

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: Cumberland Council
Cumbria House
117 Botchergate
Carlisle
Cumbria
CA1 1RD

TO: PROPRIETOR: PETER WATSON and SUSAN NINA WATSON of
Street Gate Farm, Lamplugh, Workington CA14 4TT and of Whinfield,
Lamplugh, Workington CA14 4SB.

1. THIS NOTICE is issued by Cumberland Council ('the Council') because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

LAND TO SOUTH OF WHINNAH COTTAGES, LAMPLUGH edged red on the attached plan ('the Land').

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the unauthorised siting of 8 shipping containers to be used as a commercial storage facility and the unauthorised change of use of the land. In the approximate position marked with a cross on the attached plan.

4. REASONS FOR ISSUING THIS NOTICE

The planning application ref 4/21/2188/0F1 made to Copeland Borough Council dated 29/04/2021 was refused by the Copeland Borough Council on the 29th March 2023.

The reasons for refusal were as follows:

- a. The commercial use of this prominent roadside location, in an area of open countryside, is unjustified and results in a significant and unnecessary number of traffic movements to a rural location. The development represents an unsustainable form of development which is contrary to Policies ST1, ST2 and ER6 of the Copeland Local Plan 2013-2028. The adverse impacts of granting planning permission would significantly and demonstrably outweigh the modest benefits of the proposal when assessed against the policies within the National Planning Policy Framework when considered as a whole.
- b. The steel containers, by virtue of their siting, scale and utilitarian appearance have an adverse impact on the character and appearance of this rural area. As a consequence the proposal would be contrary to Policies ST1, ST2, ENV 5 and, ER6 and DM10 of the Copeland Local Plan 2013-2028 and the policies set out in the National Planning Policy Framework.

Despite the refusal of planning permission the matters referred to in paragraph 3 above are present on the land in question.

Copeland Borough Council was subject to Cumbria (structural Changes) Order 2022. Consequently, as of the 1st April 2023 Cumberland Council is now the relevant local planning authority (LPA).

Taking into account the policies mentioned above in paragraph a and b the Council considers it expedient to issue the enforcement notice as the commercial use of the rural site is without justification and would result in a significant and unnecessary number of traffic movements to a rural and unsustainable location. The steel containers, due to their siting, scale and utilitarian appearance would have an adverse impact on the character and appearance of this rural area.

As a consequence, the development is contrary to Policies ST1, ST2, ENV5, ER6 and DM10 of the adopted Copeland Local Plan 2013-2028.

5. WHAT YOU ARE REQUIRED TO DO

- Remove all shipping containers from the land.
- Remove any foundations and footings associated with the shipping containers from the land.
- Cease all operational use of the site in association with the shipping containers.
- Return the site back to its original state.

The above steps will remedy the injury to amenity which has been caused by this breach.

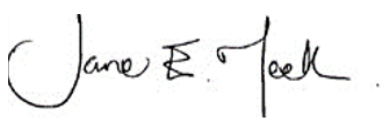
6. TIME FOR COMPLIANCE

56 days after this notice takes effect, that being the 27th October 2023.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 1st September 2023 unless an appeal is made against it beforehand.

Dated: 1 August 2023
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Signed:

Jane Meek, Assistant Director of Thriving Place and Investment

On behalf of: Cumberland Council, Cumbria House, 117
Botchergate, Carlisle, Cumbria, CA1 1RD

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the notice. The enclosed booklet "Making your Enforcement Appeal" sets out your rights.

Appeals can be made online at the following website:-

<http://www.planningportal.gov.uk/planning/appeals/>

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.