Notes on the relative adequacy of the PEA for The Burniston Fracking site

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There have been comments on the adequacy of the Preliminary Ecological Appraisal (PEA) provided for the potential Burniston site.

In the following paragraphs I will look at the PEA Report produced by RSK and query one or two aspects of the document. These will show that the Planners need better data than has been provided to date.

Disclaimer

The first area of concern is the use of let outs in the disclaimer. The authors (RSK) stated:

"*Where any data supplied by the client or from other sources have been used, it has been assumed that the information is* ***correct.*** *No responsibility can be accepted by ADAS for inaccuracies in the data supplied by any other party. The conclusions and recommendations in this report are based on the assumption that all relevant information has been supplied by those bodies from whom it was requested*."

From this, the naïve reader might assume that the data are exhaustive, and not error-prone. Neither is correct. Looking at the returns from the desk search, which only used two data sources, when it should be more (e.g. see Appendix 1 for birds below), it is clear that the data sets are at best partial, and not reliable. Species lists for almost all taxa are compact: missing many species, and the varying dates of such records as there are, suggest a tiny proportion of biodiversity was available to a desk search. They are also out of date (CIEEM 2019). These are major limitations to the credibility of the data.

Summary

RSK visited the site in June 2024 (June 17th) for an unknown period. Categorical statements are made based on a cursory visit, especially one where we know neither duration, time of day, weather, nor the balance of time in the core and adjacent habitats: we are asked to surmise effects on bats, but without the data to match.

Introduction 1.3

The text suggests a focus on a test well lasting for 4 months. When this might occur in the year is critical: the as yet unsampled bats would be affected by both light and noise if at the wrong time of year, and day.

2.3 Field Survey

One took place. What "***based** on the method* " in the UK Habs (UKHab Ltd 2023) manual means is unknown. It might have applied the method 95% or 5%. Details matter, but were not provided.

A lot appears to have happened in a very short time, and suggest that we will thus know a lot, but as expected in ***2.7 (limitations)*** there were going to be shortfalls.

In 2.7 it is noted that that some areas could not be visited due to

> " *access and time constraints"*

Which areas, and how tight another other assessments were for time is left unstated. As a PEA (CIEEM 2017), is not an exhaustive survey, but a potential flag for further surveys, it is not encouraging that speed was of the essence. Similarly, an unknown trip on one part day will not give an exhaustive listing of flora- species will have grown and died back by mid June and be 'missing'. A quick visit away from peak detection times at dawn or dusk will not be categorical for birds. If a cold/ windy day then invertebrates will also be skewed (only 2 were noted).

In essence, we know a visit was done, some data (of unknown reliability) were collected. We know also that the site and wider area apparently held few species according to the out-of-date desk study data. That is not tenable.

3.2.2 Species

This is a quick list of some birds encountered. Given that the emphasis is on habitats, that all trees were apparently examined for bats, that it was mid-June, it was unsurprising that:

"no nests were found during the comprehensive walkover "

Failure to immediately find nests is not unlikely. To claim that the site had potential for feeding birds, based on a single lapwing, is a truism but also needs better data to know which use it and when . Open areas in autumn/ winter will have different value compared with a single day in June. The reader is being asked to stretch credibility to accept the suitability of walkover data.

Bats (3.2.2.2) do use open areas, and a recent Cambridge University/ RSPB study (2025) showed the relative biodiversity importance of solar farms compared with arable, and their increased biodiversity richness for taxa including birds if linked to adjacent woodland or hedges. RSK is positing value without a reference source or data base. Inference is not fact.

By 3.2.2.6 it becomes very hard to accept the time budgets of the field surveyor, and the reliability of the statements. When not doing floral work for UK Hab, or checking each and every tree for bats, or visiting ponds and estimating suitability, it is stated that

"*the survey found no evidence of Hedgehog on the site (e.g., prints, burrows, or droppings).*"

Even in shortish turf that would be unsurprising, let alone the length shown in Fig 8, and suggests a level of effort and belief that is at odds with the other busy burdens of an unknown duration visit; one that we know had

"*time constraints"*

In short, is that a credible categorical statement ? It seems unlikely. That seems to apply to other taxa too.

Similar categorical statements, linked to habitat and isolation are given for reptiles and amphibia. Given the capacity of newts and frogs and toads to use urban and urban edge habitats, it is unjustified to state that the site is unsuited to amphibians (3.2.2.8). Similarly, on what was claimed to be an exhaustive survey (which a PEA cannot by definition be) two species of invertebrates were noted. That is an unreliable baseline.

Given the nature of the survey visit there is little categorical value in stating that:

"No notable invertebrates were identified during the field survey"

Proper searches take time (Reed 2024) ; time that RSK did not have, nor is it clear that the level of expertise was adequate; nor is a single day in June going to be categorical.

5. Evaluation of ecological features/ further survey/

A PEA is a snapshot, and normally leads to better surveys following up concerns raised by the visit. Appendix 1 shows how this works for birds. The overwhelming sense is making decisions based on inadequate (desk and field) data without recognising this.

6. Ecological constraints. Opportunities and recommendations

RSK focuses on bat issues- unsampled- and recognises that drilling might be 24 hours a day. Bats are disturbed by light (ILP 2023) and noise. RSK focuses on noise, only to dismiss it, when light is a key issue. Again, statements are made without the data needed when conclusions of no impact are reached. Commenting on removal of hedges and possible mitigation by replanting requires some sort of baseline; one that is missing.

<u>Conclusions</u>

What we have is a partial survey, of unknown duration, making statements without critical supporting data, and one that would be hard to rely upon. Assessors are being asked to believe in out of date data that seem unbelievable, and fragmentary at best. Protected species decision making is being made without any knowledge of the use of the site and its environs – especially by bats.

The Planning Authority would be wise to query the material provided to date, and ask for a better, more reliable, data set than has been provided. Such data would also need to tell

conditions, duration and provide a better understanding of limitations than RSK has given to date.

References

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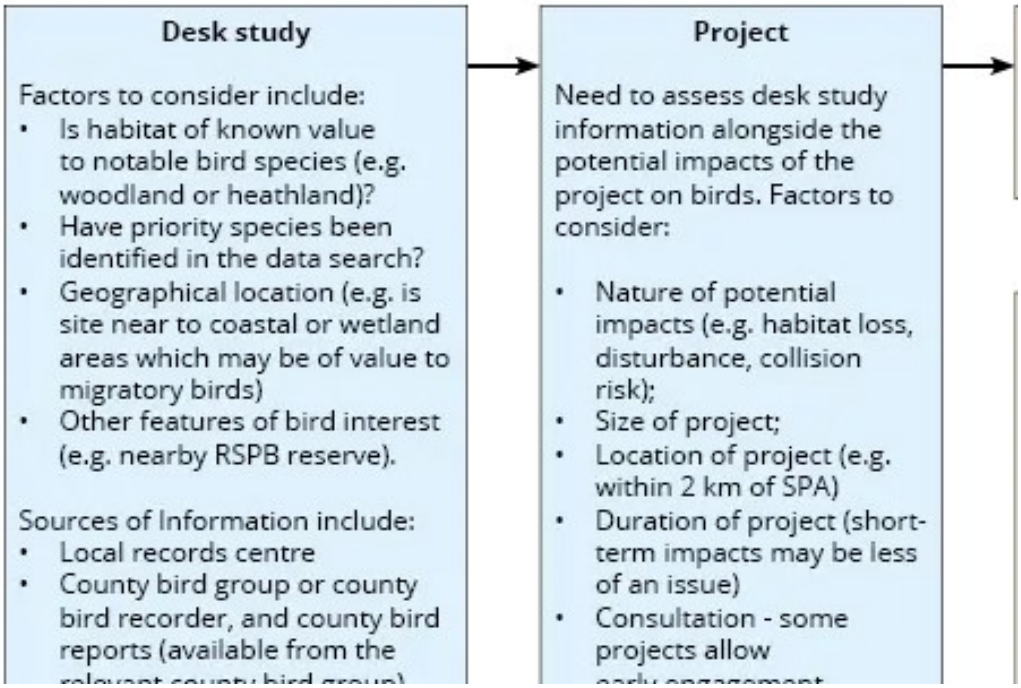
Appendix 1.



“ During the scoping process there is regularly an onus (often from clients) on demonstrating sufficient justification for surveys to be scoped in. It is however, an underlying presumption of these guidelines that **bird surveys (breeding/non-breeding) should always be scoped in unless robust justification can be provided as to why they are not required.** This presumption is due to the wide range of habitats that may be of value to bird species, seasonal variations in habitat use and/or value, the mobility of bird species and the potential sensitivity of bird species to a range of impacts that may result from development projects.

The scoping process should be proportionate to the scale and nature of the proposed development and be undertaken with a clear understanding of the available desk study information.

Depending on the nature, sensitivity and significance of the proposed development there may additionally be a requirement to undertake consultation with, and obtain agreement from, Statutory Nature Conservation Organisations (SNCOs) and/or other consultees during the scoping process.

Regardless of the decision made regarding the scoping of bird surveys, any documentation produced justifying this decision should be compliant with the EcIA checklist for local authority planning officers, produced by CIEEM and the Association of Local Government Ecologists (ALGE).”

https://birdsurveyguidelines.org/scoping/