RODWAY PLANNING
CONSULTANCY LIMITED

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

1st October 2025

Dear Sir / Madam,

**Town and Country Planning Act 1990**
**Appeal by Mrs Jean Gorton**
**Site Address: Sailtops, Cox Green, Rudgwick, HORSHAM, RH12 3DE**
**Appeal reference: APP/Z3825/W/25/3368192**

From a review of the Local Planning Authority's (LPA) case (their letter dated 18th August 2025) and the third party representations received in respect of our Client's Planning Appeal, we would like to respond as follows:

**a) Visual impact and 'urbanising effect'**

Our response: this would be largely unchanged as the Appeal scheme seeks to utilise an existing opening onto the road. By using the existing gateway onto Cox Green / B2128 we consider that the proposals would have a reduced environmental impact when compared with the consented scheme, which permits the removal of a section of frontage hedgerow. The hedge where the new driveway would be situated would no longer need to be cut into and the fruit trees on the front lawn could all stay in place as there would be no need to remove them. We consider that there would be less impact to the street scene of Cox Green / B2128 in visual terms, as the existing hedge would remain intact. The Appeal scheme would utilise an existing gateway.

**b) Impact on the Public Right of Way (PROW 449Sy)**

Our response: the PROW is not proposed to be altered by the Appeal scheme. The Appellants case is that there is no risk of perceived or actual conflict between pedestrian users and vehicles. It is important to note that West Sussex County Council Highways and Public Rights of Way officers did not object to the Planning Application. The LPA's letter acknowledges an "absence of technical objections from statutory consultees".

**c) Use of surfacing materials**

Our response: the Appellant favours the use of Fittleworth sandstone (which is understood to be used by the National Trust for their footpaths and gateways) or crushed concrete. The appearance is intended to provide a more informal and appropriate finish to the access drive, which is sensitive to the site's rural context adjacent to the retained and unaffected public footpath.

**d) The new driveway would lead to development of paddocks at back**

Our response: The Appellant and landowners have asked us to confirm that development on the rear paddocks is not being contemplated. In any case, and even if it were, this would be subject to separate planning application submission and assessment, which would be considered on its merits with reference to relevant planning policy. Further we contend that the scale and type of access proposed by this Appeal would not be suitable to serve a multi-dwelling development.

It is important to note that the immediate neighbours next door and straight opposite the Appeal Site have no objections to the Appeal scheme.

**e) Removal of trees**

Our response: Some of the third parties that have commented on the Appeal refer to a tree that was removed by the Appellants in the summer of 2023. The third parties suggest that the tree was *"reported in good health by local residents".*

It is important to note that the tree in question was not subject to a Tree Preservation Order (TPO), and there was no planning controls in place that would restrict the Applicant's removing the tree at this time.

In addition, in response to a comment by IP Ellis that the Appellants are tarmacking over the current grass paddock accessway, the Appellant's position is that it is only due to neglect over the last twenty years, that the current access way has been left to go to grass. It is understood that when the access was previously tarmacked, it was used as an access and for parking for the Sailtops 'annexe', which is to be replaced as part of the plans for the approved new dwelling. Our opinion is that there is therefore a precedent that the proposal access was previously used as a domestic access, and it is only in more recent years that it's just been used as a gateway to the field accessed by tractors.

- Suggested Planning Conditions

At Appendix C of the LPA's submissions they provide a document that suggests 20 no. conditions that could be applied in the event that the Appeal is allowed. A number of these conditions require further work and submissions either pre-commencement or pre-occupation. At this stage, we consider that the requirements of these conditions are generally reasonable.

We refer the Inspector to our Appeal Statement, which was submitted with the original Appeal documents in June 2025. Specifically, the issue of conditions is referred to at paragraph 4.5 of our statement. The application to Discharge Conditions (LPA ref: DISC/25/0184) has been delayed due to the need for further information. However, we are confident that these outstanding matters will be resolved imminently, thereby allowing the Discharge of Conditions application to be approved.

- Conclusion

On behalf of the Appellant, our position remains that proposed access would not result in harm to the Public Right of Way (449Sy) or the character of the District. The appeal proposal would be

compliant with guidance contained within Paragraph 105 of the National Planning Policy Framework (2024) and Policy 33 of the Horsham District Planning Framework (2015).

Therefore, and in this context, we respectfully urge that this Appeal be allowed, and that planning permission is granted for the proposed development.

We trust that this information is of assistance. If any further clarification or information is required, then please do not hesitate to contact the undersigned.

Yours sincerely,

Rodway Planning Consultancy Limited

*c.c. Mrs Jean Gorton (the Appellant)*