

- 12/11/73.



Department of the Environment

Room Caxton House Tothill Street London SW1H 9LZ

16 JAN 1974

Pass to

Messrs Wannop and Falconer
Solicitors
19 Beach Road
LITTLEHAMPTON
Sussex
BN17 5JA

Your reference

FRE/JEN/3153

Our reference

APP/1521/W/74/3173

Date

13 JAN 1974

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36
APPEAL BY MR P PERELLA
APPLICATION NO LU/484/73

1. I am directed by the Secretary of State for the Environment to refer to your client's appeal against the decision of the former Littlehampton Urban District Council, acting on behalf of the former West Sussex County Council, to refuse planning permission for the erection of an agricultural dwelling at Southdown Nurseries, Old Mead Road, Lyminster, Littlehampton.

2. The written representations made in support of the appeal and those of the council have been considered. An officer of the Department has visited the site.

3. The appeal site comprises about 0.6 acres of land, which once formed part of larger nursery to the east, and lies at the end of an unmade cul-de-sac extending some 400 yds westwards from the A284 main road, approximately 1½ miles north of centre of Littlehampton and about 3 mile south of Lyminster village. Most of the southern half of the site is occupied by glasshouses, but the northern half is unoccupied. The surrounding land is generally flat and low-lying and to the north, west and east is primarily in agricultural use. The nursery to the east contains a bungalow as well as glasshouses, and to the south-east are other horticultural premises ("Molica Nurseries") including extensive areas of glasshouses and 3 dwellings. Some 350 yds east of the site are 5 dwellings on the north side of the cul-de-sac, and there are other houses further east along the A284. About 200 yds north-east of the site is Thornlea Caravan Park housing residential caravans.

4. The site, being well away from the main built-up parts of Littlehampton, is an area for which the local planning authority's policy - rightly, it is considered - has been to prevent further development except where a pressing need for agricultural or forestry purposes is proved. They were not satisfied that they would be justified in making such an exception in the present case, and they contend that the need for a new dwelling would not have arisen if your client had not sold off the major part of the original nursery, together with the associated dwelling, a few years ago. However, he has given an explanation for this sale which there is no reason to doubt, and it would seem that the dwelling is being used in connection with the nursery in which it stands. Your client would now like to build further glasshouses on the site to make the most of his land but finds himself greatly handicapped in the management of those he already has by being unable to live on or near the holding. It is a fact that there is scope for substantial extra glasshouse accommodation on the land, the provision of which should make it into a viable and compact horticultural unit. Inspection of the site has shown no signs there or in nearby properties of any fire or serious risk of flooding, despite the classification of the area in the Town

also thought that the access proposed would be adequate for a small dwelling. The interests of efficient running of the holding, therefore, and since a small building on it would hardly be noticeable amidst the numerous glass houses and sitting dwellings hereabouts, it is concluded that the proposal should be approved in principle.

All other arguments advanced in the written representations have been taken into account but they are not thought to affect the conclusions reached above.

The Secretary of State therefore allows the appeal and he hereby grants planning permission for the erection of an agricultural dwelling at Southdown Nurseries, Head Road, Lyminster, Littlehampton in accordance with application No LU/484/73 the plans submitted therewith subject to the following conditions:-

1. a. Approval of the details of the siting, design and external appearance of the building, the means of access thereto, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority;
- b. application for approval of the reserved matters shall be made to the local planning authority not later than 31 January 1978.
2. The development hereby permitted shall be begun on or before whichever is the later of the following dates:-
 - i. 31 January 1980; or
 - ii. the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

3. The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in section 290(1) of the Town and Country Planning Act 1971 or in forestry (including any dependants of such person residing with him) or a widow or widower of such a person.

Attention is drawn to the fact that an applicant for approval of the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

This letter does not convey any approval or consent which may be required under enactment, byelaw, order or regulation other than Section 23 of the Town and Country Planning Act 1971.

Gentlemen
Obedient Servant

WITNESSED
Signed by the Secretary
in that behalf

ARUN
DISTRICT COUNCIL
DISTRICT PLANNING OFFICE