

ABXA

MEMO

Planning Solicitor
Resources Department
Tel Ext

TO:
S Leeson
Planning officer

SUBJECT :GUSTONE FARM BARNHAM LANE WALBERTON
PERSON: MR BRUNDLE
CONSULTATION ON PLANNING APPLICATION TO CHANGE OF USE FROM
AGRICULTURAL TO HORSE BREEDING AND LIVERY
REF: WA/10/09

ACKNOWLEDGEMENT AND RECEIPT

Thanks for your consultation dated 11 March 2009 and our talk when you confirmed that this is a planning application [not a CLE or similar when I am consulted]

This memo is based on that only and I rely on you to supply further information that may change this advice .

SCOPE OF ADVICE

I rely on you to tell me if :-

- you are aware of any further information that is relevant
- any new facts arise
- you identify or become aware of any thing I've missed

ADVICE AND REASONS

I defer to your planning judgement this being a planning application

I make these limited observations [of which you are already aware due to the hearing decided by the Inspector by letter dated 22 December 2008 [DL] :-

1. equine businesses are not agriculture [see my note attached with authorities cited]
2. this is land outside built up area boundary
3. the DL established that " three is no permission for use as either a stud farm or as a mixed livery /stud farm " Para 13 page 3 DL
4. para 6 on page 2 of DL refers to acceptance by applicant that the livery is not agricultural and refers too to the absence of any supporting Local policies but refers to PPS 7 as [dependant on the particular circumstances] supporting
5. I am sure you will consult the Agricultural Adviser on whether this proposal accords with diversification under PPS 7 and is acceptable in planning terms

OUTSTANDING FACTS AND ISSUES TO BE CLARIFIED /FURTHER INSTRUCTIONS

I await to hear further from you on these issues and meantime my advice is subject to hearing further from you .

I don't intend to take any further action unless I get further instructions from you

IMPLEMENTATION AND AUTHORITIES UNDER CONSTITUTION

I assume you are familiar with these aspects but rely on you to seek advice on them if need be or in first instance to seek advice from your Line Manager /Head of Service who should be familiar with the Constitution