



TOWN AND
COUNTRY
PLANNING
DEVELOPMENT
CONSULTANTS

11th November 2013

Our Ref: SWLC.LPC.8

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Dear Sir/Madam

Town and Country Planning Act 1990
Re: Marigolds Caravan Park, Shripney

As your records will show the above site was effectively confirmed as a residential caravan park at appeal in 1996 (LPA ref: BE/14/96/CLP and BE/74/95/CLP). In all instances, and by reference to the original permanent grant of permission (LPA Ref BE/79/77), which followed a series of temporary permissions going back to 1951, the entire caravan park site identified has included the property now known as Marigold Cottage. Indeed the early plans for the site show this property labelled as Warden's Bungalow, reinforcing its status as an integral part of the overall planning unit. In that regard I have enclosed a copy of the plan considered in respect of application reference BE/7/50K and later regarding BE/7/50L.

Accordingly, the extent of the lawful residential caravan park clearly includes the property now known as Marigold Cottage. It is the purpose of this Certificate of Lawfulness application to therefore confirm that the demolition of the house would not represent development which would in any way curtail the site's ongoing use as part of the overall caravan park. The application is therefore made pursuant to Section 192 of the Town and Country Planning Act 1990, and effectively seeks to confirm the proposed use of all the land previously established within the extent of the lawful caravan park, for such on-going established use.

The application details enclosed therefore simply show the full extent of the caravan park previously established, and for ease of reference the property in question is identified too, which it is proposed to demolish allowing the site to be redeveloped as part of the caravan park, for which planning permission is not required. I am of course mindful of the requirements of condition No 6 to application BE/79/77 and if any works to redevelop this part of the site trigger the need for prior approval that process will of course be pursued and is therefore implicit to the lawful development in question.

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In light of the historic and established land use, together with the overall site's single ownership, the removal of Marigold Cottage is no different to the potential demolition of the communal toilet block, as part of the caravan park's natural evolution and management.

Part 31 Class A of the Town and Country (General Permitted Development) Order 1995 (as amended) describes any building operation consisting of the demolition of a building as permitted development. It is of course noted though that before such demolition can begin the applicant must apply to the local planning authority for a determination as to whether the prior approval of the activity will be required for the method of demolition and any proposed restoration of the site.

The purpose of these controls is to give local planning authorities the opportunity to regulate the details of demolition in order to minimise the impact of the activity on local amenity. Marigold Cottage is a detached property and its removal will of course not trigger a new chapter of use as the property is already part of the long established caravan park. It follows therefore that the proposed demolition will not be resisted by the prior notification procedure and the ultimately proposed continued use of the land in its entirety as a residential caravan park, which is the question at the heart of this application, will continue to be lawful. Again though the required prior approval is an implicit element of the application and the approved description of development can of course be descriptively caveated to confirm that all such matters are assumed to have been satisfied, and that cleared site's continued use as part of the established caravan park is therefore lawful on such basis.

It is of course a well established matter of planning law that a caravan park is still a caravan park whether 3 or 300 caravans are accommodated¹. In this case condition No 1 to application BE/79/77 restricts the maximum number of caravans on site to no more than 60, and therefore does limit any significant intensification, again confirming no material change of use will result by the removal of the bungalow.

There will be no change of use or physical development outwith the scope of my client's permitted development rights to achieve the site's ongoing use following the removal of the original warden's bungalow. Accordingly, as the question raised is a simply one, and in light of the site's established use, over many years, including the presence of Marigold Cottage, its removal does not change the defined limits of the caravan park. I hope you can confirm therefore that the proposed use of the entire site will remain unchanged following the property's demolition.

¹ See Encyclopedia of Planning Law and Practice P55.52

Together with the duly completed Certificate of Lawfulness (proposed) form and application fee cheque, in the sum of £192.50 (being half the planning fee for the use of land), I have already said too that the application simply includes a plan identifying the full extent of the caravan park previously confirmed and identifies the property to be demolished. In addition to the above commentary though if you require any additional information to assist your favourable determination please do not hesitate to contact me.

Yours faithfully



Simon Chambers
Director

Enc: