



Appeal Decisions

Site visit made on 8 April 2025

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2025

Appeal A Ref: APP/Z3825/C/23/3324026

Beckley Stud, Reeds Lane, Southwater, West Sussex, RH13 9DQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr L Middleton on behalf of Equine America against an enforcement notice issued by Horsham District Council.
 - The enforcement notice was issued on 17 May 2023.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of a Class B8 storage and distribution warehouse building ("the Building") in the approximate shown hatched brown on the attached plan.
 - The requirements of the notice are:
(1) Demolish the Building and remove the resulting debris from the Land.
 - The period for compliance with the requirements is 12 months.
 - The appeal is proceeding on the grounds set out in section 174(2) (a) and (f) 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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Appeal B Ref: APP/Z3825/W/23/3324019

Beckley Stud, Reeds Lane, Southwater, West Sussex, RH13 9DQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr L Middleton on behalf of Equine America against the decision of Horsham District Council.
 - The application Ref: DC/22/0388, dated 18 February 2022, was refused by notice dated 15 March 2023.
 - The development proposed is the "Retention of existing green steel-clad building and mono-pitch lean-to for storage and distribution use by Equine America UK and resulting mixed use of Beckley Stud as a whole for equestrian, residential and commercial purposes."
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Decisions

1. Appeal A: It is directed that the enforcement notice is:

- corrected by deleting the allegation within section 3 of the enforcement notice (the matters which appear to constitute the breach of planning control) and its replacement with "the construction of a building for the storage and distribution of equine related products ("the Building") in the approximate area shown hatched brown on the attached plan."

2. Subject to the correction, the appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the construction of a building for the storage and distribution of equine related products ("the Building") in the approximate area shown hatched brown on the attached plan at Beckley Stud, Reeds Lane, Southwater, West Sussex, RH13 9DQ referred to in the notice, subject to the conditions in the attached schedule.
3. **Appeal B:** The appeal is allowed for the retention of existing green steel-clad building and mono-pitch lean-to for storage and distribution use by Equine America UK and resulting mixed use of Beckley Stud as a whole for equestrian, residential and commercial purposes at Beckley Stud, Reeds Lane, Southwater, West Sussex, RH13 9DQ in accordance with the terms of the application ref: DC/22/0388, subject to the conditions in the attached schedule.

The Notice

4. In relation to Appeal A, the allegation in the Notice is described as a 'Class B8 storage and distribution warehouse building'. However, the appellant's application form, which was submitted to the Council before the Notice was issued, described the development as "*Retention of existing green steel-clad building and mono-pitch lean-to for storage and distribution use by Equine America UK and resulting mixed use of Beckley Stud as a whole for equestrian, residential and commercial purposes*".
5. A mixed use is a single use and thus 'sui generis' and outside of any use class. Therefore, the allegation should not refer to use classes (in this case Class B8) but simply describe the use or development that was taking place when the notice was issued. The application form, and the appellant's supporting documents makes clear that this relates to a building for the storage and distribution of equine related products. The appellant appears to have understood the allegation and, in my opinion, the misdescription does not render the notice unclear. It is necessary however to correct the allegation to remove reference to 'Class B8' but retaining the effect of what the Council is trying to achieve. This would not cause injustice, and I can therefore use my powers under the provisions of s176(1)(a) of the Act to make this correction.

Ground (a) appeal and the Deemed Planning Application, and Appeal B

6. Ground (a) for Appeal A, is that planning permission should be granted for the matters stated in the notice. Since the planning appeal (Appeal B) is against refusal of permission for the same retrospective building, the considerations in both appeals are similar, and I have treated both cases together to avoid duplication, except where otherwise indicated.

Main Issues

7. The main issues are:
 - Whether the development is in a suitable location having regard to the spatial strategy for the District and local and national policies concerned with the countryside and rural economic development;

- The effect of the development on the living conditions for the occupiers of neighbouring properties on Reeds Lane and Coltstaple Lane, with particular regard to noise and disturbance;
- The effect of the development on the integrity of the Arun Valley Special Protection Area, Special Area of Conservation and Ramsar site in relation to water neutrality; and
- The effect of the development on protected species, their habitats and biodiversity.

Reasons

Suitability of the site

Background to Beckley Stud

8. The appeal site is located close to the settlement of Southwater (approximately 0.4km away on the opposite side of the A24). Whilst there is a cluster of development at and around Beckley Stud, the site is located outside of a defined settlement boundary and therefore is located within the countryside. The site comprises approximately 11 acres of land that has a lawful equestrian use and a residential use in the form of a mobile home which is conditioned to be occupied by a person solely or mainly working in association with the equestrian use at Beckley Stud. The wider appeal site comprises paddocks, a sand school, a brick built stable building, the mobile home and the recently constructed dark green coloured, steel clad building with lean-to, the subject of these appeals.
9. The dark green steel-clad barn building with lean-to, is positioned adjacent to a modern stable block, and is used for the storage and distribution of Equine America (EA) products (primarily nutritional supplements for horses). The appeal building has been built in place of a horse walker barn shelter building that was previously approved under in 2020 (Planning ref: DC/20/0613). There is limited evidence before me to determine whether that consent remains extant at the time of this decision. Nevertheless, there appears to be no significant change in local and national planning policy since then. Therefore, based on the evidence before me, this previous consent forms a legitimate baseline, against which to assess the current development.

Link between Equine America (EA) and Beckley Stud

10. The Appellant owns a number of horses and at Beckley Stud has focused on the breeding and training of exceptional racehorses along with box rest and racehorse recuperation. Beckley Stud was first established to develop a successful breeding program to produce elite homebred British sports horses. It has a longstanding working relationship with The Billy Stud, a local stud farm. Alongside the breeding, training and rearing of horses at Beckley Stud, the Appellant runs EA. Since EA has taken ownership of the appeal site, these primary functions remain unchanged, and Beckley Stud continues to operate as a breeding facility working in partnership with The Billy Stud.
11. Beckley Stud provides EA with a bespoke research and development facility to test and improve our products. Beckley Stud continues to be a working equestrian facility complete with stables, sand school, and fields. It is home to a variety of horses, ponies and foals which compete and train across multiple

disciplines, which makes it ideally situated to trial new supplements and optimises existing products to ensure that EA supplies high quality equine products to the industry.

Economic Development Policy Context and Assessment

12. The Horsham District Planning Framework, 2015 (HDPF) seeks to ensure development takes place in a manner that ensures that the settlement pattern and the rural landscape character of the District is retained and enhanced. Policy 2 of the HDPF is a strategic policy for development in the District. Part 9 of this policy seeks to identify existing sites of important employment use, together with supporting the rural economy, to allow people the opportunity to work close to where they live.
13. Policy 7 seeks to achieve sustainable economic growth for Horsham district by identifying additional employment areas to meet the need for appropriate new business activity. Policy 9 of the HDPF lends support for the provision of small, start-up and move-on business units to enable them to reach their fullest potential. Similarly, Policy SNP21.3 of the Southwater Neighbourhood Plan, 2021 (SNP) supports small scale business units where they are in accordance with the development plan. Policy 10 of the HDPF supports the principle of economic development that maintains the quality and character of the area in such locations, but only for rural economic development, such as farming and other countryside-based enterprises and activities that contribute to the wider rural economy.
14. HDPF Policy 26 allows for some development in the countryside. Any proposal must be essential to its countryside location and also meet one of four criteria which include enabling the sustainable development of rural areas.
15. In terms of National Planning Policy Framework, 2024 (the Framework) Paragraph 85 highlights that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In respect of the rural economy, Paragraph 88 of the Framework states that decisions should enable the sustainable growth and expansion of all types of business in rural areas, through... 'well-designed new buildings'; and the development and diversification of agricultural and other land-based rural businesses. Paragraph 89 of the Framework further states that decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads ... The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
16. Whilst the site is located in the countryside, it is located close to the A24 and only approximately 0.4km from the settlement of Southwater where there are a number of local services and facilities including public transport. The storage and distribution building is intrinsically related to the existing lawful equestrian and residential use of the site, and essential to its countryside location in compliance with criterion 4 of policy 26 of the HDPF in that it enables the

sustainable development of the rural area by supporting a local rural based equine business.

17. EA in combination with the other existing business and facilities at Beckley Stud provides an established equine environment for the research and development of its products, before going into the marketplace. Furthermore, the supply of equine products is a diversification of the existing equestrian rural business, in accordance with Paragraph 85 of the Framework, without compromising the other established equestrian uses at the site. The use of the site can be controlled by condition to ensure that the building is only used for the storage and distribution of equine related products, related to the use of the wider site.
18. The economic benefits of the development are clear, and the development is in general conformity with paragraphs 85, 88 and 89 of the Framework, HDPF policies 2, 7, 9, 10, and 26 and policy SNP21 of the SNP which support economic development including within the rural areas and through the creation of new buildings. In particular, I attach significant weight to paragraph 85 of the Framework which states that 'significant' weight should be given to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Character of the Countryside Policy Context and Assessment

19. In terms of the effect of the developments on the countryside, Policy 25 require that the natural environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. HDPF Policy 26 states that proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located.
20. Much of the existing site and development at Beckley Stud is well screened from public views along Reeds Lane and Coltstaple Lane, by tall fencing and mature vegetation and trees. Given the enclosed nature of site, with development situated within well-defined boundaries, Beckley Stud is not situated within a prominent countryside location.
21. The appeal relates to an erection of a new building rather than the conversion of an existing rural building. Nevertheless, the building largely follows the form, and position to the previously approved horse walker barn permitted on this site. As such, the principle of a building in this location in connection with the wider use of the site for equestrian purposes has already been established, and the current spatial strategy has not changed since that approval. The use of steel cladding painted dark green, is not uncommon for a barn building and comparable to other agricultural/rural buildings, in this countryside location. Furthermore, its dark green colour harmonises with the surrounding mature trees and vegetation.
22. Whilst the current development also includes a side lean-to element, and results in a greater site coverage than the permitted scheme, the increase relative to the overall the site is modest, and significant open areas, and fields would be retained within the site in the form of paddocks, fields and the sand

- school. Furthermore, the lean-to section of the building is also located in an area situated between the stable building and where the approved horse walker barn was to be located. The lean-to is also lower than the main building and well screened by high fencing, dense vegetation and mature trees around the perimeter of the site.
23. Although there are glimpsed views of the building from the surrounding area, including the public right of way to the south of the site, the development is well designed and of a suitable siting, scale, character and appearance, which has not led to harm to the natural visual landscape character of countryside.
24. In terms of the tranquillity and sensitivity to change, the Council's primary objection relates to the overall level and intensity of activity in relation to packing and unpacking of products, and the increased number of vehicle movements resulting in increased noise and disturbance in the countryside.
25. In response to this the Appeal Statement prepared by GTA Civils & Transport, dated April 2023 (TS) submitted included a TRICS assessment, which illustrates a worst-case scenario, based on a 'general industrial' storage type use. This predicts 2 additional trips between 08:00 to 09:00 and 17:00 to 18:00 and a total of 29 trips across the whole week. The TS concludes that this would result in a very low level of traffic which is unlikely to have a material impact on the local road network.
26. Furthermore, a review of the actual data for the site provides a more accurate assessment on the effect on the local road network. The actual number of vehicles using the site (15 daily 2-way vehicle movements) is significantly lower than the TRICS worst case scenario, outlined above. Therefore, based on the actual numbers of vehicles using the site, it can be seen that these are minimal and have a negligible effect on the road and other users of the lane. Furthermore, the TS highlights that Coltstaple Lane already provides access to a range of sites such as equine sites, veterinary surgeries Airstrips and Airfields, Tree Surgeons and a Holiday site.
27. As such, given the existing situation, the very small level of additional trips relating to the appeal site is considered negligible, especially against the existing use of the site for equestrian purposes. I also note that West Sussex County Council (WSCC) raised no objection to the development on highway and transport impacts.
28. In addition, the business operates online, and all packing and unpacking is carried out internally consisting simply of boxing/unboxing goods. The location of the packing/unpacking internally would be controlled by condition. Furthermore, the development has not resulted in any additional staff numbers across Beckley Stud, beyond that required by the authorised uses. All associated activities, such as deliveries, the parking and turning of vehicles are low key, and operates in conjunction with the established lawful equine use at Beckley Stud. Conditions would also be attached relating to the use of the building; controlling vehicle movements (including deliveries and collections); and a prohibition on retail use of the site.
29. Therefore, the design of the building has not resulted in any harm to the visual appearance of the site, nor has the development not had a harmful effect on the landscape, landform or any protected landscapes. Furthermore, the submitted TS demonstrates that the actual vehicle movements associated with

the storage and distribution use are very low and is not uncharacteristic of the local area. In this respect the storage and distribution building has not resulted in an increase in the level of activity of the site that harms the qualities and ambience of the countryside. For the above reasons, the development complies with Section 12 and paragraph 187 of the Framework and HDPF policies 10, 25, 26 and 32 which seek to protect landscape character and ensure high quality design.

Conclusion on suitability of the site

30. For the above reasons, the development is in general conformity with the aforementioned policies. I therefore find the development to be suitably located having regard to the spatial strategy for the District and local and national policies concerned with the countryside and rural economic development.

Living conditions for the occupiers of neighbouring properties on Reeds Lane and Coltstaple Lane - noise and disturbance

31. I observed during my site visit, which was undertaken during a weekday afternoon, that this rural area is reasonably quiet. There are also residential properties located close to the site on Coltstaple Lane and Reeds Lane, and therefore the area remains a noise sensitive environment in which the potential for and effect of any additional noise and disturbance must be carefully considered.
32. The Council's concerns regarding noise and disturbance stem primarily from the potential increase in traffic to and from the site and an increase in the level of commercial activity generated by the storage and distribution building.
33. However as outlined above, the TS submitted demonstrates that the storage building for equine related products generates a negligible volume of additional traffic (15 daily 2-way vehicle movements). Therefore, this level of usage is not uncharacteristic for the area, where Coltstaple Lane already provides access to a number of other commercial and recreational uses nearby, as noted above.
34. Furthermore, the appellant has confirmed that all packing and unpacking of products takes place within the building itself, and that no retail sales are carried out the from site. I also observed that there is tall fencing and dense vegetation surrounding the site, and therefore the commercial activities associated with the existing equine use of the site are modest and occur within a predominantly enclosed setting. As such, there is little evidence before me to demonstrate that the building and the use has resulted in any demonstrable harm to the living conditions to neighbouring occupiers.
35. To ensure that the nature and intensity of the use does not change in future, the number of deliveries and collections, and the timings of these would be secured by conditions. The use can be similarly controlled by condition to ensure that this does not change to an alternative use unrelated on the equestrian use of the site. The appellant is also agreeable to conditions that all packing and unpacking shall take place internally and that no retail sales are carried out at the site.
36. Subject to these conditions, I conclude that the development has not had a harmful effect on the living conditions for the occupiers of neighbouring occupiers on Reeds Lane and Coltstaple Lane, with particular regard to noise and disturbance, in accordance with Policy 33 of the HDPF. This states that

development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development.

Integrity of the Arun Valley habitats sites

37. The appeal site lies within the Sussex North Water Supply Zone which draws its water supply from ground water abstraction at Hardham. Natural England (NE) has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
38. NE advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. NE advise that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.
39. The appellant has submitted a Water Neutrality Report (WNR)¹. This concludes that there are no amenities within the storage building in question that would result in water usage and therefore, the site is water neutral as per its very definition. The lack of water supply within the building was confirmed during my site inspection.
40. The Council consider the development nevertheless has the potential to result in an increased employment use in the longer term, which would result in a greater level of water abstraction than the site presently generates. In response to this the appellant confirms that employment across the Beckley Stud site as a whole has not increased over the last two years and remains as 12 employees. Furthermore, the appellant is agreeable to a condition to control the number of employees on site, and therefore any subsequent increase in the number of employees on site would require a further consent from the Council.
41. I have consulted NE on the development. They accept that in light of the above the development is water neutral provided that the development does not facilitate any additional water use compared to the existing use and the proposed development does not require a mains water connection. This is confirmed by the submitted WNR. As such, NE are content that the development suitably demonstrates that water neutrality is achieved and as such can rule out adverse effects on the integrity of the Arun Valley designated sites.
42. Therefore, having regard to the specific circumstances of this case and the substantive evidence before me, I am satisfied that water neutrality would be achieved through this development without the need for further mitigation measures.
43. For the above reasons, I conclude the development, either alone or in combination with other plans or projects, would not have a likely significant effect on the integrity of the SAC, the SPA and the Ramsar site. I therefore find that the development accords with Policy 31 of the HDPF, the Framework and

¹ Prepared by CGS Civils dated 12 June 2023

the Conservation of Habitats and Species Regulations 2017 or s40 of the NERC Act 2006 (Priority Habitats and Species), which collectively seek to prevent the loss or deterioration of irreplaceable habitats and seeks to protect and enhance biodiversity.

The effect of the development on protected species, their habitats and biodiversity

44. The Council raised an objection that insufficient information had been submitted with the planning application to demonstrate that the development has had no adverse impact on protected species and its habitat, and no details were submitted to establish how the development would contribute to measurable Biodiversity Net Gain (BNG).
45. In response to this, this appeal has been accompanied by an Ecology BNG Report prepared by Wychwood Environmental² (ER). This confirms that a Preliminary Ecological Appraisal (PEA) was carried out on 22 May 2023 to assess the site condition and establish measures on how to contribute and enhance BNG within the site. The PEA found the development area to consist entirely of hard standing, built agricultural buildings and shipping containers. The wider appeal site is used as an equestrian centre, consisting of stables, a riding arena and paddocks of neutral grassland surrounded by species rich lines of trees and hedgerows. The landscape features within the wider area includes pockets of open grassland, extensive woodland, residential houses with private gardens and industrial areas.
46. The PEA confirms that there are no statutory or non-statutory sites within 2km of the development site and that there are no priority habitats or ancient woodland within the site boundary, but bordering east of the site, there are parcels of ancient and semi-natural woodland and priority habitat deciduous woodland. Based on the habitats within the site and those impacted by the development, the PEA concludes that it is unlikely any works associated with the appeal development intentionally disturbed or destroyed habitats for protected species. I have no reason to disagree with these findings.
47. In terms of enhancing on site BNG, the ER states that current development is in a deficit of 2.344 habitat units and is required to enhance onsite biodiversity by a further 10% (totalling 2.5784 habitat units). Much of the wider site appears to have been enhanced since 2013, including planting of hedgerows and the building of a reptile hibernacula to the north-west of site. From the changes in Google Earth aerial imagery, it is estimated that approximately 415m of hedgerow have already been planting since 2018. Site visit observations recorded these as being cherry laurel *Prunus laurocerasus* and coniferous *Pinopsida* species, which contribute a total of 0.4005 hedgerow units to the site. To achieve further enhancements to the site, Table 2 (Habitat creation to achieve BNG) of the ER, recommends further planting within the site is carried out to achieve >2.5784 habitat units (exceeding the mandatory 10% increase in BNG). Whilst this is acceptable in principle, no precise plans have been submitted explaining how and where this planting will be achieved. However, precise details and the location of these measures can be secured by condition.
48. Furthermore, due to the wider area consisting of good quality and varied habitats, it is recommended provisions should be in place to further enhance

² Dated June 2023.

'sheltering opportunities for local wildlife throughout the appeal site, which could include the features outlined in Table 3 of the ER³. Again, exact details illustrating how and where this would be achieved on site would be secured by condition.

49. Subject to the above details being agreed and complied with within a defined time period, the development would not result in any harm to protected species, their habitats and biodiversity, in compliance with Policy 31 of the HDPF and paragraphs 187, 192, 193 of the Framework. Collectively these require that developments contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate, and that planning decision protect and enhance sites of biodiversity.

Other matters

50. There are two Grade II listed buildings close to the application site: Newfoundout East, located on the opposite side of Reeds Lane, southeast of the appeal site and Kings Farmhouse on the opposite side of Coltstaple Lane to the north of the appeal site. The Council's Conservation Officer was consulted and has raised no objection in relation to the significance of these nearby listed buildings.
51. Given the separation distance of the appeal building from these listed buildings, I agree that the development has not resulted in the loss of any buildings or features which contribute to the special historic interest of the heritage assets. Furthermore, there is no evidence to suggest that the development harms the significance of these Grade II Listed buildings. In giving great weight to the assets conservation, I consider that the development does not erode the setting of these listed buildings to a harmful degree or cause harm to their significance, in accordance with the Framework and HDPF policy 34.

Conditions

52. I have had regard to the planning conditions suggested by the parties. I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance, and in the interest of accuracy and clarity I have undertaken some minor editing.
53. Conditions on the use of the building related to the distribution of equine products only is necessary given that the site is located in countryside and to ensure that the use does not change to an alternative use unrelated on the equestrian use of the site. Similarly, conditions relating to the restriction on permitted development rights is necessary to limit the extent of the development in the countryside.
54. A condition restricting employee numbers is necessary to ensure the site achieves water neutrality in accordance with the habitat regulations. A condition is also attached requiring BNG measures to be implemented on site in accordance with the recommendations of the submitted ER. Furthermore, details on surface water disposal is necessary to prevent flooding.

³ This could include the installation of Bat boxes, Schwegler Bat box or similar for crevice and void dwelling species, nesting bird boxes for small birds, dormouse nest boxes for small mammals, boxes for owls and purpose-built hibernacula for reptiles.

55. Conditions relating to the hours of use, deliveries and collections, that all packing and unpacking takes place internally, and that no retail sales are carried out from the site is necessary to protect the living conditions of neighbouring residential occupiers. Conditions on external lighting, the location of plant and storage associated with the building is also required for this reason and to protect the character of the countryside.

Conclusions

56. For the reasons given above I conclude that the appeals succeed on ground (a) and for Appeal B. I shall grant planning permission for the retention of existing green steel-clad building and mono-pitch lean-to for storage and distribution use by Equine America UK and resulting mixed use of Beckley Stud as a whole for equestrian, residential and commercial purposes, subject to conditions. The enforcement notice will be quashed, and the appeal on ground (f) do not therefore fall to be considered.

R. Satheesan

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The building hereby approved shall be used for the storage and distribution of equine related products only and for no other purpose (including any other purpose in Use Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 2) There shall be no more than 12 employees working across the appeal site, in connection with equestrian use of the appeal site, at any one time, without the prior written consent of the Local Planning Authority.
- 3) Within three months of the date of this decision, details of the means of surface water disposal drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme in a timetable to be agreed with the LPA.
- 4) All packing and unpacking activities, associated with the storage and distribution building hereby approved, shall only take place inside the building. At no time shall packing and unpacking activities take place outside of the approved building.
- 5) There shall be no retail sales taking place from the site at any time without the prior written consent of the Local Planning Authority.
- 6) No plant or machinery, produce, crates, packing materials or waste shall be stacked or stored on the site except within the storage and distribution building hereby permitted.
- 7) The development hereby permitted shall not result in more than 8 lorry deliveries and collections per week on Mondays to Fridays inclusive between the hours of 08.00 to 18.00, and there shall be no deliveries by articulated vehicles. There shall be no lorry or articulated vehicles deliveries outside of these times, including the weekend and bank holidays.
- 8) Plant and machinery shall be operated, processes shall be carried out and deliveries shall be taken at or despatched from the storage and distribution building hereby permitted only between:
 - 08:00 hours and 18:00 hours on Mondays to Fridays inclusive;
 - 09:00 hours and 13:00 hours on Saturdays;
 - And not at any time on Sundays or on Bank or Public Holidays.
- 9) There shall be no additional external lighting installed, except in accordance with a scheme of external lighting which has been submitted to and approved by the Local Planning Authority.
- 10) Within 3 months of the date of this decision, full details illustrating how the scheme would achieve the Biodiversity Net Gain (BNG) recommendations outlined in Tables 2 and 3 of the Ecology BNG Report prepared by Wychwood

Environmental dated June 2023, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans and measures addressing the following:

- (a) Details of all planting and habitat creation to be carried out in order to achieve the mandatory 10% increase in BNG. This should include schedules specifying tree planting; species, planting size, densities and plant numbers and tree pit details; and
- (b) Details of the enhanced sheltering opportunities for wildlife on the site.

The approved BNG scheme shall be fully implemented in accordance with the approved details within the first planting season following the date of approval.

Unless otherwise agreed as part of the approved BNG scheme, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or Orders amending or revoking and re-enacting the same, the building hereby permitted, shall not be extended or altered in any way including the addition of external machinery and plant unless planning permission has been granted by the Local Planning Authority.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or reenacting that Order), the building hereby permitted shall be used only for purposes of storage and distribution of equine related products only and for no other purpose (including any other purpose in any class in the schedule to the Town and Country Planning (Use Classes) Order 1987, without express planning consent from the Local Planning Authority first being obtained.