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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF REFUSAL OF CONSENT

Mr Neill Buchanan
East of Ehen
Little Mill
Egremont
CA22 2NN

APPLICATION REF: 4/26/2012/0F1

**ERECTION OF PIGEON LOFT (RETROSPECTIVE)
EAST OF EHEN, LITTLE MILL, EGREMONT**

Mr Neill Buchanan

The above application dated 19/01/2026 has been considered by the Council in pursuance of its powers under the above mentioned Act and has been REFUSED for the following reasons:

1. The structure due to its siting, scale, design and appearance would result in an incongruous form of development within the locality. The building occupies an elevated location which accentuates its prominence and as a result it would have a significant detrimental impact on the character and appearance of both the existing property and the visual and residential amenity of the wider area. This would therefore, be in conflict with policies DS4 and H14 of the Copeland Local Plan and guidance set out in section 12 of the NPPF
2. The use of the structure as a pigeon shed, due to its siting, scale and the intensity of its operation does not maintain high levels of residential amenity, particularly for the occupiers of the adjacent neighbouring properties. This would therefore conflict with Policy DS4 of the Copeland Local Plan and the guidance set out in section 12 of the NPPF.

Informative Notes

Biodiversity Net Gain – Exemption Applies

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

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

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 or more of the statutory exemptions or transitional arrangements is/are 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, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. In this context, having identified matters of concern with the proposal and discussed those with the applicant, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and, due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Please read the accompanying notice

03rd July 2026



Nick Hayhurst
Head of Planning and Place
Thriving Places

REFUSAL OF HOUSEHOLDER APPLICATION

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.
- As this is a decision to refuse planning permission for a householder application, 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: [Appeal a householder planning decision: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/appeal-a-householder-planning-decision/overview)
- 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 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