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From: Amber Willard <Amber.Willard@arun.gov.uk>
Sent: 14 September 2026 13:39
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: WA/85/26/DOC – relationship with forthcoming NMA and extant permission

Please upload as rep letter for WA/85/26/DOC

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Our priorities...



From: Residents of Walberton - RoW [REDACTED]
Sent: 14 September 2026 13:36
To: Amber Willard <Amber.Willard@arun.gov.uk>; Cllr. Mel Penycate <Cllr.Mel.Penycate@arun.gov.uk>; Cllr. Sue Wallsgrove <Cllr.Sue.Wallsgrove@arun.gov.uk>
Subject: WA/85/26/DOC – relationship with forthcoming NMA and extant permission

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Dear Officer Willard

Further to my objections on the individual conditions, I wanted to raise one overarching point concerning the basis upon which WA/85/26/DOC is being determined.

I appreciate that there is no general rule preventing an application to discharge conditions from being determined before a subsequent application under section 96A. My concern is therefore not the chronology in itself.

Rather, it is whether each approval issued under WA/85/26/DOC is capable of standing entirely against the **planning permission and Reserved Matters scheme which presently exist**, without depending upon alterations which are only intended to be authorised by the forthcoming NMA.

This distinction seems particularly important in this case because the applicant's own covering letter states that the forthcoming NMA “should be read in conjunction” with the DOC application, while some of the submitted technical information already refers to elements of the proposed amended scheme.

You have previously confirmed that the NMA has not yet been received, may be delayed or may never be submitted, and that if a subsequent NMA alters matters already approved through the DOC it may become necessary for DOC material to be resubmitted so that the documents accord.

Reviewing the authorities concerning the relationship between condition-discharge decisions and subsequent amendments to a planning permission, including cases in which a later section 96A amendment has been required specifically to reconcile an earlier condition approval with the underlying permission.

Against that background, I would be grateful if ADC could confirm, before any further conditions are discharged:

Whether each drawing, calculation, mitigation measure and technical assessment relied upon under WA/85/26/DOC independently satisfies the relevant condition for the development currently authorised by WA/2/22/OUT and WA/52/24/RES, without reliance upon the forthcoming NMA.

Put another way, if the proposed NMA were never submitted or approved, would every detail being approved under WA/85/26/DOC remain capable of implementation in accordance with the extant permission?

I raise this now because Condition 35 demonstrates how quickly individual elements of WA/85/26/DOC may be determined once consultation responses are received. The archaeology consultation was issued on 8th September with observations requested by 22nd September; the archaeology adviser responded on 9th September and Condition 35 was approved on 10th September. I appreciate that the relevant consultee had responded and I do not suggest that the decision was unlawful simply because it was made quickly. My concern is instead to ensure that these wider consistency issues are formally before the Council before any further individual decisions are taken.

There is also now a relevant national policy context. The August 2026 NPPF states in DP4 that design quality should be considered throughout the evolution, assessment and delivery of development; that relevant planning conditions should refer to clear and accurate plans; and that the quality of approved development should not be materially diminished between permission and completion through subsequent changes to approved details.

I am not suggesting that the 2026 NPPF retrospectively alters the permissions already granted. I do, however, consider it relevant to present handling of later condition approvals and proposed amendments.

My purpose in raising this now is to ensure that there is a clear record of the planning baseline against which each condition is being determined, and that no subsequent amendment is required simply to make an earlier DOC decision accord with the permission to which it relates.

I would be grateful if these concerns could be placed on the application portal and taken into account before any further conditions under WA/85/26/DOC are determined.

Kind regards,

Martin Downes