

Statement to inform a Habitats Regulations Assessment (Shadow HRA)

Change of use of land at Poolside, Haverigg

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Report 0126/1

Report commissioned by;

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1. INTRODUCTION

1.1 Proposed works

The proposed works involve the removal of two existing outbuildings, and the construction of a new 13.8 x 8.3m garage on the footprint of one of the buildings. A new access track will be required to link this outbuilding with the existing gateway on the south-west corner of the site. Existing hardstanding under outbuildings will be re-instated to garden when they outbuildings are demolished, other than where required for access to the new outbuilding.

The northern half of the site (currently grassland) is classed as commercial land, and the application also includes the change of use of this land to domestic curtilage.

1.2 Location

The site location is circled below.



OS Map copied under licence (No. 100055725)

1.3 Site Description

The walkover survey was carried out by Tamsin Douglas MCIEEM (South Lakes Ecology) on 21st October 2025 as part of the fieldwork for the Preliminary Ecological Appraisal.

The site comprises a large grassy field with hedgerow boundaries (previously used as a caravan site) and smaller grassed area with small outbuildings and an overgrown garden with greenhouse and polytunnel.

The hedgerows are a mixture of native and non-native species and are currently unmanaged. The large grassland has low diversity, and is also currently unmanaged.

The site is within 200m of Duddon Estuary SSSI, Morecambe Bay SPA and Morecambe Bay & Duddon Estuary SAC, with the nearby Poolside flowing directly into the inter-tidal area. Between the property and the protected sites are allotments, a school, caravan park and residential properties.

The Preliminary Ecological Appraisal (South Lakes Ecology report 1125/2) provides a more detailed breakdown of habitats on site, with mapping and site photos.

1.4 Habitat Directive and Natura 2000 sites

Natura 2000 sites include Special Areas of Conservation (SAC) identified following the EU Habitats Directive (1992), and Special Protection Areas (SPA) identified following the EU Birds Directive (1992) and are designated under UK law under Conservation of Habitats and Species Regulations 2010 (as amended)

In accordance with the Habitats Directive, all competent authorities must undertake a formal assessment of the implications of any new proposals or projects that may be capable of affecting the designated interest features of European Sites (SAC and/or SPA) before deciding whether to permit such proposals. A Habitats Regulations Assessment (HRA) refers to the several distinct stages of the formal assessment which must be undertaken in accordance with the UK law. The first stage is a scoping assessment, to assess whether the proposals are likely to have an impact on the protected site(s). If this process identifies likely impacts then the second stage- an Appropriate Assessment - is required, which looks at recommended mitigation measures in conjunction with the proposed development. This stage aims to establish whether the mitigation and avoidance measures will reduce the likelihood of damage to the protected area to an acceptable level.

The proposed development is not on protected land, but is within 200m of Morecambe Bay SAC, Morecambe Bay Ramsar site, Morecambe Bay and Duddon Estuary SPA, and Duddon Estuary SSSI- the boundaries of which are located on the high tide marks to the south of the site.

1.5 Purpose of this report

This report was requested by the Planning Authority (Cumberland Council) to provide information which will permit them to assess whether impacts on the protected site(s) are likely as a direct or indirect result of these proposals.

An ecology survey has also been requested by the Planning Authority, focussing on the impacts of the project on the local ecology, which should be read in conjunction with this report. This Shadow HRA document aims to collect additional information about the location and adjacent protected sites, relate it to the ecology report and proposed works, and provide any avoidance or mitigation measures to reduce the risk of negative impacts on the protected sites. From this information the competent authority (Cumberland Council) can complete the HRA and decide whether the project should proceed.

IMPACT ASSESSMENT

2.1 Conservation importance of interest features

Two European protected sites are close to the proposed development. The boundary of both of these sites follow the high tide level around the western shore of the Duddon Estuary, around the coast of Millom and Haverigg. The SAC has its northernmost boundary just beyond Haverigg, whereas the SPA continues north to the Esk Estuary. At their closest the SPA and SAC are approximately 195m (south) from the proposed development.

Morecambe Bay SAC

This is a large protected marine and intertidal area incorporating various important habitats. Designated habitats and species include:

- 1130 Estuaries
- 1140 Mudflats and sandflats not covered by seawater at low tide
- 1160 Large shallow inlets and bays
- 1220 Perennial vegetation of stony banks
- 1310 Salicornia and other annuals colonizing mud and sand
- 1330 Atlantic salt meadows
- 2120 Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes")
- 2130 Fixed coastal dunes with herbaceous vegetation ("grey dunes")
- 2190 Humid dune slacks
- 1166 Great crested newt *Triturus cristatus*

Morecambe Bay and Duddon Estuary SPA

This is an extensive protected area that is designated for its internationally important assemblage of breeding and non-breeding birds. The non-breeding birds listed are waders and wildfowl including:

- Whooper swan *Cygnus Cygnus*
- Little egret *Egretta garzetta*
- European golden plover *Pluvialis apricaria*
- Bar-tailed Godwit *Limosa lapponica*
- Ruff *Calidris pugnax*
- Mediterranean gull *Larus melancephalus*
- Pink-footed goose *Anser brachyrhynchus*
- Common shelduck *Tadorna tadorna*
- Northern Pintail *Anas acuta*
- Eurasian oystercatcher *Haematopus ostralegus*
- Grey plover *Pluvialis squatarola*
- Common ringed plover *Charadrius hiaticula*
- Eurasian curlew *Numenius arquata*
- Black-tailed godwit *Limosa limosa*
- Ruddy turnstone *Arenaria interpres*
- Red knot *Calidris canutus*

- Sanderling *Calidris alba*
- Dunlin *Calidris alpina alpina*
- Common redshank *Tringa totanus*
- Lesser black-backed gull *Larus fuscus*

The breeding birds of note are gulls and terns, including:

- Little tern *Sternula albifrons*
- Sandwich tern *Sterna sandvicensis*
- Common tern *Sterna hirundo*
- Lesser black-backed gull *Larus fuscus graellsii*
- European herring gull *Larus argentatus argenteus*

2.2 Likely impact of works on interest features

Suitability of site for key features of the protected sites/ presence of interest features on site

None of the listed habitats for the SAC designation are present on the site. There are sand dunes (a listed SAC habitat) mapped from the outflow of Poolside to the west along the foreshore of Haverigg almost as far as Silecroft – the closest of which are 200m from the site. Great crested newts are a listed feature of the SAC due to their populations around Sandscale Haws (on the opposite side of the Duddon Estuary). There was only one record of this species in the data search within 2km of the project, and this was from 1981. The closest recent record of great crested newt was 5km from the site. There is no amphibian breeding habitat on site.

The habitat on and immediately around the site is surrounded by residential properties and allotments, and robust hedges. The site is quite urban, with no suitable feeding or resting/ loafing areas for over-wintering/ migratory species listed on the SPA citation. Some more urbanised species (such as oystercatcher or gulls) could be present in single numbers on occasion at any point in the year, but the site is not suitable for aggregations of waterbirds, and is not of significance to any species listed on the SPA citation.

The habitat on site is not suitable for breeding gulls or terns (including all the species listed on the SPA citation) as it is too accessible for predators.

Overall, the site has no habitat features listed on the SAC citation, and is highly unlikely to be of importance to any of the non-breeding or breeding species of birds listed on the SPA citation.

Potential impacts on development on interest features – construction phase

The project involves demolition of some outbuildings, and construction of a replacement in a similar location. The site is easily accessed from the road network, and there is nearby hardstanding – so there would be limited damage to the ground from this phase of the project. There are no plans for any further construction or earthworks, and the proposed works would be highly unlikely to impact on the protected habitats and sites on the coast.

The site is in an urban area and the additional noise and vehicle movements are not considered likely to be notable on the local scale. As such the construction phase is considered to be highly unlikely to have any negative impacts on the interest features of either the SAC or the SPA.

Potential impacts on development on interest features – operation phase

The ongoing use of the site for domestic purposes, and the use of the new workshop have no foreseeable impacts on the local ecosystems – and no discernible impact on any of the interest features of either the SAC or SPA.

2.3 Proposed mitigation

No specific avoidance or mitigation measures are required for any of the phases of these works, as it is not considered likely that there will be any direct or indirect impacts on the listed interest features of Morecambe Bay SAC or Morecambe Bay and Duddon Estuary SPA at any stage of the project.

2.4 Residual effects of works after mitigation applied

N/a

3. CONCLUSION

The habitats on site are not of any particular conservation interest, and are highly unlikely to support any of the breeding birds listed in the citation for Morecambe Bay & Duddon Estuary SPA. The site is also not especially suitable for feeding birds or aggregations of resting wildfowl and waterbirds (including those listed in the SPA). The site has no recent records of great crested newt (a listed feature of the SAC), and has no amphibian breeding habitat - so no impacts on this species are likely.

The construction and operations phase of this proposed development are highly unlikely to have any impacts on the adjacent SAC habitats or species, or on any of the waterbirds listed on the SPA designation. There will also be no current or residual impacts on the ability of the adjacent habitat in the protected sites to host breeding and non-breeding birds as a direct or indirect result of this development.

As the proposed development is not likely to have any direct or indirect impacts on either Morecambe Bay SAC or Morecambe Bay and Duddon Estuary SPA, no avoidance or mitigation measures are required.

4. REFERENCES

Morecambe Bay and Duddon Estuary Site Citation EC Directive 79/409 on the Conservation of Wild Birds Special Protection Area (SPA). Accessed from:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641980/morecambe-duddon-citation.pdf

Morecambe Bay SAC citation. Accessed from <https://sac.jncc.gov.uk/site/UK0013027>

South Lakes Ecology Report 1125/2 *Preliminary Ecological Appraisal & BNG Report*

5. FIGURES AND PHOTOGRAPHS

Image 1. Looking south from the garden area of the property towards Morecambe Bay SAC & Morecambe Bay and Duddon Estuary SPA boundary (200m to the south beyond the housing).



Image 2. Looking north over the grassland previously used as a caravan site. Note the thick hedges and nearby housing – both negative features for important wildfowl/ wading bird roosting and breeding sites.

