



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: 26 June 2026

Appeal Ref: APP/B9506/W/25/3376059

Harry's Field, Abbotswell Road, Frogham, Fordingbridge Hampshire SP6 2JA

- 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 V Sheriff against the decision of New Forest National Park Authority.
 - The application Ref is 24/01338.
 - The development proposed is use of land and buildings as a seasonal campsite for 50 pitches for no more than 52 days in a calendar year.
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Decision

1. The appeal is allowed and planning permission is granted for the use of land and buildings as a seasonal campsite for 50 pitches for no more than 52 days in a calendar year, at Harry's Field, Abbotswell Road, Frogham, Fordingbridge, Hampshire SP6 2JA, subject to the conditions set out in the attached schedule.

Background and Main Issues

2. The description of the proposal on the planning application form is "use of land and buildings as a temporary campsite for 60 days between the months of May and September". However, this was changed by the Council to "Use of land and buildings as a seasonal campsite for 50 pitches (including 8no. bell tents) for no more than 52 days in a calendar year" which is as detailed on the Council's decision notice and the appeal form. However, other than through indicative locations shown on the site location plan there are no substantive details of the 8 bell tents before me. I have therefore removed reference to them from the description of development to reflect the appellant's original description and because I cannot be certain that they would involve operational development.
3. The appeal site currently operates as a temporary campsite for up to 45 pitches for no more than 28 days per calendar year. However, subject to compliance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), land may ordinarily be used as a temporary recreational campsite for no more than 60 days in any calendar year and for up to 50 pitches. However, in this case these rights are restricted by Article 4 Directions.
4. The Article 4 Directions allow sites such as the appeal site which have operated prior to March 2020 to continue, subject to compliance with the Habitat Regulations 2017¹, on a limited basis restricted to no more than 28 days in any calendar year and for up to 50 pitches.

¹ The Conservation of Habitats and Species Regulations 2017

5. There is no substantive evidence before me to suggest that should the appeal fail, the appeal site could not be used for 50 pitches for 28 days of the year and it seems highly likely that this would occur. As such in my reasoning below, I have compared the effects of the appeal scheme with this fallback position. Thus, against this background, when compared with the fallback position the proposal would allow the appeal to be used as a campsite for an additional 24 days each year. Furthermore, the appellant has also agreed to a condition which would make the planning permission temporary for a period of three years. As explained in my reasoning I have also felt this condition is necessary and reasonable and have therefore granted permission for the use of the appeal site as proposed for a temporary period. Thus, when compared with the fall-back positions the proposal would provide for an additional 24 days each year.
6. The appeal is accompanied by a Unilateral Undertaking (UU) under Section 106 of the Town and Country Planning Act 1990 (as amended), which secures a payment of £1,663.50 in accordance with the New Forest National Park Habitat Mitigation Scheme Supplementary Planning Document 2020 (Habitat Mitigation SPD) to mitigate the recreational impacts of the proposal on the integrity of the New Forest Special Area of Conservation and Special Protection Area.
7. Thus, against all this background the main issues are therefore the effect of the proposal on:
 - The living conditions of the occupants of neighbouring properties; and
 - The integrity of the New Forest Special Area of Conservation and Special Protection Area having particular regard to the UU.

Reasons

Living conditions

8. The appeal site comprises a parcel of land on the north side of Abbotswell Road. Land to the north and north-east is in agricultural and equestrian use. Residential properties adjoin the site's eastern and western boundaries, with further dwellings located to the south on the opposite side of Abbotswell Road. Additional residential properties are present to the north of the site, beyond an intervening field / paddock.
9. I acknowledge the comments from local residents that the use of the site for camping has caused noise and disturbance, litter, antisocial behaviour, and smoke from campfires, including late into the evening, when surrounding residents might reasonably expect a quieter and less active environment. I have also considered the responses² to the planning application by the New Forest District Council's Environmental Protection Officer (EPO) where it was confirmed that complaints have been received regarding the environmental impacts arising from the site's existing use.
10. I also note that in their response to the planning application the EPO identified deficiencies with the submitted Campsite Management Plan, however, they did not object to the proposal. Instead, they suggested the inclusion of a number of planning conditions if the application were to be approved including a requirement

² 21 January 2025 and 07 March 2025

to submit a detailed Campsite Management Plan, prohibitions on playing amplified music, external lighting, and restrictions on campfires.

11. The use of the site as a temporary campsite under the GPDO is subject to the limited restrictions contained in the GPDO, which relate principally to matters such as the use of sensitive land, and the on-site provision of toilet and waste-disposal facilities. These controls do not regulate the potential environmental effects of the use, such as noise, lighting, litter, smoke or general site management.
12. I recognise that the proposed development would increase the intensity of activity experienced by neighbouring occupiers, through both an increase in the number of permitted days from 28 to 52 and a rise in the number of pitches from 45 to 50. I also acknowledge the concerns expressed by nearby residents, who consider that these changes would harm their living conditions by exacerbating existing issues of noise and disturbance.
13. However, as set out above, the site presently operates within a regulatory framework under the GPDO and other regimes which, in practice, provides limited scope for effective control and intervention. In contrast, the grant of planning permission would enable the imposition of precise and enforceable conditions governing the operation of the site. This would establish a clearer and more robust framework, affording greater protection to neighbouring amenity and enabling the NPA to assess any complaints and, where necessary, to take appropriate and proportionate enforcement action. As such, subject to the imposition of planning conditions governing site management, including controls over noise, lighting and the use of fire pits, I am satisfied that any adverse effects arising from the increased level of activity would be mitigated to an acceptable level. Furthermore, mindful of the need for these mitigation measure to be effective in this sensitive context, I have imposed a condition which will make the planning permission temporary, as a further safeguard to ensure that the mitigation measures are effective.
14. Accordingly, I conclude that, subject to the imposition of relevant planning conditions, the proposal would not harm the living conditions of the occupants of neighbouring land and buildings. The proposal would therefore accord with Policy DP2 (General Development Principles) of the New Forest National Park Local Plan 2016–2036 (the Local Plan) which, insofar as it is relevant, requires development to avoid unacceptable adverse impacts on amenity. Policy DP2 is consistent with the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) in this regard

European designated sites

15. The appeal site is in close proximity to the New Forest Special Area of Conservation (NF-SAC), the New Forest Special Protection Area (NF-SPA), the New Forest Ramsar sites, and falls within the catchment of the River Avon Special Area of Conservation (RA-SAC). It is also within the New Forest Sites of Special Scientific Interest (SSSI). For ease of reference, I refer to these collectively as the Protected Sites.
16. The Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations) require that, where a project is likely to have a significant effect on a European site, either alone or in combination with other projects, as the competent

authority I must make an Appropriate Assessment (AA) of the project having regard to the relevant conservation objectives.

17. In this context, the area is affected by several European sites, including the New Forest Special Area of Conservation (NF-SAC), New Forest Special Protection Area (NF-SPA), and New Forest Ramsar site, and also falls within the hydrological catchment of the River Avon SAC (RA-SAC). The overarching conservation objective for these sites is to maintain or restore, as appropriate, the extent, structure, function and supporting processes of their qualifying habitats and the populations of their qualifying species, ensuring their long-term viability. The NF-SAC is designated for its diverse mosaic of habitats including wet and dry heath, valley mires, oligotrophic waters, wetlands, grasslands and ancient woodland, supporting rare flora and invertebrates; the NF-SPA is classified for internationally important populations of heathland and woodland birds such as nightjar, woodlark and Dartford warbler; the Ramsar site recognises the international importance of its wetland systems, particularly valley mires, ponds and acidic streams; and the RA-SAC is designated for its high-quality chalk river habitat and associated species including Desmoulin's whorl snail and lamprey species.
18. The Protected Sites are subject to a range of recreational and environmental pressures. These include the effects of increased visitor activity, leading to path widening and braiding; nutrient enrichment arising from dog fouling and urination; an elevated risk of wildfire; and disturbance to wildlife, including direct predation and chasing by dogs. In addition, there is potential for increased nutrient loading associated with wastewater discharges. Collectively, these impact pathways have the potential to adversely affect the integrity of the designated sites if not appropriately managed or mitigated.
19. In applying the precautionary principle, where it cannot be concluded, on the basis of objective information, that a proposal would not adversely affect the integrity of a European site, the development should not be permitted. However, where appropriate avoidance or mitigation measures are incorporated, and an AA demonstrates that the proposal would not result in an adverse effect on site integrity, either alone or in combination with other plans or projects, there is no impediment under the Habitats Regulations to the proposal proceeding.

Recreational Pressures

20. The *New Forest National Park Planning Guidance Note: Applications for Temporary Camping Uses (April 2025) (the PGN)* explains that the Habitats Regulations Assessment of the New Forest National Park Local Plan (2019) concluded that likely significant effects on designated sites, arising from recreational pressures or changes in water quality associated with new housing or overnight visitor accommodation (including campsites), cannot be ruled out. It advises that such impacts must therefore be addressed through the planning application process and that development may only be approved where it can be ascertained, following an AA, that there would be no adverse effect on the integrity of the designated sites.
21. The NPA contends that, having regard to the nature of the proposed use and its proximity to the open forest, there is limited scope for direct mitigation of recreational impacts arising from the development. However, I note that the NPA has prepared a package of mitigation measures set out in the *New Forest National*

Park Revised Habitat Mitigation Scheme Supplementary Planning Document (July 2020) (Habitat Mitigation SPD), which is intended to address recreational pressures associated with most forms of visitor accommodation affecting the Protected Sites. The Habitat Mitigation SPD sets out the key mitigation measures, these include; access management within the designated sites, alternative recreational greenspace sites and routes outside the designated sites; education, awareness and promotion, monitoring and research, and in perpetuity funding.

22. While I acknowledge the NPA's concerns, no substantive technical evidence has been provided to demonstrate that the mitigation measures in the SPD would be ineffective in this case. Furthermore, Natural England (NE) raises no objection to the proposal.
23. The proposal is accompanied by a planning obligation securing a financial contribution towards the measures identified in the Habitat Mitigation SPD. Accordingly, subject to the securing of this mitigation and the imposition of appropriate conditions, I conclude that the proposal would not adversely affect the integrity of the Protected Sites as a result of recreational pressures.

Urban edge effects

24. The PGN advises that the Habitats Regulations Assessment of the Local Plan identified a range of potential 'urban edge effects' arising from overnight accommodation, noting in particular that such effects are cumulative in nature. It further indicates that the potential for additional development within 400 metres of the NF-SAC, NF-SPA and Ramsar sites is limited, and that NE supports a restrictive approach. On this basis, the PGN states that the NPA will not support new temporary campsites or extensions to existing sites within this 400-metre zone due to concerns regarding impacts on the integrity of designated sites.
25. However, the principal urban edge effects in the New Forest relate to matters such as cat predation and the risk of fly-tipping, including the introduction of invasive species from domestic garden waste. Given the temporary and limited nature of the proposed campsite use, the absence of objection from NE, and the mitigation secured through planning conditions to control site management, including noise and lighting, I conclude that the proposal would not result in an adverse effect on the integrity of the Protected Sites as a result of urban edge effects.

Changes in water quality

26. The RA-SAC is sensitive to elevated nutrient levels arising from wastewater discharge.
27. However, subject to conditions including the removal of foul water from the site by a licensed operator to a wastewater treatment works that does not discharge into the River Avon catchment or any other nutrient-sensitive catchment, I conclude that the proposal would not adversely affect the integrity of the Protected Sites as a result of changes in water quality

Conclusion on Protected Sites

28. As part of my assessment NE has been consulted and they raise no objection subject to the mitigation measure secured by UU and planning conditions are secured.

29. I consider that the UU which contained an obligation to make a financial contribution to the NPA in accordance with the Habitat SPD for habitat mitigation is necessary to render the development acceptable in planning terms. The UU would secure funding for the mitigation measures contained in the Habitats SPD, and given the mitigation contained therein would be to address the additional pressures arising from the development I conclude that it is directly related to the appeal proposal.
30. Accordingly, having regard to the Habitat Mitigation SPD, the mitigation measures, including the imposition of appropriate planning conditions related to site management including wastewater management and the securing of a financial contribution towards the NPA mitigation scheme, I am satisfied that the development would not adversely affect the integrity of the Protected Sites.
31. The proposal would therefore accord with Policies SP5 and SP6 of the Local Plan which, insofar as they are relevant, seek to conserve and enhance sites and features of the natural environment of national, regional and local importance, including habitats and species of biodiversity value.

Other Matters

32. Concern has been raised regarding the impact of the proposal on highway safety. However, I have no substantive technical evidence before me to demonstrate that the proposal would give rise to highway safety concerns particularly having regard to the fallback position.
33. I have also noted the comments with regard to the existing use resulting in the degradation of roadside verges and risk associated with campsite visitors feeding New Forest ponies. However, I have no substantive evidence before me to demonstrate that the proposal would give rise to such harm. However, as a precaution I have imposed planning conditions which require the provision of information to visitors regarding the New Forest Code, which includes advice relating to appropriate parking behaviour, including the use of formal car parks, and not to feed the ponies and other animals within the park.
34. The appeal site lies within the Western Escarpment Conservation Area (CA). From my site visit, it was clear that the significance of the CA derives from its wide-open views, distinctive landscape features, and varied building stock, which together reflect the area's historic evolution and rural character. Given the limited views of the site and its established use over many years, I find that the appeal site makes a neutral contribution to the character and appearance of the Conservation Area. The temporary and reversible nature of the proposal would result in a neutral impact on the CA and would therefore preserve its character and appearance without harming its significance.
35. The appeal site is located within a National Park, an area to which the highest status of protection is afforded in respect of landscape and scenic beauty. I have therefore had regard to the statutory duty set out in Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended), which requires that the purposes of National Parks, including the conservation and enhancement of natural beauty, wildlife and cultural heritage, are given great weight.
36. I have found that the proposal would not harm heritage assets, wildlife or living conditions, and no other adverse impacts have been identified. Consequently, and

subject to the imposition of appropriate conditions, I conclude that the development would conserve the natural beauty, wildlife and cultural heritage of the National Park, while also supporting opportunities for the public understanding and enjoyment of its special qualities.

Conditions

37. I have considered the conditions suggested by the NPA, alongside the relevant guidance set out in the Framework and the PPG. Where necessary, I have amended wording in the interests of precision and enforceability.
38. In addition to the standard conditions relating to time limits and approved plans, including the temporary permission limited to three years, I consider it necessary to impose conditions controlling both the number and siting of pitches within the site. The temporary period would enable ongoing monitoring of the use and the effectiveness of site management and would allow the adequacy of the habitat mitigation measures to be reviewed in the event of any future application. A condition limiting the number of pitches is required to ensure that the development proceeds as assessed and aligns with the basis on which the habitat mitigation contribution has been calculated. Furthermore, a condition fixing the location of the pitches is necessary, as it is that specific arrangement which I have found to be acceptable in terms of its effects on neighbouring amenity.
39. A condition requiring the submission and implementation of a Campsite Management Plan, a prohibition on external lighting and amplified music is necessary to ensure that the day-to-day operation of the site is appropriately controlled, in the interests of safeguarding the living conditions of neighbouring occupiers, protecting the National Park, and maintaining the integrity of Protected Sites.
40. In order to ensure that there are no adverse effects on the integrity of the Protected Sites, a condition relating to foul drainage, wastewater disposal, and water efficiency are also necessary. This information is required prior to commencement of development as it effects how the site will be managed.
41. An ecological enhancement is necessary and also a pre-commencement requirement because the development has the potential to affect ecological interests at the site from the outset, including during any site preparation or vegetation clearance. Securing the details of ecological mitigation and enhancement ensures that such measures are embedded into the implementation process from the earliest stage. This approach is necessary to avoid or minimise harm, to ensure compliance with the recommendations of the submitted ecological assessment
42. A condition restricting permitted development rights for the use of the site as a campsite, over and above that permitted by way of this permission, has been imposed in the interests of safeguarding the living conditions of neighbouring occupiers, protecting the National Park, and maintaining the integrity of Protected Sites.
43. For these reasons, I am satisfied that the conditions imposed are necessary, relevant to planning and to the development permitted, enforceable, precise, and reasonable in all other respects.

Conclusion

44. The proposal would not harm the living conditions of neighbouring occupiers, and, would not adversely affect the integrity of the Protected Sites. The development would accord with the relevant policies of the development plan when read as a whole.
45. Accordingly, and having regard to all other matters raised, the appeal is allowed.

Barry John Lomax

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing / plans
 - Location Plan – Drawing DRG002
 - Proposed Block Plan – Drawing DRG003
 - Visibility Splay Plan – Drawing LGPS/PP/HFCS/01/01
- 3) The positioning of individual tents on the application site shall be in accordance with the position of pitches as shown on the approved site plan (Drawing DRG003).
- 4) The use of the land as a seasonal campsite for 50 pitches and any paraphernalia / chattels associated with the use shall be removed from the land in its entirety and the land shall be restored to its former condition as pasture land on or before 3 years from the commencement of the use in accordance with a scheme of work submitted to an approved in writing by New Forest National Park Authority.
- 5) The use hereby approved shall take place for no more than 52 days in any calendar year. All temporary structures associated with the use hereby approved shall be removed from the site when the use is not being undertaken.
- 6) No more than a total of 50 pitches shall be on site at any one time.
- 7) No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.
- 8) No amplified music shall be played in conjunction with the approved use.
- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (as amended) (or any re-enactments of that order) no other camping or caravanning use otherwise approved by Class B of Part 4 and Classes A and C of Part 5 of Schedule 2 of the Order, shall be carried out at the site without express planning permission first having been granted.
- 10) No goods, plant or machinery associated with the use as a temporary camp site shall be stored on the site.
- 11) The Development shall not be brought into use until:
 - a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this

calculation has been submitted to, and approved in writing by, the New Forest National Park Authority.

The development shall be carried out in accordance with and subject to the above details.

- 12) No development shall commence until details of the proposed toilet and waste disposal facilities, including their number, design, siting, servicing arrangements and method of foul and refuse disposal, have been submitted to and approved in writing by the New Forest National Park Authority. The approved facilities shall be provided in full prior to the first use of the site as a campsite and shall thereafter be retained and maintained in accordance with the approved details for the duration of such use.

All toilet and waste disposal facilities, including any associated infrastructure, shall be removed from the site when it is not in use as a campsite, and the land shall be restored to its former condition.

- 13) The development shall not be brought into use until a Campsite Management Plan has been submitted to and approved in writing by the New Forest National Park Authority. The development shall thereafter be operated strictly in accordance with the approved Campsite Management Plan.

The Campsite Management Plan shall include, but not be limited to, the following details:

- a) The Campsite complaints procedure to include
- Details of how neighbours of the site and occupants of the campsite may submit complaints, including how this information will be publicised.
 - The method for recording all complaints received.
 - The procedure for investigating each complaint, documenting the findings, and recording the outcome.
 - The actions to be taken in the event of any non-compliance with the approved Campsite Management Plan.
 - Records of all complaints, investigations and outcomes shall be retained by the campsite operator for the lifetime of the development and shall be made available to the New Forest National Park Authority within 7 working days of a written request.
- b) The measures to prevent, manage and respond to any anti-social behaviour arising from the use of the site.
- c) The measures for controlling noise arising from children, groups of people and dogs, and other campsite activities.
- d) A defined noise curfew, including the hours during which outdoor social activity will be restricted and / or prohibited.

- e) A limit on the number of firepits permitted on the site at any one time.
 - f) Controls on the use of firepits, including:
 - a. A prohibition on the use of any firepit other than those provided by the campsite.
 - b. Details of the specific locations within the site where firepits will be permitted, together with a prohibition on their use in any area outside the approved locations.
 - c. A prohibition on the use of firepits during wet or adverse weather conditions where smoke dispersal would be impeded.
 - d. A requirement that only logs purchased from the campsite may be burned in any firepit.
 - e. Confirmation that all logs offered for sale shall be seasoned wood with a moisture content of no more than 20%, with moisture levels routinely checked and recorded.
 - f. Confirmation that all logs offered for sale would be stored in a dry, covered and ventilated location to maintain low moisture content.
 - g. Details of the fire safety training to be provided to each guest prior to the use of any firepit.
 - h. Details of the location of fire-safety equipment positioned around the site, together with the procedures for maintaining this equipment, and the provision of an emergency contact number and instructions for guests to follow in the event of a fire or other emergency.
 - g) A smoke-management and monitoring protocol, including procedures to ensure that smoke from firepits disperses adequately and does not cause nuisance to neighbouring properties, and measures for the temporary suspension or cessation of any firepit use where inadequate dispersal or smoke nuisance is identified.
 - h) The provision and maintenance of prominent on-site signage displaying the New Forest Code for the duration of the campsite's operation (details of the New Forest Code can be obtained from the New Forest National Park);
 - i) The means by which the Campsite Management Plan will be made available to all visitors, including in electronic form; and
 - j) The publication of the Campsite Management Plan on the operator's website and its display on on-site notice boards.
- 14) Prior to the commencement of development hereby approved, including any site or vegetation clearance, a scheme of ecological mitigation and enhancement measures, together with a timetable for their implementation, shall be submitted to and approved in writing by the New Forest National Park Authority. The scheme shall be based on the recommendations set out in the Extended Phase 1 Ecological Assessment by Philips Ecology September 2024 report submitted with the planning application.

The approved ecological mitigation and enhancement measures shall be implemented in full in accordance with the approved timetable and shall thereafter be retained, managed and maintained on the site in perpetuity.

15) Prior to the commencement of the development hereby approved, details of the method for the storage, handling and off-site removal of all wastewater generated at the site shall be submitted to and approved in writing by the New Forest National Park Authority.

The submitted details shall:

- confirm the means by which wastewater will be securely stored on the site prior to removal,
- confirm that only a licensed waste-carrier will be permitted to remove the wastewater from the site; and
- confirm that all wastewater will be transported to a Wastewater Treatment Works that does not discharge treated effluent into the catchment of the River Avon, or into any other river catchment whose special ecological interest is sensitive to nutrient loading.

The approved wastewater-management measures shall be implemented in full for the lifetime of the development.

A record of the licensed waste carrier and the Wastewater Treatment Works to which any wastewater from the site has been transported shall be retained by the campsite operator for the lifetime of the development and shall be made available to the New Forest National Park Authority within 7 working days of a written request.