



Appeal Decisions

Site visit made on 6 October 2025

by J E Jolly BA (Hons) MA MSc MCIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal A Ref: APP/P1425/W/25/3365120

Clayhill Woods, Isfield Road, Ringmer, East Sussex, BN8 5RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Parnaby against the decision of Lewes District Council.
- The application Ref is LW/24/0059
- The development proposed is a retrospective application for an equestrian ménage and associated works.

Appeal B Ref: APP/P1425/W/25/3365121

Clayhill Woods, Isfield Road, Ringmer, East Sussex, BN8 5RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Parnaby against the decision of Lewes District Council.
- The application Ref is LW/24/0251
- The development proposed is for the demolition and erection of new barn (retrospective) and change of use from agricultural to residential/commercial barn with fenestration alterations and associated landscaping.

Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural and Preliminary Matters

3. On 12 December 2024 a revised version of the National Planning Policy Framework (the Framework) was published. I have taken this into consideration in making my decision and any paragraph references are to this version.
4. For clarity and certainty, I have used the description of development given on the Council's decision notices.

Background and Main Issues

5. As set out above, there are two appeals on this site. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated. Therefore, the main issues in this appeal are the effect of the proposals on:
 - ancient woodland and biodiversity,
 - the character and appearance of the area; and for Appeal B,
 - the water and soil environment.

Reasons

Ancient Woodland

6. The appeal sites are located at the end of a track that leads to pasture type fields that are adjacent to the Clayhill Woods/Skimcorner Wood Ancient Semi Natural Woodland (AW), which is recorded on the classified Ancient Woodland inventory.
7. At the time of the site inspection the equestrian ménage (sand school) appeared to have been completed. Fenestration and interior structural alterations to the barn for the proposed use as a commercial and residential dwelling with parking and a garden space could also be seen.
8. The wider site has a mobile home set on a concrete slab and a range of domestic paraphernalia associated with its use, such as but not limited to, washing lines; a BBQ, play equipment and seating. In addition, vehicles and equipment can be seen scattered across the woodland floor adjacent to the sand school. There are also what appear to be two active stable blocks on concrete standings, store buildings, a horse walker, an open manure pile and various poultry-type coops within the surrounding woodland setting.
9. The main parties agree that there has been some historic degradation of the AW that may date back to at least 1999. Indeed, some mature oak trees had deadwood and/or 'stag headed' upper branches, while other trees in the AW appeared to have been lost /or removed. There were also noticeable areas of compacted soil, mown grass and dug ditches.
10. Paragraph 193 (c) of the Framework is clear that AW is an irreplaceable habitat where development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists. In addition, Natural England's (NE) guidance on AW advises that proposals for development should have a buffer zone of at least 15 metres from the boundary of the woodland. In this case, while NE have not objected to the scheme, it does however identify that developments have the potential to adversely affect woodland classified on the ancient Woodland Inventory. I have proceeded accordingly.

a) Sand school

11. The timber fenced and gated sand school is located to the rear of the site and accessed by an extended section of the woodland track via a concrete hardstanding. To the front of the sand school there is a mown grass area with a ground level water trough. To the other side of the access track there is a sufficient turning and parking space type area for larger motor vehicles, such as horse boxes and trailers. The sand school is linked to a series of drainage pipes laid in ditches to the left-hand side of the ménage that run north easterly towards the woodland.
12. The appellant records in his Preliminary Ecological Appraisal (PEA), dated March 2024, that drainage of the sand school is unlikely to result in any water quality issues as it will mostly consist of free-draining materials and a very low level of horse faeces. Moreover, any adverse effects would be limited to the mown grass areas of the appeal site.

13. However, notwithstanding that the appellant says that only a small section of the sand school and its drainage system would be within 15m of the AW, in combination with wash down from the nearby poultry coops, a muck heap, the water trough and stables, the runoff from any activity of the sand school would be very likely to affect the quality and health of the AW over time. In addition, the presence of motor vehicles making use of the sand school would increase not only noise, dust and light pollution, but also have the potential of fuel and oil spill in this very sensitive location.
14. Therefore, as I have limited evidence before me as to the type and level of activity associated with the sand school, I am not persuaded by the PEA that any water run-off from the sand school would be without issue or hydrological impact on the adjacent AW. Therefore, taking a precautionary approach, I conclude that the sand school development and drainage of the equestrian ménage would harm the AW.

b) Barn

15. A brick and timber weather-boarded barn with a metal roof above has been constructed on a hardstanding to the right-hand side of the woodland track in Clayhill Woods. Whether the appeal barn is lawful development or not, the Council has brought to my attention that the barn replaced a modest agricultural structure.
16. Therefore, to my mind its change of use to a commercial/residential dwelling would be likely to increase the comings and goings and parking of motor vehicles by clients and visitors to the barn in comparison to a simple store type building.
17. As such, it is likely that this activity would cause further impaction of the soil in this specific location. Consequently, in tandem with the hardstanding of the barn, the compacted soil would compromise the root health of the nearby ancient trees and harm their long-term wellbeing.
18. Furthermore, harm to the AW would be exacerbated by the new domestic activities in the woodland area. For example, the lighting of outdoor fires, pruning of ancient trees for household comfort, the fencing, planting and fertilising of non-native and invasive plant species in the proposed garden space and increased garden waste/litter. There would also be the potential for the keeping of domestic pets detrimental to wildlife and the trampling of soil, flora, fungi and fauna found in the immediate AW by the occupants of the new dwelling. The risk of motor vehicle and fuel spills in the woodland area also exists.
19. I acknowledge the benefits related to the provision of a new residential dwelling against the Council's Housing Land Supply and the economic and environmental benefits of a homeworking type business, but this does not form an exceptional reason or adequate mitigation against the resultant harm to the AW.
20. I conclude therefore, that the completed development and change of use of the barn would result in substantial harm to the AW.

21. That said, the appellant argues in the PEA that the appeal site is already in poor condition with compacted soil. As such, he intends to address the historic damage through a package of ecological enhancements and woodland restorations with the intention to reverse the historic degradation and diminished range of biodiversity on the appeal site.
22. The package would see the relocation of the mobile home and potentially other structures on the appeal site, including the existing stable buildings/hardstanding, the trailer, horse walker and a timber store building. Thereafter the appellant forwards that he would restore the woodland to the north of the access track, cease to mow the grassed areas to enable natural regeneration and impose hydrological controls to raise local groundwater levels. The appellant also intends to plant native type hedgerows on the site boundary and install bird and bat boxes; all of which would be completed without further disturbance to the woodland; and managed through a Biodiversity Method Statement to achieve overall betterment of the site.
23. Nevertheless, while noting the historic use of the site, NE and Forestry Commission guidance says that where a proposal involves the loss or deterioration of ancient woodland or ancient or veteran trees, its existing condition is not a reason to give permission for development.
24. Moreover, I concur with the Woodland Trust's representation, which says amongst other things, that the loss and deterioration of the woodland in this case cannot be mitigated unless the development could be located beyond a buffer zone of at least 15m from the AW.
25. Even if this were to be otherwise, and in the absence of a full compensation strategy, I have no substantiated evidence that the appellant's ecological and restoration aspirations could be delivered or successfully established on this protected location, even if secured by condition.
26. Therefore, as there are no exceptional reasons for the proposal as required by Paragraph 193 (c) of the Framework, and no suitable compensation strategy exists, I conclude that the completed proposal would result in the loss or deterioration of the AW.
27. It follows then, that the proposals both separately and in combination would be contrary to Policy CP10 of the Lewes District Local Plan Part 1 (2016) (LDLP1) and Policy DM24 of the Lewes District Local Plan Part 2 (2020) (LDLP2), as supported by Policies 4.3 and 4.10 of the Ringmer Neighbourhood Plan (2016) (RNP), which say development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland or veteran trees) will be refused, unless there are wholly exceptional circumstances and a suitable compensation strategy exists, and Paragraph 193 (c) of the Framework.

Character and appearance

a) Sand school

28. Turning to the second main issue. The submitted Visual Impact Assessment (LVIA) dated January 2024, suggests that the impacts of the proposal would be limited and that the surrounding landscape has the capacity to absorb the development.
29. I acknowledge that sand schools are sometimes seen in the countryside, on farmland or in gardens, and that the low-profile development at Clayhill Woods has been constructed in muted materials suitable for the safety and comfort of horses.
30. Nevertheless, although the sand school is shielded from the existing buildings and structures on the wider appeal site by a hedge, its scale and associated clutter, such as equestrian jumps, a water trough and wrapped bales, detract from the mostly unencumbered nature of the adjacent fields, this would particularly be the case at times of the year when foliage on the nearby trees and hedges is minimal. Indeed, the development appears in stark contrast to the surrounding verdant fields and woodland in this very specific location.
31. Moreover, although the sand school is intended to be non-commercial in nature; and even if the number of horses could be limited by condition, any regular activity associated with its use would harm the general quiet and tranquillity of the location adjacent to woodland, and hence the character of the area.
32. Therefore, I cannot concur with the findings of the LVIA. To the contrary, I find that the siting, extent and the uncharacteristic use of the sand school is incongruous with the character and appearance of this rural-type area.
33. I conclude therefore, that the sand school development harms the character and appearance of the area; and hence is contrary to Policy DM6 of the LDLP2, which requires that the siting, scale and design, including materials and boundary treatment of any new buildings or facilities should be appropriate to their rural setting, and the Framework when read as a whole.

b) Barn

34. The proposed use of the barn is for a residential dwelling combined with a commercial use related to a plant hire business. Whether lawful or not, the appeal barn replaced a simple agricultural building. Therefore, even though the appellant contends its use would accord in part with the small commercial enterprises nearby, and that the materials and palette of the appeal barn are low-key, the fact remains the extensive fenestration to the front and rear of the barn gives the building the appearance of a more domestic type dwelling. As such, the development is at odds with this rural and woodland location.
35. In addition, while the appellant contends in the submitted LVIA that the visibility from the nearby footway¹ to the barn is no more than moderate, at certain times of the day and year the domestic illumination within the dwelling would be seen through the trees of the woodland as an alien and incongruous presence. While noting that the appellant feels it is unreasonable, the planning onus lies with the appellant to prove to the Council otherwise.

¹ BAR/8/1

36. Furthermore, during the autumn and winter months when leaf cover within the woodland is less, the extensive range of new and existing domestic clutter on the site and the activity associated with the business and dwelling is likely to draw the eye of those using the footpath that runs across Clayhill Wood. Even if compatible with its AW location, additional landscaping would not be adequate mitigation.
37. I conclude therefore, that the barn development harms the character and appearance of the area in this specific location and therefore, is contrary to Policies DM1, DM2, DM4, DM10 and DM25 of the LDLP2 as supported by Policies 4.1, 9.1 and 9.3 of the RNP, and the Framework which says that developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting.

Water and soil environment

38. The appellant contends that matters related to drainage, sewage, water and soils are only relevant to major applications, and in any event relevant matters could be secured by condition.
39. Nonetheless, given the sensitivity of the location next to AW, it is reasonable for the Council to have expected a level of certainty related to the effect of the development on the water and soil environment. However, as the appeal is to be dismissed on other grounds, I have not considered this matter any further in this case.
40. As such, taking a precautionary approach in respect of the water and soil environment, I conclude that the development is contrary to Policy DM20 of the LDLP2, which says that development will only be permitted if it will not have an adverse impact on the use of other land.

Other Matters

41. I recognise that the proposals have drawn support from a number of interested parties. However, while this is noted, it does not outweigh the harm I have found above.

Conclusions

42. For the reasons given above, Appeal A is dismissed.
43. For the reasons given above, Appeal B is dismissed.

J E Jolly

INSPECTOR