
**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/25/2406/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 6, 10, 11, 12, 15, 16 AND 18 OF PLANNING APPLICATION 4/24/2302/0F1
3.	Location:	WIND TURBINE, STUBSGILL FARM, DISTINGTON TO PARTON, DISTINGTON
4.	Parish:	Distington
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Cycliffe 3KM
6.	Publicity Representations & Policy	N/A.
7.	Report:	
	Site and Location:	
		The Application Site is located to the north of Stubsgill Farm, off an unnamed road and situated circa 1km to the east of Distington.
		The Application Site comprises an area of land within an agricultural field that has undergone a degree of rewilding due to a lack of cultivation. It is situated within a wider area of agricultural land, which includes pockets of woodland.
		Access to the Application Site is via a purpose-built access track.
		The Grade II Listed Stubsgill Farmhouse, Area Wall and Gate Piers, and Byre are located 380m south of the Application Site.
		The Application Site is located in Flood Zone 1.
	Proposal:	

This Application seeks approval of details reserved by Planning Conditions 6, 10, 11, 12, 15, 16 and 18 of planning permission reference 4/24/2302/0F1.

6. No development shall commence until detailed plans, specifications and drawings of the wind turbine generator to be installed shall be submitted to and agreed in writing by the Local Planning Authority.

10. Prior to commencing construction of the wind turbine generator, or deploying any construction equipment or temporal structure(s) 50 metres or more in height (above terrain features) the undertaker must submit an aviation lighting scheme for the approval of Local Planning Authority 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 by the Ministry of Defence.

This should set out:

a. details of any construction equipment and temporal structures with a total height of 50 metres or greater (above terrain features) that will be deployed during the construction of wind turbine generators and details of any aviation warning lighting that they will be fitted with; and

b. the locations and heights of all wind turbine generators 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 generators; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

11. The undertaker must notify 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 generators; b. the maximum height of any construction equipment to be used in the erection of the wind turbines; c. the date any wind turbine generators are brought into use; d. the latitude and longitude and maximum heights of each 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.

12. No development shall commence until details, including longitudinal/cross sections of the proposed access road have been submitted to and approved in writing by the Local Planning Authority. Any works so approved shall be constructed in accordance with the approved details before the development is complete.

15. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority.

The CTMP shall include details of:

• pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all



Cumberland Council

post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;

- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- details of any proposed temporary access points (vehicular / pedestrian)
- surface water management details during the construction phase

The development hereby approved shall be carried out in accordance with the approved CTMP.

16. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include details of:

- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding;
- Measures to control the emission of dust and dirt during construction;
- Measures to avoid and minimise the risk of a pollution event;
- A scheme for recycling/disposing of waste resulting from construction works;
- A procedure to mitigate noise and vibration from the construction as well as taking into account noise from vehicles, deliveries.
- Measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, and light pollution.
- A written procedure for dealing with complaints regarding the construction.

The development hereby approved shall be carried out in accordance with the approved CEMP.

18. No development shall commence until details of the measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway have been submitted to and approved in writing by the Local Planning Authority. Any approved works shall be implemented prior to the completion of the development and shall be retained thereafter for the lifetime of the development.

The information submitted in support of the application comprises the following:

Application Form

Drawing No, 3369-091-TS-003 - Turbine Elevations

Letter - Discharge of Condition 10 and 11 Planning Permission 4/24/2302/0F1

Specifications IR-obstacle Light Type - Designator: MB17UK-IR (IR only)

Drawing No. STU_C004 Rev. A - Site Entrance

Drawing No. STU_C002 Rev. A - Crane Area

Drawing No. STU_C002 Rev. A - Trackway

Product Information Sheet – Lion Panel

Letter - Discharge of Condition 12 Planning Permission 4/24/2302/0F1

Stubsgill Farm, Wind Turbine Repowering - Construction Traffic Management Plan – Rev. 3369-01-CTMP02 – November 2025

Stubsgill Farm, Turbine Repowering - Construction Environmental Management Plan – Rev. 3369-01-CEMP-001 – September 2025

Consultee:	Nature of Response:
Environment Agency	Environmental Health are satisfied with the CEMP and that condition 16 can therefore be discharged.
LHA and LLFA	The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows: Condition 6 - The above condition is not for the LHA and LLFA to discharge. Condition 10 - The above condition is not for the LHA and LLFA to discharge. Condition 11 - The above condition is not for the LHA and LLFA to discharge. Condition 12 - The LHA and LLFA are content with information submitted in support of the above condition, therefore condition 12 can be discharged. Condition 15 - The LHA and LLFA are content with information submitted in support of the above condition, therefore condition 15 can be discharged. Condition 16 - The above condition is not for the LHA and LLFA to discharge. Condition 18 - The LHA and LLFA are content with information submitted in support of the above condition, therefore condition 18 can be discharged.



**Cumberland
Council**

MOD	<p>Thank you for consulting the Ministry of Defence (MOD) on the information submitted in support of the above application to discharge conditions 6, 10, 11, 12, 15, 16 and 18.</p> <p>Planning permission was granted on 25 June 2025 subject to conditions for the 'Removal of an existing wind turbine and erection of a replacement turbine upto 76 metres blade tip, with associated development' following an application with reference number 4/24/2302/0F1.</p> <p>MOD responded to consultation on application with reference 4/24/2302/0F1 with a letter dated 15 April 2025 offering no objection subject to conditions being applied to any consent issued. The conditions stipulated in that response are designed to minimise the impact of the development on aviation safety by requiring the submission of sufficient data to allow the turbine to be accurately charted and requiring that the turbine is fitted with infrared lighting which would be displayed at the highest practicable point of the wind turbine.</p> <p>Whilst the MOD has no comment to make on the information submitted in response to conditions 6, 12, 15, 16 and 18, conditions 10 and 11 have been applied in response to MOD requirements.</p> <p>After reviewing the submitted documents, I can confirm that the MOD has no objection to the discharge of condition 10, subject to the turbine being fitted with a MB17UK-IR aviation obstruction light located on the nacelle. The lighting specified is to be installed as the development is implemented and thereafter be maintained for the life of the development. There should be no departure or variation from the light specified by the applicant, a MB17UK-IR without the express written consent of the which should only be given following consultation with the MOD.</p> <p>The information provided in response to condition 11 is sufficient and has been passed to the relevant department, the MOD would have no objection to the discharge of conditions 10 and 11.</p> <p>MOD Safeguarding wishes to be consulted and notified about the progress of any further applications and/or submissions relating to this proposal to verify that it will not adversely affect defence interests.</p>
Neighbour Responses:	
N/A.	

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 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.

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Policy DS8: Soils, Contamination and Land Stability

Policy CC2: Wind Energy Developments

Strategic Policy SC1: Health and Wellbeing

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Policy N5: Protection of Water Resources

Strategic Policy N6: Landscape Protection

Policy N14: Woodlands, Trees and Hedgerows

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Strategic Policy CO2:

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

Assessment:

Planning Condition 6

The specifications of the wind turbine generator submitted are limited in detail with no final turbine model confirmed; however, they provide sufficient details for the purposes of the planning condition i.e. control the external appearance.

Planning Condition 10

A lighting scheme and details of all temporary structures have been submitted and confirmation provided to the Ministry of Defence.

The Ministry of Defence has confirmed no objection to the approval of the requirements of this planning condition.

Planning Condition 11

The notification details required by the planning condition have been submitted.

The Ministry of Defence has confirmed no objection to the approval of the requirements of this planning condition.

Planning Condition 12

Details of the proposed access road have been submitted.

The LHA and LLFA have confirmed that the details are acceptable and that the requirements of the planning condition can be approved.

The details submitted include a turning head which extends beyond the red line boundary of the Application Site. These works would comprise permitted development under the provisions of Schedule 2, Part 4, Class A of the GPDO 2015 (as amended):

A. The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land.

Planning Condition 15

A CTMP has been submitted.

This meets the minimum information requirements outlined in Planning Condition 15.

The LHA and LLFA have confirmed that the CTMP is acceptable and that the requirements of

	<p>the planning condition can be approved.</p> <p><i>Planning Condition 16</i></p> <p>A CEMP has been submitted.</p> <p>This meets the minimum information requirements outlined in Planning Condition 16.</p> <p>Suitable measures are included to control, prevent or mitigate the construction impacts of the development proposed.</p> <p>Environmental Health has confirmed that the submitted CEMP is acceptable and that the requirements of the planning condition can be approved.</p> <p><i>Planning Condition 18</i></p> <p>Details of the proposed access road have been submitted.</p> <p>The LHA and LLFA have confirmed that the details are acceptable and that the requirements of the planning condition can be approved.</p> <p>Conclusion</p> <p>Planning Condition 6 – Approve requirements of planning condition. Planning Condition 10 – Approve requirements of planning condition. Planning Condition 11 – Approve requirements of planning condition. Planning Condition 12 – Approve requirements of planning condition. Planning Condition 15 – Approve requirements of planning condition. Planning Condition 16 – Approve requirements of planning condition. Planning Condition 18 – Approve requirements of planning condition.</p>	
8.	<p>Recommendation: Approve</p>	
Case Officer: C. Harrison		Date : 25.02.2026
Authorising Officer: N.J. Hayhurst		Date : 26.02.2026
Dedicated responses to:- N/A		