



Appeal Decision

Site visit made on 17 February 2026

by **Barry John Lomax MPLAN (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 April 2026

Appeal Ref: 6002500

The Old Forge, School Road, Thorney Hill, Bransgore BH23 8DS

- 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 Lynda Newell Colborne against the decision of New Forest National Park Authority.
 - The application Ref is 25/00589FULL.
 - The development proposed was originally described as proposed change of use to residential dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form originally described the proposal as “Proposed change of use to residential dwelling.” During the course of the application process, the National Park Authority (NPA) amended this to “External alterations and change of use of commercial building to residential dwelling (use class C3).” No evidence has been provided by either party to show that the applicant agreed to this revised description. However, as the amended wording more accurately reflects the development for which permission is sought, and as it does not fundamentally alter the nature of the proposal under appeal, I am satisfied that no party would be prejudiced by my use of it. I have determined the appeal on that basis.
3. On 18 February 2026, a screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers conferred by Regulation 14 (1) and 7 (5) of the EIA Regulations, the Secretary of State directed that the development is not EIA development.

Main Issue(s)

4. The main issues are:
 - Whether the site is a suitable location for a new dwelling, having regard to local policies,
 - The effect of the proposed development on the character and appearance of the host property and surrounding area, and
 - Whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to the provision of private amenity space,

- The effect of the proposed development on the supply of employment sites in the National Park (NP), and
- The effect of the proposed development on protected species,

Reasons

Location

5. Policy SP4 (Spatial Strategy) and Policy SP19 (New residential development in the National Park) of the New Forest National Park Local Plan 2016-2036 (the Local Plan) set the NPA's strategy for new residential development in the NP.
6. Policies SP4 and SP19 of the Local Plan support new residential development only in a number of specific circumstances, these include, on sites allocated for housing in the Local Plan; the implementation of an extant permission; the development of land previously unallocated or unidentified (windfall development) within the four defined villages; the development of rural exception sites; and housing for New Forest Commoners, Estate Workes, or agricultural dwellings.
7. Policy DP49 (Re-use of buildings outside the Defined Villages) of the Local Plan, only supports the residential reuse of a building in accordance with Policy SP19.
8. The site lies outside of any of the four defined villages as designated in the Local Plan (Ashurst, Brockenhurst, Lyndhurst, and Sway), it is not allocated for development, and it does not benefit from an extant planning permission for the residential redevelopment of the site. As such, the proposed development does not fall within any of the policy circumstances that would support the residential redevelopment of the site.
9. The appellant has indicated that no new housing has been delivered in the village (Thorney Hill) for 25 years, and secondly the residential accommodation would provide accommodation for an employee of the appellant's business.
10. With regard to new housing in Thorney Hill, there is no clear evidence before me to support his view. However, even if correct it would simply reflect the Local Plan's policies of directing housing to the most sustainable parts of the NP, the four defined villages. While I recognise that development in one village may support services in another, paragraph 83 of the National Planning Policy Framework (The Framework), advises that housing should be located where it will enhance or maintain the vitality of rural communities, the Local Plan development strategy seeks to achieve this. As such, I give this consideration only limited weight.
11. No evidence has been provided with the appeal to demonstrate that the appellant's employee has a locational need to live at the site. Notwithstanding, while I acknowledge the personal circumstances of the employee and their family, they do not outweigh or justify departing from the policies in the Local Plan. Consequently, this consideration carries only limited weight in my assessment.
12. I conclude that the site is not a suitable location for a new dwelling, having regard to the local policies. The proposal would therefore fail to accord with Policies SP4, SP19, and Policy DP49 for the reasons set out above.

Character and appearance

13. The host building comprises a part two-storey, part single-storey structure of simple, functional character with a small-scale rural commercial appearance, finished in white render beneath a tiled roof. The building is set among properties of varied age and architectural form and style. The appellant's Design and Access Statement refer to commercial activity on the site from the 1950s, but the building itself pre-dates that period. The building makes a positive contribution to the character of the area by providing a distinctive heritage reference point that reinforces local identity.
14. The proposed development includes the introduction of dormer windows, rooflights and amendments to the existing openings. Taken together, these alterations would increase the perceived scale of the building and materially change its design, eroding its simple, functional character and giving it a distinctly domestic appearance that would be inconsistent with its original form and purpose. The resulting domestic appearance would fail to respect the simple, utilitarian qualities that currently define the building's contribution to the wider area. It would also erode the legibility of the structure's historic function, removing any reference to its former use.
15. Overall, the proposed development would appear overly domestic in character and would erode the legibility of the structure's historic function. Consequently, it would not constitute a high-quality design.
16. In light of the above, I conclude that the proposal would result in harm to the character and appearance of the host property and the surrounding area. It would therefore be contrary to Policies SP17, DP2 and DP18 of the Local Plan which require development to be high-quality, respect the built, natural and historic environment, preserve local character, and prevent development that would undermine local distinctiveness or introduce a suburbanising effect.

Living Conditions

17. The site is physically constrained by its boundaries, with the existing building occupying almost the entirety of the plot.
18. Policies SP17, DP2 and DP18 of the Local Plan have been cited regarding the limitations of the proposed private amenity space. However, none of these policies explicitly require the provision of private amenity space. Policy DP2 concerns matters of scale, appearance, form, siting and layout; Policy DP18 seeks high standards of design, including the creation of safe and attractive environments; and Policy SP17 relates to the protection of local distinctiveness.
19. While the lack of on-site private amenity space might impact the day-to-day living arrangement of any future occupants, the site's physical constraints significantly limit the scope for such provision. However, future occupants would be within convenient walking distance of the local Community Centre and its associated facilities, as well as nearby recreational routes in the surrounding area. Considering the ready access to nearby facilities, the opportunities for outdoor recreation within walking distance, and the fact that the proposal involves the reuse of an existing building, notwithstanding the lack of on-site private amenity space, overall, the proposed development would still provide acceptable living conditions.
20. Accordingly, on balance, I conclude that the proposed development would provide acceptable living conditions for future occupiers notwithstanding the lack of private

amenity space. Consequently, it would accord with Policy DP2, DP18, and SP17 of the Local Plan, in so far as they relate to the ensuring that the proposed development would provide acceptable living conditions for future occupiers, with particular regard to the provision of private amenity space.

Employment floorspace

21. The appellant's Design and Access Statement refers to commercial activity on the site from the 1950s. The application form states that the building's most recent use was for light industrial purposes, occupied by a signwriting business, however, the site was vacated in November 2024.
22. The appellant states that the site is the only employment site in an otherwise wholly residential area and that its commercial use and associated activities have generated neighbour complaints which has affected the viability of its continued employment use. However, limited information has been provided with the appeal regarding the nature of any complaints, their extent, or their underlying causes. As such, it is not possible to determine the extent of any harm to the viability of the site for employment purposes. As such, this consideration carries only limited weight in my assessment.
23. The appellant has indicated the site is unsuitable for a continued employment use due to limited on-site parking and the absence of public transport links, and that the loss of employment at the site would be minimal. However, no marketing evidence has been provided to demonstrate that the site has been actively tested on the market for a continued employment use. Furthermore, the site appears to have remained in an employment use until 2024, indicating that such a use at the site has recently been viable. The lack of on-site parking and the absence of public transport may limit the attractiveness of the site to some operators, however this has not been substantiated.
24. Moreover, the site could be occupied for employment purposes by someone living locally. Notwithstanding this, Policies SP4 and SP19 allow for alternative uses, where there would be an essential need for a countryside location, or development that meets the specific locational requirements of commoners, estate workers, or agricultural workers. However, the proposed use of the site for private market dwelling would not accord with these provisions.
25. The permanent loss of the employment site to a market dwelling, in the absence of substantive justification, would remove both the existing employment potential and any future opportunity for employment use. It would also prejudice the ability of the site to contribute to other policy compliant uses. The considerations raised by the appellant to support the loss of an existing employment site are noted. However, they are of insufficient weight to outweigh the harm an unjustified loss would cause.
26. In light of the above, I conclude that the proposed development would result in the harm to the supply of employment sites in the NP. Accordingly, it would be in conflict with Policy SP43 of the Local Plan, which directs that existing employment sites will be retained throughout the NP

Protected Species

27. The proposed development would involve works to the roof and external fabric of the host building. In light of the building's age, and the context of the site in a rural setting, there is a credible likelihood that the structure could support protected species, including roosting bats. No ecological survey work has been undertaken to establish whether such species, or others, are present, the extent to which they or their habitat may be affected by the proposed alterations, or the mitigation measures that would be necessary to avoid harm.
28. In the absence of any ecological survey work, it is not possible to conclude that the development would safeguard protected species or their habitat or comply with the relevant statutory duties and policy requirements contrary to policies DP2 and SP6 of the Local Plan which seeks to protect and enhance the natural environment including its habitats and species.

Other matters

29. The site lies in close proximity to a number of internationally and nationally designated nature conservation sites, including the River Avon Special Protection Area (SPA), River Avon Special Area of Conservation (SAC), New Forest Site of Special Scientific Interest (SSSI), and the Avon Valley Ramsar site. The NPA consider that it has not been demonstrated that the development would avoid significant in-combination effects on the ecological sensitivities of these protected sites through increased recreational pressures or through adverse impacts on water quality.
30. The NPA indicates that such effects could, in principle, be mitigated through the imposition of planning conditions together with a planning obligation to provide a financial contribution towards the NPA's Habitat Mitigation Scheme. However, no planning obligation has been submitted with the appeal.
31. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 requires a competent authority to undertake an Appropriate Assessment only where it is minded to grant consent. As I am dismissing the appeal on other substantive grounds It is unnecessary for me to consider the matter of Appropriate Assessment or the adequacy of any potential mitigation package in further detail.
32. A number of representations have been received referring to the ownership of the land lying between School Road and the frontage of the appeal building and access across that land, as well as to matters concerning, the historic use of the building in particular any historical residential use, the provision of cycle storage, refuse and recycling facilities, parking on grazing land and the possible existence of a covenant affecting the appeal property. However, given my findings on the main issues in this appeal, it is not necessary for me to reach a view on these additional matters or on any implications they might otherwise have for the proposed development.
33. Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended) places a statutory duty on the decision-maker to seek to further the purposes of the National Park. These purposes are to conserve and enhance its natural beauty, wildlife and cultural heritage, and to promote opportunities for the public to understand and enjoy its special qualities. For the reasons cited above the proposed development would fail to conserve and enhance the landscape and scenic beauty of the NP.

Conclusion

34. I have found that the proposal would provide acceptable living conditions for future occupants of the development. However, I conclude that the development would introduce a single market dwelling in the countryside, in clear conflict with the Local Plan's spatial strategy. Furthermore, the proposal would harm the character and appearance of the host property and surrounding area, would result in the unjustified loss of an existing employment site, and that no ecological survey work has been undertaken to establish whether protected species or their habitats would be affected by the scheme.
35. Accordingly, the proposal would be contrary to the development plan when taken as a whole. Therefore, I find no material considerations including the Framework indicate that a decision should be made other than in accordance with the development plan in this case.
36. For the reasons given, the appeal is dismissed.

Barry John Lomax

INSPECTOR