



BRYN LANE, WREXHAM.

**BIRD SENSUS AND MITIGATION
STRATEGY**

Ref No:- 080261/Bird/Rev 1.

Date:- 22nd August 2008.

TABLE OF CONTENTS.

	Page Number
1. INTRODUCTION.	3
2. SURVEY METHODOLOGY.	4
3. SURVEY RESULTS.	5
4. EVALUATION OF FINDINGS.	7
5. MITIGATION STRATEGY.	8
Appendix I. NESTING BIRD INFORMATION.	9

1. INTRODUCTION.

1.1. A planning application is to be submitted for the development of a site off Bryn Lane, Wrexham. A common bird census is required in support of that application.

1.2. Derek A Whitcher Ltd has been commissioned to carry out that survey.

1.3. Two surveys were carried out on, one on 7th and 8th August and one on 13th and 14th August 2008. This report outlines the findings of those surveys and makes appropriate recommendations.

1.4. Appendix I of this report provides back ground information with respect to nesting birds and the legal protection afforded to them.

2. SURVEY METHODOLOGY.

2.1. The purpose of the survey was to identify the range of species present on the site, to assess the impact of the proposed works and to ensure that there is sufficient mitigation put in place to ensure continuity of habitat on the site.

2.2. The survey area was thoroughly searched for evidence of birds present on the site. Birds were identified by observation with field binoculars and by listening and identifying bird calls.

2.3. Two surveyors patrolled the site during early morning and late afternoon on each of two occasions and collated the overall results.

2.4. This survey was not carried out according to the BTO Common Bird Census procedures as the survey was started late in the season. However, two surveys were carried out by two surveyors over a period of two days each with an evening survey on the first day and an early morning survey on the second day on each occasion.

3. SURVEY RESULTS.

3.1. Desk Top Data Search.

The COFNOD Biodiversity Information Search identified no common bird records for the site or the surrounding area within any of the three categories within the database.

3.2. Site Survey Results.

3.2.1. The following are the results of a Common Bird Census on the site. Two visits were made to the site and on each occasion a survey was carried out during the evening and then early the following morning. Two surveyors carried out each survey.

3.2.2. The following is the list of birds seen on the site along with details as to which are on the protected bird lists.

Species	Red	Amber	Green	Schedule 1
Kingfisher		*		*
Swallow		*		
Dunnock		*		
Mute Swan		*		
Mistle Thrush		*		
Goldcrest		*		
Blackbird				
Mallard				
Moorhen				
Wren				
Crow				
Jackdaw				
Magpie				
Whitethroat				
Goldfinch				
Swift				
Robin				
Greenfinch				
Chaffinch				

Collared Dove				
Tawny Owl				
Chiffchaff				
Blackcap				
Sparrow Hawk				
Wood Pigeon				
Common Buzzard				

4. EVALUATION OF FINDINGS.

4.1. The surveys were carried out late in the season after most birds had completed nesting. However, the list seen is expected to be representative of the list of species that would be expected on the site.

4.2. No red data species were identified on the site but six amber data list species were identified. One Schedule 1 bird, the kingfisher, was identified feeding over Pond L during the first survey.

4.3. Generally, the species were predictably found in the hedgerows and trees on the site. No birds were seen over the open fields unless they were species like swallow feeding for insects or like crow and magpie seen flying over the site.

4.4. The development will have some impact on the species listed initially due to the inevitable disturbance caused by the development. However, the mature oak woodland and perimeter hedgerow features on the site will be retained within the development scheme. Replacement habitat incorporated within the application will be designed to more than compensate for the loss of habitat in the development footprint. The planned new nature reserve habitats will be planted with native species and will provide more than the equivalent feeding habitat to that that will be lost.

4.5. There will be some impact on the kingfisher as the pond it was feeding over is to be lost during the development. However, there will be numerous additional ponds constructed on the site to compensate for the loss.

5. MITIGATION STRATEGY.

5.1. All vegetation clearance will be carried out outside the nesting bird season, which extends from March to September each year. This will include tree felling or lopping, scrub clearance, strimming and general site clearance of the grassland areas.

5.2. Any vegetation clearance that becomes necessary during the nesting bird season will be immediately preceded by a nesting bird survey, carried out by an experienced ecologist. Any nests found, plus a stand off area around the nest will be left undisturbed until the young have fledged.

5.3. Important woodland corridors and perimeter hedgerows are to be retained within the planned development scheme. In addition, new nature reserve areas are designed into the scheme with planting schemes that include native species and wherever possible fruit and berry bearing species to provide food for the birds to compensate for habitat lost.

5.4. A nest box scheme is not deemed necessary as there are abundant nesting opportunities that will be retained on the site.

5.5. New ponds are to be constructed on the site to compensate for the two ponds to be lost. However, these ponds will be provided predominantly for great crested newts and therefore it is not considered prudent to include kingfisher feeding posts.

Derek A Whitcher.

22.08.2008.

Appendix I. NESTING BIRD INFORMATION.

It is necessary to understand a little about the legal protection offered to nesting birds in order to evaluate the findings of this report.

Part 1.-(1) Of the Wildlife and Countryside Act 1981 states that:-

If any person intentionally:-

- (a) kills, injures or takes any wild bird;
 - (b) takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
 - (c) takes or destroys an egg of any wild bird,
- he shall be guilty of an offence.

Part 1.-(5) of the Act states that:-

If any person intentionally:-

- (a) disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on, or near a nest containing eggs or young; or
- (b) disturbs young of such a bird,

he shall be guilty of an offence and liable to a special penalty.

The Countryside and Rights of Way Act 2000 amends the above by inserting after “intentionally” the words “or recklessly”.

The nesting season will vary according to the weather each year but generally commences in March, peaks during May and June and continues until September.

It is also worth remembering that some birds nest in trees and scrub but others are ground nesting.

The best way to avoid this issue is to plan for vegetation clearance to be carried out outside the bird-nesting season.