

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 192 as amended by section 10 of the Planning and Compensation Act 1991**

REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

**APPLICATION NO:** 3/2026/0459  
**DECISION DATE:** 26 August 2026  
**DATE RECEIVED:** 02/07/2026

**APPLICANT:**

Mr Dominic Cancelliere  
33 Lyndale Avenue  
Wilpshire  
Blackburn  
BB1 9LP

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**PROPOSED USE OR DEVELOPMENT:** Certificate of Lawfulness to confirm commencement of development in accordance with planning permission 3/2023/0279.

**AT:** 33 Lyndale Avenue Wilpshire BB1 9LP

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

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| 1 | Having regard to the evidence submitted, it is not considered that the development was lawfully commenced within the period prescribed by Condition 1 of planning permission 3/2023/0279, as the demolition of the shed does not constitute development for the purposes of the Town and Country Planning Act 1990, given that its volume falls below the threshold specified in the Town and Country Planning (Demolition - Description of Buildings) Direction 2021. Accordingly, it is concluded that the development approved under planning permission 3/2023/0279 was not lawfully commenced within the required timeframe and, therefore, the permission has lapsed and no longer remains extant for the purposes of Sections 56 and 191 of the Town and Country Planning Act 1990. |
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*Nicola Hopkins*

NICOLA HOPKINS  
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

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**Notes**

1. This Decision Notice should be read in conjunction with the officer's report which is available to view on the website.

**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 unless the following apply:

- If this is a decision to refuse planning permission for a householder application or 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.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], 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 this notice.
- 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.

Appeals should be made online via <https://appeal-planning-decision.service.gov.uk/before-you-start>. If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at <https://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>.

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.