



**Cumberland Council
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Carlisle
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cumberland.gov.uk**

TOWN AND COUNTRY PLANNING ACT 1990. (AS AMENDED)

NOTICE OF REFUSAL OF CONSENT

Fellpath Town Planning
8 Fell View Drive
Egremont
CA22 2JL
FAO: Mr David Wright

APPLICATION No: 4/26/2115/0F1

**CHANGE OF USE OF LAND TO RESIDENTIAL GARDEN AREA AND
RELOCATION OF EXISTING PEDESTRIAN ROUTE**

20 LINGMELL CRESCENT, SEASCALE

Mr Martin Rigg

The above application dated 07/04/2026 has been considered by the Council in pursuance of its powers under the above mentioned Act and has been REFUSED for the following reason:

The development would result in the loss of an important area of open space which would significantly erode the character of this residential estate and result in an unsympathetic form of development that would be detrimental to the landscape and the visual amenity of the immediate locality and wider residential area.

As a consequence, this application would be contrary to Policies DS4, N6 and N12 of the adopted Copeland Local Plan 2021-2039 and the guidance contained within the NPPF and the National Design Guide.

Please read the accompanying notice

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

Nick Hayhurst
Head of Planning and Place
Thriving Places

02nd June 2026

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.