

Christie Burns

Senior Planning Officer
Cumberland Council



By email to: [REDACTED]
24/06/2026

Application Number: 4/26/2096/DOC, DISCHARGE OF CONDITIONS 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 03/06/26 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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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 June 2026, but have the following comments -

5.1 – Management of Gully Ladders, we support and acknowledge the changes put forward within the revised document and approve of the proposed changes outlined under both the Management and *Emergency measure in the event a natterjack toad is found* sections.

6.1 – Formalisation of the Paths and the BOAT, the text within the Management section (page 22), suggests -

"It is likely that the upgrades to the path and the BOAT will require minimal management going forward. The maintenance of the BOAT and paths will be set out in and secured through the Heads of Terms agreement with RSPB, including the allocation of responsibility for the ongoing maintenance of the paths and the BOAT".

We understand that draft HoTs are in preparation and therefore have not been signed off as yet.

6.5 – Species Specific Actions, Natterjack Toads, Enhancements – Creation of Hibernacula

We welcome the Applicant's adoption of ARC's guidance (our preference) in respect of hibernacula construction as Appendix G.

The wording in the LEMP doesn't make clear the distinction between hibernacula to be restored by shallow scraping only and those to be created in line with ARC methodology. Here is what our previous response dated 20/04/2026 stated:

"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) guidance.

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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”.

Our local Reserve and Ecology Team would like to have a site visit to agree methods and exact locations. They consider that it may be appropriate that some of the southern hibernacula could be created by scraping alone and they would be happy to trial the ARC method alongside this. If, and when Natterjacks recolonise, this approach would be a useful comparison to inform future efforts for the species.

We can confirm that subject to the HoTs we are content to assume on-going management for the features supporting Natterjack to be created.

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

We are content with revised CEMP and thank the applicant for acknowledging our concerns, our response to the Appendix C changes below as an example -

Appendix C, Biodiversity Protection Zones and Actions on the Nature Reserve, we welcome the changes to the annotated aerial within this iteration of the plan which acknowledge the concerns raised in our previous response.

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

We are content with revised AMMP and thank the applicant for acknowledging our concerns.

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

We welcome and are content with the plan as submitted in April and note the change to the annotated aerial as referenced above under the CEMP.

Summary

The majority of our previous concerns have been assuaged as a result of the recent submissions by Applicant; our ongoing comments relate to procedural changes which may be answered by letter if appropriate.

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Yours sincerely



Jeremy Sutton, Senior Conservation Officer, North West England

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