



**Cumberland Council
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Carlisle
Cumbria CA1 1RD
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cumberland.gov.uk**

TOWN AND COUNTRY PLANNING ACT 1990. (AS AMENDED)

NOTICE OF REFUSAL OF CONSENT

Mrs Isobel Park
Byways
Hallthwaites
Millom
LA18 5HP

**APPLICATION No: 4/23/2343/0F1
ERECTION OF A TREEHOUSE (RETROSPECTIVE)
BYWAYS, HALLTHWAITES, MILLOM**

Mrs Isobel Park

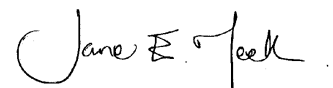
The above application dated 22/11/2023 has been considered by the Council in pursuance of its powers under the above mentioned Act and has been REFUSED for the following reason:

1. The structure due to its siting, scale, design and appearance would result in an incongruous form of development within the locality which would appear dominant within the street-scene. The elevated design would accentuate its prominence and as a result it would have a significant detrimental impact on the character and appearance of both the existing property and the visual amenity of the wider area, including views from the adjoining public footpath. This would therefore be in conflict with Policies ST1, DM10 and DM18 of the Copeland Local Plan 2013-2028 Policies H14PU of the Emerging Local Plan and guidance set out in section 12 of the NPPF and the National Design Guide.

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 grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice



Jane Meek
Assistant Director
Thriving Place and Investment

01st May 2024

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.