



Appeal Decision

Site visit made on 17 November 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 December 2025

Appeal Ref: APP/C3810/W/25/3368245

Land to the North of Lake Lane, Barnham, West Sussex PO22 0AJ

- 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 Anthony Watt-Williams of Property Sphere Development Limited against the decision of Arun District Council.
 - The application Ref is WA/17/25/PL.
 - The development proposed is demolition of stable block and erection of 7 No dwelling houses comprising 2 No three-bedroom detached bungalows and 5 No four- bedroom two-storey detached houses together with associated car parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of stable block and erection of 7 No dwelling houses comprising 2 No three-bedroom detached bungalows and 5 No four- bedroom two-storey detached houses together with associated car parking and landscaping at Land to the North of Lake Lane, Barnham, West Sussex PO22 0AJ in accordance with the terms of the application, Ref WA/17/25/PL subject to the conditions in the attached schedule.

Preliminary Matter

2. The site address differs from the application form to the appeal form and decision notice. I have taken the above from the appeal form and decision notice as it more accurately describes the location of the proposal. The description of the development differs from the application form to the appeal form and decision notice. I have taken the above from the application form as it adequately describes the development and have removed reference to elements that do not relate to an act of development. I have determined the appeal accordingly.

Main Issues

3. The main issues in this appeal are:
 - Whether the appeal site is a suitable location for the proposed development with reference to the spatial strategy in the development plan; and
 - The effect of the proposed development on the character and appearance of the area.

Reasons

4. The site comprises a former paddock with a stable accessed from Lake Lane. The site is brownfield land outside of the built-up area boundary (BUAB) but abuts residential development on Lake Lane which is largely two- storey in this location, and the rear of residential property in Park Road which is mainly single- storey.

5. The site is well screened with mature boundary hedging and trees along the site boundaries aside from the boundary with the access road which is more open to allow access to the site.
6. The wider area is mixed agricultural and horticultural land and housing. The presence of existing horticultural and residential development does not give the impression of being in the countryside when standing on site and it is possible to access local shops and services and the bus and train station in Barnham by cycle or on foot.
7. The access road to the site is located within the Barnham and Eastergate Parish, but the actual site is located within the parish of Walberton. In relation to the appeal, the Barnham and Eastergate Neighbourhood Development Plan (BENDP) will be considered in respect of policies relating to the increased use of the access and the character of the area in the BENDP area. Matters concerning the principle of development and the physical development of the site will be assessed against the Walberton Neighbourhood Development Plan (WNDP). The Arun Local Plan 2011-2031 (ALP) policies apply to the entire site and access.
8. The proposal is to demolish the existing stable and erect seven dwellings on the site comprising two bungalows and five two-storey dwellings. Access to the site would utilise the existing shared access onto Lake Lane.

The suitability of the location with reference to the spatial strategy

9. The WNDP sets out several key aims, including prioritising the use of brownfield sites for housing, avoiding large development sites in the countryside and dispersing new housing on several small sites to avoid urbanising the villages. To this end, Policy HP1 of the WNDP states that proposals for development within the BUAB of Walberton and Fontwell will be supported, as will proposals outside the BUAB where they accord with the countryside policies of the ALP.
10. Paragraph 125d of the National Planning Policy Framework (the Framework) promotes the development of under-utilised land and buildings, if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
11. Policy C SP1 of the ALP states that residential development in the countryside outside the BUAB will not be permitted unless it accords with policies in the Plan which offer a specific use or type of development. None of these relate to the proposal so the proposal conflicts with this policy in the ALP.
12. The proposal would prioritise the use of a brownfield site for housing and would locate new housing on a smaller site, however, housing in the countryside would not be supported as it would not fulfil the criteria for suitable development in a countryside location.
13. Accordingly, the appeal site is not a suitable location for the appeal scheme when applying the spatial strategy in the development plan. The proposal would be contrary to Policies C SP1 of the ALP, Policy H8 of the BENDP and Policy HP1 of the WNDP which recognise the countryside for its intrinsic character and beauty, restricting development to specific types which require a countryside location.

The effect on the character and appearance of the area

14. It is common ground between the main parties that in respect of character of the area, the following aspects of the proposal are considered acceptable: density, layout, scale and architectural detail.
15. Backland development (accessed from Park Road) forms part of the character of the area. The Council contend that due to the passage of time since the backland development was permitted, the change in emphasis on design and lack of neighbourhood plans at that time, that the existing backland development does not lend support to the proposal. Despite this, the established backland development does form part of the context for the proposal and character of the area.
16. When considering the proposal against the wider more organic and less linear pattern of development of the area, alongside the extensive horticultural development, the proposal would not conflict with the settlement pattern.
17. My attention has been drawn to a recent planning appeal decision APP/C3810/W/24/3344161 (3344161). Whilst this appeal relates to a site along Lake Lane, the proposal is for a Permission in Principle (PiP) where the scope of considerations are different to a full application. I have not been provided with any information relating to the appeal so it is difficult to make a direct comparison with the proposal before me. It is clear, however, the context of the site differs to this appeal as the site for 3344161 was considered to be loose-knit development lining the highway. This appeal site would abut existing residential development on two sides with horticultural development on a third. Each appeal must be considered on its own merits and, from the limited information before me, I do not consider the appeal scheme to be so similar that an alternative view could not be taken in respect of this appeal.
18. The proposal would utilise an existing access point which would not require alteration. It is acknowledged the use of the access would intensify from its existing use, however the resulting intensification would not have a significant impact on the street scene.
19. The loss of a pleasant natural space visually enjoyed by adjoining and adjacent residents is not a reason to refuse the proposal as planning policy does not protect a specific outlook. In any event, the majority of the existing dwellings would be a significant distance from the proposal and well screened such that the proposal would be unlikely to significantly affect the outlook from the dwellings.
20. Due to the depth of the access road from Lake Lane, the good boundary screening surrounding the site and the scale of the development, especially to the front of the site, the proposal would not be prominent within the street scene and views would be restricted to being glimpsed from the access road. The appeal scheme would be read as a continuation of the existing development on Park Road and Lake Lane which would be contained by the boundary screening.
21. In conclusion, I have not identified material harm to the character and appearance of the area from the proposal. It would therefore comply with policies D DM1 and D SP1 of the ALP, HP13 of the WNDP and ES5 of the BENDP which seek to make efficient use of land with development of high quality and that reflects the characteristics of the site.

Other Matters

22. Third party representations have been received relating to the education and healthcare systems being over subscribed and a lack of freshwater to supply the development. I have not been provided with sufficient evidence that the local education and healthcare system would be overwhelmed by the proposal or that there is a lack of freshwater to supply the development.
23. Whilst I note the concerns raised regarding drainage and flooding on the site, the proposal would be subject to a drainage solution to ensure all surface water was removed from the site and surface water would be discharged to the north away from Lake Lane. This could be secured by condition.
24. In relation to concerns over sewerage overspill, the submission of a phasing and implementation plan to detail how the development would be phased to align with the delivery by Southern Water of any sewerage network reinforcements would be conditioned.
25. Concerns raised over the merging of the parishes, damage to Lake Lane, width of the access road, the trees on site and impact on rare habitats such as the Chalk Stream habitat have been addressed in the case officers report and I have no reason to take a different approach.
26. Whilst the Council refer me to the advice in *Vistry Homes Ltd v Secretary of State for Levelling Up, Housing And Communities & Ors (Rev1)* [2024] EWHC 2088 (Admin) (07 August 2024), this advice was to weigh up something on its own merits and not to reduce weight because it is a policy requirement. In coming to my decision, I have allocated weight to the benefits or otherwise of the proposal based on the evidence in front of me.

Planning Balance

27. An appeal should be determined in accordance with the development plan unless material considerations indicate otherwise. The benefits of the scheme and the provisions of the Framework are important considerations in this instance.
28. The Council are currently only able to demonstrate a housing land supply of 3.41 years. This is well below the five years required by the Framework. In such circumstances, the Framework advises at Paragraph 11d that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
29. Paragraph 14 of the Framework provides added protection to areas covered by a neighbourhood plan. It states that in situations where Paragraph 11d of the Framework is engaged, the adverse impacts of allowing development that conflicts with a neighbourhood plan is likely to significantly and demonstrably outweigh the benefits if the neighbourhood plan is less than five years old and it contains policies and allocations to meet its identified housing requirement. In other words, a conflict with the neighbourhood plan is a matter of considerable importance and is likely to be decisive. However, this is not the prescribed outcome of the planning balance and contextual circumstances may be such that a conflict with a neighbourhood plan would not be definitive.
30. Whilst the proposal would be within a countryside location, the proposal would not be in an unsustainable location and it would be possible to access a good range of

services and facilities on foot or by bicycle. The proposal would also make the most efficient use of brownfield land. I have also not found material harm in respect of the impact of the proposal on the character and appearance of the area. The proposal would also make a small, but nonetheless important, contribution towards the significant housing shortfall at district level. Overall, the social and environmental benefits of the scheme attract appreciable weight.

31. The proposal would deliver economic benefits during construction and again during the subsequent occupation of the houses as the residents spend on local services and facilities which would amount to moderate benefits of the proposal.
32. As an adverse impact, I have found that the proposal would be residential development in the countryside, beyond the BUAB, and so at odds with the spatial strategy in the development plan which aims to focus new development in settlements and to protect the intrinsic character of the countryside.
33. The significant shortfall in the five year housing land supply and past under delivery demonstrate the spatial strategy at a district level has failed and is likely to continue to fail for the time being, especially with a rigorous application of the spatial strategy which would undermine attempts to remedy the situation. As such, policies which are most important for determining the application are out of date. That does not mean they are of no weight, but given the sizeable shortfall in the housing needed, I give these policies only moderate weight. Consequently, and having regard to the relative sustainability of the location and lack of material harm to the character and appearance of the area, only modest harm would arise from the conflict with the spatial strategy which is primarily set by the ALP.
34. Furthermore, and having regard to Paragraph 14 of the Framework, the adverse impacts of conflicting with a neighbourhood plan, in this case more so the WNDP given the siting of the proposed housing, would not significantly and demonstrably outweigh the benefits. In coming to this exceptional view, I have had regard to the fact the WNDP was made in July 2021 such that it predates the latest methodology for calculating local housing need. It also seeks to deliver a housing requirement (allocation) set by Arun District Council which because of its age is unlikely to now accord with paragraphs 69 and 70 of the current Framework.
35. Overall, and notwithstanding the conflict with a neighbourhood plan, the adverse impacts of granting permission for this appeal would not significantly and demonstrably outweigh the benefits and the appeal should be allowed.

Conditions

36. The Council has submitted a list of suggested conditions were the appeal to be allowed. I have considered these conditions, having regard to the Framework and Planning Practice Guidance. A number of the conditions are necessarily pre-commencement conditions to ensure that matters essential to the satisfactory implementation of the development are addressed at the appropriate stage. The appellant has had an opportunity to comment on the suggested conditions as part of the appeal process.
37. In the interests of certainty it is necessary to impose a time limit on the implementation of the permission and the list of approved plans.

38. In the interests of amenities of nearby properties, the development must be constructed within specified hours. For similar reasons, it is also necessary to submit details of how the site will be managed during construction; a detailed levels survey; details of the materials and finishes to walls/roofs/means of enclosure; details of the landscaping scheme; details of the location of fire hydrants; and external lighting and an acoustic assessment of on site plant. I have therefore imposed various necessary conditions that would secure these, most of which necessarily require discharge at the pre-commencement stage.
39. In the interests of the amenities of the future occupiers of the proposal, it is necessary to impose conditions requiring details of: contaminated land investigations, remediation and verification and noise protection measures to the dwellings from nearby industrial/commercial buildings need to be provided.
40. To promote on-site sustainability, conditions are required regarding the maximum water consumption per dwelling; electric vehicle charging points to be located on site and details of energy efficient measures to be provided in the dwellings. These conditions are necessary to ensure compliance with development plan policies.
41. To ensure appropriate surface water and foul drainage on the site, details of the surface water drainage scheme and its long term management and foul drainage need to be provided. I have imposed the necessary conditions accordingly.
42. In the interests of biodiversity and protected species, a Construction Environmental Management Plan (Biodiversity); a Reptile Mitigation Strategy and Biodiversity Enhancement Layout shall be provided. A Biodiversity Gain Plan also needs to be submitted to ensure the development delivers Biodiversity Net Gain on the site.
43. To ensure there is adequate vehicle and parking turning on the site a condition is required ensuring the parking spaces have been provided in accordance with the approved plans.
44. To protect the retained trees on site, a condition is required ensuring appropriate protection is afforded to the trees.
45. In order to protect the amenities of neighbouring properties from potential overlooking, Permitted Development Rights relating to dormer/roof extensions/alterations to the rear elevations of plots 1, 2, 3, 4 and 5 are removed and the western side elevation of plot 7.
46. This permission will also be subject to Schedule 7A of the Town and Country Planning Act 1990 which imposes a deemed condition to achieve a biodiversity gain objective. This will need to be discharged separately by the Local Planning Authority through the submission of a Biodiversity Gain Plan prior to the commencement of development.

Conclusion

47. The proposed development would not accord with development plan as a whole, but material considerations, namely the Framework indicate that the appeal should be determined other than in accordance with the development plan. Accordingly, the appeal succeeds.

C Coles

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:
 - 2.01 Location plan.
 - 2.02 Proposed Site Plan.
 - 2.03 Plot 1 Floor Plans and Elevations.
 - 2.04 Plot 2 Floor Plans and Elevations.
 - 2.05 Plot 3 Floor Plans and Elevations.
 - 2.06 Plot 4 Floor Plans and Elevations.
 - 2.07 Plot 5 Floor Plans and Elevations.
 - 2.08 Plot 6 Floor Plans and Elevations.
 - 2.09 Plot 7 Floor Plans and Elevations; and
 - 2.10 Carport & Cycle Store General Arrangement Drawing.
- 3) All activity at the site is to be carried out in strict accordance with the Arboricultural Method Statement (ref 2409/67/AMS, 08/01/25) and the Tree Protection Plan (ref 2409/67/TCP), both by Oakwood Tree Consultants.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.
- 4) The approved development shall include energy efficiency measures that reflect the current standards applicable at the time of submission and decentralised, renewable, or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of each dwelling and shall be thereafter permanently maintained in good working condition.
- 5) Prior to the commencement of development, full details of the proposed surface water drainage scheme must be submitted and approved in writing by the local planning authority.

The full details submitted for approval shall include:

 1. Winter groundwater monitoring,
 2. Winter infiltration testing strictly in accordance with BRE DG 365 or similar approved,
 3. Details of the proposed method and location of surface water disposal, in accordance with the SuDS hierarchy,
 4. Impermeable area plan,
 5. Calculations modelling the surface water drainage network for the following storm events:

- a. 100% Annual Exceedance Probability [AEP]
- b. 10% AEP + climate change allowance
- c. 3.3% AEP + climate change allowance
- d. 1% AEP + climate change allowance

All storm events must include an allowance for urban creep and surcharged outfalls where appropriate,

- 6. Detailed drainage plans conforming to Local Planning Authority guidance,
- 7. Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms,
- 8. Any relevant permissions relating to the discharge location, works to watercourses or adoption of the SuDS scheme.

The scheme shall then be constructed as per the approved plans. The surface water drainage scheme shall remain for the lifetime of the development.

- 6) Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.
- 7) Before the development hereby permitted is commenced, details of the proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design, and subsequent management/maintenance, if appropriate).

Occupation of the development shall be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that wastewater network capacity is available to adequately drain the development and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details of any phase or sub-phase.

- 8) No development shall take place, until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP (Biodiversity) shall include the following.

- 1. Risk assessment of construction activities potentially damaging to biodiversity.
- 2. Identification of "biodiversity protection zones".
- 3. Practical measures (both physical measures and sensitive working practices) to avoid or reduce ecological impacts during construction (may be provided as a set of method statements).

4. The location and timing of sensitive works to avoid harm to biodiversity features.
5. The times during construction when specialist ecologists need to be present on site to oversee works.
6. Responsible persons and lines of communication.
7. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
8. Use of protective fences, exclusion barriers and warning signs.
9. Containment, control, and removal of any invasive non-native species present on site.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 9) No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the Local Planning Authority. The Reptile Mitigation Strategy shall include the following:

1. Purpose and conservation objectives for the proposed works.
2. Review of site potential and constraints.
3. Detailed design(s) and/or working method(s) to achieve stated objectives.
4. Extent and location/area of proposed works on appropriate scale maps and plans.
5. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
6. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
7. Persons responsible for implementing the works.
8. Details of initial aftercare and long-term maintenance of the Receptor area(s).
9. Details for monitoring and remedial measures.
10. Details for disposal of any wastes arising from works.

The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

- 10) Prior to commencement of the development hereby approved, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:
 1. A 'Preliminary Risk Assessment' which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways, and receptors; and potentially unacceptable risks arising from contamination at the site.

2. A 'Site Investigation Scheme', based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. Based on the 'Site Investigation Scheme' and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A 'Verification Plan' providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

The scheme shall be implemented as approved above and, prior to occupation of any dwelling (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved Verification Plan to demonstrate that the site remediation criteria have been met. The report shall also include a 'long-term monitoring and maintenance plan' for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified in the Verification Plan, and for the reporting of this in writing to the Local Planning Authority.

- 11) Construction work shall not begin until a scheme for protecting the proposed dwellings from noise emanating from the industrial/commercial buildings at Toddington Nurseries/Stuart Lyons Haulage on land to the North of the site has been submitted to and approved in writing by the Local Planning Authority. All such works which form part of the scheme shall be completed before any part of the noise-sensitive development is occupied.
- 12) Demolition/construction works shall only take place between 08:00 hours and 18:00 hours (Monday to Friday) and between 08:00 hours and 13:00 hours on Saturday with no activities taking place on Sundays or recognised public holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.
- 13) No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant, and stacks of materials, provision for the temporary parking of contractors' vehicles and the arrangements and timings for the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.
- 14) Prior to the commencement of development, a detailed level survey of the site including existing and resulting ground levels and the slab levels of the buildings the subject of this approval, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed only

in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

- 15) Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal by CT Ecology (ref 23054, 22/11/23) shall be submitted to and approved in writing by the Local Planning Authority. This must include 7 swift bricks and 7 bat brick/tubes, 2 log piles, 2 compost heaps and the creation of hedgehog gaps in fences.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

- 16) No development above damp-proof course (DPC) level shall take place unless and until details of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Prior to the first occupation of any dwelling or building forming part of the proposed development, the applicant/developer shall at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved locations to BS:750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

- 17) No development above damp-proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and 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.
- 18) No development above damp-proof course (DPC) level shall take place unless and until a detailed schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.
- 19) No development above damp-proof course (DPC) level shall take place until details of all walls and fences have been submitted to and approved by the

Local Planning Authority and no dwellings shall be occupied until such walls and fences associated with them and the whole site have been erected.

- 20) Prior to the occupation of the development hereby approved, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) and GN08 2023. "Bats and Artificial Lighting at Night" but also:

1. Identify those areas/features on site that are particularly sensitive for bats or 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
2. Show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) 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.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white (The recommended Kelvin level is 2700) with a clear view, no UV a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

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.

- 21) No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, has been complied with for that dwelling and retained in perpetuity thereafter.
- 22) Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.
- 23) Prior to the occupation of any part of the development, the applicant or developer shall ensure that infrastructure is implemented to allow for the provision of the highest available headline speed of broadband provision to future occupants of all of the development from a site-wide network provided as part of the initial highway works and in the construction of frontage thresholds to buildings that abut the highway. Unless evidence is put forward

and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

- 24) No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plans. The parking spaces shall thereafter be retained for their designated use.
- 25) No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans. The spaces so provided shall be retained in perpetuity.
- 26) No internally or externally located plant, machinery equipment including air source heat pumps shall be operated on the site until an assessment of the acoustic impact arising from the operation of all such equipment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014+A1:2019 and shall include a scheme of attenuation measures to mitigate the adverse impacts identified in the acoustic assessment. The scheme shall ensure that the rating level of noise emitted from the proposed building services plant is 5 dB less than the prevailing background sound level (LA90). The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter. Any agreed attenuation measures shall be permanently maintained in good working condition.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n19846.pdf&ver=24686>.

- 27) Notwithstanding the provisions of Parts 1 and 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no dormer/roof extensions/alterations to the rear elevations of plots 1, 2, 3, 4, or 5; or the western side elevation of plot 7 shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

*****END OF SCHEDULE*****