

From: Tony.Hogben <Tony.Hogben@horsham.gov.uk>
Sent: 08 September 2026 15:08:30 UTC+01:00
To: "Daniel.Holmes" <Daniel.Holmes@horsham.gov.uk>
Subject: FORMAL OBJECTION TO PLANNING APPLICATION DC/25/1957

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Please add my objection to the members section of the committee report.

To: Planning Department
Horsham District Council
Albery House
Springfield Road
Horsham
West Sussex RH12 2GB

For the attention of: Mr Daniel Holmes, Case Officer

Re: DC/25/1957 – Oaklands Stud, Forest Grange, Horsham, West Sussex RH13 6HX

Proposal: Demolition of pole barn and conversion of existing stable building into one detached dwelling with associated works

Dear Mr Holmes,

FORMAL OBJECTION TO PLANNING APPLICATION DC/25/1957

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

Having considered the current application alongside the unusually extensive planning and enforcement history of Oaklands Stud, formerly Tanglewood Equestrian, I consider there to be compelling and substantial planning grounds for refusal.

This application should not, in my view, be approached as the benign conversion of an established residential building, nor as development upon a site where residential use has previously been accepted in principle. The lawful position is almost precisely the opposite.

The site lies within the **High Weald National Landscape**, formerly the High Weald Area of Outstanding Natural Beauty, and the building concerned has historically been authorised for equestrian purposes. Indeed, as recently as January 2025 Horsham District Council expressly imposed a restriction that the stables and sand school should be used only for private equestrian purposes and **not for residential or commercial purposes**.

Furthermore, a succession of proposals seeking residential occupation or residential development on this land has been refused by Horsham District Council and, critically, appeals concerning residential development and unauthorised residential use have been dismissed by the Planning Inspectorate.

In those circumstances I respectfully submit that permission should be refused for the following reasons.

1. The proposal conflicts with the development plan and the established spatial strategy

The starting point is **section 38(6) of the Planning and Compulsory Purchase Act 2004**, which requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The August 2026 NPPF likewise confirms that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Previous decisions concerning this very site have already concluded that residential development here is **not essential to a countryside location** and conflicts with the strategy of concentrating development within defined settlements.

In refusing **DC/25/0462**, HDC expressly concluded that the development:

“would not be essential to this countryside location”

and would conflict with Policies **1, 2, 4 and 26** of the Horsham District Planning Framework. Importantly, HDC reached that conclusion notwithstanding the then housing-land-supply position and concluded that the identified harm was not outweighed by the housing benefit.

The present proposal provides a single dwelling and is no more essential to a countryside location than the development refused under DC/25/0462.

I can identify no material change in the planning circumstances of the land which would justify reversing that conclusion.

2. The Council is required to have particular regard to the previous decisions on this site

The repeated history of refusals and dismissed appeals is not merely background information. It is a significant material planning consideration.

The leading authority is **North Wiltshire District Council v Secretary of State for the Environment (1993) 65 P&CR 137**.

The Court of Appeal established the important principle that previous planning decisions can be material considerations because consistency in decision-making is important both to the planning system and to public confidence in that system. Where a decision-maker proposes to depart from an earlier materially comparable decision, proper reasons should be given for doing so. That principle continues to be applied by the courts.

That principle has particular force here because the previous decisions do not concern merely neighbouring or superficially comparable sites. They concern **this land**.

The relevant history includes:

CG/25/96 – detached bungalow refused because of its detrimental impact upon rural character.

PE/22/0050 – proposed conversion of the stables advised as unlikely to obtain permission because of landscape, character and urbanisation impacts.

DC/22/2126 – proposed ten-year residential use of a caravan refused.

DC/24/0974 – residential Gypsy pitches refused by HDC and subsequent appeal dismissed.

EN/24/0264 – enforcement against unauthorised residential use/mobile home; appeal dismissed.

DC/25/0462 – conversion of the stables and pole barn for residential occupation refused.

DC/25/1428 – further residential pitches refused because of harm to the character and setting of the High Weald National Landscape.

The question which therefore needs to be answered before permission could lawfully and rationally be granted is:

What material planning circumstance has changed since those decisions which now makes residential occupation of this part of Oaklands Stud acceptable?

I cannot identify such a circumstance within the application.

3. The previous Inspector's conclusions relate directly to residential use and domestication – not merely the design of a particular building

This is, in my view, one of the most significant considerations.

In dismissing the appeal concerning **DC/24/0974**, the Planning Inspector concluded that:

“Residential use of the site with associated domestic paraphernalia and vehicles would have an urbanising effect on the site.”

The Inspector further identified the resulting encroachment of development and domestic features into the landscape.

That finding is critical.

The fundamental planning harm identified by the Inspector was **not confined to the architecture of a caravan, mobile home or particular dwelling**.

It arose from the introduction of **residential use itself**, accompanied inevitably by vehicles, parking, lighting and domestic activity.

Changing the window arrangement, footprint, cladding or outward appearance of a proposed dwelling therefore does not remove that fundamental objection.

A permanent house inevitably introduces residential paraphernalia: parked vehicles, refuse and recycling containers, external lighting, deliveries, garden furniture, washing, children's equipment, storage, servicing, utility infrastructure, domestic fencing and other features associated with everyday occupation.

The present application therefore perpetuates precisely the form of **domestication and urbanisation** previously found unacceptable.

4. The High Weald National Landscape attracts a particularly high level of statutory and national policy protection

The Council is not simply required to treat the High Weald as attractive countryside.

It is a nationally designated **Protected Landscape**.

Section **85(A1) of the Countryside and Rights of Way Act 2000**, as strengthened by the Levelling-up and Regeneration Act 2023, requires relevant authorities exercising functions affecting an AONB/National Landscape to **seek to further the purpose of conserving and enhancing its natural beauty**. The change deliberately strengthened the former “have regard” duty.

The current **August 2026 NPPF Policy N4 – Protected Landscapes** now provides that development within Protected Landscapes should be:

“limited in scale and extent”

and sensitively located and designed to avoid harm to their statutory purposes and special qualities.

It additionally requires **substantial weight** to be placed upon conserving and enhancing their natural beauty.

Those requirements are highly material to DC/25/1957.

The Planning Inspector has already reached the site-specific conclusion that residential use of this land causes an urbanising effect and would fail to conserve and enhance the landscape and scenic beauty of the High Weald.

The current application has not demonstrated why that conclusion should now be reversed.

5. The development would breach the established settlement pattern

The Inspectorate has expressly recognised that there has historically been **no authorised residential development north of the Forest Grange access road**.

The existing stable represents equestrian development, not an existing residential enclave.

The introduction of a dwelling would therefore create residential occupation within a part of the landscape where residential development has historically been absent and would erode a long-established development pattern.

This is precisely the form of incremental or “creeping” suburbanisation that planning policy relating to National Landscapes seeks to avoid.

In isolation one dwelling may appear small. In planning terms, however, the relevant question is the effect upon the **character and pattern of development**.

Once permanent residential use becomes established north of the lane, that established distinction is materially weakened.

6. DC/24/1499 expressly restricted these stables against residential use

The history of the stable building itself warrants considerable weight.

In determining **DC/24/1499**, HDC's Planning Committee agreed that:

“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”.

That decision is comparatively recent.

I accept, of course, that the existence of such a condition does not prevent an applicant from submitting a subsequent planning application seeking a different use.

However, the condition represents a clear and recent planning judgment by this authority as to the appropriate use of these buildings.

There must therefore be a cogent planning reason for reaching the diametrically opposite conclusion now.

No such justification is apparent.

7. The proposal should not be treated as the straightforward reuse of previously developed residential land

The site is not an established residential site.

The stable was authorised for equestrian purposes.

Moreover, the August 2026 NPPF definition of **previously developed land** expressly excludes land which is or was last occupied by **agricultural or forestry buildings** and makes clear that lawful previous development does not automatically establish that the whole curtilage is suitable for development.

Although an equestrian building raises a separate definitional question from agriculture, the wider point remains that national policy support for the reuse of brownfield land is not a blanket presumption that every rural building within a nationally protected landscape should become a dwelling.

In this case, the site-specific landscape harm has already been determined repeatedly.

8. There is a legitimate question whether the proposal is genuinely a “conversion”

The submitted objections raise substantial questions concerning the structural capacity of the existing stable building.

The detailed objection states that the structure comprises a lightweight stable construction upon a concrete slab and questions whether extensive foundation and structural works would in reality be necessary to produce permanent habitable accommodation.

Colgate Parish Council has separately pointed out that the submitted structural material appears to amount to a visual inspection rather than a comprehensive structural investigation.

This distinction matters.

If the works required to achieve Building Regulations compliance and permanent residential occupation substantially replace the structural fabric or require significant excavation and reconstruction, the development moves materially away from a genuine conversion of an existing rural building.

I would therefore ask that officers establish, before determination:

the nature and depth of the existing foundations;

the extent of structural timber capable of retention;

the works required to floors, foundations, walls and roof;

the extent of excavation necessary for drainage and utilities; and

what proportion of the existing structure would genuinely remain.

The application should be determined on the physical works that would actually be required rather than solely upon the description “conversion”.

9. Land ownership and the accuracy of the application boundary require resolution

There is substantial evidence within the representations that parts of the existing buildings and/or proposed residential curtilage are situated upon land owned by **Forest Grange Private Road Limited (FGPRL)**.

One objection states that the stables partly straddle FGPRL land and that the pole barn lies almost entirely upon FGPRL land.

Another identifies apparent encroachment of the proposed domestic curtilage onto FGPR land.

I recognise that an applicant does not have to own all land included within a planning application and that planning permission does not itself override private property rights.

However, these matters remain important where they concern:

the correctness of the relevant ownership certificate;

whether all affected owners have received the required notice;

whether the red-line application boundary is accurate;

whether the proposed development is capable of implementation;

whether landscaping or screening relied upon as mitigation is within the applicant's control; and

whether conditions requiring works or retention of features would be enforceable and deliverable.

I therefore ask that the Council verifies the Land Registry ownership position and the relevant ownership certificate before determination.

10. The application appears to rely upon screening outside the applicant's control

The planning material appears to rely substantially upon surrounding landscaping and vegetation to reduce the visibility of the dwelling.

However, objectors state that significant vegetation between the development and the access road lies on FGPR land and has already been reduced for road-safety reasons.

If landscape mitigation is essential to making a development acceptable, the Council should be satisfied that such mitigation can actually be **secured and retained for the lifetime of the development**.

Screening on land outside the applicant's ownership cannot safely be assumed to remain indefinitely.

The development should therefore be assessed upon its actual visual impact in the absence of vegetation which the applicant cannot control.

11. The residential curtilage and consequential domestic development are insufficiently addressed

The impact of this development cannot be assessed simply by considering the footprint of the stable building.

A residential planning permission establishes a **domestic use of land** around the dwelling.

The representations raise uncertainty regarding the proposed residential curtilage and suggest that portions may extend onto third-party land.

The extent of curtilage is particularly important within a National Landscape because it determines the area within which domestic activity is likely to take place.

The Council should therefore require a precise and enforceable curtilage plan and consider the consequences of:

hard landscaping;

car parking;

external lighting;

garden structures;

fencing and gates;

refuse storage;

domestic planting;

patios and garden furniture; and

other residential paraphernalia.

The Inspector's earlier conclusions demonstrate that these matters are central to the landscape harm, rather than incidental considerations.

12. Significant concerns remain concerning trees, including the veteran beech

The previous Inspector specifically identified a **veteran beech tree approximately 10 metres from the site boundary** and found that insufficient evidence had been provided to demonstrate that unnecessary losses or harm to natural features would be avoided or adequately mitigated.

The current August 2026 NPPF is particularly strong on this point.

Policy N6 provides that development entailing the loss or deterioration of an **irreplaceable habitat**, including ancient woodland or ancient/veteran trees, should be refused unless wholly exceptional reasons and a suitable compensation strategy exist.

Converting the stable to residential accommodation is likely to require substantially more than alterations above ground.

It potentially requires drainage, foul-water infrastructure, electricity, telecommunications, potable water, foundation works, hardstanding and landscaping.

Each has the potential to involve excavation within root-protection areas.

The Council should not defer fundamental questions regarding impact upon veteran or protected trees to conditions unless it has first established that the development can actually be implemented without unacceptable arboricultural harm.

13. Foul drainage, surface-water drainage and utilities have not been satisfactorily demonstrated

Several representations identify shortcomings in the drainage information.

One detailed objection states that the proposed soakaway is based upon assumptions unsupported by adequate technical evidence and that there is no satisfactory explanation of foul-water disposal.

A neighbouring objection refers specifically to the presence of clay and consequent concerns about infiltration and flooding.

Colgate Parish Council similarly identifies unanswered questions regarding sewage, water and utilities.

These are particularly relevant because installing new utilities and drainage itself potentially involves further engineering operations and excavation within the National Landscape and close to mature trees.

The Council should therefore be satisfied **before granting permission** that a technically viable and environmentally acceptable means of providing foul drainage, surface-water drainage and utilities exists.

14. The site is inherently dependent upon the private motor car

The location is remote from day-to-day services and is accessed by a narrow, winding and unlit private road with no footway.

The evidence submitted by objectors indicates that facilities are more than three kilometres away by the practical route and that walking access is unrealistic.

This concern is strengthened by the **August 2026 NPPF Policy TR3 – Locating development in sustainable locations**, which states that development should support sustainable patterns of movement and, where applicable, limit the need to travel by private car while offering genuine choice between transport modes.

While national policy recognises that rural development cannot always achieve urban levels of connectivity, that is not a licence to introduce unnecessary isolated residential development.

The proposed dwelling is not an agricultural worker's dwelling or other form of accommodation demonstrated to require this particular countryside location.

Its isolation is therefore a significant adverse consideration.

15. Private-road rights are disputed and should not simply be assumed

The applicant's access is via the privately owned Forest Grange road.

The submitted representations state that existing rights of access relate to lawful agricultural/equestrian use and are disputed in relation to permanent residential occupation.

I recognise that the interpretation of easements and covenants is principally a matter of private law and that planning permission does not itself grant private access rights.

However, the Council should not proceed upon an assumption that unrestricted residential access exists where that matter is demonstrably disputed.

Nor does the grant of planning permission override any rights of FGPRL or individual landowners regarding access, road maintenance or charges.

This issue is particularly relevant to the practical deliverability of the development.

16. The setting of the Grade II listed Forest Grange Manor requires special statutory consideration

The previous enforcement action identified **less than substantial harm to the significance of the Grade II listed Forest Grange Manor through the effect upon its setting**, with no public benefit identified as outweighing that harm.

That gives rise to a statutory duty under **section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990**.

The Council must have:

“special regard to the desirability of preserving the building or its setting”.

The leading Court of Appeal authority is **Barnwell Manor Wind Energy Ltd v East Northamptonshire DC [2014] EWCA Civ 137**.

The Court confirmed that where harm to a listed building or its setting is identified, the desirability of preserving that setting must be given “**considerable importance and weight**” in the planning balance.

The August 2026 NPPF now similarly requires **substantial weight** to be given to the conservation of designated heritage assets and treats any harm as a matter of considerable importance and weight.

The relevant impact here is again not simply the architecture of the proposed dwelling. It includes the introduction of permanent domestic occupation, lighting, vehicles, parking, fencing and activity into the rural setting of the listed Manor House.

Given the earlier finding of heritage harm, I would expect a convincing explanation if officers now reach a materially different conclusion.

17. Enforcement history is a relevant part of the factual planning context

There has previously been formal enforcement action concerning unauthorised residential occupation of this site.

The appeal against **EN/24/0264** was dismissed.

The enforcement reasons identified adverse visual and landscape impact, hardstanding, the urbanising effect of residential development, harm to the High Weald AONB/National Landscape and harm to the setting of Forest Grange Manor.

This is particularly noteworthy because the new August 2026 NPPF contains a specific national decision-making policy, **DM8 – Unauthorised Development and Enforcement**.

DM8 confirms that the impact of breaches of planning control is relevant to enforcement decisions and, where retrospective permission is being considered and intentional

unauthorised development is established on evidence, that intentionality should attract substantial weight.

I do **not** suggest that DM8 automatically determines the present application, which is not itself simply an application to retain the mobile home.

I do, however, consider the site's enforcement history and the Inspector's conclusions arising from that history to be highly relevant to assessing the acceptability of further residential development.

18. A single additional dwelling provides very limited public benefit when weighed against the identified harms

The applicant may understandably rely upon the desirability of increasing housing supply.

However, that issue has already been weighed in previous decisions concerning this site.

In DC/25/0462 HDC expressly considered the housing-supply position and nevertheless concluded that the harm outweighed the benefit.

Likewise, the Planning Inspector dealing with DC/24/0974 acknowledged accommodation need but concluded that this did not outweigh harm to the High Weald National Landscape.

The provision of **one market dwelling** is a modest benefit.

It does not, in my view, provide anything approaching the planning benefit necessary to justify the permanent introduction of residential use where the local planning authority and Planning Inspectorate have repeatedly identified significant landscape, countryside and heritage harm.

19. Cumulative and incremental erosion of the National Landscape must be considered

Planning applications have to be determined on their individual merits, and I am not arguing that permission should be refused merely because other applications may follow.

However, cumulative landscape change is itself a legitimate planning consideration.

The concern here is that the conversion would create an entirely new residential presence in a part of the estate where the Inspector has specifically noted the absence of authorised residential development.

The distinction between the residential development south of the access lane and the non-residential/equestrian landscape to the north is a tangible element of the existing settlement pattern.

Permitting the proposed dwelling would permanently erode that distinction.

That landscape consequence should be assessed now, rather than treated as insignificant merely because the application concerns one house.

Conclusion

Taking these matters together, I consider DC/25/1957 to be contrary to the development plan and national planning policy and inconsistent with a remarkably clear and recent series of decisions concerning the same land.

This is not a case where an old planning refusal can simply be regarded as having been overtaken by events.

There are **recent refusals, recent enforcement proceedings and recent Planning Inspectorate decisions**.

They establish, amongst other things, that:

residential development in this location is not essential to the countryside;

there is no established authorised residential development north of the access road;

residential occupation and its associated domestic paraphernalia would urbanise the site;

such domestication harms the character and appearance of the High Weald National Landscape;

the housing/accommodation benefit has previously been found insufficient to outweigh that harm;

residential development has previously affected the setting of the Grade II listed Forest Grange Manor;

the stable building is expressly restricted to private equestrian rather than residential use; and

questions remain concerning ownership, curtilage, drainage, utilities, trees, access and structural conversion.

Those conclusions go to the **principle of residential development**, not simply to matters of detailed design.

I therefore respectfully request that **planning permission be refused**.

If officers are nevertheless minded to recommend approval, I would ask that the committee report addresses expressly and separately:

1. why the conclusions of the Inspector in **APP/Z3825/W/24/3355610** should no longer be followed;
2. why the conclusions reached in **EN/24/0264** are considered materially distinguishable;
3. what has materially changed since **DC/25/0462** and **DC/25/1428**;
4. how the decision is consistent with **North Wiltshire District Council v Secretary of State for the Environment (1993) 65 P&CR 137**;
5. how the Council has discharged its strengthened duty under **section 85 of the Countryside and Rights of Way Act 2000**;
6. how the proposal complies with **Policy N4 of the August 2026 NPPF**;
7. how the Council has discharged the **section 66(1) Listed Buildings Act duty** in relation to Forest Grange Manor;
8. whether the ownership certificate, red-line boundary and proposed residential curtilage have been independently checked;
9. whether the applicant possesses control over landscaping relied upon for mitigation;
10. whether a technically satisfactory foul and surface-water drainage solution has been demonstrated;
11. whether all utility installation can take place without unacceptable impact upon veteran/mature trees and their root-protection areas; and
12. whether the building is structurally capable of genuine conversion without such reconstruction that the proposal is properly regarded as substantial rebuilding.

Given the planning history and the findings already made by both HDC and the Planning Inspectorate, I consider there to be an exceptionally strong case for consistency and refusal.

Please treat this letter as my formal representation on Planning Application **DC/25/1957** and ensure that it is placed in full on the planning file and brought to the attention of the decision-maker.

Yours sincerely,

Tony Hogben

Horsham District Councillor Rusper & Colgate Ward,



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From: Planning@horsham.gov.uk <Planning@horsham.gov.uk>

Date: Monday, 7 September 2026 at 21:00

To: Tony.Hogben <Tony.Hogben@horsham.gov.uk>

Cc: Planning@horsham.gov.uk

Subject: Planning Application Consultation Expiry - DC/25/1957 (26 Contributor(s))

Dear Councillor Tony Hogben

You are being notified as the public consultation period for this application will expire in 14 days and we have received 5 or more representations so far.

Application Reference : **DC/25/1957**

Application Address : **OAKLANDS STUD FOREST GRANGE HORSHAM WEST SUSSEX RH13 6HX**

Application Proposal : **Demolition of pole barn. Conversion of existing stable building into 1no. detached dwelling with associated works.**

Date Validated : **28-NOV-25**

Date Consultation Expired : **21-SEP-26**

Case Officer : **Daniel Holmes**

Case Officer Tel No :

Number of Contributors : **26**

[Application Documents for DC/25/1957](#)

[Application Details for DC/25/1957](#)

Your views/comments may influence whether this is determined under delegation or through the Committee process (as laid out in the Scheme of Delegation).

If you have any concerns or comments your response should be by return email to planning@horsham.gov.uk and received within the next 14 days.

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