

Recommendation Report for Planning Permission

REF NO: Y/33/21/PL

LOCATION: Plum Pudding Barn
Hoe Lane
Flansham
PO22 8NS

PROPOSAL: Conversion of existing barn to 1 No. residential dwelling with associated parking (resubmission following Y/137/20/PL). This site is in CIL Zone 3 & is CIL Liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes to convert a barn into a two bed bungalow. It includes two parking spaces and associated cycle and refuse storage.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	11 dwelling/hectare
BOUNDARY TREATMENT	Hedging on the front boundary, an access with a 5 bar gate to the main entrance to the holding. Post and rail fencing to the side.
SITE CHARACTERISTICS	Former horse paddock with a new barn in the west corner and two large containers to the west. An earth bund to the north and south east boundary and a rubble pile has been dumped in the meadow alongside an opening in the hedge on the south east corner where the former access was proposed.
CHARACTER OF LOCALITY	Rural farmland and paddocks with some linear and sporadic housing on either side of Hoe Lane. The hamlet of Flansham, in the south part of the parish, is the oldest settlement in the district and is made up of low-density development in the form of medium to large sized detached dwellings, farm buildings (there are two farms in the hamlet) and dwellings which have been converted from farm buildings. There are 50 houses clustered around Hoe Lane.

RELEVANT SITE HISTORY

Y/137/20/PL	Change of use of existing barn to proposed live work unit, erection of horse stables & sand school. This site is in CIL Zone 3 and is CIL Liable as dwelling.	Withdrawn 28-01-21
Y/48/18/PL	Installation of water treatment plant. This application is a Departure from the Development Plan.	ApproveConditionally 12-12-18

Y/25/12/ for siting of static caravan for recreational use was refused, refusal was challenged by appeal and appeal dismissed.

This application shows the barn 14m long, 10m wide and 4m high with an internal gross space of 126 sqm.

REPRESENTATIONS

Yapton Parish Council: No objection.

Recognise barns can be converted to residential use but this application must satisfy the following conditions:

- Suitable and sensitive materials are used to reflect the character of the area.
- Appropriate fenestration to reflect the original nature of the building
- Occupation cannot take place until the unit is connected to main sewage system
- A restriction to ensure the site is used for domestic use and not as a commercial equestrian centre.
- Access to the site is of adequate specification to service a domestic dwelling.

18 letters of support:

- Change of use guarantees nothing will be spoilt, lovely to look at horses no more big changes.
- Fully support application for the change of use to a residential unit.
- What a nice plan for this building it's nice to see rustic and small changes rather than lots of houses.
- It will enhance value of the neighbouring areas and will complete the natural flow of Hoe Lane.
- The applicants proposal asks no more of the local community than that of Westwood Hoe and Barley Cottage, both of which border the property, and both of which were former agricultural structures.
- No objections to permission being granted to the application as it would improve the outlook.
- The change of use of the barn to residence would ok only be a positive improvement.
- It is in keeping with the area and similar agriculture buildings change of use in the Lane.
- I witnessed building of the barn and am very impressed with the beautiful materials used.
- This change of use would bring balance to this area of the lane.
- Since this barn has been built the lane has never been better.
- A house on the site will be an improvement as in the past all sorts of building materials and other items have been dumped on the site.
- Flansham has evolved from former farm buildings.

10 letters of objection:

- The applicant built a 'barn-style' house under the guise of an agricultural building and is attempting to change the use (to the use they originally intended, but didn't apply for permission for). This seems like 'playing the system.'
- It's rumoured the applicant has plans for more houses on the site and the neighbouring fields.
- The applicant built their house as a 'barn' to blur the edges and make it harder to refuse their secondary application.
- The applicant's friends and family who do not live in the lane, or even in nearby villages, have submitted many letters in support.
- It is not a barn being converted into a residential dwelling. It is being built as a house from the beginning, inside the walling and flooring is not wooden structure it has steels in place.
- 2 storage containers on site near the entrance were placed.
- When that deal was agreed some ten years ago we (who were involved in the negotiations) believed we had assurances from the Council the road would form the northern boundary of development.
- The applicant has stated it is his intention to build 5+ houses on his family's field.

- The Barn was completed in 2020 and appears to have been built for conversion to a dwelling.
- Prior to Mr Bennett acquiring the land the site was prime agriculture land growing crops.
- The barn was completed in 2020 and appears not to be in use as just a barn.
- The question is as to whether the barn was ever intended to be used as a barn, but just a forerunner for this application.
- A residential dwelling could be used to pave the way for the applicant to use it as a precedent for other dwellings.
- The building on this site is a modern well constructed barn with toilet facilities which appears to have been constructed with conversion in mind rather than for storage as approved.
- Yapton Parish Council is assessing Flansham as an Area of Special Character as it a rare surviving example of a coastal hamlet in West Sussex.
- The road leading to the site is a privately owned unmetalled track.
- Any increased traffic would pose safety issues for existing users of the track.
- The building was clearly built with this application in mind and it would set a precedence.

Flansham Residents Association Committee:

- There is no history with this barn, it's only recently completed. We are very committed to protecting the north side of Hoe Lane. Flansham has experienced significant development to the south in the last few years with the new Bognor Regis Relief Road and the 900 housing estate. Any opening to potential development will completely change the uniqueness of Flansham as a Hamlet in Sussex.

COMMENTS ON REPRESENTATIONS RECEIVED:

The supporters comments are noted. In respect of objections:

Planning issues will be discussed in the conclusions. The other points are considered below:

- It is accepted the barn does not have a long history.
- Precedent is capable of being a material planning consideration, however, every application has to be considered on its own merits and a development here would not automatically result in further development nearby;
- The Council's highway experts state the proposal would not have an unacceptable impact on highway safety.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENGINEERS COMMENTS: Due to the scale, location and type of application we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

SOUTHERN WATER: It is possible that a sewer now deemed to be public could be crossing the site. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

- Southern Water would not support the proposals for a septic tank or private treatment plant in the presence of a public foul sewerage network in the close vicinity of the development site (Package Treatment Plant proposed).
- Due to surface water inundation issues in the Lidsey Catchment the applicant is advised to adopt, where appropriate, the measures set out in the table "Practical measures to reduce the potential impacts of development".

WEST SUSSEX FIRE and RESCUE SERVICE: The nearest Hydrant is 270m away. The supply of water for firefighting for a domestic premises should be within 175m.

WSCC Highways: Do not consider this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The access track benefits from the presence of a Public Right of Way (PRoW).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. If there is insufficient proximity to a fire hydrant the applicant may have to provide alternative provision under the Building Regulations.

POLICY CONTEXT

Designation applicable to site:
Outside Built-Up Area;
Lidsey Treatment Catchment Area;
Area of Special Control (Adverts)

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HDM4	H DM4 Conversion of rural buildings for residential use
QEDM2	QE DM2 Light pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
-------	-----------------------------

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies of the Yapton Neighbourhood Development Plan (YNDP) have been considered within this report. Yapton are currently working on a revised YNDP and have recently completed a regulation 14 consultation.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that the development is outside the built up area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to be weighed in the balance with the Development Plan. Given the Council's 5 year Housing Land Supply position, the settlement boundary policies hold reduced weight. The contents of the NPPF is a material consideration. For the reason set out below these are considered to be of substantial enough weight to be overriding.

CONCLUSIONS

PRINCIPLE:

Policy SD SP2 stresses that development should be focused in the BUAB and will be permitted, subject to consideration against other policies of the Local Plan. The site is outside of the built up area boundary in countryside where new development is generally unacceptable. Local Plan Policy C SP1 seeks to protect the character and amenity of countryside and sets out a limited range of developments may be permitted in the countryside including essential facilities for the purpose of agriculture and forestry, quiet informal recreation or green infrastructure. The objectives of the Policy are broadly consistent with the policies relating to the countryside in the NPPF and, therefore, the Policy carries due weight.

Yapton Neighbourhood Plan (YNDP) Policy BB1 states development outside the built up area boundary will not be supported unless they are compliant with 4 criteria. None of these criteria refer to barn conversions or additional dwellings and therefore, the application is contrary to Policy BB1.

Paragraph 174(b) of NPPF states planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The proposal does not accord with the range of developments which may be permitted in the countryside in Local Plan Policy C SP1 unless under f. there is a specific policy in the plan which allows for

development. Policy H DM4 allows for the conversion of rural buildings for residential use in certain circumstances (see below).

The NPPF is an important material consideration in determining applications. It sets out a presumption in favour of approving sustainable development. This means under 11c approving development that accords with an up-to-date development plan or at d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Para 11 of the NPPF confirms the presumption in favour of sustainable development and advocates in section d) that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites) granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Footnote 7 does not apply.

The Council can demonstrate a 3.3 year supply of housing land and relevant policies for the supply of housing should not be considered up to date, which triggers the presumption in favour of sustainable development under paragraph 11(d) of the NPPF (2021).

Irrespective of the housing land supply position, it is necessary to consider whether the proposal would be sustainable development for which there is a presumption in favour. The Framework identifies three dimensions to sustainable development - economic, social and environmental and advocates that gains in each dimension should be sought jointly and simultaneously to achieve sustainable development. The NPPF advocates as part of the social dimension the provision of housing to meet the needs of present and future generation and the creation of a high quality of built environment with accessible local services.

The dwelling would make a small contribution toward a general need for housing and the overall social gain would be very limited. The location of Hoe Lane lacks local facilities/amenities e.g. buses, local shops, or street lighting. An Inspector in his report on a nearby site (APP/C3810/A/12/2187608) described that proposal site as: 'Although there are a number of individual detached properties in the surrounding area, the character and appearance of both the site and the immediate locality is of open countryside and outside of any built up area boundary.'

There are bus stops along Flansham Way and buses pass along the relief road (A259) and shops and other services in a close proximity in Felpham (including a convenience store on the new estate to the south) and neighbouring parishes. Bus routes travel towards town centre locations in Bognor Regis and Littlehampton (with their railway stations) where there is access to a wide range of facilities. There is a cycle link along the A259 towards Littlehampton and Bognor Regis to promote sustainable transport.

It is highly likely that the future occupants of the dwelling would be largely dependent on the use of a private vehicle. However the distance to services is not such that this could be considered an

unsustainable location given recent appeals in Aldingbourne and Barnham where Inspectors have concluded development is acceptable despite there being a greater distances from significant services than in this case. Taking into account the above, it is considered that the site, does satisfy the NPPF's definition of sustainable development.

As part of the Government's promotion of sustainable development Paragraph 79 of the NPPF advises housing in rural areas should be located where it will enhance or maintain the vitality of rural communities. Given the proximity of the site to dwelling in Hoe Lane and the development to the south the site is not isolated.

The policy D SP1 of the ALP requires development should reflect the characteristics of the site and layout in relation to various characteristics. As stated in Appendix 2B of the Yapton Neighbourhood Development Plan, most houses in the Lane were built in the 19th century or early 20th century, with brick and flint being widely used. Properties are well set back in isolated plots. The hamlet has a relatively older, dense core with an increasingly looser distribution of buildings to the North as the hamlet form recedes to agricultural land.

The proposed is a dwelling converted from a barn and there are examples of these in much older buildings in the core of Flansham and other recent examples of conversions of agricultural buildings to the west to dwellings.

Yapton Parish Council is currently assessing Flansham as an Area of Character as it a rare surviving example of a coastal hamlet in West Sussex. 'The designation is being proposed to maintain the character of Flansham and to ensure that future development respects and preserves the existing character of the hamlet. We propose that the whole of the hamlet be treated as a single entity' (Appendix 2B of the YNDP).

It is concluded that proposal would not comply with policy BB1 of the YNDP but when but does represent sustainable development in terms of the Framework. Any adverse impacts do not significantly and demonstrably outweigh the benefits, taking account of the benefits the development would have.

CONVERSION POLICY

Policy H DM4 of the Arun Local Plan allows the conversion of rural buildings for residential use outside the built-up area subject to certain criteria. This policy requires at a) demonstration that reasonable attempts have been made to market and use the premises for business purposes, and that the building is structurally sound and capable of conversion without significant alteration or extension.

In seeking to demonstrate compliance with this policy, the applicant has not demonstrated to the Local Planning Authority that serious attempts have been made to continue with a commercial use of the site. Whilst a structural survey has been provided confirming the structural soundness of this building, the fact that the subject to this conversion was completed in 2020 only nothing else could be expected.

Part d of the policy accepts that all rural buildings to be converted may not have historical or architectural importance. This is the case here.

The site relates to a large area of open land partly laid to grass in. Although there are a number of individual detached properties in the surrounding area, the character and appearance of both the site and the immediate locality is of open countryside outside of any built up area boundary. The land has previously been in agricultural use and as mentioned above, the permission for an erection of a barn for secure storage of light goods vehicle, farm machinery was approved in 2010.

The proposal does not comply with H DM4 (a). However there is no such requirement in NPPF, published later in 2021, and therefore with more weight which does not require consideration of alternative commercial for marketing to take place prior to residential conversion. The conversion would not have an unacceptable impact on the character of the area, traffic generated would be minimal and residential curtilage is of an acceptable size.

RESIDENTIAL AMENITY:

The Arun Local Plan policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity". Para 130 of the NPPF which states that developments should provide a high standard of residential amenity for existing and future users.

The building would not result in any overlooking or loss of privacy to neighbouring properties due to a location with a sizeable separation distances between properties. Therefore the development would be in a conformity with policies D DM1 and QE SP1 of the Arun Local Plan and Para 130 of the NPPF.

INTERNAL & EXTERNAL SPACE STANDARDS:

It is necessary to assess the proposal against the internal space standards as set out in the Governments new Technical Housing Standards (Nationally Described Space Standard). The requirement for 2 bed, 4person dwelling is 70m² whilst 126m² of internal space is provided.

Policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. However, Design Guide was published and the Part H.04 deals with Residential Outdoor Amenity & External Space Standard states: 'Amenity spaces should be of an appropriate size and shape to be usable and enjoyable. Private rear gardens should have a minimum depth of 10.5m.

Regard should be had to para 130 of the NPPF requires new development has a high standard of amenity for existing and future users.

The proposal provides a rear gardens space with a depth of 11m which would satisfy the requirement of Arun Design Guide and complies with policies D DM1 & D DM2 of the Arun Local Plan and with the guidance in the NPPF para 130).

HIGHWAYS, TRAFFIC AND PARKING

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. Policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes.

The Arun Parking Standards SPD requires that a single dwelling in this location provide 2 allocated spaces. This is the same requirement as per YNDP policy PK1. The Parking Standards SPD also requires visitor parking at 20% of each dwelling. This would equate to 0.2 spaces; there are places where visitors can park in the local area without causing a highway safety issue or adversely affecting the amenities of existing residents.

WSCC do not consider this proposal has an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the NPPF (para 111).

No details of electric vehicle parking has been shown but this can be subject to a condition.

The development complies with policy TP1 of the Arun Local Plan, policy PK1 of the Yapton Neighbourhood Development Plan, Arun District Council's Parking Standards.

BIODIVERSITY:

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

Policy E3 of the Yapton Neighbourhood Development Plan stresses: 'Any development which results in an unacceptable level of harm to the existing habitat of any flora or fauna will be strongly resisted. Any proposed mitigation measures must be demonstrated to represent an effective solution that ensures the habitat in question continues to thrive.

Para 180 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

No ecological survey has been submitted to show a potential impact of the development on protected species with details of measures to be incorporated into the development scheme to avoid loss of the species and to demonstrate biodiversity net gain. The opportunity to increase the biodiversity of the site and mitigation measures could be secured via condition as required by H DM4.

Taking into account the above, the proposal fails to comply with the ALP policy ENV DM5, policies E3 of the YNDP and the NPPF para 180.

SUMMARY:

The principle of development on this site is contrary to some elements of policies in the development plan. However HDM4 allows for conversion in certain circumstances. The presumption in favour of sustainable development is triggered as the harm to the character of the area does not significantly and demonstrably outweigh the benefits of the proposal.

It is therefore recommended that the application be approved with conditions..

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their

home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 (as amended).
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:-

PL07 REVA
PL06A
Location Plan PL01
Proposed block plan PL03
Proposed Plans, Elevations, Roof Plan, Section PL05

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 Within three months of commencement of the development a landscaping and biodiversity net gain scheme including full details of both hard surfacing and soft landscaping and details of any existing trees and hedgerows to be retained, together with measures for their protection during the course of the development shall be submitted to the Local Planning Authority. The approved details of the landscaping/biodiversity net gain 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, unless the Local Planning Authority gives written consent to any variation. The soft landscaping scheme should include native tree planting.

Reason: In the interests of amenity, biodiversity and the historic character of the area in accordance with policies D DM1, HER SP1, ENV DM5 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Arun Local Plan policy T SP1 and the National Planning Policy Framework.

- 5 Prior to occupation of the dwelling, the applicant/developer shall submit a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan.

- 6 Prior to occupation of the dwelling, a scheme for the provision of facilities to enable the charging of electric vehicles shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge point/s shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF

- 7 Prior to the occupation of the dwelling, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings 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.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 8 No external lighting shall be installed on site until plans showing the type of light appliance and the position & height of the fittings have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 and also be in accordance with the Bat Conservation Trust guidelines. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats) and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 9 This permission is for the in-situ conversion of the building with associated works and does not purport to permit the dismantling and re-erection of the building as a whole or any part therein, or its partial/total demolition, removal, rebuilding or reassembly, other than by any specific items which have been explicitly so described in the application documents.

Reason: In order to ensure that the proposal represents a conversion and not a rebuild which would be contrary to policy H DM4 of the Arun Local Plan

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in any of the wall or roof elevations of the building without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the historical environment by endeavouring to achieve a building of visual quality in accordance with policies D DM1 and HER SP1 of the Arun Local Plan.

- 11 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

- 12 The development hereby approved shall not be occupied until the cycle parking and bin storage shown on the approved plans have been constructed. The bin and cycle store shall remain in perpetuity.

Reason: To ensure appropriate provision of bin/cycle parking in accordance with policy TSP1 and W DM1.

- 13 INFORMATIVE: Statement pursuant to 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 14 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

- 15 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 16 INFORMATIVE: The applicants attention is drawn to the comments of Southern Water on the Council's website.