



**Cumberland Council  
Cumbria House  
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Carlisle  
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Telephone 0300 373 3730  
[cumberland.gov.uk](http://cumberland.gov.uk)**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Lofthouse Architectural  
1 Apres House  
Water Street  
Wigton  
CA7 9BS  
FAO: Tony Wharton

**APPLICATION No: 4/24/2047/0F1**

**EXTENSION TO CREATE AN ADDITIONAL FLOOR ON NORTH EAST  
ELEVATION  
EDEN GARDENS, STAMFORD HILL, LOWCA**

**M & L Kelly**

The above application dated 08/02/2024 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. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

2. 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 8<sup>th</sup> February 2024;  
Site Location Plan, scale 1:1250, drawing no 027-30, received 8<sup>th</sup> February 2024;  
Site Block Plan, scale 1:500, drawing no 027-30, received 8<sup>th</sup> February 2024;  
Existing Ground Floor, scale 1:50, drawing no 027-30, received 8<sup>th</sup> February 2024;  
Existing First Floor, scale 1:50 drawing no 027-30, received 8<sup>th</sup> February 2024;  
Proposed Ground Floor, scale 1:50, drawing no 027-30, received 8<sup>th</sup> February 2024;  
Proposed First Floor, scale 1:50 drawing no 027-30, received 8<sup>th</sup> February 2024;  
Existing Elevations, scale 1:100, drawing no 027-30, received 8<sup>th</sup> February 2024;  
Proposed Elevations, scale 1:100, drawing no 027-30, received 8<sup>th</sup> February 2024

#### 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.

3. The extension (building) hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Eden Gardens and shall not be let or sold as a separate permanent dwelling.

#### Reason

The annexe is not considered appropriate for use as a separate residential unit.

### **Informatives**

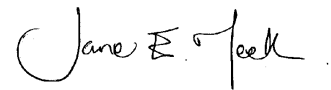
1. The granting of planning permission would not give the applicant the right to block or obstruct the rights of way shown on the attached plan. The rights of way as shown on the definitive map and statement must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is

encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

## **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

27<sup>th</sup> March 2024

**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/appeal-planning-decision> . 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 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.