



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

NOTICE OF GRANT OF PLANNING PERMISSION

R. Falconer & Son
Waterblean Farm
The Hill
Millom
LA18 5HA
FAO: Mr James Falconer

APPLICATION No: 4/25/2123/0F1

**INSTALLATION OF WIND POWERED WATER PUMP
WATERBLEAN FARM, THE HILL**

R. Falconer & Son

The above application dated 28/03/2025 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 begun not later than three years from the date of this permission.

Reason

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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 on 27th March 2025
 - Site Location Plan, received on 10th February 2025
 - Site Block Plan, received on 10th February 2025

- Site Plan, received on 10th February 2025
- Water pump plans and elevations, reference 25-27-P-01, received on 09th October 2025
- Biodiversity Net Gain Exemption Statement, dated 26th March 2025
- Flood Risk Assessment, prepared by Rubicon Project Consultancy Ltd, Version 2, dated 22nd January 2026
- Preliminary Ecological Appraisal, reference number 0925/4, prepared by South Lakes Ecology, dated 11th September 2025.

Reason:

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

3. The development shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment (Version 2, dated 22 January 2026) prepared by Rubicon Project Consultancy Ltd.
The mitigation measures shall be fully implemented prior to the first use of the development and shall be retained thereafter for the lifetime of the development.

Reason:

To ensure that the development is safe from flooding and does not increase flood risk elsewhere, in accordance with the National Planning Policy Framework and Strategic Policy DS6 of the Copeland Local Plan 2021–2039.

4. The development shall be carried out in accordance with the mitigation measures set out in the Preliminary Ecological Appraisal Report reference 0925/4, dated 11th September 2025, prepared by South Lakes Ecology.
The mitigation measures shall be fully implemented and shall be retained thereafter for the lifetime of the development.

Reason:

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

Biodiversity Net Gain – Exemption Applies

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 footprint of the development is approximately 3.2 square metres, which is below the 25 square metres threshold
- The proposal does not impact any priority habitat
- There is no impact on linear habitats, including hedgerows

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

20th April 2026



Nick Hayhurst
Head of Planning and Place
Thriving Places

**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.