

Lynnyrd Wolfe

From: Andrew Wood
Sent: 07 March 2019 16:38
To: Planning.Responses
Cc: Louise Greene
Subject: FW: 6018: Star Plants Application WA/112/18/CLE - Legal Services Ref: - 7163
Attachments: 6018-001A Star Plants Plan EXISTING A3.pdf

Additional plans please upload.

Louise,

Does the info provided allow you to alter your written advice on this CLE ?

Thank you,

Andrew Wood

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From: Douglas Briggs Partnership [REDACTED]
Sent: 07 March 2019 13:49
To: Andrew Wood
Subject: Re: 6018: Star Plants Application WA/112/18/CLE

Dear Andrew,

Thank you for your e-mail

The Reservoir:

Having been to the site, we can confirm the reservoirs do indeed remain in situ.

It is worth noting that the level of the water changes and as the trees grow on the banks, they obscure the edges of the reservoir in the aerial photos.

From our experience of reading aerial photos, the greenness that you see is likely to be green algae build up on the surface of the reservoir.

It is common practice for the algae to be cleaned, which would account for the changes seen in the aerial photos.

The Aerial photos do correspond with the OS map evidence so I trust that these can be included within the certificate.

Haygrove 2 polytunnels

These polytunnels were the subject of a PNO application

We can confirm that the polytunnels have been drawn on the application plan to the same dimensions as the PNO application.

The tree in the 2018 aerial photo makes it difficult to see but the Northern most polytunnel was initially constructed 1 bay short of what was approved, this has since been rectified.

Roads / Tracks

We enclose a revised plan that shows the surfaced roads and tracks.

The applicant's recollection of the timing indicates that it was the central tarmac road and cross shape of tracks in the centre of the site that was under construction when Barry Saunders wrote in 1984

The plan indicates the tarmac road from the access and concrete track over the bridge to the Linear and Venlo Glasshouses.

The plan also indicates the gravel access tracks around the planted beds

Each of these conform to the layout shown on the 1989 OS map extract and aerial photos

The central gravel yard area appears to have expanded since the 1989 OS map but is clearly identified on the 1992 OS Map and in all the Aerial photos back to 2001.

We are therefore satisfied that on the balance of probabilities, all of these roads and tracks have been in existence for more than 10 years

We trust that these can be included within the certificate.

Walkways between Planted Beds

The aerial photos show the location of the planted beds between the access tracks, planted in East West rows with narrow access between.

Having visited this and many other horticultural sites, it is common to see narrow gravel walkways laid over a geotextile (to prevent weed growth) between the rows of plants and we consider this practice a normal part of the use of outdoor beds.

We would not describe these narrow walkways as a 'farm track' or a 'road' and would not expect planning to be concerned with the exact layout of planted beds and therefore do not expect the layout of the planted beds to require a certificate of lawfulness.

Please let us know if you disagree.

With kind regards

Paul Hughes

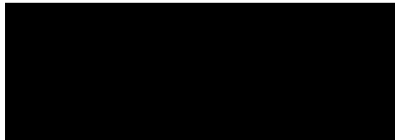
Douglas Briggs Partnership

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On 01/03/2019 16:26, Andrew Wood wrote:

Mr. Hughes,

6018: Star Plants Application WA/112/18/CLE

The ADC legal advisors are satisfied that the use is legal however there are three remaining issues relating to various structures on site:

The Reservoir: It is not clear from the evidence provided of the aerial photos if the Reservoir remains in situ, as shown on the OS Map 1989 and 1992. It is clear from the aerial photos that there is a shape where the reservoir is purported to be, however the area appears on a number of photos to be trees/green landscape. In consideration of this, we met on 8.2.19 and looked together at ADC GIS historic maps and we were both satisfied that there is a reservoir in place as shown on the plan, looking at maps in 2010 and 2018. I would suggest you add that evidence to your file records, as the applicant's evidence is not sufficiently precise and unambiguous to justify the grant of the certificate for the reservoir, however the evidence on the historic maps is sufficiently precise and unambiguous.

Haygrove 2 Polytunnels: Y/10/17/AG Prior notification under Part 6 for three temporary polythene tunnels. Granted prior approval – decision notice 14.3.2017. Structures must be erected in accordance with the approved details (length, width, height to the eaves and height to the ridge measurements as set out in the decision notice). Evidence: Plan shows 3 tunnels of different lengths and Google earth aerial photo shows tunnels in the position as shown on the plan. It is not clear from the evidence if the tunnels have been erected in accordance with the approved details? Please check the length and width against the scaled plan and determine if the height of the buildings is with is in accordance with approved plans.

Roads/Farm Tracks: The plan does not identify where the roads are on site. The certificate should be clear where the roads are, so that if any further roads are subsequently built, it is clear which are existing and lawful, and which are new and require prior approval. Looking at the Google Earth aerial photos, I can see a road leading off Lake Lane to the yard, however the table in the Development History refers to more than one road, so clarification should be sought, and you will need to satisfy yourself on the balance of probability as to all of the roads.

Could you provide further evidence with regard to the 3 matters set out above ?

Thank you,

Andrew Wood – Senior Planning Officer

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From: Douglas Briggs Partnership
Sent: 22 February 2019 11:53
To: Andrew Wood
Cc: Planning
Subject: 6018: Star Plants Application WA/112/18/CLE

Dear Andrew,

We note that this application was due for determination on the 14th February 2019.

Please can you give us a progress update and let us know if there is any further information you require in order to grant a certificate of lawfulness for the existing use and development?

With kind regards

Paul Hughes

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Douglas Briggs Partnership
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