

M3 Junction 9 Improvement

Scheme Number: TR010055

6.3 Environmental Statement Appendix 8.1d - Breeding Bird Community Walkover Survey Report 2017

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6.3 ENVIRONMENTAL STATEMENT- APPENDIX 8.1d: BREEDING BIRD COMMUNITY WALKOVER SURVEY REPORT 2017
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M3 JUNCTION 9 IMPROVEMENT SCHEME

BREEDING BIRD COMMUNITY WALKOVER SURVEY REPORT

Highways England

Second Issue


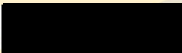

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EXECUTIVE SUMMARY

M3 Junction 9 has been highlighted as requiring redevelopment in order to help reduce congestion. This will be achieved by improving the flow of traffic, and three options are currently being considered for implementation.

To gather baseline information about the importance of the land adjacent to the junction and the potential works footprint for birds, a survey was completed in June and July 2017. This comprised a habitat assessment and survey focussing on birds, and covering the proposed work area and land to 250m away (the Survey Area). Surveys covered this area using two transects.

The work has established that the Survey Area supports a breeding bird community including Red or Amber listed Species of Conservation Concern (Eaton *et al.*, 2015), and Species of Principal Importance as listed in Section 41 of the Natural Environment and Rural Communities Act 2006, as well as more common species. The species of conservation concern include at least two declining farmland Species of Principal Importance, skylark and yellowhammer, which due to the intensively farmed nature of the arable habitats, and sightings, are likely to be present in small numbers. Two Schedule 1 species, Cetti's warbler and kingfisher, and a variety of other species of conservation concern were noted along the River Itchen corridor. The Itchen is likely to support a more notable bird community than the remainder of the Survey Area.

Once the final design is identified, a further bird survey should be carried out in the breeding season, comprising (as a minimum) three visits, one each in April, May and June. Surveyors will approach habitat that could be used by breeding birds within and surrounding the works area, and land to 50m. Depending on the final design, the presence of breeding waders on Winnall Moors (a nearby nature reserve, managed by the Hampshire Wildlife Trust) may need to be established, either through appropriately timed surveys or liaison with the Wildlife Trust. Species specific surveys, such as for lesser spotted woodpecker *Dendrocopos minor*, are recommended where the Proposed Works will impact specific habitat types. Species specific surveys will be dependent on the final route selected.

1 INTRODUCTION

1.1 PROJECT BACKGROUND

1.1.1 Junction 9 of the M3 is a key transport interchange on the strategic road network which connects South Hampshire and the wider sub-region, with London via the M3 and the Midlands via the A34 (which also links to the principal east-west A303 corridor). A large volume of traffic currently uses the interchange (approximately 6,000 vehicles per hour during the peak periods), which acts as a bottleneck on the local and strategic highway network, causing significant delays. M3 Junction 9 has been proposed for redevelopment in order to help reduce congestion around this stretch of the road by improving the flow of traffic.

1.1.2 Three options have been taken forward to Project Control Framework (PCF) Stage 2 and assessed within this report, namely:

- Option 14: Northbound and Southbound A34 Free Flow Design;
- Option 16B: Incremental Delivery – Northbound A34 Free Flow Link;
- Option 16C: Incremental Delivery – Southbound A34 Free Flow Design.

1.1.3 The works are hereafter referred to as the 'Proposed Works'. Further details of the Proposed Works are presented within the PCF Stage 2 EAR (HE551511-WSP-GEN-M3J9PCF2-RP-LE-00041). The anticipated maximum extent of the works is shown on **Figure 1.1**, and is hereafter referred to as 'the Site.'

1.2 ECOLOGICAL BACKGROUND

1.2.1 An ecological desk study was produced by WSP in 2016. A large number of bird species records were obtained occurring within grid squares within a 2km radius of the Site. These included notable and strictly protected species such as kingfisher *Alcedo atthis* and bittern *Botaurus stellaris*.

1.2.2 The Phase 1 habitat survey carried out by WSP in spring 2017 confirmed the presence of habitats with potential to support notable bird species and communities.

1.3 AIMS AND OBJECTIVES

1.3.1 The aims of this report are to:

- Set out the methods and results of walkover bird surveys undertaken in June and July 2017;
- Provide an initial appraisal, based on habitats and the species recorded, of the likely conservation value of the breeding bird assemblage present; and
- Identify whether further surveys would be likely to significantly strengthen the baseline for assessment.

1.4 LEGISLATIVE AND POLICY FRAMEWORK

HABITAT REGULATIONS 2010 (AS AMENDED)

1.4.1 Under the amendments to the Habitat Regulations (16th August 2012) Regulation 9A(2) & (3) state that local authorities 'must take such steps in the exercise of their functions as they consider appropriate to contribute to...the preservation, maintenance and re-establishment of a sufficient

diversity and area of habitat for wild birds in the UK including by means of the upkeep, management and creation of such habitat...'. The legislation continues to state that economic and recreation requirements must be taken into consideration in considering which measures are appropriate.

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

- 1.4.2 Under the Wildlife and Countryside Act 1981 (as amended) all wild birds are protected from killing and injury, and their nests and eggs protected from taking, damage and destruction whilst in use. Therefore, recommendations to avoid contravention of this legislation are included within Section 6.
- 1.4.3 Additional protection is extended to species listed under Schedule 1 of the Act, meaning it is also an offence to disturb these species at or near the nest, or whilst they have dependent young.

NATURAL ENVIRONMENT AND RURAL COMMUNITIES (NERC) ACT 2006

- 1.4.4 The NERC Act 2006 reinforces the duty upon all public authorities, including planning authorities, to have regard for the conservation of biodiversity when discharging their duties. The Act refines the definition of biodiversity conservation, stating that it includes restoring or enhancing a population or habitat. Section 41 of the NERC Act requires the Secretary of State to list habitats and species of principal importance (HPs and SPs) for the conservation of biodiversity in England. The habitats and species listed in accordance with Section 41 largely replicate those listed on the UK Biodiversity Action Plan (BAP) which occur in England (however there are exceptions).

1.5 PLANNING POLICY

NATIONAL POLICY STATEMENT FOR NATIONAL NETWORKS

- 1.5.1 As the project qualifies as a Nationally Significant Infrastructure Project (NSIP), it must adhere to the National Policy Statement (NPS) for National Networks (Department for Transport 2014). This states *inter alia* that the principals and objectives of the government's *2012 Natural Environment White Paper (NEWP)* and *Biodiversity 2020 strategy* should be adhered to. These promote moving progressively from net biodiversity loss to net gain by supporting healthy, well-functioning ecosystems and establishing more coherent ecological networks that are more resilient to current and future pressures. The NPS also states that the likely significant effects on internationally, nationally and locally designated sites of ecological conservation importance, on protected species and on habitats, on other species identified as being of principal importance for the conservation of biodiversity and that potential impacts on ecosystems should be clearly set out.

NATIONAL PLANNING POLICY FRAMEWORK

- 1.5.2 At a national context planning policy is driven by the National Planning Policy Framework (NPPF) (2012). The NPPF sets out, amongst other points, how at an overview level the *'planning system should contribute to and enhance the national and local environment by:*
- *...recognising the wider benefits of ecosystem services;*
 - *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...'*
- 1.5.3 The NPPF states that this should be achieved through local planning development frameworks and gives recommendations for criteria based policies which recognise the hierarchy of designated sites which range from internationally important habitat, to sites of importance at a local level and ensure

that protection is *'commensurate with their status and gives appropriate weight to the their importance and the contribution that they make to wider ecological networks.'*

1.5.4 A list of principles which local planning authorities should follow when determining planning applications is included in the NPPF which includes the following:

- *'if significant harm resulting from a development cannot be avoided...adequately mitigated, or, as last resort, compensated for, then planning permission should be refused;*
- *...opportunities to incorporate biodiversity in and around developments should be encouraged;*
- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland...unless the need for, and benefits of, the development in that location clearly outweigh the loss...'*

1.5.5 Although the NPPF revoked Planning Policy Statement 9 (PPS9), the ODPM circular 06/2005 originally prepared to accompany PPS9 remains current. This states that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal* and also includes confirmation that *'potential effects of a development, on habitats or species listed as priorities in the UK Biodiversity Action Plan (BAP)...are capable of being a material consideration in the...making of planning decisions.'* The circular advises that local authorities should consult Natural England before granting planning permission if the proposals could adversely affect a protected species, this definition of a protected species includes birds.

LOCAL PLANNING POLICY

1.5.6 At a local level, Winchester City Council and the South Downs National Park have adopted the Winchester District Local Plan Part 1 (Adopted 2013). Chapter 9 is entitled 'High Quality Environment' with policy CP16 entitled *Biodiversity*. This states *'The Local Planning Authority will support development which maintains, protects and enhances biodiversity across the District, delivering a net gain in biodiversity, and has regard to the following:*

- *Protecting sites of international, European, and national importance, and local nature conservation sites, from inappropriate development. Supporting habitats that are important to maintain the integrity of European sites.*
- *New development will be required to show how biodiversity can be retained, protected and enhanced through its design and implementation, for example by designing for wildlife, delivering BAP targets and enhancing Biodiversity Opportunity Areas.*
- *New development will be required to avoid adverse impacts, or if unavoidable ensure that impacts are appropriately mitigated, with compensation measures used only as a last resort.*
- *Development proposals will only be supported if the benefits of the development clearly outweigh the harm to the habitat and/or species.*
- *Maintaining a District wide network of local wildlife sites and corridors to support the integrity of the biodiversity network, prevent fragmentation, and enable biodiversity to respond and adapt to the impacts of climate change.*
- *Supporting and contributing to the targets set out in the District's Biodiversity Action Plan (BAP) for priority habitats and species.*
- *Planning proposals that have the potential to affect priority habitats and/or species or sites of geological importance will be required to take account of evidence and relevant assessments or surveys.'*

2 METHODOLOGY

2.1 WALKOVER SURVEY

2.1.1 The survey involved walking two transects selected to sample habitats within the ‘Survey Area’, defined to cover the maximum extent of works and land 250m around it (see **Figures 2.1 and 2.1**).

2.1.2 The survey followed a method based on the British Trust for Ornithology’s (BTO’s) Common Bird Census (CBC), as summarised by Bibby et al. (2000). Transects were walked at a slow and steady pace, and frequent stops were made to look and listen for singing and calling birds, particularly where the transects passed close to woodland (in order to allow time to record and pick out all species audible).

2.1.3 The activity of all birds detected was mapped using standard British Trust for Ornithology (BTO) annotation (two-letter species codes and activity symbols). In addition, notes were made on the habitats present. The combination of species recorded and an assessment of habitat type and quality have been used in this report to infer the likely composition of the breeding bird community.

2.2 DATES AND PERSONNEL

2.2.1 Two visits were carried out, both starting shortly after dawn, one on 6 June 2017 and the other on 3 July 2017. The weather conditions during the survey visits are detailed in **Table 2.1**.

Table 2.1 Survey dates and weather conditions

DATE	START TIME	WEATHER CONDITIONS SUMMARY
6 June 2017	6:00	Rain initially followed by progressive clearing of cloud cover. North-westerly light wind during much of the survey to 6/8.
3 July 2017	5:45	Dry throughout survey. No wind. Cloud cover 7/8.

2.2.2 The surveys were completed by an experienced field ornithologist able to identify all breeding bird species likely to be encountered both visually and aurally. The surveyor has undertaken breeding bird surveys across much of southern Britain, and is familiar with all regularly used survey techniques and standard BTO coding. He has over 12 years of consultancy experience and has undertaken breeding bird survey work to inform the planning applications for large residential developments, wind farms and infrastructure projects.

2.3 NOTES AND LIMITATIONS

2.3.1 The rain that affected the June survey visit may have suppressed territorial behaviour, particularly territorial song. However, as the work commissioned involved initial characterisation of the breeding bird community based on both species and habitat appraisal, this is not a significant constraint.

3

RESULTS AND INTERPRETATION

3.1 HABITATS

3.1.1

The Survey Area supports a range of broad habitat types and these can be seen on **Figure 2.1**. Notable locations are also shown on this figure which can be cross-referenced with the text below. Habitats and discrete areas within the context of the Survey Area include:

- Intensively managed arable. This is the dominant habitat in the east of the Survey Area. A variety of autumn sown cereals (see Note 1 on Figure 2.1), peas (Note 2) and potatoes (Note 3) were present at the time of the surveys.
- Hedgerows. Those bordering or close to the M3 are generally heavily managed and narrow. The hedgerows on Easton Lane (Note 4) are more structurally diverse and have dimensions of approximately 2 m height by 2 m width. The ground flora in this location has a range of grasses and herbs.
- Recently established grassland and woodland belt. This runs east to west (see Note 5), is approximately 35 m wide and 500 m in length (and extends outside the survey area). The sward is tussocky and grass-dominated.
- Mixed woodland. Present in the northern part of the Survey Area (see Note 6), and of plantation origin, with both native deciduous trees and non-native spruces and a varied edge featuring berry-bearing shrubs.
- The River Itchen corridor between the A34 and the M3. A mosaic of habitats including semi-natural broad-leaved woodland and flood plain meadows (see Note 7) bordered by two (grazed) improved grassland fields (see Note 8) that are separated by poor quality plantation woodland.
- The River Itchen corridor west of the A34. Reed bed adjacent to the river (Note 9 on Figure 2), periodically flooded meadows under low intensity grazing (Note 10 on Figure 2) and hay meadows (Note 11 on Figure 2) within the Winnal Moors nature reserve. The nature reserve is managed by the Hampshire Wildlife Trust. A system of reed-fringed drains is present on adjacent land. These habitats have supported a breeding bird community including lapwing *Vanellus vanellus* redshank *Tringa totanus* and snipe *Gallinago gallinago*, for which the nature reserve is noted as being (in part) managed.
- The A34/M3 Junction and verges. A mosaic of scrub, woodland and grassland. Much of the woodland is of plantation woodland (Note 12). Scrubby edge habitats are bordered by grassland which supports varied flora including seed-bearing weeds.
- Hard standing. Industrial and commercial units and roads dominate the south-eastern part of the Survey Area.

3.2 SPECIES RECORDED

3.2.1

Two species listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) were noted within the Survey Area during the surveys: kingfisher *Alcedo atthis* and Cetti's warbler *Cettia cetti*. These species are afforded protection against disturbance when breeding (in addition to the general protection afforded by the Act to all wild birds from persecution, and the reckless and deliberate destruction of active nests).

3.2.2

A number of species which feature on the Red or Amber lists of Conservation Concern (Eaton *et al.* 2015) and SPI for the Conservation of Biodiversity in England (with regard to the provisions of the NERC Act 2006) were also recorded. These are predominantly species that have undergone

declines or range contractions due to factors including agricultural intensification and changes in land use. **Table 3-1** lists these species and their conservation status.

Table 3.1 Species of Conservation Concern and SPIs recorded in 2017

SPECIES	SCIENTIFIC NAME	BIRDS OF CONSERVATION CONCERN RED OR AMBER LIST	SPI
Bullfinch	<i>Pyrrhula pyrrhula</i>	A	Y
Dunnock	<i>Prunella modularis</i>	A	Y
Grey wagtail	<i>Motacilla cinerea</i>	R	
Herring gull	<i>Larus argentatus</i>	R	Y
Kingfisher	<i>Alcedo atthis</i>	A	
Linnet	<i>Linaria cannabina</i>	R	Y
Mallard	<i>Anas platyrhynchos</i>	A	
Mistle thrush	<i>Turdus viscivorus</i>	R	
Reed bunting	<i>Emberiza schoeniclus</i>	A	Y
Song thrush	<i>Turdus philomelos</i>	R	Y
Skylark	<i>Alauda arvensis</i>	R	Y
Swift	<i>Apus apus</i>	A	
Yellowhammer	<i>Emberiza citrinella</i>	R	Y

3.2.3 A number of species which are not listed as Red or Amber or SPIs were also recorded. A full list is included in **Appendix A**.

INTERPRETATION

3.2.4 The records of kingfisher and Cetti's warbler were both from the River Itchen corridor west of the A34 (Note 9 on **Figure 2.1**). Habitats in this area are suitable for breeding Cetti's warbler, as they include reed bed and seasonally inundated scrub. It is unclear from the survey work whether kingfishers are likely to breed close to where the bird was recorded, or if the individual was commuting along the River Itchen. Both species are 'moderately common residents' in the county (Hampshire Ornithological Society, 2011). Other species noted in this area included a family party of grey wagtails, song thrush and reed bunting, all of which are of conservation concern or SPIs, and which could potentially breed in areas of habitat close to where they were recorded. Mallard were also noted on the Itchen.

3.2.5 The understorey structure and presence of deadwood in the woodland plots in the northern part of the Survey Area (see Note 6) may be of local importance to the bird community associated with the Itchen corridor.

3.2.6 The remaining SPIs and species of conservation concern were mainly associated with farmland habitats. These included yellowhammer, linnet and skylark.

- Yellowhammer was noted in small numbers, particularly around the hedgerows on Easton Lane (Note 4 on **Figure 2.1**), around the recently planted plantation woodland and rough grassland strip (Note 5) and along hedgerows at Long Walk immediately to the east of the Survey Area.
- Small numbers of skylark were recorded in the arable field in the south-eastern corner of the Survey Area (Note 1 on **Figure 2.1**) and to the north of Easton Lane (Note 2 on **Figure 2.1**).
- Linnet and bullfinch were both noted during one of the two visits and were seen on the hedgerow adjoining Easton Lane.

3.2.7 It is likely, based on the records of skylark and yellowhammer (which included singing birds in the case of the former and repeat sightings in the same discrete area in the case of the latter), that both species breed within the Survey Area. Both species are typically double or triple-brooded, and therefore likely to be in breeding habitat at the time of the work.

- 3.2.8 Dunnock was recorded in a variety of habitats across the Survey Area, including scrub in proximity to the River Itchen and around built development in the south-eastern part of the Survey Area. Song thrush was also noted in several locations within the Survey Area.
- 3.2.9 Herring gulls and a swift were seen in flight over the Survey Area. There was no indication of breeding of either species within it.
- 3.2.10 A range of common species with wide-ranging habitat preferences were noted during the work. These included blackbird *Turdus merula*, wren *Troglodytes troglodytes*, and robin *Erithacus europaeus*.
- 3.2.11 Overall, the work established the bird community is comprised of a mixture of common and widespread species, some of which are of conservation concern. The exceptions to this are the River Itchen corridor, which appears to support a varied bird community, and the hedgerow along Easton Lane, which appears to be the most important feature in the context of the arable farmland that dominates the Survey Area.
- 3.2.12 There are limitations to what can be concluded at this stage. The likely breeding status of some species of conservation concern (such as linnets and bullfinches) remains unclear. For other species, such as skylark and yellowhammer, only broad estimates of the number of territories present can be made. Spring survey work would provide greater certainty with regard to the current status of breeding waders in the Winnal Moors area and for some species of conservation concern which could potentially occur locally (including lesser spotted woodpecker *Dryobates minor*). Species specific surveys are recommended in cases where the Proposed Works will impact such habitats. These surveys will be dependent on the final route selected.

4 CONCLUSIONS AND RECOMMENDATIONS

- 4.1.1 The survey work completed in June and July 2017 has involved representative sampling of the Survey Area using two transects.
- 4.1.2 This work has established that the Survey Area supports a breeding bird community that is likely to include at least two declining farmland SPIs, skylark and yellowhammer. Due to the intensively farmed nature of the arable habitats, and the limited number of registrations of these species, it is likely that only small populations are present within the Survey Area. However, further (spring) surveys would be necessary to confirm this.
- 4.1.3 Two Schedule 1 species, Cetti's warbler and kingfisher, and a variety of other species of conservation concern were noted along the River Itchen corridor. The Itchen is likely to support a more notable bird community than the remainder of the Survey Area, and consideration will need to be given to the completion of additional surveys if there is a likelihood of impacts on this community. In particular, the continued presence of breeding waders on Winnal Moors could be established through appropriately timed surveys or liaison with Hampshire Wildlife Trust.
- 4.1.4 When the preferred route option is selected it is recommended that a more detailed survey be undertaken of the areas identified to be impacted upon by the final scheme. To do this, three visits in April, May and June will be undertaken, during which the surveyors will cover all suitable habitats within the final survey area to within 50m. Species specific surveys, such as for lesser spotted woodpecker *Dendrocopos minor*, are recommended dependent on the final route selected.

5 REFERENCES

5.1 PROJECT REFERENCES

- WSP (2016) M3 Junction 9 Improvement PCF Stage 1. Ecological Desk Study
- WSP (2017) M3 Junction 9 Improvement PCF Stage 2. Phase 1 Habitat Survey

5.2 TECHNICAL REFERENCES

- Bibby C.J, Burgess N.D, Hill D.A, & Mustoe S.H. (2000). Bird Census Techniques. Second Edition. Elsevier Ltd.
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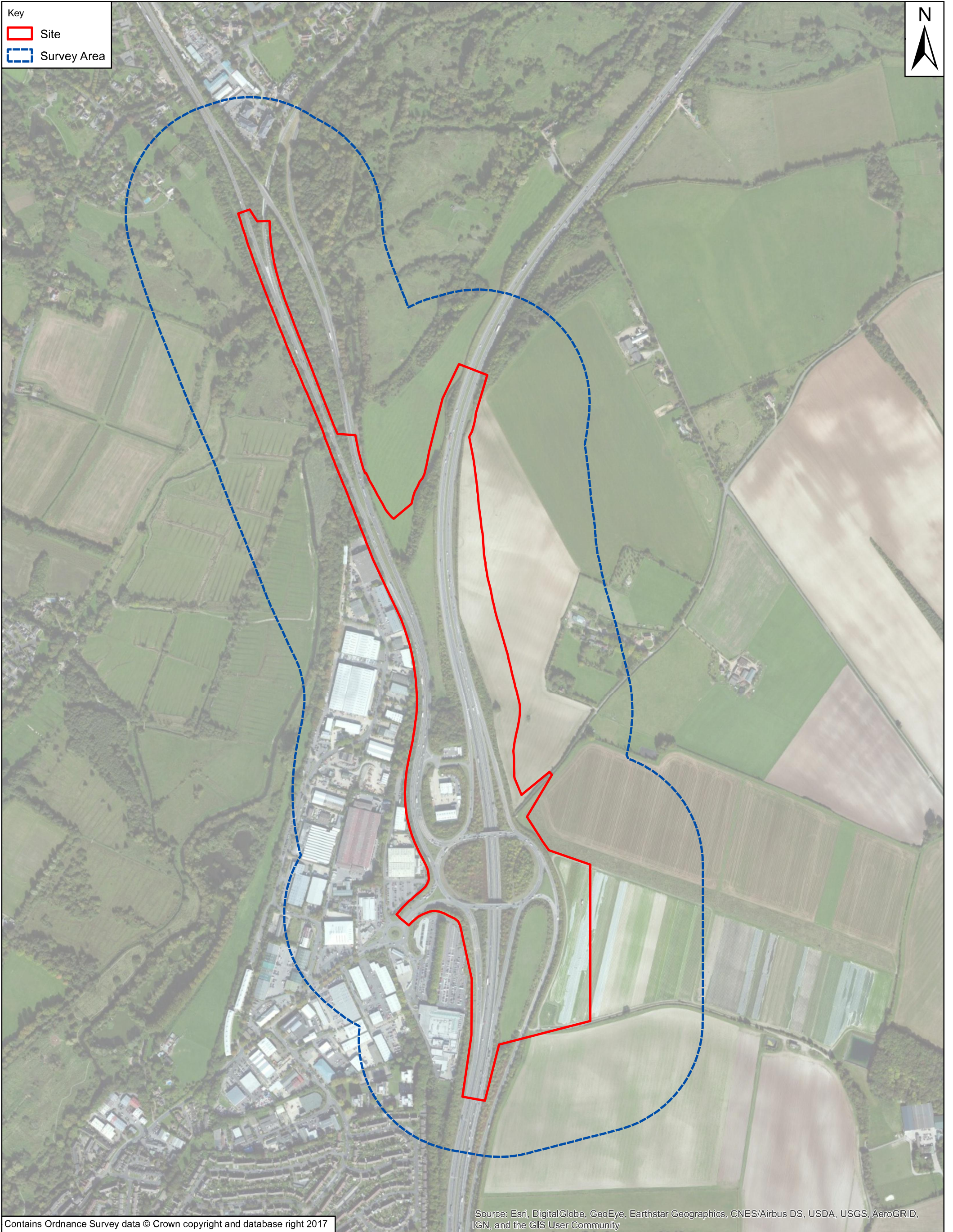
FIGURES

FIGURE 1.1 SITE LOCATION PLAN

Key

 Site

 Survey Area





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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

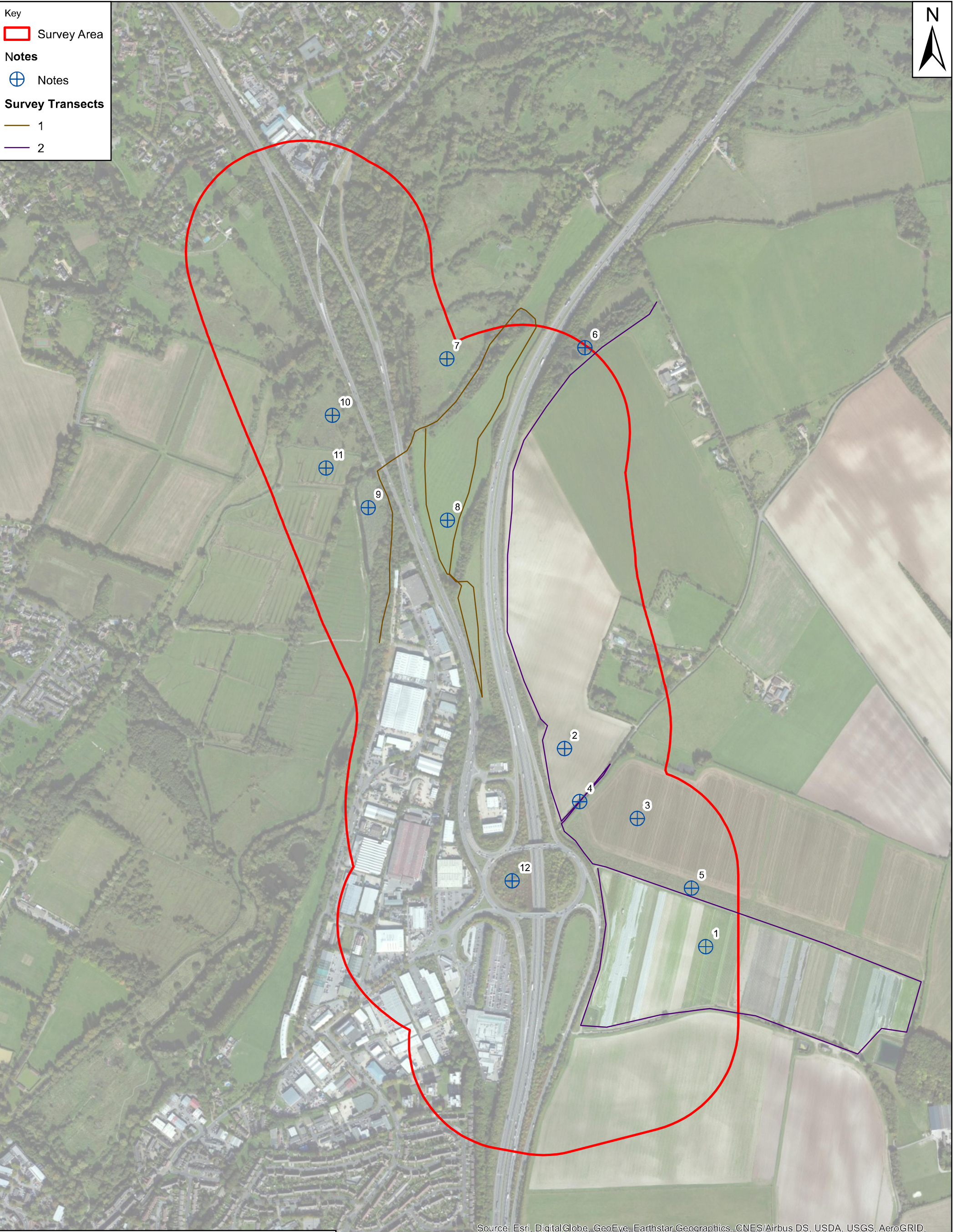
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					Site Location Plan		A3 Template	BW	August 2017											
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DRAWING STATUS: DRAWING STATUS					70015218		1.1													
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FIGURE 2.1 BREEDING BIRD SURVEY RESULTS

Key
 Survey Area

Notes
 Notes

Survey Transects
 1
 2



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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: DRAWING STATUS




PROJECT: M3 Junction 9

TITLE: Breeding Bird Survey Results

SCALE @ A3: 8,000	CHECKED: LR	APPROVED: PJ
FILE: A3 Template	DRAWN: BW	DATE: August 2017
PROJECT No: 70015218	DRAWING No: 2.1	REV:
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Appendix A

SPECIES RECORDING WITHIN SURVEY AREA

SPECIES		WCA 1981	NERC Act 2006	BoCC		
Common Name	Latin Name	Schedule 1	Section 41	Red List	Amber List	UKBPA
Blackbird	<i>Turdus merula</i>					
Blackcap	<i>Sylvia atricapilla</i>					
Bullfinch	<i>Pyrrhula pyrrhula</i>		Y		Y	
Carrion crow	<i>Corvus corone</i>					
Chaffinch	<i>Fringilla coelebs</i>					
Chiffchaff	<i>Phylloscopus collybita</i>					
Common buzzard	<i>Buteo buteo</i>					
Dunnock	<i>Prunella modularis</i>		Y		Y	
Greenfinch	<i>Carduelis chloris</i>					
Grey wagtail	<i>Motacilla cinerea</i>			Y		
Goldcrest	<i>Regulus regulus</i>					
Goldfinch	<i>Carduelis carduelis</i>					
Herring gull	<i>Larus argentatus</i>		Y	Y		
Kingfisher	<i>Alcedo atthis</i>	Y			Y	
Linnet	<i>Linaria cannabina</i>		Y	Y		
Magpie	<i>Pica pica</i>					
Mallard	<i>Anas platyrhynchos</i>				Y	
Mistle thrush	<i>Turdus viscivorus</i>			Y		
Pheasant	<i>Phasianus colchicus</i>					
Reed bunting	<i>Emberiza schoeniclus</i>		Y		Y	
Robin	<i>Erithacus europaeus</i>					
Song thrush	<i>Turdus philomelos</i>		Y	Y		
Skylark	<i>Alauda arvensis</i>		Y	Y		
Swift	<i>Apus apus</i>				Y	
Yellowhammer	<i>Emberiza citrinella</i>		Y	Y		
Whitethroat	<i>Sylvia communis</i>					
Woodpigeon	<i>Columba palumbus</i>					
Wren	<i>Troglodytes troglodytes</i>					