



Derbyshire Wildlife Trust

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 Derbyshire Wildlife Trust

Derbyshire Wildlife Trust is registered in
England and Wales, company number 715675
and is registered charity number 222212

Mike Ashworth - Strategic Director
Economy, Transport and Environment
Derbyshire County Council
Shand House
Dale Road South
Matlock
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Your Ref: 4.2509.3
Our ref: DWTCOU358

For the attention of Development Management

31st June 2017

Dear Sir/Madam

Proposal: Construction of a well site and creation of new access track, mobilisation of drilling, ancillary equipment and contractor welfare facilities for a period of 5 years

Location: Bramley Moor Lane, Marsh Lane

Planning Application: CM4/0517/10

Thank you for consulting the Derbyshire Wildlife Trust with regard to the above planning application. I am now responding under the terms of the Service Level Agreement which Derbyshire County Council and the Trust have signed.

The following comments are aimed at providing accurate and up to date information on the nature conservation issues associated with the proposed development.

The application seeks permission for the construction and operation of a vertical core well and use as a monitoring site in association with shale gas exploration. The application includes the construction of an access track and formation of a bell mouth with required visibility splays.

We note the submission of detailed comments from the Environment Agency in relation to the protection of groundwater together with the response from Natural England, as the statutory consultee in respect of SSSI's, that does not consider the proposed development will damage or destroy the interest features for which the Moss Valley SSSI's were notified.

We would point out that our comments deal solely with impacts on biodiversity and does not deal with any landscape or visual impact issues.

We have considered section 4 Ecology of the supporting Environmental Report dated May 2017. The ecological assessment was based upon the findings of an extended Phase 1 Habitat Survey carried out in January 2017 followed by an additional survey undertaken in February 2017. The surveys identified the site, including access road, to be situated within an area of arable land bounded by native hedgerows. It is anticipated that, irrespective of condition, all the hedgerows on the site qualify as UK BAP priority habitat (Habitat of Principal Importance). This needs to be clarified within the ecology report.

It is understood that some hedgerow removal will be required to facilitate the proposal. It is important that the proposal does not result in a net loss of hedgerow priority habitat and, as such, any hedgerow removal should be adequately compensated for by new planting in accordance with a scheme to be submitted to and approved by the planning authority as a pre-commencement planning condition.

In addition, site clearance work including the creation of a new site access and hedgerow trimming to create the necessary visibility splays should be carried out outside the bird breeding season unless an assessment by a suitably qualified ecologist immediately prior to the commencement of the work has confirmed the absence of nesting birds. This should be secured as a condition of any permission.

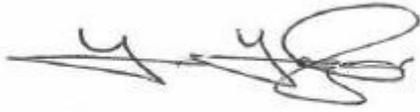
Section 4.2.6 of the Ecology chapter acknowledges the limitation associated with the Extended Phase 1 Habitat survey having been undertaken during the sub-optimal survey season. However, we do not agree that the timing of the assessment is not considered to be a constraint. Surveys carried out in the winter period would not be able to identify the value of the site and immediate surroundings for breeding birds, particularly any ground nesting priority species such as skylark and lapwing, and similarly surveys to determine the use of the site by foraging and commuting bats would not be possible at this time of year. Overall we would consider that the lack of information in respect of breeding birds and bat activity represents a significant omission from the assessment and, as a result, we are of the view that unfortunately there is insufficient information in the consultation documents to enable the Derbyshire Wildlife Trust to make an informed assessment of whether the proposal would have any adverse ecological impacts and to advise the planning authority accordingly as to whether the proposal complies with relevant legislation and policies relating to biodiversity.

During a visit to the application area on 31st June 2017 to inform the preparation of this response, both skylark and lapwing were recorded from the area.

In summary, we would advise that a breeding bird survey and bat activity surveys are required before it is possible to provide an accurate assessment of the ecological impacts associated with the proposal.

It is hoped that the information provided is helpful to the Council. If you require any further information or wish to discuss any of the comments made, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Trevor Taylor', written in a cursive style.

Trevor Taylor
Biodiversity Planning Officer

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