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Bootle  
LA19 5TE

Please Contact: Christie M Burns  
Officer Tel No: 01946 598422  
My Ref: PAA/24/0034  
Date: 23 September 2024

Dear Mr Fox,

## **REQUEST FOR PRE-APPLICATION ADVICE**

**REFERENCE NUMBER: PAA/24/0034**

**RE: PROPOSED RESIDENTIAL AND COMMERCIAL DEVELOPMENT**

**AT: RISTORANTE DA VINCI, MARKET SQUARE, MILLOM**

Thank you for your pre-application request form which was received on the 16<sup>th</sup> August 2024.

### **Is Planning Permission required?**

From a review of the information submitted as part of your pre application request, I would advise that planning permission will be required for a proposal of this nature.

### **Planning Policy**

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria. Cumberland Council inherited the Local Development Plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland. The inherited Local Development Plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

I would advise that the following policies of the Copeland Local Plan 2013 – 2028 relevant to this proposal are as follows:

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy

- Policy SS1 – Improving the Housing Offer
- Policy SS2 – Sustainable Housing Growth
- Policy SS3 – Housing Needs, Mix and Affordability
- Policy ER4 – Land and Premises for Economic Development
- Policy ER6 – Location of Employment
- Policy ER7 – Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions
- Policy ER9 – The Key Service Centres, Local Centres and other small centres
- Policy ER11 – Developing Enterprise and Skills
- Policy T1 – Improving Accessibility and Transport
- Policy ENV1 – Flood Risk and Risk Management
- Policy ENV3 – Biodiversity and Geodiversity
- Policy ENV4 – Heritage Assets
- Policy ENV5 – Protecting and Enhancing the Borough's Landscapes
- Policy DM3 – Safeguarding Employment Areas
- Policy DM10 – Achieving Quality of Place
- Policy DM11 – Sustainable Development Standards
- Policy DM12 – Standards of New Residential Developments
- Policy DM22 – Accessible Developments
- Policy DM24 – Development Proposal and Flood Risk
- Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species
- Policy DM26 – Landscaping
- Policy DM27 – Built Heritage and Archaeology

You can access the Copeland Local Plan 2013 – 2028 using the link below. This contains details of the relevant policies listed above.

### [COPELAND LOCAL DEVELOPMENT FRAMEWORK](#)

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six-week public consultation seeking views on the proposed modifications to the ELP

commenced on Wednesday 14th February 2024 and closed on the 28<sup>th</sup> March 2024. The Planning Inspectors Report is awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. As the consultation on the main modifications to the ELP is now complete significant weight can also be afforded to the policies of the ELP where modifications are proposed.

I would advise that the following policies of the Emerging Local Plan relevant to this proposal are as follows:

- Strategic Policy DS1PU: Presumption in favour of Sustainable Development
- Strategic Policy DS2PU: Reducing the impacts of development on Climate Change
- Strategic Policy DS3PU: Settlement Hierarchy
- Strategic Policy DS4PU: Settlement Boundaries
- Strategic Policy DS5PU: Planning Obligations
- Policy DS6PU: Design and Development Standards
- Policy DS7PU: Hard and Soft Landscaping
- Strategic Policy DS8PU: Reducing Flood Risk
- Policy DS9PU: Sustainable Drainage
- Policy DS11PU - Protecting Air Quality
- Strategic Policy H1PU: Improving the Housing Offer
- Strategic Policy H2PU: Housing Requirement
- Strategic Policy H3PU: Housing delivery
- Strategic Policy H4PU: Distribution of Housing
- Strategic Policy H5PU: Housing Allocations
- Policy H6PU: New Housing Development
- Policy H7PU: Housing Density and Mix Strategic
- Strategic Policy E1PU: Economic Growth
- Strategic Policy E2PU: Location of Employment
- Strategic Policy E5PU: Employment Sites and Allocations
- Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity
- Strategic Policy N2PU: Local Nature Recovery Networks
- Strategic Policy N3PU: Biodiversity Net Gain
- Strategic Policy N6PU: Landscape Protection
- Policy CO4PU - Sustainable Travel
- Policy CO5PU - Transport Hierarchy
- Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

You can access the Emerging Local Plan using the link below. This contains details of the relevant policies listed above.

[Copeland Local Plan 2021-2038](#)

### **Principle of Development**

As I am sure you will be aware, the application site lies within the designated settlement boundary for Millom, which is identified as one of the Borough's Key Service Centres in Policy ST2 of the Copeland Local Plan. This policy seeks to support infill and windfall housing, and to encourage opportunities for the start-up and growth of small and medium enterprises, with a focus on linkages to the nuclear sector and tourism and seeks to support mixed use development in principle.

Policy DS3PU of the Emerging Local Plan continues to identify Millom as a Key Service, where the focus will be on town centre and employment developments, and medium scale housing extensions, windfall and infill developments. Policy DS4PU of the Emerging Local Plan states that development within the identified settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

Policy ER9 of the Copeland Local Plan supports retail and service development which promotes the vitality and viability of the Key Service Centres.

The development of the site for a mixed use purpose is therefore acceptable in principle.

### **Key Issues/Constraints**

The site subject to this pre application request is located within the town centre for Millom and is located within a prominent position within Market Square. Given this location the Local Planning Authority would wish for the ground floor of the property to be retained for some commercial use with direct access from the square as per the existing arrangements, rather than it being located within the basement with access from Lancashire Road.

On this basis, I would consider that option 1 as submitted would be the preferred choice as this retains the restaurant use with a new access point proposed from the Square, whilst option 2 would lose the commercial element from this key location within Market Square.

Given that both option 1 and 2 for the site would increase the number of residential units, and option 2 would create an office facility, the need for car parking will be increased. Whilst the site is within the town centre, I would advise that you may want to discuss this with the Highway Authority prior to progressing the application.

As I am sure you will be aware the site is also located within the Millom Conservation Area. As part of the pre application requested I have therefore sought advice from the Council's Conservation Officer. His comments are including below:

I have reviewed the proposal and there's nothing in the proposed external alterations that alarms me. In fact, it may well improve the building's appearance slightly, e.g. the replacement of those two little windows with larger ones.

I do have a question about the proposed walk-on roof lights in the pavement. It's likely that the pavement here is absolutely filthy, what with being right next to a main road, and particularly the lane of that main road where traffic queues slightly uphill to the junction before pulling out onto St George's Road. I'd anticipate that any horizontal windows here would very quickly become covered in dirt and probably scuffed from grit and mud being walked across them.

### Validation Requirements

For an application of this nature to be validated you will need to submit the following:

- Application form – dependant on the type of application submitted;
- Fee – dependant on the application submitted;
- A site location plan;
- Block Plan;
- Scaled drawings;
- Design and access/planning statement;
- Heritage Statement
- Biodiversity Net Gain Statement

The link below provides a copy of the Council's Local Validation List:

[Local Validation List | Copeland Borough Council](#)

Response prepared by:	Date:
C. Burns Development Management – Senior Planning Officer	20.09.2024
Response checked by:	Date:
N.J. Hayhurst Head of Planning & Place	23.09.2024

Please note that the advice in this letter is given in good faith on the basis of the information available at the present time. The advice may be subject to revision following further

examination or consultation, or where additional information comes to light, and is therefore not binding on any future recommendation which may be made to the Council or any formal decision by the Council.