

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2154/0F1
2.	Proposed Development:	PRIOR NOTIFICATION FOR THE EXTENSION OF EXISTING FOREST ROAD
3.	Location:	BLACK HOW FOREST, BRISCOE ROAD, BLACK HOW, CLEATOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location: This application site relates to a large parcel of land to the east of Black How Farm, near Cleator. The site comprises of 162.5 hectares of forestry. The forest is accessed from an existing forest gate close to Black How Farm. Proposal: This application seeks to determine if prior approval is required for an extension of the	

existing forest track under the provisions of Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposed track will run to the east of the existing site and extend the existing forestry track. It is stated that the works are required to provide an extension to the existing forest track to allow for the extraction of timber

The proposed track will be 4m in width and 250m long. It will be surfaced in grey crushed stone from the local quarry.

The overall size of the unit is 162.5 hectares.

Relevant Legislation

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

Assessment:

The agricultural unit extends to 162.5 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 addition of an access road.

It is stated that the works are required to provide an extension to the existing forest track to allow for the extraction of timber. The proposal is considered to be reasonably necessary for the purposes of agriculture within the 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 an 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 addition of an access road for feeding and therefore the works are designed for agricultural purposes;
- (e) The development does not comprise that referenced in (i) or (ii);
- (f) The development is not within 3 kilometres of the perimeter of an aerodrome;



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- (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.
- (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) Not proposed.
- (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 forestry track will be located close to the existing buildings within the farm unit and will extend the existing and utilized track. The track will be suitable in scale to meet the needs of the agricultural unit whilst staying within the parameters of the Permitted Development Rights. It will be constructed from suitable materials, typical of this type of forestry track.

The forestry track is acceptable and is considered to be an appropriate form of agricultural development.

Conclusion

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

The siting of the development is acceptable. Based on the details setting out the proposed use, the existing use of the site and actual size of the site, the proposed access road is

	<p>considered to be an appropriate form of agricultural development.</p> <p>Prior approval is therefore not required.</p>	
8.	<p>Recommendation:</p> <p>Prior Approval Not Required</p>	
9	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development must be carried out entirely in accordance with the details submitted. 2. The development must be carried out within a period of five years from the date in which the application was received. 3. You are required to notify the Local Planning Authority, in writing and within seven days, of the date on which the development is substantially completed. 4. If within a period of ten years from the substantial completion of the development, the building permanently ceases to be used for agricultural purposes (and planning permission for an alternative use has not been granted within three years) the building must be removed unless the Authority has otherwise agreed in writing and the land must be, so far as is practicable, restored to its former condition. <p>Reasons:</p> <p>To ensure compliance with Schedule 2, Part 6 Class A of the Town and County Planning (General Permitted Development) (England) Order 2015 (as amended).</p>	
Case Officer: Sarah Papaleo		Date : 28/05/2025
Authorising Officer: N.J. Hayhurst		Date : 30/05/2025
Dedicated responses to:- N/A		