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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF REFUSAL OF OUTLINE PLANNING PERMISSION

Ms Josephine Crowe
49 Threaplands
Cleator Moor
CA25 5HA

APPLICATION REF: 4/25/2285/001

**OUTLINE APPLICATION WITH SOME MATTERS RESERVED INCLUDING
APPROVAL OF ACCESS FOR THE ERECTION OF A TWO STOREY DWELLING**

LAND ADJACENT TO 49 THREAPLANDS, CLEATOR MOOR

Ms Josephine Crowe

The above application dated 14/08/2025 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

Threaplands comprises a residential estate located to the east of Cleator Moor. The estate comprises a combination of single storey and two storey dwellings arranged in cul-de-sacs around areas of public open space.

The Application Site comprises part of the side/rear of 49 Threaplands, which comprises a single storey end terrace dwelling located to the northeast of the Threaplands estate. Further single storey dwellings exist to the south of the Application Site. These single storey dwellings incorporate active frontages facing onto highways/accesses and characterise this area of the residential estate.

Any dwelling erected on the Application Site particularly if two storeys in height by virtue of its location and form would comprise overdevelopment of a limited plot and would be at significant odds with the prevailing developed form and character in this area of Threaplands to its detriment. This is in conflict with the requirements of Policy DS4 of the LP.

The development is in clear conflict with the provisions of Policy DS4 of the LP.

Reason 2

Given the scale, form and location of the Application Site in relation to the existing dwellings, any dwelling, particularly if two storeys in height, is likely to result in harmful impacts through loss of light, overshadowing or overbearing, particularly to the host dwelling - 49 Threaplands.

The development is in clear conflict with the provisions of Policy DS4 of the LP.

Reason 3

The Applicant claims that there has been no loss/degradation of habitat on the Application Site on or after 30 January 2020 which were not in accordance with a planning permission; or, on or after 25 August 2023 which were in accordance with a planning permission.

Publicly available information appears to show the extensive removal of vegetation between September 2020 and the present time.

Insufficient evidence has been submitted to establish the pre-development biodiversity value of the Application Site.

Planning permission cannot be granted for a scheme which would be in conflict with the statutory framework provided by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

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/ agent. 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

09th October 2025

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

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.