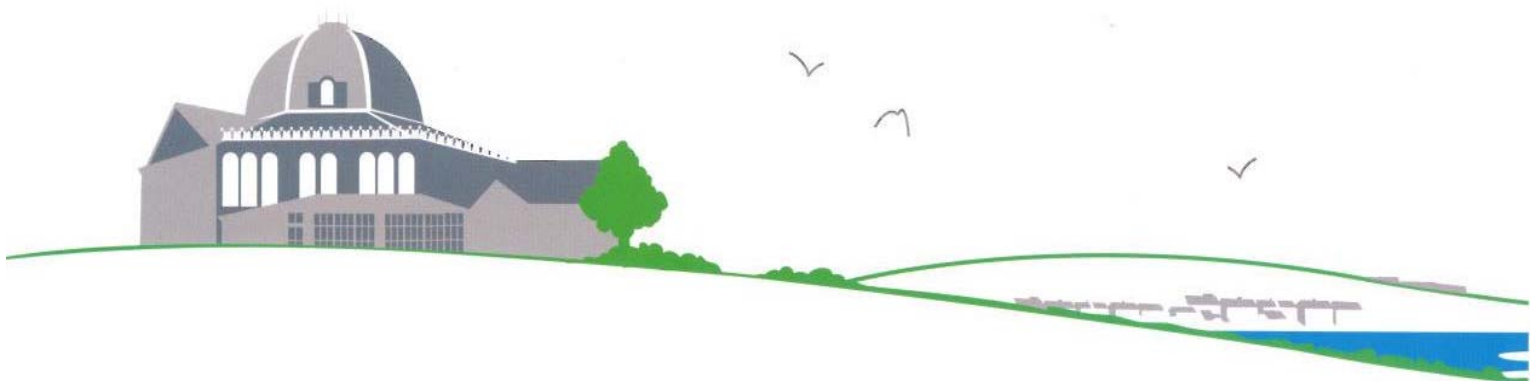




CHATSWORTH SETTLEMENT TRUSTEES
LAND OFF WORKSOP ROAD, MASTIN MOOR
BREEDING BIRD ASSESSMENT REPORT



CHATSWORTH SETTLEMENT TRUSTEES

LAND OFF WORKSOP ROAD, MASTIN MOOR

BREEDING BIRD ASSESSMENT REPORT


Penny Anderson Associates Limited
'Park Lea'
60 Park Road
Buxton
Derbyshire
SK17 6SN

Project Manager and Author
Sarah Ross BSc (Hons), PhD, MCIEEM, CEnv (Associate Director)

Authors
Sarah Ross
Sacha Rogers BSc (Hons), MCIEEM, CEnv (Managing Director)

October 2020

This project has been undertaken in accordance with PAA policies and procedures on quality assurance.



Signed: _____

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1. INTRODUCTION

Background

Purpose

- 1.1 The purpose of this Report is to explain and support an outline planning application for residential development of land at Mastin Moor (Chesterfield) as submitted to Chesterfield Borough Council (CBC) as the local planning authority (LPA) concerned. It outlines the context within which the application is made and provides a detailed assessment of the main ecological considerations, together with a reasoned justification in support of the development.

Structure of Report

- 1.2 This Report addresses the following:
- Context;
 - The Site and surrounding area;
 - Development proposal;
 - Planning policy considerations;
 - Key benefits;
 - Assessment of ecology (specifically breeding birds); and
 - Summary and conclusion.
- 1.3 The Report concludes that the significant majority of breeding bird species and activity are focused on the Site's hedgerows, with a low number of birds recorded within the field interiors. With appropriate habitat retention and provision, and measures to avoid disturbance to nesting birds during site clearance, there are no ecological reasons why residential development should not be supported on the Site.

Other Reports

- 1.4 The proposal has been informed by a range of technical evidence. As such, the planning application comprises a suite of information which includes:
- Supporting Planning Statement;
 - Design and Access Statement;
 - Landscape and Visual Impact Assessment;
 - Transport Assessment;
 - Flood Risk Assessment;
 - Ecology Surveys (Extended Phase 1 Habitat, Bat, Bird and Badger Surveys);
 - Archaeological Assessment;
 - Geo-Environmental Assessment;
 - Noise and Vibration Assessment;
 - Air Quality Assessment; and
 - Topographical Survey.

Author

- 1.5 This Report has been prepared by Penny Anderson Associates Ltd (PAA). PAA is a specialist ecological consultancy with extensive experience in ecology survey, evaluation and assessment. Our contact details are as follows:

Penny Anderson Associates Ltd

Park Lea, 60 Park Road, Buxton, Derbyshire, SK17 6SN

T: 01298 27086

Email: enquiries@pennyanderson.com

2. CONTEXT

Applicant

- 2.1 The land subject of this application is owned and managed by Devonshire Property (MM) Limited (DPMML). DPMML is part of the Devonshire Group.
- 2.2 The Devonshire Group, known technically as the Chatsworth Settlement Trustees (CST), owns the land and estates of the Dukedom of Devonshire. Its main estates are in the vicinity of Chatsworth in Derbyshire, and Bolton Abbey in North Yorkshire. It also runs visitor and other businesses on these estates including hotels, retail and catering outlets, forestry, livestock and arable farming. It employs over 600 full time employees. It is committed to quality in all its activities and takes a responsible approach to development; as such, it measures performance in social and environmental as well as financial terms.
- 2.3 Together with the Chatsworth House Trust (registered charity no.1511149), CST's Derbyshire Estate provides over 450 full time equivalent jobs and contributes c.£50m of enabled Gross Value Added to the local economy each year (Source: New Economics Foundation 2014). Its income funds socio-economic facilities (e.g. village shop/post office) and environmental management activities (e.g. architectural conservation) without grant support. CST thereby provides benefits far beyond 'just the estate'.
- 2.4 CST has a range of interests in the Borough of Chesterfield including: agricultural land supporting modern farming; commercial properties supporting local employment; farmsteads supporting smaller-scale rural enterprises; and the majority of the former Staveley Works site (including both the Clocktower Business Centre (leased to CBC and providing flexible term offices and workspaces) and the Devonshire Building (home to a gym and other enterprises)).
- 2.5 Whilst maintaining a long-term perspective, CST manages a diverse range of landholdings to achieve corporate and wider social and environmental objectives. It has thereby identified that the best long-term use for the land subject to this application would be for residential development. This will help deliver its own objective to deliver 1,000 new homes over the next ten years, and also meet the needs and aspirations of the local community and wider Borough, subject to securing a planning permission that is both attractive to the development market and commercially viable.

The Site

- 2.6 This section provides a summary of key features of the Site. The Site is more fully described within the Design and Access Statement submitted as part of the application.
- 2.7 The site is located at Mastin Moor, to the south of Worksop Road (A619) to both the east and west of Bolsover Road, with part of the Site extending southwards to Woodthorpe Road. It encompasses some 46.2ha of mainly agricultural land. The overall Site forms a shallow valley sloping from the ridge lines along Worksop Road and Woodthorpe Road towards a watercourse that runs in a westerly direction through the site. The highest part of the Site is around 119m above ordnance datum (AOD) in the north-east with the lowest part in the south-west at around 56m AOD.
- 2.8 The Site is primarily comprised of undulating arable fields with limited features. The main features of note include:
- An unnamed watercourse which flows in a westerly direction through the Site;
 - Bolsover Road which runs through the Site on a north-south axis;

- Pumphouse Farm (dwelling and curtilage) which is surrounded by the development proposal but does not form part of it;
- Field boundaries which are a mixture of hedgerows, stone walls and woodland; and
- Isolated trees.

2.9 The main part of the settlement of Mastin Moor is located to the north of the Site, on the northern side of Worksop Road. The settlement of Woodthorpe is located generally to the west of the Site. The Site abuts a limited number of residential properties, as well as the Mastin Moor Community Garden.

Photo 1 View Over Site from South-eastern Corner (Adjacent Woodthorpe Road) looking towards Woodthorpe



Photo 2 View Over Site from Bolsover Road (Close to Community Garden) looking towards Woodthorpe



Photo 3 View Over Site from Bolsover Road looking North-west towards Worksop Road)



Photo 4 View Over Site from Near North-eastern Boundary Adjacent to Worksop Road looking towards Bolsover Road and Woodthorpe



Design Process

- 2.10 CST first considered residential development options for its land at Mastin Moor in 2011 when it was identified in the Strategic Housing Land Availability Assessment by Chesterfield Borough Council. This formed part of the evidence base for what was at the time the emerging Local Plan: Core Strategy. CST appointed planning and masterplan specialists to explore these options. Outputs from that process formed part of CST's response to consultation on the Local Plan: Core Strategy.
- 2.11 Following adoption of the Local Plan: Core Strategy in 2013 which confirmed Mastin Moor as a focus for regeneration and growth, CST appointed an expanded team of specialists. Resulting technical surveys and reports contributed to a detailed appreciation of the development opportunity and potential constraints. These informed a masterplan-led approach that fully explored design options. The process had regard to the wider setting of the site and existing development in the locality.
- 2.12 Draft proposals were subject to extensive consultation with CBC, Derbyshire County Council and Staveley Town Council. Meetings were held with groups representing local residents and interest groups including Friends of Mastin Moor, the Woodthorpe Village Community Group and Mastin Moor Gardens and Allotments (formerly Mastin Moor Allotments Association). The resulting proposals were presented at two community consultation events in July 2016, held at

the Eventide Rest Room (Mastin Moor) and the Albert Inn (Woodthorpe), and were available to view at the same time on a website.

- 2.13 An outline planning application for 650 dwellings and other developments was subsequently submitted to CBC (ref. CHE/17/00469/OUT) in June 2017. Contrary to the unequivocal recommendation of the Officer's report, and despite no objections being received from any statutory consultees, the application was refused by the Council's Planning Committee in October 2019. At the time of writing, an appeal against that refusal remains extant.
- 2.14 Feedback received during the course of the determination of the above application has informed the current proposals. The design process that has led to the proposals for which planning permission is now sought is more fully described within the Design and Access Statement.

Development Proposal

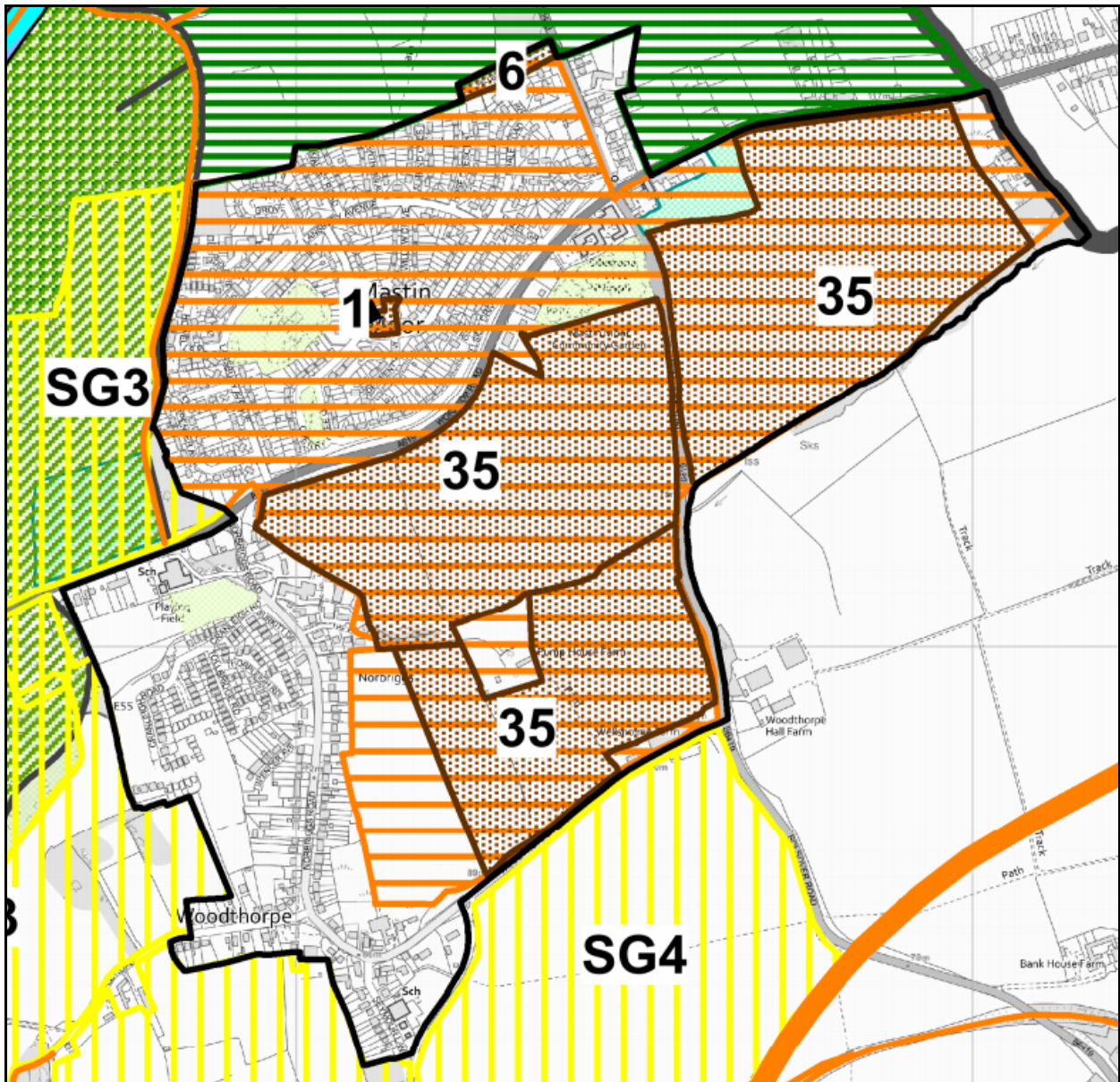
- 2.15 The proposed development seeks outline planning permission for residential development of up to 650 dwellings, a residential care facility with extra care, a Local Centre (including local retail, health facilities, leisure facilities, other local facilities and services and offices), open space, community garden extension, community building, parking and associated infrastructure and earthworks with all matters reserved except access. Details of scale, layout and landscaping are reserved for future consideration.
- 2.16 For illustrative purposes, an indicative layout has been prepared to show how the Site could be developed. Further explanation of the design principles that have been incorporated into the proposals, and how the design has been informed and influenced by the comprehensive suite of technical information and analysis, is set out in the Design and Access Statement.
- 2.17 Key aspects of the proposal include:
- Up to 650 dwellings located on land to the south of Worksop Road (east and west of Bolsover Road) extending to Woodthorpe Road;
 - A residential care facility with extra care;
 - A Local Centre (including local retail, health facilities, leisure facilities, other local facilities and services, offices) located adjacent to Worksop Road;
 - A new signal-controlled junction on Worksop Road providing access to the new Local Centre and residential areas, incorporating pedestrian and cyclist crossing facilities;
 - New priority-controlled junctions on Bolsover Road and Woodthorpe Road;
 - An extension to the Community Garden (approximately doubling its existing size), including provision for a new community building and associated car park;
 - Significant new areas of parkland, play areas and other open space;
 - Retention of existing hedgerows and trees wherever possible;
 - Additional landscape planting and ecological enhancements;
 - New walking and cycling connections;
 - New drainage infrastructure including surface water storage ponds; and
 - Financial contributions to allow the expansion of existing local services including Norbriggs Primary School.
- 2.18 The proposal, therefore, comprises a high quality development scheme designed to:
- address multiple deprivation issues at Mastin Moor;

- help regenerate the area in line with key related Local Plan policy;
- respect but integrate with the distinct communities of Woodthorpe and Mastin Moor; and
- acknowledge and address the specific physical challenges and constraints of the Site (e.g. topography, drainage).

Planning Policy

- 2.19 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications is undertaken in accordance with the development plan, unless material considerations indicate otherwise. The relevant document for this application is the Chesterfield Local Plan (2020) (the Local Plan).
- 2.20 The Local Plan allocates the site for development by way of Policy CLP3 Flexibility in Delivery of Housing. Table 4 within the Local Plan references the site as H35 (Land South of Worksop Road, and East and West of Bolsover Road, Mastin Moor), having a capacity of 650 dwellings, the extent of which is shown on the Local Plan Policies Map. Policy RP1 Regeneration Priority Areas sets out further specific requirements for any development within site H35.
- 2.21 Other relevant policies of the Local Plan include: CLP1 Spatial Strategy; CLP2 Principles for Location of Development; CLP4 Range of Housing; CLP6 Economic Growth; CLP8 Vitality and Viability of Centres; CLP9 Retail; CLP10 Social Infrastructure; CLP11 Infrastructure Delivery; CLP13 Managing the Water Cycle; CLP14 A Healthy Environment; CLP15 Green Infrastructure; CLP16 Biodiversity; Geodiversity and the Ecological Network; CLP17 Open Space; Play Provision; Sports Facilities and Allotments; CLP20 Design; CLP21 Historic Environment; and CLP22 Influencing the Demand for Travel.
- 2.22 An extract from the Local Plan Policies Map showing the extent of the allocation and the wider Mastin Moor Regeneration Priority Area is shown below.

Figure 1 Local Plan Policies Map (extract)



2.23 The National Planning Policy Framework (NPPF) 'sets out the Government's planning policies for England and how these are expected to be applied'. Paragraph 10 of the NPPF sets out that '*at the heart of the [NPPF] is a presumption in favour of sustainable development*'. Paragraph 11 states that '*For decision-taking this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

Planning Assessment

- 2.24 The proposal performs well against relevant Local Plan policies. In particular, it will deliver development in accordance with Policies CLP1 Spatial Strategy, CLP2 Principles for Location of Development, Policies CLP3 Flexibility in Delivery of Housing and Policy RP1 Regeneration Priority Areas.
- 2.25 It is also considered that there are no material considerations that indicate anything other than the fact that the LPA should determine the application in line with the extant plan as outlined above.
- 2.26 In addition, key benefits of the proposal would include:
- Provision of new, high quality housing;
 - New development in an area with acknowledged regeneration needs;
 - Greater variety of housing type and tenure (including Affordable Housing) to meet the diverse needs of the local community (including housing to buy and rent);
 - Extension of the Community Garden (approximately doubling its existing size) including provision for a new community building and parking area;
 - Improved local services and facilities (including provision for retail, health and other local and community services within a new Local Centre);
 - Significant new areas of parkland, play areas and other open greenspace available to existing and new residents;
 - New housing in a location where future residents will have a realistic choice of walking, cycling or using public transport, in preference to using private motor vehicles;
 - Additional capacity at local schools;
 - Opportunities for skills and learning through training programmes during construction and operational phases of the development;
 - New employment opportunities during construction and operational phases of the development;
 - Additional landscape planting and ecological enhancements;
 - New traffic signal-controlled junction on Worksop Road to include pedestrian and cyclist crossing facilities; and
 - On-site water storage to help reduce existing off-site flood risk.
- 2.27 The proposal will, therefore, provide opportunities and benefits for all sections of the local community, including existing and future residents. Benefits will accrue in the short- and longer-term. It will help to overcome issues that can lead to deprivation and will contribute to regeneration in line with Local Plan objectives.

3. METHODS AND RESULTS

The Site

- 3.1 The Site consists of large cereal fields, primarily oilseed rape with wheat grown in the southern-most field in 2015 with oats also grown in 2020. The fields are bordered with mature, species-poor hedgerows dominated by hawthorn. A small stream runs through the Site from east to west. It is bordered by woodland in the eastern section of the Site with a small broad-leaved woodland at the far eastern end. Bolsover Road dissects the Site in a north-south direction, with Worksop Road on the northern boundary. Residential properties are located beyond Worksop Road and, to the west of the Site boundary, mixed farmland is located to the east and south of the Site.

Methodology

- 3.2 A detailed survey for breeding birds was undertaken in 2015 across the Site on 9th and 26th June 2015. The survey was repeated on 13th July 2020 to supplement the dataset collected in 2015. The methodology was based upon a combination of the breeding bird survey (BBS) methodology (Gilbert *et al.* 1998) and the Common Bird Census methodology devised by the BTO.
- 3.3 On each survey visit the following details were recorded:
- Bird numbers, species¹, age and sex;
 - Locations of sightings, including birds themselves and any active nests;
 - Habitats being used; and
 - Bird behaviour, e.g. singing, feeding; paying particular attention to evidence of breeding.
- 3.4 In addition, incidental records of any birds encountered on Site during other surveys were also noted and added to the assessment.

Breeding Bird Assessment

- 3.5 In 2015, a total of 28 species were recorded across the Site, at the time of survey these included ten Birds of Conservation Concern (Eaton *et al.* 2009) (36% of the total list); five red listed and five amber listed, within these were seven S41 Priority Species, including farmland indicator species, Eurasian bullfinch², grey partridge, yellowhammer and common linnet. The results, including details of behaviour recorded, are presented in Figure 2 and Appendix 3a. Since summer 2015 the swallow has changed from Amber listed (moderate conservation concern) to Green listed (of least concern). This is reflected in the 2020 analysis below.
- 3.6 In 2020, a total of 28 species was again recorded on the survey, with four Red listed and three Amber listed species (see Appendix 3b and Figure 3) of conservation concern (Eaton *et al.* 2015). In addition, four species are also noted as Section 41 Species of Principal Importance under the Natural Environment and Rural Communities (NERC) Act (2006). The species

¹ Bird names follow British Ornithologists' Union 2017

² See Appendix 3 for scientific bird names

recorded were very similar to those found in 2015, being typical of the habitats present and including a number of farmland birds. Notable absences were yellowhammer and mistle thrush (Red and Amber listed, respectively), however, these species may still be present on Site as suitable habitat remains.

Breeding Assemblage

- 3.7 Of the 28 species recorded in 2015, 26 were considered to be confirmed or probably/possibly breeding on site, or the site formed part of their breeding territory (EOAC 1979, Appendix 2). The two exceptions were swallow, which was recorded foraging over the Site only, and rook, which was recorded flying over.
- 3.8 Twelve species were confirmed as breeding, this included three Red listed, S41 species - common linnet, grey partridge and house sparrow. Amber listed dunnoek (also S41) and whitethroat were also confirmed breeders.
- 3.9 There were ten probable breeders, these included Red listed, S41 species - song thrush and yellowhammer - in addition to amber listed mistle thrush. Goldfinch and greenfinch were also probable breeders.
- 3.10 The remaining four species were possible breeders - carrion crow, chiffchaff, Amber listed Eurasian bullfinch, and little owl. A little owl pellet was recorded within one of the cereal fields, which provided evidence of this species utilising the Site. It is considered possible that this species uses one of the mature trees within or adjacent to the site for breeding.
- 3.11 The additional 2020 survey breeding bird assemblage was similar reflecting the relatively unchanging habitats on Site, typical of a farmland setting. A total of 14 species were recorded as confirmed or probably/possibly breeding on Site, or the Site formed part of their breeding territory. This included most of the Red and Amber listed species on Site.
- 3.12 The remaining non-breeding species included the Red listed grey partridge and common linnet. Species recorded as non-breeding were observed as either single individuals within habitat on site or as flying over the Site.

4. DISCUSSION AND RECOMMENDATIONS

Evaluation of Breeding Assemblage

- 4.1 An analysis of the distribution of breeding bird records across both datasets as shown in Figures 2 and 3 demonstrates that the significant majority of breeding bird species and activity are focused on the Site's hedgerows, with a low number of birds recorded within the field interiors. The field interiors are mostly used for foraging, however, some species recorded on Site are known to nest within cereal fields, such as whitethroat and grey partridge. A summary of the legislation relating to Breeding Birds can be found as Appendix 1.

Effects of Proposed Development

Site Clearance and Construction

- 4.2 Site clearance and construction may result in disturbance to nesting birds within or immediately adjacent to the site if this is conducted during the breeding season (peak season is considered to be March to September, inclusive).

Displacement

- 4.3 The proposed development would result in a change of habitat type from open arable land to enclosed residential gardens and public open space. It is likely that a number of species will continue to utilise the boundary hedgerows, if retained. It is assumed that the shorter hedgerows within the interior of the site may be lost, and that any potential breeding pairs utilising these would be displaced. As these hedgerows are short in comparison to the perimeter hedgerows and, in one case, defunct, they do not support a high diversity of species.
- 4.4 Additionally, since many of the recorded species are known to breed within or adjacent to residential developments, it is likely that some species will persist on the site itself once suitable habitats are established. For example, species such as common blackbird, robin, Eurasian blue tit, common chaffinch, collared dove and song thrush are known to co-exist with humans if suitable habitats are present.
- 4.5 The potential displacement caused by the removal of interior hedgerows is not, therefore, considered to be significant. These interior hedgerows do, however, form an important part of the hedgerow network which allows the movement of birds through the Site and into the wider countryside.
- 4.6 Species specifically associated with open/farmland habitats, such as Eurasian bullfinch, common linnet, yellowhammer, little owl and grey partridge, are unlikely to persist within the Site boundary once the development is completed and would likely be displaced into the adjacent countryside.

Disturbance

- 4.7 Without mitigation, the proposed residential development may result in increased use of adjacent habitats for informal recreation and disturbance to breeding birds associated with these habitats.

Predation

- 4.8 It is assumed that a proportion of the new residents may own pet cats which are likely to roam into adjacent habitats during the night and early hours and which may prey on wild birds.

Recommendations

- 4.9 A number of features are recommended to avoid or minimise disturbance to, and displacement of, breeding birds during and after construction comprising:
- retain as many hedgerows as possible to allow movement of birds/wildlife across the landscape. As a minimum all perimeter hedgerows should be retained;
 - retain mature trees where possible, including those within field interiors;
 - retain and enhance a 3-5m buffer between the development and retained hedgerows;
 - retain and enhance a 8-10m buffer to the stream which runs centrally through the site;
 - provide public open space which incorporates wildlife habitat;
 - incorporate appropriate nesting aids for species such as house sparrow, starling, swift, and common house martin into new buildings; and
 - new hedgerows/appropriate shrub planting should be incorporated into the development where possible. This should include planting of British native species, ideally of local provenance.
- 4.10 The incorporation of new planting will serve to make breeding birds less vulnerable to disturbance and predation, for example by maintaining abundant dense vegetation cover, but also ensuring that there are plenty of alternatives nest sites such that, if one brood is lost, then further broods can be reared in different locations. Habitat management will also maintain plenty of food-rich habitat, for example berry- and seed-bearing plant species to ensure chicks do not go hungry and their begging calls do not attract predators, and so that adult birds are not forced to forage for longer and in areas where they are more vulnerable to disturbance or predation. Good quality habitat will also boost productivity and/or survival of young to help off-set any birds lost to predation

Mitigation

- 4.11 In addition, it is recommended that potential breeding bird habitats within the application site, including trees, scrub and dense vegetation, are removed outside the breeding season which runs from March to September (inclusive).
- 4.12 If this is not possible then a suitably experienced ecologist must check the vegetation no more than 48 hours prior to site clearance to ensure no active nests are present. If nesting birds are confirmed to be present then works would be postponed until young have fledged and/or nesting had been completed. It may be necessary to cordon off the nest and monitor it until it is completed. This approach is recommended to minimise the risk of destroying active nests and, therefore, any infringement of the wildlife legislation.

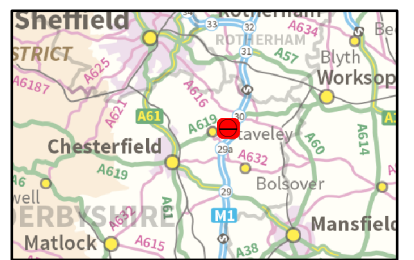
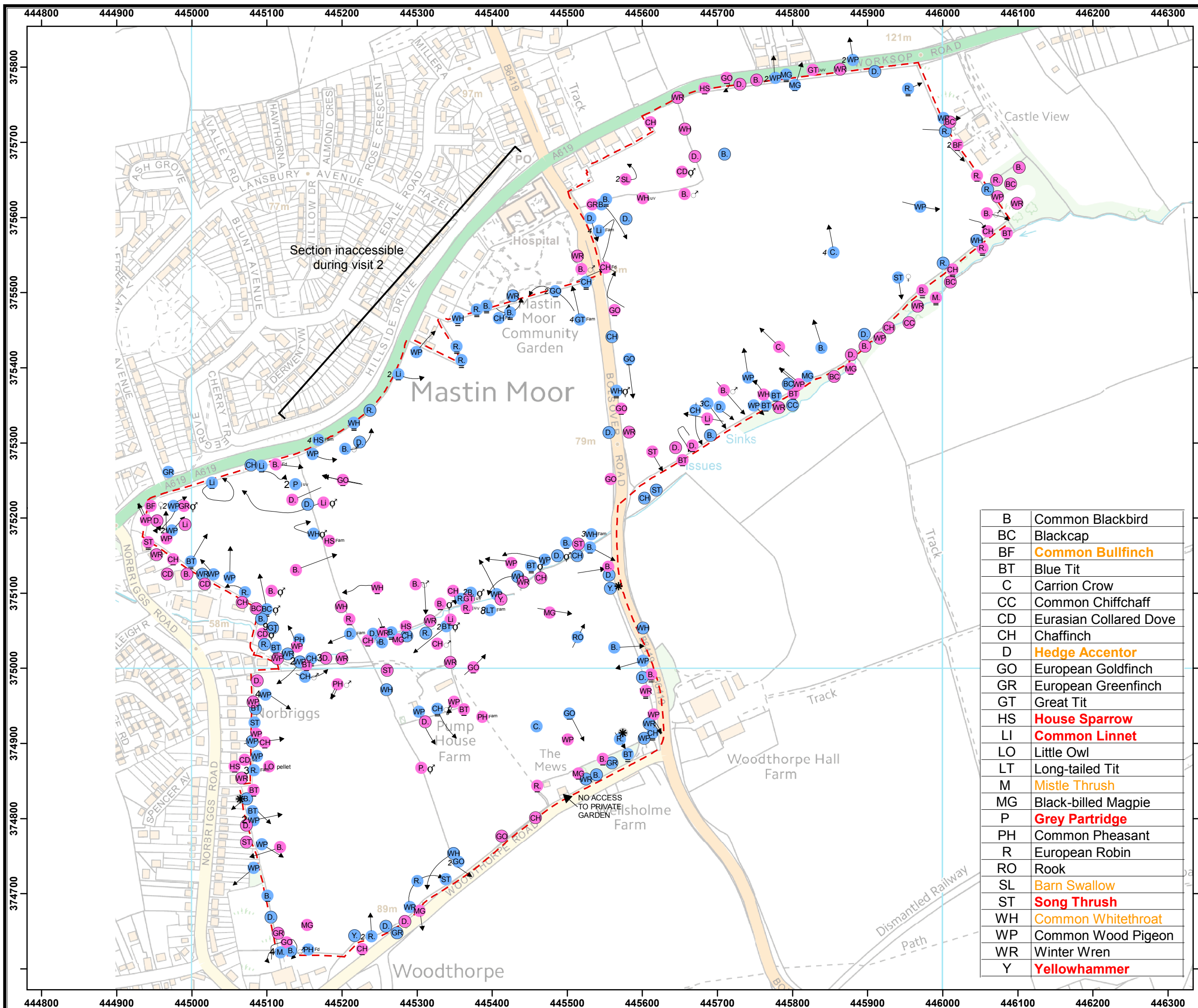
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6. ABBREVIATIONS

BBS	Breeding Bird Survey
CBC	Chesterfield Borough Council
CST	Chatsworth Settlement Trustees
DPMML	Devonshire Property (MM) Limited
LPA	Local Planning Authority
NERC	Natural Environment and Rural Communities
NPPF	National Planning Policy Framework
PAA	Penny Anderson Associates Ltd

FIGURES



Legend

Site boundary

BBS Visits

- Visit 1 - 09/06/15
- Visit 2 - 25/06/15

Bird details:

- ♀ Female
- ♂ Male
- ♂♀ Pair
- Juv Juvenile
- Fam Family
- Fd Foraging for food
- * Nest

Bird calls

- No call
- Alarm call
- Calling
- Singing

Bird flight

- Flew from point
- Flew to point (and landed)
- Flying
- Flushed

British National Grid
Projection: Transverse Mercator
False Easting: 400000.000000
False Northing: -100000.000000
Central Meridian: -2.000000
Scale Factor: 0.999601
Latitude Of Origin: 49.000000

ISO A3

0 25 50 100 150 Metres

Chatsworth Settlement Trustees
Chatsworth Estate Office
Bakewell
DE45 1PJ

Penny Anderson Associates Ltd
CONSULTANT ECOLOGISTS

Penny Anderson Associates Ltd,
Parklea, 60 Park Road,
Buxton, Derbyshire, SK17 6SN.
Telephone 01298 270886

Project Name
Land off Worksop Road, Mastin Moor

Discipline
Ecology

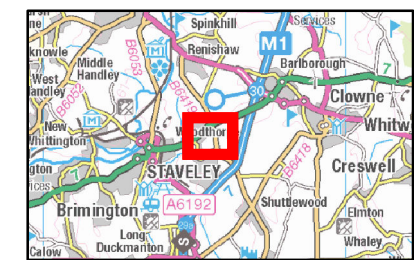
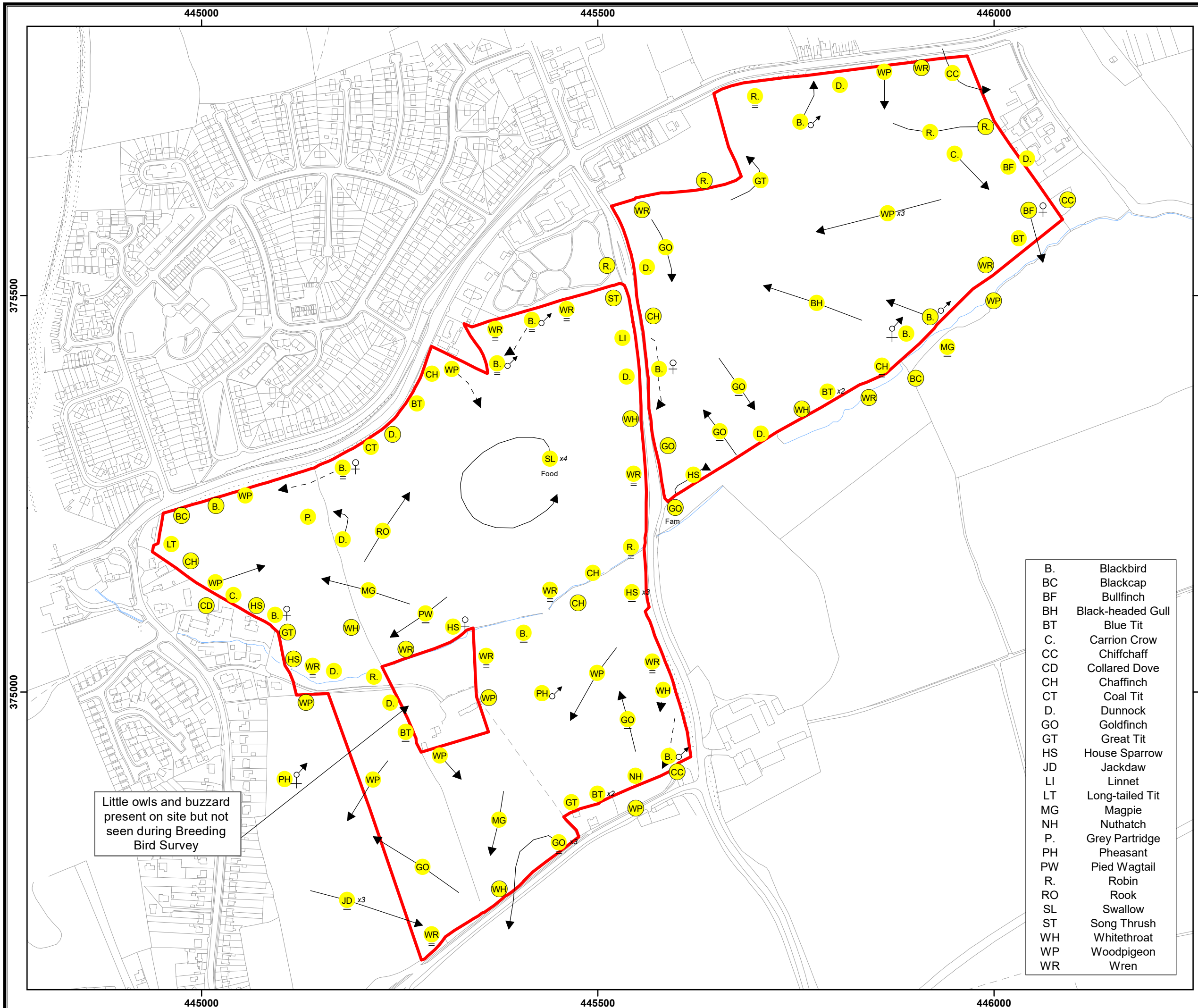
Title:
**BREEDING BIRD SURVEY
2015
VISIT 1 AND 2**

Scale 1:4,750 Drawing No. Figure G

Drawn By JL Originator CP Date 27/08/2015

PAA Ref. G:\CHST04_MastinMoor_Chesterfield\Maps Revision 1.0

B	Common Blackbird
BC	Blackcap
BF	Common Bullfinch
BT	Blue Tit
C	Carrion Crow
CC	Common Chiffchaff
CD	Eurasian Collared Dove
CH	Chaffinch
D	Hedge Accentor
GO	European Goldfinch
GR	European Greenfinch
GT	Great Tit
HS	House Sparrow
LI	Common Linnet
LO	Little Owl
LT	Long-tailed Tit
M	Mistle Thrush
MG	Black-billed Magpie
P	Grey Partridge
PH	Common Pheasant
R	European Robin
RO	Rook
SL	Barn Swallow
ST	Song Thrush
WH	Common Whitethroat
WP	Common Wood Pigeon
WR	Winter Wren
Y	Yellowhammer



Legend

Planning boundary

Type

- Natural flight path
- Path of flushed out bird
- Bird registration
- Bird singing
- Bird calling
- Bird alarm calling
- Male
- Female
- Pair

British National Grid
Projection: Transverse Mercator
False Easting: 400000.000000
False Northing: -100000.000000
Central Meridian: -2.000000
Scale Factor: 0.999601
Latitude Of Origin: 49.000000

ISO A3

0 25 50 100 150 Metres

Penny Anderson Associates Ltd
Buxton, Derbyshire, SK17 6SN.
Telephone 01298 27086

Project Name: Mastin Moor

Discipline: Ecology

Title: **Breeding Bird Survey**
13th July 2020

Scale: 1:4,500	Drawing No. Figure 3
Drawn By MDM	Originator AC
Date 08/10/2020	Revision 1.0

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B.	Blackbird
BC	Blackcap
BF	Bullfinch
BH	Black-headed Gull
BT	Blue Tit
C.	Carrion Crow
CC	Chiffchaff
CD	Collared Dove
CH	Chaffinch
CT	Coal Tit
D.	Dunnock
GO	Goldfinch
GT	Great Tit
HS	House Sparrow
JD	Jackdaw
LI	Linnet
LT	Long-tailed Tit
MG	Maggie
NH	Nuthatch
P.	Grey Partridge
PH	Pheasant
PW	Pied Wagtail
R.	Robin
RO	Rook
SL	Swallow
ST	Song Thrush
WH	Whitethroat
WP	Woodpigeon
WR	Wren

APPENDICES

APPENDIX 1

Summary of the Legislation Relating to Breeding Birds

SUMMARY OF THE LEGISLATION RELATING TO BREEDING BIRDS

All wild species of breeding birds and their nests are protected under Part 1 of the Wildlife and Countryside Act (WCA) 1981, as amended by later legislation including the Countryside and Rights of Way (CROW) Act 2000. This legislation applies in England and Wales.

Part 1 (Section 1:1) of the WCA 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 (Section 1:5) of the WCA (amended by the CROW Act 2000) refers to specific birds listed on Schedule 1 of the WCA, and states that:

'If any person intentionally or recklessly,

- (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 dependent young of such a bird,

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

Schedule 1 includes birds such as Western barn owl (*Tyto alba*), black redstart (*Phoenicurus ochrurus*), woodlark (*Lullula arborea*) and Cetti's warbler (*Cettia cetti*). Please refer to the WCA for a complete list of Schedule 1 species.

Some provisions are made to allow the killing and taking of certain species under certain circumstances, as follows:

- Birds listed on Schedule 2 (Part 1) of the Act may be taken or killed outside of the 'close season' for each individual species (the 'close season' is defined by the Act). This includes various wild duck and geese species.
- Birds listed on Schedule 2 (Part 2) of the Act may be killed or taken by authorised persons at all times. This includes species such as carrion crow (*Corvus corone*), Eurasian magpie (*Pica pica*), feral pigeon¹ (*Columba livia*) and greater Canada goose (*Branta canadensis*). An 'authorised person' is defined as a person who has written authorisation to undertake the act from the relevant statutory authority. The written authority is in the form of a licence, either a general licence which covers a number of the more typical 'pest' species, or an individual licence for other individual species. In England these licences are issued by Natural England and in Wales by the Welsh Assembly Government.

Please note: the above text provides a brief summary of the legislation in relation to breeding birds in England and Wales and the original Act and any amendments should be referred to for the precise wording.

¹ Also known as rock dove

APPENDIX 2

European Ornithology Atlas Committee and British Trust for Ornithology Guidelines

Appendix 2 European Ornithology Atlas Committee and British Trust for Ornithology Guidelines

Class	Category of Evidence
Non-breeding	Flying over
	Species observed but suspected to be still on migration
	Species observed but suspected to be summering non-breeder
Possible Breeding	Species observed in breeding season in possible nesting habitat
	Singing male present (or breeding calls heard) in breeding season in suitable breeding habitat
Probable Breeding	Pairs 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 apart, at the same place, or many individuals on one day.
	Display and courtship (judged to be near potential breeding habitat).
	Visiting probable nest site
	Agitated behaviour or anxiety calls from adults, suggesting probably presence of nest or young nearby
	Brood patch on adult examined in the hand, suggesting incubation
	Building nest or excavating nest-hole
Confirmed Breeding	Distraction display or injury feigning
	Used nest or egg shells found (occupied or laid within the survey period)
	Recently fledged young (nidicolous species) or downy young (nififugous species). Careful consideration should be given to the likely provenance of any fledged juvenile capable of significant geographical movement. Evidence of dependency on adults (e.g. feeding) is helpful.
	Adults entering or leaving nest site in circumstances indicating occupied nest or adult sitting on nest
	Adults carrying food for young or faecal sacs
	Nests containing eggs
	Nest with young seen or heard

APPENDIX 3a and 3b

Breeding Bird Survey Results 2015 and 2020

Appendix 3a Breeding Bird Survey Results 2015

Common Name	Scientific Name	Visit 1 9 June 2015		Visit 2 26 June 2015		Indicative Breeding Status	Comment
		Count	Behaviour	Count	Behaviour		
Barn swallow	<i>Hirundo rustica</i>			2	Foraging over fields	NB	Foraging over site only
Black-billed magpie	<i>Pica pica</i>	3	1 Alarm call, 1 Calling	7	Calling x2	PR	
Blackcap	<i>Sylvia atricapilla</i>	4	1 Pair, 1 alarm call, 1 singing	5	Singing x5	PR	
Blue tit	<i>Cyanistes caeruleus</i>	11	2 Pairs, 4 Alarm calls, 1 Singing, 2 Calling	6	Calling x6	PR	
Carriion crow	<i>Corvus corone</i>	9		1		PO	
Chaffinch	<i>Fringilla coelebs</i>	12	1 Food, 1 Male, 4 Alarm call, 5 Singing	15	Male x1, Female x1, Carrying food x1, Calling x5, Singing x4, Alarm call x1	C	
Common blackbird	<i>Turdus merula</i>	20	1 Male, 1 Pair, 4 Alarm call, 5 singing, 3 Calling	19	Carrying food x1, Pair x2, Male x2, Singing x4, Alarm call x2,	C	
Common bullfinch	<i>Pyrrhula pyrrhula</i>			3	Female x1, Calling x2	PO	Associated with hedgerows and woodland to east of site
Common chiffchaff	<i>Phylloscopus collybita</i>	1	1 Singing	1	Singing x1	PO	
Common linnet	<i>Carduelis cannabina</i>	8	1 Family, 3 Calling	5	Calling x2, Singing x1, Pair x 1	C	Mostly associated with north-west boundary of site
Common pheasant	<i>Phasianus colchicus</i>		1 Foraging, 1 Calling	3	Family x1, Male x2	C	
Common whitethroat	<i>Sylvia communis</i>	12	1 Family, 2 Pair, 3 Alarm call, 5 Singing	5	Juvenile x1, Singing x2, Calling x1	C	Recorded throughout the site
Common wood pigeon	<i>Columba palumbus</i>	33	4 Singing	17	Singing x4	PR	
Eurasian collared dove	<i>Streptopelia decaocta</i>			3	Juvenile x1, Pair x2,	C	
European goldfinch	<i>Carduelis carduelis</i>	6	3 Calling	13	Singing x1, Calling x5	PR	
European greenfinch	<i>Carduelis chloris</i>	3	2 Singing	3	Pair x1, Singing x1	PR	
European robin	<i>Erithacus rubecula</i>	19	1x Family of 3, 4 Alarm call, Singing 6	6	Juvenile x1, Calling x4, Alarm call x1, Singing x1	C	
Great tit	<i>Parus major</i>	5	1 Family, 1 singing	3	Juvenile x2	C	
Grey partridge	<i>Perdix perdix</i>	2	Juveniles x2	2	Pair x1	C	Associated with the western section of the site centrally
Hedge accentor	<i>Prunella modularis</i>	17	1 Family, 1 Pair, 11 Singing	13	Singing x10, Calling x1	C	Recorded throughout the site
House sparrow	<i>Passer domesticus</i>	4	Family of 4	4	Family x1, Calling x3	C	Associated with central site hedgerows
Little owl	<i>Athene noctua</i>			-	Fresh pellet observed	PO	Fresh pellet observed within cereal field
Long-tailed tit	<i>Aegithalos caudatus</i>	8	1 instance Family of 8			C	
Mistle thrush	<i>Turdus viscivorus</i>	4		1	Alarm call x1	PR	Recorded at site perimeter
Rook	<i>Corvus frugilegus</i>	1	Flying over			NB	Rookery not evident on site
Song thrush	<i>Turdus philomelos</i>	4	1 Female, 1 Singing	3	Alarm call x1, Singing x3	PR	Distributed across the site
Winter wren	<i>Troglodytes troglodytes</i>	6	5 Singing	16	Singing x13, Alarm call x1	PR	
Yellowhammer	<i>Emberiza citrinella</i>	2	2 Singing	1	Singing x1	PR	Associated with stream corridor and cereal fields

Colour Codes:

Red = red listed

Orange = amber listed

Red + bold = red listed S41

Orange + bold = amber listed S41

Breeding Status Codes:

PO = Possible

PR = Probable

C = Confirmed

NB = Not breeding on site

Appendix 3b Breeding Bird Survey Results 2020

Common Name	Scientific Name	Visit 1 13 July 2020	Indicative Breeding Status	Comments
Black headed gull	<i>Chroicocephalus ridibundus</i>	1	NB	One adult seen flying over field
Carrion crow	<i>Corvus Corone</i>	1	NB	One adult seen flying over site
Chiffchaff	<i>Phylloscopus collybita</i>	2	NB	Heard but not seen in two areas of woodland
Coal tit	<i>Periparus ater</i>	1	NB	One individual seen near Worksop Road
Collared dove	<i>Streptopelia decaocto</i>	1	NB	One individual heard near Norbriggs Road
Common blackbird	<i>Turdus merula</i>	10	PO	Multiple adults seen throughout, with two pairs seen. Singing males on site
Common chaffinch	<i>Fringilla coelebs</i>	5	PO	Singing males heard on site. No pairs seen however
Common linnet	<i>Linaria cannabina</i>	1	NB	One individual adult within hedgerow on Bolsover Road
Duncock	<i>Prunella modularis</i>	9	PO	Adults heard and seen singing on tops of hedgerows throughout site
Eurasian blue tit	<i>Cyanistes caeruleus</i>	6	PO	Two adult pairs seen on site
Eurasian bullfinch	<i>Pyrrhula pyrrhula</i>	2	PO	Adult pair seen together
Eurasian magpie	<i>Pica pica</i>	2	NB	Two individual adults seen flying over site in different directions
Eurasian nuthatch	<i>Sitta europaea</i>	1	NB	One adult witnessed displaying feeding behaviour on the trunk of a tree near Woodthrope Road
Eurasian wren	<i>Troglodytes troglodytes</i>	12	PO	Multiple singing adults observed, many displaying alarm behaviour
Goldfinch	<i>Carduelis carduelis</i>	12	PR	Multiple birds and families spotted throughout survey. Singing individuals heard
Great tit	<i>Parus major</i>	2	NB	2 individuals observed feeding in separate areas
Grey partridge	<i>Perdix perdix</i>	1	NB	One individual seen displaying feeding behaviour within field
House sparrow	<i>Passer domesticus</i>	8	C	Several birds found throughout. Family with juvenile spotted near Norbriggs Road
Long-tailed tit	<i>Aegithalos caudatus</i>	1	NB	One individual briefly seen within hedgerow
Pheasant	<i>Phasianus colchicus</i>	3	PO	Male and female pair seen together. No young observed
Pied wagtail	<i>Motacilla alba</i>	1	NB	One individual heard and seen flying over site. Calling within flight
Robin	<i>Erithacus rubecula</i>	6	PO	Several individuals displaying alarm behaviour and singing throughout hedgerows on site
Rook	<i>Corvus frugilegus</i>	1	NB	One individual witnessed flying over site
Song Thrush	<i>Turdus philomelos</i>	1	PO	One adult heard singing on top of tree near hedgerow
Swallow	<i>Hirundo rustica</i>	4	PO	Four adults observed feeding and circling about field and hedgerow along Bolsover Road
Western jackdaw	<i>Coloeus monedula</i>	3	NB	Three adults seen flying over site
Whitethroat	<i>Sylvia communis</i>	5	PO	Singing males on top of hedgerows
Woodpigeon	<i>Columba palumbus</i>	12	PO	Several individuals singing on site, three adults seen flying over site together

KEY

C = Confirmed Breeding Species
 PR = Probable Breeding Species
 PO = Possible Breeding Species
 NB = Non-Breeding Species

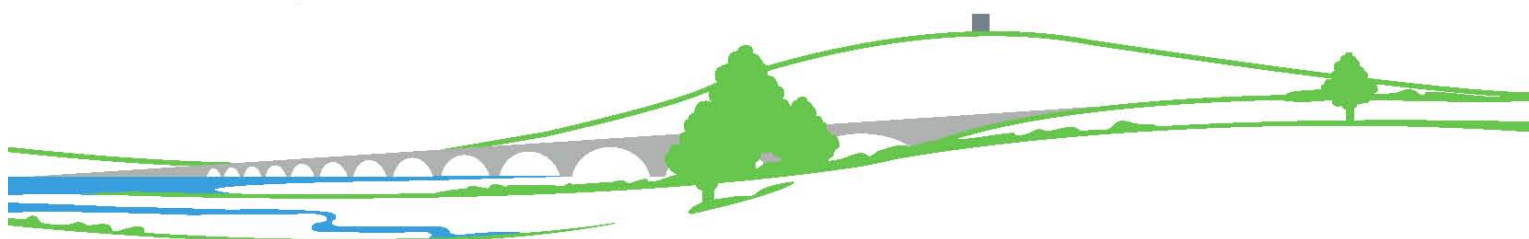
Additional Notes:

Little owl (*Athene noctua*) - pair observed on site on evening bat survey
 Buzzard (*Buteo buteo*) - single bird observed on site during Phase 1 habitat survey

Orange = Amber Listed BoCC
 Red = Red Listed BoCC

Red + bold = Red listed S41
 Orange + bold = Amber listed S41

Penny Anderson
Associates Ltd
CONSULTANT ECOLOGISTS



Park Lea, 60 Park Road, Buxton, Derbyshire SK17 6SN