



Delegated Report

Prior Approval Application

Planning Application No: 20260442

Location: Shoulder Of Mutton Shaw Warren Road Cobham Kent

Description: Application to determine if prior approval is required for a proposed erection of a building for forestry use (timber handling/cutting with welfare facilities and secure dry store for large equipment).

Applicant: Mr Graham Pidduck

Site Visit Date: 6th July 2026

Submitted Documents/Plans

Application form

Location Plan

Image – Proposed Forestry Building

Drawing no. 0002 (Site Plan)

Drawing no. 0100R2 (A1 Plans (Proposed Floor Plans and Elevations))

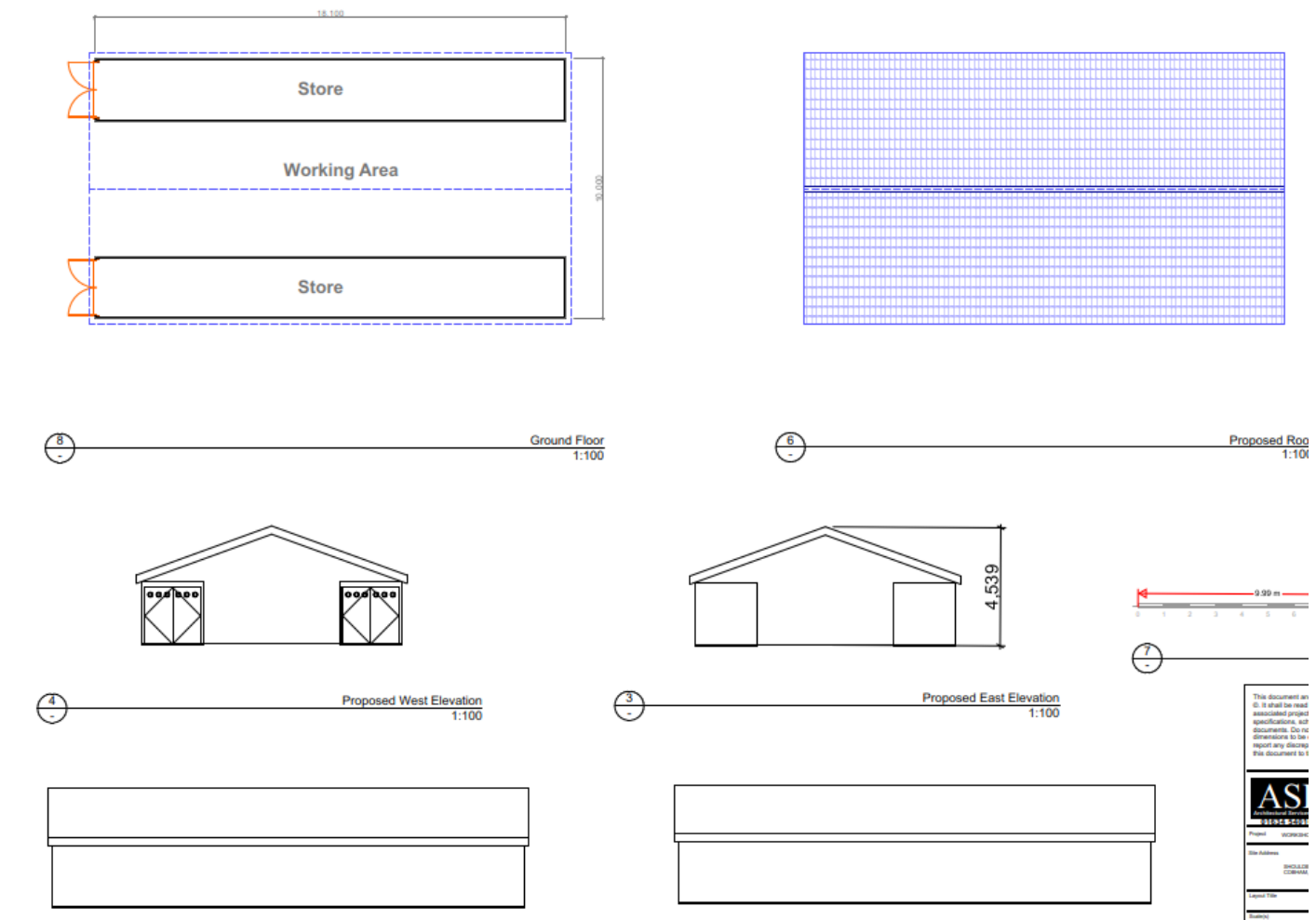
Relevant Planning History

Reference	Description	Decision	Decision Date
20250817	Application to determine if prior approval is required for the proposed erection of a forestry building for timber handling/cutting with store and toilets for forestry use under Class E, Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).	Refused Appeal dismissed	20.08.2025 19.01.2026
20110366	Application for approval of condition 4 attached to planning permission reference number 20090698 relating to the materials and colour of the container.	Approval of details	15.07.2011
20090698	Siting of a second storage container in connection with the maintenance of the woodland and formation of a hardstanding.	Permitted	02.03.2010
20041077	Application for renewal of temporary planning permission for the continued siting of a single replacement steel storage container in connection with the maintenance of the woodland, on a permanent basis.	Permitted	18.02.2005
20010577	Retention of the steel storage container in connection with the maintenance of the woodland.	Refused	01.10.2001
20010860	Retention of the steel storage container in connection with the maintenance of the woodland.	Permitted	27.12.2001

Officer's Analysis

This application seeks determination pursuant to Article 3, Schedule 2, Part 6, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) in respect of the proposed erection of a single storey forestry building, incorporating a store and working area.

Proposed Plans:



The dimensions of the proposed building are 18.1m long, 2.7m to eaves, 10m wide and 4.5m to ridge. The structure would consist of a steel frame, clad in fire resistant sheeting. The structure would be green in colour with a living roof proposed 'if possible'.

The information supporting the application is sparse in nature, and primarily responds to a previous appeal decision (3373041). The supporting information states that a dry, secure area is required for large timber harvesting and cutting (without weather protection, timber rapidly deteriorates). A large working area is proposed to accommodate the movement of long timber lengths and to allow large handling equipment to manoeuvre. The applicant's intention is to ensure large equipment is kept in a secure and weather-proof environment, whilst also providing welfare facilities for those working on site. The two existing containers on the site will be repositioned and incorporated into the proposed building.

The site is approximately 1.8 hectares.

Permitted Development

Class E of Part 6 of Schedule 2 of The Town and Country (General Permitted Development) (England) Order 2015 (as amended) (GPDO) relates to forestry developments, and specifically:

E. The carrying out on land used for the purposes of forestry, including afforestation, of development reasonably necessary for those purposes consisting of—

- (a) works for the erection, extension or alteration of a building;***
- (b) the formation, alteration or maintenance of private ways;***
- (c) operations on that land, or on land held or occupied with that land, to obtain the materials required for the formation, alteration or maintenance of such ways;***
- (d) other operations (not including engineering or mining operations)***

In this case, the development would fall to be considered under (a).

Under the previous application, it was tested at appeal whether the site was used for the purposes of forestry, and whether the building was reasonably necessary for those purposes.

On the basis of the site activity evidence put forward for the appeal, the Inspector was satisfied that the land was used for forestry. However, the Inspector was not satisfied that the size and scale of the building previously proposed was reasonably required for forestry purposes. In particular, the Inspector took issue with the height of the previous proposal, and whether it was genuinely needed for the intended use, rather than being merely preferable. The Inspector stated at paragraph 8 of the appeal decision ref.

APP/K2230/W/25/3373041:

“Although uncut felled timber might justify the length of the building, insufficient evidence has been provided to demonstrate why a building of this height is necessary for forestry purposes. This is especially relevant given the machinery and storage containers on site are of limited height and could be accommodated within a significantly lower structure.”

Under the current proposal, the height of the building is less than half the height of the previous proposal, with a 4.5m height ridge compared to 10m, and an eaves height of 2.7m. This reduction is considered to be an improvement but there doubt remains about whether the proposed building is reasonably necessary for forestry purposes.

Forestry is not defined in the GPDO. However, there is no doubt that activities such as woodland management, timber production and primary processing of timber products as an ancillary activity amount to forestry.

There is no requirement in the GPDO for a particular management process to justify whether the building would be reasonably required; there is no definition of a minimum size of holding to which Class E rights apply; there is no requirement for a detailed management plan; and applications can be prospective of future needs. Nevertheless, it would be illogical to totally exclude considerations of scale in establishing whether a specific proposed building would be reasonably necessary for forestry on a specific holding. It all depends on a judgment of the circumstances of the case.

Whilst the Inspector's position about the use of the land for forestry is understood, having undertaken a site visit there appears to be no current evidence on the site of full-time active woodland management being carried out to justify the necessity for the proposed building, despite the Inspector having previously accepted confirmation from the appellant that such full-time work takes place (paragraph 7 of appeal ref. APP/K2230/W/25/3373041). Furthermore, on checking with the Forestry Commission, no felling licence has been sought or approved on the site, either recently or in the past. There are areas adjacent the site that do have licences but no details of linked associates or contracts relating to timber extraction have been provided.

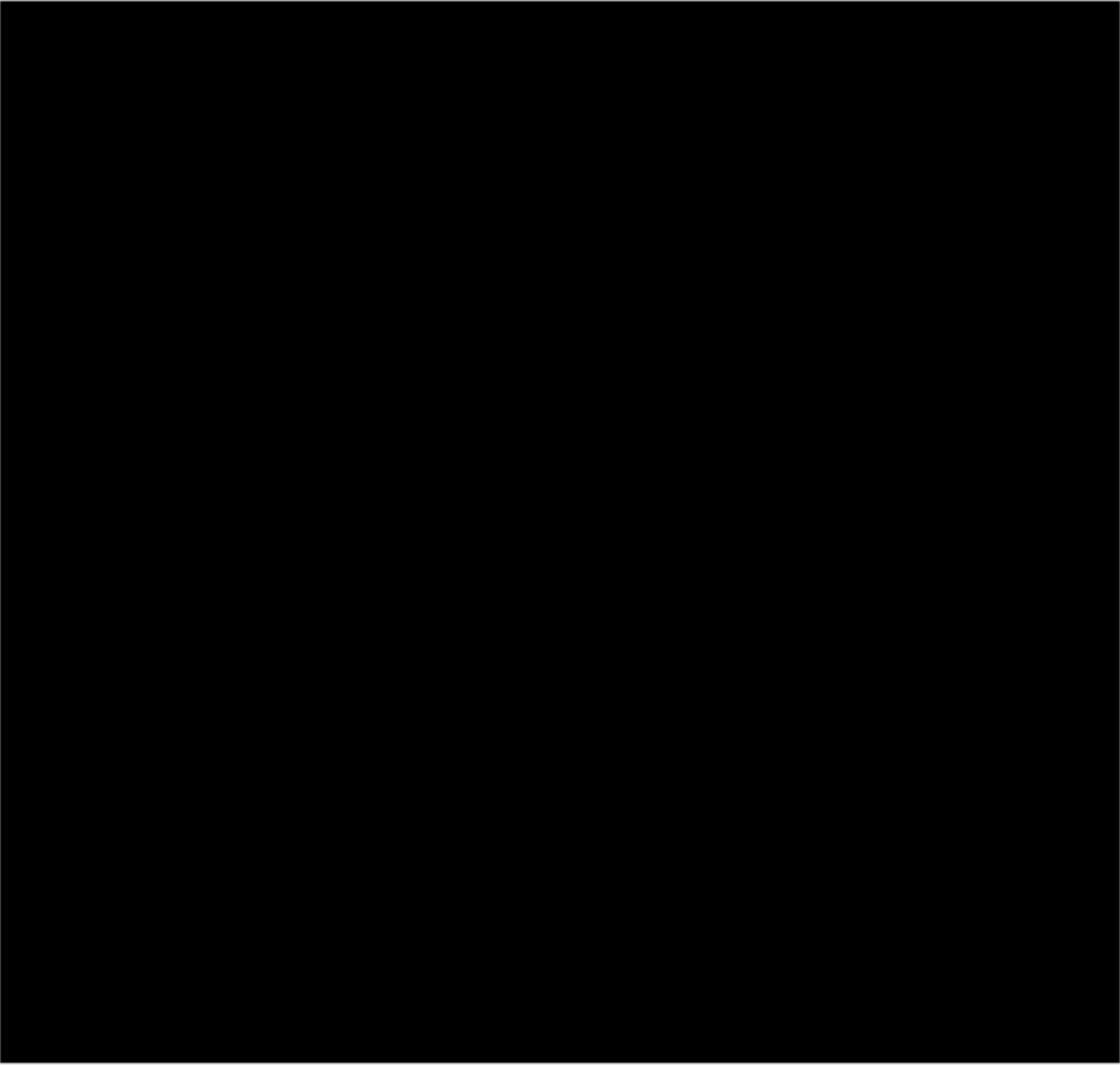
At the site visit, the following was found:

- There was a quantity of insulation materials on site.
- There were materials relating to the installation of fencing around the site.
- A hot tub was identified, which is intended to be sunk into the ground and converted into a pond.
- There was a shipping container containing a significant quantity of treated builders' timber rather than forestry-related products.
- There was little forestry equipment, except for a container largely filled with miscellaneous items and what appeared to be a single budget chainsaw stored in a bucket.
- A number of windblown trees that had already fallen were the extent of the felled trees on the site; there were no examples of managed forestry operations.
- The applicant advised that he brings in tree surgeons to undertake climbing and specialist works.

The applicant has stated the building is needed to safely process and manoeuvre timber and machinery, securely house tools and equipment and provide the welfare facilities necessary for the management of the woodland.

There is a lack of detail about the processing of the timber however, and what tools, equipment and storage are specifically required for forestry purposes. The equipment that is on site also does not appear to fit with what would usually be expected for a full-time forestry operation. The tree surgeons that are employed to carry out specialist works would ordinarily attend and leave the site with their own equipment and machinery, which would reduce the need for permanent storage facilities associated with specialist tree work. The activity described by the applicant, namely the occasional cutting up and processing of windblown trees, would not reasonably amount to a full-time forestry operation in itself.

From the site visit, as there is little evidence of an established forestry enterprise operating from the land, there is no justification for the need for the proposed building. The site appeared more akin to a general storage/building site rather than an active forestry operation.



There is activity on the site, but there is doubt around whether this activity is purely related to forestry purposes. It should be clear from the activity taking place on the site that there is a reasonable necessity for a building to be used for forestry purposes. Such evidence is lacking, and therefore doubt remains about whether the proposed building is reasonably required for the activity taking place on the site.

The test under Class E is one of reasonable necessity rather than essentiality. On the basis that the proposed building is not considered reasonably necessary for the purposes of forestry, the proposed building is not permitted by Class E of Part 6 of Schedule 2 to the GPDO. Furthermore, the condition set out in Class E in E.2(1)(a) relating to the determination as to whether prior approval will be required for the siting, design and external appearance of the building, is not necessary to be considered.

For the avoidance of doubt, the local planning authority does not dispute that some forestry-related activities are undertaken on site; however, based on the information before it, it is not considered that the scale of the building is justified by the scale of the forestry operation. In addition to this, it is also apparent that the land is being utilised for other purposes, and therefore, the building would not solely be used for the

purposes of forestry.

Conclusion

On the basis that there is insufficient evidence that the proposed building is reasonably necessary for forestry purposes, the proposed building is not permitted by Class E of Part 6 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Prior approval is therefore refused.

Recommendation

Prior approval refused.

(For detailed reasons for refusal and informatives, see draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hart
Signed:	<i>K. Parkin</i>	Signed:	<i>R Hart</i>
Dated:	8 July 2026	Dated:	8th July 2026