



| Ecology Team Consultation Response | |
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| Date: | 14.04.2026 |
| Planning Ref: | 4/26/2103/DOC |
| Description: | Discharge of Conditions 4, 9, 10, 11 and the requirements of Biodiversity Net Gain of Planning Application 4/25/2403/0F1. |

This response pertains to Condition 4 and the requirements of Biodiversity Net Gain.

Condition Wording

Condition 4 states, “prior to the commencement of development, a Habitat Management and Monitoring Plan must be submitted to and approved in writing by the Local Planning Authority.

The Habitat Management and Monitoring Plan must include the following:

- i A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years.
- ii Planned management activities including details of site-wide aims and objectives.
- iii Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- iv The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- v Details of monitoring methods and a monitoring reporting schedule.
- vi Details of adaptive management approaches.

Reason: In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.”

Informative – Biodiversity Net Gain

The informative states, “The effect of paragraph 13 of Schedule 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 one 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 breach of planning control.”

Council Response

The County Ecologist accepts the Biodiversity Gain Plan and the HMMP and the proposed monitoring reporting period of 2, 5, 10 and 25 but notes that results must be received in Year 30.