

**Without prejudice to the Notices as issued, but following the Inspector's request to consider the wording of the Notices – solely in respect of the points seeking greater precision as to the uses and reference to the deposit of waste rather than a bund, the following wording is provisionally put forward by the Council for consideration by the Inspector and discussion with the appellant.**

**Enf Notice 01:**

Replacement Section 3:

THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL:

*Without planning permission:*

*the change of use of the Land from agriculture and general industrial use (B2) to a mixed use for general industrial use (B2), storage and distribution use (B8) and the deposit of waste material;*

Replacement Section 5:

WHAT YOU ARE REQUIRED TO DO:

- i) Permanently cease using the Land for B8 uses;*
- ii) Permanently cease using the Land, save for that area referred to as 'Area A' and coloured yellow on '2012 Enforcement Notice 01 Detail Plan' for B2 uses;*
- iii) Permanently remove from 'area D' and 'area E' as labelled and coloured green and brown respectively, on the '2012 Enforcement Notice 01 Detail Plan': all stored and processed sands, aggregates, stone, top-soils, sub-soils, green-waste and waste awaiting processing such as hard-core, rubble, road-scalpings, timber, pallets, plastic, skips, tyres, vehicles, window and door frames;*
- iv) Demolish the waste material deposited along the north-east boundary of the Land in the approximate position indicated by the black dashed line shown on the '2012 Enforcement Notice 01 Detail Plan' so that the ground level is that of the adjoining land;*
- v) Dismantle all concrete, hardstandings, underlying sub-bases, fences and storage-bays on the Land (other than within 'area A' coloured yellow shown on the attached plan '2012 Enforcement Notice 01 Detail Plan') and remove the resultant materials from the site;*
- vi) Permanently cease parking of vehicles on the area coloured blue (labelled 'car park') '2012 Enforcement Notice 01 Detail Plan' apart from as part of the residential use of 1 and 2 The Firs*

The above would relate to the same plan as already attached to notice No 1.

## One Notice

Again, entirely without prejudice to its existing Notices, but so as to show the Inspector how the notices might be amalgamated into one notice should he so decide having heard the evidence, the following wording might be used:

Replacement Section 3:

THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL:

*Without planning permission:*

*the change of use of the Land from agriculture and general industrial use (B2) to a mixed use for general industrial use (B2); storage and distribution use (B8); the deposit of waste material; storage, distribution and repair of scaffolding (sui generis use); and contractors yard for the preparation, cutting, forming and storage of stone and equipment (sui generis).*

Replacement Section 5:

WHAT YOU ARE REQUIRED TO DO:

- i) Permanently cease using the Land for B8 use;*
- ii) Permanently cease using the Land, save for that area referred to as 'Area A' and coloured yellow on '2012 Enforcement Notice 01 Detail Plan' for B2 uses;*
- iii) Permanently cease using the Land for the deposit of waste material;*
- iv) Permanently cease using the Land for B8, storage, distribution and repair of scaffolding (sui generis use);*
- v) Permanently cease using the Land as a contractors yard for the preparation, cutting, forming and storage of stone and equipment (sui generis);*
- vi) Permanently remove from 'area D' and 'area E' as labelled and coloured green and brown respectively, on the '2012 Enforcement Notice 01 Detail Plan': all stored and processed sands, aggregates, stone, top-soils, sub-soils, green-waste and waste awaiting processing such as hard-core, rubble, road-scalpings, timber, pallets, plastic, skips, tyres, vehicles, window and door frames;*
- vii) Remove the waste material deposited along the north-east boundary of the Land in the approximate position indicated by the black dashed line shown on the '2012 Enforcement Notice 01 Detail Plan' so that the ground level is that of the adjoining land;*
- viii) Dismantle all concrete, hardstandings, underlying sub-bases, fences and storage-bays on the Land (other than within 'area A' coloured yellow shown on the attached plan '2012 Enforcement Notice 01 Detail Plan') and remove the resultant materials from the site;*

- ix) *Permanently cease the parking of vehicles on the area coloured blue (labelled 'car park') '2012 Enforcement Notice 01 Detail Plan' apart from as part of the residential use of 1 and 2 The Firs.*

A revised plan removing the "white areas" on Enforcement Notice 01 Detail plan would also be issued.