

Christie Burns

Senior Planning Officer
Cumberland Council



By email to: development.control3@cumberland.gov.uk
12/01/2026

Application Number: 4/25/2198/0F1, Erection of visitor centre with café/shop, group room, staff/volunteer, toilet facilities and car park; consolidation, repair and installation of interpretive sculpture to Towsey Hole windmill; refurbishment of existing tern hide; new bird hides/viewing screens, pathways, gateway features, street furniture and demarcation of spaces at existing car park; enhancement of wildlife habitats; associated landscaping and drainage infrastructure; and maintenance of byway with restricted vehicular access (the iron line project)

Location: Land at Hodbarrow Nature Reserve, Millom

Applicant: Cumberland Council

Dear Ms Burns

Thank you for consulting RSPB in respect of the above application. Please accept this letter as my response regarding the above application for a visitor centre and associated facilities at Hodbarrow on behalf of the Royal Society for the Protection of Birds (RSPB).

We wish to make the following **comments** on the application cited above based on the following which we believe will impact continued operation of our reserve at Hodbarrow as a result of the proposed development.

- 1. Potential impacts to Natterjack Toad**
- 2. Wardening Provision as Mitigation**
- 3. New Access Provision**

The RSPB

The RSPB is passionate about nature and dedicated to saving it. Since we started on our mission in 1889, the threats to nature have continued to grow but we've grown to meet them too.

We're now the largest nature conservation charity in the country, consistently delivering successful conservation, forging powerful new partnerships with other organisations and inspiring others to stand up and give nature the home it deserves.

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The RSPB is part of BirdLife International, a network of passionate organisations, working together to save nature across the world.

Along with other environmental groups, we have fought for many years to ensure habitats that support rare and vulnerable wildlife are protected from the worst impacts of human development.

We are also the owner and manager of part of the application site, the RSPB's Hodbarrow Nature Reserve, having purchased 105ha of the site of the former Hodbarrow Iron Mine in 1986, 18 years after the mine closed.

Detailed comments

1.0 Potential impacts to Natterjack Toad

The natterjack toad populations of the UK are largely confined to small and isolated populations highly vulnerable to extinction from changes to their specialist habitat and sensitive life histories. The natterjack toad is classed as "Endangered" in England according to IUCN Red List criteria, an internationally recognised method for assessing extinction risk.

Natterjack Toad, *Epidalea calamita* is protected in the UK under the Wildlife and Countryside Act, 1981. They are a Priority Species under the UK Post-2010 Biodiversity Framework and are listed as a European Protected Species under Annex IV of the European Habitats Directive,

The Duddon Estuary is one of the few relative strongholds remaining for the natterjack toad and is of national importance to the persistence of the species in the UK, this is recognised with the species being a Designated Feature of the Duddon Estuary Ramsar site and Notified Feature of the Duddon Estuary SSSI.

We note the Applicant has now submitted a standalone Amphibian Mitigation Plan and produced an updated Landscape and Ecological Management Plan.

No adult Natterjack Toads (henceforth Natterjack) have currently been recorded within our reserve; however, the presence of a spawn string indicates their presence. That said we are satisfied with the provisioned Amphibian Management Plan, and will work with the Applicant to make small changes to the Hibernacula proposed in line with guidance (tbc) from Amphibian and Reptile Conservation (ARC)

1.1 Terrestrial Habitat and Natterjack presence

From our own surveys Natterjack are known to be present on land immediately adjacent to the proposed development site.¹ Natterjack, are highly mobile, travelling large distances of up to 5 km.

¹ Section 5.6, Nature Reserve, para 3, page 70, Ecological Impact Assessment and Preliminary Ecological Appraisal Update, Greengage April 2026

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Due to the presence of spawn strings and the SRP (Species Recovery Programme) works undertaken by us, we believe that Natterjack Toad could be present on our reserve (although the presence of adults is yet to be confirmed). As such likely terrestrial habitat connectivity on our reserve should be mapped see below our rough plan below, to aid toolbox talks.



Image 1: Likely Natterjack Terrestrial Habitats on RSPB Hodbarrow Reserve

1.2 Gully Ladders

Under section 4.0 Operational Management, 4.1 Management Actions – Gully Ladders, the Applicant states that “*gully ladders will be checked during the monthly drainage channels and gullies maintenance, as per the SuDS Operation and Maintenance Manual*”. However, **we strongly advocate for checks to be undertaken at least weekly** for the first 6 months, we are concerned that monthly checks may result in the death of Natterjacks during the initial months during this transitional period.

1.3 Hibernacula

We are supportive of the proposed hibernacula but would like to see the final design approved by ARC to ensure best practice in design and implementation.

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2.0 Wardening Provision

We are working with the Applicant to develop a Heads of Terms agreement which will include securing arrangements for wardening provision, discussions are ongoing at this time.

3.0 New Access Provision

The Applicant has submitted further information in respect of access provision.

3.1 Proposed Windmill Boardwalk

Our concerns regarding the Boardwalk across the Fixed Coastal Dunes have been listened to by the Applicant, as suggested in our previous response, and we note that this feature is being replaced by a crushed limestone 'ramp' which does not impinge on this key habitat.

3.2 Byway open to All Traffic (BOAT)

We note the Applicant's comments in respect of a TRO on the BOAT and newly submitted information in respect of Bollard details.

Whilst we accept that the Applicant cannot guarantee at this stage that a TRO will be put in place, however we are happy with the proposed actions which the Applicant will take to put this in place

Summary

The majority of our previous concerns have been assuaged as a result of the recent submissions by Applicant; our ongoing comments represent the small number of areas within which we still maintain concerns.

In addition, we have reservations regarding the deliverability of a TRO on the repaired BOAT, and the impacts thereof on habitats and species using our reserve designated as part of the SSSI/Ramsar/SPA/SAC sites on the Duddon but accept that if delivered it would have a material benefit to the reserve and its ecology.

Yours sincerely

Jeremy Sutton, Senior Conservation Officer, North West England

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