

19/05832/FUL - Representation on updated documents: Ecological Management Plan, Version 2 dated December 2019; Preliminary Ecology Appraisal, Version 4 dated 18 December 2019 and Tree Survey Report and Arboricultural Method Statement (sic), Version 3 dated 16th December 2019

Firstly, the expectation that these documents will be a significant improvement on the previous versions (which were the subject of my representation dated 22nd July 2019) is dampened somewhat by the fact that the authors have not even taken the requisite care to include correct titles. And the further expectation of breadth and accuracy in the revised plans also has been extinguished as there are significant omissions and inaccuracies, some of which are dealt with below. But three marked omissions of plants which are ubiquitous in the woodland are ramsons (*Allium ursinum*), wild carrot (*Daucus carota*) and celandine (*Ficaria verna*).

It is heartening that the authors have now acknowledged and 'drawn upon' (their words in section 5.4 of the Ecological Management Plan) the Leafy Lane Woodland Management Project document of 2006 by Fran Brooks. However, it would appear that in commissioning these plans, the applicant has bitten off far more than would be required of a 'natural burial site'. Much of the documents are taken up with creating a fitting environment for bats rather than a burial site. With management, use of machinery including chain harrows and chain saws, removal, felling, clearance, preferential planting, use of ladders/ropes/endoscopes (!), ring barking/collaring, enhanced foraging, frequent mowing, cutting/hand pulling/hoeing and use of herbicides, it seems that this will be (as indicated in my first appraisal) a gratuitously over-managed site rather than a natural one.

The Ecological Management Plan (EMP)

1. It seems that a significant omission, that of 'spiked star of Bethlehem', in the previous EMP has been cursorily added to this new EMP version in part 2.1.1 Trees/Woodland without taking the trouble to discern where this plant lives in the woodland. It is not "in the vicinity of the road" but in the centre of the woodland. I would imagine that the authors are confusing the significant patch of winter aconites (*Eranthis*) which is "in the vicinity of the road" but which, worryingly, is not mentioned in this report.
2. Section 2.1.3 Scrub/Tall Ruderal includes "... and ruderals including rosebay willowherb *Chamerion angustifolium* ...". There is no rosebay willowherb in the wood (has this just simply been invented?)
3. Section 4.1 continues (as with the previous version) to give the impression that a manicured woodland is the aim. For example, the third bullet point discusses yellow archangel (*Lamium* or *Lamiastrum Galeobdolon*), an invasive plant that "will be removed". Invasive – yes but very attractive with variegated leaves and delightful yellow flowers. The EMP authors would perhaps not realise that this plant has been present in the wood for decades and that its potential expansion is limited by the main woodland path to the south and the fence of a Park Avenue garden to the north. So why not leave it?
4. Section 4.2 continues the theme found in the previous EMP version ("those trees which are deemed to be dead, diseased, dangerous or dying and may pose a risk to members of the public") that woodlands are dangerous places. Could I remind the authors that dead and dying trees are a haven for wildlife (birds, insects, mosses, lichens, fungi) and that "Many a tree that would have been pronounced 'dangerous' through having been 'weakened' by decay withstood the great storm of October 1987 while its young, sound neighbours

collapsed all around” (page 12 of Oliver Rackham’s *Trees & Woodland in the British Landscape*, revised edition, 1990).

5. In section 5.2.6 Herbicides, it is worrying that the authors either do not know the name of the herbicide proposed or that the document has not been properly reviewed or proofread - the proposed herbicide is glyphosate NOT Glycophosate. Much controversy surrounds this herbicide; in July 2019, the Austrian parliament voted to forbid glyphosate and in September 2019, the German Environment Ministry announced that the use of glyphosate will be banned from the end of 2023 and the use of glyphosate-based herbicides will be reduced from 2020. I am concerned about any proposed herbicide use in ‘our’ previously herbicide-free woodland.
6. Reiterating the point about over-management made in the second introductory paragraph, section 5.4.8 Tree Works/Removal of Trees through to section 5.4.13 Tree Stakes, Guards, Ties, Re-firming contain **forty-eight bullet points** on tree and woodland management. This over-management would, in my humble opinion, result in a transformation of the present (and proposed) tranquil natural woodland.
7. Section 5.9 Invasive Species reiterates the information in 4.1 regarding yellow archangel; here it says ‘removed by hand or treated with herbicide’ but, as indicated above, the plant although supposedly invasive, is attractive and has been present here for many years. Its spread has been controlled by features (the main footpath and the northern border fence) within the woodland. We planted yellow archangel in our garden perhaps fifteen years ago and its spread has not increased significantly in the intervening period. As indicated above, why over-manage? Just leave it.
8. Appendix 2 Schedule of Operations lists forty-four periodic tasks – far too much management for a supposed natural woodland.

The Preliminary Ecological Appraisal (PEA)

1. In the ‘Summary Results’ (at the start of this document) the incorrect information in the EMP about the spiked star of Bethlehem being “in the vicinity of the road” is repeated.
2. It is disappointing that with the holding of 3 x BSc (Hons), 2 x MSc and 2 x MCIEEM by the authors and reviewer of this document, such a basic error in English as that which follows should be found in section 1.2 Summary of Proposals – “... *will therefore be **illegible** for further development for construction purposes*”. This should, of course (I would presume), say ‘ineligible’.
3. In section 3.1.1 Wildlife Site Designations, we find Box Mine whose ‘Distance from Site Boundary’ is stated to be ‘Adjoining western boundary’. However, the authors should know that the mine lies beneath the whole of the western side of Leafy Lane including, of course, the woodland. Within the wood, there is a concrete slab (now hidden by brambles) about fifteen metres long and three metres wide with an approx 0.5-metre channel running along the centre which is, most likely, the surface part of Cliftworks Passage Shaft 1 – this shaft is, at present, shown incorrectly by the Mendip Cave Registry and Archive (MCRA) organisation at the location of the airshaft in the centre of Leafy Lane Playing Fields – see map on the relevant MCR webpage here: <https://www.mcra.org.uk/registry/sitedetails.php?id=1499>. The actual location of Passage Shaft 1 is probably as described above and as shown, marked by an ‘x’ on the reproduced OS map, at left below. For information, the surface part of Cliftworks Passage Shaft 2, remains of, is in the garden of Rudloe House on the eastern side

of Leafy Lane. I am, at present, in discussion with MCRA with regard to the correct location of Passage Shaft 1.



4. And once again in section 3.2.3 Flora, Semi-Natural Broadleaved Woodland, the erroneous information about spiked star of Bethlehem is repeated as follows “An area of the nationally scarce Spiked Star of Bethlehem (*Ornithogalum pyrenaicum*) was identified in the vicinity of the road”. It certainly wasn’t identified in the vicinity of the road because it isn’t there, it is in the centre of the wood. And I repeat, the large patch of winter aconites (*Eranthis*) is not mentioned anywhere in the documents – see photo below.



5. Also in section 3.2.3 Flora, Dense Scrub/Tall Ruderal, rosebay willowherb (*Chamerion angustifolium*) is identified. As indicated above, I have never seen this in the wood – if it is present then it must be a very small clump.
6. And in section 3.2.3 Flora, Line of Trees, no mention is made of the two significant whitebeams (*Sorbus aria*) and the also significant number of hawthorn (*Crataegus*).
7. Continuing in section 3.2.3, Flora, Non-Native Species, yellow archangel (*Lamium galeobdolon*) is again mentioned – the argument about this species may be found in paragraph 3 of the Ecological Management Plan (EMP) section above.
8. In section 3.2.4 Fauna, Birds, the list of birds found in the wood is inadequate. A (more) complete list may be found in 'Mrs Wooster's flora and fauna lists' (6 files) towards the foot of webpage: <https://www.rudloescene.co.uk/localities/rudloe/leafy-lane-flora-fauna/>
9. Section 4.1.1 Bath & Bradford-on-Avon Bats SAC, in part 4.1 Designated Sites, is sizeable at almost five pages. This illustrates the importance attributed to this aspect of the project (which I suppose may not be unreasonable). Three sub-sections here, Recreational Pressure, Noise Disturbance, and Emissions and Particulate Matter/Dust concentrate on any additional potential pressure or disturbance on the woodland environment from the natural burial site. However, it would be more relevant for the applicant to consider the reverse, the disturbance on the natural burial site and its visitors from existing and future sporting activities. This may be why at least one representation on the application includes 'this is not considered to be an appropriate location for a natural burial site'. The 1st February 2020 article here: <https://www.rudloescene.co.uk/news/rudloe/leafy-lane/> reveals potential issues associated with the substantial use of the playing fields (particularly at weekends) and a neighbouring natural burial site. The following photograph, taken on 1st February 2020, illustrates activity that might be expected adjacent to the site.



It is doubtful if the sporting activities could be completely mediated to a level perhaps fitting a burial site environment. However, the applicant may have taken this into consideration.

Tree Survey Report and Arboricultural Method Statement (TSR/AMS)

1. According to section 1.2, the primary purpose of the report is for the planning authority to review the tree information in support of the planning submission. However, we will see if the information is sufficiently accurate for such a purpose.
2. The following information is from the website of the Woodland Trust. 'Clingy, luscious, misunderstood. Ivy has long been accused of strangling trees, but it doesn't harm the tree at all, and even supports at least 50 species of wildlife. Ivy uses trees and walls for support, allowing it to reach upwards to better levels of sunlight. It is not a parasitic plant and has a separate root system in the soil and so absorbs its own nutrients and water as needed. Ivy does not damage trees and its presence doesn't indicate that a tree is unhealthy, and it doesn't create a tree-safety issue. Nectar, pollen and berries of ivy are an essential food source for insects and birds during autumn and winter when little else is about. It also provides shelter for insects, birds, bats and other small mammals. The high fat content of the berries is a nutritious food resource for birds and the berries are eaten by a range of species including thrushes, blackcaps, woodpigeons and blackbirds. Ivy is particularly important to many insects before they go into hibernation. Some of the main insect species which forage on the nectar and pollen of ivy are bees, hoverflies and common wasps. It is an important food plant for some butterfly and moth larvae such as holly blue, small dusty wave, angle shades and swallow-tailed moth. Many rare insects are attracted to ivy flowers, including the golden hoverfly. The wildlife benefits of ivy are huge.' **Yet in section 3.4 Potential Management of the subject TSR/AMS, we find** "There is heavy use of the site by the public; it is recommended that where ivy is excessive it should be severed to reduce risk and to allow detailed inspection of trees in the future." So here we still have the concerns about the 'risk' of walking in woodland which are completely out of proportion if one looks at the statistics. According to the Government Health and Safety Executive website here: https://www.hse.gov.uk/foi/internalops/sims/ag_food/010705.htm, 'the risk of being struck and killed by a tree or branch falling is extremely low (in the order of one in 10 million for those trees in or adjacent to areas of high public use)'. We should not allow both unwarranted fear of highly unlikely events or (in the case of landowners) fear of American-style litigation to dominate our thinking about trees and woodland. Forget futile inspections (creating unnecessary work, jobs for the boys), just enjoy!
3. Again in section 3.4, we find "... reduce the **risk** to users of the natural burial ground but also on the northern boundary where the woodland boundaries onto a housing estate ..." which continues the theme of disproportionate 'risk' associated with trees and woodland. Section 5 Conclusion continues the farfetched notion that the woodland (indeed, by implication, any natural woodland) is unsafe with "There is a significant amount of work required to bring the woodlands into a **safe condition** for the existing and future public use". And again in the NOTE to appendix 4, the following is found: "The woodland has a high number of Ivy clad trees, these are potential **hazzards** (*sic*) and Ivy should be severed to reduce risk and to allow detailed inspection in the future". Again here, severing of ivy is recommended due to **risk** whereas we have discovered that risk in woodland is inconsequential and, through the Woodland Trust, we find that ivy is an important plant for wildlife.

4. In Section 3.1 we find the statement “No trees will be removed in the creation of the natural burial ground” which could be said to be disingenuous sentiment so say the least as the Tree Inspection Schedule at Appendix 4 lists **41 trees or groups of trees where the recommendation is to fell or consider felling**. These trees include 5 individual larches and one group of larch (*Larix decidua*), a common hornbeam (*Carpinus betulus*) and so on.
5. The appendices of the TSR/AMS are as follows: APPENDIX 1 - BS5837 (2012) TREE QUALITY ASSESSMENT CHART which has the title shown but is empty; appendix 2 (which follows the first part of appendix 3) is the TREE SURVEY SCHEDULE with a 5-page table showing tree ID and tree type along with many details of the tree’s morphology etc; part of appendix 3 - BS 5837 (2012) CASCADE CHART FOR TREE QUALITY ASSESSMENT appears separate (and before appendix 2) from appendix 3’s TREE SURVEY PLAN which is a map showing trees that may have an impact on the open (burial) area; appendix 4 is the TREE INSPECTION SCHEDULE which has a 7-page table showing tree location, tree ID, tree type, recommendation etc; appendix 5 is the TREE SAFETY INSPECTION PLAN with a map showing tree IDs; appendix 6 is the ROOT PROTECTION AREA PLAN with map showing trees whose roots have a potential impact on the open (burial) area; appendix 7 and appendix 8 are the TREE SHADOW PLAN and the TREE PROTECTION PLAN again showing only those trees with an impact on the open (burial) area. There are ‘issues’ with these appendices, particularly appendices 2 and 4 and their tables; these issues are discussed in the following paragraph.
6. The content of the appendices is revealed above in para. 5 as there appear to be significant issues with the data. Let’s start with the table TREE SURVEY SCHEDULE in appendix 2, this shows, for example, tree IDs 1, 2 and 3 as common ash, tree 4 as a sycamore and so on yet the TREE INSPECTION SCHEDULE in appendix 4 shows tree ID 1 as common ash, tree IDs 2 and 3 as sycamore and tree ID 4 as common ash and so it goes on with, in appendix 2, tree IDs 5, 6, 7 and 8 being common ash and tree ID 9 a whitebeam yet in appendix 4, tree ID 5 is a lime, IDs 6 and 7 are larches, ID 8 is a lime and ID 9 an elm. Surely the IDs of the trees should be common across all tables and maps? Which ID is used for the map in the appendix 5 TREE SAFETY INSPECTION PLAN? In addition, the accuracy of the Tree Inspection Schedule is highly debatable. For example, just one common hornbeam (*Carpinus betulus*) is identified (and felling recommended for it) but there are three hornbeams at the north-east corner of the wood. Perhaps these have been misidentified as beech which is a common mistake but one which is more than a tad worrying in a ‘professional’ report. I have concentrated here just on the hornbeams but with such a glaring error here, there may well be many more such errors.

Conclusion

This analysis is neither for nor against the application but is designed to discern if the subject reports are accurate and represent the aims not only of the applicant but also users of the woodland. It will be seen from the analysis that the reports are, in some respects, inadequate and the aims and endeavours proposed are not in tune with the spirit of a natural woodland.

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