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## Appeal Decision

Site visit made on 4 February 2025

by **H Senior BA (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 July 2025

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**Appeal Ref: APP/T2350/W/24/3355863**

**Wetters Bridge Plantation, Twitter Lane, Waddington BB7 3LG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
  - The appeal is made by Mrs Hannah Jose against the decision of Ribble Valley Borough Council.
  - The application Ref is 3/2024/0556.
  - The development proposed is the erection of two storage containers on legs, painted dark green and clad in natural timber.
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### Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 6 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of two storage containers on legs, painted dark green and clad in natural timber at Wetters Bridge Plantation, Twitter Lane, Waddington BB7 3LG in accordance with the application 3/2024/0556 and the details submitted with it and the conditions as set out in paragraph E.2.

### Application for costs

2. An application for an award of costs was made by Mrs Hannah Jose against Ribble Valley Borough Council. This application is the subject of a separate decision.

### Preliminary Matters and Main Issue

3. Under Article 3(1) and Schedule 2, Part 6, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), planning permission is granted for the carrying out on land used for the purposes of forestry, including afforestation, of development reasonably necessary for those purposes consisting of works for the erection, extension or alteration of a building subject to limitations and conditions.
4. The provisions of Schedule 2, Part 6, Class E of the GPDO do not require regard to be had to the development plan. However, I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far as they are material considerations to the relevant prior approval matters.
5. I saw that there were two containers present on site but noted that they are different to those proposed in that they do not have the doors or windows as shown on the drawings. In addition, I could not be certain that they were the same size or

in the same position as those proposed. I have determined the appeal on the basis of what is proposed rather than what I saw on site.

6. The boundary of the Forest of Bowland National Landscape follows Twitter Lane and the site does not fall within the designation. The council has clarified within the appeal documents that the reason for refusal onerously referred to the site as within the National Landscape. I have determined the appeal on this basis.
7. Given the above, the main issue is whether the proposal would be development permitted under Schedule 2, Part 6 Class E of the GPDO and if so, whether the siting, design and external appearance would be acceptable.

## **Reasons**

8. The development would be located within the Wetters Bridge Plantation, close to the access track from Twitter Lane which is a shared access to the water treatment works beyond.
9. The appellant states that the woodland comprises approximately 1.55 hectares. There are no size thresholds set out in the GPDO for an area to be classified as forest, neither is there a definition of a forest. Whilst there is disagreement over the size of the forestry area, from the evidence before me I consider that there is sufficient area of woodland which is subject to the Woodland Management Plan dated 3 December 2023, to demonstrate the need for the provision of the proposed storage containers. This is because they would be used for the secure storage of essential tools, machinery, fuel and timber as well as providing shelter for the workers involved in the forestry activity.
10. Although the additional bulk and massing of the containers would be noticeable in the woodland, the mitigation including painting them green and the addition of timber cladding would allow them to assimilate into the landscape, particularly when the trees are in leaf. There would therefore also be no harm to the setting of the Forest of Bowland National Landscape.
11. The appeal is accompanied by a Flood Risk Assessment dated 4 April 2023 and is within an area of medium-high floodrisk. The proposed use is not considered to be a vulnerable use and the location of the site, within the forestry area where work would be undertaken would meet the requirements of the sequential test set out in the Framework, as it would not be appropriate to site the building elsewhere.
12. I have had regard to the appeals and High Court Judgments that I have been referred to. However, I note that there are clear material differences between the proposal and the individual circumstances surrounding these. In particular, from the information before me, APP/X0360/C/19/3234843 related to a different sized area of land. In addition, the use of the land for forestry operations is a matter of judgement and from the evidence before me, I consider that forestry operations would occur on the site. In addition, I have determined the appeal on the site specific circumstances of the appeal.
13. The proposed buildings would meet the requirement of being reasonably necessary for forestry purposes and would constitute permitted development within the terms of Schedule 2, Part 6, Class E of the GPDO.

### **Other Matters**

14. I note the Council's concern regarding the proposed use of the buildings. However, I can only have regard to the description of development on the application form and the evidence before me.

### **Conclusion**

15. For the reasons given above the appeal should be allowed and prior approval should be granted.

*H Senior*

INSPECTOR