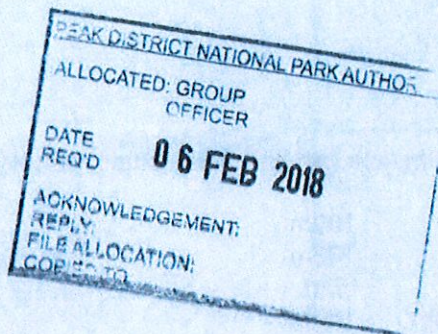


09/02/2016

Our ref: PD/S/31

Your ref:



The Planning Officer
Peak District National Park Authority
Aldern House
Bakewell
Derbyshire DE45 1AE

Natural England
Mail Hub,
County Hall,
Spetchley Road,
Worcester WR5 2NP

Dear Sir/Madam

**PEAK DISTRICT MOORS SPA/SOUTH PENNINE MOORS SAC/THE DARK PEAK SSSI
Midhope Moor restoration – Access Matting**

Natural England write in support of the retrospective planning application for the lightweight temporary trackway laid over the soil and vegetation along the route from Lost Lad to Mickleden Grouse Butts within the above named designated sites.

Natural England approved this work as part of a wider habitat restoration project within the Environmental Stewardship Agreement AG00444068. In supporting and agreeing to these works Natural England had in mind the duty to conserve and enhance the special features of the protected sites which was the purpose of the project (erosion control, rewetting and vegetation re-establishment on deep peat habitat). In order to deliver this management it was necessary to position heavy machines on the moor and this was most effectively done by using an existing access route.

This access route was acknowledged (in previous discussions with the Estate) to be in poor condition and not ideally suited to the use Natural England had planned however, the alternative to such use required tracking over a longer distance on the SAC habitat of blanket bog.

It was determined that restoration to a use-limited track by placing a lightweight material on the surface (fixed by hand) that reduced soil impacts by (low ground pressure all terrain) vehicle passage and allowed (assisted) recovery of vegetation both within and around the route was a reasonable solution that reflected the Estate need and desire to manage their land without creating alternative routes with associated disturbance.

The purpose of the application of the plastic mesh, which is currently subject to planning permission, is to allow recovery of semi-natural vegetation cover to exposed soils in the vicinity of the route, to enable continued limited use of light vehicles (quad bike or argocat) along a specific line for the purpose of estate management without further degradation of the surface and to allow general recovery of the surrounding habitat within the SSSI.



Natural England is accredited to the Cabinet Office Service Excellence Standard

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The route is approximately 660m in length and the habitat breakdown of the ground crossed is as follows:

Dry heath	160m
Dry heath/acid grassland	190m
Bracken	55m
Marshy grassland/Juncus flush	180m
Flush/Stony ground/River bed	25m
Blanket bog	50m

The actual condition of the ground crossed may not correspond to the habitat described in the list above due to previous use of the route, therefore Natural England does not consider that the effect of this work is the complete loss of the amounts of the habitats described. Total area of mesh laid is 1320m²

The actual route and several alternatives were, at the start of restoration works, bare ground with some rutting and some ad hoc repairs (using timber and stone). Currently there is about 3500m² of habitat affected by vehicle use along this section of the route (including what constitutes the route defined by the mesh). The use of a mesh surface will limit use and disturbance to about one third of this quantity.

The effect of the work will limit the extent of vehicle use to a narrow band at 2m width and allowing some limited recovery of vegetation using techniques of moorland restoration (spreading nurse crop grass seed and boosting growth with limited lime and fertilizer). The effects of this restoration will be greater on the disturbed area away from the mesh track where no vehicle disturbance will enable a fuller vegetation community to develop.

Natural England will be happy to support the Authority in making an assessment of this proposal with regard to protected sites and species including a Habitats Regulation Assessment.

Yours faithfully

RAP Pollitt

Richard Pollitt
Land Management and Conservation Adviser - Dark Peak
Natural England
East Midlands Area Team
richard.pollitt@naturalenland.org.uk



The Dark Peak Site of Special Scientific Interest [Sheffield] ("the SSSI")

CONSENT OF NATURAL ENGLAND

Section 28E(3)(a) Wildlife and Countryside Act 1981 (as amended and inserted by section 75 and Schedule 9 of the Countryside and Rights of Way Act 2000)

To: Mr D Richmond Watson

**Of: Wakefield Farms Ltd, Wakefield Lodge Estate, Potterspury, Northants
NN12 7QX**

Natural England gives you consent to carry out, cause or permit to be carried out the operations as specified in the notice dated 15th September 2014, on the land as specified in the notice (this consent replaces the previous consent dated 13th October 2014 where the timing of proposed operations included a misprint) :-

Specified operations:

Restoration of degraded peatland habitat within the SSSI in accordance with the agreed plan.

Timing of proposed operations: 2014 - 2017

Land on which operations are to be carried out: Midhope Moor

Signed for Natural England:

PAP PRIMA

Date: 16th October 2014

If you wish to change the proposed operations or their location or to carry out additional operations for which consent has not yet been given, or if a time period set out above, has expired, you are required to give further written notice to Natural England.

Unauthorised operations may destroy, damage or disturb features of special scientific interest.

It is the responsibility of the grantee of this consent to ensure that no other consents, whether of a public or a private nature, are needed and, if needed, to secure them him/herself. The grantee is also responsible for carrying out the consented operation(s) safely and in all ways according to the law.



Natural England
Peak District Land Management Team
Mail Hub, Block B
Whittington Road
Worcester WR5 2LQ

If you have any queries or concerns over this consent, please contact (Richard Pollitt), at the above address.



Habitats Regulations Assessment (HRA)

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Casework Tracker Ref. (where applicable)	XXXX	EU Site Code Ref.	UK0030280 UK9007021
Case name	Midhope Moor HLS Agreement & MMP		
Assessment made by	Richard Pollitt	Date:	21 st August 2013
Application/Project:	Midhope HLS Agreement		
European Site(s):	South Pennine Moors Special Area of Conservation (SAC) Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA)		
Component SSSI(s):	The Dark Peak and Eastern Peak District Moors SSSI's		

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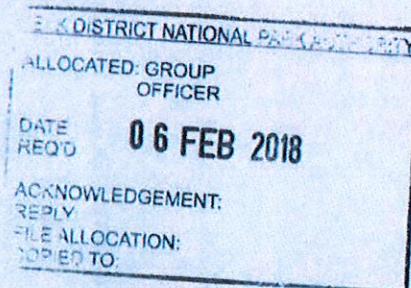
Assessment Summary

- Part A** Introduction and information about the project
- Part B** Information about the European Site(s)
- Part C** Screening of the project
- Part D** Appropriate assessment and conclusions on site integrity (*where required*)
- Part E** Consent decision with respect to European Sites

References

Document governance

Appendix 1 The submitted proposal





Habitats Regulations Assessment (HRA)

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Assessment summary

This Habitats Regulations Assessment of the Moorland Management Plan for Midhope Moor HLS Agreement and Moorland Management Plan under Regulation 21 of The Conservation of Habitats and Species Regulations 2010 has concluded that it cannot be ascertained that the proposed operations **will** adversely affect the integrity of the site or its notified features and that the proposed notice will not have a beneficial effect on the European Site.



Habitats Regulations Assessment (HRA)

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PART A – Introduction and Information about the project

A1. Introduction

This is a record of the Habitats Regulations Assessment undertaken by Natural England of this application which affects the South Pennine Moors Special Area of Conservation (SAC) and the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA).

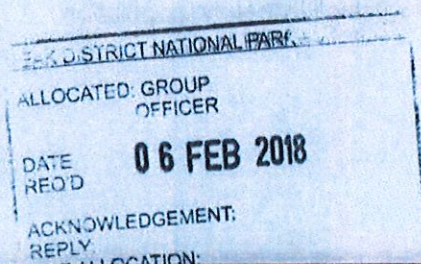
The application constitutes a request to Natural England for permission to carry out, cause or permit to be carried out an operation(s) listed by a SSSI notification by way of a management agreement (hereby referred to as 'the project').

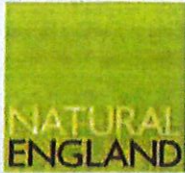
Where such a proposal also affects a European Site, Regulation 21 of the Conservation of Habitats and Species Regulations 2010 (the "Habitats Regulations") requires an assessment to be made of such proposals to secure compliance with the EC Habitats Directive (Council Directive 92/43/EEC).

Natural England may only give consent to the proposal where it is able to ascertain that the proposal will have no adverse effect on the integrity of the South Pennine Moors Special Area of Conservation (SAC) and the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA) European Sites.

A2. Details of the project

Type(s) of project:	HLS Moorland Agreement
Location of project:	Midhope Moor, Langsett, Sheffield
Applicant:	Wakefield Farms Ltd
National Grid Reference:	SK215985
Summary of the project and its constituent elements:	Improvements to consented burning (reduction in the area of blanket bog under burning management and increase in the rotation period), grip blocking, and re-vegetation of bare and damaged peat, and bracken control.





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PART B: Information about the European Site(s)

B1. Description of the SAC/SPA and their Qualifying Features

South Pennine Moors Special Area of Conservation SAC

Annex I habitats that are a primary reason for selection of this site

- Blanket bogs* (*priority habitat type).
- Northern Atlantic wet heaths with *Erica tetralix*
- European dry heaths

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

- Acid flushes

Peak District Moors (South Pennine Moors Phase 1) Special Protection Area SPA

Article 4.1 Qualification

- Golden Plover *Pluvialis apricaria*, 752 pairs representing at least 3.3% of the breeding population in Great Britain (Count as at 1990)
- Merlin *Falco columbarius*, 77 pairs representing at least 5.9% of the breeding population in Great Britain
- Short-eared Owl *Asio flammeus*, 25 pairs representing at least 2.5% of the breeding population in Great Britain

Subsequent to a JNCC Review of Special Protection Areas (published 2001), it was indicated by UK Government that the following species should be treated as qualifying species for this SPA and are therefore thought as such for the purposes of this assessment.

- Peregrine *Falco peregrinus*, 16 pairs representing at least 1.4% of the breeding population in Great Britain
- Dunlin *Calidris alpina schinzii*, 140 pairs representing at least 1.3% of the breeding Baltic/UK/Ireland population



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PART C: Screening of the project

There are two screening stage tests required under Regulation 21 (transposing Article 6(3) of the Habitats Directive):

C1. Test: Necessary to management (of the European site)

For SAC habitat features

It is considered that **blanket bogs** can be generally regarded as a near-natural or climax habitat, which means that the nutrient poor and waterlogged vegetation has reached a steady natural state and a naturally diverse structure and can sustain itself without grazing, burning or any other interventions. Where previous damage has occurred, some areas of blanket bog may require restoration of natural hydrology (i.e. rewetting) to restore its naturally peat-forming ability. Additional measures may also be required to reduce the dominance of species such as heather and purple moor-grass. Blanket bog habitats should not be re-classified as dry or wet heath despite having a vegetation type more characteristic of these habitats unless peat depth is less than 50 cm. It might be possible that a single, one-off and highly-controlled burn can contribute to the restoration of blanket bog habitat (for example, as an initial treatment) in order to revert degraded bog vegetation now dominated by heather or purple moor-grass to bog or wet heath habitat. Therefore, in these very specific circumstances, where the operation has the necessary safeguards built in and forms part of an agreed restoration plan (that includes other necessary restoration or conservation measures) it may be considered as being directly connected with or necessary to the management of the site. Burning regimes are known to affect bog/mire habitats, leading to reductions in or loss of key species (both plants and animals), reduced structural diversity and a greater dominance of species which are less typically associated with the habitat in question (i.e. areas of deeper peat becoming dominated by *Calluna*, cotton sedge or grasses such as *Molinia*). When blanket bog is damaged, carbon sequestration is likely to be halted or reduced and carbon can be released through oxidation, particulate and solute erosion. Grazing affects vegetation composition and structure, depending on stocking density and the timing and duration of grazing. At high stocking densities, grazing action favours vigorous grasses which are able to out-compete the characteristic species which form the respective vegetation communities. Localised nutrient enrichment and excessive poaching or trampling of the ground may result. Blanket bog is particularly sensitive to grazing, being very unproductive and being a habitat which is only partly, under certain circumstances, dependent on grazing to maintain its special scientific interest. Grazing can either maintain or reduce the cover of dwarf shrubs and other plants. Winter grazing regimes often result in the need



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for supplementary feeding of livestock, such as the use of mineral licks which if kept in the same location over long periods can cause localised but significant damage to upland vegetation, further promoting changes to a grass-dominated vegetation community. Natural England considers that the appropriate stocking density for the restoration of blanket bog is 0.018 LU/ha and that that the appropriate stocking density for its maintenance 0.035 LU/ha.

It is considered that **North Atlantic wet heaths with *Erica tetralix*** on shallow peat is a plagio-climax community which requires light grazing to maintain its state and prevent its ecological succession to woodland. Burning, as this favours more competitive species over more characteristic species, should be avoided. Natural England considers that the appropriate stocking density for the restoration of wet heath is 0.022 LU/ha and that that the appropriate stocking density for its maintenance 0.044 LU/ha.

It is considered that **European dry heaths** are a plagio-climax community that can require some form of management intervention, either light grazing with livestock or careful burning, to maintain its open state and prevent ecological succession to woodland in local circumstances. Natural England considers that the appropriate stocking density for the restoration of dry heath is 0.051 LU/ha and that that the appropriate stocking density for its maintenance 0.101 LU/ha.

Natural England has considered Midhope Moor HLS & Moorland Management Plan under Regulation 21 (1)(b) of The Conservation of Habitats and Species Regulations 2010 and has decided that it is necessary for the management of the South Pennine Moors Special Area of Conservation SAC for the following features;

- Blanket Bog* (*priority habitat type).
- Upland dry dwarf shrub heath

For SPA features

Burning practices can affect the vegetation composition and structure of nesting and feeding habitat; can kill/injure or disturb birds and their nests, eggs and young if undertaken in spring and research has shown that when coupled with predator control, may benefit some breeding waders such as golden plover. Upland habitats support internationally and nationally important numbers of birds. It is generally regarded however that no upland bird species have a specific requirement for intensively managed moorland managed by burning. Burning on blanket bog may be considered necessary when it can be clearly demonstrated that the activity is an essential component of habitat management for a particular bird species that is a SPA feature. It must be clearly demonstrated that there are no other suitable habitats that the species



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will and can use instead, and that burning is a key element of maintaining a population that would otherwise be in unfavourable condition at the site level. Supporting evidence might include the regular and historic use of burned blanket bog by a viable population of the species, the need to create a link between two or more, currently isolated populations of the species, the use of the blanket bog by the species for a significant proportion of its lifecycle or where there are no opportunities for the creation or restoration of other suitable habitat. Grazing affects vegetation composition and structure of nesting and feeding habitat. Stock can disturb birds and/or trample nests depending on stocking density and the timing and duration of grazing. At high densities, vegetation can be over-grazed, favouring competitive grasses and resulting in localised nutrient enrichment and excessive poaching or trampling of the ground. Blanket bog is particularly sensitive to grazing being very unproductive and a habitat which is not dependent on grazing to be maintained. Grazing can either maintain or reduce the cover of dwarf shrubs and other plants. Winter grazing regimes often result in the need for livestock feeding such as the use of mineral licks which is kept in the same location over long periods can cause significant changes and damage to upland heathland vegetation, further promoting changes to grass-dominated vegetation. The presence of large numbers of livestock, and potential carrion, can encourage avian and mammalian predators, which also predate ground-nesting birds.

Natural England has considered the Midhope Moor HLS Agreement and Moorland Management Plan under Regulation 21 (1)(b) of The Conservation of Habitats and Species Regulations 2010 and has decided that the proposal is not necessary for the management of the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area SPA for the following features;

- Golden Plover *Pluvialis apricaria*, 752 pairs representing at least 3.3% of the breeding population in Great Britain (Count as at 1990)
- Merlin *Falco columbarius*, 77 pairs representing at least 5.9% of the breeding population in Great Britain
- Short-eared Owl *Asio flammeus*, 25 pairs representing at least 2.5% of the breeding population in Great Britain
- Peregrine *Falco peregrinus*, 16 pairs representing at least 1.4% of the breeding population in Great Britain
- Dunlin *Calidris alpina schinzii*, 140 pairs representing at least 1.3% of the breeding Baltic/UK/Ireland population



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C2. Test: Likelihood of significant effects (LSE)

C2.1 Alone

This section details how the submitted project proposals may have a likely significant effect(s) alone, after each of the project elements are tested against each of the European site features and an assessment of their vulnerability to potential effects using best available evidence and information is made.

Measures that would avoid or reduce the likelihood of significant effects arising and are already integral to the project as submitted have been taken into account at this stage.

Interest feature	Potential effects	Mechanism	Measures which may mitigate the potential effects	Likely Significant Effect?
SAC Blanket bog	<u>Burning</u> 1) Promote the dominance of fire-tolerant species, including heather <i>Calluna vulgaris</i> , or graminoids such as purple moor grass, hare's tail cotton grass or deergrass. 2) Increase the quantity of bare ground vulnerable to erosion 3) Decreased abundance of key species, especially wetland species 4) Changes in vegetation structure, floristic composition and micro-topography	23 year	reduce the area of blanket bog under burning rotation, increase the burning rotation average.	Yes



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<p>SAC Upland or subalpine dry dwarf shrub heath</p>	<p>5) Damage and reduction in cover, variety and function of <i>Sphagnum</i> species to contribute to peat formation. 6) Drying out of peat surface and increases the likelihood of peat pipe formation 7) Hinders the recovery of vegetation damaged by historic activities and practices 8) Encouragement of dense Cv canopies may increase the risk of wildfire</p>	<p>12 years</p>	<p>buffer sensitive habitats and retain structural diversity</p>	<p>Yes</p>
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<p>SPA</p> <p>Aggregations of breeding Annex I birds; Assemblage of breeding upland moorland birds</p> <p>Golden Plover</p> <p>Merlin</p> <p>Short-eared Owl</p> <p>Peregrine</p> <p>Dunlin</p>	<p><u>Burning</u></p> <p>1) Burning may promote drying out of the peatland surface, reducing the abundance and availability of invertebrate prey for golden plover, curlew and dunlin</p> <p>2) Burning in historically burned areas may provide shorter vegetation in closed canopy stands suitable for breeding golden plover</p> <p>3) Burning can promote heather at the expense of bog vegetation, adversely affecting breeding habitat of dunlin</p> <p>4) Frequent burning cycles can reduce the extent of tall heather for nesting merlin and can reduce abundance of its prey, the meadow pipit.</p> <p>5) Encouragement of dense <i>Calluna</i> canopies may increase the risk of wildfire which may result in mortality or nest destruction if fires occur within bird breeding season</p>	<p>23 year on blanket bog</p>	<p>avoid wet areas and take burning off more elevated areas</p>	<p>yes</p>
<p>SAC</p> <p>Blanket bog</p>	<p><u>Grazing</u></p> <p>1) Increases likelihood of compaction and hydrological effects by trampling, poaching and regular walkways</p>	<p>0.1 LU/ha</p>	<p>maintain distribution of sheep across the unit</p>	<p>No</p>