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Our Ref: FE496 / AGE / JSE

Heather Morrison
Cumberland Council
Civic Centre
Carlisle
CA3 8QG

20th August, 2025

[REDACTED]

Dear Heather,

784-B072252 WOODEND AND MOOR ROW, EGREMONT 4/25/2180/0f1 – RESPONSE TO TETRA TECH / ECOLOGY COMMENTS DATED 9TH JULY 2025

This letter has been produced following comments received from Tetra Tech on behalf of Cumberland Council, dated 9th July, 2025 regarding the submitted full planning application (FUL/4/25/2180/0F1 (Cumberland Council)). The aim of this document is to provide additional information regarding those points raised.

Futures Ecology were commissioned to undertake habitat surveys, protected species surveys and ornithological assessments to inform an Ecological Impact Assessment (EcIA) (Futures Ecology, May, 2025 FE496 EcIA01). In addition to that a Biodiversity Impact Assessment was also produced, which included a baseline Biodiversity Net Gain (BNG) assessment at the above-named site (Futures Ecology Ltd., FE496/EcIA01, August 2024). A full Biodiversity Net Gain (BNG) assessment, including the post-development, is now being undertaken and will be issued in due course (Futures Ecology Ltd., FE496/BIA01, August 2025).

A number of points raised by the consultation reiterate the conclusions of the EcIA that are proposed to be dealt within under a Construction and Environmental Manage Plan (CEMP). Where this is stated in the document no further comment is provided below.

Comments on Biodiversity Impact Assessment and Metric

1. The condition assessment for G1 (southern field) contradicts the submitted condition sheet in Appendix C. It is noted that there are less than 6 species per 1m² and so fails criteria 1, which in turn places it in 'Poor' condition. The report and supporting Metric state the grassland is in 'Good' condition. This should be rectified in either the appended Condition Sheet, or in the report body and supporting Biodiversity Metric. The quadrat data would side with the latter.



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2. Hedgerows are Habitats of Principal Importance. As such the strategic significance for Hedgerows should be included as 'Medium' as per the included methodology of Section 2.16 and the West Moorland and Furnace guidance document. Consequently, the Biodiversity Metric will need to be amended alongside Section 3.5 of the report.

3. The ditch has been included as a feature of the hedgerow and not as a separate watercourse feature. As it is unlikely to hold water for extended periods of the year and is not a conveyancing feature, this assessment is accurate.

The habitat condition assessment (HCA) sheet included for quadrat G1 was included in error. The correct HCA for this grassland quadrat has now been included in the BIA report. With regards to the incorrect assignment of strategic significance of the line of trees, this will now be correctly assigned a strategic significance of Medium. Again, this was an inputting error. Both these errors will be rectified in the forth coming revised BIA which will be submitted once proposed habitat offsetting has been finalised.

Comments on Ecological Impact Assessment Designated Sites

The proposed development site does not lie within any international / European designated sites but does lie within the Impact Risk Zone (IRZ) for River Ehen (Ennerdale Water to Keekle Confluence) SSSI. The nearest international / European site is the River Ehen List Special Area of Conservation 110 m southeast of the site, and the River Ehen Site of Special Scientific Interest (SSSI) is the nearest National statutory designated site. The proposed development does not lie within any Local Nature Reserves. Longlands Lake is the closest Local Wildlife Site 20 m east of the site. A Habitat Regulations Assessment (HRA) has not been completed for the application. A Stage 1 and Stage 2 Assessment is required. A Stage 2 Appropriate Assessment is required due to likely significant effects to River Ehen SAC / SSSI during construction phase.

The EcIA recommends potential significant adverse effects on River Ehen Ponds LWS and Longlands Lake LWS during are prevented / minimised by the production and implementation of a Construction Environmental Management Plan (CEMP).

A shadow Stage 1 and Stage 2 Assessment has been produced in relation to likely significant effects to the River Ehen SAC / SSSI during the construction phase (Futures Ecology Ltd., FE496/sHRA01, August 2025).

Protected Species

The EcIA states all surveys conducted to most recent standard guidance. It is not clear if the site, in its entirety including the 30 m buffer for badgers, was fully accessible for survey. No figure indicating survey extent, or the presence or extent of inaccessible areas, included.

The impact of the proposed development on red squirrel and otter could not be determined from the information in the EcIA and further information is required. The red squirrel survey examined habitat suitability but did not indicate whether a survey for field evidence was included. 44 records of red squirrel were noted in the desk survey, the closest 117 m from the site and a red squirrel survey should be conducted to determine presence / likely absence on site. The EcIA states that the ditch on site is unsuitable for otter and therefore otter was not considered further in the impact assessment. The desk study returned six records of otter, the closest 125 m southeast. There are no obvious barriers to movement between the site and the River Keekle to the east. Natal dens can be some distance from



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riverine habitat and the potential impact of the proposed development on breeding otter was not considered.

As stated in the methodology section 3.12 of the EclA, signs of badger were searched for within a 30m buffer beyond the application site boundary. All signs were searched for including any mammal paths that could be attributable to badger. This survey was undertaken on two survey occasions as stated in section 3.7 on 13th February and 15th April, 2025. No signs of badger either within the redline boundary or 30m buffer were noted. The land immediately surrounding the application site boundary is within the same ownership of the application site. Any limitation to our search in this respect would have been included within the Limitations section in 3.35 if there had been any.

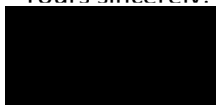
The desk study exercise confirmed the presence of red squirrel within the local area with the nearest record being 117m to the south-east of the south-eastern extent of the cable route. No desk study records were provided in close proximity to the BESS compound area. Given that this species is a highly mobile species as well as the relatively close proximity of the nearest record, it was concluded that broadleaved woodland immediately offsite would provide a suitable resource for this species and therefore red squirrel are likely present within the wider landscape.

There are only very limited features within the redline boundary that represent a potential resource for red squirrel (a small number of individual trees, scattered scrub and a short section of tree line along the southern boundary). All of these features are retained as part of the proposals and the proposals will not physically sever these features from any existing habitat links to offsite habitats. The proposals do not directly affect any of the offsite habitats, no potential linear features around the development will be severed as a result of the proposals. As such, it was concluded that there are no direct impacts on red squirrel. Potential indirect impacts on offsite habitats have been scoped into the EclA for further consideration and will be dealt with by a CEMP to ensure no accidental damage to habitats or disturbance impacts on habitat features that could potentially be used by this species. Operational phase impacts on onsite retained habitats, onsite new habitats and offsite habitats resulting from development lighting will be fully mitigated through a careful development lighting design. It is anticipated that minimal lighting will be required within the development as the site will be monitored remotely via CCTV and will not have continual site personnel presence. As such, impacts to red squirrel can be adequately avoided and, therefore, presence / absence surveys were not considered necessary.

As part of the Preliminary Protected Species survey undertaken 13th February and 15th April, 2025 the ditch was inspected on two occasions for signs of otter. If any signs including holes that could be attributable to either otter or badger were noted further detailed surveys would have been recommended. As no such signs were observed the ditch was discounted with regard to these species.

We trust the above is satisfactory with the forthcoming shadow Habitat Regulations Assessment and Revised Biodiversity Impact Assessment (BIA) providing clarity on any outstanding matters raised, however, if you would like to discuss anything please don't hesitate to contact me.

Yours sincerely,



Annina Eales
Ecology Director



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