



Planning Statement

Wetters Bridge Plantation, Twitter Lane, Waddington

June 2024.

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1. Introduction

1.1 Purpose of the Statement

The purpose of this statement is to support an application under Class E, Part 6, Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015.

The local planning authority is asked to determine whether the prior approval of the authority is required as to the siting, design and external appearance of two proposed containers to be used for forestry and afforestation purposes.

1.2 Authorship

This report has been prepared by Hannah Barter BA (Hons) T&CP, Dip (T&CP), MAUD, MRTPI.

2. Site Context

2.1. Site and Surroundings

The application relates to a privately owned woodland plantation situated on the South-western outskirts of Waddington. It is being managed by the applicant through the management, cultivation and growing of trees.

The site is bound by Twitter Lane on its North-western side and Bashall Brook on its North-eastern and South-eastern sides. It is situated in the open countryside with the surrounding area comprising a mixture of woodland and agricultural land.

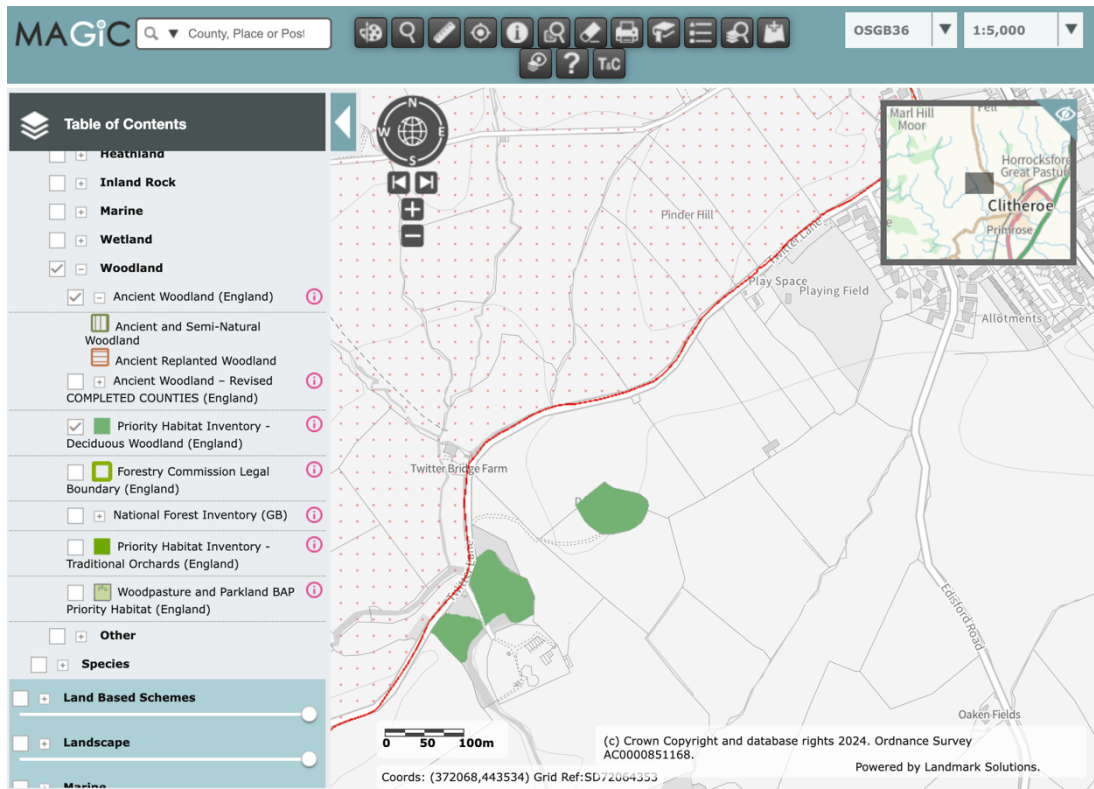
Access to the application site is via a single width track off the eastern side of Twitter Lane, which also serves as the access road into a sewage treatment works located to the South-east of the application site.

The Environment Agency's Flood Maps show that the site lies within the Flood Zone 3, with the EA's flood risk map indicating that the risk of flooding to the site is 'medium'.

There are no Tree Preservation Orders on the site.

The application site lies outside the Forest of Bowland AONB but is within a Regionally Important Geological Site (known as a Local Geodiversity Heritage Site). Figure 1 on the following page is an extract from the DEFRA Magic Map. This shows the extent of the AONB (pulka dotted area within the redline) and the extent of the Priority Habitat Deciduous Woodland within the wider land ownership.

Figure 1: Extract from the DEFRA Magic Map



(DEFRA Magic Map, accessed June 2024)

3. The Application

3.1 Application Details

The proposed development is an application under Class E, Part 6, Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015. The local planning authority is being asked to determine whether the prior approval of the authority is required as to the siting, design and external appearance of two small proposed secure containers to be used for forestry and afforestation purposes, as part of the woodland management of the designated Priority Habitat Deciduous Woodland.

The steel storage containers will be painted dark green and clad in natural timber as indicated in the following supporting images and plan. The intended location, size, design and external appearance of the containers are shown on the submitted plans shown on the following pages.

Figure 2: Example of proposed cladding

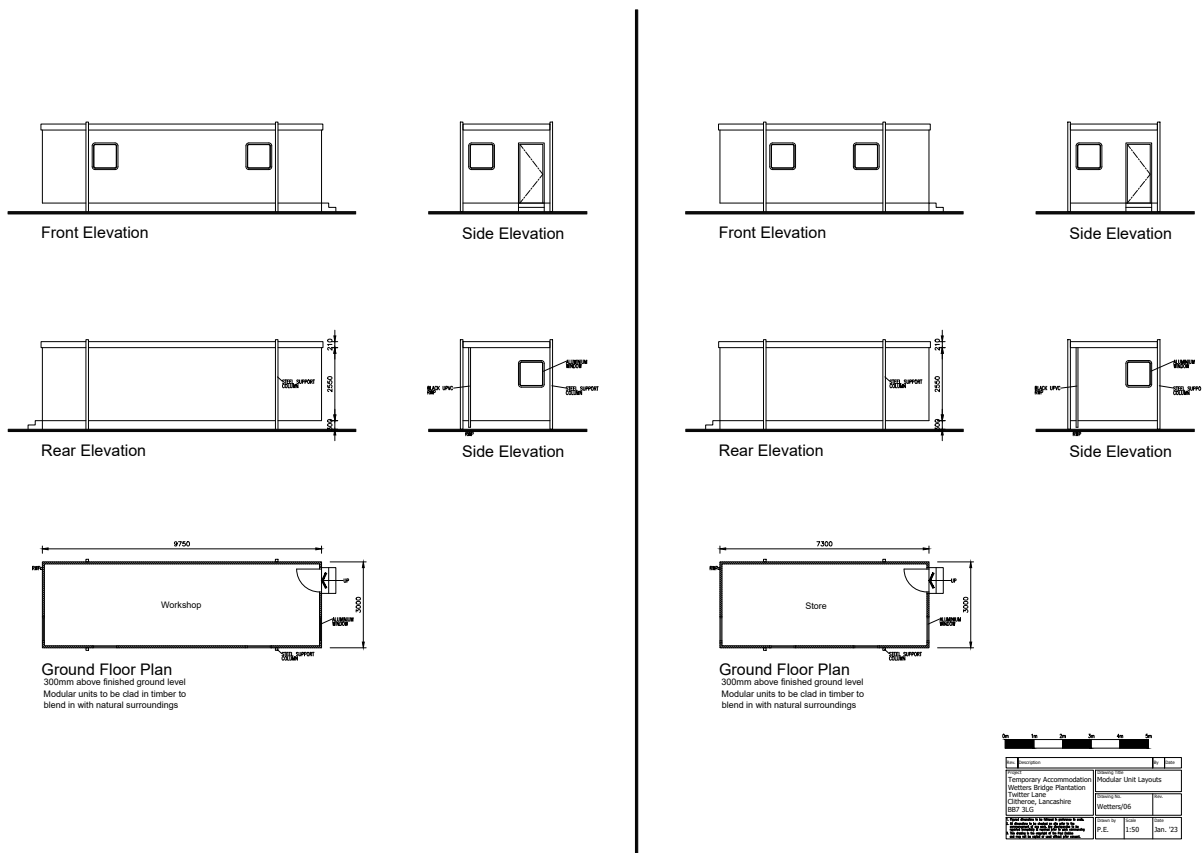


(Containers Direct, <https://www.shippingcontainersuk.com/brands/container-conversions.php>)

Figure 3: Example of green painted container to be clad in natural timber



Figure 4: Proposed Elevations (Note: the containers will be painted dark green and clad in natural timber)



(Plans provided by applicant, prepared by Paul Erskine)

4. Permitted Development

4.1 Class E, Part 6 Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015

Class E, Part 6, Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015 permits 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).*

Development is not permitted by Class E if—

- a) *it would consist of or include the provision or alteration of a dwelling;*
- b) *the height of any building or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres in height;*
- c) *any part of the development would be within 25 metres of the metalled portion of a trunk road or classified road; or*
- d) *any building for storing fuel for, or waste from, a biomass boiler or an anaerobic digestion system would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land which is occupied together with that building for the purposes of forestry.*

Development consisting of the erection of a building is permitted by Class E subject to the following conditions—

- a) *the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building;*

- b) the application must be accompanied by a written description of the proposed development, the materials to be used and a plan indicating the site together with any fee required to be paid;*
- c) the development must not begin before the occurrence of one of the following—*
 - (i) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;*
 - (ii) where the local planning authority give the applicant notice within 28 days following the date of receiving the applicant's application of their determination that such prior approval is required, the giving of such approval;*
 - (iii) the expiry of 28 days following the date on which the application under sub-paragraph (1)(b) was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;*
- d) where the local planning authority give the applicant notice that such prior approval is required, the applicant must—*
 - (i) display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant;*
 - (ii) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in paragraph (d)(i) has elapsed, the applicant is treated as having complied with the requirements of that sub-paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;*
- e) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—*
 - i) where prior approval is required, in accordance with the details approved;*
 - ii) where prior approval is not required, in accordance with the details submitted with the application; and*
- f) the development must be carried out—*

- i) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given,
- (ii) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (b).

Under Class E there is no size requirement in respect to land used for forestry purposes for development reasonably necessary for those purposes consisting of works for the erection of a building. The woodland in the wider land ownership is predominantly Priority Habitat Deciduous Woodland. This application is appropriate to the use of land, reflect of the scale of operation.

4.2 Conditions of Permitted Development

The following table demonstrates how the proposed development meets the conditions set out above.

Figure 6: Table of Compliance

Class E, Part 6, Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015	Proposed Development
<p><i>The carrying out on land used for the purposes of forestry, including afforestation, of development reasonably necessary for those purposes consisting of—</i></p>	<p>The Town and Country Planning (General Permitted Development)(England) Order 2015 does not define ‘forestry’.</p> <p>However, the Institute of Chartered Foresters provide a definition that ‘forestry’ shall include all aspects of the science, economics, conservation, amenity and art of establishing, cultivating, protecting, managing, harvesting and marketing of forests, woodlands, trees, timber and wood (https://www.charteredforesters.org/wp-content/uploads/2021/04/ICF-Bylaws-Regulations-Proposed-Changes.pdf).</p>

<p>a) <i>works for the erection, extension or alteration of a building.</i></p>	<p>This is a reasonable definition, and it is clear that the application site is being used for forestry purposes (see Planning Appeal Reference APP/J0405/X/21/3282321).</p> <p>Wetters Bridge Plantation a predominantly Priority Habitat Deciduous Woodland is being managed by the applicant. In order to do this successfully a Woodland Management Plan and Arboricultural Impact Assessment have been undertaken and are submitted with this application.</p> <p>The long-term vision is to retain, replace and improve the health and diversity of the Priority Habitat Deciduous Woodland while keeping and maintaining a wide biodiversity of habitat. It includes an appropriate thinning plan for the Ash trees identified with Ash dieback and then replanting with native bio-secure hardy Species as identified in the supporting technical Arboricultural documents. It will maintain and enhance the amenity and biodiversity value of the woodland and enhance species and age class diversity within it to increase robustness against disease attacks, which are a current threat to the designated Priority Habitat Deciduous Woodland. The government had a general policy against felling woodland without restocking/planting.</p> <p>For the avoidance of doubt, any tree felling would be of selected trees as part of the habitat management as outlined by the Woodland Management Plan and the removal of diseased trees as indicated in the Arboricultural report. Due to the size of the operation this would be undertaken at a maximum of 5m³ timber/ calendar quarter. Therefore, no felling licence is required as the felled wood is not for re-sale.</p> <p>The proposal is to site two containers on the land for the purposes of forestry and afforestation. The buildings are of an appropriate size for their intended use, and they are necessary and essential for the stated purposes and to enable the full implementation of the Woodland Management Plan.</p> <p><u>Proposed Use of Building 1</u></p> <ul style="list-style-type: none"> • The secure storage of fuel and oils necessary for the operation of machinery. Forestry machinery and tools to enable the full implementation of the
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	<p>Woodland Management Plan (tools include chainsaws, ropes, winches, harnesses, chippers, log splitters, heavy duty log lifter, equipment for timber extraction etc).</p> <ul style="list-style-type: none"> • The storage and drying of timber. <p><u>Proposed Use of Building 2</u></p> <ul style="list-style-type: none"> • This unit is for the Welfare provisions in line with the Workplace (Health, Safety and Welfare) Regulations 1992. <p>In a woodland/forest setting the Woodland Manager must ensure there is adequate welfare facilities for those working on site including contractors.</p> <p>The Approved Codes of Practice (ACoP) makes clear this should include at least a toilet, running water for washing and drinking water. There should also be adequate, suitable and secure space to store workers own clothes and for storage and drying of specialist clothing (in this instance safety helmets, visors, ear defenders, boots, trousers, gloves and jackets etc..). Changing facilities should also be provided for workers who change into special work clothing such as that detailed necessary for woodland management. Seating is also to be provided.</p> <p>Any welfare facilities need to be fit for purpose, well maintained and safe for people and the environment.</p> <ul style="list-style-type: none"> • A secure workshop for the maintenance of machinery and tools (such as sharpening chainsaws etc) is also included.
<p><i>Development is not permitted by Class E if—</i></p> <p><i>a) it would consist of or include the provision or alteration of a dwelling;</i></p>	<p>The development does not consist of or include the provision or alteration of a dwelling.</p>

<p><i>b) the height of any building or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres in height;</i></p> <p><i>c) any part of the development would be within 25 metres of the metalled portion of a trunk road or classified road; or</i></p> <p><i>d) any building for storing fuel for, or waste from, a biomass boiler or an anaerobic digestion system would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land which is occupied together with that building for the purposes of forestry.</i></p>	<p>The buildings will not be within 3 kilometres of the perimeter of an aerodrome.</p> <p>No part of the containers will be within 25 metres of the metalled portion of a trunk road or classified road. See figure 5 which clearly demonstrates that the minimum distance from the road is 27m.</p> <p>The buildings will not be used for storing fuel for, or waste from, a biomass boiler or an anaerobic digestion system.</p>
<p><i>Development consisting of the erection of a building is permitted by Class E subject to the following conditions—</i></p> <p><i>a) the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building;</i></p> <p><i>b) the application must be accompanied by a written description of the proposed development, the materials</i></p>	<p>This application seeks to determine whether the prior approval of the local planning authority is required as to the siting, design and external appearance of two proposed steel containers to be used for forestry and afforestation purposes.</p> <p>The application is accompanied by a written description of the proposed development, the materials to be used and a plan indicating the site together with the £190.00 application fee.</p>

<p><i>to be used and a plan indicating the site together with any fee required to be paid.</i></p>	
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5. The Development

5.1 Siting

The proposed site for the two containers has been chosen so that it is in an area devoid of trees to minimise disruption to the woodland habitat but surrounded by trees to hide them from public view. The containers will be positioned close to each other to reduce their impact on the landscape, they are not proposed in the area designated Priority Habitat Deciduous Woodland.

The development will not detract from or result in any harm to the setting of any heritage asset.

It is located nearly 200 metres to the South of the nearest residential property. Given the size of the buildings, and the separation distance in place between the application site and nearest residential receptor, the proposed use of the site would not harm the amenity of any neighbouring residents.

The Environment Agency's Flood Maps show that the site lies within the Flood Zone 3, with the EA's flood risk map indicating that the risk of flooding to the site is 'medium'.

Whilst flood risk is not sited as a specific consideration for development under Class E, Part 6, Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015 (unlike, for example, development under Class MA, Part 3, Schedule 2 of the Order) the application is accompanied by a Flood Risk Assessment (FRA). The FRA was submitted for planning application 3/2023/0069 that proposed the change of use of the land for the temporary siting of one two-bed residential caravan, and the erection of two modular units comprising a workshop and store. As the current proposal is for forestry buildings in the same flood zone and broadly the same location, with a 'less vulnerable' Flood Risk Vulnerability Classification, the FRA is transferable (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-3-flood-risk-vulnerability-classification>).

Noting the specific nature of the development for forestry and afforestation, and since the containers have to be sited in the woodland where these operations are to take place, there are no reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Whilst parts of the woodland are sited in Flood Zones 1 and 2 it is not possible to place the buildings in these locations without damaging the woodland and ecology of the site, and as it would not be possible to reach them with vehicles (for transporting wood and tools etc) from the existing access road. The sequential test is satisfied.

Paragraph 4.15 of the Ribble Valley Borough Council Strategic Flood Risk Assessment - Level One (April 2017) states that:

“Following discussion with the EA [Environment Agency], it is proposed that all rural/undeveloped sites within Flood Zone 3 should, at this stage, be identified as “potential” Flood Zone 3B. Such sites should be subject to further investigation if, following the application of the Sequential Test, there are no alternative sites at a lower flood risk available for development. Sites that are subsequently defined as Flood Zone 3B as a result of further modelling and analysis for a Level 2 SFRA will be restricted to appropriate land uses”.

It is understood that a level 2 SFRA has not been undertaken, however since the EA raised no objection to the more vulnerable forms of development proposed by planning application 3/2023/0069 (subject to the development being carried out in strict accordance with the mitigations measures detailed in the FRA), it can be assumed that the application site falls within Flood Zone 3A. Accordingly an Exception Test is not needed (<https://www.gov.uk/guidance/flood-risk-and-coastal-change#flood-zone-and-flood-risk-tables>).

The mitigation measures outlined in the FRA where they are applicable to this development will be implemented. For example, the floor level of the proposed containers will be set no lower than 600mm from the general ground level. Furthermore, voids will be provided beneath the floor to allow the free movement of flood water.

As the containers will be sited on steel legs they will have a negligible impact on the ground, the Local Geodiversity Heritage Site, biodiversity or potential archaeology. The sustainable management of the woodland, and the implementation of the Woodland Management Plan, will also result in long-term and significant ecological benefits.

5.2 Design and Appearance

The design and appearance of the two buildings will be of robust construction (a necessity for forestry operations) with a utilitarian and functional design and external appearance. They will be painted dark green and clad in natural timber to help them assimilate into the wooded landscape. They will be surrounded by trees set within the area of previous felling to hide them from public view, and they will not result in visual harm to the surrounding area.

6. Conclusion

6.1 Consideration of the Scheme

This statement together with the supporting reports, evidence and plans shows that the proposed buildings are reasonably necessary for the purposes of agriculture, and the development complies with Class E, Part 6, Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015. The siting, design and external appearance of the development will be acceptable, and as such it is considered that the prior approval of the local planning is not required.

7. Contact



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