



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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Your reference
MRH/JAB/91223
Council reference
RAD/57/15 & 17; 20E, 21E,
23E, 24E, 25E, 26E
Our reference
T/APP/C/92/V3120/618449 - 56;
618582; 618635 & 6.
T/APP/V3120/A/91/197081 & 2.

Date 10 DEC 92

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 174 AND SCHEDULE 6
PLANNING AND COMPENSATION ACT 1991
LAND AND BUILDINGS AT THRUPP LANE, RADLEY, ABINGDON, OXON
APPEALS BY J CURTIS & SONS LTD, R P CHERRY & SONS LTD, ABINGDON
CARRIERS LTD AND MARSH PLANT HIRE LTD

1. I have been appointed by the Secretary of State for the Environment to determine your clients' appeals against 6 enforcement notices issued by the Vale of White Horse District Council, and against 2 refusals of planning permission by the same Council, concerning the above mentioned land and buildings. I held an inquiry into the appeals on 17 and 18 November 1992, and inspected the premises and their surroundings the following day. The evidence was not taken on oath.

THE NOTICES

2. I propose to annotate the Notices 1 to 6, and to adopt the annotations for the buildings and their curtilages used by the principal parties (shown on Plan C).

a. The notices were issued on 17 March 1992.

b. The breaches of planning control as alleged in each of the notices are -

Notice 1 - Breach of condition, in that use of Premises C for the hire, repair, maintenance and storage of cranes continued after 31 December 1987.

Notice 2 - The use of Premises C for the hire, repair, maintenance and storage of cranes.

Notice 3 - Breach of condition, in that use of Premises A for the repair of light commercial vehicles continued after 31 December 1987.

Notice 4 - The use of Premises F for a parcel delivery business.

Notice 5 - The use of Premises D for the repair and maintenance of office equipment.

Notice 6 - The use of Premises A for the repair of light commercial vehicles.

c. The requirements of each notice are to cease the uses alleged; and to remove all cranes (Notice 2), motor vehicles (Notice 4), office equipment (Notice 5), plant, tools, machinery and equipment brought onto the land for the various uses alleged.

d. The period for compliance in each case is 5 years.

e. Each appeal was made on ground (a) as set out in Section 174(2) of the 1990 Act after its amendment by the 1991 Act, that is to say that planning permission ought to be granted for the development to which the notices relate; and in the case of Notices 3 and 6, ground (f), that the steps required by the notices to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by the matters stated in the notice or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.

3. The development which was refused permission by the Council was firstly, the use of land and buildings for Class B1 business purposes; the site included Premises A, C, D, F and G, together with intervening and adjacent land. Secondly, for the retention and continued use of existing buildings (all the buildings included in the first proposal, with the addition of Building I and the adjoining land) for Class B1 and B2 uses. It was said at the inquiry that the intention was to seek the continuation and authorisation of the uses actually taking place within the various buildings, and I was invited, if I should be minded to grant planning permission, to tailor the uses to those actually conducted in those buildings that are occupied.

THE INQUIRY

The Ground (a) appeals, deemed applications and S 78 Appeals

4. The background to these appeals is that the land is within the approved Green Belt, in which in accordance with national policy guidance there is a presumption against inappropriate development, including the change of use of existing buildings, other than in very special circumstances. Policy EN5 of the extant Oxfordshire Structure Plan states -

Development in the Green Belt will generally only be permitted for agriculture, forestry and recreation.

5. The land is within a larger area for which planning permission was granted in 1954 for the extraction of sand and gravel; the mineral extraction has continued within the larger area, and adjoining land, for many years. A condition attached to the 1954 permission states -

All plant, buildings, foundations and machinery shall be removed from the site by the operator at such time as the Local Planning Authority, after consultation with the operator, is satisfied that they are no longer required for the purposes of working gravel.

6. The extraction works, on land to the south of the appeal sites, are still in progress today, and just to the south of the appeal sites is a large, operative concrete batching plant. Large scale sand and gravel extraction works are also being undertaken on other land, to the east of the appeal premises, by another minerals operator.

7. The buildings included in the appeal sites comprise -

Building A - a large blockwork building with corrugated asbestos roof and large sliding doors, used for the repair of motor vehicles, principally goods vehicles, by R P Cherry & Sons Ltd.

Building C - the westerly bay of another large blockwork and corrugated asbestos building with high sliding doors, and a smaller flat roofed front extension. The front extension is used as an office, and the remainder as a workshop, by Marsh Plant Hire Ltd. A compound to the West of the building is used for the storage of mobile cranes.

Building D - the easterly bay of the same building that includes Building C, vacant at the time of my inspection.

Building F - the central bay of the same building, occupied by Abingdon Carriers Ltd principally as a garage for vehicles used in their distribution business.

Building G - another large blockwork and asbestos building with concreted floor. There are some internal partitions and ducts for large extractor fans, but the building was vacant at the time of my inspection.

Building I - a large brick building, in part 2 storeyed and in part single storeyed, comprising the main offices and workshops of J Curtis & Sons Ltd and their associated company. Except for a few ground floor offices, the building was fully used at the time of my inspection.

8. All these buildings and activities are served principally by Thrupp Lane, a tarmac surfaced lane flanked by verges. The lane leads southwards from Radley Road, bends sharply westward, southward and again westward by a series of three near right-angled bends, and continues as a private road to serve the appeal sites. Adjacent to one of the bends, a low stone wall to the

garden of a house shows signs of having been repaired in the past; a substantial kerb has been installed to separate the carriageway from the base of the wall.

9. The lane, for much of its length, is less than 4.1 m wide; however, there are regular sections of the lane that are wider, and where passing bays have been provided. During the times of my site inspections, there were quite regular flows of traffic - private cars interspersed with heavy goods vehicles; and when opposing vehicles met, one or the other frequently needed to wait in a passing bay or wider section of the lane to allow the other to pass. The lane serves, in addition to the operations mentioned above, a number of houses, a coal yard, a former barn now converted to business uses, and premises used for the purposes of a microfilming business.

10. In 1968, planning permission was granted for the retention of an extension to a building, Building I; a condition was imposed restricting use of the building to that connected with the adjacent gravel workings. In 1974, permission was granted for the retention of Building A, subject to a condition that it should be used only for garaging, servicing and repair of vehicles and machinery used in conjunction with the sand and gravel workings. In 1976, permission was refused for the use of Building A for the maintenance of coaches; an appeal against this decision was dismissed in 1977.

11. County Council records indicate that in 1978 the local and county planning authorities became aware of various unauthorised uses having commenced within the site, and it was agreed that the district council should take appropriate action. Negotiations continued until 1982, when the Council considered a report that stated, in respect of the various uses -

.....None would conform to Green Belt policy and in theory it would be beneficial if this site could be fully restored to a use compatible with Green Belt designation at the end of gravel and tipping operations.

However in the meantime the uses are dwarfed by the gravel extraction which continues in this area and cause no nuisance in themselves. Most of them are activities which stem from J Curtis & Son Ltd, the owners of the land. All would experience difficulty in finding alternative sites at the present time.

12. The Council subsequently granted planning permission, limited to 5 years expiring 29 November 1987, in respect of:- Building A, for repairs to light commercial vehicles, personal to R P Cherry & Sons Ltd; Building C, for light industrial engineering, personal to Marsh Plant Hire Ltd; Building D, for light industrial engineering, to a firm who have since vacated; Building F for motor vehicle repairs, to another firm who have now vacated; and Building G, for light industrial engineering. Occupation of the latter building changed to another firm in 1984, but both concerns have now vacated.

13. In 1985 planning permission was refused for the change of use of Building F from motor vehicle repairs to use for garaging and servicing vehicles for Abingdon Carriers Ltd. Nevertheless, the firm went into occupation and are still there today.

14. The application that gave rise to the first Section 78 appeal was submitted in October 1987, before the temporary planning permissions had expired. Negotiations took place with the Council in an endeavour to overcome perceived highways objections to the continued uses, by the provision (across land owned by the Council) of another access road. The second application was made in pursuance of these negotiations, during which your clients offered to enter into an Agreement to restrict any further development upon their land, and to implement a scheme of landscaping, in an endeavour to secure planning permission.

15. These negotiations culminated in an officers' report to Committee on 2 September 1991, which stated -

If a suitable means of access to the site could be achieved your officers would be prepared to recommend permitting (the second S 78 appeal application), subject to restrictive conditions and a legal agreement. However, it appears unlikely that the access.....can be achieved. In these circumstances, permission ought to be refused.

Delegated approval was given to refuse both applications, and to issue the enforcement notices.

16. Against this background, from my consideration of the evidence given at the inquiry and my inspection of the site and its surroundings I have come to the conclusion that the main issues in this appeal are whether the development sought would be appropriate within the Green Belt; if not whether there are very special circumstances that might justify it exceptionally; and in either case whether it would give rise to unacceptable road traffic hazards.

17. National policy advice is that within Green Belts "The re-use of redundant buildings should not be refused unless there are specific and convincing reasons which cannot be overcome by attaching conditions to the planning permission". I am in no doubt that, while the mineral extraction and concrete batching operations continue, the continued use of the various buildings for their present purposes, and the re-use for business purposes of those that are at present vacant, would have a negligible effect on the character and appearance of the Green Belt.

18. I do not consider there have been any material changes in planning circumstances since 1982, when the Council agreed to grant temporary planning permissions for the various business uses. It is clear that, while your clients' sand and gravel extraction operations remain at their present level, the vacant buildings and those subject to enforcement notices are redundant to their original purposes (the evidence of your clients' planning witness is that the bulk of them were erected as permitted development in connection with the gravel extraction activities).

19. I therefore see no valid reason, arising from the need to protect the Green Belt, why there should not be further temporary planning permissions in respect of the uses enforced against; indeed, as pointed out on behalf of your clients, the unusually long period for compliance is tantamount to the grant of such permission. Moreover, I see no convincing Green Belt reason not to permit the similar temporary use of the buildings that are at present vacant and unused.

20. Whether permanent uses would be similarly justified depends, in my opinion, upon whether the condition attached to the 1954 planning permission would enable the county planning authority to require the demolition of the buildings, or some of them, when sand and gravel extraction operations cease.

21. The Council say that breach of the condition will not arise until firstly, there has been consultation with the operator about whether buildings are no longer required for the purpose of working gravel; secondly the local authority are satisfied they are no longer so required; and thirdly the buildings are not removed. By virtue of Regulation 4 of the Town and Country Planning (Minerals) Regulations 1971, an enforcement notice in respect of non-compliance with a condition, in minerals cases, may be served at any time within four years after the non-compliance has come to the knowledge of the local planning authority. Thus, they say, when the minerals operations cease, the buildings will have to be removed, and this will facilitate the reclamation of the land to a purpose appropriate to the Green Belt - under the terms of planning permission for tipping on the land (Document 15) there is a requirement for the provision of a final layer of at least 9 inches of humus bearing soil.

22. On the other hand, it was urged on behalf of your clients that if the condition was valid at all, it would need to be construed strictly in accordance with its precise wording - it would bite only on buildings erected "for the purpose of working gravel", not for any other purpose including ancillary uses. None of the buildings have patently been erected for a purpose intimately connected with gravel working, and so are not covered by the terms of the condition. Support for this proposition is to be found in the current General Development Order, which in Part 19 distinguishes between development that can and cannot be undertaken without prior approval; and in the judgement of the Court in *English Clays Lovering Pochin & Co v Plymouth Corporation* [1974] WLR742 which held that "winning or working of minerals" meant "extracting or separation of raw material from the solid earth in which it occurs".

23. Moreover, some of the buildings were the subject of specific planning permissions, and none was subject to a condition requiring the ultimate removal of the building. Upon the grant of permission in 1977 for the extension of the nearby concrete batching plant, Condition 2 stated *The building hereby approved shall remain on the site only so long as the surrounding area is used for the extraction of sand and gravel*. If the 1954 condition were exercisable, as the Council claim, such a condition would be otiose.

24. It was further submitted on behalf of your clients that even if the condition were to be valid, and if it were to apply to the buildings involved in these appeals, both the county and district councils were aware in 1978 that the various buildings were used for purposes that had nothing at all to do with the working of gravel. That was when the clock began to tick for the purposes of the 4 year rule. There had been extensive consultations between the parties, the Councils were aware that the buildings were no longer needed for the working of gravel (if indeed they ever were), and all this was recorded in a memorandum dated 21 November 1978. As no action was taken to enforce the condition by 22 November 1982, immunity was obtained, by the authority of *Harvey v S of S for Wales (CA) [1991] 2PLR*; and *Peacock Homes Ltd v S of S for the Environment [1984] 48 P&CR 20, CA*. Immunity remains today by virtue of Section 4(2) of the 1991 Act. Therefore, as stated in the Council officers' report to Committee dated 17 February 1992, the buildings are beyond enforcement control.

25. I consider that powerful arguments have been advanced by both parties concerning the enforceability of the 1954 condition. However, although I need to come to a conclusion on the issue, it is not a matter that falls to be determined in these appeals. I am conscious of the facts that firstly, when planning permission was sought for the retention of Buildings A and I there was no claim then that the buildings were immune from enforcement action; and secondly, your clients' own evidence is that other buildings were erected in pursuance of permitted development rights, and no evidence has been given that they were originally erected other than as buildings required in connection with the winning or working of the sand and gravel.

26. I do not consider the discussions that took place in 1978 between the two Councils and your clients constituted consultations, under the provisions of the 1954 condition, to ascertain whether the buildings were no longer required for the purposes of working gravel; rather, it seems to me they were directed to the question of whether other uses should be permitted temporarily while gravel extraction operations continued. I am, in these circumstances, not satisfied that the condition is incapable of enforcement in the future, when gravel operations cease or are nearing completion. Were I to grant the permanent planning permissions sought, it would render the condition inoperable in respect of the buildings subject to these appeals; while if I were to grant merely further temporary permissions, the question would remain justiciable for the future.

27. I attach much importance to the need, recognised in national policy, to protect the Green Belt for so long as can be foreseen ahead. It is undoubtedly the fact that sand and gravel operations will cease at some time in the future, up to 16 years' hence depending on the future rate of extraction. I consider that there will then arise an opportunity to restore the land so that it might be used for purposes compatible with the rural Green Belt; the permanent retention and use of the appeal buildings for business purposes would, in my judgement, militate against the attainment of this objective.

28. Thus I have come to the conclusion that the permanent retention and use of the appeal buildings would not constitute appropriate development within the Green Belt; the facts that the buildings, or some of them, may have gained immunity from enforcement, or that the business use of land near the buildings may similarly be or become immune (and in due course become lawful uses) do not, in my opinion, constitute the very special circumstances that might justify me in permitting the permanent uses sought as exceptions to Green Belt policy. Your clients' willingness to undertake landscaping measures, to mitigate the impact of the buildings and uses on the character and appearance of the area; and to execute an Undertaking not to carry out any further permitted development in connection with the minerals operations; are not in my judgement matters of such strength as to outweigh the planning objections to the permanent retention and business use of the buildings.

29. However, while mineral extraction operations continue, and while Buildings A, C, D, F and G are redundant to those purposes, I consider that the continuation of their present uses, and the resumed use for business purposes of Buildings D and G, would not be out of character with their present surroundings, and would constitute appropriate development in accordance with national policy guidance unless there are specific and convincing objections. On the other hand, no evidence has been given that Building I is redundant, and on my inspection I saw that it is almost fully occupied by J Curtis & Sons Ltd and their associated company; I see no justification in either national or local policy for permitting the unrestricted use of this building for Class B1 or B2 business purposes. I therefore propose to disallow the second Section 78 appeal.

30. I next need to consider whether there are specific and convincing objections to the grant of renewed temporary permissions in respect of the other buildings. I consider that the buildings are so far distant from dwellings in the neighbourhood that their use for the purposes sought would not have an unacceptable impact on residential amenity. I appreciate that some nearby residents are disturbed from time to time by the early morning movement of heavy cranes. However, any activities arising from the uses in these appeals will be perceived against the background of the noise and activity arising from the minerals extraction operations, the intensity - and the hours of operation - of which are not in this case subject to planning control.

31. In these circumstances I have come to the conclusion that the effect on residential amenity will not be profound, and that I would not be justified in restricting the hours of operation of the businesses as suggested by the Council. Nor do I consider that personal planning permissions would be justified; it appears that complaints that arose in the past related in the main to activities of the former occupiers of Building G. I consider that residential amenity would be adequately protected by ensuring that any future use of Buildings D and G is restricted to Class B1 use as applied for.

32. As to the highways issue, it is incontrovertible that Thrupp Lane is of inadequate width to cater satisfactorily for the mixture of light and heavy traffic that uses it. On the other hand, the evidence is that there have been no recorded accidents involving personal injury during the last five years. The bulk of the heavy traffic using the lane arises from the gravel extraction works, and the associated concrete batching plant; the volume of traffic from these sources will continue to wax and wane according to the demand for the materials produced. While these operations continue, the circumstances insofar as they relate to highways matters remain as they were in 1982, when permission was granted for various business uses.

33. As pointed out on behalf of your clients, the lane is not a route for through traffic, and is in the main used only by drivers who are familiar with its alignment. I do not consider that the traffic generated by uses within the appeals sites (that has used the lane for several years) would give rise to such traffic hazards that this would constitute a sound and clearcut reason to disallow the continued use (and the resumed business use of Buildings D and G) for a further temporary period.

34. As to the period that might reasonably be permitted, it was said on behalf of your clients that, should I be minded to take this course, a period of 16 years (being the estimated period for continued extraction of minerals) would be appropriate - but that if so long a period were to be contemplated, permanent permission would be more appropriate. I do not agree. The purpose of making the permissions temporary would be, as I have explained above, to preserve the possibility of the land's restoration to a suitable Green Belt purpose when minerals operations cease. I consider that the period of 16 years is probably a maximum, and that depending upon the future demand for the mineral, the pits could well be worked out in a shorter period. I have in these circumstances come to the conclusion that an appropriate period would be 10 years.

35. There is a considerable amount of land, at present vacant, that intervenes between the various buildings included in the first Section 78 appeal. The national planning policy guidance relating to the re-use of redundant buildings does not apply to vacant land, and I consider it would be inappropriate for me to sanction further business uses, or the expansion of present uses, onto that vacant land. I propose to clarify this in the permission I shall grant in pursuance of the first S 78 appeal application.

36. I do not consider it to be either reasonable, or necessary, to require your clients to undertake landscaping works while sand and gravel operations are continuing; I do not find it to be appropriate, therefore, to impose any of the conditions suggested by the Council.

37. I have noted that there is a possibility the Green Belt boundary hereabouts may be amended in order to cater for an extension to the Abingdon Science Park. However, even if that amendment should be effected, there is no suggestion that any of

the land included in these appeals should be excluded from the Green Belt. I have also noted that the Council's officers considered that provision of a new road access to the appeal premises would result in planning advantages, such that the balance of argument would tilt in favour of permanent planning permission to your clients for the various uses. There is, however, no evidence that such a new access is likely to materialise in the foreseeable future. Therefore neither these matters, nor any of the other matters raised at the inquiry, are considerations of such weight as to alter the balance of my conclusions.

38. As the appeals against the enforcement notices succeed under ground (a), to the extent that I propose to grant temporary planning permissions, the appeals under ground (f) do not fall to be considered. As I propose to direct that the notices be quashed, I do not find it to be necessary to correct those alleging a material change of use 'within the last 10 years'.

FORMAL DECISIONS

39. For the above reasons, and in exercise of the powers transferred to me, I hereby decide these appeals as follows.

Enforcement Notice 1 (Reference T/APP/C/92/V3120/618449 & 618636)

I hereby allow the appeals, direct that the enforcement notice be quashed and grant planning permission on the applications deemed to have been made under Section 177(5) of the 1990 Act for the use of land near Wick Hall, Thrupp Lane, Radley, Abingdon, as delineated on the plan attached to the notice, for the purposes of the hire, repair, maintenance and storage of cranes, and ancillary office use, subject to the condition that the use hereby permitted shall cease on or before 10 years from the date of this letter.

Enforcement Notice 2 (Reference T/APP/C/92/V3120/618450 & 618635)

I hereby allow the appeals, direct that the enforcement notice be quashed and grant planning permission on the applications deemed to have been made under Section 177(5) of the 1990 Act for the use of land near Wick Hall, Thrupp Lane, Radley, Abingdon, as delineated on the plan attached to the notice, for the purposes of the hire, repair, maintenance and storage of cranes, and ancillary office use, subject to the condition that the use hereby permitted shall cease on or before 10 years from the date of this letter.

Enforcement Notice 3 (Reference T/APP/C/92/V3120/618451 & 618455)

I hereby allow the appeals, direct that the enforcement notice be quashed and grant planning permission on the applications deemed to have been made under Section 177(5) of the 1990 Act for the use of land near Wick Hall, Thrupp Lane, Radley, Abingdon, as delineated on the plan attached to the notice, for the purposes of repairs to light commercial vehicles, subject to the condition that the use hereby permitted shall cease on or before 10 years from the date of this letter.

Enforcement Notice 4 (Reference T/APP/C/92/V3120/618452 & 618582)

I hereby allow the appeals, direct that the enforcement notice be quashed and grant planning permission on the applications deemed to have been made under Section 177(5) of the 1990 Act for the use of land near Wick Hall, Thrupp Lane, Radley, Abingdon, as delineated on the plan attached to the notice, for the purposes of a parcel delivery service, subject to the condition that the use hereby permitted shall cease on or before 10 years from the date of this letter.

Enforcement Notice 5 (Reference T/APP/C/92/V3120/618453)

I hereby allow the appeal, direct that the enforcement notice be quashed and grant planning permission on the application deemed to have been made under Section 177(5) of the 1990 Act for the use of land near Wick Hall, Thrupp Lane, Radley, Abingdon, as delineated on the plan attached to the notice, for business purposes, subject to the following conditions :

1. The use hereby permitted shall cease on or before 10 years from the date of this letter.
2. The premises shall not be used for purposes other than those included in Class B1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987.

Enforcement Notice 6 (Reference T/APP/C/92/V3120/618454 & 618456)

I hereby allow the appeals, direct that the enforcement notice be quashed and grant planning permission on the applications deemed to have been made under Section 177(5) of the 1990 Act for the use of land near Wick Hall, Thrupp Lane, Radley, Abingdon, as delineated on the plan attached to the notice, for the purposes of repairs to light commercial vehicles, subject to the condition that the use hereby permitted shall cease on or before 10 years from the date of this letter.

The First Section 78 Appeal (T/APP/V3120/A/91/197081)

I hereby allow this appeal and grant planning permission for

- i) the use of the premises presently occupied by R P Cherry & Co Ltd for the purpose of repairs to light commercial vehicles;
- ii) the use of the premises presently occupied by Marsh Plant Hire Ltd for the purposes of the hire, repair, maintenance and storage of cranes, and ancillary office use;
- iii) the use of the premises presently occupied by Abingdon Carriers Ltd for the purposes of a parcel delivery business;
- iv) the use of the premises formerly occupied by Flameless Furnaces Ltd, and more latterly by Symtronics Office Equipment and Maintenance, for business purposes;

v) the use of the premises formerly occupied by Pallet Productions Ltd, and more latterly by Abingdon Sheet Metal Co, for business purposes;

in accordance with the terms of Application No RAD/57/15 dated 15 October 1987 and the plans submitted therewith, subject to the following conditions:-

1. The uses hereby permitted shall cease on or before 10 years from the date of this letter.
2. The premises in respect of which permission is hereby granted for use for business purposes shall not be used for purposes other than those included in Class B1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987.

The Second Section 78 Appeal (T/APP/V3120/A/91/197082)

I dismiss this appeal.

40. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

41. The developer's attention is drawn to the enclosed note relating to the requirements of the Buildings (Disabled People) Regulations 1987.

RIGHTS OF APPEAL AGAINST DECISIONS

42. This letter is issued as the determination of the appeals before me. Particulars of the rights of appeal against my decisions to the High Court are enclosed for those concerned.

I am Gentlemen
Your obedient Servant



P J Roberts FRICS
Inspector

APPEARANCES

FOR THE APPELLANTS

Mr K Lindblom - of Counsel - instructed by Town Planning
Consultancy
He called -
Mr M Honour BEL ARICS - Planning Consultant
Mr D Thomas FRICS - Valuation Consultant
Mr K C Gosling MIHT MIET - Highways Consultant

FOR THE PLANNING AUTHORITY

Mr G K Pollock - Solicitor, Vale of White
Horse District Council
He called -
Mr M Gilbert BA(Hons) MRTPI - Area Planning Officer
Mr A J Clark BSc C Eng MICE - Principal Engineer,
Oxfordshire County Council

INTERESTED PERSONS

Mr P Cannon-Brookes - Thrupp House, Abingdon,
Oxon, OX14 3NE
Mrs M New - District Councillor,
Foxborough, Radley, OX14 3AB

DOCUMENTS

Document 1 - Lists of persons present at the inquiry
Document 2 - Council's letter of notification of the inquiry
Document 3 - Agreed Schedule of Planning History
Document 4 - Mr Honour's Proof
Document 5 - Appendices to Mr Honour's Proof
Document 6 - Mr Thomas's Proof
Document 7 - Mr Gosling's Proof
Document 8 - Appendices to Mr Gosling's Proof

- Document 9 - Stopping distance calculations and traffic flow diagram
- Document 10 - Copy PPG4, November 1992
- Document 11 - Copy Law Report - Harvey v S of S for Wales
- Document 12 - " " " - Peacock Homes Ltd v S of S for the Environment
- Document 13 - Lists of occupiers' customers
- Document 14 - Mr Gilbert's Proof and Appendices
- Document 15 - Copy planning permission for tipping dated 8 November 1961
- Document 16 - Correspondence dated 1979 concerning alleged breaches of condition
- Document 17 - Booklet - Industrial Sites and Business & Science Parks, Vale of White Horse
- Document 18 - List of suggested conditions
- Document 19 - Mr Clark's Proof
- Document 20 - Bundle of correspondence, put in by Mr Cannon-Brookes

PLANS

- PLAN A1 - Plan attached to Notice 1
- PLAN A2 - Plan attached to Notice 2
- PLAN A3 - Plan attached to Notice 3
- PLAN A4 - Plan attached to Notice 4
- PLAN A5 - Plan attached to Notice 5
- PLAN A6 - Plan attached to Notice 6
- PLANS A7, A7A - First Section 78 Appeal Plans
- PLANS A8, A8A - Second Section 78 Appeal Plans
- PLAN B - Location Plan TPC 1
- PLAN C - Site and Surroundings TPC 2

D O E Reference numbers Appellants Enforcement Notice

- A. 1. APP/C/92/V3120/618449--J CURTIS & SONS--USE GRANTED IN
ABU/RAD/57/20-E PLANNING PERMISSION OF
29/11/82 WAS NOT
DISCONTINUED BEFORE
31/12/87
- B. 2. APP/C/92/V3120/618450--J CURTIS & SONS--MCU FOR HIRING OF
ABU/RAD/57/20-E CRANES & OFFICE USE
- C. 3. APP/C/92/V3120/618451--J CURTIS & SONS--USE GRANTED IN
ABU/RAD/57/21-E PLANNING PERMISSION
FOR THE USE OF MESSERS
R CHERRY & SONS LTD
HAS NOT BEEN
DISCONTINUED
- D. 4. APP/C/92/V3120/618452--J CURTIS & SONS--MCU FOR PARCEL
ABU/RAD/57/25-E DELIVERY BUSINESS
- E. 5. APP/C/92/V3120/618453--J CURTIS & SONS--MCU FOR REPAIR &
ABU/RAD/57/26-E MAINTENANCE OF OFFICE
EQUIPMENT
- F. 6. APP/C/92/V3120/618454--J CURTIS & SONS--MCU FOR REPAIR &
ABU/RAD/57/23-E MAINTENANCE OF MOTOR
VEHICLES
- G. 7. APP/C/92/V3120/618455--R P CHERRY & SONS- SAME NOTICE AS
ABU/RAD/57/21-E NO.3
8. APP/C/92/V3120/618456--R P CHERRY & SONS-SAME NOTICE AS
ABU/RAD/57/23-E NO.6
9. APP/C/92/V3120/618582--ABINGDON CARRIERS-SAME NOTICE AS
ABU/RAD/57/25-E NO.4.
10. APP/C/92/V3120/618635--MARSH PLANT HIRE LTD-SAME NOTICE AS
ABU/RAD/57/24-E NO.2
11. APP/C/92/V3120/618636--MARSH PLANT HIRE LTD-USE GRANTED IN
ABU/RAD/57/20-E PLANNING PERMISSION
FOR THE USE OF MARSH
PLANT LTD HAS NOT
BEEN DISCONTINUED

