Charnia Ecology
Protected species surveys

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Letter statement regarding Nesting birds at a proposed development at land adjacent to 149 Park Lane Knypersley, ST8 7PN

1. The following letter statement has been prepared on behalf of Mr. Rob Menzies of Innovo-UK in relation to a proposed development at the above site. Further to the request of the Staffordshire Moorlands District Council, a nesting bird survey was carried out on site to fulfil condition 18 of the issued Planning Consent (SMD/2017/0836).

Objective

2. The aim of the visit was to determine the presence or likely presence, of breeding birds within and immediately around the construction site, specifically with objects of identifying any breaches or potential breaches of the provision of the Wildlife and Countryside 1981 (as amended, hereafter the 'WCA') in relation to breeding birds.
3. It is understood that partial vegetation clearance and removal of selected trees is intended to make way for construction of two permanent 4-bedroom, detached dwellings and associated landscaping works including vehicular access off highway.

Legislation

4. All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Section 1 of this Act, makes it an offense to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.

5. In addition, bird species listed under Schedule 1 of the Act receive extra protection. The Act states that 'it is an offence to intentionally or recklessly (1) disturb any wild bird listed in Schedule 1 while it is nest building, or at (or near) a nest containing eggs or young, or disturb the dependent young of such a bird'.

6. The site is located on the south east fringe of Kynperseley in North Staffordshire (NGR: SJ893565). The site comprises of sloping, rectangular pocket of semi-improved grassland ca.01ha in size, with a small stand of pioneering Silver Birch (*Betula pendula*) and Sessile Oak(*Quercus petraea*) adjacent to Park Lane on the western boundary.

7. The site is bordered by residential houses to the east and west, whilst the northern boundary comprises of an ornamental coniferous hedgerow backing onto fields and woodland to the rear. A stand of scrub currently in cessation is present in the main grassland area onsite.

Methodology

8. A daytime walkover survey of the site was conducted on 29th March between 09:30hrs10:30hrs(Dry / 10 °C). No constraints were encountered during thesurvey period. Assessment considered all habitat within the proposed development boundary plus any habitats within the zone of influence of the proposed development. Each area was checked methodically for evidence of nesting birds, specifically noting the following key signs or behaviors.
    - Evidence of a nest
    - Birds carrying nest material or food.
    - Birds in song, or displaying territorial behavior of any kind

Surveyor information

9. Surveyor information: Mark Weston is a qualified Ecologist an associate lecturer in ecological sciences at the University of Derby. He is a member of the Chartered Institute of Ecology and Environmental Management (CIEEM), and Royal Society of Biology (AMRSB). He holds a First-Class Honours degree in Conservation of Biology and Vice-Chancellor prize for academic excellence

Results

10. Six different bird species were transiently recorded over site during the survey period, with a total of 13 individuals identified visually or by song-call. The most dominant species were seen to be Woodpigeon, Blackbird and Carrion Crow albeit in very low numbers.

Species	Bi-nomenclature name	Adult	Juvenile	Breeding	Nest	No. recorded
Blackbird	*Turdus merula*	✔	✕	✔	✕	2
Blue Tit	*Carduelis carduelis*	✔	✕	✕	✕	2
Goldfinch	*Cyanistes caeruleus*	✔	✕	✕	✕	1
Great Tit	*Parus major*	✔	✕	✕	✕	2
Magpie	*Pica pica*	✔	✕	✕	✕	1
Woodpigeon	*Columba palumbus*	✔	✕	✕	✕	3
Carrion Crow	*Corvus corone*	✔	✕	✔	✕	2
					TOTAL	13

- No active nesting birds are currently present within the proposed development area. Conversely, evidence of nesting birds by-way-of a defunct Carrion crow nest (recorded in the upper reaches of a Silver Birch, adjacent to the main road on the southern access boundary (Ref: T3); and blackbird nest in the ornamental hedgerow on the northern boundary.

- The highest concentration of bird activity was recorded in-and-around the ornamental hedgerow to the rear of the site on the northern boundary, which provides good potential refugia and nesting habitat for other nesting passerine birds considered to be common and widespread.

- No schedule 1 bird species were recorded onsite.
- All trees on site were considered as having negligible features for roosting bats.

Survey limitations

11. No constraints were encountered during the survey period

Impact Assessment

12. No impact to any schedule 1 bird species is predicted under the proposed scheme
13. Impact to nesting birds from vegetation clearance is currently considered as being low at this juncture (30th March 2018). Conversely, should scrub vegetation be allowed to recolonize from current winter cessation over spring and summer period, then there is moderate to high potential that a negative impact to individual ground-nesting, passerine birds is speculated on a local scale.

14. The development should also be sensitive to the works that take place close to the northern ornamental hedgerow boundary, where moderate to high impact through disturbance also applies. Low impact on tree nesting birds is predicted as being low, with all trees on the southern access boundary already subjected to consistent noise and light levels from the adjacent Park lane road. Sufficient height to provide a natural buffer above the work area for tree nesting birds is considered.

15. All trees retained onsite were considered as being immature and have negligible potential for roosting bats.

Conclusion and recommendations

16. Overall the proposed development area will result in loss of semi-improved grassland which is considered as being of low conservation value for nesting birds on the whole. All trees and hedgerows currently *in situ* will be retained within the proposed design scheme.

17. Short-term disturbance for individual bird species considered as being common and widespread is therefore considered with increased impact potential predicted during the bird breeding season. According to Natural England guidelines this is from February to August, although peak breeding period occurs between March and July.

18. It is therefore recommended that the scrub vegetation currently in cessation on the central grassland area is removed immediately to prevent any colonization of ground nesting species during the spring and summer period. Should there be any delay in removing this winter dieback vegetation, then a further check for any active nests by a suitably qualified ecologist is recommended prior to removal.

19. Thereafter, should any active nests be identified during the development period, then a 4m work exclusion zone should be imposed to reduce disturbance and minimize potential displacement of nesting birds. Any active bird nests should be left undisturbed until offspring have fully fledged.

20. In accordance with the Natural Environment and Rural Communities (NERC) Act 2006, development proposals should seek, where possible, to enhance opportunities available to local bird populations.

21. General consideration should therefore be given to small passerine garden birds with regard to nesting boxes which should be incorporated into the existing Ecological Design Strategy (Innovo 13/12/2017).

22. It is recommended that five bird nesting boxes (suitable for different species) are permanently incorporated for longevity 2 x Woodcrete by Schwegler open-front nestbox and 3 x Woodcrete by Schwegler 32mm nest boxes should be included onsite.

23. In general, nest boxes are best located between north and east, elevations thus avoiding strong sunlight and the wettest winds. A clear, unobstructed flight path to the nest box without any clutter should be provided in front of entrances.

24. Nest boxes should be fitted at least 4m around tree elevations, whereas open-fronted boxes (for robins and wrens) should be placed below 2m, but well hidden in vegetation to deter predation.



Woodcrete by Schwegler open-front nestbox and 32mm nestbox

They are made from a patented wood-concrete material consisting of 75% wood, which provides insulation and aids ventilation. Comes with easy-hang hook, and a forestry approved aluminium nail is included. The Open front nest box may attract pied wagtails, robins and wrens. The 32 mm entry hole nest box may attract tits, sparrows, redstarts and nuthatches.
(Source: http://shopping.rspb.org.uk/schwegler-open-front-nestbox.html)

25. A sensitive post-development lighting design as already been addressed in the existing Ecological Design Strategy (Innovo 13/12/2017) and no further recommendation are considered with regard to degradation of adjacent habitats from additional lighting onsite.



A. Defunct Crow nest in Silver Birch (T3) cessation)



B. NE boundary (NB. Scrub vegetation in



C. West Boundary



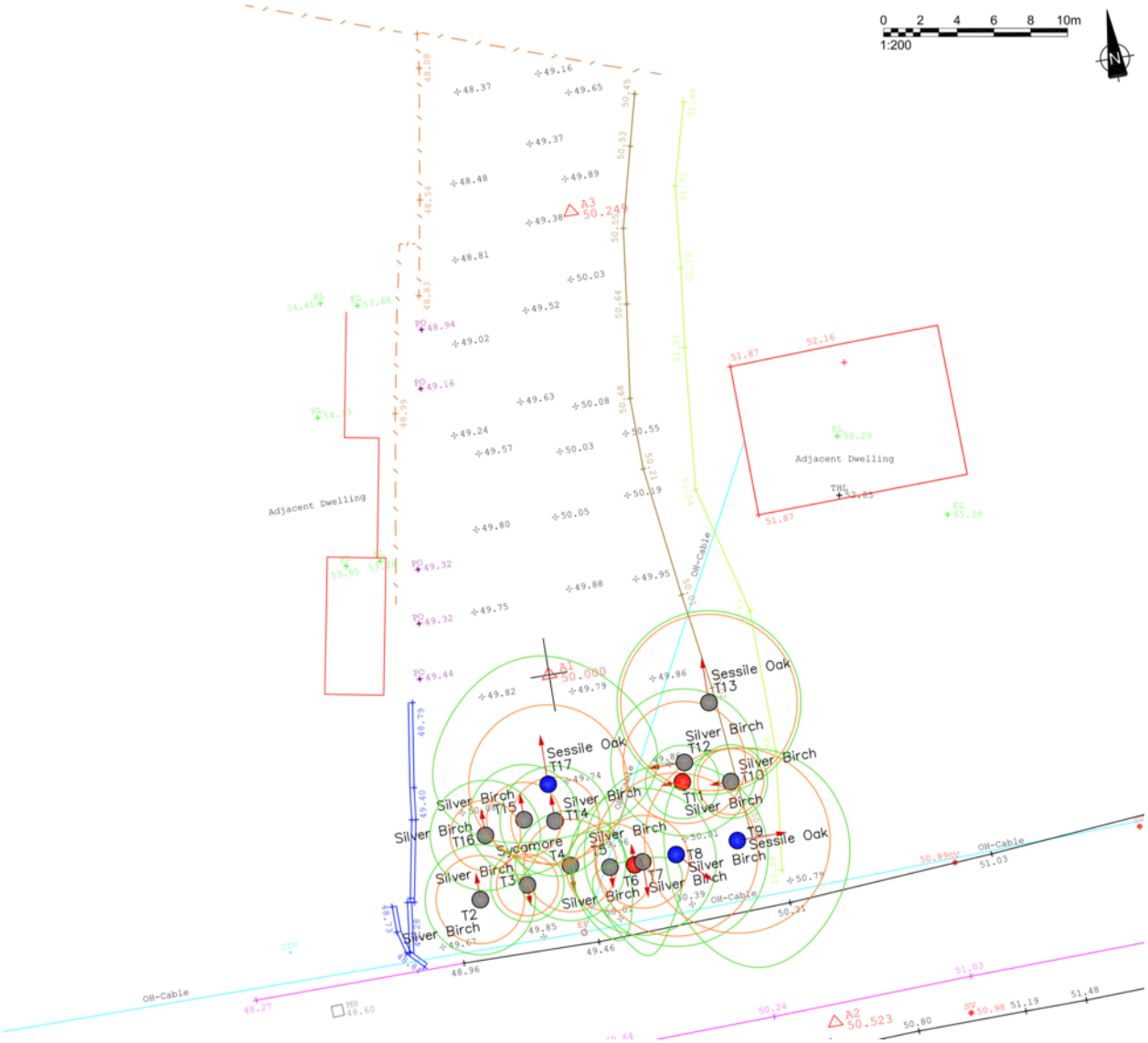
D. Looking north across site



E. South Boundary in relation to Park Lane road.



F. South Boundary – pioneering tree stands



Tree heritage Arboricultural survey reference T3 location.