

From: Simon Davis
Sent: 28 January 2020 10:16
To: Richard Hollands [REDACTED]
Subject: RE: School Shop at aldingbourne - AL/85/19/PL

Dear Richard,

Thank you for this information which I may well refer to in my Committee Report. I do not think however that this resolves the Parish Council objection as they do not make any reference to a shop or to class A1 in their comments.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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From: Richard Hollands [REDACTED]
Sent: 27 January 2020 17:10
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: School Shop at aldingbourne - AL/85/19/PL

Good afternoon Simon

Have studied your email response regarding the above application and would comment as follows as there have been queries raised in other areas regarding these school shops.

Campus & Co have confirmed that we have a legal opinion in which it is confirmed that retail premises for the sale of goods to parents and friends of the school falls outside the scope of Class A1, Shops, which is qualified by *where the sale, display or service is to visiting members of the public*.

The Thurrock/Costco case confirms the position. However, unlike Costco our school shops are not wholesale warehouses.

It is for this reason that we have been advised that the proposal is a sui generis use.

Advise to other Councils is also that only those parents and friends of the school holding a vend account are eligible to use the account.

For your information a copy of the Thurrock case has been attached

If the application falls outside of retail and indeed I did note in this application and also in the Design & Method statement that its class was sui generis.

Perhaps another area of note is that it is a retrospective application for a shop that has been there for some time – it shows on the development plan application that I did for the Aldingbourne Nurseries and also on the Ordinance Survey map 1:1250 used for that same application.

Would the different applicable Class have a consequence on the local parish objection eg their objection not applicable?

Await your further comments

Many thanks and kind regards

Richard

Grove Design UK