



Appeal Decision

Site visit made on 2 April 2025

by **L N Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 April 2025

Appeal Ref: APP/A2470/W/24/3350388

Pippin Wood, Preston Road, Wing LE15 8SB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ashley Dennis of Forest Rooms against the decision of Rutland County Council.
 - The application Ref is 2022/1238/FUL.
 - The development proposed is a change of use from recreational woodland to a tourism use comprising five boutique eco forest retreats, a site office, storage, associated access and works.
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for a full award of costs was made by Mr Ashley Dennis of Forest Rooms against Rutland County Council. This is the subject of a separate Decision.

Preliminary Matters

3. A revised version of the National Planning Policy Framework ('the Framework') was published in December 2024, but I do not find its changes to be substantive or determinative in relation to this appeal outcome.
4. The appellant's evidence describes the lodges as temporary and easily reversible should the use be discontinued, due to their minimal footprint and minimally invasive connection with the ground via the supporting stilts. However, no intent is presented that they would not be maintained in perpetuity, for example through a time period condition followed by a decommissioning plan. I have therefore considered the proposal would be permanent.

Main Issues

5. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and,
 - whether the proposed development would be in a suitable location, with particular regard to access to services and facilities and its need to be in the countryside.

Reasons

Character and Appearance

6. Pippin Wood comprises a triangle of broadleaved woodland planted in 1999 and 2007, including a central ride of varied widths, a central pond, and access tracks. It slopes down from south-west to north-east, with some parts being relatively steep.

It is private land, managed and used recreationally by the appellant. An agricultural field lies to the west, with roads to the other two sides, beyond which lie further fields and blocks of woodland, plus two dwellings to the south.

7. My site visit identified the existing Station Road entrance to be relatively substantial, with high gates and a stone crushed driveway and wide parking area visible from the road. The site also contains a crushed stone vehicle route which is lined for a stretch off the access point with approximately 2m high mesh fencing with wooden posts, plus several 2m high metal gates, sheds/stores, and waist high fencing around the pond and central grassed clearing.
8. The proposal would add 5 timber tourist lodges and one office building, all raised above ground level on steel stilts. The lodges would use off-grid solar power, an on-site water borehole, and individual sewage treatment systems. There would also be small storage containers, marked out internal routes, low height bollard lighting, and an additional engineered gated entrance on Preston Road for a geocell style parking area.
9. The individual lodges would be substantial, notwithstanding their ground floor openness. They would have a large footprint incorporating 2 or 3 bedrooms, and reach approximately 7.6m above ground level, albeit the ground level varies. I further find that the high roof and large open plan and decking areas of the office building, appear excessive for its ancillary functions. Considering this overall extent of the proposal, I find it would not be small-scale in its context.
10. As a basis for determining landscape value, the Landscape Statement of Case evaluates the site against contributing factors¹. For each factor the site's value is categorised as low, or medium to low, with the overall landscape setting value concluded as being medium to low.
11. Its landscape condition is identified as low value due to lacking effective management that has resulted in the development of an overly dense stand of tall thin trees. Notwithstanding this scope for improvement, it is not an area of woodland which has been identified as one which is likely to imminently fail, even with the ash die-back, and it also contains a central ride and a pond. I find it should be of medium value.
12. The appellant suggests the woodland is only of medium to low distinctiveness, due to being open farmland prior to 1999 and so not being an intrinsic element of this landscape. However, it is identified in the Wing Neighbourhood Plan 2023-2038 (WNP) Policy ENV 4 and its mapping. The justification text to Policy ENV 12 also identifies it as an important element of its Local Landscape Character Area of 'LLCA3 Wooded Side Valley'. 'The Parish of Wing Landscape Character Assessment' describes the LLCA3 as a very introverted steep sided heavily wooded valley, whereby the combination of all its elements makes it a very important feature of the Parish, and one with which residents identify as the most distinctive village approach. I thus consider the site has a medium level of distinctiveness in its local context.
13. The site's perceptual (wilderness and tranquillity) value is stated to be limited in any true sense by the adjacent roads and the nearby settlements, and also that the increased sense of tranquillity within the woodland itself cannot be appreciated by

¹ As identified in the Guidelines for Landscape and Visual Impact Assessment Third Edition

the public. However, I experienced the site as very tranquil despite some passing traffic, albeit that was a snapshot in time. The appellant also emphasises in other evidence that the proposed lodges would rely upon their tranquil woodland setting. The site also contributes to the tranquillity of dark skies at night, in an area the Council identifies as being extremely dark outside of Wing village. As such, I find its perceptual tranquillity value to be high to medium.

14. The Landscape Statement of Case identifies the site's functional value as being maturing woodland with associated habitats and carbon store, which offers variation in habitat with shade that contrast from the more open setting of surrounding farmland, and more limited disturbance compared to the surrounding worked farmland setting. On this basis, I place its categorisation value higher than the stated medium to low value.
15. Overall therefore, and notwithstanding that no formal designation covers the site or the wider landscape to suggest an increased value or sensitivity to change or specific conservation requirement, I find the site's landscape setting to be of medium value.
16. In considering landscape effects whereby landscape is a resource recognised and valued as a whole, the proposal would change the site's intrinsic character and its landscape setting from an overall natural environment, to one more contrived and with relatively high human intervention. Despite the remaining substantial tree cover, the additional trees which would be planted, and a retained level of tranquillity, the character of Pippin Wood as a whole would be altered to that of a tourist accommodation landscape.
17. The appellant suggests that the site's local landscape setting is already characterised by leisure and tourism development, which increases its capacity to accommodate the type of change proposed. However, such development is not evident within the site's immediate context, with the Wing campsite not being inter-visible, and better related to the village than to the wooded valley side.
18. The proposal would thus conflict with the Site Allocations and Policies Development Plan Document (SAP) Policy SP23, whereby new development in the countryside is only acceptable if designed to be sensitive to its landscape setting, and whereby development is expected to enhance the distinctive qualities of the landscape character types in which it would be situated.
19. There would also be Framework paragraph 187(b) conflict, whereby decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, including trees and woodland.
20. Although the WNP Policy ENV 4 does provide support for the proposed additional planting to increase biodiversity measures, it also requires proposals to protect the woodlands shown on its mapping from loss or damage, and to integrate them sensitively into the overall development design. This would not be achieved.
21. In visual terms, the cabins would not break the skyline above the tree canopy, and views would be mostly filtered by the existing trees, along with more prominence of the new vehicle entrance and parked cars. The lodge materials and colouring would also assist to blend their massing. The WNP identifies no specifically important views towards or incorporating Pippin Wood. However, in periods of

limited leaf cover, some filtered views of the lodges would be possible. There would also be some light spill from the windows/decking at night, despite any potential scheme to minimise lighting.

22. The appellant has assessed the value of representative views and their visual sensitivities, all of which range between medium to high. They conclude a year 1 visual effect on the landscape as being minor to minimal adverse harm from some viewpoints, reducing by year 15 to minimal adverse harm. For the reasons above, I agree with this conclusion, despite the trees felled under licence since the planning application. However, as this does indicate some harm, including after dark, I do find limited conflict with the SAP Policy SP25(c) whereby self-serviced holiday accommodation will only be acceptable where it is not detrimental to visual amenity and the appearance of the landscape.
23. The proposal would remove 29 trees to allow for the lodge construction; 13 young trees, 15 early semi-mature trees, and 1 semi-mature tree, all of which are of low arboricultural and landscape value. The Council does not dispute the acceptability of this removal in isolation, subject to replanting elsewhere within the site, and I see no reason to take a different view.
24. The tree loss harm would be tempered due to their location within a woodland which would benefit from felling in any event, to promote good forestry management and good condition high canopy woodland. Any remaining ash trees would also be likely to eventually succumb to die-back. Indeed, the appellant gained a 2022 Forestry Commission Felling License for 30% tree felling through thinning management. Only a small amount of this was undertaken, predominantly of dead or dying trees, prior to the February 2024 Tree Preservation Order (TPO) on the whole woodland. The 29 trees removed would equate to approximately 0.3% of the 8,500 individual trees originally planted. A broad zoning plan indicates areas for replacements. While only limited detail has been provided as to the extent and precise location of this, my site visit identified no reason why further details could not be deferred to the condition stage.
25. I note that any further felling proposed as necessary for woodland management, would be considered on its own merits in the context of the TPO and the proposal. The TPO 'overrides' the licence such that additional felling cannot occur without a specific additional permission/licence, giving the Council additional control.
26. However, the Council's reason for refusal relates predominantly to the potential harm to additional trees through movement of vehicles, storage of materials, and lodge construction, which could harm the character and appearance of the area. In response, the appellant identifies that all the construction routes would use the existing woodland rides and areas predominantly clear of trees, and the solar panel orientations are shown to be possible without tree removal. My site visit identified no obvious reason to suggest further inevitable above ground tree harm, subject to measures via conditions such as no dig construction methods, details of the access routes and parking composition, and additional tree protection details.
27. Nonetheless, there is only very limited information on trenching and cabling for the supply of services. No precise routes are identified for foul and surface water drainage, including the location of the relatively substantial individual 2m diameter sewage treatment tanks, and the pipes from the borehole. Although services are stated to all be located within the existing rides and areas clear of trees, there are

evidently roots under these areas, for example as is particularly apparent for those few trees which lie within the crushed stone area of the northern access route.

28. Careful root management is possible through standardised construction methods², but there is no certainty that this could avoid all harm, including that the services once installed would not impede future tree growth.
29. I appreciate the appellant's argument of the importance they place on maintaining the woodland setting for the success and ethos of the proposal as a whole, and that the statutory TPO also strengthens the need for adequate tree protection. However, I find it inappropriate to defer service trenching information to condition stage due to the potential significant impact on tree roots. As such, additional harm to trees cannot be ruled out at this stage. This harm would only be of a limited scale in light of the number of trees remaining and the possibility for replanting, but nonetheless this would be further unquantified harm to the character of the site as a whole.
30. Overall, the proposal would cause significant harm to the character and appearance of the area, including harm caused by potential tree loss. As such, as outlined above it would conflict with the SAP Policies SP23 and SP25(c), and the WNP Policies ENV 4 and ENV 12. It would also conflict with the SAP Policies SP7 and SP15, and the Rutland Core Strategy Development Plan Document (CS) Policies CS15, CS19, and CS21. Together and amongst other matters, these support sustainable development in the countryside provided that the amount of new build is kept to a minimum and is not detrimental to the character and appearance of the landscape, and require development to be sympathetic in use and character to its setting and relationship to landscape features, and to contribute positively to a sense of place and not detract from visual amenity.

Suitable Location

31. The majority of visitors would arrive by private car due to the lack of direct public transport access, and the need to carry luggage and food supplies. This is not unusual for rural accommodation locations across Rutland, and would also allow bringing of sufficient supplies so as to reduce the need for shopping trips during the stay. However, it is very likely that the site's visitors would want to explore the local area, and that also some supplies would be needed locally when considering visits across the 5 lodges for different length stays and different occupants.
32. Wing and Manton are identified as 'Smaller Service Centres' under the CS Policy CS3. Wing has a community hall, and a seasonal village shop and cafe in the Wing Hall Estate. Its public house closed at the end of 2024, although with no evidence before me to suggest this is permanent, I have assumed it would reopen in future. Manton has a public house and a village hall.
33. From the appeal site's closest (proposed) access point on Preston Road, it is approximately 700m on foot along the roads to the Wing Hall café/shop, and 1km to the Wing public house. These roads have no footways or lighting. Long stretches of this route have narrow or overgrown verges, such that pedestrians would need to walk on the road. Although these roads are rural and relatively quiet, many visitors would be deterred from walking these journeys due to real or perceived highway safety issues. This would be especially so in inclement weather, or after dark when seeking evening meals.

² As outlined in BS5837: 2012 'Trees in relation to design, demolition and construction – Recommendations'

34. From the site's Station Road entrance, Wing can alternately be accessed on foot via approximately 160m on road then an off-road bridleway, totalling approximately 1.3km. Alternatively, the Manton public house is approximately 1.7km along Station Road, or slightly further via the public right of way (PROW) network after an initial 580m along Station Road. The same issues apply to the Station Road verges as above, albeit for a shorter stretch. The off-road routes would not be used after dark. Off-road routes are themselves a recreational attraction, including linking to key attractions such as Rutland Water. However, I find it likely that visitors would drive to such attractions to start their visits there, due to the distance and the undesirability of using the local roads as a starting point.
35. Cycling would be possible and attractive to access the closest villages, and also for recreation and to attractions such as Rutland Water, although would rely on visitors bringing their own bicycles.
36. The nearest bus stop in Wing serves 2 routes; one is hourly if booked, and one stops 3 times per day and also stops 2 hourly in Manton. These connect to several towns, which in turn have other public transport options available. Again however, this would rely on initial road access to reach the bus stops, and would be unavailable on Sundays.
37. As such, the appeal site's visitors would be most likely to drive to access even the closest facilities. This is different to the Wing Hill campsite, with its on-site facilities, closer proximity to Wing, a wide verge along Wing Hill from its entrance, and a PROW running through it to the public house.
38. I acknowledge several allowed appeal examples which refer to narrow country lanes with no lighting as being typical of rural areas, but these do not outweigh the site specific context of the roads around the appeal site. On a broad level, there are clearly many similarities between those appeals and that before me, but also specific differences identified in the different decision letters. These include their more proximate location relative to the nearest facilities and larger nearest settlements, direct PROW or cycle route or bus access from the sites, and other factors such as glamping units only being occupied for part of the year, groceries available on-site, supporting existing day trip visitors to stay overnight, and upgrading the local footpaths. Each case must be assessed on its own merits and in its own context, and as such I find those examples to only provide limited general support in favour on these matters of planning judgement.
39. The WNP Policy E4 supports development proposals to enhance and/or manage tourism facilities subject to several criteria. The appellant argues that only one of these needs to be met, noting the word 'or' after the penultimate criterion. This is because needing to meet all criteria would rule out most development, for example because there are no unused farms within the planned development limits. I accept a lack of clarity such that the policy could be read in this way, albeit the Parish Council who led the production of the WNP and can be therefore assumed to understand the E4 intent, assessed the proposal against each criterion. Nonetheless, if I were to take the appellant's interpretation, the proposal would comply with E4. I note the Council cited no E4 conflict.
40. The SAP Policy SP7 supports several types of sustainable development in the countryside. Of relevance to the appeal proposal, SP7(e) supports new employment growth comprising small scale, sustainable rural tourism that supports

the local economy and communities, but I have found above that the proposal would not be small scale. SP7(b) supports development essential for the provision of visitor facilities for which the countryside is the only appropriate location, where (i) it cannot reasonably be accommodated within settlement development limits. While the proposal would comply with these criteria, SP7(v) also specifies this is provided that the development would be in an accessible location and not generate an unacceptable increase in the amount of traffic movements including car travel.

41. Transport choice exists proportionate to the use and location, and the appellant notes that SP7 contains no definition of accessible. Trip generation calculations based on staff trips of 4 movements per day and a restriction of 2 cars per lodge, do not suggest unduly high vehicle traffic in isolation. Notwithstanding this, that a very high percentage of those trips would be likely undertaken by the private car, indicates a lack of sustainability, and some conflict with SP7. The appellant also suggest the weight to the SP7 conflict must be limited given its 2014 adoption date, and subsequent conflict with paragraph 89 of the Framework which recognises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.
42. However, even were I to accept the Framework to hold greater weight in this scenario, paragraph 89 also states that in these circumstances it will be important to ensure that development exploits any opportunities to make a location more sustainable, for example by improving the scope for access on foot, by cycling or by public transport. The proposal would not achieve this.
43. I also have no clarity as to how the proposal is meeting a 'local business or community need' under paragraph 89. Its uniqueness would no doubt be attractive to visitors, with its location therefore being a fundamental element which could not be achieved were it not in rural countryside woodland. Indeed, Policy CS4 identifies that development in the countryside will be strictly limited to that which has an essential need to be located in the countryside. However, aside from the general economic benefit from local visitor spending, this does not indicate a specific need for the proposal in its current form overall. Several accommodation options are already available in Wing.
44. Furthermore, the proposed tourism use would become the main use of the site, overwhelming the existing business of a managed woodland. As such, I also find no support from Policy SP7(d) or the Framework paragraph 88 as it would not be ancillary to an existing established use.
45. I find no clear policy exceptions whereby if accommodation is reliant on being set within woodlands in order to achieve a quiet rural experience, it should override the need for sustainable travel. The CS Policy CS1(c) states that development should be located where it minimises the need to travel, and wherever possible where services and facilities can be accessed safely on foot, by bicycle, or public transport. Although this reference is 'wherever possible' rather than 'must', it does not appear impossible to site 5 holiday lodges in a location with better accessibility elsewhere in the Rutland countryside.
46. The CS Policy CS2 was not referenced by the Council, but is cited by the appellant in support. However, it includes aims to (a) focus new development in the most sustainable locations and ensure that development is accessible by other modes of

transport without reliance upon the private car, and (i) supports small scale developments for appropriate employment and tourism uses in the towns, villages, and rural areas. Again, I find the proposal would conflict. Similarly, the CS Policy CS15 sets out the strategy for tourism, and the proposed countryside location would not align with these criteria.

47. The SAP Policy SP25 relates specifically to cabins, chalets, and similar forms of self-serviced holiday accommodation, and states they will only be acceptable where (b) they are well related to an existing tourism attraction or recreation facility; (c) they are located with convenient access to supporting facilities; and (d) they would not result in an unacceptable increase in the amount of car travel. The appellant cites from other Council assessments that 'nowhere is too far away in Rutland' given its compact nature. However, this does not overrule the policy requirements in isolation, otherwise there would be no need for their existence.
48. I find no support from the Policy SP25 supporting text where it refers that there may be scope for limited new development in locations well related to an existing tourism/recreation facility such as fishing lakes and golf courses, because Pippin Wood is not an existing recreation facility which currently attracts visitors.
49. Overall therefore, the proposal would be in an unsustainable location not physically well related to existing settlements other than by private car. While recognising the specific locational requirements of a woodland retreat, and that it would comply with several development plan policies relating to the overall spatial strategy and the need for tourism facilities, it would also conflict with several others. It has not been demonstrated that a local business or community need would be met. Specifically, it would conflict with the SAP Policies SP7 and SP25, and the CS Policies CS1, CS2, CS4, and CS15.

Other Matters

50. The CS Policy CS15 identifies a tourism strategy which includes (d) allowing new tourism provision and initiatives where these would also benefit local communities and support the local economy. The tourist industry is clearly very valuable to Rutland, with relevant documents specifically highlighted³ which acknowledge the importance of having attractions and accommodation available to entice visitors.
51. The proposal would offer a unique accommodation setting, with no equivalent forest bathing facilities in the area, and would no doubt attract visitors accordingly. This both illustrates its future viability, and would attract a specific market. The appellant thus states there would be significant economic gains. However, no quantified figures are provided, and I find the impact would be less than significant for only 5 lodges. There are also no details on potential employment levels, beyond an estimated 4 staff vehicle movements per day for cleaning and servicing. Overall, I give the proposal's economic benefits moderate weight in favour.
52. The lodges would use solar panels and be well insulated, and such renewable energy features provide minor weight in favour.
53. Although the existing stockproof fencing around and within the site restricts animal movement into or across it, there is no information before me that this fencing falls outside of permitted development rights. As such, I have not taken its impact to

³ Discover Rutland Tourism Strategy 2020-25; Rutland Employment Needs and Economic Development Evidence Draft Report (2023); Rutland Retail, Leisure and Town Centres Study (2023)

wildlife into account. No statutory biodiversity net gain requirement applies, but the proposal would provide an 18% gain, albeit calculated on a previous version of the metric. There would be some existing habitat loss, and some wildlife disturbance from visitor noise and activities, but the proposal would also create new habitats including planting of fruit trees, lavender, wild flowers, and native shrubs. Overall, I give biodiversity benefits minor weight in favour.

54. The appellant suggests the Council has identified no feasible alternatives to secure ongoing woodland management in the absence of the appeal scheme. However, it is the appellant's role to demonstrate that none exist. There is no viability evidence to suggest that woodland management would be financially unachievable without the appeal scheme in its current form as enabling development. Even if this were the case, the proposal would cause harm, which I find to be more significant than would be the harm caused by leaving the woodland unmanaged in its current form. As such, this does not weigh in favour of allowing the appeal.
55. The Framework Paragraph 216 requires the effect on the significance of non-designated heritage assets to be taken into account. Wing Grange on Preston Road was built in 1888 and incorporated the adjacent Dove House. The WNP identifies them as non-designated heritage assets, with significance lying in the owners having strong connections with the Midland Railway and St Pancras Station, as reflected in architectural detailing and materials including being the first major parish red brick building. Together they hold high group value in their setting, and architectural and historic interest. The Council raised no objection in this regard, and due to the limited scale of inter-visible development, I similarly find the proposal would cause no harm to their significance.

Panning Balance and Conclusion

56. The appeal proposal would cause significant harm to the character and appearance of the area, including harm caused by potential tree loss. I give this significant weight. It would also be in an unsustainable location, which I give moderate weight. I give moderate weight to the proposal's economic benefits including its contribution to tourism, alongside minor weight to the renewable energy and biodiversity benefits.
57. I find the harm would outweigh the cumulative benefits in this instance. Overall therefore, the proposal would conflict with the development plan as a whole. With no other material considerations outweighing this conflict, for the reasons given above I conclude that the appeal is dismissed.

L N Hughes

INSPECTOR