

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**Appeal on behalf of Maurice Doe
[CCW Services Ltd]**

Against the decision of Eastleigh Borough Council to refuse a Certificate of Lawful Existing
Use or Development

at

Broadway Farm,
Broad Oak,
Botley
SO30 2EU

LPA Reference: LDC/23/95111

Appeal Ref: APP/W1715/X/23/3331326

Proof of Evidence

Maurice Doe

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1 Introduction

- 1.1 I am Maurice Doe, Director of CCW Services Ltd., of Broadway Farm, Broad Oak, Botley, Southampton SO30 2EU.¹
- 1.2 I started running a pallets recycling and manufacturing company in 1992 from Broadway farm, Broad Oak Botley. My main role in 1992 was the Business owner, and I was directly involved in all aspects of the business. I ran with small vehicles that were 3.5 tonne that did not require an Operator's Licence, and I also sold pallets to wholesalers (through the trade) who collected with their own lorries.
- 1.3 I obtained our first Operator's Licence in 1995 in my own name, and the storage and operation were from Broadway Farm Broad Oak Botley. Our customer-base grew through the trade and by supplying local customers. In 2000 I set up a limited company called County Crest Pallets UK Ltd. In 2004 the company known as County Crest Pallets UK Ltd was sold to the current owners. When we sold the pallet part of the business the new owners kept the existing pallet building, storage space and operating area and moved to a different location to the west of the site in about 2017. In 2002 we started welding and fabrication of roll cages and shopping trolleys for companies such as the Co-op, Palmer Harvey, Keystone (McDonalds) 3663, Sunlight, and Medina just to name a few. The Co-op RDC (Manchester) would deliver trailers of cages to us, normally consisting of a mix of repairable roll cages and unrepairable roll cages that we used for parts. This helped to keep the costs down. When the cages were ready to be collected, they would swop and drop with another trailer. The trailers would then be

¹ CD – A16 – Statutory declaration

brought up from the field and pulled by the welding shop and, once welded, loaded back on the trailer. We had to be careful where they were stored to prevent cross contamination.

- 1.4 A couple of years prior to 2006 it was evident that we required more space and it made sense to move into the adjacent field (the parking apron) so it was more manageable.
- 1.5 In 2008 we were fortunate to start working with Estee Lauder. This required storing goods on trailers for storage and distribution for Estee Lauder and third-party Companies involved with them. We were also supplying new pallets and haulage.
- 1.6 The land, as illustrated on Plan 1², has been used for the parking of the vehicles and trailers since before 2006, which has included those we own and also those owned by third-party haulage companies working with Estee Lauder.
- 1.7 I have read Louisa Doe's proof of evidence (my wife and business partner) which I agree with so, to avoid repetition, I will concentrate of different aspects of the business, the reasons for installing the grasscrete in 2006, the repairs done in 2020 and outline the use of the parking apron which is the subject of the appeal.
- 1.8 As the business owner, I have lived and worked on the site for 48 years since 1976. I have made all the investment decisions in connection with the business and I know the working of the business and the site better than anyone. In this statement I do not want to repeat what Louisa Doe has said but rather comment on some aspects of the business

² CD – A3

operation, the use of the land during the important 10-year period and comment further on the Inspector's key issues.

2 Nature and Operation of the Business

2.1 The business provides a designated just-in-time service to local and national companies based upon our storage and distribution handling. This is managed and suited to the customers' requirements. We rent vehicles and trailers ad hoc, so this enables us to increase and decrease our fleet of lorries and trailers on a short-term time scale.

2.2 The key to our business is to plan for maximum flexibility due to the volatility of the market and daily logistics. Over a period of some 30 years the business has changed and grown but for the last ten years there has been relatively little change in terms of the use of the apron. We have invested heavily in the business and tried to make our site look suitable for our customers by increasing security and providing the highest quality temperature-controlled warehousing facilities.

3 Operator's Licences

3.1 I obtained our first Operator's Licence in 1995 in my own name. Since then, Louisa Doe has managed the licencing.

3.2 As Louisa Doe has dealt with much of the detail in her Statement (Section 3) concerning the Operator's Licence I do not need to say more.

4 Use of the Site pre-2006

4.1 Both fields identified on the Plans at 1³ & 2⁴ were used for the parking of lorries and trailers before 2006, often with pallets and cages. I obtained my first Operators Licence for lorries and trailers in 1995, subsequently renewed it and I have been parking vehicles on the land continuously from about 1998.

4.2 In 2002 we started welding and fabrication of roll cages and shopping trolleys for companies such as the Co-op, Palmer Harvey Keystone (Macdonalds). They would drop their trailers to us and park them in the field identified on Plan 1. They would be loaded with damaged cages/trolleys and then, we would pull the trailers around to the workshop and unload and park the trailer back into the apron area. Once the cages were repaired, we would pull the trailer around to load with the repaired cage ready for collection, or swap and drop.

5 Works in 2006

5.1 In 2006, the area identified on Plans 1⁵ and 2⁶ at Broadway Farm was laid with cellular grass reinforced concrete paving to provide parking spaces for the Storage of Haulage vehicles and Trailers based at the Broadway Farm site for CCW Services Ltd (formally County Crest Welding Ltd), operating from Broadway Farm. I called Antony Heathfield to discuss options and then instructed him to undertake the work.

³ CD – A3

⁴ CD – A4

⁵ CD – A3

⁶ CD -A4

- 5.2 The reasons for laying the grasscrete was to improve the efficiency and effectiveness of the business because at times, particularly when the ground was very wet, we had to use tractors to pull the heavy trailers out of the field. I thought the grasscrete was the best option as it was able to supply the hard surface for the lorries with the final look of the surrounding area. Once Tony Heathfield completed the main works, I asked my own staff to lay down some soil over the top and sow some grass seed no more than a couple of weeks after the contract was fulfilled.

6 Use of the Site 2006 - 2020

- 6.1 In 2006 we were fortunate to start working with Estee Lauder, and we were storing goods on trailers for storage and distribution. The trailers would be loaded with glass or drums which were heavy, causing the lorries and trailers to sink into the ground. When the trailers / lorries were moving around the field, they had minimum grip to hold on to and proved difficult to manage.
- 6.2 Following the laying of the grasscrete in 2006 the stability of the ground became much better but, as time moved on, it was clear in around 2019 / 2020 that parts of the grasscrete were breaking up. This is why I decided to repair the apron. This coincided with Covid and the request from the NHS to park emergency response vehicles on the land and I felt that we needed to ensure the whole site was clean and tidy.
- 6.3 During the international pandemic, the NHS has been using parts of the apron for the parking of emergency response vehicles since 2020, at no cost to them, but other than

the NHS vehicles the use of the parking area for lorries and trailers has remained much the same as it was.

6.4 In response to the Council's suggestion that there was a radical change in 2020, the hedgerow to the west of the apron was planted between 2016 and 2019⁷ whilst further limited planting was undertaken after 2020 to the south of the apron to improve security. It certainly has not been to split the land up. The tarmac is a surface that has been put down to repair the existing surface. The grasscrete was laid down as an affordable solution in 2006. The operation of the business has not increased in volume, if anything the apron and the warehousing has helped the business run more fluidly. The volume of trailers has been consistent through time, albeit there has been increase in the Operator's licence merely using storage trailers for haulage, also the usage of third-party hauliers.

6.5 The volume of transport movements on the site at Botley has remained between 40 and 50 per 24 hours for more than 12 years. However, over the last few years the delivery location profile of those vehicles has become fewer local shunts (We used to run 8 to 12 vehicles completing 4 shunts per day each from Botley to Petersfield) to more long distance "tramping" container journeys where Drivers spend between 36 and 48 hours away from site to service deliveries from Felixstowe and Southampton into Leeds and Chesterfield. Our trailer numbers have also remained constant albeit we have moved from using trailers for storage to putting more trailers on the road to meet the longer distance delivery demands.

⁷ CD – C6f and C6g

7 Works in 2020

- 7.1 It was in 2020 when I contacted Anthony Heathfield for advice about repairing the grasscrete parking apron primarily to improve the surface which was breaking up, but incidentally to accommodate the NHS vehicles, to make driving vehicles on and off the land much easier and cleaner. The works needed to be done back in 2018/19 but with the other major works being undertaken in the yard, everything was put off until 2020. The aerial photo in 2019⁸ clearly shows the preparation for the new warehouse which can be seen completed in the 2020⁹ aerial photo. The tarmac base laid a few months later in the Autumn made the loading and unloading of goods much safer.
- 7.2 The initial grasscrete surfacing installed in 2006 remains in place beneath the Tarmacadam and has not been removed. I contracted Tony Heathfield to lay the grasscrete in 2006 and it remains today although it is topped with tarmac as I requested Tony to do.

8 Bore Holes

- 8.1 In order to verify the material in the ground, I called Antony Heathfield in February 2023 and asked him to dig four trial holes, one in each corner of the site. On Friday the 24th February 2023, 4 core samples were dug and photographs¹⁰ were taken, all showing the Terram membrane with the hardcore on top followed by the concrete cellular grasscrete.

⁸ CD - C2h

⁹ CD – C2j

¹⁰ CD – A7 to A11 inclusive

- 8.2 In my opinion, because I instructed the work, I believe each core sample clearly shows the Tarmacadam on the surface with the grasscrete immediately below.

9 Use of the Site 2020 to present

- 9.1 Since the tarmac has been down, the use has not changed with regards to the storage of lorries and trailers. The only difference being that there are a small amount of NHS vehicles in the corner. During the height of the pandemic there were more NHS vehicles because there was a National emergency and we wanted to help but numbers have dropped significantly.

10 Interested Parties' Comments

- 10.1 Previous to the application for the LDC there has not been any comment with regards to the operation and vehicle movements within our business. There have been no complaints against our increase in the Operator's Licences. And, no complaints about our operation of any nature that we are aware of.
- 10.2 I feel since the Botley bypass has commenced, there has been a change in local attitudes due to the increase in traffic generally around Botley.
- 10.3 One neighbour has commented on viewing the operation of our business but cannot possibly oversee this due to location of their house. I question how they could possibly monitor our movements or operation.
- 10.4 I personally feel the evidence that has been produced is not factual and they have based their comment on the increase of the Operator's License. The Operator's Licence

merely demonstrates the vehicles authorised on the road at any one time and not what is used for storage. I don't see how a decision can be made on a picture that has been in seconds once a year if that. When we have pictures taken of the site of different times that prove otherwise. Louisa Doe has commented on this in her proof and I do not wish to repeat what she has said but I agree with her.

11 Conclusion

- 11.1 The land, as illustrated on Plan 1, has been used for the parking of the vehicles and trailers since before 2006.
- 11.2 During the years 2006 to the present day, the numbers of vehicles and trailers have varied according to the requirements of the business. Although a number of vehicles and trailers belonged to CCW Services, there were other vehicles belonging to customers also parked on the grasscrete apron either parked, awaiting loading, or collection for onward transportation to destinations around the UK and Europe.
- 11.3 It is my recollection that the land identified in Plan 1 has been in operation for more than 10 years since April 2013.
- 11.4 The works were undertaken in 2006 to lay the grasscrete and when the repairs were undertaken in 2020, the business just continued as usual. There was certainly no dramatic change. The works simply made life so much easier and made the business more efficient.

11.5 Given the evidence we have provided, I feel there are sufficient grounds for approval.

I personally feel that the interested parties' comments are merely down to the timing of the bypass and that's it.

Signed.....

Maurice Doe