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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

W. Milligan & Sons
King Street
Millom
LA18 4BW
FAO: Mr Jonathan Milligan

APPLICATION No: 4/22/2437/0F1

**PROPOSED NEW BUILD VEHICLE BODY REPAIR WORKSHOP FOR USE BY
EXISTING BUSINESS & CREATION OF A NEW VEHICLE ACCESS
FOUNDRY ROAD GARAGE, KING STREET, MILLOM**

W. Milligan & Sons

The above application dated 03/11/2022 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

Standard Conditions:

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-

- General Arrangement Drawing: Location Plan & Proposed Floor Plan and Elevations (Amended), Scale 1:20 & 1:1250, Dwg No: MIL.JM.01(C), received by the Local Planning Authority on the 9th December 2022.
- Site Layout Plan (Amended), Scale 1:200, Dwg No: MIL.JM.02(F), received by the Local Planning Authority on the 7th March 2023.
- Flood Risk Assessment, Prepared by R G Parkins November 2022, received by the Local Planning Authority on the 3rd November 2022.
- Flood Risk Sequential Test, Prepared November 2022, received by the Local Planning Authority on the 26th November 2022.
- Design & Access Statement, received by the Local Planning Authority on the 3rd November 2022.
- Exploratory Hole Location Plan, Prepared by GEO Environmental Engineering, received by the Local Planning Authority on the 16th December 2022.
- GEO2022-5585: Millom Road (Complete Logs) (Amended), Prepared by GEO Environmental Engineering, received by the Local Planning Authority on the 16th December 2022.
- Land Ownership, received by the Local Planning Authority on the 9th December 2022.
- Preliminary Ecological Appraisal, Prepared by South Lakes Ecology January 2023, received by the Local Planning Authority on the 7th January 2023.
- Proposed Drainage Strategy (Amended), Prepared by R G Parkins February 2023, Ref: K39647.OM/001, received by the Local Planning Authority on the 6th March 2023.
- Operation and Maintenance Plan for Sustainable Drainage Strategy, Prepared by R G Parkins February 2023, Ref: K39647.OM/002, received by the Local Planning Authority on the 6th March 2023.
- Proposed Foul & Surface Water Drainage Plan, Scale 1:100, Drawing No: 100, received by the Local Planning Authority on the 6th March 2023.
- Phase 2: Ground Investigation Report (Amended), Prepared by Geo Environmental Engineering July 2023, received by the Local Planning Authority on the 31st July 2023.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Pre Commencement Conditions:

3. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
 1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptor
 - potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

Prior to First Use/Occupation Condition:

4. The drainage for the development hereby approved must be carried out in accordance with the principles/details outlined within the approved documents:

- Proposed Drainage Strategy (Amended), Prepared by R G Parkins February 2023, Ref: K39647.OM/001, received by the Local Planning Authority on the 6th March 2023.
- Operation and Maintenance Plan for Sustainable Drainage Strategy, Prepared by R G Parkins February 2023, Ref: K39647.OM/002, received by the Local Planning Authority on the 6th March 2023.
- Proposed Foul & Surface Water Drainage Plan, Scale 1:100, Drawing No: 100, received by the Local Planning Authority on the 6th March 2023.

Prior to the first use/occupation of the development hereby approved, the drainage scheme must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

5. Prior to the first use of the building hereby approved and prior to the first connection into the public combined sewer network, a non-return valve must be installed on the proposed surface water connection and retained at all times thereafter.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

6. The development hereby approved must not be occupied/used until the parking requirements have been constructed in accordance with the approved plan 'Site Layout Plan (Amended), Scale 1:200, Dwg No: MIL.JM.02(F), received by the Local Planning Authority on the 7th March 2023'. The approved parking provision must be retained at all times thereafter and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

In the interests of highway safety.

7. Prior to the first use of the development hereby approved the biodiversity enhancement measures set out in the approved document 'Preliminary Ecological Appraisal, Prepared by South Lakes Ecology January 2023,

received by the Local Planning Authority on the 7th January 2023' must be installed. The enhancement measure must be retained at all times thereafter.

Reason

To protect the ecological interests evident on the site.

Other Conditions:

8. The use of the building hereby approved must only be permitted to the public/customers between:

- 08:00am – 17:00pm Monday to Saturday;

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.

9. The development must be carried out in accordance with and implement all of the details and measures set out within the approved document 'Flood Risk Assessment, Prepared by R G Parkins November 2022, received by the Local Planning Authority on the 3rd November 2022'. Once installed these measures shall be retained at all times thereafter.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

10. The development hereby approved must implement all of the mitigation and compensation measures set out in the approved documents 'Preliminary Ecological Appraisal, Prepared by South Lakes Ecology January 2023, received by the Local Planning Authority on the 7th January 2023'.

Reason

To protect the ecological interests evident on the site, in accordance with policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF.

11. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within approved document

'Phase 2: Ground Investigation Report (Amended), Prepared by Geo Environmental Engineering July 2023, received by the Local Planning Authority on the 31st July 2023', and must be maintained as such at all times thereafter.

Reason

To ensure the protection of controlled waters from potential land contamination.

12. The development hereby approved must be constructed in accordance with the materials specified within the following approved plans:

- General Arrangement Drawing: Location Plan & Proposed Floor Plan and Elevations (Amended), Scale 1:20 & 1:1250, Dwg No: MIL.JM.01(C), received by the Local Planning Authority on the 9th December 2022.

The development must be carried out and maintained in accordance with this approved detail at all times thereafter.

Reason

In the interest of visual amenity.

13. Any access gates installed within the site must be of a style which do not open onto the highway and must be retained as such at all times thereafter.

Reason

In the interest of highway safety.

Informative:

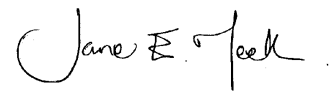
A PROW (public footpath/bridleway/byway) number 415035 lies adjacent to the site, the applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including

planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice

A handwritten signature in black ink, appearing to read 'Jane E. Meek'.

Jane Meek
Assistant Director
Thriving Place and Investment

09th April 2024

**APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

**TOWN AND COUNTRY PLANNING (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/appeal-planning-decision> . 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 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 V1 of the Town and Country Planning Act 1990.