

The Potting Barn
No. 5 Hobbs Court
Bilsham Rd.
Yapton
West Sussex
BN18 0JY

July 23rd. 2026

Planning Application Ref. Y/80/25/S73 for Variations of Conditions to 2,14,15,22, and 23, as imposed under Y52/23/PL etc., for Land West of Bilsham Rd. BN18 0LA.

OBJECTION

CIL and S106 References Submitted for Y/80/25/S73

Disclaimer:

I am unable to give legal advice as not qualified to do so, the enclosed are personal opinions and details, also provided from sources of reference, the applicant and others. Aspects contained as 'Opinions' and 'Objections' are for further query, reference and investigation.

Dear Planning,

1. The CIL Submission 8/6/2026 and With Reference to the Agent Response Comments to Rep Objections they Submitted on 3/6/2026.

a) The initial Objection Rep. regarding this, was because the CIL details had not been submitted initially with the application on 22/12/2025. It is understood that LPAs will usually class the application invalid without. It is questioned why latitude has allegedly been permitted to the developer in this instance.

b) Submitting the CIL Form 1, Additional Information is a mandatory legal requirement. **Allegedly with reference to Regulation 128 of the CIL Regulations 2010.**

c) Many alterations have been submitted for house styles since the initial application on 22/12/2025, which would reflect floorspace calculations. But there appear to have been EOTs since then, to allow time for a final CIL submission, before now. It is understood that financial penalties for lateness can be applied.

d) The CIL Form 1 was also referred to in email correspondence between Paul Carnell agent, and Simon Davis planning officer on 1/6/2026 *approx. 5 months* from the initial application on 22/12/2025. It advised that the CIL for the site would be sent shortly. It was uploaded on 8/6/2026. An Objection was and is that the details were not supplied initially with the application as required.

e) Under **‘Applicant or Agent name’** on the form states: ‘Barratt Redrow Southern Counties’ in identification/involvement. That is allegedly claimed in response by the agent as a ‘generic’ name for ‘Barratt Redrow’, but with neither ‘Ltd.’ or ‘PLC’ are included with it.

f) Under the Companies House Act. 2006 it is allegedly a strict legal requirement for all limited companies and public limited companies to use their exact registered name (Ltd. or PLC) on all business documents. (*Gov.UK*).

fi) The use of Barratt Redrow Southern Counties without (Ltd). is not an isolated slip or typo with the CIL. It also on the Planning Application for Y/80/25/S73.

fii) The implications of knowingly omitting limited company status on a formal CIL document are allegedly to be found under ***Regulation 10 of the CIL Regulations 2010, (Gov. Regulations).***

g) As stated, I cannot give legal advice, but Objections can be raised where matters of a legal nature allegedly need to be reviewed in connection with details put out by an agent/applicant.

h) Any responsibility/ legal liability for CIL or an S106 requires an unambiguous 'legal entity' to sign such documents, which at present is unclear.

hi) 'Barratt Redrow' (not PLC quoted) have indicated that they own the site, but the Barratt Redrow Southern Counties named (not Ltd.) is on both the Application and CIL forms. The signatory at the end of the CIL Form 1 is M. Davey OBH Barratt Redrow (no PLC).

hii) As this is all coupled with the wrong postcode stated as BN18 OLA, it is difficult to be certain what is intended in outcome for the CIL in terms of responsibility as submitted presently.

i) If the CIL form details are deemed inappropriate and require alteration, it is understood that another form: - **CIL Form 2 Assumption of Liability, should be submitted**, to explicitly state the exact legal name and address of the person or organisation taking responsibility for the CIL charge. (*Planning portal details*).

'Ownership certificates' must also be served in the companies' exact legal name where one is involved.

ji) It is understood that the collecting CIL authority may reject the form or be unable to formally transfer liability to the correct corporate liability, if it is not assured by an explicit legal party. If not, the responsibility can automatically default back to the landowner (if able to be confirmed).

jii) Without confirming details made available to all, 'Barratt Redrow PLC' cannot be assumed as owners of the land in question, because there are several parts of Barratt Redrow PLC group, including David Wilson Homes Ltd., as a developer in the area and others.

k) Unless some certainty and transparency is made known, it is considered impossible for the ADC Planning Committee/ADC Planning Department to make reasoned judgement regarding any proposed outcome with this aspect.

2. The S106 for Y/80/25/S73 and with Reference to the Agent

Comment: 3/6/2026 to Earlier Rep Objection.

a) While the agent comment is observed, so also is the comment associated with the planning application for the same site for Y/32/25/PL in Objection, which was Refused by the LPA, because **no signed S106 was stated as being presented.**

b) The agent allegedly indicated in their response that no signature or change was necessary to the existing S106, because the content 'runs with the land'.

bi) It is understood that the ADC planning department are aware of the rules and regulations regarding the *signing* of an S106 obligation, and any proposed changes/requirements to it over and above the views of the agent.

bii) Whilst it is acknowledged that the S106 'runs with the land', A significant change in infrastructure has occurred since the S106 of Y/52/23/PL, as the absence of a Doctor's Surgery. Some form of financial mitigation may need to be added to a CIL or S106 payment obligation because of this.

c) It is observed that no Housing Association or similar is shown as coming to the fore regarding the purchase of any affordable housing for the site.

ci) If they do not, there would be a requirement for a Deed of Variation to the S106, to remove the obligation either all or in part for the affordable housing numbers allocated in the application, (51). A signatory would be required for any change in that way too.

d) Reference to the ADC Three Dragons Affordable Housing Report of March 2025 explains the current local and national substantial difficulties in achieving funding for Affordable Homes numbers in planning applications. Government funding is not understood specifically added to the area.

di) The introduction of the 'Cascade Mechanism' by way of resolution, can agree a reduction in part or total removal of all Affordable Homes numbers in a planning application. In lieu of payment by the developer for local amenities for an area instead. Such action, does nothing to resolve the Affordable Homes shortage figures.

e) To indicate that the earlier S106 would be upheld if there is no housing association or similar in the pipeline to ensure that the 51 Affordable Houses associated with this application are to materialise, is allegedly misleading and disingenuous.

f) **Signature Requirements:** the S106 allegedly requires a formal, handwritten signature by ADC, from the liable person, as also for the CIL. Typed names are not allegedly accepted.

g) It appears from the agent comment that their understanding is that no change in signature is required for the S106, but which

would not appear to cover the present situation, or any potential necessary changes to incorporate anything new in a Deed of Variation which may be needed in association.

h) If all matters in earlier Rep Objections had been addressed in remediation at source by the applicant/agent, they would not have been made in Objection again now.

Thanking you in advance for your kind attention.

Yours sincerely,

Dilys Lownsborough

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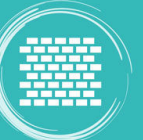
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From: Breezie Allwright <Breezie.Allwright@arun.gov.uk>
Sent: 24 July 2026 15:11
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: Fw: CIL and S106 and other matters in relation for Y/80/25/S73 for Lans West of Bilsham RD. Yapton .Lownsborough

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Please note my working days are Monday, Tuesday, Wednesday and Friday.

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From: Breezie Allwright <Breezie.Allwright@arun.gov.uk> on behalf of Planning <Planning@arun.gov.uk>
Sent: Friday, July 24, 2026 15:03

To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: Fw: CIL and S106 and other matters in relation for Y/80/25/S73 for Lans West of Bilsham RD. Yapton .Lownsborough

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From: [REDACTED]
Sent: 23 July 2026 20:35
To: Planning <Planning@arun.gov.uk>
Subject: CIL and S106 and other matters in relation for Y/80/25/S73 for Lans West of Bilsham RD. Yapton .Lownsborough

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Please see as attachment for CUL and other matters in objection.

Kind Regards

Dilys Lownsborough