



Appeal Decision

Site visit made on 6 January 2026

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 FEBRUARY 2026

Appeal Ref: APP/R3650/W/25/3375655

Land Opposite Red Stream Cottage, Birtley Road, Birtley Green, Guildford

- 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 Ian James Herrington against the decision of Waverley Borough Council.
 - The application reference PRA 2025 01768, dated 11 September 2025, was refused by notice dated 6 October 2025.
 - The development proposed is the erection of an agricultural/forestry storage building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the site address on the decision notice in the banner heading above as it more accurately describes the land shown on the site location plan.
3. The proposed development was screened to establish whether it would be likely to have significant environmental effects under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It was found unlikely to have such effects and so not to require environmental impact assessment.

Background and Main Issue

4. The Council do not consider the proposal to be permitted by the relevant class because it would not comply with its description or limitations.
5. The main issues are therefore whether:
 - the land is used for the purposes of forestry;
 - part of the development would be within 25 metres of the metalled portion of a classified road; and
 - the building would be used for storing fuel not produced on the land.

Reasons

6. The site comprises a wooded area with a clearing containing timber and logs, a shed, two larger structures in a variety of materials, a dilapidated tree house, tarpaulins, construction tools, materials and waste. At the time of my visit, two cars and a van were parked and there was no evidence of recent felling or planting.

7. The application form states that the building would be a large shed to store, dry and process timber and recycled wood for winter fuel and wood burning pellets. It also states that it would be 20m in length, 12m in breadth, 3.5m to eaves and 3.8m to its ridge, with a steel frame, blockwork walls and steel sheet roof.
8. No evidence was submitted with the application to demonstrate that the land is used for the purposes of forestry, but a site plan indicated that the building would be located about 50m from the A281 Birtley Road, a classified road. No drawings of the design and external appearance of the building were submitted.
9. I acknowledge that the land may have been used for forestry in the past, that forestry can involve intermittent activity and that it is intended to expand forestry activity in future. However, based on my site visit, I conclude that the land is used for storage with ancillary fabrication, recycling and recreational activity.
10. The site plan clearly indicates that the building would be located more than 25m from Birtley Road and the site is, in any event, large enough for it to be sited in several locations where it would be more than 25m from Birtley Road. Therefore, the proposal would comply with this particular limitation.
11. Even if I were to accept that the land is used for the purposes of forestry, the application form states that the building would store recycled wood. Whilst I accept that co-operation with neighbouring landowners may be common in forestry, the limitation relates to the land identified and excludes fuel not produced on it.

Other Matters

12. I note that the appellant initially intended to seek pre-application advice and felt the application was decided without opportunity for clarification or amendment.
13. Applications of the sort now the subject of this appeal must be determined by the Council within 28 days, which offers limited time for discussion.
14. It is now open to the appellant to seek pre-application advice, to re-apply for prior approval with any amendments, or to apply for planning permission.

Conclusion

15. I conclude that the proposal is not permitted development because the land is not used for the purposes of forestry and the building would be used to store fuel not produced on land occupied together with that building for the purposes of forestry.
16. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR