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22nd August 2024

Dear Ellie Thornhill

Reference: 2024/62/91242/E
Proposal: Erection of residential development (up to 50 dwellings) with associated access, parking, public open space, landscaping and infrastructure. | Land north east of, Shepley Road, Stocksmoor, Huddersfield, HD4 6XW

Objection – deterioration of ancient woodland

The Woodland Trust is the UK's largest woodland conservation charity and a leading voice in bringing to the attention of government, landowners and the general public the state of the UK's woods and trees. We own over 1,000 sites across the UK, covering over 30,000 hectares and we have over 500,000 members and supporters.

The Trust also campaigns with the support of local communities, to prevent any further destruction of ancient woods and veteran trees. We are an evidence-led organisation, using existing policy and our conservation and planning expertise to assess the impacts of development on ancient woodland and veteran trees. Planning responses submitted by the Trust are based on a review of the information provided as part of a planning application.

Woodland Trust Position
The Trust **objects** to this planning application on the basis of deterioration of Shepley Mill Wood (grid ref: SE 18581 10688), designated as an Ancient Semi Natural Woodland on Natural England's Ancient Woodland Inventory (AWI).

Ancient Woodland
Ancient woodland is an irreplaceable resource 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, and has a high level of protection in planning policy.

Natural England and the Forestry Commission, the Government's respective bodies for the natural environment and woodlands, define ancient woodland as follows within their standing advice[1]: "*Ancient woodland takes hundreds of years to establish and is defined as an*

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

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"*

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 Government's '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."*

Planning Policy

The National Planning Policy Framework, paragraph 186, 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[67] and a suitable compensation strategy exists;"

Footnote 67 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 is **no wholly exceptional reason** for the development in this location and as this development would result in deterioration in its current form, we do not believe it complies with national planning policy.

Impact on Ancient Woodland

This application proposes the construction of 50 residential dwellings with associated infrastructure, parking and green space on a site adjacent to ancient woodland. The Ecological Impact Assessment states there will be a buffer of at least 15m between the development and the woodland that will consist of enhanced grassland habitats and occasional trees. This is echoed in the Landscape Masterplan which shows a 15m buffer of enhanced grassland and species rich meadow grassland. We are concerned that a 15m grassland buffer is insufficient for a development of this scale, and request that this is increased to a planted 30m buffer to create a phased habitat to the ancient woodland.

The steep incline of the eastern part of the site is presented in the proposals as a sufficient deterrent to prevent people from entering the ancient woodland informally from the development site. However, a planted 30m buffer would provide a far more robust barrier to disturbance than a grassy area and a steep slope. Such a buffer would additionally create an

[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

important habitat transition zone between the development and the woodland. We are also concerned that the incline of the site may result in increased run-off from the development entering the woodland with potential hydrological and pollution impacts.

We are specifically concerned about the following impacts on the ancient woodland:-

- Intensification of human activity close to the woodland resulting in increased disturbance to breeding birds and other sensitive fauna, vegetation damage, removal of deadwood, predation and disturbance from domestic pets, trampling, litter or fire damage.
- Reduction of semi-natural habitat near to the ancient woodland.
- Noise, light and dust pollution, with impacts arising during construction and occupation.
- Adverse hydrological impacts occurring where the introduction of hardstanding areas and water run-offs affect the quality and quantity of surface and ground water. This can result in the introduction of harmful pollutants into the woodland, affecting the hydrological condition of the woodland and triggering change to soil characteristics and floral composition.

Natural England and Forestry Commission have identified impacts of development on ancient woodland within their standing advice (please see the annex at the foot of this document for the full range of impacts outlined). This guidance should be considered the Government's position with regards to development impacting ancient woodland. We note that Natural England has referenced this guidance in their consultation response.

When land use is intensified such as in this situation, woodland plant and animal populations are exposed to environmental impacts from the outside of a woodland as detailed above. In particular, the habitats become more vulnerable to the outside influences, or edge effects, that result from the adjacent land's change of use. These can impact cumulatively on ancient woodland - this is much more damaging than individual effects, and can lead to serious disturbance and long-term deterioration of the woodland habitat.

Mitigation

Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges. As such, it is necessary for mitigation to be considered to alleviate such impacts. Natural England and the Forestry Commission's standing advice contains guidance on mitigation measures to alleviate impacts on ancient woods and trees (annexed to this letter).

Buffering ancient woodland can be an ideal mitigation measure as buffer zones can be used to establish distance between the development and habitat, which helps to alleviate harmful impacts whilst also creating new areas of habitat around the ancient woodland.

With regards to Shepley Mill Wood, the applicant proposes a buffer of around 15 metres. We acknowledge that this is in line with the minimum required by Natural England. However, we consider that deterioration of the ancient woodland is still likely to occur as a result of the scale of development, and that a larger buffer should be provided. For a development of this scale, we would advocate for a buffer zone of **at least 30 metres** to prevent adverse impacts such as pollution and disturbance.

The buffer should be planted before construction commences. HERAS fencing, fitted with acoustic and dust screening measures, should be positioned alongside the boundary of the

buffer zone to ensure the buffer is un-encroached during construction, to prevent ground compaction by vehicles/stockpiles, and to limit noise and dust pollution. In this respect we note that construction will need to take place immediately adjacent to the buffer zone so the applicant needs to demonstrate that this will be feasible without adversely impacting the buffer.

Conclusion

Ancient woodland is an irreplaceable habitat, once lost it is gone forever. As such, it should be protected from any form of development that will result in its loss or deterioration.

The Woodland Trust **objects** to this planning application on the basis of deterioration of ancient woodland. The applicant should seek to provide a 30m buffer between the development and Shepley Mill Wood, and demonstrate that appropriate mitigation is in place to protect the ancient woodland from deterioration.

We hope you find these comments helpful - if you would like to discuss any of the points raised, please contact us at planningcasework@woodlandtrust.org.uk

Kind regards

Frankie Moughton-Small
Woods Under Threat team

Annex

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*