

13 July 2016

Your Ref: **APP/15/01234**

PLANNING & DESIGN AND ACCESS STATEMENT

**TO UNDERTAKE A COMPREHENSIVE PERIMETER LANDSCAPING SCHEME
AND TO CONTINUE USING LAND EXCLUDED FROM APP/15/01234
(CERTIFICATE OF LAWFUL USE OR DEVELOPMENT DATED 29 APRIL 2016)
FOR THE PURPOSES OF CLASS B8 OPEN STORAGE COMPRISING VEHICLES
AND SCAFFOLDING (Retrospective)**

HOME FARM - LAND TO THE REAR OF 132 HAVANT ROAD

1.0 Introduction

1.1 As a consequence of the LPA determination of CLU application APP/15/01234 which was agreed but only in respect of the red edged areas illustrated on PLAN A accompanying the Decision Notice dated 29 April 2016, the applicant requested a meeting with the LPA Case Officers (S Weaver and D Eaves) which took place on 9 June 2016.

1.2 On behalf of the applicant it was emphasised that the evidence presented with application APP/15/01234 should have resulted in a determination in respect of the entire application site area.

1.3 The LPA Case Officers explained the reasoning behind the decision to exclude the central part of the application site and notwithstanding the stated opinion of the applicant, in order to remove the possibility of an Enforcement Notice being served the applicant agreed to prepare and submit a planning application for retrospective change of use but to include a comprehensive landscaping scheme to introduce visual screening on the north and south boundaries while also confirming that the previously agreed replanting along the west boundary (Havant Road) would be collectively implemented once a favourable decision was made by the LPA.

2.0 Planning History

2.1 From 1984 Mr Roy William Ruffell together with Mr Michael Radford was joint owner of the land which is the subject of this submitted application for the approval of a Certificate of Lawfulness. On 10 September 2002 the land ownership was transferred into the sole ownership of Mr Ruffell.

2.2 Planning permission was granted to Mrs Ruffell on 15 September 1994 for

continued use of part of the land for the keeping of horses including the construction of stables.

2.3 Mr Ruffell commenced his Horsebox and Coachworks business in 1993 which continues to the present day and is a use of the site now verified by the CLU APP/15/01234

2.4 Since 1994 the land and the hardstandings located to the rear of 132 Havant Road have been in use for open storage, parking, loading, unloading and turning of large vehicles. Mr Ruffell accepted that his style of management of the site was not fully regimented and vehicles were by necessity parked in areas temporarily free with vehicle keys being held by him in a secure place so that if necessary he could arrange their movement within the yard.

2.5 As evidence supporting application APP/15/01234 Mr Ruffell was able to verify that from the date of his sole ownership in 2002 the extent of the commercial activities and use of the land intensified and continues without a break to the present day (13 to 14 years).

2.6 The scale of commercial activity at the subject land can be visually examined by studying the attached Google Maps Aerial views for the 22 April 2015, 19 October 2011, 21 April 2007, 11 December 2004, 31 December 2005 and 31 December 2001. This visually confirms that the central part of the application (excluded by Plan A accompanying APP/15/01234) was intensively in use for parking of vehicles throughout the period illustrated by the Google Aerial photos.

2.7 The access road constructed in 2004 had subsequently been the subject of discussions with Council Officers, at which time it was ascertained that the Council had decided not to take action regarding the Breach of the 1983 Enforcement Notice as it did not affect the access road.

2.8 In 2005 the Council granted a Certificate of Lawfulness for the caretakers residential mobile home (05/58256/002) which suggests that conclusive evidence had been presented at that time to secure at least 4 years of continuous use.

3.0 Retrospective planning application and Landscape Proposals

3.1 The applicant is firmly of the opinion that his use of the entire site area has continued for in excess of 10 years and this planning application seeks to continue the use of the land (excluded by APP/15/01234 - Plan A). For business purposes the applicant acknowledges that he requires the support of the LPA and having recognised the importance of introducing a perimeter landscaping solution to screen the general commercial activity on the land Landscape Architect (Brigitte Crayfer) was appointed to undertake a comprehensive landscape assessment.

3.2 The submitted landscape proposals are detailed as follows:-

i) Drawing 082-5400 dated 4 April 2014 illustrated a replanting scheme for the boundary of the application land fronting Havant Road. This planting scheme was accepted by the LPA but has yet to be implemented.

ii) Drawing 1015 - 5300 dated 2 June 2016 provides a detailed mounding proposal with hedge and individual tree planting within field boundary of that part of the application land which is included in Plan A of APP/15/01234.

iii) Drawing 1015 - 5301 dated 24 June 2016 has been prepared following the 9 June 2016 Meeting at which time the southern boundary of the application land was identified as a critical and material issue. The prepared scheme is as a result of a detailed landscape assessment retaining existing mature trees and introduction of a specified hedge with new tree planting. An existing scaffold storage rack will be relocated by 1.5 m from the existing boundary.

3.3 The applicant appreciates the importance of following the advice of the Landscape Architect in undertaking the mounding and planting proposals to achieve the desired visual screens on the west, north and south boundaries.

4.0 Hours of commercial activity

4.1 Activity on the application land currently commences at 06:00 hours and generally concludes by 18:00 hours with no working on Sundays. The applicant would, if considered essential, be prepared to consider a slightly later commencement hour for on site operations but would wish to be given the opportunity to consider and comment on any suggested amendments to the working hours.

5.0 Employment at the application site

5.1 The business uses located at the application site employ on average 30 persons which is in addition to Hayling Truck Centre (the Horse Box and associated Coachwork business) operated by the applicant which has a Certificate of Lawful Use by reason of APP/15/01234.

6.0 Conclusion

6.1 The applicant remains concerned that the LPA excluded the application site from the formal determination of APP/15/01234 particularly given the long term commercial use of the site, managed throughout by the applicant. However in the interests of finding a corporate solution this planning application including the essential need to establish effective landscape screening is submitted to enable the

LPA to give consideration to the attachment of planning conditions formulated to protect the amenity and environmental character of the local area.

Les Weymes DipTP, MRTPI

cc. Mr R Ruffell
Brigitte Crafer