



**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)

**NOTICE OF REFUSAL OF CONSENT**

Architects Plus (UK) Ltd  
Victoria Galleries  
Viaduct House  
Carlisle  
CA3 8AN  
FAO:Barbara Gower

**APPLICATION No: 4/24/2051/0F1**

**ERECTION OF A NEW DWELLING AND ASSOCIATED EXTERNAL WORKS  
(RESUBMISSION)  
LAND ADJACENT TO STONEYCROFT, SEA MILL LANE, ST BEES**

**Mr Lee Grundy**

The above application dated 05/02/2024 has been considered by the Council in pursuance of its powers under the above mentioned Act and has been REFUSED for the following reasons:

**Reasons for Refusal**

1. The proposed development comprises a market led residential development located on a site outside of the settlement boundary of St Bees in direct conflict with the provisions of Policy ST2 of the Copeland Local Plan, DS3PU, Policy DS4PU and Policy H4PU of the emerging Copeland Local Plan 2017-2038 and provisions of the NPPF.
2. Due to the siting of the proposed development, it is likely to create adverse impacts on the amenity of the occupiers of the adjacent property Stoneycroft

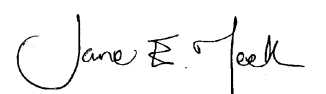
through overlooking. The proposed development would also result in an intensification of the existing residential access serving Stoneycroft which would result in an unreasonable loss of residential amenity for the existing and future occupants of the existing dwelling due to the proximity of the access to the dwelling and the detrimental impacts of the associated movements and disturbance this development would create. Consequently, this proposal would be in conflict with Policies SS1 and DM10 of the Copeland Local Plan, Policy DS6PU of the Emerging Local Plan, and the provisions of the NPPF.

3. The proposed development by virtue of its elevated location, scale and developed form does not respond positively to the surrounding area and will result in adverse impacts upon the local landscape character by creating a prominent feature within this rural context. The proximity of the proposal to the adjacent Public Right of Way, which also forms part of the King Charles III England Coast Path, along with the proposed scale and form of the development will have a significant detrimental impact on the amenity of the users of the footpath and would result in a significant change in the character of the land within which the footpath is set. Consequently, the proposal would be in conflict with the provisions of Policy ENV5, Policy DM26 and Policy DM10 of the Copeland Local Plan 2013- 2028 and Policy H6PU and Policy N6PU of the emerging Copeland Local Plan 2017-2038.

### **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

29<sup>th</sup> April 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](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 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.