Preliminary Ecological Appraisal

Sandy Lodge, Ryehills Road, Skinburness, Silloth, Cumbria, CA7 4QT

2025

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Quality Management

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FINAL	Sam Griffin	Vic Griffin	Dave Pearson / Stuart Woodall	19/05/2025	**UNSIGNED** [redacted]

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No investigative method can completely eliminate the possibility of obtaining partially imprecise or incomplete information. We therefore cannot guarantee that the investigations fully identified the degree or extent of e.g. species presence. Professional judgement and opinion has been utilised where required. All opinion is provided in good faith.

Nothing in this report constitutes legal advice or opinion. If legal opinion is required a qualified legal professional should be contacted for advice.

Contents

1. Introduction

1.1. Background and Pre-Existing Site Information

This report details a Preliminary Ecological Appraisal conducted at Sandy Lodge, Ryehills Road, Skinburness, Silloth, Cumbria, CA7 4QT, Nat. Grid Ref. NY 12251 55723 (See Figure 1).

Plans 'as existing' and 'as proposed' have been provided (See Table 1, Figures 2, 3 and 4). It is understood that a proposal exists to demolish the existing building in its entirety and replace this with a similar sized dwelling with associated parking and out buildings.

A full planning application for '*Demolition of existing dwelling and construction of new dwelling, garage and workshop*' was validated by Cumberland Council on 05/03/2025 (Ref. No. FUL/2025/0006). This application is currently 'under consultation'. The extant application was accompanied by a bat survey report and a 'supporting statement' relating to the bat survey report (See Table 1). It is understood that following submission of the bat survey documents and during the consultation period, Cumberland Council have made the following comments;

> '*Protected Species. Whilst a bat survey has been submitted with the application there are a number of other protected species identified in the area such as birds, owls, grey seal, natterjack toads. Therefore a full preliminary assessment will be required to consider all protected species not just bats*.'

This survey has been commissioned to ascertain a baseline preliminary ecological assessment of the site and specifically to identify;

- The area and linear habitats present on site (using UKHabs methodology)
- Any areas of potential conservation interest,
- Any potential impacts to legally protected or priority species / species groups **(NB - This survey and report specifically and explicitly excludes any consideration of bats as this has been considered separately - See reports listed in Table 1)**,
- Any likely impacts on statutory and non-statutory designated sites as a result of the proposal,
- The presence of any invasive species listed in Schedule 9 of The Wildlife and Countryside Act 1981 (as amended).

Dave Pearson of Pearson Building Ltd. - the applicant - commissioned Hesketh Ecology to complete this survey and report in May 2025. It is understood this report is intended to address the issues raised by Cumberland Council during the consultation period and will accompany planning application Ref. No. FUL/2025/0006 for full planning consent to conduct the works.

The conclusions and recommendations made in this report are based on information provided by the client regarding the scope of the project. Documentation made available by the client is listed in Table 1 (below). Further documents are available online via the Cumberland Council Planning Register and have been consulted during the preparation of this report.

Document Name / Drawing Number	Author
Job No 1464 - Design Access and Heritage Statement; Sandy Lodge, Ryehills Road, Skinburness – Replacement Dwelling	-
Proposed Replacement Dwelling - Sandy Lodge, Skinburness; As Proposed Plans and Elevations. Drawing No. 1464 01 D.	Green Swallow North Ltd.
Proposed Replacement Dwelling - Sandy Lodge, Skinburness; As Proposed Site Plan. Drawing No. 1464 02 -.	Green Swallow North Ltd.
Proposed Replacement Dwelling - Sandy Lodge, Skinburness; As Existing Plans and Elevations. Drawing No. 1464 05 -.	Green Swallow North Ltd.
PHOTOGRAPHIC RECORD OF EXISTING DWELLING	-
Preliminary Roost Assessment, Sandy Lodge, Ryehills Road, Silloth-on-Solway, Skinburness, Cumbria, CA7 4QT. Ref. J077	Natural Ecology Ecological Consultancy
Supporting Statement (Dated 4th March 2025)	Natural Ecology Ecological Consultancy

Table 1: *Documentation provided by client and previous survey report(s). Those in **BOLD** (only) are reproduced in this report.*

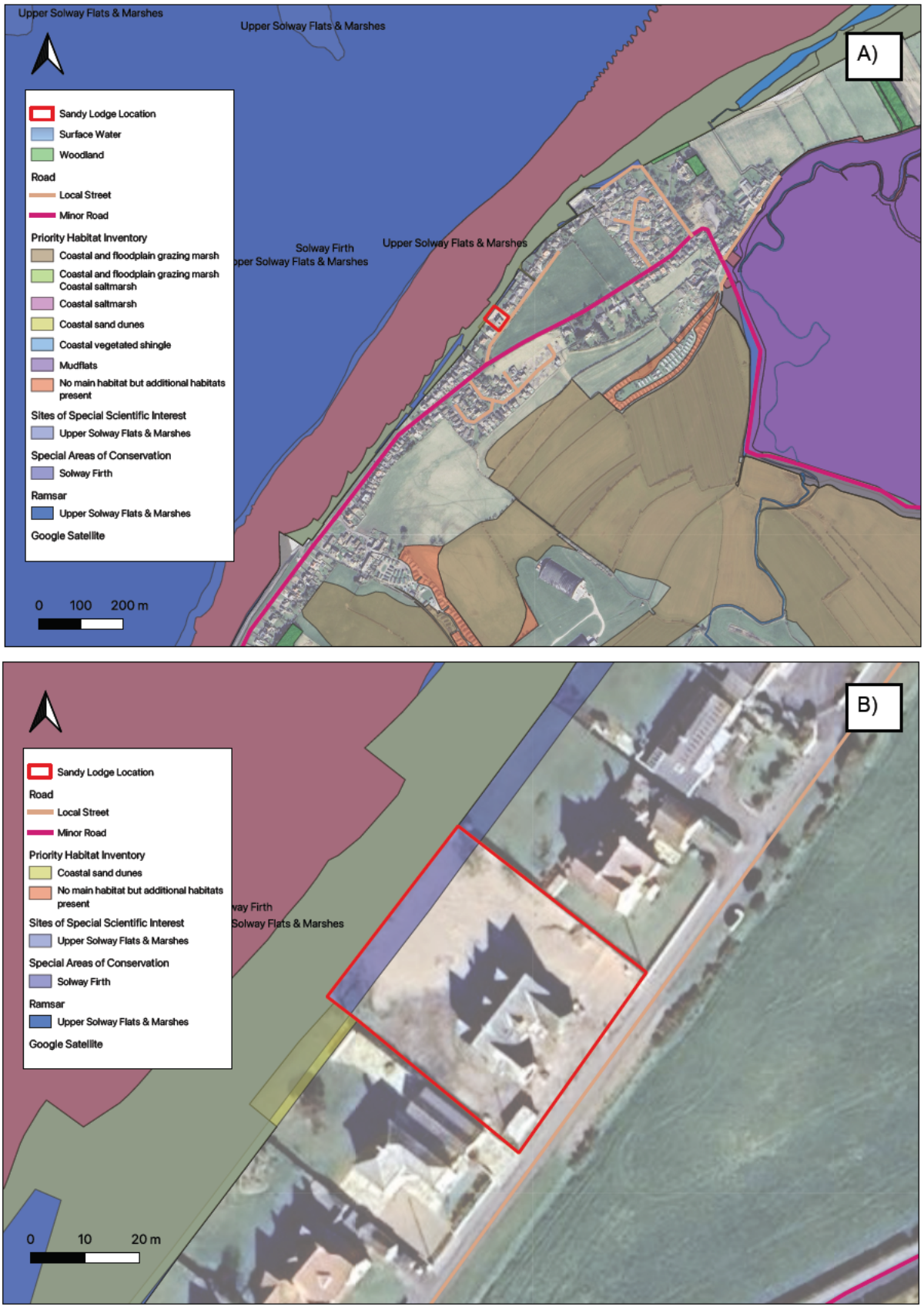

Figure 1: *Sandy Lodge, Ryehills Road, Skinburness, Silloth, Cumbria, CA7 4QT, A) Location Plan (top) and B) Site Plan / Survey Area (bottom).*

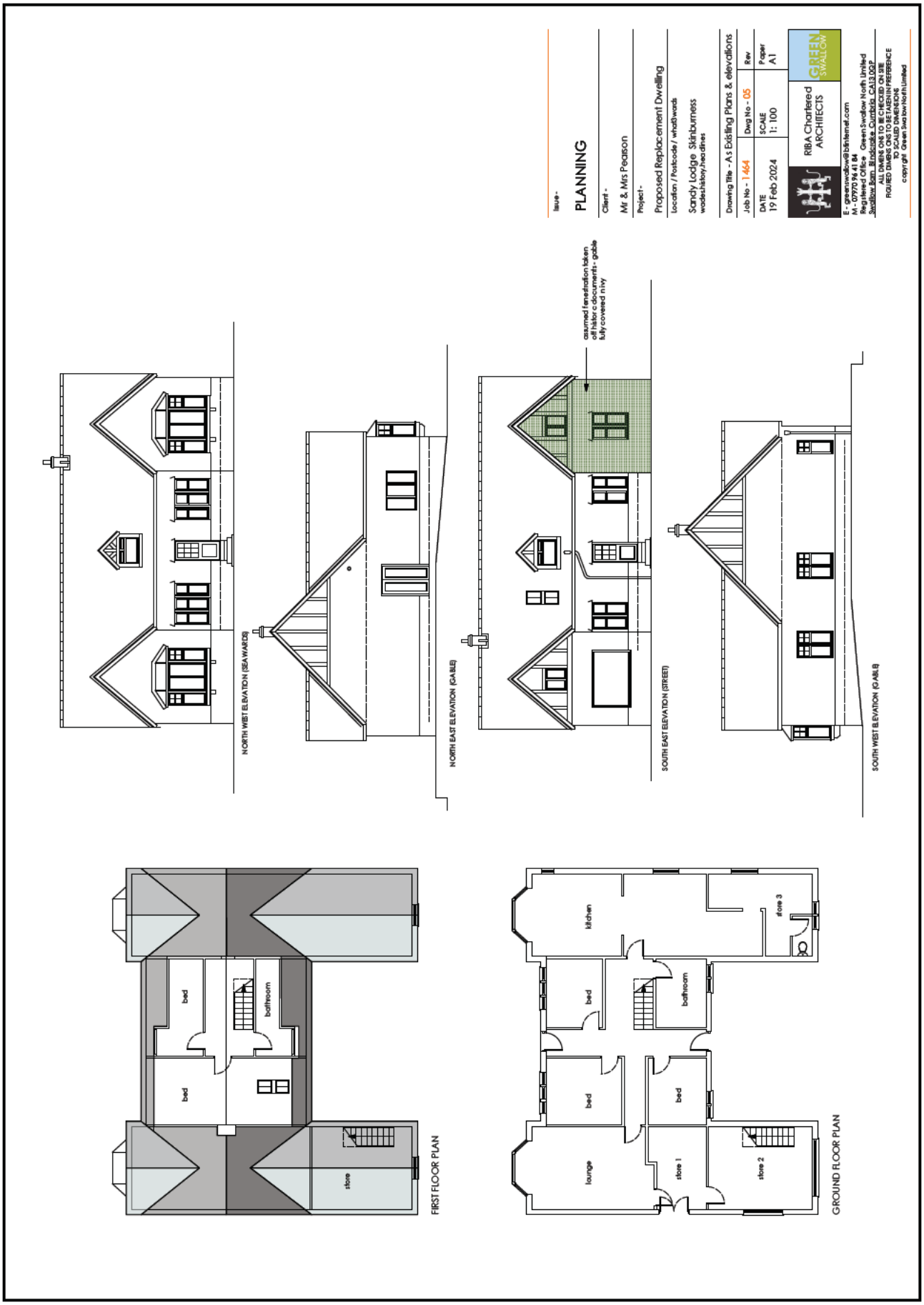

Figure 2: *Proposed Replacement Dwelling - Sandy Lodge, Skinburness; As Existing Plans and Elevations. Drawing No. 1464 05 -, by Green Swallow North Ltd.*

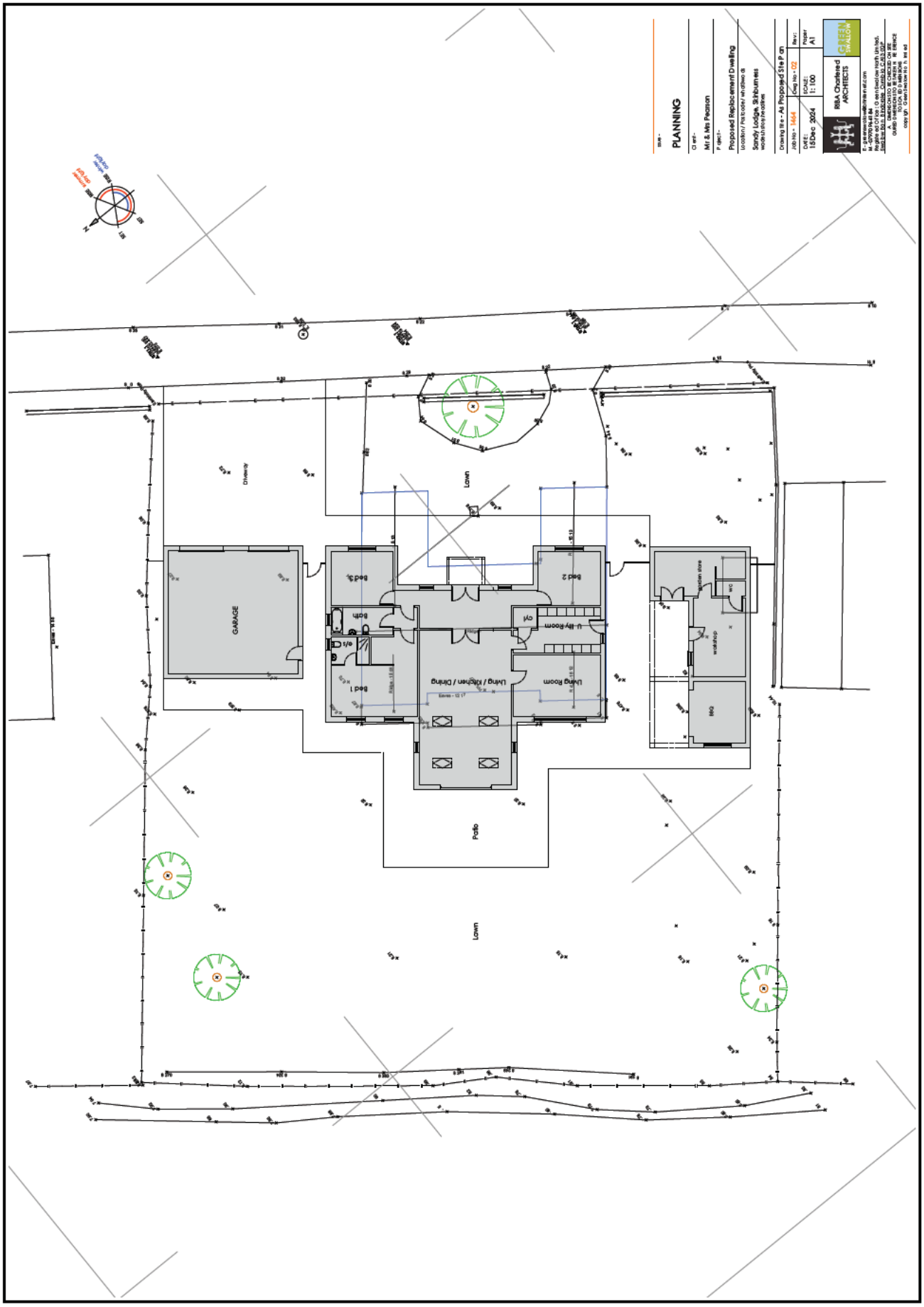

Figure 3: *Proposed Replacement Dwelling - Sandy Lodge, Skinburness; As Proposed Site Plan. Drawing No. 1464 02 -, by Green Swallow North Ltd.*

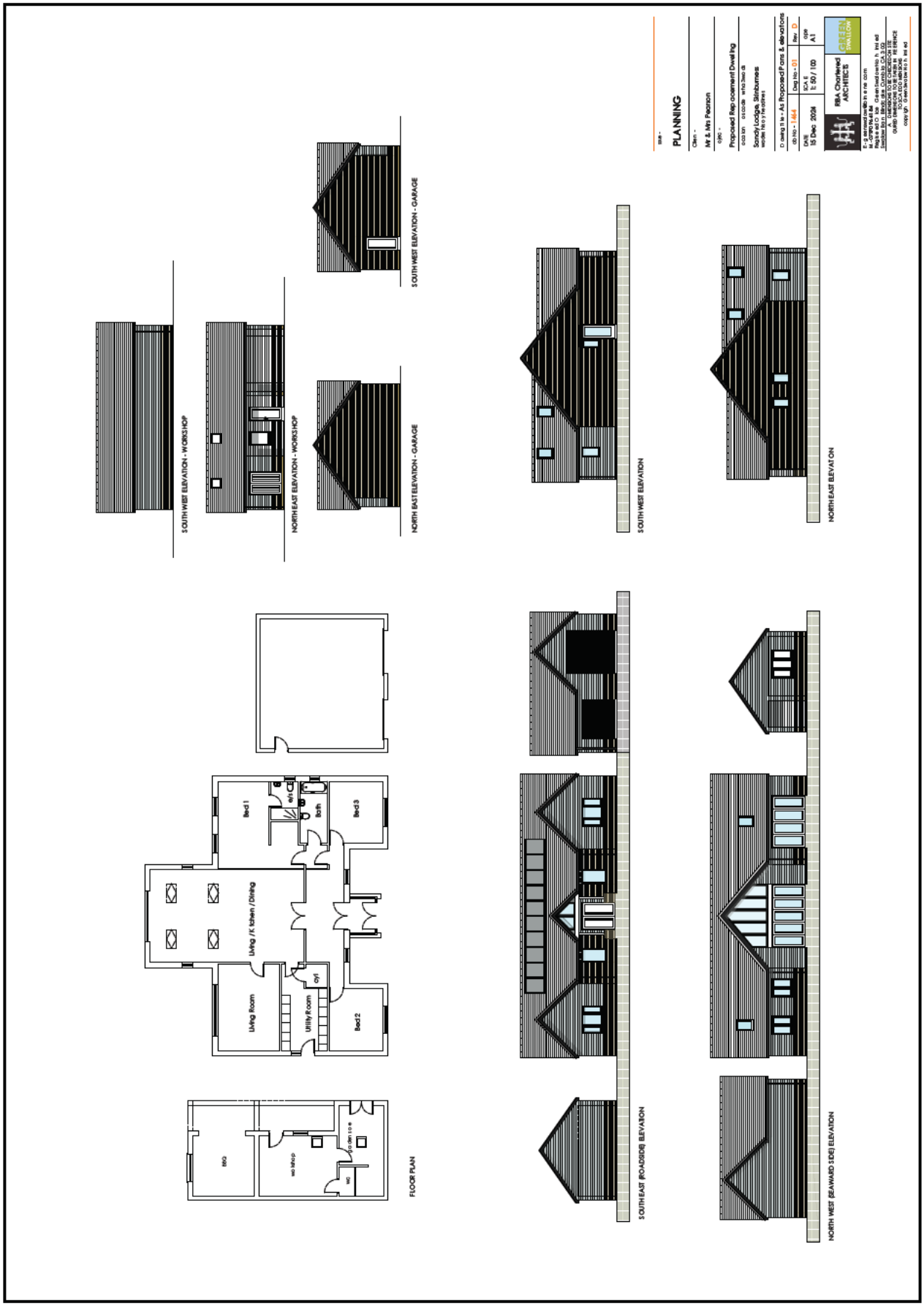

Figure 4: *Proposed Replacement Dwelling - Sandy Lodge, Skinburness; As Proposed Plans and Elevations. Drawing No. 1464 01 D., by Green Swallow North Ltd.*

1.2. Details of Proposed Works on Site

See Figures 1, 2, 3 & 4 (above).

It is understood that the project involves the demolition of an existing dwelling in its entirety and construction of a replacement bungalow on the Site, albeit a different footprint. Two detached outbuildings are also proposed to the north and south of the proposed dwelling. Access to the Site will remain as existing - via Ryehills Road - and the previously defunct site boundary fences will be reinstated

Some works have recently occurred, with vegetation across the majority of the Site having been removed. It is unclear precisely when this occurred, but historic areal photography from April 2022 shows the Site prior to clearance.

2. Legislation and Policy

2.1. Sites

There are broadly 3 levels of designation currently in place to protect the most significant areas for habitats and wildlife. These are Internationally Designated Sites (Special Areas of Conservation, Special Protection Areas etc.), Domestically Designated Sites (Sites of Special Scientific Interest, National Nature Reserves etc.) and Locally Designated Sites (County Wildlife Sites, Local Nature Reserves etc.).

The Conservation of Habitats and Species Regulations 2017 provides safeguards for European Protected Sites and Species (as listed in the Habitats Directive). This has recently been amended by the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 which continue the same provision for European protected species, licensing requirements, and protected areas after Brexit.

2.2. Internationally Designated Sites

Special Areas of Conservation (SACs) are areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats. All SAC's are also designated as SSSI's. The legal requirements relating to the designation and management of SACs in England are set out in The Conservation of Habitats and Species Regulations 2017. The SAC designation is recognition that some or all of the wildlife and habitats are particularly valued in a European context.

Special Protection Areas (SPAs) are areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the 'Birds Directive 1979' which provides enhanced protection given by the Site of Special Scientific Interest (SSSI) status all SPAs also hold. The legal requirements relating to the management and protection of SPAs in England are set out in The Conservation of Habitats and Species Regulations 2017.

Natura 2000 is the centrepiece of EU nature & biodiversity policy. It is an EU wide network of nature protection areas established under the 1992 Habitats Directive. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and habitats. It is comprised of Special Areas of Conservation (SAC) designated by Member States under the Habitats Directive, and also incorporates Special Protection Areas (SPAs) which they designate under the 1979 Birds Directive. Natura 2000 is not a system of strict nature reserves where all human activities are excluded. Whereas the network does include nature reserves most of the land is privately owned and the emphasis is on ensuring that future management is sustainable, both ecologically and economically.

The 'competent authority' is required to complete an Appropriate Assessment of a proposal, if the proposed activities would be likely to have a significant effect on the Natura 2000 site. An Appropriate Assessment aims to determine if the proposed development would have an adverse effect on the notified interest features of the SAC. The developer or proposers of the plan or project shall provide such information as the competent authority may reasonably require for the purposes of the assessment (Regulation. 43(2)).

2.3. Domestically Designated Site

Sites of Special Scientific Interest (SSSIs) are the country's very best wildlife and geological sites and give legal protection to these sites in England. Natural England now has responsibility for identifying and protecting SSSIs in England under the Wildlife and Countryside Act 1981 (as amended). The SSSI notification package includes a list of operations requiring Natural England's consent (formerly known as operations likely to damage the special interest). None of the listed operations can be carried out without Natural England's consent, or the consent of another public body (provided that the other body has formally consulted us). Operations listed on the list of operations requiring Natural England's consent (which are not already consented to) requires permission from Natural England. To obtain consent, a written notice must be submitted to Natural England containing the details of the operations in order for the proposal to be assessed and permission granted.

National Nature Reserves (NNRs) are all also designated as SSSIs. It is via this designation that legal protection is afforded to NNRs.

2.4. Locally Designated Sites

There are currently a number of different terms in use to describe Local Wildlife Sites, including Sites of Importance for Nature Conservation (SINCs), Sites of Nature Conservation Importance (SNCIs) and County Wildlife Sites. Local Wildlife Sites are usually selected within a local authority area and this process is often managed by the local Wildlife Trust together with representatives of the local authority and other local wildlife conservation groups. They support both locally and nationally threatened wildlife, and many sites will contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAP).

In Cumbria, Local Wildlife Sites are known as 'County Wildlife Sites'. They are designated and reviewed at a county level by the Wildlife Selection Panel for the Cumbria Local Sites Partnership, administered by Cumbria Wildlife Trust. County Wildlife Sites are not afforded any legal protection.

2.5. Protected Species

The legislation protecting wildlife exists regardless of the requirements of any planning consent.

The legal protection of animals and plants in the United Kingdom is mainly provided for by:

- The Wildlife & Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000,
- The Habitats and Species Directive (92/43/EC) enacted through The Conservation of Habitats and Species Regulations 2017.
- The Protection of Badgers Act 1992.

The level of protection for each species varies according to the conservation status of the species.

The Conservation of Habitats and Species Regulations 2017 provides safeguards for European Protected Sites and Species (as listed in the Habitats Directive). This has recently been amended by the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 which continue the same provision for European protected species, licensing requirements, and protected areas after Brexit.

The Countryside and Rights of Way Act 2000 supplemented existing legislation for wildlife protection by prohibiting reckless acts that result in the killing or injuring of protected species.

The Natural Environment and Rural Communities Act 2006 requires that every public authority in exercising its functions must have regard as far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Section 41 of this Act requires the Secretary of State to have prepared lists of species and habitats which are considered to be of principal importance for the purpose of conserving biodiversity [The UK Biological Action Plan (BAP) species].

2.6. Schedule 2 - European Protected Species of Animal

Conservation of Habitats and Species Regulations 2010 (as amended): Schedule 2 Animals
Horseshoe bats *Rhinolophidae* - all species
Common bats *Vespertilionidae* - all species
Wild cat (*Felis silvestris)*
Dolphins, porpoises and whales *Cetacea* – all sp.
Dormouse (*Muscardinus avellanarius)*
Pool frog (*Rana lessonae)*
Sand lizard (*Lacerta agilis)*
Fisher's estuarine moth (*Gortyna borelii lunata)*
Great crested newt (*Triturus cristatus)*
Otter (*Lutra lutra)*
Lesser whirlpool ram's-horn snail (*Anisus vorticulus)*
Smooth snake (*Coronella austriaca)*
Sturgeon (*Acipenser sturio)*
Natterjack toad (*Epidalea calamita)*
Marine turtles (*Caretta caretta, Chelonia mydas, Lepidochelys kempii, Eretmochelys imbricata* and *Dermochelys coriacea)*

Table 2: *Conservation of Habitats and Species Regulations 2010 (as amended): Schedule 2 Animals*

These species are listed in Schedule 2 of the Habitat Regulations and in Schedule 5 of the Wildlife & Countryside Act 1981. The legislation makes it illegal to:

- Intentionally or deliberately kill, injure or capture (or take);
- Deliberately disturb;

- Recklessly disturb or obstruct access to any place used for rest and shelter
- Damage or destroy any place used for rest and shelter
- Possess or transport an animal or any part of, unless acquired legally,
- Sell (or offer for sale) or exchange

Work that disturbs Schedule 2 species is illegal without a Wildlife Development Licence issued by Natural England.

2.7. Schedule 5 - European Protected Species of Plants

These species are listed in Schedule 5 of the Habitat Regulations and in Schedule 8 of the Wildlife & Countryside Act 1981. The legislation makes it illegal to pick, uproot, destroy, or trade in these plants.

Conservation of Habitats and Species Regulations 2010 (as amended): Schedule 5 – Plants
Shore dock (*Rumex rupestris)*
Killarney fern (*Trichomanes speciosum)*
Early gentian (*Gentianella anglica*)
Lady's-slipper (*Cypripedium calceolus*)
Creeping marshwort (*Apium repens)*
Slender naiad (*Najas flexilis)*
Fen orchid (*Liparis loeselii*)
Floating-leaved water plantain (*Luronium natans)*
Yellow marsh saxifrage (*Saxifraga hirculus*)

Table 3: *Conservation of Habitats and Species Regulations 2010 (as amended): Schedule 5 - Plants*

2.8. Otters

Otters are protected under Section 39 of The Conservation of Habitats and Species Regulations 2017 as European Protected Species and Section 9 of the Wildlife and Countryside Act 1981 (as amended) (Schedule 5). It is an offence to:

- Deliberately capture, injure or kill an Otter;
- Intentionally or recklessly disturb an Otter in a place used for shelter or protection, or deliberately disturb Otters in such a way as to be likely significantly to affect (i) the ability of any significant group of Otters to survive, breed, rear or nurture their young, or (ii) the local distribution or abundance.
- Damage or destroy a breeding or resting place

- Intentionally or recklessly obstruct access to a place used for shelter or protection
- Possess an Otter (alive or dead), or any part of an Otter.

Work that disturbs otters is illegal without a Wildlife Development Licence issued by Natural England.

2.9. Badgers

Badgers are a protected species. In addition to The Wildlife and Countryside Act 1981, The Countryside and Rights of Way (CRoW) Act 2000 and The Conservation of Habitats and Species Regulations 2017, badgers and their setts are also covered by the provisions of the Protection of Badgers Act (1992). A sett is defined as "any structure or place which displays signs indicating current use by a badger". The legislation makes it illegal to:

- Intentionally or deliberately kill, injure or capture (or take) badgers;
- Damage a badger sett or any part of it;
- Destroy a badger sett;
- Obstruct access to, or any entrance of, a badger sett;
- Disturb a badger when it is occupying a badger sett;

Work that disturbs badgers is illegal without a Wildlife Development Licence issued by Natural England.

2.10. Breeding Birds

All wild birds (birds in a wild state resident in or visiting Great Britain) and their nests and eggs are protected under the Wildlife & Countryside Act 1981. Particular emphasis is given to the protection of breeding birds. With certain exceptions, it is an offence to:

- Kill, injure or take wild birds
- Take, damage or destroy the nest of wild birds while in use or being built
- Take or destroy the eggs of wild birds
- Disturb wild birds listed in Schedule 1 when nest building or at a nest containing eggs or young, or disturb dependent young of wild birds

2.11. Reptiles

Reptiles, including common lizards, slow worms and grass snakes, are protected under the Wildlife & Countryside Act 1981 against deliberate killing, injuring and sale (Sub-Sections 9 (1) and 9 (5)). These species are listed in Schedule 5.

2.12. Other Mammals

Mammal species not covered by the above legislation (rabbits, foxes, hares, moles etc) are protected by the Wild Mammals (Protection) Act 1996. This states; ‘any person [whom] mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering he shall be guilty of an offence.’ This is potentially relevant in the case of burrowing animals on a development site.

2.13. Invasive Non-Native Species

In the UK, it is an offence under section 14(2) of the Wildlife and Countryside act 1981 to "plant or otherwise cause to grow in the wild" any plant listed in Schedule 9, Part II to the Act. This could include cutting the plant or roots and disturbing surrounding soil if not correctly managed.

An offence under the Wildlife and Countryside Act can result in a criminal prosecution. An infringement under the Environmental Protection Act can result in enforcement action being taken by the Environment Agency (EA) which can result in an unlimited fine.

Schedule 9 – List of Invasive plant species	
Australian swamp stonecrop or New Zealand pygmyweed (*Crassula helmsii)*	Small-leaved cotoneaster (*Cotoneaster microphyllus*)
Californian red seaweed (*Pikea californica*)	Three-cornered garlic (*Allium triquetrum*)
Curly waterweed (*Lagarosiphon major*)	Variegated yellow archangel (*Lamiastrum galeobdolon subsp. argentatum*)
Duck potato (*Sagittaria latifolia*)	Virginia creeper (*Parthenocissus quinquefolia*)
Entire-leaved cotoneaster (*Cotoneaster integrifolius*)	Wakame (*Undaria pinnatifida*)
False Virginia creeper (*Parthenocissus inserta*)	Giant salvinia (*Salvinia molesta*)
Fanwort or Carolina water-shield (*Cabomba caroliniana*)	Green seafingers (*Codium fragile*)
Few-flowered garlic (*Allium paradoxum*)	Himalayan cotoneaster (*Cotoneaster simonsii*)
Floating pennywort (*Hydrocotyle ranunculoides*)	Hollyberry cotoneaster (*Cotoneaster bullatus*)
Floating water primrose (*Ludwigia peploides*)	Hooked asparagus seaweed (*Asparagopsis armata*)
Giant hogweed (*Heracleum mantegazzianum*)	Hottentot fig (*Carpobrotus edulis*)
Giant kelp (Macrocystis spp.)	Hybrid knotweed (*Fallopia japonica × Fallopia sachalinensis*)
Giant knotweed (*Fallopia sachalinensis*)	Indian (Himalayan) balsam (*Impatiens glandulifera*)
Giant rhubarb (*Gunnera tinctoria*)	Japanese knotweed (*Fallopia japonica*)
Japanese rose (*Rosa rugosa*)	Wall cotoneaster (*Cotoneaster horizontalis*)
Japanese seaweed (*Sargassum muticum*)	Water fern (*Azolla filiculoides*)
Laver seaweeds (except native species) (Porphyra spp)	Water hyacinth (*Eichhornia crassipes*)
Parrot's-feather (*Myriophyllum aquaticum*)	Water lettuce (*Pistia stratiotes*)
Perfoliate alexanders (*Smyrnium perfoliatum*)	Water primrose (*Ludwigia grandiflora*)
Pontic rhododendron (*Rhododendron ponticum*)	Water primrose (*Ludwigia uruguayensis*)

Schedule 9 – List of Invasive plant species	
Red algae (*Grateloupia luxurians*)	Waterweeds (Elodea spp.)
Rhododendron (*Rhododendron ponticum x Rhododendron maximum*)	Yellow azalea (*Rhododendron luteum*)
Purple dewplant (*Disphyma crassifolium*)	

Table 4: *Schedule 9 – List of Invasive plant species*

2.14. Natural Environment and Rural Communities (NERC) Act (2006)

Beyond the legal protection afforded to species in the UK, the Natural Environment and Rural Communities (NERC) Act (2006) states;

> *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.'*
> NERC Act 2006 - Section 40.
>
> '*The Secretary of State must, as respects England, publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity.'*
>
> *'Without prejudice to section 40(1) and (2), the Secretary of State must—*
>
> > *(a) take such steps as appear to the Secretary of State to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section, or*
> > *(b) promote the taking by others of such steps.'*
>
> NERC Act 2006 - Section 41

2.15. UK Biodiversity Action Plan (BAP) priority species / UK Post-2010 Biodiversity Framework

UK Biodiversity Action Plan (BAP) priority species were those that were identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP). The original list of UK BAP priority species was created between 1995 and 1999. In 2007, however, a revised list was produced, following a 2-year review of UK BAP processes and priorities, which included a review of the priority species and habitats lists.

The UK BAP has now been superseded by the UK Post-2010 Biodiversity Framework. The UK Post-2010 Biodiversity Framework covers the period from 2011 to 2020, and was developed in response to two main drivers: the Convention on Biological Diversity's (CBD's) Strategic Plan for Biodiversity 2011-2020 and its five strategic goals and 20 'Aichi Biodiversity Targets', published in October 2010; and the EU Biodiversity Strategy (EUBS), released in May 2011. The UK Post-2010 Biodiversity Framework now serves to meet the

statutory obligation imposed by Section 41 of the NERC Act. The UK BAP list, as revised in 2007, was incorporated into the UK Post-2010 Biodiversity Framework with only minor alterations.

The Cumbria Biodiversity Action Plan (CBAP) was designed to implement national biodiversity targets set out in the UK BAP at a local level, with an emphasis on local priorities. At its inception the CBAP included 40 species / species groups, 21 of which had dedicated action plans with a further 19 without action plans. The original CBAP list was updated in 2010 to include all UK BAP species which occur in Cumbria.

2.16. National Planning Policy Framework (NPPF) 2019

The National Planning Policy Framework (NPPF) was originally published by the Department of Communities and Local Government in 2012, consolidating over two dozen previously issued documents called Planning Policy Statements (PPS) and Planning Policy Guidance Notes (PPG) for use in England. A revised NPPF was published by the UK Government's Ministry of Housing, Communities and Local Government in 2018 and then again in 2019. The revised National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in 2012, and revised in 2018.

Chapter 15 of the NPPF, Conserving and Enhancing the Natural Environment, states (NB the following is a summary only, selecting points which relate to biodiversity and species only, for the full text see National Planning Policy Framework; February 2019, Ministry of Housing, Communities and Local Government ;

> *'Planning policies and decisions should contribute to and enhance the natural and local environment by:*
>
> - *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
>
> - *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'*
>
> Paragraph 170, Pg. 49.
>
> *To protect and enhance biodiversity and geodiversity, plans should:*
>
> - *Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
>
> - *promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

Paragraph 174, Pg. 50.

When determining planning applications, local planning authorities should apply the following principles:

- *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*

- *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;*

Paragraph 175, Pg. 50.

2.17. Environment Act 2021

The Environment Act includes provision for biodiversity net gain to be applied to every planning permission.

Schedule 14 of the Environment Act sets out amendments to Schedule 7A of the Town and Country Planning Act 1990, amended by the Levelling Up and Regeneration Act 2023, for the inclusion of biodiversity net gain as follows:

"*Biodiversity gain objective*

(1) The biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least the relevant percentage.
(2) The biodiversity value attributable to the development is the total of—
  (a) the post-development biodiversity value of the onsite habitat,
  (b) the biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development, and
  (c) the biodiversity value of any biodiversity credits purchased for the development.
(3) *The relevant percentage is 10%.*"

The statutory framework for biodiversity net gain has been designed as a post-permission matter to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. Once planning permission has been granted, unless 'exempt', a Biodiversity Gain Plan must be submitted and approved prior to the commencement of that development.

Exemptions from mandatory biodiversity net gain include;

- A development that does not impact a priority habitat and impacts less than:
  - 25 square metres (5m by 5m) of on-site habitat
  - 5 metres of on-site linear habitats such as hedgerows

- Housholder applications:
  - applications made by householders as defined within article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. Methodology

3.1. Desk Based Investigation

Natural England's MAGIC website (http://www.magic.gov.uk) was consulted for information relating to statutory designated sites adjacent to the Site or within the immediate area, for Granted European Protected Species Mitigation Licenses (EPSML) within 2km of the Site boundary, and for Great Crested Newt Class Survey Licence Returns and Great Crested Newt Pond Surveys 2017 - 2019 within 2km of the Site boundary.

A data search was commissioned from Cumbria Biodiversity Data Centre for all records of rare, scare, protected or invasive non-native species and non-statutory designated sites within a 2km radius of national grid ref. NY 12251 55723 (the approximate centre of the site).

A search of records held by Cumbria Amphibian and Reptile Group - of reptiles and amphibians only - was conducted. This dataset contains records derived from various sources and may include duplicates of records held by CBDC but also contains records not held by CBDC.

A search of historic planning applications in the area was conducted on the Cumberland Council - Allerdale planning application search facility (https://cumberlandcouncil.my.site.com) on 16/05/2025, using the search term 'CA7 4QT. This returned a total of 11 historic planning applications for the post code area since 1978. Of these, a single application relates to the Sandy Lodge Site itself (the current application - Ref. FUL/2025/0006) and this is the only application on the online planning register with any files attached. Due to the lack of files attached to historic planning applications it has not been possible to confirm which - if any - have been accompanied by any kind of ecological survey report and no historic ecological survey data for the post code area has been identified via this route (See Table 5 - below).

Reference	Site address	Description	Valid Date	Status	Ecological Survey?
FUL/2025/0006	Sandy Lodge, Ryeh s Road, Sk nburness, W gton, CA7 4QT	Demo t on of ex st ng dwe ng and con-struct on of new dwe ng, garage and workshop	05/3/2025	Under Con-su tat on	*Preliminary Roost Assess-ment, Sandy Lodge, Ryehills Road, Silloth-on-Solway, Skin-burness, Cumbria, CA7 4QT. Ref. J077*' by Natura Eco ogy. Report conc udes ow' su tab - ty for bats and recommends no further surveys' but that an eco og st be present or on-ca , for the roof str p'. *Supporting Statement Dated 04/03/2025*' just fies departure from Good Pract ce Gu de nes due to *surrounding habitat and vegetation [being] non-existent*'.

Refer-ence	Site address	Description	Valid Date	Status	Ecological Survey?
2/2011 /0161	Ravenstone, Ryeh s Road, Sk nburness, W gton, Cum-br a, CA7 4QT	S ng e storey exten-s on to garage to create garden room and ut ty room	08/3/2011	Determ ned	?
WA/ 0000/0 032	The Wh te Cot-tage, Ryeh s Road, S oth, W gton, Cum-br a, CA7 4QT	A terat ons	01/9/1948	Determ ned	?
2/1981 /0903	Haven, Ryeh s Road, Sk nbur-ness, W gton, Cumbr a, CA7 4QT	Extens on to dwe ng nc ud ng car port.	01/1/1800	Determ ned	?
2/1983 /0389	C oud End, Ryeh s Road, Sk nburness, W gton, Cum-br a, CA7 4QT	Out ne app cat on for erect on of dwe - ng.	01/1/1800	Determ ned	?
2/1975 /0098	Haven, Ryeh s Road, Sk nbur-ness, W gton, Cumbr a, CA7 4QT	Extens on to form bedroom.	01/1/1800	Determ ned	?
2/1984 /0213	Ryeda e, Rye-h s Road, Sk nburness, W gton, Cum-br a, CA7 4QT	Erect on of bunga ow on and between Wh ns de & The Haven	01/1/1800	Determ ned	?
2/1985 /0234	C oud End, Ryeh s Road, Sk nburness, W gton, Cum-br a, CA7 4QT	Erect on of detached bunga ow & garage, and at Ryeh s Road	01/1/1800	Determ ned	?
2/1983 /0390	Ryeda e, Rye-h s Road, Sk nburness, W gton, Cum-br a, CA7 4QT	Out ne app cat on for erect on of dwe - ng.	01/1/1800	Determ ned	?
2/1976 /0152	Car owr e, Rye-h s Road, Sk nburness, W gton, Cum-br a, CA7 4QT	Erect on of garage, to et & ut ty room.	01/1/1800	Determ ned	?

Reference	Site address	Description	Valid Date	Status	Ecological Survey?
2/1978/1147	Seaho me, Rye-h s Road, Sk nburness, Car s e, Cumbr a, CA7 4QT	Extens on to form porch.	01/1/1800	Determ ned	?

Table 5: *Summary details of ecology / biodiversity reports accompanying previous planning applications within 'Moresby' Parish between 01/01/2023 - 27/03/2025.*

3.2. Field Survey

A daytime inspection of the site was conducted during which all areas of the site were inspected in detail during a walk over survey. A methodology based on that outlined in the The UK Habitat Classification System V4 Guidelines was employed, as per the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2013), and the species / habitat codes presented therein used. Areas immediately adjacent the site were inspected from public rights of way only. Mature trees were inspected from ground level only using binoculars and an AG80 20x-60x spotting scope as necessary. The following evidence of potential for protected species is a brief summary only.

Bats

Bats have already been considered in 'P*reliminary Roost Assessment, Sandy Lodge, Ryehills Road, Silloth-on-Solway, Skinburness, Cumbria, CA7 4QT. Ref. J077*' by Natural Ecology. This report concludes '*low*' suitability for bats and recommends '*no further surveys*' but '*that an ecologist be present or on-call, for the roof strip*' (Non-Technical Summary, Pg. 2).

A '*Supporting Statement (Dated 04/03/2025)*' justifies departure from Good Practice Guidelines due to '*surrounding habitat and vegetation [being] non-existent*' (Para. 4).

This PEA survey and report specifically and explicitly excludes any consideration of bats as this has been considered separately.

Amphibians

Evidence of potential for protected amphibian species includes:

- Evidence of protected amphibian species (seeing great crested newts or natterjack toads)
- Ponds or other bodies of open standing water on site or within 500m of site
- Suitable terrestrial habitat including foraging habitat and / or hibernation potential

In relation to great crested newts, the survey methodology conformed with that laid out in '*English Nature (2001) Great crested newt mitigation guidelines Version: August 2001. English Nature. ISBN 1 85716 568 3*'. All ponds onsite or within 500m of the site boundary were identified using OS maps and a Habitat Suitability Index Score was calculated using '*Oldham*

R.S., Keeble J., Swan M.J.S., and Jeffcote M. (2000) Evaluating the suitability of habitat for the great crested newt. Herpetological Journal 10: 143-155'.

The survey area for amphibians comprised accessible land within 500m of the site boundary.

Otter

Evidence of potential for otters includes:

- Evidence of otters (seeing otters, spraint, footprints, feeding remains)
- Watercourses / water bodies
- Woodland or rough grassland / scrub for holts and lying up

In relation to otter, the survey methodology conformed with that laid out in '*Chanin (2003) Monitoring the Otter*' and '*Liles (2003) Conserving Otter Breeding Sites*'. Any evidence of otter, such as places of rest (holts or couches), spraint sites, prints and slides, as well as any otter sightings would be recorded.

The survey area for otters comprised land within the site boundary.

Badger

Evidence of potential for badgers includes:

- Evidence of badgers (latrines, setts, footprints, fur, runs)
- Woodland for foraging and setts

In relation to badger, the survey methodology conformed with that laid out in '*Scottish Badgers (2018). Surveying for Badgers: Good Practice Guidelines. Version 1.*'. Any evidence of badger, such as latrines, setts, footprints, fur and runs, as well as any badger sightings would be recorded.

The survey area for badgers comprised land within the site boundary.

Birds

Evidence of potential for breeding birds includes:

- Evidence of breeding birds (nests, nest building behaviour, courtship and display behaviour, distraction display, used nests or eggshells)
- Trees/woodlands for nesting
- Built structures for nesting
- Natural habitat features for nesting (watercourses, embankments, rough grassland)

In relation to breeding birds the survey methodology employed a simple 'look and see', Visual Encounter Survey technique in which the evidence identified above was recorded as encountered.

The survey area for birds comprised land within the site boundary and immediately adjacent the site boundary only.

Reptiles

Evidence for potential for reptiles includes:

- Evidence of reptiles (seeing reptiles, sloughed skin)
- Rough grassland
- South facing slopes

In relation to reptiles, the survey methodology involved a Habitat Suitability Assessment using the characteristics laid out in '*Natural England Technical Information Note TIN102 Reptile mitigation guidelines*' [WITHDRAWN].

The survey area for reptiles comprised land within the site boundary and immediately adjacent the site boundary only.

'Other Mammals'

Evidence for potential for 'other mammal' species:

- Evidence of 'other mammals' (seeing other mammals, droppings, burrows, mole hills)

In relation to 'other mammals', the survey methodology conformed with that laid out in '*The Mammal Society (2013). How to Find and Identify Mammals*'.

3.3. Timing

The survey was conducted on 16th May 2025.

3.4. Weather conditions

Date	Activity	Weather conditions			
		Temp (°C)	Wind (Beaufort scale)	Cloud (%)	Precipitation
16/05/2025	PEA field survey	18	0	0	None

Table 5: *Weather conditions.*

3.5. Personnel

The site inspection and report were completed by Sam Griffin BSc ACIEEM, (NE Bat Licence CL 18 Survey Level 2; No. 2022-10877-CL18-BAT, GCN Licence Surveys Level 1; No. 2022-10878-CL08-GCN, Natterjack toad Survey Licence; No. 2022-63069-SCI-SCI, Freshwater pearl mussel Survey Licence; No. 2023-64607-SCI-SCI). Sam is an experienced and competent ecologist, with over 22 years experience of study, training and work in the field of wild-

life conservation and ecology, working with protected and native species, exotics and rare breed animals.

4. Results

4.1. Designated Sites

Internationally Designated Sites

A search for all designated sites on Natural England's MAGIC website (http://www.magic.gov.uk) conducted on 16/05/2025 has confirmed that no a single Special Area of Conservation (SAC) and a single Ramsar Site exist within a 2km radius of national grid ref. NY 12251 55723. These are Solway Firth SAC (See Figure 5A) and the Upper Solway Flats and Marshes Ramsar Site (See Figure 5B) which both share a boundary (in this area) which directly adjoins the western side of the Site.

Solway Firth SAC

Solway Firth SAC (SAC EU Code UK0013025) measures 43676.16ha and consists of;

- Tidal rivers, Estuaries, Mud flats, Sand flats, Lagoons (including saltwork basins) (90%)
- Salt marshes, Salt pastures, Salt steppes (10%)

The Annex I habitats that are a primary reasons for the selection of the site are as follows;

- 1110 Sandbanks which are slightly covered by sea water all the time
  The Solway is representative of sublittoral sandbanks on the coast of north-west England/ south-west Scotland. The sandbanks comprise mainly gravelly and clean sands, owing in part to the very dynamic nature of the estuary. The inner estuary contains constantly changing channels, and a predominance of sand is characteristic of such high-energy systems. There is a transition to less extreme conditions in the outer estuary. The dominant species of the infaunal communities comprise different annelid worms, crustaceans, molluscs and echinoderms, depending on the nature of the substrate. For example, the bivalve molluscs Fabulina fabula and Spisula subtruncata occur at the edge of sandbanks in fine and medium sand respectively. These communities are richer in the less extreme conditions of the outer estuary.

- 1130 Estuaries
  The Solway is a large, complex estuary on the west coast of Britain. It is one of the least-industrialised and most natural large estuaries in Europe. Tidal streams in the estuary are moderately strong and levels of wave energy can be high. There is considerable seasonal fluctuation in water temperature, owing to the shallow nature of the estuary. The sediment habitats present, mainly dynamic sandflats and subtidal sediment banks, are separated by six main river channels, which are continually changing their patterns of erosion and accretion. The sublittoral sediment communities are typically sparse in the inner estuary, owing to the mobility of the sediment coupled with low and variable salinity. Communities become richer towards the outer estuary, where there are less extreme environmental conditions and more varied substrates. The dominant species of bivalve molluscs, polychaete worms, crustaceans and echinoderms vary, depending on location within the estuary.

- 1140 Mudflats and sandflats not covered by seawater at low tide
  The Solway Firth is representative of highly mobile, predominantly sandy intertidal flats on the west coast. It contains the third-largest area of continuous littoral mudflats and sandflats in the UK. These occur within a natural estuary system substantially unaffected by human activities, such as industrial development and dredging. The Solway is an unusually

dynamic estuarine system, with mobile channels and banks. Fine sandy sediments occur in the inner estuary, and more stable and diverse conditions in the outer reaches. Salinity ranges from fully marine to estuarine in character, and these gradients in physical conditions add to the ecological diversity within the site. The presence of intertidal sediment flats of fine sands, rather than muds, in conditions of estuarine salinity is a notable feature.

- 1310 Salicornia and other annuals colonizing mud and sand
  The pioneer glasswort Salicornia spp. saltmarsh in the Solway is part of a complete sequence of saltmarsh types, from pioneer communities through extensive mid-to high saltmarsh and transitions to tidal grazing marsh. It represents Salicornia and other annuals colonising mud and sand in north-west England and south-west Scotland. The pioneer marshes in this site develop in response to changing river channels and erosion of existing marsh and form part of a dynamic suite of maritime habitat types for which the site has been separately selected.

- 1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
  The Solway Firth, between north-west England and south-west Scotland, has been little affected by enclosure, with the result that it demonstrates unusually large areas of upper marsh and transitions to freshwater grassland communities. There is a greater proportion of sand in the substrate than is found in more southern saltmarshes. The mid-upper marsh is heavily dominated by saltmarsh rush Juncus gerardii community with smaller areas of the saltmarsh-grass/fescue Puccinellia/Festuca communities. The site has been selected because of its large size and uninterrupted transitions. Some of the species present, for example sea-purslane Atriplex portulacoides, common sea-lavender Limonium vulgare and lax-flowered sea-lavender Limonium humile, are at their northern limit in the UK.

The Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site are as follows;

- 1170 Reefs
- 1220 Perennial vegetation of stony banks
- 2130 "Fixed coastal dunes with herbaceous vegetation (""grey dunes"")" * Priority feature

The Annex II species that are a primary reason for selection of this site are as follows;

- 1095 Sea lamprey *Petromyzon marinus*
  The Solway Firth provides migratory passage for sea lamprey *Petromyzon marinus* to and from spawning and nursery grounds in a number of rivers, including the Eden which is designated as a cSAC for the species.

- 1099 River lamprey *Lampetra fluviatilis*
  The Solway Firth provides migratory passage for river lamprey *Lampetra fluviatilis* to and from spawning and nursery grounds in a number of rivers, including the Eden which is designated as a cSAC for the species.

There are no Annex II species are listed as a qualifying feature, but not a primary reason for the selection of the site.

The Annex I Habitats and Annex II Species listed as qualifying features on the SAC designation are all marine and exist in the intertidal zone. The Site here considered is without the intertidal zone and will result in no direct inputs to the SAC. Due to the proximity of the Site to the Solway Firth SAC there remains a small degree of risk of impacts as a result of the proposed development.

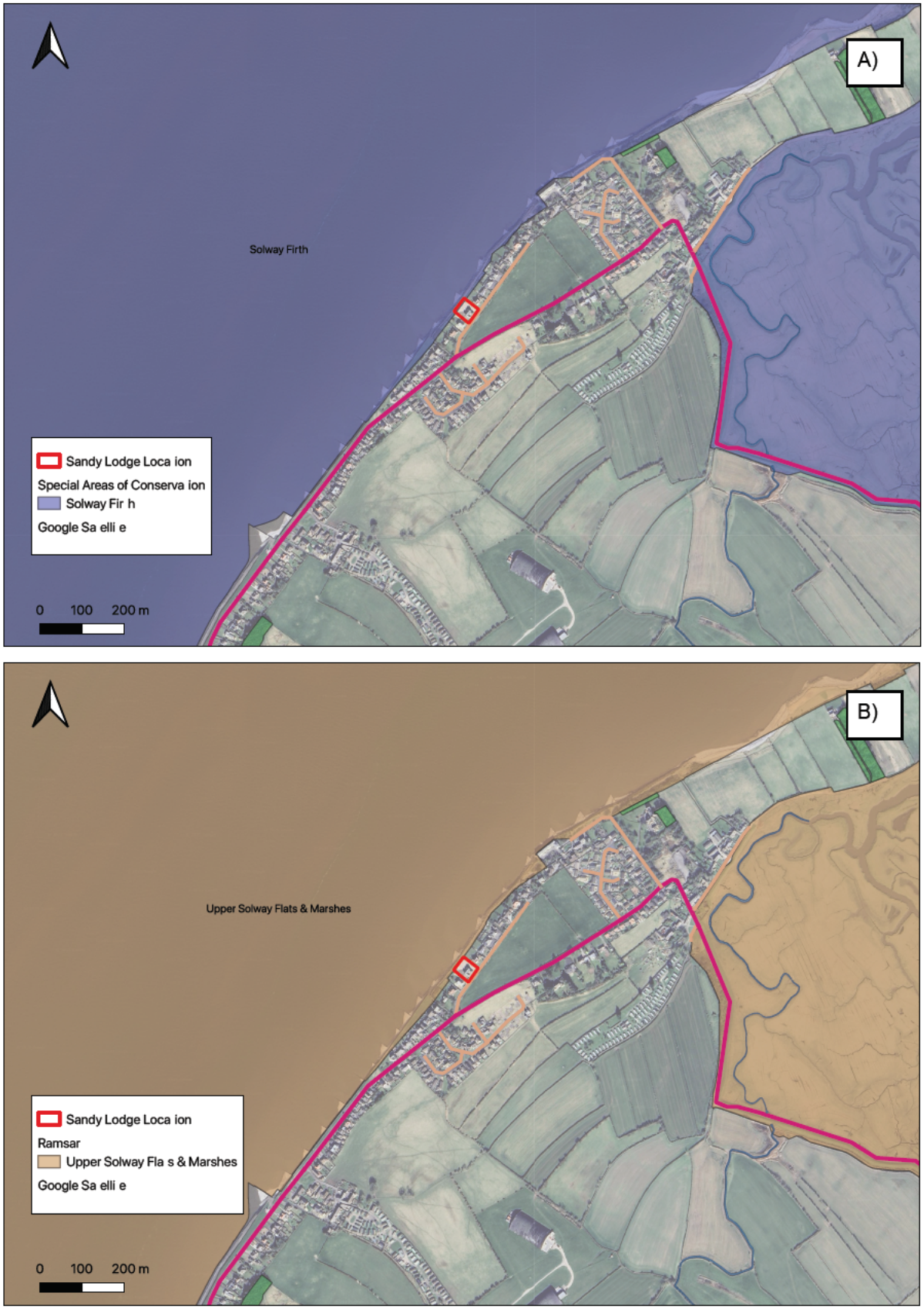

Figure 5: *Showing location of A) |Solway Firth SAC (top) and B) Upper Solway Flats and Marshes Ramsar Site in relation to Sandy Lodge, Ryehills Road, Skinburness, Silloth, Cumbria, CA7 4QT.*

Upper Solway Flats and Marshes Ramsar Site

The flats and marshes of the Upper Solway Firth form one of the largest continuous areas of intertidal habitat in Britain. The whole estuarine complex is a site of national and international importance for wintering wildfowl and wading birds and is a vital link in a chain of west coast estuaries used by migrating birds. The site is also noted for its populations of breeding birds, natterjack toad (*Bufo calamita)* and invertebrates. The geomorphology and vegetation of the estuarine saltmarshes or merses is also of international importance with broad transitions to mature 'upper-marsh' being particularly well represented. A number of rare plant species and geological exposures also occur within the site.

Upper Solway Flats and Marshes Ramsar Site (Site Number 341) measures 43637.0ha and consists of;

Tidal Flats (93%)
Salt Marshes (6%)
Sand / shingle shores (including dune systems) (1%)

The justification criteria for this Ramsar Site are as follows;

- Ramsar criterion 2
  - Supports over 10% of the British population of natterjack toad Bufo calamita (Habitats Directive Annex IV species (S1202))

- Ramsar criterion 5
  - Assemblages of international importance: Species with peak counts in winter: 135720 waterfowl (5 year peak mean 1998/99-2002/2003)

- Ramsar criterion 6
  - Species/populations occurring at levels of international importance.

Qualifying Species/populations (as identified at designation) - Criterion 5:	
Species with peak counts in winter:	
Pink-footed goose , Anser brachyrhynchus, Greenland, Iceland (br)	4321 individuals, representing an average of 1.8% of the flyway population (5 year peak mean 1998/9-2002/3)
Barnacle goose , Branta leucopsis, Svalbard (br) SW Scotland (w)	13515 individuals, representing an average of 58.7% of the flyway population (5 year peak mean 1998/9-2002/3)
Northern pintail , Anas acuta, NW Europe (non-br), NW Europe (w)	4264 individuals, representing an average of 7.1% of the flyway population (5 year peak mean 1998/9-2002/3)
Red knot , Calidris canutus islandica, (w)	9370 individuals, representing an average of 2.1% of the flyway population (5 year peak mean 1998/9-2002/3)
Dunlin , Calidris alpina alpina, W Europe (non-br)	14807 individuals, representing an average of 1.1% of the flyway population (5 year peak mean 1998/9-2002/3)

Bar-tailed godwit , Limosa lapponica lapponica, Coastal W Europe & NW Africa (w)	1758 individuals, representing an average of 1.4% of the flyway population (5 year peak mean 1998/9-2002/3)
Eurasian curlew , Numenius arquata arquata, N. a. arquata Europe W Central & N Europe E to Urals (br)	6179 individuals, representing an average of 1.4% of the flyway population (5 year peak mean 1998/9-2002/3)
Common redshank , Tringa totanus totanus, E Atlanctic (non-br)	3459 individuals, representing an average of 1.3% of the flyway population (5 year peak mean 1998/9-2002/3)
Species with peak counts in Spring / Autumn:	
Ringed plover , Charadrius hiaticula, Europe/Northwest Africa (non-br)	1405 individuals, representing an average of 1.9% of the flyway population (5 year peak mean 1998/9-2002/3 - spring peak)

Table 6: *Ramsar designation qualifying Species/populations (as identified at designation) - Criterion 5 - Assemblages of international importance: Species with peak counts in winter: 135720 waterfowl (5 year peak mean 1998/99-2002/2003).*

Species currently occurring at levels of national importance - Criterion 6:	
Species regularly supported during breeding season:	
Little tern , Sterna albifrons albifrons, W Europe	23 apparently occupied nests, representing an average of 1.1% of the GB population (Seabird 2000 Census)
Species with peak counts in Spring / Autumn:	
Eurasian oystercatcher , Haematopus ostralegus ostralegus, Europe & NW Africa -wintering	56831 individuals, representing an average of 5.5% of the GB population (5 year peak mean 1998/9-2002/3)
Great cormorant , Phalacrocorax carbo carbo, NW Europe	597 individuals, representing an average of 2.5% of the GB population (5 year peak mean 1998/9- 2002/3)
Common shelduck , Tadorna tadorna, NW Europe	2928 individuals, representing an average of 3.7% of the GB population (5 year peak mean 1998/9- 2002/3)
Grey plover , Pluvialis squatarola, E Atlantic/ W Africa -wintering	704 individuals, representing an average of 1.3% of the GB population (5 year peak mean 1998/9- 2002/3)
Sanderling , Calidris alba, Eastern Atlantic	216 individuals, representing an average of 1% of the GB population (5 year peak mean 1998/9- 2002/3)
Ruff , Philomachus pugnax, Europe/W Africa	22 individuals, representing an average of 3.1% of the GB population (5 year peak mean 1998/9- 2002/3)
Whimbrel , Numenius phaeopus, Europe/ Western Africa	42 individuals, representing an average of 1.4% of the GB population (5 year peak mean 1998/9- 2002/3 - spring peak)
Common greenshank , Tringa nebularia, Europe/W Africa	33 individuals, representing an average of 5.5% of the GB population (5 year peak mean 1998/9- 2002/3)
Mew gull , Larus canus canus, Europe to N Africa	7111 individuals, representing an average of 1.6% of the GB population (5 year peak mean 1998/9- 2002/3)
Species with peak counts in Winter:	
Whooper swan , Cygnus cygnus, Iceland/ UK/Ireland	154 individuals, representing an average of 2.6% of the GB population (5 year peak mean 1998/9- 2002/3)
Greater scaup , Aythya marila marila, W Europe (w)	1612 individuals, representing an average of 21.3% of the GB population (5 year peak mean 1998/9-2002/3)
Great crested grebe , Podiceps cristatus cristatus, NW Europe	180 individuals, representing an average of 1.1% of the GB population (5 year peak mean 1998/9- 2002/3)
European golden plover , Pluvialis apricaria apricaria, P. a. altifrons Iceland & Faroes/E Atlantic	3910 individuals, representing an average of 1.5% of the GB population (5 year peak mean 1998/9- 2002/3)

Species/populations identified subsequent to designation for possible future consideration under criterion 6.	
Species regularly supported during the breeding season:	
Lesser black-backed gull , Larus fuscus graellsii, W Europe/Mediterranean/W Africa	2402 apparently occupied nests, representing an average of 1.6% of the breeding population (Seabird 2000 Census)
Herring gull , Larus argentatus argentatus, NW Europe and Iceland/W Europe)	7211 apparently occupied nests, representing an average of 1.9% of the breeding population (Seabird 2000 Census)

Table 6: *Ramsar designation qualifying currently occurring at levels of national importance - Criterion 6: Species/populations occurring at levels of international importance.*

In the most recent update to the Ramsar Information Sheet for the Upper Solway Flats and Marshes (competed May 2005), there were no factors found to be adversely affecting the site's ecological character.

The criterion listed as justification criteria for the Ramsar Site are highly unlikely to be affected by the proposed development, but due to the proximity of the Site to the Upper Solway Flats and Marshes Ramsar Site, there remains a small degree of risk of impacts as a result of the proposed development.

Domestically Designated Sites

A search for all designated sites on Natural England's MAGIC website (http://www.magic.gov.uk) conducted on 16/05/2025 has confirmed that a single domestically designated sites exists within a 2km radius of national grid ref. NY 12251 55723. This is the Upper Solway Flats and Marshes Site of Special Scientific Interest (SSSI).

The Upper Solway Flats and Marshes SSSI is notified for the following reasons;

> '*The flats and marshes of the Upper Solway Firth form one of the largest continuous areas of intertidal habitat in Britain, exceeded only by Morecambe Bay and the Wash. The whole estuarine complex is a site of national and international importance for wintering wildfowl and wading birds and is a vital link in a chain of west coast estuaries used by migrating birds. The site is also noted for its populations of breeding birds, natterjack toads and invertebrates, whilst the geomorphology and vegetation of the estuarine saltmarshes or merses is also of great importance with broad transitions to mature 'upper-marsh' being particularly well represented. A number of rare plant species and notable geological exposures also occur within the site*.'
>
> https://designatedsites.naturalengland.org.uk/PDFsForWeb/Citation/1001196.pdf

The SSSI citation document goes on to list the bird species and populations listed above as the justification criteria for the Ramsar Site, natterjack toads (*Bufo calamita*); '*Over 10% of the total British population of the rare natterjack toad Bufo calamita occurs on the Solway*', great crested newt (Triturus cristatus); '*breeds within the site*', and a wide range of marine / intertidal invertebrate and plant species. Furthermore, a number of terrestrial coastal plant species are specifically listed on the SSSI notification;

'[…] *support a typical range of plant species including burnet rose Rosa pimpinellifolia, sea-holly Eryngium maritimum, bloody crane's-bill Geranium sanguineum and the uncommon Isle of Man cabbage Rhynchosinapis monensis. Dyer's greenweed Genista tinctoria occurs in the small areas of dune heath and grassland*.'

Finally a range of geological interest features of the SSSI are noted.

There are currently three identified 'pressures' affecting the SSSI, specifically 'Scrub encroachment' (High Risk / Active), 'Under grazing' (High Risk / Active) and 'Weeds / Inappropriate Species' (High Risk / Potential).

The Sandy Lodge Site lies directly adjacent SSSI Unit 24 which measures 24ha and consists entirely of Supralittorial Sediment and occupies a thin strip of upper foreshore between the slipway on Skinburness Road to the end of Grune Point. This Unit was last assessed in 2017 and was, at that time, found to be in an 'Unfavourable - No Change' condition, due to the reduction of fixed and semi-fixed dune grassland caused by storms in 2014 and the marked increase of scrub.

The Sandy Lodge Site lies within the first of Natural England's Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZ) and therefore Natural England must be consulted on '*all planning applications at this location*'.

Figure 6: *Showing location of Upper Solway Flats and Marshes SSSI in relation to Sandy Lodge, Ryehills Road, Skinburness, Silloth, Cumbria, CA7 4QT.*

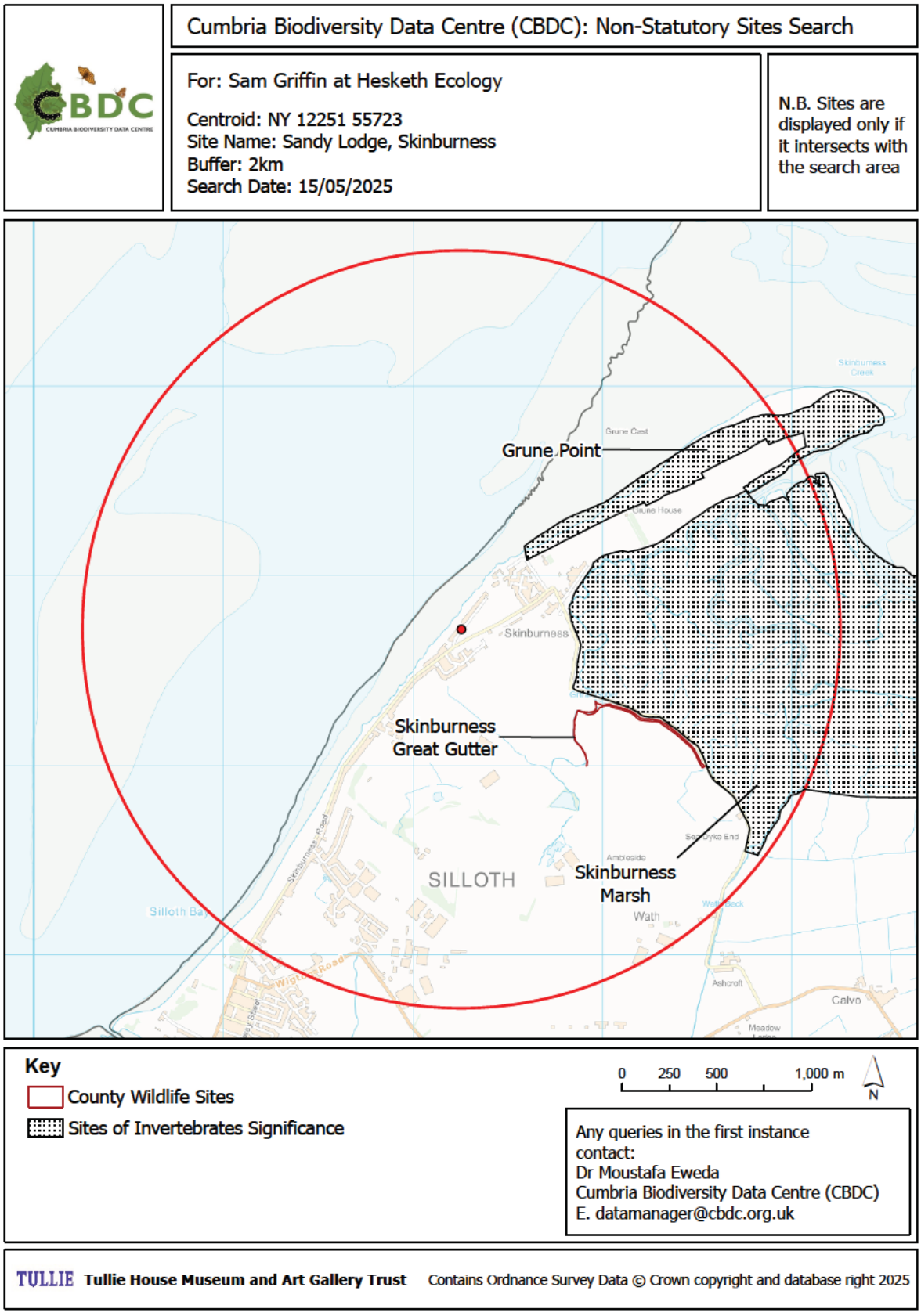

Figure 7: *Cumbria Biodiversity Data Centre (CBDC): Non-Statutory Sites Search - Centroid:* NY 12251 55723, *Site Name: 'Sandy Lodge, Skinburness', Search Buffer: 2km, Search Date: 15/05/2025.*

Locally Designated Sites

A detailed data search for all locally designated sites was commissioned from Cumbria Biodiversity Data Centre (CBDC) for all Locally Designated Sites within a 2km radius of Nat. Grid Ref. NY 12251 55723. This revealed that only a single County Wildlife Site and two Sites of Invertebrate Significance exist within 2km of the Site.

- Skinburness Great Gutter County Wildlife Site; c1km to the south west.
- Grune Point Site of Invertebrate Significance; c0.5km to the north west.
- Skinburness Marsh Invertebrate Significance; c0.5km to the west.

Considering the scale of the proposed development and the distance between the Site and the Locally Designated Sites listed above, it is concluded that the proposed development will have no impact upon any Locally Designated Site.

4.2. Habitat Description

Skinburness lies within Landscape Character Type 2: Coastal Margins - Sub-Type 2d: Coastal Urban Fringe, as defined in the 'Cumbria Landscape Character Guidance and Toolkit PART ONE Landscape Character Guidance'.

'Coastal Margins: Coastal Urban Fringe' is characterised as;

- Low lying flat land
- Urban influences linked to tourism development, derelict buildings and major transport routes
- Strong man-made landforms on coastal edges
- Mixed land cover of mown grass, pasture, scrub and semi natural grassland
- Weak field patterns.

The ecological interest of this landscape type is presented as follows;

> '*This landscape supports a surprising wealth of wildlife, often, but not exclusively, associated with former industrial sites. Areas of iron slag are often colonised by herb-rich grasslands, which can support uncommon plants and wildlife. Previously developed land around Workington and Maryport support a significant population of small blue butterfly and purple broomrape. Great crested newts and natterjack toads are frequent in damp ground and pools within this landscape; and where it adjoins areas of saltmarsh and intertidal sand and mudflat areas can be used as a high tide roost by wintering and passage waders and wildfowl such as whooper swans, pink footed goose and barnacle goose. Hodbarrow Lagoon is of importance for breeding and wintering birds and scarce aquatic plants such as spiral tasselweed. Previously developed land also supports mosaic habitats of pen land, grassland, scrub, pools and heathland*.'
>
> Cumbria Landscape Character Guidance and Toolkit PART ONE Landscape Character Guidance, Pg. 46.

A 'Design Access and Heritage Statement' has been prepared and submitted with the planning application. This presents the history of the Site as follows;

> *'The age of the property is not known but clearly shown on the 1923 map for Skinburness suggesting the property is around one hundred years old.'*

And;

> *'The development of this row of houses appears to have occurred after the 1900's and completed by 1926. All of the plots remain occupied and whilst some homes have been retained, others have been re-modelled and altered since their construction.'*

A review of historic maps has shown that the Site was undeveloped and marked as sand dunes in 1866 (earliest available OS Plan - Cumberland XX.8; 1866). At this time dunes are known as Cote Bank and Rye Hill. By 1899 (Cumberland XX.NE OS Six-Inch Map 1899) no houses are marked on the Site, but an un-made track through the dunes, approximately following the course of what is now Ryehills Road, is in evidence. By 1923 (Cumberland XX.NE - OS Six-Inch Map 1923) Ryehills Road is shown in broadly its current configuration, although a small number of plots do not have any buildings marked. By 1938 (NY15 & Parts of NY05 - OS 1:25,000, 1938) all plots are occupied and coastal defences appear to have been installed between the properties and the sea, leaving no dunes indicated on the map.

This review of historic maps shows that the properties on Ryhills Road were developed over a relatively short space of time between 1899 and 1923 and that plots have changed very little since that time. The properties appear to have been built on what was formerly sand dunes.

The Site is currently bounded to the west by a thin strip of 'Coastal Sand Dunes' Priority Habitat (as identified by on the Priority Habitat Inventory V3.0). Beyond this to the west, the intertidal zone is identified as 'No Main Habitat but Additional Habitats Present', which is noted to contain 'Coastal Vegetated Shingle' and 'Salt Marsh'. In the wider area, an extensive area of 'Coastal Floodplain Grazing Marsh' exists c.0.2km to the south east and a large area of 'Salt Marsh' lies c.0.5km to the east. The Site itself is not identified as Priority Habitat in the Priority Habitat Inventory V3.0.

To the north and south of the Site are detached residential properties with surrounding private gardens. These are landscaped and managed as garden areas with mown lawns, flower beds and shrubs. The Site is currently enclosed within a 2m tall garden fence on the western side which appears to have been recently installed. Hedges and fence exist on the northern and southern boundary and a Herras fence has been installed on the eastern boundsry preventing access from Ryhills Road. Without the Site boundary to the east is a small field of modified / neutral grassland which appears to be grazed.

The Survey Area (See Figure 1B) has been recently cleared. As mentioned above (Section 1.2) it is unclear precisely when this occurred, but historic areal photography from April 2022 shows the Site prior to clearance. The Site clearance appears to have involved the removal of some shrubs and the scraping back of previously lawned areas. This has resulted in areas of bare sand at the western side of the Site. Remnants of what is assumed to be the pre-existing lawn vegetation do still exist adjacent the existing building and the area of tarmac hardstanding to the east of the property do still exist, as do some flower beds and shrubs adjacent the house.

The Site measures 0.17h. Of this approximately 0.05ha is occupied by the existing building and tarmac hardstanding to the east, 0.07ha is currently sparsely vegetated bare sand and 0.04ha is intact former lawned areas. The existing flower beds and shrubs exist directly adjacent the building and are below the Minimum Mapping Unit (MMU) used for this survey. A total of four established but immature trees exist within the garden, and a further four newly planted whips also exist. In addition to these an immature cherry tree does exist in a flower bed directly adjacent the eastern elevation in an area mapped as 'developed land'. It is possible - if not likely - that other immature trees and / or shrubs have been removed during the Site clearance.

The recently cleared areas - currently consisting of sparsely vegetated bare sand - do not fit neatly in to any UKHab category. Having been recently created from what was a managed lawn area, the bare sand appears to have been colonised via wind blown seed, but also from garden plants which have persisted in the seed-bank and - in some cases - from live rhizomes which have survived the clearance. The Site has been recently enclosed within a 2m fence on the western side, so the process of sand deposition is likely to have been curtailed. The bare sand which does exist appears to be broadly static and is not accreting, nor being formed by natural systems. Dune building grasses (such as Marram grass) are not present on Site. The absence of natural processes shaping the sand and of dune building grass species means that although the Site originally derived from sand dune habitat, it does not *currently* meet the definition of 'Coastal Sand Dunes' Priority Habitat. The physical characteristics of the Site would - if un-affected by any form of management - allow for the establishment of a sand dune habitat.

The bare sand areas - although sparsely vegetated - were found to contain the following species; red fescue (*Festuca rubra*), cocks-foot (*Dactylis glomerata*), annual meadow grass (*Poa annua*), rough meadow grass (*P. travialis*), Yorkshire fog (*Holcus lanatus*), sweet vernal grass (*Anthoxanthum odoratum*), sand sedge (*Carex arenaria*), field woodrush (*Luzula campestris*), garlic mustard (*Alliaria petiolata*), yarrow (*Achillea millefolium*), winter purslane (*Claytonia perfoliata*), cow parsley (*Anthriscus sylvestris*), sea radish (*Raphanus raphanistrum*), Isle of Man cabbage (Coincya monensis subsp. monensis), hairy bittercress (*Cardamine hirsuta*), red dead nettle (*Lamium purpureum*), lesser birds foot trefoil (*Lotus corniculatus*), common cleavers (*Galium aparine*), nettle (*Urtica dioica*), pignut (*Conopodium majus*), sheep sorrel (*Rumex acetosella*), common sorrel (*R. acetosa*), curly dock (*R. crispus*), broad-leaved dock (*R. obtusifolius*), mouse ear (*Cerastium fontanum*), ribwort plantain (*Plantago lanceolata*), ragwort (*Jacobaea vulgaris*), Angelica (*Angelica archangelica*), ground elder (*Aegopodium podagraria*), hogweed (*Heracleum sphondylium*), spear thistle (*Cirsium vulgare*), foxglove (*Digitalis purpurea*), creeping cinquefoil (*Potentilla reptans*), dandelion (Taraxacum sp. agg.), herb Robert (*Geranium robertianum*), shining cranesbill (*G. lucidum*), groundsel (*Senecio vulgaris*), spinet sow thistle (*Sonchus asper*), smooth sow thistle (*S. oleraceus*), meadow buttercup (*Ranunculus acris*), hedge woundwort (*Stachys sylvatica*), chickweed (*Stellaria media*), procumbent pearlwort (*Sagina procumbens*) and marsh cudweed (*Gnaphalium uliginosum*). Many of these species were represented by only a single specimen or small number of specimens and were generally representative of first year growth only. In addition to these species were a number of exotic or garden plants which have either colonised the newly created bare sand from adjacent gardens or persisted through the vegetation clearance, including; Spanish bluebell (*Hyacinthoides hispanica*), Japanese rose (*Rosa rugosa*), tree lupin (*Lupinus arboreus*), daffodil (*Narcissus*), prickly poppy (*Papaver argemone*), honesty (*Lunaria annua*), flowering currant (*Ribes sanguineum*) and honeysuckle (*Lonicera*). The plant community on the bare sand areas of the Site is therefore very diverse and of very recent origin.

Whilst the bare sand habitat itself does not currently represent a Priority Habitat, Isle of Man Cabbage (Coincya monensis subsp. monensis) - which was represented by a single plant on the Site - is a Nationally Scarce endemic species, albeit listed as Least Concern by the most recent review (Feb 2021) of the Great Britain Red List. The entire native global range of this species is between North Wales and the Solway (including the Isle of Mann), but it is currently considered to be 'stable' or 'increasing' on the coast of Cumbria (Porter & Halliday, 2014). Isle of Man cabbage is not currently afforded any legal protection and is not listed on England NERC list (Section 41).

Japanese rose (Rosa rugosa) is abundant on Site. Having been recently cut back, the growth currently in evidence on Site is low, but very wide spread. This species is an invasive non-native species and is listed in Schedule 9, Part II of section 14(2) of the Wildlife and Countryside act 1981. The abundance of Japanese rose within the Site boundary and the prevalence of bare sand habitat presents a significant risk of this invasive species spreading both within and beyond the Site boundary.

Tree lupin (*Lupinus arboreus*) is also abundant on Site. This species is not currently listed on Schedule 9, but does spread freely in sand dunes and has significant potential to spread beyond the Site boundary into adjacent priority habitats where it could have a serious and ongoing impact on the native plant communities present in these areas.

The areas of developed land on Site include the existing building and the hardstanding to the east. These areas are of very little intrinsic conservation value, but do offer opportunities for breeding birds (See Section 4.9 - below).

The four individual immature trees on Site are 2x sycamore (*Acer pseudoplatanus*) measuring 26.5cm and 19cm Diameter at Breast Height (DBH), sweet chestnut (*Castanea sativa*) measuring 19cm DBH and sessile oak (*Quercus petraea*) which measures 19.5cm DBH. A single ornamental cherry tree is growing adjacent the eastern elevation of the property and measures 9.5cm DBH.

It is understood pers. comms. Stuart Woodall (Green Swallow North Ltd.), that the development is exempt from the mandatory Biodiversity Net Gain requirement as the proposed development is <9 dwellings, the Site is <0.5ha and proposed development is self-build / custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 201 (email dated 12th May 2025).

4.3. Legally Protected Species

A data search was commissioned from Cumbria Biodiversity Data Centre for all records of rare, scare, protected or invasive non-native species within a 2km radius of nat. grid. ref. NY 12251 55723. The search was conducted on 15/05/2025. This detailed biological records search returned a total of 3908 records of 219 rare, scarce and protected species.

With 3908 individual historic records of 219 species returned via the CBDC data search; species of all taxon groups are well recorded in this search area. However, historic biological records are of use in identifying potential presence of a species in an area, but should never be taken to imply likely absence. A lack of records is more likely to suggest lack of recorder effort than likely absence. This being the case, each species / species group is considered individually in relation to the site and the features of the site which may offer potential for the species / species group.

Taxon Group	Number of historic records	Number of species
Fungus	1	1
Lichen	0	0
Moss	0	0
Conifer	1	1
Flowering Plant	12	6
Horsetail	0	0
Chromist	0	0
Mollusc	0	0
Crusacean	0	0
Spider	0	0
Insect	133	22
Jawless Fish	0	0
Bony Fish	3	2
Cartilagenous fish	0	0
Amphibian	270	3
Reptile	0	0
Bird	3344	163
Marine Mammal	96	13
Terrestrial Mammal	48	8
TOTAL	3908	219

Table 7: *Summary of detailed biological records search from Cumbria Biodiversity Data Centre.*

Records obtained from Cumbria Amphibian and Reptile Group contain a single record of natterjack toad only within 2km of the Site. This record is 'historic and unconfirmed', was collected in 1992 and was collected approximately 0.6km to the east of the Site.

4.4. BATS

This survey and report specifically and explicitly excludes any consideration of bats as this has been considered separately - See 'Preliminary Roost Assessment, Sandy Lodge, Ryehills Road, Silloth-on-Solway, Skinburness, Cumbria, CA7 4QT. Ref. J077' and 'Supporting Statement (Dated 4th March 2025)' by Natural Ecology.

4.5. AMPHIBIANS

Records obtained from Cumbria Biodiversity Data Centre include 270 historic records of amphibians from within 2km of the site. These historic records relate to three species; specifically common frog (*Rana temporaria*), common toad (*Bufo bufo*) and natterjack toad (*Epidalea calamita*). No records of great crested newt have been identified via the CBDC data search anywhere within 2km of the site.

Cumbria Amphibian and Reptile Group (CARG) hold single record of natterjack toad (only) within 2km of the Site. This record is 'historic and unconfirmed', was collected in 1992 and was collected approximately 0.6km to the east of the Site. This single record does not expand the range of natterjack toads beyond that identified by CBDC records. CARG do not hold any records of other reptile or amphibian species within 2km of the Site.

The vast majority of amphibian records held by CBDC are of natterjack toads (262 records). Of these the overwhelming majority of natterjack toad records come from in and around breeding pools on Grune Point (between 0.7 - 1.7km to the north east). The '*Natterjack Toad (Bufo calamita) Site Register for the UK 1970-2009 inclusive*' Beebee & Buckley (2014) - **CONFIDENTIAL** Unpublished report by Amphibian and Reptile Conservation Trust, lists 12 separate breeding ponds on the Grune Point site, which broadly exist in one cluster on the point itself but with a small number of scattered pools on the landward edge of the salt marsh. The closest of the breeding ponds - identified by the Site Register - is c.0.53km away, but no breeding nor presence was recorded in this pond during the period 1970-2009. The closest identified breeding pond with records of natterjack toads between 1970-2009 is c.0.63km away. Whilst the Sandy Lodge Site does contain areas of open, bare sand which could theoretically be attractive to natterjacks, the Site is distant from known populations and is isolated via adjacent development and the intact boundary fence. No pools or other bodies of open standing water exist on site, nor on adjacent areas, and for these reasons the risk of natterjack toads occurring on Site is considered to be 'nil'.

A search for all 'Granted European Protected Species Applications', 'Great Crested Newt Class Survey Licence Returns' and 'Great Crested Newt Pond Surveys 2017-2019' on Natural England's MAGIC website (http://www.magic.gov.uk) conducted on 19/05/2025 has confirmed that none of these features exist within a 2km radius of national grid ref. NY 12251 55723.

The 'Great Crested Newt - Risk Zones (Cumbria)' dataset (See Figure 8 - below) shows that the Site lies partly within an area mapped as a 'Green' zone, which indicates areas which are considered to '*contain sparsely distributed GCN and are less likely to contain important pathways of connecting habitat for this species*' and partly within an 'Amber' zone, which '*contain main population centres for GCN and comprise important connecting habitat that aids natural dispersal'*.

The Association of Local Government Ecologists (ALGE) trigger list for when protected species surveys may be required suggests that any pond within 500m of a major proposal (one that is more than 10 dwellings or more than 0.5 hectares) or within 100m of a minor proposal (fewer than 10 dwellings or less than 0.5 hectares) may require full survey work for great crested newts unless a barrier to dispersal exists. The current proposal is <0.5ha and therefore a 'minor' proposal, meaning ponds within 100m should be considered. No ponds have been identified within 100m of the Site.

Figure 8: *Showing 'Great Crested Newt - Risk Zones (Cumbria)' for the area; Red zones contain key populations of GCN, which are important on a regional, national or international scale. Amber zones contain main population centres for GCN and comprise important connecting habitat that aids natural dispersal. Green zones contain sparsely distributed GCN and are less likely to contain important pathways of connecting habitat for this species. White zones contain no GCN.*

No ponds have been identified within 100m of the Site. Great crested newts have never been previously recorded within 2km of the Site and the Site lies within the 'green' and 'amber' GCN risk zone. It is concluded that great crested newts are highly unlikely to occur on site and that the proposed development presents no risk to great crested newts.

4.6. OTTERS

Records obtained from Cumbria Biodiversity Data Centre include 5 historic records of otter (*Lutra lutra*) within 2km of the site. These records relate to 'dung' and sightings from between 0.2km and 2.3km from the Site.

Otter are now widespread in Cumbria and are likely to at least occasionally use *any* watercourse or any section of coast. The Site lies directly adjacent the coast. The Site is residential, bounded by other residential properties and enclosed within a garden fence. The Site contains no ponds or other bodies of open standing water and offers no potential for otter to lie-up.

No evidence of otters having been present on the site was discovered during the site inspection. The newly erected fence on the western side is very likely to exclude the possibility of otter being able to access the Site.

The Site is not considered to offer any specific value to otter. The habitat is not suitable for otter holts. It is therefore concluded that otter are unlikely to ever occur on site and that the proposed development presents no risk to otter.

4.7. Badgers

Records obtained from Cumbria Biodiversity Data Centre do not include any historic records of badger (*Meles meles*) within 2km of the Site.

The Site contains no habitat likely to be used for any purpose by badgers. No evidence of badgers having been present on the site was discovered during the site inspection. The newly erected fence is very likely to exclude the possibility of badger being able to access the Site.

The Site is not considered to offer any specific value to badger. The habitat is not suitable for badger setts. It is therefore concluded that badger are unlikely to ever occur on site and that the proposed development presents no risk to badger.

4.8. Reptiles

Records obtained from Cumbria Biodiversity Data Centre do not include any historic records of reptiles within 2km of the Site. Furthermore, Cumbria Amphibian and Reptile Group do not hold any records of reptiles within 2km of the Site.

The following list gives characters that influence reptile habitat suitability;

- Location in relation to species range
- Vegetation structure
- Isolation
- Aspect
- Topography
- Surface geology
- Connectivity to nearby good quality habitat
- Prey abundance
- Refuge opportunity
- Hibernation habitat potential
- Disturbance regime

The Site scores very poorly in an assessment of all of the above characteristics. The Site is predominantly bare sand with a few scattered fragments of intact grassland.

The Site does not contain suitable reptile habitat. It is therefore concluded that reptiles are unlikely to occur on site and that the proposed development presents no risk to reptiles.

4.9. Breeding Birds

Records obtained from Cumbria Biodiversity Data Centre include 3344 records of birds relating to 163 species occurring within 2km of the site. The majority of species recorded are identified as either possible, probable or confirmed as breeding. The precise location of bird records, specifically nest sites, is rarely provided in historic data.

Generally the Site offers very little potential for breeding birds. Much of the Site has been cleared, but the dwelling is still present and in a very dilapidated state. Numerous gaps exist within the structure of the building. Two separate starling (*Sturnus vulgaris*) nests were identified in the building; one on the eastern elevation behind ivy cladding the north east corner and another on the north east corner. Both of these nests were active at the time of the survey with young in the nests and both parents in attendance.

No other evidence of breeding birds was identified and no evidence of any species listed under Schedule 1 (Part 1) of the Wildlife and Countryside Act 1981 (as amended) was discovered during the survey.

Breeding birds are present on Site and there is a risk that breeding birds could therefore be harmed during the proposed works. This is only a risk if works commence during the breeding season (March - August inclusive).

4.10. Red Squirrels

Records obtained from Cumbria Biodiversity Data Centre include any 2 historic records of red squirrels (*Sciurus vulgaris*) and 12 records of grey squirrels (*Sciurus carolinensis*) within 2km of the site.

The trees on site are immature, exposed to the elements and isolated from any areas of woodland in the wider area. No evidence of squirrels was identified on or adjacent the site during the site survey.

The Site is currently not considered to offer any specific value to red squirrels. It is therefore concluded that squirrels are unlikely to ever occur on site and that the proposed development presents no risk to squirrels.

4.11. Other Mammals

Records obtained from Cumbria Biodiversity Data Centre include records of stoat (*Mustela erminea*), weasel (*Mustela nivalis*), American mink (*Neovison vison*), hedgehog (*Erinaceus europaeus*), common shrew (*Sorex araneus*) and brown hare (*Lepus europaeus*) from within 2km of the site, plus a range of Cetaceans, and both grey seal (*Halichoerus grypus*) and harbour seal (*Phoca vitulina*).

Having been cleared of vegetation, the garden offers very little potential for small mammals and species such as hedgehog are unlikely to routinely occur. No burrows or other evidence of small mammals was identified during the survey.

Marine mammals are recorded infrequently and in low single figures. None of the records obtained from CBDC indicate seal haul-out locations.

The proposed works on Site are unlikely to result in any disturbance significantly greater (in terms of scale or duration) to other routine activities in the wider area and therefore the risk of disturbance to marine mammals is considered to be highly unlikely.

4.12. Invasive Non-Native Species

Records obtained from Cumbria Biodiversity Data Centre include historic records of three Schedule 9 - Invasive Plant Species occurring within 2km of the site. These are Japanese knotweed (*Fallopia japonica*), Himalayan Cotoneaster (*Cotoneaster simonsii*) and Japanese rose *(Rosa rugosa)*. None of these pre-existing records come from the Site itself.

During the site inspection Japanese rose (*Rosa rugosa*) was found to be abundant on Site. This plant appears to have been planted in the garden and has survived the Site clearance via subterranean rhizomes.

The presence of a Schedule 9 invasive non-native species on site does present a risk that this species could be spread within and / or beyond the site boundary during works on site.

5. Photographs

Figure 9: *Showing the western elevation of Sandy Lodge with active starling nest (1 of 2) identified via red star.*

Figure 10: *Showing the eastern elevation of Sandy Lodge with active starling nest (2 of 2) identified via red star.*

Figure 11: *Showing example of vegetation structure within areas of bare sand, with the single Isle of Man cabbage discovered on Site.*

Figure 12: *Showing example of the isolated and immature trees present on Site, with range of native and exotic species below (including Japanese rose).*

Figure 13: *Showing the new fence enclosing the western side of the Site with bare sand containing abundant Japanese rose.*

6. Impact Assessment

6.1. Summary of Predicted Impacts

This survey has identified potential ecological impacts to;

- International and Domestic Designated Sites
  - Solway Firth SAC
  - Upper Solway Flats and Marshes Ramsar Site
  - Upper Solway Flats and Marshes SSSI
- Breeding Birds
- Invasive non-native species

Each of these features will be discussed below.

6.2. International and Domestic Designated Sites

The Site lies directly adjacent the Solway Firth SAC, Upper Solway Flats & Marshes Ramsar Site and Upper Solway Flats and Marshes SSSI. The proposal will involve no physical impacts to any of the reasons for selection, qualifying criteria or notified interest features, but considering the proximity of the Site to these designated sites, there is a small residual risk that wind blown dust or debris, disturbance to wildlife and pollution incidents having an impact beyond the Site boundary.

The applicant has proactively prepared a Construction Environment Management Plan (CEMP) ('*Pearson Building Ltd. Construction Environmental Management Plan (CEMP) Sandy Lodge, Ryehills Road, Skinburness, Cumbria, CA7 4QT*') which has been submitted alongside the planning application documents. This confirms control measures which will minimise the risk of these specific hazards occurring and reduce the severity of any of the identified hazards if they do occur.

Natural England have already been consulted on the current planning application and have provided a '**NO OBJECTION**' response and stated '*Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes*'. Specifically;

> *'**European sites***
> *Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.*
>
> ***Sites of Special Scientific Interest***
> *Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.'*

Email dated 27 March 2025, Our Ref. 505745,
Your Ref. FUL/2025/0006

6.3. Breeding Birds

The applicant has proactively prepared a Construction Environment Management Plan (CEMP) ('*Pearson Building Ltd. Construction Environmental Management Plan (CEMP) Sandy Lodge, Ryehills Road, Skinburness, Cumbria, CA7 4QT*') which has been submitted alongside the planning application documents. This confirms that the following measures will be taken so as to reduce the risk of harm to breeding birds;

> '*Bird nesting ecology check 24 hours prior to commencing tasks*
> *Environment Clerk of Works bat watch presence during removal of slates*
> *Consulting results of surveys & including in RAMS & site briefings*
> *On site vigilance during site working & reporting issues for assessment*.'

CEMP
Sandy Lodge, Ryehills Road, Skinburness, Cumbria, CA7 4QT

Despite these measures, as breeding starlings have been identified as using the Site (2 active nests at the time of the survey), and as starlings routinely have up to two broods per season, if demolition of the building commences during the bird breeding season (I.e. March - August inclusive), there is a 'high' risk that breeding birds will be harmed. If work commences outside of the bird breeding season there is 'no' risk of harming breeding birds.

6.4. Invasive Non-Native Species

Japanese rose is abundant across the Site and is seemingly re-growing from subterranean rhizomes. There is a risk that invasive non-native species (Japanese rose) could be spread within and beyond the site boundary via vegetative material within topsoil or adhering to plant, equipment or materials (particularly top soil) exported from the Site.

7. Mitigation / Recommendations

The following potential impacts have been identified;

- International and Domestic Designated Sites (**NB - '*Natural England considers that the proposed development will not have likely significant effects***')
- Breeding Birds
  - Harm to breeding birds
- Invasive non-native species
  - Spread of an invasive non-native species via materials or equipment used to site.

7.1. International and Domestic Designated Sites

Notwithstanding the existing Natural England consultation response, all measures contained within the Construction Environment Management Plan (CEMP) ('*Pearson Building Ltd. Construction Environmental Management Plan (CEMP) Sandy Lodge, Ryehills Road, Skinburness, Cumbria, CA7 4QT*') should be adopted and strictly adhered to.

7.2. Breeding Birds

The recommended mitigation measures to reduce the risk of harm to breeding birds are as follows;

- Site clearance should commence outside of the bird nesting season (March - August).

- If demolition *must* commence during the bird breeding season, a breeding bird survey must be conducted immediately prior (max. 24hrs before) to works commencing. Should evidence of active nest sites (or dependant young) be identified, no work will be possible until the nest can be confirmed as no longer active or the young have fledged and / or moved out of the works area. This should be conducted by a suitably experienced ecologist.

7.3. Invasive Non-Native Species

The recommended mitigation measures to reduce the risk of spreading invasive non-native species on / off site are as follows;

- The existing Japanese rose must be removed entirely and disposed of in an appropriate manner, prior to any further Site clearance works or landscaping works.

- All plant and equipment will be washed to remove any mud or debris prior to being removed from the site.

- All materials delivered to site must be clean and free from contamination with seeds or vegetative material from invasive non-native species and certified as such by the supplier.

- No spoil (top soil, sub-soil, aggregate etc.) will be removed from the site unless confirmed as being free of invasive non-native species, or otherwise to an appropriate facility as contaminated waste.

8. Summary

8.1. Summary of development and mitigation

This report details a Preliminary Ecological Appraisal conducted at Sandy Lodge, Ryehills Road, Skinburness, Silloth, Cumbria, CA7 4QT, Nat. Grid Ref. NY 12251 55723 (See Figure 1).

Plans 'as existing' and 'as proposed' have been provided (See Table 1, Figures 2, 3 and 4). It is understood that a proposal exists to demolish the existing building in its entirety and replace this with a similar sized dwelling with associated parking and out buildings.

A full planning application for 'Demolition of existing dwelling and construction of new dwelling, garage and workshop' was validated by Cumberland Council on 05/03/2025 (Ref. No. FUL/2025/0006). This application is currently 'under consultation'. The extant application was accompanied by a bat survey report and a 'supporting statement' relating to the bat survey report (See Table 1). It is understood that following submission of the bat survey documents and during the consultation period, Cumberland Council have made the following comments;

'Protected Species. Whilst a bat survey has been submitted with the application there are a number of other protected species identified in the area such as birds, owls, grey seal, natterjack toads. Therefore a full preliminary assessment will be required to consider all protected species not just bats.'

This survey has been commissioned to ascertain a baseline preliminary ecological assessment of the site

The Site measures 0.17h. Of this approximately 0.05ha is occupied by the existing building and tarmac hardstanding to the east, 0.07ha is currently sparsely vegetated bare sand and 0.04ha is intact former lawned areas. The existing flower beds and shrubs exist directly adjacent the building and are below the Minimum Mapping Unit (MMU) used for this survey.

No Priority Habitats nor Irreplaceable Habitats have been identified on-site.

It is understood pers. comms. Stuart Woodall (Green Swallow North Ltd.), that the development is exempt from the mandatory Biodiversity Net Gain requirement as the proposed development is <9 dwellings, the Site is <0.5ha and proposed development is self-build / custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 201 (email dated 12th May 2025).

The following potential impacts have been identified;

- International and Domestic Designated Sites (**NB - 'Natural England considers that the proposed development will not have likely significant effects'**)
- Breeding Birds
  - Harm to breeding birds
- Invasive non-native species
  - Spread of an invasive non-native species via materials or equipment used to site.

Mitigation measures are presented in Section 7 (above) and make reference to the pre-existing Construction Environment Management Plan (CEMP) (*'Pearson Building Ltd. Construction Environmental Management Plan (CEMP) Sandy Lodge, Ryehills Road, Skinburness, Cumbria, CA7 4QT'*) which should be adopted in full.

Provided all other measures are followed, no residual impacts to legally protected species groups (nor as a result of Schedule 9 invasive non-native species) are anticipated.

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