



FORWOODS



Ribble Valley Borough Council  
Planning section  
Council Offices  
Church Walk  
Clitheroe  
Lancashire  
BB7 2RA

20 December 2023

Dear Ribble Valley Planning Department,

**Prior Notification for the Construction of New Forestry Access Road  
- The Duchy of Lancaster, Fair Oak Fell, Whitewell Estate.**

A prior notification application is being submitted for the creation of a forestry access road at Fair Oak Fell, part of the Duchy of Lancaster's Whitewell Estate. This application follows on from expired permissions under a previous application ref PP-08626813, which was never enacted. Following advice from Ribble Valley Planning Officer Stephen Kilmartin and then, Lucy Walker, a new application is being submitted on the same basis as the last approval of application, with additional documentation supporting the application for Permitted Development and acknowledging the sensitivities of the Biological Heritage Site (Local Wildlife Site) that was not previously accounted for.

The application proposes the creation of an access track to facilitate the felling and removal of timber from two conifer stands. The proposed track will extend for around 1.1km in length and will have a typical width of 4m. Around 950m of the track will consist of geotextile membrane topped by 350mm depth of 150mm to dust with locally sourced aggregate, of a dark grey colour advised by Elliot Lorimer of the Forest of Bowland AONB team by email.

The track is needed for the proposed felling and restocking of existing woodlands, as well as an extensive area of new woodland creation on adjoining land which is being assessed and designed with the Forestry Commission Woodland Planning Grant to account for input from Natural England and other key stakeholders. The forestry road is initially necessary to allow forestry vehicles to access to the woodlands to fell the timber and move it to roadside. From here it can be collected by lorries for delivery to local markets. The track will then subsequently also provide future access to the area of woodland creation for the afforestation works and on-going maintenance for the site.

The timber could not be extracted without the use of forestry machinery and these vehicles could not access the woodlands without a new access track being created. The ground is too wet and uneven to allow the vehicles to





travel to the woodlands without a surfaced track. In this regard, the proposed forestry roads are considered to be reasonably necessary for forestry purposes.

The fields which are non-statutorily designated as Biological Heritage Sites have been surveyed during the summer of 2023, and current management of the fields is under Countryside Stewardship to improve the biodiversity interest in the site through management. The route of the track is sited and planned to offer the least impact on the fields or their management programme which seeks for ecological gain. All alternative routes have been considered and turned down as this route is the least impacting to access the timber and in the future provide a wider range of habitats with the afforestation and landscape design proposals this is linked to.

The current management of the field parcel SD6347 8824 identified to have a new forest access track constructed under permitted development rights is under a tenant management commitment with Countryside Stewardship Higher Tier agreement. The agreement runs from 2020 until 2029 and obliges management options:

- GS7 (Restoration towards species-rich grassland) – Prescriptions listed at page 80 of the CS agreement. To include only using pesticides in spot treatment of injurious weeds and invasive non-natives. Limiting manuring quantities and timing of application. Not to top at points in the year, or to top more than 50%. No harrow. No plough. Cut and remove hay annually. Prescribed cutting times. Soil pH maintenance between 5.5 and 7.0. Target to have wildflower grassland flora species present from a prescribed list by yr10.
- GS15 (Haymaking supplement) - Prescriptions listed at page 35 of the agreement. To manage stock levels; limit timing of hay cutting; and cut and remove hay annually.
- FM2 (Major preparatory works for priority habitats (creation and restoration) and priority species) - Prescriptions listed at page 274 of the agreement. In combination with GS7 – a specialist NE Advisor project to enable complex restoration of Priority Habitat. (no other info on this project detail is known at present).

It is understood that the tenant will have amended, reduced payments on any area deemed to be part of the new forest track which displaces the features for which the current CS HT agreement obliges them, once an area of removal can be calculated.

The Wildlife Trust for Lancashire, Manchester and N Merseyside surveyed the site including field parcel 8824 on 21 June 2022. They noted that the field had a diverse range of species and was more diverse in the western 1/3<sup>rd</sup> than the eastern 2/3<sup>rd</sup>s which was less species rich, but the whole site does meet the criteria for a Biological Heritage Site.

Bowland Ecology were commissioned to conduct an NVC survey of the field 8824 on the 26 July 2023, which used quadrat sampling to record all vascular plants and bryophytes and assign an NVC community to appropriate portions of the field. No particularly notable species were found, but it was recognised that there was low management intensity of the field. NVC results showed communities of:

- MG6d - usually semi-improved grassland often regarded as being of little conservation value, but the sub community of MG6d is probably derived from MG8 on damp soils following agricultural improvement.



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- MG10 rush pasture in places where *Juncus effusus* becomes co-dominant with *Holcus lanatus* (unlikely to be affected by proposals)
- Resembling M23 rush pasture in a shallow depression on the western field (unlikely to be affected by proposals)

It is therefore concluded that with the CS Higher Tier obligations for the fields and the designation as a Biological Heritage Site, it's deemed that management is already in place to consider and deliver appropriate ecological restoration of the grassland features and that these enhancement methods, if continued, will bring about meaningful gains in habitat quality that will add to biological value of the site. This must be seen as a form of off-setting and mitigation to the installation of the new forest track, which will follow the route of current agricultural vehicle use across the field 8824, and offer a suitable access to the moorland on the slopes above this field 8824. The proposed route of the new track passes only through MG6 NVC communities, and as noted in the Bowland Ecology report, no particularly notable species were found, and MG6 communities are largely regarded as being of little conservation value.

This submission is made under Schedule 2 Part 6 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Class E sets out that the formation, alteration or maintenance of a private way is permitted development when reasonably necessary for forestry purposes.

I can confirm that the proposals do not consist of, or include the provision of, a dwelling; are not within 3km of an aerodrome; are not within 25m of the metalled portion of a trunk road or classified road; and do not concern a building for storing fuel. Given this, the proposals are considered to comply with E.1 and are permitted development for forestry management.

To comply with the conditions laid out at E.2, this application forms the notification to the Local Planning Authority required under paragraph 1a.

We would be grateful to receive confirmation that further details on the siting and means of construction of the private way are not required and that the works can commence within a reasonable timescale.

Should any further details be required please let me know.

Yours sincerely,

