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Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
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From: Matthew Lake [REDACTED]
Sent: 11 September 2026 16:39
To: Planning <Planning@arun.gov.uk>
Subject: Object to Planning Application WA/68/26/PL – The Greenway, West Walberton Lane

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Dear Sir/Madam,

I write to object to planning application WA/68/26/PL for the construction of a self-build/custom-build single dwelling, garage outbuilding and associated works at The Greenway, West Walberton Lane, Walberton BN18 0QS.

This objection concerns the proposed development access from Arundel Road and is based on the following key concerns.

1. Absence of clear evidence that the applicant owns or controls all land required to implement, use and maintain the proposed access, drainage and tree-protection works

The submitted Planning, Design and Access Statement refers to previous planning permission LA Ref: WA/46/07, which enabled formation of a vehicular access to the rear of The Greenway property and adjacent land, based on a wayleave to be granted by the adjoining landowner.

The current application WA/68/26/PL does not appear to contain any contractual wayleave, easement, licence, transfer deed or adjoining landowner agreement confirming that the applicant has the necessary legal rights to carry out the proposed works across the full access route.

A private right of way, even if one exists, does not necessarily authorise widening, resurfacing, drainage works, construction traffic, works within Root Protection Areas, or long-term maintenance of engineered access works for a separate new dwelling. This is therefore not simply a private land matter; it goes directly to the planning merits and deliverability of the proposed development.

As vehicular access is fundamental to the proposed dwelling, I respectfully request that the Council requires the applicant to provide the following information before determination:

- A plan clearly distinguishing between: the red-line application site; any blue-line land owned or controlled by the applicant; the adopted highway; third-party land; estate/management company land; and any ransom strip or landscaped strip affected by the proposed access works.
- the adopted highway boundary at Arundel Road;
- the precise route and legal width of any right of way relied upon;
- the deed, transfer, easement, wayleave, licence or other legal document granting that right;
- confirmation that the right permits access for a separate new dwelling, construction traffic, surfacing, widening, drainage, no-dig works and long-term maintenance;
- confirmation whether any works affect third-party land, estate land, landscaped areas or any ransom strip; and
- evidence of legal authority or consent from any adjoining landowner or management company whose land is affected by the application.

2. The proposed access requires engineering works and is not simply use of an existing formed driveway

The submitted Planning, Design and Access Statement describes access as being achieved from an existing driveway from Arundel Road. However, this does not accurately reflect the access as described elsewhere in the applicant's own material. The arboricultural report describes the route as a 150m narrow, unsurfaced but heavily compacted single track, rather than a conventional formed driveway.

The current proposal appears to require engineering works to the access route, including widening, surfacing, drainage measures, levels design, RPA protection, no-dig construction and future maintenance. The revised driveway/drainage plan refers to RPA-compliant permeable surfacing and a specialist subbase system across the proposed driveway.

The access route also interacts directly with protected trees, off-site trees and Root Protection Areas. The Council's drainage response continues to object to the application and identifies unresolved driveway issues regarding extreme rainfall, no-dig construction, permeable surfacing and tree-root protection. It also states that existing trees are a constraint to the drainage strategy and that further information is required to demonstrate that the design is feasible.

These matters reinforce the need for the Council to be satisfied that the applicant has sufficient ownership or legal control over all land necessary to implement and maintain the proposed access, drainage and tree-protection strategy.

In the absence of clear documentary evidence confirming the legal basis, route, width, construction rights and long-term maintenance rights for the proposed vehicular access from Arundel Road, the Council cannot safely conclude that the development is legally or practically deliverable.

I therefore respectfully request that this application is refused unless and until that evidence is provided before determination.

Yours sincerely,

Mr Matthew Lake
The Sycamore
1 Daffodil Gardens
Walberton BN18 0XQ