

Christie Burns

Senior Planning Officer  
Cumberland Council



By email to: [development.control3@cumberland.gov.uk](mailto:development.control3@cumberland.gov.uk)  
20/04/2026

**Application Number:** 4/26/2096/DOC, DISCHARGE OF CONDITIONS 3, 5, 6, 7, 8 AND THE REQUIREMENTS OF BIODIVERSITY NET GAIN OF PLANNING APPROVAL 4/25/2198/0F1

**Location:** Land at Hodbarrow Nature Reserve, Millom

**Applicant:** Cumberland Council

Dear Ms Burns

Thank you for consulting RSPB on 01/04/26 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 **comments** in response to the newly submitted documents.

- 1. Condition 5 – the Landscape and Ecological Management Plan (LEMP)**
- 2. Condition 6 – the Construction Environmental Management Plan (CEMP)**
- 3. Condition 7 – the Amphibian Mitigation and Management Plan (AMMP)**
- 4. Condition 8 – the Notable Plants Method Statement (NPMS)**

## 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.

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.

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**RSPB NW England**  
Myers Farm  
Storrs Lane  
Silverdale  
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 @RSPBEngland  
[rspb.org.uk](http://rspb.org.uk)



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

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 Condition 5 – the Landscape and Ecological Management Plan (LEMP)

We are broadly happy with the document as revised March 2026, but have the following comments -

**5.1 – Management of Gully Ladders**, we support and acknowledge the move to check these weekly for the first 6 weeks following installation, with a move thereafter to monthly, however we would ask that IF, natterjack is found to be present in the gully, firstly, contact MUST be made with Natural England to obtain a licence, and removal MUST only be undertaken by a natterjack toad licenced ecologist, and secondly we would like to see a return to weekly checks for the following 6 weeks, before a review as (although unlikely) the gully ladders may not be working, we do though support the applicant's assertion that their presence is unlikely and precautionary.

**6.1 – Formalisation of the Paths and the BOAT**, the text within the Management section (page 21), suggests that RSPB will be responsible for maintenance of the Paths as it is currently, however, it is our view as owners of the site, that improvements made by the Applicant, MUST be covered under the yet to be finalised Heads of Terms agreement as maintainable by the Applicant.

**6.5 – Species Specific Actions, Natterjack Toads, Enhancements – Creation of Hibernacula**, we support the indicative location of the proposed hibernacula (Appendix F), but not their construction, having reviewed the site again in 2026, we have drafted a natterjack plan for the reserve which includes these features.

The northern section of 3 artificial hibernacula is to be located within an area cleared by us as part of Natural England's Species Recovery Programme, (still we note referred to by the applicant as Species Recovery Trust, despite requesting amendment). We agree that these could be artificial but request that their construction is undertaken in Accordance with Amphibian & Reptile Conservation's (ARC) latest guidance, see our Appendix A.

The Southern 2 hibernacula should be created by managing existing banked habitats (soil scraping). This negates the requirement to bring pre-used concrete into the Red Clay Pond area of the reserve, and as such this is considered the best option for enhancement, with ongoing management undertaken by us, formation should be following on-site discussion and agreement with us.

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## 2.0 Condition 6 – the Construction Environmental Management Plan (CEMP)

We are broadly happy with the revised CEMP, but have the following comments –

### 3.1 Works Associated with the Visitor Centre

**Installation of Gully Ladders**, (page 14), We welcome the installation of Gully ladders and refer to our comments above (5.3 of the LEMP) for post-installation management.

**Hardstanding removal and relocation and Habitat Creation of Other Neutral Grassland**, per our comments (6.5 of the LEMP) above we do not wish to see the hardstanding material reused within the reserve.

**Appendix C, Biodiversity Protection Zones and Actions on the Nature Reserve**, we are broadly happy with this plan, but note that there is no / incomplete protection shown for the following Notable Plant Species in association with the path works, as identified in Appendix E, Notable Habitat and Plant Maps –

Eyebright (page 95)  
Quaking Grass (page 95)  
Northern Marsh Orchid (page 96)  
Heath Speedwell (page 96)

As such we see it as essential that this area is included and covered in line with the proposed fencing and signage.

## 3.0 Condition 7 – the Amphibian Mitigation and Management Plan (AMMP)

We are broadly happy with revised AMMP, noting our comments under the LEMP within this response.

There are also 3 further points we wish to make -

- The plan still references funding from the Species Recovery Trust (e.g. p3, p7, p11). This is not correct. Funding was from Natural England's Species Recovery Programme. This should be updated throughout. This is not the first time we have made this comment.
- P3. The 2024 record was of a single spawn string found in May (not 5,000 tadpoles in April). ID was not confirmed but it would be a late record for Common Toad and therefore the presumption is that this was a Natterjack spawn string.

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Ponds (pool creation) are shown on the map in Appendix C, although there is no mention in the document. They align with where we have created pools as part of scrub removal operations. Again, we wish to remind the applicant that these are existing features and not being formed therefore as part of the Approved Application.

#### 4.0 Condition 8 – the Notable Plants Method Statement (NPMS)

We are at a loss to explain why the applicant has not produced a standalone NPMS in response to this condition, however our comments are covered under those relating to the CEMP as this is where the information appears to be located.

#### Summary

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

Yours sincerely



**Jeremy Sutton**, Senior Conservation Officer, North West England

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