Rec'd 3/3/26

Roundstone Caravans Depot LLP
Worthing Road
Southwater
Horsham
West Sussex RH13 9JG
[redacted]

2nd March 2026

Roundstone Caravans Depot LLP
Worthing Road
Southwater
Horsham
West Sussex RH13 9JG
[redacted]
www.raylandscountrypark.co.uk

Dear Sir or Madam,

RE: Appeal Ref 6003043 – DC/24/0204
Relocation of Holbrook Animal Rescue Centre
Land off Jackrells Lane, Southwater

[redacted] I am Managing Director of Raylands Park, Jackrells Lane, Southwater, which lies immediately adjacent to the appeal site. I am writing to object to this appeal and to respectfully invite the Inspector to dismiss the appeal and uphold Horsham District Council's decision to refuse planning permission.

Raylands Park is a long-established countryside holiday park comprising 134 static holiday homes. Its unique selling point, and the foundation of its commercial viability, is the provision of peace, quiet and enjoyment of the rural setting. The Park is actively marketed and valued as a tranquil countryside retreat where visitors can relax outdoors, free from urban noise and disturbance. Tranquillity is not incidental to the use — it is fundamental to the character, function and economic sustainability of the Park.

The appeal site directly adjoins Raylands Park, with limited physical separation between areas of proposed activity and existing holiday accommodation.

As an immediately affected neighbouring landowner and operator of a sensitive tourism use, my interest in this appeal is direct and substantial.

EXECUTIVE SUMMARY

The appeal site lies in open countryside and immediately adjoins a holiday park whose defining characteristic is tranquillity.

The proposal seeks to introduce an intensive, activity-led and noise-generating use into this quiet rural environment. The operational characteristics of the proposed animal rescue centre — including external dog exercise, barking, vehicle movements, human activity and artificial lighting — would materially alter the character of the area.

The resulting impacts would give rise to significant harm to countryside character, tranquillity and neighbouring amenity.

These harms arise from the inherent nature and location of the proposed use rather than from matters capable of satisfactory mitigation through conditions or landscaping.

The proposal conflicts with Policies 26 and 33 of the Horsham District Planning Framework and with the objectives of the National Planning Policy Framework.

The relocation arises from private land ownership arrangements. The claimed benefits, while acknowledged in principle, are not site-specific and are not secured in perpetuity.

For the reasons set out below, the appeal should be dismissed.

PLANNING BALANCE

Development Plan Context

The appeal site lies outside any defined settlement boundary and is located in open countryside.

Policy 26 of the Horsham District Planning Framework seeks to protect the intrinsic character and beauty of the countryside and resist development that would undermine rural character or tranquillity.

Policy 33 requires development to safeguard the amenity of existing users and be compatible with neighbouring land uses.

The proposed rescue centre would introduce an intensive operational use directly adjacent to a quiet holiday park whose primary characteristic is peace and quiet. It would therefore conflict with both policies.

National Planning Policy

The National Planning Policy Framework requires planning decisions to:

Protect valued landscapes and intrinsic countryside character

Recognise and protect areas of tranquillity

Limit light pollution in intrinsically dark rural landscapes

Avoid significant harm which cannot be adequately mitigated

The proposal conflicts with these objectives by introducing sustained activity, intermittent noise and lighting into an otherwise tranquil rural setting.

Benefits and Weight

The appellant relies upon animal welfare and community benefits.

These benefits are acknowledged in principle. However:

They are generic, not location-specific and are not secured.

There is no evidence they could only be delivered on this site.

The relocation arises from private land ownership arrangements rather than from any statutory or unavoidable requirement.

It is also relevant that the appeal proposal is promoted by private individuals and relates to privately owned land. As far as we are aware there is no information that has been put before the Inspector that secures the long-term occupation of the appeal site by the charity or guarantees the permanence of the claimed community benefit.

In planning terms, the weight attributed to the asserted benefit must reflect the absence of certainty that the proposed use would endure at this location. Granting planning permission would not of itself secure the long-term survival of the charity, nor is the benefit uniquely dependent on this particular countryside site.

The weight to be attributed to these benefits is therefore limited.

Harm caused by the proposal

Amenity Impacts

Raylands Park comprises 134 static holiday homes which are manufactured with relatively limited acoustic insulation. Occupiers make extensive use of balconies, decking and outdoor seating areas specifically to enjoy the quiet countryside setting.

Noise associated with barking dogs is intermittent, impulsive and responsive in nature. Such noise would be inherently difficult to predict or reliably control through planning conditions or management plans.

The appellant promotes the rescue as operating on a "kennel-free" model, with dogs socialised and exercised in open areas rather than confined to traditional kennel blocks. This operational approach is directly relevant to amenity assessment. By its nature, such a model involves open-area movement and social interaction. The movement of dogs toward site boundaries and their

response to external stimuli are therefore foreseeable characteristics of the proposed use rather than exceptional occurrences.

Given the immediate proximity of the appeal site to Raylands Park, the proposal would give rise to unacceptable material harm to the quiet enjoyment of holiday accommodation. The appeal site shares a boundary with Raylands Park, and areas used for dog exercise are located in close proximity to existing holiday accommodation.

Countryside Character and Tranquillity

The proposal would introduce sustained activity, traffic, movement, external paraphernalia and artificial lighting into open countryside.

The cumulative effect would erode rural character and undermine the tranquillity that defines the area.

These impacts are inherent to the operational characteristics of the development and cannot be satisfactorily mitigated.

Ecology

The appeal site and surrounding landform part of a functioning ecological network that includes rewilded areas within Raylands Park.

Over recent years, Raylands Park has managed our land to actively encourage wildlife including bats, owls, amphibians and other species associated with relatively undisturbed rural environments.

Since land clearance, fencing and increased activity commenced on the appeal site, changes in wildlife presence and behaviour have been observed, including reduced small mammal sightings and increased amphibian road mortality along Jackrells Lane. While this representation does not rely on formal ecological survey evidence, these observations are consistent with disturbance effects associated with increased activity and habitat disruption.

The introduction of sustained noise, lighting and operational disturbance would create a credible risk of further ecological harm.

Consistency with Appeal Decisions

A previous appeal relating to a modest agricultural hay barn on land immediately north of Jackrells Lane (Appeal Ref APP/Z3825/W/20/3246893, Application Ref DC/19/0326) was dismissed in November 2020. The Inspector concluded that even a relatively small-scale agricultural building would cause significant harm to the character and appearance of the open countryside.

Although that appeal concerned a static agricultural structure, it confirms the sensitivity of this countryside location.

The present proposal is materially more intensive in operational terms. It introduces sustained activity, noise, lighting and movement rather than a simple storage building. In planning terms, this gives rise to a realistic prospect of materially greater harm.

Video Evidence (Contextual)

Video recordings are referenced in Appendix D.

The clips demonstrate the physical proximity between areas used for dog exercise and the shared boundary with Raylands Park.

They also capture barking as experienced from within Raylands Park. The recording was taken without amplification or enhancement and reflects sound as perceived on site.

These recordings are not acoustic measurements or expert evidence. They are provided solely to assist in understanding real-world proximity and the character of activity described in this submission.

Permission to play these clips at the hearing for illustrative purposes is requested.

OVERALL CONCLUSION

Raylands Park is defined by peace, tranquillity and enjoyment of an open countryside setting. The appeal proposal would introduce an intensive, activity-led and noise-generating use directly adjacent to this highly sensitive tourism environment, fundamentally altering its character.

The harms arising from close proximity, intermittent and impulsive dog-related noise, operational activity, lighting, traffic and ecological disruption are inherent to the nature and location of the development. They cannot be satisfactorily mitigated through conditions, landscaping or management plans. The proposal would therefore cause lasting harm to countryside character, amenity and an established tourism business.

The benefits advanced by the appellant are generic and not dependent on this particular countryside location. Moreover, planning permission would run with the land and would not secure the continued operation of this specific charity at the site. The existing rescue centre has already been displaced following the sale of its previous landholding, demonstrating that occupation is not guaranteed in perpetuity. There is therefore no certainty that the asserted long-term public benefits would endure. By contrast, the harm to tranquillity, amenity and countryside character would be immediate and permanent.

When assessed against the Horsham District Planning Framework and the National Planning Policy Framework as a whole, the planning balance weighs firmly and decisively against the proposal. The appeal should therefore be dismissed and Horsham District Council's decision to refuse planning permission upheld.

I confirm that I wish to appear and speak at the hearing in support of this representation. I would welcome the opportunity to address the Inspector directly on the matters set out above, to respond to any questions that may arise and play a small video clip.

Yours faithfully,

[redacted]

Managing Director, Raylands Park

Objection to appeal for relocation of Holbrook Animal Rescue Centre Representation

Raylands Park, Jackrells Lane, Southwater, RH12 9DH

Planning Inspectorate Reference: 6003043 Horsham District Council Reference: DC/24/0204

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APPENDIX A

NEED FOR THE DEVELOPMENT, ALTERNATIVES & SITE SELECTION

Introduction

This Appendix addresses the appellant's claimed need for the proposed development and examines whether reasonable alternative sites have been properly considered. These matters are central to the appeal, particularly given the sensitive countryside location of the appeal site and the significant harms identified elsewhere in this submission.

Claimed Need for Relocation

The appellant asserts that relocation of the Holbrook Animal Rescue Centre is necessary. However, the evidence demonstrates that the claimed need for relocation arises from a long-standing and voluntary decision by the family landowner to enter into an option agreement for the sale of the land on which the existing rescue centre operates. That option agreement dates back to 2011.

There is no evidence before the Inspector to suggest that the applicants are being required to vacate the existing site as a result of enforcement action, loss of tenure, statutory intervention, or any external compulsion beyond their own control. The decision to place the existing site under option was a private matter and was made many years prior to the current appeal.

It is acknowledged that Sylvia Bradbury, the former owner of the existing site, died in 2023 and that her estate has since been distributed among her beneficiaries. However, this does not alter the planning position. The option agreement giving rise to the loss of the existing site substantially pre-dates her death and cannot reasonably be attributed to inheritance, probate, or estate administration. There is no evidence that relocation is required as a result of the estate being divided or that continued occupation of the existing site has become impossible.

Further weight must be given to correspondence between the applicants and Horsham District Council planning officers dating back to 2018, in which the applicants themselves identified the need to secure an alternative site for the rescue centre. This evidence confirms that the potential need for relocation was anticipated and understood several years prior to the death of the former landowner, and well in advance of any inheritance matters. It further reinforces the conclusion that the claimed need for relocation is self-created.

Accordingly, the need for relocation is properly characterised as self-created. Where a claimed need arises from voluntary decisions taken in full knowledge of relevant policy constraints, and not from unavoidable or externally imposed circumstances, it attracts only limited weight in the planning balance. Such need cannot, either individually or cumulatively, be relied upon to justify development that would otherwise conflict with adopted development plan policies

Ownership, Control and Lack of Long-Term Security

The appeal site is privately owned by the applicants and is not held in charitable ownership. Its selection appears to have been driven primarily by family ownership and availability, rather than by a robust assessment of planning suitability or policy compliance.

This materially undermines any suggestion that the appeal site represents a last-resort option or that no reasonable alternatives exist in less sensitive and more sustainable locations. No evidence has been provided of a transparent, objective site search process.

Importantly, the relocation does not secure the long-term future of the charity. The existing need to relocate arises from the voluntary sale of land within the same family ownership. The proposed appeal site has also been purchased in private ownership rather than in the name of the charity itself. No legal mechanism has been identified that would secure the land for charitable purposes in perpetuity or otherwise guarantee continued occupation by the charity. In these circumstances, granting permission would not provide certainty as to the charity's permanence or operational stability. The asserted benefit of "securing its future" should therefore attract limited weight in the planning balance.

Failure to Assess Alternative Sites

Despite repeated assertions that alternative sites have been considered, the appellant has failed to provide a transparent, documented or credible alternative sites assessment.

Clear advice was given by Horsham District Council planning officers as early as 2018, as evidenced by emails obtained through Freedom of Information requests, that the Jackrells Lane site lies within protected countryside and that securing planning permission would be extremely unlikely. The applicants were repeatedly advised to consider alternative sites. That advice was not followed. Instead, the applicants continued to focus on the Jackrells Lane land, which they subsequently purchased in 2023.

There is no schedule of sites, no location plans, no appraisal matrix, and no explanation as to why other potentially suitable sites were discounted. In particular, there is no evidence to demonstrate that the following alternatives were properly explored:

- Sites closer to existing built up areas;
- Existing agricultural or commercial holdings capable of reuse;
- Sites with greater separation from sensitive receptors;
- Locations with established access and infrastructure.

At a Planning Committee meeting in July, a local councillor offered to assist the applicants in identifying alternative sites. This offer was not taken up. No explanation has been provided as to why that assistance was declined or why no further site search was undertaken.

The absence of an alternatives assessment is particularly striking given the acknowledged sensitivity of the appeal site, its protected countryside designation, and its proximity to Raylands Park, a long-established holiday park and tourism business.

In these circumstances, the harms identified in this appeal arise directly from a flawed site selection process rather than from any intrinsic requirement of the proposed use.

Lack of Site Specific Justification

There is no evidence before the Inspector to demonstrate that this particular site is uniquely capable of accommodating the proposed development or that the benefits claimed by the appellant could not be delivered elsewhere.

The appellant's own material describes relocation as a long-term aspiration rather than an urgent or unavoidable requirement. This further weakens any argument that this countryside site must be developed now, irrespective of policy conflict or environmental harm.

Policy Context

Both local and national planning policy place emphasis on avoiding harm at source, including through appropriate site selection. Where harm to countryside character, residential amenity or biodiversity arises primarily from the location of a proposal, decision makers are required to consider whether those impacts could reasonably be avoided by locating development elsewhere.

In this case, the appellant has failed to demonstrate that alternative, less harmful sites have been properly considered. This failure weighs significantly against the proposal.

Conclusion

The need for the proposed development arises from a voluntary and self created set of circumstances that long pre date the current appeal. No compelling or site specific justification has been provided for locating the development on this sensitive countryside site, immediately adjacent to a tourism use and an emerging ecological network.

The absence of a credible alternative sites assessment, combined with the self created nature of the claimed need, weighs decisively against the proposal and reinforces the conclusion that the appeal should be dismissed.

APPENDIX B

NOISE IMPACT & ACOUSTIC REBUTTAL

1. Introduction

This Appendix responds to the noise evidence submitted by the appellant in support of the appeal. It explains why the submitted Noise Impact Assessment and associated Noise Management Plan significantly underestimate the likely effects of the proposed development, and why noise impacts arising from the proposal would result in material and unmitigable harm to amenity and tranquillity.

This Appendix does not seek to replicate a technical acoustic assessment. Rather, it explains why the assumptions, methodology and conclusions relied upon by the appellant do not reflect the real-world operation of the proposed use in this sensitive rural location.

2. Sensitivity of Raylands Park as a Receptor

Raylands Park comprises 134 static aluminium holiday homes, arranged in close proximity to the appeal site boundary. These units are not permanent residential dwellings and have limited acoustic insulation, making them particularly sensitive to external noise sources.

In addition, Raylands Park is a tourism destination where visitors spend a substantial proportion of their time outdoors. Many units have balconies, decking and external seating areas, and the enjoyment of peace, quiet and countryside tranquillity is integral to the visitor experience and to the function and viability of the holiday park.

For these reasons, Raylands Park must be regarded as a highly sensitive receptor, particularly in respect of intermittent and impulsive noise. This sensitivity has not been properly recognised within the appellant's noise evidence.

3. Mischaracterisation of Receptor Sensitivity

The Noise Impact Assessment and Noise Management Plan fail to properly reflect the sensitivity of Raylands Park. The assessment appears to treat the holiday park as a low- or medium-sensitivity receptor, despite the limited sound insulation of the units and the reliance on outdoor amenity space.

This mischaracterisation fundamentally undermines the conclusions reached, as it leads to a systematic underestimation of the significance of noise impacts that would be experienced in practice.

4. Nature of Noise Generated by the Proposal

Noise arising from an animal rescue centre is qualitatively different from many other forms of development. Barking dogs generate noise that is:

- intermittent and impulsive, rather than steady or continuous;
- unpredictable in timing, frequency and duration; and
- particularly intrusive in quiet rural environments.

Such noise cannot be meaningfully or reliably controlled through planning conditions or management plans. Even with best practice management, barking is an inherent characteristic of the proposed use.

The Noise Management Plan relies heavily on behavioural control, staff supervision and operational discipline. In planning terms, reliance on such measures does not provide a robust or enforceable means of mitigation, particularly over the long term and in a countryside location adjacent to a sensitive tourism receptor.

5. Proximity and Layout of the Appeal Site

The Noise Impact Assessment fails to adequately address the proximity of operational activity to Raylands Park.

Activity has already been observed within approximately 15 metres of the shared boundary, and dogs have been seen running directly up to boundary areas. There is no meaningful physical separation or acoustic barrier capable of preventing noise transmission between the sites.

This real-world spatial relationship is not reflected in the appellant's modelling or assumptions, which appear to be based on an overly optimistic interpretation of site layout and containment.

Observational video evidence submitted at Appendix D further illustrates the proximity of dog activity to the shared boundary and the absence of meaningful physical separation.

6. Inadequacy of Proposed Mitigation Measures

The proposed mitigation measures are insufficient to prevent harm:

- Fencing provides no meaningful acoustic attenuation.
- Planting and landscaping may provide visual screening but offer negligible noise reduction, particularly for impulsive noise such as barking.
- Operational controls rely on behavioural management rather than physical mitigation and are inherently uncertain and unenforceable over time.

The Noise Management Plan therefore places undue reliance on future compliance rather than demonstrating that impacts can be avoided at source.

Notably, the appellant's own Noise and Environmental Policy acknowledges that barking occurs routinely during feeding, exercise and general handling of dogs, and that such noise can arise unpredictably. The policy relies heavily on staff and volunteer intervention. In planning terms, this further undermines the appellant's conclusion that noise impacts would be acceptable.

7. Rural Baseline Conditions

The appeal site lies within a quiet rural environment where background noise levels are low. In such conditions, even modest increases in noise are highly perceptible and intrusive.

The introduction of barking dogs, vehicle movements and daily operational activity would represent a significant and harmful change to the existing sound environment, eroding tranquillity and adversely affecting nearby sensitive receptors.

8. Cumulative and Ongoing Impacts

The noise evidence also fails to properly consider cumulative impacts, including:

- repeated daily disturbance;
- seasonal variations in activity; and

- long-term exposure experienced by holiday park occupiers.

Noise impacts would not be limited to occasional or exceptional events but would form part of the daily operational character of the development.

9. Operational Activity, Traffic and Real-World Evidence

Recent observations at the existing Holbrook Animal Rescue Centre demonstrate levels of vehicle activity that appear materially greater than those assumed within the appellant's supporting evidence. This included numerous staff and volunteer vehicles parked on surrounding roads and the presence of commercial vehicles associated with other uses operating from the site.

While any matters of enforcement fall outside the scope of this appeal, these observations are relevant insofar as they demonstrate that the appellant's assessments may not reflect real-world operational patterns. In this context, it is notable that the appeal proposal provides only eight on-site parking spaces, which appears limited given the scale of the proposed rescue centre, volunteer involvement, staff presence and visitor activity.

If operational patterns at the appeal site were to reflect those observed elsewhere, there is a clear risk that vehicle movements, parking demand and associated noise have been underestimated.

10. Conclusion

The appellant's noise evidence significantly underestimates the likely impacts of the proposed development. It fails to properly recognise the sensitivity of Raylands Park, understates the inherent characteristics of dog-related noise, and relies on mitigation measures that are unrealistic and unenforceable.

The resulting impacts would cause material harm to amenity and tranquillity, undermine a sensitive tourism use, and fundamentally alter the character of the local environment. These harms are inherent to the proposal and cannot be satisfactorily mitigated.

For these reasons, noise impacts weigh heavily against the proposal and provide a clear and independent basis for dismissing the appeal.

APPENDIX C

AMENITY, TOURISM & OUTDOOR LIVING

Introduction

This Appendix considers the impact of the appeal proposal on amenity, tourism and outdoor living at Raylands Park. These matters are of particular importance given the nature of Raylands Park as a holiday destination, the proximity of the appeal site, and the reliance of the business and its visitors on tranquillity and enjoyment of the countryside.

Nature of Raylands Park as a Tourism Receptor

Raylands Park is a long-established holiday park comprising 134 static aluminium holiday homes. The park operates as a tourism business, providing short-term and seasonal accommodation to visitors seeking peace, relaxation and enjoyment of the rural environment.

Unlike permanent residential developments, the success and viability of Raylands Park depend directly on the quality of the visitor experience. Tranquillity, quiet enjoyment, and the perception of being in an unspoilt countryside setting are fundamental to the park's appeal. Any erosion of these qualities would have a direct and adverse effect on the attractiveness and commercial viability of the business.

Outdoor Living and Use of External Space

Holiday homes at Raylands Park are specifically designed to encourage outdoor living. Many units incorporate balconies, decking areas and external seating spaces, which are actively used by occupiers throughout the day and evening, particularly during warmer months and peak holiday periods.

Visitors to the park spend a significant proportion of their time outdoors, enjoying fresh air, countryside views and the quiet rural environment. As a result, noise and activity generated off-site are experienced directly and without attenuation, and the sensitivity of the receptor is significantly greater than would be the case for indoor-focused residential accommodation.

Proximity of the Appeal Site

The appeal site lies immediately adjacent to Raylands Park. The separation distance between areas of activity on the appeal site and holiday homes within Raylands Park is limited, and in some areas activity has been observed within approximately 15 metres of the boundary.

Given this close proximity, there is no realistic prospect of preventing the transmission of noise, disturbance and visual activity from the appeal site to Raylands Park, particularly when occupiers are using outdoor amenity spaces.

Nature of Disturbance and Amenity Impact

The proposed animal rescue centre would introduce a form of activity that is fundamentally incompatible with the quiet enjoyment of a holiday park. The impacts would include:

- Noise from barking dogs, which is intermittent, impulsive and intrusive
- General activity noise from staff, visitors and vehicle movements
- Visual disturbance associated with movement, fencing and activity close to boundaries

- Artificial lighting, particularly during early mornings, evenings and winter months

These impacts would be experienced not as occasional or exceptional events, but as part of the day-to-day operational character of the development.

The cumulative effect of these disturbances would materially undermine the sense of tranquillity and escape that visitors expect when staying at Raylands Park.

Impact on Visitor Experience and Business Viability

The adverse amenity impacts described above would have a direct and detrimental effect on visitor experience. Noise, disturbance and loss of tranquillity would reduce the enjoyment of outdoor spaces and diminish the overall quality of stay.

This in turn would harm the reputation and commercial viability of Raylands Park as a holiday destination. Unlike permanent residential occupiers, visitors are able to choose alternative destinations, and even modest reductions in amenity can have a disproportionate impact on long-term business sustainability.

These impacts represent material planning harm, as they affect an established tourism business and conflict with the objective of supporting sustainable rural tourism.

Policy Context

Policy 33 of the Horsham District Planning Framework requires development to safeguard the amenity of existing users and to be compatible with neighbouring land uses. In this case, the proposed animal rescue centre would be fundamentally incompatible with the neighbouring use of Raylands Park as a quiet holiday park.

National planning policy also recognises the importance of protecting amenity, tranquillity and recreational value in rural areas. Development that undermines these qualities, particularly where harm is unavoidable, is contrary to policy objectives.

Conclusion

Raylands Park is a highly sensitive tourism receptor, reliant on tranquillity, outdoor living and enjoyment of the countryside. The appeal proposal would introduce sustained noise, activity and disturbance into close proximity with the park, resulting in material and unmitigable harm to amenity and visitor experience.

These impacts are inherent to the nature and location of the proposal and cannot be resolved through conditions or management plans. The harm to amenity and tourism therefore weighs heavily against the proposal and provides a clear and independent reason why the appeal should be dismissed.

APPENDIX D

Video Evidence and Observational Context

This appendix explains the purpose and relevance of the video evidence submitted in support of Raylands Park's objection to the appeal. The videos have been provided to assist the Inspector in understanding the real-world context of the appeal site, its relationship with Raylands Park, and the nature of activity already occurring on and around the land.

The video evidence shows the close physical proximity between areas of activity on the appeal site and the boundary of Raylands Park. In several recordings, dogs can be seen running directly up to boundary areas, demonstrating that there is no meaningful separation between the appeal site and the holiday park. This proximity is significantly closer than that assumed in the appellant's noise and impact assessments.

The videos also demonstrate the extent of land being used in practice. Activity is not confined to a small or controlled area, but occurs across a wider part of the site, including areas that are within approximately fifteen metres of holiday homes at Raylands Park. This directly contradicts assumptions made within the appellant's supporting evidence regarding containment, distance and control. The appellant describes the facility as operating without traditional kennels, with dogs exercised and managed in open areas. This operational model reinforces the importance of understanding how activity may occur across the wider site rather than within enclosed structures.

The recordings illustrate the character of activity associated with dog use. Dogs are shown moving freely, responding to stimuli, and approaching boundary areas in an unpredictable manner. This provides important context for understanding why noise from barking dogs cannot be reliably controlled through management plans or operational procedures.

The video evidence also demonstrates that fencing provides no meaningful acoustic or functional separation. While fencing may serve a visual or containment purpose, it does not prevent noise transmission, nor does it prevent activity from occurring in very close proximity to sensitive receptors.

The recordings further assist in illustrating the character of the surrounding environment. Raylands Park is shown to be a quiet holiday setting, with open outdoor areas used by visitors for relaxation and enjoyment of the countryside. Against this backdrop, the introduction of regular dog activity would represent a marked and intrusive change to the character of the area. It is worth noting these disturbances are already being felt before any planning permission is being granted and with only a fraction of the number of dogs being proposed.

The videos are not intended to replace technical assessments but to provide factual, observational evidence that assists in understanding how the site operates in reality. They demonstrate that assumptions made within the appellant's modelling and management proposals do not reflect actual conditions on the ground.

Taken together, the video evidence supports the conclusion that the appeal proposal would result in material and unmitigable harm to amenity, tranquillity and the enjoyment of Raylands Park. It reinforces the case that impacts arising from proximity, activity and noise are inherent to the proposal and cannot be satisfactorily mitigated.

APPENDIX E

Landscape, Tranquility, Ecology and Policy Context

Appendix E addresses the impacts of the appeal proposal on landscape character, tranquillity, ecology and biodiversity, and explains how these impacts conflict with both local and national planning policy.

The appeal site forms part of an open countryside landscape characterised by low levels of activity, limited built form and a high degree of tranquillity. The area is valued for its rural character, dark skies and sense of separation from built-up areas. These qualities contribute to both the amenity of nearby users and the functioning of the local ecological network.

The proposed development would introduce a level and type of activity that is fundamentally at odds with this context. The presence of barking dogs, regular human activity, vehicle movements, fencing, lighting and associated infrastructure would introduce an urbanising influence into an otherwise quiet rural environment. These impacts would be experienced not only visually but audibly and perceptually, resulting in a permanent erosion of countryside character and tranquillity.

The Council's landscape assessment identified harm to the character and tranquillity of the area that could not be fully mitigated. By contrast, the appellant's Landscape and Visual Impact Assessment relies heavily on assumptions regarding screening, planting and future growth, and does not adequately account for the experiential impacts of noise, activity and lighting. The assessment is therefore limited in its ability to reflect the real-world effects of the proposal.

Raylands Park and the surrounding land have been subject to extensive long-term rewilding, resulting in a functioning ecological network supporting a range of protected and notable species. These include bats, owls, great crested newts, toads and other amphibians, as well as small mammals that form part of the local food chain.

Since land clearance, fencing and dog walking activity commenced on the appeal site, a marked decline in wildlife activity has been observed. Small mammal populations have reduced, affecting owl foraging behaviour. Great crested newts have been found killed on nearby roads, and significant numbers of toads have been observed dead during seasonal migration periods as they move between hibernation areas and neighbouring ponds.

This area forms part of an established amphibian migration route. Such routes are highly sensitive to disturbance, fencing, increased activity, lighting and vehicle movements. Once disrupted, they are extremely difficult to restore. The proposed development would significantly intensify existing pressures and place protected and priority species at unacceptable risk.

The appellant's ecological evidence relies primarily on a Preliminary Ecological Appraisal and defers key mitigation measures to future conditions. It does not adequately assess the operational impacts of the development, including ongoing disturbance, lighting effects, habitat fragmentation or cumulative impacts on the wider ecological network. The approach taken fails to demonstrate that harm can be avoided at source.

National planning policy provides strong support for protecting countryside landscapes, tranquillity and biodiversity. Paragraph 174 of the National Planning Policy Framework requires planning decisions to protect valued landscapes and minimise impacts on biodiversity. Paragraph 180 makes clear that where significant harm to biodiversity cannot

be avoided through mitigation or compensation, planning permission should be refused. Paragraph 185 requires the identification and protection of areas of tranquillity which have remained relatively undisturbed by noise and are valued for their recreational and amenity qualities, and seeks to limit light pollution in intrinsically dark rural landscapes.

These national objectives are reflected locally in Policy 26 of the Horsham District Planning Framework, which seeks to protect the intrinsic character and tranquillity of the countryside, and Policy 33, which requires development to safeguard amenity and be compatible with neighbouring land uses.

The appeal proposal conflicts with these policies. The harms identified arise from the inherent nature and location of the development and cannot be satisfactorily mitigated through conditions, landscaping or management plans.

Consistency in decision-making is also relevant. A recent appeal relating to a hay barn on land directly opposite Raylands Park (APP/Z3825/W/20/3246894)was dismissed on the basis that even a modest agricultural building would cause unacceptable harm to countryside character and tranquillity. The appeal proposal is materially more intensive, involving regular activity, noise and lighting, and would therefore result in significantly greater harm.

Taken together, the impacts on landscape character, tranquillity, ecology and biodiversity are substantial and enduring. They conflict with both local and national planning policy and weigh heavily against the proposal. These considerations provide a clear and independent basis for dismissing the appeal.