

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

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| 1. | <b>Reference No:</b>   | 4/24/2013/0N1   |
| 2. | <b>Proposed Development:</b>   | PRIOR NOTIFICATION APPLICATION FOR RECONCRETING OF YARD   |
| 3. | <b>Location:</b>   | MIDDLE MARSHSIDE, THE HILL  |
| 4. | <b>Parish:</b>   | Millom Without  |
| 5. | <b>Constraints:</b>  | ASC;Adverts - ASC;Adverts,<br>Flood Area - Flood Zone 2, Flood Area - Flood Zone 3,<br>Coal - Off Coalfield - Data Subject To Change,<br>Key Species - Potential areas for Natterjack Toads |
| 6. | <b>Publicity Representations &amp;Policy</b>   | None required.  |
| 7. | <b>Report:</b><br><b>Site and Location:</b><br>This application site relates to Middle Marshside, The Hill.<br><br><b>Proposal:</b><br>This application comprises an application to determine if prior approval is required for the proposed excavations or deposits of waste material for agricultural use under the provisions of Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).<br><br>The proposed comprises the re-concreting of the existing farmyard.<br><br>The total area of the proposed surface will be 129.35 square metres and it will be constructed out of concrete. |   |

**Relevant Legislation**

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

**Assessment:**

The agricultural units extends to 102 hectares; therefore, the provisions of Schedule 2, Part 6, Class A of the GPDO 2015 are applicable.

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

In respect of the provisions of A. –

The proposed comprises the re-concreting of the existing farm yard.

The work comprises an engineering operation.

It is stated that the works are required to reduce contaminated surface water runoff and therefore the works are considered to be reasonably necessary for the purpose of agriculture within the agricultural unit.

In respect of the provisions of A.1 -

- (a) The development is not to be carried out on the separate parcel of land which is less than 1 hectare in area;
- (b) The development does not relate to the erection of extension of an agricultural building;
- (c) The development does not consist of, or include, the erection, extension or alteration of a dwelling;
- (d) The works relate to the re-surfacing of existing farmyard to reduce contaminated surface water runoff. The concrete will also have a minimum 150mm thickness to withstand modern tractors and implement weights and therefore the works are designed for agricultural purposes and to reduce pollution;
- (e) The development does not comprises that referenced in (i) or (ii);
- (f) The development is not within 3 kilometres of the perimeter of an aerodrome;
- (g) The development is will not exceed 12 metres in height;
- (h) The development is not within 25 metres of the metalled part of a trunk road or classified road.
- (i) The development does not relate to the accommodation of livestock or the storage of slurry or sewage sludge.
- (j) The development does not involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming.



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(k) The development does not relate to a building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system.

In respect of the relevant provisions of A.2 -

(1) (a) Not applicable.

(b) Not proposed.

(c) Any waste brought on to the land will be used in the provision of a hard surface and the works identified in this application.

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

(3) Not applicable.

(4) Not applicable.

(5) Not applicable.

(6) Not applicable.

(7) Not required until the development is substantially completed.

The proposed surfacing will be appropriately located adjacent to the existing farm buildings and it will be constructed out of a suitable material. The proposed concrete surface is an appropriate form of agricultural development to reduce contaminated surface water runoff.

### Conclusion

The requirements of the provisions of Schedule 2, Part 6, Class A of the GPDO 2015 are achieved.

Prior approval is not required.

8. **Recommendation:**  
Approve Notice of Intention

**Case Officer: C. Wootton**

**Date : 05/02/2024**

**Authorising Officer: N.J. Hayhurst**

**Date : 05/02/2024**

**Dedicated responses to:- N/A**