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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

The Abbey Group Cambridgeshire Ltd
Suite 2 Clare Hall
St Ives Business Park
Parsons Green
St Ives
PE27 4WY
FAO: Mr Andy Brand

APPLICATION No: 4/24/2057/0F1

**PROPOSED REPOWERING OF AN EXISTING 46.5M TO BLADE TIP WIND
TURBINE BY INSTALLING A REPLACEMENT 77M TO BLADE TIP WIND
TURBINE
LAND TO THE WEST OF THE ENERGY COAST BUSINESS PARK, HAILE**

Windlend (Cumbria) Limited

The above application dated 08/02/2024 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 shall be commenced 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. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Documents

Planning Statement, Andy Brand, BSc (Hons). MA, MRTPI, February 2024.

Landscape and Visual Impact Assessment (LVIA), Locogen Ltd, amended V3, 9 January 2024.

Response to Comments on LVIA of 24 July 2024 by Sitara Design and Landscape Assessment, 27 August 2024.

Sustainable Surface Water Drainage Assessment, Andy Brand, MRTPI, January 2024.

Traffic & Transport Assessment, V2, Locogen Ltd, 30 November 2023.

Ecological Impact Assessment, V2, Locogen Ltd, 4 December 2023.

Cultural, Heritage & Archaeological Impact Assessment, V2, Locogen Ltd, 30 November 2023.

Noise Assessment, Locogen Ltd, 30 November 2023.

Shadow Flicker Assessment, Locogen Ltd, 4 December 2023.

Statement of Community Involvement, Curtis Communications, November 2023.

Plans

Location Plan, 8382-DRW-PLN-0001 V4, Locogen Ltd.

Location Plan, 8382-DRW-PLN-0002, Locogen Ltd.

Indicative Block Plan, 8382-DRW-DES-0003, Rev 1.0, Locogen Ltd, scale 1:500, 4 December 2023.

Turbine Oversail (Swept Area), 8382-DRW-MS-0001 Rev 1.0, Locogen Ltd, scale 1:2500, 27 November 2023.

Turbine Oversail (Swept Area), 8382-DRW-MS-0002 Rev 1.0, Locogen Ltd, scale 1:5000.

Substation Building, V3.0, 8382-DRW-DES-0001

Turbine Elevation, V3.0, 8382-DRW-DES-0002

Site Levels (LIDAR) V1.0, 8382- DRW-PLN-0008

Proposed Site ZTV 1.0V, 8382- DRW-PLN-0002,

Comparative Site ZTV,1.0V, 8382- DRW-PLN-0003

Cumulative ZTV V.3, 8382- DRW-PLN-0004.

Sensitive Receptors, V.1, 8382- DRW-PLN-0005

Viewpoint Locations, V.5, 8382- DRW-PLN-0006

Baseline Photograph & Wireline Drawing, Viewpoint 1 Haile Park, WFPM-0001a

Wireline Drawing, Viewpoint 1 Haile Park, WFPM-0001b

Photomontage, Viewpoint 1 Haile Park, WFPM-0001c

Baseline Photograph & Wireline Drawing, Viewpoint 2 Blackbeck Roundabout, WFPM-0002a

Wireline Drawing, Viewpoint 2 Blackbeck Roundabout, WFPM-0002b

Photomontage, Viewpoint 2 Blackbeck Roundabout, WFPM-0002c

Baseline Photograph & Wireline Drawing, Viewpoint 3 Old Reservoir, WFPM 0003a

Wireline Drawing, Viewpoint 3 Old Reservoir, WFPM 0003b

Photomontage, Viewpoint 3 Old Reservoir, WFPM 0003c

Baseline Photograph & Wireline Drawing, Viewpoint 4 Industrial Estate, WFPM 0004a

Wireline Drawing, Viewpoint 4 Industrial Estate, WFPM 0004b

Photomontage, Viewpoint 4 Industrial Estate, WFPM 0004c

Baseline Photograph & Wireline Drawing, Viewpoint 5 Oaklands, WFPM 0005a

Wireline Drawing, Viewpoint 5 Oaklands, WFPM 0005b

Photomontage, Viewpoint 5 Oaklands, WFPM 0005c

Additional Wireline Drawing, Viewpoint 8 Cold Fell, WFPM 0001a, 27 August 2024.

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.

Pre-Commencement Conditions

Aviation Lighting

3. Prior to commencing construction of the wind turbine generator, or deploying any construction equipment or temporary structure 50 metres or more in height (above ground level) an aviation lighting scheme shall be submitted to the Local Planning Authority for approval in writing in conjunction with the

Ministry of Defence defining how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety.

This shall set out:

- a) Details of any construction equipment and temporary structure with a total height of 50 metres or greater (above ground level) that will be deployed during the construction of the wind turbine generator and details of any aviation warning lighting that they will be fitted with; and
- b) The location and height of the wind turbine generator and any anemometry mast featured in the development identifying those that will be fitted with aviation warning lighting identifying the position of the lights on the wind turbine generator; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used. Thereafter, the lights shall remain operational as detailed in the approved aviation lighting scheme for the lifetime of the development.

Reason

To maintain aviation safety.

Biodiversity Net Gain

4. The site shall provide for a minimum of 10% Biodiversity Net Gain, details of how this is to be achieved shall be submitted to and approved in writing by the Local Planning Authority before any development commences. The development shall be carried out in accordance with the approved scheme and maintained in perpetuity thereafter.

Reason

To ensure that a minimum of 10% Biodiversity Net Gain is achieved for the site in accordance with Policy N3 of the Copeland Local Plan 2021-2029.

Construction (& decommissioning) Working Hours

5. Construction (& decommissioning) activities that are audible at the site boundary shall be carried out only between the following hours: Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority in writing.

Reason:

In the interests of the amenities of surrounding occupiers during the construction (& decommissioning) of the development in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Operational Noise Limits

6. The noise emissions from the wind turbine shall not exceed a noise level of 35 dB LA90 (10 mins) at the curtilage of any dwelling lawfully existing at the time of this consent at wind gusts up to and including 10 m/s at 10m height.

For properties with a financial involvement in the operation of the wind turbine, the noise level shall not exceed 45 dB LA90 (10 mins) at its curtilage at wind gusts up to and including 10 m/s at 10m height.

Reason:

In order to safeguard the amenities of adjoining residential occupiers in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Decommissioning

7. This permission is for a period not exceeding 30 (thirty) years from the date that electricity from the development is first connected into the National Grid. 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 scheme which shall have the prior written approval of the Local Planning Authority.

Reason

To ensure that possible dereliction and unsightliness is avoided in accordance with Policies DS4 and N6 of the Copeland Local Plan 2021-2039.

Ecology

8. The development shall implement all of the recommendations and mitigation measures contained in Section 4 `Potential Impacts and Mitigation` of the Ecological Impact Assessment by Locogen Ltd, dated 10 November 2023.

The development shall be carried out in accordance with the approved document thereafter.

Reason

To protect the ecological interests of the site and surrounding area in accordance with Policy N1 of the Copeland Local Plan 2021-2039.

Turbine Inactivity

9. If any turbine ceases to be operational for a continuous period of 6 months it shall be dismantled and removed from the site and the site restored in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The restoration scheme shall be submitted to the Local Planning Authority within two months after the expiry of the six month period and the turbine shall thereafter be removed and the site restored in accordance with the approved scheme.

Reason

To ensure that possible dereliction and unsightliness is avoided in accordance with Policies DS4 and N6 of the Copeland Local Plan 2021-2039.

Informative Notes

Aviation Charting and Safety Management

Notification must be given to the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing, of the following information:

- a) the date of the commencement of the erection of wind turbine generator
- b) the maximum height of any construction equipment to be used in the erection of the wind turbine.
- c) the date any wind turbine generator is brought into use.
- d) the latitude and longitude and maximum heights of the wind turbine generator, and any anemometer mast(s).


The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

This is necessary to maintain aviation safety.

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

A handwritten signature in black ink, appearing to read 'N. S. Hayhurst'.

Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

20th February 2025

**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.