

RIBBLE VALLEY BOROUGH COUNCIL

Development Department

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

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**Town and Country Planning Act 1990, section 191 as amended by section 10 of the Planning and Compensation Act 1991**

**REFUSAL OF CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR ACTIVITY IN BREACH OF PLANNING CONDITION**

**APPLICATION NO:** 3/2023/0453

**DECISION DATE:** 3 August 2023

**DATE RECEIVED:** 9 June 2023

**APPLICANT:**

Mr Russell James Thompson  
Clough Farm  
Catlow Road  
Slaidburn  
Clitheroe  
BB7 3AQ

**AGENT:**

Mr John Metcalfe  
Rural Futures  
1 Low Park Wood Cottages  
Sedgwick  
Kendal  
LA8 0JZ

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**EXISTING USE OR ACTIVITY:** Certificate of Lawfulness for existing use of holiday let as permanent dwelling contrary to condition 4 of planning permission 3/1991/0710 (conversion of redundant barn to holiday flats) and S106 Agreement dated 26 March 1993.

**AT:** Holiday let adjacent to Clough Farm Catlow Road Slaidburn BB7 3AQ

Ribble Valley Borough Council hereby give notice that the application for a certificate of lawfulness for the existing use or activity in respect of the above land **has been refused**. The reason(s) for this decision are as follows:

- 1 The applicant has failed to demonstrate that the barn building, subject to this application, has been used as a single dwellinghouse with unrestricted occupancy for a continuous period in excess of ten years, in breach of planning condition, as such the C3 use of the property is not considered lawful by virtue of section (3) of 171(B) of the Town and Country Planning Act 1990.

*Nicola Hopkins*

NICOLA HOPKINS  
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

**RIBBLE VALLEY BOROUGH COUNCIL**  
**REFUSAL OF CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR**  
**ACTIVITY IN BREACH OF PLANNING CONDITION**

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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/appeal-planning-decision> . If it is a householder appeal it can be made online at: <https://www.gov.uk/appeal-householder-planning-decision> . 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.