

Town and Country Planning Act 1990 (As amended).

4/20/2481/0F1

**NOTICE OF GRANT OF PLANNING PERMISSION**

Green Swallow North Limited  
Swallow Barn  
BLINDCRAKE  
Cumbria CA13 0QP  
FAO Mr Stuart Woodall

**CONVERSION OF EXISTING GARAGE TO FORM ANNEXE AND NEW ATTACHED SINGLE GARAGE**

**DARLING HOUSE, ASBY ROAD, ASBY**

**Mr and Mrs C Dempsey**

The above application dated 30/11/2020 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason**

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Site Location Plan and Block Plan, scales 1:1250 and 1:500, received 30<sup>th</sup> November 2020;

Existing and Proposed Elevations, scale 1:100, drawing number 01G, received 10<sup>th</sup> March 2021;

Existing and Proposed Elevations, scale 1:100, drawing number 02F, received 10<sup>th</sup> March 2021;

Proposed Floor Plans, scale 1:100, drawing number 03E, received 10<sup>th</sup> March 2021.

#### Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The additional accommodation created by the conversion of the existing garage hereby permitted must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Darling House and must not be let or sold as a separate permanent dwelling.

#### Reason

The annex is not considered appropriate for use as a separate residential unit in accordance with Policy ST2 of the Copeland Local Plan.

#### Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

#### Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice

29/04/2021



PP Pat Graham  
Chief Executive

**APPROVALS**  
**(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

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 in its existing state nor render the land capable of 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 V1 of the Town and Country Planning Act 1990.