



A Report to
M F Clark and Son Ltd

COURT FARM, WRINGTON

Ecological Survey

30 June 2008

Client Name	M F Clark and Son Ltd
Project Name	
Report Date	09 JUL 2008
Survey	
Site Area	

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1 INTRODUCTION

Avon Wildlife Trust Consultancy was commissioned by Helen Clark in June 2008 to undertake an ecological assessment of a farm building and its surroundings at ST464626, as shown on *Map 1*. The survey was in support of a retrospective application for planning permission for change of use of the building.

Section 2 below details the methodology and limitations of the survey.

Section 3 provides an outline of the planning policies relating to nature conservation relevant to this project, and the legislative context; including statutory and non-statutory designations.

Section 4 evaluates the ecology of the site in terms of designated sites, habitats and species in accordance with the 'Guidelines for Ecological Impact Assessment' (IEEM, 2006), and also provides specific details of relevant legislation.

Section 5 comprises an attempted assessment of possible impacts to which these features may have been subject, and the significance of these impacts.

2 METHODOLOGY

2.1 General methodology

This ecological assessment comprises three elements: a desk study, a site survey and a report.

- The desk study consists of a search of all existing ecological records within a 500m radius centred on the site using the information held by Bristol Regional Environmental Records Centre (BRERC).
- A walk-over site survey was carried out on 30 June 2008 to:
 - identify the habitats present within the site according to the Phase 1 Habitat Survey methodology (JNCC, 1993).
 - identify species of vascular plants present.
 - undertake a preliminary faunal survey/habitat assessment to identify the presence of, or the potential of the site to support, legally protected species/species of conservation importance.
 - assess the 'ecological importance' of hedgerows potentially affected by the proposed works in accordance with the criteria specified in the Hedgerows Regulations 1997 (HM Govt, 1997).

A report was compiled to describe and evaluate the ecological interest of the site, and identify potential impacts that the change of use may have had on wildlife.

2.2 Methodology for ecological evaluation and impact assessment

This assessment has been carried out in accordance with the 'Guidelines for Ecological Impact Assessment' produced by the Institute of Ecology and Environmental Management (IEEM, 2006).

The biodiversity value of ecological features and resources is assessed in *Section 4* according to various characteristics, including non-statutory designations, rarity, threat, diversity (species-

richness), connectivity and size of populations. Each ecological feature is assigned a biodiversity value at the following geographical scale:

- International
- UK
- National (England)
- Regional (South West)
- County
- District
- Parish
- Within immediate zone of influence

The impacts of the change of use upon valued ecological features are assessed where possible. These impacts are then assessed as being *significant* or *not significant* upon each valued ecological feature.

2.3 Weather conditions at time of survey

Dry and sunny, with no wind.

2.4 Limitations of survey

There were no limitations to the survey. Full access was available to the building and the surrounding land. NB The actual change of use took place in 1990.

The findings and assessments within this report are based on a survey carried out on 30 June 2008. Although such surveys provide valuable information on the habitats and their potential to support wildlife, they are a snapshot. As such the presence or absence of a species, particularly the more mobile faunal species should not be relied upon at a later date. As a guide it is recommended that this report is valid for 12 months.

3 PLANNING CONTEXT AND LEGISLATION

3.1 Planning Context

This section details planning policies relevant to this project.

3.1.1 PPS9 Biodiversity & Geological Conservation (2005)

PPS9 (Planning Policy Statement 9) sets out the Government's national policies on protection of biodiversity and geological conservation through the planning system. The following summarises the key principles that planning bodies / authorities should adhere to, to ensure that the potential impacts of planning decisions on biodiversity and geological conservation are fully considered. Internationally designated sites (SACs, SPAs and RAMSAR sites) and certain species are protected by law and therefore PPS9 recommends that these sites and species should not be included in local planning policy.

- Regional planning bodies and local planning authorities should adhere to the following key principles to ensure that the potential impacts of planning decisions on biodiversity and geological conservation are fully considered.
 - (i) Development plan policies and planning decisions should be based upon up-to-date information about the environmental characteristics of their areas. These characteristics should include the relevant biodiversity and geological resources of the area.
 - (ii) Plan policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.
 - (iii) Plan policies on the form and location of development should take a strategic approach to the conservation, enhancement and restoration of biodiversity and geology, and recognise the contributions that sites, areas and features, both individually and in combination, make to conserving these resources.
 - (iv) Plan policies should promote opportunities for the incorporation of beneficial biodiversity and geological features within the design of development.
 - (v) Development proposals where the principal objective is to conserve or enhance biodiversity and geological conservation interests should be permitted.
 - (vi) The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision could result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.

Other relevant policies include the following (summarised):

- Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites (locally known as Sites of Nature Conservation Interest or SNCIs, except in North Somerset where they are referred to as Local Wildlife Sites), have a fundamental role to play in meeting overall national biodiversity targets. Criteria-based policies should be established in local development documents against which proposals for any development on, or affecting, such sites will be judged. These policies should be distinguished from those applied to nationally important sites.
- Many individual wildlife species have been identified as requiring conservation action as species of principal importance for the conservation of biodiversity in England. Local authorities should take measures to protect the habitats of these

species from further decline through policies and the use of planning conditions. Planning authorities should ensure these species are protected from the adverse effects of development, where appropriate, by using planning conditions or obligations. Planning authorities should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.

3.1.2 Regional Planning Guidance RPG10 (2001)

This document is soon to be replaced by the Regional Spatial Strategy (RSS10). The key aims and objectives of the existing RPG10 are:

- *Protection of the environment* - the effective safeguarding and enhancement of the region's environmental resources, both natural and built, including those which are crucial to maintaining its overall attractiveness as an area in which to live, work and play;
- *Prosperity for communities and the regional and national economy* – improving the competitive position of the South West within the EU and internationally to increase sustainable prosperity for all its residents and businesses;
- *Progress in meeting society's needs and aspirations* - recognising people's requirements for good and improving standards of housing and accessibility to facilities; reducing inequalities; and promoting social inclusiveness throughout the region;
- *Prudence in the use and management of resources* – reducing the consumption of irreplaceable natural resources and making best use of past investment including buildings and infrastructure.

Relevant nature conservation objectives to achieve the above aims are as follows:

- ensuring that the level, distribution and nature of development is consistent with the special character, diversity and distinctiveness of the region and seeks to maximise benefits to the environment.
- safeguarding and enhancing the quality and diversity of the natural, cultural and built environment across the region, while giving the highest level of protection to designated areas and features of national and international importance.
- minimising waste and pollution, avoiding loss or damage to irreplaceable natural and cultural assets and safeguarding the region's resources of green fields, biodiversity, primary minerals and water.

3.1.3 North Somerset Replacement Local Plan (Adopted 2007)

North Somerset Replacement Local Plan is under review and will ultimately be replaced by a LDF. The relevant policies of the existing Local Plan are listed below:

Policy ECH/10 – Biodiversity, states that “development that is likely to have a significant impact upon biodiversity will not be permitted unless there is an overriding need for the development in the proposed location or measures can be introduced to mitigate such an impact.”

Policy ECH/11 - Protected species and their habitats, states that “development which could harm, directly or indirectly, nationally or internationally protected species of flora or fauna or the habitats used by such species will not be permitted unless that particular harm could be avoided or mitigated and the species protected by the use of planning conditions or planning obligations.”

Policy ECH/14 – Wildlife and Geological Sites and Local Nature Reserves, states that “planning permission will not be granted for development that would have a significant adverse effect on local biodiversity or geological interests, unless the importance of the development outweighs the value of the substantive interest present.”

3.2 Legislative context and statutory designations

This section gives a brief overview of British wildlife legislation, in order to provide a legislative context. Specific details of legislation governing sites, habitats and species present on site are provided in *Section 4*.

The Wildlife and Countryside Act, 1981 (as amended) (HM Government, 1981, 1985, 1989, 1991, 1992^a, 1998, 2004). This is the main piece of legislation relating to nature conservation in Great Britain. It transposes into British law the Berne¹, Bonn² and RAMSAR³ Conventions, and the European “Birds Directive”⁴ (which was drawn up by the European Community (EC) in response to the Berne Convention). This legislation covers protection of wildlife (birds, other animals and plants), Sites of Special Scientific Interest (SSSIs) (with some SSSIs also designated as Special Protection Areas (SPAs)), National Nature Reserves (NNRs) and RAMSAR sites (and also some other designations not strictly relevant to ecology, for example National Parks and Public Rights of Way, which are beyond the scope of this report).

The Conservation (Natural Habitats, & C.) Regulations 1994 (The “Habitats Regulations”) (HM Government, 1994). This legislation transposes into British law the European “Habitats Directive”⁵ (which was drawn up by the EC in response to the Berne Convention), and covers Special Areas of Conservation (SACs) and European Protected Species. It also provides further protection for sites designated under the Birds Directive and the RAMSAR Convention (SPAs and RAMSAR sites respectively).

The Countryside and Rights of Way (CROW) Act, 2000 (HM Government, 2000). This legislation applies to England and Wales only. It increases protection for SSSIs and strengthens protection for threatened species. It also specifies that it is the duty of Local Authorities to further the conservation of listed habitats and species (UK BAP priority habitats and species).

The Natural Environment and Rural Communities (NERC) Act, 2006 (HM Government, 2006). This legislation confers a legal duty on every public authority (including County, District and Parish Councils) to conserve biodiversity. Section 40(1) of the Act says, ‘Every public authority must, in exercising its functions, have regard so far as it is consistent with the proper exercise of

¹ The Berne Convention on the Conservation of European Wildlife and Natural Habitats, 1979

² The Bonn Convention on the Conservation of Migratory Species of Wild Animals, 1979

³ The RAMSAR Convention on Wetlands of International Importance especially as Waterfowl Habitat (Iran, 1971)

⁴ European Community Directive on the Conservation of Wild Birds, 1979 (79/409/EEC) (CEC, 1979)

⁵ European Community Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora, 1992 (92/43/EEC) (CEC, 1992)

those functions, to the purpose of conserving biodiversity.' The duty came into force on 1st October 2006.

The Hedgerows Regulations, 1997 (HM Government, 1997). This legislation protects historically and /or ecologically important hedgerows.

The Protection of Badgers Act, 1992 (HM Government, 1992^b). This legislation provides specific protection for badgers.

3.3 Non-statutory/local designations

There are a number of systems for identifying sites, habitats and species that do not qualify for legal (statutory) protection, but may be important at the regional or county level, and may be conservation priorities for the future. They also contribute towards the UK's implementation of International Conventions and European Directives (as listed in footnotes 2-6 and 8). Planning policies recognise that Local Authorities must give appropriate protection to such non-statutory designations with respect to development (see *Section 3.1*). This section provides a brief outline of these designations, to provide a context. Specific details of sites, habitats and species present on-site that have non-statutory designations are provided in *Section 4*.

3.3.1 Designated sites

Non-statutory sites that may be present include RIGS, SNCIs, ancient woodlands, Avon Wildlife Trust Reserves, National Trust land, Woodland Trust sites and RSPB reserves⁶. *Section 4.1: Designated sites of nature conservation importance within/near to site* will list and discuss these sites if they occur within the desk study area.

3.3.2 Biodiversity Action Plans

Biodiversity Action Plans (BAPs) identify habitats and species of nature conservation priority at the UK, regional and county scale respectively (UKBG, 1998-9; SWRBP, 1997; Avon BAP 2004). Most BAP priority habitats and species have Habitat Action Plans (HAPs) and Species Action Plans (SAPs), which detail their current status, threats and conservation objectives/targets.

More details on specific BAP priority habitats/species that may be present within the site (including relevant objectives of any HAPs/SAPs) are provided in *Sections 4.2* and *4.3*.

The UK BAP is the UK Government's response to the Biodiversity Convention⁷, ratified by the UK in June 1994. It is the duty of Local Authorities to further the conservation of UK BAP priority habitats and species under Section 74 of the Countryside and Rights of Way (CROW) Act 2000 (HM Government, 2000), to protect these habitats and species from further decline and identify opportunities to enhance and add to the habitats under PPS9 (*Section 3.1*).

The Regional (South West) BAP was developed in 1997 to achieve a number of objectives; including to inform regional planning of the main biodiversity issues within the South West, and to make it easier for UK biodiversity plans to be implemented at the local (county) level. For the purposes of this report, regional BAP habitats and

⁶ Areas of Landscape Value are shown on local plans. However, these sites are beyond the scope of this report as they are a landscape designation rather than ecological.

⁷ Convention on Biological Diversity (CBD) (Brazil, 1992)

species are included only where no comprehensive HAPs or SAPs have been prepared at the county level.

The Avon BAP has been developed since 2004, published as Avon Biodiversity Action Plan *The Variety of Life*. Habitats and species which have HAPs / SAPs are referred to in this report as Avon BAP priority species⁸. Most Avon BAP priority species are also UK BAP priorities, therefore receiving protection under PPS9. This is detailed in the report where appropriate.

3.3.3 Red Data Books/Lists

The New Atlas of the British and Irish Flora (Preston *et al.*, 2002) provides the most up-to-date information on nationally rare⁹ and nationally scarce¹⁰ vascular plants.

The Vascular Plant Red Data List for Great Britain (Cheffings & Farrell, 2005) details the status of plants in relation to threat. Plants are included under the following categories: *Extinct in the wild*, *Critically endangered*, *Endangered*, *Vulnerable*, *Near Threatened* (these categories are explained fully in relation to relevant species present on-site, in *Section 4.3*).

The British Red Data Books: Mosses and liverworts (Church *et al.*, 2001); Lichens (Church *et al.*, 1996); Insects (Shirt, 1987) and Invertebrates other than insects (Bratton, 1991) detail the status of these species in term of the categories above, and lists whether they are nationally rare or scarce.

The Population Status of Birds in the UK (Gregory *et al.*, 2002) reviews the population status of birds regularly found in the UK. Species have been assessed with respect to seven criteria: global and European conservation status, international importance, recent and historical decline, rare breeders and localised species. 40 species are on the **Red List** (of high conservation concern), and 121 species are on the **Amber List** (of medium conservation concern). These listings are explained fully in relation to relevant species present on-site, in *Section 4.3*.

4 ECOLOGICAL EVALUATION

4.1 Designated sites of nature conservation importance within / near to site

There is one designated site within 300m of the building compound, the 'Congresbury Yeo, adjacent land and rhynes' 'Local Wildlife Site. However, it is considered that the change of use is highly unlikely to have impacted on this site.

The site is shown in Map 1.

Sites of Nature Conservation Interest (SNCIs) and Wildlife Sites (LWS) are designated by the relevant Unitary Authority and Avon Wildlife Trust. Although not statutory designations, they are shown on Local Plans as LWSs and are given greater protection through the planning process

⁸ Not all HAPs and SAPs are available yet.

⁹ Nationally rare species occur in 1-15 10km squares of the National Grid (Preston *et al.*, 2002; Church *et al.*, 2001; Church *et al.*, 1996; Shirt, 1987; Bratton, 1991).

¹⁰ Nationally scarce species occur in 16-100 10km squares of the National Grid (Preston *et al.*, 2002; Church *et al.*, 2001; Church *et al.*, 1996; Shirt, 1987; Bratton, 1991).

with respect to development. They are prime sites for wildlife in Avon, having been identified as supporting species, groups of species or habitats of at least county importance (sometimes of national importance but too small in area to be SSSI).

4.2 Habitat description and evaluation

This section describes the habitats present, according to the standard Phase 1 notation (JNCC, 1993). It includes information gathered in the desk study and site survey. The biodiversity value of each habitat is evaluated on a geographic scale in accordance with the 'Guidelines for Ecological Impact Assessment' (IEEM, 2006), as described in *Section 2.2: Methodology*. The characteristics used to value habitats include:

- Designation as a BAP habitat (for context, see *Section 3.3.2*)
- Habitat diversity, connectivity and synergistic associations (combinations of habitats of greater biodiversity value due to their association with each other)
- Area, quality and viability of habitat (ability of habitat to withstand disturbance)
- Species-richness and structural diversity of vegetation within habitats

NB. Valuation does not take into account the legal protection of a habitat; legal protection is considered separately (for context, see *Section 3.2*)

The Phase 1 Habitat Survey recorded a total of 4 main habitat types: grassland, hedge, building and bare ground. Each of these habitats is described below and their distribution is shown on *Map 2*. A list of botanical species recorded within each habitat, with other incidental species, is given in *Appendix 1*.

4.2.1 Semi-Improved grassland

The sloping banks adjacent to the hedgerows along the track to the east of the building compound support tall herbs and constitute a diverse mix of ruderal and grassland species. Of particular note are agrimony (*Agrimonia eupatoria*), yellow vetchling (*Lathyrus pratensis*) and hedge bedstraw (*Galium mollugo*), with meadowsweet (*Filipendula ulmaria*) in the damper areas.

The semi-improved grassland within the site is considered to be of **low biodiversity value**, as it is a small area, not particularly species rich, and not a BAP habitat.

4.2.2 Native species-rich hedgerows

Hedgerows form the northern and southern boundaries of the lane running east of the building compound. They are dominated by blackthorn (*Prunus spinosa*), with small amounts of dogwood (*Cornus sanguinea*), elder (*Sambucus nigra*) and bramble (*Rubus fruticosus* agg.). Although not particularly species rich, and not likely to qualify under the Hedgerow Regulations, they are wide and bushy with a good structure, and are therefore of biodiversity value.

Ancient and /or native species-rich hedgerows are listed as a priority habitat for conservation in the county and UK BAPs. In the Avon BAP hedgerows are defined as any linear boundary composed of native trees and shrubs. This includes ancient hedges, in existence before the Enclosure Acts (passed mainly between 1720 and 1840 in Britain) which tend to be those that support the greatest diversity of plants and animals. It also includes hedgerows with a recent origin, whether species rich (containing five or more native woody species on average in a 30m length, or species-poor. Hedgerows are a

primary habitat for many species of conservation concern in the UK. They are especially important for invertebrates, birds, bats, dormice, reptiles and amphibians, such as great crested newts and provide an essential refuge for a great many woodland and farmland plants. Hedgerows may also act as wildlife corridors for many species via which wildlife can travel and disperse, linking larger areas of semi-natural habitat and particularly important in agricultural landscapes. The south-west has one of the highest concentrations of hedgerows in the UK and Avon has lost fewer hedges than many parts of Britain because it is largely pastoral. In urban areas hedges can also have other important functions such as landscape screening and decreasing pollution. In Avon, hedgerows are particularly important in North Somerset and the Cotswolds for dispersal of, and as foraging sites for, bats and dormice and are an integral part of the landscape character.

Relevant UK BAP objectives:

Halt the net loss of species-rich hedgerows through neglect and removal (by the year 2000).

Halt all loss of hedgerows which are both ancient and species-rich (by 2005).

Achieve favourable condition for 50% (c.95,000 km) of species-rich and ancient hedges (by 2005).

Maintain the overall national number of individual hedgerow trees (estimated by CS2000 to be 1.8 million in Great Britain in 1998), by maintaining the number of such trees within each county or district, through ensuring a balanced age structure.

Relevant Avon BAP objectives:

Minimise loss of hedgerows in Avon

Maintain and enhance quality of existing known resource through appropriate management and protection.

Restore and plant hedgerows on appropriate sites.

The hedges within the site are considered to be of **medium biodiversity value**, being an Avon BAP habitat and helping to form connecting habitat with other hedgerows across the wider landscape.

4.2.3 Buildings

Buildings, especially neglected ones, may be important for bats and birds, particularly barn owls.

The farm building is stone based with wooden slats above, and a corrugated roof supported internally by iron girders and has not, according to the owners, been altered since the change of use, apart from having some cladding added to part of the western upper wall to keep rain out.

Birds could gain access via the slats, but there was no evidence of birds or any other wildlife inside the building. The owners state that there has never been any wildlife using the inside of the building.

The building does not appear suitable for bat roosts as the slats make it subject to rapid temperature fluctuations and variable air movement. The walls do not appear to be suitable habitat for wall dwelling wildlife, being well-maintained.

The building is considered to be of **low biodiversity value**.

4.2.4 Bare ground

The building compound is adjacent to the disused railway line and may once have been part of the railway. The compound consists of hardstanding, predominantly concrete with some gravel, with cracks and crumbled areas, particularly at the edges, where plants have been able to colonise.

The area supports a large number of ruderal and incidental species, including a good population of the locally uncommon small toadflax (*Chaenorhinum minus*). Bramble is present around some of the edges.

The bare ground within the site is considered to be of **low biodiversity value**.

4.3 Species description and evaluation

This chapter describes and evaluates the species of plants and animals found within the site based on the results of the desk study and field survey. The biodiversity value of each species/group of species is evaluated on a geographic scale in accordance with the 'Guidelines for Ecological Impact Assessment' (IEEM, 2006), as described in *Section 2.2 Methodology*. The characteristics used to value species/groups of species include:

- Designation as a BAP species (for context, see *Section 3.3.2*)
- Non-statutory designation (for context, see *Section 3.3.3*)
- Endemic species, and species for which the UK has an international responsibility
- Declining and threatened species
- Species-rich assemblages of plants and / or animals

NB. Valuation does not take into account the legal protection of a species; legal protection is considered separately (for context, see *Section 3.2*)

Features of nature conservation importance are indicated on *Map 2*.

4.3.1 Flora

Higher plants

In total, 68 vascular plant species were recorded during the survey, including a wide variety of ruderal and adventitious species. A list is provided in *Appendix 1*. Apart from the locally uncommon small toadflax, no species of conservation importance were recorded during the survey. The desk study revealed that several species of conservation value have been recorded near the site, but these are not listed as they are not likely to have been affected by the change of use of the building.

The site is considered to be of **low importance for flora**.

Lower Plants

A specialist bryophyte (mosses and liverworts) survey was not carried out; however an assessment of the habitats' potential to support notable bryophytes was made during the field visit. It is not considered that the site is likely to support notable bryophytes.

The site is considered to be of **low importance for lower plants.**

Invasive non-native species

Non-native, invasive species represent a significant threat to nature conservation. Not only do they directly compete with our native flora, but they also threaten our native fauna indirectly through the displacement of their food plants.

No non-native invasive species were noted.

4.3.2 Mammals

No signs of mammals were observed, and the site would not appear to be suitable for them (other than small mammals in the grassland).

Bats

A detailed bat survey was not carried out. However, an assessment of the habitats' potential to support bats was made during the field visit.

The site is very unlikely to support roosting sites for bats, although it is possible that the small building on site could do so; this building is not part of the change of use application. However, the hedgerows to the east may be used for navigation. Kings Wood to the north is an important site for greater horseshoe bats, which use hedgerows to navigate to feeding sites. The desk top study shows that the greater horseshoe bat was recorded as foraging in the square ST4662 during the summer of 2001.

Greater horseshoe bats (*Rhinolophus ferrumequinum*) are priority species for conservation on the UK BAP (UKBG, 1998-9). All bats are Avon BAP species (Avon BAP 2004).

The desk top survey also shows that brown long-eared bat was recorded in the same 1km square in 1982.

Greater horseshoe:

The greater horseshoe bat was originally a cave-roosting bat, although most summer maternity colonies are now in buildings, particularly old large houses, barns and farm buildings. Most still hibernate in underground sites such as caves. Females forage predominantly within 4km of the maternity roost, feeding on insects taken in flight in broad-leaved woodland, hedgerows, treelines, around the edge of grazed pasture and over water. In Britain, the greater horseshoe bat is now found only in south west England and south Wales. Current estimates suggest a UK population of 4,000. The vast majority of hibernacula located in the county contain less than five individuals (CBI, 2004).

Relevant UK BAP objectives:

Maintain all existing maternity roosts and associated hibernation sites.

Increase current population by 25% by 2010.

All British bats are European protected species (included on Annex IV(a) of the EC Habitats Directive (CEC, 1992)). They are legally protected by national law under

Schedule 2 of the Conservation (Natural Habitats, &c.) Regulations 1994. (HM Government, 1994) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) (HM Government, 1981, 1985, 1989, 1991, 1992^a, 1998, 2004).

In combination this legislation makes it an offence to:

- Intentionally kill, injure or capture bats;
- Intentionally or recklessly disturb bats;
- Intentionally or recklessly damage, destroy or obstruct access to a bat roost. A bat roost is interpreted as 'any structure or place which is used for shelter or protection', whether or not bats are present at the time;
- Possess or transport a bat or any part of a bat, unless acquired legally;
- Sell, barter or exchange bats, or parts of bats.

Under Schedule 6 of the Wildlife and Countryside Act 1981 as amended, it is an offence to intentionally handle a wild bat or disturb a bat when roosting unless licensed to do so by the statutory conservation agency (Natural England).

The change of use site is considered to be of **medium importance for bats**, because of the presence of the hedgerow.

4.3.3 Birds

Several birds were observed during the phase 1 survey, including pied wagtail, blackbird, greenfinch, the red-listed linnet and amber-listed swallow. This is not a comprehensive list as a bird survey was not carried out, and merely provides an indication of the conspicuous species present on the day of survey.

An assessment of the habitats' potential to support notable assemblages of birds was made during the survey. The site supported an additional small stone-built building (not subject to any change of use) and it appeared that the pied wagtails were nesting in or near it, as they were seen perching nearby with food. The main building did not seem to have potential for nesting birds, although access was available.

Nests (while in use or being built) and eggs of all wild birds are protected against taking, damage and destruction under the Wildlife and Countryside Act 1981 (HM Government, 1981, 1985, 1989, 1991, 1992^a, 1998, 2004). It is also an offence to kill, injure or take any wild bird. The birds listed under Schedule 1 of the Wildlife and Countryside Act are afforded additional protection against intentional or reckless disturbance whilst building a nest or in or near a nest containing eggs or dependant young.

The range of plants on the site provides seed sources and would support insects which in turn would be preyed on by birds. A small pigeon house attached to the western end of the building was enclosed by wide gauge chicken wire and the keeper said that small birds such as sparrows and finches often enter for food.

A large log pile to the east of the building would provide nesting and feeding opportunities, especially as it is only removed and added to from October to March.

The hedges provide nesting opportunities as well as being useful for foraging, and the grassy banks provide seed and insect sources.

Birds listed on Annex 1 of the EC Birds Directive are of European importance (although population size and viability must be taken into account). However, they are not statutorily protected unless listed on Schedule 1 of the Wildlife and Countryside Act 1981.

The site is considered to be of **medium importance for birds**.

4.3.4 Reptiles

A reptile survey was not carried out. However, an assessment of the habitats' potential to support reptiles was made during the field visit. The hardstanding areas could provide basking areas, and the grass banks could be used by slow-worms, which occur in neighbouring domestic gardens (pers. comm. from owner).

The desk study shows no reptile records.

Reptiles require small scale variations in habitat; with bare ground or short vegetation in sunny, sheltered positions for basking, immediately adjacent to taller dense vegetation in which to retreat from predators; and dry protected sites for hibernation. Old hedges, loose mixtures of spoil, stones and soil, mammal burrows and spaces around tree roots provide sites for hibernation, particularly on south-facing banks or mounds. Reptiles generally hibernate from mid-October to March inclusive.

Slow-worm, probably the most commonly observed British reptile, is found in a wide range of habitats including gardens.

All reptiles have been identified as priority species for conservation within the Avon BAP.

Slow worms are partially protected under Schedule 5 (section 9(1) and 9(5)) of the Wildlife and Countryside Act 1981 (as amended) (HM Government, 1981, 1985, 1989, 1991, 1992^a, 1998, 2004). They are protected against killing and injuring (but not taking) and against sale and transporting for sale.

The site is considered to be of **low importance for reptiles**.

4.3.5 Amphibians

An amphibian survey was not carried out. However, the potential of the habitats' present to support amphibians was made during the site visit. Amphibians would be extremely unlikely to use the hardstanding areas, but may use the grassy banks for foraging and hibernation.

The desk study shows no amphibian records.

Six amphibian species are native to Britain. Five of these species are found in Avon: common frog (*Rana temporaria*), common toad (*Bufo bufo*), palmate newt (*Triturus helveticus*), smooth newt (*Triturus vulgaris*) and the European protected species great crested newt (*Triturus cristatus*). The two essential requirements for all amphibian species are areas of water for reproduction and the aquatic stages of the life cycle and sufficient surrounding terrestrial habitats; including areas of dense vegetation, hedges, rock or log piles, to provide food and shelter. Areas which contain a number of ponds of varying size and depth with interconnecting wetland or other fairly dense semi-natural vegetation are of highest value and are likely to sustain large amphibian populations. This is particularly important for great crested newts, who live in a metapopulation

(several intermixing populations dependent on one cluster of ponds). Lowland England is a stronghold for this species.

Amphibians congregate in numbers in spring to mate, making them particularly vulnerable in and around ponds during this period. Newts over-winter (November to January) in land refugia and migrate to breeding ponds over several weeks in spring (January to May), moving on mild, humid nights. The main season that newt larvae develop in ponds is June to September. Common frogs may hibernate on land (for example, compost heaps) or at the bottom of ponds (mainly males) throughout the winter (November to January). With milder winters, particularly in coastal North Somerset, with its mild climate, some may remain active over winter. Frogs may travel long distances (generally at night) to breed in early spring (generally February to April, but may start in January). Common toads hibernate on land (generally November to February); migrating (generally at night) to breeding sites over a short period in February to April (may be earlier in coastal North Somerset). They only spend a short period (until July) as tadpoles in ponds.

The common amphibians, common frog, smooth newt, palmate newt and common toad may be present on site. These species are protected from sale only under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) (HM Government, 1981, 1985, 1989, 1991, 1992^a, 1998, 2004). None of these four species are considered to be locally or nationally rare (Nicholson, 1997).

The site is considered to be of **low importance for amphibians**.

4.3.6 Invertebrates

A detailed invertebrate survey was not carried out, however, several invertebrates were incidentally observed during the phase 1 survey, including the butterflies ringlet and meadow brown, the bug *Coreus marginatus*, 7 spot ladybird and dark bush cricket. This is by no means a comprehensive list and merely provides an indication of the conspicuous species present on the day of survey.

The desk study shows that no species of conservation value have been recorded near or within the site.

The site is considered to be of **low importance for invertebrates**.

4.4 Overall site assessment

The site supports a variety of plants on the hardstanding areas as well as hedgerows and semi-improved grassland banks, so it does have some importance for wildlife at the Parish level.

5 Ecological Impacts

The building on the site underwent a change of use in 1990, from agricultural use (pigs and then lambs) to storage. According to the owners, the building was not modified for this change of use.

Because of the retrospective nature of the planning application, it is not possible to do a full ecological impact assessment. However, from the information obtained from the owners, and the current site survey and desk top information, the following comments can be made.

The change of use has reportedly resulted in less traffic using the site; whereas there were visits several times a day, there are now many less, resulting in less disturbance. The trackside grassy banks and hedgerows along the eastern section of the disused railway have not been subject to any change. The hardstanding areas and the small building on site have also remained the same, and the opportunities for vegetation to colonise the site may have increased following the decreased disturbance. It is possible that the removal of animals from the building may have reduced the invertebrate load of the site, as there would have been more dung available, which could have reduced the number of birds using the site.

It is considered that the change of use would not have had any impact on the River Yeo Wildlife Site.

From the available information, it is considered that the change of use of the building would have had **negligible impact** on the biodiversity interest of the site, since there was no habitat loss.

Report ends.

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Appendix 1

Court Farm, Wrington - Species list 30 June 2008

Common Name	Latin
Bare Ground	
Annual meadow -grass	<i>Poa annua</i>
Barren brome	<i>Anisantha sterilis</i>
Black medick	<i>Medicago lupulina</i>
Bramble	<i>Rubus fruticosus</i> agg.
Charlock	<i>Sinapis arvensis</i>
Cleavers	<i>Galium aparine</i>
Coltsfoot	<i>Tussilago farfara</i>
Common mouse-ear	<i>Cerastium fontanum</i>
Common nettle	<i>Urtica dioica</i>
Common poppy	<i>Papaver rhoeas</i>
Common vetch	<i>Vicia sativa</i>
Common-field speedwell	<i>Veronica persica</i>
Creeping thistle	<i>Cirsium arvense</i>
Dandelion	<i>Taraxacum</i> sp.
Dwarf mallow	<i>Malva neglecta</i>
Field bindweed	<i>Convolvulus arvensis</i>
Field forget-me-not	<i>Myosotis arvensis</i>
Great willow herb	<i>Epilobium hirsutum</i>
Greater plantain	<i>Plantago major</i>
Groundsel	<i>Senecio vulgaris</i>
Hedge bedstraw	<i>Galium mollugo</i>
Hedge bindweed	<i>Convolvulus sepium</i>
Herb-Robert	<i>Geranium robertianum</i>
Knotgrass	<i>Polygonum aviculare</i>
Lesser trefoil	<i>Trifolium dubium</i>
Mint	<i>Mentha</i> sp
Pineappleweed	<i>Matricaria discoidea</i>
Rough meadow-grass	<i>Poa trivialis</i>
Scentless mayweed	<i>Tripleurospermum inodorum</i>
Self-heal	<i>Prunella vulgaris</i>
Small toadflax	<i>Chaenorhinum minus</i>
Smooth sowthistle	<i>Sonchus oleraceus</i>
Spear thistle	<i>Cirsium vulgare</i>
Sun spurge	<i>Euphorbia helioscopia</i>
White clover	<i>Trifolium repens</i>
Willowherb sp.	<i>Epilobium</i> sp.
Yorkshire fog	<i>Holcus lanatus</i>
Hedge	
Blackthorn	<i>Prunus spinosa</i>

Bramble	<i>Rubus fruticosus</i> agg.
Dogwood	<i>Cornus sanguinea</i>
Elder	<i>Sambucus nigra</i>
Hawthorn	<i>Crataegus monogyna</i>
Grassland Banks	
Agrimony	<i>Agrimonia eupatoria</i>
Barren brome	<i>Anisantha sterilis</i>
Black medick	<i>Medicago lupulina</i>
Bristly oxtongue	<i>Picris echioides</i>
Bush vetch	<i>Vicia sepium</i>
Cleavers	<i>Galium aparine</i>
Cock's-foot	<i>Dactylis glomerata</i>
Common nettle	<i>Urtica dioica</i>
Creeping cinquefoil	<i>Potentilla reptans</i>
Cut-leaved geranium	<i>Geranium dissectum</i>
Dog rose	<i>Rosa canina</i>
False oat-grass	<i>Arrhenatherum elatius</i>
Field bindweed	<i>Convolvulus arvensis</i>
Hard rush	<i>Juncus inflexus</i>
Hedge bedstraw	<i>Galium mollugo</i>
Hedge woundwort	<i>Stachys sylvatica</i>
Large bindweed	<i>Calystegia silvatica</i>
Lesser burdock	<i>Arctium minus</i>
Meadow buttercup	<i>Ranunculus acris</i>
Meadow sweet	<i>Filipendula ulmaria</i>
Meadow vetchling	<i>Lathyrus pratensis</i>
Nipplewort	<i>Lapsana communis</i>
Perennial rye-grass	<i>Lolium perenne</i>
Perforate St John's-wort	<i>Hypericum perforatum</i>
Purple toadflax	<i>Linaria purpurea</i>
Red valerian	<i>Centranthus ruber</i>
Ribwort plantain	<i>Plantago lanceolata</i>
Scarlet pimpernel	<i>Anagallis arvensis</i>
Star sedge	<i>Carex echinata</i>
Teasel	<i>Dipsacus fullonum</i>
Upright hedge-parsley	<i>Torilis japonica</i>
Vervain	<i>Verbena officinalis</i>
White clover	<i>Trifolium repens</i>
Wild onion	<i>Allium vineale</i>
Wood dock	<i>Rumex sanguineus</i>
Yorkshire fog	<i>Holcus lanatus</i>
Incidental species	
Kentish snail	
White-lipped banded snail	

A bug	<i>Coreus marginatus</i>
Dark bush cricket	
Beautiful demoiselle damselfly	
Ringlet butterfly	
Meadow brown butterfly	
7 spot lady bird	
<i>Birds</i>	
Dunnock	
Pied wagtail	
Linnet	
Buzzard	
Kestrel	
Greenfinch	
Swallow	

Regional Wildlife Site

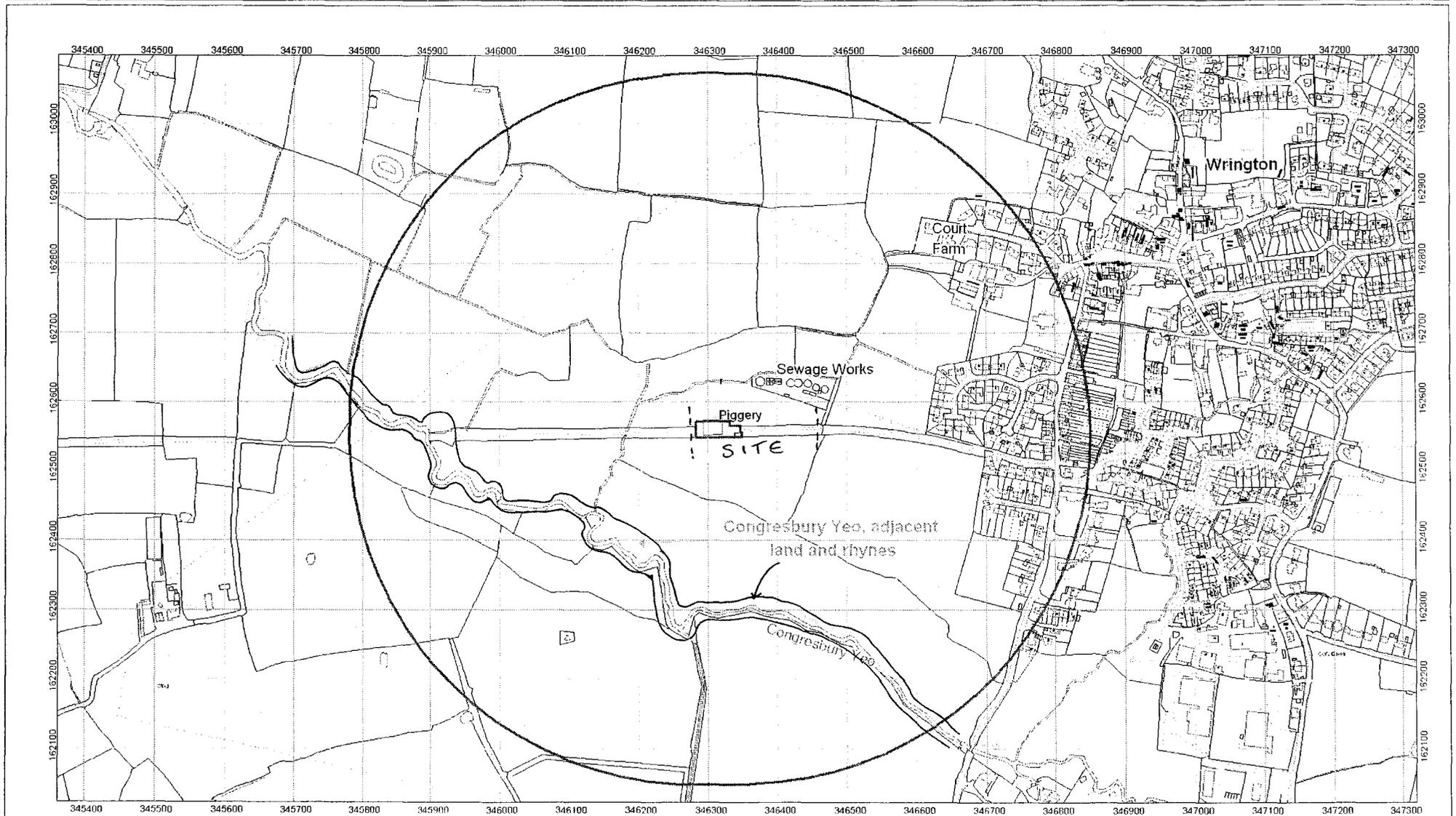
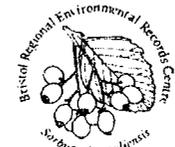
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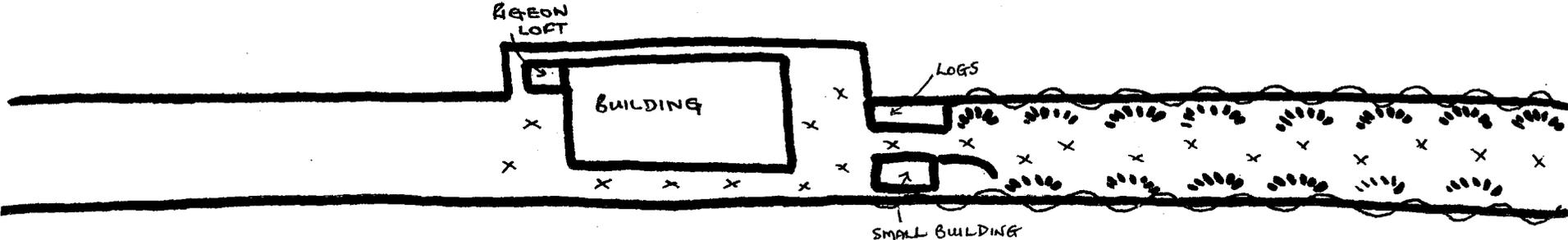
MAP 1 SITE LOCATION

NOV 19 1944

Map 2

Phase 1 Habitat Survey

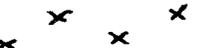
Court Farm, Wrington



Key



Hedgerow



Hardstanding with incidental plant species



Grassy banks

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