

## Appeal 6014230

Submitted on 6 August 2026.

### Before you start

|                          |                       |
|--------------------------|-----------------------|
| Local planning authority | Adur District Council |
| Appeal type              | Full planning         |
| Decision date            | 22 July 2026          |

### Prepare appeal

|                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Was the application made in your name?              | No, I'm acting on behalf of the applicant                                                                                                                                                                                                                                                                                                                                                                                                   |
| What is the applicant's name?                       | Sarah Marshall                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Contact details                                     | Diane Aldridge<br>DJA Planning                                                                                                                                                                                                                                                                                                                                                                                                              |
| What is your phone number?                          | +447988723077                                                                                                                                                                                                                                                                                                                                                                                                                               |
| What is the address of the appeal site?             | Gardeners Arms<br>West Street<br>Sompting<br>West Sussex<br>BN15 0AR                                                                                                                                                                                                                                                                                                                                                                        |
| What is the area of the appeal site?                | 983 m <sup>2</sup>                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Is the appeal site in a green belt?                 | No                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Do you own all of the land involved in the appeal?  | Yes                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Is the appeal site part of an agricultural holding? | No                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Access for inspection                               | Yes<br>The majority of the pub can be viewed from the public highway. If the Inspector wishes to view the rear of the property, and it's associated land, they will need to enter the site. This can be achieved by walking onto the car park next to the pub. Whilst this isn't public land, it is accessible on foot and the Inspector is free to enter the land with the agreement of the appellant. If the Inspector wishes to view the |

interior of the building then access will need to be arranged.

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|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Are there any health and safety issues on the appeal site?</b>                  | Yes<br>Internally within the pub there are areas where floorboards are missing and where the ceilings have collapsed, but these areas can be avoided on a visit, whilst still being able to appreciate the internal space.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>What is the application reference number?</b>                                   | AWDM/0423/26                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Was your application for a major or minor development?</b>                      | Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Was your application about any of the following?</b>                            | Change of use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Enter the description of development that you submitted in your application</b> | <p>Change of Use from Public House with flat over into full Residential Dwelling including relevant internal and external changes</p> <p>Note: This description was changed by the LPA without agreement of the agent. The original description on the planning application form (and initial validation letter) was:</p> <p>Change of use from Public House with flat over to residential dwelling including relevant internal and external changes, parking and landscaping.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Did the local planning authority change the description of development?</b>     | Yes, I agreed a new description with the local planning authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Why are you appealing?</b>                                                      | <p>The pub is valued by the community - on paper. The business declined and closed due to lack of customers and increasing commercial challenges in the sector. The community did not try to buy or lease the pub during three years on the market. The recent ACV failed, accepting clear evidence the pub is unviable. This has not been given enough weight in the planning balance.</p> <p>It's unreasonable to expect an owner will accept bids if they are not found to be commensurate with the reasonable value of the building. No bids were financially viable.</p> <p>Expert assessment concludes the pub is financially unviable - no independent report has challenged this conclusion.</p> <p>A considerable customer base is required to make and sustain viability. The building was partly gutted prior to sale and is in a state of disrepair. It requires significant investment to reopen - well ahead of any potential income</p> |

being realised.

NPPF and Local Plan Policy criteria for loss of community facilities have been fully met.

NPPF 11(d) applies, even for 1 house, when there is no 5-year housing land supply.

The less than substantial harm alleged should be weighed against the public benefits including securing the buildings optimum viable use. Converting the building to residential would help renovate and maintain it, benefiting the Conservation Area in compliance with Policy. Other local, accessible facilities are in place to meet the community's social and functional needs.

The conversion is supported by the Parish Council and The ADCAG.

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**Have there been any significant changes that would affect the application?**

Other  
Omission of Material Consideration from the Planning Register: Asset of Community Value (ACV) Status

The Inspector's attention is respectfully drawn to a significant administrative omission by the Local Planning Authority (LPA). On 7th July 2026 an email was sent by DJA Planning (the appellants agent) to the case officer, Peter Barnett in response to his email of the same date raising queries about the submitted drawings. In clarifying the position with the drawings, the email response from DJA Planning clearly set out the position with regard to the status of the ACV submitted by the Community Group "Save the Gardeners Arms". The email attached the letter received by the appellant from Adur District Council dated 22nd June 2026 confirming the decision that the ACV was "unsuccessful". The same email also enclosed the submission made to the ACV by the appellant by letter and with photographs dated 1st June 2026. This information was formally submitted to the LPA and referred to by the appellants agent as part of the planning application process. A copy of the email correspondence from 7th July, 9th July and subsequent follow up email of 15th July and the attachments referred to above are attached to this appeal as Appendix 1.

Despite being submitted during the determination period, the LPA failed to publish this information on the public planning register. Consequently, the public record for application reference AWDM/0423/26 is incomplete. The

appellant includes this documentation with the appeal package strictly to ensure the Inspector has access to the full, authentic application history. As this information was in the LPA's possession prior to their decision, it does not constitute "new evidence" under the terms of the Planning Inspectorate's procedural rules. The ACV status of the site is a highly material planning consideration. The decision not to list the pub as an ACV was taken on the basis of the Viability Report, submitted in support of the planning application, and the details provided by the appellant in their letter of 1st June 2026 regarding the dilapidated condition of the pub. This information was similarly provided to the case officer during the assessment of the application. By omitting this information from the register, the LPA failed in the officer's report to properly weigh the status of the pub as not appropriate to be an ACV, due to unviability, against the benefits of the proposed development in providing a viable use for a dilapidated building in a Conservation Area which would also contribute to the Council's lack of a 5-year housing land supply.

The appellant requests that the Inspector reviews the attached ACV documentation comprising the email correspondence from 7th July, 9th July and 15th July between the appellants agent, Diane Aldridge, and the case officer, Peter Barnett, together with the attachments to that email which comprise the letter from the appellant of 1st June 2026 and the Council's letter to the appellants dated 22nd June which sets out the details of the decision NOT to identify the Gardeners Arms as an ACV and gives it full weight when determining this appeal.

All of this information has been put together in a document titled "Appendix 1 - Omission of Material Consideration from the Planning Register " which we will try and upload via this appeal form, otherwise it will be forwarded once the appeal has been submitted. A Costs application is also being submitted regarding the omission and very limited assessment of this information.

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**How would you prefer us to decide your appeal?**

Written representations

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**Are there other appeals linked to your development?**

No

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# Upload documents

**Application form**

[Appendix 1 Omission of Material Consideration from Planning Register.pdf \(/document/c5924704-374a-40c7-a3cf-1e8d2d1551c6\)](#)  
[ApplicationForm April 2026.pdf \(/document/3ef85e85-e09a-4334-9893-e9cc9da47488\)](#)

**Did you submit an environmental statement with the application?**

No

**Agreement to change the description of development**

[Document explaining change of Description.pdf \(/document/689b11b1-f6c4-4ea6-a183-3734b187b880\)](#)

**Decision letter**

[Decision Notice Refusal.pdf \(/document/882899e0-26a8-4787-acc5-1175264ffe15\)](#)

**Do you have a planning obligation to support your appeal?**

No

**Did you submit a separate ownership certificate and agricultural land declaration with your application?**

No

**Do you want to apply for an award of appeal costs?**

Yes

**Application for an award of appeal costs**

[Application for an Award of Costs Form and Statement August 2026.pdf \(/document/4e609e96-8644-4fcd-b577-f588c43e402c\)](#)