Ecological Impact Assessment

Egremont

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ECOLOGICAL IMPACT ASSESSMENT

Proposed Aldi, Egremont

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1.0 EXECUTIVE SUMMARY

Total Ecology was commissioned by Avison Young on behalf of Aldi in January 2024 to undertake nocturnal bat surveys and provide an Ecological Impact Assessment (EcIA) for land at a former garage site in Egremont. The approximate National Grid Reference for the centre of the site is **NY 01176 11081**. The EcIA is necessary prior to proposals to create a new Aldi food store with associated soft landscaping.

An initial Preliminary Ecological Appraisal (PEA) including a Preliminary Roost Assessment (PRA) was undertaken in November 2023 and identified the need for further bat nocturnal survey work. A Biodiversity Net Gain (BNG) report was compiled in January 2024. These reports were completed by Total Ecology and should be read in conjunction with this one (Total Ecology, 2023, 2024).

Four main habitat categories were identified within the area. These were h3d – bramble scrub, u1b – developed land; sealed surface, u1b5 – buildings, and u1c – Artificial unvegetated, unsealed surface. The secondary codes 81 – ruderal/ ephemeral and 847 – introduced shrub were used to further describe site.

The site provides such low-quality opportunities for birds that it is of Site importance at most. It is likely that any species which do utilise site are commonly occurring species and is unlikely that any rarer or red/ amber- listed species will use site to any major degree.

The site has negligible importance to bats with those heard on survey generally behind surveyors in surrounding habitat.

Without mitigation, significant negative impacts are expected upon designated sites, invasive species, and birds. However, avoidance, mitigation, and compensation/ enhancements recommended within this report and the Biodiversity Net Gain Report will ensure that residual impacts are non-significant or beneficial.

It is recommended that works avoid working within the nesting bird season (March – August) which will in turn, avoid negative impacts on nesting birds.

Recommended mitigation includes the creation of an Ecological Management and Monitoring Plan or similar as well as the use of a specialist contractor to remove cotoneaster from site.

The BNG report details the enhancements to be made to site which will leave the site in an improved condition after proposals are completed. The addition of higher-quality habitats on site also provides

enhancements for nesting birds and foraging bats within the locality. Given the lack of use of the site by bats currently, no further compensation is deemed necessary.

2.0 INTRODUCTION

2.1 Background

Total Ecology was commissioned by Avison Young on behalf of Aldi in January 2024 to undertake nocturnal bat surveys and provide an Ecological Impact Assessment (EcIA) for land at a former garage site in Egremont. The approximate National Grid Reference for the centre of the site is **NY 01176 11081**. The EcIA is necessary prior to proposals to create a new Aldi food store with associated soft landscaping.

An initial Preliminary Ecological Appraisal (PEA) including a Preliminary Roost Assessment (PRA) was undertaken in November 2023 and identified the need for further bat nocturnal survey work. A Biodiversity Net Gain (BNG) report was also compiled in January 2024. The PEA & PRA, and BNG Reports were both completed by Total Ecology and should be read in conjunction with this report (Total Ecology, 2023, 2024).

2.2 Site Description

The site is located within the east of the Cumbrian town of Egremont; the west is therefore predominantly residential with some open amenity grassland as part of West Lakes Academy. The site is directly bounded by the busy A595 road, and small areas of linear woodland. More substantial green space is present further east where the River Ehen flows surrounded by woodland. Outside of the town the area is dominated by pasture. The west coast of England is approximately 4.5km west of site (Figure 1; Appendix A).

2.3 Survey Objectives

The objective of this report is to assess the impacts of the proposal on ecological features, identifying any significant effects' as well as impacts on any designated sites or protected species. This report will detail both the mitigation measures required and how these will be secured (CIEEM, 2017).

3.0 PLANNING POLICY AND LEGISLATION

3.1 Habitat and Species Legislation

Species and habitats receive legal protection in the UK under various legislation, including:

- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Conservation of Habitats and Species Regulation 2017 (as amended) (also known as the Habitat Regulations, it implements the EU Habitats Directive in England and Wales);
- The Countryside Rights of Way (CRoW) Act 2000;
- The Hedgerows Regulations 1997;
- The Protection of Badgers Act 1992;
- The Natural Environment and Rural Communities (NERC) Act 2006;
- Town and Country Planning Act 1990;
- Environment Act 2021; and
- The Biodiversity Gain Site Register Regulations 2024

Where relevant, this report takes into account the legislative protection afforded to specific habitats and species.

3.2 National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how local planning authorities should incorporate them into their own policies and plans. Section 11 of the NPPF contains several policies targeted at enhancing the natural environment and requires local authorities to consider how impacts on biodiversity can be minimised and provide net gains in biodiversity. Additional Planning Practice Guidance (PPGs) supports the NPPF and includes guidance on:

- Landscape;
- Biodiversity, ecosystems and green infrastructure; and
- Brownfield land, soils and agricultural land.

3.3 UK Post-2010 Biodiversity Framework

The UK Biodiversity Action Plan (UK BAP) was succeeded in 2012 by the 'UK Post-2010 Biodiversity Framework' which demonstrates a whole-environment strategy on how the UK contributes to achieving the Convention on Biological Diversity's (CBD) 20 Aichi Biodiversity Targets. In England, 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' (Defra, 2011) sets out the strategic direction for biodiversity policy in the future.

The former UK BAP was used to draw up lists of species and habitats of 'principal importance' which continue to be regarded as priorities under the Post-2010 Biodiversity Framework and are identified under Section 41 of the NERC Act 2006; these species have been considered throughout this report.

3.4 Local Planning Policy & Biodiversity Action Plan

Copeland Council have a Local Plan from 2013 – 2028 which details plans for the borough including those relevant to ecology. Those policies which are relevant are:

- Policy ENV3 – Biodiversity and Geodiversity.
- Policy ENV5 – Protecting and Enhancing the Borough's Landscapes.

Policy ENV3 states:

The Council will contribute to the implementation of the UK and Cumbria Biodiversity Action Plan within the plan area by seeking to:

A. Improve the condition of internationally, nationally and locally designated sites.
B. Ensure that development incorporates measures to protect and enhance any biodiversity interest.
C. Enhance, extend and restore priority habitats and look for opportunities to create new habitat.
D. Protect and strengthen populations of priority or other protected species.
E. Boost the biodiversity value of existing wildlife corridors and create new corridors, and stepping stones that connect them, to develop a functional Ecological Network .
F. Restrict access and usage where appropriate and necessary in order to conserve an area's biodiversity value.

Policy ENV5 states:

The Borough's landscapes will be protected and enhanced by:

A. Protecting all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area.
B. Where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site.
C. Supporting proposals which enhance the value of the Borough's landscapes.
(Copeland Borough Council, 2013).

3.5 Biodiversity Net Gain

The Environment Act 2021 introduced a 10% net gain in biodiversity. From January 2024, this is mandatory under Schedule 14 of the Town and Country Planning Act 1990. This means that develops must deliver a minimum of 10% measurable biodiversity net gain resulting in more or better-quality natural habitat than was present prior to development.

3.6 Species Specific Legislation

Birds

All wild birds in the UK are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally (or recklessly in Scotland) kill, injure or take any wild bird or to take, damage or destroy the nest (whilst being built or in use) or its eggs.

Bird species listed in Schedule 1 of the 1981 Act, receive further protection which makes it an offence to intentionally or recklessly disturb these species while building a nest or in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird.

In addition to statutory protection, some bird species are classified according to their conservation status, such as their inclusion on the Red and Amber lists of Birds of Conservation Concern (BoCC) in the UK (Eaton et al. 2021):

- Red list (high conservation concern) species are those that are Globally Threatened according to IUCN criteria; those whose population has declined rapidly (50% or more) in recent years; and those that have declined historically and not shown a substantial recent recovery.

- Amber list (medium conservation concern) species are those with an unfavourable conservation status in Europe; those whose population or range has declined moderately (between 25% and 49%) in recent years; those whose population has declined historically but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations.

- Green list (low conservation concern) species fulfil none of the above criteria.

Mammals

Bats

All bat species and their roosts in Britain are protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. The implementation of the Countryside and Rights of Way Act 2000 (CRoW, 2000) has amended the WCA 1981 to include 'reckless' damage to, or destruction of a roost, or disturbance of bats whilst in a roost.

Bats are also included on Annex IV of Council Directive 92/43/EEC of 21st May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (known as the Habitats Directive). As a result of the United Kingdom ratifying this directive, all British bats are protected under The Conservation of Habitats and Species Regulations, 2017 (as amended). Combined, these make it an offence to kill, injure, capture or disturb bats or obstruct access to, damage or destroy roosts.

Paragraph 43 of the Regulations states: a person who deliberately disturbs wild animals of any such (European Protected) species, is guilty of an offence. For the purposes of this paragraph, the disturbance of animals includes any disturbance which is likely: -

a. to impair their ability-
   i. to survive, to breed or reproduce, or to rear or nurture their young, or
   ii. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
b. to affect significantly the local distribution or abundance of the species to which they belong.

Under the law, a bat roost is any structure or place used for shelter or protection e.g. a building, bridge, or tree. Bats use many roost sites and feeding areas throughout the year, and they tend to re-use the same roosts for generations.

3.7 Biodiversity Net Gain

In England, Biodiversity Net Gain is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means that developers must deliver a 10% gain in biodiversity where a development will result in more or better-quality natural habitat than there was prior.

4.0 METHODOLOGY

4.1 Desk Based Study

The Multi Agency Geographic Information for the Countryside (MAGIC) website was used to ascertain whether there are any designated sites of interest, on or near the site being surveyed. The Cumbria Biodiversity Data Centre (CBDC) was contacted for records of protected species and sites within 2km of the site.

4.2 Survey Effort

The original ecological assessment took place on 15th November 2023 in accordance with the UK Habitat Classification methodology (Butcher et al., 2020) using the most up to date version on the UK Habitat Classification (Version 2.0). Habitats were recorded on site and then mapped using QGIS, using the fine-scale minimum mapping unit as detailed within the UK Habitat Classification User Manual ($25m^2$, 5m length). Use of Secondary Codes was not restricted with both mandatory and optional codes used.

The survey for bats involved external and internal examination of the property following the methodology outlined in the Bat Worker's Manual (Mitchell-Jones and Mcleish 2004) and the Bat Survey Good Practice Guidelines (BCT, 2023).

Surveys are carried out to BS42020:2013. All surveyors have professional experience of carrying out their respective surveys with surveyor experience in paragraph 4.6 below. The information collected during surveys was approximately mapped and can be found in Figure 3, Appendix A.

4.3 Preliminary Roost Assessment

Building Risk Assessments

The building exteriors and interior were visually assessed for potential access points and evidence of bat activity in November 2023. Features which have potential as access points were sought, such as small gaps in barge/soffit/fascia boards, raised or missing ridge tiles or flashing, and gaps in mortar, brick and/or stonework. Evidence that potential access points were actively used by bats including staining within gaps and bat droppings or urine staining under gaps was recorded. Indicators that potential access points were likely to be inactive included the presence of cobwebs and general detritus within the access.

4.4 Nocturnal Surveys

The nocturnal survey was conducted by surveyors equipped with Echo Meter Touch bat detectors and Night Fox Whisker night-vision binoculars, in line with the 4th edition Bat Survey Guidelines (Collins, 2023) and with guidance from the Thermal Imaging; Bat Survey Guidelines (Fawcett-Williams, 2021).

The emergence survey commenced 15 minutes before sunset and continued until all bats were considered to have emerged in accordance with the Bat Conservation Trust Guidelines.

Table 1: Survey date, personnel, and weather details.

Date	Surveyor 1	Licence No	Additional Surveyors
14/06/2023 Sunset: 21:00 Start: 20:45 End: 22:30 Wind: 1 – 2 Rain: Dry Temp: 14.7°C/ 13.2°C	Laura Thompson	2022-10219-CL18-BAT	Daniel Rose Louise Ellis + 1 extra (Night Fox Whisker night-vision infra-red camera)

4.5 Surveyor Experience

Laura Thompson (bat licence no. 2022-10219-CL18-BAT)

Laura has been working in Ecology since 2011, while studying for her Biology degree from Newcastle University. Early years were spent carrying out a range of bat surveys for various companies. Laura has been employed by Total Ecology since 2017, being promoted to Senior Ecologist in 2022 and Principal in 2024; as a Principal Ecologist Laura undertakes all aspects of Ecology work and project management from initial surveys through to follow-up protected species surveys and supervision work. Laura is an experienced bat Ecologist, having undertaken a range of preliminary roost assessments and nocturnal surveys over the years, as well as hibernation surveys, supervision works, and bat handling. Laura holds her class 2 bat licence in England, as well as a NatureScot bat licence, both English and Scottish licences for great crested newts, and is currently working towards her barn owl licence.

Laura has been working on BNG projects since early in the process and is experienced in using the Biodiversity Metrics from 2.0 onwards, keeping up to date with changes as they develop. She has experience of completing both large and small net gain projects and has attended training in using the metrics to solidify her skills.

Daniel Rose

Daniel has been carrying commercial bat surveys since 2020 after receiving training over multiple evenings from experienced, licenced bat surveyors. Over the last 3 and a half seasons Daniel has gained much experience and has completed many surveys on a range of buildings such as a variety of listed properties, schools, housing, and farm buildings. Daniel has also assisted with BCT Waterways surveys in the past, surveying for Daubenton's bat.

Louise Ellis

Louise underwent in-house training in 2022 by shadowing a senior member of staff prior to undertaking surveys and has been assisting with survey effort since this bat season. Louise has undertaken a great many dusk and dawn nocturnal surveys on projects including re-development and refurbishment projects, MOD demolition projects, and repairs related to listed buildings.

4.6 Controlled Invasive Species

The site was surveyed during an Ecological Walkover survey for the presence of invasive non-native species including Japanese knotweed *Fallopia japonica,* Himalayan balsam *Impatiens glandulifera* and giant hogweed *Heracleum mantegazzianum*, which are listed under Schedule 9 part ii of the Wildlife and Countryside Act 1981 (as amended). Under section 14 of the Act it is an offence to cause the spread or relocation of either species.

4.7 Protected Species and Other Species of Nature Conservation Importance

An appraisal of the habitats present on the site was undertaken during the Ecological Walkover survey, to identify whether there were any signs to suggest the presence of populations of legally protected species or other species of nature conservation importance including mammals, birds, reptiles, amphibians, and invertebrates or that the features present could potentially provide these species with suitable habitats.

4.8 Ecological Impact Assessment

The CIEEM (2018) guidelines are referred to when undertaking an EcIA. The impact assessment process involves identifying and characterising impacts and their effects, and then incorporating measures to avoid and mitigate negative impacts. Following this, the assessment then requires a statement of whether there are any likely significant residual effects after mitigation or avoidance proposals are in place. Where there are significant residual effects, appropriate compensatory measures are proposed to offset the remaining impacts. The EcIA also allows for identifying opportunities for ecological enhancement in line with relevant planning policies.

The assessment takes into account the impacts on each ecological feature determined as ‘important’ (Important Ecological Feature (IEF)), assessing these against all phases of a project (before, during, and post-development) with a decision made on whether they are positive or negative effects. Impacts are characterised by their magnitude and/or extent, duration, frequency, and reversibility where applicable. Impacts may also be direct, indirect, or cumulative as a result of high volume of similar developments in the area for example. The impacts are based on data collected so that site and project specific details can be given as part of the assessment, and where reasonable doubt remains or any uncertainty exists, a significant effect is assumed.

4.8.1 Determining what is an Important Ecological Feature (IEF's)

Determining what is an IEF is based on the outcome of field surveys and data gathering described in the above sections. In accordance with the CIEEM EcIA Guidance (2018), the conservation importance of an IEF is determined through several characteristics. These can include rarity, legal protection/ conservation status, national and local policy, and a species ability to adapt to change. The conservation importance is represented on a geographical scale and is determined according to the criteria in Table 1 below.

Table 2 Nature conservation importance

Conservation importance	**Criteria – Habitats**	**Criteria - Species**
International/ European	Habitats which are listed in Annexe 1 of the Habitats Directive or are included as candidate or proposed SPA, SAC or Ramsar sites.	Species which are listed under Schedule 2 of the Habitats Directive and form a population which would qualify the site for consideration as a SPA or SAC. A species of bird which is part of the cited interest of a SPA, and which regularly occurs in internationally or nationally important numbers. A species of bird present in internationally important numbers (>1% of international population).
National	Habitats which meet the criteria for designation of or occur within a Sit of Special Scientific Interest (SSSI).	Species which are protected under national wildlife legislation such as the Wildlife and Countryside Act or are listed in a national Red Data Book, where the population is a critical part of a wider population or part of a population or assemblage of national significance (e.g. would meet the criteria for the site being designated as a SSSI). A nationally important assemblage of breeding or over-wintering species of bird. A species of bird present in nationally important numbers (>1% UK population). Rare breeding species. Sites with over 115 species of bird breeding on site (Fuller (1980).
Regional	Habitats that are rare or uncommon in the Region.	Species of principle importance under S41 of the NERC Act, which are not covered above, and which regularly occur in regionally important numbers. Species of bird present in regionally important numbers (>1% of regional population). Sustainable populations of rare or scarce species within a region.

		Species on the Birds of Conservation Concern ('BoCC') Red List and which regularly occurs in regionally important numbers. Sites with over 114-85 species of bird breeding on site (Fuller (1980).
County	Habitats that are rare or uncommon in the County that would meet the criteria or are included in a second-tier nature conservation site (Sites of Importance for Nature Conservation ('SINC')/Local Wildlife Site ('LWS'). or which for part of a local BAP or Habitat Action Plan ('HAP').	Species that are rare or uncommon within the County or form part of a population or assemblage that would meet the criteria for inclusion in a SINC. Species of principle importance under S41 of the NERC Act, which are not covered above, and which regularly occur in county important numbers. Species of bird present in county important numbers (>1% of county population). Sustainable populations of rare or scarce species within a county or listed in a county BAP. Species on the BoCC Red List and which regularly occur in county important numbers. Sites with over 84-55 species of bird breeding on site (Fuller (1980)).
District	Habitats that are rare or uncommon on a district level and contribute to biodiversity at a district level.	Species that are rare or uncommon on a district level and contribute to biodiversity at a district level. Species of principle importance under S41 of the NERC Act, which are not covered above, and are rare in the locality or in the relevant Natural Area profile. Species present in numbers just short of county importance. Sustainable populations of rare or scarce species within the locality. A site whose designation falls just short for inclusion for its county important assemblage of birds (e.g., a SINC Site). Other species on the BoCC Red List and which are considered to regularly occur in district important numbers. Sites with over 54-25 species of bird breeding on site.
Local	Habitats that are uncommon or threatened in local area.	Species that are uncommon or threatened in the local area.

		Other species of conservation interest (e.g., all other species of principle importance under S41 of the NERC Act and on the BoCC. Red and Amber list birds which are not covered above) regularly occurring in locally sustainable populations. Sites with over <25 species of bird breeding on site.
Site	Habitats of low importance and rarity	Species that are not protected or rare in the local area. All other BoCC Green-listed common and widespread species.

4.8.2 Characterising Ecological Impacts

The CIEEM EcIA guidance states that when describing ecological impacts and effects, reference should be made to the following characteristics as required:

- Positive or negative
    - Positive – a change that improves the quality of the environment e.g. by increasing species diversity, extending habitat, or improving water quality. This may also include halting or slowing an existing decline in the quality of the environment.
    - Negative – a change which reduces the quality of the environment e.g. destruction of habitat, removal of foraging habitat, habitat fragmentation, pollution.
- Extent - the spatial or geographical area over which the impact/effect may occur under a suitably representative range of conditions (e.g. noise transmission under water).
- Magnitude - refers to size, amount, intensity, and volume. It should be quantified if possible and expressed in absolute or relative terms e.g. the amount of habitat lost, percentage change to habitat area, percentage decline in a species population.
- Duration - defined in relation to ecological characteristics (such as the lifecycle of a species) as well as human timeframes. The duration of an activity may differ from the duration of the resulting effect caused by the activity.
- Frequency and timing
    - Frequency – frequency of a negative impact
    - Timing – negative impacts may be more significant depending on timing of works.
- Reversibility – are negative impacts reversible.

These characteristics are each assessed separately in Section 8 below and are used to assess the magnitude of impacts on a scale of nil impact through to high impact. Using Table 2 below.

Table 3 Classification of characteristics used to evaluate Impacts on IEFs

Characteristic	Magnitude of Impact			
	Nil	**Low**	**Medium**	**High**
Extent	Nil area impacted	Small, localised area/site only	<>	Over a wide area e.g. district wide
Magnitude	Nil loss/change	Minimal loss/change	<>	Substantial loss/change
Duration	Nil duration	Short term (length depending on IEF being impacted and type of impact) – e.g. weeks or several months	<>	Long term (length depending on IEF being impacted and type of impact) – e.g. several years
Timing	Timing has no impact	Non-critical timing	<>	Critical timing
Frequency	Nil impacts	Single or rare event	<>	Frequent and/or numerous event
Reversibility	Nil impacts	Reversible	<>	Irreversible

4.8.3 Assigning Significance

The likely effects of the Proposed Development on each IEF is determined by combining the magnitude of impact and the importance of the IEF to give a level effect as shown in Table 3. The initial evaluation is based on no mitigation works being implemented, and with professional judgement applied based on the various site assessments. Once measures to avoid and mitigate ecological impacts have been taken into account, assessment of the residual impacts are undertaken to determine the significance of their effects on the IEF's. For the purpose of an EcIA, a 'significant effect' is an effect that either supports or undermines biodiversity conservation objectives for the IEF's or for biodiversity in general (CIEEM 2019).

Table 4 Classification of characteristics used to evaluate Impacts on IEFs

Magnitude Impact	**IEF Importance**							
	Negligible	Site	Local	District	County	Regional	National	International/ European
Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Low	Nil	Negligible	Negligible	Negligible	Minor	Minor	Moderate	Moderate
Medium	Nil	Negligible	Minor	Minor	Moderate	Moderate	Major	Major
High	Nil	Minor	Minor	Moderate	Moderate	Major	Major	Major

4.9 Mitigation hierarchy

Mitigation suggested within section 7.0 of the report is done so using the mitigation hierarchy of avoidance, mitigation, compensation. Impacts on IEFs should be avoided where possible, with impact minimised where complete avoidance is not an option. Only as a last resort should compensation occur for unavoidable impacts.

4.10 Constraints and Assumptions

The original PEA survey was conducted in November when plant species are no longer in flower. It is possible that certain plant species are therefore under-represented. However, given the habitats on site, as well as the experience of the surveyor, it is not deemed that this is generally a major constraint.

The bat risk assessment was conducted in November when bat species are less active. However, a number of bats species roost deep in crevices where visible evidence of their presence is less likely to be encountered. In addition, bat species utilise a number of roosts throughout the year and a lack of evidence should not therefore be considered proof of lack of bat roost, as roosts remain protected throughout the year, including periods during which they are not occupied.

5.0 BASELINE CONDITIONS

5.1 Desk Based Study

5.1.1 Designated Sites

The results obtained from the MAGIC search revealed four designated sites within 2km of site, all Sites of Special Scientific Interest. Consultation with CBDC revealed 7 additional designated sites: a mix of County Wildlife Sites, Local Geological Sites, and Sites of Invertebrate Significance.

The site is also identified as being within a SSSI Impact Risk Zone where all planning applications require consultation from the Local Planning Authority with Natural England.

A summary of designated sites within 2 kilometres of the land in question is given in Table 4 below.

Table 5 Designated sites within 2km.

Site Name	Designation	Approx. Distance from Site	Further Information
Florence Mine	SSSI	800m south-east	The site is designated due to its geological interest.
Clints Quarry	SSSI, Site of Invertebrate Significance, Local Geological Site	963 metres north-west	Clints Quarry features a rich limestone flora of a rare type in Cumbria. Habitats include species-rich neutral and calcareous grasslands, and woodland and shrub communities. The site is also of geological importance.
Black Moss	SSSI	1.5km south-east	The site comprises a small lowland raised bog, the only example of this rare habitat in the locality and the most westerly example of lowland raised bog in England. The site is relatively intact and unmodified where the low domed structure of the peat body is clearly visible and where the margins of the mire are not bounded by peripheral or lagg watercourses there is a natural transition from acid mire to the vegetation of the surrounding mineral soils. Typical transitional communities at Black Moss include marginal fen and birch carr. In addition to the main bog communities Black Moss supports willow carr, peripheral

			woodland and scrub, acid marshy, and semi-improved neutral grassland.
River Ehen (Ennerdale Water to Keekle Confluence)	SSSI	1.7km north	For much of its upper length the River Ehen is classed as an oligotrophic river flowing over bryophyte-dominated substrates of shingle, pebbles and rock. Above Ennerdale Bridge the catchment is largely composed of acidic rocks of the Borrowdale Series and Skiddaw Slates. Downstream from Ennerdale Bridge the river is slightly enriched by streams flowing from Limestones and Millstone Grits of the Carboniferous Series. Between Ennerdale Water and the confluence with the River Keekle at Cleator Moor the Ehen meanders across a narrow floodplain with extensive areas of riparian woodland and trees. This stretch of the river supports outstanding populations of the freshwater mussel *Margaritifera margaritifera*. Collectively, this is the largest known population of this species in England and the only one showing recent recruitment. It is the third largest population in Britain. An important feature of this stretch of the Ehen is the amount of tree shade along the banks. Bankside shade appears to be of great importance for the mussels.
Fish Hatcheries	County Wildlife Site	680m south-east	No further information.
River Ehen Ponds	County Wildlife Site	1km north	No further information.
Oxenriggs Pond	County Wildlife Site	1.2km south-east	No further information.
Longlands Lake	County Wildlife Site	1.4km north	No further information.
Orebank House Quarry	Local Geological Site	1.5km north-west	N/A.

Additionally, the site is within a Special Site of Scientific Interest Impact Risk Zone (SSSI IRZ) which lists that all proposals may have a potentially significant impact on the nearby designated sites.

5.1.2 Wildlife and Green Corridors

The site is not identified within the local plan as a wildlife corridor, area of green infrastructure, or similar. The site itself is mostly urban hardstanding with negligible connectivity to the surrounding area.

5.1.3 Protected/ Notable Species Data (2km)

CBDC provided the following data regarding protected and notable species within 2km of site. This data has been selected from the full package provided to those relevant to site given the habitats present.

Table 6: Relevant protected / notable species within 2km

Common Name	Scientific Name	No. Records	Date of most recent record
Hedgehog	*Erinaceus europaeus*	101	2020
Badger	*Meles meles*	3	2003
Daubenton's bat	*Myotis daubentonii*	3	2017
Myotis bat	*Myotis sp.*	3	2018
Noctule	*Nyctalus noctula*	4	2020
Common pipistrelle	*Pipistrellus pipistrellus*	6	2018
Soprano pipistrelle	*Pipistrellus pygmaeus*	7	2018
Pipistrelle species	*Pipistrellus sp.*	5	2007
Red squirrel	*Sciurus vulgaris*	54	2015
Otter	*Lutra lutra*	13	2018
Brown long-eared bat	*Plecotus auritus*	1	2008
Brown hare	*Lepus europaeus*	3	1999
Great Crested Newt	*Triturus cristatus*	15	2011
Bat	*Vespertilionidae*	4	2011
Dingy Skipper	*Erynnis tages*	79	2022
Small pearl-bordered fritillary	*Boloria selene*	1	1982
Small heath	*Coenonympha pamphilus*	32	2016
Wall	*Lasiommata megera*	49	2016
Grayling	*Hipparchia semele*	7	2009
Slowworm	*Anguis fragilis*	3	2009
Common lizard	*Zootoca vivipara*	8	2011
Adder	*Vipera berus*	3	2009

5.2 Walkover Survey

Four main habitat categories were identified within the area under the UKHab system of habitat description. These were:

- h3d – Bramble scrub
- u1b – Developed land; sealed surface
- u1b5 – Buildings
- u1c – Artificial unvegetated, unsealed surface

The following secondary codes were identified on site:

- 81 – Ruderal/ ephemeral
- 847 – Introduced shrub

Appendix A shows the habitat map for the site whilst Appendix B gives additional selected photographs.

Table 7 Habitat descriptions

Habitat Type		Description	Photograph(s)
UKHab	**BNG**		
h3d - Bramble scrub	Bramble scrub	The very south of site is dominated by a strip of bramble *Rubus fruticosus* dominated scrub with a single alder *Alnus glutinosa* present and featuring undesirable species such as broadleaved dock *Rumex obtusifolius*, cleavers *Galium aparine*, rosebay willowherb *Chamerion angustifolium*, and hedge bindweed *Calystegia sepium*.	
u1b – Developed land; sealed surface	Developed land; sealed surface	The northern section of site is a road and car park with a small area of path along the south of building reference A (the most southern building).	
u1b5 - Buildings	Developed land; sealed surface	There are three buildings on site. All buildings are connected. These are a garage showroom, a workshop, and a fuel station canopy. These are not distinguished from other developed land within BNG habitat map and provide negligible ecological value and no habitat units as developed land described above.	 

			
u1c – Artificial unvegetated, unsealed surface	Artificial unvegetated, unsealed surface	The south section of site, as well as some strips to the west and east are made up of a loose gravel which has allowed the presence of ephemeral vegetation to grow through.	
Secondary code 81 – Ruderal/ ephemeral	Ruderal/ ephemeral	Buddleia *Buddleja davidii* is present in areas of site and the loose gravel of artificial unvegetated, unsealed surface has allowed a variety of ephemeral vegetation to emerge. Species recorded include buddleia, dandelion *Taraxacum officinale*, spear thistle *Cirsium vulgare*, common nettle *Urtica dioica*, white clover *Trifolium repens*, sow thistle *Sonchus sp.*, vetch *Vicia sp.*, meadow vetchling *Laythrus pratensis*, geranium *Geranium sp.*, common figwort *Scrophularia nodosa*, greater plantain *Plantago lanceolata*, and black medick *Medicago lupulina*. *These areas are smaller than the minimum mapping units of BNG and have therefore not been included in the metrics map or calculation.	

Secondary code 847 – Introduced shrub	Introduced shrub	There is a patch of introduced shrubs within a corner next to the southernmost building. These are identified as skimmia *Skimmia sp.* and cotoneaster *Cotoneaster sp.* *These areas are smaller than the minimum mapping units of BNG and have therefore not been included in the metrics map or calculation.	

5.2.1 Conservation Importance

Following Table 1 above, the on-site habitats have been assigned a level of conservation importance.

Table 8 Conservation importance of habitats

Habitat Type	Conservation Importance	Justification (Table 1 above)	Approximate area of On-Site habitat
Bramble scrub	Site	Small area of habitat of low importance and rarity, limited quality.	0.01ha
Developed land; sealed surface	Negligible	Of limited/no value.	0.4ha
Buildings	Site	Of very limited value – possibly to bat and birds.	0.14ha
Artificial unvegetated, unsealed surface	Negligible	Of limited/no value.	0.55ha
Ruderal/ ephemeral	Negligible	Of limited/no value due to very small size of habitat, scattered through site.	Negligible.
Introduced shrub	Negligible	Of limited/no value due to very small size of habitat.	Negligible.

5.3 Controlled Invasive Species

One cotoneaster plant was recorded during the site visit. It has not been possible to identify the plant to species-level. It is suspected that this is not a Schedule 9 invasive species however this is not confirmed.

5.4 Protected Species and Notable Species

5.4.1 Breeding and Wintering Birds

CBDC returned 2531 records of birds within 2km of site. Records are present for red and amber-listed species and well as Schedule 1 species. Schedule 1 species have been redacted within the records so no further details on species can be provided. Records are generally from within Egremont.

Black-headed gulls *Chroicocephalus ridibundus* were observed flying over site with goldfinches *Carduelis carduelis* heard in adjacent vegetation. However, no birds were seen to utilise site. It is possible that nesting could occur within bramble scrub to the south but generally the site provides very little opportunities for birds.

Site Evaluation – Birds

The site provides such low-quality opportunities for birds that it is of Site importance at most. It is likely that any species which do utilise site are commonly occurring species and is unlikely that any rarer or red/ amber- listed species will use site to any major degree.

5.4.2 Bats

There are 17 bat species found across the UK with species ranging from abundant and widespread (typically common pipistrelle *Pipistrellus pipistrellus* and soprano pipistrelle *Pipistrellus pygmaeus*) to rare (including Bechsteins' bat *Myotis bechsteinii,* barbastelle *Barbastella barbastellus*, and the horseshoe bats *Rhinolophus spp.).*

Thirty-three records of bat, comprising 5 species, have been returned from CBDC. Records include 10 roosts, 2 of which are maternity roosts of common pipistrelle; Daubenton's bat, and soprano pipistrelle have also been recorded roosting. Roosts are detailed from within bat boxes and bat houses, with no further information provided for other roosts. The closest bat record to site is around 200m and is a common pipistrelle roost.

One granted European Protected Species licence is detailed on MAGIC. The licence is dated 2012 and was for the destruction of common and soprano pipistrelle resting places.

The buildings were assessed during the site visit for their potential to support bat species. The records returned from CBDC show that bats are present within Egremont. However, the site is deemed to be poor for the species with only bramble scrub on site suitable as sub-optimal foraging and/ or commuting habitat. There is overall a lack of useful habitats on, or within the immediate vicinity of site. Given the lack of roosting opportunities on buildings A & C, linked with the relatively poor surrounds, these buildings were classed as holding negligible bat roosting potential (BRP). Building B featured many more opportunities for bats to roost but given the area and building-type, is only likely to support low

numbers of common species. This building has therefore been classed as holding low BRP. Full details of building features are within Table 10 below, with assessment criteria in Table 9.

5.4.2.1 *Buildings*

Table 9 Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape, to be applied using professional judgement (Collins, 2023).

Potential Suitability	Description	
	Roosting Habitats in structures	**Potential flight-paths and foraging habitats**
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e., a complete absence of crevices/ suitable shelter at all ground/ underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e., no habitats that provide continuous lines of shade/ protection for flight-lines or generate/ shelter insect populations available to foraging bats).
Negligible[a]	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion .	No obvious habitat features on site likely to be used as flight-paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions[b] 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 and not a classic cool/ stable hibernation site, but could be used by individual hibernating bats[c]).	Habitat that could be used by small numbers of bats as flight-paths 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 parkland situation) or a patch of scrub.
Moderate	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, such as maternity and hibernation – the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).	Continuous habitat connected to the wider landscape that could be used by bats for flight-paths 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	A structure 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. These structures have the potential to support high conservation status roosts, e.g., maternity or classic cool/ stable hibernation state.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight-paths 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 broad-leaved woodland, tree-lined watercourses, and grazed parkland. Site is close to and connected to known roosts.

[a] Negligible is defined as 'so small or unimportant as to be not worth considering, insignificant'. This category may be used where there are places that a bat could roost or forage (due to one attribute) but it is unlikely that they actually would (due to another attribute).

[b] For example, in terms of temperature, humidity, height above ground level, light levels or levels of disturbance.

[c] Evidence from the Netherlands shows mass swarming events of common pipistrelle bats in the autumn followed by mass hibernation in a diverse range of building types in urban environments (Korsten et al., 2016 and Jansen et al., 2022). Common pipistrelle swarming has been observed in the UK (Bell, 2022 and Tomlinson, 2020) and winter hibernation of numbers of this species has been detected a Seaton Delaval Hall in Northumberland (National Trust, 2018). This phenomenon requires some research in the UK, but ecologists should be aware of the potential for larger numbers of this species to be present during the autumn and winter in prominent buildings in the landscape, urban or other.

Table 10 Building Structural Features.

Building	Building construction details	Structural features present						Internal features	Potential bat access and roosting points	Evidence	Bat Roosting Potential
		Gables	Barge boards	Soffit boards	Fascia boards	Flashing	Roof void				
A	Single-storey warehouse building (two-storey height). Concrete with concrete render. Metal cladding along top section of building. On southern elevations the bottom section of building is glass. Porch canopy on south-east with metal cladding and flat roof. Roof also metal, gently pitched. Metal doors and uPVC window frames where present. Roller doors present on west elevation.	✓	×	×	×	×	×	Concrete floors and walls. Open to roofing material (no loft void). Internal offices present.	Section of cladding loose on south elevation.	None.	Negligible
B	Two-storey height warehouse. Brick and breeze block with concrete render and asbestos cladding around top section of building as well as roof. Roof gently pitched. Some metal cladding on	✓	×	✓	×	×	×	Concrete floor and walls. Open to roof. Internal offices at ground and first-floor level.	Large hole in wall of south-western lean-to allowing entrance into building and wall-cavity.	None.	Low

Building	Building construction details	Structural features present						Internal features	Potential bat access and roosting points	Evidence	Bat Roosting Potential
		Gables	Barge boards	Soffit boards	Fascia boards	Flashing	Roof void				
	south elevation where joins building A. Concrete supports. Flat metal roofed canopy section attached to building on north end. Shed-roofed lean-to on south-west elevation with concrete render and wooden soffits. Felt roofing material.								Gaps behind cladding. Gaps between concrete supports and main building on corners. Missing roofing material on west elevation. Holes in brickwork and cracked render on south-west corner.		
C	Flat metal canopy of disused fuelling station.	×	×	×	×	×	×	N/A	None.	None.	Negligible

5.4.2.2 *Nocturnal Survey*

Due to the low risk of building B to support roosting bats, a single nocturnal survey was carried out.

8th June 2024, Dusk Emergence Survey: Bat activity was relatively low during the survey though passes by noctule and common pipistrelle were heard. Bats were generally commuting past site and mostly unseen by surveyors as they did not fly around the building. No roosts were recorded.

Site Evaluation - Bats

The site has negligible importance to bats with those heard on survey generally behind surveyors in surrounding habitat.

5.5 Conservation Importance Summary Table

Table 11 Summary of the Conservation Importance of all Ecological Features

Habitat/ Species	Conservation Importance
Designated sites	National
Habitats	Site
Invasive species	Local
Birds	Site level importance at most
Bats	Negligible

6.0 IMPACT ASSESSMENT

6.1 Description of Development

The proposed development is for the clearing of site before the erection of an Aldi food store with associated soft landscaping and car parking provisions.

6.2 Assessment of effects and mitigation measures

Potential impacts are evaluated below. Initial assessment of impacts is undertaken as worst-case scenario, assuming no mitigation measures are in place.

6.2.1 Item 1: Designated Sites

Receptor: Statutory and non-statutory designated sites surrounding the proposed development.
Potential Impacts:
There are 11 designated sites within 2km of the development site. Sites are designated for a number of reasons including the habitats present, invertebrates they support, and for geological interests. The development site is not functionally connected to any designated sites and does not provide any similar opportunities for invertebrates or other protected species. It is very unlikely that works on site will lead to impacts on any designated sites. However, the site is within a SSSI IRZ which details that all developments should undergo consultation with Natural England via the Local Planning Authority. This means that without mitigation, works could deteriorate (a moderate impact magnitude) a nationally designated site leading to a severe significant impact.
Proposed avoidance or mitigation:
Consultation with Natural England to ensure impacts will not occur, or to plan mitigation if necessary.
Significance of effects of residual impacts after mitigation After mitigation impacts will be ***Nil*** and ***Not Significant***.

6.2.2 Item 2: Habitats

Receptor: Habitats on site.
Potential Impacts:
Construction Phase

The proposed development will result in the permanent loss of all habitats across the whole of the site. These habitats are of site or of negligible importance. The site is not functionally linked to other habitats. Due to the loss of low value habitats, there is a non-significant impact expected. *Operational Phase* There will be no retained habitats on site, and no adjacent habitats to be impacted by the operational phase, and therefore a negligible impact is expected at this stage.
Proposed avoidance or mitigation:
Construction Phase All habitats to be lost. Methodologies detailed in Item 4 and 6 below will reduce impacts on wildlife during the site clearance. A BNG report has been prepared separately which shows that the development will result in a 970.59% gain in biodiversity on site, after proposals. *Operational Phase* An Ecological Management and Monitoring Plan (or similar) should be produced and adhered to, to ensure net gain in biodiversity/ created habitats remain in place during the operational phase of the development.
Significance of effects of residual impacts after mitigation After mitigation, there will be a ***beneficial impact*** on habitats, with better-quality habitats in place.

6.2.3 **Item 3: Invasive Species**

Receptor: Surrounding habitats
Potential Impacts:
There is one cotoneaster plant on site which could not be confirmed to species level. This will be assessed as worst-case scenario and assumed to be an invasive non-native plant species. Without mitigation it is possible (though unlikely) that this species could spread to adjacent land. Given that the presence of this species would deteriorate other local habitats, the spread of this plant could cause a moderate impact magnitude at a local level creating a slight moderate impact.
Proposed avoidance or mitigation:
An invasive plant specialist should be employed to appropriately remove the cotoneaster from site. All plant waste should be disposed of responsibly.
Significance of effects of residual impacts after mitigation After mitigation, there will be a ***nil impact***.

6.2.4 **Item 4: Birds**

Receptor: Birds utilising the habitats on and adjacent to the Site
Potential Impacts:
Construction Phase It is possible that commonly occurring local species of bird (site importance) will nest within bramble scrub and/ or on the building on site. Should birds be nesting on or within these features when works commence, it is possible that nesting birds will be disturbed with nests likely destroyed, which are offences. Additionally, the works will temporarily result in a loss of nesting opportunities, though these will be replaced in the operational phase. As species are likely to be of local importance at most, a slight significant impact will result from this. *Operational Phase* During the operational phase there will be more opportunities for birds to utilise site with other neutral grassland providing feeding opportunities and scrub and trees presenting opportunities to nest. These features are due to remain in place and therefore there will be a beneficial impact during the operational phase, as a result of works.
Proposed avoidance or mitigation:
Construction Phase Site clearance will aim to avoid the nesting bird period March – August. Should it be necessary to carry out works during this period then a nesting bird check must be carried out by a suitably qualified ecologist no more than 48 hours prior to works progressing. *Operational Phase* No mitigation is considered necessary.
Significance of effects of residual impacts after mitigation After mitigation, there will be an overall ***beneficial effect*** for birds. Although nesting opportunities will be lost during works, these will be replaced with additional opportunities. Mitigation will also ensure that no nesting birds/ active nests are disturbed or destroyed.

6.2.5 **Item 5: Bats**

Receptor: Bats using the habitats on Site
Potential Impacts:
Construction Phase

The nocturnal bat survey revealed that bats do not significantly use site, with no roosts identified and no significant commuting or foraging routes/ locations. Therefore, works during construction are expected to have a negligible effect on bats. *Operational Phase* During the operational phase it is possible that bats will forage on site with the addition of higher-quality habitats. It is unlikely that bats will roost on site with no provisions put in place.
Proposed avoidance or mitigation:
N/A
Significance of effects of residual impacts after mitigation The impact on bats will be ***Nil***, and ***Not Significant***.

6.3 Summary

Below is a summary of all residual effects and the mitigation measures required, which have either been submitted as part of the planning application or should be conditioned.

Table 12: Significance of Residual Effects of Each Feature

Receptor	Residual Effect	Mitigation Summary
Designated Sites	Nil & Not Significant	N/A
Habitats	Beneficial	The BNG details a large increase in biodiversity on site through the creation of better-quality habitats than those due to be lost. These will be retained via an Ecological Management and Monitoring Plan or similar.
Invasive Species	Nil & Not Significant	Use of specialist contractor to eradicate these species from Site.
Birds	Beneficial	Avoidance of the nesting bird season (March – August) for vegetation clearance or checks for nesting birds would be required.
Bats	Nil & Not Significant	N/A

6.4 Cumulative Impacts

As no negative residual impacts are expected, it is very unlikely that other developments in the area will lead to a significant cumulative impact.

7.0 RECOMMENDATIONS

7.1 Avoidance, Mitigation and Compensation Measures

7.1.1 Avoidance

Avoidance works recommended include the avoidance of working within the nesting bird season (March – August) which will in turn, avoid negative impacts on nesting birds.

7.1.2 Mitigation

Recommended mitigation includes the creation of an Ecological Management and Monitoring Plan or similar as well as the use of a specialist contractor to remove cotoneaster from site.

7.1.3 Compensation/Enhancements

The BNG report details the enhancements to be made to site which will leave the site in an improved condition after proposals are completed. The addition of higher-quality habitats on site also provides enhancements for nesting birds and foraging bats within the locality. Given the lack of use of the site by bats currently, no further compensation is deemed necessary.

8.0 REFERENCES

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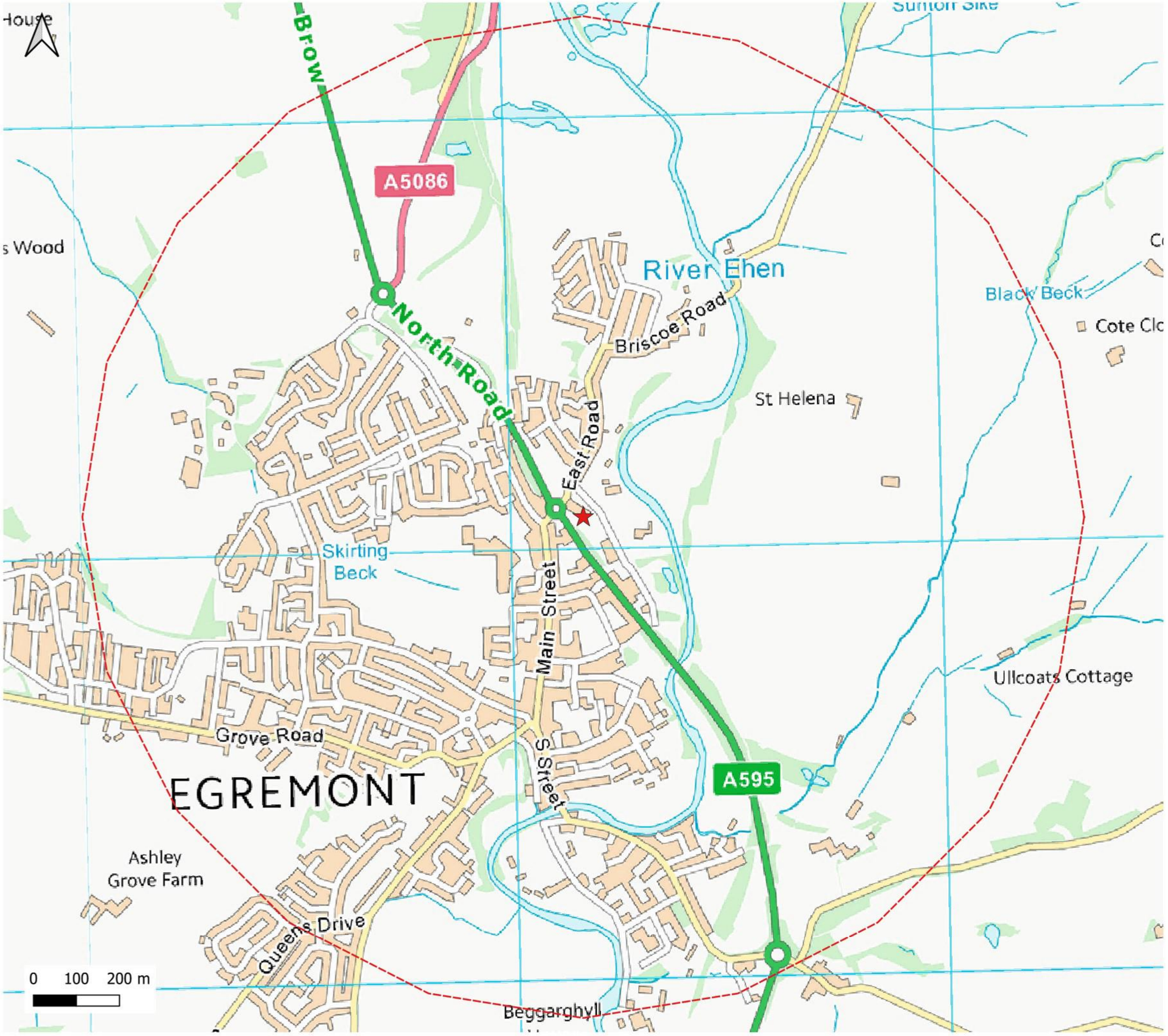
Total Ecology (2023) Aldi Egremont – PEA & PRA Report

Total Ecology (2024) Aldi Egremont – BNG Report

APPENDIX A

Figures



Legend

- Site Location
- 2km Buffer

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Project	Aldi Egremont
Title	Site Location
Client	Aldi
Date	21/11/2023
Ref	Figure 1

Legend

Red Line Boundary

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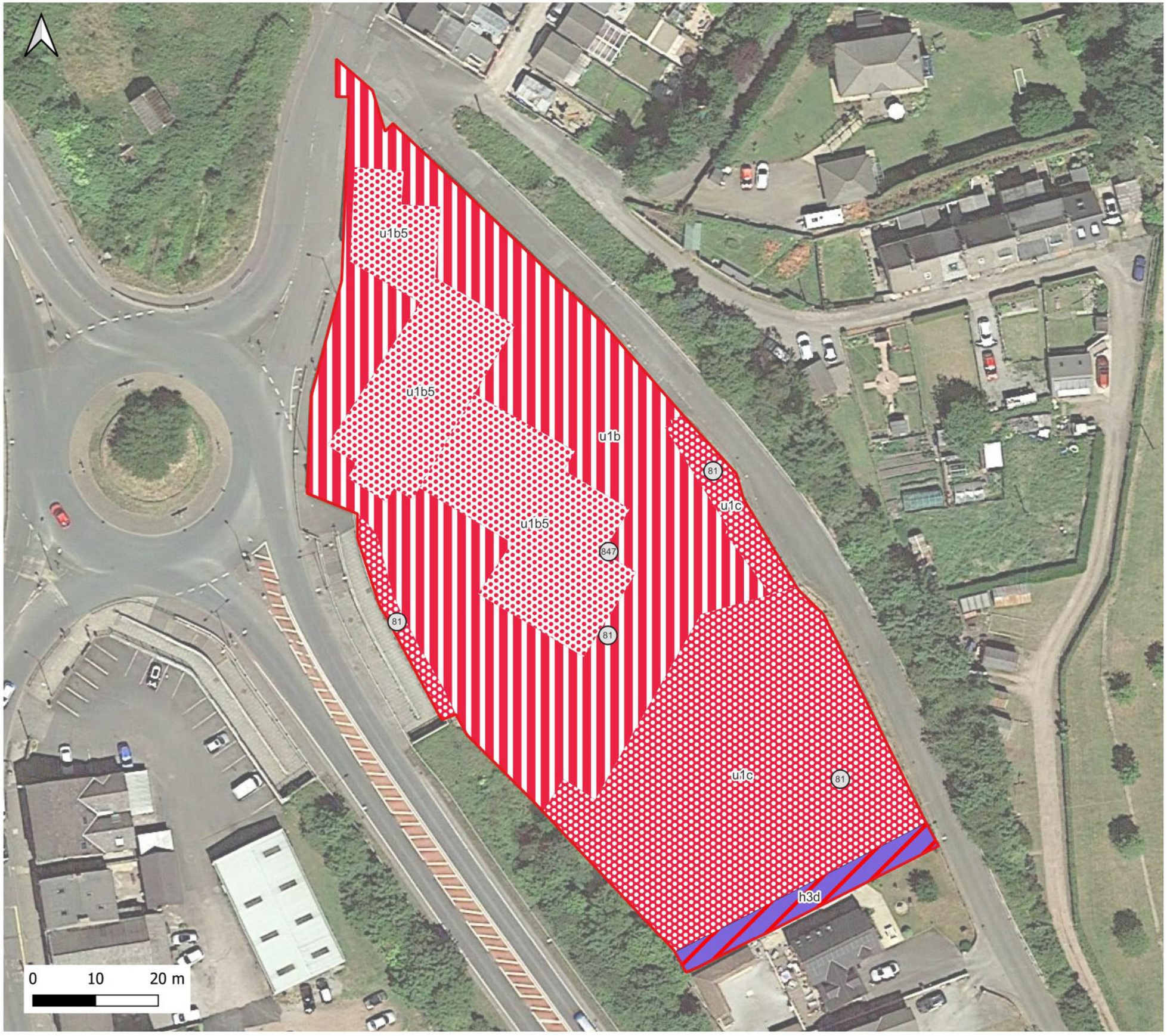
Project	Aldi Egremont
Title	Aerial Map
Client	Aldi
Date	21/11/2023
Ref	Figure 2



Legend

Red Line Boundary

Habitats

- h3d - Bramble scrub
- u1b - Developed land; sealed surface
- u1b5 - Buildings
- u1c - Artificial unvegetated, unsealed surface

Secondary Codes

- 81 - Ruderal/ ephemeral
- 847 - Introduced shrub

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Project	Aldi Egremont
Title	Habitat Map
Client	Aldi
Date	03/01/2024
Ref	Figure 3

Legend

Red Line Boundary

Bat Roosting Potential

Negligible

Low

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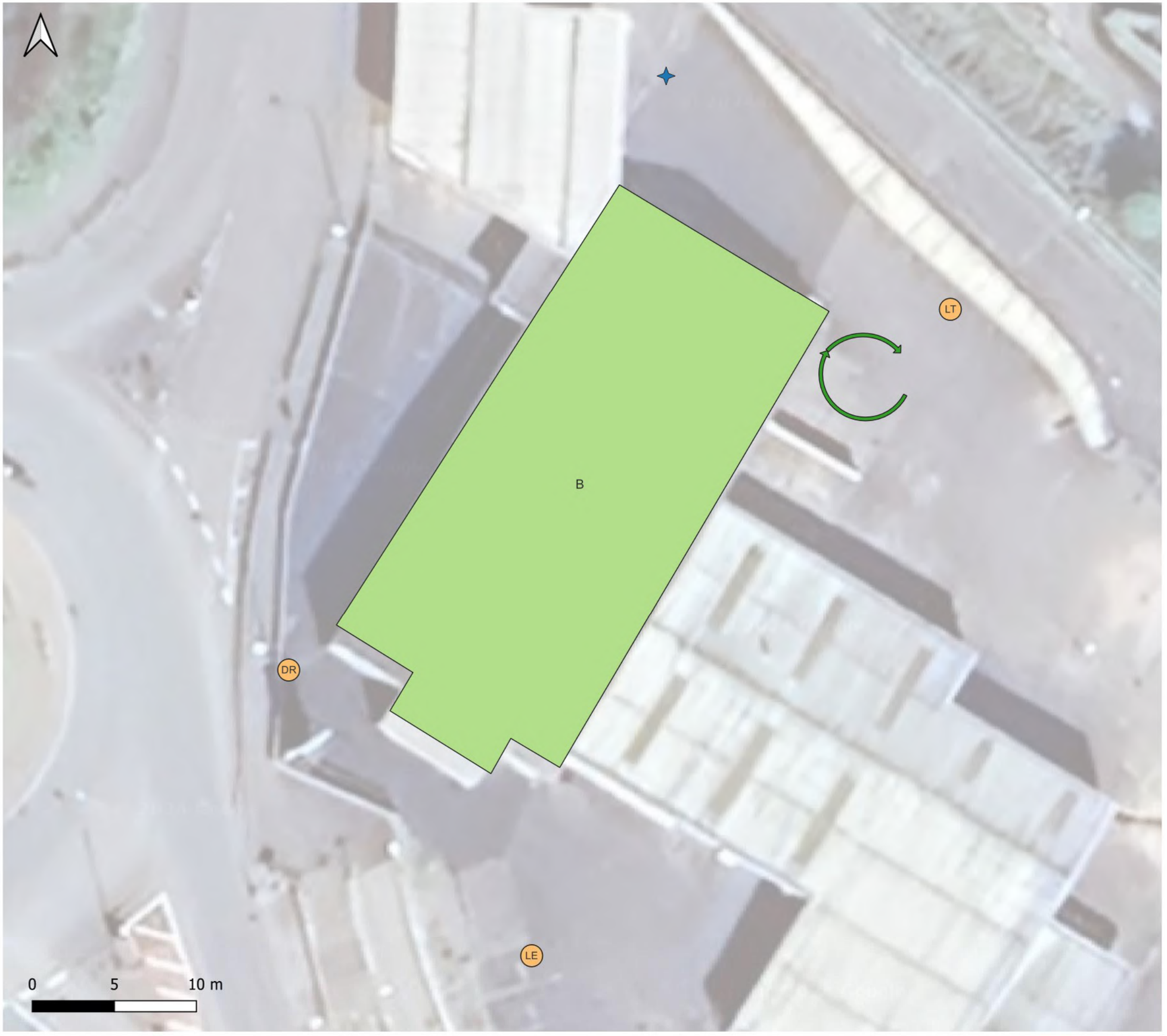
Project	Aldi Egremont
Title	Building Reference Plan
Client	Aldi
Date	21/11/2023
Ref	Figure 4



Legend

Red Line Boundary

Bat Roosting Potential

Low

Surveyor & Camera Location

Additional Camera Location

Bat Activity

Foraging

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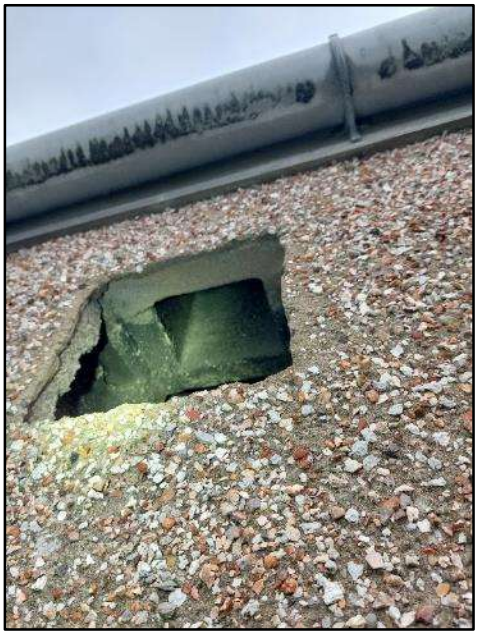
Project	Aldi Egremont
Title	Bat Nocturnal Plan: 08/05/2024
Client	Aldi
Date	29/05/2023
Ref	Figure 5

APPENDIX B

Additional Selected Photographs

Photograph 1 Internal of building reference B with internal office above.



Photograph 2 Hole leading into cavity of breeze block of building reference B.

Photograph 3 Missing render, hole and cracks all providing potential for roosting bats.

Photograph 4 Example of infra-red camera view at darkest point of nocturnal survey.

APPENDIX C

Report Conditions

TOTAL ECOLOGY

REPORT CONDITIONS

Aldi Egremont

This report is produced solely for the benefit of Avison Young & Aldi and no liability is accepted for any reliance placed on it by any other party unless specifically agreed in writing otherwise.

This report is prepared for the proposed uses stated in the report and should not be used in a different context without reference to Total Ecology. In time improved practices, fresh information or amended legislation may necessitate a re-assessment. Opinions and information provided in this report are on the basis of Total Ecology using due skill and care in the preparation of the report.

This report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times.

This report is limited to those aspects reported on, within the scope and limits agreed with the client under our appointment. It is necessarily restricted and no liability is accepted for any other aspect. It is based on the information sources indicated in the report. Some of the opinions are based on unconfirmed data and information and are presented as the best obtained within the scope for this report.

Reliance has been placed on the documents and information supplied to Total Ecology by others but no independent verification of these has been made and no warranty is given on them. No liability is accepted, or warranty given in relation to the performance, reliability, standing etc of any products, services, organisations, or companies referred to in this report.

Whilst skill and care have been used, no investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather-related conditions.

Although care is taken to select monitoring and survey periods that are typical of the environmental conditions being measured, within the overall reporting programme constraints, measured conditions may not be fully representative of the actual conditions. Any predictive or modelling work, undertaken as part of the commission will be subject to limitations including the representativeness of data used by the model and the assumptions inherent within the approach used. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions.

The potential influence of our assessment and report on other aspects of any development or future planning requires evaluation by other involved parties.

The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. Total Ecology accept no liability for issues with performance arising from such factors

February 2008