

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) Reinststate 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 years
 from 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

A handwritten signature in cursive script, appearing to read 'R. Bennett', is written over a faint, illegible printed name.

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



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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



APPENDIX 2 – Site Location Plan in Enforcement Notice E/21/0183



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Scale: 1:2500



APPENDIX 3 – Appellant Maps of Planning Units



Parcel ID Map (1)



Parcel ID Map (2)

APPENDIX 4 – David Knapp Statutory Declaration

ENFORCEMENT NOTE REF: E/21/0183
ISSUED BY CHARNWOOD BOROUGH COUNCIL

**Appeal against decision of Charnwood Borough Council to issue
Enforcement Notice**

at

Land At Syston Mill, Mill Lane, Syston, Leicestershire, LE7 1NS

Town and Country Planning Act 1990

STATUTORY DECLARATION

of

David John Knapp

Marrons

1 Colton Square

Leicester

November 2024

EXHIBITS

Exhibit A: Site Location Plan

Exhibit B: Parcel ID Map

Exhibit C: Aerial Photograph: (January 2010)

Exhibit D: Aerial Photograph: (March 2006)

Exhibit E: Historic Title Register

Exhibit F: Aerial Photograph: (April 2015)

Exhibit G: Aerial Photograph: (April 2020)

Exhibit H: Aerial Photograph: (April 2021)

1. I, David John Knapp, DO SOLEMNLY DECLARE AS FOLLOWS: I was BORN ON [REDACTED] and I currently reside at [REDACTED] Loughborough, Leicestershire, [REDACTED]. I make this declaration of truth in support of an appeal pursuant to Enforcement Notice ref: E/21/0183 served by Charnwood Borough Council in respect of Syston Mills Mill Lane, Leicester, Leicestershire, LE7 1NS ("the site").
2. The site is identified at Exhibit A, which is a map outlining the site in red. I understand this is the relevant map taken from the Enforcement Notice ref: E/21/0183.

Background

3. I first visited the site in approximately 1984, and at that time a company called Stamina Components (Syston) Ltd were a tenant, and were my first landlord. I was looking for business accommodation to run a mechanics workshop. I am a mechanic and I have been working in the industry for over 40 years, now semi-retired. I no longer have a tenancy at Syston Mills, but I am very familiar with the site and support the current owners in the management of the site. I continue to visit the site regularly, at least on a fortnightly basis.
4. In the 1980's, Stamina Components (Syston) Ltd were a shoe sole manufacturer, and they were the main tenant on the site. Bourne End Property Trading Limited, were the site owners, and Stamina Components (Syston) Ltd were a tenant. Stamina Components (Syston) Ltd sublet their property (Unit 20) to me from 1984 until 1989. In 1989, I moved into Unit 23 as Stamina Components (Syston) Ltd, were going through administration. The landowners then became my direct landlord.
5. I subsequently occupied Unit 23 trading as a general mechanic (most of my business was from local word of mouth). I retired from full-time work in 2021 and saw the sale of the site to Wealth Property Limited ("the Appellant").
6. My role on the site since changed. I was asked by the Landowners to keep readings of electric meters, transfer these to a spreadsheet, send to the Landlords, as well as managing other maintenance tasks on the site, such as managing repairs of the road, and arranging for the cesspits to be emptied. I

was operating as something of an unpaid site manager. I started to send invoices to the Landlords, with their agreement, for having carried out various tasks to assist in the management of the site.

7. Since 2021 I have been attending the site approximately weekly or fortnightly, to carry out those tasks. I have also carried out viewings for the Landlords (of potential tenants).

The Land and Buildings at Syston Mill (refer to Exhibit B)

8. The area of land identified as parcels 101-106 in Exhibit B was tenanted by Stamina Components (Syston) Ltd, in the 1980s and part of that land was used as a by-product waste area (See Exhibit E). As shown at Exhibit E (Title ref: LT248469), these pits were located to the south of an existing sluice gate, and used for the storage of sludge paper pulp produced as excess from the manufacture of insoles boards. The pits were filled in by Stamina Components (Syston) Ltd in the late 1980s.

Parcel 101

9. All of the land identified at Parcel 101 (Exhibit B) has had planning permission for the parking of motor vehicles since the 1980s. This aerial photographs at Exhibits D, E and F show the land used for the parking of vehicles over the year, and as early as 2006. The greened over parts in the more recent photos is chalk grass. The land in parcel 101 was during this time underlaid with hardstanding. I can swear that all of the land in parcel 101 has been used as a parking area for the site.

Parcel 102

10. Since the 1st of May 2021, parcel 102 (Exhibit B) has been occupied by Nippon Motors who have used the area for the display and sale of Japanese motor vehicles. The hardstanding in this location was laid after April 2020.

Parcel 103

11. Since 2013, parcel 103 (See Exhibit B) was occupied by Topps Taxis (who left the site in 2020). It was subsequently rented by Bogdan Feher, who leased it out to Syston Autos. It has been used for the sale and display of vehicles since

that point. This area has been covered in hardstanding for over 10 years. This is borne out by the aerial photos at See Exhibits D, E and F.

Parcels 104- 106

12. In 2021, existing tenant, Bogdan Feher, cleared and surfaced the rear part of parcel 104. Since then, he also carried out incremental surfacing works on parcels 105 and 106 with gravel (See Exhibit H). All four parcels have since been used for the storage and parking of motor vehicles for sale.
13. Parcel 105 is also now occupied by Mr Bogdan Feher. This parcel was the former site of the industrial sludge pit (see Exhibit E which shows the sludge pits marked up on the Land Registry Title Plan).
14. **Unit 7A**, is a former B2 Car Repair Workshop, which is now vacant.
15. **Unit 7** had previously been occupied by Imperial Roofing Supplies UK Ltd, but they vacated when the site changed hands in 2020. The unit has been leased to Bogdon Feher who uses the unit for the repair and maintenance of motor vehicles. The unit also includes an outhouse which is available for use by all occupants of the site.
16. **Unit 20** had been occupied by a company called County Roofing between 2010/2012 to 2020. I had occupied this unit as a garage up until 1989. The unit is now vacant.
17. **Unit A, C and Lean** has a history of industrial uses, including woodworking, skip repair and the manufacturing of running tracks. Since the 15th of January 2024, the unit has been occupied by Green Goblin Garage LTD who repair motor vehicles.
18. **Units B1 and B2**, are now used as motor garages for the repair of motor vehicles.
19. **Units E1 and E2** are used for motor repair and maintenance.

20. **Unit E2** was occupied by Auto Motors MK LTD, but I understand that the occupant had failed to keep up to date with rent and electrical payments, hence the landlord cut off the unit's electricity supply and bolted the entrance shut.
21. **Building D**, had been leased to Bogdan Feher Ltd since the 1st March 2021. The building has been used for the maintenance and repair of motor vehicles.
22. **Building 10** had been in use as offices since the 1980s. Since the 1st of May 2021, the building was still in use as an office by Bogdan Feher Ltd. I understand that unauthorised residential use of this property has ceased.
23. **Building 16** is currently vacant. Previously the unit had been in use by SMC Site Services for over the last ten years.
24. **Unit 22 (FF and GF)** are two separate units. The upstairs unit, unit 22(FF) is currently vacant, whereas unit 22(GF), has been occupied by 'wesellanyvans.com' for approximately 13 years. This is a motor related business that maintains and sells vans and cars. Before this, the unit was occupied by a motor garage.
25. Adjoining unit 22(GF) is **parcel 107** which is used by 'wesellanyvans.com' for the parking storing and sale of vans and cars. 14 years ago, under the previous landlord, parcel 107 was hardscaped and since then has been used for the display and sale of cars and vans. This is corroborated by aerial photographs, which in January 2010 (See Exhibit I) show parcel 107 hardscaped and used for the parking of vehicles. Prior to the hardscaping of parcel 107, the area was still used for the parking and storage of vehicles, as corroborated by aerial photographs in March 2006 (See Exhibit D), which demonstrate the area to have been used for parking.
26. Units 17B, 17C and 17A are three units providing motor repair facilities. Units 17B and 17C are currently unoccupied. Unit 17A is occupied as motor repair garage.
27. Building 18, has been leased to Mr Krish Bhakta since the 1st of February 2024. The unit is now used by him as a motor garage for car repairs.

28. At the north of the site, there are a number of caravans parked. To my knowledge at least one of these caravans has been occupied for residential purposes in the past. I cannot be certain as to whether any of the caravans are now occupied.

AND I HEREBY MAKE THIS DECLARATION consciously believing the same to be true and by virtue of the Statutory Declarations Act 1835

Declared by the said at

this day of 2024

before Solicitor

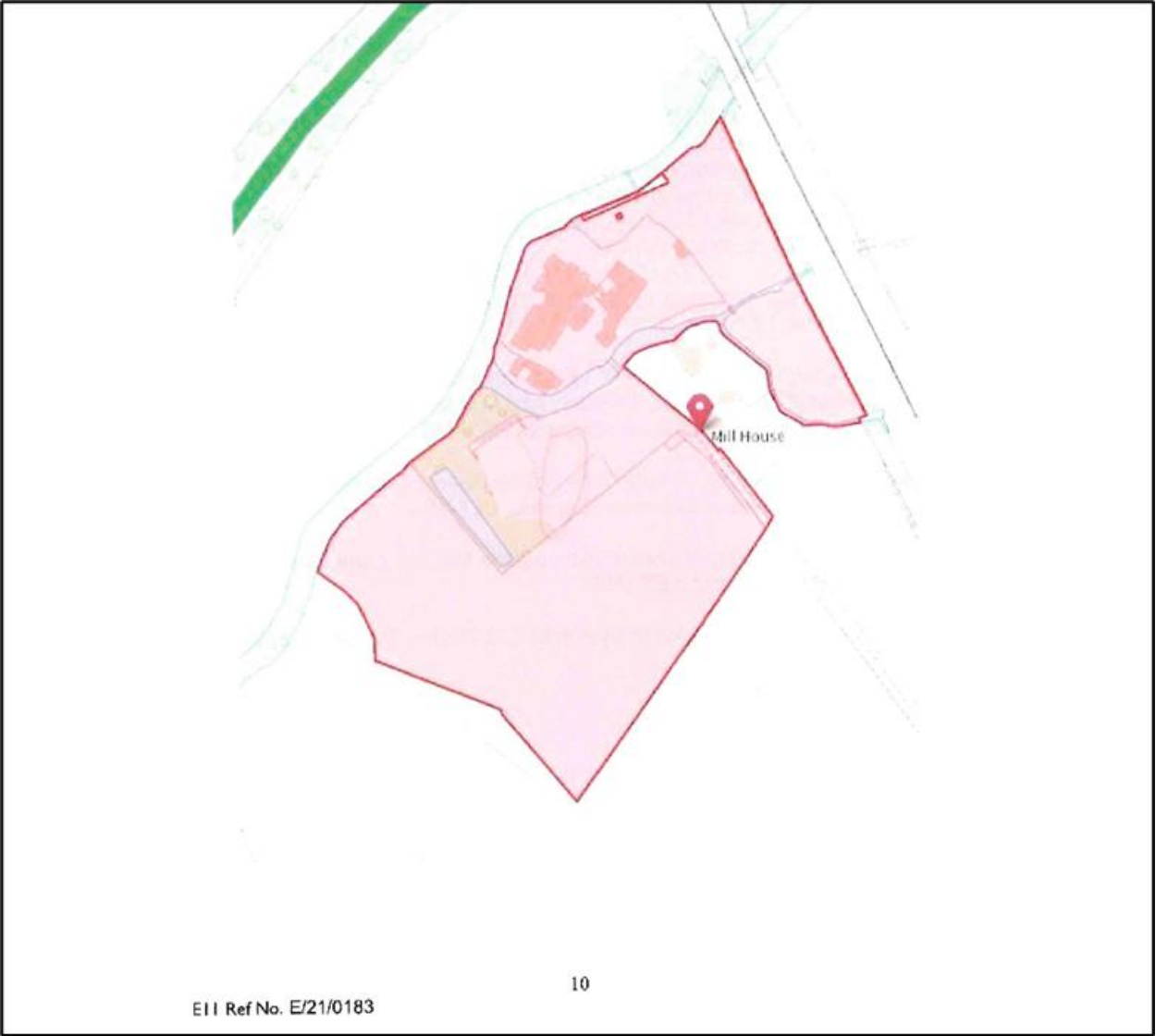


Exhibit B - Parcel ID Map

This exhibit identifies the buildings, and relevant land parcels of land at Syston Mill, Syston

The following page contains the plan referred to as Exhibit B to my Statutory Declaration.

Declared by the said at

this day of 2024

before

Solicitor



Parcel ID Map (1)

Exhibit C - Aerial Photograph (January 2010)

The following page contains the plan referred to as Exhibit C to my Statutory Declaration.

Declared by the said at

this day of 2024

before

Solicitor

12/2010
1985 2022



Image © 2024 Getmapping plc

Google Earth

1985

Imagery Date: 1/1/2010 52°42'18.96" N 1°05'26.97" W elev 48 m eye alt 272 m

Exhibit D - Aerial Photograph (7th March 2006)

The following page contains the plan referred to as Exhibit D to my Statutory Declaration.

Declared by the said at

this day of 2024

before

Solicitor



7/2006

River Wreake

Happy Tyres

LE7 1NS

System Autos

The Viking Group Leicester

Motorline Car Sales

Blue Ice Motors

Holywell Cars

© 2024 Infoterra Ltd & Bluesky

Google Earth

1985

Imagery Date: 7/3/2006 52°42'18.96" N 1°05'26.97" W elev 48 m eye alt 272 m

Exhibit E - Title LT248469

The following page contains the plan referred to as Exhibit E (showing the location of the former sludge pits) to my Statutory Declaration.

Declared by the said at

this day of 2024

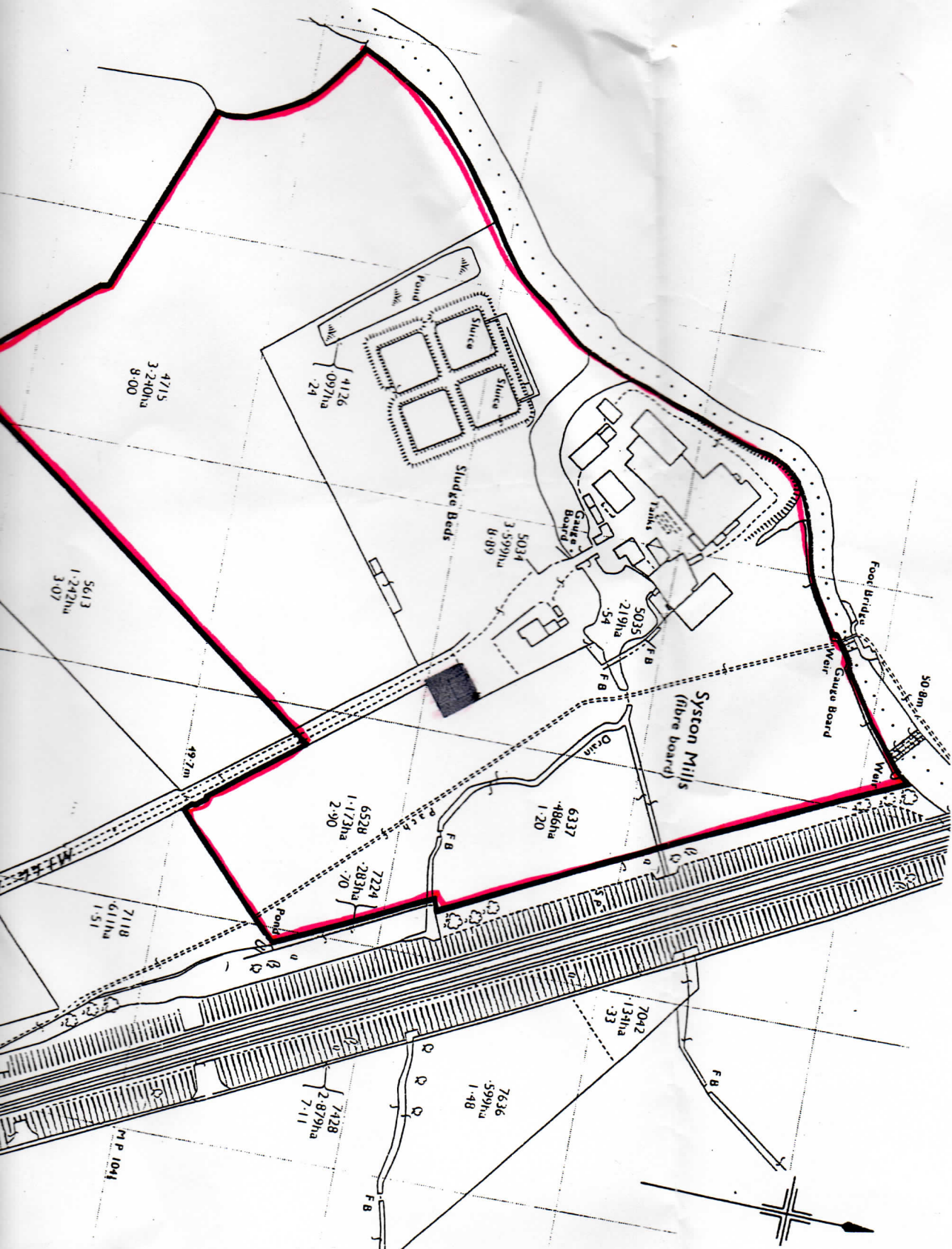
before

Solicitor

H.M. LAND REGISTRY

LT 248469

ORDNANCE SURVEY	SK6111 SK6112	Scale
PLAN REFERENCE		1/2500
COUNTY LEICESTERSHIRE	DISTRICT CHARNWOOD	© Crown Copyright 1992



This OFFICE COPY shows the state of the title plan on 26 October 1999 and is admissible in evidence to the same extent as the original. This office copy of the title plan may be subject to minor distortions in scale.

Issued on 27 October 1999 by the Leicester District Land Registry.

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4 MARCH

OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **4 March 1999**.
This date **must be quoted as the 'search from date'** in any official search application based on this copy.

Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.

Issued on 27 October 1999 by HM Land Registry.

This title is administered by the **Leicester District Land Registry**.

HM Land Registry

Title Number : **LT248469**



Edition Date : 20 January 1998

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

COUNTY	DISTRICT
LEICESTERSHIRE	CHARNWOOD

1. (18 June 1992) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Syston Mills, Mill Lane, Syston.

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (20 January 1998) **PROPRIETOR:** BOURNE END PROPERTY TRADING LIMITED (Co. Regn. No. 02369374) of 5 Wigmore Street, London W1.
2. (20 January 1998) **RESTRICTION:** Except under an order of the registrar no disposition by the proprietor of the land or made in exercise of the power of sale in any Charge subsequent to that dated 23 December 1997 in favour of The Hongkong and Shanghai Banking Corporation Limited referred to in the Charges Register is to be registered or noted without the consent of the proprietor for the time being of the said Charge.



4/2015

River Wreake

Happy Tyres

Mill Ln

LE7 1NS

Syston Autos

Mill Ln

The Viking Group Leicester

Motorline Car Sales

Blue Ice Motors

Mill Ln

Holywell Cars

Google Earth

1985

Imagery Date: 4/21/2015 52°42'18.96" N 1°05'26.97" W elev 48 m eye alt 272 m

Exhibit G - Aerial Photograph (21st April 2020)

The following page contains the aerial photo referred to as Exhibit G to my Statutory Declaration.

Declared by the said at

this day of 2024

before

Solicitor



4/2020

River Wreake

Happy Tyres

LE7 1NS

System Autos

Motorline Car Sales

Blue Ice Motors

Holywell Cars

The Viking Group Leicester

Google Earth

1985

Imagery Date: 4/21/2020 52°42'18.96" N 1°05'26.97" W elev 48 m eye alt 272 m

Exhibit H - Aerial Photograph (27th April 2021)

The following page contains the photo referred to as Exhibit H to my Statutory Declaration.

Declared by the said at

this day of 2024

before

Solicitor



4/2021

River Wreake

Happy Jites

LE7 1NS

4 Mill Ln

System Autos

Mill Ln

The Viking Group Leicester

Motorline Car Sales

Blue Ice Motors

Holywell Cars

Google Earth

1985

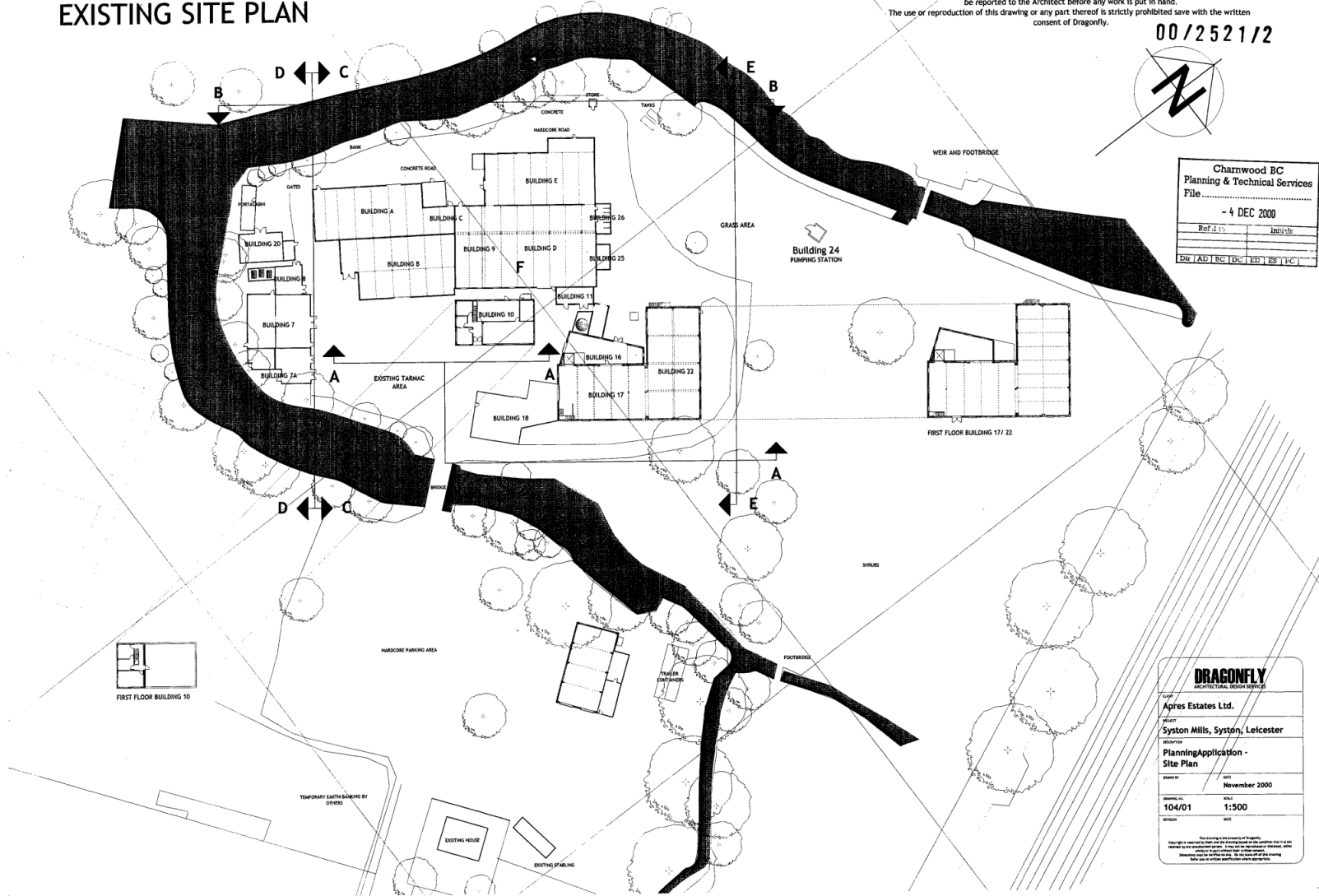
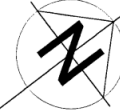
Imagery Date: 4/27/2021 52°42'18.96" N 1°05'26.97" W elev. 48 m eye alt 272 m

APPENDIX 5 – Existing Site Plan P-00-2521-2

EXISTING SITE PLAN

All areas and dimensions are approximate and should be verified on site. Any discrepancies and errors should be reported to the Architect before any work is put in hand.
The use or reproduction of this drawing or any part thereof is strictly prohibited save with the written consent of Dragonfly.

00/2521/2



Charnwood BC	
Planning & Technical Services	
File.....	
- 4 DEC 2000	
Ref: 112	110/112
Dr: A/B/C/D/E	Ref: 1/2/3/4

DRAGONFLY ARCHITECTURAL DESIGN SERVICES	
CLIENT:	Apres Estates Ltd.
PROJECT:	Syston Mills, Syston, Leicester
DESCRIPTION:	Planning Application - Site Plan
DRAWN BY:	11/11 November 2000
CHECKED BY:	
DATE:	
SCALE:	1:500
REVISION:	
<small>This drawing is the property of Dragonfly. It is not to be used for any other project without the written consent of Dragonfly. All rights reserved. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Dragonfly. All other rights reserved.</small>	

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Apres-Estates Ltd
C/O Agent

Name and address of agent (if any)
Colliers CRE (J Best)
Milner House
14 Manchester Square
London
W1U 3UP

Part I - Particulars of application

Date of receipt of Application: 04/12/2000

Application No: P/00/02521/2

PROPOSED: External alterations to industrial, warehouse and office premises.

AT: Syston Mill, Mill Lane, Syston

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act, 1990, the Charnwood Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development shall be begun not later than 5 years from the date of this permission. [DT01]
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990.
2. No development shall be commenced on the site until such time as a schedule of the types and colours of elevation and roofing materials to be used in the development have been submitted for the approval of the local planning authority. Only such materials as may be approved shall be used in the execution of the development. [MA04]
REASON: In the interests of the appearance of the development and of the locality.

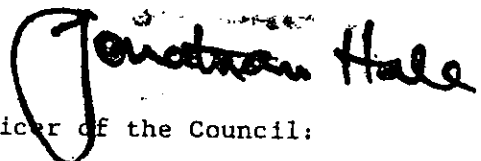
Note(s) to Applicant:

- (a) The applicant is advised that the provision of any additional carparking or service areas is likely to require the submission of a formal application for planning permission.
- (b) The applicants attention is drawn to the requirements and advice of the Environment Agency in the attached copy letter.

Page 1 of P/00/02521/2

Date: 29th January 2001

Proper Officer of the Council:



IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ON THE REVERSE SIDE OF THIS FORM

Our ref: LT\2000\006476\001
Your ref: P/00/02521/2



**ENVIRONMENT
AGENCY**

Date: 15th January 2001

Mr J Hale
Director Of Planning & Building Control
Charnwood Borough Council
Southfield Road
Loughborough
Leics
LE11 2TN

Charnwood BC Planning & Technical Services File	
16 JAN 2001	
Referred to	Initials

Dear Sir

**IMPROVEMENTS TO EXISTING INDUSTRIAL, WAREHOUSE AND OFFICE
PREMISES
SYSTON MILL, MILL LANE, SYSTON**

Thank you for referring the above application which was received on 13th December 2000.

The Agency has no objections, in principle, to the proposed development but recommends that if planning permission is granted the following planning conditions are imposed:

CONDITION:

There should be no raising of ground levels nor storage of material on site, which is located within the floodplain of the River Wreake.

REASON:

To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and reduction of flood storage capacity.

COMMENTS

The 1 in 100 year flood level at this site is 50.48 metres above Ordnance Datum.

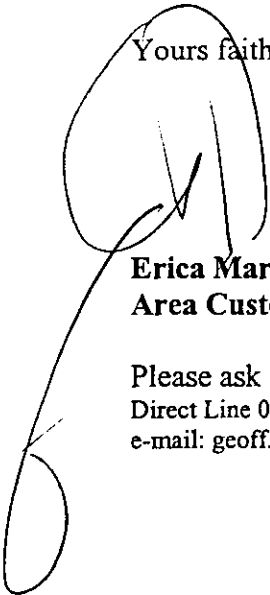
Attached is a plan showing that the Agency has a pedestrian and vehicular right of way (granted in our lease of 22nd December 1983) for access to the gauging station at the

Cont/d..



northern end of the site. Access is required 24 hours a day, any improvements to the site must take into account the need for the Agency's access.

Yours faithfully



Erica Marshall
Area Customer Services Manager

Please ask for: Geoff Platts
Direct Line 0115-8463622
e-mail: geoff.platts@Environment-Agency

Site visit 16/11.

Only a couple of the existing buildings appear to be occupied at the moment. Buildings generally in good condition although clearly in need of refurbishment.

Site in countryside could be used for industrial purposes for many years. I've discussed proposals with Guy Langley and he does not see any conflict with existing planning policies on the basis that buildings are there and that the proposals are just improvements/refurbishment.

Sally Eden's comments not relevant as they appear to ~~relate to neighbouring site not part of this application~~. go beyond the confines of this particular application. If further areas are needed for car parking they will need to be subject of fresh application - perhaps a note to applicant will suffice.

16/11/11