

2026 01 17 We predicted that flooding would be caused by erroneous planning permission

Sent To: by online form at [Report a flooded property | Cumberland Council](#)

From: Peter Nicholson, Lane Foot Cottage, Dovenby, Cockermouth CA13 0PN

email@peternicholson.uk 17th January 2026

Please deal with this letter as a formal complaint that Cumberland Council, through its predecessor Allerdale District Council, has **given planning permission 2/2014/0350** that has resulted in the flooding of at least five properties including our home at Lane Foot Cottage, Dovenby, Cockermouth CA13 0PN.

I wrote many objections that predicted that flooding would be caused and your officers replied see below. I took Allerdale BC to the High Court see ***Nicholson v Allerdale BC JUDGEMENT CO 941 2015*** but at the time the flood situation was theoretically predicted and subsequently planning permission was granted for the development.

Dovenby village is adjacent to Dovenby Hall Estate (DHE) which is owned by M-Sport Ltd. Dovenby Beck (stream) flows between the 3 metre high boundary wall of DHE and a 1 metre high wall beside the village road.

Twice in the last three years, rainfall events caused flood water within Dovenby Hall Estate to build up to such a high volume and weight that the 3 metre high boundary wall was pushed over into Dovenby Beck, and destroyed the wall beside the road, thus forcing the flood water to flow along the road into houses of village residents.

Dovenby Hall Estate used to have a large area of grassed park land with its high boundary wall and rainfall within Dovenby Hall Estate had not previously been the cause of a flood issue in Dovenby village.

Dovenby Hall Estate was sold to M-Sport Ltd who were granted **planning permission 2/2014/0350** to cover the grassed area of Dovenby park land with tarmac and concrete for a race track and factory in which race cars would be built and tested on the adjacent track.

Condition 36 states:

No development approved by this planning permission shall take place until such time as a detailed drainage design which demonstrates how rainfall events up to 1 in 100 plus Climate Change are dealt with via on site storage. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

In the planning process, my November 2014 objection states in *reference: 2014 11 07 To planning Flood Risk Assessment objections* Part of my objection states:

“Plan 48609 CUR incorrect or inaccurate - Drain to Dovenby Beck

The Curtins Drainage Plan has a text box stating that the MEC building, which is a detailed application, will drain to Dovenby Beck.

Plan 48609-Cur states Test Facility 2.4 hectare impermeable to drain to Dovenby Beck at 5 l/s per hectare = 12 l/s. There is no route shown for this drainage to Dovenby Beck.

Even if this is a typographical mistake, then since this is a detailed application then there is surely a risk that if passed, the wording on the detailed plan 48609 may be used to be legally enforced and allow drainage into Dovenby Beck? An accurate drainage plan should surely be resubmitted?”

I raised other points that you should have on your records, or I can supply the documents, key points were:

Storm cells under race track parking can not be soakaways

See *Curtins Drainage Strategy p5 para 1.4* above

Application form section 12 Assessment of Flood Risk seems incorrect; Curtins state Soakaways are not likely.

Applicant's drainage consultant advises soakaways are not likely but the applicant states in Section 12 of the application form that soakaways are to be used.

but would not anticipate the results being favourable to the use of Soakaways. See *Curtins Drainage Strategy p5 para 1.4*

Dovenby Beck Constriction at humpback bridge not recognised

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In **12th December 2015** I wrote to Allerdale Professional Officers and Councillors, see emailed letter titled:

From: Peter Nicholson

Sent: 12/12/2015 11:52

To: Little, Keith; Harrison, Andrew; Clark, Alan; nicky.cockburn@allerdale.gov.uk; ian.frost@allerdale.gov.uk; kevin.kerrigan@allerdale.gov.uk; sue.hayman.mp@parliament.uk

Subject: Potential flooding from MSport drainage at Dovenby Hall Estate

2015 12 12 Potential flooding from MSport drainage at Dovenby Hall Estate

We are all disturbed by the floods and all need to do whatever we can to reduce future flood risk so I ask Allerdale Planners, Cumbria Drainage Officer and MSport to reconsider why they have removed 1250 cubic metres of flood attenuation storage from the race track at

Dovenby Hall Estate. The advice from Cumbria County Council Flood Management (LFRM) ignores or misunderstands the drainage plans to Brides Beck and dismisses risk to houses and roads.

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On **12th January 2016** Andrew Harrison, MCIHT, Development Management officer, Environment, Cumbria County Council responded to my concern about flooding in Dovenby could be caused by inadequate flood attenuation from water accumulating on the race track and factory building. Mr Harrison responded with figures intending to show that flood event from Dovenby Hall Estate / M-Sport race track and factory had been calculated for a 100 years event.

See letter 2016 01 12 To From Mr Harrison Cumbria Drainage Flood Officer

Tel: 07825340786 Email: lfrm@cumbria.gov.uk

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In the winter of **2022/23** Dovenby Hall Estate/M-Sport Ltd boundary wall collapsed into Dovenby Beck but was not rebuilt so on **18th March 2024**. I wrote **Subject: Imminent flood risk Dovenby village from wall collapse** to Cumberland Council Highways online **Enquiry reference: EI/196908**.

I suggest that the wall had collapsed from the effect of accumulated flood water at various times. (my file ref 2024 03 18 *Imminent flood risk Dovenby village from M-Sport wall collapse*)

On **21st March 2024** Cumberland Highways responded that M-Sport would commence work in June 2024 and the 3m high boundary wall adjacent to Dovenby Beck was subsequently rebuilt.

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On **12th and 13th November 2025** a storm deposited rain that accumulated in M-Sport Ltd property of Dovenby Hall Estate and was held back by Dovenby Hall Estate wall until the flood water was so high and so heavy that it demolished the boundary wall of DHE, releasing such a huge quantity of flood water from M-Sport Dovenby Hall Estate that this wall of water also demolished the boundary wall of the highway, flowed along the road, into our neighbour's garden, demolished their stone boundary wall that had slits in it to allow the egress of water, then the flood deposited debris including a tree trunk log and other material on our bank which is normally five feet above the level of the beck, and also flowed over our garden, disturbing some items, then flowed up into our house and our neighbours house. We have found out today that another neighbour returned from holiday to find her house had been flooded from the same event, but she and her husband decided not to claim on their insurance, so there is no official record of their house being flooded.

We did not report that our house had been flooded from M-Sport Ltd / Dovenby Hall Estate when it happened in November 2025 because we did not want to make a fuss and have the upsetting disturbance which would happen if our floor had to be removed.

Thus we ignored the fact that our solid oak floor boards were buckling until on the night of Friday 2nd January there was a loud and frightening crack and some of the floor boards erupted into a 5cm high trip hazard. On Monday 5th January we reported the matter to Saga Home Insurance who condemned the floors in the main room and my study and will organise the floor to be removed and replaced, estimated disruption of three months.

Recently I was told that the building on Dovenby Hall Estate nearest to the 3m high wall that collapsed, was also flooded, possibly on two occasions. That building used to be the theatre, I think it is currently rented by a business not directly connected to M-Sport Ltd.

Summary:

Cumberland Council / Allerdale Borough Council gave planning permission 2/2014/0350 for M-Sport Ltd to build a race track and car factory based on false or erroneous information about the risk of the development increasing flooding risk to the local environment and homes.

The events described above show that the calculations and predictions made by Allerdale BC/ (now Cumberland Council) were grossly inadequate because planning permission granted on the prediction of one in a hundred year event has been shown to be inadequate because significant flooding of surrounding properties has happened within ten years of building the development.

Cumberland Council should stop all use of items granted in planning permission reference **2/2014/0350** until the owner of Dovenby Hall Estate can create new measures to defend our homes from flooding caused by the planning permission for the race track and car factory being inadequate to account for rainfall and flooding and consequent damage to our properties.

I previously took Allerdale Borough Council to the High Court to try to stop the development of the race track and car factory. You should consider this letter to be before appropriate action that I will take to show that ***Nicholson v Allerdale BC JUDGEMENT CO 941 2015*** requires further legal remedy.

Yours sincerely

Peter Nicholson, Lane Foot Cottage, Dovenby, Cockermouth CA13 0PN

References of previous warnings to Local Authority please ask me for these docs.

2014 11 07 To planning Flood Risk Assessment objections

[2014 11 07 To planning Flood Risk Assessment objections.pdf](#)

[2015 01 16 Allerdale PERMISSION notice Jan 16 2015.pdf](#)

[2015 04 15 From Environment Agency re my flood Condition 17.pdf](#)

2016 01 12 From Mr Harrison Cumbria Drainage Flood Officer

2024 03 18 Imminent flood risk Dovenby village from M-Sport wall collapse

[2026 01 05 Claim 68653261254 Lanefoot flood.pdf](#)