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Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
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From: Elaine Walby <Elaine.Walby@arun.gov.uk> **On Behalf Of** Planning
Sent: 23 June 2026 09:22
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: P/56/26/PL Objection

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 Improving the wellbeing of Arun	 Delivering the right homes in the right places	 Supporting our environment to support us	 Fulfilling Arun's economic potential	 Our core foundations	 
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From: Mike Mariner [REDACTED]
Sent: 22 June 2026 21:40
To: Planning <Planning@arun.gov.uk>
Subject: P/56/26/PL Objection

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OBJECTION NOTICE: Planning Application Reference: P/56/26/PL
Site: Land West of Pagham Road (Rear of The Inglenook Hotel), Pagham

I am writing on behalf of 251 Pagham Road Management Company Ltd and Residents (Spinnaker View) to lodge our strong formal objection to application P/56/26/PL. The proposed layout relies entirely on an access, refuse and engineering design that is technically deficient, legally unviable and structurally dangerous. We urge the Local Planning Authority to refuse this application based on the following material planning considerations:

1. Severe Drainage Failure, Unadopted Infrastructure and Localised Flooding Risks

I object to this application on the grounds that the site presents an unmitigated flood and infrastructure risk to the surrounding residential layout. This application follows a very recent refusal on this exact plot based on fundamental drainage and flooding failures. Crucially, the existing private drainage network beneath Spinnaker View is already plagued with ongoing capacity problems and sewage backing up into some properties to the extent that Southern Water has officially refused to adopt the estate's road and drainage infrastructure due to these unresolved defects.

The applicant's current attempt to bypass his recent refusal by introducing superficial measures—specifically domestic water butts and green roofs—is a dangerous and technically deficient shortcut. Water butts offer zero restricted flow during prolonged storm events and green roofs do not mitigate the massive increase in impermeable surface areas generated by 6 new concrete foundations and driveways (what measures are in place to prevent future occupants from removing the water butts and green roofs) Forcing a further 6 dwellings to displace surface water into or alongside an already failing unadopted private drainage network is an environmental hazard that will inevitably cause catastrophic backup flooding into the lower-lying gardens and homes of Spinnaker View and Platinum Gardens properties. The application completely fails to meet the strict criteria set by the Lead Local Flood Authority (LLFA) and Southern Water.

2. Severe Space Constraints and Deficient Visitor Parking Allocation

The proposed parking layout is completely unworkable and breaches standard highway safety criteria. The application provides only a single token designated visitor parking space for a 6-dwelling

estate. The applicant's justification—asserting that this deficit is mitigated by placing an additional parking space on two of the individual private residential plots—is an ineffective planning design. Private residential driveways are curtilage-restricted spaces and cannot function as public visitor parking bays. Visitors, service vehicles and tradesmen will not enter private residential driveways; instead they will inevitably overspill out of the development footprint and park directly on the narrow road of Spinnaker View creating severe gridlock and neighbourly disputes due to the legalities.

Furthermore, historical planning files for Platinum Gardens confirm that our road network is already operating past its absolute design threshold. The access route was so heavily constrained that the applicant previously had to physically rearrange and relocate our existing parking spaces on Spinnaker View land just to find enough physical clearance to make the initial 9 homes work.

3. Total Failure of Refuse Strategy and Resubmission of a Legally Defeated Layout

The applicant's Design and Access Statement references an unviable 'bin drag distance' extending from the proposed 6 dwellings out onto Spinnaker View for roadside collection. This is a direct bad-faith attempt to resurrect a refuse strategy that has already been legally defeated. During the original Platinum Gardens development the applicant attempted this exact same layout. Legal counsel (including a property litigation barrister acting for Spinnaker View) formally ruled that placing bins or staging refuse operations on our private land constitutes an actionable civil trespass and the applicant was forced to permanently stop the practice. Spinnaker View is an entirely private road.

Under the binding property deeds governing our land the adjoining previous development Platinum Gardens possess an easement strictly limited to access and egress (moving traffic) only. It is entirely illegal for any waste, bins or stationary collection points from that development to be placed, stored or left on Spinnaker View.

Council refuse vehicles have no authority legal right or indemnity to use Spinnaker View as a stationary staging or turning point for external housing phases because leaving bins on our land or stopping a refuse lorry to collect them constitutes a direct civil trespass. The applicant is proposing a waste management layout that is legally barred and physically unserviceable.

4. Artificial Land locking and Availability of a Validated Alternative Route

This site is not landlocked by necessity. The land directly adjoins The Inglenook Hotel (owned by the applicant Mr Honour) which possesses an established fully open commercial driveway and car park onto Pagham Road. In a 2021 Planning Inspectorate Appeal Decision to which compensation was paid out to Mr Honour this hotel driveway footprint was thoroughly scrutinised deemed safe and legally approved by the Inspector to serve residential access. The car park remains open and the static caravans are still in place meaning his alternative route is completely open and physically usable. The applicant is deliberately choosing to omit his own unencumbered approved commercial driveway simply to protect his own hotel business and customer parking from disruption choosing instead to externalise 100% of the severe structural damage refuse clutter and traffic hazards onto Spinnaker View and Platinum Gardens. Under established legal principles a landowner cannot intentionally block a viable access point on their own property and then claim a right of necessity to cross a neighbour's private land. Routing heavy construction machinery residential traffic and refuse collection points through our private road, closed residential cul de sac (Platinum Gardens) when a dedicated historically approved commercial alternative exists is a severe failure of planning layout design.

5. Severe Impact on Residential Amenity and Quiet Enjoyment

We object due to the severe cumulative impact this proposal will have on the residential amenity of Spinnaker View residents. Since 2020 the applicant has subjected this quiet close to an intense protracted layout dispute disrupting parking layouts and shifting boundaries. This historical overreach caused immense distress to local residents and severely compromised the peace and security of our neighbourhood. Forcing a second major phase of heavy machinery, delivery gridlock, surface water flooding risks and daily visitor parking disruption down a narrow private road that has already suffered extensive boundary violations is a direct breach of standard planning policy regarding the protection of residential amenity.

When Arun District Council originally granted planning permission for Spinnaker view the highways metrics including road width heads and pedestrian safety spaces were calculated and passed strictly to serve the fixed capacity of the 42 dwellings on the estate. The network has no spare capacity. Forcing a further six dwellings on top of the previous development of nine dwellings in Platinum Gardens onto an estate road that has already met its approved allocation represents an unsafe over intensification that surely violates the councils own historical design parameters.

6. Material misrepresentation of Access and Servicing requirements.

The proposed development of six additional dwellings requires viable permanent space for ongoing commercial servicing delivery vehicles, visitor, contractor parking, heavy construction vehicles and construction vehicle unloading because all stopping, loading and parking on Spinnaker View is legally barred under our private titles.

Any vehicles servicing the proposed development would be forced to commit an immediate civil trespass the moment it stopped to idle or unload.

Our road network has permeable paving in place which will not tolerate any heavy construction traffic.

The applicant is proposing a layout that cannot physically or legally be serviced from this direction.

7. Demand for removal of permitted rights and strict height restrictions.

If the planning committee is minded to approve this application we demand that the council applies the strictest possible safeguarding condition to protect local residential amenity. Given the documented history on the adjacent land now called Platinum Gardens where the developer deviated from approved 2-story layouts to construct unapproved 2.5- story dwellings. The council must explicitly remove all permitted development rights. A strict condition must be attached specifying that the dwellings are capped at a maximum of 2- story and three bedrooms with a total ridge height restriction, explicitly written into the decision notice. This is required to prevent the applicant from executing a retrospective layout expansion which would completely overwhelm the current developments.

8. Certificate of notice. Certificate B.

To date we have not received any notification formal or informal from the developer of his intentions as was the case for the Platinum Gardens development. As one of the landowners it is a legal

requirement that the developer correctly completes certificate B and serve us notice of their intentions, this has not been adhered to which is a serious procedural breach. This is a misrepresentation of landownership and fails to comply.

This application must be refused on the grounds of highway safety, parking deficiency, infrastructure failure, flooding hazard, over-intensification, and complete non-deliverability.

Michael Mariner

(Director, 251 Pagham Road Management Company Ltd)

24 Spinnaker View

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Sent from [Proton Mail](#) for iOS.