AllAboutTrees

Arboricultural & Ecological Consultancy
Chartered Arboriculturalists & Environmentalists

Preliminary Ecological Appraisal

For Land & Buildings At

Florence Arts Centre
CA22 2NN

For

Florence Arts Centre

March 2025

Consulting Arborist Society.com
PROFESSIONAL MEMBER

Institute of Chartered Foresters
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Document Verification

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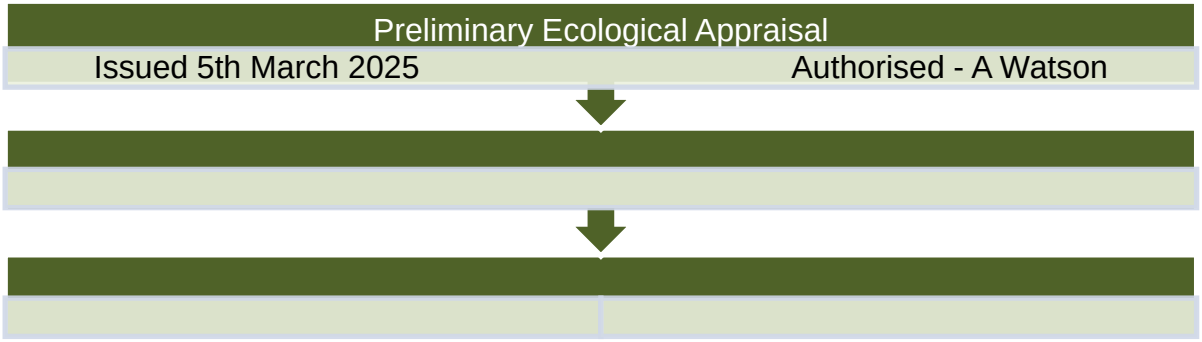

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1. Executive Summary

We are requested by Florence Arts Centre to provide a Preliminary Ecological Appraisal at Florence Arts Centre.

Ecological – Habitat and Potential for Protected Species surveys were undertaken in the identified areas.

1.1 It is proposed to:

a. Replace the roof.
b. Extend the building.
c. Create additional car parking space.

1.2 Desk top data searches indicate:

a. The site is former industrial mine site, extensive hard surfacing encircled by mature trees (outside the ecology survey area).
b. Important sites are present within the 2km, the proposals are situated within Florence Mine SSSI.
c. Important habitats are present within the 2km IRZ.
d. Habitats present in the wider area can be expected to support a range of protected and important species.
e. Streams and woodland present within 2km of the site can be expected to support high numbers of foraging and commuting bats.

1.3 Field surveys were carried out on in February 2025:

a. An ecological survey was undertaken on February 20th 2024.

1.4 Habitat surveys:

a. Site habitat – a built industrial environment – buildings, car parking, introduced shrubs and encroaching bramble scrub.

i. The increase in building footprint – sealed surface habitat.
ii. The proposed car parking will utilize areas of introduced shrubs and encroaching bramble.

1.5 Potential for protected species:

a. The wider site, outside the proposals have the potential to support a range of protected species, the proposals have minimal potential to impact upon these.

b. Bats – desktop assessment – the building is situated within an area with high potential to support foraging and commuting bats.

c. Bats - preliminary assessment – A building with minimal potential to support roosting bats.

d. Riparian species – the un-named stream on the northern boundary, potential mine overflow (water is very red in colour).

e. Breeding Birds – Bramble scrub has the potential to support nesting and breeding birds, boundary vegetation outside the present proposals will support breeding birds.

f. The raised bed, wild flower planting and the wild flower area – both outside the present proposals have been created to encourage insects and pollinators to the area.

g. Other species – None.

1.6 Further survey effort considered necessary:

a. Important Sites – Natural England to be consulted.

b. Prior to planning approval a Biodiversity Metric to be completed to consider the potential for net gain by the proposals.

c. No further ecological surveys are considered necessary at the present time.

1.7 Ecological considerations:

a. Bats – the building offers minimal potential to support roosting bats.

b. Riparian species – the stream north of the site is unlikely to support important or protected species.

c. The wildlife garden and raised planters hold plants that will support a range of insects and should be retained and protected during the development.

d. Breeding birds – Bramble scrub and vegetation around the site have the potential to support a range of birds.

e. Any work on the building, trees and hedges should occur outside the bird breeding season of March to August inclusive. Any work proposed within this period will require a nesting birds survey within 48hrs of the proposed work.

f. The enclosed Method Statement should be followed during the potential essential roof works.

1.8 The general content of the report will remain valid for a maximum of two years, further surveys will be necessary after this time.

1.9 If any BAP species are found during construction the project ecologist is to be informed so that further advice can be provided.

2. Introduction

2.1 Survey Objectives

We are requested by Florence Arts Centre to provide a Preliminary Ecological Appraisal – Protected Species Survey at the Florence Arts Centre.

This report is to support a grant application pre-planning.

This report will later inform the planning application – TBC.

The surveys will:

- Data search with parties holding pertinent wildlife and ecological records.
- Record the habitats present.
- Record incidental evidence of relevant species.
- Evaluate ecological features within the zone of influence.
- Evaluate the likelihood that protected, priority or invasive species are present.
- Identify possible ecological constraints on development.
- Determine appropriate avoidance, mitigation and enhancement measures (as far as possible) within the survey area.
- Advice on further Ecological surveys required.

Produce a written report presenting the above information either:

- 'Low Impact' Ecological Impact Assessment (EcIA) Report where sufficient information has been gained to allow an assessment of no significant effects.

- Preliminary Ecological Appraisal Report if further surveys are considered necessary.

2.2 Proposals

Proposals – Funding is being sought to renovate the building, including replacing the roof, including a small extension and to increase the car parking facilities. The plans are yet to be formalised.

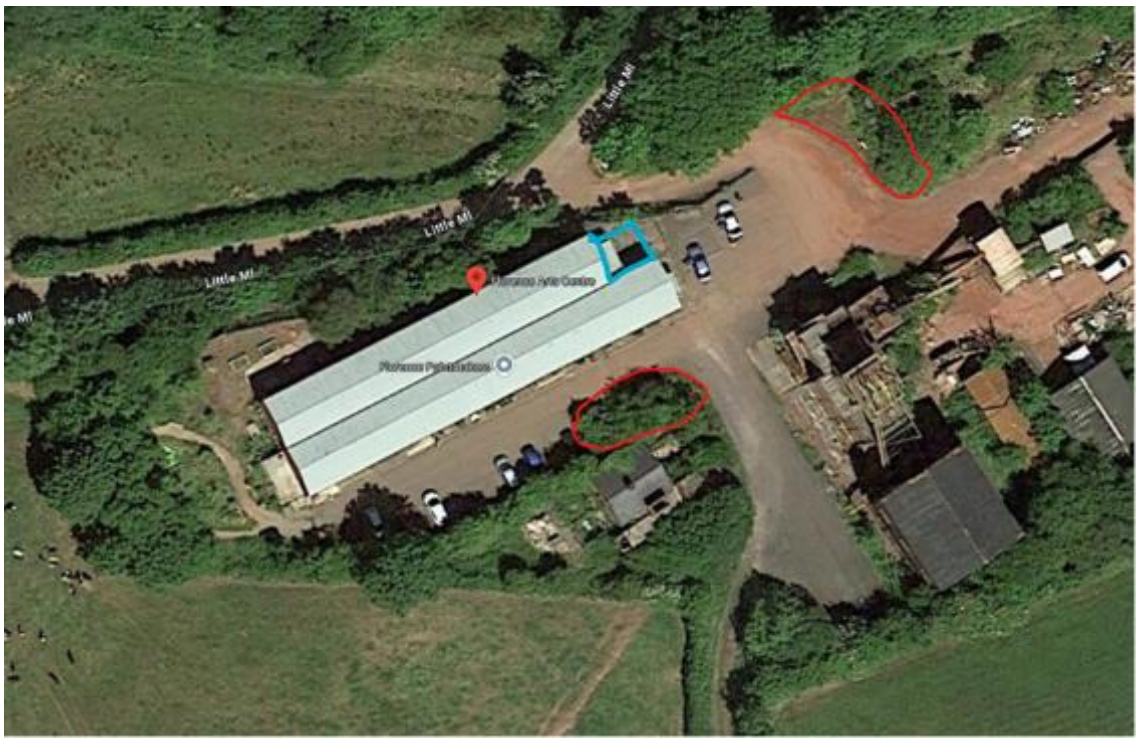


Figure 1 – Existing & proposed

2.3 Site Location

Site	Florence Arts Centre
Post Code	CA22 2NN
Grid Reference	NY 01740 10309
National Character Area	West Cumbria Coastal Plain
Counties, Metropolitan Districts and Unitary Authorities (GB)	Cumbria County
Parishes (GB)	Egremont CP
Planning	Cumberland Council (Copeland Area)

Figure 2 – Position of the survey area using GIS & Google

The yellow circle indicates an approximate 2km zone.

Florence Arts Centre, 4km north-east of the Cumbrian coast and 4km west of the Lake District. Situated to the east of town of Egremont, within a wider arable landscape

Green corridors are present in the landscape - The River Ehen lies 250m to the west and its tributaries – Black Beck and an un-named watercourse, adjacent to the survey area. Kirk Beck, a well wooded river, flows 2km east of the site

2.3.1 Background

Florence Mine was the last deep working iron ore mine in Europe. Opened in 1914, for the last fifteen or so years, of its active life, Florence continued to be mined by a small team providing annealing ore which is used to extract carbon from castings, and which plays an important part in the manufacture of pigments for paints and cosmetics. The mine and the heritage centre were operational until 2008 when the natural flooding finally shut down mining at Florence.

The site now provides a dramatic backdrop for the arts centre which is housed in the former shower block, infirmary and offices.

2.4 Surveyors & Timing

Surveys were undertaken in 2025:

- Ecological surveys were conducted on February 20th 2025 during daylight hours by Tricia Snaith.

Tricia Snaith holds:

WML-A34-Level 2 (Class Licence) – to survey bats using artificial light, endoscopes, hand and hand-held static nets registered number 2015-14858-CLS-CLS.

WML-CL08- To survey Great crested newts for scientific (including research) or educational purposes – Level 1 (Class Licence), which covers surveying by hand, nets, torches and aquatic funnel traps (including bottle traps) registered number 2015-13610-CLS-CLS.

MODULAR River Survey – River Condition Assessment – for The Biodiversity Metric. Successfully gained skills in: conducting MoRPhfield surveys and River Type desk studies, recording data using the RCA information system, and interpreting RCA Indicators and Scores for baseline and post-intervention assessments.

Constraints Or Limitations To The Survey Or Report

The ecological status of a site can change over time, surveys can only record what is present at the time of survey and checking surveys may be required to confirm that the survey remains current.

Bats are known to move between several roosts dependent upon their requirements and may not present at the time of survey. Bats can roost deep in cracks, crevices and cavity walls making them difficult to identify during visual inspections.

3. Legal Status Of Protected Species

The potential impact of planning decisions on biodiversity and geological conservation need to be fully considered.

3.1 Habitats Regulations – Appropriate Assessment

Developers are required to consider the potential effects on protected habitats. Under Article 6(3) of the Habitats Directive, an appropriate assessment is required where a plan or project is likely to have a significant effect upon a European site, either individually or in combination with other projects.

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives"

3.2 The Conservation of Habitats and Species Regulations 2017

It is an offence for anyone to deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs. It is an offence to damage or destroy a breeding or resting place of such an animal. It is also an offence to have in one's possession or control, any live or dead European protected species.

A person will commit an offence if they deliberately disturb such animals in a way as to be likely significantly to affect:

(a) The ability of any significant groups of animals of that species to survive, breed, or rear or nurture their young, or
(b) The local distribution of abundance of that species.

It is an offence to deliberately pick, collect, cut, uproot or destroy a wild plant of a European protected species. It is also an offence for any purpose to possess, sell or exchange such a plant.

3.3 UK & Local Biodiversity Action Plan

UK Post-2010 Biodiversity Framework in July 2012, covering the period 2011-2020, based on the UK Biodiversity Action Plan (BAP) published in 1994. The current list of UKBAP priority species and habitats was published in August 2007 and now contains 1150 species and 65 habitats, the framework of which remains in place.

Note: This information is a guide only. Please refer to the full relevant texts for more information.

4. Survey Methodology

4.1 Pre-survey Data Search (Desk Top Survey)

Consultation of pre-existing information on Local Wildlife sites, biodiversity of the area and protected species at and around the survey site was obtained through the following:

- Google or Bing maps to study aerial photography and satellite imagery.
- Multi Agency Geographic Information Centre (MAGIC) a variety of searches are done to deduce the general character of the area and the presence of any relevant wildlife areas.
- Local wildlife groups or the Local records centre for information on relevant protected species and/or bats within a 2km radius (5km for Barn owls) of the survey area.
- Any previous reports containing relevant information.

These are used to determine if the development is within the geographical range and suitable habitat for the considered species.

4.2 Field Surveys

4.2.1 Habitat Survey

The field survey of the site was carried out in accordance with the methodology outlined in the JNCC handbook for Phase 1 habitat survey. Each parcel of land was assessed and classified using UK Habitat classifications. A walkover survey was conducted; habitat and features were target noted where appropriate.

Plant species were identified and compared to county axiophytes lists. Habitats which were identified as being of particular interest would be studied in more detail. Plant species lists with abundance were recorded for such areas, if necessary. Any Schedule 9 plant species are recorded.

The quality of field data will be affected by the season of the survey, with some plant species only being evident or identifiable in certain seasons. Identification of any of these plants will be noted during the survey, if possible, further surveys may be considered necessary during the vegetative season.

4.2.2 Protected Species

Additional to the habitat survey, a scoping survey for the potential for the presence of any other European protected species and local Biodiversity Action Plan (BAP) species, (more details can be found on the UK Biodiversity Action Plan website) will be undertaken within the survey area.

In particular:

- Trees or buildings present will be viewed for their potential for bat usage.
- Buildings were assessed for their potential for use by Barn owls.
- If present any trackways, regularly used by badger, deer or relevant species, will be mapped.
- Any badger sett evidence will be recorded and assessed as to usage.
- OS maps online is used to identify ponds present within a 500m zone of the will be assessed for use by Great crested newts.
- Wetlands and waterways will be reviewed for their potential use by otter, water voles and white clawed crayfish.
- Bird presence and activity will be noted.

4.2.3 Preliminary Bat Roost Assessment

Preliminary Roost Assessment Survey – Day Time Bat Walkover (DBW) - Building/tree surveys can be carried out at any time of year, but bats are most likely to be seen or heard in roofs during the summer (mainly maternity roosts) or autumn (swarming/mating roosts) or seen in subterranean areas during the winter (hibernating bats).

Bat (Building) Survey

A thorough inspection of all the structures is carried out during daylight hours, following the BCT - Bat Surveys for Professional Ecologists - Good Practice Guidelines 2016, with prior arrangement of the owners, occupiers, caretakers etc., using access and inspection equipment, such as ladders, binoculars and a good torch:

External inspection of the structure, looking for bat droppings and other evidence of bat usage, also suitable entry and exit points.

Internal inspection of the structure focus in particularly on areas which provide appropriate environmental conditions for bats.

Record any signs of bats found on a plan of the structure and collect samples of droppings, bones or feeding remains for comparison with a reference collection.

A risk analysis is carried out to ensure safe working methods are adopted.

4.2.4 Bat Activity Survey (Presence/Absence Survey)

A dusk emergence survey should be undertaken during the period that bats are most active (usually April through to the end of September) and are used to locate roosts in trees, buildings or built structures, as bats are not always found by internal and external inspection surveys.

Emergence surveys can also give a reasonable estimate of the number of bats, if any, that are present. The structure will have been surveyed in daylight to assess the features and potential exit locations and the number of surveyors required.

Sufficient surveyors are used so that all aspects of the structure can be viewed at one time and position so that all possible bat exits can be observed at one time and the line-of-sight should not exceed 50m.

Activity surveys are carried out using the following timeframes:

Dusk - Emergence survey commence ¼ hour before sunset until 2 hours after sunset. Assisted by appropriate night vision equipment

Equipment used:

- Handheld bat detectors - Batbox duet and Echo Meter Touch.
- Anabat SD2 bat detectors + full spectrum detectors.
- A range of suitable IR cameras – Canon X20 + IR lights, HikMicro Lynx.
- High power & close focussing binoculars.
- Torches including a Cluson high power torch & Petzl head torch.
- Endoscope.

Surveys are conducted in conditions that are close to optimal unless otherwise stated.

Appropriate people (owners, neighbours etc.) are asked whether there is any history of bats using the site.

4.2.5 Bat DNA Analysis

If necessary, droppings will be collected for DNA analysis.

4.3 Site Assessment

General Site Assessment

On the basis of the survey information the site will be categorised using a three-point scale as follows:

1= Site of high conservation priority.
2= Site of lower priority for conservation.
3 =Site of limited wildlife interest.

Any sites rated 1 or 2 will also be categorised using the Chartered Institute of Ecological and Environmental Management - Guidelines for Ecological Impact Assessment (as detailed in appendix).

Potential to Impact Upon Sites Recognised of Local Nature Conservation Importance

As part of the Habitats Directive developers are required to assess the likely impacts of the project either alone or in combination with other projects, upon any European sites and consider whether the impacts are likely to be significant. The Habitats Regulations Assessment is a four-stage process. Stage 1 – Screening of the site will assess the Likely Significant Effect on European sites. European sites collectively include both designated and candidate Special Protection Areas (SPA) and Special Areas of Conservation (SAC), and Ramsar sites.

Potential to Host A Priority Habitat or Species

Each site is assessed for the presence of important habitats or the potential to support priority or important species. As listed in Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 - Habitats and Species of Principal Importance in England.

Structures present on site will be assessed for bat roost potential.

Aquatic habitats present will be assessed for their potential to support priority species.

Site assessments will be used to advise on additional survey effort required.

5. Preliminary Ecological Assessment

The raw data where appropriate can be found in the appendix.

5.1 Pre-survey Data Search (Desk Top Surveys)

A search was made using MAGIC (Multi Agency Geographic Information for the Countryside) to look for sites of wildlife interest with a 2km zone of the survey site.

Land-Based designations

Statutory

- Areas of Outstanding Natural Beauty.
- Local Nature Reserves.
- Moorland line.
- National Nature Reserves.
- National Parks.
- Ramsar Sites.
- Sites of Special Scientific Interest.
- Special Areas of Conservation.
- Special Protection Areas.
- Biosphere Reserves.

Historic Non-Statutory

- Registered Parks and Gardens.

Habitats

MAGIC was used to search for relevant Habitat.

Using the National Habitat Network to identify habitats in the local area.

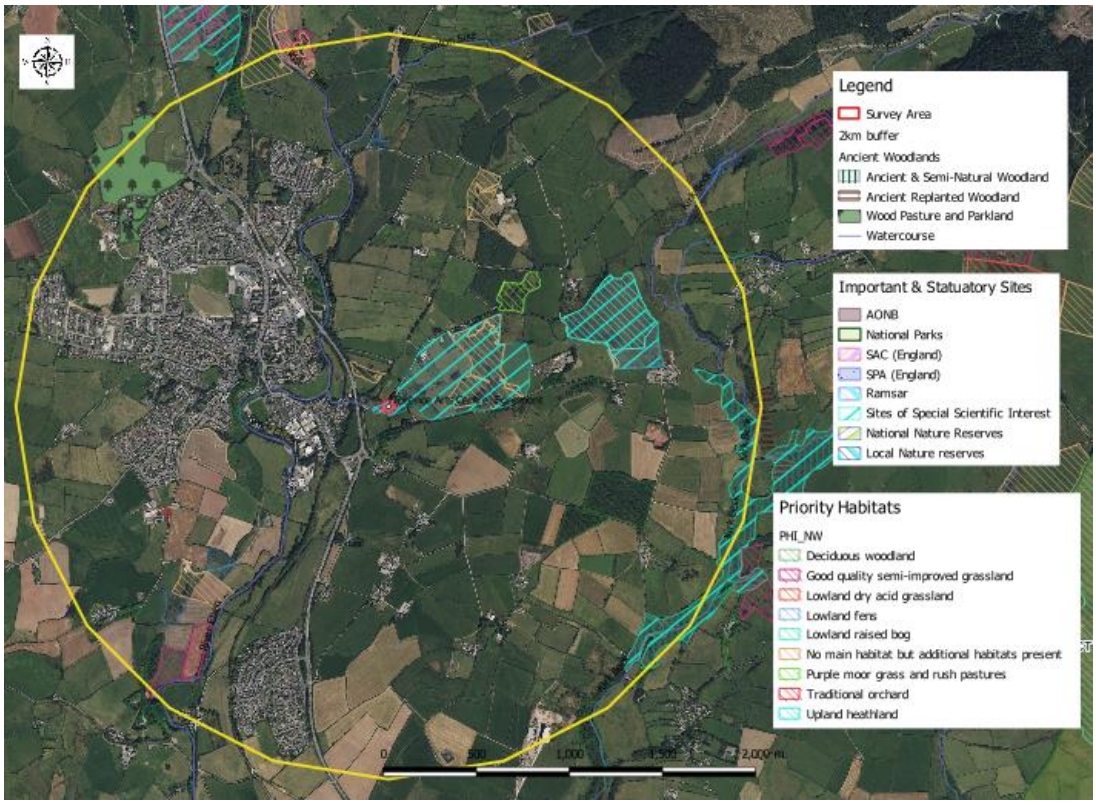


Figure 3 – Habitats & sites within 2km of site

5.1.1 Designated Sites

Impact Risk Zones for Sites of Special Scientific Interest

For local planning authorities to determine if a proposed development is likely to affect a terrestrial Site of Special Scientific Interest and when to consult Natural England.
Does the proposed development match any of the descriptions .

Result – Yes two.

You should consult Natural England on all planning applications at this location.
Send your consultation to: consultations@naturalengland.org.uk

The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location selected, there is potential for all proposed developments to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Therefore, you should consult Natural England for advice on the nature of the potential impacts and how these might be avoided or mitigated.

Designations
Land-Based Designations
Statutory

Sites of Special Scientific Interest	4x Features found - Clints Quarry - 1004531 SSSI, Florence Mine SSSI, Haile Great Wood SSSI and Black Moss SSSI

Historic non-Statutory

Registered Parks and Gardens	No Features found

5.1.2 Priority and Important Habitats

Priority Habitat Inventory

	2km	500m
Total number of parcels		
Ancient Woodland	3	
Deciduous woodland	27	4
Wood-pasture and Parkland	5	
Traditional orchard	1	
Lowland raised bog	1	
Lowland fens	7	
Purple moor grass and rush pastures	1	
Good quality semi improved grassland	3	
Open Mosaic Habitats on Previously Developed Land	1	2

Ancient Woodland (England)	2km IRZ	500m IRZ
Ancient & Semi-Natural Woodland	2	-
Ancient Replanted Woodland	1	-
Named woods		
Great Wood		

On site – No Priority habitat.

Sites of Special Scientific Interest	Florence Mine SSSI

5.1.3 Potential to Support Protected Species Data

MAGIC was used to search for relevant species.

Using European Protected Species Licencing and Great Crested Newt Pond data.

European Protected Species	
	None identified

Great Crested Newt Records

	Ponds	**+ve**
Great Crested Newt Pond Surveys 2017-2019	1	1
Great Crested Newt Class Survey Licence Returns	1	-

Other relevant searches

Surveyed Priority Ponds	None identified
Important Bird Areas	None identified
Important Plant Areas	None identified
RSPB Reserves	None identified

Potential for protected Species from desk-top assessment
(to be considered on site)

Habitat	**Bats**	**Breeding birds**	**Badger**	**Dormice**	**Reptiles**	**Otters**	**Water voles**	**Invertebrates**	**Fish**
Lakes, rivers and streams (on the land or nearby)	Y					Y	Y		Y
Rough grassland and previously developed land (brownfield sites), on or next to the site		Y			Y			Y	
Woodland, scrub and hedgerows on, or next to the site	Y	Y	Y	Y	Y				

Local Records Centre

A 2km species list requested – we are awaiting the result.

5.1.4 Previous Surveys

No previous ecological surveys are recorded for the site.

6. Field Surveys

6.1 Habitat Surveys

The former shower block, infirmary and offices for Florence Mine, now the home of Florence Arts Centre.

Situated within the wider mine complex of chipping surfaced machinery working areas. A wildlife area has been created to the west of the buildings, introduced shrubs are present on the southern edge of the car parking and bramble scrub has encroached on the eastern area. The northern boundary is the southern bankside of potential drainage from the mine.

Habitat surveys were conducted within the areas of the proposed works.

Figure 4 – Habitats on Site

6.1.1 Baseline Habitat Present

Habitat	
Developed land - building	Building
Sealed surface	access roads
Sealed surface	car parking
Unsealed surface	existing access areas
Vegetated garden	wildlife garden
Introduced shrubs	
Modified grass	
Scrub	Bankside vegetation
Bramble scrub	

Three areas will be impacted by the proposals.

Area A – Building extension. (Maximum 35m^2)

Existing sealed surface – concrete, and small lean-too.

Figure 5 – New extension area

Area B – New parking

Extending the existing car parking east – removing existing introduced shrubs – cotoneaster and some self-set birch.

To be excavated back to the retained building.

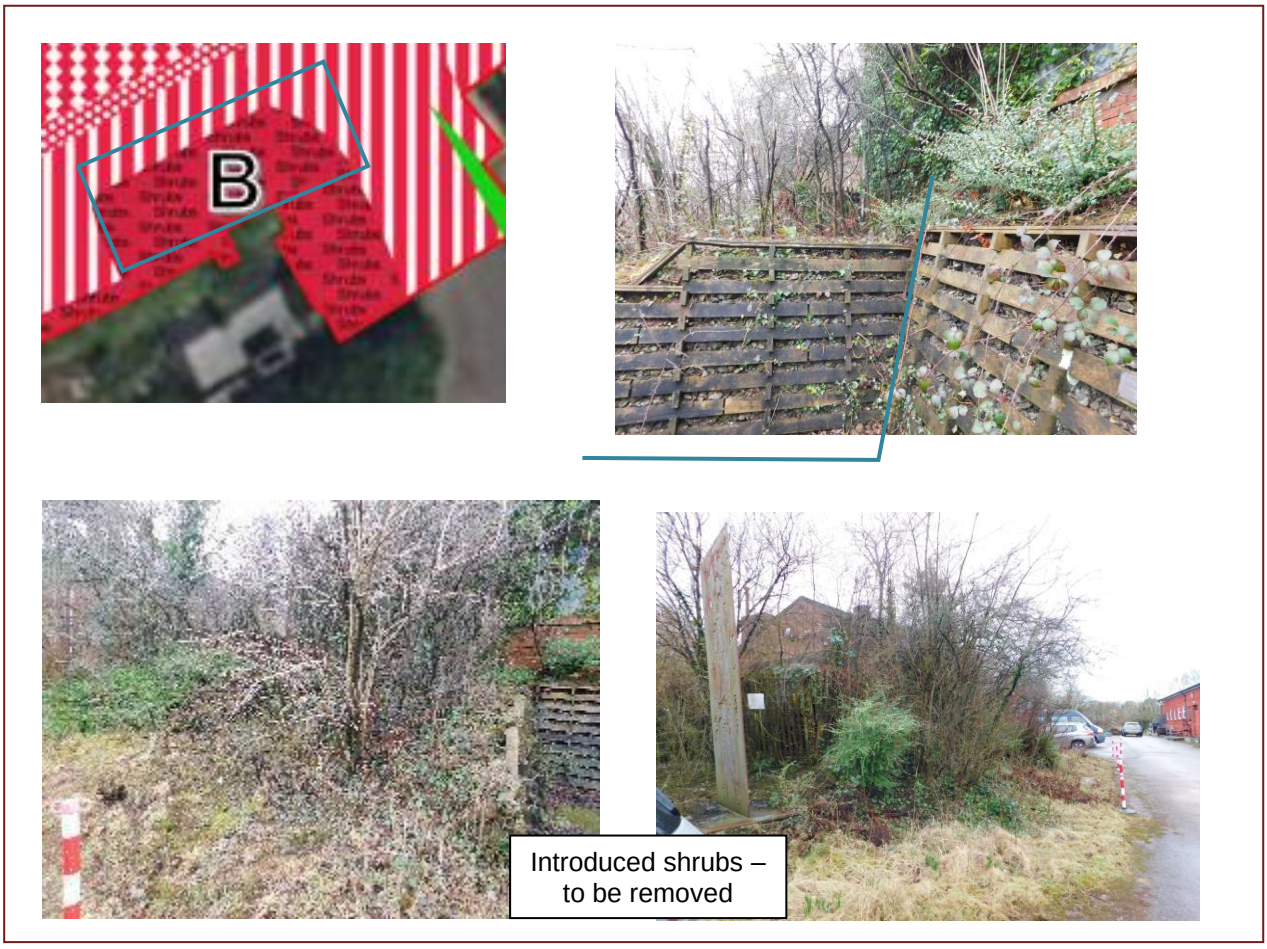


Figure 6 – New parking area

Area C – New parking

Reinstate the previous unvegetated areas, in line with the SSSI management plan, removing encroaching bramble scrub. A former trackway present – on the northern side, modified grassland.

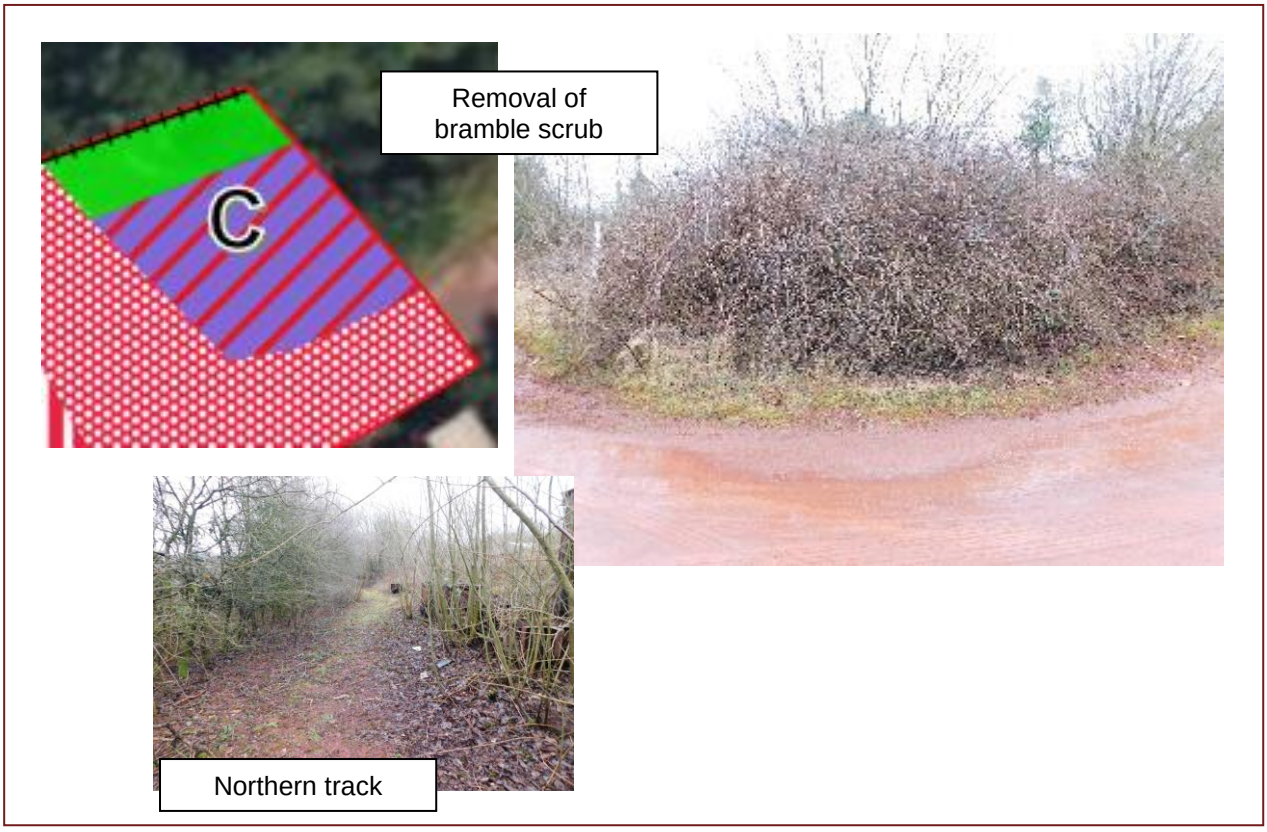


Figure 7 – New extension area

Trees

No trees identified within the proposal areas – a full Arboricultural Impact Assessment has been completed by AllAboutTrees Ltd.

6.1.2 Linear Features Present

Site bound to the north by post & rail fencing.

No hedges present.

6.1.3 Watercourses

An un-named watercourse and culvert are present on the northern boundary.

The proposals site outside the riparian zone.

6.1.4 Invasive Non Native Species

Cotoneaster is present within the car park shrub borders, boundary vegetation. *Cotoneaster horizontalis*, listed on Schedule 9 of the UK Wildlife & Countryside Act as an invasive species.

It is advised that any plants removed follow suitable invasive species removal techniques.

6.2 Protected Species Scoping Surveys

The study area was also searched for potential for use by any protected species.

Bats

It is proposed to replace the roof on the building. A preliminary roost assessment is considered necessary.

Figure 8 – Building on site

Badger

No tracks or trails present on site, no evidence on site, suitable habitat is in the vicinity of the survey area.

Dormice

No records within the 2km area.

Reptiles

No direct connectivity to heathland habitats associated with reptiles, limited bare ground suitable to support required basking.

Otters and Water vole

Waterways present on the boundary is unsuitable to support otters or water vole.

Great crested newts

Ponds are present within the 500m IRZ of the survey area, no ponds are present within 50m of the survey boundary, the home foraging range of GCN, the area between the site and the ponds is a significant bank, reducing the potential for movement onto site.

Red squirrel

Clints quarry – 2km north of the site is recorded as a 'Great place to see Red Squirrels'.

Trees present in the wider area may be suitable habitat for Red squirrel, no trees present within the survey area had signs of dreys present.

White Clawed cray fish

No impact predicted on the existing watercourse north of the site.

Nesting Birds

No hedges present, bramble scrub present has the potential to support a range of nesting birds.

No additional species were observed within the bounds of the property.

6.2.1 Preliminary Bat Roost Assessment

A single large industrial building present on site.

This building was originally the showers, offices and infirmary associated with Florence mine.

Single storey block rendered building with a steel roof.

Figure 9 – External - overview

External Features

The building has limited external bat roost features, generally well-sealed. No obvious entry points, staining or droppings present.

Gable close-up

Wall top

Figure 10 – Close up

Internal Features

The roof cavity varies between, open to the eaves on the western end, an area with a roof cavity with limited external linkage with a large water tank present and limited insulation, the central area open to the eaves and spray insulation present, moving to the eastern area housing the former water boiler, open to the eaves.

Figure 11 – Roof present

No evidence of bats present within these spaces, many are not open to the public and have not been used for some time.

6.2.2 Bat Activity Survey

Bat activity surveys are not considered necessary.

6.2.3 Bat DNA Analysis Results

No droppings found to analyse.

6.3 Site Assessment

The general assessment is that the land falls into category 3 - that of limited wildlife interest, due to the size of the proposals.

Potential to Impact Upon Sites Recognised of Local Nature Conservation Importance

The site is within a SSSI. You should consult Natural England on all planning applications at this location.

Send your consultation to: consultations@naturalengland.org.uk.

Potential to Host A Priority Habitat

No important or Priority habitats identified on site.

Potential to Host A Priority Species

The site has the potential to support a range of nesting birds – within the bramble scrub.

The site has negligible potential to support any additional priority species.

6.3.1 Biodiversity Baseline Assessment

Habitat Baseline Assessments – Habitats assessed to moderate each parcel will be assessed in detail within the Biodiversity Net Gain Statement.

Baseline Habitat

Whole site – the proposals will only impact upon 0.039ha.

	Condition	Area	Lost
Developed land - building	N/A	0.062	
Sealed surface	N/A	0.1004	0.003
Sealed surface	N/A	0.035	
Unsealed surface	N/A	0.041	
Wildlife garden	N/A	0.0122	
Introduced shrubs	N/A	0.0341	0.011
Modified grass	Mod	0.016	0.007
Scrub	Mod	0.017	
Bramble scrub	N/A	0.018	0.018

Baseline Hedge

	Condition	Length	Unit value
None			

Baseline Watercourse

Proposals sit outside the watercourse riparian zone.

	Condition	Length	Unit value
None	N/A		

7. Ecological Constraints & Opportunities

7.1 Statutory Sites

The proposals are within a SSSI and the proposals fall within one or more of the sites ORNECS (Operations Requiring Natural England Consent).

7.2 BNG

At present Biodiversity Net Gain is not considered necessary – the proposals will impact on less than 25m^2 of habitat. The bramble clearance to be considered as necessary for SSSI site management.

7.3 Species

Bats - The building is situated in an area with high foraging and commuting potential, the building exhibits few potential roost sites. Bat activity surveys are not considered necessary.

The inclusion of bat bricks should be considered.

Appendix 1 - References

8.1 Bibliography

- The Wildlife and Countryside Act 1981.
- The Conservation of Habitats and Species Regulations 2017.
- National Planning Policy Framework – (updated 20th July 2021).
- CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.
- Handbook for Phase 1 habitat survey – a technique for environmental audit – England Field Unit Nature Conservancy Council 1990 revised 2007.
- Bat Conservation Trust – Bat Surveys for Professional Ecologists – Good Practice Guidelines 4th Edition 2023.
- Great Crested Newt Suitability Index – Oldham R.S., Keeble J., Swan M.J.S. & Jeffcote M. (2000). Evaluating the suitability of habitat for the Great Crested Newt (*Triturus cristatus*). Herpetological Journal 10 (4), 143-155.

8.2 Legal Status of Protected Species - Background

8.2.1 The Conservation of Habitats & Species Regulations 2017

Paragraph 43 - A person commits an offence if they deliberately capture, injure or kill any wild animal of a European protected species; or deliberately disturbs wild animals of any such species impairing the ability of any significant group of animals of that species to survive, breed, or rear or nurture their young; or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong; deliberately takes or destroys the eggs of such an animal, or damages or destroys a breeding site or resting place of such an animal.

Paragraph 42 - Schedule 2 lists those species of animals listed in Annex IV(a) to the Habitats Directive which have a natural range which includes any area in Great Britain.

8.2.2 Key Principles of Planning

The National Planning Policy Framework (NPPF), updated July 2021 to include minor clarifications to the revised version published in July 2018. Setting out the Government's planning policies for England and how they should be applied.

Chapter 2. Achieving sustainable development.

Para 8.c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment;…helping improve biodiversity….

Para 11 Plans and decisions should apply a presumption in favour of sustainable development.

Chapter 11. Making effective use of land

Para 119…in a way that makes as much use as possible of previously developed or ‘brownfield’ land.

Para 120 a), b) c) d)

Chapter 15. Conserving and enhancing the natural environment.

Para 174 Planning policies and decisions should contribute to and enhance the natural and local environment by: a) to f)

Para 171 to 178

Habitats and Biodiversity par 179 to 182

8.3 Terminology

Bat Roost Type

Roost type	NE definition
Day roost	A place where individual bats, or small groups of males, rest or shelter in the day but are rarely found by night in the summer.
Night roost	A place where bats rest or shelter in the night but are rarely found in the day. May be used by a single individual on occasion or it could be used regularly by the whole colony.
Feeding roost	A place where individual bats or a few individuals rest or feed during the night but are rarely present by day.
Transitional/occasional roost	Used by a few individuals or occasionally small groups for generally short periods of time on waking from hibernation or in the period prior to hibernation.
Swarming site	Where large numbers of males and females gather during late summer to autumn. Appear to be important mating sites
Mating sites	Where mating takes place from late summer and can continue through winter.
Maternity roost	Where female bats give birth and raise their young to independence.
Hibernation roost	Where bats may be found individually or together during winter. They have a constant cool temperature and high humidity.
Satellite roost	An alternative roost found in close proximity to the main nursery colony used by a few individual breeding females to small groups of breeding females throughout the breeding season.

8.4 UK Important and Protected Species

Potential to be present within North East England.

		EPS	GB	North
Badger	*Meles meles*			
Bats	*All species*	*Y*		
Hazel dormouse	*Muscardinus avellanarius*	*Y*	VU	*No*
Natterjack toads	*Epidalea calamita*	*Y*		*No*
Otters	*Lutra lutra*	*Y*		
Great crested newts	*Triturus cristatus*	*Y*		
Smooth snake	*Coronella austriaca*	*Y*		
Sand lizard	*Lacerta agilis*			
Wildcat	*Felis silvestris*		CR	*No*
Red squirrel	*Sciurus vulgaris*		EN	
Water vole	*Arvicola amphibius*		EN	
Eurasian beaver	*Castor fiber*		EN	*No*
Hedgehog	*Erinaceus europaeus*		VU	
Mountain hare	*Lepus timidus*		NT	
Harvest mouse	*Micromys minutus*		NT	

Table 1 – potential for protected species

Critically Endangered (CR), Endangered (EN), Vulnerable (VU), Near Threatened (NT).

Northern bats

We are lucky enough to have 18 species of bat in the UK, 17 of which are known to be breeding here – that is almost a quarter of our mammal species.

		SPI	North
Brown Long-eared	*Plecotus auritus*	*Y*	*Y*
Noctule	*Nyctalus noctula*	*Y*	*Y*
Soprano pipistrelle	*Pipistrellus pygmaeus*	*Y*	*Y*
Brandt's bat	*Myotis brandtii*		*Y*
Common pipistrelle	*Pipistrellus pipistrellus*		*Y*
Daubenton's bat	*Myotis daubentonii*		*Y*
Nathusius pipistrelle	*Pipistrellus nathusii*		*Y*
Natterer's bat	*Myotis nattereri*		*Y*
Whiskered bat	*Myotis mystacinus*		*Y*
Serotine	*Eptesicus serotinus*		*P*
Alcathoe bat	*Myotis alcathoe*		*?*
Barbastrelle	*Barbastella barbastellus*	*Y*	
Bechstein's bat	*Myotis bechsteinii*	*Y*	
Greater horseshoe bat	*Rhinolophus ferrumequinum*	*Y*	
Lesser horseshoe bat	*Rhinolophus hipposideros*	*Y*	
Grey long-eared bat	*Plecotus austriacus*		
Leisler's bat	*Nyctalus leisleri*		

SPI – Species of Principal Importance aka Priority Species under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006

Appendix 2 – Assessments

Type Planning Applications	
Full Application	
Householder Application	
Outline Application	
Reserved Matters Application	

Major Planning Applications	
Creation of 10 or more residential units	N
Residential development on a site of 0.5ha or more	N
Non-residential development or change of use on a site of at least 1ha	N

9.1 Potential Impact On Sites Of Biodiversity Interest

Is the development within 2km of a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site	N
Is the development within 500m of a Site of Special Scientific Interest (SSSI)	Y
Is the development within 100m of Ancient Woodland	N
Local Wildlife or Geological Site (LWGS) or a Local Nature Reserve (LNR)	N

9.2 Potential To Support Important Habitats Or Species

Are any of the following important habitats present?

	On site	Within 100m
Broad-leaved woodland	N	Y
Water courses (rivers, streams or canals) – 200m	N	Y
Wetlands (ponds, lakes, marshland, fenland, reed bed)	N	N
Ponds (major) – 500m (minor) – 100m	N	N
Flower-rich meadow/grassland	N	N
Heathland (habitat/plants that thrive on acidic soils, such as heather and gorse)	N	N
Trees of ecological value	N	Y
Mature hedgerow (field hedgerows over 1m tall and 0.5m wide)	N	N
Existing buildings (occupied or derelict)	Y	Y

9.3 Potential To Support Important Species

Likely habitat for protected species assessed from satellite images (Desktop assessment)

Habitat	Bats	Breeding birds	Badger	Dormice	Reptiles	Otters	Water voles	GCN	WCCF	Invertebrates	Fish	Natterjack toads
Ancient or veteran trees or those with significant decay features	Y	Y		Y								
Cellars, ice houses, old mines and caves	Y											
Buildings with features suitable for bats,	Y	Y										
Large gardens in suburban and rural areas		Y	Y		Y			Y				
Traditional timber-framed building (such as a barn or oast house)	Y	Y										
Lakes, rivers and streams (on the land or nearby)	Y					Y	Y		Y		Y	Y
Heathland on, nearby or linked to the site (by similar habitat)		Y	Y		Y					Y		Y
Meadows, grassland, parkland and pasture on the land or linked to the site (by similar habitat)	Y	Y	Y		Y			Y		Y		
Ponds or slow-flowing water bodies (like ditches) on the site, or within 500m and linked by semi-natural habitat such as parks or heaths		Y					Y	Y	Y	Y	Y	
Rough grassland and previously developed land (brownfield sites), on or next to the site		Y			Y					Y		
Woodland, scrub and hedgerows on, or next to the site	Y	Y	Y	Y	Y			Y				
Coastal habitats		Y				Y				Y	Y	Y

Table 2 – likely habitat for protected species

Bats

Initial Bat Site Assessments

PEA – Desk based - Commuting & Foraging Habitats	
Negligible	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Medium	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, treelined watercourses and grazed parkland. Site is close to and connected to known roosts.

PEA – Ground level search for PRF's (GLA)	
Negligible	Negligible habitat features on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e., unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential
Medium	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.

	Minimal	Low	Medium	High
Setting	Inner city	Urban with little green space	Rural upland/ urban green space	Rural lowland
Distance to wetlands	>1km	500m-1000m	200m-500m	<200m
Distance to woodlands	>1km	500m-1000m	200m-500m	<200m
Commuting routes	Isolated by unsuitable development	No clear flyways linking the site to wider countryside	Some potential commuting routes to and from site	Site well connected to surrounding areas with multiple flyways
Recent records				Roost records within 1km

Building Assessment

	Minimal	Low	Medium	High
Building type	Industrial type / materials	Single small building	Several buildings, large old single structure	Traditional farm buildings, castle, hospital etc.
Storeys	Flat roofed	Single	Multiple	Multiple large roof voids
Materials/ condition	Modern sheet materials – steel, concrete frame	Good condition, tight joints	Few cracks and crevices	Notable cracks and crevices
Roof condition	Modern sheet materials	Good condition no gaps, weatherproof	Some access, slates, tiles	Uneven with gaps, not too open
Key features	No features	Very limited features	Some features	Hanging tiles, cladding, barge boards, soffits with access
Residents' information	No bats recorded	'few' bats	'many' bats seen	Known roost

Appendix 3- Raw Data

Only raw data not already used within the report will be presented here.

10.1 MAGIC – Multi Agency Geographic Information for the Countryside
(including the Ancient Woodland Inventory)

The following features have been found in the search area:

Site	Florence Arts Centre
Post Code	CA22 2NN
Grid Reference	NY 01740 10309

Impact Risk Zones for Sites of Special Scientific Interest
For local planning authorities to determine if a proposed development is likely to affect a terrestrial Site of Special Scientific Interest and when to consult Natural England.
Does the proposed development match any of the descriptions below?

The site is within two IRZ'

Result 1

You should consult Natural England on all planning applications at this location.

Send your consultation to: consultations@naturalengland.org.uk

The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location selected, there is potential for all proposed developments to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Therefore, you should consult Natural England for advice on the nature of the potential impacts and how these might be avoided or mitigated.

Result 2

Is the planning application a householder application - No

You should consult Natural England on all planning applications at this location.

Send your consultation to: consultations@naturalengland.org.uk

The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location selected, there is potential for all proposed developments to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Therefore, you should consult Natural England for advice on the nature of the potential impacts and how these might be avoided or mitigated.

Discretionary Advice

Natural England may provide pre-application advice on the nature of the potential impacts and how these might be avoided or mitigated. Developers Get Environmental Advice -

GOV.UK (www.gov.uk) provides information on Natural England's pre-application discretionary advice service (DAS).

Please Note
The SSSI IRZs seek to guide consultations relating to the likely impacts of development on terrestrial SSSIs under Schedule 4 (w) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and section 28I of The Wildlife and Countryside Act 1981. They do not alter or remove any other statutory requirements to consult Natural England.

The SSSI IRZs only indicate Natural England's assessment of likely risk to the notified features of terrestrial SSSIs and those SACs, SPAs or Ramsar sites that they underpin. There are other sites designated for nature conservation in the coastal and marine environment that are not underpinned by terrestrial SSSIs. This includes SPAs, SACs, Ramsar sites and Marine Conservation Zones (MCZs). You should consult Natural England on any coastal or marine proposal that might impact those sites.

Where the SSSI IRZs indicate a risk is unlikely, this does not mean that there are no potential impacts on biodiversity or the wider natural environment and there may be a requirement to consult Natural England as a statutory consultee on other matters.

Local Planning Authorities Get Environmental Advice - GOV.UK (www.gov.uk) provides more information on when you must consult Natural England when considering development proposals including Nationally Significant Infrastructure Projects - GOV.UK (www.gov.uk) (NSIPs).

Designations
Land-Based Designations
Statutory

Areas of Outstanding Natural Beauty	No Features found
Local Nature Reserves	No Features found
Moorland Line	No Features found
National Nature Reserves	No Features found
National Parks	No Features found
Ramsar Sites	No Features found
Proposed Ramsar Sites	No Features found
Sites of Special Scientific Interest	4 Features found - Clints Quarry - 1004531 SSSI, Florence Mine SSSI, Haile Great Wood SSSI and Black Moss SSSI
Special Areas of Conservation	No Features found
Possible Special Areas of Conservation	No Features found
Special Protection Areas	No Features found
Possible Special Protection Areas	No Features found
Biosphere Reserves	No Features found

Historic non-Statutory

Registered Parks and Gardens	No Features found

Priority Habitat Inventory

	2km	500m
Total number of parcels		
Ancient Woodland	3	
Deciduous woodland	27	4
Wood-pasture and Parkland	5	
Traditional orchard	1	
Lowland raised bog	1	
Lowland fens	7	
Purple moor grass and rush pastures	1	
Good quality semi improved grassland	3	
Open Mosaic Habitats on Previously Developed Land	1	2

Ancient Woodland (England)	2km IRZ	500m IRZ
Ancient & Semi-Natural Woodland	2	-
Ancient Replanted Woodland	1	-
Named woods		
Great Wood		

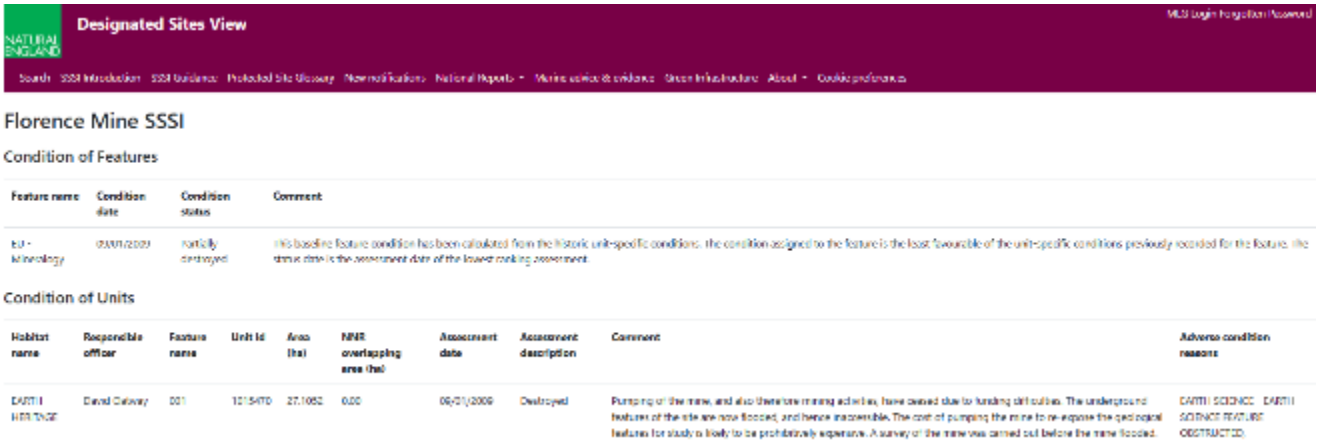
On site – No Priority habitat.

Sites of Special Scientific Interest	Florence Mine SSSI

NB within the views about management - Access to Florence Mine is maintained through the pumping of vast quantities of ground water from the galleries. If the pumping ceased for any reason, the mine would flood and the features for which it is designated would no longer be accessible, effectively destroying the scientific interest of the site.

Condition of Units - 09/01/2009 – destroyed - Pumping of the mine, and also therefore mining activities, have ceased due to funding difficulties. The underground features of the site are now flooded, and hence inaccessible. The cost of pumping the mine to re-expose the geological features for study is likely to be prohibitively expensive. A survey of the mine was carried out before the mine flooded.

https://designatedsites.naturalengland.org.uk/SiteFeatureCondition.aspx?SiteCode=s2000141&SiteName=Florence%20Mine%20SSSI



European Protected Species Licencing

MAGIC was used to identify the presence of Granted Protective Species Applications 2km of the survey site.

European Protected Species	County Durham
Amphibian	None identified
Bats	None identified
Cetacean	None identified
Invertebrate	None identified
Other mammal	None identified
Plant	None identified
Reptile	None identified

Great Crested Newt Records

Great Crested Newt Pond Surveys 2017-2019		
Number of ponds surveyed	GCN Present	
	Yes	No
1	-	1

Great Crested Newt Class Survey Licence Returns		
Number of ponds surveyed	GCN Present	
	Yes	No
One pond	1	-

Other relevant searches

Surveyed Priority Ponds	None identified
Important Bird Areas	None identified
Important Plant Areas	None identified
RSPB Reserves	None identified

10.2 Local Data Search

10.2.1 Local Records Centre

A 2km species list requested.

10.2.2 Local Wildlife Group

None relevant.

AllAboutTrees

Arboricultural & Ecological Consultancy
Chartered Arboriculturalists & Environmentalists

The Old School
Quarry Lane
Butterknowle
Co Durham
DL13 5LN

Telephone 01388 710481 / 0191 3739494

Email – info@allabouttrees.co.uk
www.allabouttrees.co.uk

Registered in England & Wales No. 5301671
Registered Office: The Old School, Quarry Lane, Butterknowle,
Co Durham. DL13 5LN

Precautionary Method Statement

To define methods which will be employed during the works to minimise the risk of an offence being committed to any bats or other protected species potentially present and sets out how bat roosting opportunities will be retained as part of the development activity at:

Florence Arts Centre

In order to avoid harming any bats potentially present, damaging or blocking access to their habitats the following method statement should be followed.

Copies should be given to the site owner, Architect, Clerk of Works and contractors involved in the building works and on display at the development.

Should any bats (or any other protected species) be found during any procedures works will be placed on hold and the ecologist Tricia Snaith to be informed (01388529200) immediately for assistance, further survey work and a Natural England Species licence may be required before works can proceed.

Bats, their breeding sites and resting places are protected by law.
The law protects them throughout their lifecycle.

This document applies to all structures within the development proposals

All UK bats and their roosts are fully protected by law. To avoid breaking the law by damaging or disturbing bat roosts, resulting in possible imprisonment, fines or confiscation of equipment, certain procedures have to be followed.

You will be breaking the law if you:

- capture, kill, disturb or injure bats (on purpose or by not taking enough care)
- damage or destroy a breeding or resting place (even accidentally)
- obstruct access to their resting or sheltering places (on purpose or by not taking enough care)
- possess, sell, control or transport live or dead bats, or parts of them

Fines of up to £5000 per bat affected and confiscation of vehicles used can be imposed for deliberate or reckless disturbance of bats or damage to a roost site.

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.

Bat roosts can be difficult to locate. It is possible that small colonies may be present within a building and no external signs are visible. British bats vary in size, the smallest being the crevice roosting Pipistrelle with a body the size of a matchbox. This means these animals can roost within the smallest cracks or crevices. When disturbed the bat is likely to be torpid and unable to fly effectively for some minutes during this time they are vulnerable to injury. During removal of material from the roof and tops of the walls any crevices underneath should be checked to ensure that no bat has been disturbed.

Figure 1 - Examples of bat droppings. If examined carefully, when crumbled exoskeletons of insects can be seen shining.

Common locations for crevice roosting bats within buildings include beneath roof coverings, within mortise joints, rubble fill and cavity walls and between loose stones or bricks.

Other traces that can indicate a past presence of bats are their droppings. These resemble mouse droppings but unlike mouse droppings can be crumbled to dust between finger and thumb.

Droppings may be found on wall tops and beneath slates and tiles on top of any sarking.

Timing

Any development work involving dismantling any stonework and the removal of the existing roof materials will be carried out avoiding the hibernation period (November to March inclusive). Periods of cold weather (below 5ºC including night temperatures) will be avoided as any bats present will be in hibernation torpor and be extremely vulnerable.

No nesting birds were observed during the survey if the works commence during the bird nesting season (1st March to 31st August) the buildings should be checked for active bird nests.

Summary Of Bat Survey Findings

No evidence of bats were found on site. No roosts were identified. However the building is in a high potential for forging and commuting for bats area. Occasional individual bats can always be expected.

Work Schedule

Prior To Any Work Commencing

All site operatives including contractors and sub-contractor staff will be made aware of particular issues relating to the site and their responsibilities in the event of any bats being found.

During The Renovation

Removal of any of the roofing material is advised to be carried out by hand, lifting tiles vertically and checking any spaces exposed for bat presence.

If bats are discovered all work in the area will cease immediately, and the project ecologist should be called to the site. Any bats must be left *in situ* (if this is safe) with minimal disturbance until the ecologist arrives. If the bat cannot be left safely further advice should be sought.

The project ecologist will liaise with Natural England to determine the way forward.

Advised Bat Enhancements

External inbuilt bat boxes.

Guidance

Any timber treatment should follow guidelines TIN092 published by Natural England. Permethrin and cypermethrin compounds are the most 'bat friendly' wood treatments currently available.

Summary Of Protected Species Survey Findings

No additional species were observed whilst on site

Any bat or protected species found during operations will have the area re-covered or protected and work to cease in that area. AllAboutTrees to be informed (01388710481) immediately, to contact Tricia Snaith the project Ecologist for assistance.