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LJ McMurchie  
1 Deepdene Close  
PO22 6HX

Dear Sir/Madam,

16th January 2025

**Case Officer:** Amber Willard  
**Telephone:** 01903 737942  
**Email:** [amber.willard@arun.gov.uk](mailto:amber.willard@arun.gov.uk)

**Town & Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Development Management Procedure) (England) Order 2015**

Application No: M/94/24/PL

Site Address: Sea Willow 35 Central Drive Middleton-on-sea PO22 7TT

Description of works: Change of use from beach to garden and erection of a 3' single post and rope fence. This application is in CIL Zone 4 (Zero Rated) as other development.

Thank you for your internet representation made on 16th January 2025 which has been recorded as an objection with the comments as follows:

OWPC73595

This application should be rejected for being in breach of the provisions of the National Trail established in 2009 (renamed the King Charles III Coastal Path in 2023). In short, the legal right of public access should be secured. Please see extract of The Highways Act 1980 below:

"If a person, without lawful authority or excuse, in any way wilfully obstructs the free passage along a highway he is guilty of an offence and liable to a fine".

This refers to the erection of a building, fence or hedge in a highway.

In addition, the area in question appears to fall within Arun District Council's rock island sea defences where shingle areas were installed as part of the sea defence programme. With the erosion of the shingle area, the mean high water mark is forever moving so the land registry record dated 1993 does not accurately represent the mean high water mark or boundary of today. This point is highlighted in the Land Registry Location Plan stating "the title plan shows the general position, not exact lines, of the boundaries". It is therefore misleading to rely on this when making planning decisions.

Thank you for your consideration.

Your views as made above will be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments including your name and address on the website. Please make sure that you have only provided information that you are happy will be published in this way. If you have supplied information belonging to a third party, you must make sure you have their permission to do so. If you do not wish your comments to appear on the

website or on the file you will need to confirm this by emailing to [planning@arun.gov.uk](mailto:planning@arun.gov.uk) and I will arrange for it to be destroyed although this means that the content will then be disregarded.

The majority of applications are determined under delegated powers by officers. Further information on the decision making process can be found on the website at :<https://www.arun.gov.uk/what-happens-next>.

Some applications will be determined by the Planning Committee, and I shall write and inform you of the date of the meeting and the procedures for public speaking if this is the case. However, if your representation has been received after the agenda for the meeting has been finalised and the notifications have been generated, you will not receive notification. In this case, you will need to track the progress of the application on the council's website <https://www.arun.gov.uk/planning-application-search>

Any comments that are received after the agenda has been finalised will be separately reported to the members of the Planning Committee.

Regardless of how the application is determined I will notify you of the decision.

Yours sincerely



**Neil Crowther**  
**Group Head of Planning**

For details of how the Council will deal with your data please refer to our privacy notices on the website <https://www.arun.gov.uk/privacy-policy/>

**If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.**

**To register to receive notification of planning applications in your area, please go to**

<https://www1.arun.gov.uk/planning-application-finder>