

APPELLANT'S STATEMENT OF CASE

Site:

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

Planning Application Proposal:

**Retention of top surface to majority of existing
hardcore area and its use for the parking of
vehicles in connection with the use of the
equestrian centre and resiting of lorry
containers onto historic hardsurfaced area**



Appellant:

Mrs S Novell

Agent:

**Stephen Jupp MRTPI
Chartered Town Planner**

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Appendices

- 1 Appeal decision letter reference 3374616
- 2 Plan for dismissed scheme DC/24/1405

Provided separately

Bundle of letters from users of the containers justifying their need

1 INTRODUCTION

- 1.1 The planning application, the subject of this appeal, is for full planning permission for the *"Retention of top surface to majority of existing hardcore area and its use for the parking of vehicles in connection with the use of the equestrian centre and resiting of lorry (storage) containers onto historic hardsurfaced area"*.
- 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 hardstanding, the southern part of which has recently had a new top surface laid, 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.
- 1.5 The first element is to retain a top surface of road scalplings that has been laid to the southern area pre-existing hardcore surface of the land. Evidence was provided to the council 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. The location of these holes will be marked out on site in advance of the inspector's appeal site visit in order that they can be observed. To provide clarity, the area hatched on Drawing 3 is the area with the new top surface.
- 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, is simply where weeds and grass have reseeded due to lack of use and 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. The Council previously issued an Enforcement Notice requiring the removal of this material but the notice was withdrawn when the requirements were challenged to the effect that the removal of the top surface would not reveal an identical previous surface.
- 1.8 The business needs a larger parking area as a result of the various equestrian activities that are carried out on the land and the south east corner of the first hardstanding area need to be left clear to allow access to the lower level where the buildings are. This area is also functional required for the turning and manoeuvring of horse box lorries, deliveries and feed lorries. The photograph below shows how the second hardstanding area [the area with the new top surface] is being used.



- 1.9 The second element is the use of part of the historic parking area for the storage of lorry containers. This storage currently exists along the roadside and has been found to be harmful in an earlier appeal. The use of the area abutting the road for the storage of lorry containers and touring caravans would cease as part of this application.

1.10 Permission is sought for a maximum of 7no 40ft lorry containers and these would be sited close to the building complex, away from the highway and adjacent to 2no 40ft containers which have been historically stored on the site. This storage would be limited to the lower southern area as shown on Drawing 3B and in the photograph below, running along from the side of the green portacabin. This application no longer seeks permission for the storage of touring caravans.



1.11 The application was refused permission on 31 March 2026 for the following 2 reasons, as set out below:

1. *The proposed use of the land for the storage of containers and associated commercial activity has not been demonstrated to be functionally or operationally dependent on a countryside location, nor has it been shown to represent sustainable rural economic development in accordance with the development plan. The proposal is therefore contrary to Policies 10 and 26 of the Horsham District Planning Framework (2015).*
2. *The proposal would result in the retention of extensive hardstanding and a commercial storage use which introduces urbanising and suburbanising features into a rural and highly sensitive landscape. This results in harm to the character and appearance of the site and the wider area fundamentally from the erosion of the site's rural character and its incompatibility with the key characteristics of the High Weald National Landscape, including its undeveloped, wooded and tranquil qualities. As such, mitigation measures are insufficient to overcome the identified harm. The proposal therefore fails to conserve and enhance the natural beauty and special qualities of the High Weald National*

Landscape, and is thus contrary to Policies 25 and 30 of the Horsham District Planning Framework (2015) and Paragraph 189 of the National Planning Policy Framework.

2 RELEVANT PLANNING HISTORY.

- 2.1 This application follows the refusal of planning permission under reference DC/24/1405 and the subsequent dismissal of appeal reference 3374616.
- 2.2 That appeal scheme sought to retain the lorry containers and touring caravans along the northwest [roadside] boundary and differs significantly from the current scheme.
- 2.3 Accordingly, the current proposal differs from the refused scheme in the following respects:
- Removal of touring caravans from the proposal (previously up to 10 units).
 - Reduction in quantum of storage, now limited to a maximum of 7 lorry containers.
 - Reconfiguration of the site layout, with storage relocated away from the roadside boundary to a more southerly position.
 - Defined use of part of the site as a car park associated with the equestrian use, rather than mixed storage across the site.
 - Removal of top surface in the area adjacent to the road where the containers and touring caravans are currently sited.
- 2.4 A similar amended scheme was put forward during the appeal process; however, the Inspector declined to consider it on the basis that it represented a materially different proposal to that originally determined.
- 2.5 It is noteworthy that the council's landscape consultee, for the current appeal scheme, considered the *"relocation of caravans and containers away from the north-western edge of the site does however reduce the visual impacts associated with the development."* What they failed to acknowledge was that the caravan storage would be removed and that the containers would be adjacent to historic containers and portacabin and seen against the context of the existing buildings on the site.
- 2.6 The appeal decision and associated [refused] plan are attached at appendix 1 and 2 respectively.

3 WILL THE LEVEL OF ACTIVITY GENERATED GIVE RISE TO LANDSCAPE HARM?

- 3.1 In my view the issues set out in reason for refusal 2 fail to acknowledge 2 critical matters.
- 3.2 First, that there has historically been a hard standing. It fell into disuse and became covered in weeds and self-seeded grass. If it removed the appearance would be the same since prior to laying the top surface the grass and weeds were scrapped off in order that the new top surface could bed onto the pre-existing hardsurface.
- 3.3 Second, that the site is used for a large commercial equestrian business. It is not a quiet use devoid of any activity. The use of the containers generates minimal activity as visits by the renters are infrequent. In any event such movements would not be discernable above the daily vehicular movements associated with the lawful business – there will be 7 containers and they have 42 stables and 24 horses. Owners visiting twice a day plus clinics, shows and lessons. A minimum of 50 vehicular access a day. Compared to 7 containers, tenants visiting at most, once a day. Therefore, 50 a day compared to 7 a day
- 3.4 RfR2 is specific in alleging the introduction of "*urbanising and suburbanising features*". This implies that none currently exist on the site, but this is factually wrong. The impact of the use of the lorry containers must be judged against the current [lawful] use of the site – something which clearly has not happened. If such an assessment had been undertaken it would have been plain beyond peradventure to the decision maker that the low level of activity generated by the 7 containers is de minimis compared to the overall activity generated by the equestrian use. Indeed, it could be argued that the scale of just 7 lorry containers being rented out compared to the overall equestrian activity was insufficient to trigger a material change of use of the wider planning unit from occurring.

High Weald NL

- 3.5 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.*

3.6 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.*

3.7 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.*

3.8 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.

3.9 The Council's landscape officer considers any effects on landscape character to be relatively localised. They also considered that:

If minded for approval, we advise that the scheme introduces further soft landscaping along the north-western boundary to further reduce visual effects along Forest Road, which is the only visual receptor affected by the development. The relocation of caravans and containers away from the north-western edge of the site does however reduce the visual impacts associated with the development.

3.10 I therefore suggest that if the inspector were to disagree with my view and concludes that there is some marginal localised adverse impact then this could be adequately addressed by some native hedgerow planting along the north west boundary where the containers are currently sited.

4 **NEED**

- 4.1 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 liveryes 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 3 employees.

- 4.2 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 historically used for the parking of cars and horse related vehicles and infrastructure such as horse box lorries.

- 4.3 Attached in tandem with this statement is a bundle of 5 letters from people who occupy 6 of the current 7 storage containers along the north boundary. It is clear from these letters the renters are all local people and most use the containers in connection with their work activities and find them to be essential items to be able to rent locally. It is considered that these letters demonstrate a local need for the rental of a small number of containers – such a use is more sustainable than local people having to travel long distances to rent space in storage containers. It is understood that there is one in Horsham but not at the low prices or availability that the appellant offers.

- 4.4 I therefore conclude, on this final issue, that 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 accountant's letter of support along with the letters from the current renters of 6 of the 7 storage containers.
- 4.2 Since there is a historic area of hardstanding it makes sense to utilise some of this area for the car park for the business which is essential due to the level of activity undertaken on the site and to free up the first area of hardstanding for the maneuvering of horse boxes, deliveries and animal feed lorries and to provide clear access to the lower level of the site. The rental of a small number of storage containers is a form of rural diversification which provides a valuable source of income that enables the business to continue trading – without this source it is highly likely that the business will have to cease trading especially as the cost of feed and fertilizers is increasing exponentially.
- 4.3 The Council's 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 minimal and localised harm to arise to the High Weald NL – but appears to have assumed that the touring caravans would remain on the site. In any event they consider that the planting of a native hedgerow along the roadside boundary would negate the limited and localised visual harm.
- 4.5 I therefore consider that the appeal should be ALLOWED and that planning permission should be GRANTED.