

Town and Country Planning Act 1990 (as amended)

Town and Country Planning (Permission in Principle) (Amendment) Order 2017

## NOTICE OF REFUSAL OF PERMISSION IN PRINCIPLENOTICE OF REFUSAL OF CONSENT

SRE Associates

4 Summergrove Park

WHITEHAVEN

Cumbria CA28 8YH

FAO Mr Simon Blacker

**APPLICATION REFERENCE: 4/20/2357/PIP**

**PROPOSAL: APPLICATION FOR PERMISSION IN PRINCIPLE FOR THREE RESIDENTIAL DWELLINGS**

**LOCATION: LAND ADJACENT TO SCHOOL HOUSE AND B5345, ST BEES**

### **SRE Associates**

The above application dated 17/09/2020 has been considered by the Council in pursuance of its powers under the above mentioned Act and has been REFUSED for the following reasons:

### **Reasons for Refusal**

#### **Reason 1**

The Application Site comprises an open area of established trees and shrubs which make a positive contribution to the character of the settlement of St Bees, particularly in the elevated views on entry to the settlement from the B5345. The development would result in the loss of the open area and established trees and shrubs and would suburbanise the intrinsic rural character of the settlement entrance to its detriment. The development is therefore in conflict with the provisions of Policy ENV5 and Policy DM10 of the Copeland Local Plan 2013 - 2028, Criteria J of the Interim Housing Policy and Paragraph 127 of the NPPF.

#### **Reason 2**

The proposed development would fail to preserve or enhance the character or appearance of the St Bees Conservation Area by harming its setting. The development would harm the setting of the Grade II Listed Abbey Farmhouse and the non-designated heritage assets of the St Bees School. Applying the terminology of the NPPF, the resulting harm would be less-than-substantial; however, in overall terms, the public benefits arising from the

development do not outweigh the identified heritage harms arising from the development. The development is in conflict with the provisions of Policy ENV4 and Policy DM27 of the Copeland Local Plan 2013 -2028 and Paragraphs 184 – 202 of the NPPF.

Please read the accompanying notice

A handwritten signature in black ink, appearing to read 'N. S. Hayman' followed by a stylized flourish.

22<sup>nd</sup> October 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](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.