

Hicks Farm SANG

BREEDING BIRD SURVEY REPORT

784-B032855

BCP Council

October 2022

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EXECUTIVE SUMMARY

| Contents | Summary |
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| Site Location | The site is located to the northern edge of the village of Throop, Bournemouth and is bounded by the River Stour. The site is centred on OS grid reference: SZ 11088 96132. The site comprises two larger grassland fields and small field that has grassland along with scattered scrub and trees. A footpath/track is present in the eastern portion of the site along with a tree lined carrier of the adjacent River Stour. |
| Proposals | The site, referred to as Throop Nature Park, has planning permission for use as Suitable Alternative Natural Greenspace (SANG). |
| Existing Site Information | Breeding bird surveys were undertaken at the site in 2018 by BCP Council. A Preliminary Ecological Appraisal of the site (and further areas outside the scope of this survey) was undertaken in August 2019 and revised in January 2021. |
| Scope of this Survey(s) | This report details the finding of breeding bird surveys undertaken between March 2022 and July 2022. The scope of the survey was to complete breeding bird surveys to provide results of monitoring to fulfil a planning condition |
| Results | A total of 32 species were recorded during the surveys and included the following: <ul style="list-style-type: none"> • Four species are Red Listed as Birds of Conservation Concern (BoCC): greenfinch, house sparrow, starling and swift. • Ten species were Amber Listed –, bullfinch, dunnoek, mallard, moorhen, reed bunting, sedge warbler, song thrush, woodpigeon, whitethroat and wren. • The remaining species recorded are all green listed due to their favourable conservation status. Pheasants, an introduced species, were also recorded on most survey visits. |

GLOSSARY

| | |
|----------------------|---|
| BCP Council | Bournemouth Christchurch and Poole Council |
| CEcol | Chartered Ecologist |
| CEnv | Chartered Environmentalist |
| CIEEM | Chartered Institute of Ecology & Environmental Management |
| Habitats Regulations | Conservation of Habitats and Species Regulations 2017 (as amended) |
| MCIEEM | Member of Chartered Institute of Ecology & Environmental Management |
| NERC Act | Natural Environment and Rural Communities Act 2006 |
| PEA | Preliminary Ecological Appraisal |
| SANG | Suitable Alternative Natural Greenspace |
| W&CA | Wildlife & Countryside Act 1981 (as amended) |

1.0 INTRODUCTION

1.1 BACKGROUND

Tetra Tech was commissioned in October 2021 to undertake baseline breeding bird surveys at Hicks Farm, Throop (hereafter referred to as the “site”) during the spring/summer of 2022.

The proposal for Hicks Farm SANG, also referred to as Throop Nature Park, is c.12ha in area and located on the edge of Throop village, north Bournemouth. The site boundary comprises two parts – the main area which lies between the River Stour and the edge of Throop village, and a smaller area south and east of Taylor Drive comprising a car park and footpath link.

Planning Condition 15 of the decision notice for the application (Application No:7-2021-7824-C) requires bird monitoring at the site.

The surveys and reporting were completed by Tetra Tech Senior Ecologist John Simper MCIEEM. The Report Conditions are provided in Appendix A.

1.2 DEVELOPMENT PROPOSALS

Creation of approximately 12 hectares of SANG and associated carpark and infrastructure, approved under Application No:7-2021-7824-C.

1.3 PURPOSE OF THE REPORT

The purpose of this report is to summarise the findings of the breeding bird surveys to provide a baseline against which to undertake operational-phase monitoring required to meet Planning Condition 15 (Application No:7-2021-7824-C).

“Regular site monitoring of birds on the River Stour shall be to be carried out to monitor for any evidence that numbers of species and breeding has not been adversely affected by an increase in public and dog use. The scope, area and timing of this monitoring shall be agreed in writing with the Local Planning Authority prior to the commencement of development with the monitoring result submitted to the Local Planning Authority. If a decline in breeding is detected, then suitable mitigation measures shall be proposed which shall be submitted to and agreed in writing by the Local Planning Authority. These mitigation measures shall thereafter be implemented in full in accordance with the agreed details.”

2.0 METHODOLOGY

2.1 DESK STUDY

A full data search and desk study has not been undertaken as part of this report as it concerns field surveys and data only. Previous reporting for the site was made available and reviewed as part of the background preparation for this survey and as additional context for interpreting the data. This reporting included breeding bird surveys completed in 2018, and two PEAs of the site completed between 2019 and 2021 (Abbas Ecology, 2021).

2.2 SURVEY METHOD

The survey methodology involved four visits to the site during the breeding season, in April, May, June and July 2022 using the standard territory (registration) mapping techniques as detailed in Bibby *et al.* (2007). This method is based on the observation that many species are territorial during the breeding season. This is found particularly amongst passerines, where territories are often marked by conspicuous song, display, and periodic disputes with neighbouring individuals. Registrations of birds were recorded on an appropriate field map, using standard British Trust for Ornithology (BTO) two letter species codes and activity codes (Gilbert *et al.*, 2002). The surveys commenced at sunrise and concluded before mid-morning (10 - 11am.). The dusk survey commenced approximately one hour before sunset and continued for at least an hour after sunset.

The surveys consisted of a walked transect route around the site (Figure 2), which ensured full coverage of the survey area. The registrations of birds, using standard British Trust for Ornithology (BTO) two letter species codes and activity codes (Gilbert *et al.*, 2002), were placed onto an appropriate field map. Specific symbols were used for singing, calling and movements of the same bird between different areas, flying, carrying food, nest building, aggressive encounters and other notable behaviour (Gilbert *et al.*, 2002). The expected outcome of this technique was that mapped registrations fell into clusters, approximately coinciding with territories.

The likelihood of breeding was determined using the BTO breeding status codes table, using observations of activities such as singing, food carrying, aggressive encounters and actual nest building.

Confirmed – examples of confirmed breeding include:

- Recently fledged or downy young;
- Adult carrying faecal sac or food for young;
- Nests containing eggs;
- Nest with young seen or heard; and
- Distraction displays / injury feigning.

Probable – examples of probable breeding include:

- Pair seen in suitable habitat;
- Permanent territory (defended over at least two survey visits);
- Courtship and display;
- Visiting potential nest site;
- Agitated behaviour; and
- Nest building / hole excavation.

Possible – examples of possible breeding include:

- Observed in suitable nesting habitat; and
- Singing male.

Non-breeder – examples of non-breeding behaviour include:

- Overflying;
- Migrant;
- Summering non-breeder; and
- Observed in unsuitable nesting habitat.

The field data from each survey was transferred into the main bird map of the site. This map was analysed to estimate the number of breeding territories found for each species and produce a table with bird species total.

The following meteorological variables were recorded at both the start and end of each survey:

- Cloud cover (0% - clear sky, to 100% - total cloud cover);
- Wind speed (Beaufort scale (BF); Force 0 – no wind, to Force 6 – strong wind (note: surveys should not be carried out above Force 6 wind));
- Temperature (°C);
- Precipitation (mm); and
- Visibility (excellent, good, moderate or poor).

Details of the breeding bird survey dates and weather conditions are provided in Table 1 below.

Table 1: Breeding bird survey dates and weather conditions.

| Date: | Time | Weather Conditions (Temp °C, Wind speed & direction, Cloud cover, Rain): |
|------------|-------------|--|
| 28/04/2022 | 05.30-07.45 | Temp: 4°C, Wind:0, Cloud cover:20%, Rain: Nil |
| 23/05/2022 | 05:50-07:40 | Temp: 10°C, Wind 1, Cloud cover:100%, Rain: Nil |
| 21/06/2022 | 04:45-07:17 | Temp: 9°C, Wind:0, Cloud cover:6%, Rain: Nil |
| 22/07/2022 | 04:30-07:08 | Temp:17°C, Wind:0, Cloud cover:2%, Rain: Nil |

2.2.1 Evaluating importance of the breeding bird assemblage

The breeding bird assemblage on the site was assessed using the criteria set out by Fuller (1980):

- Up to 24 breeding species = Local importance
- 25 – 49 breeding species = District importance
- 50 – 69 breeding species = County importance
- 70 – 84 breeding species = Regional importance
- 85+ breeding species = National importance

2.3 LIMITATIONS

All surveys were undertaken in appropriate weather conditions and all parts of the site were accessible during the surveys and there were no limitations to the survey work.

The details of this report will remain valid for a period of **two years** (CIEEM, 2019) from the date of the survey, after which the validity of this assessment should be reviewed to determine whether further updates are necessary. Note that the recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the red line boundary or development proposals which this report was based on.

It is considered that this survey will provide a baseline for which future monitoring can be compared to in order to provide evidence that the bird assemblage and breeding success has not been adversely impacted upon by an increase in members of the public and dog use as a result of the proposed use as SANG.

3.0 RESULTS

3.1 DESK STUDY

Breeding bird surveys undertaken on behalf of BCP Council in 2018 to inform the planning application for the SANG identified 32 species being present (although not necessarily breeding) on site including species such as cuckoo *Cuculus canorus* and kingfisher *Alcedo atthis*.

The two Preliminary Ecological Appraisals undertaken by Abbas Ecology in August 2019 and revised in 2021 (Abbas Ecology, 2021) identified the need for further breeding bird surveys of the site to inform proposals for the site's redevelopment as a SANG.

3.2 FIELD RESULTS

A total of 32 bird species were recorded from the surveyed area including 2 species listed as Schedule 1 on the WCA Act 1981, 4 species Red Listed as BoCC (Birds of Conservation Concern), 10 species Amber Listed as BoCC and 19 species included on the Green list (See Figures 2-5). One introduced species was also recorded during the surveys (pheasant).

The protected / notable bird species recorded on and around the site are listed in Table 2 below. The standard BTO codes are shown in brackets after the Common name. Legally protected species are those listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). Notable species are considered to be Red and Amber species listed within BoCC (Eaton et al., 2021).

Table 2: W&CA Schedule 1 and BoCC red and amber listed bird species recorded breeding within the survey area.

| Common Name (BTO Code) | Scientific Name | Peak Count | Comments |
|------------------------|--------------------------|------------|---|
| Cetti's warbler (CW) | <i>Cettia cetti</i> | 3 | A minimum of 4 territories likely present. Likely breeding (also green listed). |
| Kingfisher (KF) | <i>Alcedo atthis</i> | 2 | Low numbers recorded. No evidence of breeding within survey area (also green listed). |
| Greenfinch (GR) | <i>Chloris chloris</i> | 12 | Good numbers recorded. Probable breeding within boundary habitats |
| House sparrow (HS) | <i>Passer domesticus</i> | 3 | Present in low numbers – no nesting habitat present on site. |
| Starling (SG) | <i>Sturnus vulgaris</i> | 2 | Low numbers recorded. |
| Swift (SI) | <i>Apus apus</i> | 4 | Very low numbers recorded foraging over the site. No nesting habitat present. |
| Bullfinch (BF) | <i>Pyrrhula pyrrhula</i> | 1 | Single individual recorded possible breeding. |

| Common Name (BTO Code) | Scientific Name | Peak Count | Comments |
|------------------------|-----------------------------------|------------|---|
| Dunnock (D) | <i>Prunella modularis</i> | 3 | Low numbers recorded. Low numbers likely to be breeding. |
| Mallard (MA) | <i>Anas platyrhynchos</i> | 3 | Low number recorded mainly in vicinity of the river. Likely breeding along the edge of the river. |
| Moorhen (MH) | <i>Gallinula chloropus</i> | 2 | Low numbers recorded but likely to be widespread along river. Very likely to be breeding. |
| Reed bunting (RB) | <i>Emberiza schoeniclus</i> | 1 | Single individual recorded – possible breeding species. |
| Sedge warbler (SW) | <i>Acrocephalus schoenobaenus</i> | 1 | Single individual recorded – possible breeding species. |
| Song thrush (ST) | <i>Turdus philomelos</i> | 2 | One territory present – probable breeding. |
| Woodpigeon (WP) | <i>Columba palumbus</i> | 2 | Likely to breeding in boundary habitats. |
| Whitethroat (WH) | <i>Curruca communis</i> | 1 | Probably breed with up to three territories present. |
| Wren (WR) | <i>Troglodytes troglodytes</i> | 3 | Widespread breeder in suitable habitat. |

The following common and widespread species were recorded on the site or directly adjacent land (Table 3). These include those that are green or not listed under the BoCC (Eaton *et al.*, 2015).

Table 3: Common and widespread breeding bird species (BoCC Green List and introduced species)

| Common Name (BTO Code) | Scientific Name | Peak Count | Comments |
|------------------------|-------------------------------|------------|---|
| Blackbird (B) | <i>Turdus merula</i> | 3 | Widespread and common. |
| Blackcap (BC) | <i>Sylvia atricapilla</i> | 1 | Several pairs present in the south of the site. Breeding very likely. |
| Blue tit (BT) | <i>Cyanistes caeruleus</i> | 5 | Widespread and common. |
| Chiffchaff (CC) | <i>Phylloscopus collybita</i> | 1 | At least two singing males present. Breeding very likely. |

| Common Name (BTO Code) | Scientific Name | Peak Count | Comments |
|-------------------------------|--------------------------------|------------|--|
| Chaffinch (CH) | <i>Fringilla coelebs</i> | 2 | Recorded in low numbers, possible breeding. |
| Common buzzard (BZ) | <i>Buteo buteo</i> | 1 | Recorded in low numbers. No evidence of breeding within the site but the site is likely to lie within a territory. |
| Great spotted woodpecker (GS) | <i>Dendrocopos major</i> | 1 | Possible breeder but no nests observed. |
| Great tit (GT) | <i>Parus major</i> | 5 | Widespread and common. |
| Jay (J) | <i>Garrulus glandarius</i> | 1 | Recorded in low numbers. |
| Long-tailed tit (LT) | <i>Aegithalos caudatus</i> | 5 | Widespread and common. |
| Magpie (MG) | <i>Pica pica</i> | 3 | Widespread and common. |
| Robin (R) | <i>Erithicus rebecula</i> | 2 | Widespread and common. |
| Stonechat (SC) | <i>Saxicola torquata</i> | 1 | One pair is thought to have breed on site. |
| Reed Warbler (RW) | <i>Acrocephalus scirpaceus</i> | 1 | Likely breeder in reed beds. |
| Swallow (SL) | <i>Hirundo rustica</i> | 4 | No suitable breeding habitat on site. |
| Pheasant (PH) | <i>Phasianus colchicus</i> | 5 | Widespread and common. |

4.0 RELEVANT PLANNING POLICY AND LEGISLATION

4.1 PLANNING POLICY

4.1.1 Revised National Planning Policy Framework

A revised NPPF was issued on 20th July 2021 (Ministry of Housing Communities and Local Government, 2019) and currently supplements government Circular 06/2005, *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System* (Office of the Deputy Prime Minister, 2005).

Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. Paragraph 174 of the NPPF also states that:

'Planning policies and decisions should contribute to and enhance the natural environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

The conservation and enhancement of wildlife is also specifically reference re: development within the National Parks or the Broads.

Paragraph 180 then goes on to confirm that:

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

- a) 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;*
- b) 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;*

- c) *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; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements 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*

Regarding EclAs and HRAs – any sites identified, or required, as compensatory measures for adverse effects on any Natura 2000/habitats site should also be given the same level as protection as the pSPAs and cSACs themselves. In addition, when an application is being determined, Paragraph 182 clarifies that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

Paragraph 183 is also relevant as;

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:...

- c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

4.1.2 Biodiversity 2020: A strategy for England’s Wildlife & Ecosystem Services

Biodiversity 2020 (DEFRA, 2011) replaces the previous UK Biodiversity Action Plan and sets national targets to be achieved. The intent of Biodiversity 2020, however, is much broader than the protection and enhancement of less common species, and is meant to embrace the wider countryside as a whole.

The priority species and habitats considered under Biodiversity 2020 are the SPI & HPI detailed under NERC Act.

4.2 LEGISLATION

4.2.1 Legal Protection

All wild birds in the UK are protected under Section 1 of the W&CA which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy the nest (whilst being built or in use) or its eggs. Bird species listed in Schedule 1 of the W&CA receive further protection which makes it an offence to intentionally or recklessly disturb these species while building a nest or in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird.

Forty-nine bird species are listed as ‘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 this Act places a duty (the Statutory Biodiversity Duty) on public bodies (including local planning authorities) when undertaking their duties (including the making of planning decisions) “to take such measures as they consider expedient for the purposes of conserving biodiversity”. The conservation of species listed on Section 41 of the NERC Act, including the restoration or

enhancement of a population or habitat, is therefore legally required to be considered in planning decisions. ODPM Circular 06/2005 further clarifies that they are capable of being a material consideration for planning decisions, along with Local Biodiversity Action Plan priority species, as referred to below.

In addition, Annex 1 of the EU 'Birds' Directive (1979) lists 194 species that are subject to special conservation measures concerning their habitat in order to ensure their survival and reproduction. Member States are required to designate Special Protection Areas (SPAs) for the Annex 1 and all migratory species. SPAs are scientifically identified areas critical to the survival of the targeted species. The SPAs form part of the Natura 2000 EU network of protected nature sites. The designation of an area as an SPA gives it a high level of protection from potentially damaging developments (European Commission 2004).

4.2.2 Other Conservation Lists and Guidance

Birds of Conservation Concern (BoCC)

The conservation status of all regularly occurring British birds has been analysed in co-operation with the leading governmental and non-governmental conservation organisations, including the Royal Society for the Protection of Birds (RSPB), British Trust for Ornithology (BTO) and Birdlife International Birds of Conservation Concern 5 (Eaton et al., 2021). The basis of species ongoing population trends are assigned to one of three lists of Conservation Concern. These are the UK Red, Amber and Green list.

The criteria for birds being include in the lists is as follows:

Red List

- Globally threatened.
- Historical population decline in UK during 1800–1995.
- Severe (at least 50%) decline in UK breeding population over last 25 years, or longer-term period (the entire period used for assessments since the first BoCC review, starting in 1969). Severe (at least 50%) contraction of UK breeding range over last 25 years, or the longer-term period.

Amber List

- Species with unfavourable conservation status in Europe (SPEC = Species of European Conservation Concern).
- Historical population decline during 1800–1995, but recovering; population size has more than doubled over last 25 years.
- Moderate (25-49%) decline in UK breeding population over last 25 years, or since 1969.
- Moderate (25-49%) contraction of UK breeding range over last 25 years, or since 1969.
- Moderate (25-49%) decline in UK non-breeding population over last 25 years, or since 1969.
- Rare breeder; 1–300 breeding pairs in UK.
- Rare non-breeders; less than 900 individuals.
- Localised; at least 50% of UK breeding or non-breeding population in 10 or fewer sites, but not applied to rare breeders or non-breeders.

- Internationally important; at least 20% of European breeding or non-breeding population in UK (NW European and East Atlantic Flyway populations used for non-breeding wildfowl and waders respectively).

Green List

- Species that occur regularly in the UK but do not qualify under any or the above criteria.

Although the lists confer no legal status in themselves, they are useful in evaluating the conservation significance of bird assemblages, and for assessing the potential significance of impacts and informing appropriate levels of mitigation with respect to bird populations.

5.0 DISCUSSION

5.1 SCHEDULE 1 SPECIES

5.1.1 Cetti's Warbler

This species has shown a considerable increase in its population in recent years and is green listed (BoCC) due to this. It is likely that a minimum of 2-4 pairs hold territories at the site and are likely to be breeding. This is restricted to dense vegetation bordering the River Stour or adjacent ditches.

5.1.2 Kingfisher

Kingfishers were recorded in low numbers close to the river. No breeding activity was noted but it is considered likely that they are nesting in close vicinity to the site.

5.2 BOCC SPECIES

5.2.1 BoCC Red Listed Species

Four BoCC red listed species were recorded during the surveys, of these only greenfinches are likely to be breeding within the site, particularly along the western and northern boundaries.

5.2.2 BoCC Amber Listed Species

Ten amber listed species were recorded during the surveys, all of which, although declining, remain fairly widespread in distribution in the UK. Reed bunting and sedge warble were restricted to very small patches of reedbed and emergent vegetation along the bank of the river. Due to the small size of the habitats their status on site is perhaps precarious.

5.2.3 BoCC Green Listed Species

Seventeen widespread and common species were recorded during survey. All of these are ubiquitous within the riparian, grassland and scrub habitats on site. None of these were found in significant numbers or flocks and were widely scattered across the site. A single pair of stonechats bred on site with a juvenile noted in July. One introduced species was recorded, pheasant and this is considered likely to be breeding within the site boundary. Pheasants were found on most survey visits indicating that they may be released for shooting purposes in the local area,

The site was assessed as having "local importance" for breeding birds (according to Fuller, 1980).

6.0 SUMMARY

A total of 32 species were recorded during the surveys and included the following:

- Four species are Red Listed as Birds of Conservation Concern (BoCC): greenfinch, house sparrow, starling and swift.
- Ten species were Amber Listed –, bullfinch, dunnock, mallard, moorhen, reed bunting, sedge warbler, song thrush, woodpigeon, whitethroat and wren.

The remaining species recorded are all green listed due to their favourable conservation status.

The surveys are considered an accurate baseline with which future monitoring surveys can be compared to in order to fulfil the requirements of Condition 15 of the Planning Application.

7.0 REFERENCES

- Abbas Ecology (2021) Preliminary Ecological Appraisal: Proposed Suitable Alternative Natural Greenspace at Hick's Farm, Throop. For BCP Council
- Bibby, C.J., Burgess, N.D., Hill, D.A. & Mustoe, S.H. (2007) Bird census techniques (2nd edition). Academic press, London.
- Eaton, M., Aebischer, N., Brown, A., Hearn, R. Lock, L. Musgrove, A., Noble, D. Stroud, D. and Gregory, R. (2021) Birds of conservation concern 4: the population status of birds in the UK, Channel Islands and Isle of Man. British birds, 108:708-746.
- Fuller, R. J., (1980) A method for assessing the ornithological interest of sites for conservation. Biological Conservation, 17: 229-239

Please note that the legislation which is relevant to this report is not included in the list above, but details are included in Appendix B below.

FIGURES

Figure 1 – Site Location Plan

Figure 2 – April 2022 Bird Results

Figure 3 – May 2022 Bird Results

Figure 4 – June 2022 Bird Results

Figure 5 – July 2022 Bird Results



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Site Location Plan

Hicks Farm

Bournemouth, Christchurch and Poole Council



Notes:

Drawn by: MS
Checked by: JS
Office: Southampton

Figure No. 1
Revision No. A

0 40 80 120 Meters
Scale 1:3,000 @A3

15 November 2021
NGR: 411042E 96031N

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The Pavilion, 1st Floor
Botleigh Grange
Office Campus
Hedge End
Southampton
Hampshire, SO30 2AF



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April 2022 Bird Results

Hicks Farm



Bournemouth, Christchurch and Poole Council

Legend

Site boundary

BoCC Red listed species

HS - House Sparrow

SG - Starling

GR - Greenfinch

BoCC Amber listed species

ST - Song Thrush

D -Dunnoch

WH - Whitethroat

WP - Woodpigeon

WR - Wren

BoCC Sch1 listed species

CW - Cetti's Warbler

food = carrying food

Singing

Notes:

Drawn by: CL

Checked by: JS

Office: Southampton

Figure No. 2

Revision No. A

0 40 80 120 Meters

Scale 1:3,000 @A3

06 September 2022

NGR: 411042E 96031N

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The Pavilion, 1st Floor
Botleigh Grange
Office Campus
Hedge End
Southampton
Hampshire, SO30 2AF



May 2022 Bird Results

Hicks Farm



Bournemouth, Christchurch and Poole Council

Legend

Site boundary

BoCC Red listed species

GR - Greenfinch

BoCC Amber listed species

ST - Song Thrush

BF - Bullfinch

D -Dunnock

RB - Reed Bunting

MH - Moorhen

WH - Whitethroat

WP - Woodpigeon

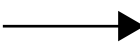
WR - Wren

BoCC Sch1 listed species

CW - Cetti's Warbler



Singing



Flight Line

Notes:

Drawn by: CL

Checked by: JS

Office: Southampton

Figure No. 3

Revision No. A

0 40 80 120 Meters

Scale 1:3,058 @A3

06 September 2022

NGR: 411042E 96031N

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Botleigh Grange
Office Campus
Hedge End
Southampton
Hampshire, SO30 2AF



June 2022 Bird Results

Hicks Farm



Bournemouth, Christchurch and Poole Council

Legend

Site boundary

BoCC Red listed species

SG - Starling

SI - Swift

GR - Greenfinch

BoCC Amber listed species

KF - Kingfisher

ST - Song Thrush

D -Dunnock

SW - Sedge Warbler

WH - Whitethroat

WP - Woodpigeon

WR - Wren

BoCC Sch1 listed species

KF - Kingfisher

Singing

Notes:

Drawn by: CL

Checked by: JS

Office: Southampton

Figure No. 4

Revision No. A

0 40 80 120 Meters

Scale 1:3,000 @A3

06 September 2022

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July 2022 Bird Results

Hicks Farm

Bournemouth, Christchurch and Poole Council



Legend

Site boundary

BoCC Red listed species

SG - Starling

SI - Swift

GR - Greenfinch

BoCC Amber listed species

KF - Kingfisher

D -Dunnock

MA - Mallard

RB - Reed Bunting

SW - Sedge Warbler

WH - Whitethroat

WP - Woodpigeon

WR - Wren

BoCC Sch1 listed species

KF - Kingfisher

— Calling

○ Singing

→ Flight Line

Notes:

Drawn by: CL

Checked by: JS

Office: Southampton

Figure No. 5

Revision No. A

0 40 80 120 Meters

Scale 1:3,058 @A3

06 September 2022

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APPENDIX A – REPORT CONDITIONS

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The report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections’. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times. No investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather-related conditions. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions. The “shelf life” of the Report will be determined by a number of factors including; its original purpose, the Client’s instructions, passage of time, advances in technology and techniques, changes in legislation etc. and therefore may require future re-assessment.

The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.

The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. Tetra Tech accept no liability for issues with performance arising from such factors.

APPENDIX B – KEY LEGISLATION

Bern Convention

The *Convention on the Conservation of European Wildlife and Natural Habitats* (the *Bern Convention*) was adopted in Bern, Switzerland in 1979, and was ratified in 1982. Its aims are to protect wild plants and animals and their habitats listed in Appendices 1 and 2 of the Convention, and regulate the exploitation of species listed in Appendix 3. The regulation imposes legal obligations on participating countries to protect over 500 plant species and more than 1000 animals. To meet its obligations imposed by the Convention, the European Community adopted the *EC Birds Directive* (1979) and the *EC Habitats Directive* (1992 – see below). Since the Lisbon Treaty, in force since 1st December 2009, European legislation has been adopted by the European Union.

Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals or 'Bonn Convention' was adopted in Bonn, Germany in 1979 and came into force in 1985. Participating states agree to work together to preserve migratory species and their habitats by providing strict protection to species listed in Appendix I of the Convention. It also establishes agreements for the conservation and management of migratory species listed in Appendix II.

In the UK, the requirements of the convention are implemented via the Wildlife & Countryside Act 1981 (as amended), Wildlife (Northern Ireland) Order 1985 (as amended), Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and the Countryside and Rights of Way Act 2000 (CROW).

Habitats Directive

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, or the 'Habitats Directive', is a European Union directive adopted in 1992 in response to the Bern Convention. Its aims are to protect approximately 220 habitats and 1,000 species listed in its several Annexes.

In the UK, the Habitats Directive is transposed into national law via the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales, and via the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) in Northern Ireland.

Birds Directive

The EC Directive on the Conservation of Wild Birds (79/409/EEC) or 'Birds Directive' was introduced to achieve favourable conservation status of all wild bird species across their distribution range. In this context, the most important provision is the identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex 1 of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance.

Conservation of Habitats and Species Regulations 2017 (as amended)

Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I or II of the Habitats Directive respectively) to the European Commission. These sites, if ratified by Ministers, are then designated as Special Protection Areas (SPAs) within six years. Public bodies must also help preserve, maintain and re-establish habitats for wild birds.

The 2018 amendments mainly related to the impact of the *People Over Wind* decision and some implications arising for neighbourhood plan development and a range of other planning tools including Local Development Orders and Permission in Principle – see here for full details:

<https://www.legislation.gov.uk/uksi/2018/1307/note/made>

The Regulations make it an offence to deliberately capture, kill, disturb or trade in the animals listed in Schedule 2, or pick, uproot, destroy, or trade in the plants listed in Schedule 5 - see below:

| Schedule 2 – European Protected Species of Animals | Schedule 5 – European Protected Species of Plants |
|--|---|
| Horseshoe bats <i>Rhinolophidae</i> - all species | Shore dock <i>Rumex rupestris</i> |
| Common bats <i>Vespertilionidae</i> - all species | Killarney fern <i>Trichomanes speciosum</i> |
| Large Blue Butterfly <i>Maculinea arion</i> | Early gentian <i>Gentianella anglica</i> |
| Wild cat <i>Felis sylvestris</i> | Lady's-slipper <i>Cypripedium calceolus</i> |
| Dolphins, porpoises and whales <i>Cetacea</i> – all sp. | Creeping marsh-wort <i>Apium repens</i> |
| Dormouse <i>Muscardinus avellanarius</i> | Slender naiad <i>Najas flexilis</i> |
| Pool frog <i>Rana lessonae</i> | Fen orchid <i>Liparis loeselii</i> |
| Sand lizard <i>Lacerta agilis</i> | Floating-leaved water plantain <i>Luronium natans</i> |
| Fisher's estuarine moth <i>Gortyna borelii lunata</i> | Yellow marsh saxifrage <i>Saxifraga hirculus</i> |
| Great crested newt <i>Triturus cristatus</i> | |
| Otter <i>Lutra lutra</i> | |
| Lesser whirlpool ram's-horn snail <i>Anisus vorticulus</i> | |
| Smooth snake <i>Coronella austriaca</i> | |
| Sturgeon <i>Acipenser sturio</i> | |
| Natterjack toad <i>Epidalea calamita</i> | |
| Marine turtles <i>Caretta caretta</i> , <i>Chelonia mydas</i> , <i>Lepidochelys kempii</i> , <i>Eretmochelys imbricata</i> , <i>Dermochelys coriacea</i> | |
| Wildlife & Countryside Act 1981 (as amended) | |
| <p>This is the principal mechanism for the legislative protection of wildlife in the UK. This legislation is the chief means by which the 'Bern Convention' and the Birds Directive are implemented in the UK. Since it was first introduced, the Act has been amended several times.</p> <p>The Act makes it an offence to (with exception to species listed in Schedule 2) intentionally:</p> <ul style="list-style-type: none"> kill, injure, or take any wild bird; take, damage or destroy the nest of any wild bird while that nest is in use; or take or destroy an egg of any wild bird. <p>Or to intentionally do the following to a wild bird listed in Schedule 1:</p> <ul style="list-style-type: none"> disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or disturbs dependent young of such a bird. <p>In addition, the Act makes it an offence (subject to exceptions) to:</p> <ul style="list-style-type: none"> intentionally or recklessly kill, injure or take any wild animal listed on Schedule 5; interfere with places used for shelter or protection, or intentionally disturbing animals occupying such places; and The Act also prohibits certain methods of killing, injuring, or taking wild animals. <p>Finally, the Act also makes it an offence (subject to exceptions) to: intentionally pick, uproot or destroy any wild plant listed in Schedule 8, or any seed or spore attached to any such wild plant; unless an authorised person, intentionally uproot any wild plant not included in Schedule 8; or sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.</p> <p>Following all amendments to the Act, Schedule 5 'Animals which are Protected' contains a total of 154 species of animal, including several mammals, reptiles, amphibians, fish and invertebrates. Schedule 8 'Plants which are Protected' of the Act, contains 185 species, including higher plants, bryophytes and fungi and lichens. A comprehensive and up-to-date list of these species can be obtained from the JNCC website.</p> <p>Part 14 of the Act makes unlawful to plant or otherwise cause to grow in the wild any plant which is listed in Part II of Schedule 9.</p> <p>It is recommended that plant material of these species is disposed of as bio-hazardous waste, and these plants should not be used in planting schemes.</p> | |

Schedule 1 - Birds which are protected by special penalties

| | | | |
|--------------------------|---------------------------------|--------------------------|--------------------------------|
| Avocet | <i>Recurvirostra avosetta</i> | Osprey | <i>Pandion haliaetus</i> |
| Bee-eater | <i>Merops apiaster</i> | Owl, Barn | <i>Tyto alba</i> |
| Bittern | <i>Botaurus stellaris</i> | Owl, Snowy | <i>Nyctea scandiaca</i> |
| Bittern, Little | <i>Ixobrychus minutus</i> | Peregrine | <i>Falco peregrinus</i> |
| Bluethroat | <i>Luscinia svecica</i> | Petrel, Leach's | <i>Oceanodroma leucorhoa</i> |
| Brambling | <i>Fringilla montifringilla</i> | Phalarope, Red-necked | <i>Phalaropus lobatus</i> |
| Bunting, Cirl | <i>Emberiza cirlus</i> | Plover, Kentish | <i>Charadrius alexandrinus</i> |
| Bunting, Lapland | <i>Calcarius lapponicus</i> | Plover, Little Ringed | <i>Charadrius dubius</i> |
| Bunting, Snow | <i>Plectrophenax nivalis</i> | Quail, Common | <i>Coturnix coturnix</i> |
| Buzzard, Honey | <i>Pernis apivorus</i> | Redstart, Black | <i>Phoenicurus ochruros</i> |
| Capercaillie | <i>Tetrao urogallus</i> | Redwing | <i>Turdus iliacus</i> |
| Chough | <i>Pyrrhocorax pyrrhocorax</i> | Rosefinch, Scarlet | <i>Carpodacus erythrinus</i> |
| Corncrake | <i>Crex crex</i> | Ruff | <i>Philomachus pugnax</i> |
| Crake, Spotted | <i>Porzana porzana</i> | Sandpiper, Green | <i>Tringa ochropus</i> |
| Crossbills (all species) | <i>Loxia</i> | Sandpiper, Purple | <i>Calidris maritima</i> |
| Curlew, Stone | <i>Burhinus oedichnus</i> | Sandpiper, Wood | <i>Tringa glareola</i> |
| Divers (all species) | <i>Gavia</i> | Scaup | <i>Aythya marila</i> |
| Dotterel | <i>Charadrius morinellus</i> | Scoter, Common | <i>Melanitta nigra</i> |
| Duck, Long-tailed | <i>Clangula hyemalis</i> | Scoter, Velvet | <i>Melanitta fusca</i> |
| Eagle, Golden | <i>Aquila chrysaetos</i> | Serin | <i>Serinus serinus</i> |
| Eagle, White-tailed | <i>Haliaetus albicilla</i> | Shorelark | <i>Eremophila alpestris</i> |
| Falcon, Gyr | <i>Falco rusticolus</i> | Shrike, Red-backed | <i>Lanius collurio</i> |
| Fieldfare | <i>Turdus pilaris</i> | Spoonbill | <i>Platalea leucorodia</i> |
| Firecrest | <i>Regulus ignicapillus</i> | Stilt, Black-winged | <i>Himantopus himantopus</i> |
| Garganey | <i>Anas querquedula</i> | Stint, Temminck's | <i>Calidris temminckii</i> |
| Godwit, Black-tailed | <i>Limosa limosa</i> | Swan, Bewick's | <i>Cygnus bewickii</i> |
| Goshawk | <i>Accipiter gentilis</i> | Swan, Whooper | <i>Cygnus cygnus</i> |
| Grebe, Black-necked | <i>Podiceps nigricollis</i> | Tern, Black | <i>Chlidonias niger</i> |
| Grebe, Slavonian | <i>Podiceps auritus</i> | Tern, Little | <i>Sterna albifrons</i> |
| Greenshank | <i>Tringa nebularia</i> | Tern, Roseate | <i>Sterna dougallii</i> |
| Gull, Little | <i>Larus minutus</i> | Tit, Bearded | <i>Panurus biarmicus</i> |
| Gull, Mediterranean | <i>Larus melanocephalus</i> | Tit, Crested | <i>Parus cristatus</i> |
| Harriers (all species) | <i>Circus</i> | Tree-creeper, Short-toed | <i>Certhia brachydactyla</i> |
| Heron, Purple | <i>Ardea purpurea</i> | Warbler, Cetti's | <i>Cettia cetti</i> |
| Hobby | <i>Falco subbuteo</i> | Warbler, Dartford | <i>Sylvia undata</i> |
| Hoopoe | <i>Upupa epops</i> | Warbler, Marsh | <i>Acrocephalus palustris</i> |
| Kingfisher | <i>Alcedo atthis</i> | Warbler, Savi's | <i>Locustella luscinioides</i> |
| Kite, Red | <i>Milvus milvus</i> | Whimbrel | <i>Numenius phaeopus</i> |
| Merlin | <i>Falco columbarius</i> | Woodlark | <i>Lullula arborea</i> |
| Oriole, Golden | <i>Oriolus oriolus</i> | Wryneck | <i>Jynx torquilla</i> |

Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of Habitats and Species which are of Principal Importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

Birds of Conservation Concern

This is a review of the status of all birds occurring regularly in the United Kingdom. It is regularly updated and is prepared by leading bird conservation organisations, including the British Trust for Ornithology (BTO), Joint Nature Conservation Committee (JNCC) and The Royal Society for the Protection of Birds (RSPB).

The latest report was produced in 2015 (Eaton *et al*, 2015) and identified 67 red list species, 96 amber species, and 81 green species. The criteria are complex, but generally:

- **Red list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years.

- **Amber list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included, together with those whose 50% of the population is localised in 10 sites or fewer and those whose 20% of the European population is found in the UK.
- **Green list** species are all regularly occurring species that do not qualify under any of the red or amber criteria are green listed

Global IUCN Red List

The International Union for Conservation of Nature (IUCN) Threatened Species was devised to provide a list of those species that are most at risk of becoming extinct globally. It provides taxonomic, conservation status and distribution information about threatened taxa around the globe. The system catalogues threatened species into groups of varying levels of threat, which are: Extinct (EX), Extinct in the Wild (EW), Critically Endangered (CE), Endangered (EN), Vulnerable (VU), Near Threatened (NT), Least Concern (LC), Data Deficient (DD), Not Evaluated (NE). Criteria for designation into each of the categories is complex, and consider several principles.

Local Biodiversity Action Plan (LBAP)

Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level), and are usually drawn up by a consortium of local Government organisations and conservation charities.

Some LBAP's may also include Habitat Action Plans (HAP) and/or Species Action Plans (SAP), which are used to guide and inform the local decision making process.