

Town and Country Planning Act 1990 (As amended).

4/20/2291/001

## NOTICE OF REFUSAL OF OUTLINE PLANNING PERMISSION

Mr Alex Giles  
46 Sidney Avenue  
Hesketh Bank  
PRESTON PR4 6SU

### **OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR THE ERECTION OF TWO STOREY DWELLING & THE CREATION OF PARKING SPACE TWO PLOTS OF LAND AT WEAVERS AVENUE, FRIZINGTON**

**Mr Jonathon Brown**

The above application dated 31/07/2020 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 reason:

#### **Reason For Refusal 1**

The Application Site comprises a parcel of amenity/open space and visitor parking spaces located in a prominent location at the entrance to Weavers Avenue. The Application Site comprises the only amenity open space serving this development and makes a positive contribution to the developed character of the wider estate. The loss of this open space would result in harm to the character of the estate and would result in a loss of important amenity space for residents. The erection of a 3no. bedroom detached dwelling would occupy a significant area of the Application Site. Any dwelling would not be well related to the existing dwellings to the north and east and would cause harm to the existing developed form and character of Weavers Avenue.

The development is in conflict with the requirements of Policy ST1 and Policy DM10 of the Copeland Local Plan 2013-2028 and Paragraphs 127 and 130 of the National Planning Policy Framework.

## **Reason For Refusal 2**

Windows will be limited to the south and east elevation of any dwelling only, which is likely to result in substandard living accommodation and limited design interest. Any two storey dwelling is likely to result in some loss of light and overshadowing of the curtilage of the property known as No. 11 Weavers Avenue. The development is in conflict with the requirements of Policy ST1 and Policy DM12 of the Copeland Local Plan 2013-2028 and Paragraph 127 of the National Planning Policy Framework.

## **Statement**

The Local Planning Authority has acted positively and proactively in accordance with Copeland Local Plan policies and the National Planning Policy Framework in determining this application by identifying matters of concern with the proposal and raising those with the applicant/ agent. However, in this case it has not been possible to arrive at a satisfactory resolution for the reasons set out in the reason for refusal.

Please read the accompanying notice



PP Pat Graham  
Chief Executive

24<sup>th</sup> September 2020

**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](mailto: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.