



Local Plan Team
Calderdale Council

26th September 2018

BY EMAIL ONLY

Dear Sir/ Madam,

Calderdale Local Plan Publication Draft

Thank you for consulting Yorkshire Wildlife Trust on the above Forward Planning document. Yorkshire Wildlife Trust works across the Yorkshire and Humber region managing more than 100 reserves and with a membership of over 42,000. YWT is the second oldest of the 46 Wildlife Trusts which work in partnership to cover the whole of the UK. The Trust's principal vision is to work for a Yorkshire rich in wildlife, valued and enjoyed by people.

YWT previously commented on the initial site allocations draft for Calderdale's Local Plan in April 2017 and on the draft policy document in September 2017. We note that many of the allocated sites for which we were concerned have now been removed from the site allocations. However, we feel that the policy text associated with many others can be improved (see below).

Main Text

We also note that the majority of our comments with regards to the policy text do not appear to have yet been implemented. Please see the attached response for our comments from the September 2017 consultation which are yet to be addressed.

In addition to our previous comments, we would like to caveat **Policy CC4 – Catchment Management – Slowing the Flow**. Whilst the implementation of natural flood management is encouraged by the Trust and we are happy to see the consideration of impacts to SPA and SAC's; we would like this consideration to also extend to locally designated sites, including Local Wildlife Sites (LWS) and the Calderdale Wildlife Habitat Network. Natural flood management provides an ideal opportunity for creating successful ecological networks which would provide a net gain for biodiversity across the district. There should therefore be an aim throughout Calderdale to encourage a functionally linked network and achieve this net gain, in accordance with NPPF (see below).

Calderdale Wildlife Habitat Network (CWHN)

CWHN is a key biodiversity feature in the region which has the potential to be significantly impacted by development through fragmentation and deterioration of habitats, diminishing its ability to function as a



wildlife corridor. Corridors and stepping stones of suitable habitat within CWHN, which extend across the district, allow species to move between core areas of important habitat; there is therefore a need for buffer zones which protect these corridors and particularly core sensitive areas (as detailed within the government produced document: The Natural Choice¹).

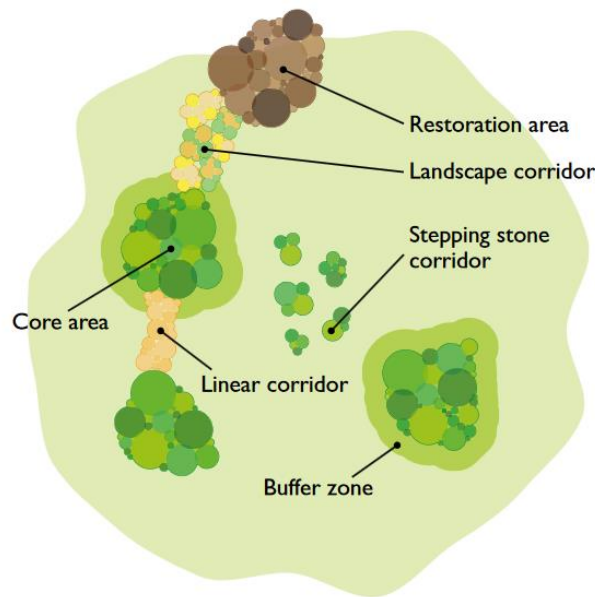


Figure 1. The components of Ecological Networks (see The Natural Choice³ for more details)

We are concerned that the network appears to have diminished over the years, with a smaller buffer zone included either side of an identified feature e.g. watercourse or tree line, than was present within the current UDP. We would encourage the council to review the network and ensure there is a sufficient buffer zone included within the network to protect and enhance the future potential for the improvement of an ecologically coherent network across the district. Developments should also be encouraged to strengthen the current network.

Appendix 1

We would like to make the following comments on **Appendix 1** of the Local Plan document (Site Allocations):

We are encouraged to see that many of the sites mention when located within the Calderdale Wildlife Habitat Network (CWHN), near to a Local Wildlife Site (LWS), or contain a priority habitat within the allocation (often referred to as BAP); along with requests for some ecological surveys, buffer zones and

¹ The Natural Choice: securing the value of nature HM Government 2011



retention of priority habitats. However, there is a lack of consistency between sites, and we feel these policies could be strengthened further to ensure that the allocations do not result in a loss of biodiversity.

It would be of great value for the district, for each site allocation to be made clear when it lies within the CWHN. It is appreciated that in some allocations the requirement for ecological appraisals and protected species surveys have been included; however as a minimum, Preliminary Ecological Appraisals (PEA) and any necessary protected species surveys (as advised by the ecologist) should be implemented for these sites. In addition, there will be a requirement to implement sensitive landscape schemes which protect the connectivity of the CWHN. These schemes will provide opportunities to achieve net gain for biodiversity, as is in accordance with the NPPF Paragraphs 170(d) and 174:

'170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

*d) minimising impacts on and **providing net gains for biodiversity**, including by establishing coherent ecological networks that are more resilient to current and future pressures;'*

'174. To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and

*b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for **securing measurable net gains for biodiversity**.'*

In particular, we feel that the allocations could achieve the necessary measurable net gain for biodiversity by requesting biodiversity offsetting metrics to be conducted for all developments. This would aid the construction of a *'bigger, better, more joined up'* network as recommended by the Lawton Review (Making Space for Nature²).

We would therefore, strongly encourage the incorporation of **Biodiversity Offsetting metrics** for all developments to ensure **a net gain in biodiversity** on site. We would highly regard **DEFRA metrics** to be

² Making Space for Nature: A review of England's Wildlife Sites and Ecological Network. Chaired by Professor Sir John Lawton CBE FRS (2010)



utilised as these have been adopted, and proven to work efficiently, by other local councils including Lichfield (who adopt a 20% net gain protocol for all development) and East Hertfordshire:

Excerpts from East Hertfordshire Local Plan:

'20.2.10 In order to objectively assess net ecological impacts and therefore achieve net gains in biodiversity, as required by NPPF, it is vital that a fair, robust mechanism for measuring these impacts is applied. To ensure they are consistently quantified, the application of the DEFRA and NE endorsed Biodiversity Impact Assessment Calculator (Warwickshire County Council v18 2014 or as updated) will be required for all development with negative impacts on biodiversity. Proposals will be expected to show a net gain in ecological units following development.

20.2.11 It is important that a consistent, acceptable standard of supporting ecological information is supplied with planning applications. In order to ensure this, it will be expected that ecological information is presented in accordance with the British Standard on Planning and Biodiversity – BS42020 2013 Biodiversity – Code of practice for planning and development

Policy NE1 International, National and Locally Designated Nature Conservation Sites

IV. Ecological impacts will be quantified by utilising the Biodiversity Impact Assessment Calculator (BIAC). Development must demonstrate a net gain in ecological units. Ecological information must be supplied in accordance with BS 42020 2013.

Policy NE2 Sites of Nature Conservation Interest (Non-Designated)

- I. All proposals should achieve a net gain in biodiversity, as measured by using the BIAC, and avoid harm to, or the loss of features that contribute to the local and wider ecological network.***
- II. Proposals will be expected to apply the mitigation hierarchy of avoidance, mitigation and compensation, and integrate ecologically beneficial planting and landscaping into the overall design.'***

As a minimum, metrics for biodiversity net gain should be incorporated for all site allocations or subsequent planning applications which lie within Calderdale Wildlife Habitat Network, or impact upon any statutory or non-statutory designated sites (including locally designated sites such as local wildlife sites or areas of priority habitat such as species rich grassland and woodland).

In addition to achieving a net gain in biodiversity and the production of sensitive landscape schemes; the implementation of sensitive lighting schemes, which protect dark corridors of CWHN and other corridors



such as watercourses and hedgerows, will be invaluable for supporting local biodiversity and species such as birds and bats.

The sites which have currently been identified to lie within CWHN and thus subject to the above criteria are listed in Table 1 below (please be aware this list is not exhaustive).

Conclusion

YWT is pleased to see the inclusion of biodiversity and species consideration within the site allocations plan. However, we feel that there is a lot of variation between site policies allowing scope for improvements to be made to ensure consistency across the region. In addition there are still opportunities to further protect LWS, priority habitats and CWHN to promote a more ecologically resilient network and achieve standards set out within the NPPF bringing the local plan up to date with other local plans nationwide.

I hope you find these comments useful. Feel free to get in touch should you have any queries or concerns.

Kind Regards,

Laura Hobbs
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Table 1. Site Allocations within Calderdale Wildlife Habitat Network

LP REF	Address	Draft Plan Proposed Use	Site Area	Comments
LP0938	Holme House Lane, Rishworth, Sowerby Bridge, HX6 4PY	Ripponden Housing Allocations	0.53	YWT appreciates the mention of South Pennines SPA/SAC/SSSI in this allocation policy along with the request for a HRA and mitigation zones. However we feel this could be strengthened by requesting a PEA and associated protected species surveys prior to approval. This could be further supported through the request for sensitive landscape schemes (including SuDs) and lighting plans to minimise the impact upon the CWHN and ensure no fragmentation occurs and a net gain in



				biodiversity is achieved.
LP0037	Long Heys Farm, Long Heys, Greetland, Elland, HX4 8BJ	Elland Housing Allocations	0.95	Although a buffer zone is requested as part of the mitigation, there should be further mention of the sites proximity to CWHN. In addition, a PEA and associated protected species surveys should be undertaken and sensitive landscape (including SuDs) and lighting schemes implemented to ensure net gain in biodiversity is achieved.
LP1030	South Parade, Adj Maple Fold, Elland, HX5 0PH	Elland Housing Allocations	0.54	Although we encourage the planting of locally native species, we feel this policy could be strengthened by requesting a PEA and associated protected species surveys, along with sensitive landscape schemes (including SuDs) and lighting plans to protect the CWHN. This should include retention of BAP habitat on site and proposals for achieving a net gain in biodiversity.
LP0960	South Lane, Elland	Elland Employment Allocations	5.86	This policy does not mention the sites proximity to the CWHN. Although we encourage the planting of locally native species, we feel this policy could be strengthened by requesting a PEA and associated protected species surveys, along with sensitive landscape schemes (including SuDs) and lighting plans to protect the CWHN. This should include retention of BAP habitat on site and proposals to achieve a net gain in biodiversity.
LP0978	Lower Edge Road/Shaw Lane, Elland, HD6 3JN	Elland Housing Allocations	8.28	This policy could be strengthened by ensuring there is a consistency in identifying the CWHN locations, along with LWS. The site must be subject to a PEA and protected species surveys along with a thorough assessment of impacts to the LWS and proposals for mitigation (including sensitive landscape plan). Areas of grassland



				should be retained and managed in the long term through an Ecological Management Plan (EMP) to achieve net gain in biodiversity.
LP0009	South of premises on Lowfields Way, Elland	Elland Employment Allocations	3.08	Buffers to sensitive areas such as river corridors are encouraged; however this policy could be further strengthened by requesting a PEA and associated protected species surveys, along with mitigation provided within a sensitive landscape scheme (including SuDs) incorporating the retention of areas of grassland and which aims to achieve a net gain in biodiversity. Sensitive lighting schemes should also be implemented. This should be managed in the long term for botanical interest through an EMP (Ecological Management Plan).
LP1033	Toothill Bank, Rastrick, Brighouse HD6	Brighouse Housing Allocations	3.22	PEA and protected species surveys required in addition to sensitive landscape schemes (including SuDs) to retain species rich grassland. Managed through an EMP to achieve a net gain in biodiversity and no fragmentation of CWHN.
LP1451	Bradley Wood and Woodhouse Lane, Rastrick, Brighouse	Brighouse Garden Suburbs	63.2	Although we agree with the requirement for the production of a PEA and EMP, we would also like to see retention of woodland and CWHN in form of the rail corridor, along with sensitive lighting schemes and landscape plans (including SuDs) to achieve a net gain in biodiversity.
LP1232	Wakefield Road/Clifton Common, Clifton, Brighouse, HD6	Brighouse Employment Allocations	25.42	Although we agree with the production of a PEA and EMP, we would like to see retention of woodland and CWHN in form of rail corridor, along with sensitive lighting schemes (including SuDs) and landscape plans to achieve a net gain in biodiversity.
LP1053	Squire Hill Quarry, Brighouse, HD6	Brighouse Housing Allocations	3.73	Although we agree with the need for a buffer to be provided from the woodland, detail also needs to be provided on the impacts to the LWS with appropriate mitigation put in place to ensure there is no habitat fragmentation. This should be



				implemented through a sensitive landscape scheme (including SuDs) to achieve a net gain in biodiversity along with a sensitive lighting scheme. PEA and protected species surveys will also be needed as appropriate.
LP1054	Brookfoot Lane, Brighouse, HX3 9SX	Brighouse Housing Allocations	1.23	We agree that a buffer should be provided from woodland, however detail needs to be provided on the impacts to the LWS with appropriate mitigation put in place to ensure no fragmentation from CWHN. This should be implemented through a sensitive landscape scheme (including SuDs) to achieve a net gain in biodiversity along with a sensitive lighting scheme. PEA and protected species surveys required as appropriate.
LP1133	Sedbergh Road and Siddal New Road, Halifax, HX3 9HB	Halifax Employment Allocations	4.37	PEA and protected species surveys will be required in addition to sensitive landscape schemes (including SuDs) to retain woodland. This should be managed through an EMP to achieve a net gain in biodiversity and ensure that there is no fragmentation of CWHN.
LP1134	Shaw Lodge Mill Complex, Shaw Lane, Halifax	Halifax Employment Allocations	1.32	PEA and protected species surveys will be required along with suitable mitigation and buffers for CWHN. Sensitive landscape schemes (including SuDs) and sensitive lighting plans will be required to protect CWHN from fragmentation and achieve net gain in biodiversity.
LP1170	Mulcture Hall Road, Halifax	Halifax Mixed Use Allocation	3.24	Retention of Hebble Brook will be necessary to protect biodiversity features on site. PEA and protected species surveys will be required along with suitable mitigation and buffers from banks of Hebble Brook. Sensitive landscape schemes (including SuDs) and sensitive lighting plans will be required to protect CWHN from fragmentation and achieve net gain in biodiversity.
LP1041	West Street and Halifax road, Shelf, Halifax	Northowram and Shelf Housing Allocations	1.56	PEA and protected species survey will be required to ensure woodland impacts are negligible, along with sensitive landscape schemes (including SuDs) to retain and enhance both hedgerow and



				woodland. This should be managed through a CEMP (Construction Environmental Management Plan) and EMP to achieve net gain for biodiversity and ensure there is no fragmentation of CWHN.
LP1543	North and North West of, Wade House Road, Shelf Halifax	Northowram and Shelf Housing Allocations	11.17	We are encouraged to see requests for species specific surveys, however would also like to see full PEA and other appropriate protected species surveys; in addition to sensitive landscape schemes (including SuDs) to ensure no impacts to LWS or fragmentation of CWHN. Sensitive lighting schemes and net gain in biodiversity should also be implemented. Full assessment of impacts to LWS will be needed along with appropriate mitigation.
LP0782	Cock Hill Lane, Shelf, Halifax	Northowram and Shelf Housing Allocations	5.86	We are encouraged to see requested species specific surveys, however would also like to see full PEA and other appropriate protected species surveys; in addition to sensitive landscape schemes to ensure no impacts to LWS or fragmentation of CWHN. Sensitive lighting schemes and net gain in biodiversity should also be implemented. Full assessment of impacts to LWS will be needed along with appropriate mitigation.
LP1216	Mill Lane and Old Lane, Boothtown, Halifax HX3 6TP	Halifax Housing Allocations	9.6	We would expect species rich grassland to be retained on site. PEA and protected species surveys will be required alongside a sensitive landscape plan (including SuDs) to ensure there is no fragmentation of CWHN and a net gain in biodiversity.
LP0531	Whitehill Road, Keighley Road, Illingworth Halifax	Halifax Housing Allocations	7.18	Impacts to LWS need to be considered and fully mitigated. PEA and protected species surveys will be needed along with sensitive landscape schemes (including SuDs) and management plans to ensure no fragmentation of CWHN and overall net gain in biodiversity is achieved.



LP0046	Goosegate Farm, Heathy Lane, Holmfield, Halifax, HX2 9UN	Halifax Housing Allocations	0.75	Impacts to LWS need to be considered and fully mitigated. Although a buffer from the LWS is encouraged we feel this can be strengthened. Boundary trees and species rich grassland should be retained. PEA and protected species surveys will be needed along with sensitive landscape schemes (including SuDs) and long term management plans to ensure no fragmentation of CWHN and a net gain in biodiversity is achieved
LP0914	Opposite 46-48 Hollins Road, Walsden, Todmorden, OL14 8BJ	Todmorden Housing Allocations	1.31	Impacts to Rochdale Canal need to be fully considered and mitigated. PEA and appropriate protected species surveys are required with a sensitive landscape scheme (including SuDs) to protect the wildlife corridor of the canal and ensure no fragmentation of CWHN. Sensitive lighting schemes should also be implemented and CEMP to protect adjacent watercourse and achieve net gain in biodiversity.
LP1534	Birks Mill, Birks Lane, Walsden, Todmorden	Todmorden Housing Allocations	0.71	We are encouraged by the inclusion of ecological issues, but feel this can go further to ensure no impacts or fragmentation occur. Full PEA and protected species surveys should be conducted to advise a sensitive landscape scheme (including SuDs) which retains high value habitats and protects adjacent watercourse, whilst providing opportunities for net gain in biodiversity. CEMP should be implemented on site along with a sensitive lighting scheme.
LP0053	Key Syke Lane, Kilnhurst, Todmorden, OL14 6AW	Todmorden Housing Allocations	0.43	We are encouraged by the inclusion of a buffer, however would also like to see PEA and protected species surveys requested, along with sensitive landscape plan (including SuDs) to achieve net gain in biodiversity and no fragmentation of CWHN.
LP0011	Tenterfields, Burnley Road, Luddenden Foot, Halifax, Hx2 6	Mytholmroyd Housing Allocations	2.63	We are encouraged by the inclusion of buffers for green belt, but feel this can go further to ensure no impacts or fragmentation occur. Full PEA and protected species surveys should be conducted to advise a sensitive landscape scheme (including



				SuD) which retains high value habitats and protects adjacent watercourse, along with opportunities for net gain in biodiversity. CEMP should be implemented on site along with a sensitive lighting scheme.
LP1023	Halifax Road, Triangle, Sowerby Bridge	Ripponden Housing Allocations	1.41	Natural England licence will be required for any identified roost on site. This will require full suite of nocturnal bat surveys, and full mitigation strategy appropriate for submission for a NE licence prior to determination of the planning application. Sensitive landscape schemes (including SuDs) should go some way to enhance the area for roosting and foraging bats, resulting in a net gain in biodiversity. Sensitive lighting schemes are also required to protect bats along with buffers and CEMP to protect adjacent watercourse.
LP1078	Dewsbury Road and New Hey Road, Rastrick, Brighouse, HD6	Brighouse Housing Allocations	10.62	We are encouraged by the inclusion of requirement for PEA and bat surveys. However, this can go further to ensure net gain for biodiversity is achieved including sensitive landscape plans (including SuDs) and sensitive lighting plans to ensure no fragmentation of CWHN.



Local Plan Team
Calderdale Council

29th September 2017

BY EMAIL ONLY

Dear Sir/ Madam,

Calderdale Local Plan – Initial Draft – September 2017 consultation

Thank you for consulting Yorkshire Wildlife Trust on the above Forward Planning document. The Yorkshire Wildlife Trust works across the Yorkshire and Humber region managing more than 100 reserves and with a membership of over 42,000. The YWT is the second oldest of the 47 Wildlife Trusts which work in partnership to cover the whole of the UK. The Trust's principal vision is to work for a Yorkshire rich in wildlife, valued and enjoyed by people.

Due to resource constraints Yorkshire Wildlife Trust has not had the time to assess all of the documents associated with this current Local Plan consultation. Our comments therefore only related to the Calderdale Local Plan Initial Draft 2017 (a.k.a the Policies document). We have not had resource at present to assess the allocations document, however we have provided comments on allocations at earlier stages of the Local Plan process.

We would like to make the following comments on the Policies document:

Paragraph 3.4

YWT welcomes that the biodiversity value of Calderdale has been reference, and is a part of, the vision for the Local Plan:

'The natural environment and biodiversity of Calderdale will be protected and improved, and new development has not spoilt the features that are treasured;'

Paragraph 5.7

'5.7 Within Calderdale, there are internationally important environmentally protected areas, the Special Protection Areas (SPA) and the Special Areas of Conservation (SAC), covering the South Pennine moorlands. Additionally there are five Sites of Special Scientific Interest (SSSI) and a number of locally important nature sites. New development should support the protection and enhancement of these areas, in order to protect these environmentally sensitive areas. In addition to biodiversity, the plan needs to reflect the importance of protecting geodiversity resources.'



Yorkshire Wildlife Trust welcomes the wording to support and protect nature conservation sites from development in Paragraph 5.7. However, the Wildlife Habitat Network is also a key biodiversity feature in the region which can be significantly impacted by development through fragmentation and deterioration of habitats for it to function as a wildlife corridor. We therefore advise that the Wildlife Habitat Network is added to Paragraph 5.7.

Policy SD2

As with our comments to Paragraph 5.7 above, we advise that the Wildlife Habitat Network is added to the policy wording to SD2 to ensure that development does not result in the fragmentation or deterioration of the Network.

Policy CC1

We welcome Point 8 of Policy CC1 which states that *'Protecting and enhancing biodiversity habitats, taking care not to create barriers to the movement of wildlife over the wider landscape'*. However, as with our comments above for Paragraph 5.7 and SD2, it is essential that the Wildlife Habitat Network is mentioned in the wording, as it will be an essential resource for wildlife to move and adapt in response to climate change.

Paragraphs 10.40 and 10.43

We note that biodiversity impacts have not been added to the strategic priorities when determining the impacts of wind turbine proposals. Wind turbine developments can have significant impacts on bats and birds. This is of a particular concern given the large areas of the South Pennine Moors SSSI/SPA/ SAC within the Calderdale boundary, an internally designated sites for its important bird populations. So far such impacts have not been mentioned in the paragraphs supporting the wind turbine policy. We therefore advise that this is added in order to better safeguard biodiversity and designated sites.

Policies CC5 and CC6

YWT welcomes the wording within these policies to protect sites of nature conservation importance. Such is in line with Paragraph 118 of the NPPF. However, as stated in our comments to Paragraphs 10.40 and 10.43, wind turbines can have significant impacts on bat and bird populations. At present there is no policy wording with Policies CC5 and CC6 to safeguard bat and bird populations that are not linked to a designated nature conservation site from wind turbine developments. We therefore advise that the policy wording is amended to include wording for the protection of populations of key species, in particular bats and birds.

Paragraph 20.6

We welcome the inclusion of statutory designated sites within Paragraph 20.6. However there is no mention of non-statutory nature conservation sites, such as Local Wildlife Sites and Ancient Woodlands.



Local Wildlife Sites are a vital part of protecting and enhancing biodiversity nationally. The report by Professor Sir John Lawton “Making Space for Nature”³ and the Natural Environment White Paper⁴ both identify Local Wildlife Sites as a very important stepping stones to allow wildlife to move. In many parts of the UK, they are the principal wildlife resource but their designation is non-statutory and their only protection comes via the planning system. They are not protected by law like SSSIs or National Nature reserves. Whilst SSSIs are a representative sample that meet national criteria, LWSs include all sites that meet local selection criteria.

Developments which lead to detrimental impacts on Local Wildlife Sites, are therefore likely to damage the biodiversity value of the Local Wildlife Site and lead to net losses in biodiversity.

Ancient woodland is woodland that has existed since 1600AD. Because they have developed over such long timescales, ancient woods have unique features such as relatively undisturbed soils and communities of plants and animals that depend on the stable conditions ancient woodland provides, some of which are rare and vulnerable. Ancient woodlands are therefore irreplaceable and impossible to recreate through compensation planting schemes. Because of this they have been offered additional protection in Paragraph 118 of the NPPF, which states that:

‘planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss’.

We therefore advise that the Local Wildlife Sites and Ancient Woodlands are added to Paragraph 20.6 in order to offer them better protection from development and conform to national policy.

Policy GN2

YWT welcomes: *‘Development will not be permitted in a [Wildlife Habitat Network](#) if it would damage the physical continuity of the Network; or impair the functioning of the Network by preventing movement of species; or harm the nature conservation value of the Network.’*

- *‘Seeking to connect biodiversity habitats;*
- *Maintaining critical biodiversity assets and providing long term security for these as identified in the Calderdale Biodiversity Action Plan;*

³ <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>

⁴ <https://www.gov.uk/government/publications/the-natural-choice-securing-the-value-of-nature>



Policy GN3

1. The use of the word 'expected'

YWT notes the wording of the first paragraph of GN3 states that:

'The Council will seek to achieve better management of Calderdale's natural environment by expecting developments to:'

YWT does not think that simply 'expecting' developments to adhere to the proceeding points of this section of the Policy is adequate to ensure that they do so. The definition of expect is to regard as something as likely to happen or someone is likely to do something, rather than require someone to do something, or that an action is compulsory. The use of the word 'expecting' in this policy does not therefore provide certainty that developments will be conducted in accordance with the wording of Policy GN3, as it is not compulsory for them to do so.

A stronger wording of GN3 is therefore need to ensure that developments are conducted in accordance with GN3. The word 'required' instead would give more certainty, as the definition of required is *'the need for a particular purpose, to make necessary, or to specify as compulsory'*.

We therefore advise that 'expecting' is changed to 'require' in order to ensure that developments are conducted in accordance with points i to xi of the first part of Policy GN3.

2. Point iv)

We note that point iv) of GN3 states that: *'Take appropriate steps to maintain or enhance the favourable conservation status of populations of protected species'*. Whilst we support the wording to maintain and enhance populations of protected species, there are many other species which have been highlighted by national policy to be of conservation concern, which are not designated as protected species. Such species include those listed in the UK Biodiversity Action Plan. We therefore advise that the wording for Point iv) is amended to reflect this. Such could include:

'Take appropriate steps to maintain or enhance the favourable conservation status of populations of protected species and species of conservation concern'.

Policy GN5

YWT welcomes point iii of GN3, which states that: *'iii. Development proposals which will result in the loss of or damage to Ancient Woodland sites and their associated flora and fauna will not be permitted'*. Such is in accordance with Paragraph 118 of the NPPF. We note that no reference has been made to the British Standard for Trees (BS 5837:2012 Trees in relation to design, demolition and construction. Recommendations), which are the best-practice guidelines for planning and practical management work in



relation to trees. We therefore advise that all developments are conducted in accordance with the British Standard for Trees, and that this is secured within the Policy Wording within GN5.

Section 23 – Waste

Whilst we do not wish to comment on the waste chapter in detail, we would like to make a comment on the restoration of waste sites. There does not appear to be any information on the restoration and after-use of landfill sites. Landfill sites have the potential to be restored to nature conservation sites after use, and can deliver net gains for biodiversity and health and wellbeing benefits for local residents. The restoration of ex-waste sites to nature conservation sites would be in line with Paragraphs 9 and 118 of the NPPF.

St Nicks Local Nature Reserve in York is a successful case study where a landfill site has been restored for wildlife and community benefits. As an ex-landfill site the nature reserve has recovering biodiversity with various habitats including young woodland, scrub, meadow, rough grassland, coppice and a stream. The site is locally important for water voles and several rare micromoths, and was designated as a Local Nature Reserve in 2004 by Natural England. More information on St Nicks can be found on the following link: <https://stnicks.org.uk/about-us/>.

I hope you find these comments useful.

Kind Regards,

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