
Appeal Decisions

Site visit made on 30 October 2025

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2025

Appeal A Ref: APP/B9506/W/25/3367297

Land adjacent to Dene Lodge, Vaggs Lane, Hordle SO41 0FP.

- 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 J Fletcher against the decision of New Forest National Park Authority.
 - The application Ref is 25/00064FULL.
 - The development proposed is described as retention of access track and hardstanding.
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Appeal B Ref: APP/B9506/W/25/3367298

Land adjacent to Dene Lodge, Vaggs Lane, Hordle SO41 0FP.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant, subject to conditions, of approval granted 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 J Fletcher against the decision of New Forest National Park Authority.
 - The application Ref is 25/00390PN.
 - The development proposed is described as a 6m by 12m barn 4.3m high with peg tiles (clay) and feather edged board. For use as forestry machine store and workshop in connection with forestry.
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Decision

1. Appeals A and B are dismissed.

Preliminary Matters

2. As set out above there are two appeals on this site. Appeal A refers to the construction of an access track and hardstanding and relates to a refusal of planning application. Appeal B is for a forestry building on the same site which was a refusal of a prior approval application. To avoid duplication, I have dealt with the two schemes together, considering each of the proposals on its individual merits.
3. The application form for Appeal A states the development of the track was started January 2024 and completed by the end of the same month. I saw during my site visit that the works had been completed and appears to accord with the plans before me. I have therefore considered the appeal on the basis that the development has already taken place, as did the Council. While retrospective, my assessment of the proposal is based on the plans before the Council at the time of the planning application.

Background and Main Issues

4. Although the two appeals relate to different development and legislation they relate to the same site and use of the site for forestry. It is logical for them to be

considered together. Although there are some common themes there are different main issues relating to each appeal.

Appeal A

5. The main issue is the effect of the access track on the character and appearance of the surrounding area including the New Forest National Park.

Appeal B

6. The main issue is whether the proposal would be permitted development under Schedule 2, Part 6, Class E of the General Permitted Development Order (the GDPO).

Reasons

Character and Appearance

7. The reason for refusal refers to the fact that it has not been demonstrated that the hardstanding would be functionally required for any agricultural or forestry enterprise. As such it represents an inappropriate and visually intrusive feature in the open countryside.
8. Policy DP50 of the New Forest Local Plan 2016-2036 (NFLP) relates to agricultural and forestry buildings. As the proposal is for an access track it is not a building. The background text to the policy notes that development associated with agriculture can have a substantial environment impact and that the Authority will not support buildings or other structures that would be damaging to the ecology, landscape, or character of the National Park. Whilst this policy has a number of requirements including functional need and being designed for purpose, I cannot conclude that it specifically relates to the development proposed. Therefore, the development neither gains support from, or is in conflict with, this policy.
9. The reason for refusal included other policies, however, none of the policies provided have a specific reference to a need for a development to be demonstrated. Despite this, the visual effect of the track and hardstanding are a matter for consideration, and a number of relevant policies have been referenced in this regard.
10. The site is formed of the corner of a large field adjacent to a main road. The current boundary treatment is a post and rail fence with some low-level vegetation. As a result, the site is highly visible from the road.
11. The track consists of rough material with a grass strip running down its centre. Its rustic character is typical of tracks associated with agricultural and other rural uses. Combined with its limited length and low visibility beyond the site, its appearance results in only a minor visual impact within the surrounding landscape.
12. However, the provision of the access track and hardstanding influences the manner in which the site is used. It facilitates the use of the site for parking and other activities, such as storage of machinery as referenced in the appeal statement. At the time of the site visit there was at least one vehicle parked on the site. Whilst this is only a snapshot in time it indicates that the site can be used in this manner.
13. There is some dispute regarding the nature of the use occurring on the site, whether for forestry or another purpose. However, the introduction of the track and

- hardstanding enables the land to be used in a manner fundamentally different from a grassed field. This change alters the character of the site from an undisturbed rural field to an area associated with activity and vehicle parking.
14. The appellant contends that the site is not within open forest and refers to the presence of other nearby buildings. Nevertheless, prior to the works, the land formed part of the open countryside and contributed to the area's tranquil character. The development has therefore resulted in a harmful visual effect on the character and appearance of the locality.
 15. The limited size of the site and absence of trees raise doubts as to whether it is genuinely used for forestry purposes, a matter I address further below. The appellant indicates that the site is required to accommodate three vehicles, presumably for use elsewhere. However, as no forestry activity is currently taking place on the land, I do not consider that this provides adequate justification for the visual harm caused by the development.
 16. It has been suggested that future tree planting could screen the track and hardstanding. However, no landscaping details have been submitted, and I am therefore unable to determine whether such measures would provide effective mitigation.
 17. I accept that the National Planning Policy Framework (the Framework) is supportive of the rural economy, however, this needs to be balanced against the great weight which is given to conserving and enhancing the landscape and scenic beauty in National Parks and in this instance I have not been provided with sufficient evidence to outweigh this harm.
 18. For the reasons given, the development would have a harmful effect on the character and appearance of the site and surrounding landscape in conflict with Policies SP7, SP15, SP17 and DP2 of the NPLP, in so far as they seek to respect local distinctiveness and tranquillity and conserve and enhance the landscape and scenic beauty of the New Forest National Park protected landscape.
 19. The proposal would also conflict with the Framework's policy to protect and enhance valued landscapes. I attach great weight to the failure of the proposal to conserve and enhance the landscape and scenic beauty of the New Forest National Park, the statutory purposes of which I also have a duty to seek to further.

Whether permitted development

20. The relevant part of the GDPO enables the construction of a building associated with the use of land for forestry purposes, including afforestation. Therefore, in order for prior approval to be granted, it must first be concluded that the proposed building would be used in connection to a forestry use on the site.
21. The site itself is not large and there is no other land shown within the red or blue lines on the plans suggesting access to a wider site. No evidence has been presented that the appellant owns or is using other identifiable land.
22. There is no clear definition of what forestry or afforestation means in planning terms, including the identification of minimum site areas. As such, the interpretation must be the subject of legitimate planning judgement.

23. The site is currently open with no evidence of any trees or tree planting on the site. Under Class E erections of building are permitted on land used for the purposes of forestry, including afforestation. Whilst it is indicated that there is an intention to plant trees on the site I have not been provided with any details or timeframes and there is little before me to demonstrate that this is a realistic proposition. Furthermore, given the size of the site once a building of the size proposed were erected and allowing for some kind of access there would only be limited space left for planting.
24. As a result, it seems clear to me that such a small area of land, simply cannot be considered to be a forest. It therefore follows that any works connected to the management of the site cannot be forestry. Whilst the appellant may undertake forestry work throughout the New Forest and have a need to store his equipment and vehicles this is outside the scope of what is considered in terms of permitted development.
25. In conclusion, as the land is not being used for forestry purposes and based on the information provided in respect of any afforestation on the site the construction of a building on the site would not be permitted development.

Other Matters

26. Reference is made to other appeals (3140928 and 3168180), however, only extracts of the decisions have been provided and as such it is difficult to determine whether these are comparable. Within the extracts there is reference to the need for the building which is a separate matter to whether the land is in forestry use for permitted development purposes.
27. The appellant has not provided any details of a Certificate of Lawfulness at Dene Lodge and therefore it is unclear what bearing this has on the appeal. It is acknowledged that there are other uses and buildings in the area and this is considered in the assessment above.
28. Reference is made to an approval nearby on Vaggs Lane, however, no details have been provided and as a result I am unable to consider if the two situations are comparable.
29. The works on the site may improve drainage and enhance biodiversity, however, this does not outweigh the harms outlined above which are required to be given great weight.

Conclusion

30. For the reasons given above the appeal should be dismissed.

H Faulkner

INSPECTOR

Appendix 1

List of those who have appealed.

Reference	Case Reference	Appellant
Appeal A	APP/B9506/W/25/3367297	Mr J Fletcher
Appeal B	APP/B9506/W/25/3367298	Mr J Fletcher