

Town and Country Planning Act 1990 (As amended).

4/20/2123/0B1

NOTICE OF GRANT OF PLANNING PERMISSION

WYG

Lakeland Business Park  
Lamplugh Road  
COCKERMOUTH  
Cumbria CA13 0QT  
FAO Mr Graham Hale

**SECTION 73 APPLICATION FOR VARIATION OF CONDITION 2 OF PLANNING APPROVAL  
4/98/0486/0 (WIND FARM) TO ENABLE EXTENSION OF OPERATIONAL LIFE UNTIL END OF  
MARCH 2030  
PARK HOUSE FARM WIND FARM, LOWCA, WHITEHAVEN**

**Cannock Wind Farm Services Ltd**

The above application dated 23/03/2020 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. This permission is for a period not exceeding 31<sup>st</sup> March 2030. Within 12 months of the cessation of electricity generation at the site, (or the expiry of this permission, whichever is the sooner) all development shall be removed from the site and the land restored in accordance with a Land Restoration Scheme which shall have the prior written approval of the local planning authority.

Reason

For the avoidance of doubt and in the interests of proper planning.

2. If any turbine ceases to be operational for a continuous period of 6 month it shall be dismantled and removed from the site, and that part of the site restored in accordance with a Land Restoration Scheme which shall have the prior written approval of the local planning authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with the provisions of Policy DM10 of the Copeland Local Plan 2013-2028.

3. The Land Restoration Scheme required by Planning Condition 1 and Planning Condition 2 shall relate to all land on which turbines are sited and all associated infrastructure.

The Land Restoration Scheme shall include the following:

- Updated ecological survey effort to inform the Land Restoration Scheme;
- A proposed scheme of works for the restoration of the land including plans and detailed specifications of the required works;
- A Construction and Environmental Management Plan to manage the impacts of the decommissioning and land restoration; and,
- Habitat Management Plan to inform habitat restoration post decommissioning.

Reason

For the avoidance of doubt and to prevent harm to protected and priority species and habitats in accordance with the provisions of Policy ENV3 and Policy DM25 of the Copeland Local Plan 2013-2028.

4. The turbine towers, blades and ancillary equipment shall be maintained in accordance with the colour approved under Planning Condition 4 of Appeal Reference - T/APP/Z0923/A/98/301037/P2.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with the provisions of Policy DM10 of the Copeland Local Plan 2013-2028.

5. The turbine blades shall all rotate in the same direction

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with the provisions of Policy DM10 of the Copeland Local Plan 2013-2028.

6. Clear visibility splays of 215m x 4.5m from the site access road junction with the C4001 shall be retained for the lifetime of the development.

#### Reason

In the interests of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013-2028.

7. The measures to protect the flushed acidic grassland and semi-improved marshy grassland habitats within the site shall be maintained in accordance with details approved under Planning Condition 10 of Appeal Reference - T/APP/Z0923/A/98/301037/P2.

#### Reason

For the avoidance of doubt and to prevent harm to protected and priority species and habitats in accordance with the provisions of Policy ENV3 and Policy DM25 of the Copeland Local Plan 2013-2028.

8. The development shall be operated in accordance with the scheme for the control of noise emissions from the combined wind turbine generators approved under Planning Condition 13 of Appeal Reference - T/APP/Z0923/A/98/301037/P2.

#### Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provision of Policy ST1 of the Copeland Local Plan 2013-2028.

#### **Informative**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Please read the accompanying notice

21<sup>st</sup> September 2020

A handwritten signature in black ink, appearing to read "N. S. Hayman". The signature is fluid and cursive, with a large, stylized initial "N".

PP Pat Graham  
Chief Executive

**APPROVALS**  
**(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

**Purchase Notices**

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.