

14th August 2023

Rachel Robinson, Planning Officer
High Peak Borough Council

Re: Planning Application No. HPK/2023/0065: The Artisan Quarter, Spring Gardens, Buxton, Derbyshire, SK17 6BZ

I am writing on behalf of the Derbyshire Swift Conservation Project, an organisation working to conserve Swifts in Derbyshire and part of a national network of Swift groups throughout the UK.

The Ecology Report (Rachel Hacking Ecology) correctly states that: **“The proposed works to the structure at the former White Lion will be intrusive and therefore consideration should be given to roosting bats and *other protected and notable species* (my italics), which could potentially utilise the property”**. The report doesn't state at what time of year the survey was performed as this is immaterial for a bat survey but is critical to stand a chance of detecting a notable protected species, the Swift, *Apus apus*.

To breed, Swifts access safe spaces within the structure of buildings via small gaps or holes under tiles, beneath eaves, and above or between building stones. They only sporadically return to their nest sites (once every 1-2 hours in good conditions) and are very discrete, approaching and leaving nest sites very quickly and in silence, making detection difficult. Identifying the presence of breeding Swifts is virtually impossible outside of the breeding season (May to August) so survey work performed outside this time window would not detect this rapidly declining, red-listed species.

This is relevant to this planning application as Buxton has a low density but widespread population of breeding Swifts, with casual records of low level groups (indicative of nearby breeding sites) being reported from the area adjacent to the site of interest via a citizen science survey form (search Buxton on <https://www.swiftmapper.org.uk/>). More importantly, an on-going annual survey of Swift nest sites in Buxton has been collating breeding data for the past 2 years and reports that the nearest known nests are on Victoria Park Road and Wye St behind Spring Gardens. Furthermore, they note aerial groups above Holker and Spring Gardens suggesting that the area of interest may host as yet undiscovered Swift colonies (Lindsey Wakefield, Trustee for Biodiversity, Buxton Civic Association; personal communication).

Swift nest sites are vulnerable to building renovation and repair and since the species is extraordinarily faithful to a specific nest site the loss of the access holes can result in the complete loss of a breeding colony.

We request, therefore, that a specific survey be performed to check for the presence of breeding Swifts prior to the start of building work. This would need be completed in the months of May to July.

If High Peak Borough Council intends to grant permission for the above planning application in the *absence* of further survey work, we urge you to apply the following condition:

1) The work described in this application must be conducted outside of the period 30th April-30st August (the breeding season of Swifts) to avoid destroying active nests of this threatened species. The Wildlife and Countryside Act 1981 (as amended) makes it illegal to intentionally kill, injure or take a swift, or to take, damage or destroy an active nest and its contents.

Reason: to avoid the accidental destruction or obstruction of Swift nests.

Furthermore, if survey work *is performed* and reveals the presence of nesting Swifts then the following condition should apply:

2) The location of all existing nests must be retained wherever possible, or access provided through any new materials in the same location as existing nests, or other appropriate integral provision must be made to suit the design and materials of the renovation.

Reason: to ensure that Swifts can continue to use this building as a nesting location following completion of the works.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, states: **“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”**

This is supported in Section 170(d) of the revised National Planning Policy Framework (NPPF), which states: **“Planning policies and decisions should contribute to and enhance the natural and local environment by: ...minimising impacts on and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...”**

Why are Swifts important?

Swifts are a quintessential sign of British summertime and an intrinsic part of the character of Buxton. They are often seen soaring over rooftops on late summer evenings, with their dark sickle-shaped wings and distinctive ‘screaming’ calls. These charismatic birds spend nearly their whole lives in flight and are migrant birds, arriving all the way from central/southern Africa in early May just to breed in the UK, before leaving again in August.

We believe this report should have highlighted more clearly the potential for existing buildings to host colonies of birds which are faithful to their nest sites, such as Common Swift.

We are happy to provide further advice and assistance.

Yours faithfully

Andy Broadhurst

www.derbyshireswiftconservation.co.uk