

Touchwood
Pagham Road
Lagness
Chichester
PO20 1LL

28th August 2019

Dear Mr Davis

Ref: Planning Application P/78/19/CLP - Certificate of Lawfulness on Permitted Development

As the Arun legal team requested, Newey have applied for a Certificate of Lawfulness (using unsubstantiated figures and sudden change/additional crops) on their Permitted Development Rights. I raise concerns that this is merely stage one of a larger project and, should this application succeed, there will then be an application to secure a year round use, and then ultimately another application to accommodate the 500 plus workers presently living in Bracklesham. We therefore have to stop this now. There can be no naivety about what the long term implications of this and any further applications will be.

The Newey site should surely have its Permitted Development Rights removed due to the total unsuitability of this site for the proposed use.

Summarising grounds of objection:

- The Pagham Road is already way too busy and has traffic jams twice daily all along this stretch - we can not add more commuting traffic to this road. This particular bend is the site of many accidents so we cannot have mini-vans and more lorries pulling in and out all day adding to the chaos.
- The site is too small to squeeze in 31 caravans, it leaves no room for any kind of sound/light/vision earth banking, or security fencing.
- The site is nestled between 6 homes. The nearest being only 50 meters away which will have an immediate and catastrophic effect.
- 186 (& more in the future) Seasonal Workers in the area of Lagness/Pagham would be a recipe for disaster for the whole community. The workers need to have facilities and access to a town. Security for the surrounding area would be a certain problem as other areas have found.

The original Planning Application (P/89/05) for the greenhouses in 2005 was very detailed in exactly what it was allowing. This was mainly brought about by the Pagham Parish Council, the County Highways and the Chichester District Councils concerns about Pagham Road and the effect any increase in traffic could have. The Pagham Parish Council said it would pass the application however would be carefully monitoring the HGV movement on the B2166 and Pagham Road as required. The staff and vehicle limits were set in this original Planning Application. Only an extra two Full time and 5 part time staff were allowed with only 2 additional vehicles and only 1 HGV extra visiting the site. It was added that due to the little change of activity and screening there would not be a detrimental impact on residents.

So the Planning Application was made and approved as a "No change of use" - Horticultural Commercial Greenhouse Production only **and no storage**. 67 full time staff & 120 part time. During a normal working day, traffic flow would be 47 employees vehicles and 31 HGV's and no other vehicles (mini vans) mentioned. Parking for only 12 goods vehicles. This detail was

for good reason as the Pagham Road was under such pressure that Arun wanted to minimise additional problems.

Alex Newey, since taking over the site, has completely disregarded this original planning consent. Furthermore, if he does intend to increase production, he would also be increasing traffic movements (cars, vans and HGV's) over and above the original consent figures.

Not only are there many more cars and vans on site than, but he also leases out space to a haulage company (Woodside Logistics) who have dozens and dozens of lorries going in and out every day, over and above the normal horticulture lorry movement from the nursery business itself. There is an area used as a haulage Hub where goods are stored temporarily. Even food items have been seen in the horticultural cold rooms, which I can't imagine would pass any health and hygiene standards. Many lorries actually stay over night with the drivers sleeping in their cabs, in an area that was supposed to be an overflow car park. Not a lorry park. Surely this should have some sort of permission too? Newey is meant to be and only has permission to be a horticultural business. They now appear to be running various trades from the nursery site, the latest one of course being the Recruitment Business (ProForce). I appreciate that Alex Newey proudly says he is a serial entrepreneur, and that we need people to create work, however, they need to work within the rules/laws as they stand, and they certainly should have a moral obligation to the community around them as well as their employees. Alex Newey has shown that he has no regard or compassion by refusing to find a more suitable site.

I truly hope that you will be able to fight this application for a Legal Certificate on Permitted Development. If the staff were all employed at the Lagness site it would be against the original Planning application in 2005 and if they are being transported to other sites (the Lagness site is being used as a Hub for Seasonal Workers), then it is against the Traffic Flow in the original Planning Application. Therefore this application is based on illegal Unpermitted Development and therefore should not be given a Certificate of Lawfulness. The Applicant already say themselves that it is not clearly defined in the 1960 and the 1990 Acts as to how the law stands regarding the same occupation within the site or related ownership of land. Therefore taking into account the wording of the original Planning Permission for the nursery and the problems with the Pagham Road, staff working elsewhere can not be included? As my neighbour said "this is a request for a rubber stamp on something already demonstrated as illegal, self-serving, irresponsible and dangerous".

I assume that this will go before committee and that we will get our chance to represent our views. I look forward to hearing from you.

With kind Regards

Abi Hudlass-Galley