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Ecological Consultants
Environmental and Rural Chartered Surveyors

Preliminary Ecological Appraisal

Fell View Avenue and Windermere Road, Whitehaven

Green at Heart BEN GOLD

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ACCURACY OF REPORT

This report has been compiled based on the methodology as detailed and the professional experience of the surveyor. Whilst the report reflects the situation found as accurately as possible, all of the protected species this survey covers are wild and can move freely from site to site. Their presence or absence detailed in this report does not entirely preclude the possibility of a different past, current or future use of the site surveyed.

We would ask all clients acting upon the contents of this report to show due diligence when undertaking work on their site and/or in their interaction with protected species. If protected species are found during a work programme, and continuing the work programme could result in their disturbance, injury or death, either directly or indirectly an offence may be committed.

If in doubt, stop work and seek further professional advice.

Quality and Environmental Assurance

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1. EXECUTIVE SUMMARY

1.1.1 Envirotech NW Ltd were commissioned to carry out a Preliminary Ecological Appraisal of land off Fell View Avenue and Windermere Road, Whitehaven. It is proposed that new houses are constructed on the site.

1.1.2 A data search and desk study of the site and an area within 2km of the site were undertaken to establish the presence of protected species and notable habitats.

1.1.3 The site was then visited by a licenced ecologist from Envirotech NW Ltd on the 9th June 2022. A full botanical survey of the site was initially undertaken and this was followed by surveys to establish the presence or absence of notable species at the site or in proximity such that they may be affected by the proposed development.

1.1.4 The plant species assemblages recorded at the site are all common in the local area and are considered to be of low ecological value. Grassland and scrub adjacent the site is of higher ecological value but retained.

1.1.5 Low numbers of common bat species are likely to forage over the site. No bats were recorded roosting on or near site. It is proposed that some roosting provision for bats will however be incorporated into the new houses on site.

1.1.6 Birds are likely to utilise scrub on site for nesting between March and September. Any vegetation clearance should therefore be undertaken outside of this period. Provision for birds such as House Sparrow *(Passer domesticus)* can be made in the new scheme.

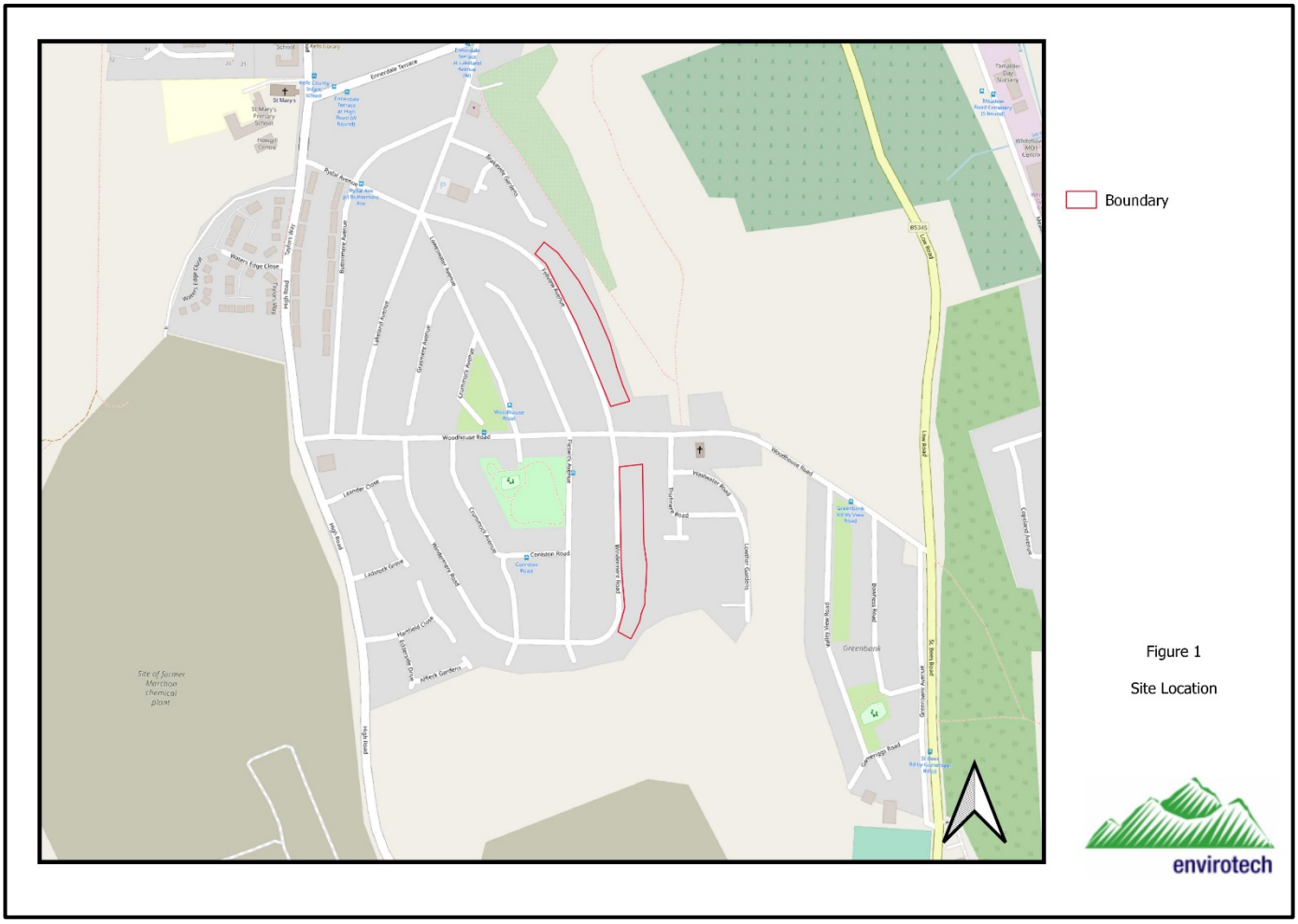
1.1.7 No other notable or protected species were recorded on the site.

2. INTRODUCTION

2.1 Background

2.1.1 Envirotech NW Ltd were commissioned to carry out a Preliminary Ecological Appraisal of land off Fell View Avenue and Windermere Road, Whitehaven, central grid reference NX971161 (Figure 1). A site investigation was undertaken and a report compiled which includes recommendations for any future actions and or mitigation required.

2.1.2 The survey was requested in connection with the proposed construction of new houses.



2.2 Objectives

2.2.1 The main objectives of the study were:

- The completion of a Phase 1 Habitat Survey including the preparation of a vegetation and habitat map of the site and the immediate surrounding area.
- The survey and assessment of all habitats for statutorily protected species.
- An evaluation of the ecological significance of the site.
- The identification of any potential development constraints and the specification of the scope of mitigation and enhancement required in accordance with wildlife legislation, planning policy and other relevant guidance, and;
- The identification of any further surveys or precautionary assessments that may be required prior to the commencement of any development activities.

3. METHODOLOGY AND SOURCES OF INFORMATION

3.1 Data Search

3.1.1 The Envirotech dataset, and the Multi-Agency Geographic Information for the Countryside (MAGIC) were searched to establish the presence of any records of statutorily protected, notable or rare species, and any designated sites of international, national, regional or local importance within a 2km radius of the site boundary.

3.1.2 The Envirotech dataset is compiled from extensive field surveys from the period 2004-present, as well as records obtained from third parties during this time.

3.1.3 Google Earth and Google Street View were consulted to establish the presence of any features of ecological importance within the local area.

3.1.4 Due to the scale of development, in accordance with CIEEM guidelines, a data search of the county records centre was not required. The likely presence and impact on protected species could be adequately determined from the level of data search undertaken.

3.2 Vegetation and Habitats

3.2.1 A vegetation and habitat map was produced for the site and the immediate surrounding area. The mapping is based on the Joint Nature Conservation Committee Phase 1 Habitat Survey methodology (JNCC 2003).

3.2.2 Searches were made for uncommon, rare and statutorily protected plant species, those species listed as protected in the Wildlife and Countryside Act (1981) and indicators of important and uncommon plant communities. All plant nomenclature follows Stace (2019).

3.2.3 Searches were carried out for the presence of invasive species, including those listed on Schedule 9 of the Wildlife and Countryside Act (1981), namely Japanese knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens glandulifera*) and giant hogweed (*Heracleum mantegazzianum*) on terrestrial habitat and aquatic species such as floating pennywort (*Hydrocotyle ranunculoides*), water hyacinth (*Eichhornia crassipes*) and New Zealand pygmyweed (*Crassula helmsii*).

3.3 Timing and Personnel

3.3.1 During the visit, weather conditions were suitable for the survey types undertaken being warm and dry in spring.

3.3.2 The site and surrounding land was visited on the 9th June 2022 by

- (AG) Mr Andrew Gardner BSc (Hons), MSc, MRICS
  Natural England Bat Class Licence (Level 2)
  Natural England Bat Low Impact Class Licence

Natural England Barn Owl Licence
Natural England Great Crested Newt Licence (Level 1)
Natural England Badger Class Licence
Natural England White Clawed Crayfish Licence

4. SPECIES SURVEY METHODOLOGY

4.1 Badger

4.1.1 Badgers (*Meles meles*) and their setts are protected under the Protection of Badgers Act (1992). This legislation arises from animal welfare issues (rather than on the basis of nature conservation grounds) and protects badgers from being killed, injured or disturbed whilst occupying a sett.

4.1.2 A disturbance to badgers in their setts may occur as a result of construction operations. Natural England recommends that the use of heavy machinery in proximity of a sett entrance should be avoided, with a 'disturbance free-zone' being established.

4.1.3 The degree of disturbance attributed to construction activity is a function of the background level of activity badgers are accustomed to and that which will be attributed to a proposed activity. The "disturbance free zone" is therefore site specific.

4.1.4 The survey for badgers comprised an assessment of all suitable habitat within and outside the study area boundary (where this was possible) to a distance of 30m for indications of use by badgers.

4.1.5 Signs of badgers which were searched for included:

- Setts - 'D' shaped entrances at least 25cms wide and wider than they are high with large spoil mounds
- Discarded bedding at sett entrances (this includes grass and leaves)
- Scratching posts on shrubs and trees close to a sett entrance
- The presence of badger hairs which are coarse, up to 100mm long with a long black section and a white tip
- Dung pit latrines and footprints
- Habitual runs through vegetation and beneath fences
- Hedgehog carcases

4.2 Bats

4.2.1 All British bat species are fully protected under Schedule 5 of the Wildlife and Countryside Act (1981), and are included on Schedule 2 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, as a Protected Species. Taken together, these pieces of legislation make it an offence to:

- Intentionally or recklessly kill, injure or capture bats;
- Deliberately or recklessly disturb bats (whether in a roost or not);
- Damage, destroy or obstruct access to bat roosts.

4.2.2 The Bat Conservation Trust (Hundt (2012) and Collins, J. (ed) (2016) issued guidelines on bat survey methodology, a key feature of their recommendation is for the undertaking of a pre-survey assessment – an initial desk-study and a walkover assessment of the survey area and its surrounding area to identify the relative value of the habitats present for bats and likely commuting routes. This is to be followed by a survey program that is appropriate to the likely level of bat activity within the survey area to be determined by and based on the experience of the surveyor.

4.2.3 The potential value of the survey area for foraging bats was assessed through consideration of two main factors: professional knowledge of bat ecology and foraging behaviour in combination with the geographical location, topography and habitats present within the survey area and surrounds.

4.2.4 Trees and structures on and within the survey area boundary were assessed for their potential to support roosting or hibernating bats. This comprised a close inspection of all trees and buildings on the site to allow an assessment of their potential to be used by bats to be made by a licensed surveyor.

4.2.5 Trees were all assessed in accordance with Collins, J. (ed) (2016).

4.3 Birds

4.3.1 All breeding birds, other than pest species, are protected under the Wildlife and Countryside Act of 1981 when building a nest, rearing young or sitting on eggs. Some bird species, such as barn owl (*Tyto alba*), are protected when near an active nest site. Several birds are listed as UK and or County BAP species.

4.3.2 Bird species and behaviour was noted during the other field surveys. All areas are covered equally, in order to avoid the subjective survey of better quality 'bird habitat'. All birds displaying breeding behaviour were recorded.

4.4 Survey limitations

4.4.1 Due to the habitats present on site there were no significant constraints in respect of identifying the botanical interest of the site. Bats were active at the time of the survey.

4.4.2 The duration, extent and scope of the surveys were considered sufficient to plan appropriate mitigation and recommend additional precautionary survey work required prior to the commencement of work.

4.4.3 No significant survey limitations were encountered.

5. RESULTS

5.1 Data Search

5.1.1 Envirotech hold no records of protected or notable species for the site. There are however records of protected or notable species within 2km (Figure 2). These are discussed in the relevant sections below.

5.1.2 The nearest mapped BAP habitat is broadleaf woodland to the East (Figure 3). There is no mapped BAP habitat adjacent or on the site.

5.1.3 The nearest statutory protected site St Bees Head SSSI 800m to the West (Figure 4). This is isolated from the site by houses.

Figure 2

Protected and
Noteable Species

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Figure 3

BAP and Noteable Habitats

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Potential SPA
SSSI
SPA
Boundary

Figure 4

Protected Sites

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6. PHASE 1 SURVEY RESULTS

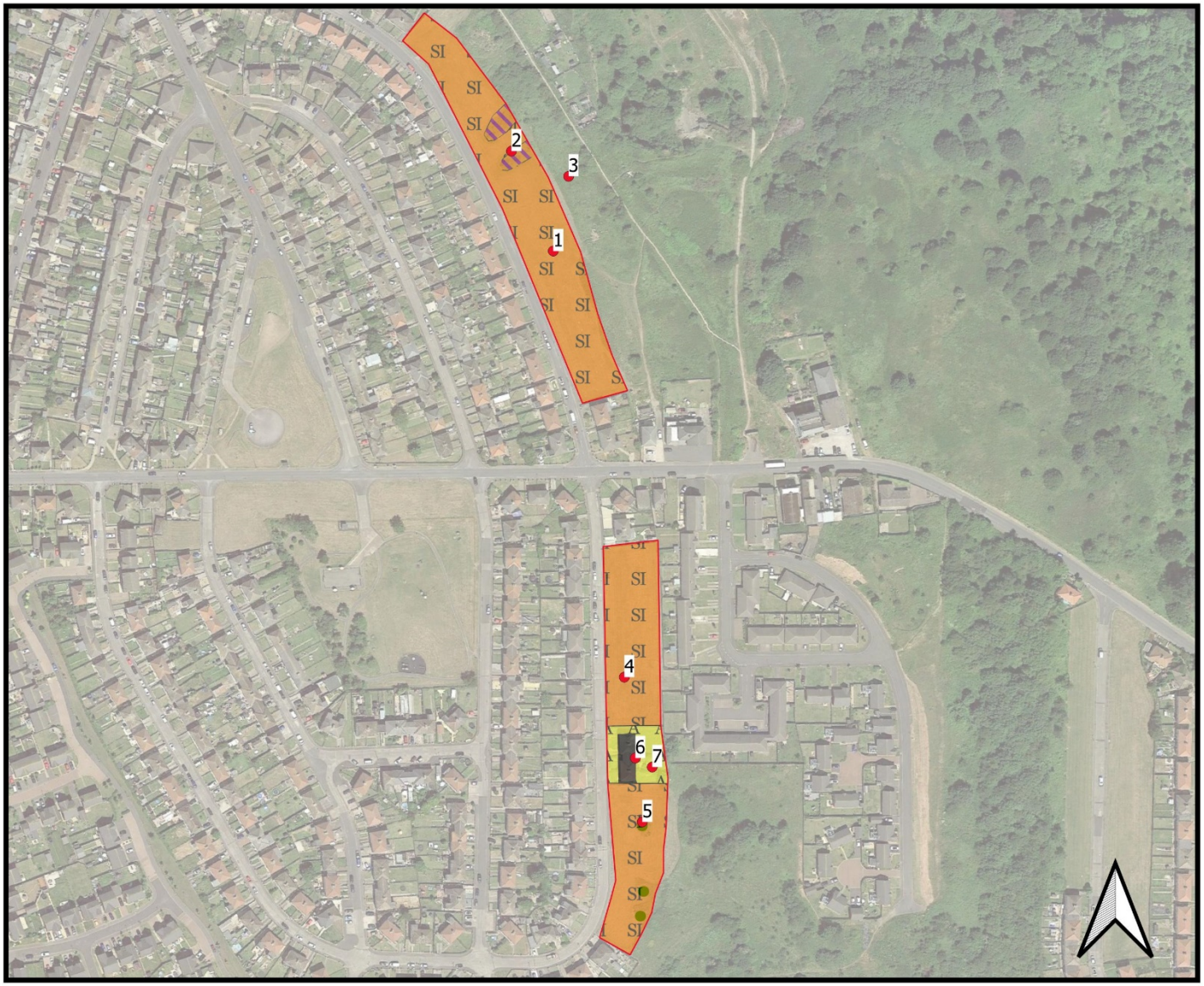
6.1 Habitat Results

6.1.1 The site comprises poor semi-improved grassland with neutral grassland and scrub to its East boundary. Roads occur to the East. The sites appear to have formally been occupied by houses prior to clearance.

6.1.2 See Figure 5 for the Phase 1 Habitat Plan and Table 1 for the descriptive Target Notes.

Target Note	Description	Comment
TN1	Poor semi-improved grassland	Formally housing, now cleared and fully vegetated. There does not appear to have been significant soil modification and the habitat present does not represent the BAP habitat OMHPDL. Gently sloping to the East the grassland is mown. Species are associated with nutrient enrichment. Yorkshire Fog *(Holcus lanatus)*, Meadow Grass *(Poa Sp.),* Red Fescue *(Festuca rubra),* Timothy-grass *(Phleum pratense)*, Creeping Buttercup (*Ranunculus repens*), Creeping cinquefoil *(Potentilla reptans)*, Ribwort Plantain *(Plantago lanceolata)*, Common Sorrel (*Rumex acetosa*), Broad-leaved dock (*Rumex obtusifolius).* Areas of longer, unmown grass to the periphery of the site included Bush vetch *(Vicia sepium)*, Common vetch *(Vicia sativa),* Red clover *(Trifolium pratense),* Sharp-Flowered Rush (*Juncus acutiflorus)* and occasional Goat Willow *(Salix caprea)* saplings and Lady's Mantle *(Alchemilla mollis)*
TN2	Marshy grassland	Narrow bands of marshy grassland associated with seepage lines. Soft Rush (*Juncus effusus)* locally abundant along with Great Willowherb *(Epilobium hirsutum)*. Other species as per TN1.
TN3	Scrub	A dense stand of scrub dominated by Alder *(Alnus glutinosa)* and Goat Willow *(Salix caprea)*
TN4	Poor semi-improved grassland	Species as per TN1 but ground flatter and no marshy areas. Daisy occasional and grassland likely to have been mown more frequently. Dense Alder scrub to the West.
TN5	Deciduous tree	A multi-stem Sycamore (*Acer pseudoplatanus)* with the grassland
TN6	Building	Dilapidated semi-detached houses, boarded up and degraded.
TN7	Garden	Former gardens now overgrown with rank ruderal grassland species

Table 1 *Details of Target Notes.*



Boundary

Target Note

Building

Cultivated/Disturbed Land - Amenity Grassland

Neutral Grassland - Semi-improved

Marsh/Marshy Grassland

Parkland/scattered Trees - Broad-leaved

Figure 5

Phase 1 Habitat Survey

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 	TN1- Poor semi-improved grassland which is mown. Dock suggests nutrient enriched soil
	TN2- Marshy grassland occurs in two narrow strips

	TN3- Dense alder scrub to the East
 	TN4- Poor semi-improved grassland which is apparently mown more frequently than that to the North

	TN5- A multi stem Sycamore in short mown grassland
 	TN6 and TN7- Dilapidated houses with overgrown gardens

Table 2 *Photographs*

6.2 Vegetation

6.2.1 Details of the plant species found on site are included in the target notes. Species recorded are all commonly occurring and undoubtedly occur elsewhere in similar habitats in the local area.

6.2.2 The poor semi-improved grassland has a very low species diversity and ecological value. Whilst the assemblage of species within it is higher than improved pasture, the species are all indicative of regular disturbance, this habitat does not constitute a BAP habitat.

6.2.3 The longer, unmown grassland and scrub to the site boundary is of higher ecological value and is more species diverse. This habitat does not however comprise a BAP habitat.

6.2.4 Trees within the site boundary comprise small sycamore and goat willow. Dense alder scrub occurs to the site boundary.

6.2.5 There is no evidence of Japanese knotweed, giant hogweed or Himalayan balsam on the site. No other invasive or notable weed species listed on Schedule 9 (Section 14) of the Wildlife and Countryside Act (1981) (as amended) was identified within the site or adjacent land.

6.3 Badger

6.3.1 Records of badgers occur within 2km of the site.

6.3.2 Badger setts do not occur on site and a lack of feeding signs or runs across the site would suggest that they do not occur within 30m of site boundaries.

6.3.3 The proposed development will not impact on any existing badger runs or setts. The porosity of the surrounding fields to the passage of badgers will not be affected.

6.4 Bats

6.4.1 There are records of Pipistrelle bats within 2km of the site.

6.4.2 The foraging habitat at the site is very poor for bat species being open and exposed. The poor semi-improved grassland offers negligible foraging opportunities for bats.

6.4.3 Despite being poor, the trees, longer grass and scrub on the site boundary offer the best foraging habitat for bats on the site as the remainder of it comprises open and exposed grassland. Whilst these areas of the site are the most structurally diverse but they are not considered exceptional in the local area. More extensive areas of medium and high quality habitat occur locally, including the gardens, scrub, woodland and existing residential dwellings adjacent.

6.4.4 It is not considered there would be significant degradation of foraging habitat as a result of the proposal so long as the scrub and longer grassland outside the site boundary is retained or their loss is compensated for in any landscaping scheme.

6.4.5 All trees around the site perimeter were also assessed in accordance with Collins ed. (2016) and assigned a risk category. All of the trees on site were category 3 (negligible) risk. No indications of roosting or highly suitable roost sites were located within the trees. All of the trees could be adequately inspected.

6.4.6 Houses on the site have been boarded up and are beginning to degrade. The houses appear exposed to weather. External inspections found no evidence of past or current use by bats but small gaps were noted to the roof and eaves. Given the exposure of this site it is considered unlikely the buildings would support roosting bats. Internal inspection was not undertaken, the buildings appear unsafe to enter.

6.4.7 We consider bat species are highly unlikely to rely on the site for feeding but may occur in the local area. Roosting by bats is unlikely to occur on the site.

6.5 Birds

6.5.1 There are records of birds within 2km of the site. Magpie *(Pica pica)* were recorded on site.

6.5.2 The poor semi-improved grassland has a low potential for use by nesting birds as the grassland is mown and as such is usually short. Trampling risks are also very high within this area of the site and predation risk from cats and dogs will be high.

6.5.3 There were no rot holes or cracks in the trees within the site boundary which would support tree hole nesting species such as woodpeckers.

6.5.4 There were no holes in the houses which were used by nesting House Sparrow *(Passer domesticus).*

6.5.5 A risk assessment of the site in respect of its future potential for and value to nesting birds could be adequately made.

6.5.6 The habitat on site is not considered to be of anything more than of local significance, habitats present are well represented in the local area. The impact on nesting birds is therefore considered likely to be minor.

6.6 Other

6.6.1 The boundary grassland and scrub provides potential for use by hedgehog (*Erinaceus europaeus*).

6.6.2 The site may be crossed by species such as fox (*Vulpes vulpes*) and rabbit (*Oryctolagus cuniculus*) are known to occur locally.

6.6.3 No larval plant species for blue butterfly were recorded on site and this area is outside the known local range at Workington and Maryport.

6.7 Statutory and Non-Statutory Sites

Direct Impacts:

6.7.1 There are no statutory or non-statutory sites which are connected to the site such that site development would directly affect the dispersal of species between them or directly impact upon their integrity.

6.7.2 The habitats on site do not represent or are linked to those found in any of the statutory or non-statutory sites locally.

Indirect Impacts:

6.7.3 There are no statutory or non-statutory sites which are connected to the site such that site development would indirectly affect the dispersal of species between them or indirectly impact upon their integrity.

7. MITIGATION/RECOMMENDATIONS

7.1 Compensatory planting and habitat enhancement

7.1.1 The roots of trees on the site and its boundaries should be adequately protected during work in accordance with industry standards. All trees should as far as possible be retained in the scheme.

7.1.2 The landscaping scheme should utilise plants which are native and wildlife friendly. In particular night flowering species would be beneficial to bats. Wildflower seed could be used to plant verges to enhance the ecological value of the site and continuity between the site and the wider area.

7.2 Badger

7.2.1 Badger setts are known to occur within 2km of the site. These setts will be undisturbed by work but in order to minimise impacts on badgers passing over the site the following points should also be followed.

- All work must take place during daylight hours as badgers are more likely to be commuting over the site at night and this will ensure the risk to any badgers passing through the site will be minimised.

- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered. This will ensure badgers are not trapped during work.

- All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.

7.3 Bats

7.3.1 New roosting provision for crevice dwelling bats could be incorporated into the buildings on site.

7.3.2 The roofs of remaining buildings should be taken down by hand, if it is safe to do so. Should bats be seen or suspected as occurring, all demolition work should cease and an ecologist consulted.

7.3.3 Bat roosts could be incorporated into new buildings facing the grassland and scrub to the site boundary.

7.4 Birds

7.4.1 Nesting by birds within the development area is considered unlikely to occur. Birds may nest within scrub and grassland on the periphery of the site.

7.4.2 Any vegetation to be trimmed or cleared should be checked for nesting birds before it is removed. Ideally this should occur outside the bird nesting period March- September. If vegetation clearance is to occur in the March-September period a check for nesting birds should be conducted first by a suitably qualified individual.

7.4.3 New planting within the site and the retention of trees and scrub on the site boundary will maintain the ecological functionality of the site for breeding birds.

7.4.4 Artificial bird nesting sites for house Sparrow could be incorporated into the new buildings under the eaves in suitable locations.

7.4.5 If nesting birds are found at the site all site works shall cease and further ecological advice shall be sought with a view to a detailed method statement and programme of mitigation measures being prepared and implemented.

8. REFERENCES

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