

<b>Ecology Team Consultation Response</b>	
<b>Date:</b>	08.07.2024
<b>Planning Ref:</b>	4/24/2044/0F1
<b>Description:</b>	Demolition of existing buildings and erection of a discount food store (use class E), alterations to vehicular and pedestrian access, provision of car and cycle parking, servicing area, hard and soft landscaping and associated works.

## **Conditions**

### **CEMP**

A Construction Ecological Method Statement needs to be produced to ensure that species groups of conservation concern are safeguarded during the construction phase. This method statement is to be submitted to the LPA for approval prior to works commencing and should follow Recommendations Section in Section 5.4 of the PEA and PRA report written by Total Ecology in January 2024, and Section 7 of the Ecological Impact Assessment written by Total Ecology in May 2024.

### **BNG**

The county ecologist confirms that Biodiversity Net Gain (BNG) is in scope for this development and approves the BNG documents submitted with the application.

Please note that if planning permission is granted this is a planning permission only, and the development will be subject to the biodiversity gain condition as set out below.

Subject to exemptions and transitional arrangements, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that every planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority,
- b) a Habitat Management and Monitoring Plan is in place for 30 years as the gains here significantly increase the amount of habitat on site post-development compared to pre-development, and
- c) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan would be Cumberland Council.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in your development becoming subject to enforcement action.