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9th October 2025

Dear Victor Grayson

Reference: 2020/60/92331/E
Proposal: Outline planning application for demolition of existing dwellings and development of phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2) development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/D1 uses), a 2 form entry primary school including early years provision, green space, access and other associated infrastructure (amended and further information received) | Land east of, Leeds Road, Chidswell, Shaw Cross, Dewsbury

Reference: 2020/60/92350/E
Proposal: Outline application for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure | Land south of, Heybeck Lane, Chidswell, Shaw Cross, Dewsbury

Please find below a summary of the Woodland Trust's comments, followed by further detail and advice. Our comments are based on a review of the information provided in the two planning applications. We are an evidence-led organisation, using our policy and planning expertise to assess impacts of development on ancient woodland and veteran trees.

We have considered the applications together given the similar approach taken by the applicant to mitigating ancient woodland impacts and the cumulative impacts of the combined proposals. Our comments are generally equally applicable to both developments, but where comments relate only to one application we have highlighted this.

Woodland Trust Position - Summary

The Trust **objects** to planning applications 2020/60/92331/E and 2020/60/92350/E on the basis of deterioration of Dogloitch Wood (grid ref: SE 27819 23464) and Dum Wood (grid ref: SE 27303 24175), both designated as Ancient Replanted Woodland on Natural England's Ancient Woodland Inventory (AWI).

At Outline stage **the applicant needs to demonstrate that it will be feasible to mitigate impacts** arising from development of this scale, including: -

- Deterioration of ancient woodlands associated with intensified public activity within and adjacent to the woodlands.
- Fragmentation and loss of adjacent semi-natural habitats, such as small wooded areas and wetland habitats, impacting the ancient woodlands and their wildlife.
- Noise pollution and emissions from increases in traffic impacting the ecological condition of the ancient woodlands.
- Hydrological impacts on ancient woodland from changes to surface or groundwater flows associated with drainage and SUDs provision.

The applicant has not provided any supporting analysis to demonstrate that it will be possible to mitigate impacts on the ancient woodlands. As such, in their current form, these applications are contrary to National Planning Policy Framework para 193 (c) and do not reflect Natural England and Forestry Commission's standing advice[1] (see Annex A for details).

We note that Natural England and Forestry Commission have commented on these applications and have not raised objections. It is important to note that it is the policy of these government agencies not to raise an objection unless statutorily designated sites are impacted. As ancient woodland is not a statutory designation (though fully protected by national planning policy), they are not able to raise an objection on this basis. **Therefore, these no objection positions should not be taken to indicate there are no adverse impacts on ancient woodland.**

We have provided information on ancient woodland designations below, followed by a discussion of our key concerns.

Ancient Woodland

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, soils, recreational and cultural value, historical and archaeological significance, and the contribution it makes to our diverse landscapes. It is a scarce and threatened resource, covering only 2.5% of England's land area. It has a high level of protection in planning policy.

Natural England and the Forestry Commission define ancient woodland as follows:-

"*Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It is a valuable natural asset important for: wildlife (which include rare and threatened species); soils; carbon capture and storage; contributing to the seed bank and genetic diversity; recreation, health and wellbeing; cultural, historical and landscape value. It has been wooded continuously since at least 1600AD. It includes:-*

- *Ancient semi-natural woodland* [ASNW] - *mainly made up of trees and shrubs native to the site, usually arising from natural regeneration.*
- *Plantations on ancient woodland sites* [PAWS] - *replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi"*

Both ASNW and PAWS woodland are given equal protection in government's National Planning Policy Framework (NPPF) regardless of the woodland's perceived condition, its size or features.

[1] https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions

In May 2022, the Government published an updated policy statement on ancient woodland, entitled 'Keepers of Time: ancient and native woodland and trees policy in England'[2]. The Keepers of Time policy accentuates the importance of ancient woodland, stating: *"Ancient woodlands, ancient wood pastures and parkland and ancient and veteran trees are irreplaceable habitats which must be protected. Their long-standing presence, species and form serve as a rich cultural record of past management practices".*

Impact on Ancient Woodland

Intensified activity within and adjacent to the ancient woodlands

Individually, each of these developments will give rise to significantly increased activity within and adjacent to the ancient woodlands. The cumulative effect of the two applications will intensify these impacts.

Each of the ancient woodlands has a public right of way running alongside that connects to a wider network of paths. The Masterplan Framework for application 2020/60/92350/E states: "*An existing Public Right of Way skirts the southern boundary of Dogloitch Wood and is an important piece of pedestrian infrastructure which will provide a link from The Lowlands north west to the Local Centre, Primary School and further P.A.O.S".*

The Design and Access Statement (DAS) for application 2020/60/92350/E states: "*The layout benefits from it's adjacency with the wider masterplan proposals and the existing ancient woodland which provide potential opportunities for further recreational green space."*

Therefore, the design of the proposals has significant potential to give rise to indirect impacts on ancient woodland such as noise, disturbance, vegetation damage, trampling, litter, removal of deadwood, fire damage, cat predation, and pollution and disturbance from dog walking.

Width of buffer zones

The applicant has proposed a 20 metre buffer zone to both ancient woodlands, but has not submitted any assessment or supporting analysis to demonstrate that a 20 metre buffer would be sufficient to mitigate impacts. The Design and Access Statements for both developments describe the buffer as "*generous*", but this assertion is unsupported by evidence or analysis. Given the considerable scale of these developments, it has not been demonstrated that providing a buffer width of only 5 metres more than the minimum specified in the standing advice would suffice.

We note the suggestion in the delegated reports (December 2022) for these applications that mitigation for ancient woodland can be secured through a Section 106 agreement. The reports state that controlled access to the ancient woodlands "*would not be without risk, but could limit harm*".

However, the applicant has not provided any modelling or analysis to assess the likely intensified use of the ancient woodlands arising from a development of this nature, scale and location. There is no discussion to demonstrate that a 20 metre buffer (rather than, say, 30 metres, 40 metres or 50 metres) is an appropriate width for a key mitigatory design feature.

[2] https://www.gov.uk/government/publications/keepers-of-time-ancient-and-native-woodland-and-trees-policy-in-england/keepers-of-time-ancient-and-native-woodland-and-trees-policy-in-england

In the absence of supporting analysis it is not possible to conclude that controlling woodland access could be managed so as to avoid deterioration of ancient woodland. As such it is far from clear that a condition in the Section 106 agreement would be effective in securing suitable mitigation for ancient woodland impacts.

The applicant needs to demonstrate that it will be feasible to mitigate impacts associated with the considerable increase in people, dogs and cats within and adjacent to ancient woodland and that the provision of a 20 metre buffer would provide adequate mitigation.

It must also be demonstrated that mitigation will be sufficient to prevent deterioration of ancient woodland, which is the terminology used in the NPPF. It is not sufficient to demonstrate that the proposals will "*limit harm*".

Design and management of buffer zones

We note the buffer zones proposed for applications 2020/60/92331/E and 2020/60/92350/E are positioned outside the respective site boundaries although within the same ownership. Indeed, the DAS states with regards to the ancient woodland buffer zone: "*The extent of the red line boundary is dictated by the extent of the 20m ancient woodland buffer zone."*

The result of positioning the buffer zone outside of the site boundary is that it is more difficult to assess the proposals in the round. A key factor in mitigating impacts from development adjacent to ancient woodland is designing an appropriate buffer zone. Buffer zones can be secured and planted at the beginning of a development, before construction or occupation, and with good design and sufficient width can provide both ecological enhancement to the ancient woodland and additional open space to absorb increased footfall. The standing advice, which describes a number of mitigatory design interventions, provides particular advice on the use of buffer zones.

The applications need to include how the buffers will be planted and the extent to which access into the buffers will be encouraged or deterred. Buffer provision needs to be understood in the context of the overall design of the scheme, provision of alternative open space, ecological corridors, and supporting mitigatory measures. Without this it is not possible to assess whether impacts can be mitigated.

Management Plan for ancient woodlands

We note that the Section 106 agreement refers to a "*management plan (and works, if required) for public access to Dum Wood and Dogloitch Wood (outside application site, but within applicant's ownership).*"

If works are required to be carried out in ancient woodland for the purpose of facilitating a development (rather than for the purposes of sensitive ancient woodland management) then the impact of these works would need to be factored into consideration of the overall impacts of the development on ancient woodland. For example, if footpath improvement works are proposed, such as widening or re-surfacing, then such works will have potential to give rise to loss or deterioration of ancient woodland, including loss of adjacent soils or ground flora, encroachment on root systems, noise, light or dust pollution, or hydrological impacts. Improving footpaths by its nature can also encourage greater access, increasing adverse impacts such as noise, disturbance to breeding birds or other sensitive fauna, pollution from dogs, or litter.

Clearly there may need to be some degree of maintenance for existing footpaths within ancient woodland. However, the applicant needs to clarify the works anticipated as part of these applications in order that the extent to which the works are deemed necessary to accommodate increased usage arising from the developments can be understood. Where any such works would result in loss or deterioration of ancient woodland, this would constitute an additional impact on ancient woodland arising from this development.

Fragmentation and loss of adjacent habitat

The proximity of development along the boundaries of the two ancient woodlands would result in these woodlands being increasingly separated from adjacent semi-natural habitat and from each other. Application 2020/60/92350/E proposes development bordering Dum Wood on three sides. Application 2020/60/92331/E proposes development bordering the western half of Dogloitch Wood.

The application would introduce extensive areas of housing, employment and associated infrastructure on land connecting the two ancient woodlands. Although green spaces are proposed within the application, many are partially urbanised. Dogloitch Wood would be separated from much of the wooded area along the water course flowing into Hey Beck. There would be a primary link road separating Dum Wood from the wooded water course to the west. Without significant mitigation these changes have potential to impact habitat connectivity and integrity, affecting the dispersal, feeding and nesting of species relying on woodland edge habitats and species using adjacent open ground.

These proposed changes to habitat connectivity are particularly concerning given the limited ancient woodland buffer provision together with the lack of clarity and consistency in the application with regards to measures to enhance green connections.

We have provided some illustrative examples here. The 'Parameter Plan - Green Infrastructure' for application 2020/60/92331/E shows a "*proposed green buffer*" adjacent to the south-west tip of Dogloitch Wood, whereas the DAS shows this area as SUDs. The 'Parameter Plan - Green Infrastructure' shows a 15 metre "*wildlife corridor*" on the eastern boundary of the site to connect the two ancient woodlands whereas the DAS shows a narrow line of tree planting alongside the employment area/car parking with no connection to Dum Wood. Even within the DAS there are inconsistencies. For example, the plan on page 49 shows a much more extensive green corridor than is shown on the plan on page 65; and the plan on page 49 shows a "*potential wildlife corridor*" outside the site boundary to connect the two ancient woodlands, but does not show the green corridor along the eastern boundary of the employment area shown on page 65.

These inconsistencies need to be clarified by the applicant, in particular whether a wildlife corridor is proposed outside of the site boundary in addition to the 15 metre connecting corridor alongside the employment area. With regards to proposals within the site boundary to the east of the employment area, the applicant should clarify whether this is proposed as a dedicated 15 metre wide wildlife corridor without public access, or whether it is proposed as a narrower line of trees alongside the development. Given the limited ancient woodland buffer provision and the partial urbanisation of proposed new green spaces, it appears that the 15 metre wildlife corridor connecting the two ancient woodlands may be proposed as the principal means of mitigating fragmentation. If this is the case, the applicant needs to demonstrate that this will be sufficient to protect against gradual deterioration of the ecological condition of the ancient woodlands.

Traffic

Increased traffic in proximity to ancient woodland can lead to deterioration of the ecological condition of the woodland as a result of traffic emissions and traffic noise. Emissions may increase the deposition of air pollutants such as nitrogen oxide and ammonia, affecting soils, ground flora and vegetation. Noise pollution has potential to affect wildlife, including bats, insects and acoustic predators.

The impact of traffic emissions on ancient woodland does not appear to have been assessed in the documentation.

The night-time noise contour maps for application 2020/60/92350/E show noise levels of >40dB in the buffer zone to Dum Wood. For application 2020/60/92331/E noise levels of >50dB are shown for Dogloitch Wood. Evidence suggests that terrestrial wildlife responses may be elicited at noise levels exceeding 40 dB - further discussion can be found in the report by Dr Andrew Carr available here British Ecological Society. Where noise levels exceed this level, the resulting impact is a deterioration in the suitability of ancient woodland habitat for woodland species. We would therefore recommend that the applicant provides additional information to enable consideration of whether noise from these developments could lead to deterioration of ancient woodland habitats.

The applicant also needs to demonstrate that the increase in traffic emissions associated with these proposals will not lead to deterioration of ancient woodland.

Drainage and SUDs

Ancient woodland ecosystems are sensitive to disturbance, and alterations to the surrounding hydrology can impact on soil moisture levels and the ecological condition of the woodland. Alterations to drainage patterns upstream of a woodland can cause changes to the hydrological regime for the woodland. Implementation of SUDs could change surface or ground water flows, in turn impacting the woodland.

The standing advice is clear that sustainable drainage schemes should only be approved if any changes to the water table do not negatively affect ancient woodland.

The hydrology and drainage assessments submitted as part of the application do not appear to have considered the potential impact on ancient woodland arising from alterations to drainage patterns.

With regards to potential hydrological issues the delegated report (December 2022) for application 2020/60/92331/E states: "*although Dum Wood is already on slightly elevated land, the adjacent ancient woodlands would not be left perched on higher land while land around it is lowered and hard surfaced."* The meaning of this, and the reference to 'adjacent ancient woodlands', is unclear.

Although the position of SUDs basins can be micro-sited at a later stage to ensure avoidance of root protection areas, the applicant needs to demonstrate that the strategy for drainage will not lead to deterioration of the ancient woodlands by altering the hydrological conditions in surrounding habitats.

Mitigation for Ancient Woodland

The standing advice states that larger buffer zones are more likely to be needed if development is close to residential areas or if a significant increase in traffic is anticipated. For large developments, we recommend buffer zones of **at least 50 metres** as a precautionary principle, unless it can be clearly demonstrated that smaller buffers would suffice.

Additionally, for a development of this size, part of the buffer should be treated as land that needs safeguarding rather than functioning open space. For example, if a 50 metre buffer is provided we would recommend **access is discouraged for a minimum of 15 metres** adjacent to the ancient woodland.

Planning Policy

The National Planning Policy Framework, paragraph 193, states: "*When determining planning applications, local planning authorities should apply the following principles:-*

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons[70] and a suitable compensation strategy exists;"

Footnote 70 defines exceptional reasons as follows: "*For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat."*

There are **no wholly exceptional reasons** for these developments at this location and as such in their current form these applications do not comply with national planning policy.

Duty to Consult Secretary of State

The Town and Country Planning (Consultation) (England) Direction 2024 published 26th January 2024 requires local planning authorities in England to consult the Secretary of State before granting planning permission for certain types of development. This now includes development which would result in the loss or deterioration of ancient woodland, where the local planning authority considers that potential adverse impacts cannot be mitigated. We would advise that if the council were minded to approve the application it would need to be referred to the Secretary of State.

Conclusion

The Trust **objects** to planning applications 2020/60/92331/E and 2020/60/92350/E on the basis of deterioration of ancient woodland.

Protection for ancient woodland is outlined within National Planning Policy Framework at paragraph 193 (c). This policy provides a test for developments and impact on ancient woodland. The test is whether there would be a negative impact, not whether the magnitude of the impact is acceptable. In their current form, these applications have significant potential for indirect impacts on ancient woodland that will contribute to the long-term deterioration of the ancient woodlands, contravening national planning policy.

These applications should be considered for refusal unless the applicant is able to provide clear and robust assessment to demonstrate that deterioration can be avoided.

Please contact us at planningcasework@woodlandtrust.org.uk to discuss any of the points raised in this letter.

Kind regards

C Johannesen
Programme Officer - Woods Under Threat

Natural England and Forestry Commission's standing advice:-
Ancient woodland, ancient trees and veteran trees: advice for making planning decisions

Direct and indirect effects of development:-

Development, including construction and operational activities can affect ancient woodland, ancient and veteran trees, and the wildlife they support on the site or nearby.

Direct effects of development can cause the loss or deterioration of ancient woodland or ancient and veteran trees by:-

- *damaging or destroying all or part of them (including their soils, ground flora or fungi)*
- *damaging roots and understorey (all the vegetation under the taller trees)*
- *damaging or compacting soil*
- *damaging functional habitat connections, such as open habitats between the trees in wood pasture and parkland*
- *increasing levels of air and light pollution, noise and vibration*
- *changing the water table or drainage*
- *damaging archaeological features or heritage assets*
- *changing the woodland ecosystem by removing the woodland edge or thinning trees - causing greater wind damage and soil loss*

Indirect effects of development can also cause the loss or deterioration of ancient woodland, ancient and veteran trees by:-

- *breaking up or destroying working connections between woodlands, or ancient trees or veteran trees - affecting protected species, such as bats or wood-decay insects*
- *reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species*
- *reducing the resilience of the woodland or trees and making them more vulnerable to change*
- *increasing the amount of dust, light, water, air and soil pollution*
- *increasing disturbance to wildlife, such as noise from additional people and traffic*
- *increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing the woodland or tree root protection areas*
- *increasing damaging activities like fly-tipping and the impact of domestic pets*
- *increasing the risk of damage to people and property by falling branches or trees requiring tree management that could cause habitat deterioration*
- *changing the landscape character of the area*

Mitigation measures

Mitigation measures will depend on the type of development. They could include:-

- *putting up screening barriers to protect ancient woodland or ancient and veteran trees from dust and pollution*
- *measures to reduce noise or light*
- *designing open space to protect ancient or veteran trees*
- *rerouting footpaths and managing vegetation to deflect trampling pressure away from sensitive locations*
- *creating buffer zones*

Use of buffer zones

Buffer zones can protect ancient woodland and individual ancient and veteran trees and provide valuable habitat for woodland wildlife, such as feeding bats and birds. The size and type of buffer zone should vary depending on the:-

- *scale and type of development and its effect on ancient woodland, ancient and veteran trees*
- *character of the surrounding area*

For example, larger buffer zones are more likely to be needed if the surrounding area is:-

- *less densely wooded*
- *close to residential areas*
- *steeply sloped*

Buffer zone recommendations

Where possible, a buffer zone should:-

- *contribute to wider ecological networks*
- *be part of the green infrastructure of the area*

A buffer zone should consist of semi-natural habitats such as:-

- *woodland*
- *a mix of scrub, grassland, heathland and wetland*

The proposal should include creating or establishing habitat with local and appropriate native species in the buffer zone.

You should consider if access is appropriate. You can allow access to buffer zones if the habitat is not harmed by trampling.

You should not approve development proposals, including gardens, within a buffer zone.

You should only approve sustainable drainage schemes if:-

- *they do not affect root protection areas*
- *any change to the water table does not negatively affect ancient woodland or ancient and veteran trees*