

<b>Ecology Team Consultation Response</b>	
<b>Date:</b>	23.06.2026
<b>Planning Ref:</b>	4/26/2063/0F1
<b>Description:</b>	Proposed demolition of existing house & construction of new three-bedroom self-build detached dormer bungalow.

The County Ecologist accepts the HMMP submitted as part of the application. The onus is on the applicant to ensure the Biodiversity Gain Plan aligns with the metric, which is to be reflected in the HMMP. i.e. the requirements for BNG cannot be discharged without all three documents aligning as evidence that 10% BNG will be achieved. Therefore, any changes made to the metric prior to discharge of condition must be reflected in an updated HMMP.

### **Suggested Planning Conditions**

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

All work is to be undertaken in accordance with the CEMP by EDS Design Cumbria Ltd.

#### ***Habitat Management and Monitoring Plan***

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.