

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2290/0N1
2.	Proposed Development:	PRIOR NOTIFICATION APPLICATION FOR AN AGRICULTURAL BUILDING
3.	Location:	MERRY HILL BARN, ROTHERSYKE, EGREMONT
4.	Parish:	Lowside Quarter
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	N/A
7.	Report: Site and Location: <p>This application site relates to an area of agricultural land at Merry Hill Barn, Rothertsyke, Egremont, CA22 2US. The total area of the agricultural unit is greater than 5 hectares.</p> Proposal: <p>The application seeks a determination as to whether the 'prior approval' of the Local Planning Authority is required for the Erection Of An Agricultural Building at Merry Hill Barn, Rothertsyke, Egremont, CA22 2US. This prior approval application is made pursuant to Schedule 2, Part 6, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended), hereafter referred to as the GPDO.</p> <p>The proposed building will have ridge height of 5.801m, eaves height of 3.657m, length of 14m and breadth of 14m. The proposed building's roof and walls are to be green coloured tin sheets.</p>	

The overall size of the agricultural unit has been confirmed by the applicant as greater than 5 hectares, with the parcel of land that the building will be sited on to be more than one hectare.

Relevant legislation:

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

Assessment:

The agricultural units extends to more than 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 erection of an agricultural building.

It is stated that the works are required to provide storage for agricultural bales and machinery. 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 relate to the erection of an extension of an agricultural building, yet the applicant has confirmed that the land where the building is proposed has been in use for agriculture for the purposes of a trade or business for 99 years;
- (c) The development does not consist of, or include, the erection, extension or alteration of a dwelling;
- (d) The works relate to the erection of an agricultural building to provide storage for equipment and hay and straw, therefore the works are designed for agricultural purposes;
- (e) The development would have ground area of 196 square meters, therefore does not exceed limitations stated within this provision;
- (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;



Cumberland Council

- (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;
- (l) The development is not situated on land located with

In respect of the relevant provisions of A.2 –

- (1) (a) The building is not proposed to be used for the storage of slurry or sewage, nor for housing a biomass boiler or anaerobic digestion system, nor for housing a hydro-turbine.
- (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 agricultural building will be located appropriately, will be relatively modest in scale and height to meet the needs of the agricultural unit, and it will be constructed out of suitable materials.

The siting of the structure 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. The proposed structure is considered to be an appropriate form of agricultural development.

Prior approval is therefore not required.

8.	Recommendation: Approve Notice of Intention	
9.	Conditions: Standard Conditions	
Case Officer: E. Turner		Date : 16/09/2025
Authorising Officer: N.J. Hayhurst		Date : 16/09/2025
Dedicated responses to:- N/A		