



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

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

SRE Associates  
10 Parklands Drive  
Cockermouth  
CA13 0WX  
FAO: Mr Simon Blacker

**APPLICATION No: 4/26/2040/0F1**

**AGRICULTURAL BUILDING IN EXISTING FARMYARD AREA  
FLEMING HALL, GOSFORTH**

**RH Irving Construction Ltd**

The above application dated 04/02/2026 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 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. Permission shall relate 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 4<sup>th</sup> February 2026;
  - Site Location/Block Plan, scale 1:500, drawing 484 Fleming 01, received

- 4<sup>th</sup> February 2026;
- Proposed Plan, scale 1:100, drawing 484 Fleming 01, received 4<sup>th</sup> February 2026;
  - Proposed Elevations, scale 1:100, drawing 484 Fleming 01, received 4<sup>th</sup> February 2026;
  - Proposed Section, scale 1:50, drawing 484 Fleming 01, received 4<sup>th</sup> February 2026;
  - Ecological Constraints Study (additional), received February 2026.

#### 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. Prior to the first use of the building hereby approved, the following enhancements must be undertaken in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority:-

- One bird box to be integrated within the development to provide opportunities for breeding birds.
- One bat box to be integrated within the building.

The bird and bat boxes must be maintained and retained for the lifetime of the development in accordance with the approved details.

#### Reason

In order to enhance opportunities for wildlife and in accordance with Policies N1 and N3 of the Copeland Local Plan 2021-2039.

### **Informative Notes**

#### **Public Right of Way**

Public footpath/bridleway/byway number 409011 runs through the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

The applicant should contact the Countryside Access Team [Countryside.Access@cumbria.gov.uk](mailto:Countryside.Access@cumbria.gov.uk) to discuss the need for a Temporary Closure Order on PROW 409011.

The applicant should be advised that, The granting of planning permission would not give the applicant the right to block or obstruct the Public Right of Way

## **Detailed Emergency Planning Zone**

The location of the property is situated within an area outside the site which, in liaison with Sellafield Ltd and the Office for Nuclear Regulation, special arrangements are made for residents/business premises, this area is referred to as the Detailed Emergency Planning Zone (DEPZ). As a direct result particular attention is paid to ensuring that people are aware of the appropriate action to take in the event of an incident at the Sellafield site.

The applicant should be reminded that liaising with this office is of importance to ensure that the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

Contact: [emergency.planning@westmorlandandfurness.gov.uk](mailto:emergency.planning@westmorlandandfurness.gov.uk)

Webpage: <https://www.cumberland.gov.uk/your-environment/your-community/community-safety/emergencies/chemical-and-nuclear-sites>

## **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 exemption: De Minimus.

## **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

25th March 2026

A handwritten signature in black ink, appearing to read "N. J. Hayhurst".

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](mailto: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.