

Land off Waterswallows Lane, Buxton - Ecological Appraisal

Pennine Aggregates Ltd

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Summary

Ecus Ltd was commissioned by Pennine Aggregates Ltd in May 2016 to undertake an Ecological Appraisal of a grassland field located off Waterswallows Lane, near Buxton in Derbyshire, in relation to a planning application for a proposed development.

The 5.5 ha site comprises a long, rectangular, semi-improved grassland field, which is considered likely to have been used as pasture until the recent past. The field is bound by stone walls on all four sides, with small areas of scattered scrub present along the inside edge of the north-eastern boundary wall.

Detailed proposals are not yet available, however indications are that the proposals will include the construction of a warehouse with storage areas, loading bays and carparking.

Habitats across the site are considered to be of importance at the site level only.

Amphibians, roosting bats, reptiles and riparian mammals are not considered to be receptors to the proposed development.

Badgers are not resident on site, but could potentially utilise the site as part of a wider territory.

The elder scrub has only limited potential to support nesting birds. Where removal of the scrub is required, it is recommended that be scheduled outside of the bird nesting season, generally defined as March-August inclusive. If it is necessary to undertake works during this period a nesting bird check by an experienced ecologist should be undertaken no more than 48 hours prior to removal.

No other ecological constraints to development have been identified during the Ecological Appraisal.

Ecological enhancement recommendations appropriate to the site have been included within the report.

1. Introduction

- 1.1.1 Ecus Ltd were commissioned by Pennine Aggregates Ltd in May 2016 to undertake an Ecological Appraisal of land off Waterswallows Lane near Buxton (central National Grid Reference: SK 07572 75472). The appraisal was commissioned in relation to a planning application in connection with a proposed development.
- 1.1.2 The purpose of the survey was to carry out an extended Phase 1 habitat survey and to review the potential for the site to contain, or be used by, species protected under both UK and European nature conservation legislation, namely the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). Any impacts upon these habitats or species likely to result from the proposed development were then assessed.
- 1.1.3 This report details the findings of the survey work and subsequent assessment. Methodologies employed are described including site surveys and evaluation and the need for any further survey work and/or mitigation measures are included, where appropriate.

2. Methodology

2.1 Desk Study and Data Consultation

- 2.1.1 Data consultation was undertaken by Ecus Ltd in May 2016 with Derbyshire Wildlife Trust (DWT), as part of the ecological assessment process to determine whether there are any existing biological records or locally designated sites of nature conservation interest within 1 km of the site.
- 2.1.2 Natural England's Multi-Agency Geographical Information for the Countryside (MAGIC) website (www.magic.gov.uk) was consulted in May 2016 for information on statutory designated sites of nature conservation interest within 1 km of the site.
- 2.1.3 Information obtained from MAGIC and DWT is included within the report as appropriate.

2.2 Extended Phase 1 Habitat Survey

- 2.2.1 The site was surveyed on 17th May 2016 by consultant ecologist Helen Lloyd MCIEEM following extended Phase 1 habitat survey methodology (JNCC, 2010). The habitats and vegetation types present were recorded on to a field map. This survey method aims to characterise habitats and communities present and is not intended to provide a complete list of all plants occurring across the site.
- 2.2.2 Notable, rare or scarce plant species were highlighted if present. Evidence of protected species or species of nature conservation importance was recorded where present at the time of survey. Species recorded are included within the report as appropriate and a full list of species recorded on the day of survey is provided in Appendix 2. Information is presented in Figure 1, using Target Notes (TN) to identify particular features of interest, where appropriate.
- 2.2.3 Habitats and species of principal importance listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 and habitats and species listed on the Peak District Local Biodiversity Action Plan (LBAP).
- 2.2.4 The value and sensitivity of ecological features present on site were determined based on the guidance given in 'Guidelines for Ecological Impact Assessment' (CIEEM, 2016). Individual ecological receptors (habitats and species that could be affected by the development) for the scheme were assigned levels of importance for nature conservation. The highest level is international, then decreasing in order of importance through national, regional, county, local to lastly, site level only.

2.3 Protected and Key Species Survey

- 2.3.1 Any evidence of protected species or groups encountered during the survey was recorded. This included observations of field signs and an assessment of the suitability of the habitats present to support protected species. For full details of legislation relating to all habitats and species discussed within this report visit <http://www.legislation.gov.uk>.

Amphibians

- 2.3.2 Waterbodies within 250 m of the site, which are not separated from the site by

a major barrier, were searched for using an Ordnance Survey (OS) map.

- 2.3.3 A single waterbody was identified, and subject to Habitat Suitability Index (HSI) Assessment (Oldham et al.) to determine its suitability to support great crested newt. The suitability of the site habitats to support common amphibians was also considered.

Badger

- 2.3.4 Signs of badger (*Meles meles*) activity were searched for as part of the extended Phase 1 survey. Survey followed standard methodology detailed in Surveying Badgers (Harris et al., 1989). This included survey for badger setts, along with survey of linear features and boundaries for signs of badger activity including dung pits, foraging marks, feeding signs and pathways.

Bats

- 2.3.5 There are no buildings or trees present on site to offer roosting opportunities for bats, and were therefore scoped out of the assessment.
- 2.3.6 The site was assessed for its suitability for foraging and commuting bats.

Birds

- 2.3.7 Formal bird survey was not undertaken as part of this assessment, however during the survey the opportunity was taken to record all species of birds encountered and to assess the suitability of the habitats present to support nesting and foraging birds.

Reptiles

- 2.3.8 The habitats present on site were assessed for their suitability to support basking, foraging and hibernating reptiles, with reference to their connectivity with other suitable habitat in the surrounding area.

Riparian mammals and white-clawed crayfish

- 2.3.9 Ecus Ltd typically search for watercourses located within 30 m of the survey area, which are not separated from the site by a major barrier, using an Ordnance Survey (OS) map. No watercourses are present within 30 m of the site and consequently water vole (*Arvicola amphibius*), otter (*Lutra lutra*) and white-clawed crayfish (*Austropotamobius pallipes*) are not considered receptors for the proposed development. These species are therefore excluded from the scope and not considered further in this assessment.

Other protected and key species

- 2.3.10 The opportunity was taken whilst on the site to assess habitats for their potential to support any other nationally or locally scarce or otherwise notable species, or any species protected under national or international nature conservation law.

2.4 Invasive species

- 2.4.1 The opportunity was taken during the extended Phase 1 habitat survey to record the presence of any invasive plant or animal species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), where present.

2.5 Survey Limitations

- 2.5.1 Whilst the survey was undertaken outside the optimal botanical survey season for grassland survey (defined as June to July), an extended Phase 1 habitat survey methodology allows for habitats to be broadly characterised at any time of year and it is considered that sufficient information was gathered to undertake an accurate assessment of the site habitats and provide a robust evaluation of habitat types and the overall site character.
- 2.5.2 Where necessary, additional surveys would be recommended in order that a robust assessment would be undertaken.

3. Findings and Evaluation

3.1 Site Description

- 3.1.1 The 5.0 ha site, is situated approximately 2 km north-east of Buxton and comprises a plot of land dominated by semi-improved grassland, which is considered likely to have been grazed until the recent past. Stone walls bound the site on all four sides, with further pasture and semi-improved grassland in the immediate vicinity. Waterswallows Lane passes the north-eastern site boundary.

3.2 Designated Sites

- 3.2.1 A single statutorily designated site of importance to nature conservation was identified within 1 km of the site using MAGIC. Waterswallows Quarry Site of Special Scientific Interest (SSSI) lies approximately 0.65 km south-east of the site.
- 3.2.2 The SSSI is designated for special geological features and is not therefore considered to be of importance to nature conservation in relation to flora or faunal species.
- 3.2.3 Derbyshire Wildlife Trust (DWT) are yet to provide details of any non-statutory sites within 1 km of the site. Details will be provided within a separate addendum with comments as to their level of importance for nature conservation, as appropriate once received.

3.3 Habitats

Semi-improved grassland

- 3.3.1 The rectangular field site is dominated by medium sward, semi-improved grassland.
- 3.3.2 The grassland is not considered to be species-rich, with species recorded within the main body of the field comprising predominantly abundant meadow foxtail (*Alopecurus pratensis*) and red fescue (*Festuca rubra*) with cock's-foot (*Dactylis glomerata*) and bent (*Agrostis* sp.). The variety of associated forb species within the sward is also not considered to be particularly diverse, but cuckoo flower (*Cardamine pratensis*), common mouse-ear (*Cerastium fontanum*), dandelion (*Taraxacum officinale* agg.) and creeping buttercup (*Ranunculus repens*) were considered to be abundant. White clover (*Trifolium repens*), meadow buttercup (*Ranunculus acris*), creeping thistle (*Cirsium arvense*) occurred frequently to occasionally, whilst common sorrel (*Rumex acetosa*), ox-eye daisy (*Leucanthemum vulgare*) and thyme-leaved speedwell (*Veronica serpyllifolia*) occurred rarely. Additional species recorded frequently around the margins include common nettle (*Urtica dioica*), cleavers (*Galium aparine*), hogweed (*Heracleum sphondylium*) and cow parsley (*Anthriscus sylvestris*).
- 3.3.3 Buxton lies on the boundary of the Lower Carboniferous limestone and the Upper Carboniferous shale, sandstone and gritstone. Species recorded within the grassland are not considered indicative of either calcareous or acidic conditions but as a result of land use (i.e. improvement through grazing). The grassland on site does not fit well into any of the grassland categories listed under Section 41 of the NERC Act or in the Peak District LBAP and it is not

considered to comprise an ecologically valuable grassland type, such as hay meadow, unimproved pasture or rough grazing. No further survey is recommended and the grassland is considered to be of importance to nature conservation at the site level only.

Scattered scrub

- 3.3.4 Three mature elder (*Sambucus nigra*) shrubs are present along the north-eastern boundary stone wall and a short section of locally abundant ground elder (*Aegopodium podagraria*) occurs along the north-western boundary wall.
- 3.3.5 The scrub is native but very limited in extent and is isolated. The scrub is therefore not considered to be of importance to nature conservation at greater than the site level.

3.4 Species

Amphibians

- 3.4.1 A single pond location (P1) was identified on OS mapping lying approximately 135 m north of the site. Observation on the day of survey confirmed the location to comprise a shallow field depression holding only two small, shallow puddles of water. It is not considered to provide viable great crested newt breeding habitat and was not subject to HSI assessment. As such, great crested newts are not considered to be a receptor to the proposed development of the site.
- 3.4.2 Given the lack of waterbodies on site and in the immediate surrounds, common amphibians are also not considered to be a receptor for the development.

Badger

- 3.4.3 No badger setts were identified on site during the survey.
- 3.4.4 Whilst no evidence of general activity (trodden trails, snuffle pits) was recorded on the day of survey, given the rural nature of the surrounding area and green nature of the site itself, the site is considered to have potential to be used as part of a wider foraging resource by badger. However, there is an abundance of similar habitat in the wider landscape and it is not considered that the proposed development site forms a core area of a badger territory. As such, site habitats are not considered to be of importance to badger outwith the site level.

Bats

General habitat for foraging and commuting bats

- 3.4.5 The grassland and scattered scrub may contribute to a wider foraging resource in the area, but does not act as connectivity link for bat species resident within the local area and is not considered to be of importance to foraging and commuting bats outwith the site level.

Birds

- 3.4.6 In 2015, a re-assessment of Birds of Conservation Concern (BoCC) was published by Eaton et al. (2015), which defined rare and threatened bird

species on two lists (Red and Amber) describing the level of threat to each species of concern.

- 3.4.7 “Red” is the highest conservation priority, with species needing urgent action due to either a historical decline in breeding population, severe (>50%) decline in breeding or non-breeding population, or severe decline in breeding range over 50 years or more. “Amber” is the next most critical group, with species qualifying for this status as a result of either recovery from red list criterion, being classed as rare breeders in the UK, moderate (>25%) decline in breeding or non-breeding population or moderate decline in breeding range over 25 years or more. These categories are followed by Green, indicating that the species are relatively unthreatened.
- 3.4.8 Whilst no ground nesting birds, such as skylark (*Alauda arvensis*) or lapwing (*Vanellus vanellus*) were recorded on site on the day of survey, the grassland sward may offer some suitable habitat whilst it remains undisturbed and of no more than medium sward.
- 3.4.9 The grassland and limited scrub offers some suboptimal foraging opportunities for common bird species resident within the local area, with a single species, consisting of pied wagtail (*Motacilla alba*), recorded on site on the day of survey. Taking into account the suboptimal nature of the habitats present and the availability of alternative habitat within the wider rural landscape, the site is considered to be of importance to nesting and foraging birds at the site level only.

Reptiles

- 3.4.10 The exposed grassland on site lacks the variety of conditions required to provide a range of safe basking and foraging opportunities for reptiles. It also lacks suitable shelter opportunities such as scattered bramble (*Rubus fruticosus* agg.) scrub or bracken (*Pteridium aquilinum*) to provide immediate shelter opportunities. Whilst a single vegetated rubble pile (TN1, Figure 1) may provide a suitable refugia/hibernacula on site, due to the stone walled pasture monoculture dominating the local area and general paucity of woodland blocks and waterbodies present, the likelihood of reptile presence in the wider area is considered to be low and connectivity links are suboptimal to non-existent. As such, reptiles are considered highly unlikely to be a receptor to the proposed development.
- 3.4.11 No further survey e.g. presence/absence survey is currently recommended. However, should the data consultation process confirm any existing records for the area, it may be necessary for the above to be reviewed and precautionary mitigation measures applied to site clearance works.

Other protected and key species

- 3.4.12 The habitats present within or immediately adjacent to site are unlikely to support any other protected or key species, not already discussed in this report.

3.5 Invasive species

- 3.5.1 No species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded on site on the day of survey.

4. Ecological Assessment and Mitigation

4.1 Proposals

- 4.1.1 At the time of writing, no detailed plans of the proposed development have been provided. As such the assessment of the proposed development assumes landtake of habitats totalling approximately 2 ha of the site and recommendations have been made to reduce ecological impacts of developing the site.

4.2 Designated Sites

- 4.2.1 The statutorily designated Waterswallows Quarry SSSI is not designated for flora and fauna, therefore no impacts to the designated site resulting from the proposed works are anticipated.
- 4.2.2 Comments regarding impacts to any non-statutorily designated sites, should they be present, will be provided separately upon receipt of data consultation information from DWT.

4.3 Habitats

Semi-improved grassland

- 4.3.1 Landtake of approximately 2.0 ha of the 5.5 ha grassland at the north-eastern end of the site is assumed to accommodate the proposed development. The remainder of the grassland is assumed will be retained. Given the species-poor nature of the grassland to be lost, the retention of 3.5 ha of habitat and abundance of similar habitat in the wider area, landtake would be considered to be of importance to nature conservation at the site level only.
- 4.3.2 To reduce the impacts of the development, an ecologically sensitive landscaping plan could be incorporated around the perimeters of the future development. This has the potential to benefit invertebrates and birds and enhance the ecology of the proposed development, hereby complying with the National Planning Policy Framework (NPPF) aim that "opportunities to incorporate biodiversity in and around developments should be encouraged" (NPPF, 2012).
- 4.3.3 Where possible, native species should be favoured and species chosen should maximise flowering, pollen/nectar production and/or berries/fruit production to benefit invertebrates, birds and small mammals.

Scattered scrub

- 4.3.4 Landtake of the elder scrub is assumed to accommodate the proposed development. Due to the limited extent and scattered, isolated nature of the scrub, this would not be considered to be of importance to nature conservation at greater than the site level.
- 4.3.5 Planting of new trees and shrubs (as above) to either replace, or enhance retained scrub, should be considered as an enhancement to site ecology and biodiversity. Tree species chosen should be native and typical of the local area and of UK provenance. The use of heavy standards would be beneficial, to reduce establishment time and provide immediate habitat structure and coverage.

4.4 Species

Badger

- 4.4.1 Badgers and their setts are protected under the Protection of Badgers Act 1992. It is an offence under the act to kill, injure or take a badger. It is also an offence to destroy, damage or obstruct a currently active badger sett, or to disturb animals within the sett.
- 4.4.2 Badgers are not currently resident on site or immediately adjacent and given the abundance of alternative foraging habitat within the wider area, landtake associated with the proposed development is not considered to be of importance to badger outwith the site level.
- 4.4.3 Given that badgers have potential to access the site from the surrounding area, a best practice approach to works is recommended. All deep excavations should be covered overnight unless completely fenced off and any unfenced/uncovered shallow excavations should scaffold boards or equivalent placed in them to one side to act as an escape ramp should badgers or small mammals fall in.

Bats

- 4.4.4 All species of bat occurring within the UK are included in Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended). Under regulation 41 bats are protected from deliberate capture, injury or killing, from deliberate disturbance and from deliberate damage or destruction of a breeding site or resting place (roost).
- 4.4.5 All UK bats are also included on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). However, their protection is limited to certain offences. Under the 1981 Act (as amended) it is an offence to intentionally or recklessly disturb bats while they are occupying a structure or place used for shelter or protection, or to obstruct access to any such place.
- 4.4.6 Barbastelle (*Barbastella barbastellus*), Bechstein's (*Myotis bechsteinii*), brown long-eared (*Plecotus auritus*), greater horseshoe (*Rhinolophus ferrumequinum*), lesser horseshoe (*Rhinolophus hipposideros*), noctule (*Nyctalus noctula*) and soprano pipistrelle (*Pipistrellus pygmaeus*) bats are included as priority species under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.
- 4.4.7 No further nocturnal survey, e.g. dusk emergence or dawn return, is recommended.
- 4.4.8 Landtake of the grassland and scrub on site is not considered to be of importance to foraging and commuting bats outwith the site level.
- 4.4.9 Incorporation of a small amount of long term bat roosting opportunities on site as part of the development could be considered. Suitable examples of integral roosting provision to be installed at the construction stage would include Schwegler 1FR tubes or Habibat boxes. These units provide integral roosting provision that is both discreet and secure, creating a self-contained unit that does not provide access into the wall cavity. Bat tubes/boxes should be placed a minimum of 4 m from ground level on southerly facing aspects and ideally at eaves level. Boxes should be sited away from bright light spill.

Alternatively consideration could be given to the provision of externally mounted bat boxes if this is more suitable for the building construction type.

Birds

- 4.4.10 All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) against destruction of the nest during the bird nesting season, which falls between March and August, inclusive.
- 4.4.11 As only a small number of individual shrub specimens would be lost, this is considered to be of importance to nature conservation at the site level only.
- 4.4.12 Without mitigation there is some limited potential for active birds' nests to be destroyed during vegetation clearance works. Therefore as a precautionary measure, it is recommended that shrub removal should be undertaken outside of bird breeding season i.e. undertaken between September to February inclusive. If it is not possible to schedule clearance works for these months, a breeding bird check undertaken by a suitably qualified ecologist will be required no more than 48 hours prior to clearance, to check for the presence of active bird nests. An active nest would require an exclusion zone to be established and adhered to until chicks have fledged (to be monitored and confirmed by an ecologist).
- 4.4.13 Inclusion of a range of bird nesting provision within the development would be considered a positive enhancement for nature conservation and would comply with the NPPF aims for biodiversity (2012). Suitable provision may include general bird boxes with 26 mm and 32 mm entrance holes suitable for a range of garden bird species). General bird boxes should be placed at a minimum height of 3 m in a number of locations facing different aspects to maximise the chances of occupation. However, full south aspects which receive sun throughout the day during the summer months, present a risk of overheating and should therefore be avoided.

Reptiles

- 4.4.14 Common reptile species, including grass snake (*Natrix natrix*), common lizard (*Zootoca vivipara*), slow worm (*Anguis fragilis*) and adder (*Vipera berus*), are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) against intentional killing or injuring.
- 4.4.15 Should reptile records for the area exist and a precautionary approach to clearance of the rubble pile be considered necessary, it is recommended that the pile be dismantled by hand during the active season for reptiles i.e. between April and October to avoid harm to hibernating/sheltering reptiles. Clearance should be undertaken from mid-morning onwards, when temperatures would be high enough for reptiles to move away from disturbance (approximately > 10°C).

5. References

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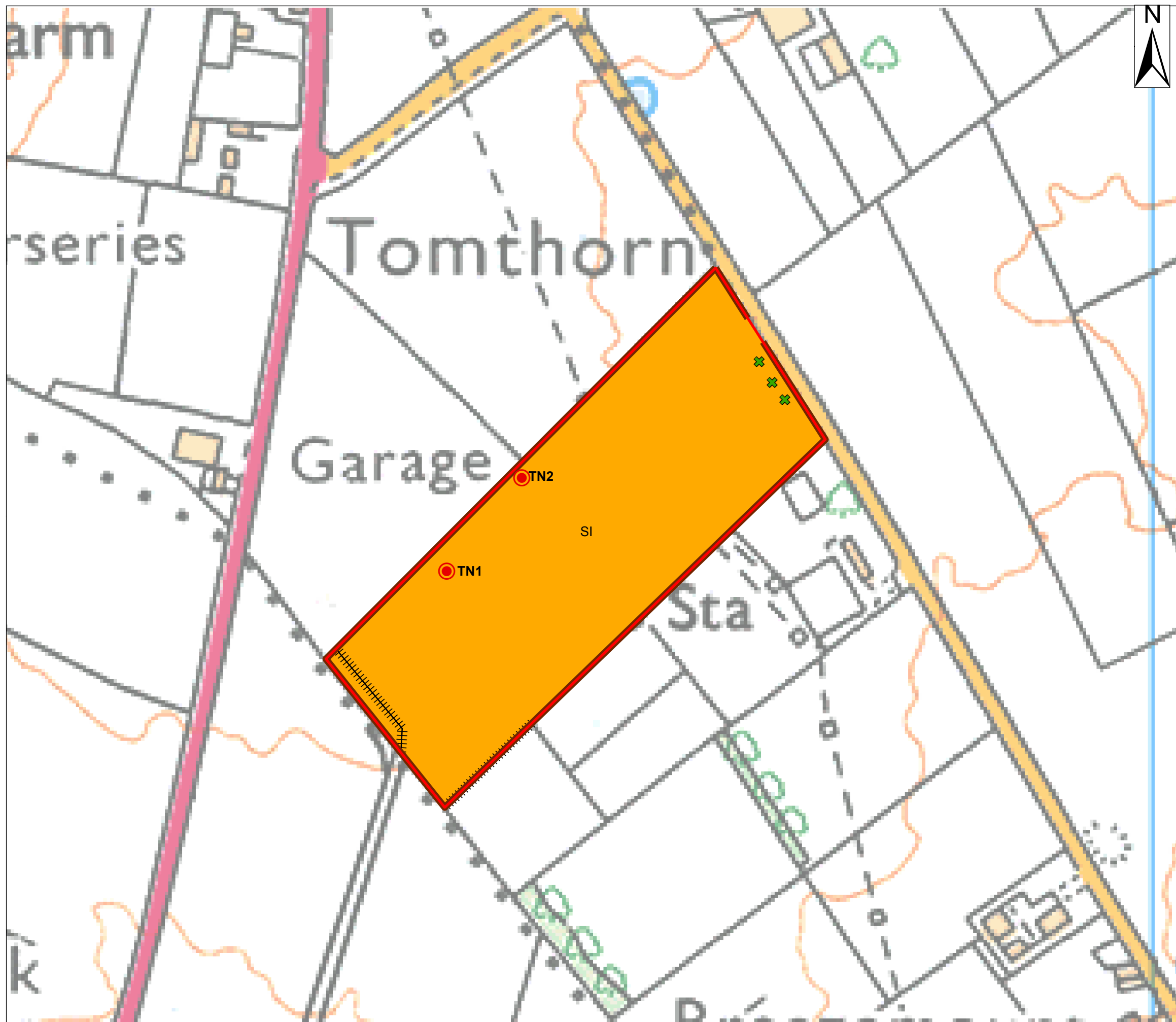
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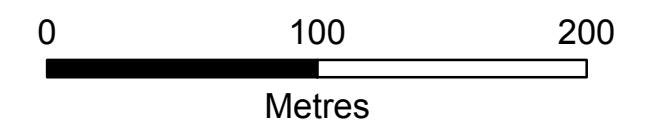
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Figure 1. Survey Findings



Legend

- Survey area
- SI Semi-improved grassland
- Scattered scrub
- Wall
- Target note
- Fence



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Land off Waterswallows Lane, near
Buxton - Ecological Appraisal

Figure 1
Survey Findings

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Appendix 1. Target Notes

TN1 – Large vegetated rubble pile

TN2 – Concrete water trough

Appendix 2. Site Images

Legend

Plate 1. Looking south-east across site

Plate 2. Looking north across site

Plate 3. Vegetated rubble pile on site

Plate 4. P1 off site – found to be almost completely dry



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Land off Waterswallows Lane, Buxton

Appendix 2. Site Images

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