



11-Oct-2023

## MITIGATION AT LEATHER LANE

( Sent to Align, cc Bucks Councillors & HS2 department, Chiltern Society )

Congratulations on taking over the contract for the Leather Lane Bridge.

The Leather Lane Conservation Group has been campaigning for several years to obtain the best possible mitigation for the Lane and its surroundings, to prevent any further fragmentation of the wildlife corridor, so that it will continue to provide vital connectivity between habitats, particularly for bats. We hope that we can work together constructively to achieve this objective.

We assume that HS2 and EKFB have passed on some information regarding the Lane, but below you will find our account of how the current situation has arisen.

### **1. History**

Leather lane is a single track sunken lane with steep banks. In the early 1900s, Arthur Lazenby planted a line of 100 semi-mature oak trees along the south bank. These have now formed a wide colonnade with woodland floor beneath, used by wildlife as a corridor between the hilltops and the Misbourne valley.

Preliminary designs for HS2 showed a new offline bridge to the south of the existing lane. It was pointed out at the community forum that this was unnecessarily destructive, and a bridge to the north side would preserve more trees, but this suggestion was ignored, as were most suggestions made during these 'consultations'.

### **2. The Environmental Statement**

Most of the issues which have arisen at the lane can be traced back to the ES, and in particular the bat surveys undertaken to support it. Leather Lane was surveyed from a moving vehicle, driven from Hartley Farm to Cottage Farm<sup>1</sup>, which (unsurprisingly) 'picked up low levels of

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<sup>1</sup> Ecology Survey Code 020-BA1-050002, Table 27, p56 of ES Vol 5 - <https://saveleatherlane-wp.org.uk/wp-content/uploads/2023/08/BatsVol5-CFA8-10.pdf> (CFA8-10)

activity'. As a consequence, no serious efforts to mitigate adverse effects on a substantial bat population were included in the hybrid bill designs.

### **3. Vegetation Clearance**

The initial design proposed removing 75 of the 100 trees lining the lane. In March 2021, Fusion commenced felling trees (supported by the National Eviction Team, despite the absence of anyone to evict). Work was suspended following intervention by Lawyers for Nature, due to the presence of a potential bat roost and the absence of appropriate bat licenses and surveys – but only after 3 trees had been felled for the haul road, and a further 9 for the track trace. ; the Arboricultural report (August 2021<sup>2</sup>) recommended that the proposed works be realigned, 'to avoid a significant impact on the landscape'.

After interventions by LLCG & Bucks councillors, the gap created for the track was later filled with the tops of the felled trees ('brash'), to encourage the bats to cross it. These remain undisturbed to this day, clearly indicating that the 9 trees could have remained for at least a further 2 years.

### **4. Bat surveys**

Local residents were well aware that the Lane was home to a large bat population, and after the tree felling, systematic surveys were undertaken regularly, using professional bat detectors. Initial results showed the presence of 8 different species of bats using the lane regularly, including the (endangered) Barbastelle, which are not covered by the HS2 site wide bat license. As a result, our community group was formed, to protect all the remaining oaks.

### **5. Bridge Design**

HS2 claim that the bridge was situated to the south side of the lane to protect a copse on the north side; the 'copse' is in fact an old chalk or flint pit, containing scrub, a few trees and some badger setts. It is also around 50m from the lane. The community group commissioned JNP consulting (of Chesham) to produce a design for a bridge on the north side of the lane, at some expense. The design (by Alan Brackley) was completed in early 2022, retained all existing oaks and avoided the copse (which lies outside the act limits). It also crosses the HS2 tracks at 90 degrees, which is apparently cheaper.

### **6. Meeting with EKFB**

After several online meetings with EKFB (due to Covid), a full meeting was held at the Gt Missenden memorial hall on 18<sup>th</sup> May 2022. Engineers from EKFB, Bucks and Parish councillors and our consultant ecologist were present. Alan presented the north side bridge design, and EKFB accepted that it was feasible, but would require re-

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<sup>2</sup> Doc no 1EW03-EKFB\_TEM\_LRL\_V1.0

arrangement of a drainage culvert and autotransformer station access. Our ecologist (Dominic Woodfield of Bioscan) stressed that HS2 & EKFB were legally obliged to protect the endangered Barbastelle population. Simon Matthews (EKFB) proposed that EKFB conduct their own bat survey.

NB – since the North side bridge design is acceptable, Bucks are now able to refuse a Schedule 17 application for the south side design, since the works 'can reasonably be done elsewhere' within act limits. The Leather Lane bridge was not included in the S17 application for the South Heath cuttings.

## **7. Bat reports**

The group continued to acquire data on the lane, and commissioned a report (from Bioscan) on the data collected in 2021-22<sup>3</sup>. This confirmed the presence of Barbastelle, and suggested that there is a maternity roost in the vicinity – which makes the Lane a site of national significance.

We are not aware of any results from surveys conducted for EKFB. They have claimed that data was being analysed, at various meetings with the Chiltern Society

## **8. Mitigation – a Green Bridge ?**

In light of these findings, the LLCG have requested that a green bridge be provided at the Lane, to re-establish the wildlife corridor post-construction. Since both (N & S) bridge designs are for two lanes, while Leather Lane itself is a single track road, it would be possible to plant one half of the bridge without significantly impeding traffic flow. We made this request to HS2 in July 2023, but have had no response as yet. Since then, the Chiltern Society, the Woodland Trust and BBOWT have indicated their support for this proposal; the Email from Maddelyn Sutton<sup>4</sup> was in response to a letter of support from the Chiltern Society.

## **9. Surroundings, Ilona**

The LLCG are concerned by the devastation inflicted on the AONB along the route, particularly in the vicinity of the Lane. One example is tree 14, an isolated category A oak tree, around 250 years old, previously standing in a field boundary hedge. The local community in the Lee, South Heath and Great Missenden have named this oak tree Ilona because of the familiarity and love they have for her, and there was outrage at the proposal to fell the oak to make way for a bund. (As the bund is only 2m above the existing ground level, it should be possible to work around the tree.)

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<sup>3</sup> <https://saveleatherlane-wp.org.uk/wp-content/uploads/2023/07/Bioscan-Report-April-2023-No-Results.pdf>

<sup>4</sup> 06-Oct-23, 13:52

The tree is now registered with the Woodland Trust Ancient Tree Inventory<sup>5</sup> and the root protection zone was recently enhanced. Despite support from local councillors and our MP, her future remains uncertain.

## **10. Post construction – restoration**

The LLCG is proposing a post-construction project for Leather Lane that will conserve and protect the ecology in future years. The existing lane, remaining trees and the area between the new and old lanes should form the core of a BATSAC<sup>6</sup> - a Special Area of Conservation for bats. The LLCG are working with interested parties to present a model as to how this could be achieved. The bat surveys and monitoring that the LLCG have been carrying out for the last 3 years could continue and give clear indication as to the health and wellbeing of the local ecology. The local community have been inspired and encouraged to learn more about the conservation of bats; largely through interest in the famous Leather Lane bats and the monthly bat walks that the LLCG have organised over the last 2 years. This interest could be encouraged further by the provision of a permanent BATSAC at Leather Lane for future generations to enjoy.

We hope that this gives you some insight into the present situation regarding the Lane, and how we believe it should be resolved. We suggest that a meeting of interested parties should be held at the earliest opportunity, and we would welcome the chance to discuss these ideas on site with representatives of ALIGN.

Regards,

The Leather Lane Conservation Group



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<sup>5</sup> <https://ati.woodlandtrust.org.uk/tree-search/tree?treeid=235601>

<sup>6</sup> <https://www.wiltshire.gov.uk/media/992/Bat-S-A-C-developers-guidance-inc-Bath-Bradford-on-Avon-Chilmark-and-Mottisfont-/pdf/Bath-and-bradford-on-avon-september-2015-bat-sac-guidance.pdf>