

4 South Park Court Hobson Street Macclesfield Cheshire SK11 8BS T: 01625 433881 F: 01625 511457 E: info@epp-planning.com W: www.epp-planning.co.uk

Application by: Mr & Mrs Marsland Land at: Salt Pie Farm, Whitehough, Chinley, High Peak, SK23 6BX

PLANNING STATEMENT

IN SUPPORT OF AN APPLICATION FOR A CERTIFICATE OF LAWFULNESS

EPP reference: PS1-9188-CP

October 2013

Unlocking opportunities in planning & regeneration

Emery Planning Partnership Ltd Registered office: as above VAT Reg. No. 758112726 Registered No. 4471702

CONTENTS:

1.	INTRODUCTION	1
2.	LEGISLATIVE BACKGROUND	2
3.	THE SITE	3
4.	PLANNING HISTORY	5
5.	LAWFULNESS CONSIDERATIONS	7
6.	SUMMARY OF PLANING CONSIDERATIONS	11
7.	APPENDICES	11

1. INTRODUCTION

- 1.1 This statement supports an application by Mr and Mrs Marsland for a certificate of lawfulness in respect of the use of land at Salt Pie Farm, Whitehough, Chinley for a mixed-use residential and industrial use.
- 1.2 The planning unit as it stands today was formed in 1991. Since this time the unit of occupation has been used for both residential and industrial purposes. Both uses are primary uses of the land and the uses are not confined within separate or physically distinct areas of the site. The unit of occupation is a single planning unit with a mixed-use taking place across the whole of the unit.
- 1.3 It is considered that there is a lawful use at Salt Pie Farm on the basis that the land has been used continuously for the purposes of industrial and residential for a period significantly in excess of 10 years at the time of this application.
- 1.4 This statement sets out and summarises the evidence in respect of the application. The evidence accompanying this application comprises:
 - Statutory declaration of Mr Marsland.
 - Statutory declaration of Mrs Marsland.
 - Utility bills (EPP4).
 - A selection of business invoices (EPP5).

2. LEGISLATIVE BACKGROUND

- 2.1 The application is made under S.191 of the Town and Country Planning Act 1990. A Certificate of Lawful Existing Use or Development (CLEUD) should be supported by sufficient evidence to satisfy the local authority that at the time of the application the use was lawful. The evidence should establish both the factual position of the use of the land for a period of 10 years or more and prove the lawfulness of the use in planning terms.
- 2.2 It is important to distinguish between the determination of a CLEUD and other planningrelated applications. Unlike the latter, which may be open to subjective opinion, the determination of a CLEUD application must be based upon factual evidence, submitted under oath and relevant Planning Law. The onus of proof is held to be with the applicant in the submission of sufficient evidence.
- 2.3 Paragraph 8.15 of Annex 8 of Circular 10/97 : Enforcing Planning Control states that:-

"Where the burden of proof is on the appellant, the Courts have held that the relevant test of the evidence on such matters is the 'balance of probability'. As this test will accordingly be applied by the Secretary of State in any appeal against their decision, a Local Planning Authority should not refuse a certificate because the applicant has failed to discharge the stricter, criminal burden of proof, namely 'beyond reasonable doubt'."

- 2.4 The Circular goes on to state that the applicant's evidence does not require independent corroboration in order to be accepted. Provided that the Local Planning Authority has no evidence of its own or from others to contradict "*or otherwise make the applicant's version of events less than probable*" and, provided that the applicant's evidence is sufficiently precise and unambiguous, the certificate should be granted on the balance of probability.
- 2.5 The Circular also importantly confirms that:-

"The Local Planning Authority should proceed on the basis that neither the identity of the applicant (except to the extent that he or she may not be able personally to confirm the accuracy of any claim being made about the history of a parcel of land), nor the planning merits of the operation, use or activity, are relevant to the consideration of the purely legal issues which are involved in determining an application".

3. THE SITE

- 3.1 The site is situated in the open countryside approximately 0.2 miles from Whitehough, 0.6 miles from Chinley and 1 mile from Chapel-en-le-Frith.
- 3.2 The land edged red comprises a site area of 0.6 hectares of land. The site is occupied by a collection of buildings together with the original farmhouse. The labelled plan at Appendix EPP1 identifies each building. For consistency, we have used the same lettering ass shown on the plans accompanying the statutory declarations of Mr and Mrs Marsland:
 - Building A used for parts storage and packing for J.E. Marsland. Part of the building is used as a domestic garage.
 - Building B private gardening equipment and bikes.
 - Building C potting shed and small gardening equipment.
 - Building D garage used for personal vehicle restoration projects.
 - Building E finished chassis store (once galvanised).
 - Building F chassis production.
 - Building G press shop.
 - Building H incoming chassis warehouse used for storage of chassis on arrival.
 - Building I private house. Office for business.
 - Building J greenhouse.
 - Building K domestic wood store.
 - Building L portacabin storing computer system for JE Marsland.
 - Building M swimming pool.
 - Building N sauna.
- 3.3 There is a public footpath which runs across the site.

Site history and background

3.4 Salt Pie Farm was, as its name suggests originally a farm. However, the land became bisected by the Chapel-en-le-Frith bypass rendering the holding too small to be viable for agriculture. It was subsequently used as an agricultural merchants/ haulage yard until it was purchased by the applicants in 1989.

- 3.5 Mr and Mrs Marsland run a business called J.E. Marsland Limited. J.E. Marsland make and modify chassis for the Land Rover Defender. The process described below has taken place on site since 1989.
- 3.6 Bare metal chassis are purchased from an external supplier (GKN Autostructures) and delivered to the site. These bare chassis have various components missing. On arrival the bare chassis are stored in Building H. The chassis are then transferred to Building F where they are modified including welding on the relevant parts. The chassis are then stored in Building E before being sent out to be galvanised. Once galvanised, the chassis return to the site and are stored again in Building E before being cleaned up and finished. Once galvanised and finished, the final product can then be stored outside until delivered to the end user (or collected). The various parts that are then welded onto the chassis are made in Building G, the press shop. In summary, part of a vehicle manufacturing process is carried on at Salt Pie Farm before the finished vehicle is completed elsewhere.
- 3.7 As discussed below, we consider this is a general industrial process.
- 3.8 Mr and Mrs Marsland also live on the site. Full details on the way in which Mr and Mrs Marsland use the site are set out in their statutory declarations enclosed with the application.

4. PLANNING HISTORY

4.1 The relevant planning history can be summarised as follows:

Change of use to agricultural engineers (028175) – APPROVED August 1989

- 4.2 The description of development on the application forms was for the 'change of use from agricultural merchant to light industrial'. This was changed by the applicant during the application process following objections from neighbouring properties.
- 4.3 Concerns were raised by the highways authority during the course of the application due to the inadequate access but the conclusion reached was that it would be difficult to justify refusal as the proposed use replaced the warehouse use.
- 4.4 Two conditions of note were placed on the planning permission:

"Condition 1. Users of the building shall be restricted to those falling within Class B2 of the Town and Country Planning (Use Classes) Order 1987

Reason: For the avoidance of doubt

Condition 6. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 the use of the premises shall be restricted to agricultural engineering unless prior written permission is obtained from the Local Planning Authority.

Reason: The Council may wish to reassess the position if an alternative user was to be envisaged in the future."

4.5 The red edge plan for the application included all the buildings and house (as owned by the applicant at that time).

Agricultural Engineering Workshop (030918) – APPROVED 16 October 1991

- 4.6 Planning permission was granted to demolish an existing workshop and replace this with a new building to be constructed of natural coursed gritstone to the walls with natural coursed gritstone to the roof. The red edge plan related solely to the building in question with all other land shown in blue.
- 4.7 Conditions 3 and 6 on the planning permission reiterate conditions 2 and 6 quoted above.
 <u>Proposed change of use of workshop to dwelling HPK/2003/0218) REFUSED 8 May</u> 2003
- 4.8 Planning permission for the change of use of the workshop granted under planning permission 030918 referred to above was refused for two reasons:

"1. The development would lead to a loss of commercial floorspace contrary to Policies OC.6 of the Adopted High Peak Local Plan and OC.7 of the Revised Deposit Draft High Peak Local Plan 2003.

2. The development would create a dwelling in very close proximity to an existing commercial enterprise leading to a poor level of amenity for occupiers of the dwelling and/or pressure on the continued commercial operations contrary to Policies GD.9 and GD.15 of the Adopted high Peak Local Plan 1998 and Policies GD.5 and GD11 of the Revised Deposit Draft High Peak Local Plan 2003."

<u>Change of use of workshop to dwelling – resubmission of HPK/2003/0218</u> (HPK/2003/0671) – Refused 24 September 2003

4.9 This application was a re-submission of the refused scheme which included further supporting information from the applicant. The application was refused for the same reasons as the earlier application.

5. LAWFULNESS CONSIDERATIONS

- 5.1 The main considerations in determining this application are as follows:
 - 1. the planning unit;
 - 2. the lawful use of the land; and
 - 3. the lawfulness of the use.

Planning unit

- 5.2 The commentary to the Town and Country Planning Act 1990 identifies the planning unit as a concept which has evolved as a means of determining the most appropriate physical area against which to assess the materiality of change, to ensure consistency in applying the formula of material change of use. The concept of the planning unit is not defined in the Town and Country Planning Act but was addressed in the case of Burdle v Secretary of State for the Environment [1972] which has thus become an accepted definition. Burdle is referred to in the commentary to the Town and Country Planning Act and identifies three situations which are broadly summarised as follows:
 - 1. where the whole unit of occupation is being used for a single main purpose to which secondary activities are incidental or ancillary. In such a case, the whole unit of occupation should be considered as a single planning unit.
 - 2. where the occupier carries on two or more activities but those activities are not confined within separate and physically distinct areas of land. In such a case the whole unit of occupation should again be considered as a single planning unit with a mixed use being carried on across the whole of that unit.
 - 3. Where the occupier carries on two or more activities but where each of the separate activities is confined to a separate and physically distinct area of land. In such a case, each of these separate and physically distinct areas should be regarded as a separate planning unit in its own right.
- 5.3 The site as purchased by Mr and Mrs Marsland in 1989 comprised the house, yard and buildings together with two fields (see land registry plan attached at Appendix EPP2). In 1991 the land owned by the Marslands changed to include part of the former garden of the adjacent property Hillside together with a further adjoining field (see second land registry plan attached at EPP3).
- 5.4 There are three uses taking place from the unit of occupation. First, the three fields (the land edged blue on the site location plan) are open fields. The Marslands have kept cows on the fields in the past and more recently they have been grazed by sheep. This activity

comprises a separate activity confined to a separate and physically distinct area of land which can be considered as a planning unit in its own right.

- 5.5 The second use is the residential use. The original farmhouse (building I) has been the home of Mr and Mrs Marsland since 1989. The area occupied by the swimming pool and sauna (buildings M and N) has been used as a garden since 1991. There are other domestic buildings across the site. These comprise:
 - Building B private gardening equipment e.g. lawnmower/tools, and bikes.
 - Building C potting shed and small gardening equipment.
 - Building D garage used for personal restoration projects.
 - Building J greenhouse.
 - Building K log store.
- 5.6 The third use is the industrial use. Details of the nature of the industrial use were set out in detail above. The industrial use takes place from the following buildings:
 - Building A parts storage and packing.
 - Building E finished chassis store (once galvanised).
 - Building F Chassis production.
 - Building G Press shop.
 - Building H Chassis warehouse.
 - Building I (house) main office.
 - Building L portacabin storing computer system.
- 5.7 In this case, the unit of occupation is the area edged red on the plans accompanying the application and there are two activities taking place within this unit of occupation, the residential and industrial uses. The two activities are not confined within separate and physically distinct areas of land. There is a clear overlap. The house (building I) is used as both house and office and shares a telephone line (see phone bill attached at EPP4). Building A is used for both parts storage and packing as well as for a domestic garage. The garden cannot be accessed without crossing the yard and the uses are accessed via the same vehicular access. Buildings B, C, D and K which are situated in the yard are used for the storage of domestic paraphernalia whereas the building immediately adjacent to the house (building A) is used for the storage of items relating to the business. There has been some overlap between the uses within some of the buildings over the years.
- 5.8 Having regard to the tests in Burdle, the red edge site should be considered as a single planning unit formed in 1991 with a mixed use being carried on across the whole of that unit.

Use class

- 5.9 As a mixed-use, the use class of the site would not fit within any of the classifications within the use class order. However, due to the wording of the planning permissions issued in 1989 and 1991, we wish to look in more detail at the two uses taking place on site.
- 5.10 The site is the permanent home of Mr and Mrs Marsland. Clearly the residential use of the land clearly falls within Class C3 and needs no further discussion.
- 5.11 The text above demonstrates that the industrial use comprises 3 key elements:
 - The importation of material (in this case bare metal chassis) from a separate supplier.
 - The undertaking of a specialised industrial process comprising the welding of parts onto the bare chassis.
 - The distribution of the finished product to the end user or trade or wholesaler.
- 5.12 Article 2 of the Town and Country Planning Act (Use Classes) Order 1987 sets out a definition of an industrial process as:

"...a process for or incidental to any of the following purposes:-

- (a) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);
- (b) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or
 (c) the getting, dressing or treatment of minorals;
- (c) the getting, dressing or treatment of minerals;

in the course of any trade or business other than agriculture, and other than a use carried out in or adjacent to a mine or quarry."

- 5.13 The importation of the 'bare' chassis onto the site, together with their processing by way altering the product to form a useable chassis for the specific end user falls within the definition of an industrial process as set out in Article 2 (b) of the Town and Country Planning Act (Use Classes) Order 1987 on the basis that it can be reasonably described as constituting 'the altering, repairing, maintaining ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article.'
- 5.14 The planning permissions granted in 1989 and 1991 concur that the use falls within ClassB2 of the Use Classes Order. However, the conditions on both planning permissions seekto restrict the use of the site to agricultural engineering.

- 5.15 It is not clear what is meant by the term 'agricultural engineering' however, the work undertaken by J.E. Marsland is a general industrial use. The planning permissions granted in 1989 and 1991 did not reflect the actual use of the site.
- 5.16 The end product is made specifically for Land Rover vehicles. Whilst Land Rovers are typically associated with the countryside, the production of a part for Land Rovers in general cannot be considered to be an 'agricultural engineering' process. The majority of clients are not employed in agriculture and clearly the manufacturing of Land Rover would not be considered agricultural engineering but in any case, agricultural engineering is a B2 use.
- 5.17 The selection of invoices attached at Appendix EPP5 show a cross-section of customers over the years. These include Land Rover, vehicle parts suppliers, car sales merchants and vehicle repairs companies both in the UK and abroad. Neither the process or the customer base can be described as agricultural.
- 5.18 In summary, the planning permissions granted in 1989 and 1991 were factually incorrect as the use sought was a general B2 use and not a specific agricultural engineering use. The business part of the site has been used for general B2 purposes.
- 5.19 Notwithstanding this, the way in which the planning unit has been used since 1991 is as a mixed industrial and residential site (as opposed to a solely industrial use).

Lawfulness of the use

- 5.20 The use of Salt Pie Farm as a mixed residential and industrial use has taken place since 1989. The planning unit as it stands at present was formed in 1991 following the purchase of the adjacent land. Since this time the land has been used as a mixed planning unit for industrial and residential uses. The uses have been continuous from 1991 to 2013 (22 years) and there has been no intervening use.
- 5.21 The planning permissions granted in 1989 and 1991 did not reflect the actual use of the site. There have not been any permissions granted since this time.
- 5.22 In summary, the site has been used for a mixed residential and industrial use since the current planning unit was formed in 1991.

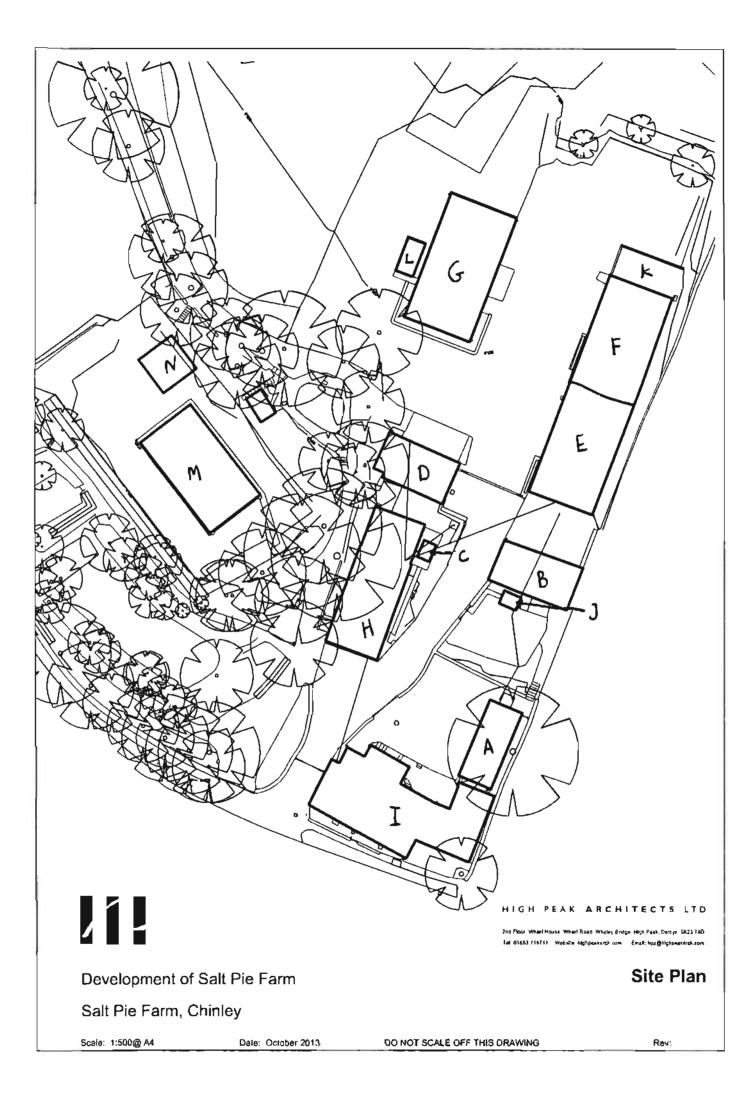
6. SUMMARY OF PLANING CONSIDERATIONS

- 6.1 The supporting information demonstrates that:
 - The red edge site plan comprises the area of the planning unit. There are two uses taking place within the planning unit. Neither of these uses is ancillary to the other nor are these uses confined to separate areas of the site.
 - The industrial use taking place on site is not agricultural engineering but a general B2 use. Notwithstanding this, it remains that the use of the entire site is in a mixed industrial and residential use.
 - Sat Pie Farm has been used for these two uses in parallel since 1989 although the planning unit changed to that of the present day in 1991. During this time the use has become lawful.
 - The use of the current planning unit for a mixed industrial and residential use has been taking place from 1991 to the present day i.e. 22 years.
- 6.2 In summary, the evidence submitted demonstrates that the site has been used continuously for as a mixed use site for industrial and residential uses for a period significantly in excess of 10 years at the time of this application. There is no evidence to contradict or make the applicant's version of events less than probable.

7. APPENDICES

- EPP1. Plan identifying buildings.
- EPP2. Land registry plan for land purchased in 1989.
- EPP3. Land registry plan for land purchased in 1991.
- EPP4. Telephone bill.
- EPP5. Selection of invoices.

EPP 1



EPP 2

Title Number : DY183096

This title is dealt with by Land Registry, Nottingham Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 2 SEP 2013 at 14:55:30 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: DY183096
Address of Property	: Saltpie Farm, Whitehough, Chinley, High Peak (SK23 6BX)
Price Stated	: Not Available
Registered Owner(s)	: JOHN ERIC MARSLAND and SHARON MARSLAND of Salt Pie Farm, Whitehough, Chinley, Derbyshire SK23 6BX.
Lender(s)	: None

Title number DY183096

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 2 SEP 2013 at 14:55:30. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

A: Property Register

This register describes the land and estate comprised in the title.

DERBYSHIRE : HIGH PEAK

1 (22.12.1988) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Saltpie Farm, Whitehough, Chinley, High Peak (SK23 6BX).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (22.12.1988) PROPRIETOR: JOHN ERIC MARSLAND and SHARON MARSLAND of Salt Pie Farm, Whitehough, Chinley, Derbyshire SK23 6BX.

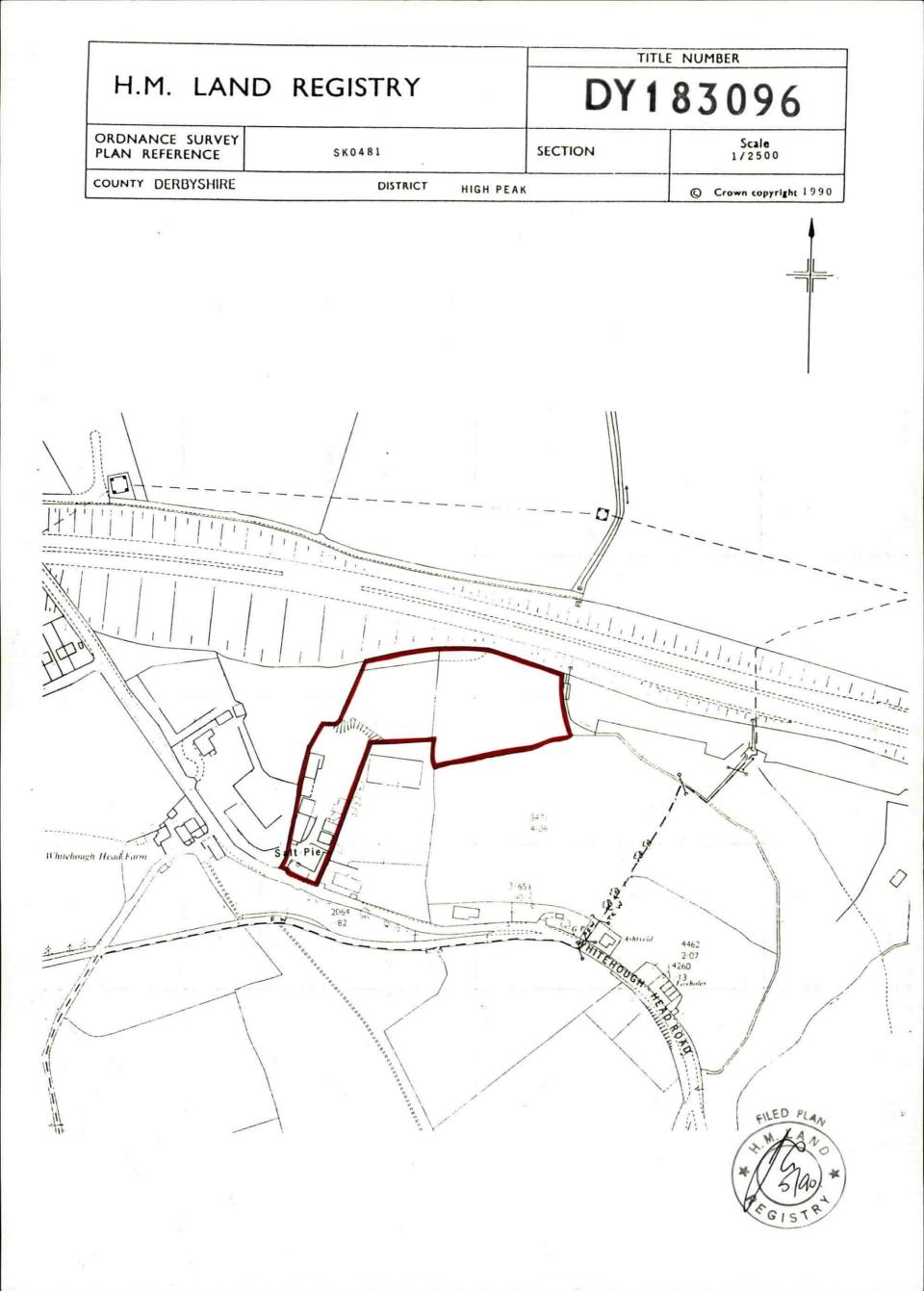
C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to the rights granted by a Conveyance of adjoining land dated 6 November 1985 made between (1) Margaret Mary Orme and (2) The Secretary of State for Transport.

NOTE: Copy filed.

End of register



This is a copy of the title plan on 2 SEP 2013 at 14:55:30. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the title plan. An official copy of the title plan is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

The Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title plans and boundaries.

This title is dealt with by Land Registry, Nottingham Office.

© Crown Copyright. Produced by Land Registry. Further reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.

EPP 3

Title Number : DY222408

This title is dealt with by Land Registry, Nottingham Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 2 SEP 2013 at 14:48:31 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: DY222408
Address of Property	: land on the north side of Whitehough Head Road, Chinley
Price Stated	: Not Available
Registered Owner(s)	: JOHN ERIC MARSLAND and SHARON MARSLAND of Salt Pie Farm, Whitehough Head Lane, Whitehough, Chinley, Derbyshire.
Lender(s)	: None

Title number DY222408

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 2 SEP 2013 at 14:48:31. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

A: Property Register

This register describes the land and estate comprised in the title.

DERBYSHIRE : HIGH PEAK

1 (29.08.1991) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the north side of Whitehough Head Road, Chinley

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (29.08.1991) Proprietor: JOHN ERIC MARSLAND and SHARON MARSLAND both of Salt Pie Farm, Whitehough Head Lane, Whitehough, Chinley, Derbyshire.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land tinted pink on the filed plan and other land dated 19 March 1913 made between (1) Frank Marris Provis (Vendor) (2)Ethel Alice Aylmer Hale and (3) Reginald Willcocks (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 2 The land land tinted pink on the filed plan and other land is subject to the following rights reserved by the Conveyance thereof dated 19 March 1913 referred to above:-

Except and reserving unto the Vendor his heirs and assigns the free and uninterrupted flow and passage at all times hereafter of the water from the said plot of land hereby conveyed to the other land of the Vendor adjoining the same through the secure drains and watercourses which are now or may hereafter be in or under the said plot of land

- 3 A Conveyance of the land tinted blue on the filed plan and other land dated 17 March 1916 made between (1) Frank Marris Provis (Vendor) and (2) Reginald Willcocks (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 4 The land land tinted blue on the filed plan and other land is subject to the following rights reserved by the Conveyance thereof dated 17 March 1916 referred to above:-

Except and reserving unto the Vendor his heirs and assigns the free and uninterrupted flow and passage at all times hereafter of the water from the said plot of land hereby conveyed to the other land of the Vendor adjoining the same through the sewers drains and watercourses which are now or may thereafter be in or under the said plot of land

5 The land is subject to the rights granted by a Deed of Grant dated 21

Title number DY222408

6

C: Charges Register continued

December 1987 made between (1) David Michael Vickers and Alexandra Mary Vickers (2) Western Trust & Savings Limited and (3) The North Western Electricity Board.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy in Certificate. Copy filed.

The land is subject to the following rights reserved by a Conveyance of the land in this title dated 26 July 1991 made between (1) David Michael Vickers and Alexandra Mary Vickers (Vendor) (2) The Halifax Building Society and (3) John Eric Marsland and Sharon Marsland:-:-

"EXCEPT AND RESERVING rights for the Retained land shown edged green on the plan marked "A" annexed hereto for the Vendor and their successors in title to use the septic tank located on the land hereby conveyed and a right to maintain repair and inspect the septic tank serving the Retained Land."

NOTE:-Copy Conveyance plan marked 'A' in Certificate. Copy plan filed.

Schedule of restrictive covenants

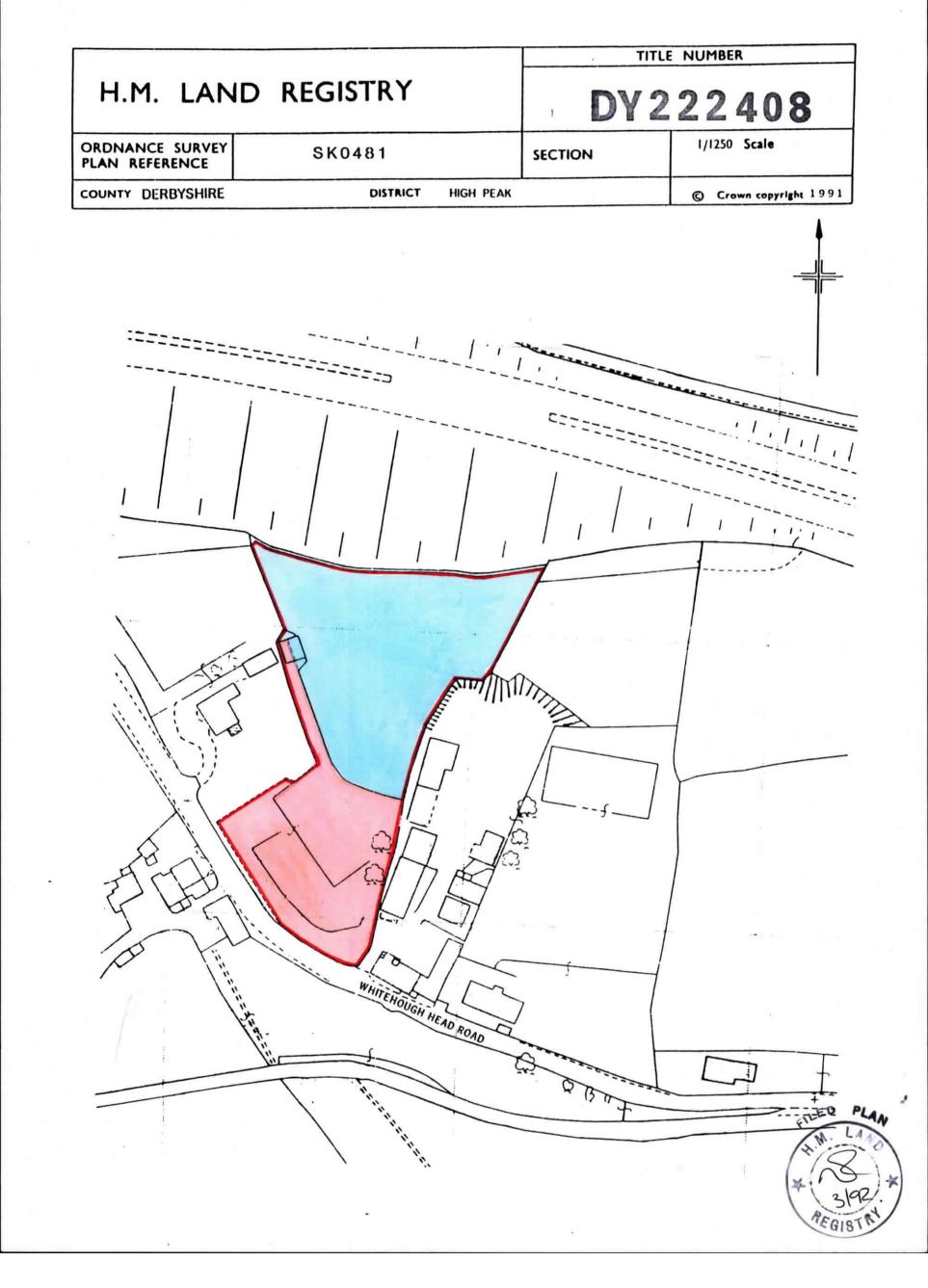
1 The following are details of the covenants contained in the Conveyance dated 19 March 1913 referred to in the Charges Register:-

The Purchaser for himself his heirs executors administrators and assigns hereby covenants with the Vendor his heirs and assigns that he the Purchaser his heirs and assigns will not divert obstruct pollute or in any way interfere with the culverts channels drains and watercourses in over or under the said plot of land or the natural flow of water through the same to the adjoining land of the Vendor

2 The following are details of the covenants contained in the Conveyance dated 17 March 1916 referred to in the Charges Register:-

The Purchaser for himself his heirs executors administrators and assigns thereby covenants with the Vendor his heirs and assigns that he the Purchaser his heirs and assigns will not divert obstruct pollute or in any way interfere with the culverts channels drains and water courses in over or under the said plot of land or the natural flow of water through the same to the adjoining land of the Vendor

End of register



This is a copy of the title plan on 2 SEP 2013 at 14:48:31. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the title plan. An official copy of the title plan is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

The Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title plans and boundaries.

This title is dealt with by Land Registry, Nottingham Office.

© Crown Copyright. Produced by Land Registry. Further reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.

EPP 4



Your account number MC001 00456663

Bill number 29774295

Date 19 Aug 13

If you have a query please see reverse for our contact details.

Page 1 of 12

1314490123113B0000006640010060000

J E MARSLAND LTD SALTPIE FARM WHITEHOUGH HIGH PEAK DERBYSHIRE SK23 6BX

Your BT Bill

mportant. Your bill is changing.

Soon you'll start getting a new, shorter, clearer paper bill. You'll be able see how much you're spending more easily, and for the first ever time you'll be able to get all of the detail online. For more information, see the last page of this bill.

Total now due by 02 Sep 13

£36.50

Please see the following pages for a break down of this total.

Direct Debit

You don't need to do anything - Your Bank Account will be debited automatically on or after 02 Sep 13

Thank you.

Your BT Bill

Thank you for continuing to pay by Direct Debit. The amount due will be debited on or shortly after the date detailed below. If you have any questions or concerns please do not hesitate to contact us on the number overleaf.

EPP 5



SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

LAND ROVER C/O CATERPILLAR LOGISTICS (UK) LTD PO BOX 6526, PECKLETON LANE, DESFORD, LEICESTER. LE9 9ZG

INVOICE NUMBER 2322

INVOICE DATE 22/01/2003

CUSTOMER ORDER NO. 40103613

ACCOUNT REF M205

TEL. 01455 825832

QUANTITY	DESCRIPTION	UNIT PRICE	NET AMOUNT
20.00	CROSSMEMBER-REAR	62.18	1,243.60

DELIVERY ADDRESS

L**AND ROVER** UK CDC FACIL**ITY,** PECKLETON LANE, DESFORD, LEICESTERSHIRE. LE9 9JT

Net Amount		1,243.60
Carriage		0.00
Invoice Nett		1243.60
VAT Amount		217.63
Invoice Total	£	1,461.23

INVOICE

J.E.MARSLAND LTD

SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

BORDER HOLDINGS (UK) LTD THE GROVE, CRAVEN ARMS, SHROPSHIRE. SY7 8DB

INVOICE NUMBER 4616

INVOICE DATE 23/02/2009

CUSTOMER ORDER NO. S 32721

ACCOUNT REF B0017

TEL. 01588 672711

QUANTITY	DESCRIPTION	UNIT PRICE	NET AMOUNT
3.00	90" TD5 GALVANISED CHASSIS	900.00	2,700.00
	PART NO. KVD500710		
2.00	110" TD5 GALVANISED CHASSIS	1000.00	2,000.00
	PART NO. KVD500730		

DELIVERY ADDRESS

COLLECTED.

Net Amount		4,700.00
Carriage		0.00
Invoice Nett		4700.00
VAT Amount		705.00
Invoice Total	£	5,405.00



SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

AEW PADDOCK MOTORS LTD THE SHOWGROUND, THE CLIFF, MATLOCK, DERBYSHIRE. DE4 5EW

INVOICE NUMBER 4492

INVOICE DATE 20/10/2008

CUSTOMER ORDER NO. 108754

ACCOUNT REF A0004

TEL. 01629 760877

 QUANTITY
 DESCRIPTION
 UNIT PRICE
 NET AMOUNT

 1.00
 90° 200TDI GALVANISED CHASSIS
 950.00
 950.00

DELIVERY ADDRESS	Net Amount	950.00
MR. N. DEVOS.	Carriage	60.00
J DEVOS (NEWARK) LTD.	Invoice Nett	1010.00
LOW ROAD,	invoice wett	1010.00
BESTHORPE,	VAT Amount	176.75
NEWARK. NG23 7HJ	Invoice Total £	1,186.75
TEL. 07866 462788		



SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

PVH LANDROVERS ELLERBECK COURT, STOKESLEY IND. ESTATE, STOKESLEY, CLEVELAND. TS9 5PT

INVOICE NUMBER 6206

INVOICE DATE 28/05/2013

CUSTOMER ORDER NO. PAUL

ACCOUNT REF POO110

TEL. 01642 713550

QUANTITY	DESCRIPTION	UNIT PRICE	NET AMOUNT
1.00	90 300TDI GALVANISED CHASSIS	950.00	950.00
1.00	90 TD5 GALVANISED CHASSIS	900.00	900.00

Net Amount		1,850.00
Carriage		100.00
Invoice Nett		1950.00
VAT Amount		390.00
Invoice Total	£	2,340.00



SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

VIS LANDROVER SUPPLIES WESTDUINWEG 62, 2583 EK, SCHEVENINGEN, HOLLAND

INVOICE NUMBER 3838

INVOICE DATE 21/09/2006

CUSTOMER ORDER NO. JOB

ACCOUNT REF V0062

NL079129766B01 TEL. 00 31 70 3502155

QUANTITY	DESCRIPTION	UNIT PRICE	NET AMOUNT
1.00	110 200 GALVANISED CHASSIS.	900.00	900.00

DELIVERY ADDRESS

COLLECTED

Net Amount		900.00	
Carriage		0.00	
Invoice Nett		900.00	
VAT Amount		0.00	
Invoice Total	£	900.00	



SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

VIS LANDROVER SUPPLIES WESTDUINWEG 62, 2583 EK, SCHEVENINGEN, HOLLAND

INVOICE NUMBER 6211

INVOICE DATE 29/05/2013

CUSTOMER ORDER NO. 2489

ACCOUNT REF V0062

NL079129766B01 TEL. 00 31 70 3502155

QUANTITY	DESCRIPTION	UNIT PRICE	NET AMOUNT
1.00	110 TD5 GALVANISED CHASSIS	1050.00	1,050.00

DELIVERY ADDRESS

COLLECTED.

Net Amount		1,050.00
Carriage		0.00
Invoice Nett		1050.00
VAT Amount		0.00
Invoice Total	£	1.050.00



SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

WYE VALLEY GARAGE. UNIT 1, HITCHINGS INDUSTRIAL ESTATE, OVERROSS STREET, ROSS ON WYE. HR9 7AS

INVOICE NUMBER 5698

INVOICE DATE 08/12/2011

CUSTOMER ORDER NO. GARY

ACCOUNT REF WOO987

TEL. 01989 565001

QUANTITY	DESCRIPTION	UNIT PRICE	NET AMOUNT
1.00	90 200TDI GALVANISED CHASSIS	970.00	970.00

Net Amount		970.00
Carriage		100.00
Invoice Nett 1070.		1070.00
VAT Amount		214.00
Invoice Total	£	1,284.00



SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

JAKE WRIGHT LTD. HILLTOP, BURLEY IN WHARFEDALE, ILKLEY, YORKS. LS29 7JW

INVOICE NUMBER 5027

INVOICE DATE 02/03/2010

CUSTOMER ORDER NO. HOWARD

ACCOUNT REF JOO132

TEL. 01943 863530

QUANTITY	DESCRIPTION	UNIT PRICE	NET AMOUNT
2.00	110 V8 GALVANISED CHASSIS	1050.00	2,100.00

Net Amount		2,100.00	
Carriage		60.00	
Invoice Nett		2160.00	
VAT Amount		378.00	
Invoice Total	£	2,538.00	



SALT PIE FARM, WHITEHOUGH, CHINLEY, HIGH PEAK. SK23 6BX

TEL. 01663 750484 FAX. 08700 518 231 VAT. 431 6190 74

E-MAIL : sales@marsland-chassis.co.uk

CUSTOMER

TONKS 4x4 27-29 MAIN STREET HUTHWAITE, SUTTON-IN-ASHFIELD, NOTTINGHAMSHIRE NG17 2LD

INVOICE NUMBER 4549

INVOICE DATE 14/12/2008

CUSTOMER ORDER NO. BRIAN

ACCOUNT REF TON753

TEL. 01623 452885

QUANTITY	DESCRIPTION	UNIT PRICE	NET AMOUNT
1.00	110" 200TDI GALVANISED CHASSIS	1150.00	1,150.00

Net Amount		1,150.00
Carriage		40.00
Invoice Nett		1190.00
VAT Amount		178.50
Invoice Total	£	1,368.50