



Appeal Decision

Inquiry held on 16 December 2025

Site visit made on 15 December 2025

by Nick Fagan BSc (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2026

Appeal Ref: APP/Z3825/C/25/3370740

Land lying to the west of Prestwood Lane also known as land at Prestwood Corner, Prestwood Lane, Ifield, West Sussex RH11 0LA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mrs Sandra Stockbridge against an enforcement notice issued by Horsham District Council.
 - The notice was issued on 9 July 2025.
 - The breach of planning control as alleged in the notice is Without planning permission, the material change of use of the Land from agriculture and an equestrian use to a mixed use comprising agriculture, equestrian and the stationing of a twin unit mobile home for the purposes of human habitation, as shown in the approximate position hatched in orange on the attached plan. Together with the associated operational development comprising the laying of a hardstanding, in the approximate position shown hatched blue on the attached plan, and the installation of a sewage treatment plant in the approximate position shown as a brown coloured spot, the calor gas tank shown in the approximate position shown with a black coloured spot, and the metal storage shed shown as a grey coloured spot on the attached plan, in connection with the unauthorised residential use.
 - The requirements of the notice are to:
 - (1) Permanently cease the use of the Land for the stationing of the twin unit mobile home for the purposes of human habitation/residential use;
 - (2) Remove from the Land the twin unit mobile home shown in the approximate position hatched orange on the attached plan;
 - (3) Remove from the Land all operational development carried out in association with the unauthorised residential use of the land; namely the installation of the sewage treatment plant as shown in the approximate position shown with a brown coloured spot on the attached plan; the calor gas tank as shown in the approximate position shown with a black coloured spot on the attached plan and the metal storage shed shown in the approximate position shown with a grey coloured spot on the attached plan;
 - (4) Break up and remove from the Land the hardstanding shown in the approximate position hatched in blue on the attached plan and remove any resulting debris from the Land;
 - (5) Following the steps (1) to (4) above, restore the Land to its original condition before the breach took place by re-seeding it with grass.
 - The periods for compliance with the requirements are: 12 months for requirements (1) & (2), and 15 months for requirements (3), (4) & (5).
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (d), (f), & (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matters

2. I conducted an accompanied site visit at 3pm on the day before the Inquiry, attended by the appellant and her partner, her agent, and Mr Hawks from the Council. I made clear at the start of the Inquiry that, if necessary, I would conduct another visit at the request of either party, or if I considered that I needed to at the end of the Inquiry. Having seen all I needed to on the first visit, both parties confirmed to me at the end of the Inquiry that another visit to the site was unnecessary.
3. I also went with the main parties immediately afterwards to look at the site of 1 Woodgate Cottages, a very short drive away from the appeal site, where the appellant and her partner lived until 2020, when they apparently had to move out because it became structurally unsafe and uninhabitable. I did not go inside the property but observed that it is still uninhabited, which confirms what the appellant has said in her Proof of Evidence.
4. It was confirmed by the Council at the Case Management Conference preceding the Inquiry (on 11 November) that its third reason for issuing the notice had now fallen away owing to the recent lifting of Natural England's objections regarding increased water abstraction affecting the Arun Valley SAC, SPA and Ramsar sites, following the separate resolution of this matter, which had previously blocked any development in the area that was not 'water neutral'.
5. There are two mobile homes on the Land. The notice only seeks removal of the more northerly sited twin-unit mobile home, installed in late 2020/early 2021, inhabited by the appellant and her partner, Bill Rae, since that time.

The Notice

6. The appellant argues that the alleged breach of planning control in the notice needs widening to include the storage of the shipping containers at the front of the site and the stationing of the southerly mobile home ancillary to the site's lawful use. However, I agree with the Council that this is unnecessary.
7. That is because the shipping containers are used for the storage of tools and machinery used in connection with the agricultural use of the Land or to house horse carts and carriages in connection with the equestrian use of the land; any use of them for domestic storage is prohibited by the notice. The southerly mobile home, near the entrance to the site, is accepted by the Council as being lawful when used as a mess room or shelter in connection with the agricultural or equestrian use of the site.
8. There is therefore no need to refer to them specifically in the notice because it does not allow them to be used for residential purposes. If the appellant considers that she can prove the lawful residential use of the southerly mobile home for 10 continuous years (albeit her evidence suggests this to be unlikely), then she has the option of trying to gain a Certificate of Lawful existing Development (LDC) for such. I note that the previous S195 appeal decision¹ did not seek to establish such a residential use.

¹ APP/Z3825/X/24/3345651, dismissed 24 February 2025

Reasons

Ground (d)

9. Ground (d) is that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters.
10. The appellant initially alleged that the hardstanding, sewage treatment plant and Calor Gas storage tank were all in situ in connection with the parking of vehicles, storage of containers and stationing of pre-existing caravans, as shown in the aerial photograph dated 20 April 2020 on page 5 of her appeal statement. However, when cross-examined on this by the Council's advocate, she conceded that the sewage treatment plant and Calor Gas tank were installed around the same time as the northerly twin-unit mobile home, at the end of 2020 or start of 2021.
11. Her latter concession would certainly seem to tally with the aerial photos set out in Appendix C of the Council's Proof, which shows the original straight southern boundary of the field in 2018 with only a small wedge of land between this and the barns on which a touring caravan and other smaller items are stored. Although her aerial photo of April 2020 shows a larger storage area, which has spread onto the southeastern corner of the field, I cannot detect any evidence on the photo of the sewage treatment plant or Calor Gas tank. I am also unclear from the photo as to whether any of the area to the north of the barns comprised hardstanding, not least because the left-hand side of this area on the photo has tyre tracks – which suggest to me that this area was probably still bare earth at the time.
12. The 2022 aerial photo in the Council's Appendix C clearly shows the twin-unit mobile home, the hardstanding, the Calor Gas tank, the metal storage shed and the sewage treatment plant cover in the northeast corner, none of which were present on the 2018 or 2020 aerial photos. For these reasons it appears to me that all these features were most likely installed as part of the siting of the new twin-unit mobile home installed for the appellant and her partner to inhabit at the end of 2020 or the beginning of 2021.
13. In any case they are clearly part and parcel of the residential use of this part of the Land, which has only existed since that time. They therefore need to have been there continuously for at least 10 years, not 4 years, prior to the notice, and arguably indeed prior to the original notice of 11 September 2024 under the 'second bite' provisions of section 171B(4)(b) of the Act. They have not been present on site for 10 years prior to either notice, which means enforcement action can be taken against them. Consequently, the appeal on ground (d) must fail.

Ground (a)

14. Ground (a) is that, in respect of any breach of planning control which may be constituted by the matters alleged in the notice, planning permission ought to be granted.
15. The main issues in terms of the deemed planning application are:
 - The effect of the development on the character and appearance of this rural area; and

- Whether it meets the Council's spatial strategy policies in the development plan.
16. The development has introduced a residential use onto the southeastern corner of an agricultural field. As well as the twin-unit mobile home, visible from the highway, there are the other accoutrements associated with this use: the decked terrace on the rear of the mobile unit, the gravel hard surfacing to create parking space for the mobile, the washing line, the plants and lawn. As such, the development introduces an urbanising form of development into the countryside, contrary to Policies 25, 26 and 33 of the Horsham District Planning Framework (2015) (the HDPF) and Policies RUS2 and RUS3 of the Ruspur Neighbourhood Plan 2018-2031, which together seek to protect the countryside from such development.
 17. It fails to comply with the Council's spatial strategy. The appellant has put no case forward, bar her security concerns in relation to the farm and its horses, to demonstrate that there is a functional or financial need for the mobile home to be provided in connection with the agricultural or equestrian use of the Land. As such the residential mobile home is clearly contrary to HDPF Policies 20 and 26 and to paragraph 84 of the National Planning Policy Framework (NPPF) and relevant parts of Planning Practice Guidance, which exceptionally allow for essential rural workers to live permanently at or near their place of work in the countryside.
 18. It is also contrary to HDPF Policy 2 because it comprises residential development outside a built-up area in the middle of the open countryside, for which there is no justified need, albeit I acknowledge that the tilted planning balance applies here because the Council cannot demonstrate a 5-year housing land supply.
 19. The appellant argues that she meets the requirements of HDPF Policy 19. I disagree because the mobile was brought in specifically for the needs of the appellant and her partner – it was certainly not marketed for a reasonable period of time. This Policy, as the Council explains, appears to be for the provision of additional caravans on existing park homes and caravan sites, and not the provision of isolated caravans in remote countryside locations like the appeal site. In any case, this Policy is rather unclear, and I can see why the Council does not intend to take such a policy forward in its emerging local plan.
 20. I acknowledge that the appellant and her partner were, until they occupied the new mobile unit on the site in late 2020/early 2021, living nearby in 1 Woodgate Cottages, but that they could not continue to live there owing to its uninhabitable and poor structural condition. But they still pay rent and Council tax on that property, which suggests to me that it is their intention to keep their tenancy of it and in due course, when possible, move back into it.
 21. The appellant makes the offer to remove the second, older mobile home situated near to the entrance of the site if she and her partner can continue to live in the newer twin-unit mobile. I acknowledge that, and the fact that she says that mobile has been used to accommodate her friends from Australia when they are on holiday in the UK every year.
 22. However, the fact that this may have occurred for a week or a few weeks every year does not establish a lawful residential use of the original southern mobile home. The appellant's offer to remove the southerly mobile home in return for allowing her to continue to occupy the northern twin-unit would not therefore be

acceptable because, as far as I am aware from all the evidence, it has only been in general use ancillary to the agricultural and equestrian use of the Land.

23. For all the above reasons, the appeal on ground (a) fails.

Ground (f)

24. Ground (f) is that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters.

25. I have explained above why removing the southern mobile unit and allowing the appellant to retain the northern twin-unit would not be a like-for-like swap and would therefore be unacceptable.

26. The hardstanding, the sewage treatment plant, the Calor Gas tank and the metal storage tank located on the hardstanding next to the northern twin-unit mobile home are all part and parcel of the unauthorised residential use. Therefore they, as well as the mobile home itself, must all be removed in order to ensure the cessation of the unlawful residential use. Any lesser step would not be sufficient to do this. Consequently, the ground (f) appeal must fail.

Ground (g)

27. Ground (g) is that any period for compliance specified in the notice falls short of what should reasonably be allowed.

28. I have sympathy for the appellant and her partner because of their health conditions and because of the trouble they have had in getting their landlord at 1 Woodgate Cottages to repair that property to a habitable state so that they can return to live there, which I understand is still their hoped-for intention.

29. They say that they realistically need 36 months in order to do this, partly due to the need to save up the money in order to comply with the notice. That would amount to a 3-year temporary planning permission, for which I cannot see any clear justification. I consider the Council has been reasonably generous in allowing them 12 months to cease the residential use and remove the mobile home (which most likely has a monetary value given its relative newness) as well as a further 3 months to remove the associated development. 12 months seems a reasonable period in which to get the landlord to refurbish 1 Woodgate Cottages or for them to secure, from him or elsewhere, alternative nearby similar accommodation.

30. It is of course up to the Council, at the time, if it considered that a longer period for compliance was merited, taking into account the personal circumstances of the appellant and her partner at the time. For these reasons, the appeal on ground (g) also fails.

Conclusion

31. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Nick Fagan, INSPECTOR

APPEARANCES

FOR THE APPELLANT:

- Phil Rowe, Agent
- Sandra Stockbridge, Appellant
- Bill Rae, Appellant's partner

FOR THE LOCAL PLANNING AUTHORITY:

- Jack Parker, Advocate (Cornerstone Barristers)
- Reg Hawks MRTPI, Principal Planning Officer, HDC Compliance Team

INTERESTED PARTIES:

- Hilary Curtis, friend & neighbour of Appellant

DOCUMENTS

- Appeal Decision APP/Z3825/W/3361339 DATED 28 October 2025 introduced by Mr Rowe