

# RIBBLE VALLEY BOROUGH COUNCIL

Development Department

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

**Town and Country Planning Act 1990, section 192 as amended by section 10 of the Planning and Compensation Act 1991**

## CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

**APPLICATION NO:** 3/2012/1083

**DECISION DATE:** 29 January 2013

**DATE RECEIVED:** 5 December 2012

**APPLICANT:**

Leagram Hall  
Chipping  
Preston  
Lancs  
PR3 2RD

**AGENT:**

Janet Dixon Town Planners Ltd  
10A Whalley Road  
Clitheroe  
Lancs  
BB7 1AW

**PROPOSED USE OR DEVELOPMENT:** Application for a Lawful Development Certificate for a proposed Single Storey Rear Extension.

**AT:** Leagram Lodge Leagram Preston Lancashire PR3 2RD

Ribble Valley Borough Council hereby certify that on the received date the use, operations or matter detailed above in respect of the land indicated on the plan attached to this certificate, was lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The permission shall relate to the development as shown on Plan Reference 2390:07

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.



**JOHN HEAP**  
**DIRECTOR OF COMMUNITY SERVICES**

**RIBBLE VALLEY BOROUGH COUNCIL  
CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT**

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**Notes**

- 1 This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
- 2 It certifies that the use, operations or matter as specified taking place on the land identified on the attached plan would have been lawful, on the specified date and thus would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.
- 3 This certificate applies only to the extent of the use, operations or matter described, and to the land specified and identified on the attached plan. Any use, operations or matter materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
- 4 The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
- 5 The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.

## STATUTORY NOTES FOR PLANNING DECISION NOTICES

### APPEALS TO THE SECRETARY OF STATE

#### Application for Listed Building Consent and Conservation Area Consent

If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent or conservation area consent for the proposed works, or to grant consent subject to conditions, he/she may appeal to the Secretary of State for the Environment in accordance with Section 20 Planning (Listed Buildings & Conservation Areas) Act 1990, within 6 months of the date of this notice. (Appeals must be made on a form, which is obtainable from The Planning Inspectorate). The Secretary of State has power to allow a longer period for giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

If listed building consent or conservation area consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any works which have been or would be permitted, he may serve the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 108 of the Town and Country Planning Act 1990.

#### Listed Building Purchase Notices and Compensation

If the applicant is aggrieved by the decision of the local planning authority: -

- a) to refuse to vary or discharge the conditions attached to a listed building consent or a conservation area consent; or
- b) to add new conditions consequential upon any such variation or discharge, he may appeal to the Secretary of State for the Environment in accordance with Section 20 Planning (Listed Buildings & Conservation Areas) Act 1990 within 6 months of the date of this notice. (Appeals must be made on a form, which is obtainable from The Planning Inspectorate). The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay on giving notice of appeal.

## ADVERTISEMENTS

### Application for Consent to Display an Advertisement

#### Standard Conditions

The Town and Country Planning (Control of Advertisements) Regulations 1989 impose the following standard conditions for all consents to display advertisements.

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

#### Appeals to the Secretary of State

You have the right of appeal against the local planning authority's refusal of consent for an advertisement or grant of consent subject to a condition with which you are dissatisfied. The appeal is made to the Secretary of State using a form (ask for advertisement appeal forms) obtained from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. no. 0117 372 6372. You must appeal within 8 weeks of receiving the decision notice.

#### Illegal Display of Advertisements

A person who displays an advertisement in contravention of the Town and Country Planning (Control of Advertisements) Regulations 1989, shall be liable on summary conviction of an offence under Section 109(2) of the Act, to a fine of £400 and in the case of a continuing offence to a fine of £40 for each day during which the offence continues after conviction.

#### OTHER PERMISSIONS

The attached notice relates only to the application as described. It does not convey a decision under any other enactment, byelaw or order of regulation.

## ACCESS FOR THE FIRE BRIGADE

Your attention is drawn to the provisions of Section 31 of the County of Lancashire Act 1984. This states that plans for the erection or extension of a building and deposited in accordance with the Building Regulations shall be rejected unless they show that there will be adequate means of access for the Fire Brigade and that the proposed works will not render inadequate any existing means of access. For further information or advice please contact the Building Control Section at the Council Offices, Clitheroe or telephone 01200 425111.

## ACCESS AND FACILITIES FOR DISABLED PEOPLE at premises open to the public, educational establishments, shops, offices, factories and places of work

Your attention is drawn to the provisions of Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Codes of Practice: for Access for the Disabled to Buildings (B.S.5810:1979) and the Means of Escape for the Disabled (B.S.5588), and Design Note 18 Access for the Physically Disabled to Education Buildings.

Section 4 of the 1970 Act requires that: "Any person undertaking the provision of any building or premises to which the public are to be admitted, whether on payment or otherwise, shall, in the means of access both to and within the building or premises, and in the parking facilities and sanitary convenience (if any), make provision, in so far as it is in the circumstances both practicable and reasonable, for the needs of members of the public visiting the building or premises who are disabled".

### Educational Buildings, Offices, Factories, etc.

Sections 8 and 8A require that any person providing premises for educational purposes, offices, factories or other places of work shall make similar provisions as detailed in Section 4 of the needs of disabled people using the premises.

### Signs

Section 7 requires that signs indicating where provision has been made for the disabled shall be displayed outside the premises and in any associated car parks. These should indicate where the provision is made and appropriate routes to them.

### Building Regulations and the needs of the Disabled

Plans submitted under the Building Regulations may be rejected if they do not take proper account of the needs of the disabled. **AT THIS EARLY STAGE YOU MAY WISH TO GIVE CONSIDERATION AS TO WHAT PROVISIONS FOR THE DISABLED MAY BE APPROPRIATE IN YOUR PROPOSED DEVELOPMENT.**

If you require any further information about the statutory requirements in designing for the needs of the disabled you should contact the Building Control Section, Council Offices, Church Walk, Clitheroe, BB7 2RA, Telephone: 01200 425111

## APPEALS TO THE SECRETARY OF STATE

### Planning Applications

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within 6 months of the date of this notice, if this is a refusal of planning permission for a householder application then you must appeal within 12 weeks of the date of this notice, using a form which you can obtain from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. no. 0117 372 6372 or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Planning Inspectorate has introduced an online appeals service, which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

### Refusals

You may be entitled to a free resubmission subject to certain criteria. Please contact the Development Department to discuss.

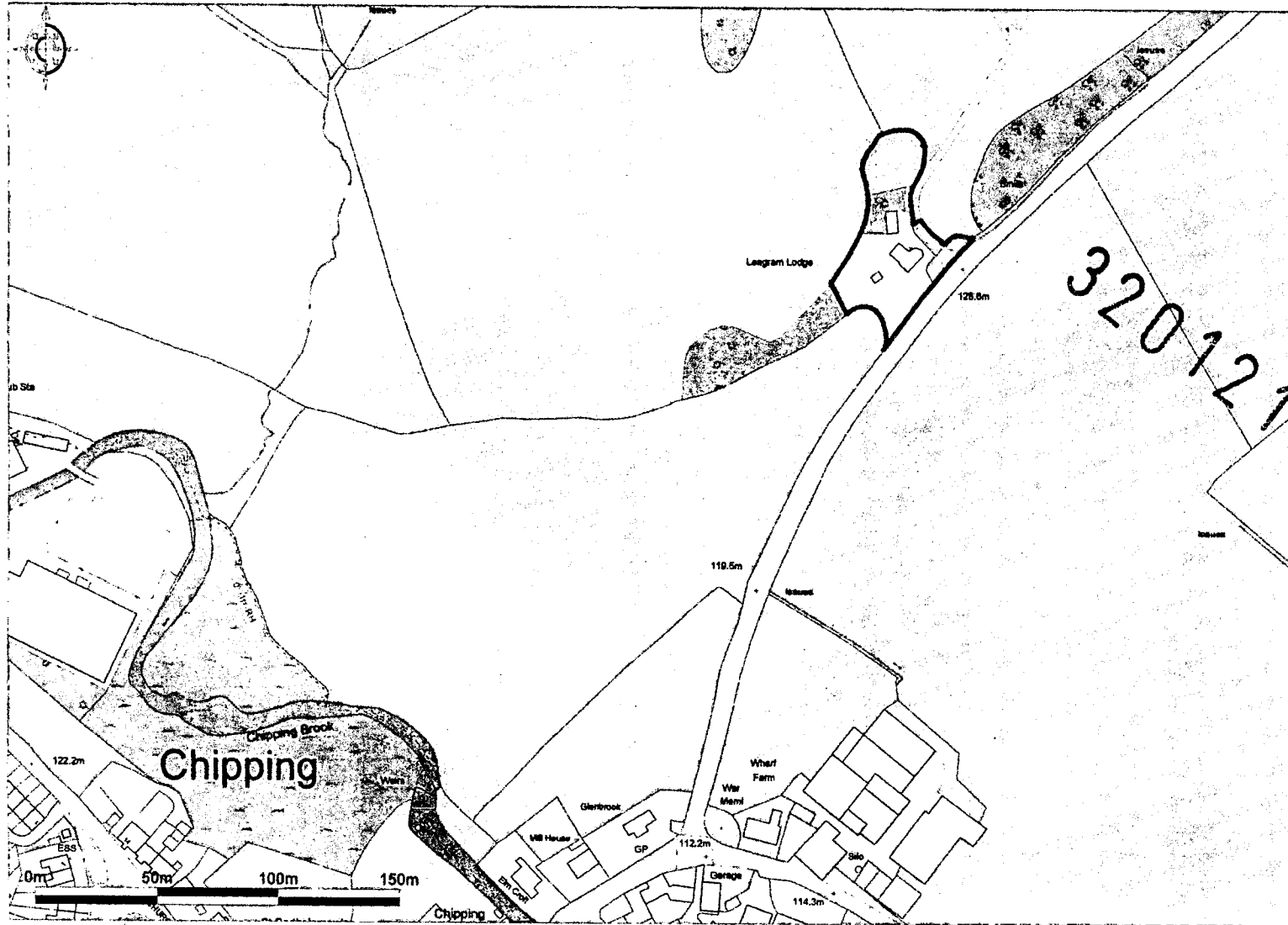
### Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Borough Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990. SEE OTHER SIDE for information on applications for Advertisement Consent, Listed Building Consent and Conservation Area Consent including rights of appeal.

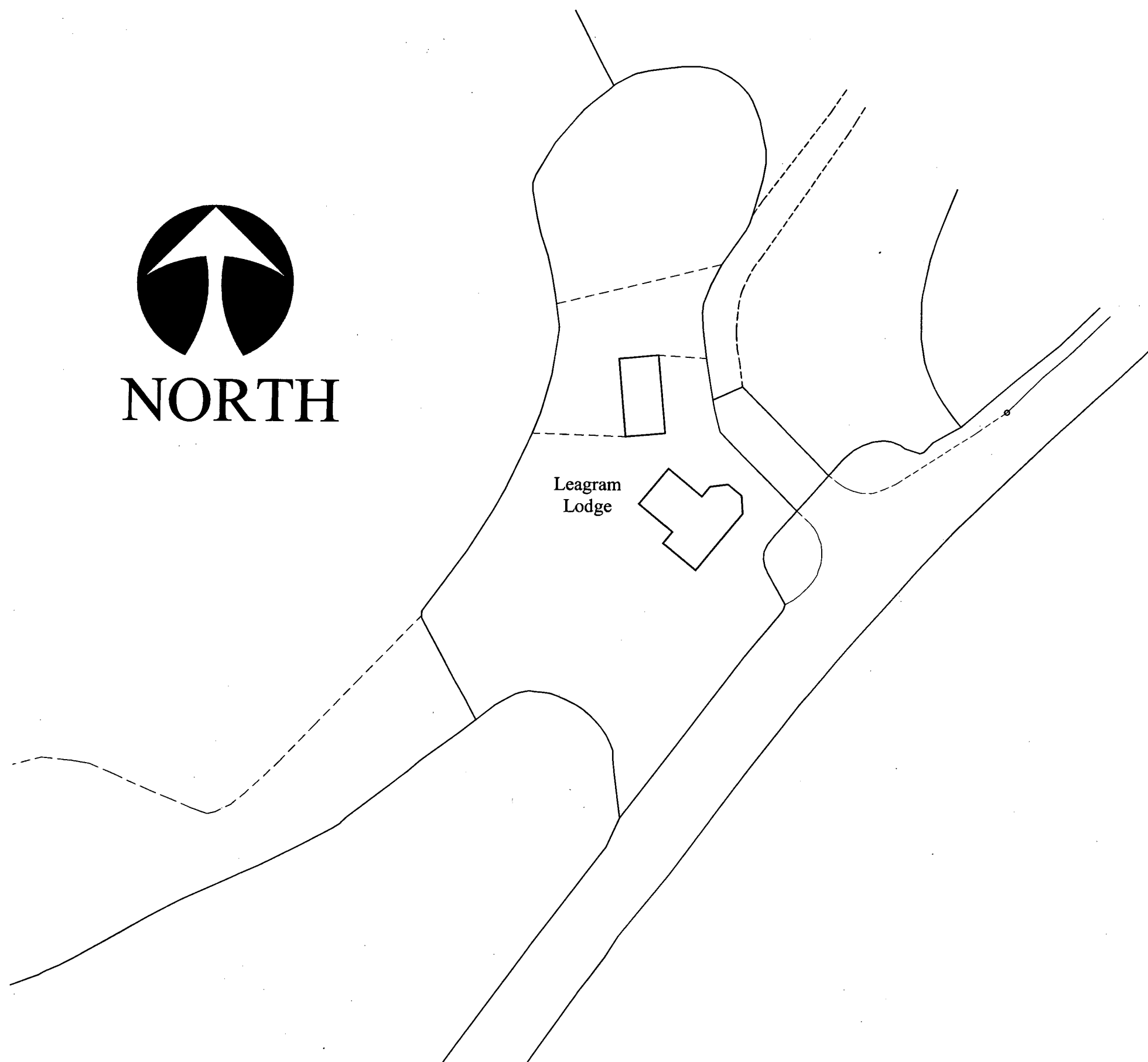


320121083P

APPROVED  
29 JAN 13



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Leagram  
Lodge

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Dimensions should not be scaled. All dimensions to be checked on site by the contractor prior to commencement of the works.

320121083P

**Marshal Peters Associates**  
*Chartered Surveyors &  
Historic Building Consultants*



Office 4 Brookside Barn Telephone 01200 440650  
Downham Clitheroe Facsimile 01200 301998  
BB7 4BP Email info@marshalpeters.co.uk

**PROPOSED EXTENSION**  
to  
**LEAGRAM LODGE**  
**CHIPPING**  
for  
**J. J. WELD-BLUNDELL Esq.**

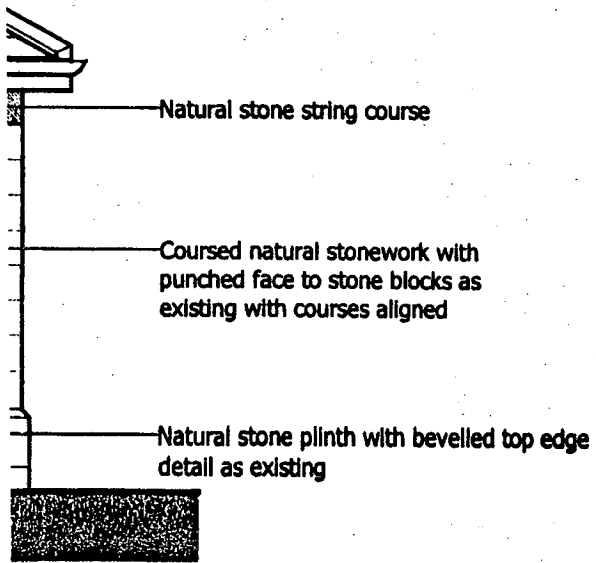
Title **EXISTING**  
**SITE PLAN**

Drawing no. **2390: 08** Revision

Scale 1:500 @ A3	Drawn mfp	Date Nov. 2012
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Natural stone plinth with bevelled top edge  
detail as existing



Natural stone string course

Coursed natural stonework with  
punched face to stone blocks as  
existing with courses aligned

Natural stone plinth with bevelled top edge  
detail as existing

Revision	Date

**Marshal Peters Associates**  
*Chartered Surveyors &  
Historic Building Consultants*



Office 4 Brookside Barn  
Downham  
Clitheroe  
BB7 4BP

Telephone 01200 440650  
Facsimile 01200 301998  
Email info@marshalpeters.co.uk

**PROPOSED EXTENSION**  
to  
**LEAGRAM LODGE**  
**CHIPPING**  
for  
**J. J. WELD-BLUNDELL Esq.**

Title **PROPOSALS**  
*Scheme 5*

Drawing no. **2390: 07** Revision

Scale **1:50 @ A1** Drawn **mfp** Date **Nov. 2012**

**APPROVED**  
29 JAN 13