

# Application for a forest road and/or quarry project EIA Opinion in England

**The Environmental Impact Assessment (Forestry) Regulations (England and Wales) 1999 (as amended)** regulate forest infrastructure projects, amongst other forestry activity. Anyone planning to construct or repair a private way for forestry use or to obtain materials required for a forest road, in England, may apply to the Forestry Commission (FC) for an EIA Opinion on whether their project is a relevant project, and therefore likely to have a significant effect on the environment. Relevant projects under the regulations must have the Forestry Commission's Consent before they can be carried out.

## Definition:

- By forest road works we mean the formation, alteration or maintenance of private ways on land used or to be used for forestry purposes.
- By forest quarry works we mean operations on land used or to be used for the purposes of forestry to obtain materials for forest road works.

The enquiry application form, along with a project map, is used to gather key information about a forest road and/or quarry project and the project proposer and/or their agent, to enable the FC to give an EIA Opinion under these Regulations. Please consider each section of the form carefully when completing it, and provide relevant evidence to support your application.

The 2017 transposition of the EIA (Forestry) Directive (2014/52/EU) into UK law introduces Schedule 2A to the 1999 Regulations. This requires the applicant to obtain relevant environmental information and to use this information to inform the design and implementation aspects of a forest road and/or quarry project and, where possible, to minimise any significant environmental effect.

Schedule 2A requires all relevant information and evidence gathered (for example, from field surveys, environmental records searches and engagement with stakeholders) and the design methodology supporting a forest road and/or quarry project be submitted when applying for an EIA Assessment or Opinion.

**Supplementary guidance for a forest road and/or quarry projects has been provided to help you source available environmental information and to complete this form.**

A request for EIA Opinion may not be accepted if this information is not provided or is not complete.

## Permitted Development and Planning Consent

Construction or maintenance of private ways falls within Class E of Part 6 (*Agriculture and Forestry*) of the **Town and Country Planning (General Permitted Development) (England) Order 2015**. Permitted development includes "the formation, alteration or maintenance of private ways" and "operations on that land, or on land held or occupied with that land, to obtain the materials required for the formation, alteration or maintenance of such ways".

However, permitted development does not apply where any part of the project is within 25 metres of the metalled portion of a trunk road or classified road.

Before beginning development, the project proposer must apply to the local planning authority for a determination as to whether prior approval of the authority will be required to the siting and means of construction of the private way.

### Tree felling licence

It's an offence to fell trees without a licence if an exception does not apply. Everyone involved in [the felling of trees](#) must ensure that a licence has been issued, or be certain that one of the exceptions to the need for a licence apply, before any felling is carried out.

Subsection 9(4) of the Forestry Act states that a felling licence does not apply to any felling that is immediately required for the purpose of carrying out development authorised by planning permission or deemed to be granted (permitted development).

However, for all other tree felling, Forestry Commission approval must be granted.

If you do not submit a Tree Felling Licence Application as you are certain that exemptions apply then you must provide an explanation and further information for this decision in your Project Overview (Part 9).

### Project maps

Project maps will show the boundary of the forestry project and identify details of the operations you intend to undertake. Additional maps should be used as required to show further information about the site, its constraints and surrounding influences.

Applicants can get free copies of an Ordnance Survey MasterMap® (OSMM) map by completing the [Map Request Form available from our website](#). You should allow 2 weeks for the delivery of the OSMM maps requested.

If you do not use OSMM, you must provide us with an original map or a good quality photocopy. We will return applications that include maps that are not presented to an acceptable standard, without registering the project.

If you would like to submit an application using digital mapping data, rather than OSMM, you should contact the local FC office to ensure the data to be submitted will be in an acceptable format and standard. Before you mark the map, check that:

- The map is up-to-date, and of Ordnance Survey origin
- It is presented at a suitable scale of either 1:10,000, 1:5000 or 1:2,500
- The map scale is shown, and relevant detail is not hidden by folds, marks or labels
- At least two horizontal and two vertical Ordnance Survey grid lines are shown

### Marking the map

- Clearly show the location of the EIA project route and boundary
- Mark the grid reference of the centre of the project
- If the point of access to the area is not obvious, mark this on the map
- Do not use a map used for a previous application

**Complete this Enquiry application form for an Opinion on whether a forest road and/or quarry project is a relevant project under the Environmental Impact Assessment (Forestry) Regulations (England and Wales) 1999.**

## Part 1 – Applicant details

Title:		First name:		Surname:	
Organisation:				Position:	
Address:					
Postcode:					
Main contact number:			Secondary contact number:		
Email:					
Is this the address for correspondence about this application?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If No, please provide the correspondence address:					

## Part 2 – Applicant category

Please give details of the applicant status. Put a cross in one box only:	
<input type="checkbox"/> <b>PE - Personal occupier</b>	You or your family own the property, or hold it as a family trust, partnership or family farm.
<input type="checkbox"/> <b>VO - Voluntary organisation</b>	An organisation funded by public subscription or a charitable trust or community organisation (for example, Woodland Trust, National Trust, Wildlife Trusts, Groundwork).
<input type="checkbox"/> <b>PU - Public ownership</b>	Government departments and their agencies e.g. Natural England, Defence Estates, Prison Service, Crown Estates (not including land personally owned by members of the Royal Family) and The National Forest. Local and Unitary authorities, National Parks, local education and schools authorities.
<input type="checkbox"/> <b>BU - Business occupier</b>	A company, forestry investor, business partnership, syndicate or pension fund.
<input type="checkbox"/> <b>OT - Other: (provide details) _____</b>	

### Part 3 – Applicant type

Please give details of the Applicant Type. Put a cross in one box only:			
<input type="checkbox"/> LS – Leaseholder	<input type="checkbox"/> OW – Owner		
<input type="checkbox"/> TE – Tenant	<input type="checkbox"/> TR – Trust		

### Part 4 – Property details

Please give details of the location of the work or project.	
Name of Property:	
Ordnance Survey 6 fig Grid Ref for the project: (for example, XX123456)	
Nearest town:	
Local Authority District or County	

### Part 5 – Agent or woodland manager’s details

Title:		First name:		Surname:	
Organisation:				Position:	
Address:					
Postcode:					
Main contact number:			Secondary contact number:		
Email:					
Is this the address for correspondence about this application?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If No, please provide the correspondence address:					

## Part 6 – Projects on sensitive sites or areas

<p><b>The Environmental Impact Assessment (Forestry)(England and Wales) Regulations 1999 – Schedule 2:</b> Any part of a road and / or quarry project within a designated site or area, as identified as Sensitive in the Regulations, is likely to have a significant effect on the environment. Check the project area against these designations using <a href="#">Land Information Search</a> and/or <a href="https://magic.defra.gov.uk/">https://magic.defra.gov.uk/</a>, and record the results below.</p>	<p><b>Insert Y or N</b></p>
ai) Sites of Special Scientific Interest (SSSI) or Proposed SSSI (PSSSI)	
aii) SSSIs with a Nature Conservation Order <sup>1</sup>	
b) National Park	
c) The Broads	
d) World Heritage Site, including their designated buffer zone	
e) Scheduled Monument	
f) Area of Outstanding Natural Beauty	
g) A European site under the Habitats and Species Regulations (European network of special areas of conservation / special protection areas under the Wild Birds Directive)	
h) Ramsar sites	
i) National Nature Reserve	
j) Nature Reserves, including Local Wildlife Site (including Sites of Importance for Nature Conservation (SINCs), Sites of Nature Conservation Importance (SNCIs) and County Wildlife Sites).	
k) Sites of local Geological importance	
Forestry projects within Sensitive sites will require engagement with and potentially Consent from the Authorities responsible for the site designation. Land owners are legally obliged to take account of these designations.	<p><b>(tick✓)</b></p>
I declare that I, the land owner / applicant am aware of my legal responsibilities in connection with this forestry project	

<sup>1</sup> Section 29 of the Wildlife and Countryside Act 1981.

## Part 7 – EIA thresholds: Projects on non-sensitive and Low Risk sites

Refer to <a href="#">Supplementary Guidance for Forest Road and Quarry projects</a> - for information on EIA forest road or quarry project thresholds. Which project Threshold are you seeking an EIA Opinion on?		<b>Insert Y / N</b>
Part, or all of the <b>Project is in a Sensitive Area</b> (see Part 6 of this form) <b>Project of any size</b>	EIA – Full Screening (Opinion)	
No part of the Project is in a Sensitive Area (see Part 6 of this form). <i>(Forest Road Area = total width of road works area x length)</i> <b>Project less than 1ha</b>	No EIA Opinion required	
No part of the Project is in a Sensitive Area (see Part 6 of this form). <i>(Forest Road Area = total width of road works area x length)</i> <b>Project more than 1ha</b>	EIA – Full Screening (Opinion)	
Is the project within a woodland creation <b>Low Risk</b> area? <i>(This information layer is pre-screened for major environmental and land use concerns and confirming this layer is in place will help the FC reach its Opinion)</i> Check the project area using the <a href="#">Land Information Search</a>		<b>Insert Y / N</b>
a) The project is fully within a woodland creation <b>Low Risk</b> area.		

## Part 8 - Consideration of protected species

Land owners are legally obliged to take account of protected species	<b>Insert Y / N</b>
I have considered the effect this project will have on wild birds and the area and diversity of habitats for wild birds.	
I am aware of the Good Practice to <a href="#">safeguard European Protected Species</a> from forestry operations and the need to obtain a wildlife licence if I cannot comply with the Good Practice.	
I am aware of the Good Practice to safeguarding badgers from forestry operations and the need to obtain a licence if I cannot comply with the Good Practice.	

## Part 9 – Overview of the project

Provide an overview of a forest road and/or quarry project.

Explain the projects objectives, the design methodology to avoid, mitigate or compensate for any significant environmental effect, and how the work proposed will be delivered.

Proposed work	Area in hectares	Proposed work	Area in hectares
<b>Forest Road</b>		<b>Forest Quarry</b>	

## Part 10 – Environmental checks

Use this checklist to provide brief details about the land within or affected by the project. Where environmental impacts are identified, provide further evidence and/or design statements showing how the project will avoid, mitigate or compensate any impact.

Use the [Supplementary Guidance](#) for a forest road and/or quarry projects to help locate relevant environmental information, data and expertise from appropriate sources.

A.	<b>Land use</b>							<b>(tick✓)</b>
	What is the current use of the land? <i>(tick all that apply)</i>							
	Woodland		Arable		Cropped land		Improved Grassland	
	Developed land		Semi Improved Grassland			Unimproved land		
	<i>Show land use types on the project plan/maps</i>							
B.	<b>Biodiversity</b>							<b>Insert Y / N</b>
	Have any semi natural habitats, habitat features or priority species been identified which may be affected by the project area? For example, a pond, veteran tree, ancient hedgerow, species rich pasture, blanket bog							
	<i>Show any records of areas of semi natural habitats and/or habitat features and/or priority species on the project plan/maps</i>							
	<i>Evidence engagement with local environment records centre (LERCs) Demonstrate how the project will avoid, mitigate or compensate</i>							
C.	<b>Water (and soils)</b>							<b>Insert Y / N</b>
	C.i. Have any public or private drinking water supplies been identified which may be affected by the project?							
	C.ii. Is the project in an area identified by the Environment Agency where the quality of riparian and/or surface water is an issue?							
	C.iii. Is the project adjacent to or does it cross a main river or other riparian zone, and/or, does it affect flood defence structures?							
	<i>Show water related features on the project plan/maps Evidence consultation with Environment Agency, local authorities, other water bodies and owners / users of private water supplies Demonstrate appropriate project design, including how the project will avoid or mitigate impacts on sources and downstream flows of surface and groundwater</i>							



D.	<b>Landscape character</b>	
	D.i. What is the local landscape character type called?	
	D.ii. What is the local planning authority called?	
		<b>Insert Y / N</b>
	D.iii. Has full planning consent been granted by the planning authority? <i>(Provide evidence)</i>	
	Has permitted development been granted by the planning authority? <i>(Provide evidence)</i>	
<i>Demonstrate appropriate design and construction for the project, that minimises visual impact on the landscape</i>		
E.	<b>Historic and cultural environment</b>	
	From your records checks, have any local historic environment records identified features which may be affected by the project?	
	<i>Evidence engagement with local historic environment records (HER) centre Show known historic environment features on the project plan/maps Demonstrate how the project will avoid, mitigate or compensate</i>	
F.	<b>Open Access land</b>	
	F.i/. Is the project in an area of Open Access land or within Dedicated (Open Access) woodland, as defined by the Countryside and Rights of Way Act (CROW) 2000?	
	F.ii/. What area (ha) of the project is on land subject to CROW Open Access policies?	
	hectares	
<i>Show extent of 'Open Access' areas on the project plan/maps Evidence of engagement with local access forum Demonstrate how the project will sustain open access</i>		

## Part 11- Stakeholders

Record any individuals and organisations, including the planning authority and who you have contacted regarding the project. Record the date contacted, date of response, and a brief description of views presented. The forest road and/or quarry project application should demonstrate how views and perceived negative effects have been addressed, and/or how the project has been adapted to capture opportunities to improve it.

Individual or Organisation	Date contacted	Date feedback received	Outline of response

## Part 12 – Declarations

I apply to the Forestry Commission for its Opinion under the Environmental Impact Assessment (Forestry) Regulations (England and Wales) 1999, as to whether the forest road and/or quarry project in this application is a relevant project, and I certify that:

	<b>Owner</b> <i>Please tick</i>	<b>Applicant</b> <i>Please tick</i>
I have enclosed a plan/map of a forest road and/or quarry project and environmental information that supports the project to which this application refers.		
I have enclosed evidence of full planning consent and / or permitted development granted by the planning authority.		
I have enclosed an application to fell trees.		
To the best of my knowledge and belief the information given in this application is accurate and complete.		

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Land Owner: \_\_\_\_\_ Date: \_\_\_\_\_

## Part 13 – Applying for EIA Consent

### **IMPORTANT: ONLY COMPLETE THIS SECTION IF YOU REQUIRE EIA CONSENT**

If you expect your project to have a significant effect on the environment, because of its location within a Designated site or area, or its scale, or for some other factor, you can ask for our Consent under the Regulations, rather than wait for an Opinion on whether the project is a relevant project.

**However, we strongly recommend that you apply for our Opinion of your project first, and allow us to evaluate if EIA Consent would be required.**

I apply to the Forestry Commission for its Consent under the Environmental Impact Assessment (Forestry) Regulations (England and Wales) 1999, as I believe the road and / or quarry project described in this application is a relevant project, and I certify that:	<b>Insert Y / N</b>
The road and / or quarry project is likely to have a significant effect on the environment, and I am applying for EIA Consent.	
I have completed a draft Environmental Statement for my project, ready to support my application for Consent.	
I have enclosed a plan/map of the road and / or quarry project and environmental information that supports the project to which this application refers.	
To the best of my knowledge and belief the information given in this application is accurate and complete.	

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Land Owner: \_\_\_\_\_ Date: \_\_\_\_\_