

AVON VALE HUNT, WILTSHIRE

Ecological Appraisal Report

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EXECUTIVE SUMMARY

Engain was commissioned to provide ecological advice in relation to a barn constructed on the edge of Scutts Copse, which is a component part of Spye Park Site of Special Scientific Interest.

The construction of the barn does not appear to have had any significant ecological impacts. The risk of future impacts may be appropriately avoided by creating a suitable barrier between the barn (and surrounding areas of use) and the adjacent woodland habitats.

Installing bat and bird boxes and creating new habitat may be an appropriate way for the project to deliver a net biodiversity gain.

1. INTRODUCTION

1.1. This report provides an ecological appraisal of a barn on land owned by the Avon Vale Hunt, near Lacock in Wiltshire (**Figure 1**).

1.2. The scope of this assessment is based on the Guidelines for Preliminary Ecological Appraisal and Guidelines for Ecological Impact Assessment in the UK, published in 2017 and 2018 receptively by Chartered Institute of Ecology and Environmental Managers (CIEEM).

1.3. It is supported by an ecological data search, a desk study to identify notable or protected sites, habitats or species on or near to the site, a field survey to map and describe the habitats of the site, a review of existing ecological data and field surveys for protected species.

1.4. The purpose of the Ecological Appraisal is to:

- Identify important ecological features within the Zone of Influence (ZoI).
- Assess the impacts from the Development and any resulting significant effects.
- Set out measures to avoid or mitigate negative impacts.
- Assess the residual effects after the incorporation of avoidance or mitigation measures.
- Set out measures to ensure the development provides a measurable net gain for biodiversity.

Figure 1, "Site Location Plan"



2. LEGISLATION AND POLICY

2.1. Wildlife in the UK is protected through European Directives, which are transposed into national legislation, supported by a range of national and local policy and guidance. Recent changes in planning policy and legislation have gone beyond site and species-specific protection to set broader goals for the conservation and enhancement of the natural environment and halting the continued loss of biodiversity in the UK.

2.2. Development can contribute to these goals through, for example, protecting the best features of a site and making them a valued part of the site's new use, and by incorporating enhancements to improve the site's value for wildlife.

2.3. The sections below provide a brief guide to the principal legislation and policy that sets the terms of reference for ecological appraisals in the UK. This is not intended to be a full description of all the obligations enacted by the various referenced documents, which should be referred to in their original form for the full details.

2.4. It is the responsibility of those involved with the development works to ensure that wildlife protection and nature conservation legislation is complied with at every stage of the project. Such legislation applies even in the absence of related planning conditions.

Relevant Legislation

2.5. The principal pieces of legislation relating to wildlife that are of relevance to this report are:

- *The Environment Act 2021*;
- *EU Habitats Directive (1992)*;
- *Conservation of Habitats and Species (Amendment) Regulations 2017*;
- *The Wildlife and Countryside Act 1981 (as amended) (WCA)*;
- *The Natural Environment and Rural Communities (NERC) Act 2006*;

2.6. The presence of species and habitats on a site which are protected under UK and European legislation is a material consideration when a planning authority is considering a development proposal. Ecological assessments and protected species surveys are therefore designed to provide local planning authorities with the baseline information they require in order fully consider the potential ecological effects of a planning application.

2.7. Furthermore, *The Environment Act 2021* introduces a clearer responsibility for development to provide measurable net gains for biodiversity following good practice guidelines that are secured in the long term.

Relevant Policy

2.8. Regional and local planning authorities are obliged to follow key principles to ensure that the potential impacts of planning decisions on biodiversity conservation are fully considered. The National Planning Policy Framework sets out the Government's policies for the protection and enhancement of biodiversity through the town and country planning system. This encourages the contribution to, and enhancement of, natural and local environments through minimising the impacts on biodiversity and providing net gains in biodiversity where possible.

2.9. Planning authorities are required to follow key principles in their consideration of potential impacts of planning decisions on biodiversity conservation. Circular 06/05: Biodiversity and Geological Conservation provides guidance on the application of the law relating to planning and nature conservation and complements the National Planning Policy Framework.

2.10. The presence of species protected under UK and European legislation are a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Ecological appraisals and protected species surveys are therefore designed to provide local planning authorities with the baseline information they require in order fully consider the potential ecological effects of a planning application.

2.11. Biodiversity 2020: A strategy for England's wildlife and ecosystem services, provides the UK Biodiversity Action Plan and country level biodiversity strategies for England, based on the list of habitats and species listed under *The Natural Environment and Rural Communities Act 2006*.

2.12. The Wiltshire Core Strategy (2015) is the relevant Local Plan for this project, and Core Policy 50 (Biodiversity and Geodiversity) provides guidelines for the protection and enhancement of the natural environment.

3. METHODS

Desk Study

3.1. Desktop data were obtained from Wiltshire and Swindon Biodiversity Records Centre (WSBRC).

3.2. Online resources were also used, including the UK government's online resource for geographic information about the natural environment (MAGIC Map). This and other resources were used to scope the habitat survey at an appropriate scale and level of detail. MAGIC maps and the reports from ecology surveys previously carried out at the site were checked to identify if there were any known or possible locations of rare and/or habitats of high nature conservation priority, including sites of European importance within 10km and National importance within 5km.

Assessment for Habitats and Protected Species

3.3. The barn and surrounding land was assessed for potential to be used by protected species such as roosting bats or nesting birds.

3.4. An assessment of habitat suitability for protected and notable species was based on knowledge and judgement of an experienced professional informed by sources of guidance on habitat suitability assessment for key animal groups including:

- Amphibians (Gent and Gibson, 2003);
- Badgers (Harris et al., 1991; and Roper, 2010);
- Bats (Collins, 2016; and Mitchell-Jones, 2004);
- Birds (wintering and breeding) (Gilbert et al., 1998; and Bibby et al., 2000);
- Dormice (Bright et al., 2006);
- Otters (Chanin, 2003; and Crawford, 2011);
- Water voles (Strachan et al., 2011);
- Reptiles (Gent and Gibson, 1998; and Froglife, 1999); and
- Terrestrial Invertebrates (Drake et al., 2007; and Kirby, 2001).

Evaluation

3.5. The habitats and species of principal importance for biodiversity in England are listed on *Section 41* of *The Natural Environment and Rural Communities Act 2006*.

3.6. The assessment of the relative nature conservation value of the features at this site is also assessed against published criteria wherever possible. The value of habitats in the UK is covered in a wide variety of literature, including Usher (1986) and Ratcliffe (1977).

3.7. The main criteria against which the value of habitats is assessed are rarity, diversity, naturalness and extent. High importance is also attached to habitats that have not been subject to agricultural intensification, and which often depend on traditional forms of management, such as ancient semi-natural woodland, species-rich meadows and traditionally managed grasslands and moorlands.

4. RESULTS

Desk Study

4.1. The barn is adjacent to the Spye Park Site of Special Scientific Interest (SSSI) – **Figure 2**. Spye Park is designated for its mosaic of woodland and acid grassland habitats with rich communities of lichens, bryophytes and vascular plants. The woodlands are also important for breeding birds such as nightingale, redstart and tree pipit.

4.2. The site is not within a bat consultation zone and it is outside of any current nutrient neutrality catchments.

Figure 2, "Spye Park SSSI"



4.3. Silver Street Wood Local Wildlife Site (LWS) is approximately 115m south of the barn.

Habitats and Protected Species

4.4. The barn is approached by a hardstanding drive, and backs onto the woodland adjacent (**Figure 3**).

Figure 3, "View of the approach to the barn"



Figure 4, "The rear of the barn"



4.5. The barn is constructed from sheet metal roof and walls, with guttering around the roof. The land to the rear of the barn is an area approximately 5-10m wide dominated by nettles, beyond which are the trees of Scutts Copse (a part of Spye Park SSSI).

4.6. The barn does not have any potential to be used by protected species – it is new and well-sealed and does not have any areas where bats could roost or where birds could nest.

4.7. The land to the rear of the barn is suitable for a range of wildlife including reptiles, amphibians, nesting birds and dormice. There are desktop records of great crested newts, adders, slow-worms, grass snakes, common lizards and numerous bird species within the data search. There are however no records of dormice.

Figure 5, "View to the side of the barn"



Figure 6, "View to the rear of the barn"



5. EVALUATION

5.1. Construction of the barn does not appear to have required the removal of any trees, judging by the distance between the barn and the woodland edge and the absence of any evidence of felling.

5.2. There is no artificial lighting on the rear of the barn and the installation of any lighting in future would risk impacting woodland wildlife such as bats and birds and should thus be avoided.

5.3. The construction of the barn does not appear likely to have had any significant ecological impacts as it appears to have been built on land of negligible ecological value. Future use of the barn is unlikely to result in harm to the SSSI as long as there is no lighting and the use is not contrary to the conservation objectives of the SSSI.

5.4. There is however a risk that unintended overspill use of the barn could lead to inadvertent damage to the SSSI, either by removing 'buffering' habitat or by leading to a desire to remove overhanging trees. The potential for this is evident by the materials stored behind the barn visible in **Figure 3** above. This could be prevented by installing a suitable barrier to any encroachment into adjacent habitat – this could consist of a natural barrier such as densely planted native shrubs of local provenance (e.g. hawthorn); or a secure fence.

5.5. The barn, if planning consent is required, will need to demonstrate a net gain in biodiversity. Whilst the metal construction does not lend itself well to the installation of built-in nesting features, it may be possible to install bird or bat boxes on the rear elevation of the barn. The use of a habitat feature to enclose the rear of the barn and separate it from the woodlands could also be used to contribute to a net biodiversity enhancement.

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