



9 July 2024

Haig Office
Solway Road
Kells
Whitehaven
CA28 9BG

Nick Hayhurst
Head of Planning and Place
Cumberland Council
Whitehaven
Cumbria
CA28 7SJ

Dear Nick,

West Cumbria Mining, Former Marchon Site, Whitehaven – Partial discharge of Condition 8 in relation to the Main Mine site of former Cumbria County Council Planning permission reference 4/17/9007 (Planning Inspectorate Reference APP/H0900/V/21/3271069)

Please find enclosed an application that seeks to partially discharge Condition 8 of the above-mentioned planning consent.

Condition 8 relates to Ecology Mitigation – Construction. A Scheme for habitat creation, maintenance, monitoring, and management (HCMMM) requires approval before development can take place.

The enclosed submission only seeks to discharge part of part a: Reptile Survey and Mitigation Plan on the Main Mine Site (MMS). The reason for this is to enable Translocation Site 1 to be prepared in 2024, ready for the commencement of relocation when conditions are suitable.

In relation to section a) of Condition 8, it states that the following must be submitted:

No development shall take place until details of a scheme for habitat creation, maintenance, monitoring and management (HCMMM) has been submitted to and approved in writing by the Mineral Planning Authority. The HCMMM scheme shall include details of:

- a) Reptile Survey and Mitigation Plan prior to commencement of any remediation, site investigation, site clearance or Construction Works. Such Plan shall include details of the proposed translocation of reptile species to “Translocation Site 1” to the immediate west of the Main Mine Site and ~~“Translocation Site 2” within the grounds of ‘Lake View’ cottage~~ as identified in the report by BSG Ecology entitles “Reptile Translocation and habitat Creation Method Statement” dated 17 August 2021;
- b).....

West Cumbria Mining Limited

Registered in England and Wales, registration number 07144109 Registered office:
West Cumbria Mining Limited, c/o Irwin Mitchell LLP, Riverside East, 2 Millsands, Sheffield, South Yorkshire, United Kingdom, S3 8DT

In the above extract, the reference to Translocation Site 2 has been struck through as it is not included in this partial submission, it refers to an area close to the Rail Loading Facility.

In order to discharge this condition, the following documents have been attached to this letter:

- the document detailing the current Reptile Survey and Mitigation Plan for the MMS: P23-711 Whitehaven Reptile Method Statement ISSUE 20240619
- the response from the Environment Agency (EA) regarding the proposal, and specifically Hutbank Landfill: ENVPAC-1-CLA-00187 - ecological mitigation
- the report by BSG Ecology referenced in the Condition: "Reptile Translocation and habitat Creation Method Statement" dated 17 August 2021;

The 2021 Method statement referred to in the Condition defines Translocation Site 1 as Hutbank Landfill . This is adjacent, but outside, of the red line boundary. The Environment Agency (EA) have reviewed the current proposal and are satisfied with the proposed translocation site details.

Satisfying the Condition

The current Reptile Survey and Mitigation Plan for the MMS proposes increased hibernacula and associated habitat over that which is specified in the Condition because it is assumed that the population will have increased since the last survey.

The current Reptile Survey and Mitigation Plan for the MMS proposes an additional site for reptile translocation (OS-A) on site within the red line boundary which also has capacity for the predicted reptile population and ensures additional capacity and flexibility.

I trust this information adequately supports the request to Partially Discharge Condition 8 as submitted.

Yours sincerely,

Coralie Martin
Project Manager