



STROUD DISTRICT COUNCIL

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Our Ref: S.11/0174/BRCON
Date: 26th July 2011

Dear Nick,

Aston Down, Planning Permission S.10/1764/COU – Condition 4 – Brian Sindle Transport

You will recall that I recently sent you a report recommending that the Council issues a Breach of Condition Notice should the current application (S. 11/1036/VAR) to vary the times vehicles can enter or leave the site be refused.

Self-evidently condition 4 only applies to the area covered by permission S.10/1764/COU. It appears to me that Brian Sindle Transport is currently avoiding breaching the condition by parking the vehicles that will leave before 06:00 outside the area covered by the permission. Specifically those vehicles appear to be parked in the 'compound' south of Building 15, previously used by Veolia. The parking of the Sindle vehicles anywhere other than within the site permitted under S.10/1764/COU is in breach of the Enforcement Notice.

Evading the condition in this way in my view constitutes an offence of failing to comply with the existing Enforcement Notice rendering both your company as landowner and operator i.e. Brian Sindle Transport liable to prosecution.

I have been prepared to overlook the visual impact arising out of the use of the former Veolia area. I am not prepared to do so in relation to vehicles leaving the main Site in the early hours of the morning – an activity that generates numerous complaints.

I therefore advise you to take rapid action to prevent this activity. If you do not then first, I am entitled to conclude that I am being given the 'run around' in this matter. Second and more importantly I will have no option other than to recommend that the Council issues prosecution proceedings as the Enforcement notice alone has not proved effective enough to bring to an end, the breaches of planning control that remain following the Secretary of States decisions of 01 December 2009.

Yours sincerely,



David Corker
Principal Appeals and Enforcement Notice

