

From: Elaine Walby on behalf of Planning.Responses
Sent: 10 March 2026 11:11
To: Planning Scanning
Subject: FW: Planning Application P/165/25/PL - Nyetimber Forge, Pagham



Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
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From: Hebe Smith <Hebe.Smith@arun.gov.uk>
Sent: 10 March 2026 08:55
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Planning Application P/165/25/PL - Nyetimber Forge, Pagham

Hello,

Please can this be logged as a rep.

Thanks,

Hebe Smith (she/her)
Senior Planning Officer, Planning Department

T: 01903 737626
E: hebe.smith@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
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From: Rachael Hebden
Sent: 09 March 2026 16:27
To: Hebe Smith <Hebe.Smith@arun.gov.uk>
Cc:
Subject: Planning Application P/165/25/PL - Nyetimber Forge, Pagham

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Dear Hebe,

Thank you for your update. We understand that the Council is currently seeking legal advice regarding the ownership complexities of this site.

To assist your legal team in their review, Nigel has now completed a Statutory Declaration. This document formally clarifies as a matter of sworn evidence that:

- The land in question has never been residential curtilage and has historically been unmanaged landscaping.
- The land was physically converted from landscaping to parking/commercial use in August 2025 without Nigel's consent.
- The land falls within the registered title of Nigel Gordon Rawlins (WSX456875), as proven by the Title Deeds and Transfer of Part (TP1) documents already provided.

While we note your comments regarding the extension of time, we were concerned by the indication in your correspondence to the applicant that the Council may "move forward" with "issuing the permission" before these fundamental legal matters are resolved. As the Official Title Deeds confirm Nigel's ownership of part of the application site, we reiterate that the mandatory procedural requirements of Section 65 of the Town and Country Planning Act 1990 must be fully met.

The closure of the publicity period does not waive the Council's duty to remain impartial and evidence-led until a formal decision is reached. Given the significance of these ownership and procedural issues, please ensure that all of our correspondence, including our previous evidence, the Title Deeds, and this email, is made public and uploaded to the planning portal to ensure full transparency. Mr Rawlins has confirmed that the title deeds can be made public.

Please be advised that if the Council proceeds to determine this application favourably based on the current defective certification and misleading description, we will have no alternative but to seek a Judicial Review. We maintain that such a decision would be *ultra vires* and procedurally flawed, particularly in light of the procedural unfairness and appearance of bias arising from recent correspondence between the Council and the applicant regarding the timing of a grant of permission.

We look forward to being kept informed of the legal department's specific opinion regarding the validity of the current application.

Kind regards,
Rachael Hebden MRTPI

(on behalf of Nigel Rawlins)