



Appeal Decision

Site visit made on 21 August 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 September 2025

Appeal Ref: APP/E3335/W/25/3366670

Land off Deadmans Lane, Buckland St Mary, TA20 3QZ

- 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 Mr Paul Martin against the decision of Somerset Council.
 - The application Ref is 25/00267/AGN.
 - The development proposed is a forestry storage shed.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs was made by Mr Paul Martin against Somerset Council. This application will be the subject of a separate decision.

Main Issue

3. The main issue is whether the proposal would be permitted development under Schedule 2, Part 6, Class E of the General Permitted Development Order (the GDPO).

Reasons

4. The relevant part of the GDPO enables the construction of a building associated with the use of land for forestry purposes, including afforestation. Therefore, in order for prior approval to be granted, it must first be concluded that the proposed building would be used in connection to a forestry use.
5. In this instance, the site is a relatively small area of land which slopes upwards away from the gated entrance. There are mature trees and scrub on the boundaries of the site and also on its upper slopes. However, the majority of the land does not contain any trees, and it effectively has the appearance of open grazing land. Furthermore, during my site visit, I could not see any evidence of forestry having taken place beyond the presence of a small wood store.
6. The Landscape Analysis note (prepared by Paul Brunsdon, December 2024) sets out that recent work has included the removal of brambles and fallen trees. It also states that sheep grazing would be the ideal tool for the management of the site and that it is very important that existing 'open mire' areas are maintained as open spaces. To this end, a planting plan has been provided as part of this appeal which identifies that much of the site would be left as open glades. The note does conclude that a building is required to assist with the management and restoration

of the land which would be utilised for amenity, conservation and the yield of firewood.

7. There is no clear definition of what forestry or afforestation mean in planning terms, including the identification of minimum site areas. As such, the interpretation must be the subject of legitimate planning judgement. The appellant has suggested that a plain English interpretation of the word 'forestry' should be utilised. However, it seems clear to me that such a small area of land, the majority of which is open grazing land, simply cannot be considered to be a forest. It therefore follows that any works connected to the management of the site cannot be forestry.
8. The appellant has provided a further note by Paul Brunsdon, dated May 2025. The note sets out the appellant's intention to plant new trees, and that within five years, 80 – 85% of the site could be woodland cover. However, while this might be the case, this intention does not seem to be a determinative factor in this appeal. Indeed, were this considered to be a legitimate reason to allow a building on the site, it would be quite possible for any applicant to do the same, purely on the basis of a future aspiration to plant additional trees. Moreover, this future intention does not overcome my concerns in relation to the size of the site, its existing appearance, and the lack of forestry activity at present. I note that my conclusions align with the decision made in a separate appeal some time ago¹. Indeed, I can see no reason to disagree with the Inspector in that case.
9. Therefore, while I do not doubt the appellant's intentions to manage the land, or that a storage building would be helpful to assist with doing so, I simply cannot conclude that the building would be used in connection with a forestry use. As a result, it is clear that the proposal would not be permitted development under Schedule 2, Part 6, Class E of the GDPO.

Other Matters

10. I note that the appellant has set out that the building is required, in part for security reasons due to the theft of tools in recent times. However, this does not change my conclusions in relation to the lack of a forestry use.
11. The proposal is within the Blackdown Hills National Landscape. However, there is no reason for me to conclude that a building of the size proposed would appear incongruous or out of place in this location. As such, the proposal would preserve the scenic beauty of the National Landscape and would not conflict with its objectives.

Conclusion

12. For the reasons given, the appeal is dismissed.

C Butcher

INSPECTOR

¹ Appeal Ref: APP/D3505/W/15/3131915