
REFUSAL OF PERMISSION IN PRINCIPLE

The Planning Acts 1990

The Town and Country Planning (Permission in Principle) (Amendment) Order 2017

Paul Boustead
El-Tipharah
Greysouthen
Cockermouth
CA13 0UF
Cumbria

APPLICATION NO: PIP/2025/0002

Applicant: Mark Kinghan
Proposal: Planning in Principle for max of two residential dwelling
Location: Land adjacent to 10 Fernleigh Close, Tallentire, Cockermouth,
CA13 0NS

As authorised by the above legislation Cumberland Council **refuse permission in principle** for this application. The reasons for the Council's decision to refuse permission are:

- 1 The site is within the open countryside, outside the defined settlement of Tallentire, and is considered poorly related to built form of Tallentire, with limited access to key services and facilities. The principle of development within this location is therefore unsustainable, contrary to Planning Policies S1, S2, S3, S5, S6 and S32 of the Allerdale Local Plan (Part 1), Planning Policy SA2 of the Allerdale Local Plan (Part 2) and the National Planning Policy Framework.



Iain Fairlamb
Service Manager for Development and Implementation
Dated: 22 October 2025

Note to applicant

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.

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 for the Environment 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 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.