**Sarah Papaleo MRTPI**
Senior Planning Officer
Development Management
Cumberland Council

**Daniel Sowerby**
EDS Design Cumbria Ltd
Sowerby House
Townhead
Dearham
Maryport
Cumbria, CA15 7JW

You're Ref – 4/26/2063/0F1
Date – 16th June 2026

Dear Sarah,

**TWIN ELMS, LOOP ROAD, DISTINGTON, CUMBRIA CA15 6LS**
**PROPOSED DEMOLITION OF EXISTING HOUSE & CONSTRUCTION OF NEW THREE BEDROOM SELF BUILD DETACHED DORMER**

Further to the ecological consultation comments provided in relation to the above application, please find submitted the updated ecological response package for the proposed development at Twin Elms.

This letter should be read alongside the following submitted documents and drawings:

- Construction Environmental Management Plan dated 16 June 2026;
- Biodiversity Gain Plan dated 16 June 2026;
- Preliminary Ecological Appraisal Rev A;
- Nocturnal Bat Survey Report;
- Arboricultural Impact Assessment and Method Statement dated 17 April 2026;
- TE-SB-001 Proposed Site and Block Plans;
- TE-SB-004 Proposed and Existing Drainage Plans;
- TE-SB-007 PEA Plans; and
- TE-SB-008 AMS Plans.

The applicant has now progressed the ecological matters raised by the County Ecologist and has submitted a full construction-stage and biodiversity package to demonstrate that the development can proceed without unacceptable ecological impact.

**Bat Survey**

The previous ecology response requested a single dusk emergence or dawn re-entry survey due to the existing building being assessed as having low bat roost potential.

This survey has now been completed. The submitted Nocturnal Bat Survey Report confirms that no bat emergences or re-entries were recorded from the building and no bat roosts were identified.

On that basis, no Natural England European Protected Species Licence is required, provided the works proceed in accordance with the submitted information and within the validity period of the survey.

Notwithstanding the above, the submitted Construction Environmental Management Plan retains a precautionary bat stop-work procedure. The building will be subject to a final precautionary external check prior to demolition and, should any bat or evidence of bats be identified, works will stop immediately and advice will be sought from a suitably qualified ecologist.

**Construction Environmental Management Plan**

A Construction Environmental Management Plan dated 16 June 2026 has been prepared and submitted.

The CEMP brings together the construction-stage ecological, arboricultural, drainage, pollution prevention, dust mitigation, habitat protection, protected species and lighting controls into one practical site document.

The CEMP addresses the matters raised by Ecology, including:

- pollution prevention and drainage protection;
- dust mitigation;
- protection of retained habitats;
- breeding bird safeguards;
- small mammal and hedgehog precautions;
- reptile precautionary working measures;
- bat precautionary measures and sensitive lighting;
- tree protection and BS5837 controls;
- ecological enhancement delivery; and
- alignment with the Biodiversity Gain Plan / Habitat Management and Monitoring Plan process where required.

The applicant confirms that the development will be carried out in accordance with the submitted CEMP. The document includes site responsibilities, pre-commencement hold points, stop-work procedures, monitoring records and a compliance matrix, ensuring the measures are practical, enforceable and capable of being implemented by the principal contractor and relevant sub-contractors.

Given the level of detail now provided, the applicant respectfully requests that Ecology and the Local Planning Authority consider securing the CEMP by reference to the approved documents, rather than requiring a separate pre-commencement CEMP condition.

**Breeding Birds**

The CEMP confirms that vegetation clearance, scrub removal, hedge cutting and works to features suitable for nesting birds will be programmed outside the main bird breeding season, March to August inclusive, where practicable.

Where works are required during that period, a nesting bird check will be undertaken no more than 48 hours before the relevant works commence. If any active nest is identified, an appropriate exclusion buffer will be established and works in that area will cease until the young have naturally fledged and the nest is no longer active.

**Small Mammals and Hedgehogs**

The submitted CEMP includes precautionary measures for hedgehogs and other small mammals. These include contractor briefing, checks of open excavations, use of ramps or covers to trenches left open overnight, raised material storage where practicable, and hedgehog access gaps within suitable boundary fencing.

These measures ensure that wildlife permeability is maintained across the site and that construction-phase risks are appropriately controlled.

**Reptiles**

The PEA identifies limited reptile habitat and a low risk of reptiles being present. Nevertheless, the CEMP includes a precautionary method of working.

Long grass and ruderal vegetation will be cleared in a phased manner, avoiding the creation of unmanaged soil, rubble, timber or waste piles that could form temporary refuges. Loose materials will be stored off the ground where practicable, and trenches will be covered or ramped and checked before backfilling.

**Sensitive Lighting**

The CEMP includes a sensitive lighting strategy for both construction and operational phases.

Temporary construction lighting will be avoided unless necessary for health and safety. Where lighting is required, it will be low-level, directional, cowled or shielded and switched off when not required.

Permanent external lighting will be designed to minimise spill onto retained trees, the eastern woodland / scrub belt, southern boundary vegetation and ecological corridors. Warm colour temperature lighting, preferably 2700K or lower, will be used where practicable, with PIR sensors, timers, hoods, baffles or shields as appropriate.

No up-lighting of trees, boundary vegetation or ecological enhancement features is proposed.

**Biodiversity Net Gain**

The applicant acknowledges that the development is in scope for Biodiversity Net Gain.

A Biodiversity Gain Plan dated 16 June 2026 has now been prepared and submitted. The plan sets out the on-site biodiversity strategy and confirms that the scheme relies on on-site delivery rather than off-site biodiversity units or statutory credits.

The BGP confirms the following biodiversity measures:

- retention and protection of the eastern woodland / scrub belt;
- retention of boundary vegetation and habitat connectivity;
- approximately 20 additional native trees within or adjacent to the retained eastern woodland area;
- approximately 15 metres of new native hedgerow along the northern / eastern boundary where shown on the submitted information;

- landscaped grass and garden areas;
- at least one integrated bat feature;
- at least one integrated bird nesting feature; and
- hedgehog access gaps within suitable boundary fencing.

The BGP also confirms that the development is not phased and that the biodiversity gain will be delivered on site.

The applicant's position remains that the submitted DEFRA Small Sites Metric / statutory metric demonstrates a measurable biodiversity net gain exceeding the statutory 10% requirement for both habitat and hedgerow units. The completed metric workbook will accompany the Biodiversity Gain Plan for formal approval where required by the Local Planning Authority.

**Habitat Management and Monitoring**

The Biodiversity Gain Plan includes habitat management and monitoring commitments for the retained and proposed on-site habitats.

The principal on-site biodiversity gains will be secured through the retention of existing boundary habitat, the planting and establishment of native trees and hedgerow, the installation of bat and bird features, and the provision of hedgehog permeability.

Planting will be maintained and any failed planting will be replaced in the next suitable planting season. The wider 30-year habitat management and monitoring requirements will be aligned with the Biodiversity Gain Plan and any statutory BNG approval process required by the Local Planning Authority.

**Arboricultural Protection**

The submitted Arboricultural Impact Assessment and Method Statement confirms that no tree removal is proposed.

Tree protection will be implemented in accordance with the submitted AMS and TE-SB-008 AMS Plan. BS5837-compliant protective fencing will be installed to protect retained boundary trees and vegetation, and no storage, refuelling, cement mixing, excavation, plant movement or level changes will take place within protected Root Protection Areas.

The retained eastern woodland / scrub belt and southern boundary tree / hedgerow features will therefore be protected during the construction phase and strengthened through the proposed biodiversity enhancement planting.

**Drainage and Pollution Prevention**

The submitted drainage information confirms that the proposed development will utilise the existing combined drainage connection serving Twin Elms, with surface water attenuation and flow restriction introduced as part of the new scheme.

The CEMP includes specific construction-phase drainage and pollution prevention measures, including spill kits, controlled fuel / oil storage, prevention of concrete and washout discharge to drains, protection of existing and new drainage routes, and control of silt, cement, slurry and debris during the works.

The proposed approach therefore provides betterment over the existing uncontrolled drainage arrangement while protecting retained habitats and drainage infrastructure during construction.

**Conclusion**

The applicant has now provided a comprehensive ecology, construction management and biodiversity package which addresses the matters raised by the County Ecologist.

In summary:

- the requested nocturnal bat survey has been completed;
- no bat roosts were identified;
- a full Construction Environmental Management Plan has been submitted;
- breeding bird, reptile, small mammal, hedgehog and bat precautionary measures are included;
- sensitive lighting controls are included;
- tree protection and BS5837 measures are included;
- a Biodiversity Gain Plan has been submitted;
- on-site biodiversity enhancements are embedded within the scheme; and
- habitat management and monitoring commitments are included.

On this basis, we respectfully request that the Ecology Team confirm that the submitted documents are acceptable and that the ecological matters can be addressed through the approved plans / documents, without the need for duplicate pre-commencement conditions where the relevant detail has already been provided.

We trust this provides the necessary clarification and reassurance. Please do not hesitate to contact me should you or the Ecology Team require any further information.

Yours sincerely,

**Daniel Sowerby BSc (Hons) C.Build E MCABE CIWFM MCIOB**

Director
EDS Design Cumbria Ltd

Cumberland Council

| Ecology Team Consultation Response | |
|---|---|
| **Date:** | 16.06.2026 |
| **Planning Ref:** | 4/26/2063/0F1 |
| **Description:** | Proposed demolition of existing house & construction of new three-bedroom self-build detached dormer bungalow. |

**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 within habitat/buildings that may be directly or indirectly impacted. 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.

Cumberland Council

- 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 during construction and operation to minimise light impact upon the wider enviornment. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

*Reptiles*

As a precautionary approach, the following measures must be followed:

- Any devegetation works of long grass or ruderal is to be undertaken in a phased approach under the supervision of a suitably experienced ecologist.

- During the development, measures should be put in place to discourage reptiles from using the development area, the creation of any piles of earth, materials and rubble which could form potential artificial hibernacula and refuge should be avoided at all times. Any spoil or rubble will be removed immediately to skips, or on hard standing or short grass. This will ensure that no potential for reptile resting sites are created.

- The storage of all loose materials must be palletised or similar so they are off the ground whenever possible.

- 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 are 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.

***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.

Cumberland 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.

***Enhancements***

One bat box to be installed within the building, such as:

- The Habibat Bat Box, or
- Green&Blue Bat Box.

One bird box to be integrated within the development to provide opportunities for breeding birds such as:

- Schwegler No. 17 swift nest box, or
- Schwegler 1SP sparrow terrace.