



Lyminster & Crossbush Parish Council
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Your Ref: OWPC18548
Our Ref: LY/9/18/PL
Please ask for:
Mr A Wood

31st May 2018

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application for Continuance of use without compliance with condition 2-occupation imposed under LY/16/02/, condition 3-occupation imposed under LY/3/04/ & condition 3-occupation imposed under LY/25/04/ (resubmission following LY/20/17/PL).

Arundel Vineyard Church Lane Lyminster

Thank you for your internet comments made on 31st May 2018 which has been recorded as 'an objection' with the comments as follows:

As Chair of Lyminster and Crossbush Parish Council and on behalf of the council, I wish to lodge an objection to both of these planning applications for reasons that apply to both. I believe that there are significant strategic reasons why the applications ought to be rejected and I have received representations from several residents of the Parish to this end.

At the last Parish Council meeting a vote was made of 5 against the applications with 2 abstentions (for reasons of conflicting interest as adjacent property owners).

The house and land covered by these applications sits within a Strategic Gap between Settlements, adjacent to the Lyminster Conservation area, and adjacent to a Biodiversity Opportunity Area. Its designation as agricultural land is, in all likelihood, the reason why it was not included within the Conservation Area when it was designated in 1998.

The Parish Council believes that it is vital to protect the designation of the Strategic Gap between settlements that makes up a large part of the Parish, and we would be extremely concerned if the District Council were to endanger the character of the Parish and the long and distant views to Arundel Castle by allowing seemingly small transgressions at the edges of the designated areas.

The house replaced an existing residential property which was designated for agricultural use and consequently the Council imposed conditions upon the demolition and rebuilding of the property when consent was granted in 2002.

This condition, requiring that the house only be occupied by a resident solely or mainly employed in agriculture, was imposed because "the site lies in a rural area and Strategic Gap where development not needed for the essential needs of agriculture or forestry would not be permitted." There has been no subsequent change to the relevant planning policies or to the nature and character of the land which alters this reasoning. We note that the Local Plan submitted and awaiting approval retains the area pertaining to the planning applications as Agricultural Use.

It is also understood from a previous owner that Covenants are in existence on the land which specify that it must remain agricultural, though I have not had sight of these Covenants.

The applicant's submission that they have not adhered to planning designations and conditions, imposed when they developed the land, must not be considered to have altered the character or legal designation of the land. That the District Council has not chosen to enforce its conditions laid out in consent LY/16/02 also cannot be used to negate the reasoning behind the condition which was rightly imposed.
It is noted that the applications present an economic argument that use of the land and building are untenable. It is not the role of the planning authority to address the economic misfortune or miscalculation of the applicant through granting either permission which would be contrary to the Local Plan.

Your views will be considered before the application is determined and I shall write to inform you of any decision made.

Please be aware that if the application is to be determined by the Council's Development Control committee and your letter has been received at a late stage after the Agenda has been published you will not receive a separate letter notifying you of the date of the meeting and procedures for public speaking. In such circumstances it is recommended that you track the progress of the application on the Council's website or telephone the Council for further information. Please be advised that any comments you make that are not included within the Committee Agenda will be reported to the Members of the Development Control committee. Please also be aware that only a small number of all planning applications received go the Development Control Committee. Most are determined under delegated powers by Officers in which case your comments will again be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish details of your comments on the internet on the Arun District Council Planning section. Please ensure that you only provide information that you are happy will be made available in this way. If you supply information belonging to a third party, please ensure you have their permission to do so. If you do not wish your comments to appear on the 'open file' please confirm this in writing and I will arrange for it to be destroyed although this means that its contents will then be disregarded.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully



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Neil Crowther
Group Head of Planning