

Lynnyrd Wolfe

From: Simon Davis
Sent: 22 May 2019 17:36
To: Planning.Responses
Subject: FW: 0119: P/38/19/PL - Newlands Nursery - Year Round Retention of Seasonal Agricultural Workers Caravans
Attachments: Hall Hunter v First Secretary of State 2006.pdf; 0119 to ADC 22.5.19.pdf

Please see Action Sheet

Kind Regards

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Douglas Briggs Partnership [REDACTED]
Sent: 22 May 2019 15:40
To: Simon Davis [REDACTED]
Subject: 0119: P/38/19/PL - Newlands Nursery - Year Round Retention of Seasonal Agricultural Workers Caravans

Dear Simon,

Please find attached our assessment of the points you raise and would be pleased to discuss further in required.

We have noted the representations by local residents and consider that a site visit may be wise. please could you let us know if/when you are intending to visit?

We look forward to hearing from you.

With kind regards

Paul Hughes

Douglas Briggs Partnership
Flint Barns
Ham Farm
Bosham
West Sussex PO18 8EH

[REDACTED]

This email and any attachments is intended for the person to whom it is addressed.
If an addressing or transmission error has misdirected this email, please notify the author.
If you are not the intended recipient you must not use, disclose, copy, print, redistribute or rely on this email.

On 20/05/2019 15:42, Simon Davis wrote:

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 based 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



Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.