



Cumberland Council
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF REFUSAL OF OUTLINE PLANNING PERMISSION

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

APPLICATION REF: 4/25/2028/001

**OUTLINE APPLICATION (WITH SOME MATTERS RESERVED) & INCLUDING
APPROVAL OF ACCESS AND LAYOUT FOR ERECTION OF TWO SELF BUILD
OR CUSTOM BUILD DWELLINGS**

THE CROSS, SNECKYEAT ROAD, WHITEHAVEN

Mrs Joye Bailey

The above application dated 27/01/2025 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN REFUSED for the following reason:

Reason 1

The proposals comprise the erection of new-build self-build dwellings within the curtilage of the dwelling known as The Cross which is located outside the settlement of Whitehaven.

The Application Site 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

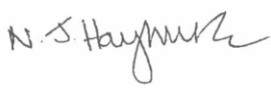
The proposed development will result in substantial harm to the significance of the setting of the Grade II Listed Building. In the absence of any justification or detailed meaningful assessment of the impact of the development on the listed structures the proposal cannot be deemed to preserve or enhance the significance of the affected heritage assets. As a consequence, the development would be contrary to Policy BE2 of the adopted Copeland Local Plan 2021-2039, the guidance set out in the National Planning Policy Guidance and also the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

15th August 2025


Nick Hayhurst
Head of Planning and Place
Thriving Places

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.