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**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).
NOTICE OF REFUSAL OF OUTLINE PLANNING PERMISSION**

Telford Planning Associates
1 Whinbarrow Close
Aspatria
Wigton
CA7 3HE
FAO: Mr Eric Telford

APPLICATION REF: 4/23/2026/001

**OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR HOUSING
DEVELOPMENT OF 17 DWELLINGS**

LAND ADJACENT TO C4017, WATH BROW, CLEATOR MOOR

Mr G Coan

The above application dated 27/01/2023 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN REFUSED for the following reasons:

Reason 1

This part of Cleator Moor is characterised by linear frontage development and beyond the site lies agricultural land to the east and north. The proposed development would comprise a sporadic form of development at odds with the prevailing developed form and character in this part of the settlement to its detriment. The proposed development by virtue of its location and scale would appear visually prominent in local views from the south and east resulting in localised landscape and visual harm and would create an unsympathetic form of development on land that is recognised as sensitive urban fringe. As a consequence the development is in conflict with the provisions of Policies ST1(d), ENV5, DM10 and DM26 of the

Copeland Local Plan 2013-2028, Policy N6PU of the Emerging Copeland Local Plan 2021-2038, the Cumbria Landscape Character Toolkit and the Copeland Landscape Settlement Study July 2020. The adverse impacts of granting planning permission would significantly and demonstrably outweigh the modest benefits of the proposal when assessed against the policies of the NPPF when taken as a whole.

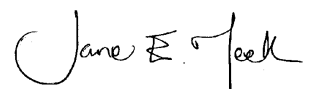
Reason 2

The proposal would be sited on land that is outside of any recognised settlement boundary in open countryside. The application has been submitted without any justification for a location within the open countryside and fails to meet any identified local or affordable housing need. As a consequence, the proposal is considered to be contrary to Policy ST2 and Policy SS3 of the Copeland Local Plan 2013-2028, Policies H8PU, DS3PU and DS4PU of the Emerging Copeland Local Plan 2021-2038 and the provisions of the NPPF when taken as a whole.

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



Jane Meek
Assistant Director
Thriving Place and Investment

11th October 2023

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.