

Thank you for consulting the RSPB on the above planning application for an airstrip and associated building at South Moor Farm, Langdale End. Thank you also for allowing us an extension of time to respond, due to technical issues with the planning authority's website.

I have reviewed the information submitted in support of the application and have the following comments to make:

I am of the view that the information supplied by the applicant cannot provide the planning authority with certainty that protected bird species, notably Goshawk (schedule 1, Wildlife & Countryside Act) and Nightjar (Section 41, NERC Act, Annex 1, EU Birds Directive) would not be affected by the proposed development. I note that the bird assessment report concludes that neither presence nor absence of these species can be confirmed by either the survey or the desktop research undertaken by Quants Environmental Ltd.

This is not surprising as the only field survey was a single site walkover on October 25<sup>th</sup> 2015. Nightjars are migratory birds and are only present in the UK between May and August or September. Goshawk are secretive birds which are sensitive to disturbance by humans and can be difficult to detect, particularly outside of the season most common for their aerial displays (late winter to spring). A single site visit late in the autumn would be insufficient to identify and assess the usage of the site by these species.

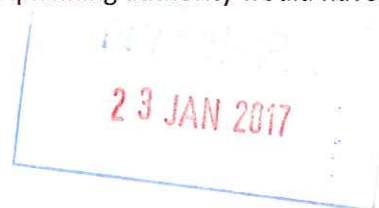
It is noted in the reports that Gary Marchant, a well known local ornithologist gave evidence with regard to the previous applications that these species are present in the vicinity of the development site. The RSPB is aware that the adjacent forest area is of high ecological value as it supports relatively high numbers of these two species, and we know that the North Yorkshire Forest Bird Study Group has monitored this area and collected data over a number of years.

The application concludes that Nightjars are unlikely to be affected by the proposed development as they are nocturnal birds and flights are only planned during daylight hours. However, birds could still be vulnerable to displacement. As no attempt was made in the study to accurately identify the number of individuals of birds within the habitat adjacent to the development site through appropriate survey work, it is not possible to predict or assess whether disturbance or displacement could occur, or the magnitude of this. Furthermore, it is known that Goshawk can be highly sensitive to human disturbance and noise and the rural nature of this site means that it could not be considered to support an urban population well accustomed to people or development. Disturbance behaviour and impacts on birds from small aircraft is well documented and widespread, particularly with flight heights of 500 m or less. I am not aware of any studies that focus specifically on Nightjar or Goshawk, but this does not preclude the potential for impacts on them. For example, several studies have reported impacts on other species of birds of prey from aircraft.

I am concerned that, due to a lack of information, potential adverse impacts on Nightjar and other protected bird species cannot be discounted should the development proceed without further ecological assessment (i.e. from adequately robust recent local bird data or appropriate bird surveys) and/or sufficiently robust mitigation. The mitigation proposed in the bird assessment report to restrict flights to the periods of half an hour after dawn to half an hour before dusk during May to August (the Nightjar breeding season), would help to avoid impacts on foraging Nightjars using the development site. However, it would not preclude or address potential displacement of nesting birds (i.e. birds abandoning or avoiding nest sites due to disturbance and noise levels). Neither would it address potential impacts on Goshawks or any other protected species or bird of conservation concern that may use the site. I note that the bird assessment fails to identify use of the development site and the surrounding habitats by any other species of birds or wildlife which the planning authority would have a statutory duty towards regarding its protection or conservation.

I hope these comments are helpful to you.

Best regards,  
Michelle



Dr Michelle Lindsay

Conservation Officer (Uplands) Yorkshire, Humber & Peak District

RSPB, c/o YWT  
1 St. George's Place, York, YO24 1GN

Please note that I am part time and work on Mondays, Tuesdays and Wednesdays only.

[rspb.org.uk](http://rspb.org.uk)

## Let's give nature a home



The RSPB is the country's largest nature conservation charity, inspiring everyone to give nature a home. Together with our partners, we protect threatened birds and wildlife so our towns, coast and countryside will teem with life once again. We play a leading role in BirdLife International, a worldwide partnership of nature conservation organisations.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654

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**From:** Hilary Saunders [<mailto:h.saunders@northyorkmoors.org.uk>]  
**Sent:** 02 December 2016 14:28  
**To:** Lindsay, Michelle  
**Subject:** Consultation on planning application 2016/0817

Dear Ms Lindsay,

You have just been consulted on the above application.

Please see the attached appeal decision which should hopefully explain why you've been consulted.

Please contact me if you have any queries.

Yours sincerely,

Hilary

A handwritten signature in cursive script that reads 'H. Saunders'.

**Mrs Hilary Saunders**  
**Planning Team Leader**  
**Development Management**

North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP