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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Planning and Design Services  
59 Harrogate Street  
Barrow In Furness  
LA14 5LZ  
FAO: Mr Malcolm Jones

**APPLICATION No: 4/25/2170/0F1**

**PROPOSED TWO STOREY PITCHED ROOF REAR EXTENSION  
POOLSIDE BARN, POOLSIDE, HAVERIGG**

**Mr Tony Ross**

The above application dated 20/05/2025 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 must commence 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. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-
  - Application Form, received 20/05/2025;
  - Dwg No MEJ/2025/838/002 - Site Location Plan, scale 1:1250, received 20/05/2025;

- Dwg No MEJ/2025/838/002A, Proposed Site Plan, scale 1:500 received 20/05/2025;
- Dwg No MEJ/2025/838/006 Issue 2, Proposed First Floor Plan, scale 1:100 Amended Plans received 07/07/2025;
- Dwg No MEJ/2025/838/007 Issue 2, Proposed Elevations, scale 1:100 Amended Plans received 07/07/2025;
- Dwg No MEJ/2025/838/008 Issue 2, Proposed Side Elevations, scale 1:100, Amended Plans received 07/07/2025.

#### Reason

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

3. The proposed extension hereby permitted shall be used and occupied only as ancillary residential accommodation to the existing dwellinghouse, and shall thereafter at no time be subdivided, occupied or sold as a separate, independent residential planning unit.

#### Reason

To ensure the development accords with the provisions of Planning Policies H14 and H21 of the Copeland Local Plan and to safeguard the amenity of the locality, in compliance with the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan.

### **Informative Notes**

#### **Public Right of Way**

The granting of planning permission would not give the applicant the right to block or obstruct the public right of way shown on the attached plan.

The public right of way as indicated 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.

#### **Biodiversity Net Gain - Exemption**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless: (a) a Biodiversity Gain Plan has been

submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cumberland Council. There are statutory exemptions which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one of the statutory exemptions is considered to apply.

Applicable exemption: Householder Development.

### **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

12th August 2025



Nick Hayhurst  
Head of Planning and Place  
Thriving Places

**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 12 weeks 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](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 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.