

TOWN AND COUNTRY PLANNING ACT 1990

SCHEDULE 2, PART 3, CLASS Q OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2021 (AS AMENDED).

Determination of Local Planning Authority as to whether the prior approval of the authority is required for the below development.

SRE Associates
10 Parklands Drive
Cockermouth
CA13 0WX
FAO Mr Simon Blacker

APPLICATION No: 4/22/2306/0F1

PROPOSAL: PRIOR APPROVAL TO CONVERT AN AGRICULTURAL BUILDING INTO RESIDENTIAL ACCOMMODATION

LOCATION: WEDDICAR HALL, WEDDICAR, CLEATOR MOOR

Messrs Cartmell and McNicholas

Under the provisions of Part 3 of the Town and Country Planning (General Permitted Development) Order 2013, I hereby confirm that this Authority has made the following determination:

THAT THE PRIOR APPROVAL OF THE AUTHORITY IS REQUIRED.

THE AUTHORITY REFUSES TO APPROVE THE DETAILS SUBMITTED FOR THE FOLLOWING REASONS:

Reason 1

On the basis of the information provided, insufficient evidence has been provided to demonstrate on balance of probability that the building was solely in agricultural use as part of an established agricultural unit on the 20th March 2013 (or the last use before that date) as required by Q.1 of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2021 (as amended).

Reason 2

On the basis of the information provided, insufficient evidence has been provided to demonstrate that the building comprises part of an agricultural unit and that no other such development under Schedule 2, Part 3, Class Q and Schedule 2, Part 6 Class A(a) or Class B(a) of the Town and Country Planning (General Permitted Development) (England) Order 2021 (as amended) has been completed on the established agricultural holding since the 20th March 2013.

Reason 3

The installation of the roof structure as proposed would result in the external dimensions of the completed building extending beyond the external dimensions of the existing building in conflict with the requirements of Q.1 (h) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2021 (as amended).

Reason 4

No curtilage area is clearly defined. It cannot therefore be determined if the curtilage of the development would meet the definition as outlined in Part X of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2021 (as amended).

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

PP Pat Graham
Chief Executive

05th September 2022

REFUSALS

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.