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# The Planning Inspectorate

## COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

## Appeal Reference: APP/Z3825/W/24/3350033

### DETAILS OF THE CASE

| | |
|---|---|
| Appeal Reference | APP/Z3825/W/24/3350033 |
| Appeal By | MS ANDREA STARNS |
| Site Address | Land known as Tanglewood Equestrian<br>Forest Grange<br>Horsham<br>West Sussex<br>RH13 6HX<br>Grid Ref Easting: 521231<br>Grid Ref Northing: 131831 |

### SENDER DETAILS

| | |
|---|---|
| Name | [redacted] |
| Address | Bell Cornwell Llp<br>Unit 2 Meridian Office Park, Osborn Way<br>HOOK<br>RG27 9HY |
| Company/Group/Organisation Name | [redacted] |

### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☑ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence

- ☐ Statement
- ☐ Statement of Common Ground
- ☑ Interested Party/Person Correspondence
- ☐ Other

**COMMENT DOCUMENTS**

**The documents listed below were uploaded with this form:**

**Relates to Section:** REPRESENTATION
**Document Description:** Your comments on the appeal.
**File name:** 4388_Objection Letter_Bootcamp _Final_APP.pdf

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bell cornwell
CHARTERED TOWN PLANNERS
01256 766673 | info@bell-cornwell.co.uk | bell-cornwell.co.uk

Planning Inspectorate
Zone 3C
Eagle Temple Quay House
2 The Square
Bristol BS1 6PN

Our ref: 4388

**5 November 2024**

Dear Inspector,

**APP/Z3825/W/24/3350033 - Land known as Tanglewood Equestrian, Forest Grange, Horsham, West Sussex, RH13 6HX**

We are writing on behalf of [redacted] and their 23 shareholders who are the owners of the private road leading from the junction with Forest Road to the dwellings and associated fields within the Forest Grange community. The appeal proposal is dependent on access along this private road.

This letter is submitted in objection to the Appeal made by Ms Andrea Starns ('the Appellant') the owner of Tanglewood Equestrian, Forest Grange, against the refusal by Horsham District Council, the relevant Local Planning Authority ('the LPA') of application DC/23/2234 for "*use of land for part-time fitness boot camp (retrospective)*".

## Site Context

The Appeal Site comprises a parcel of land forming part of a large equine paddock. The extent of the site, as illustrated on by the red line on the Location Plan is not defined by clear defensible boundaries, rather it is an arbitrary line that encompasses parking area, the existing sand school and a section of paddock not otherwise defined. On the wider larger parcel of land are a hay barn, stables, sand school and large parking and turning area. The Location Plan submitted by the Appellant in support of their application fails to outline in blue other land in their ownership, which is a national validation requirement.

As will be discussed later, the stables on this site are tied by planning condition to the occupation of Tanglewood (the dwelling previously known as 1 Garage Cottages), whilst the stables and sand school are both subject to a planning condition restricting any commercial use or use as riding establishment.

The site is accessed via a private lane leading from Forest Road. The Appellant does not own the access lane or hold a freehold or leasehold interest in the lane. The private lane and the land either side of the lane falls within the ownership, and is managed by, [redacted]. This private lane is subject to separate Land Registry title and covenants. The covenant over the land states that the Appellant shall *"not to use [the appeal site] or allow or permit it to be used for any purpose other than as agricultural or pastureland with appurtenant outbuildings erected in accordance with paragraph 3 of this Schedule".* It is acknowledged that covenants are governed under separate legislation to planning and therefore, with limited exceptions, are not a material consideration, however, it is put on record here that the Appellant appears to be in breach of the covenants running with the land and our client does not relinquish the covenants over the land.

In terms of the wider site area, the Appeal Site is located outside of a defined settlement boundary and therefore, for the purposes of planning policy the site is located within the countryside. Further, the site is located within the High Weald National Landscape (formerly Area of Outstanding Natural Beauty). The High Weald National Landscape Partnership in their Management Plan (2024-2029) set out at their Statement of Significance:

> *The natural beauty of the High Weald AONB is derived from the essentially rural and small-scale landscape character, rich in wildlife and cultural features. It has been created by historic and locally distinctive agricultural and forestry practices, with the story of its past visible throughout. The extensive survival of woodland and traditional mixed farming supports an exceptionally well-connected green and blue infrastructure, with a high proportion of natural surfaces [...] The pattern and landscape setting of dispersed historic settlements enriches its natural beauty, with small, irregular fields and pasture, hedgerows and ancient woodlands interspersed with the rich clay-tiled roofscapes of historic buildings. Greenness, a sense of tranquillity and dark skies contribute to the perceptual and scenic qualities people enjoy.*

This sense of tranquillity and perceptual and scenic qualities are what make the setting of the appeal site special. Forest Grange Manor (a Grade II statutory listed building) forms the centre piece of the estate (which includes the Appeal site) with the setting formed of the previous parkland estate. The estate adjoins St Leonards Park, a managed woodland area formed of ancient woodland. There are also areas of

priority habitat formed of deciduous woodland. These important priority habitats are identified in the two images below. UK BAP priority species and habitats are those identified as being the most threatened and requiring conservation action. FGPRL have an agreed action plan to accord with the Sussex Biodiversity Opportunity Area to remove the invasive Rhododendron hedging and improve the biodiversity of this sensitive area. There is also a recently identified Veteran Tree (Beech) located directly to the east of the appeal site access, within the ownership of FGPRL land, and which is subject to an application for protection under a Tree Preservation Order. At the time of writing this application for TPO has not yet been confirmed.

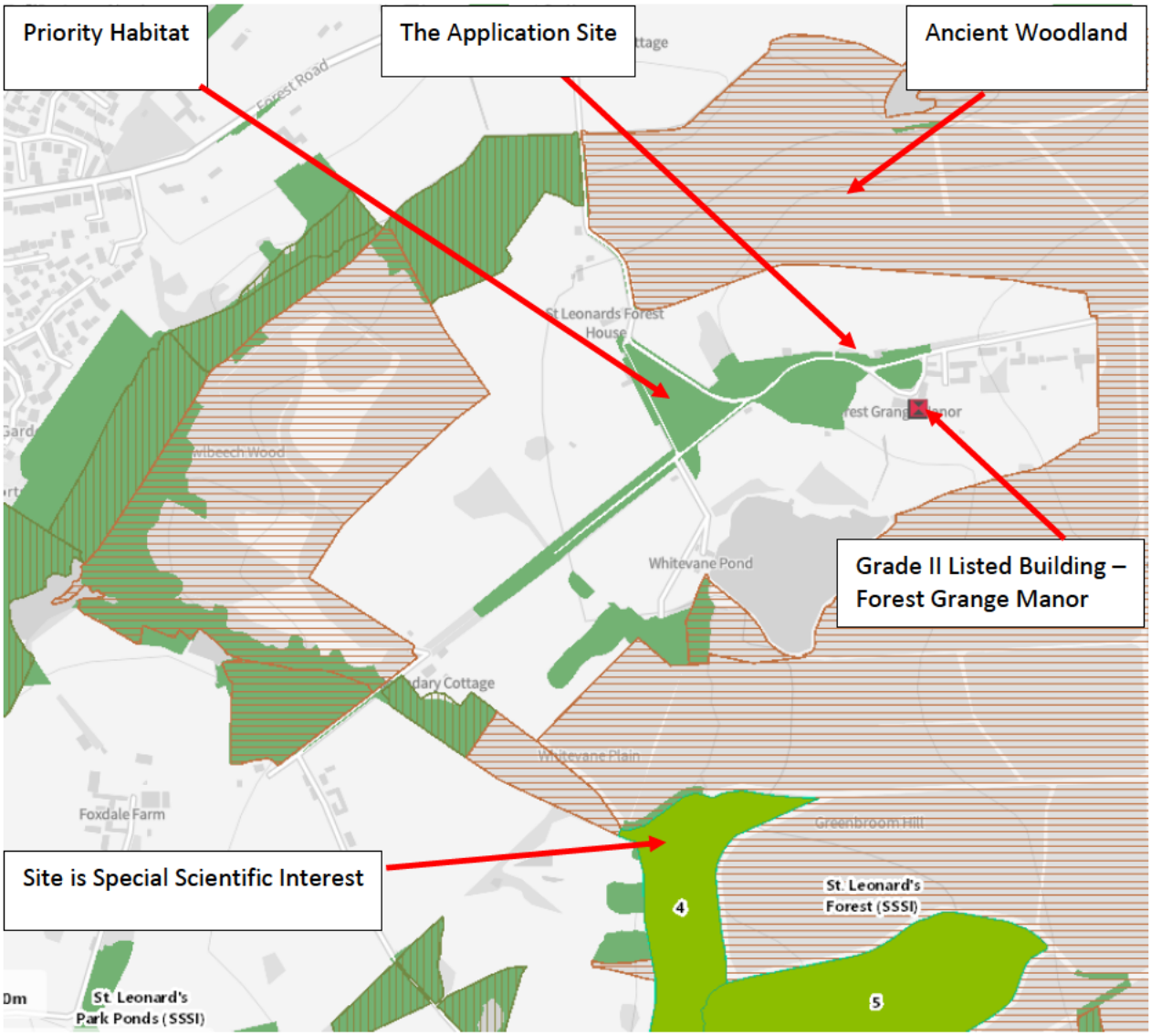



*Figure 1 The Application Site and wider sensitive landscape and habitat*

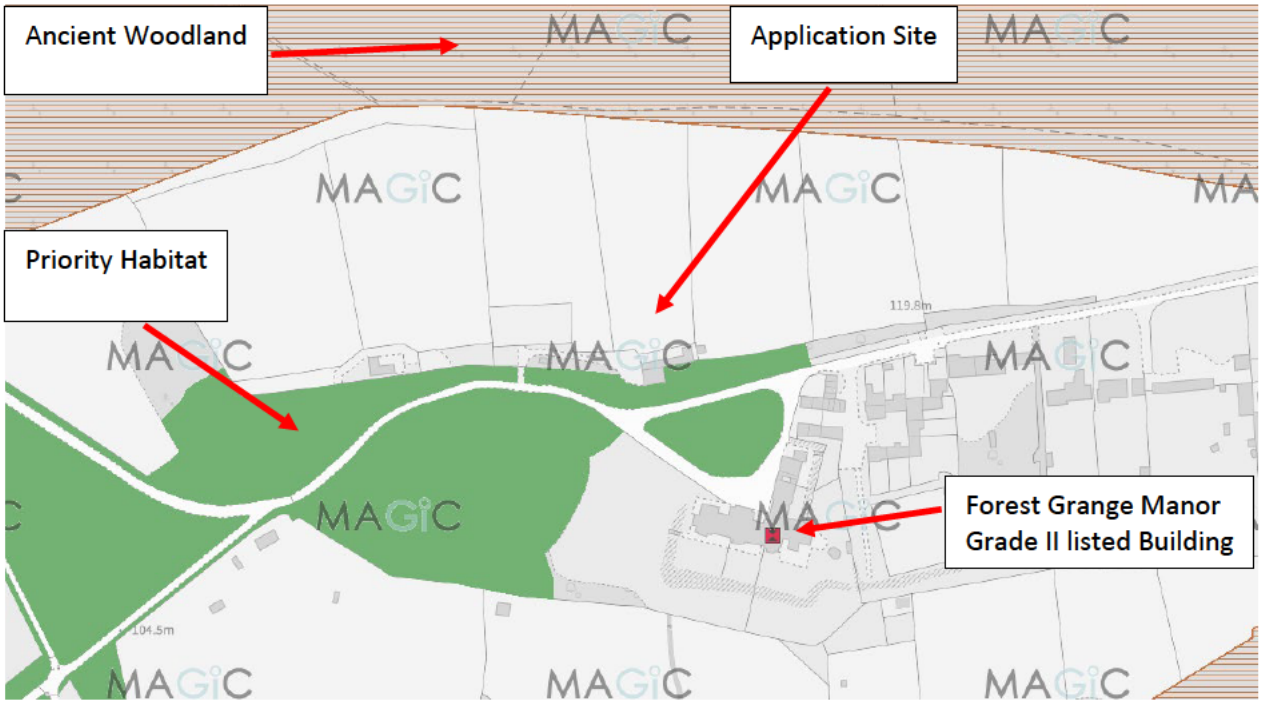



*Figure 2 The Application Site and immediate constraints.*

## Planning History

The following applications are drawn to the Inspector's attention in terms of providing context to the series of unlawful development which has taken place on site, and which illustrates the proliferation of development which has occurred within this sensitive historic and ecological landscape. The Inspector is considering solely the merits of the bootcamp however, we identify the following planning history as it demonstrates that there is a clear intention to divert the use of the field and stables away from the quite personal equine use tied to the dwelling known as Tanglewood, and instead to create a mixed use of equine, commercial and residential development with its associated vehicles movements, paraphernalia and unsustainable patterns of development.

The planning history also sets out the existing planning conditions which have been breached.

**DC/24/0974** Proposed change of use of land from equestrian to a mixed use including settled gypsy accommodation site comprising 2 pitches. Retention of existing hardstanding and proposed biodiversity enhancements (Retrospective). Refused 24 Oct 2024 on the following three grounds:

1) *The proposal would result in an adverse visual and landscape impact and cause 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 proposal fails to demonstrate that there will be no adverse impacts to the natural beauty and public enjoyment of the High Weald Area of*

*Outstanding Natural Beauty and does not have regard to its conservation or enhancement. The development is therefore contrary to Policies 23, 25, 30 and 33 of the Horsham District Planning Framework (2015) and Paragraph 182 of the NPPF.*

2) *The 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, and the proposal would therefore conflict with the NPPF and Policy 34 of the Horsham District Planning Framework (2015).*

3) *Insufficient information has also been provided to demonstrate that the proposed development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015) and Paragraphs 180 and 186 of the NPPF.*

**DC/22/2126** Application to confirm the continuous mixed use of equestrian facility including the stationing and occupation of a caravan / mobile home providing independent accommodation for a period in excess of ten years prior to the date of this application (Lawful Development Certificate - Existing). Refused 06 March 2023

1) *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. It has not therefore been demonstrated that the site has been in use for mixed equestrian and residential purposes in excess of 10 years from the date the application was submitted*

**DC/22/2125** Erection of detached barn and laying of hardstanding (Retrospective). Refused and allowed at appeal (reference: 3324123).

In this appeal, the Inspector concluded that the barn would be appropriate to its countryside location (paragraph 9). However, the Inspector failed to consider the impact of the hardstanding and is entirely silent in their assessment of this aspect of the development.

**CG/15/00** Sand school. Granted 20/06/2000. Condition 4 restricts the use of the sand school:

*The sand school hereby permitted shall not be used for **any commercial purposes** or in connection with **any form of riding establishment** (bold emphasis added).*

This condition is still enforceable, as there has been no application made to the LPA to remove or vary this condition. Decision Notice and site plan have been appended to this letter (Appendix 1)

**CG/33/94** Erection of stables and haybarn. Granted 10/08/1994. Conditions 4 restricts the use of the building and its operation.

> *Condition 4: The stables hereby permitted shall* ***only be used in association with the use of 1 Garage Cottages*** *as a dwelling and shall* ***not be let out or used for commercial purposes or in connection with any form of riding establishment*** *(bold emphasis added).*

At the time of writing, the Appellant has submitted an application (**DC/24/1499**) to the LPA to 'remove' this condition under section 73A of The Town and Country Planning Act 1990 (as amended) which would allow for unfettered use. This aforementioned application remains undetermined at this stage. Decision Notice and site plan have been appended to this letter (Appendix 2)

## General Matters

The Appellant has stated in their Appeal Statement (August 2024) at paragraph 1.4 that it "*should be immediately noted that the case officer at Horsham District Council recommended that planning permission be granted*" and then at paragraph 1.5 "*it should be further noted that the Council published a one page, post Planning Committee report to advise on the councillor overturn at Committee*". Members of the Planning Committee, in accordance with the Council's Scheme of Delegation, are fully entitled to come to their own conclusions on the planning merits of an application before them. There is nothing exceptional in this regard. The Planning Committee considered all the facts before them and determined that the use, within the countryside and High Weald National Landscape was harmful to the rural character and very sensitive area of the North Weald National Landscape.

Our Client, FGPRL and FGHMCL concur with this assessment made by Members of planning committee, as the residents most affected by the use and its associated traffic movements which will occur on their private lane together with general disturbance.

## Comments on the Appellant's Statement of Case:

The Appellant has acknowledged in their Appeal Statement that Condition 4 attached to CG/15/00 which granted planning permission for the sand school in June 2000, precludes any commercial use on the site. The Condition states (bold emphasis added):

> *The sand school hereby permitted* ***shall not be used for any commercial purposes or in connection with any form of riding establishment.*** *Reason: In the interests of amenity and to enable the Local Planning Authority to regulate and control the development.*

It is evident that this condition precludes the use of the sand school for any commercial purpose in the interests of amenity and to also to allow the LPA to control development within this sensitive area.

The Appellant's proposal includes the use of the sand school as a commercial boot camp. As noted, this breach is acknowledged by the Appellant at paragraph 1.1. However, the Appellant has sought Full Planning permission for the use and has not, as a matter of fact, sought to vary or remove condition 4 pursuant to CG/15/00. As such, the permission sought would not supersede the original permission for the sand school and its restrictive condition i.e. it is still the Appellant's intention to use the sand school for its original purpose when not being used for the proposed fitness boot camp therefore, the use of the sand school for boot camp for the periods proposed would be in breach of condition 4 of CG/15/00.

The Appellant has stated (paragraph 2.2) that the "*site has long been established for equestrian purposes*" however, the Appellant fails to identify that this equestrian use is tied explicitly by Land Registry Covenant and condition 4 of CG/33/94 to the 1 Garage Cottages (now known as Tanglewood) which is a dwelling located to the east of the appeal site. The Appellant has been using this site in direct breach of this condition and covenant. An application has been submitted to the Council to remove this restrictive condition however, at the time of writing, the conditions remain in place.

Turning to the Appellant's justification to allow the continued use of the site for the fitness bootcamp, we have set out below responses to the Appellant's arguments, utilising the headings within their Statement of Case, for ease of reference.

**Principle of Development and Impact on the High Weald National Landscape**

Section 70 of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the relevant Development Plan is the Horsham District Planning Framework (2015). The Appellant rightly quotes Policy 26 of the HDPF as the policy which the Council has cited in their reason for refusal. However, and somewhat confusingly, the Appellant at paragraph 5.4 proceeds to justify the development against Green Belt policy within the National Planning Policy Framework, stating:

> *"Policy 26 is arguably more restrictive that the Governments Green Belt Policy in the NPPF, even though this policy does not apply to Green Belts. Policy 26 requires development to be 'essential' to its countryside location, which is overly restrictive. Land designated as 'countryside' does not have the same national level of protection as Green Belt and as such it is unreasonable to seek the same (or in this case, higher) protection for the land the subject of this appeal".*

Horsham District does not have Green Belt. It has never had Green Belt. Green Belt is a land use constraint and not an environmental constraint and does not have 'higher protection' than National Landscape, as

alleged. The purpose of Green Belt is primarily to check unrestricted sprawl of built-up areas and to prevent coalescence of settlements. The Appellant's reliance on national Green Belt policy is completely irrelevant to this case.

To suggest that Green Belt policy (where Green Belt is not present) somehow trumps a countryside protection policy (policy 26) within the adopted Development Plan substantially weakens the Appellant's case on the principle of development, as this proposition is fundamentally flawed.

The fact that policy 26 is restrictive and requires development within the countryside to be justified is an entirely reasonable position for a local plan policy to take, and one which has been scrutinised by an Inspector through the examination of the Development Plan.

Policy 26 is clear that its purpose is to protect the countryside against inappropriate and unsustainable development. This policy comprises two sections; firstly, to assess whether development proposed, is essential to its countryside location through the satisfaction of four criteria:

1) *Support the needs of agriculture and forestry*

2) *Enable the extraction of minerals or the disposal of waste*

3) *Provide for quiet informal recreational use; or*

4) *Enable the sustainable development of rural areas.*

The proposed boot camp does not satisfy criteria 1 or 2, as a matter of fact. The proposed boot camp will not provide for quiet informal recreational use, rather it will introduce a high intensity fitness use which has no connection to the landscape or its quiet informal enjoyment. As such it fails on criteria 3. The use will introduce an additional 20 vehicle movements per class (40 two-way movements, or 80 two-way movements each week) into this quiet rural location where commercial activity is not anticipated. The reliance on the private vehicle by attendees of the class reinforces unsustainable patterns of development. Furthermore, the parking of 20 vehicles on the site, although temporary, would nevertheless lead to a sense of urbanisation in this highly sensitive location.

The second section of Policy 26 further requires development, where is has satisfied the first section of the policy, to be of a scale appropriate to its countryside character and location. *"Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside and/or conserves, and/or enhances, the key features and characteristic of the landscape character area in which it is located, including:*

1) *The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;*

2) *The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and*

3) *The landform of the area."*

The historic equestrian use of the site has been tied to the dwelling 1 Garage Cottage (renamed Tanglewood) with the purpose of ensuring it remain ancillary to the residential use; similarly, the other equine uses adjacent are tied to residential property in this location, and prior to that were part of the former school before its conversion to residential dwellings in 1993. The private equine uses are individually and cumulatively low key, and respectful of their historical setting to the listed building, Forest Grange, and provide a tranquil use in this area. However, the introduction of a fitness bootcamp with the number of attendees, vehicle movements and associated noise would not be sensitive to this location and would increase the level of activity in this countryside location. The development therefore fails on the second section of this policy.

Further, the site falls within the High Weald National Landscape. Paragraph 182 of the NPPF states that *"Great weight should be given to conserving and enhancing landscape and scenic beauty of National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues*". Policy 30 (Protect Landscapes) whilst not cited in the LPA's reason for refusal is relevant and is appended to this letter (**Appendix 3**). The LPA may not have cited this policy however, the reason for refusal refers to the impact on this protected landscape and as such the Inspector is requested to take this policy into consideration as it aligns with the great weight afforded to the protection of National Landscapes within the NPPF.

Policy 30 sets out three criteria to be complied with in respect of protected landscapes. Firstly, they are to be *"conserved and enhanced, and opportunities for the understanding and enjoyment of their special qualities will be promoted. Development in these areas will be supported where it can be demonstrated there will be no adverse impacts on the natural beauty and public enjoyment of the landscape"*

The Appellant suggests at paragraph 5.6 of their statement that *"The bootcamp classes will enable attendees to enjoy the outdoors and the beautiful surroundings of the AONB landscape"*. Being outdoors does not satisfy the criteria of understanding and enjoying the special qualities of the protected landscape. The fitness bootcamp is not required to be in a protected landscape and can take place in other less sensitive locations, such as local parks within settlement boundaries. There is no intrinsic connection

between the fitness bootcamp and the conservation of the protected landscape, nor the great weight which is afforded to their conservation and enhancement through national policy.

The Appellant at paragraph 5.9 further sets out how the proposed development should equally be considered against rural diversification, healthy communities and highway safety policies, identifying NPPF paragraphs 84, 85, 92, 98 and 111 (these are now paragraphs 88, 89, 96, 102, 115 as per NPPF, December 2023).

Paragraph 88(b) quoted by the Appellant relates to the development and diversification of agricultural and other land-based rural businesses. The site is neither agricultural nor a land-based rural business. Indeed, and as identified earlier in this letter, the land is used for equine purposes, and which is tied to the residential dwelling, Tanglewood. This condition and the equine use, and not agricultural use or business, has been highlighted by the Appellant themselves, therefore, for them to rely on this argument is again flawed.

Paragraph 89 of the NPPF recognises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements. However, as already identified above, the site is not in a commercial use and therefore, the bootcamp is not supporting an existing local business and there is no identified community need for a fitness bootcamp to be located in this highly sensitive landscape.

Turning to NPPF paragraph 96 and 102, there is no doubt that a fitness bootcamp will encourage a healthy activity however, again, there is no overriding need for this activity to take place within the countryside, and more importantly within the protected National Landscape. The activity can take place within existing health centres or parks and open spaces within settlements, of which there are many.

Finally, paragraph 115 relates to highway safety and capacity. The LPA has not argued that the development will be unsafe or lead to capacity issues on the highway network. What is however argued is that the vehicle movements associated with the proposed use (80 two-way movements each week) will lead to a level of activity not otherwise excepted in this quiet rural location, and along a private lane not in the ownership of the Appellant, reinforcing unsustainable patters of development.

**Design, appearance and heritage**

The Appellant has stated at paragraph 5.10 that there will be no operational development or lighting, and the Council has not cited design or heritage issues as a reason for refusal. Nonetheless, the site is located 85m from Forest Grange a grade II listed building. At the very least consideration to the statutory test at

Sections 16(2) and 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) should be afforded.

Each of the paddocks/ pastures forming part of the wider estate were historically tied to the listed building, as a former school.

Section 16(2) and 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) sets out the basic legal test for the decision maker requiring that "*in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of* ***preserving*** *the building or* ***its setting*** *or any features of special architectural or historic interest which it possesses*" (bold emphasis added).

Setting is defined within the NPPF glossary as: '*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.*

The Historic England Advice Note (The Setting of Heritage Assets) states: *"The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part,* ***the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places****."* (bold emphasis added)

Separately, the NPPF paragraph 200 requires "*an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*." The Appellant has failed to undertake any assessment of the historic environment within which the Appeal Site sits.

The NPPF further requires, once an assessment on significance and setting has been undertaken, to determine the degree of harm arising from the development proposed. This sliding scale considers substantial harm (the most harm) or alternatively, less than substantial harm. Where less than substantial harm has been identified, then a further evaluation exercise is required to determine if public benefits accrued outweigh any harm to the heritage asset.

The Appeal fails to acknowledge the historic relationship the site has with Forest Grange Manor and the change the introduction of a commercial activity will have on the historic setting. Whilst there may be limited intervisibility between the application site and the manor house, it is the change to the setting that

will be adversely affected by the development proposed through the introduction of a commercial activity. There are no public benefits arising from the development which can remotely come close to tipping the balance in favour of the Appellant's proposal.

**Residential amenity and highway safety impacts.**

The Appellant notes that '*there are some residential dwellings to the South and West along Forest Grange*'. This significantly underestimates the number of dwellings (23no.) which are affected by the proposed development, through the additional vehicle movements and noise not otherwise anticipated within this rural location.

The Appellant states that "*The proposed sessions would be located on an area already used for recreational equestrian purposes*". The recreational equestrian purpose is personal to the dwelling known as Tanglewood, as controlled by condition. It is not a generic recreational use available to members of the public, but rather it is an ancillary use. As such the comparison between an ancillary equine use to a commercial fitness bootcamp is misplaced. Furthermore, the private amenity space attached to the dwelling known as 'Central Wing' is located to the front of Forest Grange Manor and is within 10-12m of the site proposed for boot-camp activities. As such, the tranquillity one should expect from a private garden in this rural location would be interrupted through the introduction of this commercial use due to the proximity of the activity.

As stated earlier in this letter, based on the proposed frequency of the bootcamps and the number of attendees (up to 20 persons), there would be in the region of (80 two-way movements each week). The area of parking shown on the site plan indicates it can accommodate 13no. vehicles which will not meet the targeted demand. As such this may lead to unauthorised parking along the private lane.

## Conclusion

The Appellant's argument is flawed on many grounds, not least their reliance on Green Belt policy where such constraint does not exist. The Appellant has failed to justify why this fitness bootcamp is essential to its countryside location and fails to comply with the four criteria set out at Local Plan Policy 26. Further, the development would lead to an increase in the overall level of activity in the countryside which does not require such a location, again contrary to Policy 26.

The site is located within the High Weald National Landscape, which is a landscape afforded great weight in national policy. Development should conserve or enhance this landscape which is susceptible to harm through change in uses and unnecessary development. The Appellant has failed to present any cogent argument to demonstrate how the bootcamp will conserve and enhance the key landscape features and

not be detrimental to the sense of place and local distinctiveness, contrary to Policy 30 of the HDPF and The High Weald Management Plan.

The vehicle movements associated with the commercial use would give rise to an unacceptable level of activity in this quiet rural location. The Appellant has argued that the bootcamp would be run twice weekly with a maximum of 20 attendees. Based on this number and frequency, the use would introduce in the region of 40 two-way movements each session, equivalent to 80 two-way movements each week. This level of activity and use of the private lane reinforces unsustainable patterns of development in a highly sensitive location where there is no justification for it to occur.

The Appellant has not considered the impacts of this change from ancillary equine use to commercial activity on the setting of the heritage asset, Forest Grange. Section 16(2) and 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or **its setting** or any features of special architectural or historic interest which it possesses. The change in land use would erode the setting of the heritage asset which is characterised by the estate of small fields and ancillary uses. There are no public benefits which outweigh this harm.

There are no material considerations which have been presented by the Appellant to demonstrate a credible argument which should override the LPA's reason for refusal and as such this must stand.

We respectfully request that the Inspector uphold the LPAs reason for refusal and dismiss this appeal.

Yours sincerely,

**BELL CORNWELL LLP**

[redacted]

**KAREN TIPPER** BA(Hons) MA MRTPI
**Senior Associate**

[redacted]

[redacted]

[redacted]

## Appendix 1 - CG/15/00 (Decision Notice and Site Plan)

Horsham District Council

Park House
North Street
Horsham
West Sussex
RH12 1RL

Telephone
(01403) 215100

Application Number CG/15/00

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

MRS BARBARA GOODMAN
TANGLEWOOD FOREST GRANGE
ST LEONARDS FOREST
HORSHAM
W SUSSEX RH13 6HX

On behalf of:

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the following development, that is to say:-

SAND SCHOOL

TANGLEWOOD FOREST GRANGE HORSHAM

to be carried out in accordance with your application and plan No. CG/15/00 (as modified by the undermentioned conditions, if any) submitted to the Council on 09/05/2000 and subject to compliance with the conditions specified hereunder.

DIRECTOR OF PLANNING DATE 20/06/2000

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

   Reason: To safeguard the amenities of nearby residents.

3. Before development commences precise details of the finished surface of the school hereby permitted shall be submitted to and approved by the Local Planning Authority. The approved details

Horsham
District
Council

Park House
North Street
Horsham
West Sussex
RH12 1RL

Telephone
(01403) 215100



shall be provided and maintained thereafter.

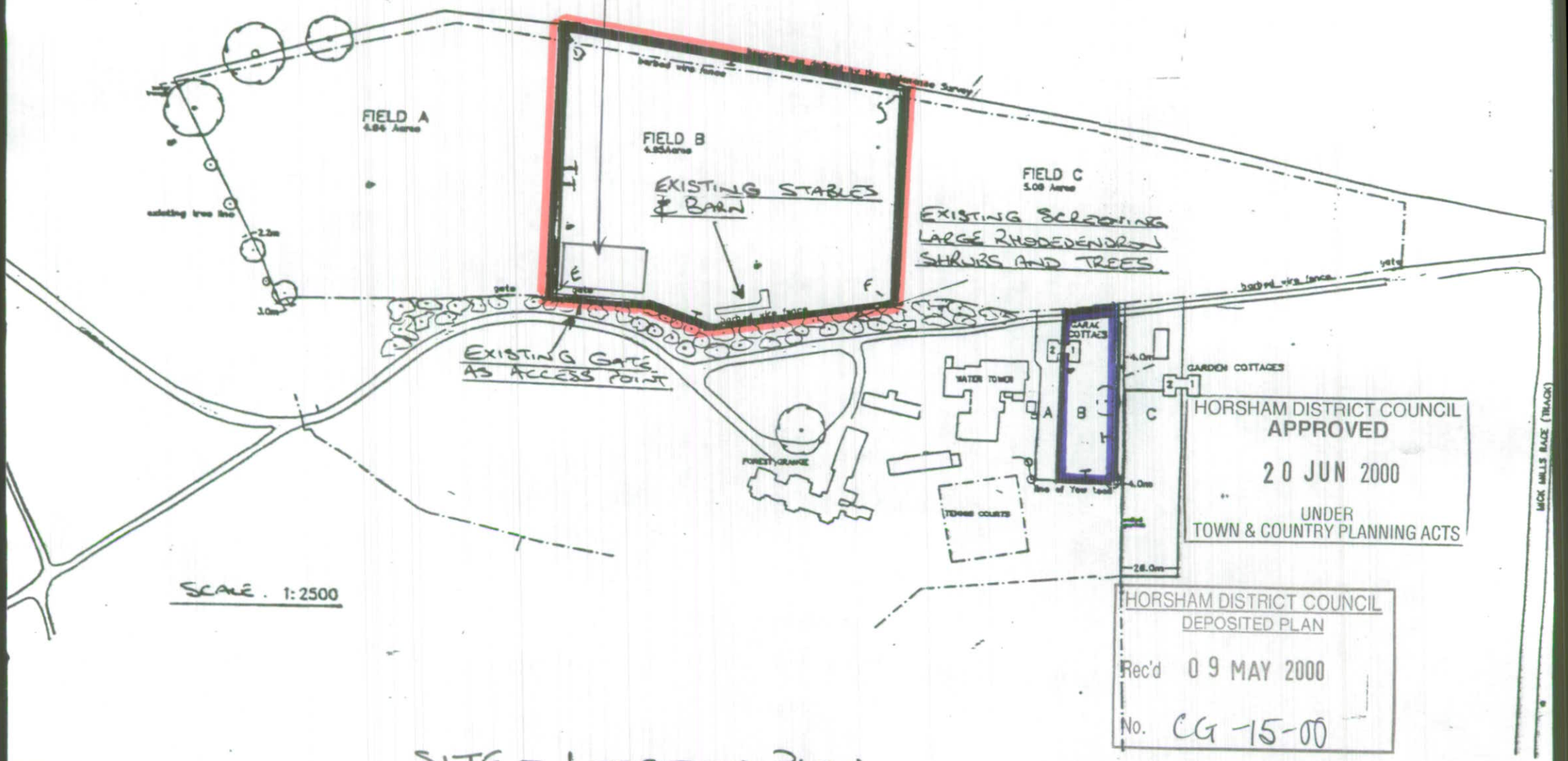
Reason: In the interests of amenity.

4. The sand school hereby permitted shall not be used for any commercial purposes or in connection with any form of riding establishment.

Reason: In the interests of amenity and to enable the Local Planning Authority to regulate and control the development.

N.B. IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ENCLOSED WITH THIS FORM. Your copy of the application determined as above is returned herewith for your records.

PROPOSED POSITION OF 20×40m MENAGE (SAND SCHOOL).




SCALE . 1:2500

HORSHAM DISTRICT COUNCIL
APPROVED
20 JUN 2000
UNDER
TOWN & COUNTRY PLANNING ACTS

HORSHAM DISTRICT COUNCIL
DEPOSITED PLAN
Rec'd 09 MAY 2000
No. CG 15-00

SITE - LOCATION PLAN

## Appendix 2 – CG/33/94 (Decision Notice and Site Plan)

Horsham
District
Council

Park House
North Street
Horsham
West Sussex
RH12 1RL

Telephone
(0403) 215100

APPLICATION NO. CG/33/94

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988.

MRS B GOODMAN
TANGLEWOOD (FOREST GRANGE)
ST LEONARDS FOREST
W SUSSEX RH13 6HX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the following development, that is to say:-

ERECTION OF STABLES AND HAYBARN

1 GARAGE COTTAGES ST LEONARDS FOREST HORSHAM

to be carried out in accordance with your application and plan No. CG/33/94 (as modified by the undermentioned conditions, if any) submitted to the Council on 30/06/94 and subject to compliance with the conditions specified hereunder.

M.J. Baty

DIRECTOR OF PLANNING & LAW DATE 10/08/94

01 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

02 The materials to be used for the development hereby permitted shall be in accordance with those which have been agreed with the Local Planning Authority unless the previous written consent of the Local Planning Authority is obtained for any alternative.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity.

03 The external walls of the building hereby permitted shall be

Horsham
District
Council

Park House
North Street
Horsham
West Sussex
RH12 IRL

Telephone
(0403) 215100



dark stained with a timber preservative before the building is brought into use.

Reason: In the interests of amenity.

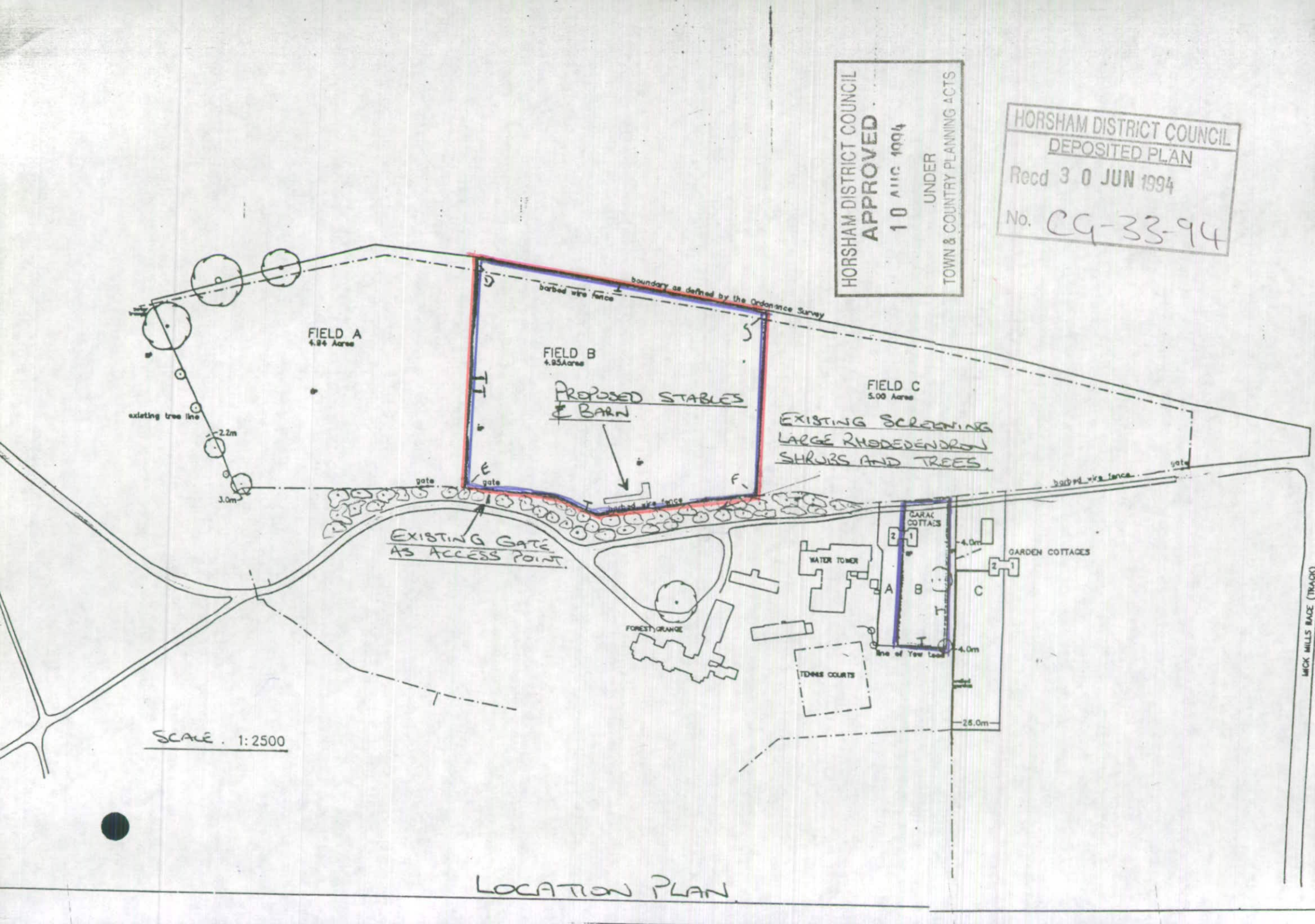
04 The stables hereby permitted shall only be used in association with the use of 1 Garage Cottages as a dwelling and shall not be let out or used for commercial purposes or in connection with any form of riding establishment.

Reason: In the interests of amenity and to enable the Local Planning Authority to regulate and control the development.

05 The resultant waste and manure shall not be stored or burnt within 30 m. of nearby residential properties.

Reason: To safeguard the amenities of the occupiers of nearby dwellings.

N.B. IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ENCLOSED WITH THIS FORM. Your copy of the application determined as above is returned herewith for your records.




LOCATION PLAN

## Appendix 3 – Horsham District Development Framework (2015) Policy 30

Horsham District Council

# Horsham District Planning Framework

## (excluding South Downs National Park)




November 2015

**Protected Landscapes - Policy 30**

**9.23** Designated for their national importance in terms of landscape and scenic quality, sections of both the High Weald Area of Outstanding Natural Beauty (AONB) and the South Downs National Park fall within the administrative area of Horsham district. The South Downs National Park Authority is the Planning Authority for the National Park Area of Horsham district, and this policy, in common with all others in this plan does not apply to the land within the National Park Area.

**9.24** It is essential that the key qualities of these protected landscapes are conserved and enhanced. In the AONB, this includes the heavily wooded character, gill streams, and historic farmsteads and into the locally distinctive hammer ponds whereas a key feature of the South Downs are the steep scarp slopes which form a backdrop to many of the settlements in the south of the district. The conservation and enhancement of protected landscapes will be actively supported, particularly as defined in the High Weald AONB Management Plan and the South Downs Integrated Assessment Plan or any other relevant updates to these documents.

**9.25** Development has the potential to harm protected landscapes. Major development will not normally be permitted, and will need to demonstrate that the need for development cannot be met elsewhere or in another way, and that the development is in the public interest. It is however acknowledged that protected landscapes need to be able to adapt to cope with new pressures and meet the needs of residents in the area, and there may be cases where small scale development that helps to maintain economic or social well being in or adjoining these landscapes is necessary.

**9.26** Development close to the edge of both the AONB and the South Downs National Park has the potential to have adverse impacts on the qualities of these landscapes, and applicants will need to be mindful of this in relation to any proposals close to the boundary of either of these protected landscapes.

## Policy 30

**Protected Landscapes**

1. **The natural beauty and public enjoyment of the High Weald AONB and the adjoining South Downs National Park will be conserved and enhanced and opportunities for the understanding and enjoyment of their special qualities will be promoted. Development proposals will be supported in or close to protected landscapes where it can be demonstrated that there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes as well as any relevant cross boundary linkages.**

2. **Proposals should have regard to any management plans for these areas and must demonstrate:**

    a. **How the key landscape features or components of natural beauty will be conserved and enhanced. This includes maintaining local distinctiveness, sense of place and setting of the protected landscapes, and if necessary providing mitigation or compensation measures.**

    b. **How the public enjoyment of these landscapes will be retained.**

    c. **How the proposal supports the economy of the protected landscape and will contribute to the social wellbeing of the population who live and work in these areas.**

3. **In the case of major development proposals in or adjoining protected areas, applicants will also be required to demonstrate why the proposal is in the public interest and what alternatives to the scheme have been considered.**