

## **APPENDIX TWO**

### **Extract from the West Lothian Local Development Plan**

#### **Policy ENV 9 Woodland, Forestry, Trees and Hedgerows**

There will be a presumption against development adversely affecting woodlands unless there is a proven locational need and where a sustainable environmental gain through replacement and additional tree planting appropriate to the area is provided and accords with the Scottish Government "Control of Woodland Removal" policy (2009) and the Forestry Commission Scotland's policy "The right tree in the right place" (2010).

Where the removal of woodlands or forestry is sanctioned, the practical implications of timber removal from the site will require to be considered and thereafter managed in order to minimise damage to the road network. Details must be provided to and agreed with the council prior to the commencement of the works.

The council recognises that woodlands, hedgerows and individual trees can have significant ecological and biodiversity value and make a substantial contribution to landscape character and quality and that they can also be of economic and recreational value.

Scottish Planning Policy (SPP 2014) encourages Local Development Plan policies to protect and enhance areas of woodland which are of high nature conservation and/or landscape character value.

Accordingly:

- a. there will be a presumption against development proposals which involve the loss of, or damage to, woodland, groups of trees (including trees covered by Tree Preservation Order (TPO), areas defined as ancient or seminatural woodland, veteran trees or areas forming part of designated and designed landscapes) and hedgerows, which have particular amenity, nature conservation, biodiversity, recreation, landscape, shelter belt, cultural, historical value or are of other importance;
- b. proposals that involve the removal of woodland will only be supported where it would achieve significant and clearly defined public benefits and the criteria for determining the acceptability or otherwise of any proposed woodland removal is set out in the Scotland's Control of Woodland Removal Policy document;
- c. approval for woodland removal will be conditional on the undertaking of actions to ensure full delivery of the defined additional public benefits;
- d. planning conditions and agreements will be used to mitigate the environmental impacts arising from development and developers will generally be expected to provide compensatory planting;
- e. where felling is permitted but woodland removal is not supported, conditions conducive to woodland regeneration will require to be maintained through adherence to good forestry practice as defined in the UK Forestry Standard;
- f. as an irreplaceable resource, it is unlikely that benefits can be demonstrated for removal of ancient woodland. Exceptions for ancient woodland will therefore not be considered;
- g. development which is likely to affect individual trees and groups of trees considered important for amenity or their cultural or historic interest should comply with Supplementary

Guidance *Protection and promotion of woodland, trees and hedges* including the undertaking of a Tree Survey, indicating constraints and tree protection requirements including BS 5837:2012;

h. the enhancement and management of existing woodland, trees and hedgerow will be encouraged and supported. Where retention of a woodland area is integral to a development proposal, developers will be required to prepare and implement an appropriate Management Plan; and

i there will be a preference for the use of appropriate local native species in new and replacement planting schemes, or non-native species which are integral to local and/or historic landscape character.

### **Policy 10 Protection of Urban Woodland**

Urban woodlands within settlements that contribute to townscape, landscape, amenity, biodiversity, cultural or historic value, particularly where their loss would jeopardise ongoing contribution to place-making and/or green network objectives, will be protected from development.

Proposals that involve the removal of urban woodland in part or in its entirety will only be supported where it would achieve significant and clearly defined public benefits and the criteria for determining the acceptability or otherwise of any proposed woodland removal as set out in Scotland's Control of Woodland Removal Policy document.

Proposals to remove urban woodland must be accompanied by an independent aboricultural report.