

TOWN AND COUNTRY PLANNING ACT 1990. (AS AMENDED)

NOTICE OF REFUSAL OF CONSENT

Mr Tony Barnett
3 Geelong Terrace
Sandwith
Whitehaven
CA28 9UQ

APPLICATION No: 4/22/2011/0F1

**CONVERSION OF DOMESTIC GARAGE/STORE INTO DWELLING (RESUBMISSION OF
WITHDRAWN APPLICATION 4/21/2010/0F1)
SPOUT HOUSE, SANDWITH**

Mr Roy Fowler

The above application dated 10/01/2022 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) A structural survey has not been submitted to evidence that the building is structurally capable of conversion, as required by criterion C of Policy DM15A of the Copeland Local Plan 2013-2028.
- 2) The proposed building for conversion is not constructed from traditional materials as required by Policy ST2 and criterion D of Policy DM15A of the Copeland Local Plan 2013-2028.
- 3) Insufficient information has been provided to demonstrate that the development will not result in a detrimental impact upon bats, barn owls or breeding birds, contrary to the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

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 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 'N. S. Hayman' followed by a stylized flourish.

Pat Graham
Chief Executive

29th April 2022

**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.