



Cumberland Council
Cumbria House
107-117 Botchergate
Carlisle
Cumbria CA1 1RD
Telephone 0300 373 3730
cumberland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 (AS AMENDED) - SCH 2, PART 16, CLASS A

Viberoptix Optco
Newton Rigg College
Penrith
CA11 0AH
FAO: Forget Shareka

APPLICATION No: 4/26/2094/0F1

**APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR THE
INSTALLATION OF 1 FIBRE OPTIC POLE (9 METRES IN HEIGHT) AS PART OF
THE UPGRADE OF THE FIBRE OPTIC INFRASTRUCTURE OFF THE A5086
(RESUBMISSION OF 4/25/2390/0F1)**

WOODEND, EGREMONT

Viberoptix Optco

The above application has been considered by the Council in pursuance of its powers under the above mentioned Act and determines that Prior Approval is required and hereby granted subject to due compliance with the following conditions:

Standard Conditions:

1. The development hereby approved must be carried out within a period of 5 years from the date of this decision.

Reason

To comply with the requirements of Part 16 Class A (A.3) (11) (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. This permission relates 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 by the Local Planning Authority on the 24th March 2026.
- Site Plan (Amended), Scale 1:1250, received by the Local Planning Authority on the 30th April 2026.
- Elevation Diagrams, received by the Local Planning Authority on the 24th March 2026.
- Technical Note, received by the Local Planning Authority on the 24th March 2026.
- Letter from Viberoptix, received by the Local Planning Authority on the 24th March 2026.
- Ecological Management Plan, Prepared by Wardell Armstrong January 2025, Report Number: 005, Version: V2, received by the Local Planning Authority on the 24th March 2026.
- Cleator Moor: Preliminary Archaeology and Heritage Constraints, Prepared by Wardell Armstrong November 2024, Report Number: 001/013, Version: V0.1, received by the Local Planning Authority on the 24th March 2026.
- Construction Materials Management Plan, Prepared by Viberoptix, received by the Local Planning Authority on the 24th March 2026.
- Pollution Prevention Plan, Prepared by Viberoptix October 2025, Doc Ref: VO-EMP-03, Version Number: 03, received by the Local Planning Authority on the 24th March 2026.
- Work Illustration Drawings, received by the Local Planning Authority on the 24th March 2026.
- Specification for Poling Works, received by the Local Planning Authority on the 24th March 2026.
- Habitats Regulations Assessment (Amended), Prepared by Wardell Armstrong March 2026, Revision: V2, received by the Local Planning Authority on the 30th March 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.

Other Conditions:

3. The development hereby approved must implement all of the mitigation and compensation measures set out in the approved documents:

- Technical Note, received by the Local Planning Authority on the 24th March 2026.
- Ecological Management Plan, Prepared by Wardell Armstrong January 2025, Report Number: 005, Version: V2, received by the Local Planning Authority on the 24th March 2026.
- Cleator Moor: Preliminary Archaeology and Heritage Constraints, Prepared by Wardell Armstrong November 2024, Report Number: 001/013, Version: V0.1, received by the Local Planning Authority on the 24th March 2026.
- Construction Materials Management Plan, Prepared by Viberoptix, received by the Local Planning Authority on the 24th March 2026.
- Pollution Prevention Plan, Prepared by Viberoptix October 2025, Doc Ref: VO-EMP-03, Version Number: 03, received by the Local Planning Authority on the 24th March 2026.
- Habitats Regulations Assessment (Amended), Prepared by Wardell Armstrong March 2026, Revision: V2, received by the Local Planning Authority on the 30th March 2026.

Reason

To protect the ecological interests evident on the site, in accordance with policies N1 of the Copeland Local Plan 2021 – 2039.

4. Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours:
 - Monday to Friday 08.00 – 18.00
 - Saturday 08.00 – 13.00

No construction works shall take place at any time on Sundays or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policy DS4 of the Copeland Local Plan.

5. If during development, contamination not previously identified is found to be

present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy must be implemented as approved.

Reason

To ensure the protection of controlled waters from potential land contamination in accordance with Policy DS8 of the Copeland Local Plan.

Informative Notes:

1. Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

2. The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

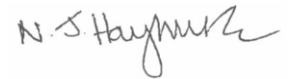
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com
<<http://www.groundstability.com/>>

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

19th May 2026

A handwritten signature in black ink, appearing to read 'N. S. Hayhurst'.

Nick Hayhurst
Head of Planning and Place
Thriving Places

Notice to Applicant of Rights of Appeal

- 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