

Town and Country Planning Act 1990. (As amended)

4/21/2150/OF1

NOTICE OF REFUSAL OF CONSENT

Calva Design Studio
2 Calva House
Calva Brow
Workington
CA14 4DE
FAO Mr Richard Lindsay

PROPOSED IMPLEMENT AND PLANT STORAGE SHED AND CREATION OF NEW ACCESS FIELD 2619, ROTTINGTON ROAD, ST BEES

Hogg Groundwork and Plant

The above application dated 31/03/2021 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. The application site is located outside of the village of Sandwith, which is identified as outside of settlement boundaries under Policy ST2 of the Copeland Local Plan and is therefore not considered to be a sustainable location for new employment sites. Based on the details submitted within the planning statement in relation to the nature of the applicant's business and the lack of justification for the location of the development, the proposal is not considered to meet the requirements for development within the open countryside. The proposal is therefore considered to be contrary to Policies ST1, ST2 and ER6 of the Copeland Local Plan and paragraphs 8, Section 6, paragraph 85 of the NPPF.
2. A commercial building and forecourt on this prominent greenfield site would result in an incongruous form of development which would significantly alter and harm the open and rural nature, and character of this area. The development is not well related to any other buildings and would result in intrusion into the open countryside. 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 an undesirable precedent that would result in further cumulative harm to the character and appearance of this rural and introduce

undesirable uses within this unsustainable location. The proposal is therefore considered to be contrary to Policies ST1, ENV5, and DM26 of the Copeland Local Plan, and section 15 of the NPPF.

3. Insufficient information has been submitted to satisfy Cumbria Highways that the proposal is acceptable in terms of access, visibility splays, off-street parking, road layout, road construction, surface water drainage, on site turning facilities, and its effect on local traffic conditions and public safety. As sufficient information has not been provided as part of this application, the development is considered to have a detrimental impact on highway safety. The proposal is therefore considered to be contrary to Policy DM22 of the Copeland Local Plan, Section 9 of the NPPF, and the Cumbria Design Guide.

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

07th September 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.