



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

NOTICE OF GRANT OF PLANNING PERMISSION

Fox Architectural Design Ltd
Church View Office
Church Lane
Bootle
Millom
LA19 5TE
FAO: Karl Fox

APPLICATION No: 4/25/2038/0F1

**CONVERSION AND CHANGE OF USE OF PART OF THE EXISTING
RESTAURANT TO PROVIDE 1 X 1 BEDROOM & 1 X 2 BEDROOM FLATS WITH
INTERNAL AND EXTERNAL ALTERATIONS
RISTORANTE DA VINCI, MARKET SQUARE, MILLOM**

Biagio Dicorato

The above application dated 03/02/2025 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 3rd February 2025.
- Location/Block Plan, Scale 1:500 & 1:1250, Drawing Reference: 24-31-P-L, Revision: -, received by the Local Planning Authority on the 3rd February 2025.
- Existing Basement & Ground Floor Plans, Scale 1:100, Drawing Reference: 24-31-P-02, Revision: -, received by the Local Planning Authority on the 3rd February 2025.
- Proposed Basement & Ground Floor Plans 01 (Amended), Scale 1:100, Drawing Reference: 24-31-P-05, Revision: A, received by the Local Planning Authority on the 16th May 2025.
- Existing Elevations 01, Scale 1:100, Drawing Reference: 24-31-P-03, Revision: -, received by the Local Planning Authority on the 3rd February 2025.
- Existing Elevations 02, Scale 1:100, Drawing Reference: 24-31-P-04, Revision: -, received by the Local Planning Authority on the 3rd February 2025.
- Proposed Elevations 01 (Amended), Scale 1:100, Drawing Reference: 24-31-P-06, Revision: -, received by the Local Planning Authority on the 16th May 2025.
- Proposed Elevations 02, Scale 1:100, Drawing Reference: 24-31-P-07, Revision: A, received by the Local Planning Authority on the 16th May 2025.
- Flood Map for Planning, received by the Local Planning Authority on the 3rd February 2025.
- Design Access & Heritage Statement, Prepared by Fox-AD, Revision: A, received by the Local Planning Authority on the 16th May 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 Installation Condition:

3. Prior to their first installation within the development hereby approved, details of the proposed windows and doors must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

Reason

To safeguard the traditional appearance of the Heritage Asset in accordance with Policy BE1 and BE2 of the Copeland Local Plan.

Other Condition:

4. The commercial use of the building hereby approved must only be permitted to the public/customers between:
 - Monday – Friday 5.30pm - 8.30pm
 - Saturday 5.30pm – 9:00pm
 - Sunday 5.30pm - 8.30pm

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:

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

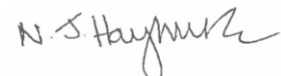
Applicable exemptions: Development subject to the de minimis exemption.

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

10th July 2025



Nick Hayhurst
Head of Planning and Place
Thriving Places

**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.