

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2085/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 6, 10, 11, 12, 14, 15 AND 16 OF PLANNING APPLICATION 4/24/2334/0F1
3.	Location:	HIGHFIELD FARM, BIGRIGG, EGREMONT
4.	Parish:	St. Bees
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Preferred Route Corridor - Within Preferred Route Corridor, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations & Policy	
7.	Report:	<p>Background and Relevant Planning History</p> <p>Planning permission for the removal of an existing wind turbine and its replacement with a larger turbine up to 76m blade to tip height (and associated development) at Highfield Farm near St Bees, was approved on 16 October 2025 under reference 4/24/2334/0F1. It was subject to 18 conditions.</p> <p>The site currently accommodates a single 250 kW wind turbine which has a hub height of 30m and 29m diameter blades and it is the intention to replace it with the approved design once the relevant pre-commencement conditions have been formally discharged and other conditions met.</p> <p>Relevant planning history comprises:</p> <p>4/13/2157/0F1 - Planning permission was granted for the installation of a single wind turbine on the site in 2013. The approved turbine was of a three bladed design with a rotor diameter of 27m and a hub height of 32m, giving a total ground to tip height of 45.5m. The turbine was fixed onto a 10m x 10m concrete reinforced foundation some 3.0m in depth. A 20m x 15m</p>

hardstanding, a HV switchgear and transformer kiosk was sited adjacent to the turbine.

4/14/2227/0F1- A further application to amend the approved access track, cable and ancillary infrastructure was subsequently approved in 2014.

Proposal

This application seeks to discharge conditions 6,10,11,12,14,15 & 16 of Planning Permission 4/24/2334/0F1 for Highfield Wind Turbine.

Assessment

Condition 6 - Turbine Design

This states:

“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.

Reason

For the avoidance of doubt and in the interests of amenity and visual impact in accordance with Policies DS4 and N6 of the Copeland Local Plan 2021-2039.

A detailed drawing accompanies the application and informs of the turbine specification and design. Drawing no. 3369-090-TS-003c cites that the proposed turbine will comprise a ground to tip height of 73.5m, on a tubular steel hub with a height of 50m and a 47m rotor diameter, all of which is within the range approved. It will be of the type Vestas V47 and light grey in colour. It is a widely deployed type of on shore turbine. This is a standard design and specification of turbine which doesn't raise any new issues regarding visual and general amenity given what has already been approved.

Condition 10 - Shadow Flicker Protocol

This states:

“No building or use hereby permitted shall be occupied or use commenced until a protocol for the management of shadow flicker on sensitive receptors has been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to safeguard the amenities of adjoining residential occupiers in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.



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The original document:” Highfield Wind Turbine Replacement: Shadow Flicker Protocol Written Scheme. “ by Daniel Hirons, dated 5 December 2025, accompanied the application to discharge this particular condition and incorporated a procedure for remediation. Environmental Health however, as the Council’s Shadow Flicker experts were consulted and advised that the Protocol be amended by inserting the following statement at p.4 (1) as an addendum to the existing – “Shadow flicker will generally be considered unacceptable were:

- The video evidence and / or monitoring demonstrates exposure materially exceeding accepted thresholds; and
- The impact is intrusive, frequent and materially interferes with normal residential use of a habitable room or enjoyment of a residential property.

Both frequency and severity may be considered by the LPA, and not solely numerical exceedance of the shadow flicker thresholds”.

In response an amended version of the Shadow Flicker Protocol was submitted “Highfield Wind Turbine Replacement: Shadow Flicker Protocol Written Scheme.” by Daniel Hirons, dated 23 April 2026. Following re-consultation, Environmental Health are now satisfied that the amended protocol is acceptable and that the condition can be discharged.

Condition 11 - Aviation Safety

This states:-

“Prior to commencing construction of any wind turbine generators, or deploying any construction equipment or temporal structure(s) 50 metres or more in height (above ground level) the undertaker must submit an aviation lighting scheme for the approval of the Cumberland Council 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 ground level) 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.

Reason

To maintain aviation safety.

The MOD were consulted on the details submitted to discharge this condition (and condition 12) and requested further information. Updated information was provided in a letter, dated 2 April 2026 by Nick Mace, of Constantine Wind Energy.

On re-consultation the MOD responded raising no objection "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 MB17-UK-IR without the express written consent of the which should only be given following consultation with the MOD".

There was some confusion as it transpires these details were already provided in the original document: Trade Wind Energy Data Sheet which provided the relevant specifications IR-obstacle light Type designator: MB17UK-IR (IR only) submitted with the application which was supplemented by the additional information provided in the letter of 2 April 2026. This was raised with the MOD and they now confirm that the documents sent as part of the consultation with reference 4/26/2085/DOC are acceptable to discharge Condition 11.

Condition 12 – Aviation Safety

This states

12. 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.

Reason

To maintain aviation safety.

The letter dated 2 April 2026 by Constantine Energy, referred to above, regarding condition



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11 – contains sufficient information as confirmed by the MOD in their response to enable this condition to be discharged. They have passed it to the relevant department and thus have no objection to condition 12 being discharged.

Condition 14 – Construction Management

This states:

“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 post repairs carried out to the satisfaction of the Local Highway Authority at the applicant’s 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.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance with the provisions of Policy CO4 of the Copeland Local Plan 2021-2039.

The Highfield Farm Wind Turbine Repowering, Construction Traffic Management Plan (CTMP), by Constantine Wind Energy Ltd, January 2026 supports this discharge request.

Only partial discharge is sought for this condition as it transpires that some details are still outstanding. These are stated in the CTMP and comprise:

- Details of the highway works/ verge crossings to create a bell mouth at the junction of the access with the classified road.
- Surface water management details during construction.

The Highway Authority and the LLFA were consulted and in response confirm that they are content with the information submitted to date and consider that condition 14 (in part) can be discharged. Once the outstanding details are ready a new application to discharge condition 14 in full will be submitted.

Condition 15 - CEMP

This states:

“No development shall take place until a site-specific Construction Environmental Management Plan (CEMP) been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and effects on the local ecological environment during the demolition and construction phase of the works. The development hereby approved shall be carried out in accordance with the approved CEMP.

Reason

To protect amenity and to protect the environment from pollution in accordance with Policy DS9 of the Copeland Local Plan 2021-2039.”

Condition 16 - Ecology

This states:

“The development shall implement all of the recommendations and mitigation measures contained in Highfield Farm Wind Turbine Repowering on behalf of Axis PED Preliminary Ecological Appraisal – Report Ref. AxisL-043-8710. The development shall be carried out in accordance with the approved document thereafter.

Reason

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

Reference conditions 15 and 16.

A CEMP accompanies the application entitled “Highfield Wind Turbine Repowering Site,



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<p>Construction Environmental Management Plan by Constantine Wind Energy. Version 1, November 2025.”</p> <p>Following consultation, the Council’s Ecologist requested that the CEMP be revised to incorporate an ecological section detailing the information requested within the Highfield Farm Wind Turbine Repowering on behalf of Axis PED Preliminary Ecological Appraisal. This was provided by an updated CEMP Highfield Wind Turbine Repowering Site, Construction Environmental Management Plan by Constantine Wind Energy. Version 2, April 2026.”</p> <p>Further consultation resulted in our Ecologist advising that that “conditions 15 and 16 can now be discharged as the ecological recommendations within the Highfield Farm Wind Turbine Repowering on behalf of Axis PED Preliminary Ecological Appraisal have now been embedded into the CEMP, which will be present on site.”</p> <p>Environmental Health also offer the following comment “Notwithstanding the comments from the Ecology Team (dated 26.03.26), from an Environmental Health perspective the CEMP is fine, and the conditions may be discharged on the further approval of the Ecology Team.</p> <p>Conclusion</p> <p>The submitted details are considered to be acceptable and conditions 6, 10, 11, 12, 15 & 16 of planning permission reference 4/24/2300/0B1 can now be discharged, with condition 14 partially discharged.</p>	
8. Recommendation: Approve	
Case Officer: H.S. Morrison	Date : 17/06/2026
Authorising Officer: N.J. Hayhurst	Date : 17/06/2026
Dedicated responses to:- N/A	