



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0829

Hilland House, New Road, Billingshurst, West Sussex, RH14 9AA

DESCRIPTION:

Variation of condition 30 and removal of conditions 31 and 32 of previously approved application DC/24/0749 (Outline Application for redevelopment of the site to provide up to 125 dwellings, ancillary parking new landscaping and open space, an ecological and woodland park together with associated works and landscaping with all matters reserved except access) Relating to Water Neutrality.

RELEVANT PLANNING HISTORY:

S106/25/0038	Deed of Variation to amend the site boundary in respect of the retained dwelling at Hilland House.	Application Permitted on 30.01.2026
DC/24/0749	Outline Application for redevelopment of the site to provide up to 125 dwellings, ancillary parking new landscaping and open space, an ecological and woodland park together with associated works and landscaping with all matters reserved except access.	Application Refused on 19.12.2024
EIA/24/0001	EIA Screening	EIA Advice Given on 25.04.2024
DC/24/0887	Outline Application for redevelopment of the site to provide up to 117 private and affordable dwellings and parking together with an access from New Road, new landscaping and open space, an ecological and woodland park together with associated works, with all matters reserved except access.	Application Refused on 19.12.2024

DESCRIPTION OF THE SITE

The application site comprises some 10.41ha of land which is divided into 4 distinct areas: a single substantial residential dwelling, its outbuildings, tennis court and residential gardens, a north and south field parcel separate by an east-west vegetated drainage ditch, and a woodland block. Outline permission was granted at appeal (ref. 3361285) on 8th July 2025 for 125 dwellings as well as ancillary parking, landscaping, open space and an ecological/woodland park. The subsequent Reserved Matters application is yet to be submitted.

DESCRIPTION OF THE APPLICATION

Following the formal withdrawal of Natural England's Position Statement on 31st October 2025, the applicant seeks the variation of Condition 30 and the removal of Conditions 31 and 32 which relate to water being sourced from a private water supply, a known method of achieving water neutrality.

The proposal therefore forms a s73 amendment to vary Condition 30 and remove Conditions 31 and 32 of permission DC/24/0749. Currently, these conditions currently require the following;

Condition 30: No dwelling hereby permitted shall be first occupied until, a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the local planning authority. The PWSMP shall include, but not necessarily be limited to,

- i. Detail on the operational sampling and testing regime, undertaken in accordance with the Private Water Supplies (England) Regulations (2016) (or any Act or Order amending, superseding and re-enacting the same);
- ii. Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc for the lifetime of the development along with regularity of servicing/maintenance and clarification of what steps will be taken in the event of equipment failure. This should include sufficient detail on proposed maintenance and management measures to address the risks from fouling;
- iii. Arrangements for keeping written records of all sampling, analysis, inspection, cleaning and maintenance;
- iv. Contingency measures to be taken in the event of equipment failure and a named contact on a 24/7 basis in the event of a failure or issue with the private water supply;

The PWSMP shall be implemented prior to the first occupation of the proposed development and adhered to thereafter.

Condition 31: No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the local planning authority that water taken from a tap within the dwelling has been: -

- i. sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies;
- ii. has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification; and
- iii. meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same).

Condition 32: No dwelling hereby permitted shall be first occupied unless and until a Risk Assessment has been conducted pursuant to Regulation 6 of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same) and any agreed remedial and/or corrective actions undertaken.

The applicant's proposed wording for condition 30 includes the requirements of conditions 31 and 32 in the event the private water supply is to be used:

Condition 30: No dwelling hereby permitted shall be first occupied until a Proposed Scheme for Potable Water Provision has been submitted to the Local Planning Authority. This shall identify whether it is proposed to service the development by means of a private water supply or by connection to the water main.

The following shall also be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling hereby permitted if it is proposed to service the development by means of a private water supply:

- A) No dwelling hereby permitted shall be first occupied until, a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the local planning authority. The PWSMP shall include, but not necessarily be limited to:
- i Detail on the operational sampling and testing regime, undertaken in accordance with the Private Water Supplies (England) Regulations (2016) (or any Act or Order amending, superseding and re-enacting the same);
 - ii Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc for the lifetime of the development along with regularity of servicing/maintenance and clarification of what steps will be taken in the event of equipment failure. This should include sufficient detail on proposed maintenance and management measures to address the risks from fouling;

- iii Arrangements for keeping written records of all sampling, analysis, inspection, cleaning and maintenance;
- iv Contingency measures to be taken in the event of equipment failure and a named contact on a 24/7 basis in the event of a failure or issue with the private water supply;

The PWSMP shall be implemented prior to the first occupation of the proposed development and adhered to thereafter.

- B) *No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the local planning authority that water taken from a tap within the dwelling has been:-*
- i *sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies;*
 - ii *has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification; and*
 - iii *meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same).*
- C) *No dwelling hereby permitted shall be first occupied unless and until a Risk Assessment has been conducted pursuant to Regulation 6 of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same) and any agreed remedial and/or corrective actions undertaken.*

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of the application.

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development
 Policy 2 - Strategic Policy: Strategic Development
 Policy 3 - Strategic Policy: Development Hierarchy
 Policy 24 - Strategic Policy: Environmental Protection
 Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
 Policy 26 - Strategic Policy: Countryside Protection
 Policy 31 - Green Infrastructure and Biodiversity
 Policy 32 - Strategic Policy: The Quality of New Development
 Policy 33 - Development Principles
 Policy 35 - Strategic Policy: Climate Change
 Policy 37 - Sustainable Construction

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
 Strategic Policy 6: Climate Change
 Strategic Policy 8: Sustainable Design and Construction
 Strategic Policy 9: Water Neutrality
 Strategic Policy 11: Environmental Protection
 Strategic Policy 13: The Natural Environment and Landscape Character
 Strategic Policy 17: Green Infrastructure and Biodiversity
 Strategic Policy 19: Development Quality
 Strategic Policy 20: Development Principles

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
 Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

PUBLIC CONSULTATIONS:

Parish Comments:

Billingshurst Parish Council

None received

Public Consultations

None received

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Water Neutrality:

The 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations), all new development since has been required to demonstrate water neutrality. Conditions 30, 31 and 32 of consent DC/24/0749 were applied to ensure the method of achieving water neutrality (private water supply) was safe and effective. An appropriate assessment was undertaken at the time to ensure compliance with the Habitats Regulations.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. Given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing

abstraction in the Arun Valley beyond baseline. These savings were previously used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10th November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Although no longer required to achieve water neutrality, the applicant wants to retain a degree of flexibility within the development and has therefore requested that Condition 30 be varied to allow for choice between a mains water and private water supply. The varied condition will require the applicant to confirm where water will be supplied from and to submit a Private Supply Water Management Plan should a private supply be chosen. Conditions 31 and 32 will be removed entirely and instead form part of the amended condition 30.

Officers have undertaken a new appropriate assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since 1st November 2025, will not exceed the above capacity. In the event water is to be supplied via the mains, and to ensure compliance with HDPF Policy 37, the amended condition 30 has been updated to require the development to achieve the optional requirement of building regulations G2 (110 litres per person per day).

Accordingly, Officers consider that the variation of Condition 30 and the removal of Conditions 31 and 32 will not result in the development having an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plans and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Conclusions:

As set out above, consent is sought under Section 73 of the Town and Country Planning Act to vary condition 30 and remove conditions 31 and 32 of the previously approved application DC/24/0749, as the requirements of Water Neutrality are no longer necessary given the formal withdrawal of the Natural England Position Statement on October 31st, 2025.

Whilst a consent under S73 creates a new planning permission for the site, government guidance set out in the PPG is clear that only the matters being amended are to be considered. It is not the purpose or function of a s73 consent to revisit the principle of development on the site. Accordingly, the principle of development on this site remains settled and acceptable, along with all other matters not subject to these proposed amendments.

The conditions attached to the planning permission are otherwise repeated in their entirety, except where details have subsequently been submitted and agreed under separate applications.

Recommendation: Application Permitted

Conditions:

- 1 The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan 2198.DLA.DR.L.30_P01, Proposed vehicle access Sheets1 and 2 23163/01/C, Visibility Splays 23163/16, Parameter height 2198.DLA.DR.L.41_P01, Parameter land use 2198.DLA.DR.L.40_P02, NEW ROAD FOOTWAY WITH PROPOSED REALIGNMENT 23163/32 Rev D.
- 2 Approval of the details of the layout, the scale, the appearance, and the landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters referred to above, relating to the layout, the scale, the appearance, and the landscaping, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

- 3 The Reserved Matters submissions for landscape shall include full details including, but not limited to, type of play equipment, surfacing, planting, fencing, seating and signage for the natural area of play. The details shall accord with the guidance set out in the Open Space, Sports and Recreation Review (June 2021).
- 4 The Reserved Matters submissions shall broadly accord with the principles set out on the submitted Parameter Height Plan (reference: 2198.DLA.DR.L.41.P01), and Illustrative Masterplan (reference: DLA.2198.L.05.P03).
- 5 No development (including any ground clearance or site levelling) shall commence until the demolition and construction details have been submitted to and approved in writing by the local planning authority. The details shall include the following measures:
 - i. Details of site management contact details and responsibilities;
 - ii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust;
 - iii. Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
 - iv. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
 - v. Details of traffic construction routing to and from the site
 - vi. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
 - location of site compound,
 - location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - site offices (including location, height, size and appearance),
 - location of site access points for construction vehicles,
 - location of on-site parking,
 - locations and details for the provision of wheel washing facilities and dust suppression facilities
 - vii. The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;
 - viii. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

- 6 No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site have been submitted to and approved, in writing, by the local planning authority:
 - i. An intrusive site investigation scheme to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

- ii. Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (i) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

The development shall be carried out in accordance with the approved details.

- 7 No development shall commence until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 8 No development shall commence until a ground investigation (to include chemical testing of soils) of the site has been submitted to and approved, in writing, by the local planning authority.
- 9 No development shall commence until a scheme to agree sewage pipe work specifications for the Source Protection Zone 1 areas has been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.
- 10 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
- 11 No development shall commence 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.
 - i. Risk assessment of potentially damaging construction activities.
 - ii. Identification of "biodiversity protection zones".
 - iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - iv. The location and timing of sensitive works to avoid harm to biodiversity features.
 - v. The times during construction when specialist ecologists need to be present on site to oversee works.
 - vi. Responsible persons and lines of communication.
 - vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - viii. Use of protective fences, exclusion barriers and warning signs.

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

- 12 No development shall commence until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the local planning authority. And,

The archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under this condition and that provision for analysis, publication and dissemination of results and archive deposition has been secured and submitted to and approved by the local planning authority in writing.

- 13 No development (including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site), shall commence until the following preliminaries have been completed in the sequence set out below:

- i. a scheme for the protection of the trees on the north side of New Road (tree protection plan) and the appropriate working methods (arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) has been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
- ii. All hedgerows, trees and vegetation on the site shown for retention within the Arboricultural Impact Assessment and the Tree Protection Plan [MW.2404.HHB.SK02.AIA and MW.2404.HHB.SK02.TPP] as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012) and/or protection measures concordant with BS 5837 as set out within the Arboricultural Impact Assessment and Tree Protection Plan and the scheme approved under part (i).
- iii. Once installed, the fencing or other protection measures shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site, in accordance with the Arboricultural Impact Assessment and any arboricultural method statement approved pursuant to part (i) of this condition.
- iv. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the local planning authority.

- 14 Not later than the submission of the first Reserved Matters submission, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Extended Phase 1 Ecological Assessment and Phase 2 Ecological Surveys Final Report (Philips Ecology, July 2024) shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to first occupation and all features shall be retained in that manner thereafter.
- 15 Not later than the submission of the first Reserved Matters submission, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the local planning authority in accordance with the approved drainage strategy and discharge rates as contained within the Flood Risk Assessment and Drainage Strategy by Ridge and Partners LLP, 15/07/2024, revision P03. The scheme shall be implemented in full in accordance with the approved details prior to the first occupation of the development. The submitted details shall:
 - i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters.
 - ii. Demonstrates that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration,
 - iii. Demonstrates that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes
 - iv. Demonstrates that surface water runoff rates will be attenuated to 5.6 l/s/ha in accordance with the calculations in the FRA and Drainage Strategy.

- v. Provide details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- 16 No works which impact the breeding / resting place of Hazel Dormouse shall commence in any circumstance, unless either of the following has been submitted to and approved in writing by the local planning authority:
- i. a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
 - ii. a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.
- 17 No site levelling works shall commence until full details of the existing and final land levels and finished floor levels (in relation to nearby datum points) have been submitted to and approved in writing by the local planning authority. The details shall include the proposed grading of land areas including the levels and contours to be formed, showing the relationship of proposed land levels to existing vegetation and surrounding landform. The site levelling works shall be completed in accordance with the approved details prior to the commencement of development of any building within the site.
- 18 No part of the development hereby permitted shall be first occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.
- All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and retained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed.
- 19 No part of the development hereby permitted shall be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The local planning authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- i. a timetable for its implementation,
 - ii. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
 - iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- 20 No part of the development hereby permitted shall be first occupied until a detailed surface water drainage verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved in writing by the local planning authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and control mechanism.

- 21 No part of the development hereby permitted shall be first occupied until detailed modelling of PM10, PM2.5 and NO2 pollutant concentrations have been carried out and submitted to and approved in writing by the local planning authority, to verify the findings of the air quality assessment provided. The modelled results should be verified against the local authority's local air quality monitoring data to establish model performance and, where necessary, utilise a correction factor for modelled, road-based NOx in compliance with relevant statutory and non-statutory guidance.
- 22 No part of the development hereby permitted shall be occupied until an air quality mitigation plan has been submitted to and approved in writing by the local planning authority. The air quality mitigation plan should contain measures equal in value to the calculated environmental damage cost of £67,556, avoiding the duplication of measures that would normally be required through other regimes and include (but not be limited to) the measures detailed in Table 6.2 of the MEC Air Quality Assessment. The development shall be carried out in accordance with the approved details.
- 23 No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.
- 24 No part of the development hereby permitted shall be first occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.
- 25 No part of the development hereby permitted shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled PROPOSED VEHICULAR ACCESS and numbered HTp/23163/01/C and in accordance with the lighting design scheme for biodiversity secured by condition. The access shall be thereafter retained as such.
- 26 No part of the development hereby permitted shall be first occupied until such time as the footway provision along New Road has been constructed in accordance with the details shown on the drawing titled NEW ROAD FOOTWAY WITH PROPOSED REALIGNMENT and numbered 23163/32 Rev D. A distance of no less than 0.5m shall be maintained between the base of the trees that form the hedge, and the edge of the footway, including the concrete edging support throughout the development. Should any trees that form the hedge become damaged or die as a result of the construction process, they shall be replaced with trees or hedging plants of a type, size and in positions agreed by the local planning authority for a period of 5 years after completion of the development. The footway shall be thereafter retained as such.
- 27 No part of the development hereby permitted shall be first occupied until such time as the Cycle Improvements at A29/New Road Roundabout have been constructed in accordance with the details as shown on drawing titled NEW ROAD FOOTWAY WITH PROPOSED REALIGNMENT and numbered 23163/32 Rev D. The improvements shall be thereafter retained as such.
- 28 No part of the development hereby permitted shall be first occupied until there has been submitted to the local planning authority verification that the scheme to deal with the risks associated with contamination required and approved by condition has been implemented fully in accordance with the approved details. Thereafter the scheme shall be monitored and maintained in accordance with the approved scheme to deal with the risks associated with contamination.
- 29 No part of the development hereby permitted shall be first occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

30 No development hereby permitted shall be first occupied until the following has been submitted to and approved in writing by the Local Planning Authority:

- (i) A Proposed Scheme for Potable Water Provision which identifies whether it is proposed to service the development by means of a private water supply or by connection to the water main.

The following aspects (ii-iv) shall only be required to be submitted to and approved in writing by the Local Planning Authority if it is proposed to service the development by means of a private water supply:

- (ii) A Private Water Supply Management Plan (PWSMP), which includes:
 - a. Detail on the operational sampling and testing regime, undertaken in accordance with the Private Water Supplies (England) Regulations (2016) (or any other Act or Order amending, superseding and re-enacting the same);
 - b. Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc. for the lifetime of the development along with regularity of servicing/maintenance and clarification of what steps will be taken in the event of equipment failure. This should include sufficient detail on proposed maintenance and management measures to address the risks from fouling;
 - c. Arrangements for keeping written records of all sampling, analysis, inspection, cleaning and maintenance;
 - d. Contingency measures to be taken in the event of equipment failure and a named contact on a 24/7 basis in the event of a failure or issue with the private water supply;

The PWSMP shall be implemented prior to first occupation of the development and adhered to thereafter.

- (iii) Evidence that water taken from a tap within the dwelling has been:
 - a. sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies;
 - b. has been analysed in a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification, and
 - c. meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same).
- (iv) A Risk Assessment pursuant to Regulation 6 of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same) and any agreed remedial and/or corrective actions undertaken.

The following aspect (v) shall only be required if it is proposed to service the development by means of the mains water supply:

- (v) The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

31 N/A

32 N/A

- 33 No internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the local planning authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. 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.
- 34 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Response to Ecology Comments (Philips Ecology, September 2024), Extended Phase 1 Ecological Assessment and Phase 2 Ecological Surveys Final Report (Philips Ecology, July 2024) as submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Section 19.8 of the Extended Phase 1 Ecological Assessment and Phase 2 Ecological Surveys Final Report (Philips Ecology, July 2024), which avoids impacts on protected species.
- This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
- 35 The roadside footway along New Road shall not be provided with any form of external lighting or street-lighting.
- 36 All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated 15th July 2024), this includes all new residential dwellings to have a finished floor level raised a minimum of 150 mm above the surrounding proposed ground level.

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

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, in order to be able to, where possible, grant permission.

DELEGATED

Case Officer sign/initial Sophie Moore Date: 17/07/2026

Authorising Officer sign/initial Adrian Smith Date: 17/07/2026