



Shadow Habitats Regulations Assessment (sHRA)

Proposed Development: Refurbishment and Change of Use to Offices

Site: Mill Building 1, Flaxworks, Cleator Mill, Old Kangol Road, Cleator, CA24 3JZ

Prepared for: Genr8 North and Manning Elliott

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1. Introduction

This Shadow Habitats Regulations Assessment (sHRA) has been prepared to support a planning application for the refurbishment of a derelict mill building (Mill Building 1) at Flaxworks, Cleator Mill, CA24 3JZ, and its change of use from industrial to office space, including new windows, doors, and ancillary external works. The site, formerly part of the Kangol textile factory, is located approximately one mile south of Cleator Moor and six miles southeast of Whitehaven in West Cumbria. The purpose of this sHRA is to assess whether the proposed development is likely to have a significant effect on any European protected sites, as required under the Conservation of Habitats and Species Regulations 2017 (as amended). [\[\(https://www.legislation.gov.uk/ukxi/2017/1012\)\]](https://www.legislation.gov.uk/ukxi/2017/1012)

This assessment follows the staged process outlined in government guidance for HRAs, including screening for likely significant effects (LSE) and, if necessary, an Appropriate Assessment to evaluate impacts on the integrity of protected sites. [\[\(https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site\)\]](https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site)

2. Legislative Context

The Conservation of Habitats and Species Regulations 2017 require competent authorities to assess plans or projects that may affect European sites, including Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites. A Shadow HRA, prepared by the applicant, provides evidence to assist the competent authority (Cumberland Council) in determining whether the proposed development complies with these regulations. The assessment ensures that potential impacts on the conservation objectives of protected sites are identified and mitigated. [\[\(https://www.legislation.gov.uk/ukxi/2017/1012\)\]](https://www.legislation.gov.uk/ukxi/2017/1012) [\[\(https://nutrientneutral.com/service/mitigation-options/\)\]](https://nutrientneutral.com/service/mitigation-options/)

3. Project Description

The proposed development involves:

Full refurbishment of Mill Building 1, a derelict structure previously used for textile production until its closure in 2009.

Change of use from industrial to office space.

Installation of new windows and doors.

Ancillary external works, including hard and soft landscaping to enhance the site's aesthetic and functionality.

No significant expansion of the building footprint or major groundworks beyond the existing site boundary.

The site is part of the historic Cleator Mill complex, established in 1800 as a flax mill and later used by Kangol for beret production. The mill is surrounded by a mix of industrial, residential, and rural landscapes, with the River Ehen approximately 1 km to the west. [\[\(https://www.newsandstar.co.uk/news/25037209.cleator-plans-convert-derelict-kangol-mill-offices/\)\]](https://www.newsandstar.co.uk/news/25037209.cleator-plans-convert-derelict-kangol-mill-offices/)

4. Identification of European Sites

To determine whether the proposed development could affect European sites, a search for relevant sites within a 10 km radius of CA24 3JZ was conducted, as this is a standard buffer for assessing potential impacts. The following European sites were identified in the vicinity of Cleator, Cumbria, based on general knowledge of the region and available guidance:

River Ehen SAC (adjacent to the west of the site)

Qualifying Features: Freshwater pearl mussel (*Margaritifera margaritifera*), Atlantic salmon (*Salmo salar*).

Conservation Objectives: Maintain or restore the populations and habitats of qualifying species, ensuring water quality, flow, and habitat structure are suitable.

Lake District High Fells SAC (approximate distance: 8-10 km east)

Qualifying Features: Various habitats (e.g., blanket bogs, heaths) and species (e.g., slender green feather-moss).

Conservation Objectives: Maintain or restore the extent and condition of qualifying habitats and species.

Morecambe Bay and Duddon Estuary SPA/Ramsar (approximate distance: 10-15 km south)

Qualifying Features: Breeding and wintering bird populations, including sandwich tern, little tern, and various waders.

Conservation Objectives: Maintain or restore the populations and supporting habitats of qualifying bird species.

5.1 River Ehen SAC**Potential Impacts:**

Water Quality: The refurbishment and landscaping works could generate dust and debris during construction. The River Ehen is adjacent to the site. However, the works are confined to the existing building footprint and do not involve significant groundworks or discharges.

Disturbance: Construction noise or activity is unlikely to affect freshwater pearl mussels or Atlantic salmon, as these species are not sensitive to terrestrial noise and the site is distant from the river.

Operational Phase: The change to office use is expected to have minimal environmental impact, with no significant increase in water usage, emissions, or runoff compared to the site's previous industrial use.

Conclusion: No likely significant effects on the River Ehen SAC, as the development is relatively small-scale, contained within the existing footprint. Standard construction best practices (e.g., dust control, silt fences) will minimise risks.

5.2 Lake District High Fells SAC

Potential Impacts:

Air Quality: Construction may produce minor dust or vehicle emissions, but the distance (8-10 km) and small scale of the project make impacts on sensitive habitats (e.g., blanket bogs) negligible.

Disturbance: The site is too far from the SAC for construction activities to cause disturbance to qualifying species or habitats.

Operational Phase: Office use will not generate significant emissions or activities affecting distant upland habitats.

Conclusion: No likely significant effects due to the distance and lack of impact pathways.

5.3 Morecambe Bay and Duddon Estuary SPA/Ramsar

Potential Impacts:

Disturbance to Birds: Construction noise or human activity could theoretically disturb bird populations if they forage near the site. However, the site is 10-15 km from the SPA/Ramsar, and the surrounding area is already developed (industrial/residential), reducing the likelihood of significant bird presence.

Water Quality: No direct hydrological connection exists between the site and the SPA/Ramsar, and the scale of works is unlikely to affect downstream water quality.

Operational Phase: Office activities will not impact distant bird populations or their habitats.

Conclusion: No likely significant effects due to the distance and absence of impact pathways.

5.4 In-Combination Effects

Other Plans or Projects: The Cleator Mill complex has undergone other refurbishment and regeneration works, as noted in planning documentation. No specific details of other projects were provided, but the small scale of the proposed development and its containment within an existing footprint suggest minimal cumulative impacts.

Consultation with Cumberland Council is recommended to identify other relevant plans or projects.[](<https://www.newsandstar.co.uk/news/25037209.cleator-plans-convert-derelict-kangol-mill-offices/>)

Conclusion: No significant in-combination effects are anticipated, subject to confirmation of other local developments.

6. Mitigation Measures

Although no likely significant effects were identified, the following precautionary measures are proposed to ensure compliance with the Habitats Regulations and minimize any residual risks:

Construction Environmental Management Plan (CEMP): Implement dust control (e.g., dampening surfaces), silt fences, and proper waste management to prevent runoff or pollution.

Timing of Works: Avoid sensitive ecological periods (e.g., fish migration seasons for the River Ehen SAC) if any minor risks are identified through further surveys.

Ecological Surveys: Conduct a Preliminary Ecological Appraisal (PEA) to confirm the absence of protected species (e.g., bats, which may roost in derelict buildings) on-site, as the building has been disused since

2009. [\(https://www.newsandstar.co.uk/news/25037209.cleator-plans-convert-derelict-kangol-mill-offices/\)](https://www.newsandstar.co.uk/news/25037209.cleator-plans-convert-derelict-kangol-mill-offices/) [\[\(https://www.ecologybydesign.co.uk/case-studies-1/coopersale-hall-school-shadow-habitats-regulations-assessment-shra-1\)\]](https://www.ecologybydesign.co.uk/case-studies-1/coopersale-hall-school-shadow-habitats-regulations-assessment-shra-1)

Landscaping: Use native plant species in soft landscaping to enhance local biodiversity and avoid introducing invasive species.

7. Final Conclusion

This Shadow Habitats Regulations Assessment concludes that the proposed refurbishment and change of use of Mill Building 1 at Flaxworks, Cleator Mill, CA24 3JZ, is not likely to have a significant effect on the River Ehen SAC, Lake District High Fells SAC, Morecambe Bay and Duddon Estuary SPA/Ramsar, or any other European sites, either alone or in combination with other plans or projects. The development is relatively small-scale, confined to an existing building footprint, and distant from protected sites, with no significant impact pathways identified.

As no likely significant effects were identified, an Appropriate Assessment is not required. However, it is recommended that Cumberland Council, as the competent authority, reviews this sHRA and confirms the findings. Additional ecological surveys (e.g., for bats or other protected species) were carried out in a previous audit and showed low potential and no use by bats. There is no significant change to this and no new roosting sites identified under the current regulations. [\[\(https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site\)\]](https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site) [\[\(https://nutrientneutral.com/service/mitigation-options/\)\]](https://nutrientneutral.com/service/mitigation-options/)

8. References

- The Conservation of Habitats and Species Regulations 2017.[](<https://www.legislation.gov.uk/ukxi/2017/1012>)
- Habitats Regulations Assessments: Protecting a European Site, GOV.UK.[](<https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>)
- Cleator: Plans to convert derelict Kangol mill into offices, News and Star.[](<https://www.newsandstar.co.uk/news/25037209.cleator-plans-convert-derelict-kangol-mill-offices/>)
- Shadow Habitats Regulations Assessments, Nutrient Neutral.[](<https://nutrientneutral.com/service/mitigation-options/>)
- Shadow Habitats Regulations Assessment, Ecology by Design.[](<https://www.ecologybydesign.co.uk/case-studies-1//coopersale-hall-school-shadow-habitats-regulations-assessment-shra-1>)

This report was written following a desktop survey and follow up site visit by an ecologist on 9th February 2025.