



Protected Species Report

Westbrook Barns, Evercreech, Shepton Mallet, BA4
6DS



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Date: September 2023

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Summary

- S1. This report has been prepared by Redstone Ecology Ltd to inform a proposed conversion of an existing barn to a residential dwelling. The barn is located within Westbrook Barns, Evercreech, Shepton Mallet, BA4 6DS.
- S2. The site comprises a single barn with associated hardstanding. The barn is located within a complex of outbuildings and the main house.
- S3. The habitats which are to be impacted on by the proposed development are of no inherent ecological value. The barn offered Negligible roost potential however did provide suitable features which could be used by nesting birds however no evidence of nesting birds was recorded. Nettles were encroaching within the southern section of the site which is also hardstanding and used for the parking of a tractor.
- S4. Precautionary measures have therefore been included to ensure no impacts occur to breeding birds.
- S5. The proposals would include the installation of bat and bird boxes on the converted barn suitable to enhance the site for these species post development.
- S6. The proposed development would protect, maintain and enhance biodiversity in accordance with policies concerning the conservation of biodiversity in the National Planning Policy Framework (2021) and Policy DP5, DP6 and DP8 of the Mendip District Council Local Plan (adopted 2014).

Section 1: Introduction

Introduction

1.1. Redstone Ecology was commissioned by Ms Judith Randel and Mr Tony German to produce an Protected Species Report to support a planning application for the proposed conversion of an existing barn to a single residential dwelling. The barn is located within Westbrook Barns, Evercreech, Shepton Mallet, BA4 6DS (refer to Figure 1); approximate Grid Ref. ST 6399 3842. This report was undertaken following BS42020:2013 and Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines (2018). As the site is primarily built-form, the scope of the report focuses on roosting bats and nesting birds and includes the following sections:

- Results of the desk study, bat and nesting bird survey for the site;
- Assessment of the impacts of the proposals on bats and nesting birds;
- Provision of mitigation and enhancement measures for adverse impacts; and
- Summary of residual effects i.e. those occurring after mitigation.

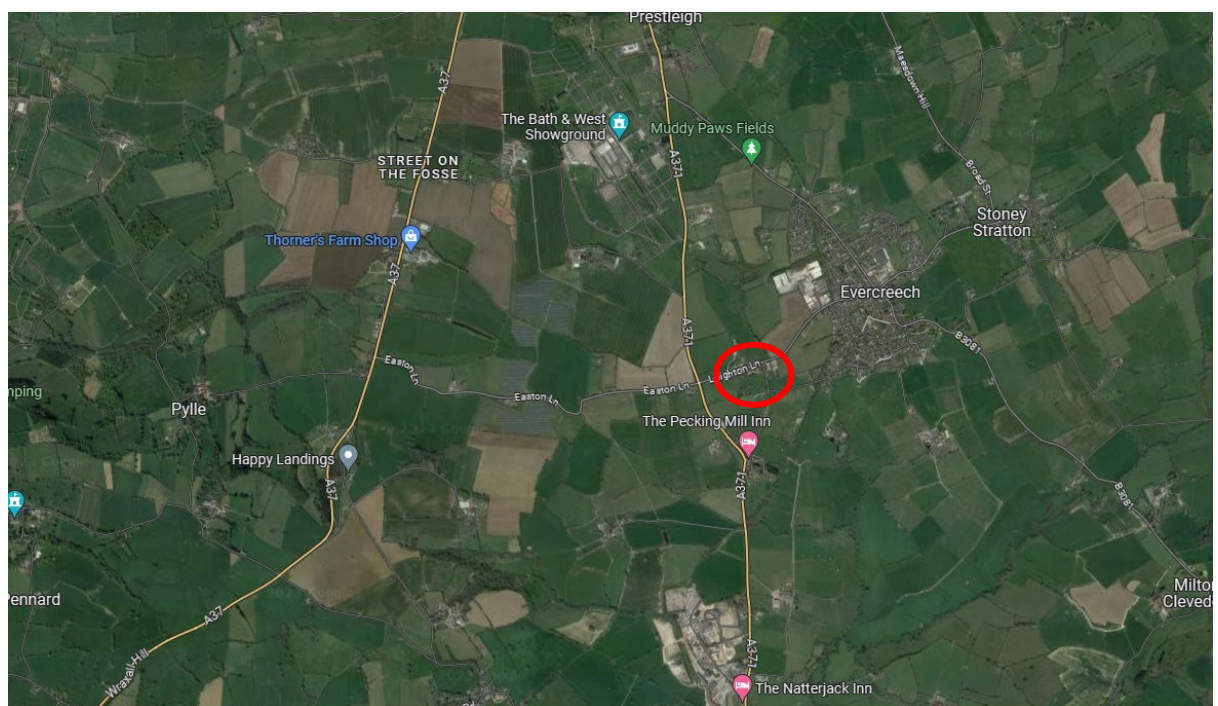


Figure 1: Aerial photograph showing site location

Legislation and planning policy

National planning policy

1.2. The Government's key national planning policy is set out in the National Planning Policy Framework (NPPF), published in 2021. The NPPF includes the Government's policy on the protection of biodiversity through the planning system. It states that local plan policies and planning decisions should seek to minimise impacts on biodiversity and provide net gains in biodiversity. Planning policies should promote the conservation, restoration and enhancement of priority habitats,

ecological networks, and the protection and recovery of priority species populations (e.g. Habitats and Species of Principal Importance under the NERC Act 2006).

Local planning policy

- 1.3. The relevant policy from the Mendip District Council Local Plan (adopted 2014) applies to the site:
- Development Policy DP5: Biodiversity and Ecological Networks
 - Development Policy DP6: Bat Protection
 - Development Policy DP8: Environmental Protection -

Wildlife legislation

- 1.4. Bats and their roosts are fully protected by UK legislation, and all birds, and their nests, eggs and young are protected under UK legislation. Several bat and bird species are also Species of Principal Importance for Conservation of Biodiversity in England (Priority). Full details are provided within Appendix 1.

Methodology

Desk study

- 1.5. Information on statutory designated sites of nature conservation value within 1km of the site was obtained by searching the government website MAGIC (www.magic.gov.uk). The information obtained was considered sufficient for this ecological assessment given the small size of the site and low value habitats that occurs on-site.

Bats

- 1.6. A Preliminary Roost Assessment of the building was undertaken on 18th May 2023 in accordance with standard bat survey protocols (Collins, 2023). This involved a detailed search of the interior and exterior of the building for evidence of bats (e.g. bats, droppings, feeding remains, staining). Information on potential or actual bat access points and roost locations were also recorded. Ladders, Zeiss 10x56 binoculars, and high-powered torches were used as necessary and the survey was carried out under a Natural England bat survey licence (John Polley MCIEEM Licence No. 2015-11916-CLS Level 2).
- 1.7. Based on the survey results, the building was categorised in line with current Bat Conservation Trust guidelines (Collins, 2023).

Birds

- 1.8. A search for evidence of nesting birds (i.e. active or disused nests) was undertaken during the building inspection on 18th May 2023

Survey limitations

- 1.9. All surveys were undertaken following best practice guidelines and no limitations were noted. The survey also included an assessment of the other habitats present.

Quality assurance and surveyor experience


- 1.10. The author and lead surveyor John Polley has over 18 years' experience working in the ecological sector and is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM). He has extensive experience of protected species survey and Natural England licensing. He holds a Class 2 Natural England (NE) bat survey licence. CIEEM's Code of Conduct was followed during the survey and reporting.

Section 2: Ecological Baseline


Desk Study

- 2.1. There are no statutory designated sites within 2km of the site.
- 2.2. The site is not within a Bat Consultation Zone.
- 2.3. This site is located within a Site of Special Scientific Interest Impact Risk Zone however the criteria for any potential impacts are from developments including airports, helipads and other aviation proposals livestock poultry farms and general combustion processes.
- 2.4. No European Protected Species licences are present within 2km of the site.

Habitats/species within the site

Habitat/ Species	Description /Likely presence	Importance	Photo
Building hardstanding	<p>The barn which is to be converted comprised a modern agricultural shed which was constructed using concrete block and brick with a metal frame and beams. The roof was clad with corrugate cement fibre sheets with cement fibre fascia board. uPVC sky lights were present which were corrugate sheets. Wooden panelling clad the walls and gable ends. The western gable end was open. Single glazed windows in wooden frames were present within the eastern section of the barn.</p> <p>Hardstanding comprising laid concrete was located around the barn.</p>	No inherent ecological importance	 <p>Northern and eastern faces of the barn along with hardstanding</p>

Habitat/ Species	Description /Likely presence	Importance	Photo
Tall ruderal vegetation	To the south of the barn was an area of hardstanding which was now becoming established with nettle.	Site	 <p data-bbox="1182 975 2063 1038">Area to the south with encroaching nettle where used for the parking of a tractor.</p>
Offsite Habitats	The barn was located within a complex of sheds and units along with the main farmhouse. Relatively recently planted native scrub was present adjoining the south of the site. Agricultural pasture is located within the wider area including grazed pasture bound by native hedgerows and trees.	Site to Local	N/A

Habitat/ Species	Description /Likely presence	Importance	Photo
Nesting Birds	The barn provided suitable nesting habitat for farmland and urban species however no evidence of nesting was recorded.	Site	N/A
Bats	<p>The structure was inspected internally and externally for features which could support a roost and for any evidence of bat usage. The barn was open light and airy. Limited roost features were present and the structure was assessed as having “negligible” roost suitability. No gaps were recorded behind the cladding which could support a bat. No evidence of bat usage was recorded including droppings or feeding remains.</p> <p>The site offered limited features to support foraging or commuting bats.</p>	Negligible	 <p data-bbox="1178 1139 1420 1166">Internal view of barn</p>

Section 3: Assessment of ecological effects

The proposed development

- 3.1. The proposed development would comprise the conversion of the existing barn into a residential dwelling with associated access, parking and amenity creation (refer to Appendix 3). These works impact on buildings and hardstanding which were of no inherent ecological value. The small area of nettle would need to be removed however this is of no more than site ecological value.
- 3.2. Bird and bat boxes would be installed on the converted structure to enhance the site (refer to Appendix 3 and 4).

Unmitigated effect during construction

- 3.3. No effects on designated sites of nature conservation value are predicted during construction.
- 3.4. No adverse impacts to bats are predicted as no roosts were recorded and no suitable habitat to support foraging and commuting bats.
- 3.5. There is a risk that conversion could disturb a nesting bird should this be undertaken in the bird breeding season (March to August inclusive). Overall this is predicted to be a negative effect at Site level.
- 3.6. The removal of nettle is of a negligible effect due to limited extant and it colonising on hardstanding habitat.
- 3.7. As such mitigation measures to ensure legal compliance would be implemented; refer to Section 4.

Post construction effects

- 3.8. No adverse effects on designated sites of nature conservation value are predicted.
- 3.9. The bat box proposed would provide additional roosting habitat suitable for species such as pipistrelle, Myotis sp and long-eared bats. Where external lighting is required this would be cowed or recessed using warm white LED bulbs. This would also be on a short timer. Overall post-construction impacts to bats would be Negligible in the long-term.
- 3.10. The bird box proposed to provide replacement bird nesting habitat. Overall post construction impact to birds would be Negligible in the long-term.

Section 4: Mitigation, compensation and enhancement

Bats

- 4.1. No external lighting would be used during the construction phase. Furthermore, any external lighting would be cowed or recessed using warm white LED bulbs (Institution of Lighting Professionals & the Bat Conservation Trust 2023) to reduce the risk of any light increases in the wider area.
- 4.2. The proposed bat box on the converted barn would provide additional roosting habitat for this species post development.

Birds

- 4.3. The bird nesting season typically runs from March through to the end of August. If it is necessary to start works in the bird nesting period, then a pre-works check for nesting birds should be undertaken by an ecologist. If nesting birds were found, work in that area would need to be delayed until all chicks had fledged.
- 4.4. A bird box (such as that suitable for house sparrow) would be installed on the converted barn to provide an overall enhancement for this species.

Mechanism for mitigation delivery

- 4.5. The ecological mitigation measures detailed in this report could be secured through a planning condition.

Section 5: Residual effects and conclusions

Construction effects

- 5.1. No effects on designated sites are anticipated during construction.
- 5.2. No effects on bats are anticipated during construction.
- 5.3. Adverse effects on birds could occur should conversion of the barn be completed in bird breeding season.
- 5.4. Precautionary measures would be adopted to prevent any potential impact on nesting birds so no effects would occur during construction.

Post-construction effects

- 5.5. Effects on the bats in the post-construction phase are considered to be Negligible. The proposed bat box would provide supplementary habitat for a range of species including long-eared, Myotis sp and pipistrelle bats. Lighting would also be designed to prevent any increase on surrounding bat habitat which is outside of the redline boundary.
- 5.6. The proposed bird box would enhance the site for birds resulting in a beneficial effect at the Sub-Parish level.

Conclusions

- 5.7. The proposed development would protect, maintain and enhance biodiversity in accordance with policies concerning the conservation of biodiversity in the National Planning Policy Framework (2021) and Policy DP5, DP6 and DP8 of the Mendip District Council Local Plan (adopted 2014). The proposed mitigation would ensure there would be no adverse effects on the favourable conservation status of bats in the locality.

References

Chartered Institute of Ecology and Environmental Management (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland – Terrestrial, Freshwater and Coastal. CIEEM, Winchester.

Collins, J. (Ed) 2023. Bat surveys for professional ecologists: good practice guidelines – 4th edition. BCT, London.

Institution of Lighting Professionals and Bat Conservation Trust (2023) Guidance Note 08/23 Bats and artificial lighting at night. Institution of Lighting Professionals, Rugby.

Mitchell-Jones, A. J. (2004). Bat Mitigation Guidelines. Natural England/English Nature, Peterborough.

Mitchell-Jones, A. J. & McLeish, A. P. (2004). Bat Workers' Manual - 3RD Edition). JNCC, Peterborough.

Russ, J. (2012) British Bat Calls: A Guide to Species Identification. Pelagic Publishing.

Appendix 1: Legislation

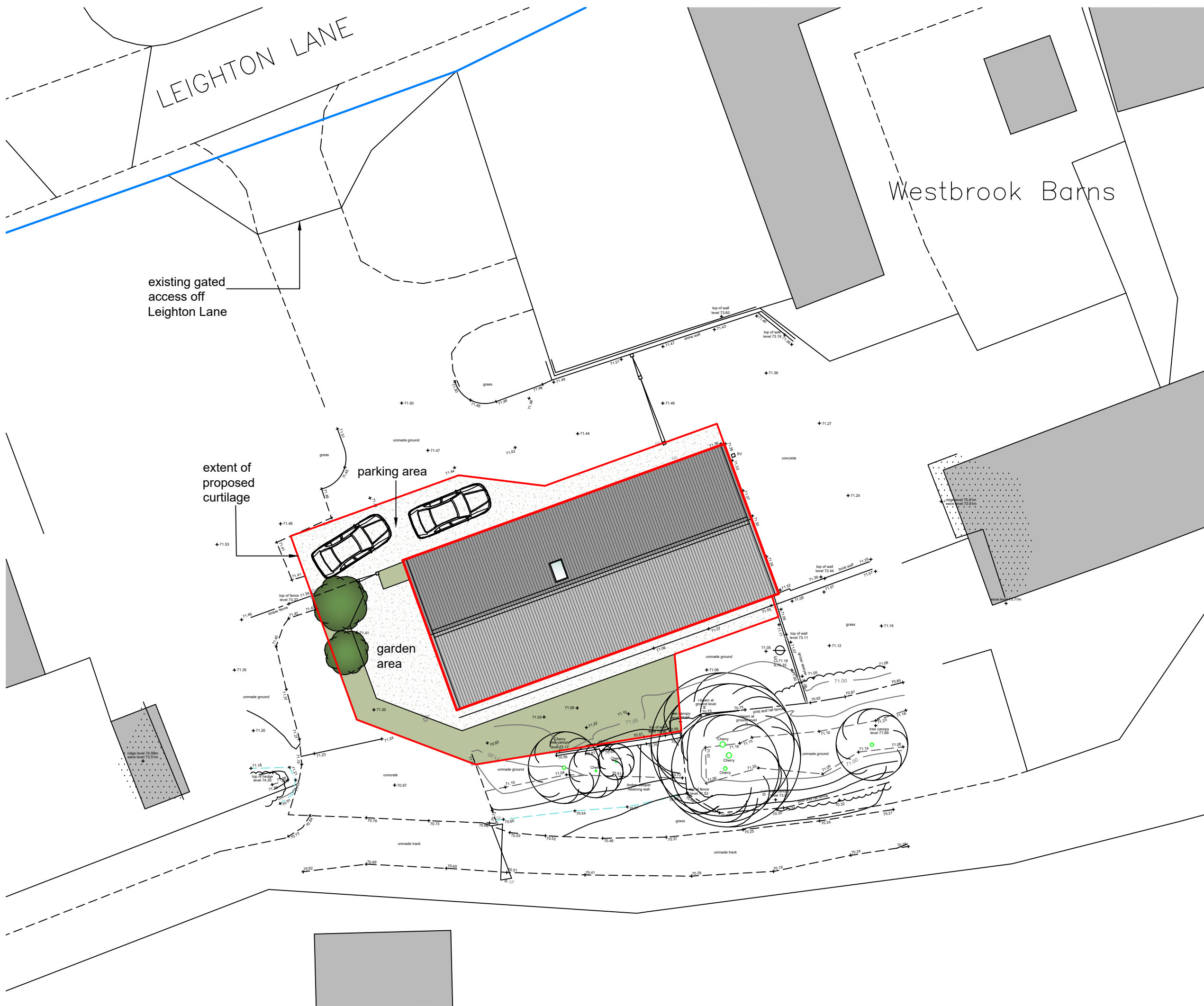
Legislative Context

- A1.1. Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:
- The Wildlife and Countryside Act (WCA) 1981 (as amended);
 - The Conservation of Habitats and Species Regulations 2010 (as amended);
 - The Countryside and Rights of Way (CRoW) Act 2000;
 - The Hedgerows Regulations 1997;
 - The Protection of Badgers Act 1992; and
 - The Natural Environment and Rural Communities Act (NERC) 2006.
- A1.2. The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of community interest. The legal framework to protect the species covered by the Habitats Directive has been enacted under UK law through The Conservation of Habitats and Species Regulations 2010 (as amended).
- A1.3. In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.
- A1.4. The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site.

Species and Habitats of Principal Importance and the UK Biodiversity Action Plan

- A1.5. The UK Post-2010 Biodiversity Framework succeeded the UK BAP partnership in 2011 and covers the period 2011 to 2020. However, the lists of Priority Species and Habitats agreed under the UKBAP still form the basis of much biodiversity work in the UK. The current strategy for England is 'Biodiversity 2020: A Strategy for England's wildlife and ecosystem services' published under the UK Post-2010 UK Biodiversity Framework. Although the UK BAP has been succeeded, Species Action Plans (SAPs) developed for the UK BAP remain valuable resources for background information on priority species under the UK Post-2010 Biodiversity Framework.
- A1.6. Priority Species and Habitats identified under the UKBAP are also referred to as Species and Habitats of Principal Importance for the conservation of biodiversity in England and Wales within Sections 41 (England) and 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006. The commitment to preserving, restoring or enhancing biodiversity is further emphasised for England and Wales in Section 40 of the NERC Act 2006.

Appendix 2: Proposed Development Plan



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Rev	Description	Date	By



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PROJECT TITLE

Westbrook Barns
 Leighton Lane
 Evercrech

DRAWING TITLE

Proposed Class Q barn conversion

Site Plan

STATUS **SK**

SCALE 1/200 SHEET SIZE A3

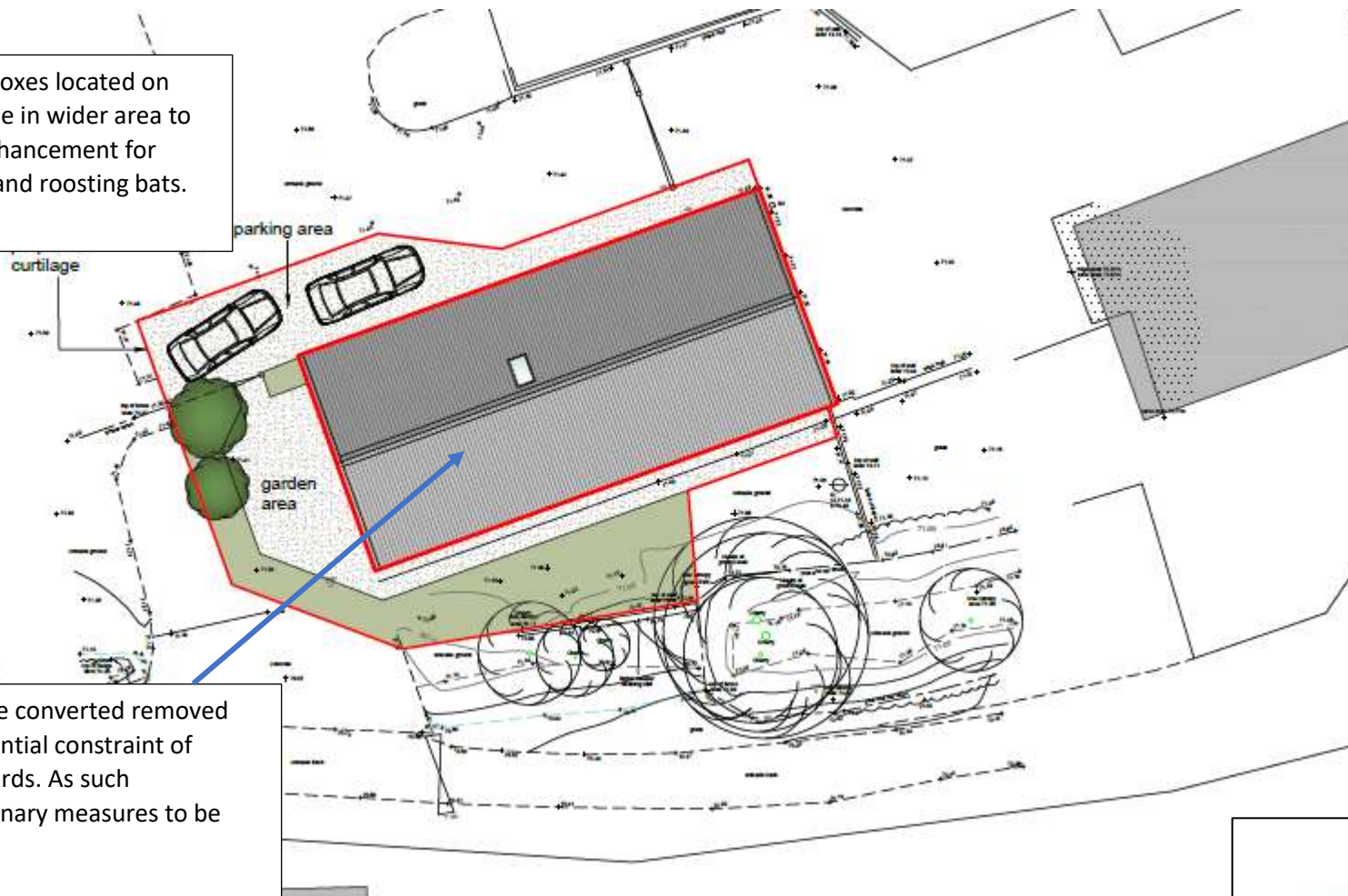
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Appendix 3: Ecological Constraints and Opportunities Plan



Bat and bird boxes located on building or tree in wider area to provide an enhancement for nesting birds and roosting bats.



Barn to be converted removed with potential constraint of nesting birds. As such precautionary measures to be adopted.

No construction lighting to be used. Furthermore, any lights located close to windows would be recessed and external lights would be cowed and use warm light LED bulbs.



Opportunities and Constraints
Site: Westbrook Barns, BA4 6DS
Client: Ms Judith Randel and
Mr Tony German
Date: 18/09/2023