



**Cumberland Council**  
**Cumbria House**  
**107-117 Botchergate**  
**Carlisle**  
**Cumbria CA1 1RD**  
**Telephone 0300 373 3730**  
**[cumberland.gov.uk](http://cumberland.gov.uk)**

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

**NOTICE OF GRANT OF PLANNING PERMISSION**

Calva Design Studio  
Holme Dale  
Low Scales  
Wigton  
CA7 3NE  
FAO: Mr Richard Lindsay

**APPLICATION No: 4/23/2047/0B1**

**VARIATION OF CONDITION 4 (AMEND OPENING HOURS) OF PLANNING  
APPLICATION 4/22/2464/0F1 - CHANGE OF USE OF A STORE & CAR PORT TO  
A DOG GROOMING BUSINESS  
ROTHERY BARN, CLEATOR MOOR**

**Miss Jenna Newsham**

The above application dated 21/02/2023 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Application form, received 20<sup>th</sup> February 2023;  
Site Location Plan, scale 1:1250, drawing number 01001 01, received 20<sup>th</sup> February 2023;  
Block Plan, scale 1:200, drawing number 01002 01, received 20<sup>th</sup> February 2023;  
Existing and proposed plans and elevations, scale 1:100, drawing number 01003 01, received 20<sup>th</sup> February 2023;  
Proposed Plan, scale 1:50, drawing number 04001 01, received 20<sup>th</sup> February

2023.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The use hereby permitted must be for a limited period until 18<sup>th</sup> January 2024. At the end of this period the use shall cease, all materials and equipment brought onto the land in connection with the use must be removed and the land restored in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

Reason

The use hereby approved may not be considered suitable as a permanent form of development to protect local amenity in accordance with Policy ST1 and DM10 of the Copeland Local Plan.

3. The business hereby approved must be used in association with the parent dwelling known as Rothery Barn and must not be sold, let or otherwise used in isolation at any time whatsoever for the lifetime of the development.

Reason

In order that an inappropriate form of development is not introduced to the area and in accordance with Policy ST1 of the Copeland Local Plan.

4. The use hereby permitted shall not be open to the public / customers outside the following times:

Monday – Friday – 10:00 – 19:-00

Saturday – 10:00 – 17:00

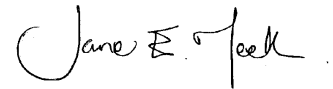
Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality and in accordance with Policy ST1 of the Copeland Local Plan.

## Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to a variation of condition in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice

A handwritten signature in black ink, appearing to read 'Jane E. Meek'.

Jane Meek

Assistant Director

Thriving Place and Investment

24<sup>th</sup> April 2023

**APPROVALS  
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

**TOWN AND COUNTRY PLANNING (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](mailto: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 in its existing state nor render the land capable of 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 V1 of the Town and Country Planning Act 1990.