To ensure that the deforestation is commenced within a reasonable period of time from the date of the permission.

52. **Condition (b):** No work shall be carried out in relation to the relevant project after the expiration of ten years from the date of this permission.

Reason: To ensure that the project is completed within a reasonable time period from the date of approval.

53. **Condition (c):** This consent relates to deforestation proposals included in the New Forest Inclosures Forest Design Plan, outlined in the supporting Environmental Statement **and** the amended maps (produced at the request of Forestry Commission (Forest Services) during the scoping and consent phase of the EIA process) where areas of ancient woodland have been removed. Any further variance to proposals for deforestation must be approved with the Forestry Commission (Forest Services) in advance and in writing. (Note: this decision relates only to the areas proposed for deforestation within the New Forest Enclosures Forest Design Plan).

Reason: To ensure the deforestation is compliant with forestry legislation.

54. **Condition (d):** Implementation of proposals at Norley Inclosure subsequent to this decision will be preceded by engagement with local representatives to explain the planned work. This engagement must be commenced a reasonable and proportionate time prior to works commencing.

Reason: Despite considerable effort to engage local residents in developing the ES, some remain nervous that proposals might risk their freedom to enjoy the wood. Failure to alleviate concerns and fully explain proposals prior to works starting on site could undermine local relationships and lead to unnecessary delays in project implementation.

55. **Condition (e):** An integrated management plan for the whole Forest (Inclosures and Open Forest) will be developed and completed within 5 years of this approval and will be based on the Special Area of Conservation plan. The scope of the plan will be agreed within 12 months of this decision.

Reason: There is concern that open habitats created from Inclosure land will be managed in isolation from the Open Forest. A shift to whole forest planning (Inclosures and Open Forest combined) could resolve this but might be complex and challenging.

56. **Condition (f):** Fence changes, additions/removals (and possible use of seasonal grazing), should be assessed at the enhanced OSA stage and agreed by a panel to include Forestry England, Natural England and the Verderers. This panel will determine the appropriate location and timing of fence changes to benefit habitat restoration and continued management of stock.

Reason: Changes in fencing influence the effectiveness of grazing, and have the potential to influence other factors of interest to various user groups. Changes will need stakeholder support.

57. **Condition (g):** A decision matrix will be prepared to determine the appropriate methodology to use for habitat restoration. This matrix should be agreed with specialists in soils, water, climate and

ecology from Forestry Commission and Natural England and should be included within the enhanced OSA process prior to work starting on site.

Reason: The method used can have significant impact on many environmental factors that were not adequately described within the ES. Independent advice will help confirm the appropriate approach to be taken on each site.

58. Condition (h): The detailed process of converting woodland to the desired open habitat will be planned in detail at the enhanced OSA stage. Progression with this conversion will be monitored annually to both identify remedial action needed to ensure the site achieves the desired open habitat within 15 years and to gather experience which can be applied elsewhere.

Reason: Grazing is an important habitat management tool. The ES lacks detail in how the intensity and timing of grazing might influence the speed and quality of habitat recovery. Monitoring habitat recovery in a range of situations would inform managers about preferred timing and intensity of grazing for optimum recovery.

59. Condition (i): The OSA process will be 'enhanced' to assess the appropriate level and method of engagement with local residents and forest users when deforestation is proposed close to local communities and neighbouring properties. The methods considered will include on site notices, guided walks and use of social media. Details of felling plans for discrete areas will be posted (where appropriate with further details on the Forestry England New Forest website). Where local interest is known to be strong a guided walk will be provided for interested parties, neighbours and local residents. Interested parties will be invited to suggest refinements to the design within 4 weeks of the notices being first displayed (appreciating that the principle of deforestation of these areas is accepted). Details of the final design explaining how local feedback has been responded to will be posted on the Forestry England New Forest website within one month.

Reason: To include every neighbour within the consultation for an ES is complex, time-consuming and unrealistic, and householders can change before work starts. Discussion with people affected by proposals is a requirement of the UKFS and will generally improve local relationships and win support for project implementation.

60. Condition (j): Continue to seek expert advice on wildfire risk mitigation from the local Fire and Rescue Service expert when fire plans are reviewed annually to incorporate new areas of open habitat and reflect current best practice.

Reason: Wildfire risks can increase with the creation of open habitats. Continued regular liaison will ensure plans and fire risk mitigation proposals remain appropriate, current and relevant.

61. Condition (k): Forestry England will within 12 months of this decision identify possible options and opportunities for planting new woodland to compensate for the carbon impacts of this project.

Reason: Some of the project's drawbacks centre around its negative impact on carbon sequestration.

As the New Forest Inclosures are designated (SSSI, SAC, etc.) there is no requirement for compensatory planting under the Open Habitats policy. However this ES doesn't consider mitigation for any negative impact on carbon sequestration.

62. Condition (l): Forestry England will explore opportunities to establish other "forest dependent" jobs under the new FC/New Forest NPA Accord which is to be launched later in 2019.

Reason: Some of the project's drawbacks centre around its negative impact on business. However this ES doesn't consider mitigation for any negative impact on business.

63. Condition (m): Forestry England should engage the Environment Agency and Forest Research's hydrologist to evaluate the potential impacts of deforestation on the forest's hydrology and develop

appropriate mitigation where needed. This mitigation should be included in the decision matrix described in condition (g). The enhanced OSA process should include evaluation of the hydrological impacts of each site and identify appropriate mitigation using the principles identified in the matrix. No works on individual sites may begin until the enhanced OSA which includes impacts on hydrology is agreed with Forestry Commission (Forest Services).

Reason: The impact of proposals on water quality and flood risk is not well understood. Assessment in the ES lacks the detail needed to determine potential impacts. It is important that this work is undertaken and agreed prior to work starting on site.

64. Condition (n): Forestry England will prepare and implement an enhanced Operational Site Assessment (eOSA) process for each discrete deforestation site. This will identify the approach to delivering the desired open habitat, ensure that potentially negative environmental impacts from proposals are identified and appropriate remedial action agreed prior to work commencing. This enhanced OSA template needs to be agreed with Forestry Commission (Forest Services) within 6 months of approval of this decision. No work on deforestation sites will proceed without an eOSA having been completed.

Reason: Throughout the ES, the Operational Site Assessment (OSA) is cited as identifying mitigating action to ensure environmental compliance (i.e. for conditions f, g, h, i and k). The mitigating action needs to be clearly defined for each discrete area of deforestation.