

Mr And Mrs S Platt
c/o Mr Mark Pettitt
Fowler Architecture & Planning Ltd
39 High Street
Pewsey
Wiltshire
SN9 5AF

CONTACT: Deborah Lynn
PHONE: 01444 477323
E-MAIL: deborah.lynn@midsussex.gov.uk
REF: DM/26/0128
DATE: 28th August 2026

Dear Sir/Madam

The Foal Barn Wyndham Farm Wineham Lane Wineham

Change of use of land from agricultural use to equestrian use, erection of stable building, and construction of all-weather outdoor riding area; with associated hard/soft landscaping, and access arrangements. Amended site plan received 17.06.2026 showing revised position of outdoor riding arena, together with amended supporting documentation including ecology and BNG assessment, tree report and flood risk and drainage assessment.

I advise that your application DM/26/0128 was **Granted Permission** on **28th August 2026**.

I enclose a copy of the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Please read the notes accompanying this decision notice carefully.**

Please also be advised that this permission does not constitute an approval under Building Regulations. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted.

Yours faithfully



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

Mr And Mrs S Platt
Mr Mark Pettitt
Fowler Architecture & Planning Ltd
39 High Street
Pewsey
Wiltshire
SN9 5AF

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

PERMISSION

REFERENCE: DM/26/0128

DESCRIPTION: CHANGE OF USE OF LAND FROM AGRICULTURAL USE TO EQUESTRIAN USE, ERECTION OF STABLE BUILDING, AND CONSTRUCTION OF ALL-WEATHER OUTDOOR RIDING AREA; WITH ASSOCIATED HARD/SOFT LANDSCAPING, AND ACCESS ARRANGEMENTS. AMENDED SITE PLAN RECEIVED 17.06.2026 SHOWING REVISED POSITION OF OUTDOOR RIDING ARENA, TOGETHER WITH AMENDED SUPPORTING DOCUMENTATION INCLUDING ECOLOGY AND BNG ASSESSMENT, TREE REPORT AND FLOOD RISK AND DRAINAGE ASSESSMENT.

LOCATION: THE FOAL BARN, WYNDHAM FARM, WINEHAM LANE, WINEHAM

DECISION DATE: 28 AUG 2026

CASE OFFICER: DEBORAH LYNN - DEBORAH.LYNN@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **GRANT** planning permission for the above development to be carried out in accordance with the submitted application and plans and subject to compliance with the following conditions:-

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. The development shall not be brought into use, until all the approved drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

4. No development shall be carried out above slab level for the stable building unless and until details of materials and finishes to be used for the external walls and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy TN2 of the Twineham Neighbourhood Plan.

5. No development shall be carried out above slab level for the stable building or in respect of the surfacing of the riding arena and access track unless and until full details of a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The works shall be carried out prior to the development being brought into use or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP12 of the Mid Sussex District Plan 2014 - 2031 and Policy TN4 of the Twineham Neighbourhood Plan.

6. The development hereby permitted shall not be brought into use unless and until a stable waste management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of how manure and stable waste will be stored, handled and removed from the site, confirm that no burning of stable waste will take place, ensure that any stockpiles are not located close to residential boundaries, and set out measures to prevent run off from entering any watercourse. The approved plan shall be implemented and maintained thereafter for the lifetime of the development.

Reason: To safeguard the amenity of adjoining residents and to accord with policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031 and policy SA38 of the Mid Sussex Site Allocations DPD.

7. Construction hours

Hours of construction or demolition, including the use of plant and machinery necessary for implementation of this consent, shall be limited to the following times:

Monday to Friday: 0800-1800 hours

Saturday: 0900-1300 hours

Sunday and bank holidays: no work permitted.

8. Deliveries

Deliveries or collection of plant, equipment or materials for use during the demolition and construction phase shall be limited to the following times:

Monday to Friday: 0800-1800 hours

Saturday: 0900-1300 hours

Sunday and bank holidays: none permitted.

9. The tree protection measures as detailed in the Arboricultural Impact Assessment and Method Statement dated 16.06.2026 and as shown on the Tree Protection plan Rev D June 2026 shall be fully implemented prior to development commencing on site and shall be strictly adhered to for the duration of construction works.

Reason: To protect established trees that make a positive contribution to the character of the area and to accord with policy DP37 of the Mid Sussex District Plan 2014 - 2031.

10. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecology & Biodiversity Net Gain Assessment Version 3.0 (ABR Ecology Ltd., June 2026) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 5.13 and Precautionary Method Statement for reptiles and mobile protected and Priority species in Section 5.14 of the Ecology & Biodiversity Net Gain Assessment Version 3.0 (ABR Ecology Ltd., June 2026). This avoids impacts on European Protected Species and protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and to accord with policy DP38 of the Mid Sussex District Plan 2014 - 2031.

11. No works shall be carried out above slab level, unless and until a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecology & Biodiversity Net Gain Assessment Version 3.0 (ABR Ecology Ltd., June 2026), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended) and to accord with policy DP38 of the Mid Sussex District Plan 2014 - 2031.

12. Should external lighting be required, the development shall not be brought into use unless and until a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) has been submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and Hazel Dormouse and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

In addition to the above, the lighting strategy shall include details of lux levels for the scheme and times of use together with a report to demonstrate its effect on nearby residential properties. It is recommended that the information be provided in a format that demonstrates compliance on the ILP Guidance Notes for the Reduction of Obtrusive Light.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and to safeguard the amenity of adjoining residents in accordance with policies DP38, DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

13. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR177, or a 'Further Licence') and with the proposals detailed on plan "The Foal Barn: Impact plan for great crested newt District Licensing (Version 1)", dated 14th May 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR177, or a 'Further Licence'), section 19 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006 and policy 38 of the Mid Sussex District Plan 2014 - 2031.

14. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR177, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 19 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006 and policy 38 of the Mid Sussex District Plan 2014 - 2031.

15. No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR177, or a 'Further Licence') and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR177, or a 'Further Licence'), section 19 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006 and policy 38 of the Mid Sussex District Plan 2014 - 2031.

16. The stables, riding arena and associated equestrian facilities hereby permitted shall be used for private recreational purposes only and shall not be used for any form of commercial riding, livery, hire, training, instruction, competitions or any equestrian activity involving payment or public access.

Reason: In the interests of highways safety and to safeguard the amenities of adjoining residents and to accord with policies DP21, DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

17. Within 3 months of the completion of the new stable building, the existing temporary stable building shown on the proposed site plan, drawing no. 180506-500 Rev A, shall be removed from the site and the land returned to its former condition.

Reason: In the interests of the visual amenity of the rural area and to accord with policy DP12 of the Mid Sussex District Plan 2014 - 2031 and policy TN4 of the Twineham Neighbourhood Plan.

Biodiversity Net Gain

1. This permission is considered to be one which **will require the approval of a biodiversity gain plan before development is begun** (which includes demolition) because none of the statutory exemptions or transitional arrangements are considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

Informatives

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

3. It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate.
4. It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.
5. It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR177, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.
6. It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mitigation principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mitigation Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of

Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority).

7. The applicant's attention is drawn to the comments from the WSCC Public Rights of Way Officer dated 19.02.2026. These are available to view on the Council's online planning register: <https://www.midsussex.gov.uk/planning-building/view-and-comment-on-planning-applications/>

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Proposed Site Plan	180506-500	C	17.06.2026
Tree Survey	Rev D		17.06.2026
Location Plan	180506-503	A	19.01.2026
Proposed Floor and Elevations Plan	180506-501	C	19.01.2026
Topographical Survey	SWS61734c		19.01.2026



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

PEFULZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (8 weeks in the case of advertisements, 12 weeks in the case of householder or minor commercial development) of the date of this notice *(see exceptions below)

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.uk.

- * If this decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- * If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition that apply in this instance

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Purchase Notices

If either the Local Planning Authority or Secretary of States refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.