

[REDACTED]

From: Amanda Scholes on behalf of Planning.Responses
Sent: 18 October 2019 09:51
To: Planning Scanning
Subject: FW: WA/75/19/PD - Change of Use of agricultural Building at Fairmead Farm, Binsted Lane, Walberton

From: Anita Gardner [REDACTED]
Sent: 18 October 2019 09:01
To: Planning.Responses [REDACTED]
Subject: FW: WA/75/19/PD - Change of Use of agricultural Building at Fairmead Farm, Binsted Lane, Walberton

[REDACTED]

Anita Gardner | Principal Planner, Directorate of Place, [Arun District Council](http://www.arun.gov.uk) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

[REDACTED]

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From: Anita Gardner
Sent: 18 October 2019 08:58
To: [REDACTED]
Subject: FW: WA/75/19/PD - Change of Use of agricultural Building at Fairmead Farm, Binsted Lane, Walberton

Dear Clare,

I have now received a response from our Solicitor.

She has confirmed that since the cumulative floor space of the building does not exceed 150 sqm only notification under part R is required. Therefore I would suggest that the above application is withdrawn and you send a written notification confirming the date the site will begin to be used for flexible use, the nature of the use and a plan indicating the site and which buildings have changed use. This will be recorded as a preliminary enquiry and given a reference so that we can then plot it against the application history of the site.

Regards

Anita Gardner

Anita Gardner | Principal Planner, Directorate of Place, [Arun District Council](http://www.arun.gov.uk) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

[REDACTED]

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From: Clare Bartlett [REDACTED]
Sent: 14 October 2019 11:33
To: Juan Baeza [REDACTED]
Cc: Anita Gardner [REDACTED]; Nicola Spencer [REDACTED] Legal Services

[REDACTED]
Subject: RE: F/15/19/CLE

Dear Juan

Could you please let me have a response to my email below so I can update the landowner?

Many thanks

Clare

Clare Bartlett MRTPI PIEMA

Partner



Batcheller Monkhouse | Chartered Surveyors
New Bartram House, 3-5 Swan Court, Station Road, Pulborough, RH20 1RL

From: Clare Bartlett

Sent: 02 October 2019 09:52

To: 'Juan Baeza' [REDACTED]

Cc: Anita Gardner [REDACTED]; Nicola Spencer [REDACTED] Legal Services

Subject: RE: F/15/19/CLE

Dear Juan

Thanks for your email.

Regarding your point about whether the building is physically a building, the application relates only to the southern end of the building. I attach photographs of the part of the building to which the application relates. These show it to have three complete walls and a partial fourth wall, and a roof. The building also has foundations and a solid floor. The northern end of the building is excluded from the application.

Part 3, Class R of the GPDO does not require a building to be actively used at the time an application is made, just that it was last used for agriculture. It also does not require that the entirety of a building must be subject to the conversion, as confirmed in *Mansell v Tonbridge And Malling Borough Council* [2017] EWCA Civ 1314 (see paragraph 20 in particular).

We are therefore of the opinion that the part of the building outlined in red on the submitted Site Location Plan complies with the relevant criteria for a change of use under Class R of the GPDO.

I look forward to hearing from you.

Kind regards

Clare

Clare Bartlett MRTPI PIEMA

Partner



Batcheller Monkhouse | Chartered Surveyors
New Bartram House, 3-5 Swan Court, Station Road, Pulborough, RH20 1RL

From: Juan Baeza [REDACTED]
Sent: 01 October 2019 10:06
To: Clare Bartlett [REDACTED]
Cc: Anita Gardner [REDACTED]; Nicola Spencer [REDACTED]; Legal Services [REDACTED]
Subject: F/15/19/CLE

Dear Miss Bartlett

On further consideration of this application officers are of the view that it should not have been validated as the structure in question is abandoned and physically not a building. We are seeking a legal opinion and if the view is to agree with that of officers the application will be returned as not valid. I will return to you once I have an update.

Regards

Juan Baeza Area Team Leader – Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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