

7/2023/4063

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF GRANT OF PLANNING PERMISSION



Lake District
National Park

To: Mr Michael Dawson
Day Cummins Ltd
4A, Lakeland Business Park
Lamplugh Road
Cockermouth
CA13 0QY

PART 1 - PARTICULARS OF APPLICATION

- | | | |
|---|--|---|
| 1 | Name and address of applicant | Mr Edward Chambers, Crag Farm House, Ennerdale, Cleator, CA23 3AS |
| 2 | Date of application | 31 July 2023 |
| 3 | Land to be developed | Crag Farm House, Ennerdale, Cleator, CA23 3AS |
| 4 | Development forming the subject of the application | Barn conversion to form annex accommodation |

PART 2 - PARTICULARS OF DECISION

IN PURSUANCE of their powers under the Town and Country Planning Act 1990, the Lake District National Park Authority as local planning authority **HEREBY GIVE NOTICE THAT PLANNING PERMISSION** for the development referred to in Part 1 hereof **HAS BEEN GRANTED**.

SAVE as hereunder specified the development shall be carried out and completed in entire accordance with the particulars specified in the application and plans submitted. The development shall be subject to the following conditions:

- 1 The development hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

REASON: Imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details:
 - Block Plan and Location Plan, Drawing Number 5857_005
 - Proposed Floor Plans and Elevations, Drawing Number 5857_004 Rev A
 - Design and Access Statement
 - Flood Risk Assessment
 - Bat Survey, dated 30 May 2023

REASON: For the avoidance of doubt.

- 3 The roof of the building hereby permitted shall be covered and maintained in local slates which have been mined or quarried in Cumbria, to match the existing roof. Such slates shall be riven not sawn, and shall be laid in diminishing courses from eaves to ridge.

REASON: To ensure a satisfactory standard of appearance of the development by the use of traditional materials in accordance with Policies 01 and 06 of the Lake District National Park Local Plan 2020-2035.

- 4 The stone faced external walls of the building, and retaining wall, hereby permitted shall be faced in natural stone of a type to match (in terms of size, method of laying, pointing and jointing details) the appearance, character, colour and texture of the existing building.

REASON: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development in accordance with the provisions of Policies 05 and 06 of the Lake District National Park Local Plan 2020-2035.

- 5 Prior to the first use of the development hereby permitted, at least 30 percent of the operational energy requirements of the development shall be secured from decentralised, district heating and/or renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of any physical works on site, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of increasing the proportion of energy generated through renewable and low carbon sources in accordance with Policy 20 of the Lake District National Park Local Plan 2020-2035.



Date: 6 October 2023

MURLEY MOSS, KENDAL

Director of Sustainable Development

Notes and Informatives

Town and Country Planning (Development Management Procedure) (England) Order 2015 Article 35(2) statement.

The Local Planning Authority did not identify problems arising in relation to dealing with the application.

INFORMATIVE

This accommodation has been approved as ancillary accommodation to the main house and must be used for this purpose only. The accommodation is part of a single planning unit together with the main house.

Using the accommodation separately from the main house would amount to a material change of use that requires planning permission. For example a separate use could include use as a holiday let or occupation as a self-contained house. If a material change of use takes place without planning permission the use will be unauthorised and at risk of formal action. If an enforcement notice needs to be issued it would be served on everyone with an interest in the land. This would include any mortgagee. In assessing whether to take further action we can consider whether intentional unauthorised development has taken place.

If you have questions about how you can use the approved accommodation please contact us.

NOTICE

IMPORTANT – This permission refers only to that required under the **Town and Country Planning Act 1990** and does not include any consent or approval under any other enactment or under the building regulations.

Appeals to the Secretary of State

If you are aggrieved by the decision of the Authority to refuse your application or to impose conditions on the permission with which you are dissatisfied, you may appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. All appeals are handled on behalf of the Secretary of State by the Planning Inspectorate.

If you want to appeal against this decision then you must do so within 12 weeks of the date of this notice (or such longer period as the Secretary of State may at any time allow), unless:

- The decision relates to the same or substantially same land and development as is already the subject of an enforcement notice in which case, if you want to appeal against the decision, you must do so within 28 days of the date of this notice
- An enforcement notice is served relating to the same or substantially same land and development as in your application in which case, if you want to appeal against the decision, you must do so within 28 days of the service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier

Although the Secretary of State can allow a longer period for giving notice of an appeal, he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made electronically. You can find more information online at www.gov.uk/planning-inspectorate or using a form which you can get from the Planning Inspectorate Customer Support Team (0303 444 50 00).

Please note only the applicant possesses the right of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Authority based its decision on a direction given by him.

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 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 can he 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 National Park Authority. This notice will require the Authority to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.