

Save Greater Manchester's Green Belt Group Response

Response to Call for Evidence: Protected Sites for Nature in England and Northern Ireland

The [Save Greater Manchester's Green Belt](http://savegmgreenbelt.org.uk/) (SGMGB) group¹ comprises around 40 community groups spread across the Greater Manchester (GM) area. We were formed back in 2016 when around **27,000** GM constituents objected to the proposals for extensive Green Belt release in consultations about the Greater Manchester Combined Authority's Places for Everyone (P4E) Spatial Plan².

Many of our objections related to the enormous impact on nature, the plans to develop on irreplaceable habitats and sites of biological importance and the huge loss of natural capital. We work with other local groups, such as [Steady State Manchester](https://steadystatemanchester.net/)³, which has, among many other things, assessed the carbon implications of P4E⁴.

We believe environmental regulations need to be strengthened further to ensure the importance of protected sites in supporting nature's recovery is fully recognised and that the regulations aiming to increase the number of such sites and enhance their condition are comprehensively adhered to.

General questions:

1. What aspects of these laws and their implementation are working well and what aspects could be improved?

We consider the biggest strength in relation to protected sites is the passion and dedication of the ecologists who support the implementation of the current regulations. There are, however, aspects of these laws that can be improved and we set out our key thoughts below.

It should be made much easier (and quicker) for appropriate sites to be designated for protection and much harder for that protection to be removed. The natural capital value of such sites should become a key element of the criteria for protection. Local residents should be given the explicit opportunity to recommend sites for designation. This could be small areas, perhaps adjoining a school, or larger sites that need specific protection and enhancement.

There should also be more consideration of the improvement of existing sites, something which should be done in collaboration with local communities, who should be encouraged to propose enhancements and potential actions to enrich specific sites. Projects to facilitate and enable communities to look after local sites should be funded/resourced.

The buffers around existing or proposed sites should be fully scrutinised, as these areas can support site enhancement or decline. Buffers are essential, not just for the protection of these sites, but also to ensure there is room for expansion, should that be recommended as part of an enhancement programme. The impact of development can be extreme and can affect a wide area surrounding a scheme, particularly in terms of footfall, domestic animal intrusion and air, noise, light and vibration pollution. Environmental and protection regulations need to be updated to ensure buffers are adequate address these needs.

The current unacceptable and ineffectual approach, which results in the protection of nature not even being considered in long-term planning, leads us to believe there should be greater, and more specific, protection for sites that offer significant opportunities to support nature's recovery and other natural capital benefits. Such sites could include the following:

- Irreplaceable habitats, such as peatlands and ancient woodlands, these sites should have stronger, more comprehensive protection, which should prioritise restoration (in the case of the peatlands) and enhancement

¹ <http://savegmgreenbelt.org.uk/>

² <https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/submission-documents/>

³ <https://steadystatemanchester.net/>

⁴ <https://steadystatemanchester.net/2023/01/03/places-for-everyone-the-carbon-impact-revised-figures/>

- Best and most versatile agricultural land, Grades 1, 2 and 3a, can, with clear, nature-based practices, support the increase of farmland bird populations, along with improving our food security
- The breeding and feeding grounds of badgers and other protected species, which appear not to be protected at all when it comes to development decisions

In addition, all trees should be automatically protected when they reach maturity, which the Woodland Trust defines as “*when it starts producing fruits or flowers*”⁵. The recent tree-felling guidelines from the Forestry Commission⁶ are welcome but do not go far enough. Too many trees are still being unnecessarily cut down. In GM, for example, there is even a formally designated woodland site of biological importance (home to badger setts, endangered birds and other wildlife) which the landowner wants to completely fell and replace with warehousing.

Our response is shaped by our recent experience of the P4E⁷ Plan, including its Examination in Public. We strongly believe that this Plan should have identified sites for conservation, protection and restoration, as well as sites for development. Yet, despite covering 9 local authorities, P4E makes no such recommendations. The regulations should be updated to make it a requirement for local and regional plans to specifically review sites which could be entitled to protection/conservation and to consider whether such sites should be designated.

The P4E Plan also made no allowance for protected sites in the development site selection process. In fact, there were no site selection criteria at all relating to the environmental objective (Objective 8, page 42). The ecological impacts of site selection were only considered at stage 3 of the process, when many potential schemes (which may have resulted in less impact on protected sites) had already been filtered out.

There should be more emphasis on understanding, assessing and valuing natural capital. Yet, despite being described as a trailblazer for natural capital by the Government⁸, the GM authorities submitted no natural capital evidence to support their decisions. The regulations should mandate assessment of these assets, which would include protected sites.

Local and regional plans should also be required to demonstrate how the proposed “*sustainable*” development will have a positive effect on the protection and enhancement of nature. GM’s P4E Plan, for example, results in the loss of 2,430 hectares of Green Belt, impacting nature’s recovery, decimating irreplaceable habitats and reducing further the populations of endangered birds and protected wildlife species. P4E has allocated peatlands for development, in several locations, despite highlighting (paragraph 8.28) that such sites support “*a unique range of wildlife*” and that “*lowland raised bog is now one of Western Europe’s rarest and most threatened habitats*”. This decision has been made despite there being sufficient existing land supply to meet the Government’s requirements (paragraph 7.12).

For clarity, [official data](#)⁹ tells us that since 2013/14 England has lost over **25,110 hectares of Green Belt** (nearly 100 square miles), equivalent to over 35,000 football pitches of highly valued land, much of which is nature-rich, with various natural capital and ecosystem services attributes, that are now forever lost to wildlife.

2. Are these laws and the ways in which they are being implemented fit for purpose, still relevant and achieving the objectives of halting biodiversity loss and supporting its recovery? Do any of these laws exist in tension with each other or are there gaps or inconsistencies?

⁵ <https://www.woodlandtrust.org.uk/blog/2019/06/tree-lifecycle/#:~:text=A%20tree%20becomes%20mature%20when,productivity%20around%2080%2D120%20years>.

⁶ <https://forestrycommission.blog.gov.uk/2020/05/18/tree-felling-do-you-know-right-from-wrong/>

⁷ <https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/submission-documents/>

⁸ <https://www.gov.uk/government/publications/greater-manchester-combined-authority-trailblazer-deeper-devolution-deal>

⁹ [Local authority green belt statistics for England: 2020-21 - statistical release - GOV.UK \(www.gov.uk\)](#)

There is a huge disconnect between these laws and those relating to planning, for example. This lack of coherence is facilitating the approval of plans/planning applications that do not support planning or delivery of the aspirations for protected sites for nature.

3. Do the bodies responsible for implementing these laws have sufficient resources, skills and capacity?

Organisations should be funded to drive increases in the number of protected sites, their enhancement and the monitoring mentioned in response to question 5 below. It must be recognised that, if more sites are designated, more resource is needed for management, maintenance, surveying, ensuring criteria continue to be met, etc.

The Greater Manchester Ecology Unit (GMEU) provides a constructive and practical model, as the skills and expertise are effectively in a shared service centre which provides advice and guidance to all GM districts (and to some local authorities outside of the sub-region). We understand similar models are in place in West Yorkshire and Merseyside. Whilst this is an excellent way of sharing best practice and developing expertise, it is not a replacement for local authority resources, which must be replenished (many such roles have been eliminated).

Communities are an important, unpaid asset, often monitoring and reporting environmental aspects, providing time and talent to help protect nature. With more resources, regional or local bodies could also provide advice and guidance to Parish Councils, community groups and individuals to reap the benefits of citizen science and more targeted inputs from local residents, particularly in the area of site maintenance, recording sightings and highlighting specific issues which arise in existing protected sites.

It is important that all the bodies responsible for implementing these laws also have sufficient authority (the teeth) to ensure their advice is followed. We currently do not believe this is the case. Natural England's role, for example, is essential to compliance with these laws but we have evidence that their advice is routinely ignored by local and regional authorities, which is not acceptable.

Trafford Borough Council has, for example, been notified on a number of occasions that Natural England does not support development on peat mosses (giving the reasons why). As we mentioned in our response to question 1, above, such sites (and a significant buffer) should be explicitly protected.

In responding to Trafford's option appraisal about the Carrington Relief Road, Natural England stated "*We are disappointed that the findings of the environmental desktop study are not fully reflected in the appraisal of the route options. Appendix D contains slightly more information on the environmental constraints but is not an accurate representation*" and that "*We think this presents an inaccurate and unbalanced view of the environmental constraints and it is Natural England's view that Option F would be considerably more damaging than Option A*". To receive such damning commentary from a Government agency should have resulted in a review of the option appraisal process – but this did not happen.

The letter also contained advice about the environmental assessment, stating "*Natural England acknowledge that a full Environmental Scoping Report will be produced and we advise that this is done to help inform the decision of the preferred route for the relief road*". Yet, this advice was ignored and the decision about the preferred route was made **without** the full Environmental Scoping Report being completed. The route chosen was Option F, despite Natural England making it clear that this would be **the more environmentally damaging option**.

Natural England also provided guidance in response to the P4E Plan, reiterating their lack of support for development on peatlands, several of which have been proposed for homes and warehousing. The GMCA believes Natural England's advice does not amount to a "soundness" issue, so the guidance will not be followed.

We find it astonishing that the advice of a Government agency, with the specialist skills that Natural England possess, can be summarily dismissed by local and regional authorities.

4. Are there examples, from other countries or from similar domestic regimes, that provide useful lessons?

No response

5. Are there gaps in the available data and evidence that need to be filled to ensure this area of law is effective?

There should be published monitoring which highlights the number of sites designated, the number lost in a particular year, and the number gained. The monitoring should also cover the enhancements made to sites and any biodiversity net gain delivered. Both hard data (numbers) and soft data (views/perceptions, survey results) should be used to develop a clear understanding of the efficacy of the current regulations and the impact of climate change on these protected sites (sites could become wetter, or drier, for example). This would include monitoring developer conditions (whether they have been delivered) and any obligations relating to the management of conservation sites.

We would welcome the introduction of targets to drive improvements in protected site management and conditions. Some protected sites are on private land, so it should be a requirement that landowners support the delivery of such targets and provide the necessary information (or give site access for data collection purposes) to enable a clear assessment of improvement (or otherwise) that has been, or is to be, made.

It should be noted that other regulations also need to be considered in terms of their impact on the protection of such sites and the available data and evidence in decision-making processes.

As mentioned in our response to question 1 above, a developer has submitted a planning application to completely fell a formally designated (Grade A) woodland site of biological importance and replace the trees with warehousing. The site is the breeding and feeding grounds for protected and endangered species, yet, at this decision-making stage in the planning process, the regulations are wholly inadequate in relation to the information needed to assess the impact of the proposed development on a protected site and the species that have made it their home. There is also no requirement for any assessment of the natural capital of the site to be confirmed, nor the associated value of the ecosystem services provided, nor for an assessment of the impact of the development on those assets.

More focus is given to data collection where there is seen to be an economic benefit. There is, therefore, a need to put a monetary value on our natural capital, including sites which are protected for nature. A baseline should be created and local authorities should be required to explicitly demonstrate how such sites will be enhanced (and, therefore, increased in value). An assessment of the natural capital value of such sites will support the understanding of the impact on ecology, biodiversity and other natural capital assets, whether the changes be positive (enhancements to protected sites) or negative (development on protected sites).

As an example, the GM P4E Plan will:

- lead to unjustified and irreversible harm to the environment, impacting nature's recovery, with irreplaceable habitats (peat mosses) and sites of biological importance scheduled to be destroyed
- remove swathes of best and most versatile agricultural land, Grades 1, 2 and 3a (which could support increased populations of farmland birds)
- eradicate populations of red listed birds and endangered/protected species.

Yet the documentation provided minimal ecological information and no assessment of the impact of such losses to the overall value of our natural capital assets or to the rural economy. This is the consequence of the huge lack of balance in relation to what are considered to be the information needs of the planning system and monitoring of the effectiveness of the laws being considered in this call for evidence. The provision of such data should be mandated.

We believe environmental regulations need to be strengthened significantly to increase available data and evidence to ensure decisions are taken that prevent further environmental losses, increase the number and condition of protected sites and support nature's recovery.

Evidence relating to protected site designation could address issues such as:

6. The criteria for identifying and designating these sites and their application.

See our response to question 1

7. The role of the designating authority (this will be government or the statutory nature conservation body depending on the type of designation).

See our response to question 3

8. The process for designation, including the role of the decision-making body/bodies and the involvement of landowners, the public and other interested parties.

See our response to question 1

9. The process for keeping the network of designated sites under review to ensure it is achieving its objectives and keeping pace with environmental change.

See our response to question 5

10. Whether these laws have resulted in a sufficient number and area of protected sites being designated, in the right locations, to halt and reverse biodiversity decline.

See our response to question 1

11. The above issues as they apply to the designation of protected sites in England and Northern Ireland that span national boundaries, including boundaries within the UK or between Northern Ireland and the Republic of Ireland.

No response

Evidence relating to protected site management could address issues such as (excluding any matters relating to HRA):

12. Do owners and occupiers of protected sites receive what they need to be able to appropriately manage these sites? Do others such as public authorities receive what they need to deliver their responsibilities to conserve and restore protected sites? For example, this might include information, guidance, advice, support and financial assistance.

Whilst they do not have formal responsibilities, communities should receive guidance, advice, support and financial assistance to provide the roles they undertake, particularly in monitoring compliance. Many residents, some of whom are qualified ecologists, give their time free of charge, use holiday days from work and even purchase equipment (bat detectors, for example) either from their own money or using community-raised funds.

Resources should be made available to enable communities to participate more fully in the protection of their local sites. This could include funding for equipment, for training, or for supported sessions (with a qualified ecologist).

13. The laws that restrict how land is managed inside protected sites, including the consenting process for operations likely to damage ASSIs and SSSIs, special nature conservation orders and stop notices for SACs and SPAs in England and powers to make byelaws for the protection of ASSIs, SSSIs, SACs and SPAs.

No response

14. Compliance with, and the enforcement of, protected sites laws. This could relate to any obligations, for example those on owners and occupiers and those on statutory nature conservation bodies or other public bodies.

Our experience is that this is a low priority for local authorities and landowners. The P4E Plan, for example, puts a number of formally designated sites of biological importance in GM at risk, either directly or indirectly, as a consequence of plans for development.

15. Statutory tools that are available to secure the appropriate management of protected sites. This could relate to the statutory tools themselves or how they have been implemented. For example, have these tools been effective and are there any barriers to using them? Examples of these statutory tools are listed in Annex A.

No response

16. The use of agri-environment schemes and other public funding to support the appropriate management of protected sites.

No response

17. Monitoring of protected sites and the communication and reporting of the results of monitoring.

See our response to question 5.

18. The identification, allocation, coordination and delivery of actions to improve protected site condition. This includes actions (or remedies) for ASSIs and SSSIs and actions included in Site Improvement Plans for SACs and SPAs in England and Conservation Management Plans for SACs in Northern Ireland.

See our response to question 1

19. The use of national and site-specific targets to drive improvements in protected site management and condition. At a national level this could include any targets relating to protected sites that have been included in national strategies or plans. At a site level, this may include how condition categories are defined and applied in practice.

See our response to question 5

20. The above issues as they apply to the management of protected sites that span national boundaries, including boundaries between nations within the UK or between Northern Ireland and the Republic of Ireland.

No response

In addition to the above, you are welcome to provide any other information that you consider is relevant to this review.

We believe the regulations could be administered in a more systematic and coherent way. If Environmental Advocates were available at regional and local levels, to support the understanding and implementation of these and other regulations relating to the environment, this could accelerate improvements to such sites and increase the number being proposed for designation. This approach would also ensure the right information is available to those who need to provide supporting data and that advice and guidance is available on best practice and templates/tools to aid the production of what is required.

In addition, each time the Government produces a strategy, policy or principles document, the potential impact on protected sites should be considered and the guidance should be updated accordingly.