



**Cumberland Council**  
**Cumbria House**  
**107-117 Botchergate**  
**Carlisle**  
**Cumbria CA1 1RD**  
**Telephone 0300 373 3730**  
**[cumberland.gov.uk](http://cumberland.gov.uk)**

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: 4/24/2060/0F1**

**ERECT ROOF OVER EXISTING SHEEP PENS  
PART FIELD NO 1654 & 1041, NEAR GREEN ROAD, THE GREEN**

**R. Falconer & Son**

The above application dated 19/02/2024 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 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 19<sup>th</sup> February 2024;

Site Plan, scale 1:2500, drawing ref 1800, received 19<sup>th</sup> February 2024;

Proposed Floor Plan, scale 1:100, drawing ref 1800, received 19<sup>th</sup> February 2024;

Proposed Elevations, scale 1:100, drawing ref 1800, received 19<sup>th</sup> February 2024;

Proposed Section AA, scale 1:50, drawing ref 1800, received 19<sup>th</sup> February 2024;

Design and Access Statement, received 19<sup>th</sup> February 2024;

Flood Risk Assessment, received 19<sup>th</sup> February 2024;

Protected Species Survey/Protection Plan, received 19<sup>th</sup> February 2024;

Construction Environmental Management Plan, received 10<sup>th</sup> April 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.

3. The development hereby approved must be carried out work in accordance with the Construction Environmental Management Plan received by the Local Planning Authority on 10<sup>th</sup> April 2024 and avoid construction works during the overwintering bird season (Sept- March). Development must be carried out in accordance with the approved measures in the Construction Environmental Management Plan thereafter.

#### Reason

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

4. 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 19<sup>th</sup> February 2024.

#### Reason

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

5. 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 19<sup>th</sup> February 2024. 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**

### **Public Right of Way**

- The granting of planning permission does not give the applicant the right to block or obstruct the right of way 416057.
- The right of way 416057 must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.

### **Environmental Permit**

The watercourse to the southwest of the site is a designated statutory main river. In addition to any planning approval, the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

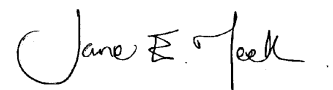
- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

## 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 "Jane E. Meek". The signature is fluid and cursive, with a distinct loop at the end.

Jane Meek  
Assistant Director  
Thriving Place and Investment

17<sup>th</sup> April 2024

**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.