

08/02/2016

Our ref: PD/S/31

Your ref:



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

Natural England
Mall 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 – repair to estate management route**

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. In previous arrangements with the Estate remedy to the erosion problem was to suspend use of the route. If Natural England were to use the route then such a remedy was no longer consistent or fair.

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.

At the time that this work was consented Natural England were not aware that the positioning of plastic mesh (including the strimming of vegetation and the fixing by hand) qualified as a development requiring planning permission by the appropriate authority.

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



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management without further degradation of the surface and to allow general recovery of the surrounding habitat within the SSSI.

This is a route created by and for estate vehicular use for the purpose of estate management. It also served as a single pass access route onto the moor for heavy machinery for the purpose of restoration work under the same programme of works that has restored the route to light use. There was some impact to the route through the passage of heavy machinery (3 loaded diggers) but significant disturbance to the surface was already present, caused by previous activity.

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. In some places on the route the least damaged ground has been selected for the mesh route.

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. Continued use of the route is not compatible with complete revegetation of the mesh surface and this should not be expected.

The alternative to this practical work to protect the surface from further damage would be to close the route and to insist that the estate management work was done in accordance with the Management Plan that permits the use of (all terrain) vehicles everywhere providing such use does not cause rutting (it may incidentally damage vegetation).

The habitats that would be used as alternative routes to the route that has been surfaced are of greater interest within the description of the SSSI/SAC and are more vulnerable to disturbance through the use of vehicles, the area that would be used are primarily blanket bog. The effect of this would be, in the opinion of Natural England, to increase the extent of disturbance and increase the exposure of more sensitive habitats to further disturbance. Natural England in its HRA for the work considered that the use of heavy machines within the project were 'necessary for the management of the site' for the SAC/SPA features.

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

Yours faithfully

[Redacted signature]

Richard Poillitt
Land Management and Conservation Adviser - Dark Peak
Natural England
East Midlands Area Team

[Redacted contact information]