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Sent: 05 November 2024 15:22
To: Planning
Cc: Heather Downer
Subject: Re: 24/00384/FUL
Attachments: Woodlark-Gilbert-et-al.pdf; Skylarks In Practice Article HF.pdf

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FAO James Mountain

Re: 24/00384/FUL | Installation and Operation of a Solar Farm and Battery Energy Storage System (Output up to 40 MW), With Associated Works, Equipment, Infrastructure and Landscaping

We are responding to the above application, as per our role under the Memorandum of Understanding signed by Bassetlaw District Council and Nottinghamshire Wildlife Trust, effective from the 30 April 2018. The following response has been provided in line with current wildlife legislation, local and national planning policies including the Draft Bassetlaw Local Plan (2020) and relevant guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM).

Response

You have consulted Nottinghamshire Wildlife Trust on the planning application highlighted above. We have assessed **Land adjacent to the A614, Normanton Larches, Worksop, Nottinghamshire, Ecological Impact Assessment & Biodiversity Net Gain Assessment (Windrush Ecology August 2024)** and we have the following comments.

Section 2.2.2 Breeding Bird Survey states that three breeding bird surveys were undertaken in June and July 2024. The surveys followed a modified version of the territory mapping approach utilised within the Common Bird Census (CBC) methodology. Within this section it is stated that *'The modifications involved a reduction in survey visits from ten to four survey visits during the spring/early summer (Table 2).'* However, Table 2 provides details for three survey visits only. Confirmation has been provided that there were three survey visits in total (James Wallwork, pers. Comm.). We consider the number of visits to be satisfactory.

It is stated that the survey visits were timed to ensure that both resident breeding birds and migrant breeding birds (which tend to start breeding later in the season) were recorded. While it is true that migrant species such as Quail are more likely to be recorded during June, woodlark, a species we highlighted as potentially present in a previous response, should be surveyed for with three visits between mid-February and the end of May (Gilbert, G., Gibbons, D.W., & Evans, J. (1998) *Bird Monitoring Methods: A Manual of Techniques for UK Key Species*. The Royal Society for the protection of Birds, Sandy, Bedfordshire, England). The ecological report states that *'fact that no breeding bird surveys were undertaken in April or May is not considered to be a significant constraint to the survey results'* We think that due to surveys being conducted in June and July, the number of skylark territories will be underrepresented and the true status of woodlark unknown. Despite the timing of the surveys, a single woodlark was recorded on one of the survey visits just beyond the northeastern boundary. Aerial images reveal habitat that appears more suitable for nesting woodlark than the arable fields within the footprint of the proposed development. We are satisfied that the proposed development will not

have a direct impact on woodlark nesting habitat. All wild birds in the UK are protected (Wildlife and Countryside Act 1981, as amended). Some rare species and those which are particularly vulnerable to disturbance are afforded a higher level of protection for their nests, eggs and young. Woodlark is one such species. Under Schedule 1 – Part I It is illegal for any person **to intentionally or recklessly disturb 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 disturb dependent young of such a bird.** The applicant will need to ensure that disturbance of woodlark will be avoided during the construction of the solar farm. Woodlark is also a Species of Principal Importance for the conservation of biodiversity under Section 41 of the Natural Environment and Rural Communities (NERC) Act. Public authorities who operate in England must consider what they can do to conserve and enhance biodiversity in England.

Skylark is confirmed as nesting/breeding within the site. Skylark is included on the Red List of Birds of Conservation and so every effort should be made to improve their conservation status. Three breeding territories (Figure 3) have been confirmed. A further three to four breeding territories are considered possible but have not been confirmed. Twelve 14m x 14m *'managed plots for ground nesting birds'* are proposed within the site that can be seen on the Planting Plan. We have concerns about the proximity of the plots to solar panels, power stations, boundary fencing and existing trees that provide perching places for avian predators and tracks that mammalian predators will follow when foraging. The following comments are based on the attached article *'Skylarks in Practice'*. Skylark plots are not used or designed for nesting but for diversifying arable habitats so that they support more invertebrates. This increases nesting success and in turn has the effect of increasing territory density within the arable fields they are created. That's what they were designed for. Plots should not be incorporated at a rate of 1:1 for every skylark territory. Where they are to be introduced into arable fields surrounding development they should be done at a rate of 2 per hectare, with a ratio of 4 plots required for every displaced territory on the development site. For example, 5 territories displaced = 20 plots over 10ha. Plots should not be placed within 50m of tall structures such as trees or buildings maintenance access tracks. Fields to receive plots should measure at least 200m along their shorter axis. To my knowledge there is no actual confirmed evidence of any successful skylark nest observed within a solar farm. We are aware of instances of skylarks foraging within solar schemes and taking chicks to them to use as 'nursery' habitat, and so the plots and species rich meadow that is proposed on the planting plan will be valuable in that respect, but not actual nesting. If the applicant has data generated by post development monitoring from other solar schemes incorporating 14m x 14m managed plots for ground nesting birds, we are interested to see it. In the absence of such data, we strongly recommend that the wedge of arable land within the red line boundary on the southern edge of the proposed development be enhanced for skylark with the inclusion of skylark plots following the design guidelines outlined above and within the attached article.

In addition, the following documentation is required.

Landscape and Ecological Management Plan (LEMP)

A LEMP provides details and specifications for the management of habitats and other features of biodiversity interest. Normally such reports are prepared in support of a planning application where the LPA requires management as a formal requirement e.g. for biodiversity mitigation, compensation or enhancement purposes. The LEMP may form a part of the information originally submitted with the application (e.g. as part of the EclA) or its provision and delivery may be secured through planning conditions or obligations. The appropriate content of such a report is set out in BS42020 clause 11.1.

Construction Environmental Management Plan (CEMP)

A CEMP provides details and specifications for practical measures intended to avoid or minimise adverse effects on biodiversity during the construction process. Normally such reports are prepared in support of a planning application where the LPA requires management as a formal requirement e.g. for biodiversity mitigation, compensation or enhancement purposes. The CEMP may form a part of the information originally submitted with the application (e.g. as part of the EclA) or its provision and delivery may be secured through planning conditions or obligations. The appropriate content of such a report is set out in BS42020 clause 10.2.

It is essential that renewable energy projects in Nottinghamshire support nature's recovery, contributing to protection and enhancement of habitats and species.

Regards, Mark

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Nottinghamshire Wildlife Trust is the county's largest environmental charity - run by local people for the benefit of local wildlife. We manage nature reserves across the county, champion nature and inspire adults and children about the natural world. Together we are working to create a Living Landscape for Nottinghamshire.

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