

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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

Telephone: 01200 425111 www.ribblevalley.gov.uk planning@ribblevalley.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2020/0911

DECISION DATE: 08/11/2023

DATE RECEIVED: 12/11/2020

APPLICANT:

Shackletons
Shackletons Garden Centre Ltd
Clitheroe Road
Chatburn
Clitheroe
BB7 4JY

AGENT:

Mr Charles Stanton
Stanton Andrews
44 York Street
Clitheroe
BB7 2DL

DEVELOPMENT PROPOSED: Proposed two-storey extension to rear and re-modelling of home and garden centre, including additional indoor and outdoor retail space and increased cafe area and play area.

AT: Shackletons Garden Centre Ltd Clitheroe Road Chatburn BB7 4JY

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchasing Act 2004

P.T.O.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Proposed Site Plan ref: 18.59 PL.01 Rev F Received 28th February 2022

Location Planref: 18.59 / EX00 Rev A Dated February 19

Proposed Elevationsref: 18.59 PL.04 Rev B Dated 02.19

Proposed Sectionsref: 18.59 PL.05 Rev B Dated 02.19

Proposed Sectionsref: 18.59 PL.06 Rev B Dated 02.19

Proposed Lower Floor Planref: 18.59 PL.02 Rev B Dated 02.19

Proposed Upper Floor Planref: 18.59 PL.03 Rev B Dated 02.19

Tree Constraints Planref: Ref: BTC1946-TCP Dated March 2020

Access Sectionsref: 18.59 PL.13 Rev B Received 17th March 2022

Car Park layoutref: 18.59 PL.11 Rev D Received 9th November 2021

Car Park Layoutref: 18.59 PL.10 Rev E Received 17th February 2022

Vehicle Trackingref: 18.59 PL.13 Rev C Received 28th February 2022

REASON: For the avoidance of doubt as the proposal was the subject of agreed design improvements and/or amendments and to clarify which plans are relevant to the consent hereby approved.

3. The materials to be used on the external surfaces of the development as indicated within the approved details shall be implemented in accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

4. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
- 24 Hour emergency contact number
 - Details of the parking of vehicles of site operatives and visitors
 - Details of loading and unloading of plant and materials
 - Arrangements for turning of vehicles within the site
 - Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures
 - Measures to protect vulnerable road users (pedestrians and cyclists)
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction
 - Measures to control the emission of dust and dirt during construction
 - Details of a scheme for recycling/disposing of waste resulting from demolition and construction works
 - Construction vehicle routing

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: In the interests of the safe operation of the adopted highway during the demolition and construction phases.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site accesses and the off-site works of highway mitigation has been submitted to, and approved in writing by, the Local Planning Authority. The site accesses and off-site highway works shall be completed in accordance with the approved details prior to the first use of the development hereby approved.

REASON: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

6. No building or use hereby permitted shall be occupied or use commenced until the footway has been reinstated to full kerb height, where any vehicle crossover(s) are redundant, in accordance with the approved plans and the Lancashire County Council Specification for Construction of Estate Roads, to be retained in that form thereafter for the lifetime of the development.

REASON: To maintain the proper construction of the highway and in the interest of pedestrian safety.

7. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Stanton Andrews drawing number PL.01 Rev F and DTPC drawing titled "Updated Paths" have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

8. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

REASON: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

9. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Stanton Andrews drawing number PL.01 Rev F. Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

10. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

REASON: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.

11. The surface water from the approved car park should be collected within the site and drained to a suitable internal outfall. Prior to commencement of the development details of the drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first use of the extension hereby approved.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway.

12. Demolition or construction works shall not take place outside 8am to 6pm Mondays to Fridays and 8am hours to 1pm on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To protect the amenities of the nearby residents.

P.T.O.

13. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety.

14. During the construction period deliveries (relating to the construction activities) to the approved development shall only be accepted between the hours of 9:30am and 2:30pm Monday - Friday, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety and neighbour amenity

15. Prior to the above ground construction of the extension hereby approved full details of the electric motor vehicle charging points to be provided within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the charging points shall be installed and made available for use prior to the first use of the development hereby approved.

Reason: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

16. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the submitted flood risk assessment (24th November 2021 / 10301 - Revision 3 / Reid Jones Partnership) The measures shall be fully implemented prior to the first use of any building and in accordance with the timing arrangements embodied within the scheme.

Reason To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

17. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.

The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

Those details shall include, as a minimum:

a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change) for the whole site, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels, to include all existing and proposed surface water drainage systems up to and including the final outfall.
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building to confirm minimum 150mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Where existing on-site surface water drainage systems are to be used, then evidence is required to confirm these systems are in a sufficient condition to accept additional surface water runoff generated from the development. The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

18. No development shall commence until details of how surface water and pollution prevention will be managed during each demolition and construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during demolition and construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

Reasons

1. To ensure the development is served by satisfactory arrangements for the disposal of surface water during each demolition and construction phase(s) so it does not pose an undue flood risk on site or elsewhere;
2. To ensure that any pollution arising from the development as a result of the demolition and construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

19. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of a final 'operation and maintenance manual' for the sustainable drainage scheme as constructed. Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 168 of the National Planning Policy Framework.

20. No removal of vegetation including trees or hedges shall be undertaken within the nesting bird season (1st March - 31st August inclusive) unless a pre-clearance check on the day of removal, by a licenced ecologist, confirms the absence of nesting birds. A letter from the ecologist confirming the absence of nesting birds shall be submitted to the Local Planning Authority within one month of the pre-clearance check being undertaken.

Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal to ensure that removal does not result in unacceptable impacts upon nesting birds or other species of conservation concern.

Reason: To ensure that there are no adverse effects on the favourable conservation status of birds, to protect the bird population and species of importance or conservation concern from the potential impacts of the development.

21. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard

Reason: To safeguard the trees to be retained

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22. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

23. A scheme for the landscaping of the development and its surroundings shall be submitted to and approved in writing by the Local Planning Authority prior to the above ground construction of development hereby approved. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no external lighting/floodlighting or building mounted lighting shall be erected or placed anywhere within the site to which this consent relates.

Reason: In the interests of general amenities of the locality and the amenities of nearby residents.

25. Prior to the first use of the extension to the garden centre hereby permitted retractable bollards shall be erected and brought into use on the access road as detailed on the approved plans. These bollards shall be retained erected at all times except during periods of high visitor numbers when the main car park is full, and use of the overspill car park is required.

REASON: The overspill car park is only required to support visitors during busy periods. The main car park will be sufficient to accommodate visitors for most of the time and enables the overspill car park to remain visually open within the landscape.

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26. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s).

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents

27. Notwithstanding the details shown on the submitted plans, the parking bays hereby approved shall be constructed using permeable materials on a permeable base.

Reason: In the interests of highway safety and to prevent flooding

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. 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.
3. The Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.
4. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.
5. The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.
6. Note: Construction Management Plan.
 - There must be no reversing into or from the live highway at any time - all vehicles entering the site must do so in a forward gear and turn around in the site before exiting in a forward gear onto the operational public highway.
 - There must be no storage of materials in the public highway at any time.
 - There must be no standing or waiting of machinery or vehicles in the public highway at any time.
 - Vehicles must only access the site using a designated vehicular access point.
 - There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations - all of which must be managed within the confines of the site.

- A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary, this can be obtained via the County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or emailing lhsstreetworks@lancashire.gov.uk
 - All references to public highway include footway, carriageway and verge.
7. This response does not grant the applicant permission to discharge to the highway drainage network, directly or indirectly. Neither does this response cover the suitability of any highway drainage proposal. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Highway Authority to comment on. Lancashire County Council Highway Authority does not allow private / non-highway water to be discharged into the adopted highway drainage system. This is set out in 5 paragraph 2.3.1.1 of the Code of Practice on Highway Status and Adoption.
8. The proposed outfall may require a legal agreement with third party to access and construct the outfall in addition to any permission(s) from flood risk management authorities.
9. When modelling your surface water sustainable drainage network, please ensure you apply a surcharged outfall unless you can demonstrate that a free-flowing outfall can be achieved.
10. The LLFA notes that the southern part of the site is to drain to a 25x25x0.8m deep attenuation crate, which will then connect to manhole 'EX MH' at the south west corner of the existing building (Project 10301 / Drawing 101 / Issue P3). It is not clear where this manhole then connects to and if it currently drains surface water from the southern part of the site. This will need to be addressed in the final drainage strategy, with evidence that confirms the receiving drain is sufficiently sized and is in sufficient condition to accept additional surface water runoff generated by the development. The applicant must consider how surface water will be managed within any nondrained areas of the site, for example, grassed verges and areas of public open space. Infiltration has been discounted as a viable option for the disposal of surface water from the site, the applicant should therefore consider whether any runoff from the non-drained areas may contribute indirectly to the drainage system when saturated in heavy rainfall events. The drainage system must be designed to accommodate these indirect flows, to prevent the system from being overloaded and having the potential of causing flooding on or off site. It is evident from the indicative drainage strategy that surface water is intended to be managed in underground pipes and attenuation crates. The LLFA strongly encourages the developer to reconsider their approach to surface water management by maximising the use of other SuDS components in the surface water sustainable drainage design. Other SuDS components offer significant advantages over conventional piped drainage systems in reducing flood risk, absorbing diffuse pollutants and promoting groundwater recharge. Ponds, reed beds and seasonally flooded grasslands are also particularly attractive features within public open space. The wide variety of available SuDS components means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.
11. CADENT GAS
- Affected Apparatus-The apparatus that has been identified as being in the vicinity of your proposed works is:

- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)
- Above ground gas sites and equipment

Requirements BEFORE carrying out any work you must:

- Note the presence of an Above Ground Installation (AGI) in proximity to your site. You must ensure that you have been contacted by Cadent and/or National Grid prior to undertaking any works within 10m of this site.
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken

12. UNITED UTILITIES

- According to our records there is an easement in the vicinity of the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easement dated 14/02/1975 UU Ref: R676 has restrictive covenants that must be adhered to.
- It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply to the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access. We recommend the applicant contacts our Property Services team to discuss how the proposals may interact with the easement. They should contact PropertyGeneralEnquiries@uuplc.co.uk
- A water main crosses the site. As we need unrestricted access for operating and maintaining it, we will not permit development over or in close proximity to the main. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines'.
- The applicant must comply with our 'Standard Conditions' document. This should be taken into account in the final site layout, or a diversion may be necessary. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion required as a result of any development will be at the applicant's expense. If considering a water mains diversion, the applicant

should contact United Utilities at their earliest opportunity as they may find that the cost of mains diversion is prohibitive in the context of their development scheme.

- Both during and post construction, there should be no additional load bearing capacity on the main without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

13.

Reason for pre-commencement planning conditions:

Drainage is not only a material consideration but an early and fundamental activity in the ground construction phase of any development and it is likely to be physically inaccessible at a later stage by being buried or built over. It is of concern to all flood risk management authorities that an agreed approach is approved before development commences to avoid putting existing and new communities at risk.

The revised NPPF considers sustainable drainage systems to be important and states that they should be incorporated unless there is clear evidence that this would be inappropriate and, as such the LLFA needs to be confident that flood risk is being adequately considered, designed for and that any residual risk is being safely managed. To be able to do this the LLFA requires an amount of certainty either by upfront detail or secured by way of appropriate planning condition(s).

The proposed pre-commencement condition(s) allows for the principle of development to be granted and full detailed drainage designs to be conditioned for approval via a discharge of condition application which could be more favourable to developers in terms of less delay and less financial outlay early in the process. Nonacceptance of the pre-commencement condition could lead the LLFA to object to the principle of development until all residual risk issues are safely managed.

14.

Please note this planning application is subject to a S106 Agreement.

Nicola Hopkins

NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

Notes

Right of Appeal

If you are aggrieved by the decision of your 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 against your local planning authority's decision then you must do so within 6 months of the date of this notice.

· If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

· If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. 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 114 of the Town and Country Planning Act 1990.

Purchase Notices

If permission to develop land 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 reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.