

Dear Hebe,

I am writing to you on behalf of Mr Rawlins, Barton Manor to **object** to the following planning application:

P/165/25/PL - Replacement of muddy grass surface with fully permeable gravel, retention of natural drainage (no membranes or grid systems used), installation of cleft post-and-rail fencing with laurel hedge planting at the frontage and installation of replacement 1.8m wooden boundary fencing to the remaining sides for screening and security. This application affects the setting of listed buildings and is in CIL Zone 4 (Zero Rated) as other development.

Summary

Procedural Issues

The applicant must be required to:

- formally serve notice on all known land owners;
- place a notice in the local press providing details of the planning application and the land on which it is located;
- provide a completed certificate D to the LPA.
- The description of the planning application must be amended to make it clear that the application seeks a change of use from landscaping to residential car parking and all parties and consultees reconsulted.
- Submission of SUDS specification to determine whether the development complies with policy W DM3.
- Consultation with the LPA's drainage engineer or the Lead Local Flood Authority regarding the impact on the culvert.
- Consultation with highways engineer regarding impact of the entrance on the safety of the highway

Concerns

- The inappropriate Visual Impact on Pagham Area of Character would directly conflict with policy HER DM4.
- The proposed car parking would not provide a safe layout for traffic, cyclists or pedestrians contrary to policy T SP1.
- The proposed access to and from the car park would have an unacceptable impact on highway safety and is therefore required to be refused in accordance with NPPF para 116.
- Insufficient information has been submitted to confirm whether the development complies with W DM3.

Chronology and Planning History

The applicants Mr Board and Ms Close purchased Nyetimber Forge & Smithy June 2021. The Smithy (including parking and garages) was sold in May 2025 leaving the Forge with no car parking.

P/72/25/HH was submitted 17th June 2025 after the Smithy was sold

P/72/25/HH: Demolition of existing conservatory and rear extension. New single storey rear extension with 2 No. roof lanterns, associated internal alterations, replacement windows and external landscaping. (Approved 11-08-25)

Certificate A incorrectly confirmed that the applicants were the sole owners.



Incorrect certificate

The applicant (Mr Board) has completed certificate A as part of the current application and stated that he is the sole owner of the land which is the subject of this application. This is incorrect.

The land that the car park is located on comprises 3 parcels:

- the western part of the land on which the car park is located, known as 'land to the north of Nyetimber Forge' and owned by the applicant and the Brewery who have advised the applicant that he is trespassing and must vacate the land;
 - the eastern part of the land on which the car park is located, known as land to the west of 1 Hadlands' and owned by Nigel Rawlins, owner of Barton Manor. This land is protected by covenants to retain all trees and foliage
- and
- an unregistered parcel of land located in between that owned by Nigel Rawlins and the applicant which it is understood to be owned by the Brewery.

The land parcels are shown in APPENDIX A.

The applicant has therefore installed an area of car parking on land which he does not own and is currently the subject of a trespassing claim which requires the car park to be removed (see Appendix B.

Required actions

The applicant must be required to:

- formally serve notice on all known land owners;
- place a notice in the local press providing details of the planning application and the land on which it is located;

-provide a completed certificate D to the LPA.

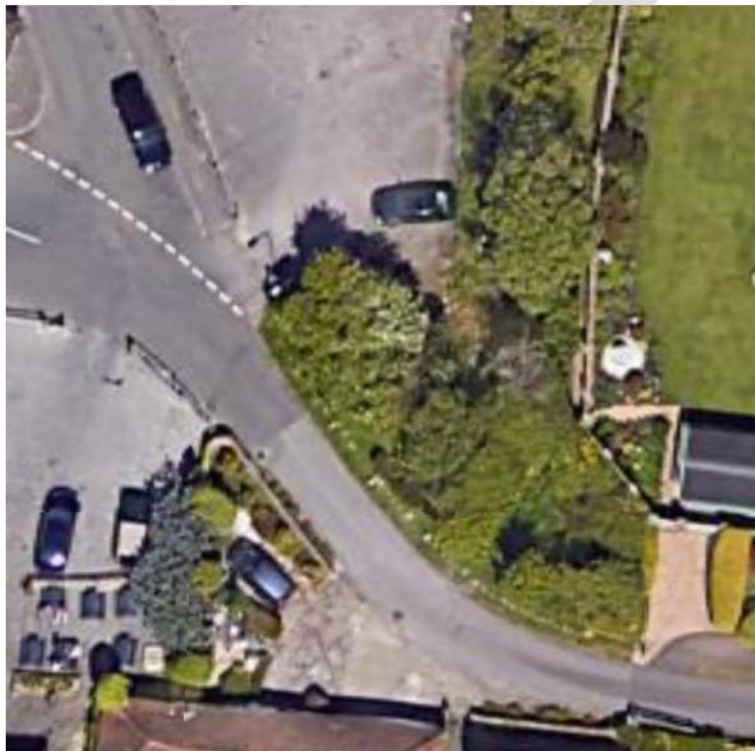
Failure to do the above renders the application invalid. The determination of the application without the correct certification could be subject to judicial review by the affected parties (eg the landowners who were not notified). The knowing submission of an inaccurate certificate is also a criminal offence.

Unauthorised Change of Use of Land

The land to the north of Nyetimber was originally an undeveloped area of dense soft landscaping that provided a verdant setting to the entrance to Barton Close. The stones laid within the verge provided an informal path/refuge area for pedestrians around the bend in the road. The land was not a residential garden and did not form part of the curtilage of Nyetimber.

The following images taken from google earth show that the unlawful change of use which included the addition of car parking occurred prior to the 29th April 2023.

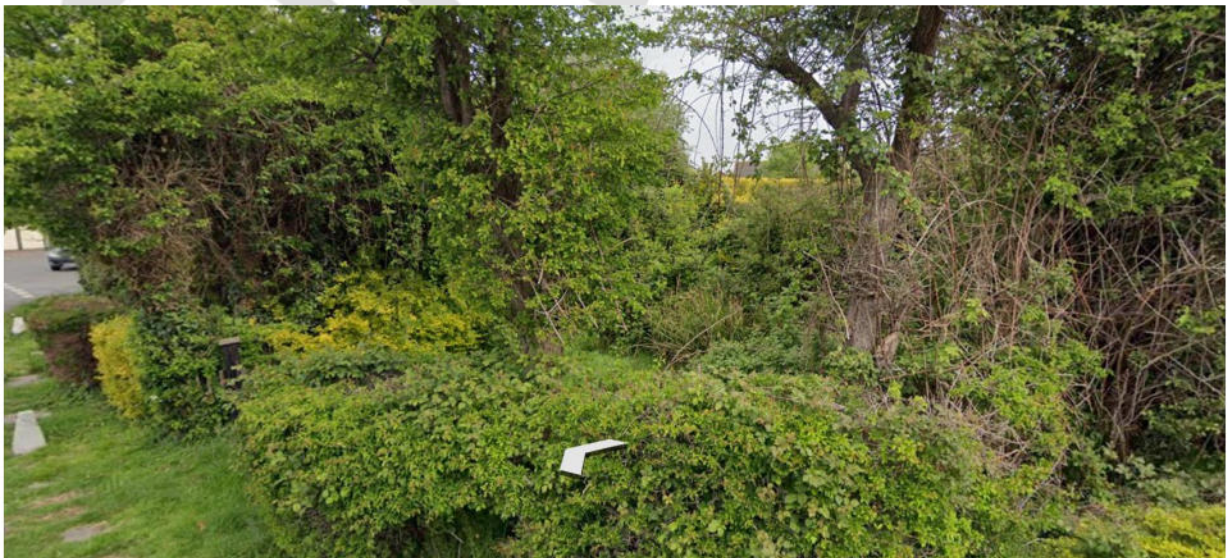
2022 (Before the addition of the car park)



Looking east towards the land north of the Forge:



Looking west towards the land north of the Forge (Before the addition of the car park):



29.4.23 (After the addition of the car park)



Required action

The description of the planning application must be amended to make it clear that the application seeks a change of use from landscaping to residential car parking. All parties and consultees should be advised of the amended description and invited to update their comments. Failure to do so would render any permission vulnerable to a legal challenge by judicial review.

Comments on Planning Statement

- The site does not form part of the curtilage of Nyetimber Forge.
- The area has not been used for many years for informal car parking. There is no evidence of car parking prior to 29.4.23.
- The vegetation on the site would have aided natural drainage into the watercourse beneath the site. The removal of soft landscaping from the area will increase soil erosion.
- There was no previous mud deposition onto the road as it was an area of soft landscaping that wasn't used for car parking.
- The car parking requires a change of use of the land from landscaping to residential car parking.
- The former use of the land as a landscaped area did not result in highway safety issues as it was not associated with any activity/residential use.
- There are no details regarding the specification of the hard surfacing to back up the assertion that the run-off levels are unchanged.

Comments on Heritage Statement

The heritage statement begins by stating that the proposal is for a: *'Change of use of a small parcel of land opposite a listed building to a parking area serving an existing five bedroom dwelling.'*

This statement confirms that a change of use is required but conflicts with the planning statement which claims that the car parking area is an established use and justifies the addition of hard surfacing.

Concerns about the planning application

Notwithstanding the above issues there are several reasons why the car parking area is inappropriate:

Inappropriate Visual Impact

The site is located within the designated [Pagham 'Area of Character'](#):

Barton Close

The approach to Barton Close is enhanced by The Lamb PH, which contributes greatly to the area. On entering Barton Close, a single-track lane bordered by grass verges, a semirural enclave is created. The Smithy and Nytimber Forge form attractive entrance buildings to the Close.

The new development 'Hadlands' has been designed to be in keeping with the character of the area, a spacious, low-density cul-de-sac.

Established hedges, cleft oak fencing and the grass verges are distinguishing features of the rural character. The pond in part of the grounds of Barton Granary (originating circa 1700) is an attractive focal point for the area.

The area includes the historically important Barton Manor and related converted farm buildings, and other attractive buildings at the western end, all contributing to the special character of the area.

Policy HER DM4

Areas of Character

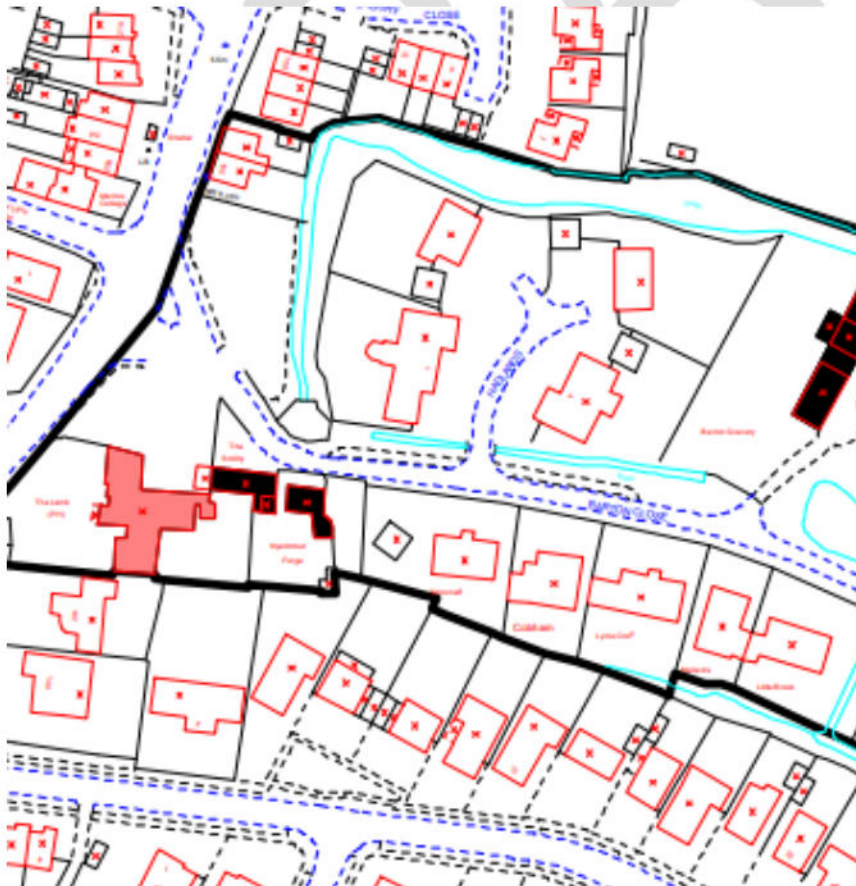
Within Areas of Character, as defined on the Proposals Map, planning permission or relevant consent will be granted subject to:

- a. The retention of buildings and other features such as boundary walls, hedges, trees, railings, open spaces, etc. which make positive contributions to the special character of the areas;
- b. The maintenance of an appropriate mix of uses where this is an important element in the character of an area;
- c. New development preserving, and where possible, enhancing the special character of these areas, particularly with regard to the characteristics identified by the Local Planning Authority.

The Barton Close Area of Character description describes the entrance to Barton Close as being a semirural enclave of which the grass verges and established hedges are important contributing features. Policy HER DM4 requires the retention of the special features such as hedges, trees and open spaces which contribute to the special character of the area. The area of car parking required the removal of the landscaping specifically noted as contributing to the special character of the area. The proposal is therefore directly in conflict with policy HER DM4.

Impact on Watercourse

The following image from the Area of Character Description shows the position of the site on top of the watercourse:



Policy W DM3

Sustainable Urban Drainage Systems

To increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process.

Proposals for both major and minor development proposals must incorporate SUDS within the private areas of the development in order to provide source control features to the overall SUDS design. These features include:

- Green roofs
- Permeable driveways and parking
- Soakaways
- Water harvesting and storage features including water butts.

Proposals for major development must also integrate SUDS within public open spaces and roads, reflecting discussion with the appropriate bodies. SUDS must therefore be integrated into the overall design of a development and must:

- a. Contribute positively to the appearance of the area, integrating access to allow maintenance of existing watercourses and the system.
- b. Effectively manage water (including its quality)
- c. Accommodate and enhance biodiversity by making connections to existing Green Infrastructure assets and
- d. Provide amenity for local residents (ensuring a safe environment)
- e. Retain the existing drainage network of the site and the wider area,
- f. Be maintained in perpetuity, supported through a Maintenance and Management Plan/Regime, including its financing, agreed with the Local Planning Authority.

In order to ensure that SUDS discharge water from the development at the same or lesser rate, as prior to construction, developers must:

- f. Follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations and the SUDS manual produced by CIRIA.
- g. Undertake up to six months groundwater monitoring within the winter period.
- h. Undertake winter percolation testing in accordance with BRE365.
- i. The proposed drainage system must be designed to ensure that there is no flooding on a 1 in 30 year storm event.
- j. The design must also take account of the 1 in 100 year storm event plus 30% allowance for climate change, on stored volumes, to ensure that there is no flooding of properties or the public highway or inundation of the foul sewerage system. Any

excess flows must be contained within the site boundary, and within designated storage areas.

The application does not contain any information relating to the surfacing of the site. A specification is required to ensure structural stability and environmental protection.

Under Section 23 of the Land Drainage Act 1991, any works that alter, restrict, or build over an ordinary watercourse (which includes culverts) require formal written consent from the Lead Local Flood Authority. Consent must be obtained **before** any works begin. It is a criminal offence to carry out these works without consent.

Required Actions/Queries:

The applicant must submit a detailed SUDS specification to allow the LPA to determine whether the development complies with policy W DM3.

Has the application been assessed by the LPA's drainage engineer or the Lead Local Flood Authority regarding the impact on the culvert?

Impact on Highway Safety

Policy T SP1

Transport and Development

To ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

The Council will support transport and development which:

- a. Is designed to reduce the need to travel by car by identifying opportunities to improve access to public transport services and passenger transport services whilst making provision for safe access to the highway network through improvements to the existing road network and the promotion of vehicles which use low-carbon energy;
- b. Is incorporated into the District's green infrastructure network and gives priority to pedestrian and cycle movements;
- c. Protects committed and indicative lines of major road schemes from development and, where applicable, contributes towards new road schemes which improve north-south links between Bognor Regis and Littlehampton and the A27, to ensure that they are delivered in line with strategic growth in the District;
- d. Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking and;
- e. Is supported by an effective and deliverable Transport Assessment which demonstrates that the transport effects of development on the local and strategic road network can be satisfactorily mitigated and a Travel Plan, which is effective and deliverable, and;
- f. Explains how the development has been designed to:
 - i. accommodate the efficient delivery of goods and supplies;
 - ii. give priority to pedestrian and cycle movements and have access to high quality public transport facilities;
 - iii. create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter;
 - iv. incorporate facilities for charging electric and plug-in hybrid vehicles (where charging facilities are to be omitted from the development, evidence of market demand and viability must be provided); and
 - v. consider the needs of people with disabilities by all modes of transport.
- g. Provides improved crossing points over the railway line to improve transport links between the coast and the A27, in particular at Ford.

The NPPF (para 115) states that in assessing applications for development safe and suitable access to the site must be achieved for all users. Para 116 of the NPPF also states that development should be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

The area of car parking does not incorporate turning space and requires cars to exit by reversing out onto a blind bend. The position of the car park on a 'blind' bend close to the entrance to the close with inadequate visibility splays such that drivers reversing out of the site cannot see whether there are oncoming pedestrians or vehicles would have an unacceptable impact on highway safety and is therefore clearly contrary to the NPPF para 115. Reversing into the site (to

enable drivers to exit in a forward gear) would also require inappropriate manoeuvring of vehicles with insufficient visibility of pedestrians and drivers using the lane. The proposed car parking would not provide a safe layout for traffic, cyclists or pedestrians and would therefore also be contrary to policy T SP1.



Queries

Has the highway authority assessed the access and (lack of) visibility splays onto the highway?

Conclusion

It is politely requested that the planning officer requires the procedural errors to be rectified prior to the submission of the outstanding SUDS information and a new process of reconsultation to enable an informed assessment of the application.

It is requested that the determination of the application is delayed until the land ownership has been formally confirmed via the courts as a positive determination of the application could be seen to prejudice the outcome of the claim.

Kind regards,

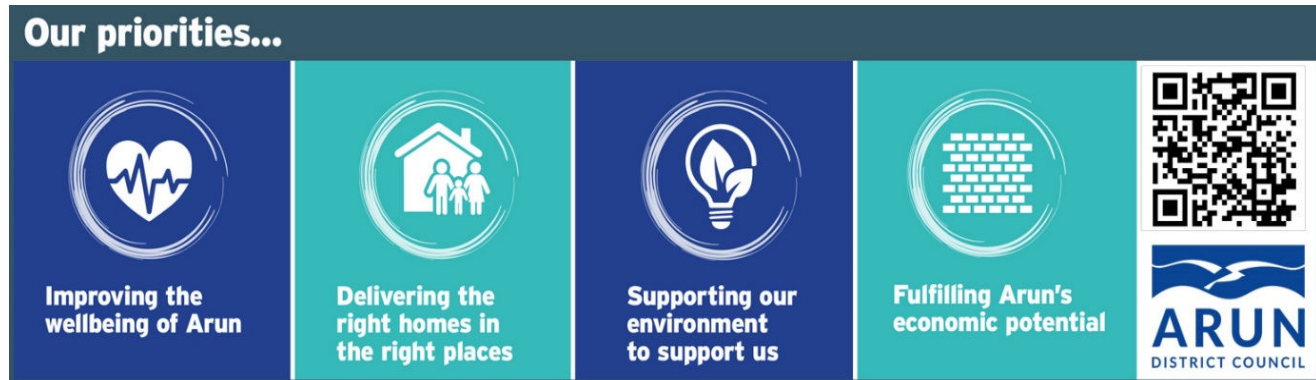
Rachael Hebden MRTPI

Appendices A & B – separate attachments

Please note my working days are Monday, Tuesday, Wednesday and Friday.

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

To register to receive notification of planning applications in your area please go to
<https://www1.arun.gov.uk/planning-application-finder>



From: June-marie Hamilton [REDACTED]
Sent: 17 February 2026 14:07
To: Planning <Planning@arun.gov.uk>
Subject: Objection to parking opposite Nyetimber Forge 8th Feb amends

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