APPELLANT'S STATEMENT OF CASE

Site:
Woodside Equestrian Centre, Forest Road, Colegate, West Sussex, RH12 4TF

Planning Application Proposal:
Retention of top surface to existing hardcore areas and continued use of part of land for the storage of lorry containers and touring caravans



Appellant:
Mrs S Novell

Agent:
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Chartered Town Planner

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1 INTRODUCTION

1.1 The planning application, the subject of this appeal, is for full planning permission for the *"Retention of top surface to existing hardcore areas and continued use of part of land for the storage of lorry containers and touring caravans".*

1.2 The application site is a long-established equestrian site located outside of the built-up area and within the High Weald National Landscape (HWNL).

1.3 The site is an irregular shape, comprising newly laid hardstanding on what would have been part of wider field sub-parcels, and the northern boundary abuts Forest Road, separating the site from the designated Ancient Woodland, Spursorchard Wood to the north.

1.4 The western and southern boundaries are defined by stock fencing, and a newly planted non-native hedgerow defines the northeastern boundary.

1.5 The first element is the laying of a top surface to the pre-existing hardcore surface of the land. Evidence was provided to demonstrate the pre-existing surface. Two number holes have been dug – one south east of the lorry containers and one south east of the touring caravans – the later one being in an area that at first impression still appears grassed. This appearance is similar to that of the other areas, now covered in the top surface, prior to the undertaking of those works. In my view it clearly demonstrates a substantial depth of hardcore – around 17cm. Photographs of these holes formed part of the application submission papers.

1.6 As a result, it is plain beyond peradventure that the application red line area has been a hard-surfaced area for a considerable period of time. Any top grass is a result of it not being used for a period of time. The top area in the zone south of the caravans which appears grassed indicates that any grass / vegetation is of minimal depth and the land is not useable for grazing or exercising horses.

1.7 These works that have been undertaken represent 'maintenance' of a historic hard surfaced area and therefore do not require planning permission, being permitted development as they did not result in the extension of the area of the historic hardstanding.

1.8 The second element is the use of part of this area for the storage or toruign caravans and lorry containers. This storage exists and the roadside photographs 5, 6 and 7 demonstrate that the storage is not visible from the public highway.

1.9 Permission is sought for a maximum of 8no lorry containers and 10no touring caravans. This storage would be limited to the northern area and would not encroach beyond the dashed line shown on Drawing 3.

1.10 Despite the application being submitted to the council on 19 September 2024 it took over a year to make a decision, with the decision notice being issued on 24 September 2025. Throughout that period of just over a year we were never advised by the case officer that they considered the scheme to be unacceptable, not attempt was made to seek additional information nor to adjust the scheme to make it more acceptable, such as moving it away from the RPA of the trees along the northern boundary.

1.11 Instead, a refusal came 'out of the blue' with two reasons for refusal as set out below:

> *The development has given rise to an increased level of activity in the countryside and has not been demonstrated as being essential to its countryside location, or demonstrated that the proposed would provide for sustainable rural economic development. The development is therefore contrary to Policies 10 and 26 of the Horsham District Planning Framework (2015).*
>
> *The proposal has resulted 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 storage of caravans and containers and the urbanising impact of this. The proposal fails to demonstrate that there will be no adverse impacts to the natural beauty and public enjoyment of the High Weald National Landscape 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 189 of the National Planning Policy Framework (2024).*

2 WILL TREE / LANDSCAPE HARM ARISE?

2.1 From the officer delegated report, the response from the Council's Arboricultural Officer and Landscape Officer it is necessary to consider: (1) does the development adversely affect the trees along the roadside and therefore the Ancient Woodland to the north: and (2) is the development harmful to the character and appearance of this part of the High weald National Landscape. I deal with each in turn.

2.2 In considering these two issues it is highly material to note that the area tot eh north west has historically been used as a parking area and an area for the storage of lorry containers, and as far back as 2001 at least 2 touring caravans were stored on the appeal site, where the containers are now present as illustrated in the Google Earth aerial below.



Ancient Woodland

2.3 The comments of the Council's Arboricultural Officer are dated 31 January 2025 and state:

> *From the submitted information it is apparent that the area where the hardcore has been laid and the containers have been placed*

would in places likely fall with the root protection area (RPA) of the off-site roadside trees to the north, which are very prominent with the local street scene and make an important contribution to the wooded nature of the area. As such, if advice had been sought before the works were undertaken it is likely that comments would have been provided recommending that the RPAs of the off-site trees remain free from any development, and consideration should have been given to moving the areas where the Hard surfaces have been laid me moved further to the south.

In addition, it is acknowledged that due to the area of designated Ancient woodland (AW) to the north (Spursorchard Wood) the area where the works have taken place would partly fall within the theoretical minimum recommended 15m Ancient woodland buffer. However, while this may be the case, due to the location of Forest Road and the longstanding relationship between the AW and the engineered Road to its south, in my opinion, it is highly unlikely that the works at the site will have had a direct impact on the trees with the AW the north.

2.4 The trainee Landscape Architect who commented on landscape impact also makes some comments as to AW, but in view of the greater experience and specific specialist field of the arboriculturist I consider that his views should be given greater weight.

2.5 Nevertheless, it is material to have regard to the fact that a deep layer of hardstanding has covered this area for a long time – certainly in excess of 20 years, and that the only recent works were a topping over that base layer.

2.6 On this basis it is clear that there have been no ground excavations and in addition the caravans and containers rest on the ground and also are not dependant on ground works.

2.7 It is for these reasons that I contend that there has be no harm to either the tree belt nor the AW to the north.

<u>High Weald NL</u>

2.8 It is accepted that the appeal site falls within L1 – St Leonards Forest LCA as defined by the Horsham District Landscape Character Assessment (2003). Relevant key characteristics and biodiversity features of L1 experienced within the site and contextual landscape include: *beech, oak*

and hornbeam woodland; regular pasture and arable fields; confined views; and *a few isolated farmsteads.*

2.9 It is also agreed that the overall sensitivity to change is high and relevant key issues include:

- *Rhododendron invasion along roads.*
- *Expansion of horse paddocks.*
- *Suburbanisation along roads, e.g. inappropriate fences, boundaries, gates.*

2.10 Moreover, the Planning and Land Management Guidelines state to *screen visually intrusive urban fringe development along ridgetop roads with selective tree planting* and to *conserve the strongly wooded character of the area*.

2.11 As illustrate in the photographs submitted with the application, the vegetation along the roadside provides a dense screen during summer month and whilst glimpses are afforded during the winter they are difficult to see when driving. This combined with the absence of a footway or public right of way in the immediate vicinity means that walkers are unlikely to use the road. On this basis we consider that the storage uses conserve the natural beauty of the High Weald NL.

2.12 However, if the inspector were to disagree, and based upon the fact that the application relates to the use of the land and the red line covers a wide area, it would be possible to relocate the storage away from the roadside; reduce the number of caravans to a maximum of 5; remove a section of the historic hardstanding within the tree belt RPA and plant a suitable native hedgerow along the roadside boundary.

2.13 Such an approach – as set out on new 'Drawing 3A – Alternative Proposed Site Plan' would not only conserve, but would enhance, the High Weald NL.

3. NEED

3.1 Attached as part of the application submissions was a letter dated 30 August 2024 from T & P Accountants LLP which set out very clearly the essential need to have

this limited storage as part of the equestrian diversification of the business, namely:

> *Our client's main income source now arises from the rental of storage containers and parking for vehicles. The normal equestrian income of liveries etc. has been reducing every year for a long time; the rental and parking income has effectively been subsidising the losses from the Equestrian Centre for many years.*
>
> *Based on historical results, we have no doubt that substantial losses would be incurred by the business if the rental and parking income ceased. This would likely result in redundancies for the two employees.*

3.2 In my view this essential need to ensure that the rural equestrian business can continue demonstrates compelling and exceptional circumstances for this use in the countryside, particularly as it utilises a pre-existing area of hardstanding.

3.3 The need to support rural business is clearly set out within LP Policies 10, 26 and 29. This combined with, what we consider to be, an absence of any visual or landscape character harm leads me to the clear and overwhelming conclusion that the development accords with the provisions of the Development plan. On this basis, planning permission should be granted.

4 CONCLUSIONS

4.1 There is an essential need to provide additional income for the business as set out in the accountants letter of support.

4.2 Since there is a historic area of hardstanding it makes sense to utilise some of this area in order that some caravans can be rented out and people be charged for storing their caravan on site. This is a form of rural diversification.

4.3 The Councils own arboriculturist does not consider the development to have harmed the Ancient Woodland to the north.

4.4 The Council's landscaping officer considers some harm to arise tot eh High weald NL – I do not agree, but accept that enhancement can be achieved by limiting the extent of hardstanding away from the northern boundary and providing an new native hedgerow south of the tree belt.

4.5 Based on these amendments, as set out on new Drawing 3A I submit that

the appeal should be allowed.

4.6 Planning permission should therefore be granted. Conditions could be imposed relating to those matters set out on new drawing 3A which also limits the number of containers to 8 and the number of touring caravans to 5.