

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

July 21st. 2026

**Subject: URGENT, impending EoT expiry and
Material/Procedural Defects-Planning Application
Y/80/25/S73 for 170 houses for Land West of Bilsham Rd.
Yapton, West Sussex. BN18 0LA.**

(Also cc to Case Officer Simon Davis).

Dear Neil Crowther, (Group Head of Planning and Building
Control).

**REF: Section 73 Application Y/80/25/S73-170 dwellings for
Land West of Bilsham Rd. Yapton, West Sussex BN18 0LA.**

I am writing to you as a formal Objector to the above referenced
Section 73 Application. The current agreed Extension of Time (EoT)
is due to expire on **July 24th 2026.**

As follows, EoTs details and in connection: -

6/3/2026-Details from the Agent to Simon Davis, outlining
proposed timelines for details to be forwarded to the LPA in
March and April 2026.

12/3/2026- Response from Simon Davis to the Agent indicating
disappointment at proposed timelines as after the expiry date of
the application and will confer with colleagues.

18/3/2026- EoT given until May 18th 2026.

23/4/2026- Email from Simon Davis to the Agent asking for an
update, stating: - *'As you are aware there is an extension in place*

until May18th, which we will not extend, and if so, no amendments have been received by then we will refuse the application.

It is noted that not all the details were supplied by May18th 2026.

27/4/2026- Agent to Simon Davis to advise that their design team will be sending details which will be passed on shortly.

29/4/2026-Simon Davis agrees another extension until May 22nd and a further extension until July 24th.Also stating: - *‘Even with this agreed extension we would still reserve the right to refuse if we do not receive the pack by 22nd May 2026.*

It is noted that many additions were made thereafter on 8/6/2026,15/6/2026, and 8/7/2026.

10/7/2026- Agent to Simon Davis indicated that all was now delivered. It is observed that this timing is well beyond May 22nd 2026.Irrespective of the further extension to July 24th 2026, it is approximately 7 months since the application submission on 22/12/2025.Drainage problems have been unable to be resolved to satisfaction since 2021.

The Arun Drainage Engineers submitted their report Objecting to the much-altered details for the site over time on 15/7/2026.

They also objected to offerings on the same site for Y/32/23/PL which was *Refused* in February 2026.It is apparent that the Sustainable Drainage details submitted by the applicant will not work, because of the high -water table of approx. 0.23m.blg.

Following the many aspects of EoTs and additional documents submitted after May 22nd 2026, I am writing to formally request

that the Local Planning Authority (LPA) now move to determine the application under Delegated Powers.

Granting any further Extension of Time, would allegedly be inappropriate, given that the application allegedly now faces insurmountable technical flaws and fatal procedural defects.

I draw your attention to 2 critical issues that prevent this application from allegedly being lawfully approved.

1.Fatal Technical Objection: - Irredeemable Drainage Failure.

The Local Authority Drainage Engineers issued a definitive Objection on 15/7/2026. Their technical assessment established that the site features an exceptionally high-water table (of approx.0.23m.blg). Odyssey and Pegasus reviews submitted by the applicant, concur similarly over time.

This makes the Sustainable Drainage Systems (SuDS) non-viable as they fail to achieve the mandatory 1m. clearance.

As a Section73 application, any attempt to resolve these issues would require a top-down redesign of the site layout, topography, and house numbers.

Such substantial alterations cannot allegedly lawfully be handled via an S73 mechanism in its current form as allegedly technically unworkable. The application is also now allegedly beyond the 26-week timeline for a determination.

2.Procedural and Alleged Legal Deficit. Misleading Description and Address Trap.

As previously flagged up to the Case Officer in objection, the original application (and subsequent S73 application its *yellow notices and on the planning portal) features an incorrect

postcode with the address description pointing to a location as Grevatts Lane West, approx. 1/3 mile away from the actual site and to the East of Bilsham Rd, * If the yellow notices did not have a postcode addition, that is allegedly considered a legal flaw in requirement.

The red boundary line in the Location Plan does not excuse this incorrect detail.

The LPA are also allegedly in a un-severable legal position regarding the *Finney v Welsh ministers* principle.

*The LPA cannot amend the address within the S73 application, as doing so would alter the operative description of the development, violating *Finney*.

*The LPA cannot approve the application with the wrong address, as doing so allegedly constitutes a defective public consultation. Leaving any decision immediately vulnerable to Judicial Review.

3. Conclusion

The Agent has been afforded several EoTs and opportunities to submit more details to try to rescue a fundamentally flawed scheme inherited from a previous developer. They have now apparently hit a brick wall.

Further delaying a decision by any further EoTs allegedly serves no planning purpose. The application is alleged legally conflicted under *Finney* and physically impossible under statutory SuDS policy.

I trust the LPA will act robustly to protect the integrity of the planning process and I respectfully suggest that they issue a Formal Refusal of Planning Permission on or before the July 24th 2026 deadline.

I request that this correspondence is urgently brought to the attention of the Head of Planning and logged on the Planning Portal. Thank You.

Yours sincerely,

Dilys Lownsborough

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DISTRICT COUNCIL

From: Breezie Allwright <Breezie.Allwright@arun.gov.uk> **On Behalf Of** Planning
Sent: 22 July 2026 13:50
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: Fw: Urgent- impending EOT expiry Lownsborough

T: 01903737889

E: Breezie.allwright@Arun.gov.uk

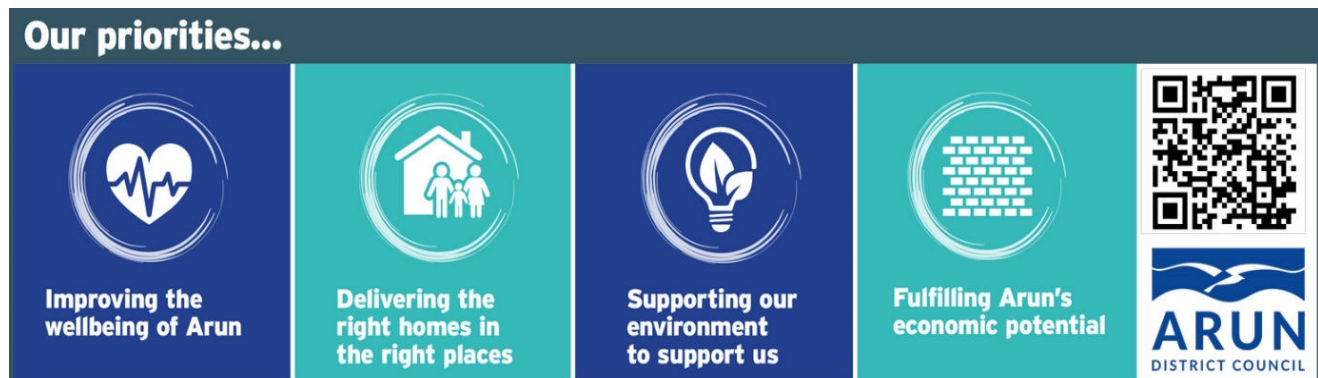
Please note my working days are Monday, Tuesday, Wednesday and Friday.

Arun District Council, Civic Centre, Maltravers Rd

Littlehampton, West Sussex, BN17 5LF

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From: Simon Davis <Simon.Davis@arun.gov.uk>

Sent: 22 July 2026 09:53

To: Planning <Planning@arun.gov.uk>

Subject: FW: Urgent- impending EOT expiry Lownsborough

This should be added as an objection to Y/80/25/S73

Kind Regards

Simon

Simon Davis MRTPI

Principal Planning Officer, Directorate of Growth

T: 01903 737874

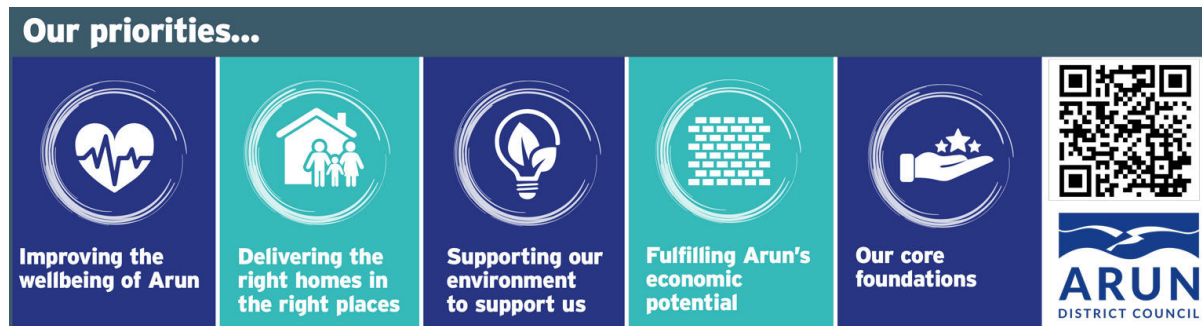
E: simon.davis@arun.gov.uk

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Sent: 22 July 2026 09:47

To: Planning <Planning@arun.gov.uk>

Cc: Simon Davis <Simon.Davis@arun.gov.uk>

Subject: Urgent- impending EOT expiry Lownsborough

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Dear Planning and in association,

Please find enclosed as attachment ref. impending EoT for the Barratt Redrow application for Y/80/25/S73 and outcomes pursuant.

Kind Regards

Dilys Lownsborough