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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Planning Branch Ltd
19 Greystoke Park Avenue
Penrith
CA11 9DB
FAO: Ms Anthea Jones

APPLICATION No: 4/25/2251/0F1

ERECTION OF STABLES
HIGH VIEW, MILL LONNING, LOWCA

Mr Kelvin Murphey

The above application dated 18/07/2025 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 must 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 18th July 2025;

Site Location Plan, Block Plan, Floor Plan, Roof Plan and Elevations, scales 1:1250, 1:500, 1:250, 1:100 and 1:50, drawing number DWG01 C, received 18th July 2025;

Design and Access Statement, written by Planning Branch Ltd, received 18th July 2025.

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.

Informative Notes

1) 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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

2) Manure should be managed in accordance with The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). Permanent stores for solid horse manure should have bases that do not let liquids pass through and the bases should slope such that liquid run-off is contained within the store. Applicants should consider providing a roof to keep rainfall off the manure to minimise the volume of liquids produced and reduce odour by keeping the manure as dry as possible.

3) Manure should not be stored or applied

- within 10 metres of any ditch, pond or surface water;
- within 50 metres of any spring, well, borehole or reservoir that supplies water for human consumption or for farm dairies.
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4) Manure is not subject to waste controls whenever it is used as a fertiliser on land for benefit. It can be used as a fertiliser without the need to register an exemption and moved without a waste carrier registration. The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air recommends that the manure should not be applied when:

- the soil is waterlogged;
- the soil is frozen hard;

- the field is covered in snow;
- the soil is cracked down to field drains or backfill;
- the field has been pipe or mole drained or subsoiled over drains in the last 12 months;
- heavy rain is forecast within the next 48 hours;
- on very steep slopes where run-off is a high risk throughout the year.

Biodiversity Net Gain - Exemption

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 as the proposals comprises development that does not impact a priority habitat and impacts less than:

- 25 square metres (5m by 5m) of on-site habitat; and,
- 5 metres of on-site linear habitats such as hedgerows.

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



Nick Hayhurst
Head of Planning and Place
Thriving Places

03rd November 2025

**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.

