

SLR Consulting
Mountbatten House
1 Grosvenor Square
Southampton
SO15 2JU

Date: 12th August 2026

Please ask for: Jessica Riches

Tel: 01903 737852

Your Ref:

Our Ref: P/161/25/DOC

Dear Higginbotham,

Town & Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015

**Approval of details reserved by condition imposed under P/25/17/OUT relating to conditions 17-
Construction Management Plan and 27-management and maintenance scheme for the adjacent
Pagham Harbour SPA.**

Church Barton House Horns Lane Pagham PO21 4NZ

Notification regarding the above application:

Condition Number 27

No development shall commence until the applicant has submitted and the Local Planning Authority (in consultation with Natural England) has approved the detailed management and maintenance scheme for the adjacent Pagham Harbour SPA Enhancement Land (as defined and referred to within the Agreement under s106 of the Town and Country Planning Act associated with the permission) which shall provide for:

- (a) The delivery of habitat enhancements (including some areas of additional planting) for Brent Geese on said land so as to achieve no net loss of foraging habitat for Brent Geese due to the development proposals;
- (b) The management of field boundary vegetation, associated with specific adjoining fields to enhance sight lines for Brent Geese, making this field matrix more suited to use by them; and
- (c) Cessation of bird scaring initiatives on said land;

said measures and scheme to substantially accord with the details set out in "Preliminary Ecological Appraisal - LLD1110 - Rev. 00 - 02/02/2017 - Evaluation - 5.2" submitted in support of the application.

Reason: This condition is necessary to ensure that the management and maintenance of the Pgham Harbour SPA Enhancement Land accords with national guidance and Policy ENV DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need ensure measures are in place to avoid any detrimental impact of the development upon the SPA/Ramsar prior to development commencing.

Decision:

Arun District Council have decided to **REFUSE details reserved by condition for the following reasons:**

Outline planning permission P/25/17/OUT was granted by Arun District Council on 5 September 2019, with the reserved matters application (P/139/22/RES) subsequently approved on 19 January 2024. In accordance with the statutory timeframe imposed by the condition, the permission required commencement within two years of the approval of reserved matters, which therefore required commencement to have occurred by 19 January 2026.

The Council have reviewed evidence submitted by the developer, but have concluded that the development permitted under P/25/17/OUT has not commenced prior to the expiry of the planning permission (19 January 2026). As the time limit for commencement has passed, the permission has lapsed, and it is not possible to approve the details required by the conditions.

The application is therefore refused because the planning permission P/25/17/OUT, to which these conditions relate, has expired and it is not possible to discharge the condition.

Please do not hesitate to contact the above officer if you require any further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning