

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/25/2123/0F1
2.	Proposed Development:	INSTALLATION OF WIND POWERED WATER PUMP
3.	Location:	WATERBLEAN FARM, THE HILL
4.	Parish:	Millom Without
5.	Constraints:	ASC Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, PROWs - Public Right of Way
6.	Publicity Representations & Policy	See Report
7.	Report:	<p>SITE AND LOCATION</p> <p>The application site relates to Waterblean Farm, located within open countryside at The Hill, within the parish of Millom Without. The site forms part of an established agricultural holding.</p> <p>PROPOSAL</p> <p>The proposal seeks planning permission for the installation of a wind-powered water pump within an agricultural field (RPA number SD1983 1041), located near to an existing animal husbandry shed.</p> <p>The system would utilise clean water from existing field drains, feeding into the pump. A small windmill mounted on top of the pump would power the system. The base of the turbine pump would cover an area of 1.4m x 2.3m and the actual turbine would an overall height of approximately 4.327 metres,.</p>

The pump would provide drinking water for livestock within the husbandry shed and to field troughs, with any excess water returned to the existing field drainage system.

RELEVANT PLANNING APPLICATION HISTORY

N/A

CONSULTATION RESPONSES

Parish Council

No objections

Highways Authority/Local Lead Flood Authority

No objections

Countryside Access Team

We have no objection to the development. However, it should be noted that Public Right of Way FP 416057 is located along the boundary of the development site.

FP 416057 also forms part of the King Charles III England Coast Path which is a National Trail and should be protected and enhanced in line with paragraphs 105, 185(d) and 187(c) of the National Planning Policy Framework.

The applicant must be advised that:

- The granting of planning permission would not give them the right to obstruct, close or divert the public right of way shown on the attached plan.
- The public right of way as shown on the definitive map and statement 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.

Environment Agency

22 April 2025

In the absence of a flood risk assessment (FRA), we object to this application and recommend that planning permission is refused.

28 October 2025

We object to this application as the FRA submitted suggests that the new windmill pump will pump water from the field drains over the tidal embankment. This means the proposal will involve building over an Environment Agency maintained flood defence. As submitted, it is unlikely that we would grant a flood risk activity permit (FRAP) for this application.

31 March 2026



Cumberland Council

We have reviewed the FRA in so far as it relates to our remit, and we are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.

The version includes Section 2.a updated, which satisfactorily provides the confirmations required. As a result, we can now remove our objection to the development as proposed.

The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

Env. Health

No objections

PLANNING POLICY

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001 2016.

The most relevant policies to this application are as follows:

Strategic Policy DS4 – Design and Development Standards

Strategic Policy DS6 – Reducing Flood Risk

Policy RE1 – Agricultural Buildings

Policy CC2 – Wind Energy Development

Strategic Policy N1 – Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3 – Biodiversity Net Gain

Strategic Policy N6 – Landscape Protection

Strategic Policy DS6 – Reducing Flood Risk

Policy DS7 – Sustainable Drainage

Policy N5 – Protection of Water Resources

Other Material Planning Considerations

National Planning Policy Framework

Wildlife and Countryside Act 1981

The Conservation of Habitats and Species Regulations 2017 (CHSR)

PLANNING ASSESSMENT

Principle of Development

The proposal relates to infrastructure necessary for the operation of an existing agricultural enterprise. The provision of a sustainable water supply for livestock is essential to agricultural use. Policy RE1 supports development required for agricultural operations within the countryside, whilst Strategic Policy DS4 supports development which is appropriate to its function and location. The use of a wind-powered mechanism represents a low-carbon and sustainable approach, aligning with Policy CC2, which supports wind energy development where impacts are acceptable.

The principle of development is therefore acceptable.

Design, Scale and Landscape Impact

The proposed structure has an overall height of approximately 4.327 metres above ground level and is therefore modest in scale.

Strategic Policies DS4 and N6 require development to be of an appropriate scale and to protect the character of the landscape. The structure would be located within an agricultural field adjacent to existing farm infrastructure and is considered to be a functional addition typical of rural environments. Given its limited scale, siting and utilitarian design, the proposal



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would not result in significant harm to the character or appearance of the surrounding countryside.

Residential Amenity

The site is located within a rural area with limited nearby residential properties. The scale and operation of the wind-powered pump are unlikely to give rise to unacceptable levels of noise or disturbance. The proposal therefore accords with Strategic Policy DS4 in terms of safeguarding amenity.

Highway Safety

The development does not involve alterations to access arrangements or generate additional traffic. No highway safety concerns arise, and the proposal is acceptable in this regard.

Flood Risk and Drainage

The site lies in proximity to flood defences, and flood risk has been a key consideration.

A revised Flood Risk Assessment (Version 2, dated 22 January 2026) has been submitted and reviewed by the Environment Agency. The Environment Agency has confirmed that:

- The development will not adversely affect the adjacent flood defence
- The proposal would be safe for its lifetime
- The scheme would not increase flood risk elsewhere

The proposal therefore complies with Strategic Policy DS6, Policy DS7, and national policy within the NPPF.

Biodiversity Net Gain

The proposal has been assessed against the requirements of the Environment Act 2021 and Strategic Policy N3. The development is considered to fall under the de minimis exemption from mandatory Biodiversity Net Gain requirements because:

- 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

As such, the development is exempt from the requirement to deliver a measurable biodiversity net gain.

Notwithstanding this, the proposal is of a limited scale and is not considered to result in adverse ecological impacts, in accordance with Strategic Policy N1.

Ecology and Environmental Impact

The application is supported by a Preliminary Ecological Appraisal. This confirms that no

	<p>detailed ecological surveys are required to assess the likely impacts on notable and/or protected species.</p> <p>Several mitigation measures are recommended to minimise impacts on notable species and habitats including:</p> <ul style="list-style-type: none"> • Time constraints on the construction phase for the turbine to avoid peak wintering and migratory waders and wildfowl numbers (avoiding September to March inclusive) • Careful placement of the turbine as far from habitat features as practicable (hedges and ditch) • Install and maintain a fine filter for the inflow pipe to avoid impacts on aquatic life • Minimise vehicle movements over the priority habitat, particularly in wet and severely waterlogged conditions. <p>Given the limited footprint and nature of the proposal, no significant ecological impacts are anticipated. A planning condition is imposed to ensure that the development is carried out in accordance with the Ecological Assessment to secure the recommended mitigation.</p> <p>Subject to this condition the proposal is consistent with Strategic Policy N1 and Policy N5, ensuring protection of environmental and water resources.</p> <p>Planning Balance and Conclusion</p> <p>The proposed installation of a wind-powered water pump at Waterblean Farm represents an appropriate and sustainable form of agricultural development.</p> <p>The proposal is modest in scale and would not adversely impact the character of the countryside, residential amenity, highway safety, flood risk, or ecological interests.</p> <p>The development is exempt from Biodiversity Net Gain requirements and complies with the relevant provisions of the Copeland Local Plan 2021–2039 and the National Planning Policy Framework.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun not later than three years from the date of this permission. <p>Reason</p>



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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.

Case Officer: D. Gibson

Date : 09/04/2026

Authorising Officer: N.J. Hayhurst

Date : 20/04/2026



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Dedicated responses to:- N/A