

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2389/0N1
2.	Proposed Development:	APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR PROPOSED TRACK FOR SAFE USE OF AGRICULTURAL MACHINERY REQUIRED TO MANAGE THE SITE
3.	Location:	STRUTHER WOOD, GILGARRAN
4.	Parish:	Distington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - Data Subject to Change, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	None required.
7.	Report:	<p>Site and Location:</p> <p>This application site relates to Struther Wood.</p> <p>The site is accessed along a private track off the unclassified road from Gilgarran to C2054 Branthwaite, located to the north of Gilgarran.</p> <p>Proposal:</p> <p>This application comprises an application to determine if prior approval is required for the proposed formation, alteration and maintenance of private ways for forestry use under the provisions of Schedule 2, Part 6, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p> <p>The proposed comprises the formation of an access track within Struther Wood. The proposed road will be 4 metres in width and 2025 metres in length. It will be erected out of grey crushed stone.</p> <p>Relevant Legislation</p>

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2015).

Assessment:

The application relates to a forestry development; therefore, the provisions of Schedule 2, Part 6, Class E of the GPDO 2015 are applicable.

The provision of Schedule 2, Part 6, Class E of the GPDO 2015 are considered in turn below:

In respect of the provisions of E. –

The works are relate to land used for the purposes of forestry and therefore the development is reasonably necessary for the purposes consisting of the formation of a private way. The tracks are designed specifically for the safe use of machinery required to manage the woodland.

In respect of the provisions of E.1 -

- (a) The development does not consist of, or include, the provision of a dwelling;
- (b) The development is not within 3 kilometres of an aerodrome;
- (c) The development is not within 25 metres of the metalled part of a trunk road or classified road;
- (d) The development does not relate to a building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system that would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land which is occupied together with that building for the purposes of forestry.

In respect of the relevant provisions of E.2 -

- (1) An application to determine if prior approval is required (current application) has been submitted and the development has not commenced.
- (2) Not applicable.
- (3) Not applicable.

The proposed forestry track will be appropriately located within Struther Wood and the proposed materials will be appropriate for the use and it will blend in with the surrounding forest. This will therefore minimise the impact of the development on the surrounding area.

The siting of the development is acceptable.

The proposed track is appropriate for the forestry development.

Conclusion

	<p>The requirements of the provisions of Schedule 2, Part 6, Class E of the GPDO 2015 are achieved.</p> <p>The siting of the development is acceptable.</p> <p>The proposed structure is appropriate for the forestry development.</p> <p>Prior approval is not required.</p>	
8.	<p>Recommendation: Approve Notice of Intention</p>	
Case Officer: C. Unsworth		Date : 08/09/2021
Authorising Officer: N.J. Hayhurst		Date : 08/09/2021
Dedicated responses to:- N/A		