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TOWN AND COUNTRY PLANNING ACT 1990. (AS AMENDED)

NOTICE OF REFUSAL OF CONSENT

Calva Design Studio
Waters Edge
2A Church Road
Harrington
CA14 5QP
FAO: Mr Richard Lindsay

APPLICATION No: 4/24/2394/001

**OUTLINE APPLICATION WITH SOME MATTERS RESERVED INCLUDING
APPROVAL OF ACCESS FOR SELF/CUSTOM BUILD DETACHED DWELLING
AND GARAGE**

SOUTHCROFT, WOODEND, EGREMONT

Mr K Yorke

The above application dated 26/11/2024 has been considered by the Council in pursuance of its powers under the above mentioned Act and has been REFUSED for the following reasons:

Reason 1

The proposals comprise the erection of a new-build self-build dwelling within the curtilage of the dwelling known as Southcroft which is located in the settlement of Woodend.

Woodend is located in an area defined as Open Countryside where new-build market housing development is not supported.

The local planning authority has approved enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area as required by Housing and Planning Act 2016.

The development is in conflict with the provisions of Policy DS1, Policy DS2 and Policy H1 of the Copeland Local Plan 2021 - 2039.

Reason 2

Woodend is a small settlement principally comprising linear frontage development following the highways with some nucleated development to the north. The Application Site is located to the south of the settlement within an area comprising linear frontage development. The Application Site comprises the south/east element of the curtilage of the dwelling known as Southcroft. Any new build dwelling erected on the Application Site would comprise a form of backland development located to the rear of existing dwelling which by virtue of its location and form would be at odds with the prevailing developed form and character in this area of the settlement to its detriment.

The development is in conflict with the provisions of Policy DS4 of the Copeland Local Plan 2021 - 2039.

Reason 3

An existing access serving Southcroft exists to the U4030 101. It is proposed to increase the width of the existing access serving Southcroft to the U4030 to 8m in width and create separate 4m wide access drives set back approximately 4m from the boundary of the curtilage. The proposed development would result in a material increase in traffic movements utilising the access. The U4030 101 is the subject of a 60mph speed limit; therefore, visibility splays of 215m x 2.4m measured to the nearside kerb/verge in both directions are required to be achieved to the access unless a speed survey is undertaken to determine the 85th percentile speed which justifies a departure/reduction. Insufficient information has been provided to demonstrate that the acceptable visibility splays can be achieved and that the development will not result in adverse impacts upon the safe operation of public highway.

The development is in conflict with the provisions of Policy CO2 of the Copeland Local Plan 2021 - 2039.

Statement

The Local Planning Authority has acted positively and proactively in accordance with Copeland Local Plan 2021-2039 and the National Planning Policy Framework. 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

A handwritten signature in black ink, appearing to read 'N. J. Hayhurst'.

Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

22nd January 2025

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.