

Caroline Burn

From: David Billingham <beardybill@icloud.com>
Sent: 26 March 2026 08:23
To: Caroline Burn
Subject: Re: DMPN/2026/0294 Leys Wood, Coton-in-the-Elms, DE12 8BH
Attachments: Structures and developments for Prior Approval at Leys Wood 3.pdf

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[Report](#)

Good morning Caroline,
We agree to alter the description to 'Prior approval for the erection of a wood store, ~~shepherd's hut~~ and track linking woodland to existing track'.
I have attached the amended notes.
Regards,
David

On 25 Mar 2026, at 10:05, Caroline Burn <Caroline.Burn@southderbyshire.gov.uk> wrote:

Hi David,

I have just left you a voice message.

The application was discussed with Jenny who you spoke with as she is my team leader. It was Jenny plus our Department Manager who suggested that the fee be transferred to a full planning application.

I think that part of the issue here is that we actually have no details for the shepherd's hut – we were picturing a log cabin/shed, but perhaps that is not what is proposed? The definition of a caravan relates to more than scale. The structure would have to meet the tests of: construction; mobility; and size. Physical attachment to the land and permanence are key. If you are arguing that the shepherd's hut is not 'development' (and if the LPA agrees) then neither a prior notification or planning application would be required.

There is another option for the current notification – the shepherd's hut could be removed from the notification leaving the access changes and log store only for consideration. I would need before 4pm tomorrow (Thursday 26th March) please:

1. Agreement to alter the description to 'Prior approval for the erection of a wood store, ~~shepherd's hut~~ and track linking woodland to existing track'; and
2. We would publish the email reply on file agreeing to remove the shepherd's hut from the application and the amended description for clarity.

You could then submit a pre-application enquiry to obtain further advice from the LPA on the shepherd's hut. Looking at our fee schedule I think the fee for this would be £75 (excl VAT).

Please let me know as soon as you are able to, sooner than 4pm tomorrow if possible.

Kind regards,

Caroline

Caroline Burn

Planning Officer

Place and Prosperity

Please note I am currently working part time in Development Management (Monday to Wednesday), with the remainder of the week in Planning Policy.

Working days: Monday to Friday (1500 finish on Wednesdays)

Mobile: 07976 081 889

General Planning Number: 01283 228 706

Any advice is given at officer level only and does not prejudice any final decision the Council makes in the future

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<image004.png>

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From: David Billingham <beardybill@icloud.com>

Sent: 24 March 2026 16:46

To: Caroline Burn <Caroline.Burn@southderbyshire.gov.uk>

Subject: Re: DMPN/2026/0294 Leys Wood, Coton-in-the-Elms, DE12 8BH

Dear Caroline,

Thank you for your email about our application **DMPN/2026/0035**. To help us decide how to move forward before the deadline on Thursday we would like to clarify something.

An email from the LPA to a nearby woodland owner states: A touring caravan would not normally need planning permission provided it remains easily mobile (i.e. wheels and towbar intact) and is not used for overnight stays / residential use onsite, as it is not normally considered to be 'development'.

As a Shepherd's hut complies with the legal definition of a caravan as set out in the [Caravan Sites Act 1960](#) we felt it would be considered in the same way.

We also felt that the case law – Wealden DC v Secretary of State for the Environment v Colin Day 1987 is of relevance. In that case a caravan was used on an agricultural holding for the purposes of dry storage of feed, tools and somewhere for the farmer to take a break, with no overnight or residential use.

Also, the written and verbal feedback (telephone call Jenny Blair 26/2/26) we received for **Application ref. DMPN/2026/0145** was that the compost toilet was not considered reasonable and that if we proceeded with the application again with this removed it would be successful.

Please can you help with this as we do not want to commit to a further £300 without full understanding of the situation.

Regards

David Billingham

Sent from my iPad

On 23 Mar 2026, at 16:17, Caroline Burn
<Caroline.Burn@southderbyshire.gov.uk> wrote:

Good afternoon,

We have discussed the above prior notification internally and regrettably the LPA position is that the shepherd's hut would not be reasonably necessary for the purposes of forestry and would therefore not be permitted development. The application would be recommended for refusal. We realise that this was not picked up in the first notification and suggest that rather than refusing the current application, that this be converted into a full planning application where there may be some more flexibility. In order to do this the uplift in fee would need to be paid, and the application would need to make a case under Policy BNE5 to demonstrate that the shepherd's hut meets criteria ii). There is still no guarantee that planning would be permitted, however there may be a greater chance than under the prior notification process.

If you would like to convert to an application then please let me know before 4pm on Thursday 26th March, as after then the current case would need to be determined.

From a similar case it looks like the full planning fee would be c. £300, however our technicians would be able to confirm this.

<image001.png>

Thanks,

Caroline

Caroline Burn

Planning Officer

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