

BLADE

BREEDING BIRD SURVEY REPORT

LAND NORTH OF A47 NORMANDY WAY AND
WEST OF A447 ASHBY ROAD, HINCKLEY

ON BEHALF OF

RICHBOROUGH

JUNE 2024

V1

BIODIVERSITY
LANDSCAPE
ARBORICULTURE
DESIGN
ECOLOGY

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1.0 EXECUTIVE SUMMARY

- 1.1 BLADE Ecology Ltd was commissioned by Richborough to undertake a suite of breeding bird surveys at the land north of A47 Normandy Way and west of A447 Ashby Road, Hinckley (centred on Ordnance Survey grid reference SP 42751 95935) in order to assess the potential impacts to breeding bird populations by the proposed residential development of the site.
- 1.2 Planning consent is being sought from Hinckley and Bosworth Council for 'Outline planning application with all matters reserved except for access, for the erection of up to 460 dwellings, associated open space, drainage, landscaping and infrastructure'.
- 1.3 The breeding bird surveys were conducted in June and July 2023 and March, April and May 2024, and comprised 5 dawn visits, (commencing half an hour prior to sunrise), and one dusk/nocturnal visit (extending at least one hour after sunset), as per the latest Bird Survey Guidelines (RSK Biocensus, 2021). The survey was completed by A Elliott BSc ACIEEM.
- 1.4 All species encountered within the site and on adjacent land (up to 50m from the site boundary) were recorded. In total, 35 species of bird were recorded during the survey visits, including three UK BAP species, four species on the BoCC⁵ Red List, one Leicester, Leicestershire, and Rutland Biodiversity Action Plan (LLRBAP) species and three species noted for their local decline by Leicestershire & Rutland Ornithological Society (LROS, latest Annual Bird Report 2021).
- 1.5 The breeding bird assemblage utilising the site was typical of the on-site habitats, mainly comprising common and widespread bird species associated with British lowland-farmland. Thus, the site has been deemed as holding 'Local' importance only with regards to birds. Species distribution maps for surveys 1-6 can be observed in the Appendix A within this report.
- 1.6 Post-development habitat creation and enhancements would be expected to favourably contribute towards the conservation status of the more notable species recorded on site, especially those species that are identified within UKBAP, LBAP and Red/Amber List for Birds of Conservation Concern.

Further Survey Work Required - subject to proposals

- 1.7 The site should be maintained as per the conditions of this survey. If a change in management leads to a change in habitat conditions, then this survey must be updated, and additional survey work may be required. As a precaution, an update site walkover should be carried out if more than eighteen months have elapsed between the date of this survey and the start of the development.
- 1.8 Any works to habitats that might be used by nesting birds, such as the trees and hedgerows, scrub, should be undertaken outside of the core bird nesting season (March to August). If this is not possible, the habitat should be checked immediately prior to works commencing by a suitably qualified ecologist. Should a nesting bird

be found during these checks, an appropriately sized buffer (at the discretion of the ecologist, but a minimum 5m radius from the nest site) must be established and young allowed to fledge naturally prior to clearance.

2.0 INTRODUCTION

Background to the Development

- 2.1 Zebra Ecology Ltd was commissioned by Richborough to undertake a suite of breeding bird surveys at the land north of A47 Normandy Way and west of A447 Ashby Road, Hinckley referred to from now on as 'the site' (centred on Ordnance Survey grid reference SP 42751 95935). The report has been produced to identify any ornithological constraints and opportunities for the site, in light of the proposed residential development.
- 2.2 The site is c.15.7ha in area and comprises six cattle-grazed fields surrounded by mixture of native species-rich and species-poor hedgerows. The site lies to the north of the A47, which constitutes the existing northern boundary of the urban spread of Hinckley town. A tributary of the River Tweed runs along the western boundary. An active farm, farm-house and associated barns are present within the centre of the site. Numerous well established and mature trees can be found within the site and along the site boundaries. The application site boundary is shown in Figure 1.
- 2.3 The application site boundary is shown in Figure 1.



Figure 1: Application Site Boundary

- 2.4 Planning consent is being sought from Hinckley and Bosworth Council for 'Outline planning application with all matters reserved except for access, for the erection of up to 460 dwellings, associated open space, drainage, landscaping and infrastructure'.

Survey Objectives

2.5 The objectives of the survey were to:

- Identify the presence and distribution of bird species interacting with the site and highlight areas of ornithological interest within the site.
- Evaluate the level of conservation importance of the bird species interacting with the site.
- Evaluate the relative importance of the breeding bird populations within the site.
- Identify any mitigation measures likely to be required, to minimise the impacts of the development proposals on local bird populations, following the 'Mitigation Hierarchy'.
- Identify opportunities to deliver ornithological enhancement at the site level to ensure compliance with local and national Government policies (e.g. NPPF).

3.0 PLANNING POLICY AND LEGISLATION

Protection within the Planning System

National Planning Policy 2023

- 3.1 The National Planning Policy Framework (NPPF) (Department for Communities and Local Government, 2023) provides guidance for Local Planning Authorities (LPAs) in creating development plans and determining applications.

The NPPF states:

'When determining planning applications, local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists; and*
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

The following should be given the same protection as habitats sites:

- potential Special Protection Areas and possible Special Areas of Conservation;*
- listed or proposed Ramsar sites; and*
- sites identified, or required, as compensatory measures for adverse effects on*
- habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.'*

- 3.2 Section 174(d) states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing

net-gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure.

- 3.3 Section 179(b) states that in order to protect biodiversity, plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 3.4 Section 1 states if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists.
- 3.5 The NPPF states that local plans must be prepared by LPAs with the objective of contributing to the achievement of sustainable development and also that significant adverse impacts should be avoided, mitigated or compensated for.

Hinckley & Bosworth Borough Council Core Strategy (Adopted December 2009)

- 3.6 **Spatial Objective 10:** Natural Environment and Cultural Assets to deliver a linked network of green infrastructure, enhancing and protecting the borough's distinctive landscapes, woodlands, geology, archaeological heritage and biodiversity and encourage its understanding, appreciation, maintenance and development.

'The borough's attractive environment is one of its key strengths in many people's minds and safeguards to protect the best of its landscapes, wildlife and heritage- whilst encouraging responsible enjoyment of it- must therefore be at the centre of spatial policies.'

'Preserve and enhance natural habitats and biodiversity - Despite popular natural attractions such as Burbage Common, Charnwood Forest, Ashby Canal and part of the National Forest, biodiversity is not particularly high overall. In fact, the East Midlands has one of the lowest percentages of woodland cover compared to the UK as a whole. There are 7 Sites of Special Scientific Interest in the borough, of these 60% are in an unfavourable condition and are continuing to decline. There are also numerous local wildlife sites/Sites of Importance for Nature Conservation. There is a strong need to provide protection and enhancement to these sites and the nature conservation sites, habitats and species listed in the Leicester, Leicestershire and Rutland Biodiversity Action Plan (BAP). The development occurring in Hinckley & Bosworth up until 2026 is likely to increase the pressure on the borough's landscapes and green spaces as well as presenting opportunities for enhancing and extending green infrastructure assets, linking and improving biodiversity within the borough.'

Space for Wildlife - Leicester, Leicestershire, and Rutland (LLR) Biodiversity Action Plan 2012-2026

3.7 Space for Wildlife is LLR association of Council's local biodiversity plan, based on the National Biodiversity Action Plan (UKBAP), and has three main components:

- *To promote the restoration, management and creation of BAP priority habitats*
- *To promote the creation of new wildlife habitat in the wider countryside*
- *To survey, monitor and promote favourable management of existing good sites through the Local Wildlife Sites system.*

In essence, Space for Wildlife: LLRBAP goes back to the broader intentions of the 1992 Biodiversity Convention - to halt the loss of biodiversity – by broadening the overall scope of the LLRBAP to also address wildlife conservation in the wider countryside. The intention is to promote a new, more flexible approach to nature conservation and areas managed for wildlife in Leicestershire and Rutland which is relevant and applicable to all parts of the local landscape.'

The plan considers both habitats and species of national and local importance. Bird species identified within the plan include the following:

- Barn owl *Tyto alba*
- Nightingale *Luscinia megarhynchos*
- Redstart *Phoenicurus phoenicurus*
- Sand martin *Riparia riparia*
- Common Swift *Apus apus*
- Barn swallow *Hirundo rustica*
- House martin *Delichon urbicum*

Legislation

Habitats and Species of Principal Importance

3.8 The NERC Act, 2006 requires the Secretary of State to publish lists of habitats and species which are of principal importance for the conservation of biodiversity in England, Wales and Scotland. The lists replace the UK Biodiversity Action Plans (UK BAP) and have been drawn up in consultation with Natural England, Natural Resources Wales and Scottish Natural Heritage as required by the Act. Section 7 of the Environment (Wales) Act, 2016 has now replaced the duty in section 41 of the NERC Act in relation to Wales, with a duty on public authorities to seek to maintain

and enhance biodiversity. The lists are used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 41 of NERC Act and section 7 of the Environment (Wales) Act, 2016, to have regard to the conservation of biodiversity when carrying out their normal functions.

- 3.9 Habitats of principal importance (HPI) are included on the lists. These are all the habitats in England, Wales and Scotland that were identified as requiring action in the UK Biodiversity Action Plan (UK BAP) and continue to be regarded as conservation priorities in the subsequent UK Post-2010 Biodiversity Framework.
- 3.10 Species of principal importance (SPI) are included on the lists. These are the species found in England, Wales and Scotland which were identified as requiring action under the UK BAP and which continue to be regarded as conservation priorities under the UK Post-2010 Biodiversity Framework.

Biodiversity Action Plan (BAP) Habitats and Species

- 3.11 The UK Biodiversity Action Plan (HMSO 1995, 1998; UKBAP 2007) lists species and habitats which have undergone significant declines in recent years and for which conservation is a priority in order to preserve biodiversity in the UK. The BAPs provide a list of actions to be implemented to halt or reverse these declines. These species and habitats are identified as Habitats and Species of Principal Importance for the conservation of biological diversity in England under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act, planning policy and underpinning guidance (ODPM, 2005)

Nesting Birds

- 3.12 Wild birds within the UK are primarily protected by the Wildlife & Countryside Act (WCA) 1981 (as amended by the Countryside & Rights of Way Act 2000). The WCA is the UK's domestic legislation which incorporates the legislation outlined in the European Community Council Directive 79/409/EEC on the Conservation of Wild Birds, more commonly known as the 'Birds Directive' – the oldest EU legislation on the environment. The Birds Directive provides legal guidance for the management and conservation of wild birds within member states. This legislation states that all birds, their nests and eggs are protected by law, and it is illegal to (subject to exception) to recklessly or intentionally:
- Kill, injure or take any wild bird;
 - Take, damage or destroy the nest of any wild bird while in use or being built;
 - Take or destroy the egg of any wild bird.
- 3.13 A total of 193 species of bird are identified with Annex 1 of the Birds Directive. These species are:
- in danger of extinction;

- vulnerable to specific changes in their habitat;
 - considered rare because of small populations or restricted local distribution;
 - requiring particular attention for reasons of the specific nature of habitat.
- 3.14 Habitats and important sites for species found on Annex 1 of the Birds Directive are safeguarded by the designation of Special Protected Area (SPA) status. SPAs are protected through the implementation of the Conservation of Habitats and Species Regulations 2012 (The Conservation Regulations). Ramsar sites (wetlands of international importance designated under the Ramsar convention) are also protected by the Conservation Regulations, which was amended in 2012 to enhance provision for the preservation, maintenance and enhancements of habitats for wild birds in the UK.
- 3.15 Species listed on the Schedule 1 of the Wildlife & Countryside Act (as amended), are offered greater levels of protection, whereby it is an offence to intentionally disturb adult birds engaged in nest building and during nest occupation, as well as the intentional disturbance of dependent young.
- 3.16 A further 49 species of bird are also protected by Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC S.41). These species have been identified due to their importance to nature conservation.

4.0 METHODOLOGY

Desk Study

- 4.1 Existing ecological and nature conservation data relevant to the site was collated from various sources including the Multi Agency Geographic Information for the Countryside (MAGIC) online database (<http://magic.defra.gov.uk>).
- 4.2 The Preliminary Ecological Appraisal (Zebra Ecology, 2023) included a 2km biological records data search from Leicestershire and Rutland Environment Records Centre (LRERC) to identify any designated sites and protected / notable species (including avian species) within a 2km radius of SP 42751 95935. It should be noted that the absence of biological records for an area does not imply that taxa are not present.
- 4.3 The latest Leicestershire & Rutland Ornithological Society Annual Bird Report (2021 edition) was acquired to aid in the assessment of the on-site assemblage.
- 4.4 A search of European statutory designated sites such as RAMSAR sites or Special Protection Areas (SPA) within 20km of the site boundary was also undertaken.

Field Survey

- 4.5 The site was subject to a suite of six breeding bird surveys. The British Trust for Ornithology (BTO)'s Breeding Bird Survey (BBS) methodology recommends three site visits, whilst the Common Bird Census (CBC) methodology (as described in Gilbert et al., 1998) recommends ten site visits. Due to the size of the site, six survey visits was considered sufficient to assess the importance of the assemblages on site, and gauge areas of ornithological interest within the survey area. These surveys were undertaken between June/July 2023 and April-June 2024, falling within the bounds of the accepted breeding season for the majority of bird species in the UK (1st March-31st August).
- 4.6 Surveys were undertaken in favourable weather conditions for surveying birds (low winds, little to no precipitation etc to maximise the potential to detect birds on-site). As per the latest Bird Survey Guidelines (RSK Biocensus, 2021) five of the surveys were undertaken at dawn, whilst one (Survey 5) was undertaken at dusk, in order to account for species that may be more active during this time (owls, nightingale etc). Surveys commenced 30 minutes prior to sunrise (or prior to sunset for Survey 5) and lasted for an average of approximately 2 hours, to cover peak bird activity times. Details of each survey can be seen below in Table 1.

Table 1: survey details for breeding bird surveys at the land at Henllan Fawr Caravan Park

Survey date	Timings	Weather conditions
Survey 1 27 June 2023	04:15 – 05:50 (sunrise 04:44)	Start Temperature: 10°C End Temperature: 12°C Wind (Beaufort): 1 Cloud Cover: 90%

		Precipitation: none
Survey 2 03 July 2023	04:19 – 06:00 (sunrise 04:49)	Start Temperature: 13°C End Temperature: 14°C Wind (Beaufort): 3-4 Cloud Cover: 10% Precipitation: none
Survey 3 03 April 2024	06:05 – 08:10 (sunrise 06:35)	Start Temperature: 10°C End Temperature: 11°C Wind (Beaufort): 0-1 Cloud Cover: 100% Precipitation: Gentle rain immediately prior
Survey 4 10 April 2024	05:45 – 07:50 (sunrise 06:16)	Start Temperature: 5°C End Temperature: 5°C Wind (Beaufort): 2 Cloud Cover: 5% Precipitation: None
Survey 5 03 May 2024	05:00 – 07:30 (sunrise 05:30)	Start Temperature: 13°C End Temperature: 14°C Wind (Beaufort): 0 Cloud Cover: 0% Precipitation: none
Survey 6 14 May 2024	20:00 – 21:30 (sunset 20:55)	Start Temperature: 16°C End Temperature: 14°C Wind (Beaufort): 1-2 Cloud Cover: 50% Precipitation: N/A

- 4.7 Elements of both the BBS and CBC methodology were adopted and adapted. A line transect methodology was employed. Based on the information provided by the Preliminary Ecological Appraisal (Zebra Ecology Ltd, 2023), a route which encountered key features (such as hedgerows, watercourses) was identified prior to surveys commencing.
- 4.8 This route enabled all areas of the site to be visually assessed within 50m. The route was walked in reverse on Survey 2, 4 and 6 to ensure that birds that tend to exhibit activity only briefly at the start of the surveys on site are not missed by the nature of their occurrence at the end of the transect route. Key features in the landscape were given increased focus during the survey.
- 4.9 A 10-minute static observation period was given to these areas along the transect route to improve the chances of identifying specialist breeders within these habitats, or species which are generally skulky or shy in nature. All birds seen/heard were recorded and mapped using the 2-letter BTO codes, alarm calling, carrying nesting

material, singing or calling etc. Birds on the wing passing over the site were not included. The survey bounds extended up to c.50m beyond the site boundary, to account for species using adjacent habitats to the site. Species lists and maps, with details of behaviour and activity were used to assess the status of each species identified interacting with the site. The species lists and maps provided a general assessment of the species present, their potential for breeding on site and any on-site ornithological constraints.

- 4.10 Suitable survey attire was worn (natural coloured clothing) to avoid disturbance to potential breeders. High-power binoculars (Nikon 10x42SE CF) were used to allow observation of potential breeders at distance.
- 4.11 BLADE Ecology Ltd is a CIEEM (Chartered Institute of Ecology and Environmental Management) registered practice. All the surveys were led by a surveyor who has been assessed to be at least of capable experience for Breeding Bird Surveys following the Chartered Institute of Ecology and Environmental Management (CIEEM) competency framework by personnel with experience of the likely species assemblage for this geography and habitat type. All surveys were undertaken by the same surveyors to reduce inter-survey biases, and to maintain standardisation in recording ability across the survey effort.

Assessment

'Notable Species'

- 4.12 Species that were present on one or multiple of the following lists were considered 'notable' species. These species were subsequently considered for their conservation value and their potential contribution to site status. Species present on-site but not present on any of the below lists were not considered further in the report beyond the results section.
- Birds of Conservation Concern (Red List) (2021)
 - Directive 2009/147/EC of the European Parliament and of the Council (2009)
 - Schedule 1 of the Wildlife & Countryside Act (1981) (as amended)
 - UK Biodiversity Action Plan – Priority Bird Species (2007)
 - Leicester, Leicestershire, and Rutland Biodiversity Action Plan (LLRBAP) species
 - Species included in the Leicestershire & Rutland Red List Data Book species that were uncommon, scarce, rare or very rare breeding or wintering species.

Breeding Status

- 4.13 The results were analysed to assess the breeding status of the birds interacting with the site. See Table 2 below.

Table 2: Breeding status of birds interacting with the land north of A47 Normandy Way and west of A447 Ashby Road, Hinckley

Breeding Status	Definitions – Criteria for Classification
Non-breeding	Flyover or species observed within unsuitable breeding habitat.
Possible Breeding	Species observed in breeding season in suitable nesting habitat. Singing male(s) present (or breeding calls heard) in breeding season
Probable Breeding	Pair observed in suitable nesting habitat in breeding season, territorial behaviour observed on at least two occasions, courtship and display observed, observed visiting probable nest site, agitated behaviour or alarm calls from adults or nest building observed.
Confirmed Breeding	Used nest or eggshells, distraction display / injury feigning observed, recently fledged young, adults on nest, adult carrying faecal sac or food, nest containing eggs or nest with young observed/heard.

Conservation Importance (National Scale)

- 4.14 The level of importance for each species was evaluated based on the criteria outlined in Percival (2007) and can be seen in Table 3 below.

Table 3: Level of site importance with regards to birds at the land north of A47 Normandy Way and west of A447 Ashby Road, Hinckley

Level of Conservation Importance	Definitions – Criteria for Classification
Very High (International)	Internationally significant and viable populations of birds listed on Annex 1 of the EC Birds Directive. Regularly occurring, globally threatened species. any regularly occurring populations of internationally important species that are rare or threatened in the UK or of uncertain conservation status. A regularly occurring significant population/number of any internationally important species.
High (National)	A regularly occurring significant population/number of any nationally important species i.e. listed on Schedule 1 of the 1981 Wildlife and Countryside Act (as amended). Any regularly occurring population of a nationally important species that is threatened or rare in the country or region.
Medium (Regional)	Any regularly occurring significant population of a species listed as being nationally scarce, or in the local BAP or relevant Natural Area Profile on account of its regional rarity or localisation. Significant populations of a species important at regional or county level. A viable significant population of a Species of Principal Importance (SPI) in England, Wales or Scotland.
Low (Local/District)	Species that are scarce within the locality or which appreciable enrich the local area's habitat resource. Any regularly occurring, significant population of a species that is listed in a Local RDB or BAP on account of its rarity or localisation. Any other species of conservation importance e.g. species listed in Birds of Conservation Concern (BoCC5) i.e. Red List Species.
Negligible (Parish/Neighbourhood)	Species populations considered to enrich the habitat resource appreciably within the context of the Parish or Neighbourhood.

Assessment Criteria – Relative Conservation Importance of the Survey Area (Local Scale)

4.15 The potential for the site to be classified as a Local Wildlife Site, based on its ornithological assemblage can be assessed using the criteria outlined in Leicestershire County Councils 'Guidelines for the selection of Local Wildlife Sites (previously known as Sites of Importance for Nature Conservation or SINCs) in Leicester, Leicestershire and Rutland' (2011). The following criteria are considered:

- Sites with significant and established populations of Leicestershire & Rutland Red Data Book (L&R RDB) bird species can be selected as LWS.
- L&R RDB birds are defined as uncommon, scarce, rare or very rare breeding or wintering species within a current LROS County list, or species listed in the latest BOCC as a 'red' or 'amber' species, or a current UKBAP or LBAP priority species.
- Bird populations can only be used to select LWS according to the criteria used for their inclusion in the current LROS County List (e.g. rare breeding birds should only be used to select breeding sites; rare winter visitors should only be used to select wintering sites).
- A significant population is defined as supporting at least 10% of the usual range of occurrence for that species within a current LROS County list (e.g. for an uncommon breeding species, a LWS would need to support 10 breeding pairs; for a scarce species, 1 breeding pair would be sufficient; for a common bird, 100 breeding pairs would be required).
- An established population is where the species has been recorded in significant number on 5 occasions within the last 15 years.

Relative Conservation Importance of Species Populations (Local Level)

4.16 The latest LROS Annual Bird Report (2021) was consulted to determine the relative local importance of species registrations on site. Relative county abundance was assigned within the report – for which species registered in this survey effort were assigned one of the following:

- Abundant resident breeder
- Common migrant breeder
- Fairly common resident breeder
- Common resident breeder
- Common winter visitor

Limitations

- 4.17 The results, interpretations, and conclusions found within this report are representative of the time of surveying.
- 4.18 The methodologies used were up to date at the time of surveying and are widely accepted as the industry standard and by Natural England. BLADE Ecology Ltd cannot accept responsibility where methods used fail to account for all species on site.

5.0 RESULTS

Desk Study

Statutory Designated Sites

- 5.1 No SPAs or Ramsar sites were identified within 20km of the site. The nearest Ramsar site is Rutland Water approximately 46km from the site.
- 5.2 The site does not lie within any Sites of Special Scientific Interest Impact Risk Zones (IRZs) as defined by Natural England.

Third-party Data Search – Leicestershire & Rutland Environmental Records Centre

- 5.3 The 2km data search returned 139 records for 28 species of bird. Nine of these species are on the UK Biodiversity Action Plan list, whilst only two were on the Local Biodiversity Action Plan (Leicestershire & Rutland), namely swift *Apus apus* and barn owl *Tyto alba*. A further eleven species from the UK Red List for Birds of Conservation Concern (BoCC⁵) were returned. The most numerous record for birds in the local area was for common swift *Apus apus*, with the nearest being located 733m south of the site.

Field Survey

On-site Habitats & Opportunities for Breeding Birds

- 5.4 At the local level, the habitat across the site represents a low level of importance for breeding opportunity for common and widespread bird species identified during the survey efforts. Mature trees with multiple nesting opportunities for hole nesting species are present across the site and within the boundary vegetation. The cattle-grazed grassland offers some reasonable foraging opportunity for insectivorous and/or omnivorous species, whilst the hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa* and bramble *Rubus fruticosus* found within the extensive hedgerow network around the site provide a good resource for frugivorous species (although over-wintering thrushes are primarily non-breeders at the time of fruiting for these plant species).
- 5.5 The hedgerows provide a significant opportunity for nesting passerines, particularly priority farmland species such as yellowhammer *Emberiza citrinella*, common linnet *Linaria cannabina*, greater whitethroat *Sylvia communis*, greenfinch *Chloris chloris* and Eurasian bullfinch *Pyrrhula pyrrhula*. The small patches of scrub/woodland associated with the site supported Eurasian blackcap *Sylvia atricapilla*, and other very common species such as great tit *Parus major*, blue tit *Cyanistes caeruleus* and magpie *Pica pica*.

Field Survey Results

- 5.6 A total of 469 registrations, relating to 35 species of bird were recorded throughout the survey effort. Of these 35 species identified, five species have been classified as 'notable species', including:

- Greenfinch *Chloris chloris*

- House sparrow *Passer domesticus*
 - Skylark *Arlauda arvensis* (off-site only)
 - Starling *Sturnus vulgaris*
 - Swallow *Hirundo rustica*
- 5.7 The species registrations across the survey effort were dominated by common and widespread species associated with lowland habitat in central England. The most frequently encountered (by total number not per unit/time) species were woodpigeon *Columbia palumbus* (93), blackbird *Turdus merula* (42), wren *Troglodytes troglodytes* (41) and greenfinch *Chloris chloris* (32).
- 5.8 Species distribution maps for surveys 1-6 can be observed in the Appendix A within this report.
- 5.9 Two raptor species were identified during the surveys, including Eurasian sparrowhawk *Accipiter nisus*, common buzzard *Buteo buteo*.
- 5.10 Singing males of eleven species were recorded during the survey effort, including one species which were considered 'notable' as per the criteria outlined in section 4.9 above, including:
- Greenfinch *Chloris chloris*
- 5.11 Twenty-one species listed within Leicester, Leicestershire, and Rutland Biodiversity Action Plan (LLRBAP) was identified as a probable breeder on-site:
- Swallow *Hirundo rustica*
- 5.12 Four species on the Red List for Birds of Conservation Concern (BoCC⁵) were recorded on-site, they are listed below:
- House Sparrow *Passer domesticus*
 - Greenfinch *Chloris chloris*
 - Skylark *Arlauda arvensis*
 - Starling *Sturnus vulgaris*
- 5.13 A full species list (of notable species), relevant legal protection, and status (BoCC⁵, EU Birds Directive, UKBAP, Local BAP, WCA, alongside 'breeding status' and species accounts) can be seen in Table 3 below.

Table 3: Notable species identified during the Breeding Bird Survey at the land north of A47 Normandy Way and west of A447 Ashby Road, Hinckley (Breeding Status: PO – Possible Breeder, PR – Probable breeder)

Common Name	Species Name	Schedule 1 (England Only)	UK BAP	EC Directive	LBAP (LLR BAP)	Red List	Amber List	County Status (2021)	Total Count	On-site status	Description
Greenfinch	Chloris chloris					Yes		Common resident breeder	32	PR	Permanent territory presumed through registration of territorial behaviour (song, etc.) on at least two different days a week or more apart at the same place
House Sparrow	Passer domesticus		Yes			Yes		Common resident breeder, recent decline	9	PR	Recently fledged young (nidicolous species) or downy young (nidifugous species)
Skylark	Alauda arvensis		Yes			Yes		Common resident breeder	2	PR (off-site)	Permanent territory presumed through registration of territorial behaviour (song, etc.) on at least two different days a week or more apart at the same place
Starling	Sturnus vulgaris		Yes			Yes		Abundant resident breeder	5	PO	Species observed in breeding season in possible nesting habitat
Swallow	Hirundo rustica				Yes			Common migrant breeder	11	PR	Permanent territory presumed through registration of territorial behaviour (song, etc.) on at least two different days a week or more apart at the same place

Assessment

- 5.14 Of the five 'notable' species identified interacting with the site during the breeding bird surveys, none were classed confirmed breeders, but three were classified as probable breeders. These species were then assessed against their county status. All of these species were considered common or abundant within the county as per the Annual Bird Report by LROS (2021). One species, house sparrow *Passer domesticus*, had been noted as being in 'recent decline' within the county.
- 5.15 Therefore, specific site-wide enhancements for this species should be considered across the scheme in order to improve the conservation status of this species locally. See section 6 below for a list of proposed enhancements for this species.
- 5.16 Birds on the Red List for Birds of Conservation Concern (Eaton *et al.*, 2021) are classified as 'Red List Species' for one or more of the following reasons:
- Globally threatened.
 - Historical population decline in the UK between 1800 and 1995.
 - At least a 50% decline in the UK breeding population over the last 25 years.
 - At least 50% contraction of UK breeding range over the last 25 years.
- 5.17 Four of the notable species can be found on the Red List and as such, despite being common/abundant within the county, efforts to enhance their status nationally/globally could contribute to wider biodiversity gains to be implemented across the site. Species-specific enhancements for these species are not detailed below, but it is anticipated that general biodiversity enhancements to the site (recommended below and within the PEA report) will contribute positively to their conservation status.

6.0 CONCLUSION AND RECOMMENDATIONS

- 6.1 The following have been identified which may represent constraints or opportunities within future development of the site. Recommended measures for the avoidance of impacts on species of nature conservation interest and opportunities by which development of the site can maintain and enhance the current value of the site have been outlined.

Designated Sites

- 6.2 A search of the citations for each of the designated statutory sites within 20km of the site revealed that none of the purposes for designation were ornithological in nature. The sites represent a mix of geological and botanically important areas.
- 6.3 The nearest RAMSAR site (Rutland Water) is over 46km from the site boundary. None of the on-site habitats are notable or unique within the relative site context, nor do they provide a significant resource to species associated with Rutland Water.
- 6.4 Therefore, no significant impacts are predicted upon this area, or the species potentially associated with Rutland Water, as a result of the proposed developments.

On-site Habitat Impacts

- 6.5 The primary habitats of ornithological significance (grassland, hedgerows, trees) were all considered as ecological constraints prior to a masterplan being finalised by Richborough Estates Ltd. Therefore, the majority of these features (aside from the grassland) are being retained and enhanced as part of the proposed development in order to minimise the impacts of the proposals on existing habitats/biodiversity.
- 6.6 It is understood that some sections of the hedgerows on the southern boundary to allow for new access into the site. Further sections of hedgerow are to be lost from the centre of the site. Despite the proposed hedgerow losses, a significant impact on local breeding bird populations is not predicted, as there is an abundance of high-affinity hedgerow habitat within the local landscape, immediately adjacent to the site.
- 6.7 Significant changes to the general ecology of the site are predicted as a result of the proposals. Clearance of much of the site, alongside construction and operational movements within the site may potentially cause loss of roosting, foraging and nesting opportunities for a variety of bird species. The loss of large areas of grassland and sections of hedgerow will have an impact on species which utilise the site for foraging and nesting.
- 6.8 Increased anthropogenic disturbance through human activity and the likely influx of cats belonging to new residents will create a less suitable environment for numerous species. Whilst it is anticipated that some residents may provide artificial foraging sources (bird tables, seed etc.) – it is anticipated that site-wide abundance of invertebrate prey species for insectivorous bird species will decline significantly as a result of the proposals.

House sparrow *Passer domesticus*

- 6.9 House sparrow *Passer domesticus* is a UK BAP species and is also on the current 'Red List' for Birds of Conservation Concern (Eaton *et al.*, 2021). The LROS Annual Bird Report (2021) also noted that this species was locally declining. As such, the following enhancements are recommended to be implemented as part of the scheme, to promote the conservation value of the site for this species.

Recommendations include (but are not limited to):

- The installation of a mix of sparrow terraces (woodcrete, wood, brick) on and within proposed walls that are adjacent to hedgerow, scrub, line of tree or grassland habitats. A range of wooden or woodcrete boxes are recommended. Nest boxes should be fitted at a minimum height of 4m, on south facing walls (where possible), and not be situated where access to predators (especially domestic cats) may be achievable (near the top of garden walls etc.).
- If sparrows are to colonise and breed successfully, adequate food resources must also be widely available in the local area. Urban environments are often 'tidy' and limit the amount of foraging resource. The creation of tall ruderal and scrub habitats, which are appropriately managed (which may in some cases mean being left to naturally succeed) to provide sheltering, foraging and nesting areas will aid in providing suitable habitat across the site. The provision of allotments would also contribute positively to this species as this is, along with other generally 'untidy' habitats are favoured.
- The appropriate management of retained and newly planted hedgerows across the site. Hedgerow maintenance should not occur between February and August, allowing the hedgerow to naturally grow out to provide opportunities for nesting, sheltering, roosting, and foraging for a wide variety of bird species. Relaxed management techniques will also provide a benefit for a variety of other wildlife, including invertebrate species which will have declined as a result of the removal of large sections of grassland on-site.
- The planting and appropriate management of hedgerow buffer areas, to create small eco-tones across the site. Relaxed management of these habitats is also recommended to create a wildlife friendly network across the site. It is recommended that a highly species rich mix (especially ruderal species) is used to sow these habitats to encourage invertebrate diversity at the local level.
- New hedgerow planting should include hawthorn *Crataegus monogyna*, holly *Ilex aquifolium*, common privet *Ligustrum vulgare* as these produce densely leaved, thicket-like growth forms which are ideal for house sparrow sheltering, foraging and nesting.

Mitigation

- 6.10 During construction of the proposed development, all vegetation clearance should be conducted outside of the core bird nesting season (March to August). Should areas of vegetation require clearance during the breeding season, then a pre-commencement survey for nesting birds should be undertaken by a qualified ecologist.
- 6.11 If no nesting birds are present, then works can proceed but clearance must occur no more than 24 hours after the site visit from the ecologist. However, if active nests are recorded then protection measures including an exclusion zone around the nest will be necessary, with no works recommencing until all eggs have hatched and all chicks have fully and naturally fledged. A nest becomes protected from offence once adults have started gathering nesting material, up until the last dependent young bird has stopped returning to the nest. Activity that could indicate nesting includes (but is not limited to):
- Adult birds being observed carrying nesting material.
 - Eggs being observed within the nest.
 - Adults carrying food towards the nest site.
 - Young birds being observed and/or heard at the nest site.
- 6.12 The Preliminary Ecological Appraisal (Zebra Ecology, 2023) should be referred to for other recommendations.

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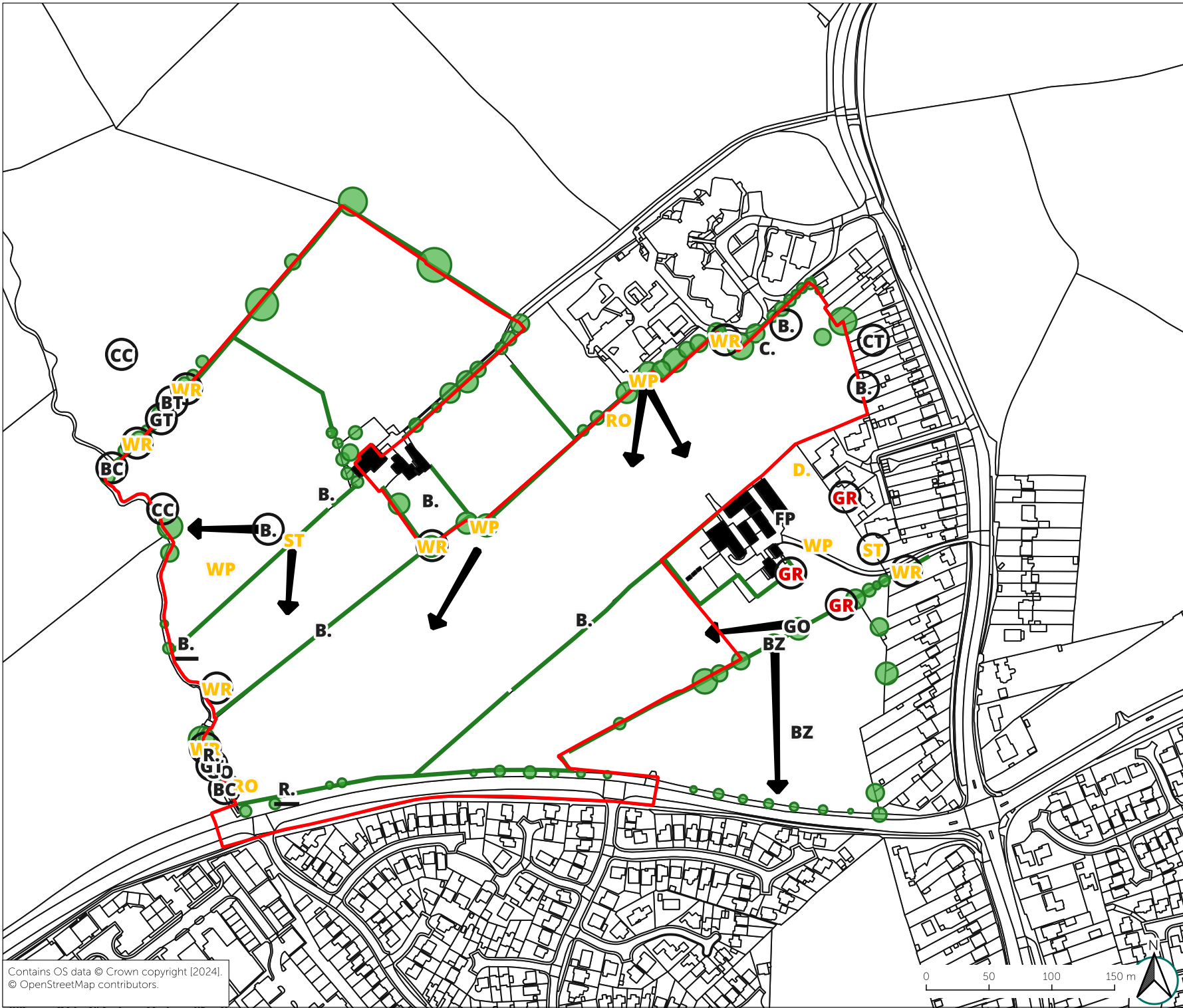
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APPENDIX A

Species Distribution Maps



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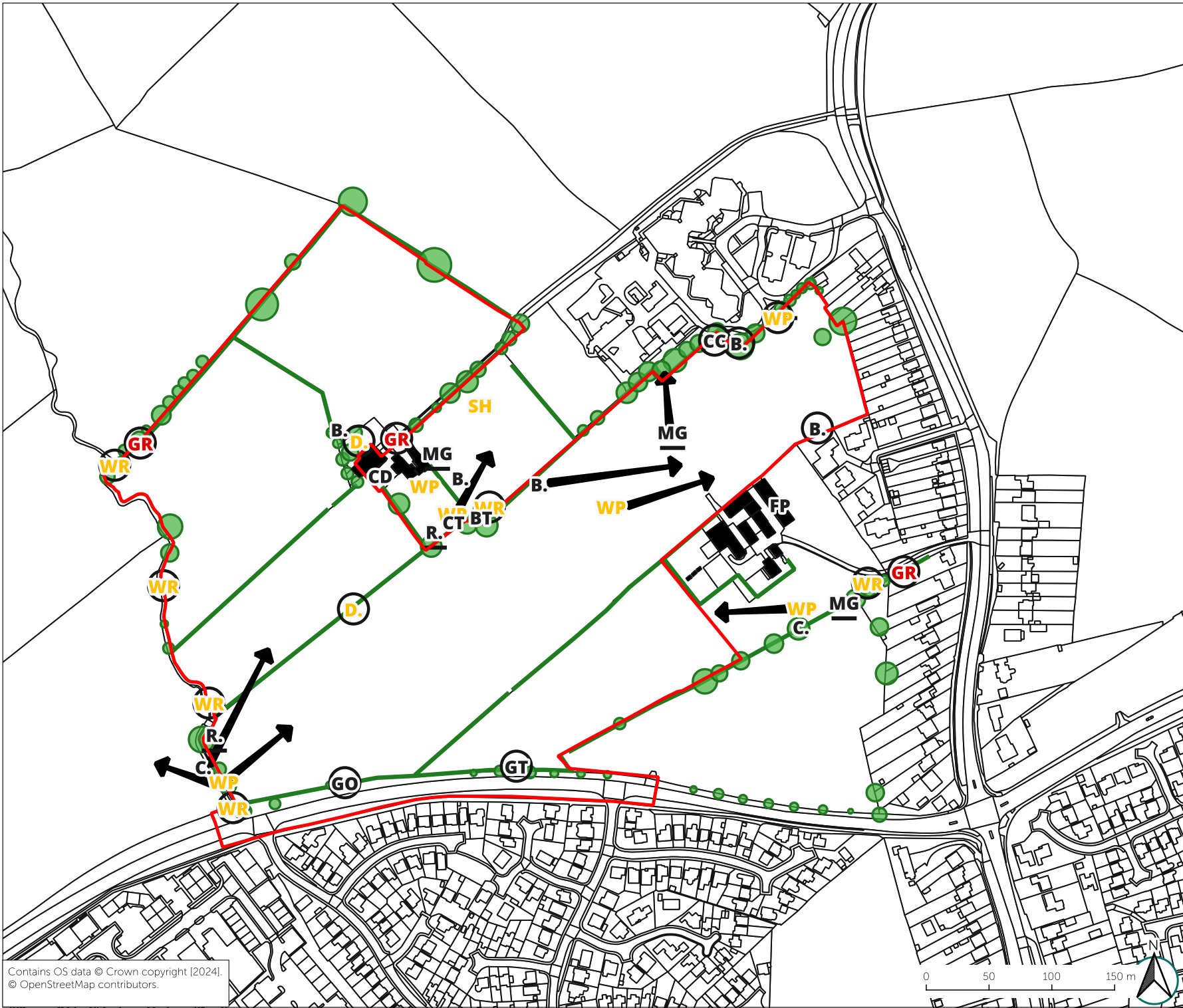
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DRAWING TITLE
Breeding Bird Survey 1/6 - 27/06/2023

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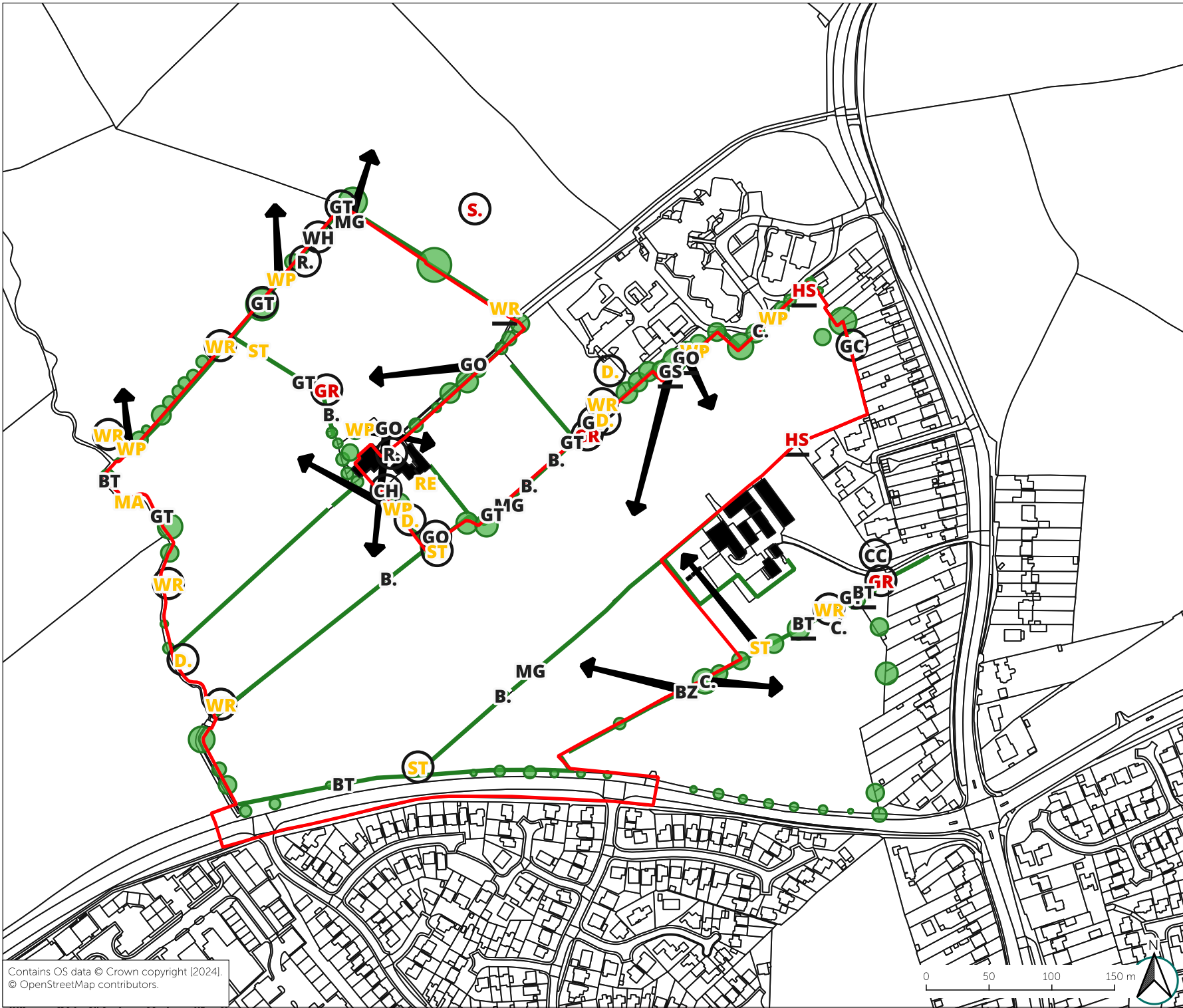
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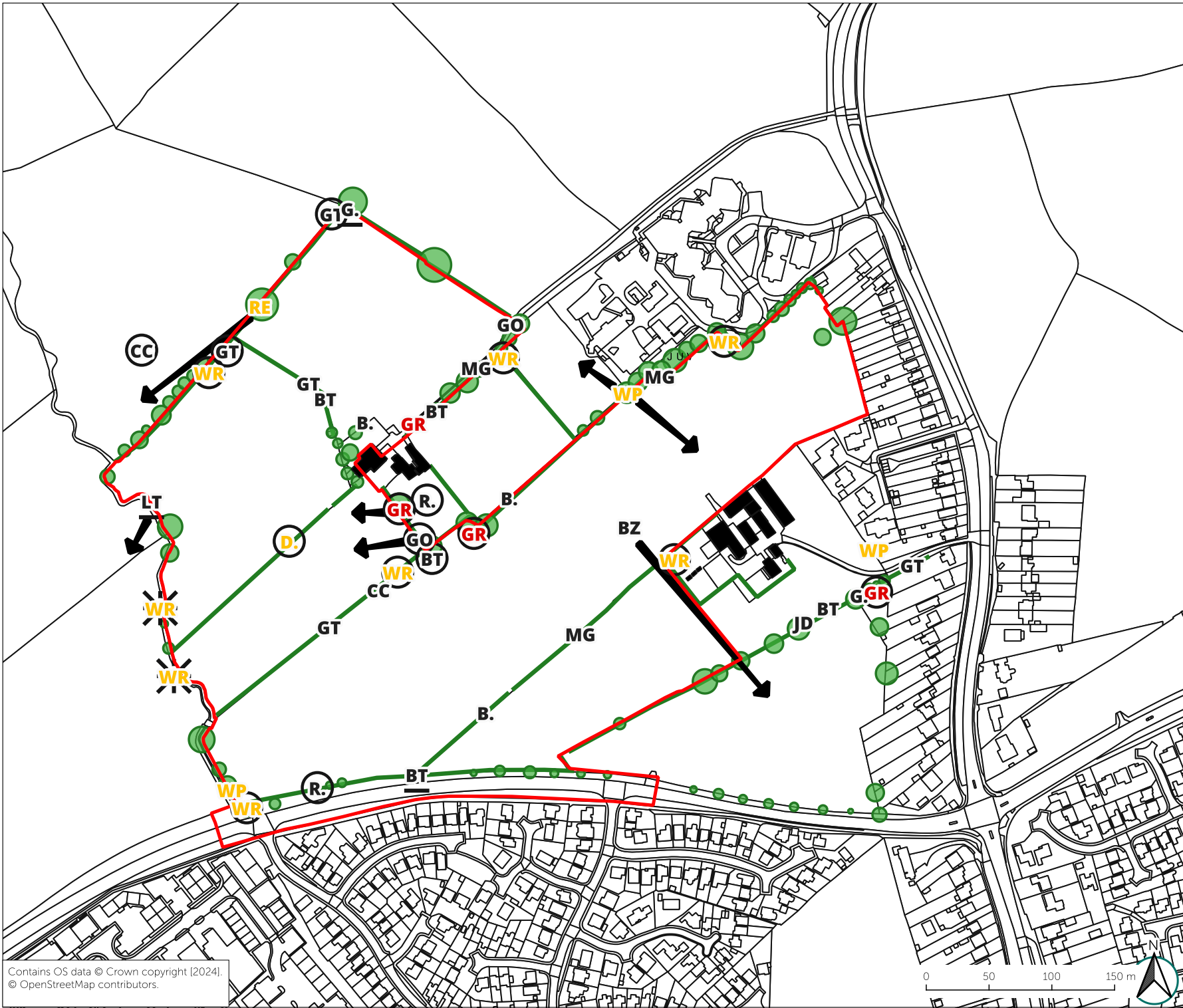
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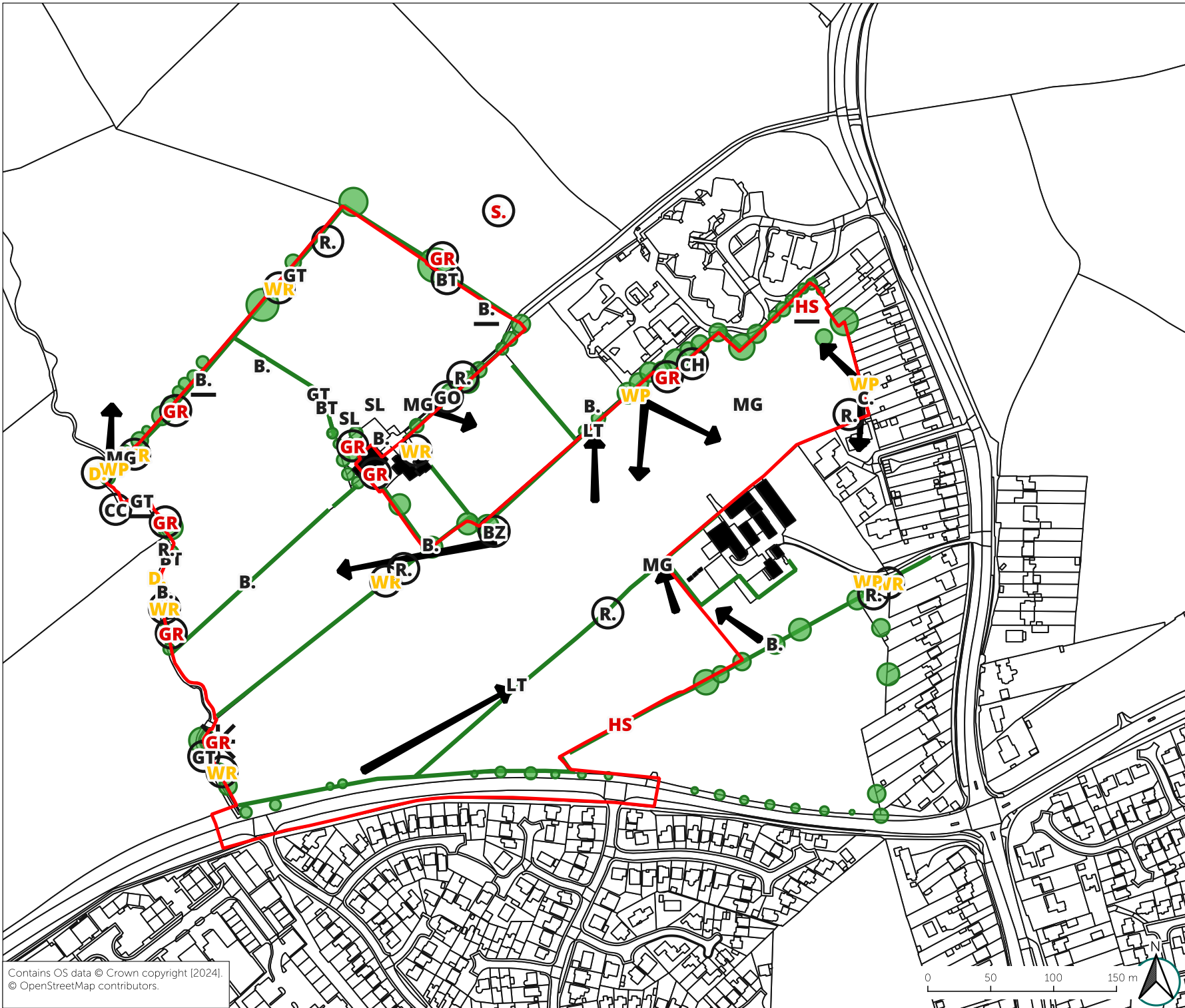
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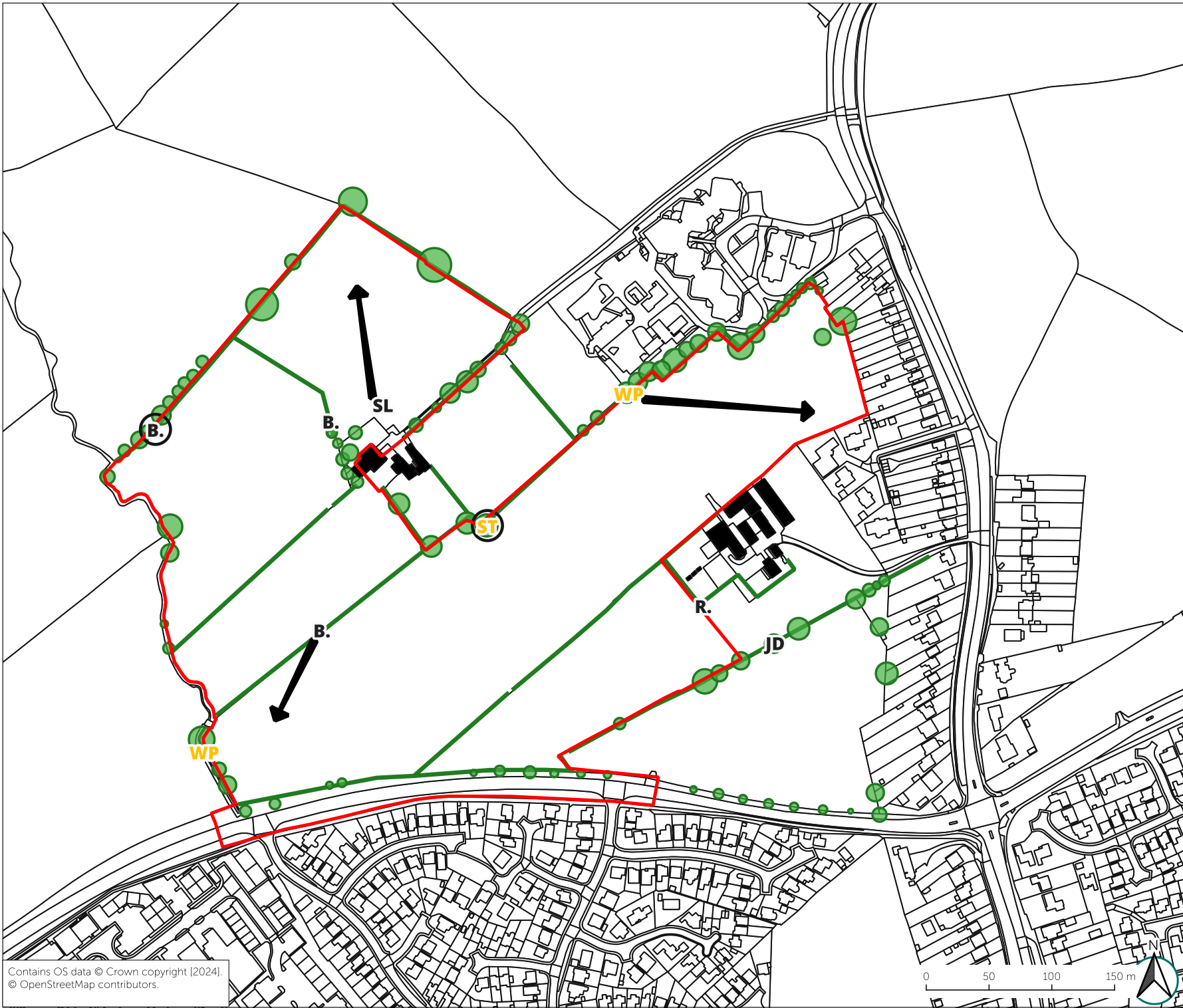
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14/05/2024

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APPENDIX B

Photographs



Photograph 1: The River Twee tributary to the west of the site.



Photograph 2: An example of the hedgerow along the eastern boundary



Photograph 3: Sunrise of survey 4.



Photograph 4: Sunrise of survey 2.



Photograph 5: Sunrise of survey 3.



Photograph 6: Sunrise of survey 1.

APPENDIX C

Qualifications and Experience

BLADE Ecology Ltd is Registered Practice of the Chartered Institute of Ecology and Environmental Management (CIEEM). A comprehensive range of ecological services are offered including Preliminary Ecological Appraisal (PEA), Ecological Impact Assessment (EclA), Habitat Regulations Assessment (HRA), Biodiversity Impact Assessment (BIA) and European Protected Species (EPS) Surveys / Licensing.

The practice works closely work closely with clients to achieve their aspirations alongside securing the best outcomes for the environment. With wildlife legislation and policy as its basis; commercial awareness, pragmatism and defensible advice is combined to form Zebra Ecology's approach. As well as offering a wide range of ecological services, BLADE Ecology offers an in-house collaborative approach in conjunction with BLADE Landscape Architects and BLADE Trees.

Andrew Elliott BSc (Hons) ACIEEM

Andy holds a BSc (Hons) degree in Biological Sciences (Zoology) from the University of Birmingham, and has a particular passion for ornithology, as well as social ecology. Since graduating, Andy has spent considerable time on the African continent, contributing to research projects in fields such as evolutionary sociality in birds, black rhinoceros behavioural ecology and linear infrastructure wildlife-mortality mitigation. Andy holds a Class 1 survey licence for bats and great crested newts, and has a broad range of consulting experience, working on large and small-scale projects across the UK.

Emma Seaton BSc (Hons) MCIEEM

Emma holds a BSc (Hons) degree in Biology from the University of Sheffield and has since gained a postgraduate certificate in Ecological Consultancy. Her ecological experience includes Preliminary Ecological Appraisals, Ecological Impact Assessments (EclA), surveying for notable / European Protected Species, mitigation / licensing advice and providing Continued Professional Development (CPD) sessions for developers on Biodiversity Net Gain. She has held Natural England survey licences for bats (Class 2), great crested newts and white-clawed crayfish since 2015. She is also a Registered Consultant under the Bat Mitigation Class Licence (BMCL) licence and Earned Recognition consultant under the Natural England bat pilot project. Emma is a Full member of the Chartered Institute of Ecology and Environmental Management.

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