

APPENDIX 4

BREEDING BIRD AND NIGHTJAR SURVEY REPORT

RAMBOLL UK LTD

PARC PELENNNA, NEATH

BREEDING BIRD AND EUROPEAN NIGHTJAR SURVEY REPORT

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Ecology Wales

21 Cae Perllan Road
Newport
South Wales
NP20 3FX

Telephone: 07971329827

E-mail: info@ecologywales.com

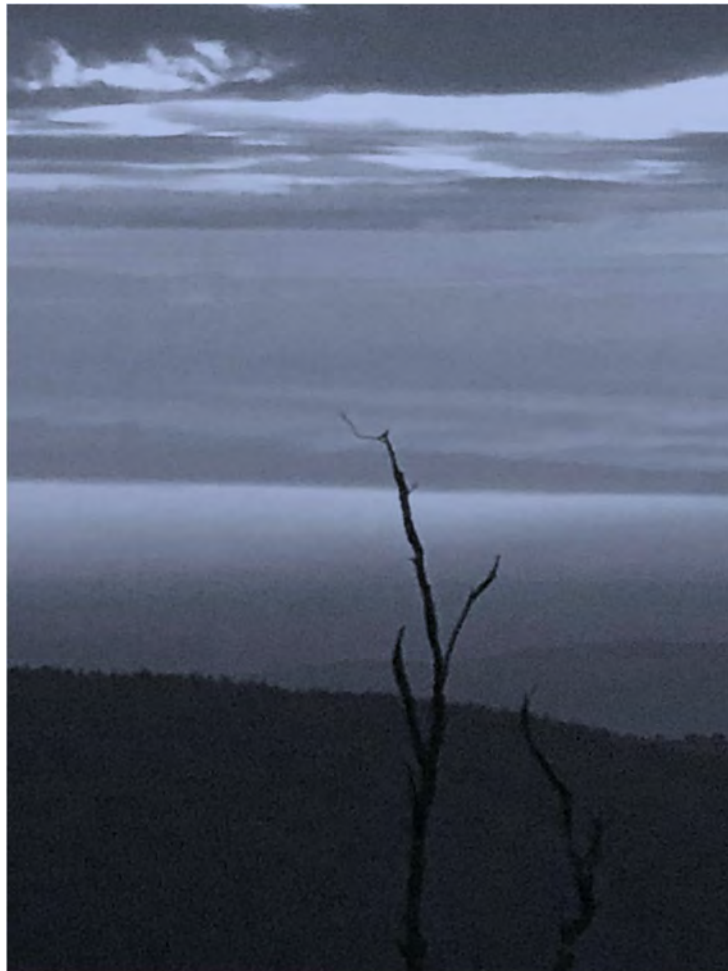
Website: www.ecologywales.com

PARC PELENNNA, NEATH

BREEDING BIRD AND EUROPEAN NIGHTJAR SURVEY REPORT

A report by MPS Ecology

October 2020



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Prepared By:	Mike Shewring, CEcol, MCIEEM
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Contents

1. Introduction	4
2. Methodology.....	6
Breeding Bird Survey.....	6
European Nightjar Survey	7
Limitations	7
3. Results.....	9
Breeding Bird Survey.....	9
4. Legislation/ Planning guidance	16
5. Evaluation/ Conclusions.....	17
Appendix A - Maps.....	18

1. Introduction

- 1.1. MPS Ecology were commissioned by Ecology Wales, on behalf of Ramboll UK Ltd, in May 2020 to undertake a breeding bird survey of a parcel of land located to the south west of the settlement of Clyne in the Neath valley (see Figure 1). A redline boundary plan is also provided in Figure 2.

Figure 1 – Site location

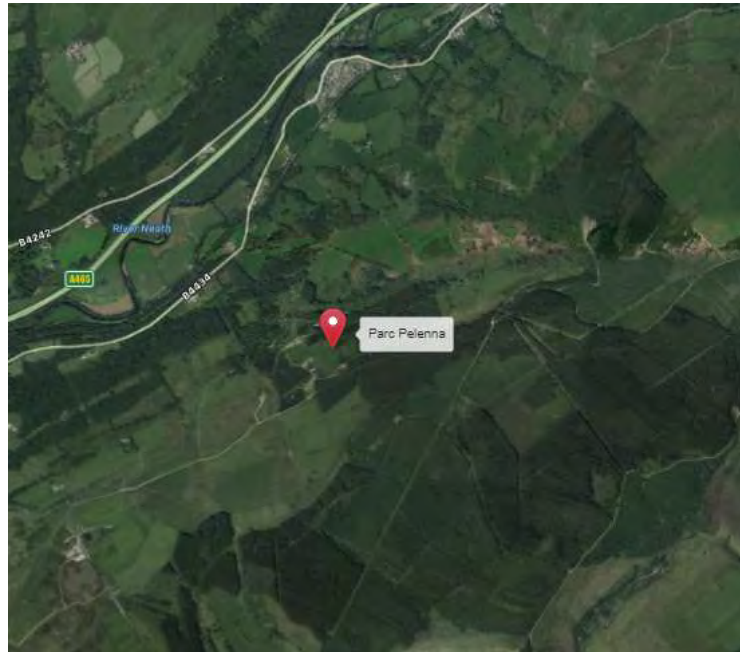


Figure 2 - Redline Boundary



PARC PELENN A BBS

- 1.2. The site is centered at approximate grid reference SS 80187 99414. It is our understanding that the site is proposed for development into a holiday park development.
- 1.3. This report has been commissioned in order to inform a planning application for this development.

2. Methodology

Breeding Bird Survey

2.1. In order to establish the relevant ornithological baseline conditions onsite, and in the adjoining habitats. A survey buffer of habitats ~100-150m was also surveyed as far possible within access constraints. The breeding bird survey was completed between June and July 2020 by a suitably experienced ecologist¹. This followed an amended common bird census (CBC) visit methodology² consisting of a total of 2 visits. During each visit all areas of the site were approached to within 100m and all birds identified by song or observation were recorded along with their behaviour.

2.2. Surveys were completed as detailed in table 1 below.

Table 1 BBS Survey dates

BBS visit	Date
1	4 th June 2020
2	7 th July 2020

2.3 Following the completion of site survey work data was reviewed against European breeding bird atlas standard criteria to determine likely breeding status of the species present on site. These criteria are presented below-

Non breeding (species observed but suspected to be still on migration or to be summering non-breeder)

Possible breeding

- Species observed in breeding season in possible nesting habitat
- Singing male(s) present (or breeding calls heard) in breeding season

Probable breeding

- Pair observed in suitable nesting habitat in breeding season
- Permanent territory presumed through registration of territorial behaviour (song, etc.) on at least two different days a week or more apart at same place
- Courtship and display
- Visiting probable nest-site

¹ Mike Shewring (MCIEEM, CEcol) – Ornithological and ecological consultant with >15 years' experience in ornithological survey and assessment. Mike is also a licensed BTO bird ringer.

² Marchant, J. 1983. BTO Common Birds Census instructions. Tring: British. Trust for Ornithology

- Agitated behaviour or anxiety calls from adults
- Nest-building or excavating of nest-hole

Confirmed breeding

- Distraction-display or injury-feigning
- Used nest or eggshells found (occupied or laid within period of survey)
- Recently fledged young (nidicolous species) or downy young (nidifugous species)
- Adults entering or leaving nest-site in circumstances indicating occupied nest (including high nests or nest holes, the contents of which cannot be seen) or adult seen incubating
- Adult carrying a faecal sac or food for young
- Nests containing eggs
- Nests with young seen or heard

European Nightjar Survey

2.4 Surveys followed an adaptation of the BTO standard methodology (Gilbert et al 1999³), which was used for the 2020 survey. This comprised the use of a single walked transect through the site with regular listening stops in areas of suitable habitat. The surveys comprised two visits to the transect. Visits were conducted between 9pm and 11 pm, in calm, dry weather; as nightjars churr most predictably and consistently just after sunset and just before dawn. Surveys were not conducted if the wind speed exceeded force 4 (moderate breeze raises dust and loose paper, small branches move).

2.5 During the survey, surveyors recorded all calling (churring) males on to maps, in addition to noting other behaviours including the 'coo-ick'/ 'kee-wick' call, wing clapping and flying.

2.6 European nightjar survey visits were completed on the 6th of July and 25th of July 2020.

Limitations

2.7 There were no access limitations associated with the current survey, and all habitats and areas within the redline boundary were accessible. Surveys did however start late in the season (June) and only two survey visits were completed. This late start will have impacted on the

³ Gilbert, G., Gibbons, D.W., & Evans, J. (1998) Bird Monitoring Methods: A Manual of Techniques for UK Key Species. The Royal Society for the protection of Birds, Sandy, Bedfordshire, England.

identification of early breeding/ resident species and overall reduced the number of species recorded. In addition, the completion of only two survey visits will have negatively impacted on the data quality for the delineation and quantification of territory numbers. As such, the estimation of territory numbers provided in this report has been based on the data collected in combination with professional judgement and should be treated with appropriate caution.

3. Results

Breeding Bird Survey

- 3.1 Breeding bird surveys completed at the site recorded a total of 33 species on the site over the course of the 2 survey visits. Of these species, two were listed on schedule 1 of the wildlife and countryside act, three are listed as red status and nine as amber status in BoCC in Wales⁴. Of the 30 species recorded on site, breeding was confirmed for six species – Swallow, Robin, Blackbird, Blackcap, Chiffchaff and Blue tit.
- 3.2 Probable breeding was confirmed for 10 species and possible breeding for 16 species and a single non-breeding species. Details are summarised in table 2 below and illustrated in Appendix A. A spatial summary of those species of conservation concern is also presented in Appendix A.

⁴ I, Johnstone & S. Bladwell (2016) Birds of Conservation Concern in Wales 3: the population status of birds in Wales

Table 2 BBS Survey results summary

Species	WCA 1981	BoCC Red status	BoCC Amber status	Section 7 Env. Act (Wales) 2016 ⁵	Breeding status	No. of Territories
Barn owl	Y				Not breeding	0
Blackbird					Confirmed	7
Blackcap					Confirmed	8
Blue tit					Confirmed	2
Bullfinch		Y		Y	Possible	2
Buzzard					Possible	1
Chaffinch					Probable	2
Chiffchaff					Confirmed	6
Coal tit					Possible	1
Common crossbill	Y				Possible	1
Dunnock				Y	Probable	3
Garden warbler					Probable	1
Goldcrest			Y		Probable	5
Goldfinch					Possible	1
Great spotted woodpecker					Possible	2
Great tit					Possible	1
Green woodpecker			Y		Possible	1
Jay					Possible	2
Lesser redpoll			Y	Y	Possible	1
Long-tailed tit			Y		Possible	2
Meadow pipit			Y		Possible	2
Mistle thrush			Y		Probable	3
Nightjar			Y	Y	Probable	2
Pied wagtail					Possible	1
Robin					Confirmed	7
Siskin					Possible	1
Skylark			Y	Y	Probable	3
Song thrush			Y	Y	Possible	3
Swallow					Confirmed	2
Whitethroat		Y			Probable	2
Willow warbler		Y			Probable	9
Wood pigeon					Possible	2
Wren					Probable	15

⁵ Section 7 - Biodiversity lists and duty to take steps to maintain and enhance biodiversity
This section replaces the duty in section 42 of the NERC Act 2006. A list of living organisms which are considered of key significance to sustain and improve biodiversity in relation to Wales. Public bodies must take all reasonable steps to maintain and enhance the living organisms in any list published under this section, and encourage others to take such steps.

- 3.2 Accounts for species protected under Schedule 1 (S1) of the Wildlife and Countryside Act⁶ (WCA) and those on the Red and Amber Lists of Birds of Conservation Concern (BoCC) for Wales are given below.

Barn owl (*Tyto Alba*)

- 3.3 A single barn owl was recorded leaving a Dutch barn on site during a nightjar survey visit on the 25th of July 2020. Inspection of the barn and the nest box present in the barn on both the 4th of June and 7th of July confirmed no evidence of breeding in 2020. A single barn owl pellet was located during the 4th of June survey visit and this coupled with the visual record are considered likely to confirm the occasional roosting presence of barn owl in 2020.
- 3.4 Barn owl are listed on schedule 1 of the Wildlife and Countryside Act 1981. However, it has been assessed as green status in BoCC in Wales.

Crossbill (*Loxia curvirostra*)

- 3.5 A single record of a flock of four crossbill was recorded adjacent to the western site boundary on the 7th of July 2020. Breeding pairs, although possible in woodland blocks onsite and in adjacent areas, were considered unlikely given the lack of fruiting coniferous trees present at the time of survey and these birds were considered likely to be transiting between habitat associated with nearby coniferous plantation woodland.
- 3.6 Crossbill are listed on schedule 1 of the Wildlife and Countryside Act 1981. However, it has been assessed as green status in BoCC in Wales.

Bullfinch (*Pyrrhula pyrrhula*)

- 3.7 Individual bullfinch were recorded within the survey area during both survey visits. No evidence of breeding was noted on site although given the presence of suitable habitat, breeding is considered possible (on site) and probable within the wider area.

⁶ Wildlife And Countryside Act 1981. [online] Available at:
<<http://www.legislation.gov.uk/ukpga/1981/69/contents>>

3.8 Bullfinch has been assessed as red status in BoCC in Wales.

Goldcrest (*Regulus regulus*)

3.9 Goldcrest were recorded in the survey area on both the 4th June and 7th of July 2020, on both occasions birds were recorded in areas of suitable breeding habitat in dense coniferous/ mixed woodland blocks. Goldcrest are considered likely (probable) to have bred on site.

3.10 Goldcrest has been assessed as amber status in BoCC in Wales.

Green woodpecker (*Picus viridis*)

3.11 Green woodpecker were recorded in the survey area on the 4th June only. A single calling bird was noted in the north east of site in an area of potentially suitable breeding habitat (woodland). Green woodpecker are considered to be possible breeders on site.

3.12 Green woodpecker has been assessed as amber status in BoCC in Wales.

Lesser redpoll (*Acanthis cabaret*)

3.13 Lesser redpoll were recorded on multiple occasions across the survey area on both the 4th June and 7th of July survey visits, on both occasions birds were recorded in areas of suitable breeding habitat in dense coniferous/ mixed woodland blocks. Lesser redpoll are considered to be possible breeders on site.

3.14 Lesser redpoll has been assessed as amber status in BoCC in Wales.

Long-tailed tit (*Aegithalos caudatus*)

3.15 Long-tailed tit were recorded on a single occasion in the east of the survey area on the 4th June survey visit only. Birds were recorded in areas of suitable breeding habitat in dense coniferous/ mixed woodland blocks. Long-tailed tit are considered to be possible breeders on site.

3.16 Long-tailed tit has been assessed as amber status in BoCC in Wales.

Meadow pipit (*Anthus pratensis*)

3.17 Meadow pipit were recorded on a single occasion in the east of the survey area on the 4th June survey visit only. Birds were recorded in areas of suitable breeding habitat in rough

grazing pasture adjacent to the site boundary. Meadow pipit are considered to be possible breeders on site.

3.18 Meadow pipit has been assessed as amber status in BoCC in Wales.

Mistle thrush (*Turdus viscivorus*)

- 3.19 Mistle thrush were recorded on multiple occasions in the west of the survey area during the 4th June survey visit only, birds were recorded in areas of suitable breeding habitat in woodland blocks. Mistle thrush are considered to be probable breeders on site.
- 3.20 Mistle thrush has been assessed as amber status in BoCC in Wales.

European nightjar (*Caprimulgus europaeus*)

- 3.21 Nightjar were recorded at two separate locations during the first nightjar survey visit on the 6th of July 2020. A total of three individuals were seen/ heard with birds recorded in areas of suitable breeding habitat and exhibiting territorial behaviour and display. Nightjar are considered to be probable breeders on site.
- 3.22 European nightjar has been assessed as amber status in BoCC in Wales.

Skylark (*Alauda arvensis*)

- 3.23 Skylark were recorded on three occasions across the survey area during the 4th June survey visit only, on all occasions birds were recorded in areas of suitable breeding habitat in grazing pasture. Skylark are considered to be probable breeders on site.
- 3.24 Skylark has been assessed as amber status in BoCC in Wales.

Song thrush (*Turdus philomelos*)

- 3.25 Song thrush were recorded on multiple occasions across the survey area during the 4th June survey visit only, birds were recorded in areas of suitable breeding habitat in woodland blocks. Song thrush are considered to be possible breeders on site.
- 3.26 Song thrush has been assessed as amber status in BoCC in Wales.

Whitethroat (*Sylvia communis*)

- 3.27 Whitethroat were recorded on two occasions in the north west of the survey area during the 4th June survey visit, on both occasions birds were recorded in areas of suitable breeding habitat in scattered scrub. Whitethroat are considered to be probable breeders on site.
- 3.28 Whitethroat has been assessed as red status in BoCC in Wales.

Willow warbler (*Phylloscopus trochilus*)

- 3.29 Willow warbler were recorded on multiple occasions during surveys completed on both the 4th June and 7th of July 2020. Birds were recorded in areas of immature woodland, mature woodland and scrub habitats in recently felled woodland areas across the site. Willow warbler are considered likely (probable) to have bred on site in 2020. A total of nine territories was considered likely on or in close proximity to the site (redline boundary) in 2020.
- 3.30 Willow warbler has been assessed as red status in BoCC.

4. Legislation/ Planning guidance

4.1 The Wildlife and Countryside Act 1981⁷ (as amended) is also relevant to the current development proposal due to the presence of potentially suitable nesting bird habitat.

Relevant aspects of this legislation are:

- All wild birds are protected against killing or injury and their nests against damage or destruction whilst they are being built or contain eggs/dependent young;

4.2 The Environment (Wales) Act (2016)⁸ introduces a new biodiversity duty which applies to local authorities during the planning process and thus is of relevance to the current proposals. This duty replaces the biodiversity duty in the Natural Environment and Rural Communities Act 2006. The Environment Act enhances the current NERC Act (2006)⁹ duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”.

⁷ Wildlife And Countryside Act 1981. [online] Available at:
<http://www.legislation.gov.uk/ukpga/1981/69/contents>

⁸ Environment (Wales) Act 2016. [online] Available at:- <https://www.legislation.gov.uk/anaw/2016/3/contents>

⁹ Natural Environment and Rural Communities Act (2006). [online] Available at:-
<https://www.legislation.gov.uk/ukpga/2006/16/contents>

5. Evaluation/ Conclusions

- 5.1 Breeding bird survey work in 2020 has confirmed the site supports a typical assemblage of ffridd, woodland fringe/scrub and urban fringe species as would be expected from the habitats present and its geographic location. This includes some species of conservation concern, with the red listed whitethroat and willow warbler and the amber listed goldcrest, European nightjar, skylark and mistle thrush all considered likely to have bred on site or in close proximity to site in 2020
- 5.2 As such, development proposals in the absence of mitigation would result in the loss of suitable breeding habitat for a suite of bird species. As such, it is recommended that development proposals incorporate suitable mitigation and/or compensation measures.
- 5.3 Construction phase mitigation should include appropriate avoidance measures to mitigate/ avoid direct impacts during the breeding season. This should include the timing of vegetation clearance works to outwith the breeding season (March to August inclusive). Where this is not possible, then nesting bird checks should be completed prior to works by an appropriately qualified ecologist/ ornithologist. Where active nests are encountered, then works should be delayed until the completion of the nesting attempt and appropriate work buffers around active nests implemented (e.g. 200m for nightjar).
- 5.4 In order to mitigate for the net loss of breeding habitat suitable, habitat enhancement/ creation in retained habitats/ compensation areas (i.e. creating of compensatory habitats – areas of ffridd¹⁰, scrub, open heath mosaic etc.) will be required. The potential to incorporate nightjar habitat mitigation into the development will largely depend on the space available and the proposed levels of recreational access within these areas. Nightjar require a large area of heath/scrub grassland mosaic habitat (~minimum 1ha) in which to nest and they require generally low levels of disturbance to breed successfully. Recreational access and in particular dog walking is associated with low breeding success and nest failure (e.g. Langston et al 2007¹¹).

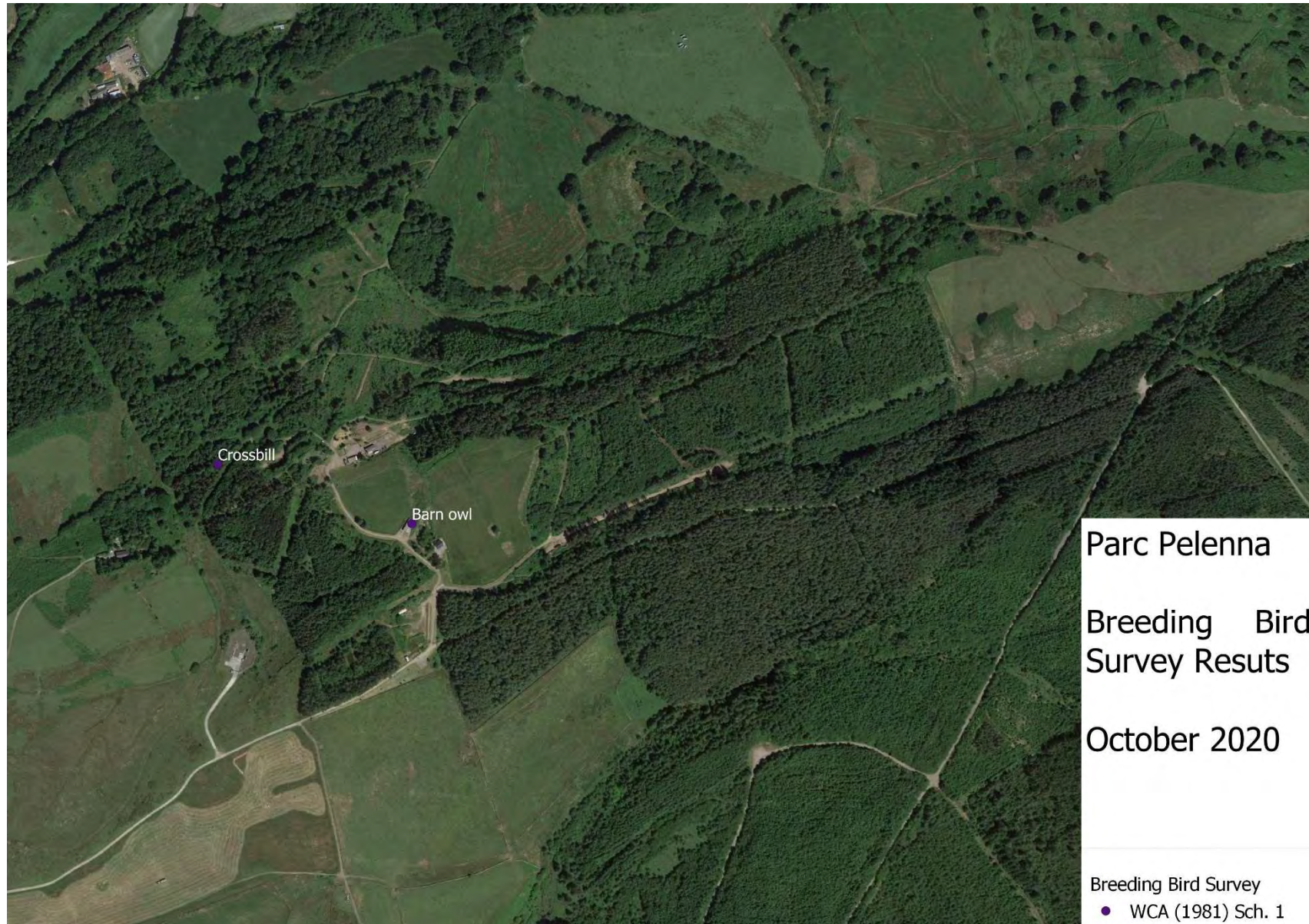
¹⁰Ffridd is the mosaic of dynamic habitats at the lowland upland interface that has a long history of management types and rotations. Ffridd usually contains a combination of woody and grass/heathland species in a variety of successional stages.

¹¹ Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., & Clarke, R. T. (2007). What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*?. *Ibis*, 149, 27-36.

MPS ECOLOGY
Mike.shewring@gmail.com
07504992636

41 High Street,
Heol y Cyw,
Bridgend,

Appendix A - Maps





Breeding Bird Survey

- BoCC (Wales) Red

