

[REDACTED]

From: Daun Johnson
Sent: 13 November 2019 12:08
To: Planning Scanning
Subject: FW: Broomer Farm Trading Ltd - LU/326/19/CLE (CMS 7585)

[REDACTED]

Daun Johnson | Technical Support Unit Assistant, Directorate of Place, Arun District Council | Location: GroundFloor, Phoenix House,
Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

[REDACTED]

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From: Andrew Wood [REDACTED]
Sent: 13 November 2019 10:13
To: Planning.Responses [REDACTED]
Subject: FW: Broomer Farm Trading Ltd - LU/326/19/CLE (CMS 7585)

[REDACTED]

Andrew Wood MRTPI | Senior Planning Officer, Planning Department, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

[REDACTED]

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From: Caroline Perry [REDACTED]
Sent: 13 November 2019 08:58
To: Andrew Wood [REDACTED]
Subject: Broomer Farm Trading Ltd - LU/326/19/CLE (CMS 7585)

Dear Andrew,

Thank you for your instructions on this matter. This is an application for a Certificate of Lawful Use for the siting of storage containers.

I now understand that Legal are only to be instructed in these types of applications where there is a specific legal issue to be determined which does not appear to be the case here.

However, I would remind you that it is for the Applicant to provide sufficient evidence to support an application and that a LPA is entitled to cavass evidence prior to a determination if it so wishes. If a LPA obtains evidence, this needs to be shared with the applicant who needs to have the opportunity to comment on it and possibly produce counter-evidence. In the case of an application for existing use, as in this case, if a LPA has no evidence itself, nor any from others to contradict or otherwise make the applicant's version of events less than probable there is no good reason to

refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a corticate on the balance of probability (Paragraph 006 PPG).

You currently have a Planning Statement from Bedford & Upton dated 25 October 2019 incorporating:

- Appendix A – Plan showing details of the land to which the application relates
- Appendix B – Aerial photographs from Google Earth taken in 2007, 2010 and 2018 to which the application land relates
- Appendix C – Enlarged copy of the 2018 aerial photograph showing the layout of the containers in the compound
- Appendix D – Photographs of the containers
- Appendix E – Statutory declaration of David Finnermore dated 26 September 2019

If the above does not satisfy you, you may refuse the application or canvass additional evidence to show how this Site has been used. You may also find it useful to review other planning permissions for this site.

I do not consider that there is any other legal advice that I can give at this time, but if you do have any further queries please contact me.

Kind regards,

Caroline

Caroline Perry | Principal Lawyer, Legal Services Department, [Arun District Council](#) | Location: First Floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF
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