



# Land off Burringham Road, Scunthorpe

## Results of Pre-Commencement Surveys

### **ESH Construction Ltd**

Esh House, Bowburn North Industrial Estate,  
Durham, DH6 5PF

Prepared by:

### **SLR Consulting Limited**

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SLR Project No.: 424.065288.00001

31 July 2024

Revision: 1

## Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
1	31 July 2024	Peter Wigglesworth	Daniel Alexander	Julia Kozłowska

## Basis of Report

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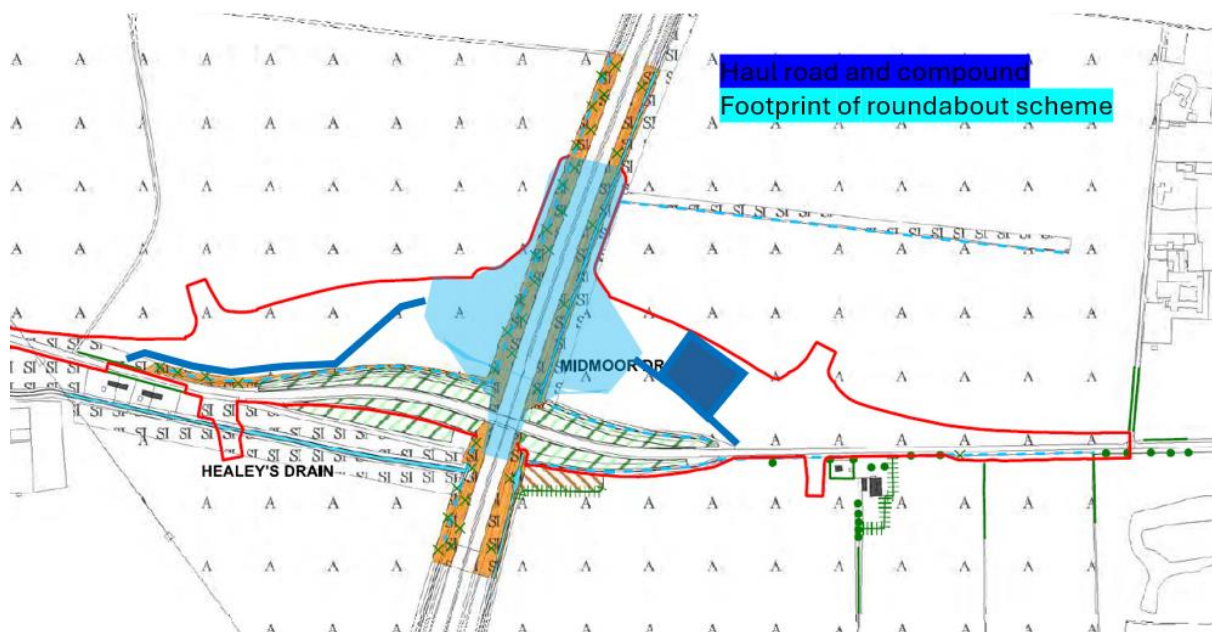
## 1.0 Introduction

SLR Consulting Ltd was commissioned by ESH Construction Ltd to undertake an ecological pre-commencement constraints check with a particular view to nesting birds prior to the removal of vegetation along the sides of the M181 motorway, off Burringham Rd, Scunthorpe, Lincolnshire, DN17 1RA (approximate central OS grid reference SE 85827 08538), hereafter referred to as the 'Site'.

Two sets of surveys were undertaken on the 19<sup>th</sup> and 23<sup>rd</sup> of July 2024 and involved a search for potential ecological constraints, particularly nesting birds, ahead of works starting that day and continuing after. The planned work was to remove all vegetation alongside the M181 motorway and Burringham Rd (Plate 1) to allow landscaping works to take place.

Most of the vegetation east of the M181 (Plates 2-3) was able to be cleared after the first visit (19<sup>th</sup> July) (Plate 4), however a second survey (23<sup>rd</sup> July) was required to cover areas not cleared within 48hrs of the first survey (Plates 3, 5-7).

Wild birds are protected under the Wildlife & Countryside Act (1981)<sup>1</sup> as amended and it is an offence to intentionally: kill, injure or take wild birds; take, damage or destroy a wild bird's nest while it is being used or built; or to intentionally take or destroy a wild bird's egg.



**Plate 1: Blue working area north of Burringham Road which was subject to survey along the M181.**

<sup>1</sup>Wildlife & Countryside Act (1981) <https://www.legislation.gov.uk/ukpga/1981/69>



## 1.1 Relevant Legislation

Wild birds are protected under the Wildlife & Countryside Act (1981)<sup>2</sup> as amended and it is an offence to intentionally: kill, injure or take wild birds; take, damage or destroy a wild bird's nest while it is being used or built; or to intentionally take or destroy a wild bird's egg.

Water voles are fully protected under Schedule 5 of the Wildlife and Countryside Act (1981)<sup>3</sup> as amended, making it an offence to:

- Intentionally kill, capture or injure water voles;
- Possess of control and live or dead water voles;
- Intentionally or recklessly disturb a water vole whilst it is occupying a structure of place which it uses for shelter or protection; or

Intentionally or recklessly obstruct access to a water vole's place of shelter or protection.

## 2.0 Methodology

The survey was undertaken by Mr Peter Wigglesworth, Project Consultant, with SLR Consulting, with 5 years' ecological surveying experience. And also Ms Charlotte Baldwin, Graduate Ecologist also with SLR Consulting with a year's ecological surveying experience. This report has been reviewed by Mr Daniel Alexander, Senior Ecologist and Ornithologist with SLR Consulting, and approved by Ms Julia Kozłowska Associate ecologist with SLR Consulting.

The survey on the 19<sup>th</sup> July commenced at 10:15 and was completed at approximately 15:00. The temperature was 23°C-29°C, with a moderate breeze predominantly from the south and mostly sunny with scattered cloud later on. During this survey, the vegetation east of the M181 was surveyed (Plate 2 & 3).

The survey on 23<sup>rd</sup> July commenced at 09:00hrs and was completed at 16:30hrs. The temperature was 17°C-24°C, with a light to gentle breeze from the north/northwest and mostly cloudy with sunny intervals.

The vegetation was observed from a distance while listening for bird song or calls and watching for any territorial or nesting behaviour. Any territorial or nesting behaviour would then be noted and observed for a longer period to try and establish with more confidence the presence of a nest. Due to the location of most of the work, across a ditch by a motorway, no physical searches were undertaken for safety reasons.

## 3.0 Results and Recommendations

### 19<sup>th</sup> July 2024

Birds recorded during the survey period were blackbird (*Turdus merula*), buzzard (*Buteo buteo*), carrion crow (*Corvus corone*), chiffchaff (*Phylloscopus collybita*) willow warbler (*Phylloscopus trochilus*) (seen not heard) (*Phylloscopus collybita/trochilus*), goldfinch (*Carduelis carduelis*), woodpigeon (*Columba palumbus*), wren (*Troglodytes troglodytes*), and yellowhammer (*Emberiza citrinella*).

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<sup>2</sup> <https://www.legislation.gov.uk/ukpga/1981/69/section/1>

<sup>3</sup> <https://www.legislation.gov.uk/ukpga/1981/69/contents>



No active nests were recorded within the vegetation; however, a couple of birds were observed displaying potential territorial or nesting behaviour in the vicinity of the vegetation or on Site.

Approval was given for the vegetation to be cleared without constraint (Plate 4).

Some clearance work on the approved areas was delayed by 48hrs and a suitably experienced ecologist was scheduled to return and check over the areas again prior to any work commencing. The return visit was also to cover areas not surveyed in the time period.

## 23<sup>rd</sup> July 2024

Birds recorded during the survey period were blackbird, buzzard, carrion crow, chiffchaff, willow warbler (seen not heard), goldfinch (*Carduelis carduelis*), kestrel (*Falco tinnunculus*), mistle thrush (*Turdus viscivorus*), sedge warbler (*Acrocephalus schoenobaenus*) woodpigeon, wren, and yellowhammer.

No active nests were recorded within the vegetation; however a couple of birds were observed displaying potential territorial or nesting behaviour in the vicinity of the vegetation or on Site.

Firstly, a wren was observed carrying food but not obviously nesting on the eastern side of the M181 near the bridge carrying Burringham Road over the motorway. This was recommended to be cleared carefully whilst under ecological supervision. This was completed and no further activity was observed and both ecologists were satisfied that no nest was present.

Secondly, a sedge warbler was also observed carrying food into vegetation on the western side of the M181 (approx. grid reference SE85850 08672) and believed, confidently, to be nesting. It was recommended that this area of vegetation was marked off until further surveys could confirm this was no longer the case. This area was marked, under ecological supervision, by the Site engineer using posts sprayed with paint and the clearance workers notified (Plate 8).

As the sedge warbler was observed carrying food, it is assumed that the nest held young hatchlings. The fledging period for sedge warbler is 12.5-13.5 days<sup>4</sup>, as such it is recommended that this last section of vegetation is resurveyed during the w/c 5<sup>th</sup> August 2024 to confirm that the chicks have fledged, and that the nest is no longer active.




Approval was given for all the rest of the vegetation to be cleared without constraint.

Should clearance work on the approved areas be delayed by 48hrs then it is recommended that an experienced ecologist return and check over the areas again prior to any work commencing.



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<sup>4</sup> [Sedge Warbler | BTO - British Trust for Ornithology](#)



Description	Plate
<p><b>Plate 2</b> – View along East side of M181 of vegetation surveyed and to be cleared</p>	
<p><b>Plate 3</b> – View of vegetation (looking West) along Burringham Rd East of M181</p>	
<p><b>Plate 4</b> – Vegetation cleared (20<sup>th</sup> July) along East side of M181</p>	



Description	Plate
<p><b>Plate 5</b> – Final area on the East bank of the M181 to be cleared and location of wren observed. Supervised clearing with no nest apparent.</p>	
<p><b>Plate 6</b> – Area West of M181 to be surveyed and cleared</p>	
<p><b>Plate 7</b> – Area along Burringham Road West of M181 to be surveyed and cleared</p>	



Description	Plate
<p><b>Plate 8</b> – Approximate area of suspected sedge warbler nest with markings</p>	







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## Results of Pre-Commencement Surveys

### **ESH Construction Ltd**

Esh House, Bowburn North Industrial Estate,  
Durham, DH6 5PF

Prepared by:

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SLR Project No.: 424.065288.00001

4 July 2024

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## Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
1	4 July 2024	Charlotte Baldwin	Daniel Alexander	Julia Kozłowska

## Basis of Report

This document has been prepared by SLR Consulting Limited (SLR) with reasonable skill, care and diligence, and taking account of the timescales and resources devoted to it by agreement with ESH Construction Ltd (the Client) as part or all of the services it has been appointed by the Client to carry out. It is subject to the terms and conditions of that appointment.

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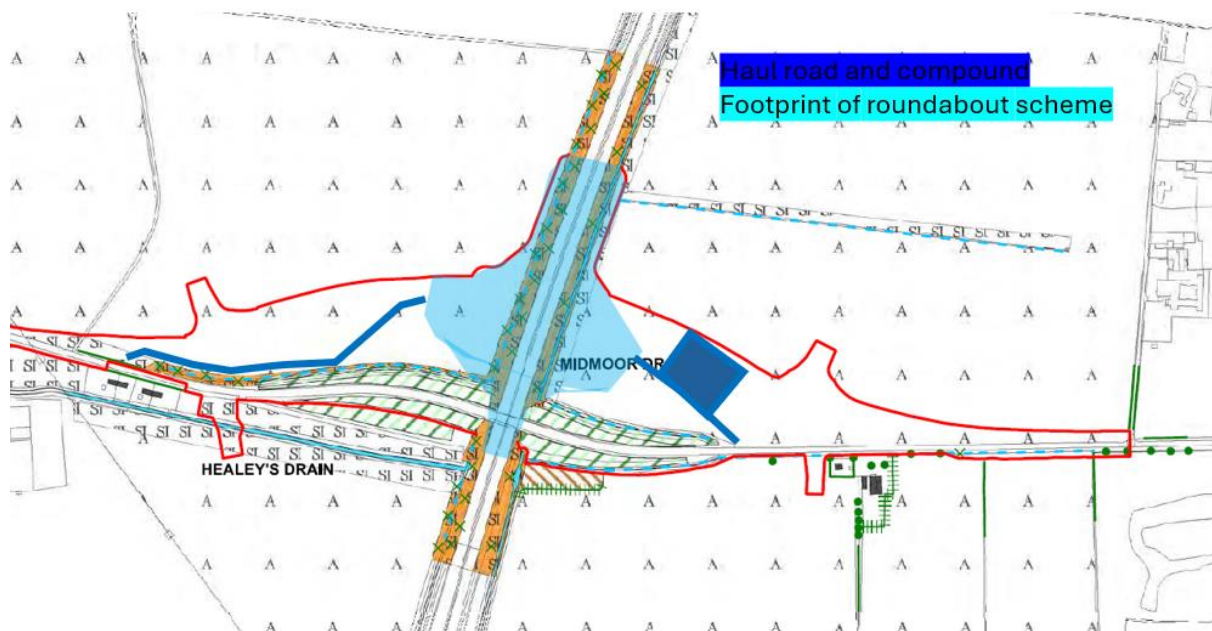
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## 1.0 Introduction

SLR Consulting Ltd was commissioned by ESH Construction Ltd to carry out pre-commencement surveys for badger (*Meles meles*), nesting birds and water vole (*Arvicola amphibious*) on land for the proposed Lincolnshire Lakes M181 roundabout, off Burringham Road, Scunthorpe, DN17 2AD (approximate central OS grid reference SE 85752 08377), prior to soil stripping work due to commence within the proposed roundabout working area (blue in Plate 1). The working area is hereafter referred to as the 'Site'.

This report presents the findings of badger, nesting bird and water vole surveys undertaken on the 1<sup>st</sup> of July 2024, prior to the commencement of soil stripping works.



**Plate 1: Blue working area which was subject to survey, including footprint of roundabout, haul road and compound.**

### 1.1 Relevant Legislation

Badgers and their setts are protected under the Protection of Badgers Act (1992)<sup>1</sup> (England, Wales and Scotland). The key part of this legislation in relation to the proposed development are in Section 3, which deems it an offence to:

- 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; and
- Intend to do any of those things or be reckless as to whether those actions would have any of the consequences listed above.

<sup>1</sup> [http://www.opsi.gov.uk/ACTS/acts1992/ukpga\\_19920051\\_en\\_1](http://www.opsi.gov.uk/ACTS/acts1992/ukpga_19920051_en_1)



Wild birds are protected under the Wildlife & Countryside Act (1981)<sup>2</sup> as amended and it is an offence to intentionally: kill, injure or take wild birds; take, damage or destroy a wild bird's nest while it is being used or built; or to intentionally take or destroy a wild bird's egg.

Water voles are fully protected under Schedule 5 of the Wildlife and Countryside Act (1981)<sup>3</sup> as amended, making it an offence to:

- Intentionally kill, capture or injure water voles;
- Possess of control and live or dead water voles;
- Intentionally or recklessly disturb a water vole whilst it is occupying a structure of place which it uses for shelter or protection; or
- Intentionally or recklessly obstruct access to a water vole's place of shelter or protection.

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<sup>2</sup> <https://www.legislation.gov.uk/ukpga/1981/69/section/1>

<sup>3</sup> <https://www.legislation.gov.uk/ukpga/1981/69/contents>



## 2.0 Methodology

### 2.1 Badger Survey

The field survey was undertaken on 1<sup>st</sup> July 2024. The survey area comprised the full extent of the working area, and a 30m buffer.

The survey area was searched for signs of badgers including setts, foraging signs, paths (runs), latrines, hairs, and footprints. The survey was undertaken in line with standard badger surveying procedures<sup>4,5,6</sup>.

### 2.2 Nesting Bird Survey

Bird nest checks were also carried out on 1<sup>st</sup> July 2024. The survey focused on establishing the presence, or otherwise, of active bird nests within the field, Midmoor Drain ditch reeds and adjacent scrub vegetation. The habitats were observed at a distance, while listening for bird song or calls and noting any territorial behaviour, prior to a physical search of all areas to be impacted by the Site works.

### 2.3 Water Vole Survey

Midmoor Drain was surveyed on 1<sup>st</sup> July 2024 to determine the presence, or likely absence of water voles. The unnamed ditch to the west of the M180 was also inspected, however this was found to be dry at the time of sur

The survey was undertaken in line with the methodology set out in The Water Vole Mitigation Handbook<sup>7</sup> and the Water Vole Conservation Handbook<sup>8</sup>. Surveyors looked for tracks and signs characteristic of water voles, including:

- Series of burrows dug into the bankside both above and below the water line;
- Above ground nest sites – balls of vegetation;
- Runs, tracks or passageways through vegetation on the bankside;
- Droppings and latrines (consisting of a collection of droppings) – faeces left by water vole typically located in or close to feeding areas or left to mark territories;
- Feeding signs, including cut lengths of grasses, reeds and sedges left in piles and also ‘grazed’ lawn areas around burrow entrances; and
- Footprints – often left in soft mud by the water’s edge.

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<sup>4</sup> Harris, S., Cresswell, P. & Jefferies, D. (1989), *Surveying Badgers*. Mammal Society, Occasional Publications 9, London.

<sup>5</sup> Harris, S., Jefferies, D., Cheeseman, C. & Booty, C. (1984), *Problems with Badgers?* 3rd Edition. RSPCA, Horsham.

<sup>6</sup> The Badger Trust (2023) *Badger Protection: Best Practice Guidance for Developers, Ecologists and Planners* (England)

<sup>7</sup> Dean et al. (2016). *The Water Vole Mitigation Handbook* (the Mammal Society Mitigation Guidance Series). The Mammal Society, London.

<sup>8</sup> Strachan, R., Moorhouse, T., Gelling, M. (2011). *Water Vole Conservation Handbook*. 3rd Edition. Wildlife Conservation Research Crew (WILDCRU), Abingdon.



## 3.0 Results

### 3.1 Badger Survey

There was no evidence of badger activity, such as setts, foraging signs, latrines, hairs or footprints recorded on the Site or 30m buffer during the survey.

It is therefore concluded that badger setts are absent from the Site and the 30m buffer, and that the Site is not regularly used by badger, nor form a key component of a badger clan's territory.

### 3.2 Nesting Bird Survey

No active nests were observed nor found within the vegetation within the ditch, or adjacent scrub, and no nests were located on the ground within the fields (Plate 2), additionally, no birds were observed displaying territorial or nesting behaviour within the working area. The vegetation was close to the M181, which has a high volume of traffic, potentially making it unsuitable for nesting birds (Plate 3).



**Plate 2: View of the field on the eastern side of the M181, which will be subject to soil stripping.**





**Plate 3 - Vegetation to be cleared alongside the M181**

### **3.3 Water Vole Survey**

No field evidence of water vole (such as latrines, footprints or feeding piles) was recorded during survey of Midmoor Drain (Plates 4 & 5).

It can be concluded that water vole are absent from Midmoor Drain.



**Plates 4 & 5: Midmoor Drain**



## 4.0 Conclusion and Recommendations

It is understood that soil stripping works are to be undertaken immediately following the survey on the eastern side of Midmoor Drain and the M181. It is recommended this is undertaken within 48 hours. Following a conversation with the Site manager, it is understood that the clearance of vegetation to the west of the M181 is to be undertaken at a later date, which is to be confirmed by the Site manager. An additional nesting bird survey will be required prior to these works.







# Land off Burringham Road, Scunthorpe

## Ecological Constraint Survey Report

### ESH Construction Ltd

Esh House, Bowburn North Industrial Estate,  
Durham, DH6 5PF

Prepared by:

### SLR Consulting Limited

Unit 2, Newton Business Centre, Thorncliffe Park  
Estate, Newton Chambers Road, Chapelton,  
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SLR Project No.: 424.065288.00001

13 August 2024

Revision: 1

## Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
1	13 August 2024	Peter Wigglesworth	Dan Alexander	Julia Kozłowska

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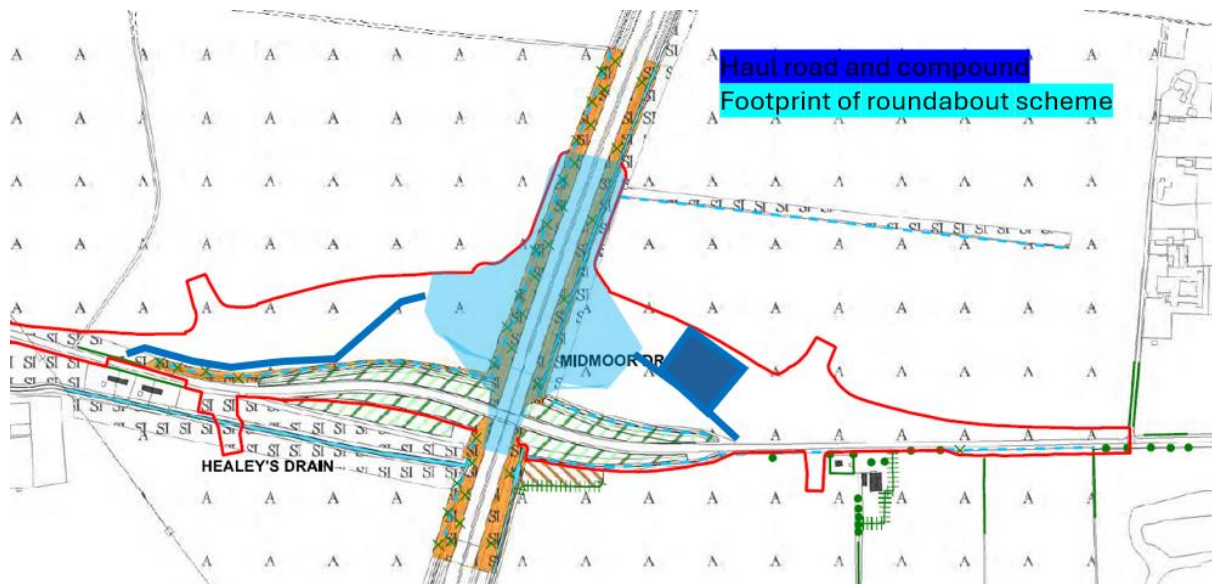
## 1.0 Introduction

SLR Consulting Ltd was commissioned by ESH Construction Ltd to undertake an ecological constraints check with a particular view to nesting birds prior to the removal of vegetation along the sides of the M181 motorway, off Burringham Rd, Scunthorpe, Lincolnshire, DN17 1RA (approximate central OS grid reference SE 85827 08538), hereafter referred to as the 'Site'.

The planned work was to remove all vegetation alongside the M181 motorway (Plate 1) to allow landscaping works to take place. Two sets of surveys had previously been undertaken on the 19<sup>th</sup> and 23<sup>rd</sup> of July 2024<sup>1</sup>. The pre-commencement survey which this report documents was undertaken on 7<sup>th</sup> of August 2024, as a follow up survey to cover areas of vegetation which were not cleared previously. The survey involved a search for potential ecological constraints, primarily nesting birds, ahead of landscaping works that day.

Areas which were surveyed on the 7<sup>th</sup> of August 2024 included remaining vegetation on the eastern side of the M181, to the north of the motorway sign (Plate 2), and vegetation along the west of the M181, between the ditch (now filled in) and the motorway barrier, particularly at the southern end near the Burringham Road bridge (Plate 3-4). An area of vegetation where nesting sedge warbler (*Acrocephalus schoenobaenus*) had previously been found was also due to be surveyed and vegetation removed if nesting activity had ceased (Plate 5).

Wild birds are protected under the Wildlife & Countryside Act (1981)<sup>2</sup> as amended and it is an offence to intentionally: kill, injure or take wild birds; take, damage or destroy a wild bird's nest while it is being used or built; or to intentionally take or destroy a wild bird's egg.



**Plate 1: Light blue working area north of Burringham Road which was subject to survey along the M181. Shows total area surveyed across 3 dates.**

<sup>1</sup> SLR Consulting (2024). Land off Burringham Road, Scunthorpe: Results of Pre-Commencement Surveys (July 2024)

<sup>2</sup>Wildlife & Countryside Act (1981) <https://www.legislation.gov.uk/ukpga/1981/69>



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Intentionally or recklessly obstruct access to a water vole's place of shelter or protection.

## 2.0 Methodology

The survey was undertaken by Mr Peter Wigglesworth, Project Consultant, with SLR Consulting, with 5 years' ecological surveying experience. This report has been reviewed by Mr Daniel Alexander, Senior Ecologist and Ornithologist with SLR Consulting, and approved by Ms Julia Kozłowska Associate ecologist with SLR Consulting.

The survey on 7<sup>th</sup> August commenced at 12:15 and was completed at approximately 15:45. The temperature was approx. 20°C throughout, with a moderate to fresh breeze predominantly from the west-southwest and mostly cloudy. A small period of light rain occurred during the survey. During this survey, the vegetation east and west of the M181 was surveyed.

The vegetation was observed from a distance while listening for bird song or calls and watching for any territorial or nesting behaviour. Any territorial or nesting behaviour was then noted and observed for a longer period to establish with more confidence the presence of a nest. Due to the location of most of the work, across a ditch by a motorway, no physical searches were undertaken for safety reasons.

## 3.0 Results and Recommendations

### 7<sup>th</sup> August 2024

Birds recorded during the survey period were black-headed gull (*Chroicocephalus ridibundus*), buzzard (*Buteo buteo*), carrion crow (*Corvus corone*), collared dove (*Streptopelia decaocto*), goldfinch (*Carduelis carduelis*), and woodpigeon (*Columba palumbus*).

No active nests were recorded within the vegetation.

Approval was given for the vegetation to be cleared without constraint. Clearance of the area which was previously occupied by the sedge warbler was closely supervised by the ecologist, to ensure that nesting activity had ceased, and no further activity was missed



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<sup>3</sup> <https://www.legislation.gov.uk/ukpga/1981/69/section/1>

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/1981/69/contents>



(Plate 6). No sedge warblers or other birds displaying territorial or nesting activity were noted during this process, and therefore, vegetation clearance could proceed as planned.

Description	Plate
<b>Plate 2</b> – View along East side of M181 of vegetation surveyed and to be cleared	
<b>Plate 3</b> – Vegetation West of M181	
<b>Plate 4</b> – Vegetation west of M181 South end	



Description	Plate
<p><b>Plate 5</b> – Area of former sedge warbler nest</p>	
<p><b>Plate 6</b> – Area of former sedge warbler nest during clearance</p>	



