

Environmental Impact Assessment (EIA)

The aim of these rules is to take into account the environmental importance of uncultivated land and semi-natural areas and also the impact of forestry-related projects.

Agriculture

A. You must not

1. begin or carry out any uncultivated land project¹ (on uncultivated land² or semi-natural areas³) which affects an area of 2 or more hectares, unless you have obtained permission from Natural England;
2. begin or carry out any uncultivated land project if a screening notice applies to that land, unless you have obtained permission from Natural England;
3. breach a stop notice that has been served on you⁴.

B. You must

1. meet any requirement of a remediation notice served on you⁴, unless you have a reasonable excuse.

Although, in general, rules A1 to A3 and B1 apply to land of 2 or more hectares, Natural England has the power to serve screening notices on areas of land smaller than 2 hectares.



- 1 This is a project to increase the productivity for agriculture of uncultivated land or a semi-natural area, and includes those to increase the productivity for agriculture of such land to below the norm.
- 2 Uncultivated land: land which has not been cultivated in the last 15 years, involving either physical cultivation such as ploughing and sub-surface harrowing or chemical cultivation such as application of fertilisers.
- 3 These include bracken; species-rich hay meadow; fen, marsh and swamp; bog; semi-natural scrub; dwarf shrub heath; wet grassland in coastal and river flood plains; unimproved grassland; and standing water.
- 4 Under the Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations 2006.

Forestry

C. You must not

1. begin or carry out any afforestation⁵ on agricultural land or any deforestation⁶ project on existing woodland, regardless of area, unless you have obtained permission from the Forestry Commission;
2. continue any work on a project if you have received an enforcement notice⁷ that requires you to stop work.

D. You must

1. carry out any work as set out in the consent given by the Forestry Commission;
2. carry out any work required by an enforcement notice⁷ within the given time period.



Further advice and guidance

To get details of your local Forestry Commission office call the Forestry Commission helpline on 0117 372 1070 or visit the website at www.forestry.gov.uk.

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at rpa.defra.gov.uk/crosscompliance/farmerguidance

Environmental Impact Assessment Unit: 0800 028 2140

Natural England: 0845 600 3078

⁵ Afforestation is the creation of new woodland on agricultural land.

⁶ Deforestation is the removal of woodland and conversion to an alternative land use.

⁷ Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999.