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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

J. Jackson & Son
The Parks
Park Street
Frizington
CA26 3RB
FAO: Mr Alan Jackson

APPLICATION No: 4/23/2198/0F1

**ERECTION OF 2 NO. SD6 MICRO WIND TURBINES (17.8M MAXIMUM TIP
HEIGHT)
THE PARKS, PARK STREET, FRIZINGTON**

J. Jackson & Son

The above application dated 11/07/2023 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 11th July 2023;
Site Location Plan, scale 1:2500, drawing number 2338-01, received 11th July 2023;
Block Plan, scale 1:500, drawing number 2338-02, received 11th July 2023;
Planning Support Pack, written by SD Wind Energy, document number SDTD057, received 11th July 2023;
Noise Report, written by NEL, document number SDW001. received 11th July 2023;
Landscape and Visual Assessment, written by H&H Land and Estates, received 11th July 2023;
Landscape and Visual Assessment Addendum, received 13th September 2023;
Design and Access Statement, written by Harraby Green Associates, received 13th September 2023.

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 commencement of development a written scheme of investigation for an archaeological watching brief must be submitted by the applicant and approved by the Local Planning Authority. Once approved, the scheme shall be implemented in full with an archaeological watching brief being undertaken by a qualified archaeologist. Within two months of the completion of the development, a digital copy of the archaeological report shall be furnished to the Local Planning Authority.

Reasons

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains.

4. Prior to the commencement of the development hereby approved, a detailed plan that sets out how any impacts will be managed during construction and restoration must be submitted and approved in writing. Development must be undertaken in accordance with the approved plan.

Reason

To ensure minimal impact from the development and in accordance with Policy CC2 of the Copeland Local Plan.

5. Noise from the wind turbines, as measured at 3.5 metres from the façade of the nearest noise-sensitive property, must not exceed 35 dB LAeq (10 minutes) during daytime hours (07.00 – 23.00) and 40 dB LA90 (10 minutes) at night time hours (23.00 – 07.00) for all wind speeds up to 12 m/s;

OR

Up to 45 dB LA90 (10 minutes) for all wind speeds up to 12 m/s at properties with a valid financial interest.

Reason

To safeguard the amenities of nearby residents and in accordance with Policy DS4 of the Copeland Local Plan.

6. Where turbines become non-operational for a period in excess of six months, the facility must be removed and the site will be fully restored to its original condition within 12 months.

Reason

To ensure that the site is not impacted unnecessarily and in accordance with Policy CC2 of the Copeland Local Plan.

Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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

28th August 2025

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