



Cumberland Council
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Mr Alan Walker
Rockland
Lady Hall
Millom
LA18 5HR

APPLICATION No: 4/23/2167/0F1

**ERECT MILKING PARLOUR/DAIRY BUILDING; INSTALL BULK FEED TOWER;
REMOVE PART OLD BYRE AND RECONCRETE AREA
LOW SHAW FARM, THE GREEN**

J.E. & W.B. Wearing

The above application dated 13/06/2023 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. The development hereby permitted must commence before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -

Application Form, received 13th June 2023;

Site Plan, scale 1:2500, drawing no. 1773, received 13th June 2023;
Block Plan, scale 1:500, drawing no. 1773, received 13th June 2023;
Proposed Floor Plan, Elevations and Section, scale 1:100 and 1:50, drawing no. 1773, received 13th June 2023;
Protected Species Survey – Management Plan, received 13th June 2023;
Flood Risk Assessment, received 13th June 2023;
Design and Access Statement, received 13th June 2023.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. Prior to the commencement and during the works, the mitigation measures must be carried out in accordance with the details set out in the Protected Species Survey and Management Plan received by the Local Planning Authority on 13th June 2023.

Reason

To ensure suitable protection measures are carried out in accordance with Policy DM25 of the Copeland Local Plan.

4. Prior to the first use of the building hereby approved, the flood resilience and mitigation measures shall be implemented in accordance with the details set out in the Flood Risk Assessment received by the Local Planning Authority on 13th June 2023. These measures shall be retained and maintained at all times thereafter.

Reason

To prevent flood risk in accordance with Policy DM24 of the Copeland Local Plan.

Informative Notes

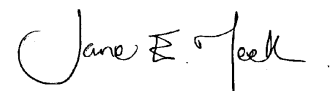
1. The proposed development lies within a protection area for natterjack toads and a wildlife mitigation licence from Natural England may be required before the work can start. For more details on how to apply for a natterjack toad mitigation licence, please follow the link:
<https://www.gov.uk/government/publications/natterjack-toads-apply-for-a-mitigation-licence>

2. A PROW (public footpath) number 416024 lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice



Jane Meek
Assistant Director
Thriving Place and Investment

02nd October 2023

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

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015

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/appeal-planning-decision> . 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) 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.