
Chapel Lane, Widnes

Wintering Bird Survey Report

Compiled by Ecology Services Ltd.

on behalf of

Taylor Wimpey

September 2022 (rev. April 2023)



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1.0 Introduction

- 1.1 Ecology Services Limited was commissioned by Taylor Wimpey in September 2021, to undertake Wintering Bird Surveys (WBS) at Chapel Lane, Widnes, hereinafter referred to as 'the site'. The centre of the site is located by National Grid Reference (NGR) 350000, 387800.
- 1.2 This Wintering Bird Survey report has been prepared by Ecology Services Limited on behalf of Taylor Wimpey UK Ltd to assist the local planning authority's consideration of an outline planning application for a site at Chapel Lane, Widnes for:

"Outline planning application (with all matters other than access reserved) (to be determined by Halton Borough Council only) for the development of up to 350 dwellings, public open space, landscaping and associated infrastructure works. Full details for site access arrangements via a new junction on Chapel Lane (to be determined by Knowsley Borough Council only) and emergency access via Sandy Lane (to be determined by Halton Borough Council)."

- 1.3 The proposed development site is located to the north-west of the Widnes urban area. The site is situated within the boundary of two separate allocations for residential development within the adopted Halton Delivery and Allocations Local Plan [DALP] (March 2022) under Policy RD1 (Residential Development Allocations). The allocations comprise two separate land parcels separated by Sandy Lane, (Site Ref. W4 to the west of Sandy Lane and Site Ref. W5 to the east). The application red line boundary does not extend to the full extent of the allocation.
- 1.4 At the time of compiling this report, no detailed development scheme has been prepared and only outline biodiversity enhancements are provided. This report shall be updated to ensure that mitigation and enhancement measures are incorporated at the detailed design stage.

Site Description and Development Proposals

- 1.5 The site is located on the outskirts of the town of Widnes, within the Borough of Halton but on the boundary with Knowsley Council, and comprises mostly grazed grassland crossed by hedgerows and fences along with cultivated land in the wider survey area. To the south and east of the site, is predominantly residential development. The site is proposed for residential development with associated roads and infrastructure.

Context and Scope of Survey

- 1.6 The site is located approximately 3.7km north of the Mersey Estuary Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site designated for their ornithological interest. The site is also located within a Natural England (NE) SSSI Impact Risk Zone (IRZ) associated with these sites.
- 1.7 While the site itself is not considered to provide optimal conditions for wintering birds, the larger arable fields to the north are potentially more suitable and could comprise functionally linked habitat to the designated sites. The winter bird survey has been carried out to assess the importance of the site and neighbouring land for wintering birds in order to provide sufficient information to allow an assessment to be made of any potential adverse effects of the proposed development on the statutory designated sites and the wintering birds for which they are designated.
- 1.8 The scope and methodology of the survey were developed through consultation with Merseyside Environmental Advisory Service (MEAS). Historical data has been obtained from Merseyside Biobank and also the county bird recorder for Lancashire, specifically relating to

non-breeding birds. Where appropriate, recommendations for any impact avoidance and mitigation measures with regards to wintering birds have been outlined in this report.

2.0 Planning Policy and Legislation

Planning Policy

- 2.1 The National Planning Policy Framework (NPPF, 2021) places a clear responsibility on Local Planning Authorities (LPA) to contribute to conserving and enhancing the natural and local environment. LPAs should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species (e.g. Species of Principal importance, Local Biodiversity Action Plan species); and identify and pursue opportunities for securing measurable net gains for biodiversity. The Office of the Deputy Prime Minister (ODPM) Circular 06/2005 provides administrative guidance on the application of the law in relation to planning and nature conservation.
- 2.2 A Local Planning Authority (LPA) has a duty to ensure that protected species and habitats within the UK are a 'material consideration' in the determination of a planning application. Therefore, an LPA is unlikely to determine an application until all relevant information relating to protected species or habitats is submitted to fully inform the application. Relevant information includes adequate surveys and, where required, mitigation strategies, which will need to be submitted to inform a planning application.
- 2.3 Although the UKBAP has been superseded by the UK Post-2010 Biodiversity Framework and, in England, Biodiversity 2020: A strategy for England's wildlife and ecosystem services (2011), many Local Authorities have prepared and operate Local Biodiversity Action Plans (LBAPs). LBAPs not only highlight species that are of Principal Importance but also species that are of local importance. LBAPs will be prepared for these species. Listing of a species in a LBAP does not confer any new statutory or planning policy protection. However, impacts upon species prioritised in LBAPs may be a material consideration in a planning application. Under its 25 Year Environment Plan (2018), the Government proposes to publish a new strategy for nature building on Biodiversity 2020.

Legislation

- 2.4 The Wildlife and Countryside Act (WCA) 1981 (as amended), states that all wild birds are protected. Under the WCA, it is an offence to kill, injure or take any wild bird, to take damage or destroy the nest of any wild bird or to take or destroy the egg of any wild bird. A special penalty is levied to any of the above offences being committed in conjunction with a bird listed on Schedule 1 of the WCA.
- 2.5 The Habitats Directive (92/43/EEC) established a network of Natura 2000 sites, within the European Community, with the objective of protecting sites that are considered to be of exceptional importance to rare, containing endangered and vulnerable natural habitats and species. These sites are European designated sites and are known as Special Areas of Conservation (SAC), Special Protection Areas (SPAs) and Offshore Marine Sites (OMS). Special Protection Areas (SPAs), classified under Directive 2009/147/EC on the Conservation of Wild Birds for rare, vulnerable and regularly occurring migratory bird species and internationally important wetlands. Planning Policy also recommends that Ramsar sites, designated under the Ramsar Convention, should be afforded the same level of consideration as the Natura 2000 sites. For further details on these designations refer to Appendix 1.

- 2.6 The Habitats Directive (92/43/EEC) was transposed into UK law in 1994 by The Habitats Regulations, which was subsequently amended and has now been replaced by the Conservation of Habitats and Species Regulations 2017 (as amended)¹.
- 2.7 To ensure that the protection of these sites is considered during the planning process at a regional and local level, works in close proximity to or that have the potential to affect a European designated site, require an Assessment of Likely Significant Effect (ALSE). Even where planning permission is not required for a scheme an ALSE should be completed.
- 2.8 Where a development is likely to have a significant effect upon a European designated site, an Appropriate Assessment (AA) of the implications of the works upon a European site, in view of the site's conservation objectives, will be required. The Planning Authority will require either the ALSE or the AA in support of any planning application and Natural England will need to be consulted as part of this process to obtain the correct assents when required. Appropriate assessment (or 'Habitats Regulation Assessment', HRA) is one of the most powerful tools currently available to control the environmental impacts of development with input from both Natural England (NE) and the Competent or Planning Authority.
- 2.9 Sites of Special Scientific Interest (SSSIs) are notified under the Wildlife and Countryside Act 1981 (as amended). The designation provides statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features.
- 2.10 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) places a statutory duty on public authorities, in exercising their functions, to conserve and enhance biodiversity in England. Species of Principal Importance for the conservation or enhancement of biodiversity in England, identified by the Secretary of State in consultation with Natural England, are listed under Section 41 of the NERC Act. The Local Planning Authority and government bodies (e.g. Natural England) will expect the overall design of the development to have regard for the conservation and enhancement of populations of these species. There are 49 bird Species of Principal Importance included on the NERC Section 41 list.

3.0 Methodology

Ecological Desktop Study

- 3.1 Ecological data was collated from the following sources; listed in **Table 1** below.

Table 1: Ecological Desktop Study Data Sources

Source of information	Information supplied
Multi-Agency Geographical Information for the Countryside (https://magic.defra.gov.uk/)	To identify statutory designated sites and other features of interest within 10km of the site.
Natural Environment and Rural Communities (NERC) Act 2006	Review of Species of Principal Importance known to occur in the region.
Local Biodiversity Action Plan – Halton	Identification of Local BAP Species which are considered to be of particular priority for conservation in the region.
Birds of Conservation Concern 5 (Stanbury et. al., 2021)	Identification of Birds of Conservation Concern known to occur in the region.
Merseyside BioBank and RECORD (Cheshire Region Biological Records Centre)	Identification of locally protected sites or species of interest 2km of the site.

¹ The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 continue the same provision for European protected species, licensing requirements and protected areas after Brexit.

Lancashire County Bird Recorder and Cheshire and Wirral Ornithological Society (CAWOS)

To identify bird species of interest within tetrads SJ58E, SJ48Z, SJ48Y and SJ58D covering an area of at least 1km around the site. Includes information from MEAS, RECORD, county bird recorder for Lancashire and the Cheshire and Wirral OS.

3.2 The data search with Merseyside BioBank was undertaken on 14th June 2022 and RECORD on the 27th of June 2022. Data from the county bird recorder for Lancashire was obtained on 25th October 2021 and from the Cheshire and Wirral Ornithological Society (CAWOS) on 13th October 2021. The aim of the desktop study was to determine whether the application site and its surroundings could be functionally linked to the Mersey Estuary SPA and Ramsar site.

Wintering Bird Survey

3.3 During the survey, an experienced bird surveyor followed a pre-determined transect route over a three-hour period using Vantage Points (VP) recording any wintering birds on the site and within up to 500m of the site. Vantage Points (VPs) enable the surveyor to clearly visually assess large areas of the land within that specific area with the aid of binoculars.

3.4 The surveyor focused on species associated with the Mersey Estuary designated sites and recorded all relevant bird species and their numbers. This involved recording all activity for target bird species, which includes all qualifying species/ species groups associated with nearby designated nature conservation sites, specifically:

- Waders;
- Wildfowl (except for non-native species e.g. Canada goose);

3.5 For all target bird species information on their use of the site included recording species, numbers, location and paths of flight.

3.6 All other bird species, including other gulls, were also recorded during the survey, however numbers were often tallied or maximum counts noted along with a summary of their general activity. Particular consideration was given to recording of other seabirds (gulls) and waterbirds, and other notable species including birds listed on:

- Annex 1 of the Birds Directive
- Schedule 1 of the Wildlife and Countryside Act 1981
- Red or Amber lists of Birds of Conservation Concern (Stanbury et. al., 2021, see **Appendix 2**)
- NERC Section 41 (S41) Species of Principal Importance
- List of Halton BAP (LBAP) priority species

3.7 Two surveys were carried out each month over the wintering bird period September to November 2021 with an agreed reduced scope of one survey per month thereafter, January to March 2022, which equates to a total of 10 site visits. A total of 20 hours surveying was completed. Surveys were also timed so that the range of tidal conditions were sampled including High Tide (HT), Low Tide (LT), Falling Tide (FT) and Rising Tide (RT). See **Table 2**.

3.8 All surveys were undertaken adopting species-specific survey techniques as prescribed by RSPB, WWT, BTO (Gilbert et. al., 1998) and WeBS core counting process, with amended site-specific variations.

Table 2: Survey Dates, Timings and Weather Conditions

Date	Survey time	Tide time (High / Low)	Temp. (°C)	Wind (Beaufort / direction)	Rain	Cloud (%)	Visibility (1-4)
22/09/2021	10:51 – 13:51	12:21 (HT)	18 - 19	1 – 2 (W)	None	100 - 90	4
28/09/2021	11:38 – 14:38	12:07 (RT)	13 - 14	3 – 1 (S)	Mid-point to end	100	4 - 3
13/10/2021	10:15 – 13:15	12:15 (LT)	15	1 – 2 (W)	Light throughout	100	3
26/10/2021	11:29 – 14:28	12:59 (HT)	15 - 17	1 (SW)	None	60 - 90	4
10/11/2021	11:30 – 14:30	13:00 (LT)	13	2 (W)	None	90 - 70	4
23/11/2021	12:15 – 15:15	13:46 (HT)	10 - 9	2 (NW)	Mid-point to end	100 - 80	4 - 3
10/12/2021	12:25 – 15:13	13:51 (HT)	6 - 4	2 (N)	Occasional	30 - 40	4
11/01/2022	11:43 – 14:43	13:13 (FT)	8	1 (W)	None	90	4
15/02/2022	09:50 – 12:44	11:23 (HT)	8	4	None	100	1
10/03/2022	12:29 – 15:29	13:59 (LT)	12	3	None	100 - 80	1

Personnel

- 3.9 The surveys were undertaken by Senior Consultant Ecologists Mr. S. Booth and Ms L. Redgrave MA (Oxon), MSc, CEcol, CEnv, MCIEEM. The surveyors were equipped with x10 binoculars.

Limitations of Survey

- 3.10 There were no significant constraints to the survey; the periods of occasional rain experienced during some of the surveys is not considered to be a constraint to the survey.

4.0 Results and Evaluation**Desktop Study****Statutory Designated Sites**

- 4.1 The site is situated approximately 3.7km to the north of the River Mersey and two European designated sites that are designated on the basis of their ornithological interest. Four other SSSI sites are present within the 10km search area and are briefly discussed in section 4.3 below. **Table 3** provides a summary of the features for which the European sites are designated.

Table 3: European sites within 10km

Site name	Distance from site	Reason for designation
Mersey Estuary SPA	3.7km south	Used regularly by 1% or more of the biogeographical population of: • Redshank <i>Tringa totanus</i> (3.5% of the <i>britannica</i> passage population) • Shelduck <i>Tadorna tadorna</i> (in winter 2.2% of the North-western Europe wintering population). • Teal <i>Anas cracca</i> (in winter 2.9% of the North-western Europe wintering population). • Pintail <i>Anas acuta</i> (in winter 1.9% of the North-western Europe wintering population). • Dunlin <i>Calidris alpina</i> (in winter 3.7% of the <i>alpina</i> (Western Europe) wintering population). • Black-tailed godwit <i>Limosa limosa</i> (2.8% of the <i>islandica</i> wintering population). • Redshank <i>Tringa tetanus</i> (3.8% of the <i>britannica</i> wintering population). Used regularly by 1% or more of the Great British population of: • Golden plover <i>Pluvialis apricaria</i> (1.2% of the Great British wintering population). Regularly supports an assemblage of at least 20,000 waterfowl: • Regularly supports at least 104,599 individual waterbirds in the non-breeding season.
Mersey Estuary Ramsar site	3.7km south	The site qualifies under: Ramsar criterion 5 - Assemblages of international importance: Species with peak counts in winter: 89,576 waterfowl (5 year peak mean 1998/99-2002/2003) Ramsar criterion 6 – species/populations occurring at levels of international importance: Species with peak counts in spring/autumn: • Common shelduck 12676 individuals, representing an average of 4.2 % of the population (5 year peak mean 1998/9-2002/3) • Black-tailed godwit 2011 individuals, representing an average of 5.7% of the population (5 year peak mean 1998/9-2002/3) • Common redshank 6651 individuals, representing an average of 2.6% of the population (5 year peak mean 1998/9-2002/3) Species with peak counts in winter: • Eurasian teal 10613 individuals, representing an average of 2.6% of the population (5 year peak mean 1998/9-2002/3) • Northern pintail 565 individuals, representing an average of 2% of the GB population (5 year peak mean 1998/9-2002/3) • Dunlin 48364 individuals, representing an average of 3.6% of the population (5 year peak mean 1998/9-2002/3)

- 4.2 The Mersey Estuary SSSI is also located at the same distance from the site as the European designated sites. This SSSI is designated primarily for its intertidal sand and mudflats which are of high importance for wintering wildfowl and waders. The citation states that in 1980–81 the estuary had the highest monthly count of wildfowl of any British site; 57,700 birds. The most important species over the period 1978–83 were pintail (17% of the total western European population), teal (12%), shelduck (7%) and wigeon (*Anas penelope*) (2%). In

1982–83 the estuary had the 16th highest monthly count of waders of any British site: 26,593 birds. The most important species over the period 1978–83 was dunlin (1%). However, nationally important numbers of curlew (*Numenius arquata*), redshank and golden plover were also recorded.

- 4.3 Four other SSSI are present within 10km of the site, namely Frodsham Railway and Road Cuttings SSSI (9.8km to the south), Flood Brook Clough SSSI (8.1km to the south), Red Brow Cuttings SSSI (8.9km to the south east) and Stanley Bank Meadow SSSI (9.5km to the north east). None of these sites are designated for their wintering bird interest and are excluded from further appraisal.

Natural England Impact Risk Zones (IRZs)

- 4.4 The ecological desktop study search found the site to be within a Natural England (NE) SSSI Impact Risk Zone (IRZ) associated with the Mersey Estuary SSSI, SPA and Ramsar Site, approximately 3.7 km south of the site.
- 4.5 Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated.
- 4.6 The SSSI IRZs can be used by developers, consultants and members of the public, who are preparing to submit a planning application. They will help them to consider whether a proposed development is likely to affect a SSSI and choose whether to seek pre-application advice from Natural England. This will allow any potential impacts to be taken into account within the planning application and so minimise the risk of delays at the formal planning stage (Natural England, 2021). The details of the relevant IRZ are provided below.

SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)

1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?

2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:

All Planning Applications

Infrastructure

Pipelines, pylons and overhead cables. Any transport proposal including road, rail and by water (excluding routine maintenance). Airports, helipads and other aviation proposals.

Wind & Solar Energy

Solar schemes with footprint > 0.5ha, all wind turbines.

Minerals, Oil & Gas

Planning applications for quarries: new proposals or extensions, outside or extending outside existing settlements/urban areas affecting greenspace, farmland or semi natural habitats. Oil & gas exploration/extraction.

Rural Non Residential

Large non residential developments outside existing settlements/urban areas where footprint exceeds 1ha.

Residential

Rural Residential

Any residential development of 50 or more houses outside existing settlements/urban areas.

Air Pollution

Any industrial/agricultural development that could cause AIR POLLUTION (incl: industrial processes, livestock & poultry units with floorspace > 500m², slurry lagoons & digestate stores > 750m², manure stores > 3500t).

Combustion

General combustion processes >50MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.

Waste

Landfill. Incl: inert landfill, non-hazardous landfill, hazardous landfill.

Composting

Discharges

Any discharge of water or liquid waste of more than 20m³/day to ground (ie to seep away) or to surface water, such as a beck or stream.

Water Supply**Notes 1**

New residential developments in this area should consider recreational disturbance impacts on the coastal designated sites. Please consider this issue in the HRA screening.

Notes 2**GUIDANCE - How to use the Impact Risk Zones**

[/Metadata for magic/SSSI IRZ User Guidance MAGIC.pdf](#)

Statutory Protected Sites

- 4.7 There are no non-statutory protected sites within 2km of the site that are designated for wintering birds.

Wintering Bird Species Records

- 4.8 **Table 4** below provides a summary of designated bird species records provided as part of the desktop study search between 1997 and 2019. **Table 5** provides all other wintering bird records.

Table 4: Designated bird species records

Species	Data Source	Year	Grid ref	No. records	Max. Count	Notes
Lapwing	MEAS	1997-2015	Various	8	4	All breeding records, Cronton colliery, Tarbock Green, Sandhills Cottage, Widnes, Pex Hill, Micklehead Green.
Lapwing	RECORD	2010 (April)	SJ5088	1	Present	Norlands Lane, Cronton
Lapwing	CAWOS	2010 (April)	SJ58E	1	4	Cranshaw Hall
Peregrine	RECORD	2012 (January)	SJ5085	1	1	Golf course pylon
Golden plover	Lancs County Bird Recorder (CBR)	2008-2011*	SJ58E	N/A	5	

Table 5: Other wintering bird records

Species	Data Source	Year	Tetrad/ Grid ref	No. records	Max. Count	Notes
Black-headed gull	Lancs CBR	2008-2011*	SJ48Z	N/A	1000	Farnworth, Victoria Park, Cronton Fields, Heath Road, Ditton, Upton Rocks/Pex Hill
Black-headed gull	CAWOS	2010-2019	SJ58D & SJ 48Y	32	100+	Mainly winter records, Farnworth, Victoria Park, Fairfield Road, Cronton fields, Heath Road, Upton Rocks/ Pex Hill, Princes Place, Ditton, Hough Green Park.
Common gull	CAWOS	2012-2019	SJ58D & SJ 48Y	5	10	Winter records, Heath Road, Upton Rocks/ Pex Hill
Herring gull	Lancs CBR	2008-2011*	SJ48Z		50	
Herring gull	CAWOS	2010-2019	SJ58D & SJ 48Y	19	35	Year round, Hough Green, Victoria Park,

Species	Data Source	Year	Tetrad/ Grid ref	No. records	Max. Count	Notes
						Princes Place, Ditton, Farnworth.
Lesser black-backed gull	Lancs CBR	2008-2011*	SJ48Z	N/A	100	
Lesser black-backed gull	CAWOS	2010-2019	SJ58D, SJ58E & SJ48Y	13	4	Year round, Hough Green, Upton Rocks / Pex Hill, Victoria Park, Princes Place, Ditton
Pink-footed goose	CAWOS	2018 (Dec) and 2019 (Dec)	SJ499866	2	40+ & c.80	Heath Road, Ditton

*The 2008-2011 Lancashire winter bird survey comprised two timed visits between November and February over each of the three years, each limited to two hours to produce comparable statistics. Supplementary visits were also made which were incorporated in the final peak count data. The full survey data was not available.

- 4.9 The desk study returned no significant counts of any of the above listed species associated with statutory designated sites. Golden plover, is the only species listed above which is associated with the designated sites. Black-headed gull, which is an Amber listed species accounts for the majority of data search records. Counts of lesser black-backed gull, which is also an Amber listed are relatively high but no specific location data is provided. Low numbers of common gull and lapwing were also recorded. Only black-headed gull was recorded within the site itself.

2021 - 2022 Wintering Bird Survey Results

- 4.10 During the survey, the scope was reduced in agreement with MEAS owing to low numbers of birds being recorded from fourteen survey visits to ten. During the ten survey visits, only low numbers of gulls and a single lapwing associated with the designated sites were recorded.
- 4.11 A summary of numbers of target species recorded during the wintering bird survey is provided in **Table 6**. As the surveyor was likely to have observed repeat registrations of the same birds at different locations throughout the transect route, the figures in the table below provide the maximum number of individuals likely to have been using or flying over the survey area. The conservation statuses of the target species recorded are included in **Table 7**.

Table 6: Target bird species counts within survey area

		Total birds counted during each survey visit*					
		September 2021		October 2021		November 2021	
Common Name	Scientific Name	HT (1)	RT (2)	LT (3)	HT (4)	LT (5)	HT (6)
Black-headed gull	<i>Chroicocephalus ridibundus</i>	5	18	8	8	50	12
Herring gull	<i>Larus argentatus</i>	1 - 2	4	1	1	1	2
		December 2021		January 2022		February 2022	
		HT (1)		FT (3)		HT (5)	
Black-headed gull	<i>Chroicocephalus ridibundus</i>	18		18		21	
Common gull	<i>Larus canus</i>	0		1		3	
Lesser black-backed gull	<i>Larus fuscus</i>	1		0		2	
		March 2022					
		LT (1)					
Lapwing	<i>Vanellus vanellus</i>	1					

*Maximum numbers of individuals considered likely to have been using or flying over the survey area. This considers repeat counts where the same bird could have been recorded later in the survey.

Table 7: Conservation statuses of target bird species

Common Name	Scientific Name	BDA 1 ¹	WCA 1 ²	NERC 41 ³	LBAP ⁴	BOCC5 ⁵
Black-headed gull	<i>Chroicocephalus ridibundus</i>					Amber
Herring gull	<i>Larus argentatus</i>			✓		Red
Lesser black-backed gull	<i>Larus fuscus</i>					Amber
Common gull	<i>Larus canus</i>					Amber
Lapwing	<i>Vanellus vanellus</i>			✓		Red

¹Bird Directive Annex 1. ²Wildlife and Countryside Act Schedule 1. ³2006 NERC Act Species of Principal Importance. ⁴Halton BAP Priority Species. ⁵Birds of Conservation Concern (RSPB, 2015).

- 4.12 None of the above species were recorded within the site. Gulls were recorded within the wider survey area during all survey visits where they were recorded feeding and roosting on areas of cultivated land and roosting and flying over areas of grassland. However, once the rapeseed (*Brassica napus* var. *napus*) crops became established, numbers of gulls decreased on site. One area commonly used for roosting is the sports field at the Cronton Sixth Form College in the wider survey area. Gulls recorded comprised the Red listed herring gull and Amber listed black-headed gull, common gull and lesser black-backed gull. The numbers, however, represent very low percentages of the Great British populations of these species and it is not considered that the site and wider survey area comprise an important area of habitat for these species.
- 4.13 Red listed lapwing was recorded once on the last survey in March. It was recorded as a flyover heading from the site to the east over an area of housing.
- 4.14 None of the species associated with the Mersey Estuary SSSI, SPA and Ramsar site were recorded during the surveys.
- 4.15 Other notable species recorded but not associated with the designated sites included fieldfare (*Turdus pilaris*), count of 100+ foraging along a hedgerow on the 13th October 2021

and 2 redwing (*Turdus iliacus*) feeding along hedgerows in the site on the 10th of December 2021. Both species are listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), however, redwing and fieldfare are non-breeding visitors to Lancashire. Fieldfare is on the Red list and redwing on the Amber list. These wintering bird species have no association with the designated sites.

5.0 Impacts and Recommendations

- 5.1 No target bird species were recorded using the site or the wider survey area during the wintering bird survey.
- 5.2 Numbers of gull species recorded during the survey, which include species on the Red list (herring gull) and Amber list (black-headed gull, common gull and lesser black-backed gull), represent very low percentages of the Great British populations of these species and it is not considered that the site and wider survey area comprise an important area of habitat for these species.
- 5.3 Fieldfare and redwing were recorded foraging and feeding along hedgerows within the site on occasions. The majority of the hedgerows within the site will be retained providing a continued food resource for such species in the long term.
- 5.4 Based on the survey findings, a second winter of bird surveys is not considered justified as agreed during subsequent consultation with MEAS.
- 5.5 No direct or indirect impacts are therefore anticipated on wintering birds as a result of loss of habitat or disturbance during construction or operation. The only issue with regards the HRA is likely to be the potential increased recreational pressure. Taylor Wimpey has confirmed that they will opt-in to the mitigation measures set out within the Halton Recreational Management Interim Approach (Anon., 2020, i.e. payment of a commuted sum per dwelling and provision of an information leaflet to residents of dwellings²). MEAS has confirmed that they will undertake the HRA on behalf of Halton Council for consultation with Natural England.

6.0 Conclusion

- 6.1 Wintering bird surveys were undertaken at Chapel Lane Widnes for a proposed residential development at the site.
- 6.2 The surveys were undertaken by competent surveyors over the wintering bird survey period. The scope of the survey was agreed with MEAS.
- 6.3 No qualifying bird species were recorded at the site with all other bird species representing low percentages of the Great British populations. Retention of hedgerows within the site will provide a continued foraging resource for wintering fieldfare and redwing. No direct or indirect impacts are therefore anticipated on wintering birds as a result of loss of habitat or disturbance during construction or operation. Potential increased recreational pressure will be addressed via opting-in to the mitigation measures set out within the Halton Recreational Management Interim Approach (Anon., 2020).

² http://www.meas.org.uk/media/11044/lcr_leaflet_halton.pdf

7.0 References

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Appendix 1: Legislation

Statutory Designated Sites

Special Area of Conservation (SAC)

Special Areas of Conservation are designated under Regulation 12 the Conservation of Habitats and Species Regulations 2017 (as amended). Special Areas of Conservation are sites of national importance which contribute significantly to the maintenance, or restoration, at favourable conservation status in their natural range of the 189 natural habitat types listed in Annex I to the Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) or the 788 species listed in Annex II to that Directive and to the maintenance of biological diversity within the Atlantic biogeographic region. The listed habitat types and species are those considered to be most in need of conservation at a European level (excluding birds). The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 continue the same provision for European protected species, licensing requirements and protected areas after Brexit.

Special Protection Areas (SPA)

Special Protection Areas are classified under the Conservation of Habitats and Species Regulations 2017 (as amended). SPAs are those sites across the United Kingdom's territory which are most suitable in number and size for (a) the conservation of the species listed in Annex 1 to Directive 2009/147/EC on the conservation of wild birds (the Birds Directive) which naturally occur in that territory, and (b) the conservation of regularly occurring migratory species of birds not listed in Annex 1 which naturally occur in that territory. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 continue the same provision for European protected species, licensing requirements and protected areas after Brexit.

Ramsar Sites

The Convention on Wetlands was formed in Ramsar, Iran in 1971 and is now termed the Ramsar Convention. The Ramsar Convention came into action in 1975. It is an international government treaty whereby all countries, that are members, have a commitment to maintain the ecological value of their designated Wetlands of International Importance. It is the only global treaty that deals with a specific ecosystem (wetlands).

The Ramsar Convention provides a framework for the international cooperation and national action for the use of and conservation of wetland habitats and their associated resources.

Site of Special Scientific Interest (SSSI)

Sites of Special Scientific Interest are designated under The Wildlife and Countryside Act (WCA) 1981 (as amended). The WCA 1981 (as amended) is the domestic implementation of the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention).

Appendix 2: Birds of Conservation Concern Criteria

Birds of Conservation Concern (BoCC) is a review of the status of all birds occurring regularly in the United Kingdom. It is regularly updated and is prepared by leading bird conservation organisations. The latest report was published in 2021 (Stanbury et. al., 2021).

The criteria are complex, but generally: Red list species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years; Amber list species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included as Amber listed, together with those where 50% of the population is localised in 10 sites or fewer and those where 20% of the European population is found in the UK.

- Red list species are those that are **globally threatened** according to IUCN criteria; those whose population or range has declined rapidly in recent years; and those that have declined historically and have not shown a substantial recovery.
- Amber list species are those with an unfavourable conservation status in Europe; whose population or range has declined moderately in recent years; those whose population has declined historically but made a substantial recent recovery; rare breeders and those with internationally important or localised populations.
- Species that fulfil none of the above criteria are green listed. These species are not included in the evaluation.

Figure1:
Wintering Bird Survey Results Plan

Figure 1:
Wintering Bird Survey
Results Plan

Map Ref: (NGR) 35004, 38780
Map Scale: 1:5000 @ A3

KEY

- Site boundary
- 500m radius
- Suitable survey habitat
- Walked transect route
- Vantage Point (VP)
- HG BTO species code
Bird on the ground
- Indicative direction of bird in flight

BTO Species Codes

HG - Herring gull
BH - Black-headed gull
LB - Lesser black-backed gull
L - Lapwing

BTO code registrations on the plan may represent single or multiple birds

