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TOWN AND COUNTRY PLANNING ACT 1990. (AS AMENDED) – SECTION 73

NOTICE OF REFUSAL OF CONSENT

PWA Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS
FAO: Mr Mike Sproston

APPLICATION No: 4/22/2402/0B1

VARIATION OF CONDITION 2 - AMENDMENTS TO LAYOUT AND LANDSCAPING INCLUDING RELOCATION OF PONDS AND ENLARGEMENT OF TOILET BLOCK FOR PLANNING APPROVAL REFERENCE 4/10/2387/0F1 - PROPOSED EXTENSION OF EXISTING HOLIDAY VILLAGE TO PROVIDE 100 NO. STATIC CARAVAN PITCHES, 20 NO. MOTOR HOME PITCHES, 30 NO. TOURING CARAVAN PITCHES, CAMPING AREA FOR UP TO 20 NO. TENTS, COMMUNAL FACILITIES BUILDING, 2 NO. SHOWER AND TOILET BLOCKS, PARK MAINTENANCE COMPOUND, TOURIST INFORMATION BUILDING INCORPORATING CAFE & PUBLIC TOILETS, ASSOCIATED LANDSCAPING AND INFRASTRUCTURE WORKS

PORT HAVERIGG HOLIDAY VILLAGE, STEEL GREEN, HAVERIGG

Mr Attwood

The above application dated 05/10/2022 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):

Reason for Refusal

Based on the information currently available to the Local Planning Authority within this application, it is considered that the proposed variations to planning approval 4/10/2381/0F1 fall outside the scope of what is permitted under the provisions of Section 73 of the Town and Country Planning Act, due to the extent of changes required to the previous approval, the number of technical details and conditions requiring variation, and the proposed new access via the adjacent site which would fall outside the scope of the red line for the application. It is considered that without the relevant technical information to prove the contrary the development would be likely to have an unacceptable adverse impact on the surrounding landscape and countryside, flood risk within the surrounding area, highway safety, and impact on protected species particularly Natterjack Toads.

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

18th September 2024



Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

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.