

Town and Country Planning Act 1990. (As amended)

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

NOTICE OF REFUSAL OF PERMISSION IN PRINCIPLE

Lakeland Building Design

El-Tipharah

Greysouthen

COCKERMOUTH

Cumbria CA13 0UF

FAO Mr Paul Boustead

APPLICATION REFERENCE: 4/20/2466/PIP

PROPOSAL: APPLICATION FOR PERMISSION IN PRINCIPLE FOR 1 NO. DWELLING

LOCATION: SYKE WHINS, LOWCA, WHITEHAVEN

Mr Pickford

The above application dated 17/11/2020 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 Site is located approximately 1.5 miles north of Lowca in an area of open countryside. A need for the dwelling to be located outside the Borough's recognised settlements has not been demonstrated. Community facilities in the general wider vicinity of the Site are limited. Access to services from the Site is also extremely limited being beyond distances which residents could reasonably be expected to walk or cycle. There are no footways or direct access routes from the Site to the available services. Given the distances involved to the services and facilities, travel by more sustainable methods would be unlikely to offer a feasible alternative to private car. The proposal is therefore contrary to policies ST1, ST2 and SS3 of the Copeland Local Plan 2013-2028, and Paragraphs 8, 9, 11, 79, 102 and 108 of the National Planning Policy Framework.

Reason 2

The Site comprises part of the undeveloped land that is located to the north west of a small group of traditional buildings and is adjoined by a Public Right of Way. The proposal would extend development beyond the existing building envelope and would be at odds with the simple form, configuration and character of the existing building group. The creation of a new access to serve a dwelling in this location would extend development into the open countryside. Overall the development would have the effect of further extending and urbanizing this small collection of rural buildings to the detriment of the prevailing local landscape character and setting. The development is in conflict with the provisions of Policy ENV5, Policy DM10, and Paragraphs 20, 122 and 127 of the NPPF.

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

A handwritten signature in black ink, appearing to read 'N. S. Hayman', with a stylized flourish at the end.

21st December 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.