

Tatsfield Parish Council

Report Title:

Agenda Item:

Planning TA/2013/1827 / SCC 2013/0195

5a

Meeting:

Date:

Tatsfield Parish Council

13/1/2014

Report by:

Document Number:

Cllr. Martin Westerman

Draft

30/12/2013

Application: SCC2013/0195 / TA/2013/1827

Proposal: The resiting of an existing ready mixed mortar mill.

Location: Land at Moorhouse Sandpits Limpsfield, Surrey TN16 2ET

Relevant Policies: Green Belt – RE2, RE8, BE1 and BE12

This is an application for a Certificate of Lawful Existing use in respect of a ready-mixed mortar mill.

Moorhouse Sandpits, operated by the Titsey Estate are a long established area of sand workings on the north side of the A25.

The sandpits are broadly divided into 3 areas and from east to west are known as Pit A (restored) Pit B (processing plant) and Pit C (active quarrying including the western extension) The application site is a triangle of land sited between Pit A and Pit B south of the existing tile works and is approx. 52 ha in total.

The applicant claims that the use of the application site for the siting of a ready mixed mortar mill is lawful based on a planning permission Ref: GO/R.2918 granted in 1957 for resiting of existing ready - mixed mortar mill.

In the alternative, the applicant claims that existing use is lawful because of the length of time that the use of the subject site for the resiting of the mill has taken place. The claim is that the site has been continuously used for the stationing of plant for at least 53 years. Supporting evidence has been submitted to SCC to give weight to the claim of lawful use.

This includes aerial photos from 1999, 1957 planning permission documents, plant specification, ordnance survey sheets and sworn statements. For a certificate of lawful existing use to be issued the applicant has to produce evidence to satisfy the County Planning Authority, on the balance of probabilities, that the use has been taking place for a period of ten years prior to the date of application. The burden of proof rests firmly with the applicant.

Does the PC wish to comment? My own view is that if the land is already in use and has been for some years for the said purpose, then it's up to SCC planning to decide if a lawful use certificate can be issued based on evidence supplied by applicant.
I would therefore propose no comment.