



Yorkshire Land Ltd

**Land south of Halifax, Penistone**

## **WINTERING BIRD REPORT ADDENDUM**

December 2019

**FPCR Environment and Design Ltd**

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## **1.0 SUMMARY**

- 1.1 FPCR was previously commissioned by Yorkshire Land Ltd to produce a report on wintering bird surveys at a site on land south of Halifax, Penistone (Ordnance Survey central grid reference: SE 24504 04401). Subsequently in October 2019 FPCR were requested to undertake an updated winter bird survey to inform a planning application.
- 1.2 Proposals for the Site include residential housing with associated green infrastructure.
- 1.3 Wintering bird surveys were initially conducted between November 2017 and March 2018. A total of 24 bird species were recorded within the Site during the wintering bird surveys, of which eight were considered 'notable' species. Golden plover was not recorded on Site, nor were they recorded within 2km of the site.
- 1.4 The wintering bird assemblage making use of the Site was typical of the habitats present, comprising for the most part common and widespread species, and was therefore considered to be of Local importance.
- 1.5 A further winter bird survey was carried out on 4<sup>th</sup> November 2019. Eleven species, including four notable species, were recorded. Small numbers of lapwing, black-headed gull and starling were found to be foraging on Site. However, given the abundance of arable habitats in the surrounding landscape and the mobility of these bird species, their presence was considered not to be a constraint to development of the Site.

## 2.0 INTRODUCTION

- 2.1 This addendum has been prepared by FPCR Environment and Design Ltd. on behalf of Yorkshire Land Ltd. The addendum updates the results of wintering bird surveys undertaken in winter 2017/2018 across a proposed development site at Land south of Halifax, Penistone (Ordnance Survey central grid reference: SE 24504 04401) (referred to herein as 'the Site').

### Site Location and Context

- 2.2 The Site is approximately 16.8ha in size and consists of four intensively sheep-grazed improved grassland fields. These are internally and externally bordered by stone walls. A hedgerow also borders the Well House Lane boundary. In the southwest corner a mature broadleaved woodland (Scout Dam Plantation) is adjacent to the boundary, and there is mature scattered hawthorn *Crataegus monogyna* on the slope in the southwest field.
- 2.3 The Site is 5.4km from the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA) moorland to the southwest of the Site. This is a European statutory designation relating to three bird species which breed on those moors including Golden Plover *Pluvialis apricaria*. The LPA had previously requested in 2017 that wintering bird surveys be carried out on the Site to establish if Golden Plover utilise the Site in winter, for foraging and/or roosting.

### Proposals

- 2.4 It is understood that the proposals will include the construction of residential units and associated infrastructure.

### Previous Wintering Bird Reports

- 2.5 The previous WBS Report (FPCR 2018) found that the wintering bird assemblage making use of the Site was typical of the arable habitats present, comprising for the most part common and widespread species, and was therefore considered to be of **Local** importance. Golden plover was not found on Site or in the surrounding area.

### Survey Objectives

- 2.6 CIEEM<sup>1</sup> advises that surveys/reports between 18 months – 3 years old should have a Site visit undertaken to review the validity of the Report, especially if mobile species (such as birds) could have moved onto Site or changed their distribution. Accordingly, the aims of this survey were to update the findings of the previous Wintering Bird Report<sup>2</sup>.
- 2.7 The objectives of this survey were to:
- Identify the presence and distribution of wintering birds, especially in reference to Golden Plover, on Site. Land within 2km of the Site was also checked for Golden Plover by viewing suitable arable fields. Golden Plover are usually on their wintering grounds by November<sup>3</sup>, so if present in the surrounding area should be visible.
  - Evaluate the conservation importance of wintering bird populations present on Site;

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<sup>1</sup> Advice Note - On the Lifespan of Ecological Reports & Surveys April 2019 CIEEM

<sup>2</sup> Penistone Winter Bird Survey Report Rev A November 2018 FPCR

<sup>3</sup> Golden Plover *in* Birds in England Brown A. & Grice P. 2005 English Nature

- Evaluate the importance of wintering bird populations and the anticipated residual impacts of the development, and
- To identify areas of ornithological interest and make recommendations to minimise the potential impact of the scheme.

## **Legislation & Status**

### **Legislation**

- 2.8 The Wildlife and Countryside Act (WCA) 1981 (as amended) is the principal legislation affording protection to UK wild birds. Under this legislation all birds, their nests and eggs are protected by law and it is an offence, with certain exceptions 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.
- 2.9 Species listed on Schedule 1 of the WCA 1981 (as amended) are specially protected at all times. This extends their protection whereby they are protected against intentional disturbance whilst building or occupying a nest, and against disturbance of dependent young.
- 2.10 Certain species have also been identified as Species of Principal Importance for nature conservation under Section 41 of the Natural Environment and Rural Communities (NERC S.41) Act (2006). The Barnsley Biodiversity Action Plan (2002, 2009, 2016) also lists bird species regularly breeding or overwintering in Barnsley which are prioritised locally when they are;
- identified nationally on statutory lists or by being red-listed;
  - scarce or rare nationally, regionally or locally; or
  - of local concern or interest.
- 2.11 There are some species for which there are signs that, although they do not currently breed or overwinter in Barnsley, they potentially could do so, and these will be prioritised as well.

### **Status**

- 2.12 In addition to statutory protection, some bird species are classified according to their conservation status, such as their inclusion on the Red and Amber lists of Birds of Conservation Concern (BoCC) in the UK<sup>4</sup>:
- Red list (high conservation concern) species are those that are globally threatened according to IUCN criteria; those whose population has declined rapidly (50% or more) in recent years; and those that have declined historically and not shown a substantial recent recovery.
  - Amber list (medium conservation concern) species are those with an unfavourable conservation status in Europe; those whose population or range has declined moderately (between 25% and 49%) in recent years; those whose population has declined historically

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<sup>4</sup> Eaton M,A., Aebischer N., Brown A., Hearn R., Lock L, Musgrove A., Noble D., Stroud D. and Gregory R.D. 2016. Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and the Isle of Man. British Birds 108, pp708-746.

but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations.

- Green list (low conservation concern) or non-listed species fulfil none of the above criteria.

### 3.0 METHODOLOGY

#### Field Survey

- 3.1 A wintering bird survey was undertaken in November 2019.
- 3.2 The survey methodology employed was broadly based on that of territory mapping as developed by the British Trust for Ornithology (BTO)<sup>5</sup>. Standard BTO species codes and symbols for bird activities were used to identify birds and denote activity, sex and age where appropriate.
- 3.3 The survey area was walked over by an ecologist experienced in bird survey, between 08:30h and 11:00h. The same route as the previous surveys was followed, and where possible surveys paid particular attention to linear features, such as hedgerows and tree lines, and natural features such as areas of scrub. Table 1 includes the date and weather conditions of the survey.

**Table 1: Wintering Bird Survey Date & Conditions**

Date	Cloud (%)	Rain	Temperature (C°)	Wind (Beaufort Scale)	Visibility
04.11.19	100	Light showers	6°	0	Misty

- 3.4 The surrounding area (~2km radius) was also searched for Golden Plover and other notable species by scanning suitable arable fields for their presence from the roadside, before and after the site walkover (the site was scanned first to ascertain any Golden Plover presence).

#### Species & Assemblage Assessment

- 3.5 The Chartered Institute of Ecology and Environmental Management (CIEEM) guidance on ecological impact assessment assesses nature conservation importance within a geographical context<sup>6</sup>. To attain each level of importance, an ornithological resource or one of the features (species population or assemblage of species) should meet the criteria set out in Table 2. In some cases, professional judgment may be required to increase or decrease the allocation of importance, based upon local knowledge.
- 3.6 The most recent county annual bird report (Yorkshire Bird Report 2015) was consulted to inform the assessment. The abundance of species referred to by these reports is classified by the following criteria:
- Vagrant – Up to ten records;
  - Rare – 0-10 individuals each year in the last ten years;

<sup>5</sup> Bibby, C.J., N.D. Burgess & D.A. Hill, 2000: Bird Census Techniques: 2nd Edition. London: Academic Press

<sup>6</sup> <https://cieem.net/wp-content/uploads/2018/08/ECIA-Guidelines-Sept-2019.pdf>

- Scarce – 11-100 individuals each year in the last ten years;
- Uncommon – 101-1000 individuals each year in the last ten years;
- Fairly common – More than 1000 records per year;
- Common – More than 10,000 records per year;
- Abundant – More than 50,000 records per year.

**Table 2: Evaluation Criteria**

<b>Nature Conservation Value</b>	<b>Examples of Selection Criteria</b>
International	A species which is part of the cited interest of a SPA and which regularly occurs in internationally or nationally important numbers. A species present in internationally important numbers (>1% of international population).
National	A species which is part of the cited interest of a SSSI and which regularly occurs in nationally or regionally important numbers. A nationally important assemblage of breeding or over-wintering species. A species present in nationally important numbers (>1% UK population). Rare breeding species (<300 breeding pairs in the UK).
Regional	Species listed as being of principal importance under NERC S.41 which are not covered above, and which regularly occurs in regionally important numbers. Species present in regionally important numbers (>1% of regional population). Sustainable populations of species that are rare or scarce within a region. Species on the BoCC Red List & which regularly occur in regionally important numbers.
County	Species listed as being of principal importance under NERC S.41 which are not covered above and which regularly occurs in county important numbers Species present in county important numbers (>1% of county population). Sustainable populations of species that are rare or scarce within a county, or are listed as being of principal importance under S41 of the NERC Act. A site designated for its county important assemblage of birds (e.g. a SINC Site). Species on the BoCC Red List & which regularly occur in county important numbers.
Local	Other species of conservation interest (e.g. all other species on the BoCC Red and Amber List or species listed as being of principal importance under NERC S.41 which are not covered above) regularly occurring in locally sustainable populations. Sustainable populations of species which are rare or scarce within the locality.

## **4.0 RESULTS AND EVALUATION**

### **Field Survey**

- 4.1** A total of 11 bird species were recorded within the Site (Appendix A). Of these, four appear on one or more of the following:

- Schedule 1 of the WCA 1981 (as amended);
- BoCC Red or Amber lists;
- Section 41 of the NERC Act 2006;
- Barnsley LBAP

4.2 The distribution of the four notable species is illustrated on Figure 1, and Table 3 provides a summary of the species recorded. Eight notable species were recorded in winter 2017/18, all considered common to abundant in Yorkshire. Black-headed gull *Chroicocephalus ridibundus* and starling *Sturnus vulgaris* were recorded previously in 2017/18.

**Table 3: Protected, Species of Principal Importance, BoCC Red and Amber Listed and LBAP Bird Species Recorded during the Wintering Bird Survey November 2019, and their Recent Status within Yorkshire**

Species	Legal/ Conservation status	Count	Recent Status
Lapwing <i>Vanellus vanellus</i>	Red list NERC S.41; LBAP	110	Uncommon breeding resident, common passage migrant and winter visitor
Black-headed gull <i>Chroicocephalus ridibundus</i>	Amber list	100	Present all year round, abundant in winter, uncommon breeder
Starling <i>Sturnus vulgaris</i>	Red list NERC S.41; LBAP	160	Abundant resident breeder, passage migrant and winter visitor
Redwing <i>Turdus iliacus</i>	Red list; Sch 1	31	Common passage migrant and winter visitor

4.3 Golden Plover were not recorded on the survey, nor were they sighted in the surrounding area. A flock of 90 lapwing *Vanellus vanellus* were recorded in a ploughed field at Gadding Moor, 1.8km north of the Site (Photograph 1).

**Photograph 1: Lapwings at Gadding Moor**



#### Habitat Description

- 4.4 The majority of bird species recorded were typical of the range of habitats that dominate the Site, being heavily influenced by the current agricultural regime. Internal compartments of grazed pasture supplied foraging habitat for lapwing (Photograph 2), black-headed gull, starling, carrion crow *Corvus corone* and jackdaw *Coloeus monedula*.

**Photograph 2: Lapwings over southern field, Site**



- 4.5 Hedgerows on the northeast boundary (Photograph 3) and adjacent woodland in the southwest corner provided foraging opportunities for a number of common and widespread generalist species including wren *Troglodytes troglodytes*, blackbird *Turdus merula*, redwing *Turdus iliacus*, robin *Erithacus rubecula*, and greenfinch *Chloris chloris*.

**Photograph 3: North-eastern hedgerow, looking north**



- 4.6 The species found on the present survey were comparable to the previous survey results, with the addition of lapwing, redwing and greenfinch.

## Evaluation

### Bird Assemblage

#### Wintering Assemblage Value

- 4.7 The species recorded on Site were largely typical of the habitats available on Site and were particularly characterised by two notable species of arable farmland (lapwing and starling (Photograph 4)).

**Photograph 4: North-eastern field, looking west, with starlings on overhead lines**



- 4.8 All species recorded are common to abundant residents or winter migrant species within the county. The redwing is listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) because it is a very rare breeder in northern Scotland. It is abundant as a winter visitor from Russia, Scandinavia and Iceland throughout the county. Flocks numbering in the hundreds are regularly recorded throughout the county and the rest of the UK during the winter period.
- 4.9 A flock of 110 lapwings were recorded during the survey foraging within the southern arable field. When compared to the wider county area this is not a significant number (Yorkshire Bird Report 2015<sup>7</sup>).
- 4.10 Pasture fields (Photograph 5) provided foraging opportunities for lapwing, black-headed gull and starling. Given the abundance of arable land within the surrounding landscape, the Site was considered to be of no more than **Local** level importance for this overwintering farmland bird assemblage.

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<sup>7</sup> Yorkshire Bird Report 2015 Yorkshire Naturalists' Union

**Photograph 5: Southern field, looking south**



- 4.11 Hedgerows and adjacent woodland blocks supported an assemblage of common and widespread generalist species. As with their associated arable habitats, these features are common in the landscape and were therefore considered to be of no more than Local nature conservation value for the generalist species recorded.

## **5.0 DISCUSSION AND RECOMMENDATIONS**

- 5.1 The previous Report considered that there would not be any direct or indirect effects on the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA). This and the previous surveys have also found no evidence of use by golden plover on the Site. It is considered therefore that development of the Site is unlikely to affect the conservation status of the SPA. It is considered that this Site habitat loss is likely to result in an impact of **Negligible** significance upon the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA).
- 5.2 The following potential impacts to the recorded bird populations and assemblage may result from development of the site:
- Direct loss / change of wintering habitat;
  - Disturbance during construction and / or operation.

### **Habitat Loss**

- 5.3 The proposals will result in the loss of the arable fields from the Site. The bird species supported by these habitats are widespread both locally and also within a wider landscape context. Given the predominance of arable habitats within the wider landscape, the small numbers of notable farmland bird species (lapwing, black-headed gull, starling) and of more common and widespread species recorded using on Site arable habitats are likely to form part of a bird assemblage that also occupies habitats within the surrounding landscape. Flocks of lapwing and golden plover are highly mobile during winter, and movements are not obviously

correlated with weather of farming activities<sup>8</sup>, so that these fields would probably be used sparsely or only occasionally during winter each year.

- 5.4 Onsite habitats are therefore likely to form part of a wider network of foraging habitats that will remain unaffected by proposals and the impacts upon the assemblage recorded is likely to be negligible.
- 5.5 Given the arable fields present on Site, it is unlikely that any species nest in this habitat due to its lack of structure and openness, leading to a marked vulnerability of nests to predators.
- 5.6 If active nests should be found during operations which may be affect them, the nests should be suitably buffered from works until all birds have fledged. Specific advice from suitably-qualified ecologists can be provided prior to undertaking the clearance. This would be a statutory requirement due to the protection of all nesting birds and their nests under the Wildlife and Countryside Act, 1981.
- 5.7 These measures will ensure the impact of disturbance to any nesting birds, including any Schedule 1 species, is reduced to Negligible.

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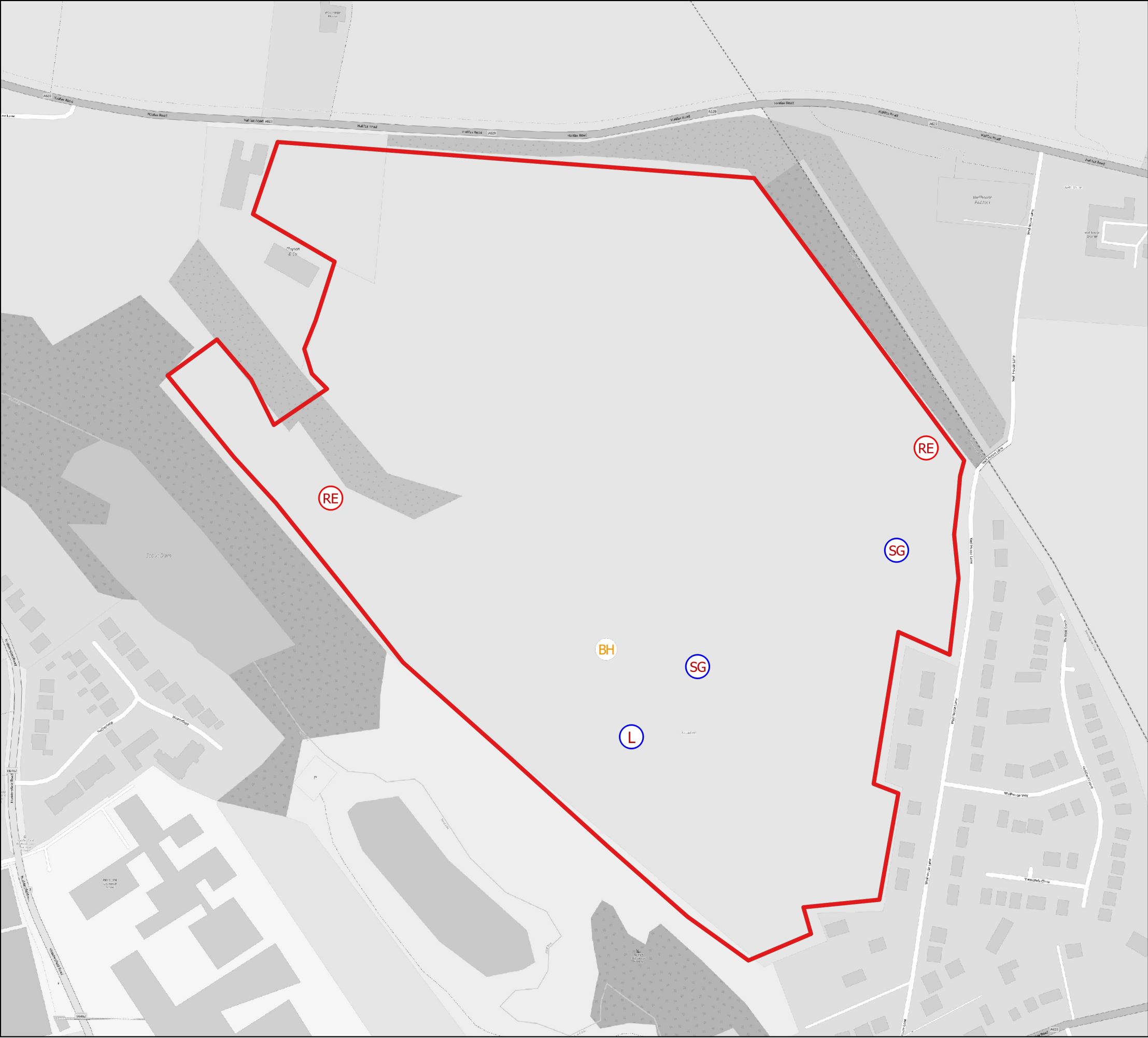
<sup>8</sup> Winter Ecology of Golden Plovers and Lapwings: A Review and Consideration of Extensive Survey Methods. 1999. S. Gillings & Fuller, R.J. BTO Research Report 224.

## 6.0 APPENDIX A – PENISTONE WINTER BIRD SURVEY RESULTS 2019

Species: Common Name	Species: Latin name	Survey 04.11.19	Conservation Status & Protection
Lapwing	<i>Vanellus vanellus</i>	110	Red list; NERC S.41; LBAP
Black-headed gull	<i>Chroicocephalus ridibundus</i>	100	Amber list
Woodpigeon	<i>Columba palumbus</i>	8	Green list
Jackdaw	<i>Coloeus monedula</i>	35	Green list
Carrion crow	<i>Corvus corone</i>	24	Green list
Wren	<i>Troglodytes troglodytes</i>	1	Green list
Starling	<i>Sturnus vulgaris</i>	160	Red list; NERC S.41; LBAP
Blackbird	<i>Turdus merula</i>	13	Green list
Redwing	<i>Turdus iliacus</i>	31	Red list; Sch 1
Robin	<i>Erithacus rubecula</i>	3	Green list
Greenfinch	<i>Chloris chloris</i>	4	Green list
<b>Total No. Species</b>	11		

## 7.0 APPENDIX B – PENISTONE WINTER BIRD SURVEY RESULTS 2017 - 18

Species: Common Name	Species: Latin name	November	December	January	March	Conservation Status & Protection
Greylag goose	<i>Anser anser</i>			2		Amber list
Sparrowhawk	<i>Accipiter nisus</i>			1	1	Green list
Buzzard	<i>Buteo buteo</i>	1	1	1		Green list
Black-headed gull	<i>Chroicocephalus ridibundus</i>	1	10			Amber list
Herring gull	<i>Larus argentatus</i>		1			Red list NERC S.41
Feral pigeon	<i>Columba livia</i>				10	Green list
Stock dove	<i>Columba oenas</i>	1		2		Amber list
Woodpigeon	<i>Columba palumbus</i>	9		2	1	Green list
Collared dove	<i>Streptopelia decaocto</i>			2		Green list
Great spotted woodpecker	<i>Dendrocopos major</i>			1		Green list
Kestrel	<i>Falco tinnunculus</i>			1		Amber list; LBAP
Magpie	<i>Pica pica</i>	2	2	3		Green list
Jackdaw	<i>Coloeus monedula</i>	2	23		1	Green list
Rook	<i>Corvus frugilegus</i>		12	5		Green list
Carrion crow	<i>Corvus corone</i>	2	1	5	4	Green list
Blue tit	<i>Cyanistes caeruleus</i>		1	3		Green list
Great tit	<i>Parus major</i>		2	2		Green list
Goldcrest	<i>Regulus regulus</i>			1		Green list
Starling	<i>Sturnus vulgaris</i>		80	3	60	Red list NERC S.41 LBAP
Blackbird	<i>Turdus merula</i>	6	6	1		Green list
Mistle thrush	<i>Turdus viscivorus</i>	1	1			Red list; LBAP
Robin	<i>Erithacus rubecula</i>		1	1		Green list
Chaffinch	<i>Fringilla coelebs</i>	1		2		Green list
Bullfinch	<i>Pyrrhula pyrrhula</i>			1		Amber list NERC S.41 LBAP
<b>Total Species No.</b>	24	10	13	19	6	



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## Key

Survey Boundary

BoCC Red Listed Species

L Lapwing

RE Redwing

SG Starling

BoCC Amber Listed Species

BH Black-headed Gull

  NERC Species of Principal Importance

  Schedule 1 Species



client  
PBPlanning/Yorkshire Land Ltd/Taylor Wimpey Homes

project  
Land south of Halifax,  
Penistone

drawing title  
WINTER BIRD SURVEY RESULTS - LOCATION  
OF NOTABLE SPECIES

scale  
1:2500

drawn  
MB

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**Figure 1**

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