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TOWN AND COUNTRY PLANNING ACT 1990. (AS AMENDED)

NOTICE OF REFUSAL OF CONSENT

Mrs Louise Berragan
Crossfield House
Crossfield Road
Cleator Moor
CA25 5BU

APPLICATION No: 4/21/2425/0F1

ERECTION OF WOODEN FENCE ON TOP OF EXISTING WALL

CROSSFIELD HOUSE, CROSSFIELD ROAD, CLEATOR MOOR

Mrs Louise Berragan

The above application dated 27/09/2021 has been considered by the Council in pursuance of its powers under the above mentioned Act and has been REFUSED for the following reason(s):

Reasons for Refusal:

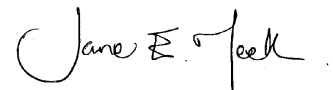
1. The proposed fence would result in a loss of all highway visibility for both the application site and the neighbouring properties and therefore it would result in a significant detrimental impact on highway safety. As a consequence it would be contrary to Policies ST1 and DM22 of the Adopted Local Plan, Policies DS6PU and CO7PU of the Emerging Local Plan and section 9 of the NPPF, which seek to maintain highway safety standards.
2. The proposed 1.8 metre high wooden fence would be out of character with the residential area and therefore it is considered to harm visual amenity. As a consequence the development would be in conflict with Policies ST1, DM10

and DM18 of the Adopted Local Plan and Policies DS6PU of the Emerging Local Plan which seek to ensure a good standard of design and amenity for all existing and future occupants of land and buildings.

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 'Jane E. Meek'.

Jane Meek
Assistant Director
Thriving Place and Investment

12th June 2024

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.