

Town and Country Planning Act 1990. (As amended)

4/21/2115/OF1

NOTICE OF REFUSAL OF CONSENT

Mrs Paula Irving
4 Rottington Road
Sandwith
Whitehaven
CA28 9UW

**ERECTION OF A FOUR STABLE BLOCK
LAND ADJACENT TO BARUTH COTTAGE, HARDMOOR LANE, SANDWITH, WHITEHAVEN**

Mrs Paula Irving

The above application dated 17/03/2021 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

- 1) A building of the scale proposed 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 Sandwith, where it would have no relation to any existing development. It would appear as an incongruous blight on the largely open and undeveloped landscape, eroding the strong rural definition of the area.

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 north, as well as being harmful to the expansive views beyond.

The proposal is therefore contrary to policies ST1, ENV2, ENV5 and DM30 of the adopted Copeland Local plan 2013 – 2035 and paragraphs 8 and 17, Part 15 and Annex 2 of the National Planning Policy Framework.

- 2) Development in this location could easily be replicated on the surrounding open fields. 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 rural location.

- 3) As a result of the siting, scale and design of the proposal, the development would create an unsatisfactory building which would have a negative effect on the local distinctiveness and immediate and wider setting. Furthermore, the choice of materials would not reflect the local vernacular and would create an unsatisfactory development within the open countryside. The proposal is considered to be contrary to policies ST1, DM10 and DM30 of the adopted Copeland Local Plan and part 12 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. 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

19th May 2021

**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.