

From: [Dinnage, Claire](#)
To: [Moorhouse, Nicki](#); [Parker, Nicholas](#)
Cc: [Osmond, Gary](#); [Saunders, John](#)
Subject: LDC/23/95111 - Broadway Farm
Date: 17 August 2023 15:00:06

Hi all,

Further to our meeting to discuss the CLEUD for Broadway Farm, I have reviewed the application in its entirety and set out below my recommendation for each aspect of the application. To recap, the application is for a building operation by the laying of sub-base hardcore (type one crushed concrete) with concrete based cellular 'grasscrete', together with the parking of motorised vehicles to include heavy vehicles and trailers.

1. Building operation by the laying of sub-base hardcore (type one crushed concrete) with concrete based cellular 'grasscrete'

It is alleged that the engineering operation, consisting of the excavation of the land and placing of a layer of Terram membrane topped by 40-50cm of hardcore and concrete 'grasscrete' was undertaken in 2006. We determined that, although there may be evidence that the concrete 'grasscrete' was installed in 2006 (statutory declarations from various people, photographs of trial holes evidencing the Terram membrane etc.), the subsequent laying of tarmac on top of the 'grasscrete' constitutes new engineering works which require planning permission. Therefore, I recommend that this aspect of the application is refused.

2. Parking of motorised vehicles to include heavy vehicles and trailers

It is stated that the application site has been used continuously for the parking of motorised vehicles, including heavy haulage vehicles and trailers, for more than 10 years (since before 2006). In support of this, the applicant has provided a number of statutory declarations from the owners and employees of the business. There are neighbour consultation responses which refute the use, stating that between 2000 and 2018 the use of the area was minimal and sporadic (as opposed to continuous), and that the site was vacant for the majority of time.

We concluded that the evidence available does not sufficiently demonstrate the continuous use of the land for the parking of motorised vehicles for a period in excess of 10 years. While the evidence available does show some use of the land by vehicles (tire tracks from around 2014) and some storage (containers in 2016), we would expect to see more 'wear and tear' on the land if it was being used continuously for the parking of vehicles and trailers. It is accepted that the site is currently being used for the storage of vehicles and trailers, and that this use has intensified over a number of years, but it has not been demonstrated that the land has been used **continuously** in this manner for a period in excess of 10 years.

If you are all happy with the above, I will draft a refusal notice and accompanying letter advising as to the reasons why we are refusing the application. Please feel free to comment/make changes on the above.

Thank you,

Claire

Claire Dinnage

Solicitor and Deputy Data Protection Officer

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