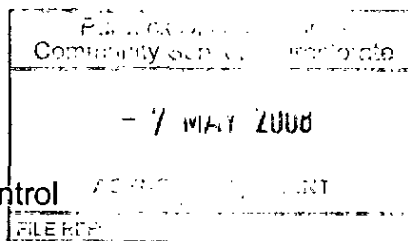


Date: 2 May 2008  
Our Ref: Stokeford Heaths SSSI  
Your Ref: 6/2008/0234



Head of Development and Building Control  
Purbeck District Council  
Westport House  
Worgret Road  
Wareham  
Dorset  
BH20 4PP

Dorset & Somerset Team  
Slepe Farm  
Arne  
Wareham  
BH20 5BN

T 01929 557450  
F 01929 554752

Dear Sir

**Application No: 6/2008/0234**  
**Proposal: Erection of 6 wind farm generators and ancillary development**

Thank you for consulting Natural England on the above proposal. Your letter of 14 April 2008 was received here on 15 April 2008.

The application site lies in the immediate vicinity of Stokeford Heaths SSSI which is also one of the component SSSIs of the Dorset Heaths Special Area of Conservation (SAC) as well as the Dorset Heathlands Special Protection Area (SPA) and Dorset Heathlands Ramsar site. It is close to the boundary of the Dorset Area of Outstanding Natural Beauty (AONB).

This letter provides some initial observations, raises issues that need to be resolved and indicates that further information and assessment by the applicants is necessary to resolve these issues.

Our view is that the EIA does not adequately deal with a number of crucial issues. We therefore strongly recommend that you request further information from the applicant in order that uncertainties related to key elements of the development are removed, as set out in detail below. Our final observations will follow once the further information has been provided.

Moreover, we believe that in its current form an appropriate assessment would have no alternative but to conclude that the proposed development would adversely affect the integrity of the Dorset heathlands SPA (through the displacement effect considered below). Without significant amendments to the proposal therefore, Natural England would have no alternative but to object to the application. Thus in our opinion substantial modifications to the development could be proposed by the applicant which would justify the reconsideration of this position.

## **ECOLOGY**

### Issues surrounding the relationship between the development and quarrying

The proposed sites for each turbine are within quarries and it is proposed to raise the level at the site of each turbine back to the original ground level. The environmental effects of these operations have not been evaluated.

Whilst it may be the case that in some instances, filling of these quarries under the existing minerals permissions may have happened anyway this is not necessarily the case. In some instances restoration may have been at a lower level and in others filling is not possible without further authorisations, for example through conditions that must be complied with as part of the modification orders for the planning permission, or a licence covering effects on protected reptiles. Moreover, the requirement to raise levels within the quarries is clearly a consequence of the development and as such its environmental effects need to be evaluated.

The species information is particularly important for location 5 where the gully holds sand lizards and, most likely, nationally important invertebrates. Infilling here would bury habitat used by sand lizards and invertebrates. Further survey of these groups is necessary to properly evaluate the impacts. If the infilling was done without provision of replacement habitat in a suitable location, together with its typical species, it would be contrary to one of the conditions of the modification order.

The treatment of the surface around each turbine is a further issue that is not covered. Restoration to heathland or acid grassland would be appropriate.

The following is a summary of further information related to infilling that we believe should be provided:

- Materials used to raise levels and environmental effects
- Environmental effects of any piling that may be needed
- Effects on the overall restoration of the quarries as a result of raising ground levels in these specific areas
- Effects on the hydrology of neighbouring designated habitats (the permeability of sands/clays that is used in any infilling immediately adjacent to the designated sites will effect the sites hydrology; depending on how it is done it could be a positive or negative effect).
- Treatment of the ground surfaces around turbines
- Effects on species from infilling.

#### Displacement effects on birds

The displacement effect is identified in the EIA as a major significant impact on nightjar, woodlark and Dartford warbler. We agree that this is a key issue. If the displacement distances in the review by Hotker are used (and there is more uncertainty for nightjar than for the other 2 species) then the displacement effect would be felt over 6.2ha of the SPA. In other words, the core function of SPA – its ability to support these birds species – would be compromised within this area. In our view this amounts to an adverse effect on the integrity of the SPA since the integrity of a site is the 'coherence of its ecological structure and function, across its whole area.....', in other words in each and every part of the site.

We do not believe that the proposed mitigation removes or reduces this effect on integrity. It would not in any way reduce the displacement effect and is merely habitat management of a type that is routinely carried on virtually all Dorset heathlands without being associated with development.

Having identified this as a major effect the EIA does not go on to consider alternatives that might avoid the effect. Guidance within Managing Natura 2000 sites (Managing N2K sites: The provisions of article 6.3 of the Habitats Directive

92/43/EEC. European Commission 2000) indicates the process that should be followed.

*The first step of the competent authorities is to examine the possibility of resorting to alternative solutions which better respect the integrity of the site in question. Such solutions should normally already have been identified within the framework of the initial assessment carried out under Article 6(3). They could involve alternative locations (routes in case of linear developments), different scales or designs of development, or alternative processes. The 'zero-option' should be considered too.*

*It should be stressed that the reference parameters for such comparisons deal with aspects concerning the conservation and the maintenance of the integrity of the site and of its ecological functions. In this phase, therefore, other assessment criteria, such as economic criteria, cannot be seen as overruling ecological criteria.'*

We would recommend that further evaluation of the issues surrounding the precise siting of each turbine is required from the applicants. However, we do not believe that with the turbines in their current positions, with the 100m radius overlapping the SPA, mitigation could remove the adverse effect on integrity. Rather, alternative positions for the turbines need to be examined.

#### Collision risk for nightjar

Nightjars are one of the qualifying interests of the SPA so this is clearly a key issue and in our view the EA is correct in concentrating time and effort in this area. The surveys carried out so far indicate that nightjars concentrate their activity at levels where they would not be at collision risk. However the surveys only covered activity in the latter part of the summer and it is possible, particularly earlier in the year when birds are displaying, that flight patterns will be different. We would therefore recommend that the previous years work is repeated in early summer.

However, there may always be some residual uncertainties about prediction of collision risk so we would also strongly recommend that the EIA examines how monitoring might provide additional insurance that the integrity of the SPA is not adversely affected through collision causing nightjar mortality. This should involve;

- Management of the area underneath the turbines (not the SSSI) so that there is a realistic chance of finding any corpses
- Providing a monitoring protocol for searching for corpses (which takes into account limitations due to observer detection of corpses and removal by scavengers)
- Agreeing a trigger point whereby bird mortality is sufficient to require remedial action
- Agreeing remedial action (eg problem turbines are switched off or slowed down at night at critical periods)

#### **LANDSCAPE ISSUES**

Overall, we believe that the application is supported by a good set of supporting documents covering landscape and visual impact. The range of viewpoints is broadly representative and the methodology for assessing the magnitude of change and degree of sensitivity for the views is clearly set out.


However, there are additional, relevant viewpoints left out of the assessment within the AONB to the south and within a close proximity to the site (0-5km). An example is the view at West Holme on a hillside directly opposite the site and looking into the

River Frome valley. We believe that this a key viewpoint to take into account . The A35 junction near Tolpuddle, with a road in the foreground, is a poor site to use to represent views from the NW. Black Hill, 5 km to the north-west of the application site, has public access and is nearer to the application site than the A35 viewpoint. It would have been a much better alternative.

Perhaps a search based on terrain modelling would have identified these viewpoints. We would recommend that your Council considers requesting further information to deal with these omissions.

The written statements on significance for the viewpoints, whilst relating to the matrices on pages 4 -8 have a an element of subjectivity to them (based on professional judgement without any reference to how the public respond). In some of these statements the professional judgements tend to understate the change significance rating (viewpoint 2 is an example) by reference to the mitigating effect of screen planting. Perhaps the mitigation should be shown on the appropriate photomontage to show the actual effect of planting.

Yours faithfully

  
Dr Andrew Nicholson  
01929 557458  
[andrew.nicholson@naturalengland.org.uk](mailto:andrew.nicholson@naturalengland.org.uk)