

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015  
SCHEDULE 2, PART 11 CLASS B - PRIOR APPROVAL FOR DEMOLITION

**NOTICE OF REFUSAL OF PRIOR APPROVAL FOR DEMOLITION**

Day Cummins Ltd  
4A Lakeland Business Park  
Lamplugh Road  
Cockermouth  
CA13 0QY  
FAO Mr Michael Dawson

**APPLICATION No: 4/21/2451/0F1**

**APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED TO DEMOLISH THE MAIN  
HOTEL BUILDING  
GROVE COURT HOTEL, CLEATOR**

**Mr Colin Benn**

I refer to the above application which was made under the prior approval procedure for demolition. Copeland Borough Council, as Local Planning Authority, has determined to **REFUSE PRIOR APPROVAL** for the proposed development at the address shown above, in accordance with the details submitted. .

**Reason for Refusal**

The proposal contains insufficient information to demonstrate that the proposal would not result in harmful effects on biodiversity and protected species.

Without sufficient details the application therefore fails to demonstrate that the proposals would ensure that adequate protection or mitigation could be secured to preserve protected species and their habitat, contrary to Policy ST1, ENV3 and DM25 of the adopted Copeland Local Plan 2013-2028 and paragraphs 179 and 180 of the National Planning Policy Framework.

Please read the accompanying notice

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

PP Pat Graham  
Chief Executive

08<sup>th</sup> November 2021

## **NOTICE**

If you are aggrieved by the decision of the Authority to refuse your application or to impose conditions on the permission with which you are dissatisfied, you may appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. All appeals are handled on behalf of the Secretary of State by the Planning Inspectorate.

If you want to appeal against this decision then you must do so within 6 months of the date of this notice, or such longer period as the Secretary of State may, at any time, allow. Although the Secretary of State can allow a longer period for giving notice of an appeal, he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made electronically. You can find more information online at [www.gov.uk/appeal-planning-decision](http://www.gov.uk/appeal-planning-decision) or using a form which you can get from the Planning Inspectorate Customer Support Team (0303 444 50 00).

Please note only the applicant possesses the right of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Authority based its decision on a direction given by him.