

I am formally writing to object to the planning application DC/25/1957. It is fundamentally flawed (excluding removal of the pole barn) and contradicts statutory requirements of the High Weald National Landscape “seek to further” duty.

The site was renamed Oakland Stud fairly recently from Tanglewood.

The application site requires the use of a third-party road and under deeds there is no access to the site for the purposes requested. The applicant is entirely aware of this. Although not a planning issue, what is the ability for reasonable prospect of the development being able to succeed. With no permission and no chance of permission from the road owner the development will fail.

Previous Applications

Application/ Enforcement	Applicant	Results	Reason
CG/25/96	Goodman	Refused	Outline planning: Proposal would constitute an alien intrusion in the countryside which would be out of keeping with and detrimental to the rural character of the locality.
CG/15/00	Goodman	Approved	
PE/22/0050		Refused	Pre Panning advice for conversion of the stable, unlikely to gain planning due to urbanisation, character and landscape
DC/22/2126	Andrea Starns (CG/25/96 daughter)	Refused No appeal	Significant statutory declarations counter to application. LPA = It has not been demonstrated on the balance of probability that a caravan has been stationed and occupied for residential purposes on the land for a continuous period in excess of 10 years
EN/24/0264		Upheld on appeal	Whole of the 5 acre site was attacked by the notice, inspector accepted, urbanising effect on the site, which is alien to its character and appearance, no other residential uses situated north of the vegetated northern boundary of the Forest Grange access road, the proposed

			<p>development would have an adverse impact on characteristic features of the HWNL. The proposal therefore fails to demonstrate it would conserve or enhance the natural beauty of the National Landscape.</p> <p>Consequently, the proposal would harm the character and appearance of the area</p>
DC/24/0974		Dismissed on appeal	<p>an unacceptable impact on the character and appearance of the landscape. Having regard to Framework paragraph 189 and the statutory duty for Protected Landscapes, the effects of the proposal on the character and appearance of the HWNL would amount to an unacceptable impact for the purposes of Policy 23. The proposal would therefore conflict with the policy.</p>
EN/24/0265 / DC/24/1499		Condition varied	<p>Condition varied from CG/33/94, varied condition explicitly prohibits residential use of the site.</p>
DC/25/0462		Refused by LPA, awaiting appeal	<p>Not essential to the countryside, proposal would introduce a formalised residential use and associated paraphernalia that would domesticate and degrade the natural, rural character of the site, in conflict with the purposes of the High Weald National Landscape.</p>
DC/25/1428		Refused by LPA	<p>result in an adverse visual and landscape impact causing harm to the landscape character and setting of the site within the High Weald National Landscape.</p> <p>Landscape officer visit the site and was rather concerned regarding the harms already done to the site.</p>

It is abundantly clear from all the planning applications that the formalising of residential use of the site is against the HWNL “seek to further” objectives. Attempts to create a more acceptable scheme do not remove this consistent stance. The LPA has refused any residential development north of the Forest Grange track 7 times, and twice by inspectors in 2025 specifically on urbanisation, character and landscape.

In EN/24/0265 / DC/24/1499 it is quite clear, no residential use of the stables.

- 2 **Regulatory Condition:** The stables and sandschool hereby permitted shall only be used for private equestrian purposes and shall not be let out or used for residential or any commercial purposes, or in connection with any form of riding establishment, stud or livery.

The impact should grant of permission be allowed will be uncontrolled urbanisation of the site and a precedent on the north of the track that has never had any form of residential use. All buildings currently to the south of Forest Grange has been in existence as the estate developed. No new residential houses have be independently created from what was the original estate, only has been repurposed but it follows the same linear pattern of the estate.

New residential use on stables north of the track will set a precedent for other stables to be converted to residential use resulting in significant change to the HWNL and introduce detrimental urbanisation effects, eroding the purpose of statutory guidance.

Location Map

The location plan below is from the council own enforcement notice EN/24/0264 and corresponds to the land registry plan which is owned by the applicant. Note the southern redline positioning.



It is unfortunately a continuous reoccurrence repeatedly highlighted in well over 50 objections is previous planning application related this site since 2023, that the LPA continues to accept, despite their own contrary evidence, these fantasy location plans from this site. The applicant continues to use fabricated maps in their applications in a vague attempt to acquire land from the owner of Forest Grange Private Road via the planning process.

To be clear, there are **NO** trees on the applicant's land, the ancient shaw is entirely on land owned by Forest Grange Private Road, including the tree with a TPO. In some applications it is correctly identified there are no trees on their land or that there are trees on adjacent land. In this application they claim it is on their land from fabricated non-Land Registry maps.

The LPA must exercise caution, as it can't force the landowner to undertake works on their land for the benefit of another without consent, and in this instance none will be given.

The LPA also cant place any conditions that related to this land should approval be provided as it would be deemed unreasonable and ultra varies.

The LPA carries increased risk of legal action and judicial review if it does not take care when reviewing the application.

Ancient Wooded Shaw

Shaws are identified as a defining feature of the High Weald from assarted fields.

To the south of the red line, on land owned by Forest Grange Private Road, is an ancient wooded shaw that is a remnant of St Leonards ancient forest and contains trees of varying ages including veteran.

From the applicants own supplied map information, it is clear this shaw has been continuously wooded since 1600's and therefore by Natural England's own standards is defined as ancient woodland. Indeed, the LPA own tree specialist highlights this as remnant woodland in their advice. The age and size of trees, size/shape of the shaw do not matter. This shaw is over and above the size required for registration as an ancient woodland. Due to the shaw being a fragment of ancient woodland, it is more susceptible to damage and deterioration from nearby development or interventions supposedly to make a development acceptable.

The pole barn was erected circa 2013 without permission but removal of tress from this shaw and since installation has caused some existing trees to fall over and the barn is within the rooting zone. The existence of the pole barn has been both physically and detrimental to the landscape character.



Image 2025, view N-S, observe trees over the stables. Google Maps.

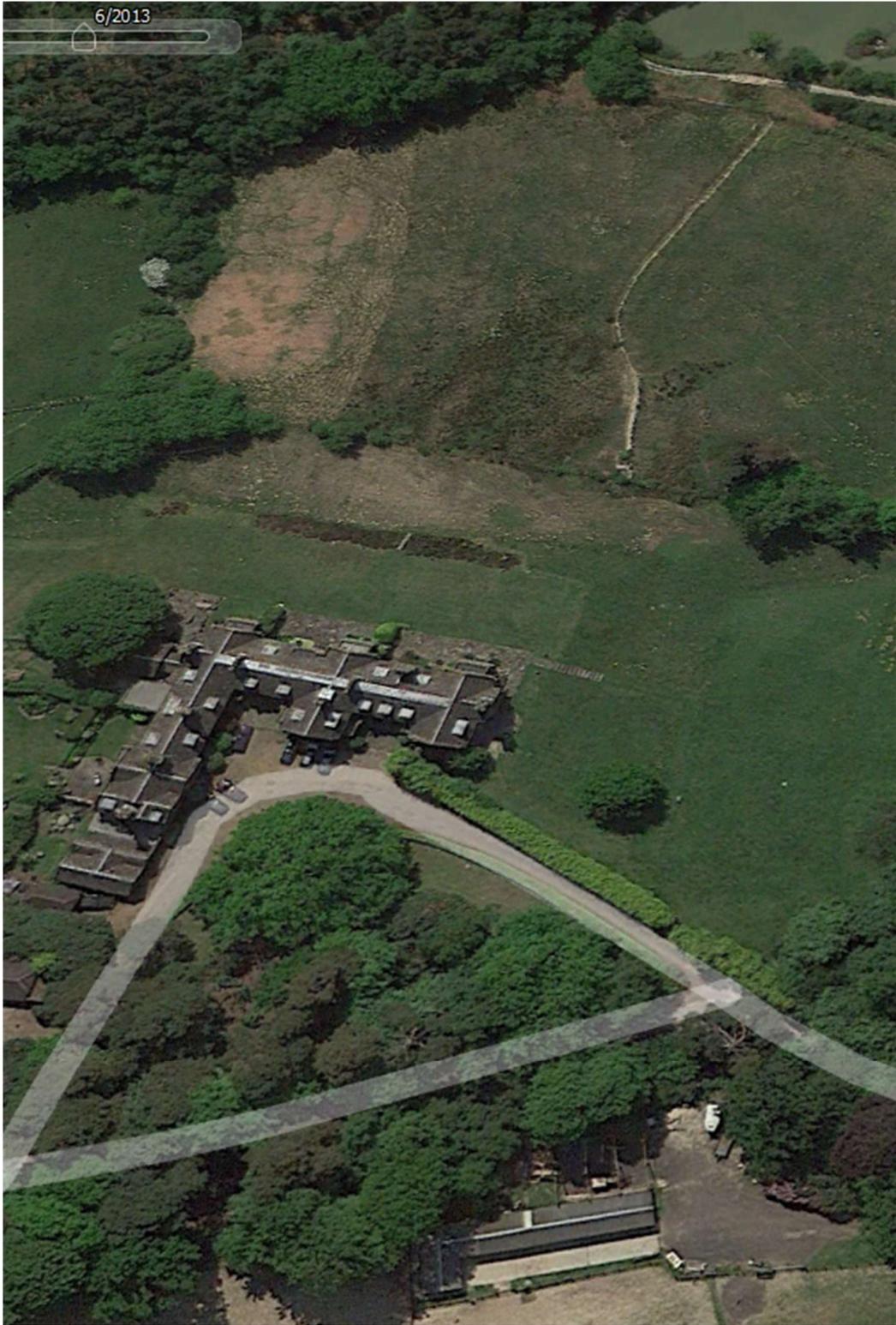


Image 2013, view N-S, observe removal of trees for pole barn.

The NPPF framework is quite clear on ancient woodland (which include shaws).

The owner of the land to which this shaw sits, does not make any interventions to any trees that are more than necessary to retain the shaw and minimise introducing potential avenues for deterioration via tree works that are not deemed essential. The only essential tree works are to avoid risk to road users and not this development as the applicant is making the conscious choice in conversion of a stables to residential. The risk therefore is of their own making.

The applicant is thanked for proving an updated survey though at their cost.

The owners of the shaw have been undertaking works to improve the shaw by removal of invasive Rhododendron for biodiversity improvement purposes. Any reference to the southern boundary being screened is not subject to any intervisibility between the listed building and the application site. It is actually exposing the application site and the sites unauthorised and detrimental development contrary to HWNL and the setting of the listed building. The harms have created entirely by the applicant and the previous owner who was the applicants' parents, all without regard for planning or the HWNL.

The owner of the road is under no obligation to retain invasive Rhododendron as screening for the benefit of the applicant. Should the proposal go ahead, it could be said the BNG is unachievable on the site without introducing more incremental harm to the HWNL. One suggestion would be the applicant could achieve this by helping to remove the invasive rhododendrons to the south of the application site.

Appeal:

The character and appearance of the area is generally accurately described in that very recent appeal decision and so I repeat much of its description of the site below, albeit amended where appropriate. The main difference is that the appeal site here, attacked by the notice, comprises not just the access road and the site of the two proposed new mobile homes and the septic tank, but the whole of the appellant's land ownership as set out on the current Land Registry title plan3 , which includes the whole of the three fields she owns including the sand school, adjacent barn, other outbuilding and the stables and pole barn (or at least part of them), the northern boundary of which is the line of the woods over 100m away.

the residential use of the site with its associated touring caravan and domestic paraphernalia and vehicles undoubtedly has an urbanising effect on the site, which is alien to its character and appearance,... there are no other residential uses situated north of the vegetated northern boundary of the Forest Grange access road.

The veteran copper beech tree (the TPO tree) lies approximately 10m from the site boundary, It makes a positive contribution to the landscape and biodiversity value of the HWNL. It is unclear whether the recent fencing work has had any adverse effect to the roots of this tree, but it is important that it is safeguarded and the appellant has not demonstrated that it has been when carrying out the recent fencing works.

Tree Works

For reasons of public safety, all tree works referred to herein must be carried out prior to any site personnel commencing works or any building materials being delivered.

Table 6: Summary of Tree Works.

No.	Species	Works	Category
2	Beech	<ul style="list-style-type: none"> ➤ Crown clean: remove all dead, diseased, weak, or crossing branches, along with any foreign debris; ➤ Crown lift N canopy to 4m over hard surfacing 	U
4	Beech	Crown lift NE/N canopy to 4m above hard surfacing	B

The entire development cannot proceed on the basis that no consent has been provided by the legal owner of trees for any works and in-fact no fence can even be erected on land owned by Forest Grange Private Road property without FGPR consent. If the application is approved with this knowledge, the LPA will be encouraging and condoning criminal damage and aggravated trespass as the applicant has already been informed to not to interfere with any land belonging to FPGR. These tree works are not covered by civil law in this instance.

The below photos clearly show that the trees are not on the applicant's land.



Photo shows the fence line of the holding, and the tree is tree # 4 in the survey that requires apparent tree works before commencing of operations. That tree is on FGPR land and no consent has been provided.

Further conditions cannot be placed upon land not in the ownership of the applicant that results in non-consented work to be performed.

Additionally, it was highlighted in the ecology survey dated mid-winter 2025 that one of the trees has a medium potential for roosting which if the development proceeds, may cause abandonment due to changes in the environment from quiet equestrian to residential use. The LPA has no data to provide confidence that proceeding with this development will not affect roosting or abandonment.

As this application is a new development, a change in use from agricultural / equestrian to residential for nocturnal animals may have an impact due to residential use.

Regarding the bat survey, this it was desktop only, but lack of information does not mean absence of information.

Amenity

In application DC/23/2234, there were sufficient objections regarding the noise for the retrospective planning application whereby due to the location and lack of buffers for sound, the amenity of nearby residents and the estate was disturbed sufficiently to the point that the inspect imposed a condition. That same amenity disturbance was observed in EN/23/0262 when the glamping, without permission, occurred on site.

24. Further, to ensure that the living conditions of local residents are protected it is necessary and reasonable to impose conditions to limit the operating times of the use, to restrict the number of participants, to prevent the use of floodlighting and to prevent the playing of music or any other amplified sound.

This restriction although for the bootcamp, will not be able to be controlled by residential occupation of the stables. Amenity of the other residents will be effected as well as the animals that have feely roamed the site for hundreds of years at night times.

Part of the land in this application and DC/23/2234 is conditioned against any playing of music or amplified sound. If this application is approved, there is an unaddressed conflict. Whether or not the applicant uses the land for such purposes as described in DC/23/2234 is not a consideration.

Further, EN/22/0262 was initiated due to unauthorised Glamping and change of use of land. The noise generated due to no buffer could be heard on most of the estate. The applicant and her children have held parties at the stables all disturbing amenities. With residential use, this tranquillity and amenity will no longer be protected.

Ecology Report

The ecology report was submitted with DC/25/0462 and performed a visual check only during mid-winter when there are no nesting birds, no transient animal studies etc. The report states that the usefulness of the assessment is only valid for 12-18 months. The report in this application is different, as when you run it through AI, various passages are

changed, omitted and others added. This puts considerable questions on the ecology report itself. Clarity is required from the author.

The desktop survey on bats is not comprehensive enough as there is an absence of data in the vicinity, . If one extends the survey out to 5km there are clear recordings of Bechstein bats and others on the red list, it is highly likely they are in the vicinity. Absence of evidence is not evidence of absence. From my own recordings of the shaw for bat sounds during foraging time I have considerable questions over just the 3 bat species recorded, there are significantly more. Additionally, at dusk, there is an exodus of bats near the application site flying in a west east direction along the southern boundary shaw. The ecology report suggest the trees in the shaw have a medium likelihood of bat roosting potential, which with residential use of the application site may cause abandonment of roosts due to impacts of human activity not restricted to light.

The ecology report only looks at Whitevane pond, there is a wildlife pond to the north of the site that has been omitted. This pond feeds further ponds and water course to the east where planning applications on Forest Road for residential buildings have been refused specifically for the presence of GCN.

Landscape

An in-person landscape assessment was conducted for planning application DC/25/1428 which states that.

“The immediate surrounding landscape is predominantly ancient woodlands, interconnected with shaws. Hedgerows are not locally characteristic.”

“high sensitivity to change, with primary sensitivities including suburbanisation, small scale incremental changes and changes in farmland management”

“we do not consider the existing hedges on the site or to its east to be appropriate to the local landscape character. These hedges create a regular field pattern, further subdividing the open land and causing detrimental effects on both the landscape and the AONB.”

“We maintain that the development does not reflect the pattern or character of nearby built form.”

“Incremental changes that contribute to the erosion of the landscape character, already affected by previous interventions and small scale development to the north of Forest Gate track, as well as by existing activities and structures associated with the site’s current use as a paddock.”

The application to convert the stables to residential will continue to result in harms to this sensitive site as typical residential use and future changes can not be conditioned against as it would be unreasonable to do so ie sheds, garden areas, plantings etc. The roof also is unsuitable as per the stable original application, it is fibre cement from the mid 90's before the ban on asbestos.

The application site also does not contain any amenity space and the hardstanding is in part used as a carpark for the bootcamp. The concern is that the area in front of the stables which has been planted with leylandii coniferous hedgerow, completely alien to the landscape, will become urbanised.

Pole Barn

The name of the application is “**Demolition of pole barn. Conversion of existing stable building into 1no. detached dwelling with associated works**” There is a full stop between barn and conversion.

In the drawing supplied, there is a clear separation between the pole barn and the stables, one is not contingent on the other. In fact the D&S statement does not at all suggest any linkages between the barn and the stables. It just states removal to reduce bulk form.

Given it is a full planning application, there is good grounds to have a split decision on this application. Removal of the pole barn (which harms the HWNL) as requested by the applicant and refusal for the conversion of the stables to residential use.

This approach has gained long standing precedence in high court cases and it not prejudicial and is available to the LPA to make.