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Charity Number : 502422

Chairman:
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18 March 2009

Ms Charlotte Stainton
Planning Department
North-East Derbyshire District Council
Council House
Saltergate
Chesterfield
S40 1LF

Dear Ms Stainton

Application No: 09/00070/FL - Matlock Moor Wind Farm proposal

I regret that on behalf of DOS (the county bird club), I have to write to express a number of concerns about this application and to oppose approval of the scheme as submitted. I appreciate that the application spans both DDDC and North-East Derbyshire authorities so I am sending copies of this letter to both.

At the outset, I would emphasise that DOS is a non-political charity and is supportive of wind farms in the right places. We believe, however, that current targets can be met without utilising inappropriate sites where there would be a detrimental effect on wildlife. Nationally, we see brown-field sites and selected offshore environments as the most acceptable areas and the growing number of applications suggest that there are sufficient of the former (and fringe adjacent locations) to satisfy county allocations.

Unfortunately, we became aware of this proposal rather later than we would have liked. We are now told that the applicants and/or their ecological surveyors were advised by Natural England to discuss the matter with us but we have had no such request for a meeting. My comments, therefore, will cover data available at present, albeit that we would still like adequate time to record the area involved in more detail.

Our Main Concerns

- As is conceded in the ornithological survey, the area includes the last two territories of Nightjar that remain in Derbyshire. It also embraces our most productive pair of Goshawk, a bird subject to widespread illegal killing elsewhere but which has remained safe here. Whilst the risks for these species are argued subjectively within the survey funded by the applicants, we would content that even the slightest risk to these species is too high a price to pay.
- The ornithological survey would appear less complete than may at first appear and more work is clearly required. A simple example is that the breeding survey started too late from our perspective. An earlier examination would

have almost certainly have revealed Crossbills (that do breed in the area), displaying Lapwing (up to six pairs are reported to have bred in recent years), Curlew, good numbers of Skylark and Meadow Pipit and any residual Short-eared Owls that are often seen throughout the winter period.

- The area is adjacent to County Wildlife Sites and in view of the threat now exposed, we feel that the councils should give consideration to a protective designation here since quite apart from the avifauna, the site contains a rich biodiversity which it would be irresponsible to harm.
- At first glance, the mitigation proposals shown in the application fall well short of what we would expect and if permission were to be granted, we would fear long term serious damage to the site and its wildlife. Any damage, particularly bearing in mind the key species mentioned above, would affect Derbyshire's contribution to meeting the UK Biodiversity Action Plan targets.
- We have been copied with the submission from the Royal Society for the Protection of Birds and note that they cannot support the proposals and have listed many of the concerns that we and others have.
- Rightly or wrongly, as lay people we have been worried about the independence of the ecological consultants. We do not suggest any impropriety but in being funded by the applicant, having the same address as the applicant and (we are told *per con*) a common director, then we would prefer time for others to assess the wildlife inventory and attendant risks.

Our Suggestions

- We think that there is already sufficient doubt about the suitability of the location as to warrant turning down this application.
- If there is any suggestion at all that this may merit approval, then we would ask that the application is suspended whilst a fuller and more independent survey takes place. Within the county, we have a professional body in the form of Derbyshire Wildlife Trust as well as groups like ourselves, South Peak Raptor Study Group, Derbyshire & Nottinghamshire Entomological Society and the ongoing British Trust for Ornithology bird atlas work. We would be very happy to involve ourselves with further work/validation and to work with these groups.
- We would reiterate that what has been revealed to date would seem to justify that consideration be given to a protective designation for this area.

Yours sincerely

Bryan Barnacle – Chair, Derbyshire Ornithological Society