

COLIN HAMILTON
Flint Barn
LOWER BOGNOR ROAD, LAGNESS
chichester
PO20 1AZ

Your Ref: OWPC23184
Our Ref: P/38/19/PL 09-04-2019
Please ask for:
Mr S Davis

28th May 2019

Dear Sir/Madam

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

Year round retention of seasonal workers accommodation.
Newlands Nursery Pagham Road Bognor Regis

Thank you for your internet representation made on 25th May 2019 which has been recorded as '**an objection**' with the comments as follows:

*Flint Barn
Lower Bognor Road
PO201AZ*

*24 May 2019
Planning Department
Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF*

*Sir
P/38/19/PL*

This letter of objection is motivated by my dismay that the lives of a small community of your constituents, and the value of their properties, can so easily be blighted by the heavy hand of agricultural industry without so much as a planning application. This is an example the acts of government which have resulted in the loss of faith in politicians, a fact resulting in the recent major change to the face of the West Sussex district councils. The constituents of ADC have lost confidence in their councillors to represent their interests in the face of government and business pressures. I wonder how each and every one of the councillors would feel if 31 caravans (equivalent in terms of occupants, of a small village) were permanently dumped within yards of their property? It is further astonishing that no consideration by ADC of, inter alia, pollution by light, noise and sewerage is required under existing legislation.

With respect to this application, I have the following comments:

The application seeks RETENTION of something that does not exist. This can be classified as speculative. It seeks retention of the caravans on site for a period during which they will not be occupied from December - January annually, thus suggesting that they will be occupied for 10 months. This length of occupancy was considered unacceptable in the case Hall Hunter Partnership v. Sec of State.

I fear the applicant's Planning, Design and Access Statement appears to be economical with the truth. It starts by saying that their seasonal workers have previously been accommodated in the Bracklesham Bay area, where they are known to have worked. It is the loss of that site which has created the need for alternative accommodation. It goes on

to say that the applicant is working to resolve this loss by providing seasonal accommodation at various sites within their land holdings that will provide accommodation 'close to the source of employment'. I am led to believe that the Newlands Nursey is an advanced and largely automated business with little need for seasonal workers and certainly not the proposed 186 occupants.

The Statement goes on to say, 'Seasonal labour is essential to the operation of the horticultural enterprise and the seasonal accommodation is reasonably necessary for persons employed in farming operations on land in the same occupation, thus meeting the permitted development requirements.' It is clear that the intended permitted development does not meet the requirements.

Before this application is brought to committee, it is incumbent upon the council to obtain legally binding confirmation that the accommodation will be used for a more limited period annually and that its occupants are destined solely for employment in the nurseries in that occupation as established in Hall Hunter Partnership v. Sec of State.

I have little doubt that if this application is granted, a close eye will be maintained on the movement of the occupants and that if it is found that they are regularly bused to different sites, the council and applicant will have opened themselves to legal challenge.

*Yours sincerely
Colin Hamilton*

Unfortunately it is not possible for the council to respond to each representation individually but your views will be considered before the application is determined and I shall write to inform you of any decision made.

If the application is to be determined at the Development Control Committee and your letter has been received after the agenda has been published, you will not receive a separate letter notifying you of the date of the meeting and the procedures for public speaking. In such circumstances, it is recommended that you track the progress of the application on the website or telephone for further information. Please be advised that any comments received after the the Development Control Agenda has been produced will be reported to the meeting. Please also note that only a small number of all planning applications are determined at the Development Control Committee, most are determined by officers under delegated power.

All representations are published on our website so please make sure your views are clear and only include information that you are happy for the public to view. Do not include personal information or information from third parties unless you have their permission to do so. If a complaint is received that permission has not been given for comments included about a third party, the Council reserves the right to redact/remove all relevant information. Do not include information that is defamatory or breaches equality or other legislation. If you do not wish your comments to appear on the website and on the file, please confirm this in writing and I will arrange for it to be destroyed, although this does mean that its contents will be disregarded. For details of what we do with your personal information please refer to our privacy statement comments on planning applications which is available on our website www.arun.gov.uk/planning-privacy-statements.

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

Neil Crowther
Group Head of Planning