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PLANNING STATEMENT



PROPOSAL: Section 191(1) application for a Certificate of Lawfulness of Existing Use of Buildings and Land for Class B2 (General Industry), Class B8 (Storage and Distribution) and Class E(g)(i) (Independent Office) Uses.

SITE: Former Kingspan Timber Solutions Site, Eltisley Road, Great Gransden, SG19 3AR

19.11.2026

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1 FOREWORD

1.1 This Planning Statement accompanies an application under sections 191(1)(a) and 191(1)(b) of the Town and Country Planning Act 1990 for a Certificate of Lawfulness of Existing Use or Development at the former Kingspan Timber Solutions premises, Eltisley Road, Great Gransden, Sandy, SG19 3AR.

1.2 The site comprises a long-established complex of buildings and land used for Class B2 (General Industry), Class B8 (Storage and Distribution) and Class E(g)(i) (Offices) purposes, developed incrementally since the 1970s. The premises were occupied by Potton, which subsequently became part of the Kingspan Group, operating latterly as Kingspan Timber Solutions Limited.

1.3 Established activities within the buildings include sawmilling; the fabrication of insulated timber frames, joists and roof trusses; workshop operations; component handling; storage and distribution; and both associated and independent office uses. Established activities across the wider site include extensive open-air storage, commercial vehicle parking, loading, circulation and distribution, together with staff and visitor parking.

1.4 The application seeks confirmation of the established lawful uses of the buildings and land for general industrial manufacturing (Class B2), storage and distribution (Class B8) and office purposes (now Class E(g)(i)). This includes external storage throughout the site (Class B8); commercial vehicle parking, servicing and circulation areas associated with the Class B2 and B8 uses; and staff and visitor car parking ancillary to the established industrial, storage and both associated and independent office uses. The application also seeks confirmation of the lawfulness of the historic engineering operations comprising the laying of a concrete apron throughout the site.

1.5 The evidence in support of this application has been assembled from local authority planning and building-control records, previous officer reports and historic Google Earth imagery dated 1999 to September 2026.

1.6 In accordance with section 191 of the Town and Country Planning Act 1990 and the associated Planning Practice Guidance, the application is to be determined on the facts of the case and relevant planning law, rather than the planning merits of the uses and operations in question.

1.7 The applicable standard of proof is the balance of probabilities. Where the evidence submitted is sufficiently precise and unambiguous, and there is no contradictory evidence to render the Applicant's account less than probable, a Certificate of Lawfulness should be granted confirming the lawfulness of the established uses operations identified within the application.

2 SITE ANALYSIS

2.1 The application site extends to approximately 2.8 hectares, incorporating the former operational site of Kingspan Timber Solutions as identified by the red line on Site Location Plan 26.41.100.

2.2 The site is located at the northern edge of Great Gransden within the defined settlement boundary as designated by the adopted Neighbourhood Plan, and comprises longstanding industrial buildings, workshops, offices, external working yards, hardstanding, car parking areas and associated vehicular access and circulation areas.

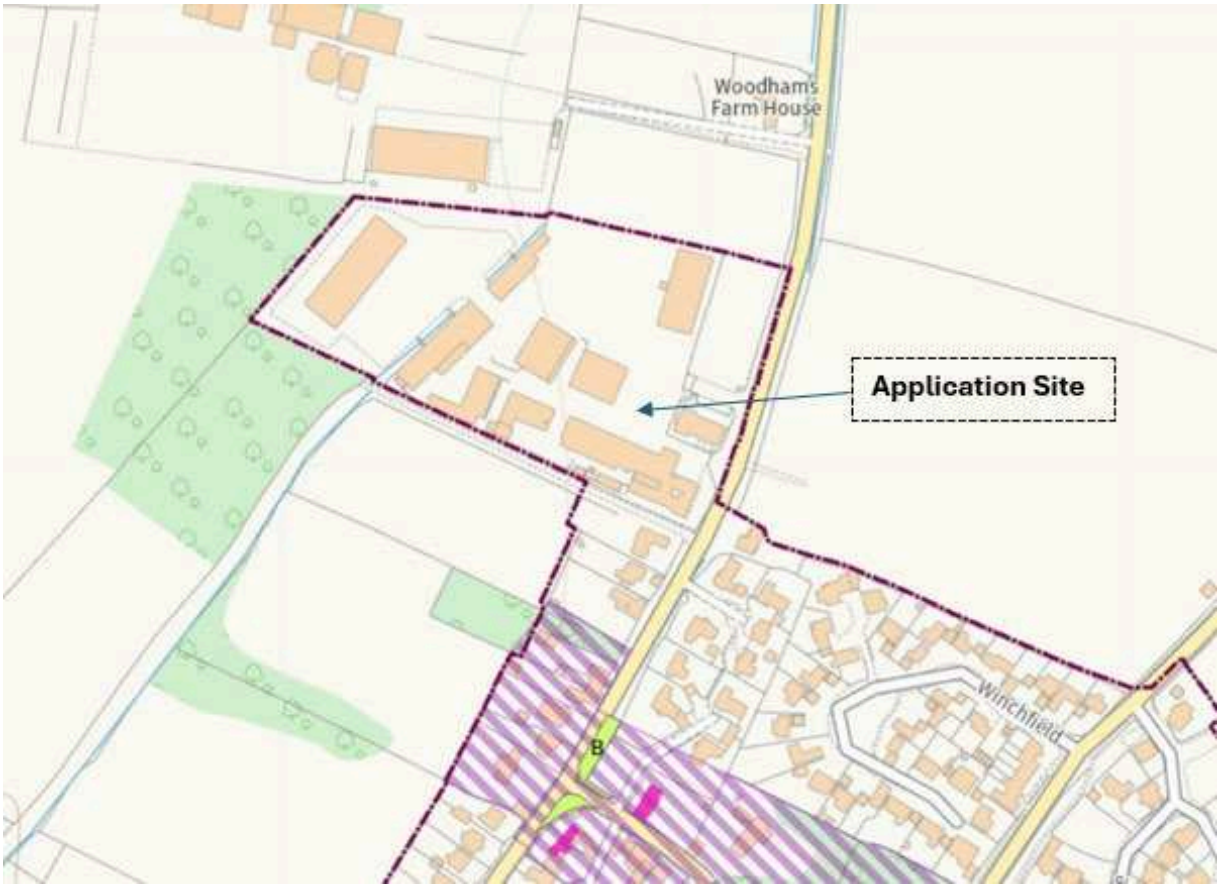

Image 1 – Local Plan Proposal Map Excerpt

2.3 Established activities within the buildings include sawmilling; the fabrication of insulated timber frames, joists and roof trusses; workshop operations; component handling; storage and distribution; and both associated and independent office uses. Established activities across the wider site include extensive open-air storage, commercial vehicle parking, loading, circulation and distribution, together with staff and visitor parking.



Image 2 – Google Earth Image March 2025



Image 3 – Excerpt from Existing Lawful Use Block Plan

2.4 The accompanying Existing Lawful Use Block Plan (drawing 26.41.101) provides a detailed record of the site's existing buildings and external operational areas, including workshops, manufacturing and storage buildings, offices, external storage yards, hardstanding and vehicular parking areas.

2.5 The plan identifies the relevant historic planning permissions associated with individual buildings and areas of land, supplemented by historic aerial photographic evidence.

2.6 It provides a spatial reference for establishing the nature, extent and longevity of the uses and engineering operations for which certification is sought.

2.7 Read alongside the supporting evidence, the plan demonstrates the integrated B2/B8 use of the manufacturing and storage buildings and external operational areas across the site as a whole, together with the lawfulness of the concrete apron, which extends throughout the site and accommodates extensive external storage and internal vehicular circulation.

2.8 The available evidence indicates that the use of the buildings and land is not subject to operational restrictions other than the following:

- Machinery within the marquee may operate only between 07:00 and 16:30 Monday to Friday and between 07:00 and 12:00 on Saturdays, with no operation on Sundays or Bank Holidays.

- Noise emitted from the marquee must not exceed the existing background noise level by more than 3dB.

- External storage at the rear of the site is subject to a condition limiting its height to 3 metres. However, this height has been continuously exceeded for at least 10 years immediately preceding the date of this statement, and the established breach is therefore immune from planning enforcement action.

3 PLANNING HISTORY

Planning Application Reference:	Proposal Description	Decision
Various Historic Application	K290, PS30.67, K45.69, K182.69, K182.70, K79.71, K210.71, K131.72, K239.73, K328.73, 0394.74, 0878.75, G43.78, 0894.78, 1491.80.	Applications listed in the officer's report relating to planning permission 9100654FUL, for which no records are available online.
7501109FUL	Rebuilding of the sawmill	Permission granted in November 1975
7600444FUL	Extension to the original offices	Permission granted May 1976
8101429FUL	Further office extension	Permission granted February 1982
8300499FUL	Car park and water-storage pond	Permission granted February 1988
8301249FUL	Storage/drying sheds	Permission granted September 1983 but lapsed before implementation
8800835FUL	Additional storage/drying sheds	Permission granted September 1988
9100654FUL	Cover over the treatment plant	Permission granted June 1991
0212902FUL	New sawmill (Class B2)	Permission granted January 2003
0212903OUT	Outline permission for offices and a show-house/product display area	Permission granted January 2003
0500338REM	Reserved matters approved for the offices pursuant to 0212903OUT	Permission granted March 2005
0500407S73	Variation of time condition on permission 0212903 to allow further time for submission of reserved matters for show-house/display	Permission granted April 2005 but lapsed before implementation
0801113OUT	Formation of show-house/product display area	Permission granted July 2008 but lapsed
0901026FUL	Retention of temporary marquee structure	Permission granted March 2010
0901645FUL	Change from agricultural land to outside storage, roads and landscaping.	Permission granted March 2010 but lapsed before implementation
1001359FUL	Erection of extension to workshop/store building within existing commercial premises	Permission granted October 2010
1201691S73	Variation of condition 1 of Planning Permission 0901026FUL to read: This permission shall be for a temporary period only, for three years, the marquee hereby permitted shall then be removed from the site and the land restored to its former condition.	Permission granted December 2012
15/02381/S73	Variation/removal of condition 1 of Planning Application 1201691S73 to allow permanent retention of the marquee	Permission granted March 2016
18/00958/FUL	Hybrid planning application comprising: 1) Applying for outline planning permission for the erection of 38 custom/self-build houses with roads, services, attenuation pond and infrastructure; and 2) Full planning permission for the erection of 5 custom/self-build show houses with sales centre & car parking following demolition of factory and offices.	Permission granted March 2021 but lapsed before implementation

4 LEGISLATIVE FRAMEWORK

4.1 Section 191 of the Town and Country Planning Act 1990 provides for certification of the lawfulness of an existing use of land or buildings, completed operations, or a failure to comply with a condition or limitation. The question is whether the specified matter was lawful on the date of the application. A certificate records that legal position; it does not grant a new planning permission or disapply conditions attached to existing permissions.

4.2 The Applicant bears the evidential burden on the balance of probability. National Planning Practice Guidance advises that sufficiently precise and unambiguous evidence should be accepted in the absence of contrary evidence making the Applicant's account less probable. Planning merits and development plan policy are not relevant to the determination. Under section 191(4), the Council may issue a certificate for a modified or substituted description where the evidence supports something narrower than the original claim.

4.3 The description of the use and the land must be precise. This site has historically operated as an integrated timber manufacturing enterprise incorporating sawmilling, other workshops, storage, offices, yards and servicing. Identifying an individual building does not of itself establish an independent planning unit or unrestricted Class B2, B8 or E(g)(i) use. The extent to which activities were principal, ancillary or genuinely separate is a question of fact and degree, to be resolved by reference to the approved plans and actual operations.

4.4 The assessment below addresses each building and external area shown on drawing 26.41.101 and identifies the particular use or operation for which certification is requested. It distinguishes permission-based lawfulness from matters potentially immune from enforcement through the passage of time, and identifies any planning conditions that materially restrict the nature, extent or operation of the established uses.

5 ASSESSMENT OF LAWFUL USES

ASSESSMENT APPROACH

5.1 The following assessment considers the site element by element in chronological order, with each finding supported by reference to drawing 26.41.101, the planning history in Section 3 and site photographs taken on 26th October 2026.

ESTABLISHMENT OF COMMERCIAL USE:

5.2 A series of historic planning applications dating from 1967 to 1980 is listed in Section 3 of this statement. The associated records are not available online. However, it is understood that these applications established the original commercial use of the site and authorised the construction of the original buildings. No conditions restricting the uses or operation of the site have been identified from these early permissions.

5.3 Planning permission for the erection of a factory on the front section of the site was refused in 1974 under LPA reference 74/00393/FUL. A subsequent application for the use of land for storage and car parking was refused in 1975 under LPA reference 75/00878/FUL. These historic refusals must, however, be considered alongside the subsequent planning permissions and the evidence of the uses that have since become established. The uses for which certification is sought have continued without interruption or enforcement action for at least 10 years immediately preceding the date of this statement. Accordingly, the historic refusals are not considered determinative of the lawfulness of the existing uses addressed by this application.

ORIGINAL FACTORY WORKSHOPS - Class B2 & B8

5.4 As mentioned above, no online record has been found of permissions relating to the original factory buildings, which are identified by coloured dots in the images and photographs provided below.

5.5 Their existence in April 1980 is confirmed by the topographical survey undertaken in April 1980, which was submitted in support of planning application 88/0835 and is attached at Appendix 1. The respective buildings are identified by colour coded dots on the extract from that survey below.

5.6 Their existence is however evidenced by the earliest available Google Earth aerial image, dated December 1999 (**Appendix 6**). The buildings are also identified by red dots in the aerial image below.

5.7 The lawful use of these buildings is consistent with Classes B2 and B8, general Industrial, storage and distribution activities.



Image 4 – Excerpt from Existing Lawful Use Block Plan

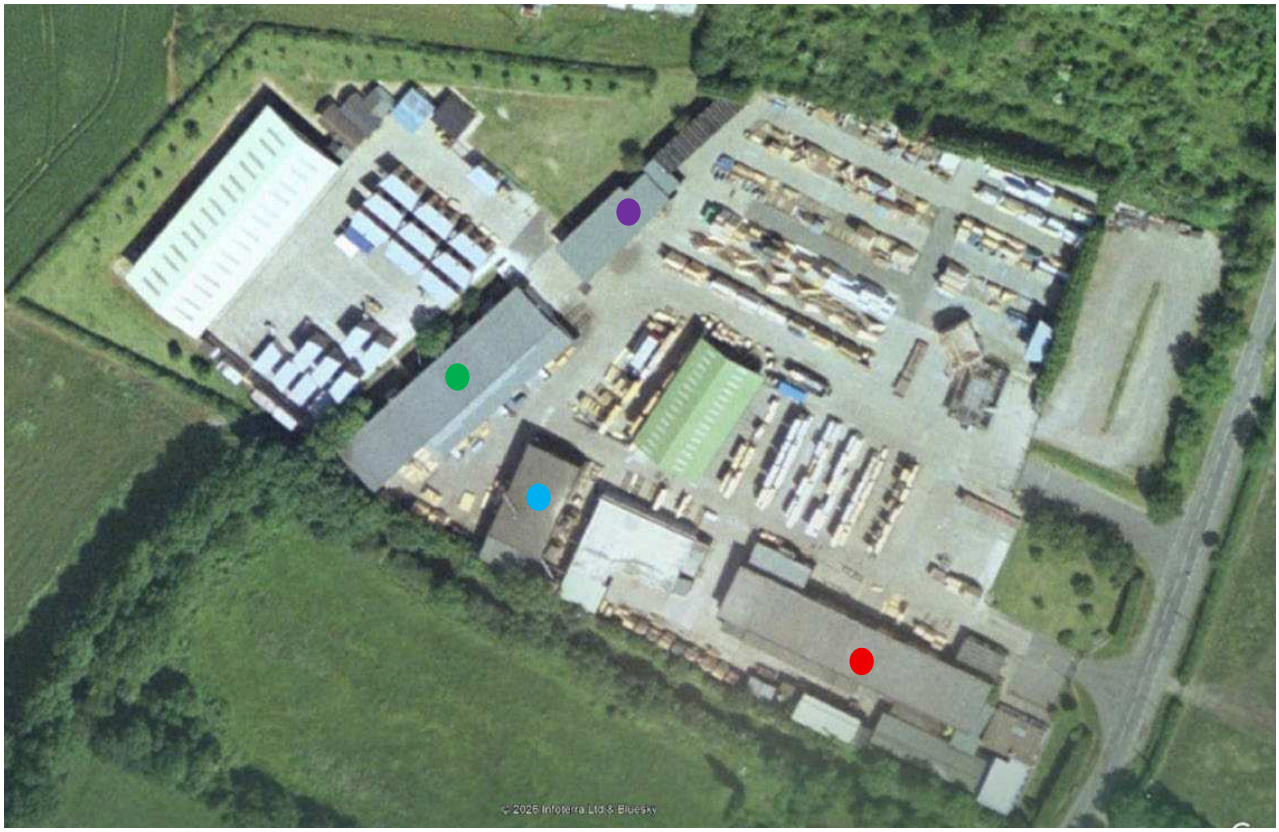

Image 5 – Excerpt from Google Earth image dated December 1999

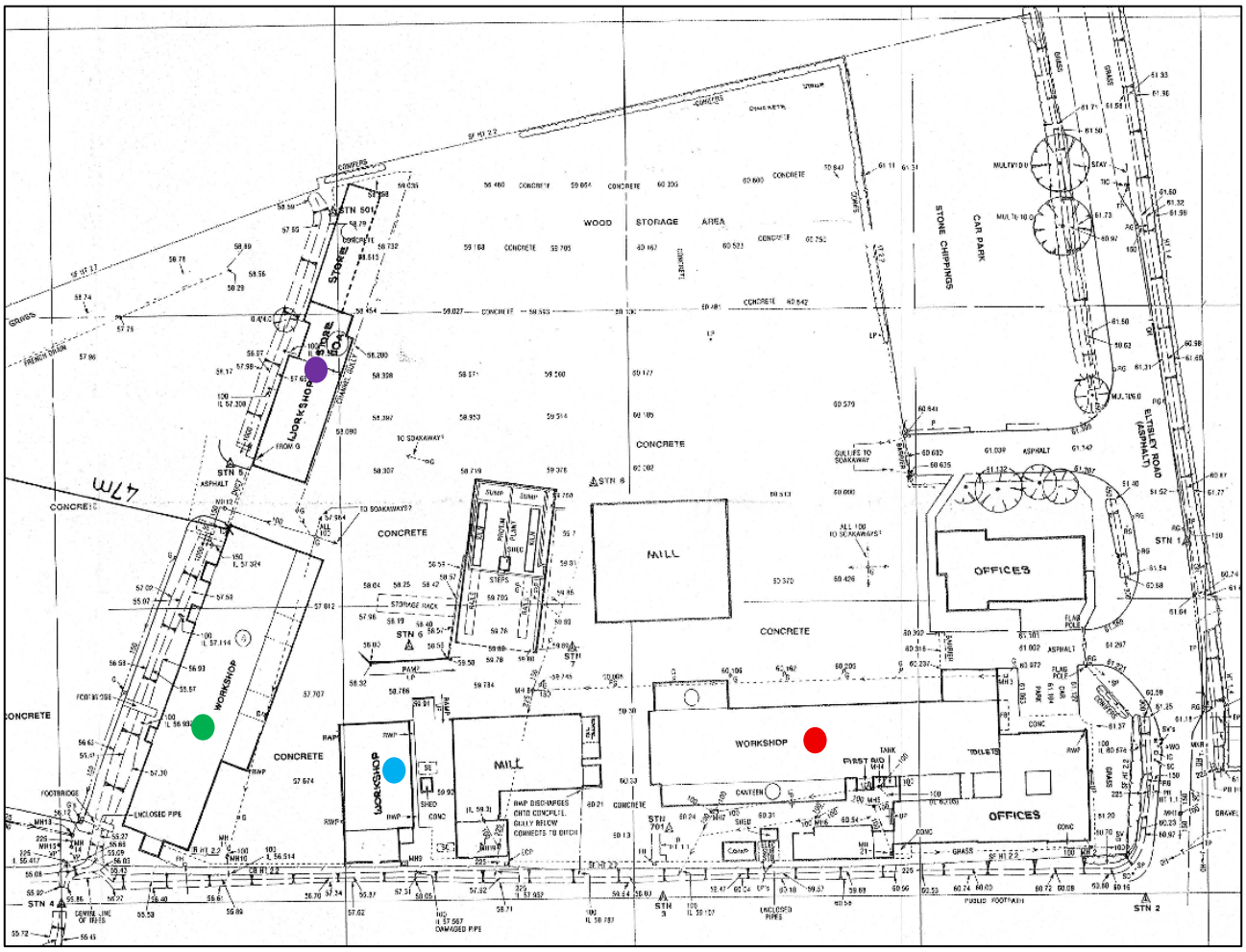

Image 6 – Excerpt from topographical survey undertaken in April 1980



Image 7 – Internal Photograph of Workshop as it exists today



Image 8 – Photograph of Front (northern) Elevation to Workshop as it exists today



Image 9 – Photograph of Rear and Western End Elevation to Workshop as it exists today



Image 10 – East and North Elevation to Workshop as it exists today



Image 11 –Western End Elevation to Workshop as it exists today



Image 12 – Internal Photograph of Workshop as it exists today



Image 13 – Photograph of Front (eastern) Elevation to Workshop as it exists today



Image 14 – Photograph of Rear and Western End Elevation to Workshop as it exists today

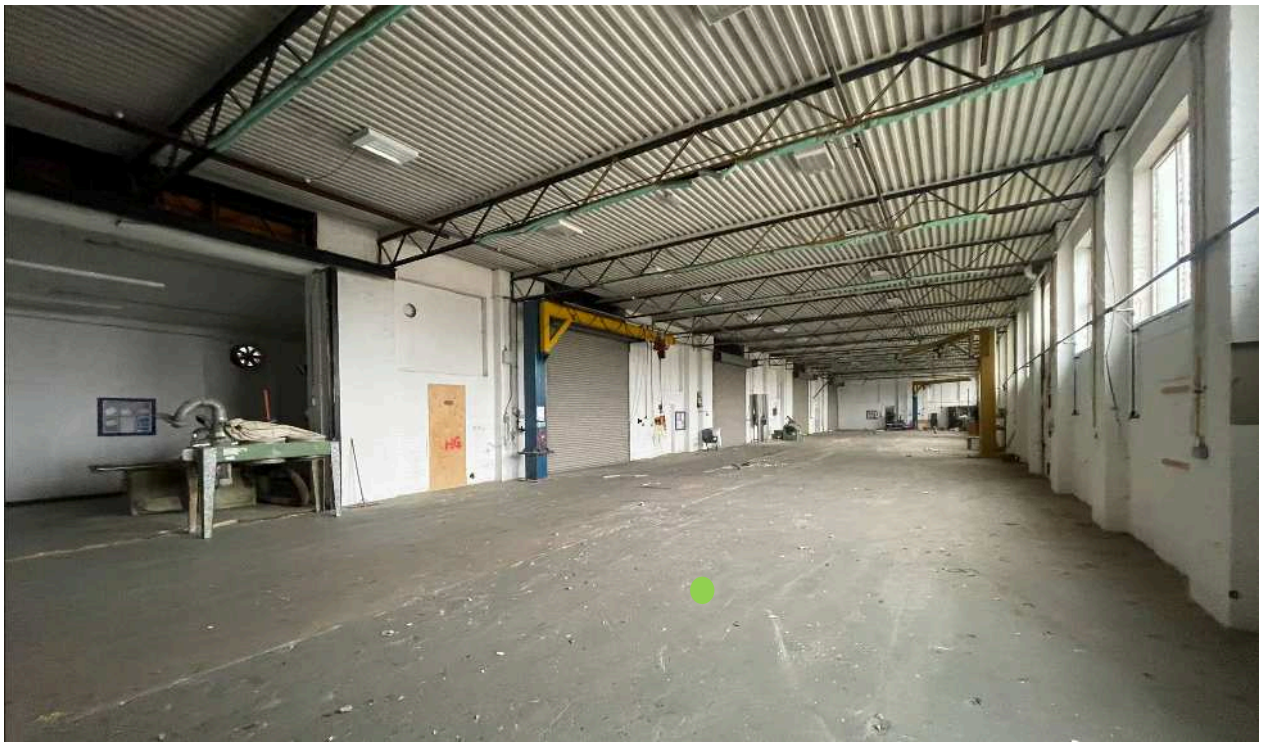

Image 15 – Internal Photograph of Workshop as it exists today



Image 16 – Photograph of Rear (western) Elevation to Workshop and Store as it exists today



Image 17 – Photograph of Front (eastern) Elevation to Workshop and Store as it exists today

ORIGINAL OFFICES, EXTENSIONS AND DETACHED SEMINAR BUILDING – Class E(G)(I)

5.8 The original office building comprises single-storey accommodation of brick construction, attached to the original factory building and situated south of the New Offices. The accommodation was subsequently extended under planning permissions 7600444FUL, granted in May 1976, and 8101429FUL, granted in February 1982. These permissions establish the longstanding office function of this part of the site.

5.9 The original offices and extensions have historically accommodated administrative and associated office functions. The original decision notices and approved plans have been requested from the Council but remain outstanding.

5.10 A further detached building, formerly used as a seminar facility and identified as office accommodation on the accompanying block plan, is situated immediately west of the original offices. Historic Google Earth imagery confirms that this building has existed since at least December 1999. No specific planning permission for its erection or use has been identified within the available planning records.

5.11 Certification is sought for the established Class E(g)(i) office use of the original offices and extensions, together with the detached seminar building. The application relies on the longstanding use of this accommodation for office and administrative purposes. No condition requiring the accommodation to be used solely for purposes ancillary to the wider manufacturing premises has been identified in the records reviewed to date, although the requested decision notices and approved plans remain outstanding. The relevant office buildings are identified by yellow colour dots in the below images and photographs.

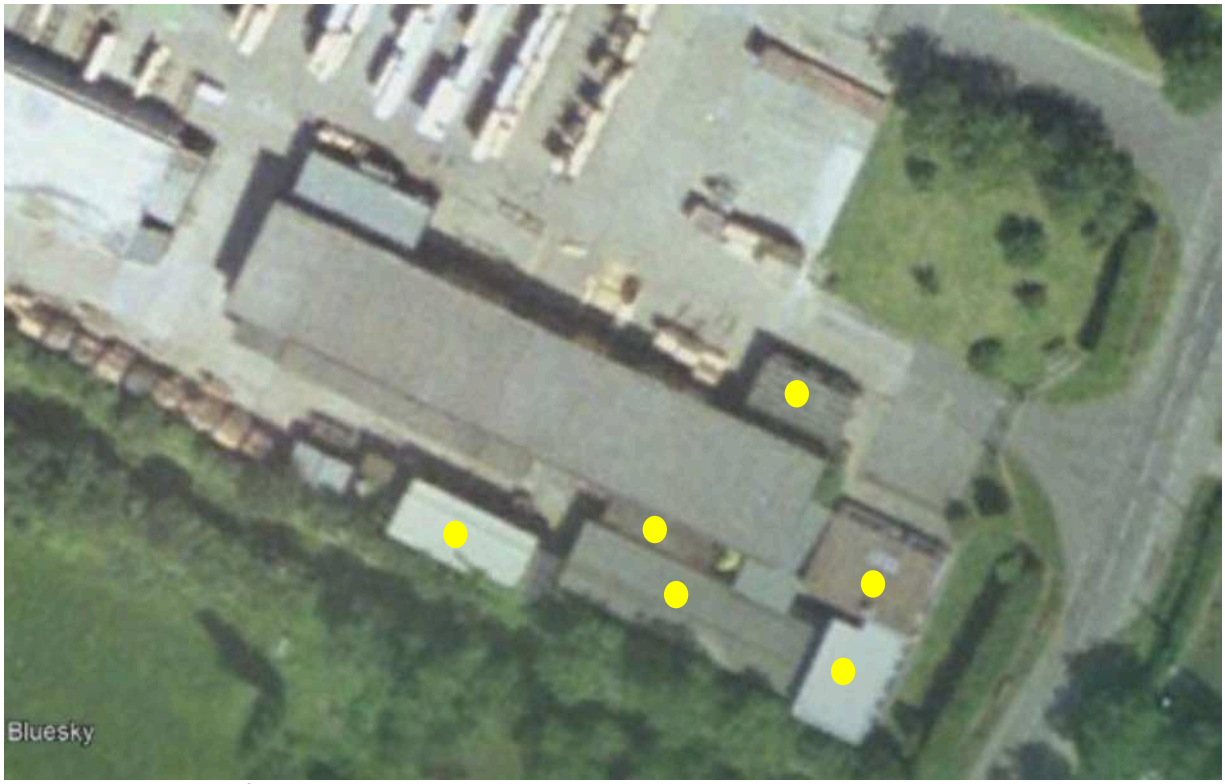

Image 18 – Excerpt from Google Earth image dated December 1999



Image 19 – Excerpt from Existing Lawful Use Block Plan



Image 20 – Photograph of Front (eastern) Elevation to offices as it exists today



Image 21 – Photograph of offices along southern site boundary as it exists today

OLD SAW MILL - Class B2 & B8

5.12 Planning permission 7501109FUL, granted on 10 November 1975, authorised the rebuilding of a destroyed sawmill at the site. The building is identified by an orange dot in the images and photographs provided below.

5.13 The authorised sawmill use is consistent with current activities falling within Use Classes B2 (general industrial) and B8 (storage and distribution). The original decision notice and approved plans have been requested from the Council but remain outstanding. It is understood that no conditions restrict the use of these buildings or the associated land, although this remains subject to confirmation upon receipt of those documents.



Image 22 – Photograph of Old Saw Mill front and eastern side elevations



Image 23 – Existing Use Block Plan excerpt identifying Old Saw Mill



Image 24 – Photograph of Old Saw Mill front and eastern side elevations

WORKSHOP AND OPEN STORAGE (REAR/WESTERN SECTION OF SITE) – Class B2 & B8

5.14 Planning permission 8800835FUL authorised the erection of a drying/storage shed in September 1988, with permission 1001359FUL subsequently granted in October 2010 for an extension to the existing building. This building is located on the rear section of the site.

5.15 The officer's report accompanying the latter application expressly identifies the building as accommodating a mixture of Class B2 (general industrial) and Class B8 (storage and distribution) uses. Neither permission prescribes a division between these uses within the building or imposes a condition restricting the industrial or storage activities. The building has been used on this basis continuously from its construction to the present day.

5.16 For ease of reference, copies of the approved plans, officer reports and decision notices relating to permissions 8800835FUL and 1001359FUL are provided at **Appendix 1**.

5.17 The application forms for application 1001359FUL state that the operating hours are 07:00 to 17:00. However, neither permission imposes a condition restricting operating hours.

5.18 The approved plan accompanying permission 8800835FUL also identifies a concrete roadway and apron for lorry waiting, turning and unloading. This area is shaded grey in **Image 25** below.

5.19 Condition 8 restricts the stacking or depositing of materials to a maximum height of 3 metres. However, this height restriction has been continuously breached for more than 10 years immediately preceding the date of this statement. The storage frames remaining on site, which are approximately 4.5 metres high, provide physical evidence of the storage arrangements associated with this breach.

5.20 Condition 9 requires the designated loading and unloading areas to be metalled, retained and used for no other purpose. In this regard, the officer's report for permission 1001359FUL states: "*it was noted from a recent site visit that a concrete apron has been laid around the building and the soil excavated from the site has been used to form a high soil bund outside the site area, in the open countryside. The agent has been informed that a retrospective planning application for this engineering operation will be required".*

5.21 No evidence has been identified of any subsequent application to regularise these works or of enforcement action having been taken. However, the images and photographs below demonstrate that the concrete apron remains in place today and has existed for more than ten years preceding this statement. They also show the longstanding presence of an open-fronted lean-to extension at the rear of the building, used for covered storage.

5.22 Based on this evidence, it is submitted that the rear lean-to store, the concrete apron extending beyond the area approved under permission 1001359FUL, and their established unrestricted use have become lawful through the passage of time.

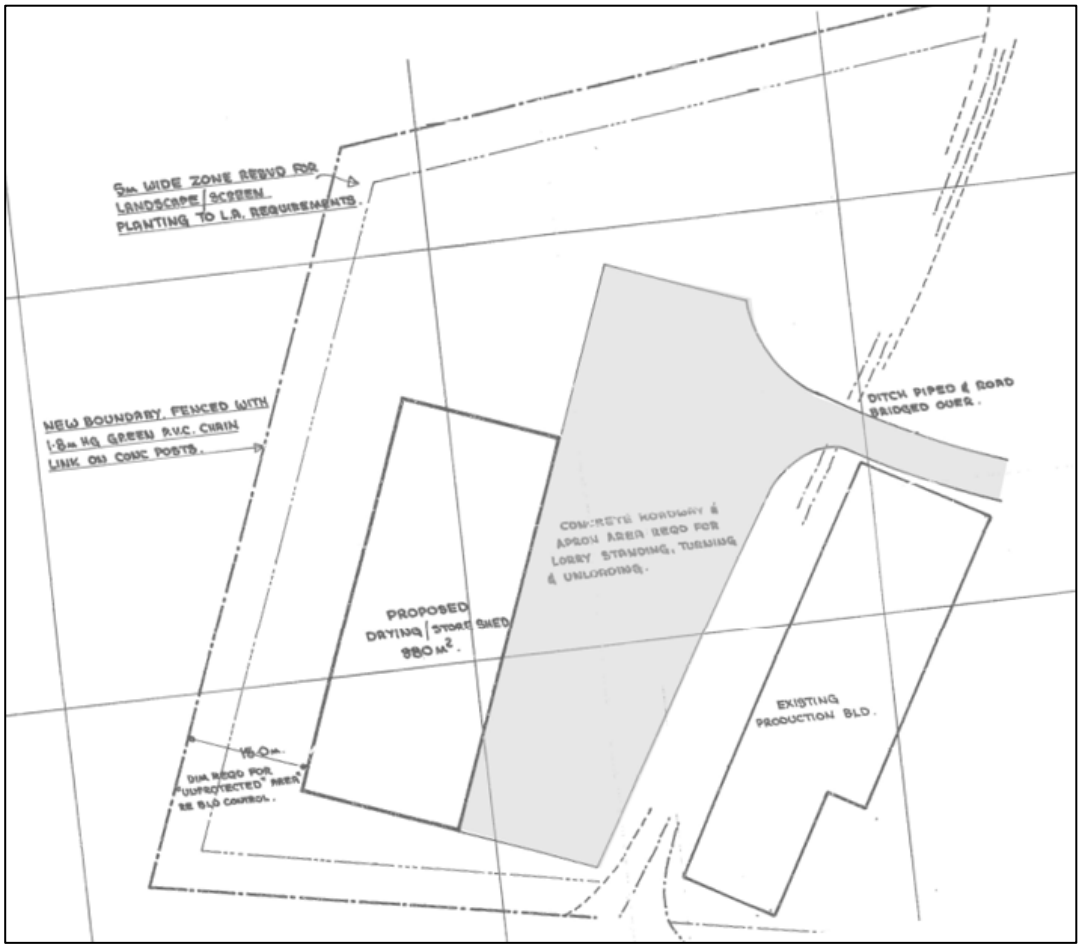

Image 25 – Excerpt from the approved site plan pursuant to planning permission 8800835FUL

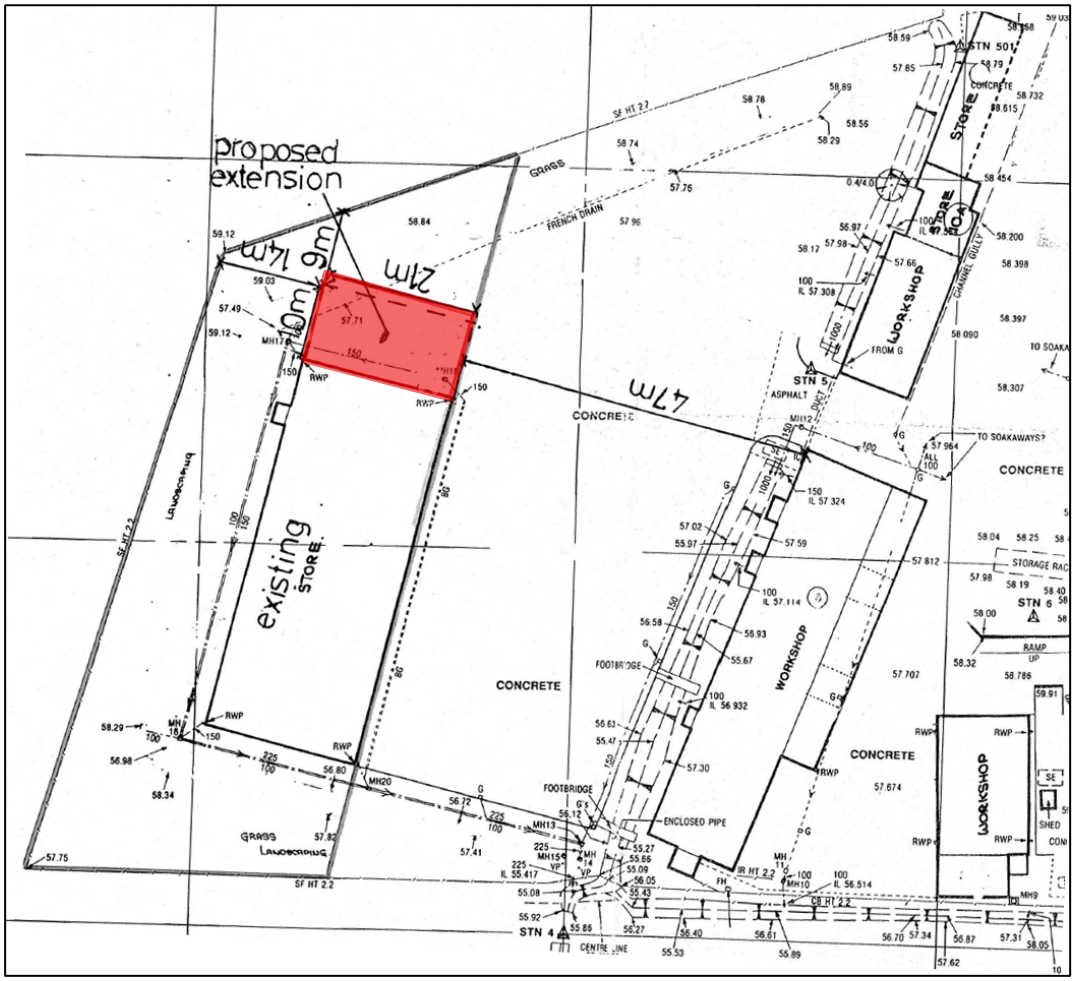

Image 26 – Excerpt from the approved site plan pursuant to planning permission 1001359FUL

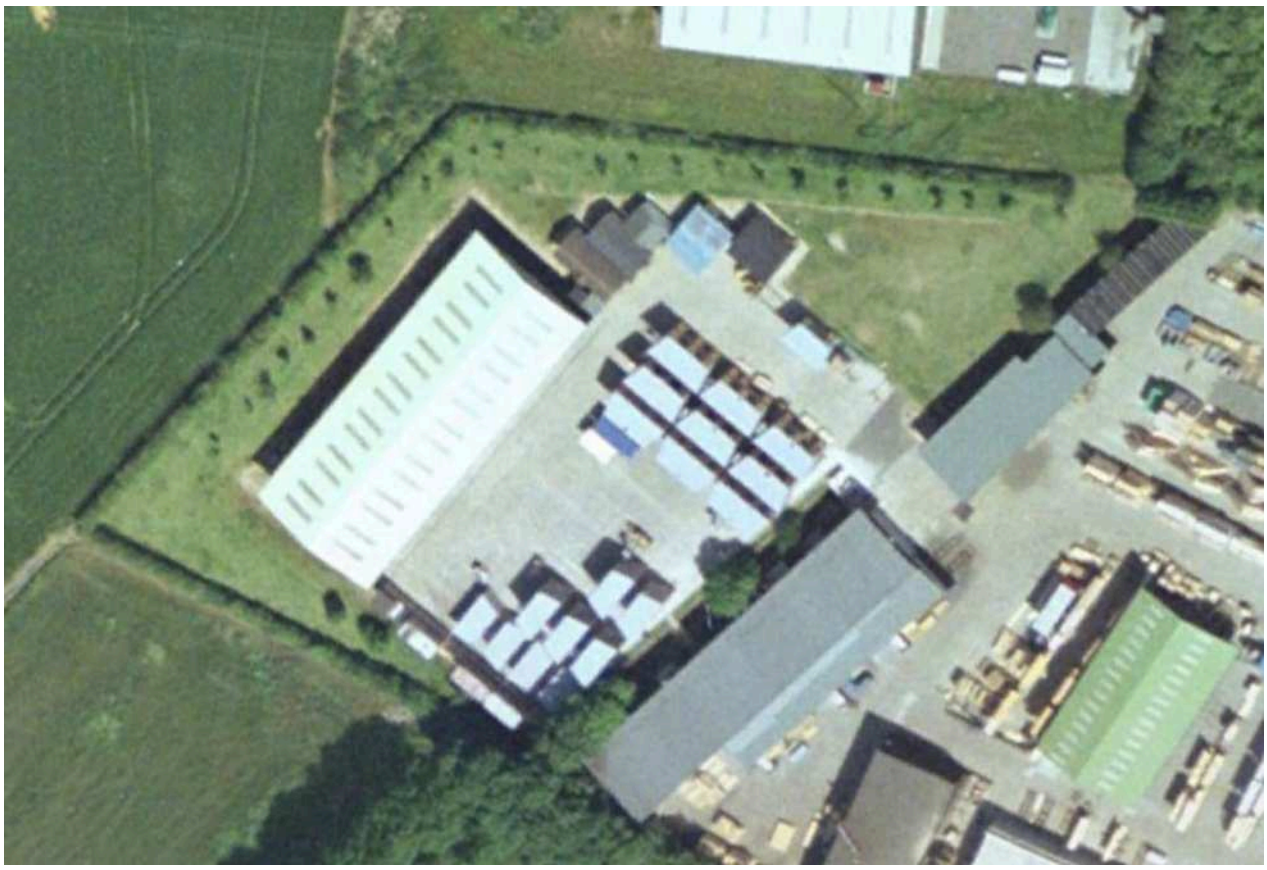

Image 27 – Concrete apron as approved (Google Earth aerial imagery dated December 1999)



Image 28 – Concrete apron as extended (Google Earth aerial imagery dated September 2012)



Image 29 – Front (western) elevation as exists today



Image 30 – View of Front (western) building elevation from corner of extended concrete apron



Image 31 – Extended concrete apron around north side of building



Image 32 – View of Rear (eastern) building elevation



Image 33 – Extended concrete apron around western rear and southern side of building

OPEN STORAGE - Class B8

5.23 Three primary storage areas are highlighted on the accompanying Existing Use Block Plan. The remaining circulation areas, access roads are also shaded light grey as to are external areas containing storage racking, which itself is shaded a darker grey.

5.24 No formal planning permission specifically authorising the external storage use has been identified, other than that on the rear section of the site. However, aerial imagery from 2008, 2012, 2020 and 2025 shows a consistent pattern and extent of external storage (see **Appendix 6**) and demonstrates that the identified areas have been used continuously for the storage of timber, rigid insulation and associated materials for a period substantially exceeding ten years.

5.25 In this regard, the block plans approved in connection with the marquee permissions granted between 2009 and 2015 expressly identify surrounding hardstanding as being used for open storage (see **Appendix 2**).

5.26 These storage areas include parts of the originally approved loading and unloading area and the subsequently extended concrete apron. Insofar as the external storage activities have contravened Conditions 8 (height, with materials stored up to 4.5 metres high) and 9 (use and extent) of permission 8800835FUL, it is submitted that those breaches are immune from enforcement action, having continued without interruption, and without enforcement action being taken, for more than 10 years immediately preceding the date of this statement.

5.27 Certification is therefore sought for the established use of the external areas for Class B8 storage, subject only to a maximum storage height of 4.5 metres within the rear section of the site.

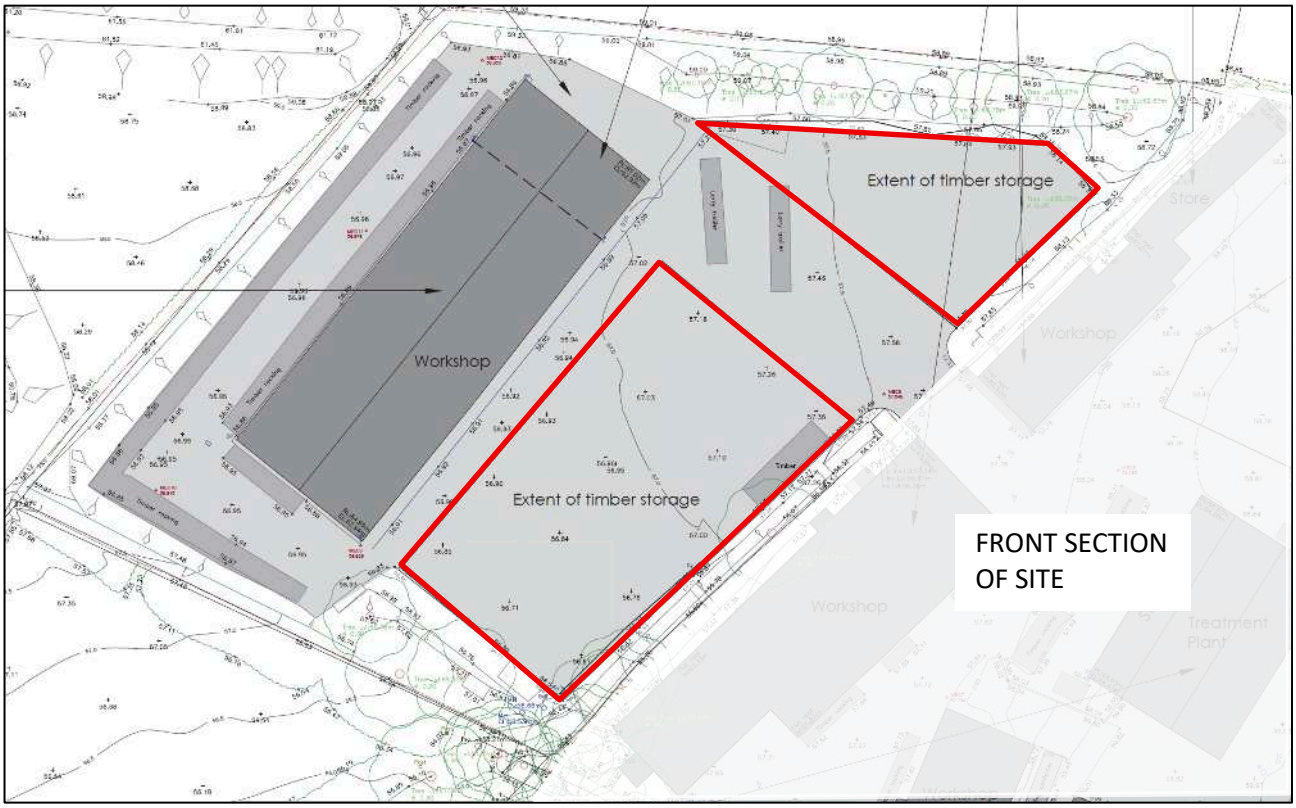

Image 34 – Excerpt from Existing Use Block Plan (rear site section)

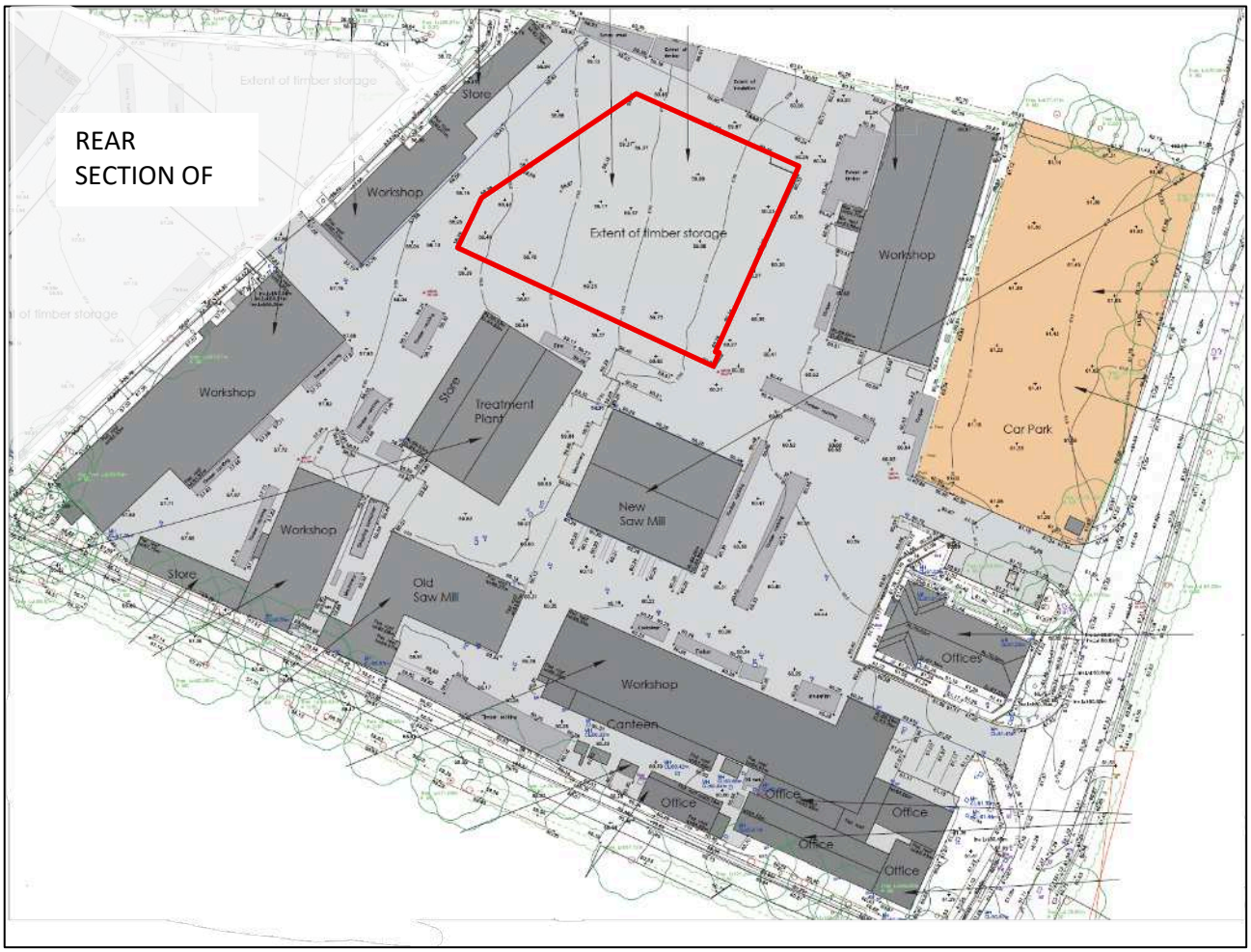

Image 35 – Excerpt from Existing Use Block Plan (front site section)

MAIN CAR PARK

5.28 Planning permission 8300499FUL, granted in February 1988, authorised the creation of the main car park, as identified in the images below. No conditions restricting its use have been identified.

5.29 The permission also authorised the creation of a water storage pond to the south. The pond location is now occupied by the subsequently constructed office building, as shown in the comparative images below.



Image 36 – Google Current

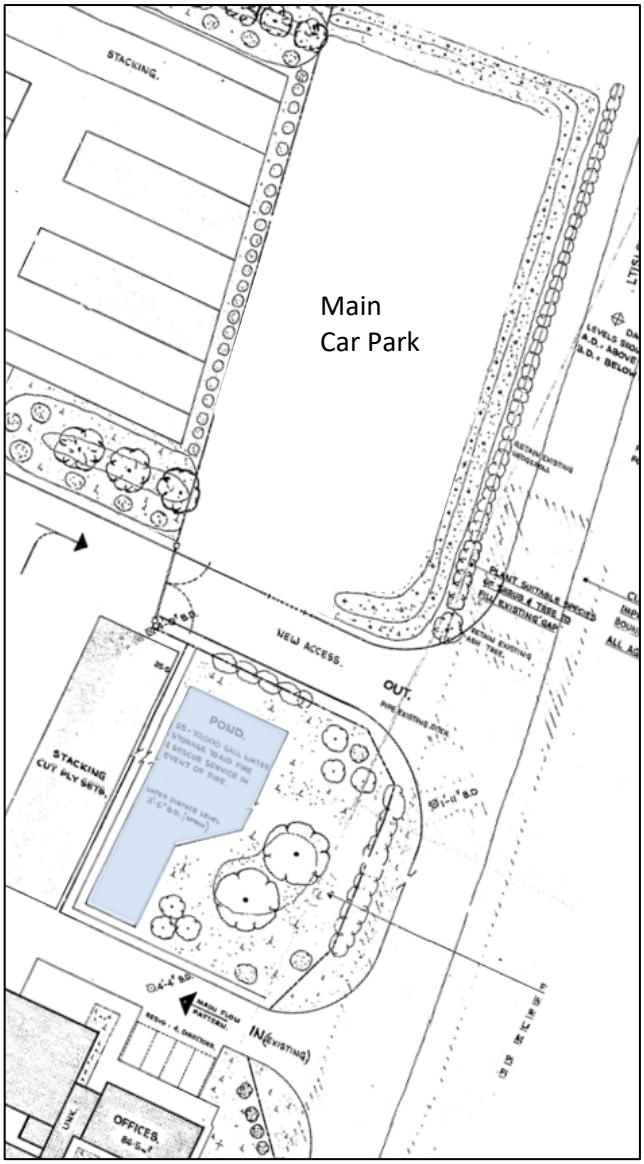

Image 37 – Block Plan H/1249/83 excerpt

TREATMENT PLANT - Class B2 & B8

5.30 Planning permission 9100654FUL, granted in June 1991, authorised the erection of an enclosure over an existing timber treatment plant within the central part of the site. No conditions restricting its use were imposed.

5.31 Before the enclosure was erected, the timber treatment plant was entirely open to the elements. The plant comprises two small railway tracks leading to two kilns, supplied by two storage tanks. Behind the kilns is a bunded pit, indicated on the approved plans as having a capacity equivalent to 110% of the combined storage capacity of the two tanks.

5.32 For ease of reference, copies of the approved plans and decision notice relating to planning permission 9100654FUL are provided at **Appendix 3**.

5.33 The building has been used continuously for timber treatment from its construction to the present day and therefore retains its lawful Class B2 (general industrial) use.

5.34 Regarding images 41-43 below, the Western elevation to treatment plant with attached storage building. The established unrestricted use of the attached building for storage and distribution (Class B8) has become lawful through the passage of time.

5.35 The building is identified by a magenta dot in the image and photographs below.



Image 38 – Treatment Plant identified on Existing Use Block Plan



Image 39 – Front (southern) Elevation



Image 40 – Internal photograph treatment plant



Image 41 – Western elevation to treatment plant with attached storage building



Image 42 – Excerpt from Google Earth image dated December 2000 (no side store)



Image 43 – Excerpt from Google Earth image dated December 2006 (side store added)

NEW SAW MILL - Class B2

5.36 Planning permission 0212902FUL, granted in January 2003, expressly authorised the erection of a sawmill building falling within Use Class B2 (General Industrial). The building was subsequently erected, with Building Regulations records under reference 0300193OTHFP providing supporting evidence of its implementation. The building is also clearly identifiable in historic aerial imagery from December 2006 onwards.

5.37 For ease of reference, copies of the approved plans and decision notice relating to planning permission 0212902FUL are provided at **Appendix 4.**

5.38 The decision notice does not impose any condition restricting the nature of the Class B2 manufacturing activities to particular timber products or processes, nor does it impose specific operating hours.

5.39 The permission is, however, subject to conditions relating to external materials, sound insulation, servicing arrangements, traffic management, drainage and pollution control. No records confirming the discharge of these conditions have been identified within the Council's online planning file. However, insofar as any breach of these conditions has continued without interruption or enforcement action for more than 10 years immediately preceding the date of this statement, it is submitted that the established breach is immune from enforcement action.

5.40 The planning history provides a clear basis for establishing the unrestricted lawful use of the building for Class B2 general industrial purposes, together with associated Class B8 storage.

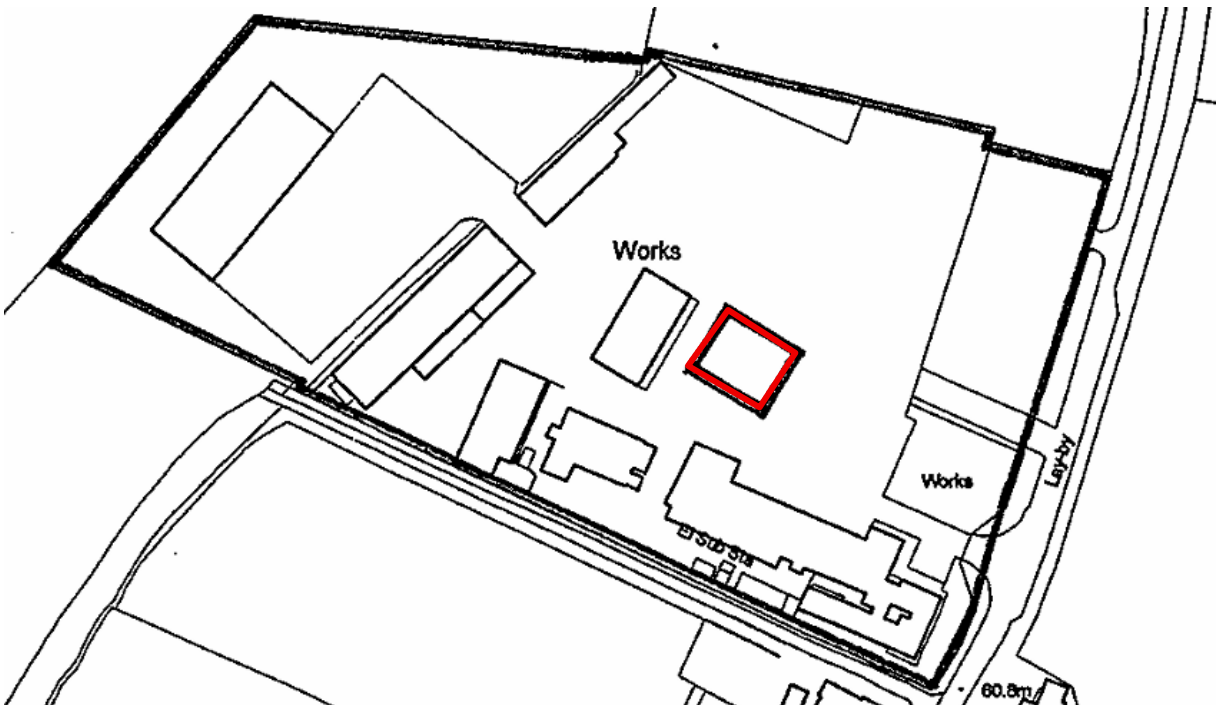

Image 44 – Excerpt from Location Plan 0212902FUL



Image 45 – Southern and Western Elevation of New Saw Mill



Image 46 – Northern and Eastern Elevation of New Saw Mill

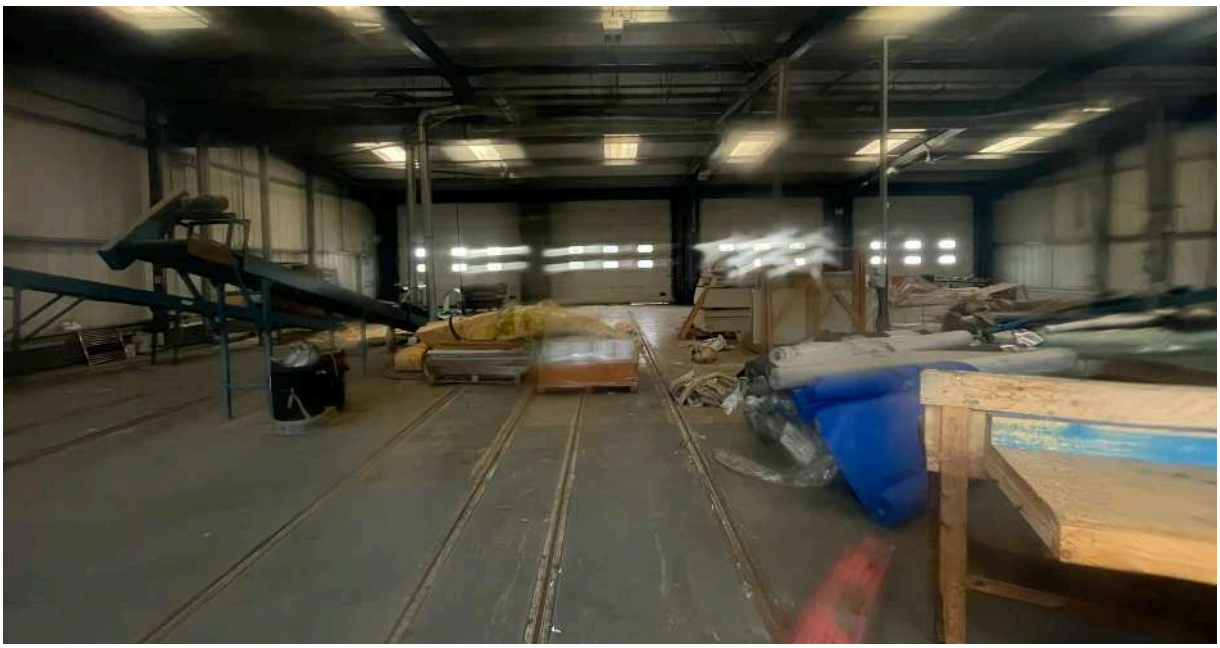

Image 47 – Internal Photograph of New Saw Mill as exists today

NEW OFFICES - Class E(g)(i)

5.41 Outline planning permission 0212903OUT authorised the erection of a two-storey office building together with the formation of a product display area incorporating show homes. Reserved matters approval was subsequently granted for the office building under permission 0500338REM in March 2005. However, the product display and show-home element did not progress to reserved matters approval and was not implemented. The office building was constructed shortly thereafter, as evidenced by Building Regulations reference 0500810OTHFP and its appearance on aerial imagery in 2006.

5.42 For ease of reference, copies of the approved plans and decision notices relating to permissions 0212903OUT and 0500338REM are provided at **Appendix 5**.

5.43 Neither permission imposes any restriction on the office use of the building, including its occupation or the nature of the business activities undertaken.

5.44 Several conditions require the submission of details relating to lighting, landscaping, access and transportation. However, no corresponding applications to discharge these conditions have been identified within the Council's online records. Insofar as any failure to submit the required details has constituted a continuing breach for more than 10 years without enforcement action being taken, it is submitted that any established breach is immune from enforcement action.

5.45 Accordingly, as neither permission imposes a condition requiring the offices to remain ancillary to the adjoining manufacturing premises or restricting their hours of operation, certification is sought for the unrestricted Class E(g)(i) office use of the building.



Image 48 – West elevation of new offices

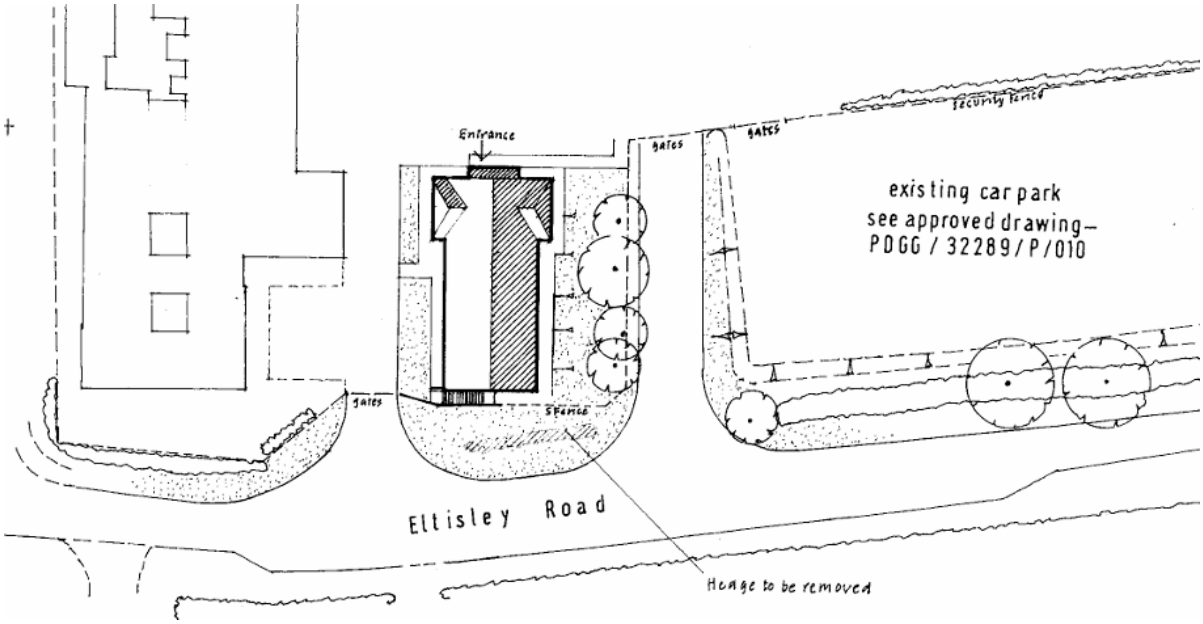

Image 49 – Approved site plan 0500338REM

<u>WORKSHOP MARQUEE</u> - Class B2 & B8

5.46 Planning permission 0901026FUL originally authorised the temporary retention of the marquee building. This period was subsequently extended under permission 1201691S73, before permanent retention was approved under permission 15/02381/S73 in March 2016.

5.47 For ease of reference, copies of the approved plans, officer reports and decision notices relating to permissions 0901026FUL, 1201691S73 and 15/02381/S73 are provided at **Appendix 2**.

5.48 The permissions include conditions requiring retention of the eastern boundary hedgerow under Condition 2 of permissions 0901026FUL and 1201691S73. Condition 3 of permissions 0901026FUL and 15/02381/S73 control machinery operating hours and noise emissions only.

5.49 The committee report accompanying permission 15/02381/S73 expressly identifies the approximately 800 m² building as a manufacturing facility falling within Use Class B2 (General Industrial). However, the permission contains no condition expressly restricting the building to Class B2 use or limiting manufacturing activities to timber products or any other particular goods. Beyond the controls on machinery operating hours and noise emissions identified above, no conditions impose wider restrictions on the hours of use, or the activities undertaken within the building.

5.50 The building has been used continuously for a varying mixture of Class B2 manufacturing and Class B8 storage activities for at least 10 years before the date of this statement.

5.51 Accordingly, certification is sought for the established mixed use of the marquee building for Class B2 general industrial and Class B8 storage purposes, subject only to Conditions 2 (retention of the eastern boundary hedgerow) and 3 (machinery operating hours and noise emissions).



Image 50 – West side elevation of marquee



Image 51 – Southern front elevation of marquee



Image 52 – West side elevation of marquee

6 CONCLUSION

WORKSHOP BUILDINGS – CLASS B2 AND B8

6.1. Taken together, the planning history and supporting evidence demonstrate that the workshop buildings have established lawful uses for Class B2 general industrial and Class B8 storage purposes, according to their respective permissions and historic patterns of use. Lawfulness derives either from express planning permissions or from the continuous operation of the relevant uses for periods exceeding the applicable statutory time limits for enforcement action.

6.2 The workshop buildings have historically accommodated a varying combination of manufacturing, processing and storage activities. The balance between these activities has changed over time in response to operational requirements, with buildings and floorspace used for manufacturing, the storage of raw materials, components and finished products, or a combination of these purposes.

6.3 The application seeks recognition of this established pattern of unrestricted Class B2 general industrial and Class B8 storage use within the 'workshops' demarcated on the accompanying Existing Use Block Plan.

SAWMILLS AND TIMBER TREATMENT PLANT – CLASS B2 WITH ASSOCIATED STORAGE

6.4 The sawmills and timber treatment plant are established for Class B2 general industrial purposes. Their operation includes the receipt, handling and storage of timber and associated materials before, during and after processing. Where such storage is ancillary to the industrial activity, it forms part of the Class B2 use.

6.5 The planning permissions and supporting evidence of the historic operation of these facilities establish the basis for their lawfulness. Certification is therefore sought for the established Class B2 uses, together with their associated ancillary storage activities, as identified on the accompanying Existing Use Block Plan.

STORAGE BUILDING – CLASS B8

6.6 The established use of the storage building for Class B8 storage and distribution purposes is supported by the planning history and evidence of its longstanding operation. Lawfulness derives from the relevant permissions and/or the continuation of the use for a period exceeding the applicable statutory time limit for enforcement action.

6.7 Accordingly, certification is sought for the established Class B8 storage and distribution use of the building, as demarcated on the accompanying Existing Use Block Plan.

ORIGINAL OFFICES, EXTENSIONS AND DETACHED SEMINAR BUILDING – CLASS E(g)(i)

6.8 Certification is sought for the established Class E(g)(i) office use of the original offices and extensions, together with the detached seminar building, as demarcated on the accompanying Existing Use Block Plan.

6.9 The application relies on the longstanding use of this accommodation for office and administrative purposes. As set out in the preceding sections of this statement, no condition has been identified requiring this accommodation to be used solely for purposes ancillary to the wider manufacturing premises.

OPEN STORAGE – CLASS B8

6.10 Certification is sought for the established use of the external areas demarcated on the accompanying Existing Use Block Plan for Class B8 storage, subject only to a maximum storage height of 4.5 metres within the rear section of the site.

MAIN CAR PARK

6.11 Certification is sought for the established unrestricted use of the main car park, as demarcated on the accompanying Existing Use Block Plan.

NEW OFFICES – CLASS E(g)(i)

6.12 Certification is sought for the established unrestricted Class E(g)(i) office use of the building demarcated on the accompanying Existing Use Block Plan. No condition has been identified requiring the offices to remain ancillary to the adjoining manufacturing premises or restricting their hours of operation.

MARQUEE BUILDING – CLASS B2 AND B8

6.13 The marquee building forms part of the established industrial and storage operation. Its permanent retention was authorised under permission 15/02381/S73, and the accompanying committee report expressly recognised its use as a Class B2 manufacturing facility. However, the evidence presented in this statement also demonstrates its longstanding use for a varying mixture of Class B2 manufacturing and Class B8 storage activities.

6.14 No condition has been identified expressly limiting the use of the building to Class B2 manufacturing or restricting manufacturing activities to timber products or the production of particular goods.

6.15 In any event, given the passage of time and the established pattern of use, certification is sought for the mixed use of the marquee building for Class B2 general industrial and Class B8 storage purposes, subject only to Conditions 2 (retention of the eastern boundary hedgerow) and 3 (machinery operating hours and noise emissions).

SUMMARY

6.16 The documentation accompanying application 1001359FUL records general working hours across the site of 07:00 to 17:00. However, the permission does not impose a condition prescribing those hours as an enforceable restriction on the general operation of the premises. These stated working hours should therefore be distinguished from the specific conditions controlling machinery operating hours and noise emissions within the marquee building.

6.17 Subject to the specific controls identified above, no planning condition has been identified imposing a general restriction on the operating hours of the workshop buildings, sawmills or timber treatment plant. Nor has any condition been identified making the relevant permissions personal to a named individual, operator or company. The lawful uses are therefore not dependent upon the continued occupation or operation of the premises by the business originally named in the applications.

6.18 The application seeks confirmation of the established lawful uses of the buildings and land for Class B2 general industrial, Class B8 storage and distribution, and Class E(g)(i) office purposes. This includes the external storage areas; commercial vehicle parking, servicing and circulation areas associated with the industrial and storage uses; and staff and visitor parking ancillary to the established industrial, storage and office uses. It also seeks confirmation of the lawfulness of the historic engineering operations comprising the laying of the concrete apron throughout the site.

6.19 The cessation of the former manufacturing operations in December 2025 does not, in itself, extinguish accrued lawful use rights. In the absence of abandonment or a superseding material change of use, it is submitted that those rights continue to subsist.

6.20 The Council is therefore requested to certify the established lawful uses and operations identified in the application and demarcated on the accompanying Existing Use Block Plan. The certificate should accurately reflect their nature and extent, including the established mixed uses, associated ancillary activities and specific operational limitations that remain applicable. It should not introduce general operating-hour, ancillary-use or personal-occupancy restrictions that do not form part of the existing lawful position.

6.21 It is submitted that the supporting evidence is sufficiently precise and unambiguous to establish the lawfulness of the identified uses and operations on the balance of probabilities. No contradictory evidence has been identified that would render the Applicant's account less than probable. Accordingly, a Certificate of Lawfulness should be issued under section 191 of the Town and Country Planning Act 1990, confirming the lawfulness of the uses and operations described in the application.