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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Mr Andrew Rigg
Midbeck Lodge
The Green
Millom
LA18 5HH

APPLICATION No: 4/24/2415/0F1

**INSTALLATION OF AN ADDITIONAL 7 SOLAR LIGHTS TO COMPLETE
COVERAGE OF THE MILLOM COMMUNITY TRACK
MILLOM SCHOOL, SALTHOUSE ROAD, MILLOM**

Mr Andrew Rigg

The above application dated 18/12/2024 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:

Standard Conditions:

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

- Application Form, received by the Local Planning Authority on the 18th December 2024.
- Site Location Plan, Scale 1:1250, received by the Local Planning Authority on the 18th December 2024.
- Lighting Plan, received by the Local Planning Authority on the 24th January 2025.
- Solar Street Lighting Detail, Proelectric Smart Clean Technology, received by the Local Planning Authority on the 18th December 2024.
- Flood Risk Assessment, received by the Local Planning Authority on the 18th December 2024.
- Flood Map, received by the Local Planning Authority on the 18th December 2024.
- Design and Access Statement, received by the Local Planning Authority on the 18th December 2024.
- 6m Post Top Column With Spigot, Rev: 2, received by the Local Planning Authority on the 24th January 2025.

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.

Other Conditions:

3. The development must be carried out in accordance with and implement all of the detail and mitigation measures set out within the Flood Risk Assessment, received by the Local Planning Authority on the 18th December 2024.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding in accordance with Policies DS6 and DS7 of the Copeland Local Plan 2021 – 2039.

4. The solar lights hereby approved must not be in operation after 10:00pm on any day in line with the approved plan 'Design and Access Statement, received by the Local Planning Authority on the 18th December 2024'.

Reason

To protect the amenity of nearby residential properties in accordance with Policies DS4 of the Copeland Local Plan 2021 – 2039.

5. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations For Exterior Lighting Installations for Environmental Zone E2 within the Institute of Light Engineers Guidance Notes For the Reduction of Obtrusive Lighting GN01 dated 2005.

Reason

To protect the amenity of nearby residential properties in accordance with Policies DS4 of the Copeland Local Plan 2021 – 2039.

Informatives:

1. Biodiversity Net Gain – Exemption

The effect of paragraph 13 of Schedule 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 one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemptions: The development falls within the de minimis exception.

2. The granting of planning permission would not give them the right to obstruct, close or divert the public right of way foot path 415022 which is located to the north of the development site without the express permission of the Highway Authority.

3. The public right of way as 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.

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



Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

19th 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.