CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION

1.	**Reference No:**	4/26/2285/0D1
2.	**Proposed Development:**	APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED REPLACEMENT TRANSFORMER
3.	**Location:**	ENW EGREMONT ELECTRICITY SUBSTATION, WOODEND, EGREMONT
4.	**Parish:**	Egremont
5.	**Constraints:**	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Potential Area for Great Crested Newts, Outer Consultation Zone - Sellafield 10KM
6.	**Publicity Representations &Policy**	See Report
7.	**Report:**	

Site / Location

The site comprises an ENW substation and is located to the north of Egremont in an area of open countryside, close to the hamlet of Woodend. It is located off the A5086 and adjoins the Woodend Battery site to the west. There are also several farm buildings and residential properties within the general vicinity.

Proposal

It is proposed to replace the existing grid transformer with a new transformer and associated infrastructure on the substation site. This development comprises permitted development and a Lawful Development Certificate, under S192(b) of the Town and Country Planning Act 1990, is sought to confirm this – that the proposal constitutes permitted development, for which planning permission is not required.

Consultations

Although there is no statutory requirement to consult third parties including parish councils or

neighbours for this type of application, it is standard protocol for the Council to notify local parishes. In this instance Egremont Town Council were consulted and raised no objections. No other consultations were carried out

Relevant Legislation

Town and Country Planning Act 1990 – Section 192 as amended by Section 10 of the Planning and Compensation Act 1991

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Assessment

The submitted Supporting Statement describes the project and demonstrates that this development constitutes 'permitted development' under Schedule 2 Part 15 Class B a) (Electricity Undertakings) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the GPDO).

Permitted Development Assessment

The proposed replacement transformer has been considered against the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015. GPDO Part 15 B (a). Development by statutory undertakers for the generation, transmission, distribution or supply of electricity for the purposes of their undertaking consisting of as follows—

a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching stations or chambers reasonably necessary in connection with an electric line;

This is relevant as the development involves the replacement of an outdated circuit and transformer

(b) the installation or replacement of any electronic communications line which connects any part of an electric line to any electrical plant or building, and the installation or replacement of any support for any such line;

This is not applicable.

(c) the sinking of boreholes to ascertain the nature of the subsoil and the installation of any plant or machinery reasonably necessary in connection with such boreholes;

This is not applicable.

(d) the extension or alteration of buildings on operational land;

This is not applicable.

(e) the erection on operational land of the undertaking or a building solely for the protection of plant or machinery;

This is not applicable.

(f) any other development carried out in, on, over or under the operational land of the undertaking.

This is not applicable.

Development not permitted

B.1 Development is not permitted by Class B if—

(a)in the case of any Class B(a) development—
(i) it would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 (consent required for overhead lines)

(a) applies; or

(ii) it would consist of or include the installation or replacement at or above ground level or under a highway used by vehicular traffic, of a chamber for housing apparatus and the chamber would exceed 29 cubic metres in capacity;

These are not applicable.

(b) in the case of any Class B(b) development—
(i) the development would take place in a National Park, an area of outstanding natural beauty, or a site of special scientific interest;

This is not applicable

(ii) the height of any support would exceed 15 metres; or

No, it does not exceed 15m in height.

(iii) the electronic communications line would exceed 1,000 metres in length;

No it does not exceed 1,000m in length.

b) in the case of any Class B(d) development—

(i) the height of the original building would be exceeded;

(ii) the cubic content of the original building would be exceeded by more than 25% or, in the case of any building on article 2(3) land, by more than 10%, or 8 September 2026

(iii) the floor space of the original building would be exceeded by more than 1,000 square metres or, in the case of any building on article 2(3) land, by more than 500 square metres;

(iv) d) in the case of any Class B(e) development, the building would exceed 15 metres in height, or

None apply.

(v) e) in the case of any Class B(f) development, it would consist of or include—

(vi) (i) the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected, or

(vii) (ii) the installation or erection by way of addition or replacement of any plant or machinery exceeding 15 metres in height or the height of any plant or machinery replaced, whichever is the greater.

None apply

(Conditions)

B.2 Development is permitted by Class B subject to the following conditions—

(a) in the case of any Class B(a) development consisting of or including the replacement of an existing electric line, compliance with any conditions contained in a planning permission relating to the height, design or position of the existing electric line which are capable of being applied to the replacement line;

(b) in the case of any Class B(a) development consisting of or including the installation of a temporary electric line providing a diversion for an existing electric line, on the ending of the diversion or at the end of a period of 6 months from the completion of the installation (whichever is the sooner) the temporary electric line is removed and the land on which any operations have been carried out to install that line is restored as soon as reasonably practicable to its

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	condition before the installation took place; **Noted and in the case of (b) the works are not temporary.** (c) in the case of any Class B(c) development, on the completion of that development, or at the end of a period of 6 months from the beginning of that development (whichever is the sooner) any plant or machinery installed is removed and the land is restored as soon as reasonably practicable to its condition before the development took place; (d) in the case of any Class B(e) development, approval of details of the design and external appearance of the buildings must be obtained, before development is begun, from— (i) in Greater London or a metropolitan county, the local planning authority, (ii) in a National Park, outside a metropolitan county, the county planning authority, (iii) in any other case, the district planning authority. **Conclusion** A Certificate of Lawful Development (Proposed) establishes whether a proposed use of buildings or other land, or some operations proposed to be carried out in, on, over or under land, would be lawful for planning purposes under section 192 of the Town and Country Planning Act 1990 (as amended), that is, development against which no enforcement action may be taken and where no enforcement notice is in force, or, for which planning permission is not required. Taking the above into account and having assessed the proposal as demonstrated against the Town and Country Planning (General Permitted Development) (England) Order 2015. GPDO Part 15 B (as amended) it is considered that the replacement of an existing grid transformer with a new transformer and associated infrastructure on the substation site constitutes permitted development and that a Certificate of Lawfulness for a proposed use can be granted.
8.	**Recommendation:** Approval of Certificate of Lawfulness

Case Officer: H. S. Morrison	**Date : 09/11/2026**
Authorising Officer: N.J. Hayhurst	**Date : 10/11/2026**
Dedicated responses to:- N/A	