

LAND OFF LITTLE GREEN LANE,
CROXLEY GREEN



TOWN AND COUNTRY PLANNING ACT 1990
(as amended)
Section 78 — APPEAL

PINS Ref: 6004972



EXPERT EVIDENCE OF
JULIAN FORBES-LAIRD



ON BEHALF OF THE APPELLANT
IN RELATION TO ARBORICULTURAL MATTERS

Vol. 2— APPENDIX

Prepared for: Richborough Estates

FLAC Instruction ref: 46-1009_JFL

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APPENDIX JFL1

QUALIFICATIONS & EXPERIENCE OF THE AUTHOR

JULIAN FORBES-LAIRD

QUALIFICATIONS & EXPERIENCE

Julian Forbes-Laird is Senior Director at FLAC, a small but internationally reputed arboricultural and environmental risk consultancy. He has over 30 years' experience in arboriculture, and works with a wide range of public, corporate and private clients.

Together with Alistair Baxter of Aspect Ecology, JFL is co-principal of Sylvan Consulting, which provides planning and development-related advice on ancient woodland, veteran trees and historic landscapes.

JFL started his career on the practical side of the profession, completing a transition to consultancy in 2000 after a decade 'on the tools'. After two years spent working as an independent consultant, he spent a further two years as Senior Consultant at CBA Trees, before establishing FLAC in 2004.

Having developed and lectured widely on a respected and peer-reviewed method designed to quantify the risk posed by defective trees (THREATS), JFL is a recognised authority on tree hazard assessment. He has undertaken numerous forensic accident investigations, including in relation to fatalities caused by trees, and has appeared as an expert witness in the High Court several times.

He has served as *Special Advisor on Tree Risk* for Network Rail Infrastructure Ltd and acted as a Consultant to *L'Union Internationale des Chemins de Fer* (the world cooperation body for railways), for whom he drafted a new International Railway Standard *Technical Aspects of Tree Risk and Vegetation Management – Recommendations*. He now leads FLAC's collaboration with its technology partner, Airbus Defence and Space, on the development of natural hazard management systems.

JFL has published a number of articles in the arboricultural and landscape press, variously covering tree risk assessment, legal aspects of liability for hazard trees, subsidence, and the arboricultural significance of certain wood decay fungi on trees. He is the author of RAVEN, the only appeal-validated field recognition system for ancient veteran and notable trees, and an enhanced version, RAVEN 2.

In addition, JFL is a well-known figure on the international arboricultural lecture circuit, covering specialist topics such as the philosophy of tree risk assessment, aspects of wood decay fungi, retrenchment pruning of veteran trees, the use of remote sensing technology for vegetation management and infrastructure protection, and forensic entomology for tree-related accident investigation. In 2024 he delivered the closing lecture to the Arboricultural Association's Annual Conference, and lectured on statutory tree protection at the Trees and the Law conference, Lincoln's Inn.

In 2019 he developed a proof of Professor Claus Mattheck's principle of the *Axiom of Uniform Stress* in trees, and has subsequently been granted Licensed Lecturer status in *Visual Tree Assessment* by Karlsruhe Institute of Technology, being one of only a handful of such licensees worldwide.

JFL is regularly instructed in the area of tree root damage to buildings, frequently acting as an expert witness in this complex area of arboriculture.

JFL has been instructed as an expert witness on several occasions in relation to prosecutions for offences under Tree Preservation Order legislation and has appeared for both prosecution and defence in the Crown Court. Additionally, he is author of the TEMPO system for assessing whether trees merit TPO protection; TEMPO is used by over 60 local authorities and dozens of consultants.

JFL has appeared numerous times at planning-related Public Inquiries, the majority of which have concerned ancient woodland, veteran tree and historic landscape issues.

JFL was a technical editor of BS5837:2012, being responsible for preparing drafts of the clauses relating to tree survey methodology, and demolition & construction in proximity to trees.

In December 2021, he was appointed Chair of British Standards Institution committee B/213 *Trees and tree work*, with responsibility for steering the revision and development of all British Standards relating to arboriculture.

JFL has undertaken several items of original research, including:

- Stability of trees on slopes to derive failure criteria for tree height against degrees of slope
- The use of infra-red aerial photography for tree vitality assessment
- Site-related predisposing factors for storm resilience modelling of large-scale tree populations
- Cross-correlational analysis of woodbank width as an indicator of century of formation

A summary of JFL's memberships, designations and appointments is set out below:

- Chartered Arboriculturist (Member of the Institute of Chartered Foresters)
- Member of the Royal Society of Biology
- Member of the Royal Institution of Chartered Surveyors
- Professional Member of the Arboricultural Association
- Registered Consultant of the Arboricultural Association 2004-2018
- Member of the Expert Witness Institute
- Member of the Royal Forestry Society and holder of its 'Professional Diploma in Arboriculture'
- VTA Licensed Lecturer, Karlsruhe Institute of Technology
- Chair of British Standards Institution technical committee B/213 Trees and Tree Work

JFL has a Bachelor of Arts Honours Degree in Theology and a Diploma in Greek and Roman Studies, from the University of Exeter; and read for a Masters in War Studies at King's College London.



APPENDIX JFL2

WHIPPENDELL WOOD SSSI CITATION

County: Hertfordshire **Site Name:** Whippendell Wood

District: Three Rivers

Status: Site of Special Scientific Interest (SSSI) notified under Section 28 of the Wildlife and Countryside Act 1981

Local Planning Authority: Three Rivers District Council

National Grid Reference: TQ 076978 **Area:** 66.9 (ha) 165.3 (ac)

Ordnance Survey Sheet 1: 50 000: 166 **1: 10 000** TQ 09 NE

Date Notified (Under 1949 Act): 1954 **Date of Last Revision** 1972

Date Notified (Under 1981 Act): 1986 **Date of Last Revision:**

Other Information:

Previously Whippendell and Harrocks Woods SSSI, but with exclusion of Harrocks Wood now 'Whippendell Wood'.

Description and Reasons for Notification:

This is an ancient woodland site in the clay-with-flints region which retains large areas of semi-natural vegetation. A complex of woodland habitats are present on the pebble clays and sandy soils with Oak/Hazel/Ash and Oak/Hornbeam being the major stand types. Both these woodland types have been much reduced in extent nationally and the former is also scarce in Hertfordshire. This is a large woodland in a predominantly urban and agricultural setting.

Pedunculate Oak/Ash *Quercus robur*/*Fraxinus excelsior* high forest is an important element with a relatively open canopy and some trees reaching a height of thirty metres. Coppice-with-standards structure also exists where old Hazel *Corylus avellana* coppice dominates the shrub layer and with Hornbeam *Carpinus betulus* present elsewhere. Other scrub species include Holly *Ilex aquifolium*, Hawthorn *Crataegus monogyna*, Dogwood *Cornus sanguinea* and Wild Cherry *Prunus avium* with occasional spindle *Euonymus europaeus*. The ground flora is typical of such conditions and is dominated by Yorkshire Fog *Holcus lanatus*, Bluebell *Hyacinthoides non-scripta*, Honeysuckle *Lonicera periclymenum* and Bracken *Pteridium aquilinum*. Frequent under the Hazel coppice are Primrose *Primula vulgaris* and wood Spurge *Euphorbia amygdaloides*. Recent felling in a small broad-leaved and mixed plantation has promoted such species as Dog's Mercury *Mercurialis perennis*, Sanicle *Sanicula europaea*, Male-fern *Dryopteris filix mas* and Broad Buckler fern *D. dilatata*. A woodland ride and adjoining patch of neutral grassland with scattered Silver Birch *Betula pendula* adds to flora diversity with Sweet Vernal-grass *Anthoxanthum odoratum* and Agrimony *Agrimonia eupatoria* frequent, and Twayblade *Listera ovata* occasional.

Whippendell Wood (cont...)

Sympathetic management has retained considerable amounts of dead wood encouraging a rich variety of fungi, for which the site is well known, and a well developed invertebrate fauna. Several local insect species occur, with the moth Lead-coloured Drab *Orthosia populeti* being especially notable.

Hawfinch *Coccothraustes coccothraustes* and Wood Warbler *Phylloscopus sibilatrix* are indicative of the diverse breeding bird community.



APPENDIX JFL3

CORRESPONDENCE WITH NATURAL ENGLAND

46-1009_JFL
LITTLE GREEN LANE

14 May 2026

Betsy Brown
Sustainable Development Higher Officer – West Anglia Team
Natural England

By email to consultations@naturalengland.org.uk

Dear Betsy,

Natural England ref. 500413:
Consultation response on Three Rivers DC application 24/2073/OUT –
Request for clarification

FLAC is advising the developer, Richborough Estates, in relation to ancient woodland matters associated with the planning application referred to above. This application was refused planning permission and is proceeding to appeal by public local inquiry.

We write now seeking clarification in relation to one aspect of the mitigation measures sought by Natural England, the provision of an *ancient woodland recreational management plan* (AW-RMP).

In this regard, we note that Natural England's consultation response, insofar as it relates to ancient woodland, was primarily driven by the SSSI-designated ancient woodland to the north of the application (now appeal) site, Whippendell Wood. However, we also note that Natural England's response did not confine itself solely to this designated site. The key text from the response seeks:

- *Minimum 30m buffer zone around ancient woodland within and adjacent to the proposed development*
- *An ancient woodland recreational management plan*

Whilst the scope of the first bullet is clear, no such clarity is detected with the second. For this reason, we ask that Natural England provides clarification of the scope of the AW-RMP.

For convenience, we append an extract from MAGIC, showing the following areas of ancient woodland:

- | | |
|-----------------------------|-----------------------|
| i) Green Lane Wood | v) Newlands Spring |
| ii) Dell Wood | vi) Merlin's Spring |
| iii) Long Newlands Spring | vii) Waterdell Spring |
| iv) Whippendell Wood (SSSI) | viii) Harrocks Wood |

In our view, it is appropriate that an AW-RMP should be prepared in relation to Green Lane Wood, which is wholly within the site, but beyond this it is not clear what the driver for such a plan might be. Harrocks Wood, in particular, should clearly be out of scope, whilst Dell Wood could perhaps be included.

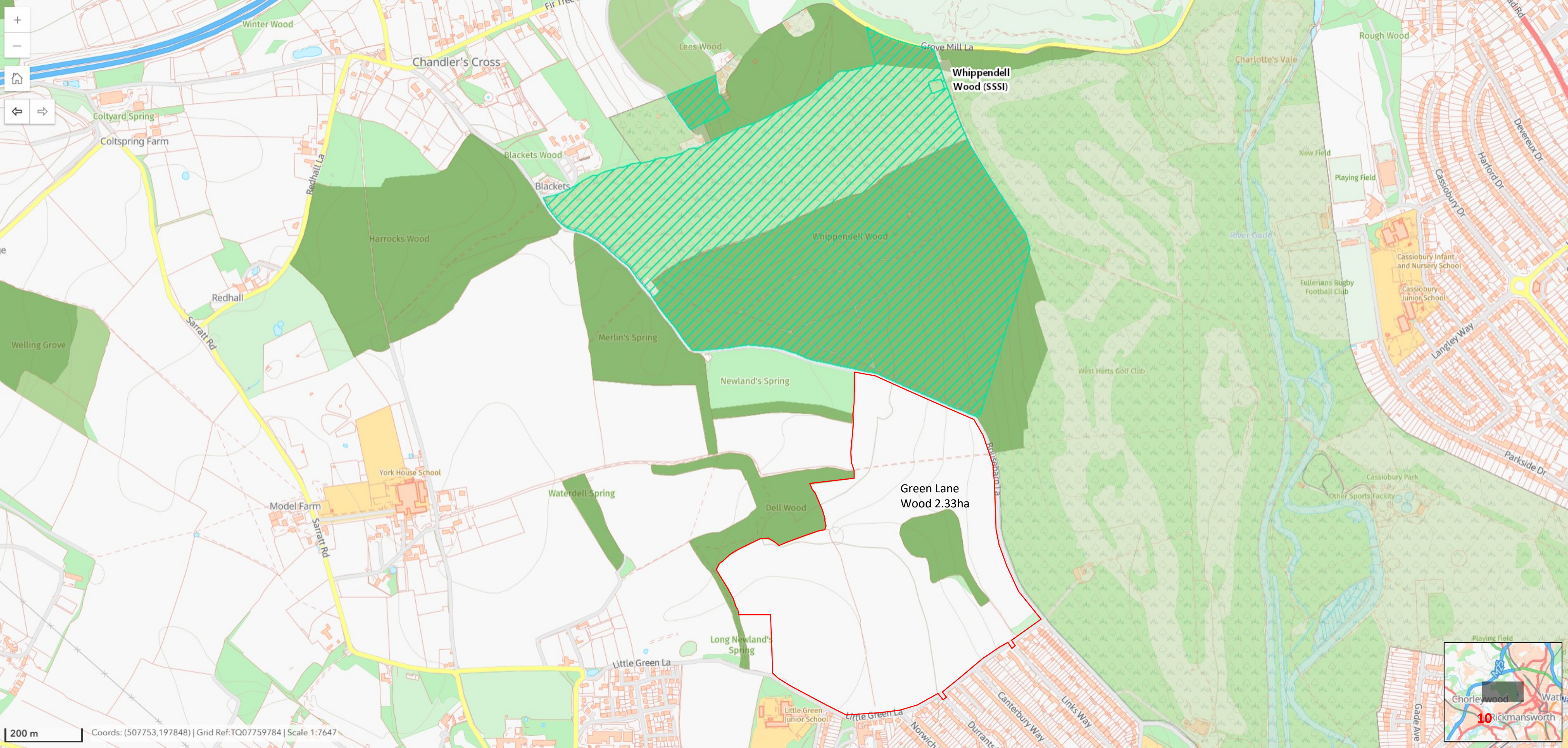
Whippendell Wood SSSI is a large woodland owned and managed by the adjacent local authority, Watford Borough Council. To the extent that its condition could be improved, any deficiencies we noted when visiting do not appear materially to arise from visitor pressure. In our view, there is little to be gained by extending the AW-RMP to this woodland.

In light of the foregoing, we would ask Natural England to review its request for AW-RMP and to provide swift clarification on the desired scope which, we trust, will be proportional. We suggest that Natural England might find it convenient to refer to the MAGIC extract, and to the woodlands in question, using the nomenclature set out above.

Thank you in advance for your prompt attention to this matter.

Best wishes,

Julian Forbes-Laird



From: Julian Forbes-Laird <jfl@flac.uk.com>
Sent: 14 May 2026 16:27
To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Subject: URGENT - FAO BETSY BROWN - Your ref 500413
Importance: High

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CELEBRATING 20 YEARS

46-1009_JFL
LITTLE GREEN LANE

Dear NE Consultations/ Betsy,

Please find attached correspondence seeking clarification of one aspect of the mitigation sought in relation to ancient woodland.

Kindly note that a swift response is requested as this matter proceeds to an Inquiry this summer.

Best wishes,

Julian.

Julian Forbes-Laird BA(Hons), Dip.GR.Stud, MICFor, MRSB, MRICS, MEWI, Dip.Arb(RFS)
• Chartered Arboriculturist • Chartered Surveyor • Member of the Expert Witness Institute
VTA Licensed Lecturer, Karlsruhe Institute of Technology
Director & Principal Consultant, FLAC

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NOTICE: This email has been sent on behalf of FLAC. FLAC is a trading style of Forbes-Laird Arboriculture Consultancy Ltd ('the

From: [Betsy Brown](#)
To: [Julian Forbes-Laird](#)
Subject: FW: *RESPONSE REQUESTED ASAP* 2026-06-04 548696 QUERY REGARDING NE COMMENTS Outline for development of up to 600 dwellings, children's home etc. Land To North Of Little Green Lane, Croxley Green (Three Rivers) 24/2073/OUT
Date: 04 June 2026 15:43:16
Attachments: [image002.png](#)
[FLAC 46-1009 L.NE - AW-RMP clarification.pdf](#)
Importance: High

You don't often get email from betsy.brown@naturalengland.org.uk. [Learn why this is important](#)

Good afternoon Julian,

Thank you for getting in touch and for your letter outlining your request for clarification in our response (500413; 05 Feb 2025)

To answer your questions, the AW-RMP request within our letter is in reference to the ancient woodland within your redline boundary i.e. Green Lane Wood, which I believe you have identified as being appropriate in regard to development of a management plan.

Our additional advice for ancient woodland both within and adjacent to your site relates to establishment of a 30m buffer zone to reduce likelihood of recreational pressure.

For both instances, I would strongly recommend contacting the Forestry Commission as the statutory body to help inform those plans and any other management they feel is necessary to protect these habitats.

I hope that this has answered your questions, but please feel free to get back in touch via this email for any further clarification.

Thank you.

Kind regards,

Betsy

Betsy Brown, MSc

Sustainable Development Senior Officer – West Anglia Team

Natural England, Eastbrook, Shaftesbury Rd

Cambridge, CB2 8DU

Contact: 07708034705

Pronouns: She/Her ([why is this here?](#))

