

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY:

Charnwood Borough Council

**TO: Wealth Property Limited,
153 Norwood Road, Southall, Middlesex UB2 4JB**

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land at Syston Mill, Mill Lane, Syston, Leicestershire, LE7 1NS shown edged and shaded red on the attached plan.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission the material change of use of land and buildings, from industrial and agricultural use to sui generis use including industrial, agricultural, residential (building conversion and caravan), vehicle sales, MOT station, vehicle repairs and servicing, vehicle restoration, vehicle body repairs, storage, tyre fitting, siting of caravans and portable structures/buildings, storage, manufacturing and retail; and facilitating development including the installation of fencing, hardstanding, closed circuit television, lighting, and ground works

4. **REASONS FOR ISSUING THIS NOTICE**

1. It appears to the Council that the above breaches of planning control have occurred within the last 10 years, material change of use and other facilitating development.
2. It is established planning policy, at both national and local level, that new development should be permitted outside established settlements in exceptional circumstances only. These circumstances normally relate to an agricultural need. The Land

is within the countryside and there are no exceptional circumstances which justify over-riding the normal planning policies. The development conflicts with Policies CS1 and CS11 of the Charnwood Local Plan 2011-2028 Core Strategy 2015; saved Policies ST/2, CT/1, and CT/2 of the adopted Borough of Charnwood Local Plan 2004; Policies DS1 and C1 of the submitted Charnwood Local Plan 2021- 2037; and the provisions in Paragraph 180 of the National Planning Policy Framework (NPPF), which promote sustainable development in the countryside.

3. The development is prominently located within the countryside. The Local Planning Authority is of the view that the appearance of the development is visually harmful to the character and appearance of its rural surroundings, contrary to Policies CS2 and CS11 of the Charnwood Local Plan 2011-2028 Core Strategy 2015; saved Policies ST/2, CT/1 and CT/2 the Borough of Charnwood Local Plan 2004; the adopted Supplementary Planning Document on Design (2020); policies DS5 and EV1 of the submitted Charnwood Local Plan 2021- 2037, and the provisions in paragraphs 139-141 and 180 of the NPPF which all call for new development to be high quality design and not harm the character and appearance of the countryside.
4. To allow unfettered residential incursions in the countryside, outside the limits to development would likely encourage other similar residential development to take place contrary to Policies CS1 and CS11 of the Charnwood Local Plan 2011-2028 Core Strategy 2015; ST/2 and CT/1 of the Borough of Charnwood Local Plan 2004; and DS1, C1 and EV1 of the submitted Charnwood Local Plan 2021- 2037; and the provisions in paragraphs 88, 89 and 180 of the NPPF.
5. The Local Planning Authority has assessed the development on the Land and considers that there has been a net loss in biodiversity due to the nature of the activity and its continued extension into areas of habitat. There is no evidence from the landowners or their tenants to confirm they have assessed the biodiversity impacts of the development, or to confirm that an assessment has been made and such a report is available. No report has been forwarded to the Local Planning Authority for consideration. Therefore, it is considered that development is contrary to Policy CS13 of the Charnwood Local Plan 2011-2028 Core Strategy 2015; Policy EV6 of the submitted Charnwood Local Plan 2021-2037; and the provisions in paragraphs 186-188 of the NPPF.
6. There is a potential for flooding of the Land due to its location being in Flood Zone 3a and 3b. Without a flood risk assessment for the whole development; supported by a sequential test for

the siting of caravans only; an assessment of the risks of flooding cannot be made. There is no evidence from the landowners or tenants to confirm that such a report is available, and no report has been forwarded to the Local Planning Authority for consideration. Therefore, it is considered, the development is contrary to The Charnwood Strategic Flood Risk Assessment 2014; to Policy CS2, CS16 of the Charnwood Local Plan 2011- 2028 Core Strategy 2015: Policy EV/1 of the Borough of Charnwood Local Plan 2004; and the Environmental Objective 7 and Policies DS5, CC1, CC4, EV6 of the submitted Charnwood Local Plan 2021-2037 and the provisions in paragraphs 165 -175 of the NPPF.

7. There is potential for contamination from the development of the Land due to the nature of the activity involving the storage and parking of vehicles and parts and the burning of waste. Without a Preliminary Risk Assessment report (also known as a Phase 1 Desk Top Study) being undertaken for the activity on the Land, an assessment of the risks to land and Controlled Waters cannot be made. There is no evidence from the landowners or their tenants to confirm that such a report is available, and no report has been forwarded to the Local Planning Authority for consideration. Therefore, it is considered, the development is contrary to Policy CS2 and CS16, of the Charnwood Local Plan 2011- 2028 Core Strategy 2015; the Environmental Objective 7 and Policies DS5, CC4, EV6 of the submitted Charnwood Local Plan 2021-2037; and the provisions in paragraphs 180, 189 -190 of the NPPF.
8. There are potential highway safety issues caused by the current design of the junction of Mill Lane with Fosse Way; and for pedestrians using the underbridge. Without an assessment of the development on the adopted highway, the impact on highway safety, or the residual cumulative impacts on the road network, an assessment of the risks and impacts cannot be made. There is no evidence from the landowners or their tenants to confirm that such an assessment is available, and no report has been forwarded to the Local Planning Authority for consideration. Furthermore, the development does not constitute sustainable development in transport terms and the developer has not provided an assessment of travel to confirm the priority of modes of transport to and from the site which encourages public transport use; address the needs of people with disabilities; reduce conflicts between pedestrians, cyclists and vehicle places; allow efficient delivery of goods and access by service and emergency vehicles; and enable charging of plug-in and other ultra-low emission vehicles. Therefore, development is contrary to Saved Policy TR/18 the adopted Borough of Charnwood Local Plan 2004; Policies CC5, T3 and INF2 of the

submitted Charnwood Local Plan 2021-2037; and the provisions in paragraphs 114 - 117 of the NPPF.

5. WHAT YOU ARE REQUIRED TO DO

- 1) Cease the use of the Land for the parking and storing of vehicles associated with the material change of use to sui generis use including industrial, agricultural, residential (building conversion and caravan), vehicle sales, MOT station, vehicle repairs and servicing, vehicle restoration, vehicle body repairs, tyre fitting, siting of caravans and portable structures/buildings, storage, manufacturing, and retail.
- 2) Cease the use of the Land for the selling of vehicles and any other retail uses.
- 3) Cease the use of the Land for the storage of scrap vehicles.
- 4) Cease the use of the Land for the storage of vehicle parts.
- 5) Cease the use of the Land for the storage and siting of caravans and trailers.
- 6) Cease the use of the Land for the storage and siting of portable buildings, sheds, and containers.
- 7) Cease the use of the Land for vehicle repairs servicing, MOT testing, vehicle restoration, vehicle body repairs and tyre fitting.
- 8) Cease the use of the Land for workshops, offices, storage, manufacturing, retail, and residential purposes.
- 9) Cease depositing waste on the Land.
- 10) Remove from the Land all vehicles associated with the sui generis use including industrial, residential, vehicle sales, MOT station, vehicle repairs, storage and servicing, vehicle restoration, vehicle body repairs, tyre fitting, siting of caravans and portable structures/buildings, storage manufacturing.
- 11) Remove from the Land all vehicle parts.
- 12) Remove from the Land all plant machinery associated with the sui generis use including industrial, residential, vehicle sales, MOT station, vehicle repairs, storage and servicing, vehicle restoration, vehicle body repairs and tyre fitting, siting of caravans and portable structures/buildings, storage manufacturing and retail.
- 13) Remove from the Land all caravans and trailers.
- 14) Remove from the Land all portable buildings, sheds, and containers.
- 15) Remove from the Land all means of enclosure (including fencing, gates etc and their associated foundations). Except for the timber post and rail boundary fencing as shown yellow on the plan attached at Appendix 2.
- 16) Remove from the Land all closed circuit television cameras, lighting, audio equipment and their supports and foundations within the areas used for vehicle sales on the southern side of the dividing watercourse and as shown outlined green on the plan attached to Appendix 3.

- 17) Remove from the Land all other paraphernalia associated with the sui generis use including industrial, residential (building conversion and caravan), vehicle sales, MOT station, vehicle repairs, storage and servicing, vehicle restoration, vehicle body repairs, tyre fitting.
- 18) Remove from the Land, and Buildings all items used in association with residential uses.
- 19) Remove from the Land all imported materials including, hard surfacing, surface dressing, base material, sub-base material, and geotextile/textile matting.
- 20) Remove from the Land all contaminants including but not limited to all vehicle fluids, buried waste, burned waste and general waste.
- 21) Remove from the Land the electricity supply and associated cabling to the vehicle sales area on the southern side of the Land and shown outlined purple on the plan attached to Appendix 3.
- 22) Remove from the Land the water supply and all associated pipework to the land on which the vehicle sales on the southern side of the Land are occurring shown outlined purple on the plan attached to Appendix 3.
- 23) Remove from the Land any sewerage connection and associated pipework to the land on which the vehicle sales to the southern side of the Land are occurring shown outlined purple on the plan attached to Appendix 3.
- 24) Reinstate the Land to its former condition and in accordance with the year 2000 aerial photograph attached at Appendix 1, including the reinstatement of ground levels, boundary means of enclosure, the planting of native species semi mature trees, shrubs, bushes, and grass seed mixes to match those of the adjacent land. The native species semi mature trees shrubs, bushes, and grass, required by this step, shall be planted in accordance with the horticultural industry standards or suppliers' instructions. The landowner shall inform the Local Planning Authority that this step has been completed within 48 hours of its completion.
- 25) Remove from the Land all plant, machinery, tools, debris, waste, and materials arising from undertaking steps 1-25 above.
- 26) All new planting, as required by step 25 shall be maintained, including, but not limited to, watering and weeding, in accordance with the horticultural industry standards or suppliers' instructions for a period of 5 years from the completion of planting.
- 27) The new planting as required by step 25 above, shall be monitored for growth and establishment for period of:
 - A) Trees 30 years
 - B) Bushes and shrubs 10 years
 - C) Grasses 5 yearsfrom the completion of the planting, to ensure re-establishment of the previously removed vegetation. Any planting that is dead

dying, dangerous or destroyed in the time frames set out above shall be replaced with the same semi mature native species trees, shrubs and bushes, and grass of the same proportions at the time of discovery.

6. TIME FOR COMPLIANCE

Steps 1 to 25 shall be completed within 15 months from the date the notice takes effect.

Step 26 shall be completed within 5 years and 15 months from the date the notice takes effect.

Step 27 shall be completed as follows:

27A) Trees within 30 years and 15 months from the date the notice takes effect.

27B) Bushes and shrubs within 10 years and 15 months from the date the notice takes effect.

27C) Grasses within 5 years and 15 months from the date the notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **Tuesday 5th November 2024** unless an appeal is made against it beforehand.

Signed



On behalf of Charnwood Borough Council

Dated: 23 September 2024

ANNEX

YOUR RIGHT TO APPEAL

You can appeal against this Notice in writing to the Secretary of State, but any appeal must be received, or posted in time to be **received** by the Secretary of State **before** the date this notice takes effect as specified in paragraph 7 of the notice. If you decide to appeal, you should follow the guidance provided in the attached note from the Planning Inspectorate.

FEE PAYABLE FOR THE DEEMED APPLICATION

If your ground of appeal includes ground (a) that planning permission should be granted, you must include with your appeal a fee, which is double that payable for a normal planning application. The total fee payable is **£1156** and should be paid to Charnwood Borough Council.

The fee can be sent with your appeal forms to the Council.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date the notice takes effect which is specified in paragraph 7 of the notice, and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

PERSONS SERVED WITH A COPY OF THIS NOTICE:

Owners of Development

- 1) Surbeer Singh Nagpal, Director, Wealth Property Limited, 153 Norwood Road, Southall, Middlesex, UB2 4JB
- 2) Asphal Singh Babbar, Director, Wealth Property Limited, 153 Norwood Road, Southall, Middlesex, England, UB2 4JB

Occupiers

- 3) Surbeer Singh Nagpal, Director, Wealth Property Ltd, Unit E, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 4) Asphal Singh Babbar, Director, Wealth Property Ltd, Unit E, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 5) Surbeer Singh Nagpal, Director, Wealth Property Ltd, Unit A & C, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 6) Asphal Singh Babbar, Director, Wealth Property Ltd, Unit A & C, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 7) Surbeer Singh Nagpal, Director, Wealth Property Ltd, Unit B, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 8) Asphal Singh Babbar, Director, Wealth Property Ltd, Unit B, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS

- 9) Ioan-Bogdan Feher, Director, Bogdan Feher Ltd, Unit 7, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 10) Ioan-Bogdan Feher, Director, Bogdan Feher Ltd, Unit 10 Office, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 11) Ioan-Bogdan Feher, Director, Bogdan Feher Ltd, Unit D, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 12) Ioan-Bogdan Feher, Director, Bogdan Feher Ltd, Vehicle Compound, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 13) Ioan-Bogdan Feher, Director, Bogdan Feher Ltd, 6 Wingate Drive, Leicester, United Kingdom, LE3 0US

- 14) Owner/Occupier Unit 7a Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS

- 15) Owner/Occupier, Unit 16, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS

- 16) County Roofing (Leicester) Ltd, Unit 20. Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 17) Vicki Shaw, Company Secretary, County Roofing (Leicester) Ltd, 15 Balliol Avenue, Syston, Leicester, Leicestershire, LE7 2BX
- 18) Scott Shaw, Director, County Roofing (Leicester) Ltd, 15 Balliol Avenue, Syston, Leicester, Leicestershire, LE7 2BX
- 19) County Roofing (Leicester) Ltd, Registered Office, 2 Grange Avenue, Rearsby, Leicester, England, LE7 4FY

- 20) E-Lease Limited Unit 22, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 21) E-Lease Limited, External Parking Area, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 22) Martha Libby Watts, Company Secretary, E-Lease Limited, Park House, 37 Clarence Street, Leicester, United Kingdom, LE1 3RW
- 23) Joanne Watts, Director, E-Lease Limited, Park House, 37 Clarence Street, Leicester, United Kingdom, LE1 3RW

- 24) Green Goblin Garage Limited, Unit A, C & Lean To, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 25) Claudiu Voinescu, Director, Green Goblin Garage Limited, 120 Bradgate Drive, Coalville, England, LE67 4HG

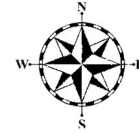
- 26) Mr. Peter Chimanga, Unit B1, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS

- 27) Heritage Bodyworks Ltd Unit B2, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 28) Abdul Imran Sheikh, Director, Heritage Bodyworks Ltd, 14 Montvale Gardens, Leicester, England, LE4 0BL
- 29) Azmei Sheikh, Director, Heritage Bodyworks Ltd, 14 Montvale Gardens, Leicester, England, LE4 0BL

- 30)Nippon Autos Ltd, Land, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 31)Matloob Hussain, Director, Nippon Autos Ltd, Abingdon Business Centre 346, Osmaston Road, Derby, Derbyshire DE24 8AG
- 32)Mr David Leonard, Unit 17a, Syston Mill, Mill Lane, Syston, United Kingdom, LE7 1NS
- 33)Owner/Occupier Unit 17a, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 34)Owner/Occupier Unit 17b, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 35)Owner/Occupier Unit 17c, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 36)Sotiris Thanasis, Director, Angelos Thanasis Ltd, Unit E1, Syston Mill, Mill Lane, Syston, United Kingdom, LE7 1NS
- 37)Auto Motors MK LTD, Unit E2, Syston Mill, Mill Lane, Syston, United Kingdom, LE7 1NS
- 38)Lukasz Cezary Malyszko, Director, Auto Motors MK LTD, 4 Brecon Close, Corby, England, NN18 8GT
- 39)Auto Motors MK LTD, Registered Office, 88 Oakley Hay Lodge, Great Fold Road, Corby NN18 9AS
- 40)Mr Krish Bhakta, Unit 18, Syston Mill, Mill Lane, Syston, United Kingdom, LE7 1NS
- 41)Addicted Vape Limited, Unit 17, Syston Mill, Syston, LE7 1NS
- 42)Charanjit Singh Grover, Director, Addicted Vape Limited, 153 Norwood Road, Southall, Middlesex, England, UB2 4JB
- 43)Miss Claire Watts, Totally Cobs Animal Feeds, Unit 18, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 44)Owner Occupier, Grazing Fields, Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 45)Owner/Occupier, Land at Syston Mill, Mill Lane, Syston, Leicester, England, LE7 1NS
- 45) Copy affixed to the Site



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Reference No: E/24/0010
Location: Land at Syston Mill, Mill Lane, Syston, Leicestershire, LE7 1NS
Scale: 1:2500


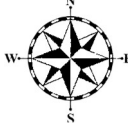


Appendix 1

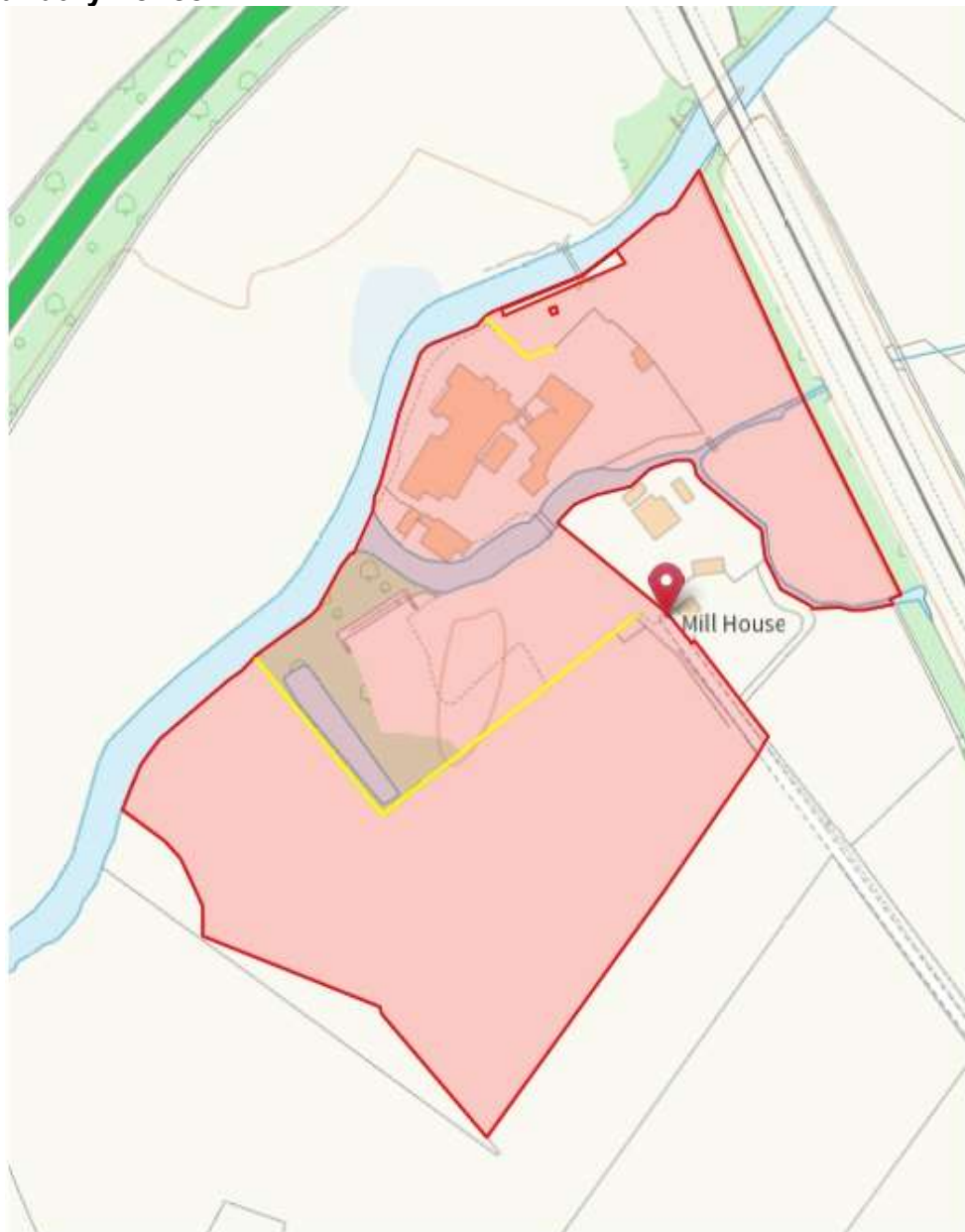


Image from Google Earth Pro
Image date 01/01/2000



Appendix 2

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Reference No: E/24/0010
Location: Land at Syston Mill, Mill Lane, Syston, Leicestershire, LE7 1NS
Scale: 1:2500
Boundary Fence: Yellow Line



Appendix 3

 <p>Charnwood <i>Leading in Leicestershire</i></p>	<p>This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Licence No: 100023558 <i>This copy has been produced specifically for Council purposes only. No further copies may be made.</i></p>	
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Reference No: E/24/0010
Location: Land at Syston Mill, Mill Lane, Syston, Leicestershire, LE7 1NS
Scale: 1:2500
Vehicle Sales area: Edged Green

