



Cumberland Council
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

PFK Rural
10 The Courtyard
Edenhall
Penrith
CA11 8ST
FAO: Mr Simon Blacker

APPLICATION No: 4/24/2304/0F1

CHANGE OF USE OF CAR SHOWROOM TO A GYM
CAR SHOWROOM AND PREMISES, 6 MARKET STREET, MILLOM

W Milligan & Sons

The above application dated 09/09/2024 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. Permission must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with

them:

- Application Form, received by the Local Planning Authority on the 9th September 2024.
- Site Location Plan, Scale 1:500, received by the Local Planning Authority on the 9th September 2024.
- Existing Floor Plan and Site Location Plan, Scale 1:50 & 1:1250, Drg No: MSM.P.001, received by the Local Planning Authority on the 9th September 2024.
- Proposed Floor Plan, Scale 1:50, Drg No: MSM.P.002, received by the Local Planning Authority on the 9th September 2024.
- Planning Statement, Prepared by PFK Rural – Planning and Development Consultancy, received by the Local Planning Authority on the 9th September 2024.
- Biodiversity Net Gain Information, Prepared by PFK Rural – Planning and Development Consultancy, received by the Local Planning Authority on the 9th September 2024.
- Noise Impact Report, Prepared by Spratt+Hamer December 2024, received by the Local Planning Authority on the 20th January 2025.
- Lighting Report, Prepared by Tamlite Lighting October 2024, received by the Local Planning Authority on the 20th January 2025.
- Internal Lighting – Tamlite Lighting Data Sheet, received by the Local Planning Authority on the 20th January 2025.
- External Lighting - Tamlite Lighting Data Sheet, received by the Local Planning Authority on the 20th January 2025.

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.

Prior to First Use Conditions:

3. Prior to the first use of the building hereby approved, the applicant must provide details, including the specification and location, of the proposed cycle stands (or equivalent cycle parking provision) to be agreed in writing by the Local Planning Authority. The approved scheme must be installed prior to the first use of the building and must be retained for the lifetime of the development.

Reason

In the interest of highway safety in accordance with Policies CO4 and CO7 of the Copeland Local Plan 2021 – 2039.

4. The development hereby approved must implement all of the mitigation and compensation measures set out in the approved document:

- Noise Impact Report, Prepared by Spratt+Hamer December 2024, received by the Local Planning Authority on the 20th January 2025.

These measures must be implemented prior to the first use of the development and must be retained for the lifetime of the development.

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality in accordance with Policy DS4 of the Copeland Local Plan 2021 – 2039.

Other Conditions:

5. The internal and external lighting for the development hereby approved must be installed in accordance with the following approved documents:

- Lighting Report, Prepared by Tam-lite Lighting October 2024, received by the Local Planning Authority on the 20th January 2025.
- Internal Lighting – Tam-lite Lighting Data Sheet, received by the Local Planning Authority on the 20th January 2025.
- External Lighting - Tam-lite Lighting Data Sheet, received by the Local Planning Authority on the 20th January 2025.

The development must be retained in accordance with these approved details for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with Policy DS4 of the Copeland Local Plan.

6. Following approval of the development, construction activities that are audible at the site boundary must be carried out only between the following hours:

- Monday to Friday 08.00 – 18.00 and

- Saturday 08.00 – 13.00

There should be no construction activities on the site at any time on Sunday or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of neighbouring occupiers during the construction of the development in accordance with Policy DS4 of the Copeland Local Plan 2021 – 2039.

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

- 4am – 11pm Monday to Sundays (including bank holidays)

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality in accordance with Policy DS4 of the Copeland Local Plan 2021 – 2039.

Informative:

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

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 'N. J. Hayhurst' with a stylized flourish at the end.

Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

14th February 2025

**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.