

Ecology Team Consultation Response	
Date:	11.08.2026
Planning Ref:	4/26/2201/DOC
Description:	DISCHARGE OF CONDITIONS 3, 4, 8 AND 9 OF PLANNING APPLICATION 4/25/2411/0F1.

This response pertains to Condition 4.

Condition 4

Condition 4 states, “the development shall not commence until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the local planning authority.

The Habitat Management and Monitoring Plan shall 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 A Phasing Strategy for the delivery of the habitat creation and habitat enhancement works.
- III Planned management activities including details of site-wide aims and objectives.
- IV Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- V The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- VI Details of monitoring methods and a monitoring reporting schedule.
- VII 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.”

BNG Informative

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.

b) 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 confirms that the HMMP includes all information required as set out in Condition 4. Additionally, the requirements of BNG have also been met as the Biodiversity Gain Plan aligns with the Biodiversity Metric and the HMMP.

Therefore, Condition 4 and the BNG informative can be discharged.