

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote

## OWNERSHIP HISTORY

I purchased the land at Brooks, Cemetery Lane in October 2003 and I enclose details of the landownership title (Appendix A) in my name.

## PLANNING HISTORY

On the 14<sup>th</sup> April 2011 my agent, Mr Kernon applied for a certificate of lawfulness (WE/11/01584/ELD) to establish the use of the land for the parking, storage, repair, sale of vehicles and storage of a caravan on the site as at that time I was letting the site to a tenant (D Margalies) who stored motor vehicles and motor spares in and around the former agricultural buildings.

The application for a certificate of lawfulness was refused on the 8<sup>th</sup> July 2011 (see appendix B) on the grounds that there was not sufficient evidence to demonstrate that the use had continued for in excess of 10 years, partly because I had only owned the site for 8 ½ years at that time.

On the 24<sup>th</sup> October 2011 I received a letter from the council (WE/11/00368/CONENF) that acknowledged that remedial action had been undertaken but requested that *“any non-agricultural vehicles are removed”* (see appendix C)

I complied with the requirement to remove the cars and the caravan was removed and a shelter between the two buildings dismantled.

However throughout the certificate of lawfulness application and the subsequent enforcement action, no site visits were made and to date I have not been asked to cease the use of the existing buildings for commercial storage.

I have therefore continued to let out the two former agricultural buildings for commercial storage to other tenants.

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote

**SITE CONTEXT**



The two, single storey former agricultural buildings are located in the North East corner of the site (red line) on concrete bases, with hard surfaces between, to the South and West side of the buildings



To the West of the site is an area of grass (blue line) that remains as open pasture and is not part of this application.

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote



To the South of the buildings is an area of hard-standing providing vehicular access to the front of the buildings and occasional outdoor storage.



The site is accessed in the South East Corner via a drive between Oslands and Lavender Cottage with a gate and surrounding fences to provide security.

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote



The two buildings are former agricultural stock buildings (possibly for Pigs) separated into a number of rooms some with former pig-stys separated by low walls and timber trusses support a corrugated sheet roof.



There are doors with windows each side in the North and South ends of the buildings and a variety of doors and windows along the East and West sides and while these do not have any glass, the whole site remains secure by virtue of the boundary fence

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote

**USE FOR COMMERCIAL STORAGE**

The former agricultural buildings are described as 'Unit 1' and 'Unit 2' that I have let separately to tenants who have use of the surrounding hard surfaces.



To the west of each building is an area of hard-standing that each tenant has use for external storage if required.



To the South of the buildings is an area of hard-standing providing vehicular access to the front of the buildings and occasional outdoor storage.

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote

Currently both Units 1 and 2 are rented and being used by John Hackett of Aldwick Fencing to store materials, equipment and surplus supplies related to his fencing business.

UNIT 1



John Hackett of Aldwick Fencing has rented Unit 1 from December 2011 to the present day and has provided a letter (see appendix D) confirming these facts and can provide a sworn statement is required.

Mr Hackett has also supplied invoices (see Appendix E) from a supplier of fencing materials (Acorn Fencing) confirming delivery of fencing materials to the site from 2012 to 2022

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote

UNIT 2

David Storey-Apps of David Grant UK Ltd rented Unit 2 from January 2012 to April 2018 for the storage of goods associated with their business, consisting of various items of catering equipment and furnishings and has provided a letter (see appendix F) confirming these facts and can provide a sworn statement if required..

David Storey-Apps had previously rented the site to store and work on two classic cars for around 6 months in 2007 and provided evidence to this effect that was submitted with the application for a certificate of lawfulness in 2011. Mr Storey-Apps' letter (see appendix F) also mentions that Mr Hackett "a fencing contractor" was using Unit 1, corroborating Mr Hackett's evidence.



When Mr Storey-Apps vacated the Unit 2 in April 2018, Mr Hackett of Aldwick Fencing rented Unit 2 in addition to Unit 1, storing surplus materials and equipment to the present day.

Mr Hackett's letter refers to moving his own supplies into unit 2 "Once unit 2 was clear of the last occupants' belongings" (see appendix D).

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For  
Commercial Use of  
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Cemetery Lane, Woodmancote

SUPPORTING EVIDENCE

AERIAL PHOTOGRAPHS

Dated aerial photographs available from Google.



Figure 1: October 2011



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Figure 2: April 2015



Figure 3: July 2019

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote



Figure 4: September 2019



Figure 5: January 2022

Vehicles parked on site in varying positions and areas adjacent to the buildings used for outside storage are clearly visible in each of the aerial photos that are independently verifiable.

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For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote

DOCUMENTARY EVIDENCE

- **APPENDIX A** – Land Registry Title Deed and Map.
- **APPENDIX B** – Decision Notice for Certificate of Lawfulness Application WE/11/01584/ELD
- **APPENDIX C** – Letter from Chichester District Council dated 24/10/2011

EVIDENCE FROM TENNANTS

- **APPENDIX D** - Mr Hackett of Aldwick Fencing has provided a letter confirming his use of Unit 1 from December 2011 – present and unit 2 from April 2018 to present and can provide a sworn statement if required.
- **APPENDIX F** - Mr Storey-Apps of David Grant UK Ltd has provided a letter confirming his use of Unit 2 from January 2012 to April 2018 and can provide a sworn statement if required.

EVIDENCE FROM SUPPLIERS / CONTRACTORS

- **APPENDIX E** - Mr Hackett of Aldwick Fencing has also provided 20 invoices from Acorn Fencing and 1 from Goodrowes for deliveries of fencing materials to Brooks between March 2012 and April 2023.
- **APPENDIX G** - Dan Hughes has provided a letter confirming the supply of concrete products to Aldwick Fencing at Brooks since 2013.
- **APPENDIX H** - Garry Palmer of Solent Skips has provided a letter confirming that Aldwick Fencing has been a customer and they have delivered skips to Brooks since 2014.
- **APPENDIX I** - John Morley of John Morley & Son Roofing Contractors has provided a letter to confirm that he undertook repairs to one of the units at Brooks in 2012 where he met Mr Hackett and observed that *“he was using a unit for his fencing business”* at that time and has visited Brooks on many occasions since.
- **APPENDIX J** – A receipt from Mr P Bridger of the Woodmancote Residents Association for payment of my contribution toward the repair of Cemetery Lane, noting that *“Paid more than other residents due to his business use at Brooks”*

EVIDENCE FROM NEIGHBOURS

- **APPENDIX K** - A neighbor, Mr Kemp who lives adjacent to the entrance of the site has provided two letters regarding the storage of a trailer borne Tuk Tuk at Brookes in January 2021 and work undertaken by Aldwick Fencing in July 2021 that also confirms his observations of Mr Hackett’s use, storing fencing materials on the site.

Supporting Statement  
For  
Commercial Use of  
**Brooks**  
Cemetery Lane, Woodmancote

## SUMMARY

Following the refusal of the certificate of lawfulness in 2011, I removed the caravan and cars stored on site.

However, as there was no request to cease using the buildings, I continued to rent Units 1 and 2 to tenants for commercial storage.

Two tenants covering a period from the beginning of 2012 to the present day have provided letters confirming their use of the site to store goods and materials related to their respective businesses which has been corroborated by statements from suppliers, neighbours and visiting contractors as well as documentary evidence provided by financial records, all of which are independently verifiable.

Both tenants and I are willing to make sworn statements and be contacted by the council to verify the information given above that clearly establishes that the site has been used for the storage of commercial goods for in excess of 10 years.

Mark Ingram