

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2337/0N1
2.	Proposed Development:	PRIOR APPROVAL APPLICATION FOR AN AGRICULTURAL STEEL PORTAL BUILDING WITH CONCRETE PANELS ON A CONCRETE BASE (RE SUBMISSION OF 4/25/2275/0N1)
3.	Location:	LAND TO THE EAST OF FRIZINGTON ROAD, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location This application relates to a parcel of land located to the East of Frizington Road, Frizington. Relevant Planning History None relevant. Proposal This application seeks to determine if prior approval is required for the proposed erection of a steel portal framed agricultural building 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 building will measure 18m x 12m and will have an eaves height of 4.8m and a total height of 5m. The building will be finished with concrete panel walls and clad in green box profile sheeting.	

Consultation Responses

Arlecdon & Frizington Parish Council - No comments received

3 letters of objection have also been received in response to the application which raises the following issues:

- Moved a caravan and Portaloo onto the site and has been living there with his family on and off ever since. There is a generator going day and night which we can hear from our home.
- Caravan overlooking our living room window, yes there is a hedge there, but it is not thick enough to give privacy as a result I have been closing my curtains early because I don't feel comfortable leaving them open this never used to be the case.
- Uprooted bushes and trees in order to put down a large base which his caravan sits on as a result of this when it rains there is a river of water running off his land onto the main road this will become a hazard when it starts to freeze.
- Access to the land is directly next to the access to residents garages I feel there is a risk of accidents occurring with access being so close also there have been times when access to garages was blocked with vehicles parked across both entries.
- The proposed barn itself is basically the size of a small bungalow and is going to be visible from my bedroom window. All previous owners of land grazed there sheep and brought any machinery needed from their residence/ farm. Also any hay/ silage was transported in as and when needed.
- We are concerned about proposal as it's for agriculture but his past activities lead us to believe it has more to do with his work as a farrier. I have video footage from August when a number of vehicles with horse boxes turned up and proceeded to unload horses and carts they then spent the day and into the evening a number of residents commented on it being like a gypsy camp.
- Land is being used for recreational horses, not farming.
- The building proposed is not for farming but to keep a few bales of hay in horse feed, horse boxes, horse carriages 'and general storage as there is a residential presence on site by means of a caravan (again no consent), a number of horse boxes stored, and a large area has been put to hard standing again without consent and water now runs onto the highway.
- Trying to get a cheap storage building on the back of farming which is not happening it is fully for horses.
- Land has never been an agricultural/farm site for over 25 years on Frizington Road. It has been derelict land prior to hosting large residential Caravan accommodation, toilet etc.
- Object if this overshadows or overlooks the houses north of 80 Frizington Road.
- Object if animals are housed on site.
- Request spacing between tip road to Mowbray and 80 Frizington Road.

Response to objections received

Prior Approval applications determine whether a proposal is Permitted Development and does not require Planning Permission under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2015).

Comments received relating to the use of a caravan and potential future use of the site are not considered as part of this application and are being looked at separately.

A statement was submitted as part of the application which provides justification for the proposed development.

Relevant Planning Legislation

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

Assessment

The agricultural units extend to 16 acres which equates to approx. 6.4 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 proposal comprises the erection of an agricultural building.

It is stated that the works are required to create covered storage of a tractor and bales, animal feed, fencing and agricultural tools. The proposal is considered 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 would not consist of the erection or extension of any agricultural building on an established agricultural unit where development under Class Q or S of Part 3 of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;
- c) The development does not consist of, or include, the erection, extension or alteration of a dwelling;
- d) The development does not involve the provision of a building, structure or works not

designed for agriculture.

e) The development does not cover an area of more than 1000 square meters for works accommodating livestock or 1500 square meters for any other erected building or extension;

f) The development is not within 3 kilometres of an aerodrome;

g) The height of the development would not exceed 12m;

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;

l) The building would not be within the curtilage of a Scheduled Monument.

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 agricultural building will be located appropriately within the unit which is used predominantly for sheep grazing. It will be appropriate in scale and height which mimic that of a typical agricultural building to meet the needs of the agricultural unit, and it will be constructed out of suitable materials.

The building will be used specifically for the storage of hay and the secure housing of farm machinery and tools required for the day-to-day operation of the holding.

	The siting of the development is therefore considered acceptable. Based on the details submitted by the applicant regarding the proposed use, the proposed structure is 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 proposed structure is appropriate form of agricultural development. Prior approval is therefore not required.	
8.	Recommendation: Approve Notice of Intention	
Case Officer: Demi Crawford		Date : 30/10/2025
Authorising Officer: N.J. Hayhurst		Date : 31/10/2025
Dedicated responses to:-		