



PENTLAND HOMES AND JARVIS HOMES

KINGSNORTH, ASHFORD

WINTERING BIRD SURVEY REPORT

July 2023

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PENTLAND HOMES AND JARVIS HOMES

KINGSNORTH ASHFORD

WINTERING BIRD SURVEY

JULY 2023

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EXECUTIVE SUMMARY

Wardell Armstrong LLP was commissioned by Pentland Homes and Jarvis Homes to undertake a Wintering Bird Survey to inform the planning application for a housing developments on land at Kingsnorth Green, Ashford.

A total of 38 species were recorded within the survey area, 19 of which can be categorised as species of conservation concern using standardised UK bird protection and conservation evaluation criteria. This is summarised in Table 1 below:

| Table 1: Total species recorded on Site, summarised by conservation status | |
|---|-------|
| Conservation Status | Total |
| Total species | 38 |
| Listed under Schedule 1 of the Wildlife and Countryside Act (WCA) (1981), as amended | 2 |
| Listed as Species of Principle Importance under section 41 of the Natural Environment and Rural Communities (NERC) Act (2006) | 8 |
| Birds of Conservation Concern (BoCC) Red List species | 7 |
| BoCC Amber List species | 12 |
| Kent Local Biodiversity Action Plan (LBAP) species | 1 |

The Site is considered to support a wintering bird assemblage of Local (District) Importance.

During the winter period, the areas of highest ornithological value on the Site were the hedgerows, woodland areas, field margins, and mature trees, which support a range of common overwintering species.

As part of the development proposals, preparation and adoption of a mitigation strategy is recommended to avoid and mitigate potential adverse impacts upon the overwintering birds present. Mitigation measures are likely to include:

- The retention and creation of suitable habitat for overwintering birds, specifically habitat suitable to support declining farmland and woodland species;
- Management of any created or retained habitat to promote their suitability for overwintering birds, the details of which should be included within a Landscape and Ecological Management Plan (LEMP); and/or
- Avoidance of vegetation removal during the bird nesting season (i.e., March to August inclusive), or nesting bird checks by a suitably qualified ecologist, no more than 24 hours prior to any vegetation clearance, should clearance take place within the nesting bird season.

1 INTRODUCTION

1.1.1 Wardell Armstrong LLP (WA) was commissioned by Pentland Homes and Jarvis Homes to undertake a Wintering Bird Survey to inform the planning application of a housing development on land at Kingsnorth Green, Ashford (Grid Reference TR 001 388), hereafter referred to as the 'Site'.

1.2 Site Context

1.1.1 The Site comprises four areas of agricultural land covering approximately 90 hectares (ha). The Site is bounded by a mixture of agricultural land and residential buildings to the north and west, agricultural land and a small patch of woodland to the east and Steeds Lane to the south. The wider landscape is a matrix of agricultural land and urbanised areas, with the town of Ashford c.1km north of the site.

1.2.1 Where required within the report, the four areas of the Site are referred to as Area 1, Area 2, etc. See Drawing ST19409-011 for reference.

1.3 Objectives

1.3.1 The objectives of the survey and this report are to:

- Identify any key wintering bird species, locations and assemblages that are present at the Site;
- Highlight any potential constraints to future works; and
- Ensure that wintering birds are fully considered within the design proposals.

1.4 Quality Assurance & Environmental Management

1.4.1 The surveys and assessments have been overseen by and the report checked and verified by a full member of CIEEM bound by its code of professional conduct.

1.4.2 All surveys and assessments have been undertaken with reference to the recommendations given in British Standard BS 42020, and as stated within specialist guidance, as appropriate, and are referenced separately.

2 METHODOLOGY

2.1 Desk Study

2.1.1 The desktop study was informed by review of the latest ornithological records provided by Kent and Medway Biological Records Centre (KMBRC, 2022) for a 2-kilometre (km) search radius from the Site boundary, review of the *Kent Bird Report 2020* (Kent Ornithological Society (KOS), 2022), and from available internet-based resources for varying search radii around the Site boundary.

2.1.2 Specifically, information was sought for:

- Sites designated for their international importance for nature conservation, specifically in relation to bird populations – up to 10km around the Site boundary;
- The latest ornithological records within a 2km search radius around the Site boundary.

2.1.3 Wintering bird records were selected as those recorded between the months of October-February (inclusive). Where no specific sighting date was provided, professional judgment and knowledge of species' ecology was used to categorise the record (i.e. wintering, breeding or passage migrant/vagrant).

2.2 Wintering Bird Survey

2.2.1 Field survey methods were based upon the British Trust for Ornithology (BTO), *Wintering Farmland Bird Survey Methodology* (Gillings *et al.*, 2008) and survey methods detailed in *Bird Monitoring Methods* (Gilbert *et al.*, 1998).

2.2.2 The study area was visited on a total of four times, one visit per month between 15th November 2022 and 2nd February 2023. All surveys were completed between the hours of 07:30 and 16:30hrs. The survey visits consisted of systematic walkovers of the study area, recording all bird species observed or heard and counts obtained of numbers within wintering flocks.

2.2.3 During each visit the pre-determined transect route was walked and reversed monthly to cover habitats at varying times of the day. All field interiors were viewed from field boundaries and in dense habitats (e.g. woodland and scrub) to within 30m, where possible. The Site is split into four distinct areas (i.e., Areas 1, 2, 3 and 4).

2.2.4 Bird surveys aimed to avoid unfavourable conditions, such as heavy rain or strong wind, which may suppress bird activity. However, surveys incorporated variable weather conditions to ensure weather dependent winter bird movements were

included within the survey. As large bird movements can occur during periods of prolonged cold spells or during periods of rapid thaw, these conditions were, where possible, purposely incorporated into the survey timings.

2.2.5 The surveyor recorded all contacts with birds (either by sight or sound) by walking the pre-designated transect at a slow and steady pace. The positions of the recorded birds were plotted as accurately as possible (to the nearest 10 – 20m) on a suitably scaled base map. Standard BTO codes and symbols were used for mapping species' including, where detectable, sex and age (e.g. juvenile, immature or adult) and bird activity, including singing, alarm-calling, foraging, flight path and location.

2.2.6 Dates and weather conditions of the Winter Bird Surveys are provided in Table 1.

| Table 1: Wintering Bird Survey Weather Conditions | | | | |
|---|----------|--|---------|------------------|
| Survey Number | Date | Weather | Sunrise | Time on site |
| 1 | 15.11.22 | Cloud 8/8, Wind N 16-24mph, Visibility >2km, Temp 12°C, Increasing heavy rain and wind | 07:13 | 07:45- 11:45 |
| 2 | 15.12.22 | Cloud 3/8, Wind SE 7mph, Visibility >2km, Temp -5-0°C, dry | 07:53 | 08:30 – 12:30 |
| 3 | 05.01.23 | Cloud 5/8, Wind NE 5-13mph, Visibility >2km, Temp 8-13°C, dry | 07:59 | 08:30 – 13:15 |
| 4 | 02.02.23 | Cloud 4/8, Wind E 10-16mph, Visibility >2km, Temp 6-12°C, dry | 07:33 | 08:00 – 12:45 |

2.3 Evaluation Criteria

2.3.1 The evaluation of the baseline results has been achieved by using standardised UK bird protection and conservation evaluation criteria, including:

- Schedule 1 of the Wildlife and Countryside Act (WCA) (1981) as amended;
- The Red List of BoCC;
- The Amber List of BoCC;
- Species of Principal Importance listed under section 41 of the NERC Act (2006);
- and Kent Local Biodiversity Action Plan (LBAP) species¹.

2.3.2 In order to assess the value of the wintering bird assemblage associated with the Site, the *Fuller* (1980) criteria in Table 2 was used.

¹ For descriptions of BoCC, NERC, UKBAP and LBAP see Appendix 2 – Legislation and Policy

- 2.3.3 These criteria have been used to classify the ornithological interest of >3,000 sites in Britain according to their importance for conservation and provides a standardised classification mechanism that identifies priority sites for conservation planning purposes; thereby forming a basis for making detailed comparisons of site quality.

| Table 2: Species Richness Criteria (Wintering) | | | |
|--|--------|----------|----------|
| Level of Conservation Importance | | | |
| Local (District) | County | Regional | National |
| 25-54 | 55-84 | 85-114 | 115+ |

2.4 Caveats/Limitations

- 2.4.1 Ornithological surveys are affected by a variety of factors that affect the presence of birds (e.g. season, weather, food availability, species behaviour and disturbance). The absence of any particular species within the survey area should not be taken as conclusive evidence that the species is not present or that it will not be present in the future.

3 RESULTS

3.1 Desk Study

3.1.1 A summary of sites designated for their international importance to nature conservation recorded up to 10km around the Site boundary is presented in Table 3.

| Table 3: Internationally Designated Sites – 10km radius | | | |
|--|---------------------------|---|---|
| Site Name and Status ² | Distance (km) / Direction | Reason for Designation | Preliminary Appraisal |
| Site Name: Dungeness, Romney Marsh and Rye Bay Designation: Ramsar Size: 6377.63ha | c.5.5km south | The site is designated as a Ramsar site due to the presence of internationally important wetland habitats and species. It is considered an important site for breeding, winter, and passage wetland birds. The site regularly supports >20,000 wetland birds (>30,000 in the non-breeding season) and supports >1% of the Great British population of Mute Swan <i>Cygnus olor</i> and Shoveler <i>Anas clypeata</i> in any season. | Habitats at the Site may be suitable to support species of overwintering birds that occur within the designated site. There is potential for wetland birds that occur at the designated site to fly inland and utilise habitats at the Site during high tide. |
| Site Name: Dungeness, Romney Marsh and Rye Bay Designation: SPA Size: 4010.29ha | c.10km south | Areas of the Ramsar site overlap with areas designated as an SPA. An SPA designation is given to this area due to its importance for breeding and wintering wetland birds, birds of prey, passage warblers, and breeding seabirds. The site supports >20,000 wetland birds in any season and supports >1% of the Great British population of 13 species, including breeding populations of Avocet <i>Recurvirostra avosetta</i> and Common Tern <i>Sterna hirundo</i> . | Habitats at the Site may be suitable to support species of overwintering birds that occur within the designated site. There is potential for wetland birds that occur at the designated site to fly inland and utilise habitats at the Site during high tide. |

3.1.2 Records supplied by the KMBRC identified multiple records of bird species, with varying degrees of notability and/or protection, present within 2km of the Site and with potential to occur during the survey period (November-February). A summary is presented in Table 4.

| Table 4: Notable Bird Species Records – 2km Radius | | |
|--|---------------------|---------------------------------|
| Conservation Status | Species Name | Scientific Name |
| Listed on Schedule 1 of the WCA (1981) | Avocet | <i>Recurvirostra avosetta</i> |
| | Barn Owl | <i>Tyto alba</i> |
| | Black-tailed Godwit | <i>Limosa limosa</i> |
| | Brambling | <i>Fringilla montifringilla</i> |

² SPA – Special Protection Area, Ramsar – Wetlands of International Importance

| Table 4: Notable Bird Species Records – 2km Radius | | |
|---|---------------------|-----------------------------|
| Conservation Status | Species Name | Scientific Name |
| | Cetti's Warbler | <i>Cettia cetti</i> |
| | Fieldfare | <i>Turdus pilaris</i> |
| | Firecrest | <i>Regulus ignicapillus</i> |
| | Green Sandpiper | <i>Tringa ochropus</i> |
| | Greenshank | <i>Tringa nebularia</i> |
| | Kingfisher | <i>Alcedo atthis</i> |
| | Mediterranean Gull | <i>Larus melanocephalus</i> |
| | Peregrine | <i>Falco peregrinus</i> |
| | Red Kite | <i>Milvus milvus</i> |
| | Redwing | <i>Turdus iliacus</i> |
| Listed as a Species of Principal Importance under s.41 of the NERC act (2006) | Black-tailed Godwit | <i>Limosa limosa</i> |
| | Bullfinch | <i>Pyrrhula pyrrhula</i> |
| | Curlew | <i>Numenius arquata</i> |
| | Dunnock | <i>Prunella modularis</i> |
| | Grey Partridge | <i>Perdix perdix</i> |
| | Herring Gull | <i>Larus argentatus</i> |
| | House Sparrow | <i>Passer domesticus</i> |
| | Lapwing | <i>Vanellus vanellus</i> |
| | Linnet | <i>Carduelis cannabina</i> |
| | Reed Bunting | <i>Emberiza schoeniclus</i> |
| | Skylark | <i>Alauda arvensis</i> |
| | Song Thrush | <i>Turdus philomelos</i> |
| | Starling | <i>Sturnus vulgaris</i> |
| | White-fronted Goose | <i>Branta canadensis</i> |
| | Yellowhammer | <i>Emberiza citrinella</i> |

3.2 Wintering Bird Survey (WBS)

- 3.2.1 A total of 38 bird species were recorded within the study area during the survey.
- 3.2.2 The species recorded, their scientific name, conservation status, and general activity descriptions are provided in Appendix 1.
- 3.2.3 19 species of conservation concern were recorded within the survey area and are presented within Table 5. Note, some species appear multiple times in this table, should they be listed under more than one of the criteria for conservation concern.

| Table 5: Species of Conservation Concern Recorded on Site | | | |
|---|-------------------|-------------------|-----------------------------------|
| Conservation Status | Number of Species | Species Name | Scientific Name |
| Listed under Schedule 1 of the Wildlife and Countryside Act (WCA) (1981), as amended | 2 | Fieldfare | <i>Turdus pilaris</i> |
| | | Redwing | <i>Turdus iliacus</i> |
| Listed as Species of Principal Importance under section 41 of the Natural Environment and Rural Communities (NERC) Act (2006) | 8 | Dunnock | <i>Prunella modularis</i> |
| | | Song Thrush | <i>Turdus philomelos</i> |
| | | House Sparrow | <i>Passer domesticus</i> |
| | | Bullfinch | <i>Pyrrhula pyrrhula</i> |
| | | Lapwing | <i>Vanellus vanellus</i> |
| | | Starling | <i>Sturnus vulgaris</i> |
| | | Herring Gull | <i>Larus argentatus</i> |
| | | Yellowhammer | <i>Emberiza citrinella</i> |
| BoCC Red List species | 7 | House Sparrow | <i>Passer domesticus</i> |
| | | Greenfinch | <i>Chloris chloris</i> |
| | | Fieldfare | <i>Turdus pilaris</i> |
| | | Lapwing | <i>Vanellus vanellus</i> |
| | | Starling | <i>Sturnus vulgaris</i> |
| | | Herring Gull | <i>Larus argentatus</i> |
| | | Yellowhammer | <i>Emberiza citrinella</i> |
| BoCC Amber List species | 12 | Kestrel | <i>Falco tinnunculus</i> |
| | | Woodpigeon | <i>Columba palumbus</i> |
| | | Stock Dove | <i>Columba oenas</i> |
| | | Wren | <i>Troglodytes troglodytes</i> |
| | | Dunnock | <i>Prunella modularis</i> |
| | | Song Thrush | <i>Turdus philomelos</i> |
| | | Moorhen | <i>Gallinula chloropus</i> |
| | | Mallard | <i>Anas platyrhynchos</i> |
| | | Bullfinch | <i>Pyrrhula pyrrhula</i> |
| | | Redwing | <i>Turdus iliacus</i> |
| | | Black-headed Gull | <i>Chroicocephalus ridibundus</i> |
| | | Rook | <i>Corvus frugilegus</i> |
| Kent Local Biodiversity Action Plan (LBAP) | 1 | Song Thrush | <i>Turdus philomelos</i> |

3.3 Species Accounts

3.3.1 Accounts of all bird species of conservation concern (Schedule 1, NERC, BoCC, and LBAP) recorded within the survey area are provided below. The accounts provide a brief description of species use of the study area and include a statement of the species status within the county of Kent, based on categorisation by the Kent Ornithological Society.

3.3.2 The Wintering Bird Survey Plan (Drawing number ST19409-011) also highlights the locations of notable sightings and should be reviewed in conjunction with the text below.

Schedule 1 Birds

3.3.3 During the WBS, two Schedule 1 listed species were recorded within the study area, consisting of fieldfare and redwing.

Fieldfare

3.3.4 In addition to being Schedule 1, fieldfare are red-listed due to severe declines in breeding population and breeding range (Stanbury *et al.*, 2021). They are considered a common passage migrant and winter visitor in Kent (KOS, 2022). Small numbers of individuals were recorded moving through the Site, in association with hedgerows and fields.

Redwing

3.3.5 In addition to being Schedule 1, redwing are amber-listed due to declines in the breeding population and breeding range (Stanbury *et al.*, 2021). In Kent, they are considered a common winter visitor and passage migrant (KOS, 2022). Redwing were recorded on Site as individuals or in small flocks, the largest of which comprised of 16 individuals recorded in Area 4 in January.

BoCC, NERC and LBAP Species

3.3.6 There were 19 BoCC species recorded within the study area during the surveys, eight of which are also listed as NERC species and one of which are an LBAP species.

Black-headed Gull

3.3.7 Black-headed Gull are common and widespread within the county of Kent (KOS, 2022) and are amber-listed due to the international importance of the UK non-breeding population and its recent decline (Stanbury *et al.*, 2021). Individuals and small flocks were recorded in flight across the Site. It is considered likely that small numbers may utilise the fields within the Site during the winter period.

Bullfinch

- 3.3.8 A widespread resident within the county of Kent (KOS, 2022), bullfinch are amber-listed and NERC-listed due to moderate declines in their breeding population (Stanbury *et al.*, 2021). Two birds, a male and a female, were observed during the February survey, in association with the hedgerow along the southern boundary of Area 4.

Dunnock

- 3.3.9 Dunnock are a widespread species in the UK and are an abundant resident species in Kent (KOS, 2022). The species is most often associated with hedgerows and dense low-level vegetation (Snow *et al.*, 1998). Dunnock are currently amber-listed and NERC-listed due to a substantial fall in abundance during the 1970s and 1980s (Stanbury *et al.*, 2021). Individuals were recorded throughout the study area during the survey period, mostly in association with hedgerows. They are considered to be a resident species within the Site throughout the year.

Greenfinch

- 3.3.10 Greenfinch are currently included on the BoCC red-list, due to a sudden and sharp decline caused by an outbreak in trichomonosis disease (Stanbury *et al.*, 2021). This is reflected at a county level where the species is widespread but declining (KOS, 2022). An individual was recorded in January, associated with hedgerows in the south-western extent of Area 2.

Herring Gull

- 3.3.11 A common winter visitor in Kent (KOS, 2022), herring gull are both red-listed and NERC-listed due to continued population declines over recent decades (Stanbury *et al.*, 2021). Small numbers of individuals were recorded in flight over various areas of the Site.

House Sparrow

- 3.3.12 House sparrow are a widespread resident species in the UK, though due to severe population declines in recent decades, they are currently a red-listed and NERC-listed species (Stanbury *et al.*, 2021). This is reflected in their status as a common but declining species within Kent (KOS, 2022). House sparrow were recorded across Site, mainly in association with residential areas and hedgerows. They are considered to be a resident species within the Site throughout the year.

Kestrel

- 3.3.13 Kestrel are a common and widespread species in the UK, and are widespread within Kent (KOS, 2022). They are amber-listed due to significant sustained overall declines in their population (Stanbury *et al.*, 2021). An individual was observed in regular flyovers across the Site, throughout the survey period.

Lapwing

- 3.3.14 A common winter visitor to Kent (KOS, 2022), lapwing are currently red-listed and NERC-listed due to severe declines in the breeding population, moderate declines in the non-breeding population, and their threatened status at the European level (Stanbury *et al.*, 2021). Two individuals, one in Area 2 and one in Area 4, were recorded flying low over the Site in December. They are not considered a resident species on the Site over winter.

Mallard

- 3.3.15 Widespread and common within the county of Kent (KOS, 2022), mallard are amber-listed due to moderate non-breeding population declines in recent decades (Stanbury *et al.*, 2021). Mallard were observed in association with waterbodies in Area 2 and Area 4 and are considered a resident species for the Site.

Moorhen

- 3.3.16 Though considered a widespread and common species within Kent (KOS, 2022), moorhen have recently been added to the BoCC amber-list due to increasing rates of decline in the breeding and non-breeding populations (Stanbury *et al.*, 2021). Two birds were consistently observed in association with the waterbody in Area 4 and are considered a resident species for the Site.

Rook

- 3.3.17 Rook has recently moved to become amber-listed, in recognition of the species now being classed as vulnerable at the European scale (Stanbury *et al.*, 2021). The species is a widespread resident in rural areas of Kent (KOS, 2022) and was observed across Site throughout the survey period, mostly in association with woodland areas. The species is considered resident on Site over the winter period.

Song Thrush

- 3.3.18 Song Thrush are amber-listed, LBAP and NERC-listed due to severe long-term population declines (Stanbury *et al.*, 2021). The species recently moved from red-listed to amber-listed due to recent slight increases, though the population remains

significantly lower than in the 1960s/70s. This is reflected at a county level, where they are considered a common and widespread but declining species (KOS, 2022).

Starling

- 3.3.19 Red-listed and NERC-listed due to rapid population declines over the last several decades (Stanbury *et al.*, 2021), starlings are considered a widespread but declining species in the county of Kent (KOS, 2022). Occasional small flocks were observed, mostly in association with overhead lines, with a maximum count of 20 recorded in Area 1 in November.

Stock Dove

- 3.3.20 Amber-listed due to the significance of the UK population at the European scale (Stanbury *et al.*, 2021), stock dove are a widespread and increasing species in Kent (KOS, 2022). Stock dove were occasionally observed throughout the survey in flight, or in association with farm buildings and residential areas, and are considered a resident species for the Site throughout the year.

Woodpigeon

- 3.3.21 Though a common and widespread resident species with a steady population in the UK and county of Kent (KOS, 2022), woodpigeon are currently amber-listed in recognition of the significance of the UK population in a wider European context, with the UK supporting >20% of the European population (Stanbury *et al.*, 2021). Woodpigeon were widespread across all habitats on Site, appearing as individuals and in small flocks, and are considered a resident species for the Site.

Wren

- 3.3.22 An abundant resident in Kent (KOS, 2022), wren are currently amber-listed due to the significance of the UK population at the European scale (Stanbury *et al.*, 2021). The UK currently supports over 20% of the European population of wren. Individuals were observed across Site, mostly in association with wooded areas and hedgerows, throughout the survey period. The species is considered to be resident within the survey area.

Yellowhammer

- 3.3.23 Yellowhammer are a common but declining resident in Kent (KOS, 2022). The species is red-listed and NERC-listed due to recent moderate breeding population decline and long-term severe breeding range decline (Stanbury *et al.*, 2021). Individuals and small

flocks were recorded in association with fields and hedgerows across Site. A maximum count of nine individuals was recorded in Area 2 in January.

4 EVALUATION OF WINTERING BIRD ASSEMBLAGES

4.1.1 A total of 38 species were recorded in the survey area during the winter, 19 of which can be categorised as species of conservation concern using standardised UK bird protection and conservation criteria. This is summarised in Table 6 below:

| Table 6: Total species recorded on Site, summarised by conservation status | |
|---|-------|
| Conservation Status | Total |
| Total species | 38 |
| Listed under Schedule 1 of the Wildlife and Countryside Act (WCA) (1981), as amended | 2 |
| Listed as Species of Principle Importance under section 41 of the Natural Environment and Rural Communities (NERC) Act (2006) | 8 |
| Birds of Conservation Concern (BoCC) Red List species | 7 |
| BoCC Amber List species | 12 |
| Kent Local Biodiversity Action Plan (LBAP) species | 1 |

4.1.2 Based on the species assemblage in reference to the Fuller criteria, the assemblage of wintering birds present within the Site is considered to be of **local (district) importance**.

4.1.3 No wintering populations recorded within the study area comprised 1% or higher of a species national wintering population.

4.1.4 No wintering populations recorded within the study area comprised 1% or higher of a species wintering population at Dungeness, Romney Marsh and Rye Bay SPA or Ramsar site.

4.1.5 During the winter period, the areas of highest ornithological value on Site were the hedgerows, woodland areas, field margins, and mature trees, which support a range of common overwintering species.

4.1.6 For the entire survey period, the fields on Site were comprised of short-sward, livestock-grazed grassland or recently ploughed fields which, though they provide some foraging opportunities, are considered sub-optimal to support significant flocks or assemblages of overwintering birds.

4.1.7 No particularly notable habitats or management practices are present to elevate the importance of the wintering bird community found on the Site above that which is to be typically found in similar habitats within the wider area.

5 DISCUSSION AND RECOMMENDATIONS

- 5.1.1 The Site currently supports an assemblage of over-wintering birds that includes *Schedule 1*, BoCC, NERC and LBAP species that are typical of agricultural land with bounding hedgerows, in Kent.
- 5.1.2 Following criteria set out by Fuller (1980), the Site is considered to be of Local (District) Importance in relation to species richness for over-wintering farmland and woodland bird species.
- 5.1.3 During the winter period, the areas of highest ornithological value on the Site were the hedgerows, woodland areas, field margins, and mature trees, which support a range of common overwintering species.
- 5.1.4 As part of the development proposals, preparation and adoption of a mitigation strategy is recommended to avoid and mitigate potential adverse impacts upon the overwintering birds present. The strategy should include the protection of important bird habitats and include proposals for habitat restoration, with an emphasis on declining farmland and woodland species.
- 5.1.5 Habitat suitable to support declining farmland and woodland wintering bird species, including species-rich hedgerows, woodland, scrub, and grassland, should be included as part of the development. In addition, existing areas of suitable habitat for wintering birds should be retained where possible and designed to link in with any new green open space. Suitable areas of habitat should be managed to promote their suitability for wintering farmland and woodland birds. The details of this should be included within a Landscape and Ecological Management Plan (LEMP).
- 5.1.6 Any works that require vegetation clearance should be timed to avoid the bird nesting season (i.e. March to August, inclusive). If this is not possible then any areas of vegetation clearance should first be checked by a suitably qualified ecologist 24-hours prior to clearance to determine the presence of occupied nests in advance of any works.

6 REFERENCES

- Fuller, R.J. (1980). *A Method for Assessing the Ornithological Interest of Sites for Conservation*. Biological Conservation 17 P-229-239.
- Gillings, S., Wilson, A.M., Conway, G.J., Vickery, J.A., Fuller, R.J., Beavan, P., Newson, S.E., Noble, D.G. & Toms, M.P. (2008). *Winter Farmland Bird Survey*. BTO Research Report No. 494.
- Hardey, J., Crick, H., Wernham, C., Riley, H., Etheridge, B. & Thompson, D. (2009). *Raptors: A field guide for surveys and monitoring*. Scottish Natural Heritage (SNH), Inverness, UK.
- Kent Ornithological Society (KOS) (2022) – *Kent Bird Report 2020*, 69th Annual Report
- Robinson, R.A. (2005). *Bird Facts: Profiles of Birds occurring in Britain and Ireland* (BTO Research Report 407). BTO, Thetford.
- Snow, D.W., Perrins, C.M., Gillmoor, R., Hillcoat, B., Roselaar, C.S., Vincent, D., Wallace, D.I.M. & Wilson, M.G. (1998). *The birds of the Western Palearctic Concise Edition*. Oxford University Press, UK.
- Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., Win, I. (2021), Birds of Conservation Concern 5, The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. *British Birds* 114:723-747.
- Woodward, I.D., Massimino, D., Hammond, M.J., Barber, L., Barimore, C., Harris, S.J., Leech, D.I., Noble, D.G., Walker, R.H., Baillie, S.R. & Robinson, R.A. (2020). *BirdTrends 2020: trends in numbers, breeding success and survival for UK breeding birds*. BTO Research Report 732. BTO, Thetford.

Appendix 1
Kingsnorth Winter Bird Survey Species List
(November 2022 - February 2023)

| APPENDIX 1: KINGSNORTH WINTER BIRD SURVEY SPECIES LIST (NOVEMBER 2022 - FEBRUARY 2023) | | | | | General activity discription / noteable observations | |
|---|---|------|------|--------------------------------|---|--|
| Birds of Conservation Concern | | | | | | |
| Red Listed, Amber Listed, Green Listed, Schedule 1 ¹ , NERC, LBAP, KRDB | | | | | | |
| Kestrel | | | | <i>Falco tinnunculus</i> | Regular flyovers across Site, mainly associated with woodland and arable areas | |
| Buzzard | | | | <i>Buteo buteo</i> | Occasional flyovers across Site, mainly associated with woodland and arable areas | |
| Woodpigeon | | | | <i>Columba palumbus</i> | Regularly observed throughout Site | |
| Stock Dove | | | | <i>Columba oenas</i> | Occasionally observed in association with buildings | |
| Feral Pigeon | | | | <i>Columba livia</i> | Regularly observed in residential areas and around farm buildings | |
| Wren | | | | <i>Troglodytes troglodytes</i> | Regularly observed across Site, throughout the survey season, mainly associated with hedgerows and woodland areas | |
| Dunnock | | NERC | | <i>Prunella modularis</i> | Regularly observed across Site, throughout the survey season, mainly associated with hedgerows and woodland areas | |
| Robin | | | | <i>Erithacus rubecula</i> | Regularly observed across Site, throughout the survey season, mainly associated with hedgerows and woodland areas | |
| Blackbird | | | | <i>Turdus merula</i> | Regularly observed across Site, throughout the survey season, mainly associated with hedgerows and woodland areas | |
| Song Thrush | | NERC | LBAP | KRDB2 | <i>Turdus philomelos</i> | Individuals occassionally observed in association with trees and arable fields |
| Blue Tit | | | | | <i>Cyanistes caeruleus</i> | Individuals and mixed tit flocks in treelines, hedgerows, residential gardens, and wooded areas throughout |
| Great Tit | | | | | <i>Parus major</i> | Individuals and mixed tit flocks in treelines, hedgerows, residential gardens, and wooded areas throughout |
| Long-tailed Tit | | | | | <i>Aegithalos caudatus</i> | Individuals and mixed tit flocks in treelines, hedgerows, residential gardens, and wooded areas throughout |
| Coal Tit | | | | | <i>Periparus ater</i> | Individuals and mixed tit flocks in treelines, hedgerows, residential gardens, and wooded areas throughout |
| House Sparrow | | NERC | | KRDB2 | <i>Passer domesticus</i> | Frequently observed in proximity to residential gardens and hedgerows |
| Moorhen | | | | | <i>Gallinula chloropus</i> | Two birds observed in association with a waterbody in Area 4 |
| Mallard | | | | | <i>Anas platyrhynchos</i> | Observed in association with waterbodies in Area 4 |
| Chaffinch | | | | | <i>Fringilla coelebs</i> | Individuals and small flocks in treelines, hedgerows, residential gardens, and wooded areas throughout |
| Greenfinch | | | | | <i>Chloris chloris</i> | An individual recorded in January, in association with a hedgerow in Area 2 |
| Goldfinch | | | | | <i>Carduelis carduelis</i> | Small flocks occassionally observed across Site in association with hedgerows |
| Bullfinch | | NERC | | | <i>Pyrrhula pyrrhula</i> | A pair observed in February in association with hedgrow in the south of Area 4 |
| Treecreeper | | | | | <i>Certhia familiaris</i> | Observed in association with woodland areas |
| Nuthatch | | | | | <i>Sitta europaea</i> | Observed in association with woodland areas |
| Green Woodpecker | | | | | <i>Picus viridis</i> | Occassioanly recorded vocalising from wooded areas across Site |
| Great Spotted Woodpecker | | | | | <i>Dendrocopos major</i> | Occasionally recorded vocalising from woodland area in Area 4 |
| Goldcrest | | | | | <i>Regulus regulus</i> | Occasionally observed in association with hedgerows and woodland areas in Area 1 |
| Fieldfare | 1 | | | | <i>Turdus pilaris</i> | Small numbers of individuals recorded moving through Site |
| Redwing | 1 | | | | <i>Turdus iliacus</i> | Occasional individuals and small flocks moving through Site. A flock of 16 recorded in Area 4 in January |
| Lapwing | | NERC | | KRDB2 | <i>Vanellus vanellus</i> | Two individuals, one in Area 2 and one in Area 4, recorded flying low over the Site in December |
| Starling | | NERC | | KRDB2 | <i>Sturnus vulgaris</i> | Occasional small flocks recorded across Site, mostly in association with overhead cables |
| Herring Gull | | NERC | | KRDB2 | <i>Larus argentatus</i> | Individuals occassionally observed in flight across the Site |
| Black Headed Gull | | | | | <i>Chroicocephalus ridibundus</i> | Individuals and small flocks recorded in flight across the Site |
| Magpie | | | | | <i>Pica pica</i> | Regularly observed across the Site, throughout the survey season, associated with arable fields, woodlands, and residential areas. |
| Jackdaw | | | | | <i>Corvus monedula</i> | Individuals and small flocks recorded across Site, mainly associated with arable fields and woodland areas |
| Jay | | | | | <i>Garrulus glandarius</i> | Frequently recorded in across the Site, in flight or calling from woodland areas |
| Rook | | | | | <i>Corvus frugilegus</i> | Frequently observed across the Site in association with arable fields and woodland areas |
| Carrian Crow | | | | | <i>Corvus corone</i> | Regularly observed across the Site, throughout the survey season, associated with arable fields, woodlands, and residential areas. |
| Yellowhammer | | NERC | | KRDB2 | <i>Emberiza citrinella</i> | Individuals and small flocks recorded in association with arable fields and hedgerows across Site. Max count of 9 in Area 2 in January |
| TOTAL SPECIES | | | | | 38 | |
| Schedule 1 Protected Species | | | | | 2 | |
| BoCC 3 Red Listed Species | | | | | 7 | |
| BoCC 3 Amber Listed Species | | | | | 12 | |
| BoCC 3 Green Listed Species | | | | | 19 | |
| BoCC 3 Species Not Assessed (na) | | | | | 0 | |
| NERC Species of Principal Importance | | | | | 8 | |
| Kent LBAP | | | | | 1 | |
| Kent RDB | | | | | 6 | |
| Key: Red, Amber and Green listed based on: Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., Win, I. (2021), Birds of Conservation Concern 5, The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. British Birds 114:723-747. Annex 1: listed on Annex 1 of the European Birds Directive, NERC: Species of Principal Importance LBAP: Kent Local Biodiversity Action Plan Species, KRDB: Kent Red Data Book Species (KRDB2 - Breeding species with more than 25 pairs in Kent but red listed for their breeding decline - but not the 'high alert' species; KRDB3 - The remaining species on the KRDB list (including the 'high alert' species' and wintering species) | | | | | | |

Appendix 2

Legislation and Policy

APPENDIX 2 LEGISLATION AND POLICY³

The *European Community Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive)* is a framework for the conservation of wild birds in member states. Those bird species listed on *Annex 1* of the *Birds Directive* are subject to special conservation measures through the designation of UK Special Protection Areas (SPA) in order to safeguard important sites within the member states. The species listed in *Annex I* of the *Birds Directive* are those in danger of extinction, rare, vulnerable to specific changes in their habitat or requiring particular attention for reasons of the specific nature of their habitat.

The *Conservation of Habitat and Species Regulations 2017* (as amended) provides legal protection for UK SPAs. The *Habitat Regulations* also provide legal protection to wetlands of international importance as designated under the Ramsar Convention. Proposals that are likely to affect an SPA or Ramsar site must address all relevant features that contribute to the integrity of the protected site, whether or not the proposal lies within or out with of the site. This allows for the protection of qualifying features (i.e. bird species) several kilometres from any development being proposed and is especially pertinent to migratory bird species.

The *Wildlife & Countryside Act (WCA) 1981* (as amended) provides legal protection to all wild birds⁴, their nests and their eggs, making it an offence to:

- intentionally kill or injure any wild bird;
- damage or destroy an active nest of any wild bird; or
- destroy the eggs of any wild bird.

Species listed in *Schedule 1* of the *Act* are also protected by special penalties from reckless or intentional disturbance whilst nest building or at (or near) a nest with eggs or young; or disturbance to dependant young⁵. Under the *Wildlife & Countryside Act 1981* (as amended), a wild bird is defined as any bird of a species that is resident in or is a visitor to the European Territory of any member state in a wild form.

Section 40 of the *Natural Environment & Rural Communities (NERC) Act 2006* imposes a legal duty on Planning Authorities to ‘have regard’ to the conservation of biodiversity when considering planning applications.

³ This resource is intended as a guide, only, and the relevant policies and acts should be consulted for definitive information.

⁴ Game birds are covered by *The Game Act 1831* which fully protects them during the closed season.

⁵ Other offences apply but are of less relevance to this assessment.

Section 41 of the *NERC Act* requires the Secretary of State to publish a list of species and habitats of principal importance for conserving biodiversity in the UK. This does not offer the species any specific protection but helps to highlight the species' importance at a national level. Currently there are 59 bird species listed as being of conservation priority. This list is used by Local Planning Authorities (LPA) to identify the species and habitats that should be afforded priority when applying the requirements of the National Planning Policy Framework (NPPF).

The NPPF underpins the Government's planning policies for England and how these are to be applied. The central theme of the NPPF is a presumption in favour of sustainable development. This presumption does not apply where development requiring Appropriate Assessment (under the *Birds Directive* or the *Habitats Directive*) is being considered, planned or determined. The NPPF states:

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

- if significant harm 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.*
- proposed development on land within or outside a Site of Special Scientific Interest (SSSI) likely to have an adverse effect on a SSSI (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 reasons⁶ 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*

⁶ For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

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.*

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.

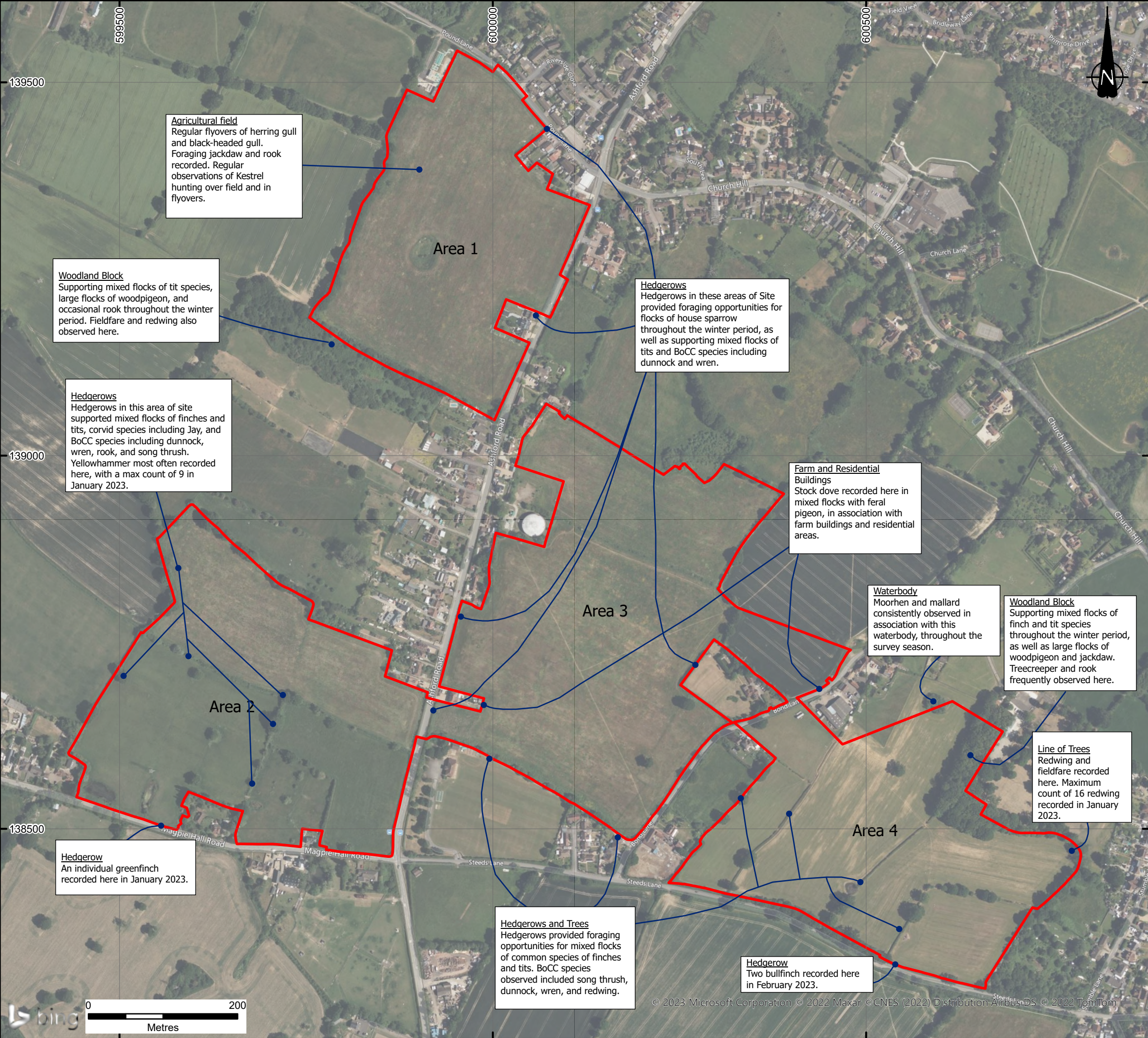
The NPPF requires the Planning Authority to have a responsibility to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan. In addition, the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity 2020 is a national strategy for England's wildlife and ecosystem services. It was published in summer 2011 and sets out the government's ambition to halt overall loss of England's biodiversity by the year 2020, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people.

Alongside *Biodiversity 2020*, Local Biodiversity Action Plans (LBAPs) exist throughout England. These highlight species that are considered to be under specific threat in a particular district or County or those considered to be at numbers to be a stronghold for that particular species. These plans do not offer the species any specific protection, but help to highlight the importance of a species at a local level.

The UK's leading bird conservation organisations (i.e. Royal Society for the Protection of Birds (RSPB), British Trust for Ornithology (BTO) and BirdLife) undertake a five-yearly review of the status of birds that occur regularly in the UK. Species are divided between red, amber and green categories, according to their status over the previous five years as Birds of Conservation Concern (BoCC). The criteria used for assessment ensure that the BoCC listings reflect each species' global and European status as well as that within the UK, as well as measuring the UK population in international terms. Red-listed species have been subject to the greatest population loss, rate of decline and/or range contraction. Amber-listed species have been subject to moderate declines, followed by green listed species, which are not considered to be declining or do not qualify under any of the red or amber criteria. For a detailed breakdown of the BoCC criteria, see Stanbury *et al.* (2021).

DRAWINGS



KEY

Site Boundary

Notes:

Boundaries are indicative. Aerial imagery shown for context purposes only.

| | | | | | |
|----------------------------|---------|-------------|-------|---------------|------|
| REVISION | DETAILS | DATE | DRAWN | CHKD | APPD |
| CLIENT | | | | | |
| PENTLAND HOMES | | | | | |
| PROJECT | | | | | |
| KINGSNORTH ECOLOGY SURVEYS | | | | | |
| DRAWING TITLE | | | | | |
| WINTERING BIRD SURVEY PLAN | | | | | |
| DRG No. | | ST19409-011 | | REV P01 | |
| DRG SIZE | | A3 | | SCALE 1:5,000 | |
| DATE | | 23/02/2023 | | DRAWN BY CG | |
| CHECKED BY | | --- | | APPROVED BY | |

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