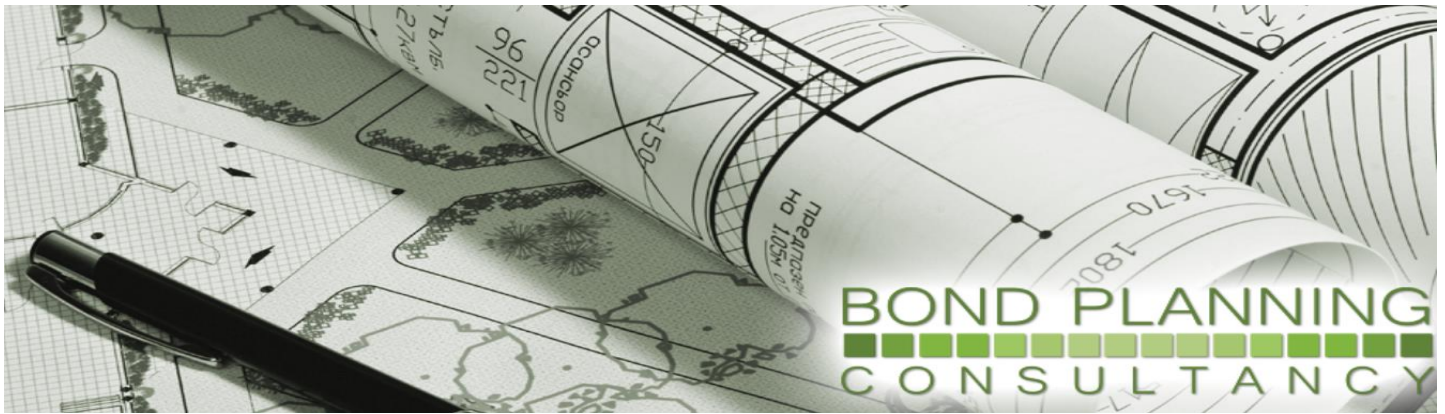




**STATEMENT IN SUPPORT OF AN APPLICATION FOR A CERTIFICATE OF
LAWFULNESS IN REGARD TO THE CHANGE OF USE OF LAND AT TRENT VIEW
FARM, 60 BURTON ROAD, REPTON, DERBYSHIRE, DE65 6FN FROM
AGRICULTURAL USE TO USE AS A BUILDER'S YARD**

Prepared for

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Version 1.1

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1. INTRODUCTION

- 1.1. This statement supports an application for a Certificate of Lawfulness of Existing Use or Development (CLEUD) to confirm the lawful existing use of a parcel of land at 60 Burton Road, Repton, Derbyshire, DN65 6FN.
- 1.2. The application seeks to confirm that the site, as a single planning unit, has a lawful established sui generis use as a builder's yard because it has been in such use for in excess of 10 years, with this use commencing around 2005.
- 1.3. This statement provides details of the site, its planning history and the evidence to demonstrate that the above is lawful. Additional evidence in support of this application is appended to this statement.

2. SITE LOCATION & CONTEXT

- 2.1.1. The Application Site (the Site) forms one part of the wider agricultural holding at Trent View Farm, 60 Burton Road, Repton and shares its access to the public highway with the wider farm unit and the residential dwelling at this location.
- 2.1.2. The Site is around 235m to the north of Burton Road, with the access from this road being of an agricultural nature. The land falls significantly south to north and the Site is barely visible from properties along Burton Road and other public vantage points. The CLEUD site boundary, including the access route to Burton Road, is indicated in red on the plan attached to this submission in Appendix 1.
- 2.1.3. The Site is comprised of an area of hardstanding with agricultural buildings on land immediately to the south west and north west. To the east are agricultural fields and the southern boundary is comprised of the access road with a hedge beyond. The Plan in Appendix 2 identifies the Site within its immediate surrounds.
- 2.1.4. The nearest residential properties are located approximately 220m to the south of the Site. There are no public footpaths, watercourses or heritage assets affected directly or indirectly by this application.

3. Planning History

- 3.1.1 There have been a large number of planning applications at the wider Trent View Farm site, with the following applications being considered of relevance to the current Application Site.
- 3.1.2 Planning application 9/0091/0719 was approved in January 1992 for the use of one of the barns at Trent View Farm as a base for two diggers and one lorry. This established a non-agricultural use at the farm site.
- 3.1.3 Planning application 9/1993/1048 was approved in April 1993 for the widening of the access track serving the wider Trent View Farm site which serves the current Application Site. This improved access ensures excellent visibility at the junction with Burton Road for both farm and AR White Building Contractors Ltd's vehicles.
- 3.1.4 Planning application 9/1994/0905 sought to remove condition 1 of planning permission ref. 9/0091/0719 to permit the permanent use as a base for two diggers and a lorry. This was approved in March 1994.

4. Development Details

- 4.1.1 The Applicant has used the Site as a builder's yard for well in excess of the required ten years, moving on to the land in the mid 2000's. This has led to a material change of use of the land from agricultural to that of a builder's yard.
- 4.1.2 The use of the site has taken place without a break on Monday to Saturdays throughout this period extending beyond ten years, with the use including deliveries and collection of building materials by the Applicant and other builders by HGV and non-HGV modes and also the parking of the Applicant's company vehicles when not in use. Access to the site has been solely via the improved access arrangements for the wider Trent View Farm.
- 4.1.3 Witness statements produced by the landowner, Applicant and an employee confirm that the use of the site has been as solely a builder's yard for a period extending beyond ten years before the date of this application, and this position is further supported by the documentary evidence submitted in Appendix 6, which is a series of historic aerial photographs and Appendix 7 which contains sample invoices from suppliers of building materials.
- 4.1.4 The use of the Site as a builders yard has no direct impact on designated rights of way, watercourses, the functional floodplain or any heritage asset.
- 4.1.5 The use is very low key and there have also been no complaints regarding the use of the site to the best of the Applicant and landowner's knowledge.

5. Conclusion

- 5.1.1 This statement and appendices are submitted in support of an application for a Certificate of Lawful Existing Use of land at Trent View Farm, 60 Burton Road, Repton.
- 5.1.2 Supporting evidence is provided in the form of signed letters from the landowner and a Director of the Applicant, A R White Building Contractors Ltd, demonstrating that the use of the land as a builder's yard has taken place without a break for more than ten years.
- 5.1.3 The evidence submitted regarding the use of the Site as a builder's yard for a period extending beyond ten years is overwhelming, and it is considered that it is the issue of the material change of use from agriculture to a builder's yard use that is up for consideration.
- 5.1.4 In the light of the above it is considered that the Applicant has demonstrated that on the balance of probability a material change of use occurred over ten years ago, that that use has continued without a break during this time and therefore a lawful development certificate ought to be issued without undue delay.