

Ecology Team Consultation Response	
<b>Date:</b>	01.08.2024
<b>Planning Ref:</b>	4/24/2252/0F1
<b>Description:</b>	Erection of 18no., 2-bedroom dwellings and associated external works.

### **Suggested Planning Condition(s)**

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

A CEMP is to be produced following BS 42020:2013 Biodiversity – Code of Practice for Planning and Development and approved by the council prior to the start of works. Species to be considered should follow Sections 7.1 to 7.7 (inclusive) of the Preliminary Ecological Appraisal written by EnviroTech in June 2024.

#### ***BNG***

The county ecologist confirms that Biodiversity Net Gain (BNG) is in scope for this development and approves the BNG documents submitted with the application.

Please note that if planning permission is granted this is a planning permission only, and the development will be subject to the biodiversity gain condition as set out below.

Subject to exemptions and transitional arrangements, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that every 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 demonstrating a biodiversity gain of 10% has been submitted to the council,
- b) the council has approved the plan,
- c) the offsite BNG gain site has been registered and secured using a Section 106 agreement in place for 30 years,
- d) The BNG provision is accompanied by a Habitat Management and Monitoring Plan in place for 30 years and this monitoring plan is to be approved by the council and,
- e) Monitoring results are to be programmed to be submitted to the council.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan would be Cumberland Council.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in your development becoming subject to enforcement action.