SYLVESTERS FARM

JOHN POINTON & SONS

CLEUD PLANNING STATEMENT

JULY 2023

REFERENCE: 1302/J230081

PREPARED BY: ADAM MUSTAFA *BSC(HONS) ASSOC RTPI*

REVIEWED BY: BEN KETTLE *BSC(HONS) MSC MCD MRTPI*

Wharfe Rural Planning Ltd

Sapling Home Farm, Ullard Hall Lane, Lower Peover, Knutsford, Cheshire, WA16 9PJ

T: 01565 723 795 | E: info@wharferuralplanning.co.uk | W: www.wharferuralplanning.co.uk

1	INTRODUCTION	1
2	LEGAL FRAMEWORK	2
3	PLANNING POLICY FRAMEWORK	4
4	EVIDENCE	5
5	APPRAISAL AND CONCLUSION	8

© Wharfe Rural Planning. All Rights Reserved

1 INTRODUCTION

1.1 This planning statement has been prepared on behalf of John Pointon & Sons. It is submitted in support of an application for a Certificate of Lawfulness of Existing Use or Development at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT.

1.2 This statement contains evidence to demonstrate the lawful use of the application building and the associated yard (edged red) is for B8 use.

1.3 The statement provides evidence in the form of statutory declarations and site images. It also appraises the evidence against the relevant legal framework.

1.4 The image below indicates the application building, the associated yard, and the site access edged red, which is the subject of this application.



Figure 1: The application building and site

2 LEGAL FRAMEWORK

2.1 The Town and Country Planning Act 1990 (as amended) Section 171B sets out the relevant time period where there has been a breach of planning control:

(1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed.

(2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach.

(2A) There is no restriction on when enforcement action may be taken in relation to a breach of planning control in respect of relevant demolition (within the meaning of section 196D).]

(3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.

(4) The preceding subsections do not prevent—

(a)the service of a breach of condition notice in respect of any breach of planning control if an enforcement notice in respect of the breach is in effect; or

(b)taking further enforcement action in respect of any breach of planning control if, during the period of four years ending with that action being taken, the local planning authority have taken or purported to take enforcement action in respect of that breach.

2.2 The Town and Country Planning Act 1990 (as amended) Section 191 provides:

(2) For the purposes of this Act uses and operations are lawful at any time if—

(a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and

(b) they do not constitute a contravention of any of the requirements of any enforcement notice then in force.

(4) If, on an application under this section, the local planning authority are provided with information satisfying them of the lawfulness at the time of the application of the use, operations or other matter described in the application, or that description as modified by

the local planning authority or a description substituted by them, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

2.3 The courts have held in *Gabbitas v Secretary of State for the Environment* [1985] JPL 630 that the relevant test of the evidence required is '*the balance of probability'* and that the applicant's evidence does not require independent proof to be accepted. If 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, there is no good reason to refuse the application. The applicant's evidence needs to be sufficiently precise and unambiguous to justify the grant of a certificate *'on the balance of probability'*.

2.4 Guidance on the approach the decision maker should follow in considering an application under a Section 191 application was provided by the High Court in *Panton and Farmer v Secretary of State for the Environment and the Regions and Vale of White Horse DC* [1999] JPL 461. The judgement set out two key tests in such cases:

a) When did the material change of use specified in the application occur?

b) Has the use specified in the application been lost by the operation of law?

MATERIAL CHANGE OF USE

2.5 The term '*material change of use'* is not defined by the 1990 Act. The courts have held on several occasions it is a matter of fact and degree in each case.

2.6 A relevant decision is that of *Pitman et al. v the Secretary of State for the Environment* [1989] JPL 381. The Court of Appeal upheld that the creation of leisure plots on agricultural land where the change was little more than an alternative right of access so that people could, for example, enjoy the sunshine and view amounted to a material change of use.

USE CLASSES ORDER

2.7 The Town and Country Planning (Use Classes) Order 2015 (as amended) categorises uses of land and buildings into various categories known as 'Use Classes'.

USE CLASS B8

2.8 This use relates to storage or distribution - this class includes open-air storage.

3 PLANNING POLICY FRAMEWORK

PLANNING PRACTICE GUIDANCE

3.1 The Planning Practice Guidance provides direction on the process for obtaining a lawful development certificate for existing or proposed use. The guidance states that:

> *An application needs to describe precisely what is being applied for (not simply the use class) and the land to which the application relates. Without sufficient or precise information, a local planning authority may be justified in refusing a certificate. This does not preclude another application being submitted later on, if more information can be produced.*
>
> *Paragraph: 005 Reference ID: 17c-005-20140306*

3.2 The guidance takes its reference from *Gabbitas.* It confirms that the assessment should be made on the balance of probability, providing that the applicant's evidence alone is sufficiently precise and unambiguous.

> *The applicant is responsible for providing sufficient information to support an application, although a local planning authority always needs to co-operate with an applicant who is seeking information that the authority may hold about the planning status of the land. A local planning authority is entitled to canvass evidence if it so wishes before determining an application. If a local planning authority obtains evidence, this needs to be shared with the applicant who needs to have the opportunity to comment on it and possibly produce counter-evidence.*
>
> *In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.*
>
> *In the case of applications for proposed development, an applicant needs to describe the proposal with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved.*
>
> *Paragraph: 006 Reference ID: 17c-006-20140306*

4 EVIDENCE

STATUTORY DECLARATIONS

4.1 Statutory declarations provide sworn evidence that the building and site have been used for B8 storage continuously for more than ten years. The statements describe the use of the building that commenced over that period. The statements are provided by people who have detailed experience of the site for more than the relevant ten-year period combined. The statutory declarations are enclosed in Appendix 1.

SITE PHOTOGRAPHY

4.2 Site images from 2023 are provided below to confirm continued and uninterrupted B8 use.

USE OF THE BUILDING

4.3 On 28th November 2008, planning approval was granted for '*Continued use of agricultural building for the storage of dry meal products'* under application SMD/2008/0636 (08/10225/FUL). The description of development included *"continued use"* and therefore, it is understood that the use of the building for the storage of dry meal products preceded this 2008 approval.

4.4 Condition 1 of the 2008 permission required that 'The development hereby permitted shall be discontinued not later than the expiration of a period of 24 months from the date of this permission, with the building returned to agricultural use', which was 28th November 2010. The building was not returned to agricultural use on 28th November 2010 and its use for B8 storage continued after the expiry of this condition and outside the parameters of the permission until the present day.

4.5 Dry meal product is a protein by-product created by animal rendering processes. The product had to be transferred to and from other operational sites so that it could be stored within the building until it could be used elsewhere. Given the requirement for the 2008 application for the continued use, i.e the LPA consider it was a change of use, and fact that the product had to be transported to and from the application site, it is considered that the use sits neatly within the B8 use class. The yard within the red edge of the submitted location plan has been used for storage and also to allow for the inward and outbound HGV movements for the delivery and distribution of the products. Therefore, this area has also been used in connection with the B8 activities of the building and is also considered to be in B8 use. The yard is physically and functionally linked to the application building forming one contiguous plot, serving the building in a useful and necessary manner.

4.6 From 1st February 2023 the building has been used for the storage of temporary buildings and marquees, and this is still the case upon submission of this statement. The yard continues to be physically and functionally linked to the application building forming one contiguous use.

4.7 This history of the use of the building is confirmed by the statutory declarations submitted with the application. Furthermore, the images below were all taken on 10th May 2023 by the Council's Planning Enforcement Officer. This confirms that the buildings are still in B8 use as of 2023.



Figure 2: Application building exterior



Figure 3: Application building interior



Figure 4: Application building interior



Figure 5: Application building exterior

5 APPRAISAL AND CONCLUSION

5.1 This statement has been prepared to provide evidence in support of a certificate of existing use or development at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT. The certificate application seeks confirmation that the application building and associated yard are in B8 use.

5.2 The evidence presented has demonstrated that the extent of the B8 use was established in at least 2008. The Council had full knowledge of this due to the 2008 planning approval. There is no evidence to suggest the LPA took steps to seek compliance with the conditions of the 2008 approval. The building and site has continued to have been used for this purpose until the date of this statement. This is supported by statutory declarations, and site photographs illustrate the continued ongoing use for storage.

5.3 The evidence submitted with the application and referred to within this statement is considered to provide sufficiently precise and unambiguous information. It proves that on the balance of probabilities the use of the building and yard as B8 use is lawful.

5.4 Established case law states that the applicant's evidence does not require independent evidence to be accepted. It also states that a certificate should be granted if 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.

Appendix 1 – Statutory Declarations

STATUTORY DECLARATION

I, Mr Garry Robinson of J Pointon & Sons Limited, Foxes Plantation, Bones Lane, Cheddleton, Leek, Staffordshire, ST13 7BT do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land'*).

2. I began working for J Pointon & Sons Ltd in 4 July 2011 and I have been employed as an estate manager and project manager. I have therefore had reason to visit the Land frequently on a continuous basis from 2011 to the date of signing this declaration.

3. I can confirm that since 4 July 2011 the Building and the Land have been used continuously for storage purposes. Between 4 July 2011 and 31 January 2023 I have witnessed that this was for the storage of dry meal products and then from 1 February 2023 until the date of signing this declaration for the storage of temporary buildings and marquees.

4. I can confirm that the Building and the Land have been used continuously for B8 storage purposes since 4 July 2011 until the date of signing this declaration.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Garry Robinson

DECLARED AT: Cheadle in the County of Staffs

This 16th day of June 2023

BEFORE ME:

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

Print name: .....

Signature .....

Solicitor / Notary Public

THE ERIC WHITEHEAD PARTNERSHIP
Solicitors
14 Chapel Street, CHEADLE
Staffordshire ST10 1DY
DX 27981 CHEADLE (STAFFS)
Tel: (01538) 755761 Fax: (01538) 757361



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001.1

Date:
12 June 2023

Drawn by:
SK

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

WHARFE
RURAL PLANNING
Sapling Home Farm, Ullard Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T: 01565 746910
E: info@wharferuralplanning.co.uk
W: www.wharferural planning.co.uk

STATUTORY DECLARATION

I, Mr Carl Pointon of J Pointon & Sons Limited, Foxes Plantation, Bones Lane, Cheddleton, Leek, Staffordshire, ST13 7BT do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land')*.

2. I am the Director of J Pointon & Sons Ltd. I have had first hand knowledge of the Land and Building since the 1980s and have control of the Land and the Building.

3. The Building was erected in the 1990s and initially used for agriculture.

4. On 28th November 2008, planning approval was granted for *'Continued use of agricultural building for the storage of dry meal products'* under application SMD/2008/0636 (08/10225/FUL). Condition 1 of this permission required that *'The development hereby permitted shall be discontinued not later than the expiration of a period of 24 months from the date of this permission, with the building returned to agricultural use'*, which was 28th November 2010. I can confirm that the Building was not returned to agricultural use on 28th November 2010.

5. Since 28th November 2010 the Building and the Land have been used continuously for storage purposes. Between 2010 and 31st January 2023 this was for the storage of dry meal products and then from 1 February 2023 until the date of signing this declaration for the storage of temporary buildings and marquees.

6. I can confirm that the Building and the Land have been used continuously for B8 storage purposes following the expiry of the planning permission SMD/2008/0636 since 28th November 2010 until the date of signing this declaration.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Carl Pointon

DECLARED AT: Cheadle in the County of Staffs

This 16 day of June 2023

BEFORE ME:

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

Print name: .....

Signature .....

Solicitor / Notary Public

THE ERIC WHITEHEAD PARTNERSHIP
Solicitors
14 Chapel Street, CHEADLE
Staffordshire ST10 1DY
DX 27981 CHEADLE (STAFFS)
Tel: (01538) 755761 Fax: (01538) 757361



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001.1

Date:
12 June 2023

Drawn by:
SK

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

WHARFE
RURAL PLANNING
Sapling Home Farm, Ullard Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T: 01565 746910
E: info@wharferuralplanning.co.uk
W: www.wharferural planning.co.uk

STATUTORY DECLARATION

I, Mr Anthony Lea Oldham of 12 Omega Way, Stoke-on-Trent, ST4 8TF do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land'*).

2. I have been employed by John Pointon & Sons since 2008. I am now a Production Manager however before this I was a HGV driver for the company, holding a Class 1 HGV licence.

3. I undertook HGV driving for John Pointon & Sons between 2008 and 2012. During this time I would deliver dry meal to the Building several times a week in an articulated lorry. This would be tipped into the building and swept out of the lorry. I formed a team of several drivers who had the same responsibilities. From 2012 until 2022 I worked within the Building and I was responsible for loading the dry meal into the lorries. The dry meal would be stacked loose or in bags within the Building.

4. I can confirm that between at least 2010 and 2022 the Building was used continuously for the storage of dry meal products.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Anthony Lea Oldham

DECLARED AT: Cheadle in the County of Staffs

This 30 day of June 2023

BEFORE ME:

Print name: .....

Signature .....

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

Solicitor / Notary Public



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001.1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sapling Home Farm, Ollard Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T. 01565 744910
E. info@wharferuralplanning.co.uk
W. www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

STATUTORY DECLARATION

I, Mr Bradley Pointon of Woodend Manor, Mill Lane, Wetley Rocks, Staffordshire, ST9 0BU do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land'*).

2. I have been employed by John Pointon & Sons since 2017 and I work on the estates in general maintenance and as a farmhand.

3. I have first hand knowledge of the Land and Building as I have worked within the Building on a regular basis since 2017. When I was at the Building I would be involved in the loading and unloading of dry meal.

4. I can confirm that since my employment in 2017 the Building and the Land have been used continuously for storage purposes until the date of signing this declaration.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: B Pointon.....

Print name: Mr Bradley Pointon

DECLARED AT: [illegible]

This 30 day of June 2023

BEFORE ME:

Print name: .....

Signature .....

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

Solicitor / Notary Public



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302 J230081/001 1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sandbag Home Farm, Ward Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T: 01565 746910
E: info@wharferuralplanning.co.uk
W: www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

STATUTORY DECLARATION

I, Mr Callum Pointon of Oak Barn , Mill lane , Wetley Rocks , Stoke on Trent , ST9 0BN do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land')*.

2. I have been employed by John Pointon & Sons for 12 years, since 2011, and I work as a Property Manager. My main role involves me overseeing the sites and buildings owned by the company.

3. I have first hand knowledge of the Land and Building and I am familiar with what the Building has been used for during the course of my employment. The Building and the Land have been used continuously for storage purposes throughout my employment. Since 2011 the company stored dry meal products in the Building and then from 1 February 2023 until the date of signing this declaration, the Building is used for the storage of temporary buildings and marquees.

4. I can confirm that the Building and the Land have been used continuously for B8 storage purposes since 2011 until the date of signing this declaration.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Callum Pointon

DECLARED AT: Cheere - to Cary J Stafford

This 30 day of June 2023

BEFORE ME:

Print name: .....

Signature .....

Solicitor / Notary Public

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001 1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sapling Home Farm, Ollard Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T 01565 746910
E info@wharferuralplanning.co.uk
W www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

STATUTORY DECLARATION

I, Ms Hannah Pointon of Woodend Manor, Mill Lane, Wetley Rocks, Staffordshire, ST9 0BU do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land')*.

2. I have been employed by John Pointon & Sons since 2014 and I work as an Events Co-ordinator. I am responsible for hosting events and meeting with clients.

3. I have first hand knowledge of the Land and Building as I have visited the Building on several occasions and go for walks on the surrounding land. I would also drop off lunch to my brother Mr Oliver Pointon when he was on site. When I have been to the Land I have been inside the Building to speak to my brother and I have seen dry meal in the Building.

4. I have been in the Building frequently since 2014 and I can confirm that since 2014 the Building and the Land have been used continuously for storage purposes.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Ms Hannah Pointon

DECLARED AT: [illegible]

This 30 day of June 2023

BEFORE ME:

Print name: .....

Signature .....

Solicitor / Notary Public

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001.1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sapling Home Farm, Ollerd Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T 01565 746910
E info@wharferuralplanning.co.uk
W www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

STATUTORY DECLARATION

I, Mr Mark May of Yendis, Uttoxeter Road, Tean, ST10 4LG do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land')*.

2. I was previously employed by John Pointon & Sons for over 20 years and I worked as Head Transport Manager until 2017. My duties included organising the delivery and distribution of dry meal to and from the Land and Building. On occasion, I would personally collect the dry meal and deliver it to the Building, this was carried out in articulated commercial lorries.

3. I have first hand knowledge of the Land and Building as I have worked within the Building and managed inbound and outbound product logistics. The Building was used for the storage of dry meal products, the dry meal was kept loose and also in 1150kg bags.

4. I can confirm that since at least 2010 until 2017, the Building and the Land have been used continuously for storage of dry meal.

5. I can confirm that the Building and the Land have been used continuously for B8 storage purposes since at least 2010 until the date of signing this declaration.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835,

Signature: .....

Print name: Mr Mark May

DECLARED AT: Cheadle in the County of Staffordshire

This 6 day of July 2023

BEFORE ME:

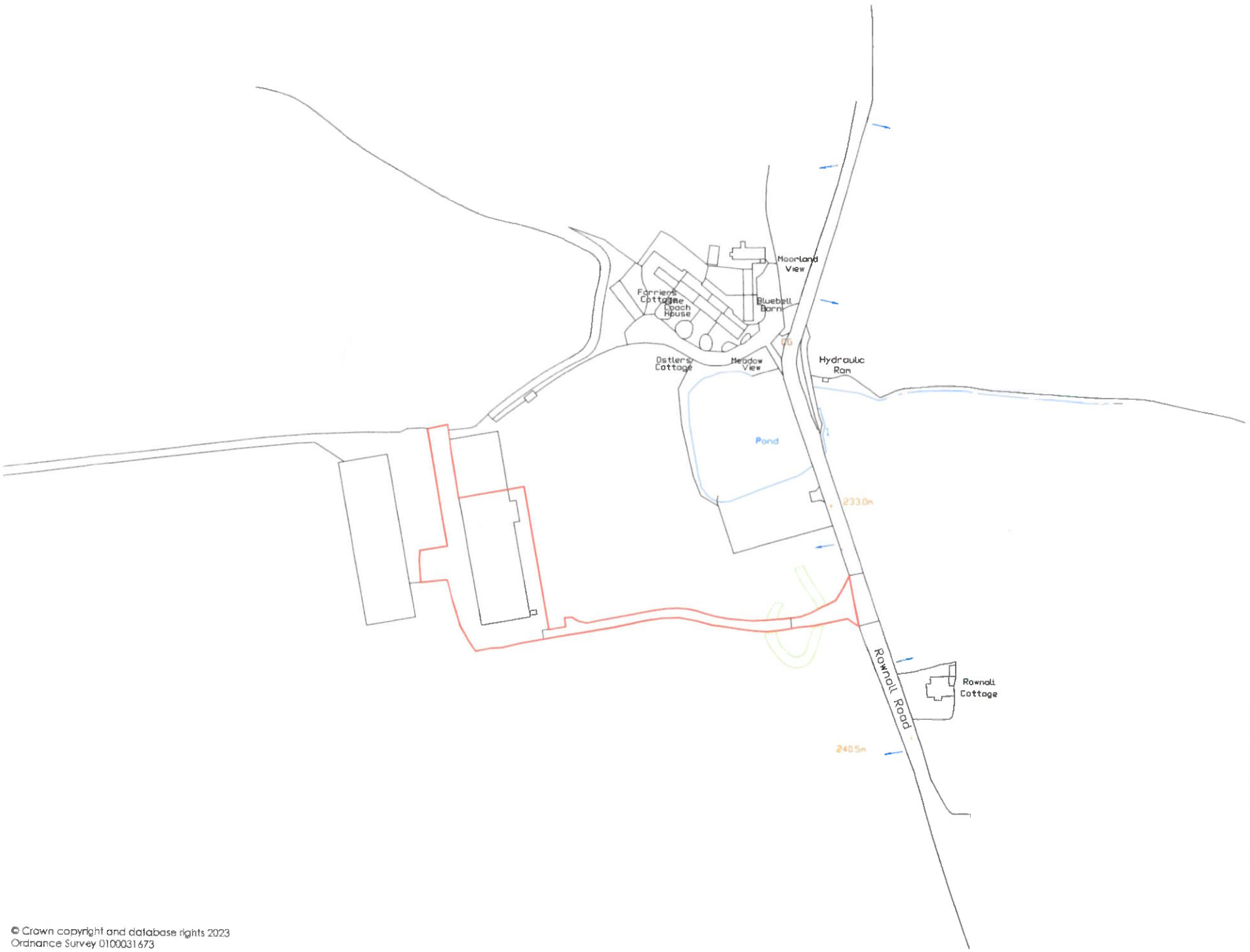
Print name: .....

Signature .....

Solicitor / Notary Public

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001 1

Date:
12 June 2023

Drawn by:
SK

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

WHARFE
RURAL PLANNING
Sapling Home Farm, Ward Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T: 01565 746910
E: info@wharferuralplanning.co.uk
W: www.wharferuralplanning.co.uk

STATUTORY DECLARATION

I, Mr Mike Worthington of 97 Folly Lane, Cheddleton, Leek, ST13 7DA do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land')*.

2. I was employed by John Pointon & Sons as the Finance Director for 18 years until 2013. I am now a District & County & Parish Councillor in Staffordshire Moorlands.

3. I have first-hand knowledge of the Building and Land as I previously resided in the barn north of the Land, called the Coachhouse, Rownall Road for ten years, and I would walk my dog within the wider site and pass by the Building.

4. On many occasions from at least 2010 until 2020 I have seen dry meal stored within the Building. I would in fact refer to the Building as the 'meal store' due to the dry meal being stored within it.

5. I can confirm that the Building was used continuously for the storage of dry meal products since at least 2010 until 2020.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Mike Worthington

DECLARED AT: [illegible]

This 29 day of JUNE 2023

BEFORE ME:

Print name: .....

Signature .....

Solicitor / Notary Public

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081.001 1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sapling Home Farm Ward Hall Lane Lower Peover Knutsford, Cheshire WA16 9PJ
T : 01565 746910
E : info@wharferuralplanning.co.uk
W : www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 01000031673

STATUTORY DECLARATION

I, Mr Oto Pantlikas of 8 Folly Fields, Cheddleton, Leek, ST13 7BX do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land'*).

2. I worked for John Pointon & Sons within the Building from 2009 until 2011. My main duties included the unloading and loading of dry meal and stock rotation within the Building.

3. I can confirm that during my employment the Building was used continuously for the storage of dry meal between 2009 and 2011.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Oto Pantlikas

DECLARED AT: Leek - in the County of Staffs

This 30th day of June 2023

BEFORE ME:

Print name: .....

Signature .....

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

Solicitor / Notary Public



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001.1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sapling Home Farm, Ollard Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T: 01565 746910
E: info@wharferuralplanning.co.uk
W: www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

STATUTORY DECLARATION

I, Mr Oliver Pointon of Woodend Manor, Mill Lane, Wetley Rocks, Staffordshire, ST9 0BU do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land')*.

2. I have been employed by John Pointon & Sons for 14 years and I work as a Project Manager. My main duties included, liasing with external companies, staff management, and plant and site management.

3. I have first hand knowledge of the Land and Building as I have worked within the Building and managed inbound and outbound product logistics. The Building was used for the storage of dry meal products, the dry meal was kept loose and also in 1150kg bags.

4. I can confirm that since my employment in 2009 the Building and the Land have been used continuously for storage purposes. Between 2010 and 31st January 2023 this was for the storage of dry meal products and then from 1 February 2023 until the date of signing this declaration for the storage of temporary buildings and marquees.

5. I can confirm that the Building and the Land have been used continuously for B8 storage purposes since 28th November 2010 until the date of signing this declaration.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Oliver Pointon

DECLARED AT: Chester in the County of Cheshire

This 6th day of July 2023

BEFORE ME:

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

Print name: .....

Signature .....

Solicitor / Notary Public



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001 1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sapling Home Farm, Ollard Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T: 01565 746910
E: info@wharferuralplanning.co.uk
W: www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

STATUTORY DECLARATION

I, Mr Philip Cork of Woodlands Hall Cottage, Cheddleton, ST13 7BG do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land')*.

2. I am employed by John Pointon & Sons and have worked with the company for 41 years. I am involved in ancillary site work, maintenance, and up-keep of the properties.

3. I have worked on several occasions within the Building and at the Land, and I have witnessed dry meal stored in the Building.

4. I can confirm that during my ongoing employment and my visits to the Land, the Building has been used continuously for the storage of dry meal products.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Philip Cork

DECLARED AT: [illegible]

This 30 day of June 2023

BEFORE ME:

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

Print name: .....

Signature .....

Solicitor / Notary Public



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001.1

Date:
12 June 2023

Drawn by:
SK

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

WHARFE
RURAL PLANNING
Sapling Home Farm Wharf Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T 01565 746910
E info@wharferuralplanning.co.uk
W www.wharferuralplanning.co.uk

STATUTORY DECLARATION

I, Mr Richard Sargeant of 44 Parton Grove, Stoke-on-Trent, ST3 6EJ do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land'*).

2. I have been employed by John Pointon & Sons since 2014. I am the Plant Manager and I am responsible for maintaining and repairing plant and machinery.

3. I visited the Land and Building two or three times a week and have witnessed dry meal stored in the Building, both loose and bagged. I would visit the site to repair the JCB 2540, Nissan 2.5 tonne forklift, JCB telehandler and the Volvo loading shovel.

4. My recent visit to Building confirms that temporary buildings and marquees are now stored there.

5. I can confirm that during my employment and my visits to the site since 2014, the Land and Building has been used continuously for storage purposes.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Richard Sargeant

DECLARED AT: Cheadle in the County of Staffs

This 5th day of July 2023

BEFORE ME:

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS

Print name: .....

Signature .....

Solicitor / Notary Public



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001.1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sterling Home Farm, Ollerd Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T: 01565 746910
E: info@wharferuralplanning.co.uk
W: www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 0100031673

STATUTORY DECLARATION

I, Mr Simon Adams of 38 Adamthwaite Drive, Blythe Bridge, Stoke-on-Trent ST11 9HL do solemnly and sincerely declare that:

1. This declaration is made in relation to an agricultural building at Sylvesters Farm, Rownall Road, Wetley Rocks, ST9 0BT (hereinafter referred to as *'the Building'*). There is now produced to me and marked (1302/J230081/001.1) a location plan relating to the Building. The red line outlines the area of land associated with the use of the Building (hereinafter referred to as *'the Land')*.

2. I am employed by John Pointon & Sons and have been for 19 years. I am the Estate Manager and I am responsible for looking after the farms.

3. I have witnessed dry meal stored in the Building, both loose and bagged. The dry meal would be stacked with a JCB loading shovel.

4. I can confirm that since at least 2009 until recently the Land and Building was used continuously for the storage of dry meal products. I am aware that the Land and Building are now used for the storage of temporary buildings and marquees.

AND, I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature: .....

Print name: Mr Simon Adams

DECLARED AT: [illegible]

This 31 day of June 2023

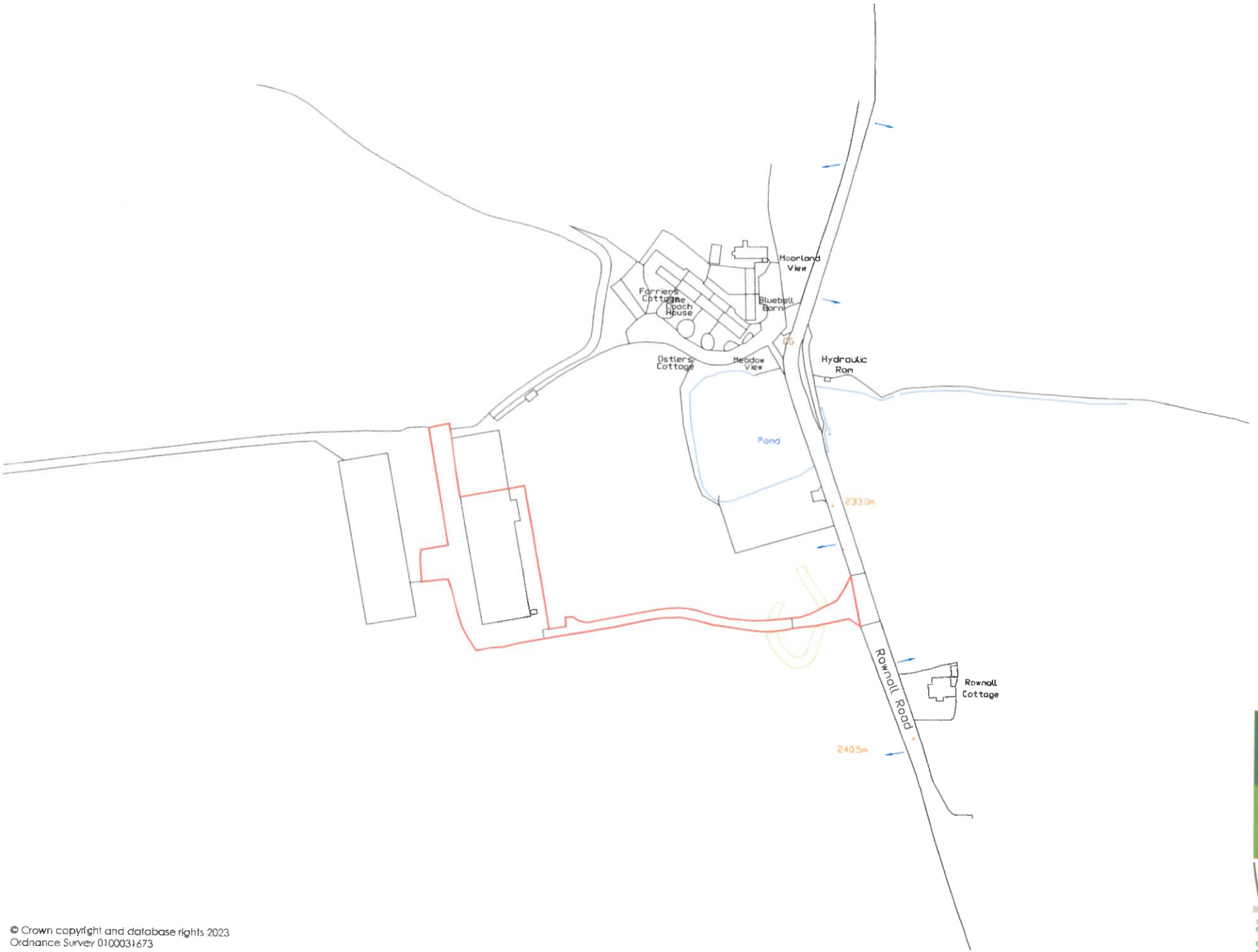
BEFORE ME:

Print name: .....

Signature .....

Solicitor / Notary Public

TIMOTHY HALLIDAY
Solicitor
CHEADLE STAFFS



Application:
Sylvesters Farm CLUED

Drawing title:
Location Plan

Scale:
1:1250 @ A2

Drawing number:
1302/J230081/001.1

Date:
12 June 2023

Drawn by:
SK

WHARFE
RURAL PLANNING
Sapling Home Farm, Ward Hall Lane, Lower Peover, Knutsford, Cheshire WA16 9PJ
T: 01565 746910
E: info@wharferuralplanning.co.uk
W: www.wharferuralplanning.co.uk

© Crown copyright and database rights 2023
Ordnance Survey 0100031673