

Todmorden Town Council



MOORLANDS POLICY

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Todmorden Town Council Moorlands Policy

1. Introduction

1.1. The high open moorlands that surround Todmorden and Walsden give the Upper Calder Valley its special landscape character. The moors provide habitat for wildlife, as well as easily accessible, high quality open space for recreation, and a contribution to the local economy through both farming and visitors. In addition, the peat moors soak up and only slowly release heavy rainfall, forming a significant flood defence for the valley communities below. This has become much more important recently, due to climate change greatly increasing the incidence of flooding and unwise building on former flood plains. The continued degradation of the moorland around Todmorden and the loss of habitat coupled with more building has led to increased runoff ending up in the valleys, flooding both homes and businesses.

2. Remit of the Moorlands Policy

2.1. The remit, or task, of the Moorland Policy (MP) of Todmorden Town Council (TTC) is advisory and aims to be of assistance to residents, landowners, businesses, and those who visit the moors above Todmorden for recreational purposes.

2.2. Another important function of the MP is to guide those who may apply for planning permission for building or development, or proposals for a change of use of land or buildings.

2.3. It should be noted that the Development Committee of Todmorden Town Council (TTC) will usually be consulted by Calderdale MBCI on any planning applications which the Development Committee will either be “supported” or “not supported”. TTC’s response to consultations will have regard to its own published MP, the contents of which may be considered by Calderdale MBC Planning Committee when reaching decisions. Although advisory in status, the MP document itself represents the formal views of TTC which stem from a great accumulation of local knowledge.

2.4. Concerns in recent years about the impact of climate change are resulting in the need for significant proposals for improving the management of the moorlands, especially relating to the serious degradation of the structure, hydrology and the habitats of flora and fauna. Other bodies such as DEFRA (Department of the Environment, Farming and Rural Affairs), EA (Environment Agency), Yorkshire Water, Natural England, and the National Trust share wide-ranging statutory and regulatory duties relating to our moors. Therefore, the role or “remit” of the TTC’s MP fits into a much wider framework of responsibility and formal or informal controls.

3. Three Key Areas for Action

3.1. TTC has three key areas where it wishes to support relevant organisations in their:

Plans to increase biodiversity

Discussions with and working with landowners

Projects for natural water management

4. Moorland and Common Land

4.1. The majority of moorland above Todmorden and Walsden is registered Urban common Land. The primary land use of the moors is that of grazing common and as a source of spring water for local residents and farms, and they should be retained for that purpose. However, recent changes in climate have shown the need for far better management of water on the moors and a growing need for the regeneration of peat and blanket bog, planting trees and sphagnum moss, the repair and better maintenance of water lodges and land drains, plus the construction of natural barriers to water runoff, like leaky dams. The annual burning of parts of the moorland is detrimental to preventing water runoff and retaining peat and will need to be rethought. There may well be a need to challenge the way some of the moorland is managed for shooting as well.

4.2. The moors also have a well-established use for informal recreation, and TTC is committed to supporting the relevant bodies in the maintenance and responsible recreational use of the Common Land as valuable open space.

4.3. TTC will work with interested groups and individuals to support and encourage ecologically sound schemes that reclaim damaged areas and stimulate natural regeneration.

4.4. For the sustainable protection of the moorland and its wildlife this TTC will support well thought out management schemes where it is necessary to balance the needs of agriculture, recreation and wildlife.

4.5. TTC also supports a commitment to work with Calderdale MBC and local voluntary groups to initiate and promote a Common Land Code as a way to improve public awareness of the value of common land.

4.6. TTC will not permit hunting on any land it owns or controls. TTC expects any plans for development to indicate how the interest of wildlife will be safeguarded and will not support development on moorland and common land which is detrimental to the often-fragile nature of moorland habitation. TTC will support schemes

designed to regenerate peat, improve blanket bog or plant more sphagnum moss and suitable trees.

- 4.7. Well thought out proposals for Local Nature Reserves will be supported.
- 4.8. The Protection of Badgers Act 1992 means that people accused of digging for badgers cannot claim they are digging for foxes. A licence is needed to interfere with a badger's sett and then only for specific purposes, such as preventing the spread of disease.
- 4.9. TTC will support the local Police and Badger Group to help ensure this Act is enforced in this area.

5. Illegal Tipping

- 5.1. TTC recognises that illegal tipping in the countryside is a widespread national problem, and that unfenced moorland in this area is very vulnerable to this abuse. TTC is concerned that despite work carried out by the former Todmorden Moor Restoration Trust in respect of rubbish clearing, fencing and monitoring, misuse of parts of the moorland invites continued abuse.
- 5.2. TTC will seek to eliminate illegal tipping wherever it occurs and wishes to see Calderdale MBC remove dumped materials from open moorland and Common Land as expeditiously as possible to discourage further abuse. Calderdale MBC's Fly Tipping Report telephone number will be publicised widely on the Town Council website.
- 5.3. TTC will support Calderdale MBC in providing 'No Tipping' notices where appropriate.

6. Off-Roading

- 6.1. This activity is illegal under legislation designed to protect the countryside. It is also noted that the use of wheeled vehicles on registered Commons is illegal under Common Land legislation.
- 6.2. TTC supports efforts made by West Yorkshire Police, Calderdale MBC, and local groups to inform off-roaders of the law and to prevent them off-roading on the moors because of the serious damage that can be done by this to the fragile peat and moorland habitat.
- 6.3. TTC supports the search for a suitable off-roading site to encourage the responsible use of trials bikes, quads, and 4x4 vehicles in the countryside.

7. Mountain Bikes/Cycling

7.1. The use of mountain bikes and cycles on open moorland is not to be encouraged and TTC will seek to encourage responsible behaviour by all users of footpaths including mountain bike riders and cyclists.

8. Caravans

8.1. TTC does not wish to see caravans, mobile homes or motor homes inhabited or uninhabited on unsuitable and illegal sites and supports the provision of a legal Travellers' Site within the Borough of Calderdale with supervision by the Environmental Health Department.

9. Signs etc.

9.1. TTC would like to see the extended use of signs, signposts, way marks and viewpoints etc. Signposts are needed to distinguish Common Land from Moorland and the signs should request care when using it and encourage responsible use of the moors, and to advise people of the laws to protect Common Land.

9.2. TTC will support the creation of new signed paths in the Todmorden area.

9.3. Footpaths and bridleways also need enhanced signing. However, signs should be sited with care, TTC does not favour a multiplicity of diverse signposts and support is given to the use of wood, stone or other natural materials only that are sympathetic with the landscape.

10. Dry Stone Walls

10.1. TTC supports any initiatives to repair dry stone walls rather than replace them with fences. It is noted that barbed wire is illegal alongside footpaths and bridleways where it interferes with the passage of users or is injurious to them. TTC welcomes observations from the public where this regulation is being breached.

11. Barn Conversions

11.1. TTC is strongly opposed to the conversion of barns to dwellings where there is a possibility of agricultural use for the barns. TTC believes that strenuous efforts should be made to establish evidence to support claims that barns have not been used for a minimum of five years for agricultural purposes.

12. Mineral Extraction

12.1. So far as current quarrying operations are concerned, TTC does not expect any further activities after completion of the current planning permissions. Restoration of the moorland carried should be done as soon as possible after the mineral extraction has been completed.

12.2. If TTC is consulted on a planning application for mineral extraction or coal mining, detailed and practical restoration plans should be submitted prior to planning permission being given, plus a comprehensive Environmental Statement should be provided to include hydro-geological data. TTC urges Calderdale MBC to adopt the same policy.

12.3. TTC recognises the environmentally sensitive nature of the moorlands and the extreme difficulty of achieving successful restoration on the high peat moors. There will be a presumption against mineral extraction in these areas and TTC will not support any development where restoration to good moorland habitat would be difficult to achieve.

12.4. TTC expects to see vigorous enforcement of planning conditions for restoration schemes, and to facilitate this measure would wish to see a Bond agreed with the relevant Local Authority to ensure that the costs of an acceptable standard of reclamation can be met.

12.5. The tipping of imported material to reclaim voids resulting from mineral extraction on the moors will not be supported unless the operator can demonstrate that there is no risk to natural vegetation, ground water, or the amenity value of the moor.

12.6. This policy will be reviewed in the light of any changes relevant to current Mineral Planning Guidance.

13.Wind Turbine Sites

- 13.1.TTC believes that wind turbine siting should follow the Project Report and Guidance of Natural England. (Assessing Impacts of Wind Farm Development on Blanket Peatland in England. (2009)). This is especially important in relation to blanket bog.
- 13.2.TTC believes that the points below should be taken into consideration when wind power applications are being considered:
- 13.3.Because the moors around Todmorden are designated as Special Landscape Areas, wind power sites must be sensitively placed, and the developer should include detailed visual amenity and ecological information in the Environmental Statement.
- 13.4.Moors to the east of Todmorden are designated as a Special Protection Area by Natural England because of protected moorland bird species. Wind Power development on these moors would not be supported.
- 13.5.Peat is a potential fossil fuel, and CO₂ is released when peat is disturbed or drained. Growing peat bog actively removes CO₂ from the atmosphere and stores it for thousands of years. TTC will not support wind farm development that destroys or disturbs peat cover.
- 13.6.Because of the rainwater holding qualities of the peat moors and possible interference to spring water supplies, a wind power proposal on peat moorland should also be accompanied by hydro-geological information and a Flood Risk Assessment.
- 13.7.TTC expects a well-advertised and full public consultation to be carried out before a planning application is made to Calderdale.
- 13.8.TTC does not support development of turbines scattered across the uplands.
- 13.9.TTC will take special notice of the proximity of a proposed wind farm site to village communities and more isolated homes. Members would need to be assured through the Environmental Statement that no noise nuisance would result from the development.
- 13.10.Smaller turbines for the use of individual homes and farms should be limited to the size and power output commensurate with the local requirement and to a maximum tower height of 12 metres.
- 13.11.TTC will encourage local power generation by bringing people together to develop such schemes and by fronting them if the circumstances demand it and the finances are right.

13.12. Wind power sites should be resisted on Urban Commons and open access land if it is considered that the public access or recreational use could be adversely affected.

14. Relationships with Neighbouring Authorities

14.1. Neighbouring authorities are requested to inform TTC of any proposed developments in their areas which may affect Todmorden.

15. Societies That Protect Rural England

15.1. TTC supports affiliation to the Open Space Society (through the Development Committee) with its good source of information on Common Land Laws and action that can be taken if Moors or Commons are threatened.

16. Review

16.1. This policy will be reviewed every year (or earlier if required by changes to legislation or additional documentation) and amended as necessary based on good practice or evidence taken forward.