Stables at
New Barn Farm House
Pains Hill, Lockerley
Hampshire

Ecological Assessment

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Stables at New Barn Farmhouse, Lockerley, Hampshire

Ecological Assessment

1.0 Introduction

1.1 Background

A planning application is being submitted to Test Valley Borough Council to allow the conversion/replacement of a row of existing stables to create a boarding cattery, in the grounds of New Barn Farmhouse, Pains Hill, Lockerley, Hampshire (SU286 254) (**Map 1**).

In order to provide information regarding potential ecological impacts of the proposals an ecological survey of the existing stables was required.

4Woods Ecology Ltd was subsequently commissioned by the property owners to carry out a preliminary ecological assessment of the stables.

1.2 Legislation & Policy

1.2.1 Overview of Protected Species Legislation

In the UK, varying levels of legal protection are afforded to a number of rare, declining or vulnerable species in the UK, principally via The Wildlife & Countryside Act, 1981 (as amended).

Species which are at threat in a European context are afforded additional legal protection in the UK via *The Conservation of Habitats and Species Regulations 2010*, which updates and consolidates all amendments to The Conservation (Natural Habitats, & c) Regulations 1994 *('The Habitats Regulations'*), and which implements requirements of the EC Directive 92/43 ('Habitats Directive') within UK law.

Species protected under the former or both legislative instruments (with varying levels of protection) include: Bats (all species), Great Crested Newt, birds and their nests/eggs, all native reptile species, etc.

[redacted] and their [redacted] are also afforded legal protection in the UK via the Protection of [redacted] Act, 1992.

Further details of relevant legislative protection afforded to species which occur at the site, or have potential to occur, and may be affected by the proposed development, are provided at **Section 4.3**, where appropriate.

1.2.2 Legislation relating to Bats

In the UK, all native bat species and their roost sites are fully protected from harm and disturbance via:

- The Wildlife & Countryside Act, 1981 (as amended) (through inclusion on Schedule 5); and

- The Conservation of Habitats and Species Regulations 2010 (which consolidates and updates all amendments to the Habitats Regulations, 1994).

1.2.3 Legislation relating to Birds

In summary, all wild birds in the UK, their eggs, young and nests (whether in use or being built) are afforded protection from intentional harm or taking via The Wildlife & Countryside Act, 1981 (as amended).

Species included on Schedule 1 of the Wildlife & Countryside Act, 1981 (as amended) such as Barn Owl, are afforded additional legal protection against intentional or reckless disturbance while they are building a nest, or are in, on or near a nest containing eggs or young. Dependant young of these species are also legally protected from disturbance.

1.2.2 Nature Conservation Designations

Statutory Nature Conservation Designations

There are no statutory nature conservation designations within 1km of the application site.

The nearest designation is 1.4km to the north-west, known as Brickworth Down and Dean Hill Site of Special Scientific Interest.

A designated Site of Special Scientific Interest (SSSI) and Special Area for Conservation (SAC) is located over 2.5km to the north-east of the application site, known as 'Mottisfont Bats SAC/SSSI'. This area of woodland is designated as it supports a breeding population of the rare Western Barbastelle Bat. The site also supports a good diversity and population of other bat species.

The River Test SSSI is over 4km to the east of the application site, at the nearest point.

The New Forest National Park, which is also designated SSSI and SAC, is located just over 3.6km to the south-west of the application site (at the nearest point). (www.magic.defra.gov.uk). The New Forest SPA/Ramsar designation is around 6.2km to the south, at the nearest point.

The Wildlife & Countryside Act, 1981 (as amended) and Countryside and Rights of Way (CRoW) Act 2000, afford sites which are designated SSSI with legal protection from damaging activities. Natural England must be consulted where any potentially damaging activities are likely to occur to a SSSI or its interest features, including possible indirect impacts arising from a proposal.

SACs and SPAs are designated under the EC Habitats Directive, 1992, and are afforded strict protection via The Conservation (Natural Habitats, &c.) Regulations, 1994 ('the Habitats Regulations), which implements the EC Habitats Directive in UK law. Where the proposals may affect the qualifying

habitats and features of a SAC or SPA, a procedure set out in Regulation 61 of the Habitats Regulations must be followed. This is known as the Habitats Regulations Assessment (HRA), which requires that certain tests must be met before planning consent could be granted.

Non-statutory Nature Conservation Designations

A long, narrow area of land, designated Site of Importance for Nature Conservation (SINC) is located over 240m to the north of the application site (www.tvbc.maps.arcgis.com). No details have been obtained, however, aerial photographs and priority habitat inventories (www.magic.defra.gov.uk) indicate that this is a calcareous grassland site.

SINCs are afforded protection from harmful effects of development through policies contained in the local plan (see **Section 1.2.4**, below).

1.2.3 Biodiversity Action Plans

Following UK devolution, the UK Post-2010 Biodiversity Framework was set up in 2012, and succeeds the previous UK BAP. This sets out the aims and activities required to achieve identified targets to halt the decline in biodiversity across the various countries that make up the UK.

Lists of Priority species and habitats were devised for the purposes of the previous UK BAP, which were identified as most threatened in the UK and required action plans to aid their recovery. These lists remain an important reference source and have been used to revise the statutory lists of priorities for England and the other countries of the UK, to allow for a country-level approach rather than UK-wide as before.

The Countryside & Rights of Way (CRoW) Act, 2000 requires that Government departments have regard to the purpose of conserving biological diversity in accordance with the Biodiversity Convention 1992 and to promote the action required to further the conservation of species published on Biodiversity Action Plans (BAPs).

Further, The Natural Environment and Rural Communities (NERC) Act (2006) places a duty upon public bodies in England and Wales (including Local Planning Authorities) to have regard to the purposes of conserving biodiversity in exercising their functions.

Priority species listed (as revised in 2012 for England) include Soprano Pipistrelle bat and Brown Long-eared Bat, Hedgehog, House Sparrow, Starling, Song Thrush, Great Crested Newt, Grass snake, Slow-worm and Common Lizard etc.

1.2.4 Planning Policy

NPPF & ODPM Circular 06/2005

The planning policy guidance note dealing with Nature Conservation, PPS9, was made redundant with immediate effect following the publication of the National Planning Policy Framework (NPPF) in March 2012.

Underpinning the NPPF is a presumption in favour of sustainable development.

The guidance encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

When determining planning applications, the NPPF states that local planning authorities should aim to conserve and enhance biodiversity by applying the following principles [amongst others]:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- opportunities to incorporate biodiversity in and around developments should be encouraged.

The ODPM Circular 06/2005 remains an active document (although is under review), but it is now to be read in conjunction with the NPPF rather than PPS9 as before. It provides additional guidance to Local Planning Authorities with respect to biodiversity matters. The Circular advises that the '*presence of a protected species is 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*.'

It is also stated in the Circular that it is '*essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted*'. However, it is also noted that '*developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development*'.

Local Plan Policy : Test Valley Borough Adopted Local Plan (2011-2029)

The following relevant policies are contained in the Adopted Test Valley Borough Local Plan (adopted January 2016):

Policy E5: Biodiversity

Development that will conserve, restore and enhance biodiversity in the Borough will be permitted.

Development that is likely to result in a significant effect, either alone or in combination, on an international or European nature conservation designation, or a site proposed for such designation, will need to satisfy the requirements of the Habitat Regulations.

Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or geological conservation interests, either directly or indirectly, will not be permitted unless:

a) the need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest;

b) it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests; and

c) measures can be provided (and secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for the adverse effects likely to result from development.

The habitats and species of importance to biodiversity and sites of geological interest considered in relation to points a) to c) comprise:

- *Sites of Special Scientific Interest (SSSIs);*
- *legally protected species;*
- *Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs);*
- *priority habitats and species listed in the national and local Biodiversity Action Plans;*
- *habitats and species of principal importance for the conservation of biodiversity in England;*
- *trees, woodlands, ancient woodland (including semi-natural and replanted woodland), aged and veteran trees, and hedgerows; and*
- *features of the landscape that function as 'stepping stones' or form part of a wider network of sites by virtue of their coherent ecological structure or function or are of importance for the migration, dispersal and genetic exchange of wild species.*

The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as part of a wider network.

2.0 Methodology

2.1 Desktop study

An OS map and aerial photograph of the local area were examined to assess potential ecological value of the site in the context of the surrounding landscape.

The Governmental website www.magic.gov.uk was searched for nature conservation designations, SSSI impact zones and any other nature conservation data that may be relevant to the application site.

Given the small scale of the proposals, location within a garden and assessment of potential impacts, further ecological records were not considered necessary or appropriate.

2.2 Site Survey

2.2.1 Overall Ecological Survey

A daytime survey/assessment of the stables and immediate surroundings was completed by Su Forster BSc PGDip CEnv MCIEEM, of 4Woods Ecology Ltd, during 2 July 2019.

Habitats and features within the site were described and assessed for their potential ecological/nature conservation value.

Habitats within the site were assessed for their potential to be utilised by protected or other notable species, and a search for evidence of such species was completed as far as possible. In particular this included:

- A search of the existing stables for any evidence of bats, and assessment of bat roost potential (see **Section 2.2.2**, below, for further details);
- A search of the buildings for evidence of use by birds, particularly for nesting;
- Assessment of surrounding habitat for its potential to support reptiles;
- Assessment for the potential for Great Crested Newts to occur (including a map-based search);
- A search for any evidence to indicate [redacted] activity around the stables – e.g. mammal tracks (possibly with [redacted]), digging, foraging signs, [redacted] etc.
- Assessment of the potential for other notable species to occur, such as Stag Beetle, Hedgehog etc.

2.2.2 Bat Survey

Search for Evidence of Bat Roosts & Assessment

An daytime bat survey of the stables was also completed by Su Forster (Natural England Bat class licence WML-CL18, level 2, Reg. no. 2015-13744-CLS-CLS), during 2 July 2019.

The interiors of the buildings were thoroughly searched for roosting bats or signs to indicate their use by bats. This was completed using a strong torch.

The exteriors of the stables were also examined for potential bat access gaps/roost sites and any evidence to indicate their use by bats. This was completed from ground level, using binoculars and a strong torch.

Signs that might indicate the presence of a bat roost could include:

- Bat droppings – e.g. within the stables, on stored articles, walls, on vegetation/ground below a roost/access point etc;
- Dark staining at well-used roost sites or exit points;
- Urine streaking beneath a roost site or exit point;
- Scratch marks or worn surfaces at bat roost sites / access points.
- Feeding remains (e.g. moth wings)

An overall assessment of the stables for their potential to support bat roosts was completed based on the presence of suitable roost niches (e.g. dark voids/crevices) and access points to such sites.

The survey and assessment was completed in accordance with the methods detailed in the published bat survey guidelines (Collins, 2016).

Limitations of Bat Survey

Since bats may regularly move between different roost sites (particularly to satisfy their varying requirements at different times of the year), a bat survey often concentrates on searching for evidence to indicate use of a potential roost site by bats at any time of the year. While such evidence may be found within a building interior, generally use of the buildings could result in disturbance and loss of such evidence. Further, any evidence (e.g. droppings) left on external surfaces of a building may be quickly washed away by rain.

3.0 Results of Survey

3.1 General Description of Site & Local Area (site context)

The application site comprises a row of existing stables, at the edge of the garden to New Barn Farmhouse. It backs onto a field of rough meadow grassland. The surroundings are dominated by farmland (arable and pasture), with some tree-lined boundaries (including to the rear of the application site) and scattered woodland in the wider area.

3.2 Results of Desktop Study

3.2.1 Nature Conservation Designations

Details of nature conservation designations in the local area are detailed at **Section 1.2.2,** above**.** There are no statutory nature conservation designations within 1km of the application site (www.magic.defra.gov.uk). A SINC exists beyond 240m to the north of the application site.

Based on information provided on the governmental website: www.magic.defra.gov.uk, the application site lies within a 'SSSI impact zone'. A 'site check' was subsequently performed via this website which reported that the following applications should be subject to consultation with Natural England due to their potential to impact a SSSI:

- All planning applications (except householder) outside or extending outside existing settlements/urban areas affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures.

Based on this criteria, the proposal is unlikely to have an impact on any SSSIs and should therefore not require consultation with Natural England.

3.2.2 Priority Habitats

Based on information obtained from the Governmental website www.magic.defra.gov.uk, there are no priority habitats within the site or immediate surroundings.

3.3 Results of Survey

3.3.1 Habitats & Flora

The application site comprises a row of stables, previously used to accommodate horses, but now disused.

The stables exist to the rear of the garden of this rural property, backing onto a meadow of rough grassland, and adjacent to a sheep-grazed pasture. Species-poor mown lawn extends along the front of the stables, while to the rear between the back stable walls and fence is a narrow strip of tall ruderal vegetation comprising Nettles *Urtica dioica*, Hogweed *Heracleum sphondylium*, Prickly Sow-thistle *Sonchus asper* and Cleavers *Galium aparine*.

3.3.2 Bats

Description of Buildings & Bat Roost Potential

The line of stables includes two block-walled structures (one at either end of the row), with timber buildings between.

The two block-walled stables have single-skin walls, with no lining. They have a shallow-pitched roof of corrugated metal, with a chipboard lining. There is no separate roof space.

The timber stables are all similar, with single-skin wooden walls, lined inside at the bottom with boarding. They have a shallow pitched roof of corrugated asbestos sheeting, with no lining and a metal ridge. Many have unglazed window openings, or doorways left open, creating a fairly draughty interior.

None of the buildings contain crevices or voids which have potential to be used by bats as a roost site.

Evidence of Bats

No evidence of any bat roosts was found within any of the stables, or on their exteriors.

No evidence to indicate use of any of the buildings by bats as a night shelter or feeding site was found.

3.3.3 Other Mammals

There is no evidence of any [redacted] activity around the stables.

No evidence of any other notable mammals was found at the site.

3.3.4 Reptiles

The mown lawns to the front and sides of the stables, where they are accessed, provide negligible potential habitat for reptiles. However, common reptile species may occur within the meadow grassland area adjacent to the rear fencing behind the stables.

3.3.5 Amphibians

No ponds exist within the site. Based on OS map information, the nearest waterbodies, which might have potential to be utilised by Great Crested Newt, are:

- a small pond, around 150m to the south, within a vast area of farmland.

- A second pond, around 275m to the south of the application site, within farmland.

No other ponds exist within 1km of the application site.

While these two ponds are reasonably close to the application site, they are located within a vast area of open countryside, surrounded by extensive potential terrestrial habitat for amphibians, such as Great Crested Newt. If Great Crested Newts are present at these ponds the chances of individual Great Crested Newts, or other amphibians, occurring around the few stable buildings of the application site, is therefore considered to be very low.

3.3.6 Birds

The stables are all used by nesting birds, with the following use noted at the time of survey (see **Map 2**):

Stable 1 – block walls, at the eastern end of the row.
Old swallow nests were noted inside, one of which appeared to have been recently used, and one had been adopted by Wren.
House sparrows were nesting between the roof covering and lining, to the rear of the building.

Stable 2 – wooden structure.
Old Swallow nest present

Stable 3 – wooden structure.
One Swallow nest, currently in use.

Stable 4 – wooden structure.
Two old Swallow nests, not in use.

Stable 5 – wooden structure.
One Swallow nest, recently used.

Stable 6 – wooden structure.
One old Swallow nest.

Stable 7 – block walls, with two stable units.
Several old Swallow nests, one of which had been adopted by Wren.

3.3.7 Invertebrates

The application site is unlikely to have any significant invertebrate interest due to the lack of suitable habitat, and being dominated by buildings.

A good range of invertebrate species is likely to occur within the adjacent meadow grassland, outside of the application site.

4.0 Discussion

4.1 Interpretation of Findings

The stables are all considered to have negligible potential for bat roosts. While they could potentially be used by bats for feeding or as a night shelter, there is no evidence to suggest that they are being used.

All of the stables are used by nesting birds, with Swallows, House Sparrow and Wren being recorded.

Swallows return annually to nest in the stable interiors. It is estimated that three of the observed nests in these stables were in current use or had been recently used this year. The conservation status of Swallows in the UK is assessed as 'Green' in the 'Birds of Conservation Concern 4' publiclation (Eaton et al, 2015), which is of least conservation concern. This species is also *not* included on the UK or Hampshire Biodiversity Action Plans. However, they do rely on suitable outbuildings for nest sites, of which there is a limited supply.

Two of the old Swallow nests, one in each of the block-walled stables, had been adapted for use by Wren. Wren is also of low conservation concern ('Green' on the Birds of Conservation Concern 4 listing). This species will often nest within buildings, but is not reliant on such nesting sites.

House Sparrows were noted nesting between the corrugated metal roof and chipboard lining, to the rear of Stable 1 (the Block-walled stable at the eastern end of the row). Despite being widespread, House Sparrows have suffered significant population declines in the UK and as such are on the 'Red' list of 'Birds of Conservation Concern 4' (Eaton *et al,* 2015). This species is also listed as a priority species on the UK Biodiversity Action Plan (BAP).

There is a high potential for reptiles to occur within the adjacent rough-grassland meadow, beyond the fence line to the rear. However, they are unlikely to occur in the immediate surroundings of the stable buildings, including to the front where they are accessed.

No other notable species are considered likely to occur at the site.

There are no nature conservation designations or other features of ecological interest within close proximity of the application site, which are likely to be affected by the proposals.

4.2 Impact Assessment

4.2.1 Direct Impacts

Commencing the work while the birds are nesting would result in damage/harm to nests and eggs/young, and would affect the breeding success for that year.

Either rebuilding or converting the stables for use as a cattery will result in the interior being permanently unavailable for use by nesting birds, including small numbers of Swallow and Wren.

The House Sparrows could potentially continue to use the space between the roof covering and lining, however, this may not be acceptable as this building is proposed to be used for food preparation for the cats.

No other notable species or features of nature conservation value are likely to be affected.

4.2.2 Indirect Impacts

The cattery is expected to be fairly self-contained, and therefore its operation is unlikely to have any significant indirect ecological impacts, as long as waste is appropriately managed.

4.3 Legal Considerations

4.3.1 Nesting Birds

All birds, their nests, eggs and young are legally protected in the UK from intentional harm, by provisions contained in The Wildlife & Countryside Act, 1981 (as amended). This includes nests which are being built or are in use.

Measures will therefore be required to avoid causing harm to birds, their nests (while in use or being built), eggs and/or young where any potential nesting habitat is to be affected (see **Section 4.4.4**, below).

No bird species listed on Schedule 1 of the Wildlife & Countryside Act, 1981 (as amended) has been recorded at the site.

4.4 Mitigation / Compensation

4.4.1 Nesting Birds

Avoiding Direct Impacts

Given the legal protection afforded to nesting birds, it will be necessary to avoid direct impacts to birds and their nests (whether in use or being built).

Work to the existing stables (i.e. removal or conversion) will therefore commence outside of the nesting season (i.e. avoid March – August, inclusive) unless it is confirmed that there are no nesting birds present at the time. In the event that Swallows (or any other bird species) are still using nests into September/October, the work must still be avoided in that area until the birds have left.

Provision of Alternative Nesting Sites

Where it is not acceptable to allow the House Sparrows continued access to the space between the roof covering and lining, to the back of stable 1 (at the eastern end of the row – **Map 2**), a suitable terrace nest box will be fixed onto the rear wall of this block-walled building in a similar location (**Map 2**).

Several outbuildings will remain available for use by Swallows at the site (see **Map 2**), including:

- Stable 7 (at the western end of the row), a block-walled building, which is to continue to be used as a tool store/workshop (as existing).

This has previously been used by Swallows for nesting (and was being used by Wren at the time of survey) and access will remain available for continued use in the future.

- A small, open-fronted timber field shelter, at the western end of the row of stables, which will remain unaffected and relatively undisturbed as it opens onto the meadow to the rear. No Swallow nests were noted within this shelter, which may be due to the lack of suitable ledges. Therefore x2 timber ledges, or artificial nesting cups (e.g. Schwegler or Woodstone Swallow nest cup) will be installed at either end of the barn interior, as high as possible (ensuring access to the nest sites by cats is not possible).

Field shelter at the western end of the row of stables, to remain unaltered and enhanced for use by Swallows.

- A double garage, with brick/block walls and flat timber roof with felt covering, to the rear of the house. This is open-fronted and therefore is very accessible to Swallows. Old Swallow nests are present (one of which has been adapted for use by Wren). This garage will remain unaltered and available for use by nesting birds, such as Swallows. However, to encourage greater use of this building by Swallows, either x2 timber ledges or x2 artificial nesting cups (e.g. Schwegler or Woodstone Swallow nest cup) will be installed at opposite sides of the internal roof structure.

Double open-fronted garage, used by Swallows/Wren, to remain available, with enhancements to encourage nesting by Swallows

- A further, open-fronted, timber field shelter exists in the grazed field to the east of the stables, which is used by small numbers of sheep. This was not searched during the present survey but is also reportedly

used by Swallows and appears to be very suitable. This field shelter will remain available and unaltered.

Field shelter to remain available to Swallows in the adjacent field.

4.5 Ecological Enhancement

Ecological enhancement measures, as required by planning policy, will be provided by installation of a second House Sparrow terrace nesting box at the top of the rear external wall of stable 7 (western end of the row of stables) (**Map 2**).

5.0 Conclusions

The application site, comprising a row of stables at New Barn Farmhouse, has been subject to an ecological survey.

The buildings were found to have negligible potential for bat roosts, and no evidence to indicate any other use by bats (e.g. as a night shelter) has been found.

All of the buildings are used by nesting birds. Swallows have nested within all of the buildings at some time, and over several years, while Wren and House Sparrow were nesting within the two block-walled stables at the time of survey. Conversion or rebuilding of the stables therefore has potential to affect these nesting birds, either during the works or in the long-term due to loss of suitable nesting sites.

No other legally protected or notable species, or other features of nature conservation value, are likely to be affected by the proposals.

Mitigation measures will be employed to ensure nesting birds are not harmed during the building works. In the long-term alternative suitable nesting sites will remain available at the property, with enhancements in places to encourage greater use by Swallows.

An additional nest box, suitable for House Sparrows, will be installed at the site as an ecological enhancement measure.

6.0 References

Collins, J (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn).* The Bat Conservation Trust, London.

CIEEM (2016). *Guidelines for Ecological Impact Assessment in the UK and Ireland. Second Edition, January, 2016.* www.cieem.net

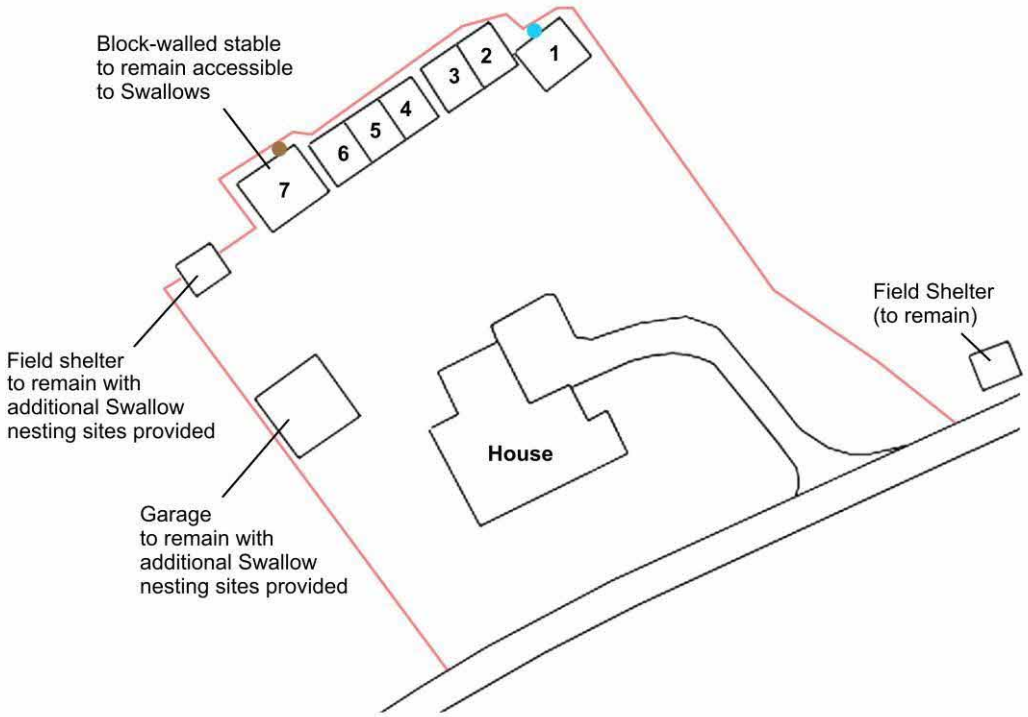
Eaton MA, Aebischer NJ, Brown AF, Hearn RD, Lock L, Musgrove AJ, Noble DG, Stroud DA and Gregory RD (2015) *Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and Isle of Man*. British Birds 108, 708–746

New Barn Farm House, Pains Hill, Lockerley

Map 1 - Site Location

New Barn Farm House, Pains Hill, Lockerley

Map 2 - Mitigation and Enhancement



Key

1-7 Stables (1-6 to be rebuilt or converted).

- House sparrow terrace nesting box (if existing nest site under roof cannot be retained).
- Additional House sparrow terrace nest box (ecological enhancement).