

[REDACTED]

From: Simon Davis
Sent: 21 May 2019 10:00
To: Planning Scanning
Subject: FW: P/38/19/PL - Newlands Nursery - Year Round Retention of Seasonal Agricultural Workers Caravans

[REDACTED]

From: Simon Davis
Sent: 20 May 2019 15:42
To: [REDACTED]
Subject: P/38/19/PL - Newlands Nursery - Year Round Retention of Seasonal Agricultural Workers Caravans

Dear Sir/Madam,

I have today been reviewing your planning application and also fielding several calls from local residents on the matter. This has led me to consider the permitted development aspect of the proposal. In this regard, I would draw your attention to the High Court decision "Hall Hunter Partnership v the Secretary of State (1), Waverley Borough Council (2) and Tuesley Farm Campaign Residents Group (3)" (ref CO/215/2005). I do not have a copy of this but have found one online here: <https://www.casemine.com/judgement/uk/5a8ff74e60d03e7f57eab11d>.

I would be grateful if you could provide an assessment of your permitted development proposal against this High Court decision. In particular, I note in the judgement (Ground 3) that it was ruled that 9 or 10 months would be too broad a period within a year to comprise a *particular season*. I note that you state that your accommodation would be occupied 10 months per year. I also note in the judgement that there is a discussion on what constitutes land in the same occupation (as per the line in the 1960 Act "person or persons employed in farming operations on land in the same occupation"). I would appreciate your comments on where the workers will be working and the % of time that they will be working on land at Newlands/Roundstone Nursery as opposed to being bused elsewhere.

I accept that we cannot decide this application on the grounds of whether or not the use for the accommodation of agricultural workers is PD or not. However, your response to my questions would be appreciated and enable us to establish the appropriate level of weight to be applied to the PD use.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning - First Floor, Arun Civic Centre, Maltraverse Road, Littlehampton, BN17 5LE

Please note that I typically work from home on Thursdays when I am unreachable on my work phone

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