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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/25/3368192

DETAILS OF THE CASE

Appeal Reference	APP/Z3825/W/25/3368192
Appeal By	MRS JEAN GORTON
Site Address	Sailtops, Cox Green Rudgwick HORSHAM RH12 3DE

SENDER DETAILS

Name	[redacted]
Address	Duke's Cottage Cox Green Horsham Horsham United Kingdom RH12 3DF

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:	Sailtops Driveway Appeal - 6th August 2025.docx

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Planning Inspectorate Reference APP/Z3825/W/25/3368192

I refer to the Appeal against the Council's decision to refuse or vary the previously approved planning application DC/24/0462, by means of a S73 notice.

Permission was granted in August 2024 to demolish an existing garage and annex and to construct a three-bedroom detached house with a new access driveway running to the property directly from the road. The house and driveway, crucially, would be contained within the curtilage of Sailtops, and would not impact on the adjacent grassed paddock access and Public Right of Way.

It is interesting that the proposed site for the new house is very similar in width to Pilgrims Rest, the next-door property to the proposed site at Sailtops, which is currently being rebuilt and where its driveway will run directly from the road.

My understanding is that Section 73 is available for use where applicants request minor variations or changes to previously approved planning applications. It is very clear that the proposed change of driveway subject to this Appeal is not a 'variation' at all, it is a major change of use and will involve tarmacking over the current grass paddock accessway which is outside the domestic curtilage of Sailtops and re-routing a well-used and grass Public Right of Way.

This major change of access, I suggest, should be subject to the normal planning process including a completely new planning application with formal public consultation and is no way appropriate to a Section 73 variation.

Property developers and consultants are notorious for promising the earth to their clients even when their proposal is highly questionable, as is the case here.

Prior to this application, in Autumn 2023 a previous application DC/23/1723 was made for a change of use of the grass access way and the rear paddock which are both located outside the curtilage of Sailtops. The application was to change the grass access way and paddock to domestic garden/residential curtilage associated with Sailtops. Both HDC and WBC rejected the application, and the HDC reasoning is highly relevant to the current Appeal: ***"The development would result in the incremental erosion of the character in this countryside location and would detract from the openness currently present between the built-up area boundary and surrounding open land. The change of use is not considered to be essential to the countryside location and would result in harm to the character and appearance of the locality, contrary to Policies 25, 26 and 33 of the Horsham District Planning Framework (2015)".***

It is also relevant to mention that local residents are very concerned that by installing a tarmac driveway, this has been designed to aid possible future planning applications to the AGLV paddock and open countryside to the east of Sailtops.

The original planning application DC/24/0462 was approved without any comment from the locality as the plan looked perfectly reasonable. However, the amended plan under application DC/24/1967 to tarmac the paddock accessway and re-route the PROW caused great anxiety, and you will be aware that in addition to the refusal by Horsham District Council to the proposed change of access, in February 2025 many letters were submitted opposing the scheme including from:

Waverley Borough Council
Rudgwick Parish Council
Ewhurst and Ellens Green Parish Council
Rudgwick Preservation Society, and
21 local residents.

There were no letters on file supporting the change of access.

With this unanimous level of opposition, I urge the Inspectorate to ratify the decision reached by the Horsham DC planning committee in February 2025, and to refuse this speculative Appeal.