

Objection to DC/25/1957

I write to **object** to Planning Application DC/25/1957.

To summarise, this application, like its predecessor DC/25/0462, suffers from a combination of procedural impropriety, legal impossibility, environmental insensitivity, and architectural incongruity. Its approval would not only defy precedent and planning logic, but risk undermining public confidence in the integrity of the planning process itself.

It should please be refused.

1. It is contrary to all recent planning history on the site.

Specifically:

CG/25/96: Outline planning for detached bungalow – **denied** on the basis it was an alien intrusion into the landscape and detrimental to the rural character of the area.

PE/22/0050: Pre-planning advice for conversion of stables – **unlikely to gain planning** due to effects on character & landscape and urbanisation.

DC/22/2126: Application for 10-year residential use of caravan - **denied** due to inaccuracies in the application. No appeal.

DC/24/1499: removal of condition 4 from CG/33/94 – condition modified – **stables not to be used** for anything other than private equestrian and **not for residential** or commercial use. No appeal. Detail below.

EN/24/0264: Breach of planning control, human habitation/residential development – **adverse effects on character of landscape and urbanisation** in High Weald Area of Outstanding Beauty. **Appeal dismissed.** Detail below.

DC/24/0974: Planning application for two gypsy sites. Planning application **refused** and appeal **dismissed** due to harm to the character of the landscape and urbanisation of the High Weald outweighing additional accommodation. Detail below.

DC/25/0462: stables and pole barn “conversion” for residential use – **refused** by HDC, harms outweigh additional accommodation. Detail below.

DC/25/1428: two gypsy pitches (location only 20m different from DC/24/0974 above) – **refused** by HDC. Detail below.

So, **all** the above attempts to develop the site for residential use, including the recently dismissed appeals for **DC/24/0974 and EN/24/0264** have been found to harm the HWNL via urbanisation and have been rejected, despite their purported benefits including additional housing; and **enforcement action is underway to end the existing unauthorised residential use** of the site.

Also of particular note is the refusal of DC/25/0462 which is essentially a larger scale version of the current application – the latter does not address the principal fundamental reasons for the earlier application’s refusal (it only changes some superficial window dressing design issues). Allowing the current application would run contrary to all these decisions, at local and Inspector level.

From the historic maps provided by the applicant in their heritage statement, it is clear that there has never been any development north of the access lane other than the stables – no residential development. **Ever.**

2. Detail relating to some of the planning history.

Specific detail from some of the above decisions is both illuminating and decisive:

PE/22/0050 – HDC advice ‘the proposal would result in a formal and suburban arrangement that would fail to protect, conserve, and/or enhance the key features and characteristics of the landscape character area or the settlement pattern of the locality.’

The same remains true for the current application.

DC/24/0974 – refused by HDC; appeal dismissed by PINS

In dismissing the appeal, the Inspector stated:

“Residential use of the site with associated domestic paraphernalia and vehicles would have an urbanising effect on the site. This would result in the encroachment of development and domestic features”.

Note that this judgement does not refer to residential buildings; but to residential use, such as is envisaged by the current application, so consistency would require this application to be refused.

The Inspector went on to say:

“This harm would be counter to the statutory duty to further the purposes of Protected Landscapes and would fail to conserve and enhance the landscape and scenic beauty of the HWNL, which the Framework affords the highest status of protection”.

The inspector noted in DC/24/0974 some unmet need for gypsy sites but concluded that **this need could not outweigh the harms to the HWNL**. An analogous situation applies to the current application, which in no way demonstrates that its marginal contribution to the 5 year supply of housing outweighs the harms to the HWNL.

The Inspector also noted

“... there is a veteran beech tree approximately 10m from the site boundary which makes a positive contribution to the landscape and biodiversity value of the HWNL. Whilst acknowledging there is some existing hardstanding in proximity of the tree, the proposal fails to demonstrate that unnecessary losses or harm to natural features would be avoided or adequately mitigated.”

This precious beech tree is much closer to the development proposed in the current application than it was to the gypsy pitches envisaged in DC/24/0974, and hence the likelihood of harm to it is much increased (especially given the substantial work, excavations etc that would be required if the stables were to be made habitable, for example structural work, and work to resolve the inadequate drainage proposals and to implement foul water drainage).

The apparent assurances around tree protection in the current application are rendered utterly worthless by the plentiful evidence of the utter disdain shown by the applicant towards the trees on FGPR land in the unauthorised building

and fencing work that has been undertaken on the site; much of it on land not owned by the applicant.

DC/24/1499 – removal of Condition 4 from CG/33/94

In agreeing to the separation between the Tanglewood Equestrian site (now Oaklands Stud) and the house named Tanglewood, HDC's Planning Committee at their meeting on 7 January 2025, explicitly varied the conditions attaching to this original permission to read: "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 commercial **purposes**".

This direction further supports the rejection of the current application.

EN/24/0264 Enforcement issued by HDC; appeal dismissed by PINS

The rationale for HDC's enforcement action also supports the rejection of the current application:

*"The breach of planning control constituting the **unauthorised change of use of Land** has occurred within the last 10 years for the stationing of a mobile home **for human habitation**.*

*The unauthorised use and development results in an adverse visual and landscape impact and causes harm to the landscape character and setting of the site, by virtue of the introduction of hardstanding and the urbanising impact of **residential development**. The unauthorised use fails to demonstrate that there will be no adverse impacts to the natural beauty and public enjoyment of the High Weald AONB*

The unauthorised use and development is considered to cause less than substantial harm to the significance of the Grade II listed Forest Grange Manor by reason of its effect on the setting of that designated heritage asset. There are no public benefits that would outweigh the harm identified.

Insufficient information has also been provided to demonstrate that the unauthorised use and development would have no adverse impact on protected

species and its habitat, and to establish how the unauthorised use and development will contribute to measurable biodiversity gain”.

Most of these points also apply to the current application.

Note that both HDC’s **enforcement notice and PINS’ appeal dismissal**, in confirming the **unacceptability of human habitation and residential development on the site**, apply to the **whole site** in the applicant’s ownership, not just that sub-set of the site that is the subject of the current application.

DC/25/0462 refused by HDC

*“The development ... **would not be essential to this countryside location**. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 4 and 26 of the Horsham District Planning Framework (2015). **Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Local and Neighbourhood Plan policies in these regards.***

The current proposed development would be no more essential to this countryside location than was DC/25/0462, and the harms associated with it continue to outweigh the marginal housing benefits.

*The design and scale of the development ... at odds with the site's rural character. Additionally, **the 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**. The proposal fails to respect the setting of the High Weald National Landscape, conserve or enhance the visual and spatial qualities of the protected landscape and is contrary to Policies 25, 30, 32, and 33 of the HDPF.*

Clearly some of the design issues remain; but this reason for refusal is about much more than the building itself – it is more fundamentally about the

introduction of residential **USE**, domestication and degrading the natural, rural character of the site. The current application – which again seeks to introduce formalised residential use - does not, because it cannot, overcome this reason for refusal.

DC/25/1428 - refused by HDC

*“The development, through the introduction of two residential pitches and associated structures, parking / turning area and related domestic activity, would 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**. The development **fails to demonstrate it would conserve or enhance the natural beauty of the National Landscape and would result in harm to the character and appearance of the area, contrary to Policies 23, 25, 30 and 33 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework**”.*

3. It encroaches on land not owned by the applicant and is undeliverable

The pole barn, some of the stables, and some of the wider site that is the subject of the current application are on land owned by Forest Grange Private Road Ltd (FGPRL).

In *R (Aysen Dennis) v London Borough of Southwark and Notting Hill Genesis [2024]*, the High Court held that the local planning authority acted beyond its powers by granting permission that imposed obligations on land not under the applicant's legal control. This reinforces the principle that planning conditions must not extend to land outside the applicant's legal ownership without a reasonable prospect of compliance.

In *R (Sainsbury's Supermarkets Ltd) v Wolverhampton City Council [2010] EWHC 34 (Admin)*, the court reiterated that ownership and the ability to carry out the development are material considerations. Crucially, in *DB Symmetry Ltd v Swindon Borough Council [2020] EWCA Civ 1331*, the Court of Appeal

confirmed that planning obligations (or conditions) cannot require action on land not controlled by the applicant unless there is demonstrable consent.

Similarly, *Sequent Nominees Ltd v Hautford Ltd [2019] UKSC 47* reinforced the importance of landowner consent when considering land use rights.

Planning permission does not override private property rights, nor does it grant the right to carry out development on land without the explicit consent of the landowner—in this case, FGPR. As no such consent has been or will be given, the current application is fundamentally unimplementable. Granting approval in these circumstances would place the Local Planning Authority (LPA) beyond the scope of its lawful powers.

4. There are substantial issues, flaws and wilful misrepresentations within the application

The overarching and most fundamental flaw in the current application is that it does not (because it cannot) provide any justification for why it should proceed when all those applications and appeals listed above have been refused and dismissed.

Boundary misrepresentation

The site plans submitted by the applicant, in this and other applications relating to this site repeatedly misrepresent the land ownership boundaries by including land that is legally owned by FGPR.



On the **left, the reality** per the **Land Registry** (and HDC's EN/24/0264) – pole barn outside applicant's boundary; stables astride the boundary; domestic curtilage to the south, outside the boundary.

On the **right**, current application: DC/25/1957 - proposed dwelling and pole barn inside **falsely represented boundary**

The map inaccuracies are significant and not accidental - they have been brought to the applicant's and the LPA's attention many times by FGPR, FGHMCL and by Forest Grange residents in their objections; yet misleading maps continue to be accepted and validated as part of successive planning applications.

The LPA appears to have validated the map relating to the current application, but this is wrong, and inconsistent with both the Land Registry record, and the map that accompanied HDC's own enforcement notice EN/24/0264 (which was itself, correct).

Including FGPR-owned land in the application without authorisation is a serious breach that distorts the facts of the case and should invalidate the application. Such an action, and the validation of the application, undermine the integrity of the planning process and cast doubt on its fairness. Planning regulations require that site boundaries be clearly and accurately defined, and submitting plans that extend beyond land the applicant legally controls not only challenges the legitimacy of the application itself but also exposes potential flaws in the local authority's validation system.

The submitted plans clearly show line boundaries extending onto land owned by FGPR, despite the absence of any legal interest held by the applicant in that land and in the face of formal objections by FGPR and others. In these circumstances, the application is fundamentally flawed. The LPA should not proceed to determine an application that includes plans reliant on third-party land where consent has neither been sought nor granted. The inclusion of such land renders the application invalid, as it fails to meet the basic legal requirement for accurate and lawful site boundaries. Moreover, any conditions the LPA might seek to impose in respect of that land would be incapable of lawful enforcement and would constitute an unreasonable exercise of planning powers. The current application should be declared invalid, and the applicant should be required to

refrain from progressing further applications that include inaccurate site maps and land not owned by the applicant.

FGPRL has recently effected a substantial reduction in the rhododendron cover in an area of the land it owns (but which erroneously appears within the applicant's site map), for reasons of road safety; the significant effect of which on the current application is elaborated below.

Nature of the development

The proposal aims to convert a former equestrian building into residential use. This would introduce a form of development that breaks with the longstanding, linear pattern of settlement that has historically defined the estate's layout. That pattern is not incidental but forms part of the area's landscape identity, which this scheme would disrupt.

There is no locational justification for the proposed dwelling, and its approval would continue a creeping, piecemeal erosion of the landscape character already visible on the site. Far from being benign, this kind of incremental change undermines both the integrity of local policy and the broader intent behind national protections for valued landscapes. Endorsing development of this nature in the High Weald would dilute the statutory obligation to enhance its special qualities and open the door to further inappropriate schemes.

The domestic curtilage to the south would cross the boundary onto land owned by FGPRL; and that to the north would extend residential use and paraphernalia further into the protected landscape.

The application fails to acknowledge that the Manor House's boundary extends to within c.15m of the site boundary, and hence underestimates the impact on the Grade II listed building's setting. This impact is exacerbated by the screening which is less effective than the application claims.

Stables

- **Not just a conversion, but a rebuild**

The stable building lacks the structural integrity for residential use. Built 30 years ago on a deteriorating concrete slab with minimal footings and a flimsy timber

base plate, it was never intended to support habitable accommodation. The so-called “structural survey” accompanying the application is no more than the result of a quick and limited visual inspection. Analysis of the foundations in particular is limited to a vague comment that “the ground conditions would indicate that the foundations, of a concrete raft slab, are adequate”. They may be adequate for a thin walled, single skinned, uninsulated stable, without flooring, services or facilities, but they are unlikely adequately/safely to support the proposed structure once all the “conversion” work is done. According to *John Harrison v Uttlesford DC* [2023], such fundamental structural work exceeds what qualifies as a “conversion” and instead constitutes a new build, which planning policy restricts in rural areas.

- **Harm to trees and the landscape**

The structure sits within the root protection areas of mature trees that contribute to the ecological and visual character of the High Weald National Landscape. Any groundwork to upgrade or extend the foundations risks damaging these trees further. Past works have already caused visible deterioration, and the proposed development would intensify this harm. As noted in *Hibbitt v SSCLG* [2016], a project requiring such intrusive works cannot be classed as a conversion. Given the sensitivity of the site, and the guidance in BS5837:2012, these impacts are not minor technicalities but material planning issues. The proposed soft landscaping offers no reassurance, as local deer populations routinely damage young planting. Without high fencing—visually intrusive in this setting (and contrary to the High Weald Design Guide) — the success of such planting is doubtful.

The LPA cannot consent to works that will actively harm other people’s property. This development would undoubtedly harm trees on land owned by FGPR.

See also Page 18, comments relating to para 1.3 of the applicant’s planning statement, which questions the value that can be placed on the tree information in the applicant’s submission.

- **Design**

Whilst modified since the refused application DC/25/0462, the design still demonstrates many of the features that contributed to this refusal – “glazed openings, domestic style materials, block like and suburban appearance at odds

with the site’s rural character”. The design still clashes with the vernacular architecture of Forest Grange and undermines the High Weald’s distinctive rural character. While screening is suggested, the High Weald Design Guide is clear that good design should stand on its own merits, not be hidden from view; and any such screening would further undermine/compromise the historic landscape pattern whose value has been highlighted by successive PINS judgements.

Without screening, the development would be clearly visible from the path that runs the length of the northern boundary of the adjoining paddock in the woodline, contrary to statements made in the application.

The design envisages no windows to the south side and cites this as a benefit in terms of privacy. With no light from the south, this would make for a very dingy interior; and would no doubt be something a future occupier would look to resolve quickly by revisions to the design – which would have a further urbanising effect on the building and surrounds, and move it further out of keeping with the rural setting. The design itself is therefore unsustainable.

The applicant’s disdain for the local vernacular and rural landscape can clearly be seen in the ornamental, ostentatious, floodlit, enormous electric entrance gates to “Oaklands Stud” vs the standard rural-appropriate gate entrance to the paddock next door.



Normal gate on the Forest Grange Access lane; with post and rail fencing behind.



Tanglewood Equestrian/Oaklands Stud entrance; non-native hedging behind.

- **Adverse effects on surrounding trees**

The pole barn was built without the necessary planning consent, following the removal of trees and hedgerows that held landscape value, which has caused clear harm to the HWNL. The barn is located within the root zones of mature trees, some of which are situated on land outside the applicant's ownership. Since its construction, the health of these trees has deteriorated noticeably, with some falling likely due to damage to their roots caused by the unapproved works. Rather than rectifying this damage, the current proposal would continue and potentially exacerbate the harm. The LPA cannot consent to works that will actively harm other people's property. This development would also undoubtedly harm trees on land owned by FGPR.

Wider site

- **Site degradation** - Over time, the site has suffered from piecemeal, harmful changes—clearly visible in aerial imagery. Traditional field patterns have been lost to arbitrary subdivision, and non-native species like *Leylandii* have been planted in multiple sensitive locations. These actions contravene the High Weald Design Guide, which advises against invasive species due to their ecological impacts. Imported hard materials, including on areas under Tree Preservation Orders, and inappropriate fencing types such as close board and corrugated metal, further erode the landscape character. Rather than preserving or enhancing the High Weald, the proposals and wider site management are accelerating its decline.
- **Screening** - The removal of vegetation on the FGPRL owned land between the actual site boundary and the private drive renders redundant claims and photographs in the design and heritage statements of substantial screening between the site and the access lane and manor house. The harms to the manor house would need to be re-evaluated as the statements in the application are out of date.

Additional fencing, hastily erected in mid-May '25, following the vegetation removal, is of the close board type, and inappropriate to the setting. The High Weald Design Guide is clear: *“Close board fences are not an appropriate boundary treatment to define either the fronts or sides of plots”*; *“transitions need to be soft so that development sits appropriately in the landscape”*; and *“attention should be paid to the prevailing local style to help new development feel ‘of the place’*. The application makes significant play of the supposed rural/traditional nature of the development but fails to acknowledge that such fencing is neither rural nor traditional in this setting; and neither is the corrugated metal fencing with which it is supplemented. In addition, much of the fencing to the south is situated on land owned by FGPRL.

Contrary to the pictures and (mis)statements in the applicant’s various submission documents, this is what the site actually looks like today (5

February 2026), from the access lane, close to (less than two metres from) the boundary of the Manor House's domestic curtilage:





This fencing, which is all that is “screening” the stables and pole barn from view from the south is also all contrary to the conditions set out in CG/33/94, and completely at odds with the local standard open split chestnut post and rail fencing (see below) which is all but ubiquitous elsewhere on the estate (including DC/20/0980).

Were the site’s fencing to be replaced, as it ought to be, with fencing that is appropriate to the location and meets the conditions of CG/33/94 and the requirements of the High Weald Design Guide, there would be no screening of the stables and the pole barn to the south/access lane. Such rural-appropriate fencing could easily be made capable of containing animals without the need for the current style and size of fencing.



Example of typical local post and rail fencing elsewhere on the Forest Grange estate.

- **Access**

The application notes that access to the site is via a private drive; but fails to acknowledge that such access is allowed only for the purposes of activities authorised on the site, which excludes residence.

The application quotes the site as being within 1km of Horsham's boundary. This may be true (though that is unlikely) but is anyway irrelevant. Much more relevant is that the nearest local amenities are > 3km away in distance to be travelled on the ground, largely down a narrow, twisting, unlit private lane with no footpath, and with similar limitations on Forest Road. Access on foot is not practical – vehicles are required, which will undermine the sustainability of the application and increase traffic on an already dangerous section of road.

In terms of parking, the application seeks 5 spaces (for a two bed dwelling?) – that would be in addition to the 20 apparently required for the boot camp. That's 25 car parking spaces in total. In the middle of a paddock, in the HWNL,

visible from public vantage points – surely not reasonable, proportionate, acceptable or desirable.

- **Drainage**

The drainage assessment is flawed and wrong because it is based on the efficacy of a soakaway whose capacity is overestimated. Contrary to statements and suppositions in the application, which are unsupported by technical documentation/evidence, surface water would not soak away effectively – as evidenced by the proper technical evidence in DC/20/0980 from a site <500m distant.

There is no explanation of foul water disposal – surely this should have been enough reason on its own for not validating the application; and is sufficient to refuse it now.

- **Sustainability**

With no facilities within 3km of the site, and access to it possible only via a narrow winding unlit lane with no footpath, and a busy minor road, also unlit and with no footpath, use of the site would require vehicular transport and hence add to unsustainable travel patterns.

Previously developed land

Re-use of previously developed land (PDL) is only encouraged provided that the land is not of high environmental value. But as the application fails to acknowledge, and PINS have emphasised, this site is part of a landscape to which the national planning framework “attaches the highest protection”. Assertions in the application that development on all PDL is acceptable in principle is wrong.

Examples/precedent

The examples quoted in the application are either flawed or irrelevant (or both) because their circumstances are so different from the current application, which needs to be considered on its own merits. What is directly relevant are the examples quoted above from the planning history on this same site, all of which have highlighted the unacceptability of the harms associated with the introduction of new residential development.

I highlight below some further specifics from the applicant's planning statement (some of the points also appear in their other documents as well) because they are misleading, disingenuous, and/or plain wrong, and hence **undermine and compromise the integrity of the application**.

The paragraph numbering reflects that in the planning statement:

Planning statement

Para 1.3 Asserts that the reasons for rejection of DC/25/0462 have been addressed by the current application; but they have not.

- As to reason 1 for refusal, the current application is no more “essential to this countryside location” than was the original – that is to say, not at all; and in addition the housing supply situation was fully considered in the earlier application and did not outweigh the harms identified. Neither does merely engaging Para 11 d) of the NPPF satisfy reason 1.
- Amending the design may have improved the application vs DC/25/0462, but window dressing cannot address the more fundamental part of reason 2 for rejection “*the 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*”. And the revised design still suffers from some of the issues highlighted in the refusal of the original, namely “glazed openings, domestic style materials and block like and suburban appearance, at odds with the site’s rural character”. Since when did stables have sliding glass doors?
- And reason 3 for rejection – although the current application provides pages of documentation and assurances on tree protection, these should be disregarded because of the applicant’s demonstrable, total, consistent and long standing disregard for the surrounding trees which, despite the site plans, are on land outside the applicant’s ownership, and have suffered woefully as the result of years of unauthorised development on the site.

Para 2.3 references CG/33/94 and DC/24/1499 – and quotes the latter as establishing the separation between Tanglewood Equestrian and Tanglewood. What is not referenced in the planning statement though is the unequivocal caveat attached to the DC/24/1499 decision by HDC’s Planning Committee, that the stables are “not to be used for residential purposes”.

This caveat was accepted as an amendment to the conditions attached to the CG/33/94 original planning approval for the stables. An oversight in the planning statement; or a deliberate omission? In any event, **this change to the conditions attached to the original approval for the stables is decisive.**

3.1 References recent planning decisions. In respect of DC/24/0974, the applicant's planning statement says: "Decision: refused 24/10/24. Appeal submitted". **What it does not say is that the appeal has been considered and dismissed**, on 28/4/25 (see details in the planning history section, and summary below). Another omission then. Another oversight; or a deliberate omission?

To paraphrase Lady Bracknell (in "The Importance of Being Earnest") "to omit one such key piece of information could be considered an accident; to omit two looks like carelessness (or disingenuity)".

These two omissions are key because in the first, HDC has unequivocally stated that the stables are not to be used for residential purposes, and hence could have dismissed the current application even before validation and should do so now, before determination. In the second, PINS' dismissal of the appeal made clear that the harms arising from residential development outweighed the benefits (which included an increase in accommodation). **They both decisively undermine the current application and provide grounds for its refusal.**

4.3 Removal of the pole barn. Nowhere is it acknowledged that this was built without planning permission, on land owned not by the applicant but owned by FGPR, and without FGPR permission. Irrespective of the decision on the stable, it should be demolished.

4.6 The "extensive soft landscaping to the south" is not as extensive as the application suggests (see my pictures which are a) up to date and b) pointed in an appropriate direction i.e. towards the proposed development, in contrast to the ones in the application, which are [deliberately] out of date, and pointed in directions designed to support the assertions, rather than actually towards the proposed development.

4.7 Asserts that the development would be in keeping with other developments "in the immediate vicinity" and there would be no detrimental impact to the HWNL. The development in the most immediate vicinity is Forest Grange Manor, a substantial 1913 Jacobean style stone clad manor house – not really in keeping with a suburban style wooden shed. And as to the impact on the HWNL, the detrimental impact would not just be the building itself, but the residential use to which it would be put, and the

accompanying urbanising paraphernalia – as has been made clear many times in the planning and appeal judgements listed in my document.

4.8 Quotes that the development is served by an access lane; but fails to acknowledge that the applicant's right of access excludes for residential purposes.

Sections 5 & 6 – there are many issues with these sections, most of which are picked up in my “contrary to policy” section below.

6.22 Quotes an expectation that “...a consistent approach is applied to decision making”. This is in the context of the examples and precedents that are quoted – but these are flawed and irrelevant, because their circumstances are so different from the current application, even if physically, some are not far distant. And anyway, as the application states more than once, the application should be considered on its (standalone) merits. What is relevant, and where **consistency should be applied** is in respect of the **planning history on this precise site** – where **all applications for residential development have been refused, and where all appeals in respect of residential developments have been dismissed**.

6.44 Quotes that there would be “no issues ...beyond that of the existing use of the site”. But this fails to acknowledge that the existing use of the site includes unauthorised commercial and residential activities that are contrary to previous planning decisions and an extant enforcement notice. Compared to the authorised/legal use of the site, which would be limited to agriculture and grazing, residential use would raise significant issues “beyond existing use”.

6.54 The applicant graciously offers to provide hard and soft landscaping – but does not acknowledge that the pole barn, the current fencing to the south of the site, some of the stables, and the intended southern domestic curtilage of the development are sited on land that is owned not by the applicant but by FGPRL – so such landscaping (between the development and the access lane) would be (legally) undeliverable.

5. It is contrary to policy

The proposal site lies within the High Weald National Landscape—previously designated as an Area of Outstanding Natural Beauty (AONB). As such, it benefits from the highest level of landscape protection under national planning policy. Paragraph 189 of the National Planning Policy Framework (NPPF) clearly

states that “great weight” must be afforded to conserving and enhancing the landscape and scenic beauty of National Landscapes, National Parks, and the Broads”.

Recent legislative updates have reinforced this protective stance. Specifically, the Levelling-up and Regeneration Act 2023 (LURA), through Section 245, strengthens the responsibilities of relevant authorities. Rather than merely having regard to the purposes of Protected Landscapes, public bodies must now actively *seek to further* those purposes. This more robust requirement underscores the level of scrutiny any development in such areas must withstand.

In the local context, the Horsham District Planning Framework (HDPF) offers clear policy direction. Policy 25 seeks to safeguard the natural environment and local landscape character, supporting only development that respects settlement form, maintains separation between settlements, and enhances townscape and landscape quality. Policy 30 provides more specific protection for designated landscapes like the High Weald, requiring that proposals actively conserve and enhance their intrinsic beauty.

In this case, the proposed residential development fails to satisfy these standards. The transition from an equestrian to a domestic use introduces significant visual and physical changes - domestic features, adding significant non-equestrian features to the stables, adding more yet more car parking (5 spaces, for a two bed residence – why so many, in addition to the 20 for the boot camp?). These modifications bring a distinctly suburban character to a countryside location, undermining the rural qualities the National Landscape designation exists to protect.

Contrary to the Applicant’s Planning Statement—which asserts the development is in keeping with the area and has no detrimental visual impact—this transformation represents a marked departure from the established land use. The introduction of domestic paraphernalia is not aligned with the site's current lawful use or character, and thus cannot be deemed comparable or contextually appropriate.

Furthermore, the applicant has failed to clearly define the extent and location of the proposed domestic curtilage. Based on the submitted red line boundary, it appears this area would extend behind the existing structure—onto land owned by FGPR. This omission makes it impossible to properly assess the proposal’s full landscape impact, particularly as it relates to encroachment beyond the developed footprint.

The argument that existing mature landscaping to the south will visually screen the development is also flawed. This vegetation falls entirely outside the applicant’s ownership and control, and has been much reduced for reasons of road safety (compare and contrast my picture with those in the application), making the claimed screening ineffective. Relying on third party land and features for visual mitigation is not a valid planning justification. If screening is necessary to reduce harm, it must be provided within land controlled by the applicant; and should comply with the High Weald guidelines, which the site’s fencing and hedging do not.

Of particular significance is the recent Planning Inspector’s decision on appeal ref. DC/24/0974 for a residential proposal on this site. The Inspector concluded that the development would “harm the character and appearance of the area” and the appeal failed to demonstrate it would conserve or enhance the natural beauty of the National Landscape. The current application presents no material changes that would justify a different conclusion by the local planning authority.

Specific policy issues:

Policy 26 of the HDPF (protection of the countryside from inappropriate development) – the application does not meet **any** of the four key criteria for development (agriculture, minerals/waste, recreational, or sustainable development). Neither does it “conserve or enhance the key features and characteristics of the landscape” in terms of development pattern, pattern of woodland etc and landform. Note in particular the importance that PINS have attached (in rejecting appeals on DC/24/0974 and EN/24/0264) to the fact that there is no residential development to the north of the access road, and the

adverse impact of these and other planning applications would have on the field patterns.

The application demonstrably fails to meet all five of the required criteria in the Sept 2025 Shaping Development in Horsham District planning advice note (**SDPAN**), including: the site does not adjoin a settlement; it is not necessary for the scale and function of a settlement; the site is not contained within an existing defensible boundary; and the landscape character features are neither maintained nor enhanced.

The application conflicts with **Policy 10** of the HDPF in that it fails to envisage commercial development for the re-use of rural buildings, before moving to residential use. Just because it suits the applicant's purposes to leap straight to residential use does not make it acceptable. Note also that both residential and commercial use of the site are precluded by covenants on the land; and recall that **HDC's Planning Committee explicitly precluded residential use of the stables in DC/24/1499**.

Policy 2 of the HDPF, covering the (re)use of previously developed land (PDL) – such re-use is only encouraged provided that the land is not of high environmental value. But as the application fails to acknowledge, but PINS have emphasised, this site is part of a landscape to which the national planning framework “attaches the highest protection”. Assertions in the application that development on all PDL is acceptable in principle is wrong.

The examples quoted in the application are either flawed or irrelevant because their circumstances are so different from application, which needs to be considered on its own merits. Much more relevant are the examples previously quoted from the planning history on this same site, all of which have highlighted the unacceptability of the harms associated with the introduction of new residential development, and several of which have made clear that these harms outweigh any benefits of increased accommodation.

The application fails to demonstrate that it meets the requirements of **Policies 25 and 30** of the HDPF, which support developments that “protect, conserve, enhance landscape natural beauty of the HWNL” and support development if there is “no adverse impact to the landscape's natural beauty”. As with previous proposed developments on the site, further encroachment into the countryside of inappropriate (residential) development will not conserve or enhance it.

At national level the **NPPF** requires that “great weight should be given to conserving and enhancing landscape and scenic beauty in...National Landscapes” and has been amended to place on authorities a requirement to “seek to further...the purposes of protected landscapes” rather than, as previously, simply to have regard to them.

PINS has previously found that proposals on the site fail “... *to demonstrate it would conserve or enhance the natural beauty of the National Landscape. Consequently, the proposal would harm the character and appearance of the area*”. The same is demonstrably true of the current application.

Sustainability – with no facilities within 3km of the site, and access to it possible only via a narrow winding unlit lane with no footpath, and a busy minor road, also unlit and with no footpath, use of the site would add to unsustainable travel patterns and hence be contrary to **Policy 40** of the HDPF. It is not clear from the site plan or application how the required 5 parking spaces, in addition to the 20 for the “bootcamp” could be accommodated; but however it is to be accomplished, would add further to the unacceptable urbanisation and landscape harms of the site.

Although the HDPF is dated, that does not render all its policies out of date or ineffective as the application suggests; and nor does HDC’s inability to show a 5 year supply of deliverable homes mean that a presumption in favour of development is automatically satisfied (as has been confirmed by local and PINS judgements). And the NPPF and its planning balance requirements are very much in date.

Para 11(d) of the NPPF allows refusal of developments where application of policies and frameworks that protect areas and assets of particular importance provide strong reasons for refusing development, or where adverse impacts would outweigh benefits. In the first instance, application of policies and frameworks that protect areas and assets of particular importance DO provide strong reasons for refusing development, as explained above; and in the second instance, adverse impacts (changing character of protected landscape, introducing urbanisation and domestic use, unsustainability of location, proliferation of development in the countryside and failure to further the statutory purposes of protected landscapes) clearly outweigh the marginal housing stock benefits.

HDC and PINS have been consistent in refusing applications and appeals on the grounds that one or both of these conditions have been met on this site, including their assessments that the adverse impacts of residential development outweigh the purported benefits of increased housing or gypsy accommodation.

In light of the above, it is clear that the application does not meet the requirements of local or national policies or recent legislative updates. It would result in unjustified encroachment into protected countryside and fail to uphold the statutory aims of the High Weald National Landscape.

6. It is essentially a re-hash of previous applications, all with the same intent.

The current application is I think, the 10th relating to this site in the last 3 years; most of which have sought, directly or indirectly, to exploit the land for residential purposes. The applicant's ultimate aim is clear – a substantial (and no doubt highly profitable) housing development; for which this application is but the thin end of a very considerable wedge, intended to establish a precedent that would be quickly and ruthlessly exploited with further such applications on the same site.

The message from previous local and national planning judgements is unequivocal and compelling – residential development on this site is not appropriate or acceptable. It is surely time for the LPA to put a stop to these repeated applications which waste everyone's time and a great deal of money.

7. There are also issues arising from other documentation submitted, which it is worthwhile to highlight

The Parish Council's strong objection includes the following points:

- Where would the horses from the stables go, if the application was granted? Notwithstanding the assertions in the application, the actual answer is that, if approved, this application would quickly be followed by an application for more stables (yet more development); which would then be subject to an application for conversion of these stables to a residence; and so on...

- The development is not in keeping with other properties at Forest Grange – especially not those in closest proximity to it, such as the Manor House and the Courtyard properties.
- The application is silent on the provision of utilities – and note that their provision, if practicable, would at the very least add to the urbanisation effect and threaten the neighbouring trees and their root protection areas

Highways

- No objection raised, based on no police issues in the last 5 years; but there was a fatal accident at the junction of the private drive and Forest Road in 2019 and a serious accident close to the junction more recently; and there was an incident on the private drive on 15 May 2025 which resulted in significant injury, and Police action in arresting the perpetrator who has since been charged with a criminal offence.

8. Summary and conclusions

This planning application should be rejected because:

- It is inconsistent with many previous rejections of applications for residential development on the site which have fully considered the harms and benefits and concluded that the former outweigh the latter (including additional accommodation)
- It encroaches significantly on land not owned by the applicant and as such is undeliverable
- There are substantial issues and flaws with the application, including:
 - Wilful and repeated boundary misrepresentation – a serious breach, that negates the legitimacy of the application, and exposes flaws in the LPA's validation process
 - Nature of the development
 - It is contrary to the long standing linear development pattern on the estate, with no residential development north of the access lane
 - Stables
 - More development than straightforward conversion

- Harmful to trees and landscape
 - Unsympathetic and sub-urban design
- Wider site
 - Site degradation will be exacerbated
 - Screening – not on land owned by the applicant, no longer effective; fencing (historic and new) is inappropriate
- Access & sustainability
 - Via private road; but not for residential purposes
 - Lack of amenity access undermines sustainability claims
- Drainage
 - Misrepresented drainage capacity; no foul drainage disposal
- Previously developed land
 - The land is of the highest environmental value, so the assumption that development is acceptable in principle is wrong.
- Examples/precedents quoted are flawed and/or irrelevant
 - What is relevant is the planning history on this site which unequivocally refuses/dismisses residential development even where additional accommodation is proffered.
- Specific omissions
 - The application disingenuously omits in paras 2.3 and 3.1 of the planning statement material information concerning (2.3) HDC's decision on DC/24/1499 to specifically preclude residential use of the stables, and (3.1) on DC/24/0974 that the appeal against refusal of the 2 gypsy pitches was dismissed by PINS with the conclusion that the harms involved outweighed the benefits of additional gypsy accommodation.
- It is contrary to a raft of local and national policies designed to protect valuable landscape and amenity
- It repeats previous applications with essentially the same exploitative intent and is intended as a precedent to allow further exploitation of this sensitive, precious and protected site.

In short then, it is inconsistent with a long line of well-reasoned rejections, unbuildable due to third-party land ownership, fatally flawed in its conception and presentation, contrary to national and local planning policy and repetitive in nature and strategic in its incrementalism.

Thank you for your consideration of these objections, which I trust will contribute to the application being rejected.