

I have looked at the Appendix 7.3 Wintering Bird Survey Report this morning. Whilst I appreciate the developers have a large area in which to survey this survey is insufficient and inadequate in many areas.

#### Summary

Functional Connectivity is not constrained by arbitrary distance buffers. With Field 312 only being surveyed in the latter winter survey and being highlighted as important, this requires a 2nd wintering bird survey. The identification of Field 44 meeting the Functionally Linked Land criteria for the Upper Nene Valley SPA shows that Golden Plover, as a mobile species, actually uses this field for core activities like feeding, roosting or loafing. It means that further Winter Bird Surveys are required, undertaken to meet Natural England's strict requirements. This evidence shows that there is a requirement for a Habitats Regulation Assessment. The law is strict, under the Habitats Regulations, a project cannot bypass this assessment if there is a potential risk to a protected habitat site. The Planning Inspector / Secretary of State must ensure a HRA is completed before consent can be granted.

#### Details

1) Who directed the details for this survey? Natural England routinely request 2x sequential wintering bird surveys which run from SEPTEMBER to March. To survey for species such as Golden Plover and Lapwing they require nocturnal surveys. As these species forage at night and evidence shows that the fields utilised diurnally are different from those utilised nocturnally (See wood lodge Solar Farm Appeal from Thrapston

<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3354297&CoID=0>)

2) The survey effort is not high enough, Natural England, bird survey guidelines say that the survey effort should have covered each area every 10 - 14 days during the survey season. This survey was only once a month and only from November to March. It should have been twice a month from September to March. This is crucial, the reason that the surveys should be conducted during the correct months is guided by the BTO WeBS reports and follows the historic pattern of overwintering birds in the area. Golden Plover and Lapwing were active in neighbouring SPA & RAMSAR area in September and October but then departed the area. By the survey effort missing two months of the window when these species are active in the area has missed potential sightings.

3) lack of nocturnal surveys to assess foraging and loafing of crepuscular birds

4) The survey limitations says it missed the October passage season during both the 2021/22 & 2023/24 surveys. It gives no excuse as to why October was missed for both seasons. It also makes no mention that September should have been covered as well.

5) The results under play the significance of bird numbers saying the majority were in low numbers and sporadically present. Golden Plover in the Upper Nene SPA have declined by 96% since 2011. 1% of the cited figures is 37 individuals (1% of the current figures is just 4 individuals). The survey tables give the conservation Status of Golden Plover as Green, Ann1 doesn't include they are named SPA qualifying species, (although you are outside the 10km range that NNC use in their planning documents, Golden Plover and Lapwing are known to travel much further than this to forage - See Natural England docs).

Golden Plover were recorded in numbers over the 1% cited figures on the following occasions:

Winter 21/22

Field 44 - Survey 1 - 107

Field 64 - Survey 1 - 117

Field 94 - Survey 1 - 60

Winter 23/24

Field 7 - Survey 1 - (85)

Field 44 - Survey 1 - 53

Field 312 - Survey 2 - 450

Field 312 - Survey 4 - 10 (26)

Field 312 - Survey 5 - 35

Field 326 - Survey 3 - (38)

Field 331 - Survey 3 - 80

This shows that Field 44 is vitally important to Golden Plover, it qualifies as Functionally Linked Land to the Upper Nene Valley SPA as had more than 1% of the cited population sighted on more than one occasion over successive years. It is just over the arbitrary 10km limit, being 11.5km from the SPA at its closet point.

Field 312 had a high count of 450 Golden Plover and 500 Lapwing is also very significant flock of SPA qualifying birds.

Lapwing are considered part of the winter bird assemblage of the Upper Nene Valley SPA and 56 individuals are considered 1% of the cited figures. So again this species has been recorded in significant numbers

Winter 23/24

Field 24 - Survey 3 - 61

Field 37 - Survey 3 - 150

Field 312 Survey 1 - 41

Survey 2 - 500

Field 301 Survey 1 - 192

Field 331 Survey 3 - 60

Field 344 Survey 3 - 152

Whilst I appreciate some of the above figures are for the Wider Survey Area an impact assessment on these species needs to be undertaken.

6) The figures of Linnet and Yellowhammer are also large for farmland birds which are declining in population. High count of 207 for Linnet and Yellowhammer high count of 250

To keep this objection on a complex topic simple I have focuses just on Golden Plover and Lapwing, but it can be extrapolated to other species. However, demonstrates that even with an inadequate survey effort that the area is utilised in significant numbers of these qualifying species to the SPA. With Field 44 being particularly crucial to Golden Plover and Field 312 important to both species. The need to clear sight-lines for these two species means that they cannot use fields covered in solar panels. These species are also disturbed easily for example with noise.