

| <b>Ecology Team Consultation Response</b> |  |
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| <b>Date:</b>                              | 19.02.2026   |
| <b>Planning Ref:</b>                      | 4/26/2044/0F1  |
| <b>Description:</b>                       | Refurbishment and extension of existing two storey building for community use, creation of new public realm, construction of new single storey building for commercial and community uses. |

### **Suggested Planning Conditions**

#### ***Construction Environmental Management Plan (CEMP)***

A CEMP should be produced to detail the procedures for protecting the environment during construction to address the following points (but not limited to):

- Pollution prevention control
- Dust mitigation
- Impaction of habitats
- Species protection during construction (see below)
- A sensitive lighting scheme for bats and other wildlife

#### ***Breeding Birds***

Works should be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present. It should be noted that some bird species nest all year round. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged.

#### ***Small Mammals***

All development work should be carried out with care to avoid small mammals such as hedgehogs. Contractors should be briefed about the potential presence of small mammals and should adopt the following precautionary method of works:

- All work must take place during daylight hours.
- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered.

- All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.
- Stored materials should be raised (i.e. stored on pallets) in order to ensure that wildlife such as hedgehogs do not shelter in the piles.

### ***Bats***

A bats-specific lighting scheme will be designed for use during construction and operation to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

### ***Biodiversity Net Gain***

No development hereby permitted shall commence until:

- a) A Habitat Management and Monitoring Plan (HMMP) in place for 30 years is submitted to and accepted by the council.
- b) Monitoring results are to be programmed to be submitted to the council. These should include evidence demonstrating how BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The development shall be carried out in accordance with the approved plans.

### ***BNG Informative***

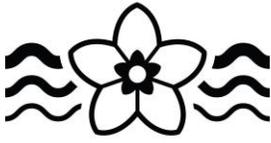
The effect of paragraph 13 of 7A to the Town and Country Planning act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ('the biodiversity gain condition ') that development may not begin unless:

- 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 on 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 break of planning control.



**Cumberland  
Council**

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