

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development

REF NO: WA/106/21/CLP

LOCATION: Crosslands Nursery
Barnham Lane
Walberton
BN18 0AX

PROPOSAL: Lawful development certificate for a proposed half acre extension to the south wall of existing greenhouse.

DESCRIPTION OF APPLICATION

The addition of a glasshouse extension with a floor area covering 2,112sqm of glasshouses and height of 3.7m. The design and height would match the existing glasshouse which is to be extended.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations Received:

CONSULTATIONS

Consultations Responses Received:

LEGISLATIVE BACKGROUND

Section 192(2) of the Town and Country Planning Act 1990 states:-

If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

In this instance the proposed works will be assessed against the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (as amended).

- Schedule 2, Part 6, Agricultural and Forestry. Class A refers to agricultural development of units of 5 hectares or more and Class B refers to agricultural development on units of less than 5 hectares. The information submitted does not make it clear how large the holding is. Under both Classes A and B of Part 6 the limit for extensions is 465sqm.

Provided the proposed works satisfy the relevant criteria, and that no restrictive conditions to development have been imposed on the site, the proposed works will constitute Permitted Development and would not require planning permission. If the works fail to accord with the criteria then planning permission will be required for them to take place.

CONCLUSION

The proposal relates to the provision of 2,112 sqm of additional glasshouse. The limit in terms of floor area for extensions to existing buildings, which would then be subject to the prior approval of the authority in respect of the siting, design and external appearance of the building, under both Classes A and B of Part 6 is 465sqm. The proposal clearly exceeds this limit and fails to accord with the relevant criteria and therefore the submission of an application for planning permission would be required.

RECOMMENDATION

PP REQUIRED

The Arun District Council hereby certify that the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, was not lawful within the meaning of section 192 of the Town & Country Planning Act 1990 since it would not be permitted development by Class A or Class B.

FIRST SCHEDULE

The proposed development is not considered to fall under Schedule 2 , Part 6 of the GDPO.

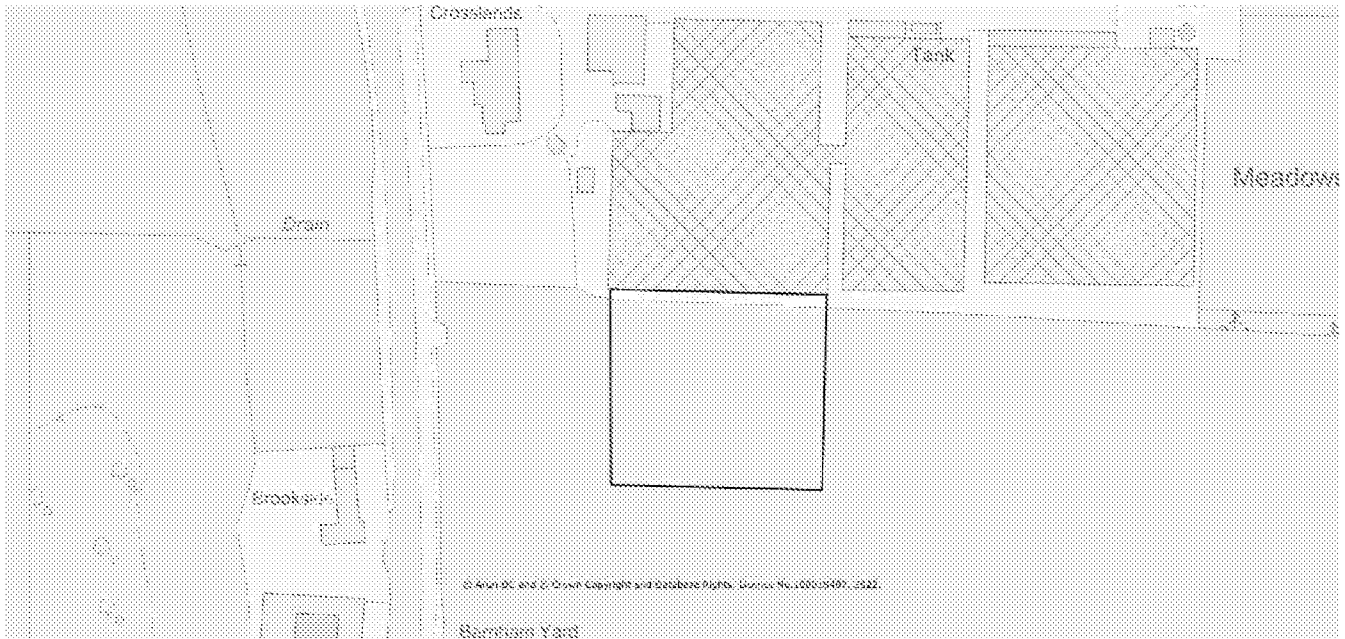
SECOND SCHEDULE

Crosslands Nursery, Barnham Lane, Walberton, BN18 0AX.

EXTENT OF USE

Provision of 2,112sqm of glasshouse.

WA/106/21/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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