

<b>Ecology Team Consultation Response</b>	
<b>Date:</b>	02.09.2025
<b>Planning Ref:</b>	4/25/2292/DOC
<b>Description:</b>	DISCHARGE OF CONDITIONS 9 AND 10 OF PLANNING APPLICATION 4/23/2313/0F1

**Condition 9**

Condition 9 states, “No development must commence until a Biodiversity Gain Plan and Biodiversity 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, has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management Plan must include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. Monitoring reports will be submitted to the Council during years 2, 5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

Reason To protect the ecological interests evident on the site in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028 and the Environmental Act 2021.”

**Council Response:**

The county ecologist notes that the watercourse habitat does not reach the required 10% net gain as it stands at 2.56%. This score must be uplifted and then reflected in the Biodiversity Gain Plan and the HMMP before Condition 9 can be discharged.

**Condition 10**

Condition 10 states, “Prior to the commencement of any works hereby approved the required additional species surveys and details of the proposed enhancement measures must be submitted to and approved in writing by the Local Planning Authority as set out in the following approved documents:

- Preliminary Ecological Appraisal, Prepared by Ascerta: Landscape, Arboricultural & Ecological Solutions for the Built Environment June 2023, Ref: P.1723.22, Rev: B, received by the Local Planning Authority on the 6th November 2023.
- Habitat Regulations Assessment (HRA), Prepared by Ascerta: Landscape, Arboricultural & Ecological Solutions for the Built Environment July 2023, Rev: C, received by the Local Planning Authority on the 6th November 2023.

The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out within this approved document and retained thereafter.

Reason To protect the ecological interests evident on the site in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.”

***Council Response:***

The county ecologist accepts Updated Survey Letter (December 2025) written for the further survey undertaken in June 2025, however notes that documentation is missing regarding the Construction Environmental Management Plan relating to the River Ehen, Ditch D1 and Florence Mine Site SSSI. Construction and Operational mitigation, which aligns with the Habitats Regulations Assessment must be written into a CEMP and submitted to the council for Condition 10 to be discharged.

Details of enhancement measures relating to the following are to be submitted to the council:

- Enhancing the site for species through appropriate landscape planting that includes native, species rich hedgerows, trees and areas of wildflowers plus provision of integrated bat and bird features within newly constructed buildings;
- Provision of species within the landscaping plans to provide forage and refuge for red squirrel; and
- SUDS features to include native planting to enhance the ecology and biodiversity of the proposed site.

The Reasonable Avoidance Measures document is to include mitigation for invasive non-native species, should they be encountered, and breeding birds.