

Ecology Team Consultation Response	
Date:	06.11.2025
Planning Ref:	4/25/2349/0R1
Description:	Application for approval of reserved matters relating to appearance, layout, landscaping and scale for the erection of 300 dwellings with associated open space & infrastructure pursuant to outline planning approval 4/18/2287/0O1 (the outline was not an EIA application).

Suggested Planning Conditions

Solway Firth SPA Protection

Homeowner Packs

As stated in the HRA (TetraTech 2021) homeowner packs providing information about the Solway Firth SPA are to be provided for each home detailing the following elements of the SPA to protect its species and habitats:

- The importance to wildlife and habitats,
- Sensitivity to recreational pressures,
- Access restrictions,
- The code of conduct, and
- Suggestions of alternative recreational routes.

Visitor Signage Boards

The information within the Homeowner Packs is to be placed on signage boards within the, should also be provided on a more permanent basis within the development and near to the SPA.

HRA

The HRA should be updated to account for any changes made to the development plans either in construction or operation. If no changes have been made, then the council must be notified that the 2021 HRA still stands.

Construction Environmental Management Plan (CEMP)

The protection of on-site and adjacent habitats (including Midgey Wood ancient woodland and Midgey Gill CWS) during construction works should be addressed through the provision of a Construction Environmental Management Plan (CEMP) which should include:

- Measures relating to the protection of ecological features should include:
- A Surface Water Management Plan using the Guidance for Pollution Prevention (GPP5) for working in, near or over streams / watercourses;
- A safe system for the correct storage of materials/chemicals should be implemented so that materials are stored in a suitable manner as to avoid spills or runoff;
- Appropriate measures to manage dust generation during construction should be implemented (e.g. damping down of bare areas in summer);
- A system to make sure waste is removed at the earliest opportunity to avoid contamination of ground. Contractors should also avoid leaving construction waste within the site;
- Chemical applications should be avoided where possible. If the application of herbicide or pesticide is required, then a non-residual chemical should be applied using either a wiping or spraying (i.e. localised) method only to clear areas of weeds;
- ECoW checks for hedgehog, breeding birds, red squirrel and other species prior to any vegetation clearance / habitat removal and ground disturbance; and
- Biosecurity measures to avoid spread of the invasive plant species.

Great Crested Newt

A GCN eDNA survey of ponds within 250m must be undertaken to determine presence of GCN. If GCN eDNA are present then population surveys will be required which are to be undertaken between mid-April and mid-June.

Reptiles

Some sections of habitat on site have reptile suitability (areas of false oat grassland, bracken, scattered scrub and tall unmanaged grassland). If these habitats will be impacted by the development, a reptile survey will be required within these habitats to determine if they are present on site.

Bats

Any trees proposed for removal should be subject to a up-to-date Preliminary Roost Level Assessment prior to works. Any trees that have a suitability of moderate and high will require dusk emergence and dawn return to roost surveys. Trees with low potential will require an ecological watching brief from a Level 2 Bat Licenced Ecologist.

The majority of the woodland habitat on site will be retained as part of the proposed development. Therefore, an unlit buffer between woodlands and new housing infrastructure (5 to 10 m in width) must be maintained; furthermore, the retained woodland habitats are protected from light disturbance through implementation of a wildlife-friendly lighting scheme for both the construction and operational phases of the development. The design should minimise light spill onto hedgerows, trees and suitable habitats on and adjacent to the site. A bats-specific lighting scheme will be designed during construction to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

Lighting

A sensitive lighting scheme must be submitted to and accepted by the council to minimise harm to wildlife. This scheme should follow the guidance listed above for Bats and Artificial Lighting (Bat Conservation Trust, 2023) as other ecological receptors benefit from a scheme that follows this guidance.

Details of external lighting need to be controlled in the interests of protected species and the appearance of the development during construction as well as operation.

Badger

As a precaution, a pre-works badger survey is to be undertaken on site in habitat suitable for supporting badgers at least three months prior to works. If a badger sett is found during works, an application for a licence to disturb or destroy the sett may be required to be completed and approved by NE, to avoid contravention of legislation.

Red Squirrel

Any trees that are proposed for removal, should be checked for squirrel dreys prior works. These checks should be conducted at least three months prior to works in order to allow for mitigation measures if red squirrel are discovered to be breeding on site.

Breeding Birds

It is recommended that any works affecting bird nesting habitat (i.e. any vegetation / ground clearance and structure / building removal) should be carried out outside the main bird breeding season (i.e. considered to be March to September inclusive). If this is not possible, then it is recommended that an

Ecological Clerk of Works (ECoW) conducts a check for nesting birds of any vegetation to be cleared on site 48 hours in advance of any works commencing.

Invasive Non-Native Species

An Invasive Species Method Statement is to be produced by a specialist contractor and implemented to control and eradicate these species on site. The stands of invasive species should be marked out and all contractors aware of its location. Species specific approaches should be taken, and an aftercare period should also be detailed. No vegetation or ground substrate must be removed from within 10 m of any known INNS locations. If such material is required to be removed from the site, it must be treated as controlled waste and transported by a licensed waste carrier to an authorised landfill site.

Strict biosecurity measures must be adhered to, including the washing of all equipment (boots, machinery, etc.) on arrival to and removal from the site.

Small Mammals

The site has potential for hedgehog and brown hare to be present. Before clearance works commence, any areas covered by dense vegetation should be checked by ECoW for presence of these animal; it is also recommended that ECoW should deliver a Toolbox talk to site personnel regarding the best practice with regard to ecological issues in advance of working. Boundary features should utilise hedgerow planting where possible. Any new fencing used within the proposed housing development should include gaps at ground level (13 x 13cm) or clearance beneath to allow hedgehog dispersal throughout the site.

Habitat Management Plan

An Ecological Clerk of Works (ECoW) is to be employed throughout the initial construction phase of the development to ensure the Habitat Management Plan (HMP) produced by TetraTech (May 2022) is adhered to. This HMP is required to be amended for each phase of the development during the construction phases, and operational phase, to be submitted to and agreed in writing by the council prior to each phase beginning.

Biodiversity Net Gain

The Biodiversity Net Gain assessment and supporting Habitat Management Plan showed that the development would result in a loss of habitat and therefore mitigation and compensation measures will be required both on and off the site.

As stated by Planning Condition 28, no development hereby permitted shall commence until:

a) a Biodiversity Net Gain Strategy has been submitted to the planning authority demonstrating a 10% net gain using the latest statutory Biodiversity Metric,

b) the planning authority has approved the strategy in writing,

c) the onsite habitat provision is accompanied by a Project Implementation Plan (PIP) detailing the following:

- delivery of ecological BNG mitigation and compensation, in accordance with the approved BNG strategy,
- timescales for implementation, and
- an ongoing management and maintenance plan.

On completion of each phase, an update of the BNG Strategy shall be submitted to the local planning authority to demonstrate how a BNG has been delivered for that phase.

Enhancement Measures

The following enhancement measures are recommended for the proposed development. These measures include previous recommendation suggested by TEP in their Ecological Assessment report (TEP, 2019):

- Existing network of woodland across the site can be enhanced by the creation of grassland, wetland and woodland edge habitats within buffers,
- Loss of grassland could be compensated through the creation of grassy swales along roadways and footpaths,
- Enhancements for birds and bats can be achieved by installing bat and bird boxes on suitable retained trees or incorporating bat and bird boxes within new buildings, boxes into the exterior walls of the new buildings. These could include boxes such as Schwegler 1FR Bat Tube or Woodstone Build in Open Nest Box,
- Planting native species rich hedges as property boundaries as opposed to fences to create suitable habitat,
- Provisions of hedgehog boxes to provide areas for shelter and breeding to be incorporated within the new design; these should be sited out of direct sunlight with the entrance facing away from prevailing winds, in or under thick vegetation. Any wood panel fencing should include small gateways (13cm x 13cm) to allow dispersal of hedgehogs across the site, and
- Creation of habitat / brash piles on the periphery of the site as a further aid to increasing biodiversity.