
**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

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| 1. | Reference No: | 4/23/2257/0E1 | |
| 2. | Proposed Development: | APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE - SITING OF CARAVAN | |
| 3. | Location: | FAIRFIELD, BRAYSTONES, BECKERMET | |
| 4. | Parish: | Lowside Quarter | |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM | |
| 6. | Publicity Representations & Policy | Neighbour Notification Letter | No |
| | | Site Notice | No |
| | | Press Notice | No |
| | | Consultation Responses | See Report |
| | | Relevant Policies | See Report |
| 7. | Report: | | |
| | Site and Location | | |
| | This application relates to Fairfield, which formally sited a beach bungalow demolished in 2008, located on Braystones beach. The land currently houses a static caravan and is located between existing beach bungalows, Latona and The Crest. | | |
| | Relevant Planning History | | |
| | No relevant planning history. | | |
| | Proposal | | |

This application seeks a lawful development certificate for the siting of a single caravan on this site.

Consultation Responses

There is no statutory requirement to consult third parties including parish councils or neighbours. It may, however, be reasonable for a local planning authority to seek evidence from these sources, if there is good reason to believe they may possess relevant information about the content of a specific application. Views expressed by third parties on the planning merits of the case, or on whether the applicant has any private rights to carry out the operation, use or activity in question, are irrelevant when determining the application.

Lowside Quarter Parish Council

No comments received.

Planning Policy

Town and Country Planning Act 1990 – Section 191 as amended by Section 10 of the Planning and Compensation Act 1991

Assessment

A lawful development certificate enables applicants to establish whether a proposed or existing development is lawful for planning purposes. In this instance it is claimed that the caravan subject to this application has been sited on this land and used for residential purposes for more than 10 years.

The following evidence has been submitted to support this lawful development certificate:

- Application form;
- Site location plan;
- Site history;
- Letter to enforcement officer;
- Letter sale of site;
- Letter of sale of caravan;
- Letter payment of upholstery;
- Invoice upholstery;
- Photos 2014 – 2023;
- Photos 2008 – 2014;
- Fairfield caravan photos.



**Cumberland
Council**

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| | <p>Based on the evidence submitted, on the balance of probability and based on the facts of the case and the relevant planning law it is reasonable to conclude that the siting and use of the caravan is lawful.</p> <p>On this basis it is appropriate for a lawful development certificate to be granted in this case.</p> | |
| 8. | <p>Recommendation: Approval of Certificate of Lawfulness</p> | |
| <p>Case Officer: C. Burns</p> | | <p>Date : 31.10.2023</p> |
| <p>Authorising Officer: N.J. Hayhurst</p> | | <p>Date : 09.11.2023</p> |
| <p>Dedicated responses to:- N/A</p> | | |