



The protection of the unique Mossland landscape at the safeguarded land, LPS 59 Upcast Lane/Cumber Lane

Protect Lindow

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1 Summary

- This document describes the reasons why the safeguarded land identified as LPS 59 Upcast Lane/Cumber Lane should not be developed before or after 2030 but returned to the green belt.
- LPS 59 was identified as safeguarded land in the 2013 Cheshire East Local Plan – Pre-submission Core Strategy and adopted in the 2017 Cheshire East Local Plan - Local Plan Strategy 2010 -2030 (Appendix 2).
- At the time of safeguarding LPS59 was not recognised as Mossland. This is acknowledged in the 2018 Cheshire East Landscape Character Assessment.
- Since the safeguarding much has been learnt of the importance of Mossland in the capture of carbon and its role in achieving net zero, the unique habitat and biodiversity it provides, and its importance in water management.
- Mosslands are the UK's largest natural terrestrial carbon store and have a vital role in climate change mitigation and adaptation. In good condition they have the potential to offer a significant nature-based solution to tackling climate change.
- LPS59 has additionally significant historical value due to the presence of unique 'moss rooms' that must be preserved.
- After the adoption of the Local Plan in 2017 that took LPS 59 out of the green belt the site was identified a site of internationally recognised importance after the adoption of the Local Plan in the Cheshire East 2018 Landscape Character Assessment as LCT 9 Lindow Moss, and as Mossland Landscape D1 within the Wilmslow Neighbourhood Plan - Landscape Character Assessment (Appendix 4 and 5).
- In the last decade extensive international, national and local legislation has been implemented to protect these very Mosslands. Cheshire East itself has policies that recognise its importance and its obligation to preserve it (See Sections 7 and 8).
- Numerous bodies support the retention of this Mossland. A few of the many are, the Lindow Moss Landscape Partnership which includes Cheshire East as a founding partner , Transition Wilmslow, Cheshire Wildlife Trust, The Friends of Lindow, Esther McVey MP, Local Cheshire East Councillors, and Transition Wilmslow.
- If the knowledge of LPS 59 as a Mossland character landscape of such critical importance had been available at the time of safeguarding, the site would not have been removed from the green belt.
- Precedent exists for changing the Local Plan and returning land to the green belt, for example, locally in Alderley Edge in 2020, and in Greater Manchester the removal of Mossland from development at Chat Moss.
- As the Local Plan is also being reviewed and amended to reflect the new national housing targets, LPS 59 should be re-considered in light of the weight of new evidence and restored to green belt to preserve this rare and valuable habitat.
- Development of LPS 59 is not additive to the local plan and other sites exist to meet revised government targets including the re-designation of the Royal London site on Alderley Road from commercial to housing and the development of brownfield sites.
- As a minimum the site should not be developed until after 2030 and should be removed from safeguarding and returned to green belt when the 2030 – 2050 local plan is developed.

2 Introduction

The 15 hectares of safeguarded land identified as LPS59 at Upcast Lane/Cumber Lane, Wilmslow in the Cheshire East Local Plan is a Mossland of national, and international importance, and should not be safeguarded for development, but returned to the green belt.

This document is written by Protect Wilmslow, a body of local residents, and describes the rationale and reasons why LPS 59 should not be developed but returned to the green belt.

The importance of Mossland in the capture of carbon, biodiversity and water management was not fully understood, or considered, when the Cheshire East Local Plan Strategy 2010 – 2030 was created and adopted in 2017.

Lindow Moss is now recognised as a site of national and international importance not only within the local community, but also within the European Landscape Convention and the National Planning Policy Framework (NPPF). Lindow Moss is the site of the internationally acclaimed Lindow Man which could reasonably be considered for World Heritage status in the future.

The Tithe map from 1842 (Section 3, Page 5) clearly identifies the LPS59 having critically important ‘moss rooms’. They are still clearly visible in recent aerial photography (Section 4, Page 6).

Today 30-50cm of moss is easily seen in the ditches on the western boundary of LPS59 and has been confirmed by John Handley OBE, Professor Emeritus in Planning and Environmental Management at the University of Manchester.

Mosslands are now recognised as a vital natural resource in tackling the climate emergency and when they are healthy they absorb huge amounts of carbon. They are also an important habitat for a wide range of often rare and specialised wildlife.

The 2018 Cheshire East Landscape Character Assessment identified LPS59 as a Mossland Landscape Character Type (LCT) and provides guidance to *‘protect manage and enhance’ the semi-natural habitat, particularly the relic mosses*.

The Wilmslow Neighbourhood Plan – Landscape Character Assessment also identified LPS59 as a Mossland LCT within Lindow Moss. The strategy associated with this LCT is to *‘protect and manage’* in order to maintain biodiversity, spirit of place, open character and distinctive ‘moss rooms’.

Importantly these Landscape Character Assessments were not produced when LPS59 was identified for safeguarding in 2013 and adopted in the 2017 Cheshire East Local Plan.

The safeguarding and potential development of LPS29 now conflicts with many of the policies included in the Cheshire East Landscape Character Assessments and the Government Peat Action Plan.

The Cheshire East Policy SE 4 states *‘In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance and setting’*.

There is an urgent need to address climate change. The improved knowledge, information and policies, together with the internationally recognised importance of Mossland in climate

change and carbon capture, justifies that LPS 59 should not be used for development, but should be removed from safeguarding and returned to the green belt.

LPS59 is safeguarded from development until 2030. However, the current government has raised the targets for housebuilding and CEC now do not have a sufficient land bank for 5 years supply. Although this site is not additive to the current local plan several spurious planning applications for development before 2030 are expected.

There is precedent for land to be moved from safeguarded to green belt in Cheshire East at Alderley Edge ALD1, ALD2, ALD4 in 2020. In 2023, at Chat Moss, the planning inspectorate ruled that the delivery of new homes would not outweigh the harm caused by 'the loss or deterioration of an irreplaceable habitat'.

Many groups support and campaign for the preservation of this unique area. These include the Friends of Lindow Moss, Transition Wilmslow and more recently the Lindow Moss Landscape Partnership, which includes Cheshire East Council amongst its founders, and has goals to ensure that Lindow Moss is commonly recognised, celebrated and protected for its internationally unique heritage.

3 The history of the Mossland at LPS59

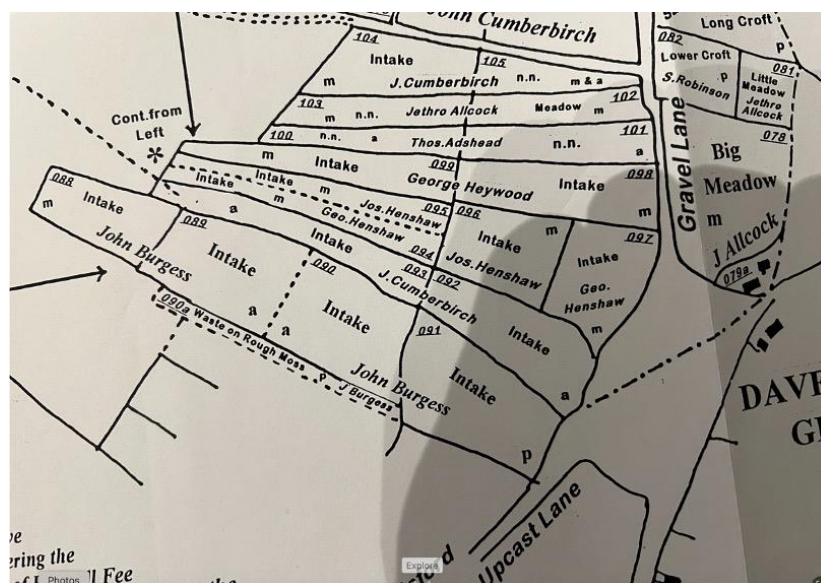
LPS59 is part of Lindow Moss which is internationally renowned for the discovery of Lindow Man, Britain's most intact bog body from the 1st century A.D 4-5. His remains are now displayed in the Iron Age gallery of the British Museum.

In the Celtic era Lindow Moss was a sacred site. By the Middle Ages peat was being worked, principally as a fuel.

In 1770s as coal was replacing peat as a fuel source the 'moss rooms' were progressively enclosed and reclaimed for agriculture with ditches being planted with hedgerows, resulting in the distinctive landscape pattern still evident. One of these areas, north of Row of Trees, is recognised in the Sites and Monuments Record (SMR 1393).

By 1777 the entire Mossland was recorded as Lindow Common⁷, suggesting that there were commoners rights to turbary (peat cutting) across the moss. The method of working cutting thin strips in 'moss rooms' continued until the 18th century.

The Tithe map of 1842 clearly shows the 'moss rooms' within LPS59.



4 The site today

Today Lindow Moss is one of the most important Mossland landscapes in the county and supports a mosaic of habitats; several of which are designated for their ecological value. It is a rare example of a lowland heath.

It is an internationally renowned landscape with a well recorded and rich cultural history, which is now recognised in the Cheshire East Landscape Character Assessment and Wilmslow Neighbourhood Plan - Landscape Character Assessment. Lindow Common, is a Site of Special Scientific Interest (SSSI).

The area proposed for development is described as having a high Landscape Character Value as it supports historic 'moss rooms' associated with ancient peat extractions. The moss rooms are clearly visible today in aerial photography of LPS59. 'Moss room' hedges are afforded special protection under The Hedgerow Regulation Act of 1997. These are clearly visible in the aerial photograph below.



Source Cheshire East – Cheshire Archives and Local Studies

The landscape supports a complex mosaic of habitats including open water, reed swamp, mire, heathland, grassland and woodland.

Climate change is enabling plants and animals to extend their range in the English lowlands and this landscape is an important stepping stone between the southern Shropshire meres and mosses and the wetlands of the Mersey valley in the north.

Foxes, badgers, owls and bats are regularly observed by residents and visitors.

The site is bounded on the west by a bridle path that is used extensively by both residents and visitors alike for its tranquil environment, open vistas, and opportunities to see rare wildlife. It has a 'spirit of place' and is a highly valued recreational landscape.

30- 50 cm of moss is clearly visible in the banks of the ditch on the western boundary of LPS 59. and has been confirmed by John Handley OBE, Professor Emeritus in Planning and Environmental Management at the University of Manchester.

The Natural England dataset displayed below identifies moss across the site



The land has the classic characteristics of Mossland, with standing water, and a high water table which floods the site in winter months and falls during the summer months.

Development of LPS59 would destroy the core attributes of this Mossland Landscape Character Area and have a significant impact upon the Local Wildlife Site at Lindow End.

The southern the border with Upcast Lane has an ancient hedge in addition to the 'moss room' hedges, identified as important hedges and afforded special protection under the Hedgerow Regulation Act of 1997.

The National Planning Policy Framework 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'.

The site has recently been subject to a 'bioblitz', one assumes funded by potential developers, to remove the scrubland vegetation, bushes shrubs and trees. It appears self-evident that developers wish to remove as much biodiversity as possible before submitting planning applications.

5 Why is Mossland of national and international importance?

Mosslands only represent 3% of global land surface, with 37% of peatlands having been completely destroyed or drained. Despite this Mossland stores 550GT of carbon dioxide, 2.75 times the amount stored by trees and forests.

Covering 12% of the land, the United Kingdom (UK) is in the top 10 of countries for Mossland area, and yet 80% of UK peat bogs are now degraded.

Mosslands are the UK's largest natural terrestrial carbon store and have a vital role in climate change mitigation and adaptation. In good condition they have the potential to offer a significant nature-based solution to tackling climate change.

A report by Natural England went as far as to say that only 1% of England's peats (>40 cm deep) can be considered 'undamaged'. Despite this the UK Mosslands store 3bn tonnes of carbon dioxide.

The restoration of the UK's historically damaged Mossland is important to the UK's commitments to net zero and can form part of the nationally determined contributions as part of the Paris Climate Agreement.

This is reflected by the call from the UK's Climate Change Committee for 80% of UK peatlands to be restored to a 'natural state' by 2050 as part of the net zero target.

Water and drainage

Peatlands are wetland ecosystems with water playing a huge role in both the diversity of life supported and the processes that underpin their function. Twenty five percent of UK drinking water comes from peatlands and deep peats intercept and retain a range of atmospheric pollutants such as cadmium, lead arsenic and magnesium.

Draining water away from peat bogs, as is often the case during development causes the peat to dry, resulting in the vegetation decomposing much faster and the release of carbon.

Development can impact on the functioning of peatlands through changes to hydrology and peat-forming vegetation, resulting in increased net greenhouse gas (GHG) emissions. Impacts of changes to hydrology at distances beyond the development can affect the carbon storage and sequestration capacity of the whole peat unit, rather than just the direct footprint of development.

Cheshire Wildlife Trust identify substantial scope for reducing greenhouse gas emissions by restoring damaged peatlands, promoting a more sympathetic land use and reducing peat shrinkage and oxidation by maintaining a high water table.

This is particularly pertinent with the close proximity of the Wildlife Site at Lindow End (CE 181).

This site has considerable potential for nature recovery which could be prejudiced if drainage for site development on the Safeguarded Land causes significant water table draw down.

The photograph below was taken on 4th March 2025 and shows the high water table characteristic of Mossland habitats.



Biodiversity

Peatlands are recognised as 'priority habitats' under the UK Biodiversity Action Plan and much of the UK's Mossland, qualifies for designation under international, national and local site protection measures.

They provide a unique habitat and are inhabited by highly specialised and now very rare species.

With the impact on carbon capture, water and biodiversity, it is hardly surprising therefore that the International Union for the Conservation of Nature (IUCN) (an organisation with 17,000 global experts) say

Development should be avoided where there is likely to be negative impacts directly or indirectly on a peatland.

Examples of negative impacts are loss of biodiversity, loss of peatland habitat, loss of carbon, and breakdown of the water regulating and ecosystem services that peatlands provide.

6 The safeguarding process and lack of consideration of the Mossland landscape

LPS59 was identified as 15ha of land safeguarded for development after 2030 in the November 2013 Cheshire East Local Plan – Pre-Submission Core Strategy. It was subsequently adopted within the Cheshire East Local Plan – Local Plan Strategy in July 2017.

The development of the 2013 Pre-Submission Core Strategy and 2017 Local Plan Strategy used the 2009 Cheshire County Council Landscape Character Assessment.

This document had ‘limited materials relating to the Cheshire Landscape Character’ and had no reference to the Mossland at Lindow. There is no reference to the Lindow Mossland landscape or recognition that the irregular shape of the built environment is due to the area's historic use for peat cutting.

There was no consideration or reference to LPS 59 being in Mossland. Indeed the justification was simply around making the green belt boundaries neater.

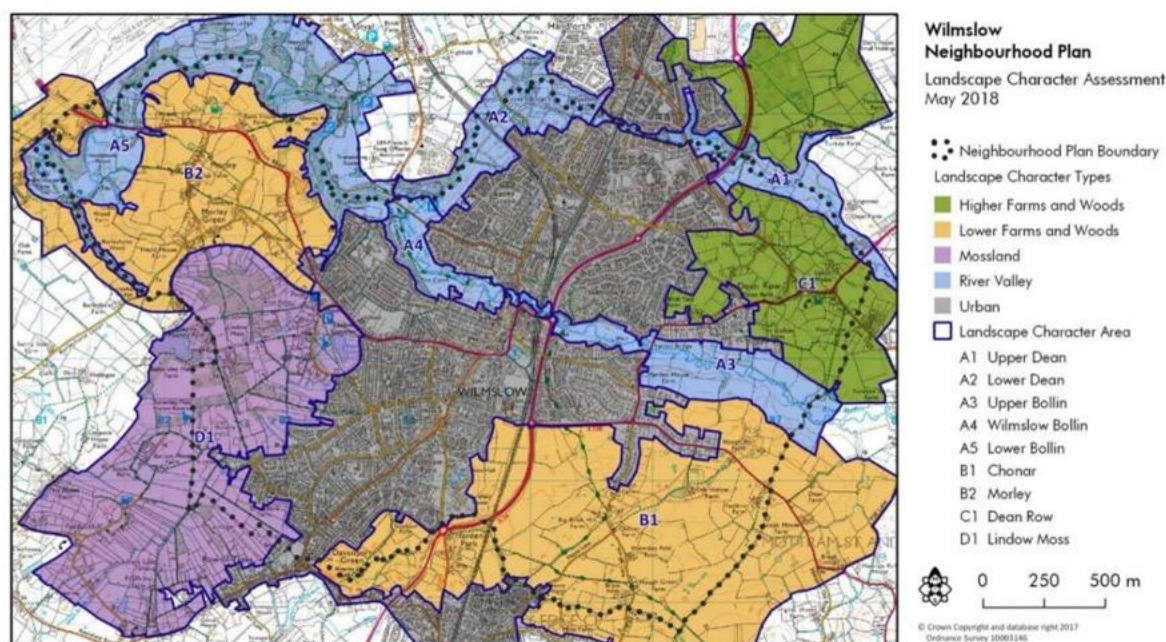
‘Development has encroached onto the north-west of the site, limiting its role in preventing urban sprawl, and there are strong boundaries to the south and west. It is well-connected to the existing settlement to the north and east, and would constitute a natural extension to Wilmslow.’

The fact that it is not well connected seemed to also have been ignored.

The 2018 Landscape Character Assessment CEC highlighted the inadequacies of the ‘Cheshire County Council Cheshire Landscape Character Assessment. It says

‘The CLCA (2009) includes a classification and description of the landscape for the whole of Cheshire, but does not include a landscape strategy or evaluative information. The landscape evidence base therefore requires updating to reflect the current administrative boundaries for the Borough of Cheshire East, to reflect current good practice, to reflect the present state of the landscape including changes since 2009, and to provide a landscape strategy.’

In 2018 the Cheshire East Landscape Character Assessment and in 2019 the Wilmslow Neighbourhood Plan - Local Area Character Assessment were produced, and for the first time, LPS59 was identified within the LCT9 Mossland Character Area.



Importantly the allocation and designation of LPS59 in 2013 and 2019 did not consider the evidence that became available in 2018 Landscape Character Assessments.

The Cheshire East 2018 Landscape Character Assessments (Appendix 3) includes the following

- The identification of LCT 9 contributing to regulating the storage of carbon.
- An overall vision and landscape strategy that says

The Mossland is a small but highly distinctive landscape within Cheshire East which contributes to the richness and diversity of the area and holds high natural and cultural values. It provides a distinct atmospheric landscape which is seemingly remote and tranquil despite its close proximity to urban areas.

The strategy for this LCT should be to protect and manage the extant areas of peat and mossland in order to maximise the biodiversity and spirit of place and maintain its open character and the distinctive 'moss rooms'. The diversity and extent of areas of wetland habitat should be protected and managed.

It describes the valued landscape features (underlining added for emphasis of key points)

- A unique and distinctive glacially shaped landform which contributes to the richness and variety of the local landscape.
- Varied woodland which are important habitats and provide a strong sense of place. Woodland also helps to filter views to the surrounding settlement.
- The distinctive ancient 'moss rooms' which are testament to the long association of the area with peat cutting and offer a cultural record of the past illustrating the local continuity of land use dating back to the medieval period.

- The diverse wetland habitat mosaic of standing water, lowland raised bog, quaking bog, fen, lowland heath and wet woodland, which provide an important environment for flora and fauna. Lowland raised bog is a relatively rare feature in the context of the UK and quaking bog is internationally rare. These valued as natural heritage features provide a unique sense of place and opportunities for recreation.
- Remnant peatlands that developed over many thousands of years and the Iron Age archaeological remains found within them which hold significantly high cultural value and give the landscape a strong sense of time depth
- The wild and hidden mosses which offer mystery and tranquillity within a stone's throw of the towns and an escape from the adjacent urban environment.
- The visual variation between the open peatlands which offer long view to the distant hills and the high degree of enclosure provided by the dense woodland.

It provides the following guidance for landscape management and built development within the LCT to:

- Ensure commercial peat extraction does not detract from the naturalistic and cultural qualities of the area. Seek positive restoration schemes for peat extraction sites to mossland habitats. Seek opportunities for recreational use of restored sites where this is compatible with nature conservation objectives.
- Protect, manage and enhance the valued semi-natural habitats, particularly the relic mosses and associated wetland habitats mosaic of standing water, lowland raised bog (a nationally rare and threatened habitat), fen, lowland heath and wet woodland through appropriate management.
- Balance the need for continued positive conservation and management of the valuable habitats for flora and fauna, re-creating lost habitats, with the provision of recreation and enjoyment of the landscape.
- Manage the surrounding agricultural land in a way which (by reducing abstraction and nutrient run off) conserves the character and quality of the mosses.
- Protect the distinctive open character of the diverse wetlands by managing the woodlands, including selective thinning and clearance of invasive scrub species.
- Protect and appropriately manage the remnant areas mosses for cultural heritage purposes. Promote interpretation of the cultural heritage of the area where this would not be at odds with conservation.
- Conserve and strengthen the distinctive field pattern of the ancient 'moss room', by managing the hedgerows to ensure their long term survival, replanting areas of lost hedgerow and encouraging traditional land uses of these areas.
- Manage change arising from future development by exploring requirements for landscape mitigation to minimise the impacts felt within the LCT and plan for the improved integration of existing urban edges. Ensure any future development helps to preserve and improve the role of the LCT as Green Infrastructure, reinforcing positive connections between this area and neighbouring urban areas.

- Protect the distinct and atmospheric character of the area and the sense of mystery and tranquillity it provides, protecting areas of woodland that provide a screening function to adjacent development.

LPS59 categorically fails the 'user guide assessment' at Figure 1.2 Page 12 in the 2018 Cheshire East Landscape Character Assessment.

The information and framework that the Cheshire East 2018 Landscape Character Assessment and the 2018 Wilmslow Neighbourhood Plan - Local Area Character Assessment now provide should be considered, rather than ignored.

It is clear that Cheshire East recognises the importance of LCT9 and now has a policy to protect, conserve and strengthen the unique nature.

This now conflicts with the designation of LPS59 as safeguarded land and had the information been available when developing the Local Plan Strategy LPS 59 would not have been designated as safeguarded land.

7 Legislation and the protection afforded to Mossland

Since the site LPS59 was identified as safeguarded in the 2013 Cheshire East Local Plan – Pre-Submission Core Strategy and adopted in the 2017 Cheshire East - Local Plan Strategy, the importance of Mossland has become increasingly recognised.

Today there is extensive legislation designed to provide comprehensive protection for Mossland landscapes. This international, national and local legislation and associated policies recognises the importance Mosslands play in the capture of carbon, the maintenance of biodiversity and the management of water.

It is impossible to see how the safeguarding and potential development of LPS59 aligns with such a mountain of legislation designed to protect this important Mossland habitat.

European Legislation

The European Union (EU) plays a crucial role in developing policy and legislation to protect the environment and meet its objective for sustainable development. This includes legislative protection for key habitats and species.

Two key EU Directives provide for the protection of wildlife and their habitats that are of European

Importance:

- European Commission Birds Directive: Directive 2009/147/EC on the Conservation of Wild Birds
- European Commission Habitats Directive: Directive 92/43/EEC on the conservation of natural habitats and wild plants and animals

While the UK is no longer a member state, the Government maintains responsibility in protecting European designated sites and species in our territory. This is done through the Conservation of Habitats & Species Regulation 2017 (as amended).

National Policy Planning Framework

The National Policy Planning Framework (NPPF) aims to

'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'

-Section 192b Includes policy related to protected species and habitats (192b,195), locally designated sites (187a, 187d, 188, 192), BNG (8c,187d, 192b, 193d), statutory sites (193b).

The NPPF (December 2024) sets out the Government's planning policies for England and is highly relevant in this case. Specific sections are:

- Paragraph 161 - States that the planning system should support the transition to Net Zero by 2050.

As described in Section 5 Mossland landscapes provide an irreplaceable carbon store as one of the most effective natural carbon sinks; storing more carbon than all of the UK forests combined when they are in a healthy waterlogged state. Drained Mosslands, as would be required by these plans, release significant amounts of CO₂ undermining climate efforts.

- Paragraph 170 - highlights that development in areas at risk of flooding should be avoided and where it is necessary then the flood risk should not be increased elsewhere.

Draining and building on a natural wetland will inevitably increase flood risk in the local area.

- Paragraph 187 - Requires planning decisions to contribute to and enhance the natural and local environment by protecting valued landscapes and minimising impacts on biodiversity.

The development of this site risks damaging the ecosystem of Lindow Moss and Wildlife Site at Lindow End (CE 181).

- Paragraph 193 - States that if significant harm to biodiversity cannot be avoided, adequately mitigated, or compensated for, then planning permission should be refused.

Given the importance of Lindow Moss in supporting biodiversity and its on-going restoration any development near it risks ecological harm.

- Paragraph 202-221 - Focuses on conserving and enhancing the historic environment. Lindow Moss is also of archaeological significance due to its connection to Lindow Man, one of the most important Iron Age discoveries in Britain. It states developments that harm heritage assets, including their setting, should be avoided.

The presence of the 'moss rooms' in LPS 59 is clearly within the scope of this section

Specific Mossland Protection Policies

In recent years, the UK Government has increasingly recognised the importance of Mossland for climate change mitigation and in 2021 the England Peat Action Plan was created

The England Peat Action Plan (2021) - Department for Environment, Food & Rural Affairs (DEFRA).

The England Peat Action Plan describes how

'our peatlands are an iconic feature of England's landscape. Often referred to as 'our national rainforest', they perform many functions – they are our largest terrestrial carbon

store, a haven for rare wildlife, a record of our past, and natural providers of water regulation’.

Yet, for too long we have taken this valuable natural resource for granted. Only 13% of England's peatlands are in a near natural state.’

The Action Plan sets out a vision to reverse this decline with the aim to prevent further loss of peatland habitats and to restore more peatland landscapes to their natural state.

Allowing a development in the Lindow Moss Landscape Area clearly contradicts national efforts for restore this habitat.

The UK Peatland Strategy - International Union for Conservation of Nature and Natural Resources (IUCN) - supported by DEFRA.

This highlights that Mosslands are amongst the most valuable ecosystems on the planet and aims to secure two million hectares across the UK in good condition, under restoration or being sustainably managed by 2040.

Development of this site is in direct contravention of this aim.

Natural Environment and Rural Communities Act (NERC) 2006

The importance of biodiversity conservation is given a legal basis in this act, requiring government departments to have regard for biodiversity in carrying out their functions, and to take positive steps to further the conservation of listed species and habitats.

Local government is given a statutory duty to further the conservation and enhancement of Sites of Special Scientific Interest (SSSIs), both in carrying out operations, and in exercising decision-making functions. It Includes policy that sets up the list of Habitats and Species of Principle Importance under Section 41

Cheshire East policy SE 3: Biodiversity and geodiversity states

‘Development proposals which are likely to have a significant adverse impact on a site with one or more of the following local or regional designations, habitats or species will not be permitted except where the reasons for or benefits of the proposed development outweigh the impact of the development:

1. *Local Nature Reserves*
2. *Sites of Biological Importance (SBI) or Local Wildlife Sites*
3. *Regionally Important Geological and Geomorphological Sites (RIGGS)*
4. *Designated Wildlife Corridors*
5. *Habitats and species within the Cheshire Biodiversity Action Plan*
6. *National priority species and habitats (commonly known as 'UK BAP priority habitats and species') published for England under the requirements of Section 41 of the Natural Environment and Rural Communities Act 2006*
7. *Legally protected species*
8. *Areas of Ancient and Semi-Natural Woodland*
9. *Nature Improvement Areas*

Mossland is included in the Cheshire region Biodiversity Action Plan and therefore Cheshire East has a legal duty with regards to LPS 59

Wildlife and Countryside Act (WCA) 1981

The Wildlife and Countryside Act 1981 (as amended) is the main law in Great Britain for the protection of wildlife and nature. The Wildlife and Countryside Act includes the UK's version of the species protection of the European Directive on the Conservation of Wild Birds (79/409).

Under the WCA with regard to wild plants, fungi and lichens, it is an offence to:

- intentionally pick, uproot or destroy them
- sell, offer for sale, possess or transport them for the purpose of sale (live or dead, part or derivative)
- advertise any plant listed for buying or selling

In Cheshire East Mossland is designated as a local priority habitat/irreplaceable habitat

Environment Act 2021

This act legally requires new developments to deliver a 10% biodiversity net gain and protects valuable habitats.

This development does not demonstrate how this is achieved and, in reality, will result in a net loss of biodiversity and will harm this valuable Mossland habitat and historic 'moss rooms'.

Local Nature Recovery Strategies (LNRs)

Under the Environment Act 2021, Local Authorities must develop LNRs to protect and restore biodiversity. The strategy for Cheshire is currently under consultation (due to complete in April 2025).

In this strategy the Lindow Moss Landscape Partnership, which includes Cheshire East as a founding partner, is used as a case study for the restoration of one of the largest lowland peatlands in Cheshire.

In the section on peatlands one of the priorities is that these habitats are to be restored to be more climate resilient and buffered with semi-natural habitats, with the following actions required:

- Planning permission for new or extended sites for peat extraction should be refused and
- Peat deposits should be protected from harmful development
- Rewet blanket bogs and restore peat, manage for biodiversity and reduce carbon emissions.
- Enhance and restore blanket bog plant diversity.
- Expand existing wetlands and species diversity through restoration.
- Enhanced mosaic of habitats buffering lowland wetlands (e.g. Wet woodland).
- Increase lowland raised bog restoration.

Development of the LSP59 site would be in direct conflict with the aims of the Cheshire LNRs.

Climate Change Act 2008

The UK has legally committed to net zero emissions by 2050. Peatlands like Lindow Moss are essential for carbon storage and their destruction contributes to carbon dioxide emissions. Development on this site would conflict with national climate commitments.

8 Cheshire East Policies

Policy SE 5: Trees, Hedgerows and Woodland

Development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting.

The council will seek to ensure:

1 The sustainable management of trees, woodland and hedgerows including provision of new planting within the infrastructure of new development proposals to provide local distinctiveness within the landscape, enable climate adaptation resilience, and support biodiversity;

2 The planting and sustainable growth of large trees within new development as part of a structured landscape scheme in order to retain and improve tree canopy cover within the borough as a whole.

Policy SE 4: The Landscape

The high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.

Development will be expected to:

- I. Incorporate appropriate landscaping which reflects the character of the area through appropriate design and management;
- II. Where appropriate, provide suitable and appropriate mitigation for the restoration of damaged landscape areas;
- III. Preserve and promote local distinctiveness and diversity;
- IV. Avoid the loss of habitats of significant landscape importance;
- V. Protect and / or conserve the historical and ecological qualities of an area;

In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance and setting.

Where development is considered to be acceptable in principle; measures will be sought to integrate it into the landscape character of the area by:

- I. Protecting, restoring and enhancing the character and appearance of the local area through suitable planting, landscape and / or woodland;

- II. Making suitable provision for better public access to, and enjoyment of, the Local Landscape Designation Areas;

Where development may affect a local or national designation a full understanding of the context, characteristics and significance should be provided and informed by the Cheshire East Landscape Character Assessment, Historic Landscape Assessment and the Local Landscape Designation Study. In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance.

Policy SE 3: Biodiversity and geodiversity

Areas of high biodiversity and geodiversity value will be protected and enhanced. Enhancement measures will include increasing the total area of valuable habitat in the Borough, and linking up existing areas of high value habitat to create 'ecological stepping stone sites', 'wildlife corridors' and 'Nature Improvements Areas'. Ecological networks and connectivity are vitally important in sustaining sites and addressing the impacts of climate change.

Development proposals which may adversely affect the integrity of a site with one or more of the following international designations will not be permitted:

- I. Special Protection Areas (SPAs)
- II. Special Areas of Conservation (SACs)
- III. Ramsar sites
- IV. Any potential Special Protections Areas (SPAs), candidate Special Areas of Conservation (SACs) or proposed Ramsar sites
- V. Sites identified, or required, as compensatory measures for adverse effect on European sites, candidate Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

Unless it has been demonstrated that there are no alternative solutions, there are imperative reasons of overriding public interest and that compensatory measures will be provided to ensure the overall coherence of the network of SPAs and SACs are protected or, in the case of deleting a Ramsar site or restricting its boundaries, by creating additional nature reserves for wildfowl to compensate for any loss of wetland resources as far as possible.

Development proposals which are likely to have an adverse impact on a Site of Special Scientific Interest (SSSI), a National Nature Reserve or the Peak District National Park fringe will not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest.

Development proposals which are likely to have a significant adverse impact on a site with one or more of the following local or regional designations, habitats or species will not be permitted except where the reasons for or benefits of the proposed development outweigh the impact of the development:

- I. Local Nature Reserves
- II. Sites of Biological Importance (SBI) or Local Wildlife Sites
- III. Regionally Important Geological and Geomorphological Sites (RIGGS)
- IV. Designated Wildlife Corridors
- V. Habitats and species within the Cheshire Biodiversity Action Plan

- VI. National priority species and habitats (commonly known as 'UK BAP priority habitats and species') published for England under the requirements of Section 41 of the Natural Environment and Rural Communities Act 2006
- VII. Legally protected species
- VIII. Areas of Ancient and Semi-Natural Woodland
- IX. Nature Improvement Areas

All development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. When appropriate, conditions will be put in place to make sure appropriate monitoring is undertaken and make sure mitigation, compensation and offsetting is effective.

Development proposals that are likely to have a significant impact on a non-designated asset or a site valued by the local community identified in a Neighbourhood Plan or the Site Allocations and Development Policies documents will only be permitted where suitable mitigation and / or compensation is provided to address the adverse impacts of the proposed development, or where any residual harm following mitigation/compensation, along with any other harm, is clearly outweighed by the benefits of the development.

Wilmslow Neighbourhood Plan Policy TH2: Lindow Moss Historic and Cultural Landscape

Applications within the Lindow Moss Landscape Character Area (as identified as Profile D1 of the Wilmslow Landscape Character Assessment) should identify, preserve and enhance, where possible, the overall historical and cultural significance of this important landscape and not negatively impact on its potential for recreation, education, nature conservation, food production and climate regulation.

All development (excluding householder applications) should set out how it will safeguard and enhance the network of Priority Habitats and Nature Conservation Sites.

Minor developments within this Landscape Character Area, which are in accordance with other policies of the development plan will be looked on favourably where they;

- Demonstrate how they have sensitively approached their implementation within the distinctive character of the Lindow Moss landscape
- Demonstrate that countryside recreation and visitor access to Lindow Common and the wider Lindow Moss landscape is not negatively impacted
- Demonstrate that they will not negatively impact upon the identified 'moss room' hedges, identified as 'important hedges' and afforded special protection under the Hedgerow Regulation Act of 1997.

9 Protect Lindow

Protect Lindow is a group of residents and interested parties who collectively believe that LPS59 should not be developed but returned to green belt.

10 Other interested parties

- Friends of Lindow Moss

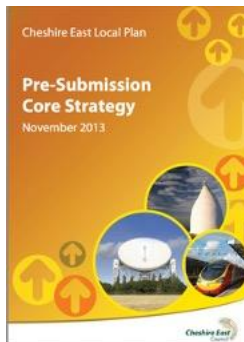
- Wilmslow Town Council
- Cheshire Wildlife Trust
- Groundwork
- Esther McVey MP
- Lindow Cricket Club
- Lindow Moss Transition Partnership
 - Wilmslow Town Council
 - Transition Wilmslow
 - Cheshire Wildlife Trust
 - Mersey Rivers Trust
 - Friends of Lindow Moss
 - The National Trust
 - Wilmslow Civic Trust
 - Wilmslow Historical Society
 - Local residents, farmers, landowners and businesses
 - The Guild for Lifelong Learning
 - The British Trust for Ornithology
 - CPRE
 - Wilmslow Neighbourhood Plan Implementation Group
 - Transition Wilmslow (Lindow Moss Restoration Group)
 - Cheshire East Council (Rural and Cultural Economy)
 - Cheshire Archaeological Unit
 - Parish Councils of Mobberley, Chorley and Great Warford
 - The Environment Agency
 - Natural England (Lost Wetlands Nature Recovery Project)
 - The British Museum
 - Manchester Metropolitan University (Ecology and Environment Research Centre & Manchester Centre for Public History and Heritage)
 - Manchester University (Archaeology; Earth & Env. Sciences;
 - Manchester Museum; Planning & Environmental Management)
 - Cheshire East Countryside Access Forum
 - Wilmslow Business Improvement District
 - Funders
 - Heritage Fund
 - UK Government – Environment Agency and DEFRA - Lowland Peat Water Discovery Pilot fund

Appendix

Many of the documents in the appendix are extensive, often over 400 pages. To save paper and protect the environment some of the appendices have hyperlinks to the documents on the web.

Appendix 1

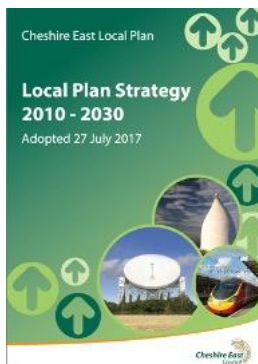
2013 Cheshire East Local Plan – Pre-submission Core Strategy - Contents only



Appendix 2

2017 Cheshire East Local Plan – Local Plan Strategy 2010 -2030

[2017 - Cheshire East - Local Plan Strategy - Adopted](#)



Appendix 3

2018 Cheshire East – Landscape Character Assessment

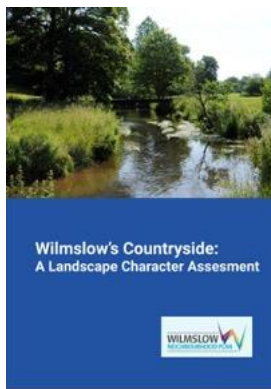
[2018 Cheshire East - Landscape Character Assessment](#)



Appendix 4

2018 Wilmslow Neighbourhood Plan – Landscape Character Assessment

[2018 Wilmslow Neighbourhood Plan - A Landscape Character Assessment](#)



Appendix 5

2019 Wilmslow Neighbourhood Plan

[2019 Wilmslow Neighbourhood Plan](#)



Appendix 6

Lindow Moss Partnership

[Lindow Moss Landscape Partnership - A landscape in recovery](#)

