

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
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Our priorities...



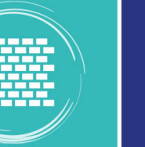
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Our core foundations




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From: Elaine Walby <Elaine.Walby@arun.gov.uk> **On Behalf Of** Planning
Sent: 20 August 2026 09:27
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Comments on Planning Application WA/68/26/PL — Land North of The Green Way, West Walberton Lane, Walberton (comment deadline 4 September 2026)

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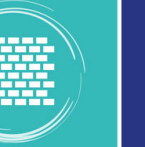
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From: Jonothon Butters [REDACTED]
Sent: 19 August 2026 15:12
To: Planning <Planning@arun.gov.uk>
Subject: Comments on Planning Application WA/68/26/PL — Land North of The Green Way, West Walberton Lane, Walberton (comment deadline 4 September 2026)

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Dear Ms Smith,

Re: WA/68/26/PL — Land North of The Green Way, West Walberton Lane, Walberton, BN18 0QS

I am writing as a resident of the adjoining Daffodil Gardens development (Fairview, Plot 8) to submit comments on the above application ahead of the comment deadline of 4 September 2026. My comments concern the vehicular access relied upon by the application, and a discrepancy I believe warrants clarification before determination.

1. The access route relied upon

The application's drawings (Location Plan 1804/DP01, Proposed Block Plan 1804/DP02, and Proposed Site Plan 1804/DP03, all by Smith Simmons & Partners) identify the means of access as an existing track running from Arundel Road south past Gracelands Farm, alongside the eastern boundary of Plots 2, 4 & 6, Daffodil Gardens.

2. A discrepancy in the width of that access

I have compared these drawings against Elivia Homes Southern's own Site Title Plan for the Daffodil Gardens estate (Drawing No. 54_17_150_B, "Plan 2", dated March 2022, revised 3 May 2024 — **copy attached**, as I understand this may not otherwise be readily available to you). On that plan, the same corridor is shown as two distinct strips — an area marked "Estate landscaped areas subject to right of way," and, immediately alongside it, a separate "300mm Wide Ransom Strip" — both narrowing noticeably as they approach the Arundel Road frontage. The application's own drawings, by contrast, show this corridor at a materially wider, constant width throughout, including at the road junction.

3. A possible explanation — and the question I'd ask the Council to put to the applicant

I have also reviewed the HM Land Registry title register and title plan for The Green Way, Title No. WSX218331 (**copy attached** — publicly obtainable from HM Land Registry). This shows the property was first registered on 22 December 1997 with a larger original extent, and that on 29 June 2000 "a new filed plan... showing an amended extent" was registered — reducing the title to its current, smaller footprint. The land removed at that point appears to correspond to the same corridor now shown as "subject to right of way" on Elivia's site plan.

Taken together, this suggests a plausible explanation: that when this land was sold off (likely as part of assembling the Daffodil Gardens site, around 2000), a right of way may have been reserved back in favour of The Green Way, and it is that historic right the applicant is now relying on for access to the new dwelling.

I want to be clear that I am not asserting this as established fact — I do not have sight of the 2000 transfer or deed itself. But given the documents I do have point fairly consistently in this direction, I believe it raises a legitimate and answerable question, and I would ask the Council to clarify, before determining the application:

- What is the documented legal basis and width of the vehicular right of way the applicant is relying on for access?
- Does that right extend to the fuller width shown in the application drawings, or is it limited to the narrower corridor shown on the estate's own title plan?
- Has the applicant provided evidence of legal entitlement to use the access at the width shown — including in respect of the separate 300mm ransom strip, which by its nature is designed to require the owner's consent?

4. Related matters already on file

For completeness: the Council's own record for this application already describes it as "a departure from the local development plan," and pre-application advice (ref. PAA/55/25, 29 July 2025) flagged TPO trees and surface water drainage as constraints requiring particular care — both of which run through or adjoin this same access corridor.

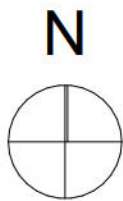
5. Documents attached

- Elivia Homes Southern Ltd, Site Title Plan, Drawing No. 54_17_150_B ("Plan 2"), March 2022 (rev. 3 May 2024)
- HM Land Registry Title Register and Title Plan, Title No. WSX218331 (The Green Way)

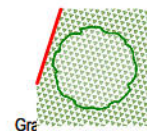
I'd be very happy to provide any further documents or clarification that would help — please do contact me if useful.

Yours sincerely,

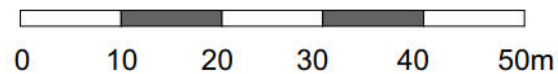
Jonothon Butters
Fairview, 8 Daffodil Gardens, Walberton, Arundel, BN18 0XQ



- Estate landscaped areas subject to right of way
- Estate managed habitat areas
- Section 278 highway works
- Estate roads
- Estate landscaped areas
- Visitors parking
- Area in management company ownership for future transfer to National Highways
- 300mm Wide Ransom strips



Protected tree (TPO)



B 03/05/24 Line weights & colouring adjusted for clarity, Disclaimer removed, 300mm note added to key
A 18/04/24 Updated to include Woodcroft and Midwood

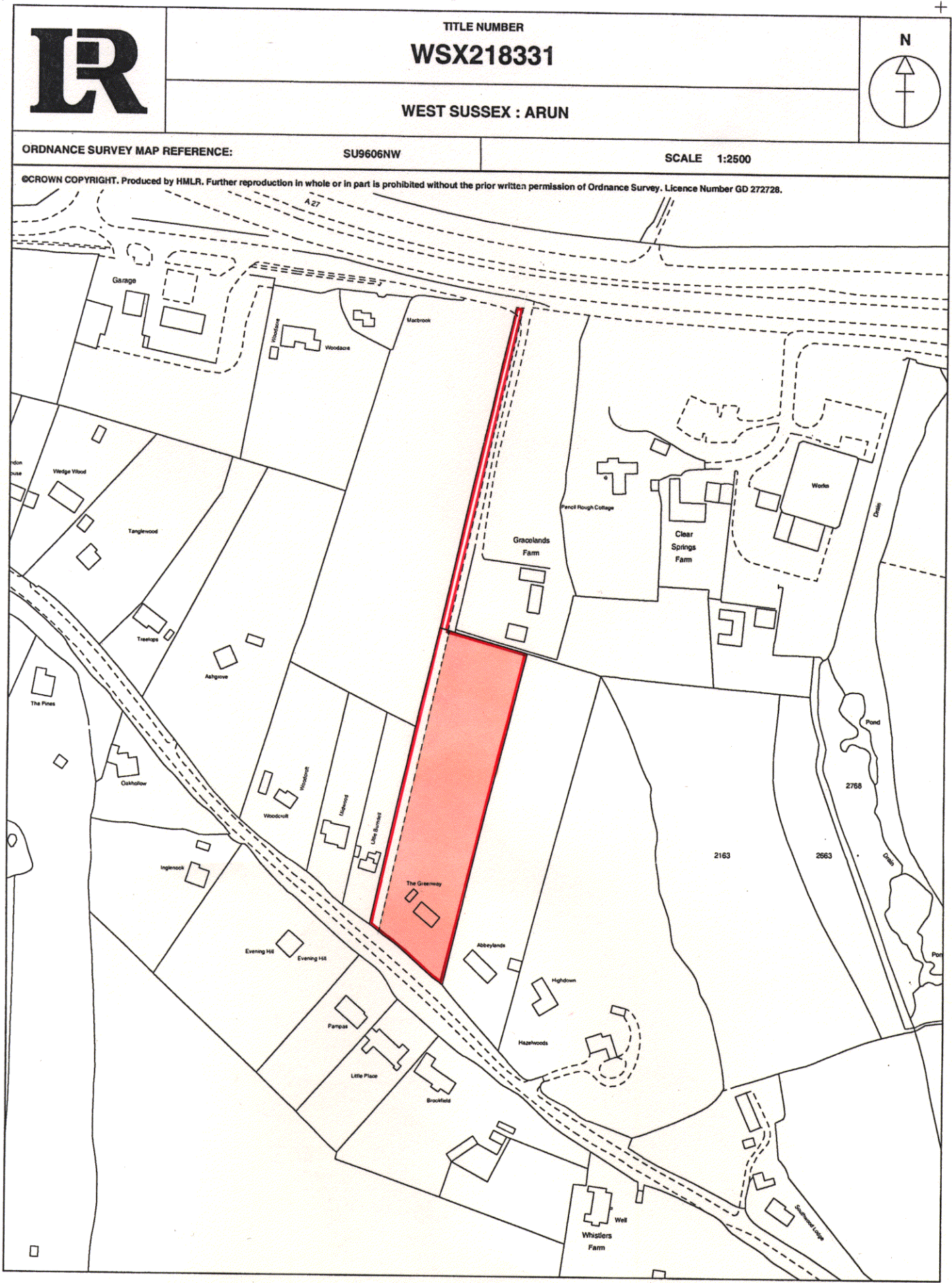


ELIVIA
— H O M E S —

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SITE TITLE PLAN
DEVELOPMENT AT:
DEVELOPMENT AT LAND SOUTH OF
ARUNDEL ROAD, FONTWELL
FOR
ELIVIA HOMES SOUTHERN LIMITED

Scale : 1:750 @ A3 Date : March 2022
Drawing No : 54_17_150_B



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