

The Yard, Elston Lane, Shrewton House, Shrewton, Wiltshire

**SUPPLEMENTARY STATEMENT FOR
LAWFUL USE OF LAND FOR STORAGE**

This Statement supports the application for the Lawful Development of the Existing Use of Shrewton House Yard used for storage.

Application reference: PL/2026/00056

February 2026

1.0 BACKGROUND

This Statement has been prepared in response to the Council's request to provide more detailed evidence of use over the previous 10 years to support the case for the Lawful Development of the existing yard at Shrewton House

Bruno d'Avanzo has provided a Statutory Declaration stating that the leases from 1st March 2015 have allowed the site to be used for builders yard and storage. In his opinion there has been no interruption of the use from that date up to the date of the planning application.

2.0 RESPONSE TO QUERIES REGARDING USE AND LEASES

1. The Chapman tenancy agreement (2015) is unsigned and therefore does not account to evidence – albeit the Statutory Declaration states the tenant was allowed to use the site as a builders yard – what did this tenant actually do on site?

Response: TB Chapman were builders and used this site for the storing of all their building materials and machinery, sometimes preparing items for building jobs, etc. The entry into Company House records states the nature of the business as construction other building completion and finishing. Wilsons Solicitors LLP acting for the applicant-Bruno d'Avanzo, have provided evidence that the lease was never completed as TB Chapman went into voluntary liquidation in May 2015 shortly after occupying the site on 1st March 2015. See **Appendix 1** comprising confirmation from Wilsons Solicitors LLP, a bank receipt of 11th March 2015 for the first month lease payment and Company House record showing the company commenced liquidation on 11th May 2015. The company materials continued to be stored at the yard for a period following commencement of liquidation until about January 2016.

2. The other tenancy agreements are signed and do hold some weight but do not give the correct evidence for use of the site as a builders yard – what did the tenants actually use the site for?

Response: There are two other tenants for the yard which are significant as they cover the last 10 year period: Downton Diggers from 5th February 2016 and Sandra Sutton from 5th February 2022 to date.

The two sequential leases from Downton Diggers state the use of the site for storage of plant and equipment in connection withgroundwork business.

Downton Diggers are still trading in Shrewton and at **Appendix 2** are details of their activities at their current site. This states they have been trading for over 35 years with experience in groundworks, building, construction and demolition work, serving the people of Salisbury and throughout Wiltshire, Hampshire and Dorset. The site was used for storing and security for their plant and equipment.

It has not been possible to secure any formal statement from the business owner of Downton Diggers regarding their occupancy of the site. Nevertheless, based on the balance of probabilities with evidence of two consecutive signed leases for using the site for their groundwork equipment and the fact that they state they have been trading for 35 years provides reasonable clarity that the site was used for their construction business. At **Appendix 4** additional photographs of January 2022 of Downton Diggers equipment at the site.

Sandra Suttons lease has been allowed to run on since 4th February 2023 on month by month basis without a renewal on a tenancy at will basis. The Sutton's business is Blundell's Construction and the site contains stored construction materials and equipment for the business. At **Appendix 3** is a Truth Statement detailing their activities and confirming the continuous use.

4. There is no evidence identifying when any of tenants first went on site and when they left – the tenancy only evidences an agreement and does not demonstrate a continuous use. This concern comes from the fact that some of the tenancy dates overlap each other?

Response: The leases are factual historical information over the 10 year period. TB Chapmans lease terminated earlier as the company went into liquidation and eventually dissolved as described above. The follow on lease after TB Chapmans termination was with Downton Diggers issued on 5th February 2016. The lease dated 5th October 2000 was made earlier than the lease period of 6 years was purely because the owners were dissolving the entity called Shrewton House Estate Limited, and had instead changed the structure to The d'Avanzo Partnership and it was no longer a registered company. Therefore a revised new lease was required. This is referred to in part 8 of the Statutory Declaration. There has for the last 10 year period, which is the most relevant period, been sequential tenancy occupations which have used the site for storage of plant, equipment and some materials associated with building/construction businesses. There is reasonable evidence of use of the site for the presence of construction equipment and a statement of the existing tenant referring to the presence of Downton Diggers vacating the site around 5th or 6th February 2022. The photographs at **Appendix 4** of January 2022 show Downton Diggers equipment at the site.

Final Observations:. The case officer in considering the previous planning application reference PL/2022/00675 stated *"....the statement of truth also describes the use as builders yard. However this term is ambiguous since builders yard is commonly understood to include sales."* However I contend, to include sales it would be commonly named Builders Merchants.

Whilst the site has no sales it has for at least the last 10 years been used for various storage of builders equipment and some builders materials and with ancillary office and storage container buildings on site. There has been no industrial processes but some ancillary restoration work on a horse truck undertaken with the Sutton tenancy.

The previous case officer in respect of application ref PL/2022/00675 advised that the site would better be described as *"storage of materials and machinery' which would fall within a B8 use rather than a mixed or sui generis use of a 'builder's yard' "*.

I am not aware there is any planning definition of builders yard. If it is agreed that the primary use of the site is for the storage of equipment and that is the most appropriate description of its use; then that is a matter which can be accepted by the applicant. There is sufficient supporting evidence which allows the local planning authority under the TCPA 1990 S.191 (4) to modify the terms of the application, giving a certificate in somewhat different terms so as to accord with the facts and evidence, rather than an outright refusal.

APPENDIX 1

On 24 Jan 2022, at 13:54, Helen Lello [REDACTED] wrote:

Dear Victoria,

I have retrieved our old file from Archives. I understand from Mike Ellis that you are putting together a 10 year history of the land's use for planning purposes

We received instructions in January 2015 to prepare a new lease to T B Chapman & Co. A lease was drafted but as far as we are aware it was never completed (dated). It was held up as we were waiting for instructions from Lutea as to whether or not a reversionary/intermediary lease was to be put in place between Lutea and Shrewton House Estate Limited. From the file it would appear that TB Chapman went into liquidation before Lutea ever answered this question, so the lease was not completed.

In early May 2015 you told us T B Chapman had gone into liquidation and that you had been in contact with the liquidator. You also mentioned that the Chapmans has returned the keys in person.

We subsequently received instructions from Woolley & Wallis for the new lease to Barry Musselwhite on 27 November 2015 and that lease was completed on 5 February 2016.

From the point of view of providing evidence of use by T B Chapman, you could produce any receipts into your bank account (redacted) of rent if there were any or any correspondence you had with the liquidator. Did you provide the liquidator with any details of sums due to you?

Presumably between the time that the liquidator disclaimed any further interest in the yard and November 2015 Woolley & Wallis were seeking a new tenant for the yard and the yard was not used for a different planning use during this period?

Kind regards

Helen

Helen Lello
Senior Associate

Wilsons Solicitors LLP

T: 01722 427 567
F: 01722 411 500

E: [REDACTED]
W: wilsonslp.com



Salisbury: Alexandra House, St Johns Street, Salisbury SP1 2SB
London: 4 Lincoln's Inn Fields, London WC2A 3AA



SHREWTON HOUSE ESTATE
LIMITED



Issued on 7 April 2015

THE DIRECTORS
SHREWTON HOUSE ESTATE LIMITED
SHREWTON HOUSE
SHREWTON NEAR SALISBURY
WILTSHIRE
SP3 4HJ

Your Business Current Account

At a glance

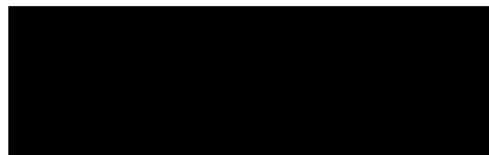
07 Mar – 02 Apr 2015

Start balance	
Money out	
▶ Commission charges £0.00	
▶ Interest paid £0.00	
Money in	
End balance	

Date	Description	Money out £	Money in £	Balance £
7 Mar	Start Balance			
10 Mar				
11 Mar	Giro			
12 Mar				
16 Mar	STO			
19 Mar				

Continued

Rule 4 34 - CVL

**The Insolvency Act 1986
Statement of Company's Affairs****Pursuant to section 95/99 of
the Insolvency Act 1986****For Official Use**

To the Registrar of Companies

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Company Number

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Name of Company

T B Chapman & Sons Limited

I / We

Julie Anne Palmer, 65 St Edmund's Church Street, Salisbury, Wiltshire, SP1 1EF

Simon Guy Campbell, 65 St Edmund's Church Street, Salisbury, Wiltshire, SP1 1EF

the liquidator(s) of the above named company attach a statement of the company affairs
as at 11 May 2015

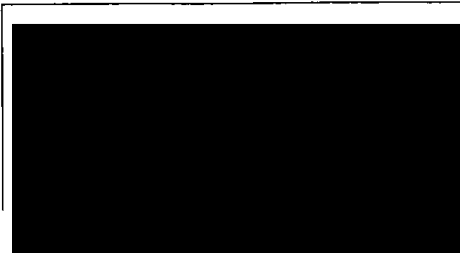
Signed



Date 11 May 2015

Begbies Traynor (Central) LLP
65 St Edmunds Church Street
Salisbury
Wiltshire
SP1 1EF

Ref



Software Supplied by Turnkey Computer Technology Limited Glasgow

APPENDIX 2



Downton Diggers Ground Works

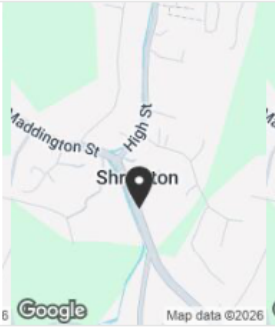
No job too big or small

★★★★★ 5.0 (2 Ratings) | [Write a review](#)

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★★★★★ 5

2 reviews

5 ★ 2

4 ★ 0

3 ★ 0

2 ★ 0

1 ★ 0

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Business overview

No job too big or small

Professional groundworks, building and construction work in Salisbury, Wiltshire, Hampshire and Dorset

Downton Diggers Groundworkers is a well established groundworks company that has built up an enviable reputation over the last 25 years.

Downton diggers groundworkers have over 35 years experience in groundworks, building, construction and demolition work, serving the people of Salisbury and throughout Wiltshire, Hampshire and Dorset

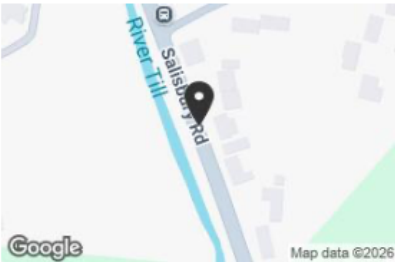
We pride ourselves on our commitment to provide a professional and speedy service at all times, whilst maintaining the highest quality of work.

What ever the project we can provide you a quick professional solution. No matter how big or small the job.

Our services cover Groundwork, Construction, Extensions & New Builds, Drainage Services, Hard Landscaping and Demolition Services.

Contact us today to discuss your requirements. Our phone line is open until 10pm every evening and all weekend.

Our location

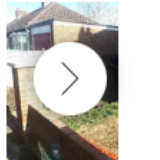


Google Map data ©2026

Opening hours

Monday	07:00 - 17:30
Tuesday	07:00 - 17:30
Wednesday	07:00 - 17:30
Thursday	07:00 - 17:30
Friday	07:00 - 17:30

Photos



Products & Services

APPENDIX 3

Witness Statement of Sandra Sutton

Name: Sandra Sutton

Address: 7 Highfield Rise, SP3 4DZ

Relationship to the site: Tenant of the Stables & Fields of Shrewton House (since December 2018) and the Builder's Yard (since 5 February 2022).

I, Sandra Sutton, make this witness statement in support of confirming the use of the Builder's Yard at Shrewton House, Shrewton, Wiltshire, from December 2018 to the present day, and to confirm my knowledge of the use of the site immediately prior to that date.

Use of the Builder's Yard from December 2018 to present

From 8 February 2022 onwards, I have occupied and used the Builder's Yard at Shrewton House continuously for the storage and working of materials, equipment and vehicles associated with the livery business, building, construction, maintenance and related activities.

Items stored and kept at the yard during this time have included (but have not been limited to):

- Timber and building materials
- Pipework and drainage materials
- Scaffolding and associated components
- General construction materials and fittings
- Construction machinery and tools
- A horse truck, which was kept at the yard for repairs and maintenance (now sold)
- Other vehicles, plant and equipment used intermittently in connection with building and repair works

The yard has been accessed regularly by myself and others (primarily my husband) for the purposes of collecting, storing, maintaining and working on these materials and vehicles. The use has been ongoing and consistent from 8 February 2022 to the present day, without any break in use.

Knowledge of use prior to 8 February 2022

Although I was not the tenant of the Builder's Yard prior to 5 February 2022, I was already a tenant at Shrewton House Stables during that time and visited the property frequently.

Through my regular presence on site, I can confirm that the Builder's Yard was in active use by Downton Diggers until approximately 6 February 2022, which is when the owner of Downton Diggers, Barry Musslewhite, gave me the keys to the Builder's Yard so that I could start to move my materials on site.

During this period, I observed that:

- Downton Diggers had machinery and materials stored at the yard
- The machinery included earthworks vehicles such as excavators, diggers and attachments (which were sometimes used at Shrewton House for works there)
- The yard was actively used in connection with their groundworks, building and construction business
- Machinery and materials were accessed and moved often for off-site projects

Statement of truth

I confirm that the information contained in this statement is true and accurate to the best of my knowledge and belief.

Signed: _____

Name: Sandra Sutton

Date: 17.02.26

APPENDIX 4 : photographs January 2022 showing Downton Diggers equipment on site

