

Cherwell District Council
Development Management
Place & Growth Directorate
Bodicote House
Banbury
OX15 4AA

Date: 1 August 2021

Our Reference: GMSB3:

Dear Sir/Madam,

**Application for a Lawful Development Certificate for an Existing Use or Development
– Grundon Waste Management, Merton Street, Banbury, OX16 4RN**

On behalf of our clients, Grundon Waste Management, we are pleased to enclose an application for a Lawful Development Certificate for the existing use of their site at the above address.

The application has been submitted online via the Planning Portal and has been given the reference number PP-10082727.

The Supporting Evidence

In addition to the requisite form and location plan identifying the site, this application is supported by the following evidence:

1. **Four aerial photos from GoogleMaps© dated 2004, 2006, 2009 and 2017.** Although it is necessary to only prove 10 years of continuous use, these photos and other documents submitted to support the application show the longevity of the use which was an established feature by August of 2011 and persists to this day as shown on the 2017 aerial photograph.

The four aerial photos show how the site has been used and how the component parts of the use are spread across the site. A visit to the site and an inspection of the different areas will show that the use as a depot and for storage remains as shown on that photograph and comprises offices, hardstanding for parking and storage, workshops and outdoor storage.

2. **The Environment Agency Permit** dating from 1995 when the site was used as a transfer station. The documents comprise the original permit, four variations and a surrender in 2019 when the waste permit ceased. From 2019 the site has remained as a base for Grundon's operations and the depot/storage uses have persisted.
3. **A Goods Vehicle Operator's Licence** dated 27.04.2005 which shows that there were 24 vehicles and one trailer operating from the Merton Street site at that time.
4. **A Set of Photos from a report dated 2001.** These show the presence of Grundon's operation on the site at that time.

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5. **A further set of photos ranging from 2008 to the present day.** Once again, these demonstrate the presence of Grundon on the site throughout this time.
6. **Some Historical Maps from 1885 to 1995 from the same 2001 report as Item 4.** These show graphically the longevity of commercial and railway operations on the site leading to the residual railway sidings and scrap metal use in the 1960s. Although not evidence to support the Grundon depot use, they provide a vital insight into the origins of the industrial and storage uses that have persisted for many years.

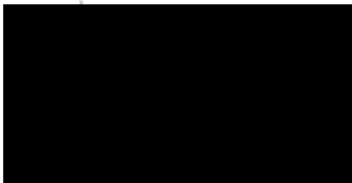
We believe that the evidence for Grundon's use of the site as a depot and for storage is overwhelming and that the appropriate evidential test (i.e. "on the balance of probability") is easily met. However, we recognise that the burden of proof rests with the applicant so, if you require any further supporting information, please do not hesitate to contact us.

Finally, payment for the planning application fee will be made by the owner via the Planning Portal for £462 along with the Planning Portal fee of £28.00.

We trust that the enclosed documents are sufficient for your purposes and we look forward to receiving confirmation that the application has been validated in due course.

If you have any queries or require any additional information, please do not hesitate to contact me. I will e-mail the Case Officer in due course to check the progress of the application and the likely timescale to the decision.

Yours sincerely



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For and on behalf of JSA Planning