

Allerdale Borough Council

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015

Refusal to Grant Planning Permission

To: Ms Michaela Major
38 New Street
Wigton
Cumbria
CA7 9AL

Reference: 2/2017/0176

Proposal: Replace wooden windows in flat with UPVC. Replace the existing wooden fascia board with UPVC and renew broken guttering

Location: 35a High Street Wigton Cumbria

Applicant: Mrs Matthew Morgan

Drawing Numbers: Location Plan, Brochure 1, Brochure 2, Front elevation sketch

Date Valid: 19 April 2017

As authorised by the above legislation Allerdale Borough Council **refuse to grant planning permission** for this application. The reasons for the Council's decision to refuse permission are:

1. The proposed UPVC windows and fascia boards would have an adverse visual impact upon the special character of the designated area and its setting, without any demonstrated public benefits which would outweigh this harm. The proposal is therefore contrary to Chapters 7 and 12 of the National Planning Policy Framework and Policies S2, S4, S27, S32 and DM15 of the Allerdale Local Plan (Part 1) July 2014.

All correspondence to: Head of Development Services
Allerdale House
Workington
Cumbria CA14 3YJ

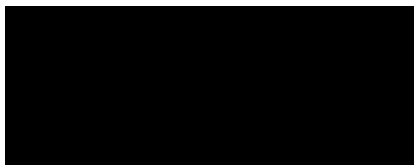
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Reasons contd

2. Insufficient information has been submitted with the application to determine the impact of the proposed replacement fascia boards upon the property and the special character of the designated area and its setting. It therefore cannot be demonstrated that this element of the proposal satisfies Chapters 7 and 12 of the National Planning Policy Framework and Policies S2, S4, S27, S32 and DM15 of the Allerdale Local Plan (Part 1) July 2014.



Head of Development Services

Dated: 24 May 2017

NB Your attention is drawn to the notes overleaf regarding appeals.

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Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying planning policies, constraints, stakeholder representations and matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve all those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out within its report, the outstanding matters needing to be remedied to address the harm identified within the reasons for refusal– which may potentially lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

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.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Environment 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 VI of the Town and Country Planning Act 1990.

Note to Applicant

- This planning permission is in response to your application submitted under the Town and Country Planning Act 1990.
- You are advised however that a separate consent under the Building Regulations might also be required. If that is the case the development should not be commenced unless such approval has first been obtained.
- If as a result of meeting Building Regulations requirements or for any other reason it is necessary to revise the plans that have been approved, you will need to seek to either amend your planning permission, or to submit a new application if the changes are significant. You should seek advice from the Planning Office as to what may be required.