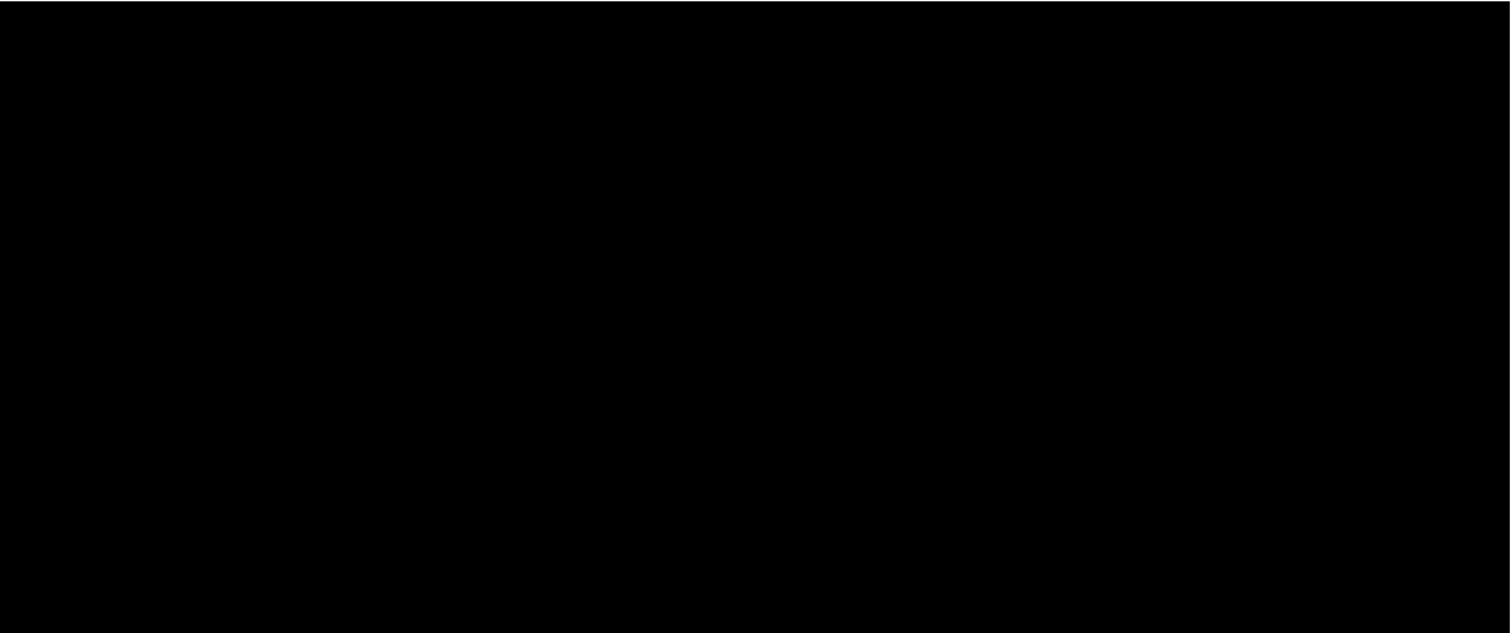




From: Chris Lawrence [REDACTED]
Sent: 18 November 2014 17:27
To: Anita Gardner
Subject: Re: A/142/14/PL - Old Barn Nursery, Dappers Lane, Angmering

Dear Mrs Gardner

The emerging Local Plan does not reflect the NPPF and objections have been raised to its policies relating to economic development and in particular economic development in the countryside. Hence little weight can be given to the emerging local plan at this stage. The adopted local plan similarly conflicts with Para 28 of the NPPF and is out of date.

Hence any application should be determined on the basis of a presumption in favour of sustainable development.

Paragraph 28 of the NPPF states that positive approach should be taken to sustainable development in rural area to promote a strong rural economy. With this in mind local plans should:

" support sustainable growth and expansion of ALL types of business and enterprise in rural areas, both through conversion and well designed new buildings.

This paragraph has now been tested for the first time in the High Court "Sienkiewicz v South Somerset DC (2013). In this case it was stated that the Framework would in principle support the grant of planning permission for even a large scale expansion of a business in a rural area.

Paragraph 28 of the NPPF does not restrict new development in terms of size, type, or occupant. Economic development can relate to existing or potential new businesses of any type.

At the same time there are no policies in the NPPF which require an applicant to demonstrate that an agricultural greenhouse is not viable. This is particularly pertinent as my client is seeking to retain the site in commercial use. Irrespective of this, the greenhouse is very small for a business and there is no land for outdoor crops. It has been redundant for some years and would require considerable investment were it to be used again. Even without a viability report it is clear to see that it is not a viable option. If it was viable the former nursery would not have closed, but would have adapted.

The site is within easy walking and cycling distance of the built up area of Angmering and is close to bus routes and Angmering by-pass. It is also almost alongside an area of "OPEN" countryside that is allocated for a business park in the emerging Local Plan.

The site is totally enclosed and bordered to the south by commercial development and the west by housing and various commercial developments. From the open countryside the east (which is to be an industrial estate) the site is seen within the context and against a backcloth of various urban forms of development.

The proposed buildings are designed to reflect the existing approved commercial buildings to the south and as indicated before could be timber clad if preferred.

The proposal will make appropriate use of an existing redundant site that is located in a very mixed residential and commercial area.

Overall, the proposal will comply closely with the social, economic and environmental roles of sustainable development and the benefits of the scheme would not be significantly and demonstrably outweighed by any adverse impacts.

It is for these reasons that I consider the scheme complies with current planning policy and should be approved.

If you require any further information please do not hesitate to contact me.

Regards

Liz Lawrence

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I would also point out that the application was submitted at the request of your officers who raised no objections to the commercial redevelopment of the site.

The judge concludedThe first High Court case the etesall y nucon

On Tuesday, 18 November 2014, 16:20, Anita Gardner <Anita.Gardner@arun.gov.uk> wrote:

Dear Ms Lawrence,

I have been considering the above application in relation to the policy requirements of HOR DM1 of the Emerging Local Plan. Please can you advise how in your view the proposal meets the requirements identified under part 3. How long have the glasshouses been empty? Do you have evidence to demonstrate their redundancy? Is the land to be used for the direct diversification of horticulture? Will the units be used as a countryside-based activity to support the rural economy? Without prejudice I would appreciate your response by the end of this week. If that is unlikely to be possible please advise and I will request an extension of time to allow time for your reply and my consideration.

Regards

Anita Gardner

[Anita Gardner](#) | Principal Planner, Planning Department, [Arun District Council](#) | Location: First Floor, Arun Civic Centre, Maltravers Road , Littlehampton , BN17 5LF



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