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Mr Stephen Hamilton,
Principal Planning Officer
Strategic Planning Division
Millennium House
17-25 Great Victoria Street
Belfast BT2 7BN

I wish to object to the proposed development at 49 Ballinlea Road (Planning Application E/2013/0093/F) for the following reasons:

1. Incomplete Phase I Survey. The Extended Phase I Survey and Assessment of Ballinlea, report to RPS June 2013, prepared by Kerry Leonard of Sterna Environmental does not include a data search from recognised biodiversity databanks including CEDAR and the National Biodiversity Network. This should have been included as part of the Phase I survey in order to create a more complete picture of the species present in the local area, both at the time of survey, in previous years and during other important nesting, feeding, wintering and roosting periods. Details of a data search were not included in the Phase I survey report and therefore this cannot be described as an 'extended' survey.

2. Disturbance to the Common Pipistrelle bat, (*Pipistrellus pipistrellus*)

This is a European Protected species and is protected under the Habitats Regulations or Conservation (Natural Habitats etc.) (Amendment) Regulations (Northern Ireland) 2007.

Common Pipistrelles were recorded by an experienced bat surveyor at the derelict buildings sited in the north east section of the proposed drilling site at 49 Ballinlea Road on 12-06-2013 and 12-07-2013. (Peak frequencies were

recorded at between 44 to 46 KHz). The bat surveyor identified high potential for bat roosts in several of the old farm buildings. The surveyor also identified the need for further more detailed surveys for potential roost sites. Transects carried out in July 2013 revealed that the hedges and trees along the Kilmahamogue Road adjacent to the proposed development site and within 50 metres of it are being used as foraging habitat by these bats, as are the old farm buildings. The nearby stream and the bank-side vegetation are also being used as a foraging area. There is also a high probability that the old farm buildings on the site are used by bats as a hibernacular roost.

The proposed development at this site will have a detrimental effect on the protected Common Pipistrelle bat through an increase in noise levels, vibration, artificial lighting, dust and any accidental pollution of the adjacent waterways.

3. Incomplete survey for protected bat species.

The Extended Phase I Survey and Assessment of Ballinlea, report to RPS June 2013, prepared by Kerry Leonard of Sterna Environmental does not include reference to bat species. A fully comprehensive survey of this site for bat species over a 12 month period was not completed.

It is vital that the site is monitored for bat hibernation roosts in January/February and that a field survey is also completed in April to August to fully understand the use of the site by these protected species.

4. Disturbance to badgers and incomplete survey of badger activity.

The badger *Meles meles* is a protected species in Northern Ireland. Badgers and their setts are protected under the Wildlife Order (Northern Ireland) 1985 as amended by the Wildlife and Natural Environment Act (Northern Ireland) 2011. It is an offence to disturb these animals or obstruct access to their place of refuge, or destroy or damage anything which conceals or protects their place of refuge. The Phase I Habitat survey produced as part of the Planning Application did not make a fully comprehensive study of badger activity in the area. Evidence of badger activity was mentioned in the Phase I survey report;

therefore a more detailed and comprehensive survey for badgers should have been recommended in this report. Badgers are a common sight in the area of 49 Ballinlea Road. They use the surrounding hedges and small areas of trees as well as the adjacent arable/improved fields as foraging areas.

5. Disturbance to protected reptile Species: Viviparous Lizard *Zootoca vivipara*

The Phase I Habitat Survey produced as part of the Planning Application states on page 11 that 'No habitat considered suitable for Common Lizard was present'

Viviparous or common lizards *Zootoca vivipara* regularly breed in properties sited in the Craigalappin Road, Bushmills, within 1.25km of the proposed drilling site and in buildings similar in construction to the old farm buildings and house sited at 49 Ballinlea Road i.e. derelict stone buildings/walls. There is a high probability that lizards breed in the derelict buildings at 49 Ballinlea Road area, but no complete survey of the site has been undertaken by the proposed developers.

6. Disturbance to nesting birds.

Birds nesting in the area of the proposed drilling site at 49 Ballinlea Road include blackbird, chaffinch, goldfinch, house sparrow, jackdaw, robin, starling and wren. Both house sparrow and starling nest in the derelict farm buildings at the north east corner of the proposed site and any works carried out during the nesting season will have a detrimental effect on the breeding productivity of these species. It is an offence under the Wildlife and Natural Environment Act (Northern Ireland) 2011 to kill, injure or take any wild bird or to damage or destroy the nest of any wild bird while that nest is in use or being built or to take or destroy an egg of any wild bird.

7. Lack of recommendation for more detailed surveys for protected species.

Comprehensive habitat and species surveys are required (and an industry standard) when protected species are found on any development site. The

Northern Ireland Environment Agency requires that all biodiversity surveys are carried out to the Chartered Institute of Ecology and Environmental Management guidelines and these include a requirement for comprehensive surveys where protected species have been identified. Bats are known to use the area of potential development therefore an in depth survey for bats / bat potential, badgers, lizards, otters and newts should have been recommended in the Phase 1 report. This was not done.

8. Lack of 'Statement of Authority' for Habitat Surveys.

The Phase I Habitat Survey produced as part of the Planning Application does not include a 'statement of authority' ie an outline of the surveyors and authors involved and their qualifications and experience. This is standard practice for consultants' reports but this has been ignored in Rathlin Energy's Planning Application submission.