Cumberland Council

Ecology Team Consultation Response	
Date:	10.11.2026
Planning Ref:	4/26/231/0F1
Description:	Proposed residential development of no.51 houses and bungalows including infrastructure, landscaping and BNG uplift.

The County Ecologist accepts the updated HRA by Envirotech (Nov, 2026).

Suggested Planning Conditions

Habitats Regulations Assessment (HRA)

Due to the proximity of the site to the River Ehen SAC (263m at its closest point) a HRA will be required to assess the likely significant effects of the development upon the SAC and its features.

Additionally, it is assumed that the culverted watercourses that are on site run into the River Ehen SAC.

Construction Environmental Management Plan (CEMP)

The development will be undertaken in line with the updated CEMP (Nov, 2026).

Ecological Supervision

In order avoid committing a wildlife offence under the Wildlife and Countryside Act 1981 (as amended), the applicant must employ an Ecological Clerk of Works (ECoW) for the initial clearance works. The ECoW will ensure the avoidance and protection of breeding birds, small mammals, herptiles (if any) and ensure the works adhere to the procedures set out in the CEMP.

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.

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.

Cumberland Council

Enhancements

- Swift or universal nest bricks, at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.

- Bat access tiles for roofs, bat bricks and other bat roosting provisions. The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.

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.