

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

Louisa Doe

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1 Personal Details and Introduction

- 1.1 I am Louisa Jane Doe, Company Secretary and Chief Executive of CCW Services Ltd., at Broadway Farm, Broad Oak, Botley, Southampton SO30 2EU.
- 1.2 I started working with Maurice Doe in 1995. Since then, we have created several businesses. CCW Services Ltd was incorporated on the 27th August 2003, Registration number 04877852.
- 1.3 My role in the Company is principally to ensure the smooth running of the business, dealing with a great deal of detail allowing Maurice the time to work with clients and concentrate on strategy. I am the Head of Finance overseeing invoice payments and the like. I often gather information as part of research required to run the business hence over the years, I have built up a wealth of knowledge having been involved for over 28 years.
- 1.4 Broadway Farm at Botley is my office that I work from.
- 1.5 From time to time, I walked onto the grasscrete apron, the subject of this appeal, to find pallet numbers to establish what trailers needed to be moved to different customers so I have first-hand knowledge of parked vehicles on the land.
- 1.6 Within this proof, I would like to describe the nature and operation of the business, how the Operator's licences work, and then go on to describe my observations before and during 2006 followed by the use of the site between 2006 and 2020. I would then wish to explain the parking apron repairs in 2020 and the bore holes followed by the use of the site to the present day. Finally, I have some comments on the third-party objections to the application.

2 Nature and Operation of the Business

- 2.1 CCW Services Ltd is an International and UK haulage company. The nature of our business is warehouse storage and distribution but the operation is flexible and changes by the day and the hour. The business is a 24-hour operation and we are contracted to deliver a 'just-in-time' pick-up and delivery service of goods and materials. Often, within one and a half hours' notice, we have to collect orders otherwise there are financial penalties.
- 2.2 We provide a unique, high-end service to international and national companies who require the highest security of storage and deliveries across the UK and Europe. We offer general haulage for the delivery of bulk goods/components and so forth as well as dealing with third party haulage. The services we supply are above normal for a general haulage company for example, depending on the nature of the goods, we can offer designated secure tracked vehicles which means that the goods will solely be carried in the lorry preventing cross contamination and does not jeopardise the security of the goods. We also offer secure temperature-controlled warehousing to our clients.
- 2.3 The business has always operated flexibly, with the current authorised 20 tractor units and 27 trailers today on a supply and demand basis; but we hire other trailers to operate as and when they are required. This would explain the high fluctuations in numbers of vehicles on and off site which has always been the case which, can be a mixture of business owned and third party vehicles (not owned by CCW Services).
- 2.4 There was a particularly busy time between 2013-2018 when we had a large number of lorries and trailers on the site because ideally we needed more warehousing space.

- 2.5 In December 2020 there was an increase of inbound components and raw material coming into the UK prior to the cut-off date of 31st December for Brexit. Due to the high quantity of goods being shipped, Whitman Laboratories (one of our clients) was unable to accept shipments going directly to Whitmans, so we supported them by allowing trailers to be stored at our secure EMEA (Europe, the Middle East and Africa) Supply chain approved site.
- 2.6 We also supported clients such as Whitmans for the storage of filled trailers of finished goods for onward shipment to Oevel and Lanchen. This was due to receipt constraints due to volume at year end June.
- 2.7 In December 2020 CCW had supplied and stored trailers of Finished goods to be delivered to London Heathrow over two days when we delivered 4 lorries a day over two days (8 trailers in total). Also the storage of 4 trailers to be stored for collection by a third party haulier for onward delivery to Lachen, Czechen and Oevel.
- 2.8 CCW Services Ltd is a family run business which has always been proud that we have been able to maintain a contract with a Global FTSE 100 company, Estee Lauder for many years. Over time, we have managed to retain our market share keeping other larger competitors at bay. We are very proud of the reliability and continuity of the service that we supply. Our business is audited annually, complying with GMP (Good Manufacturing Practices). This means we comply with good practice under the following headings; we are also proud of the business relationships we have with global companies
- Quality management
 - Sanitation and hygiene
 - Building and facilities
 - Equipment
 - Raw materials
 - Personnel

- Validation and qualification
- Complaints
- Documentation and recordkeeping
- Inspections & quality audits

CCW Services is a 9001:2015 Quality Management System and 14001:2015 Environmental Management System Standard.

3 Operator's Licences

- 3.1 For a number of years, we, the business, have needed Operator's Licences in accordance with the Goods Vehicles (Licencing of Operators) Act 1995 to operate both haulage vehicles including trailers. In order to secure the licences, we have been required to have appropriate and sufficient parking provision. This has been the grasscrete parking apron as well as parking in the yard.
- 3.2 Goods vehicle operator's licences can authorise the use of different classes of vehicles (or combination of vehicles and trailers). A Licence authorising the use of vehicles or combinations over 3.5 tonnes is called a 'heavy goods vehicle licence'. CCW has an International Operator's Licence to transport their own and other people's goods for 'hire or reward' throughout the European Community and beyond.
- 3.3 The Lorries are based on vehicles above 3.5 tonne weight ie: 7.5 tonne/18 tonne and 44 Tonne. The weight is calculated by the total weight of the vehicle + driver + fuel and goods to not exceed.
- 3.4 An Operator's Licence was first granted personally to Maurice Doe in 1995 but the first paper evidence available of any Licence is dated 2005 Ref: OH0216927¹. It should be noted on page 2 of Exhibit 12a², that it was open to the Traffic Commissioner to review

¹ CD – A13

² CD -A12

the suitability of the approved operating centre at any time. This initial Licence was authorised for 6 motor vehicles and 2 trailers.

3.5 I applied for all the Operator's Licences and dealt with the paperwork.

3.6 On the 28th June 2010 an Operator's Licence³ was granted to CCW Services Ltd, to park vehicles (weight 7.5 tonnes) in addition to trailers (length 12 metres). The Licenced Operating Centre was Broadway Farm, Botley.

3.7 This Operator's Licence has been renewed several times since 2010 on the following dates and remains valid for the parking of vehicles and trailers which continues to this day. Not all the paperwork is available but the following documents are included for reference. Licences are renewed every five years or when a change is made.

a) November 2009 – Notice in the Daily Echo⁴

b) August 2016 – see Public Notice in Southern Daily Echo for 18th June 2016 ⁵ and ⁶.

c) June 2017 – See Table below and Operator's Licence⁷

d) December 2018 – see Public Notice in Daily Echo 5th September 2018⁸ and Operator's Licence⁹

e) June 2019 – see Public Notice in Daily Echo 24th May 2019 and Operator's Licence¹⁰

f) November 2019 – see Public Notice in Daily Echo 30th September 2019 and Operator's Licence¹¹

³ CD – A13 (updated 2005 Licence)

⁴ CD – A14

⁵ CD – A15

⁶ CD – A27

⁷ CD – A22

⁸ CD – A15

⁹ CD – A23

¹⁰ CD – A15 and A24

¹¹ CD – A15 and A25

g) March 2020 – see Public Notice in Daily Echo dated 26th February 2020 and Operator’s Licence¹²

3.8 The Table 1 below illustrates the changes to the Operator’s Licence from 1995 to the present day.

Table 1 – Operators Licences from 1995 to 2020

Year Date	Total Number	7.5 tonne	18 tonne	44 tonne	Trailers	Licence name	Licence type
May’95	6	4			2	MD	Restricted
May’05	6	4			2	MD	Restricted
March’05	6	4			2	MD	Standard
June’10	6	4			2	CCW	Standard National
Aug’16	11	2		5	4	CCW	Standard International
June’17	15	1		8	6	CCW	Standard International
Dec’18	26		2	12	12	CCW	Standard International
June’19	32			17	15	CCW	Standard International
Nov’19	46			19	27	CCW	Standard International
Feb’20	47			20	27	CCW	Standard International

¹² CD – A15 and A26

- 3.9 The current Licence authorises for the use of 20 lorries and 27 trailers on public roads.
- 3.10 When you apply for a licence the amount that is authorised on your licence is the total number of vehicles that can be on the road at any one time. The majority of companies would have every vehicle on the road, but as we are a responsive and reliable company, we always keep a margin (lorries in readiness to cover urgent breakdowns for example).
- 3.11 According to our Licence (see Table 1 above) in February 2020 we had a Licence for 20 vehicles above 3.5 tonne and 27 trailers. This meant we were only ever allowed 20 lorries and 27 trailers on the road at any one time of our own. Included in this we would have margins, that would cover us for PMI, or VOR and MOTs. We would also have additional trailers that would not be included in the above figures that were used as stand trailers for short-term storage and or pending deliveries. We also had trailers from third party hauliers.
- 3.12 The original operator's licence application and all the subsequent renewal applications have been widely advertised within the Press¹³ whilst the Central Licensing Office submits details of all applications to organisations including Local Authorities, the Police and Trade Associations who have the right to object to the grant of an application. To the best of my knowledge, no objections have been raised since 2010.
- 3.13 Parking for a specified number of vehicles and trailers has been a requirement of the company's Operating licence since the 28 June 2010. The numbers of vehicles and trailers on site is approved and monitored by the Traffic Commissioner authority. The licence is

¹³ CD – CD- A14 and A15

renewable on a regular five yearly basis, or when changes are required, and each renewal requires the parking arrangements to comply with the terms of the Operating licence. It has been continuously approved up to the present day.

3.14 Whilst CCW Services have parked our own vehicles on the grasscrete apron, for which we have held Operator's Licences, the business has often been required to temporarily park up to 40 trailers on the land belonging to customers; trailers can be parked up for a couple of hours or half a day. There is normally a high turnover. For this reason, the numbers contained in the operator's Licence offers just a snapshot of the total numbers of vehicles parked.

3.15 Throughout the ten-year period from April 2013 to April 2023, the parking apron has been used consistently and continuously on a daily basis. Due to the 24-hour operation and the need to be highly flexible, our vehicles are out on the road most of the day only returning at night, if they are not overseas or elsewhere in the country. To remain a successful business, we need to make sure our vehicles/drivers are working hard all the time as it is no good parking them up lying idle. Due to how the vehicles are hired, we can increase and decrease our fleet at any one point depending on business need.

4 Use of the Site pre-2006

4.1 The land, as illustrated on Plan 1¹⁴, has been used continuously for the parking of the vehicles and trailers since before 2006. Most, if not all the vehicles and trailers have been working daily with parking necessary overnight. The problem we had before 2006 was that during wet weather our vehicles were stuck in the mud and had to be pulled out. This resulted in delays getting them onto the road. It was very inefficient.

¹⁴ CDA3 -Layout and Block Plan

5 Works in 2006

- 5.1 In 2006, I recall an area of land at Broadway Farm, as illustrated by the red line on **Plan 1¹⁵**, 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, operating from Broadway Farm.
- 5.2 At that time the business was expanding and storage space was severely limited. The solution was to store goods and materials on trailers which could be recovered, attached to lorries and driven off to customers. The fields were often wet and due to the heavy weight of the vehicles combined with the merchandise, we had to think of something quickly otherwise we were in danger of losing business. I can remember we were parking up to 40 trailers on the land, the majority owned by other hauliers or customers. In 2006 we were so desperate for somewhere to park the vehicles. Not all the trailers belonged to CCW Services. Some of the trailers belonged to customers such as the Co-Operative Group, 3663, One-Stop, Johnson and Johnson, Palmer and Harvey and Keystone, for example. Given the lack of warehousing space at that time we had little choice but to store goods temporarily on the trailers. It wasn't ideal, but we had no other choice. Due to the short length of stay for the trailers on site, these vehicles were over and above our Licence.
- 5.3 Some of the vehicles and trailers were so heavy they were sinking into the ground. Companies such as Polarcap and Estee Lauder brought trailers in with glass on wooden pallets proving very heavy to manoeuvre into the field.

¹⁵ CD – A4

- 5.4 Maurice and I discussed the matter following which Maurice then contacted Tony Heathfield at G&M Technical Services. The area and location of land considered the most appropriate for parking was agreed to be in the northeast corner of the site as shown on Plans 1 & 2¹⁶. The reason for choosing this area was that the land had been used for parking for a while before 2006, when it was just grass, and also because it was the most convenient to the yard and away from the road.
- 5.5 Tony was instructed to undertake the engineering works on an area of land at Broadway Farm, Broad Oak, Botley, Hampshire as illustrated by the red line on Plan 2 attached.
- 5.6 I arranged payment of the invoice. Payment was made by bacs within 7 days.

6 Use of the Site 2006 - 2020

- 6.1 Once the grasscrete was laid down it became much easier to move the vehicles around the parking apron. We no longer needed to pull the vehicles out of the muddy ground which made the business much more efficient because we didn't have to waste valuable time retrieving them.
- 6.2 We have used the parking area for trailer and tractor storage for so many years since before 2006. We all experienced the pandemic in 2020 when we were approached by the NHS to store some first response vehicles and to help, we were willing to allow part of the apron to be used on a temporary basis. This just coincided with the need to repair the apron and apply tarmac making it cleaner and more tidy. The fundamental use of the apron has remained however to park our lorries and trailers which we have been doing since before 2006 when the grasscrete was installed.

¹⁶ CD – A3 and A4 – Location Plan and plan of the Parking Apron

7 Works in 2020

- 7.1 In 2020, for road safety and operational reasons the grasscrete area was capped with a layer of Tarmacadam. This was done to stop grass and soil being transferred onto site access roads and the main public highway. I remember discussing the matter with Maurice and it was agreed he would contact Tony Heathfield to undertake the work. Due to the high value nature and weight of the goods stored on the trailers in particular we had little choice to make the improvements because the grasscrete was cracking and there was a danger that the trailers and or tractor units would get damaged. Also, when you are storing small glass bottles in boxes, a sudden jolt can cause damage.
- 7.2 Cleanliness of the site is paramount on the site, which contributed to the reasons why we repaired the existing Grasscrete applying a layer of tarmacadam. We were conscious of debris going onto the local runs and causing damage as well.
- 7.3 The initial grasscrete surfacing installed in 2006 remains in place beneath the Tarmacadam since 2006 and has not been removed. I know this because I witnessed the grasscrete being laid in 2006. See photograph 2¹⁷.

8 Bore Holes

- 8.1 On Friday the 24th February 2023, I am aware that 4 test holes were dug taken from each corner of the car parking apron site as illustrated on Plan 2¹⁸ attached. Maurice and I discussed the need to make the holes upon the advice of our Planning Consultant who

¹⁷ CD – A8 and A9

¹⁸ CD – A4 – Plan of the Parking Apron

suggested it might be helpful to see what structure and materials lay beneath the surface.

I had no personal involvement in the works. I left that to Maurice.

8.2 Photograph 3¹⁹ clearly shows the Tarmacadam on the surface with Photograph 2²⁰ illustrating the 35cm depth of hole with the concrete grasscrete just below the tarmacadam. Beneath the grasscrete is a further layer measuring some 25cm of hard core and rubble which formed the basis for the grasscrete set down in 2006.

8.3 I have seen the Council's photographs²¹ and they show nothing more than the original photos taken by Tony Heathfield last year.

9 Use of the Site 2020 to present

9.1 Since the works in 2020, I have seen the parking area used on a regular basis for the parking of vehicles to include heavy haulage lorries and trailers which has continued from 2006 until today. The use of the land has continued and has not changed in terms of the parking. The NHS vehicles have taken up some of the space making it more important to manage the logistics of parking but other than that, there have been no major changes.

10 Interested Parties' Comments

10.1 After reading the comments of some local interested parties, I would like say the following:.

¹⁹ CD – A11

²⁰ CD – A9

²¹ CD – H1 to H4

i) It has been suggested that there has been a significant increase in traffic, but nothing has been mentioned or objections raised in connection with the 2017/2018 planning application. In this application (Ref number F/17/81201²²) there is a photograph on the front cover of the Planning Statement showing the same piece of land with storage trailers. Our Operator's Licence in June 2017 is for 9 lorries and 6 Trailers, but in the photograph taken on the 1st June 2017²³ it shows 10 trailers for storage and / or stand trailers. Appendix 43²⁴ shows another photograph taken in August 2016 where there were at least 6 trailers parked up. Appendix 41²⁵ shows a tractor unit on the 5th August shunting a trailer. This clearly demonstrates the usage at that time.

ii) The comments have questioned the use of the land and relies on the google pro pictures that we have all been able to view. These pictures take seconds to produce and only happen once a year, if that. I don't see how that demonstrates that we have not used the parking apron on a regular basis/daily. We have other pictures that were taken on other days, and other aerial pictures that I have paid for, which also demonstrate the use²⁶.

iii) Our neighbours cannot see into our premises from their own homes or even from the surrounding roads public footpaths and have not visited so how can they know what goes on? To my knowledge there have never been any complaints.

10.2 We are both very proud of the business we have managed to build considering the number of companies that have closed. To my knowledge 29 firms have closed in 2023 and some of them had been trading in excess of 86 years. Our 18-year-old twins have just recently started within our business and understand the running of the business.

²² CD – F29

²³ CD - F12

²⁴ CD – F10

²⁵ CD – F8

²⁶ CD F6 and F7

10.3 Adaptability in our business is really important. We have unexpected challenges every day and we have to deal with them immediately and professionally otherwise our business will suffer. It is absolutely crucial for us to have the ability to adapt and change instantly and this is why the parking apron is so important to us. Not being able to adapt can offer services required by our customers present and future, with the resulting possibility of losing customers.

11 Comments on the Council's Case

11.1 The Inspector has identified two main issues and an agreed third issue has been added. On the first issue, there is no doubt in my mind that the grasscrete works were undertaken in 2006 and from that time until 2020 when the tarmac repair was made, we used the parking apron every day for parking and storage to support our business. It seems to me the Council agree that the works were done in 2006.

11.2 The Council is not convinced that our evidence is sufficient to show that the apron has been used for parking for the last 10 years. There is no evidence produced by the Council or anyone else to the contrary. I know since before 2006, we have used the land for parking and storage let alone the last 10-year period. As the business has evolved over time, we have invested a great deal of money to retain and attract customers which is why we laid the grasscrete in 2006 and the repair work in 2020. Again, there is no doubt in my mind we have used the land for parking all that time. Over the ten-year period from 2013 to 2023 the apron has been used daily for parking and storage but with the need to repair the grasscrete by laying tarmac and the advent of Covid, when we agreed to help the NHS during the pandemic, there has been more overall activity but not as a result of the CCW business which has remained constant. The nature and character of the haulage business has not changed.

- 11.3 The third matter that the Inspector wishes to consider sounds quite technical from my point of view but the laying of the tarmac was a much-needed repair for good business reasons and it did not change the way we used the land.
- 11.4 The Council say that things changed dramatically in 2020 when the tarmac was laid with new fencing, landscaping and a new access but what should be remembered is that at the end of 2019 we started the implementation of the new warehouse building²⁷. We needed to improve the surfacing of the yard. Some landscaping on the western side of the apron was planted between 2016 and 2019 (see CD- C6f and C6g). The internal access has been located in several positions during the 10-year period with the most southerly gate remaining in situ to this day but the access to the apron which is used currently is more useful because of the location of the warehouses and better suits the loading and unloading of the trailers and lorries. The field has not been severed in any way although further landscaping has been planted to help screening and security of the site.

12 Conclusion

- 12.1 During the years 2006 to the present day, and since before when it was just grass, the parking of vehicles and trailers has been continuous and varied according to the requirements of the business.
- 12.2 The engineering works undertaken in 2006, when the grasscrete was laid down, took place because we needed a more stable surface to park the vehicles. The problems we had particularly in wet weather meant we had to do something to stabilise the land which

²⁷ CD – C6g

then made the business much more efficient as we didn't need to waste time pulling the trailers out of the mud.

12.3 In 2020 the tarmac was used to repair the grasscrete which after 14 years was cracking in places. The tarmac also enabled us to keep a much cleaner yard so we did not have mud all over the place.

12.4 During the ten-year period between April 2013 to April 2023, I have no doubt that the parking apron has been used daily for parking vehicles and trailers.

12.5 All we are trying to do is to run a successful family business employing people and investing in our business to retain and attract good customers. This means that we are just improving small things regularly and when affordable to stay ahead of our competition whilst complying with various different regulations to make our business better. We believe that everything we have done is for the best whilst respecting our neighbours and just improving things. In order to carry on the business we ask the Inspector to grant us the Certificate. If the apron is removed this will impact our business and have detrimental effect on the future of CCW Services.

Signed

Louisa Jane Doe