

STRIDE & SON

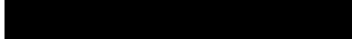
**SURVEYORS & VALUERS
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ESTABLISHED 1890

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SCHEDULE OF SUPPORTING EVIDENCE

FOR

AN APPLICATION

FOR

LAWFUL DEVELOPMENT CERTIFICATE

FOR

EXISTING USE AT

ASHOGLE AND BROOKVIEW NURSERY

EASTERGATE LANE

**WALBERTON, SUSSEX
BN18 0BA**

OCTOBER 2012

DJB/AKJ

Mayfair Office: Cashel House, 15 Thayer Street, London W1U 3JT

Stride & Son is the trading name of Stride & Son Ltd. Registered Office: 4 Dukes Court, Bognor Road, Chichester, West Sussex, PO19 8FX

Registered in England Company Number: 6724455

Regulated by RICS

INSTRUCTIONS

In accordance with instructions given by Mr. Philip Sowden the owner of the above site, an application is being made for a lawful development certificate for the site really known as Brookview Nursery, following response to a planning contravention notice and a letter received from Mr. Sullivan dated 21st September 2012 and a site meeting held on 9th October 2012.

We have been instructed to submit evidence in support of this lawful development certificate (B8).

HISTORY OF THE SITE

Mr. P. Sowden is the freeholder of the above site and lives in the house known as Ashogle, Eastergate Lane, Walberton, West Sussex BN18 0BA. Mr. Sowden lives there with his wife, and the adjacent house, Brookview House, is occupied by Mr Sowden's brother's widow who has no part or interest in the business.

The site in question on which a certificate is being sought is known as Brookview Nursery and extends to approximately two acres .

The site has been occupied since 1987 as a nursery/landscaping business which required the storage of soil and aggregate on the site as well as compost which was used both on site and on contract work. The use therefore has been for twentyfive years and old structures remain where plants were cultivated and held before sale, as well as an old greenhouse structure.

The two brothers carried on the business until one brother died in 2005, and Mr. Philip Sowden then carried out the business on his own.

At all times there has been aggregate on site and supporting evidence is attached to this statement, and over the years other gardeners or contractors came to the site and bought aggregate or other material if required. These individuals would be builders or landscapers, or even private individuals wishing to carry out their own landscaping work. and to date there would normally be one to three a week.

The site is open five days a week from 7.30 a.m. to 4 p.m., and there is no Saturday or Sunday work.

On the site there are containers which are primarily used for storing Mr. Sowden's own private items, and we opened two containers during our site visit with you to show you the exact contents. Two are let to Messrs H & D Aggregates.

Mr. Philip Sowden is now 58 years old and some two and a half years ago, having lost his brother and business partner, he let out part of his office to Messrs. H & D Aggregates and part of the yard storage space also to Messrs. H & D Aggregates who are now running the soil and aggregate business.

There are two offices on site at present, one is occupied by Messrs. H & D Aggregates, the other by Mr. Sowden, and there is a link door between the two which we indicated during your site visit.

There is a small building which was formerly the packing shed which is let out as an upholstery material storage area, and a separate planning application will be made for a change of use on this small building.

UNITS ON SITE AT PRESENT

These comprise:

1. The office building subdivided between the two occupants.
2. The old packing shed which is used for the storage of upholstery material which will be the subject of a separate planning application
3. The various divided sections containing the aggregate or soil or compost or sand, approached over the hard drive. Immediately behind these are the containers which all belong to Mr. Sowden and are used as described above.
4. Immediately adjacent to this there is the old derelict plant storage area when the landscape business was going at its height, but which is now in a fairly dilapidated condition and business here tended to fall away as it is cheaper to import plants and flowers from abroad.
5. There is also the covered tunnel of plastic which usually has an active life of around 4-5 years only, and is now also derelict.

Then behind this is what remains of the old nursery where there are logs and old tree stumps etc.

The business therefore has not changed since the Sowden brothers took up occupation in 1987, and we attach the following documentation:

- (i) An important document, being the Certificate of Incorporation of a Private Limited Company which clearly states that it is in the name of Brookview Nursery Landscape Contractors Ltd. dated February 1996.
- (ii) I have then attached a full set of accounts prepared by Messrs. ABC One Two Three Ltd, Chartered Accountants, for the year February 2002 in the name of Brookview Nursery Landscape Contractors Ltd, and you will note that it was a viable business showing a profit at the end of the financial year.
- (iii) I have then attached proof that accounts were prepared in February 1999 and again here have shown a profit and loss account rather than the full accounts, but can make these available.
- (iv) I have then gone back to 1997, and again prepared a photocopy of financial statements from that year.

- (v) We have then attached invoices which were sent out over the years, and in excess of ten years, proving that landscaping works were carried out, and that materials such as sand, aggregate, soil etc. were supplied by Messrs. Brookview Nursery Landscape Contractors Ltd.
- (vi) To show that these various materials were delivered to the site I have enclosed invoices from Messrs. Dudman Aggregates Ltd. from January 2004 and 2005 as well as the Day Group who delivered pavings etc.

As mentioned in the statement above all these materials were available on site both for the use by the company and for other contractors who wanted to purchase.

- (vii) We asked Mr. Sowden to provide any photographs of past usage and these are attached, on which he has put the dates that the photographs were taken. At one time this company employed 20 employees and you will note from the photographs that these clearly show the materials used for the landscaping business, the various sleeper lined compounds in which the aggregate soil, sand etc were stored, and a separate photograph shows the plants and in the background the containers. There is also a photograph of the old loader standing next to a large heap of compost and aggregate. These heaps of material show that it was far more than would be used for a normal nursery business.
- (viii) I have also attached some invoices, albeit somewhat difficult to read because they are copies, but these show examples of aggregate etc. being sold on site.
- (ix) As far as Messrs H & D Aggregates are concerned they took over the running of the business two and a half years ago, although Mr. Sowden is still on site, and they are really his tenants and he owns the site itself.

We therefore request that a Certificate for Existing Use is granted in accordance with B 8 in this instance.

.....
 D.J Bowerman B.SC(Econ)FRICS
 Stride & Son Ltd.
 St. John's Street, Chichester.