

From: Simon Davis

Sent: 10 September 2019 14:47

Subject: P/78/19/CLP Newlands Nursery

Dear Paul,

I have obtained a legal opinion from our principal solicitor in respect of this case. I am unable to share this with you (I have asked them to provide a redacted public version and will send this on if they provide one). However, in short, the advice is that we are minded to refuse, firstly on the basis that the criterion of the accommodation being used in a 'particular season' is not satisfied and secondly as to whether the operations are within the same occupation.

Our solicitor suggests that you

- (1) Provide Authority (e.g. cases) to support your assertion that four separate seasons would be regarded as a 'particular season'; and
- (2) Provide more information as to the working arrangements involving other sites. We note that you did provide more information regarding this in the previous planning application when you estimated that the agricultural workers occupying Newlands Nursery would be engaged in work on the Newlands Site for an average of 85 to 90% of their daily working time. However, you have not included this in the CLP submission.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |

Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37874 | External: +44 (0) 1903 737874 | E-mail: simon.davis@arun.gov.uk

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

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



Save the environment - think before you print.