



Town and Country Planning Act 1990 (As amended).

4/20/2251/001

NOTICE OF REFUSAL OF OUTLINE PLANNING PERMISSION

Mr John Stables
1 South Row
WHITEHAVEN
Cumbria CA28 9AY

**OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR A SINGLE DWELLING
LAND AT 1 SOUTH ROW, WHITEHAVEN**

Mr John Stables

The above application dated 07/07/2020 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN REFUSED for the following reasons:

- 1) A dwelling on this prominent greenfield site would have a detrimental impact on the character and appearance of this attractive open coastal landscape, and detract from the highly distinctive character of this part of Kells, where it would relate poorly to the existing settlement pattern. It would appear as an incongruous projection into the largely open and undeveloped garden land fronting West Row, eroding the strong definition between the built form of Kells and the open space to the west. The development would be conspicuous when viewed from the well-used footpath immediately adjoining the site and other public rights of way along the cliff top to the west, as well as being harmful to the expansive views from West Row. The proposal is therefore contrary to policies ST1, ENV2 and ENV5 of the adopted Copeland Local plan 2013 – 2035 and paragraphs 8 and 17, Part 15 and Annexe 2 of the National Planning Policy Framework.
- 2) Development in this location could easily be replicated on adjoining garden land. Approval would therefore make it difficult to resist further similar applications, setting a undesirable precedent that would result in further cumulative harm to the character and appearance of this edge of settlement location.
- 3) As a result of the size, topography, and close relationship of the application site to existing dwellings, the new development would be unable to provide acceptable levels of amenity for occupiers of the proposed and existing dwellings, contrary to

policies ST1, DM10 and DM12 of the adopted Copeland Local Plan and paragraph 17 of the NPPF.

Statement

Please read the accompanying notice

A handwritten signature in black ink, appearing to read "N. S. Hayman". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

11th September 2020

PP Pat Graham
Chief Executive

REFUSALS
(OUTLINE, FULL, RESEVED MATTERS)

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/planning-inspectorate>. 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 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 VI of the Town and Country Planning Act 1990.