



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2093/DOC
2.	Proposed Development:	DISCHARGE OF CONDITION 6 AND THE REQUIREMENTS OF BIODIVERSITY NET GAIN OF PLANNING APPROVAL 4/24/2425/0F1
3.	Location:	ST BRIDGETS R C SCHOOL, ST BRIDGETS LANE, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM, PROWs - Public Right of Way, Main River Consultation Area - Main River Consultation Area
6.	Publicity Representations &Policy	See Report.
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to St Bridgets RC School, a primary school accessed from St Bridgets Lane in Egremont. The site is predominantly bound by residential properties and comprises of the main school building and various hardstanding/play areas.</p> <p>Relevant Planning History</p> <p>4/24/2188/0F1 PROPOSED REPLACEMENT OF FENCING AND GATES TO SCHOOL SITE BOUNDARY (INCLUDING RECONFIGURATION OF ACCESS GATES TO MAIN ENTRANCE) – Approve</p> <p>4/24/2425/0F1 EXTENSION OF EXISTING SMALL STAFF CAR PARK INTO UNUSED ADJOINING GRASSED AREA – Approve</p>

Proposal

In March 2026, planning permission (ref: 4/24/2425/0F1) was granted for the extension of the staff car park into the unused grassed area at the site.

This current application seeks to discharge condition 6 and the requirements of biodiversity net gain of planning approval reference 4/25/2163/0F1. These conditions state the following:

6. Prior to the commencement of development/the development shall not commence until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the local planning authority.

The Habitat Management and Monitoring Plan shall include the following: i. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years. ii. Planned management activities including details of site-wide aims and objectives. iii. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works. iv. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve. v. Details of monitoring methods and a monitoring reporting schedule. vi. Details of adaptive management approaches.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

Informative Note

Biodiversity Net Gain – Biodiversity Plan Required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that 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 local planning authority, and (b) the local planning authority has approved the plan.

(b) The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority. Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in



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enforcement action for breach of planning control.

The information submitted in support of the application comprises the following:

- Application Form, received by The Local Planning Authority on 23rd March 2026
- LE076 Biodiversity Net Gain Plan,
- LE076 Habitat Management and Monitoring Plan Version V1

Consultation Responses

Cumberland Council Ecologist –

Condition 6 states, “prior to the commencement of development/the development shall not commence until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the local planning authority.

The Habitat Management and Monitoring Plan shall include the following:

- I. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years.
- II. Planned management activities including details of site-wide aims and objectives.
- III. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- IV. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- V. Details of monitoring methods and a monitoring reporting schedule.
- VI. Details of adaptive management approaches.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.”

Council Response

The county ecologist accepts the Habitat Management and Monitoring Plan.

It must be understood that it is the responsibility of the applicant to achieve a net gain in biodiversity of 10% by Year 30, which must be evidenced at Year 30 to the council and accepted in writing.

The first round of monitoring results is required to be submitted to the council within Year 2 after the commencement of development.

Informative – Biodiversity Gain Plan Required

The Informative states, “the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that 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 local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.”

Council Response

The County Ecologist accepts the Biodiversity Gain Plan.

Planning Policies

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria. Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland. The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only. The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the Local Plan as commenced by Copeland Borough Council. The Local Plan was adopted by Cumberland Council on the 5th of November 2024, replacing the Copeland Local Plan 2013-2028 and the saved policies of the



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<p>Copeland Local Plan 2021- 2016.</p> <p>The policies relevant to this application are as follows:</p> <p>Strategic Policy DS1: Settlement Hierarchy</p> <p>Strategic Policy DS2: Settlement Boundaries</p> <p>Policy DS4: Design and Development Standards</p> <p>Strategic Policy DS6: Reducing Flood Risk</p> <p>Policy CO7: Parking Standards</p> <p>Policy N3: Biodiversity Net Gain</p> <p>Other Material Planning Considerations</p> <p>National Planning Policy Framework (NPPF)</p> <p>National Planning Practice Guidance</p> <p>Cumbria Development Design Guide</p> <p>Assessment</p> <p>This application seeks to discharge condition 6 and the requirements of biodiversity net gain of planning approval reference 4/24/2425/0F1. Condition 6 seeks to discharge the requirements for the development to provide details of a Biodiversity Management and Monitoring Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development. There is also the requirement for a Biodiversity Net Gain Plan to be submitted and approved prior to the commencement of development at the site.</p> <p>The Council's Ecologist has reviewed the application and has confirmed that the information submitted to support this application is acceptable. It is therefore confirmed that condition 6 and the BNG requirements for this application can be discharged.</p> <p>Conclusion</p> <p>Discharge of condition 6 and BNG requirements.</p>	8. Recommendation: Approve discharge of condition 6 and BNG requirements.
Case Officer: Demi Crawford	Date : 29/04/2026
Authorising Officer: N.J. Hayhurst	Date : 05/05/2026

Dedicated responses to:- N/A