Appeal 6008930

# Appeal details

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| **Appeal type** | Enforcement notice |
| **Appeal procedure** | Written |
| **Appeal site** | Land at Lane Ends Farm, Hothersall Lane, Hothersall, Preston, PR3 |
| **Agent contact details** | [redacted] |
| **Enforcement notice reference** | 22537 |

## Before you start

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| **Which local planning authority (LPA) do you want to appeal against?** | Ribble Valley |
| **Have you received an enforcement notice?** | Yes |
| **Is your enforcement notice about a listed building?** | No |
| **What is the issue date on your enforcement notice?** | 30 Mar 2026 |
| **What is the effective date on your enforcement notice?** | 5 May 2026 |
| **What is the reference number on the enforcement notice?** | 22537 |

## Appellant's appeal

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| **Was the appeal made in the appellant's name** | No |
| **Appellant's name** | Browns of Grimsargh Ltd |
| **Contact details** | Sydney Roy Brown<br>Browns of Grimsargh Ltd |

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| **Phone number** | [redacted] |
| **Site address** | Land at Lane Ends Farm<br>Hothersall Lane, Hothersall<br>Preston<br>PR3 2XB |
| **Is the site address your contact address?** | No |
| **Contact address** | The Company Secretary (Browns of Grimsargh Ltd)<br>Design House, Preston Road, Charnock Richard<br>Chorley<br>PR7 5JZ |
| **What is the appellant's interest in the land?** | Tenant |
| **Will an inspector need to access the land or property?** | Yes<br>The site is only partially visible from the public highway, and the Inspector will need to enter the site to see all the matters alleged within the Enforcement Notice. |
| **Site health and safety issues** | Yes<br>Part of the site is home to an approved, and operational, planning unit for a car repair and MOT testing centre, including car parking. The site is very busy so we ask the Inspector be mindful of the vehicular movements on, and around, the site during any visit. |
| **Enter the description of the alleged breach** | (a) Without planning permission, engineering works to level and regrade the site, infill a pond and create an earth bund, the formation of hardstanding, and the siting of shipping containers on the land in the general locations shown on attached plan 2.<br>(b) Without planning permission, the change of use of land in the general location coloured blue on attached plan 2, from land used for storage of material in association with a landscape contractors yard (B8 use) to land used for storage of materials, waste and paraphernalia in association with a car repair garage and MOT testing centre (Sui Generis Use).<br>(c) Without planning permission, the change of use of land in the far eastern corner of the site in the general location within the dotted blue line shown on attached plan 2, from land used as agriculture to the siting of shipping containers used for storage purposes and/or the storage of shipping containers (B8 use). |
| **Grounds of appeal** | Ground (b)<br>Ground (c)<br>Ground (d)<br>Ground (e)<br>Ground (f)<br>Ground (g) |
| **Facts for ground (b)** | The Appellant submits that the alleged breach has not occurred for the following reasons;<br>• The change of use of land outside the approved planning unit for storage of waste and material in connection with the garage/MOT centre has not occurred, but is used for parking and storage of |

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| | equipment, containers and other paraphernalia unrelated to the garage, but associated with the use of the wider site. |
| **Ground (b) supporting documents** | Grounds and Facts - Supporting Doc April 26.pdf (/published-document/98de565e-3267-49b7-a4f7-620e2cdb965b) |
| **Facts for ground (c)** | The Appellant submits that,<br>• the wider site maintains a lawful commercial use and was formerly used as a landscape contractor's yard. This included a variety of associated activities, including storage of materials and including the use of shipping containers. Continued use of the land for these purposes, including siting of storage containers, does not constitute a breach of planning control.<br>• Any engineering works involving site clearance are de minimis and relate to tidying and general site maintenance, which would not constitute a breach of planning control.<br>• No change of use of the land has occurred with the land currently benefitting from the extant lawful use as a landscape contractors' yard. This has not been supplanted by any new use with the site only having been tidied and cleared. |
| **Ground (c) supporting documents** | Grounds and Facts - Supporting Doc April 26.pdf (/published-document/65986e84-63ed-4713-88a4-a6719176f290)<br>Appendix A Sales Particulars Hothersall.pdf (/published-document/9204d33e-7968-48b8-a2f1-e271a8663f9b) |
| **Facts for ground (d)** | The Appellant submits that the earth bund and hardstanding areas have been there for over 10 years in connection with the former and lawful use of the site. The site includes a large area of hardstanding and was formerly used for the site of storage and shipping containers in connection with the former and lawful use of the site, for 10 years or more. |
| **Ground (d) supporting documents** | Grounds and Facts - Supporting Doc April 26.pdf (/published-document/6b0d0d39-be54-4b0d-bd54-2bad4b083f2a)<br>Appendix A Sales Particulars Hothersall.pdf (/published-document/64d57404-ca7b-4ba9-a071-739853510e42) |
| **Facts for ground (e)** | We consider the notice was not properly served and this has substantially prejudiced the Appellants, despite the submission of this Appeal against the notice.<br><br>The Enforcement Notice was posted by the LPA on the 30th of March 2026 via First Class to the addresses within the Enforcement Notice. The accountants, for each business, situated at Design House, Charnock Richard, received this letter on the 8th of April 2026. Any recipient must have 28 days to make an appeal. The Appellant has not had '28 days to make an Appeal' for the above reasons. |
| **Ground (e) supporting documents** | Emails with LPA.pdf (/published-document/fdcafe20-0a12-49e3-8893-5c2203ea6640)<br>Grounds and Facts - Supporting Doc April 26.pdf (/published-document/b0cbd2d9-2477-4b75-973c-72c9cc79db74) |
| **Facts for ground (f)** | The Appellant is aware of the former use of the site, and they have sought to operate within the permitted and lawful use of the site since |

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| | moving onto the site. They have also sought to make appropriate changes on-site to buildings and their use within the planning system, all of which to date have been considered and accepted by the LPA. |
| **Ground (f) supporting documents** | Grounds and Facts - Supporting Doc April 26.pdf (/published-document/e4478233-aecc-4fe2-a10c-07fbb763a1cd) |
| **Facts for ground (g)** | The position of the Appellant is that longer should be given for the compliance period. Aside from the fact that all of the alleged breaches of planning control either have not occurred, or if occurred did not need permission, or are lawful works, should the Notice be upheld in full, specialist equipment would be required to rectify any requirements which are not readily available. Equally there will be financial cost to this when all they have sought to do is tidy up, clear and make good a site ready for it to be used again following its purchase. Given the availability of such machinery, they may struggle to carry out the required works in such a short time period. Given the limited injury to amenity any substantiated breach may have caused, as opposed to any such substantiated planning breach, a reasonable time for compliance should be six months. |
| **Ground (g) supporting documents** | Grounds and Facts - Supporting Doc April 26.pdf (/published-document/df0d0c38-9f6b-4d0f-a6fb-5735a8801564) |
| **Preferred procedure** | written |
| **Are there other appeals linked to your development?** | No |
| **Did the appellant apply for an award of appeal costs?** | No |

# Appellant's documents

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| **Enforcement notice** | Browns EN.pdf (/published-document/4214c158-c303-4d43-ab72-999dc879846c) |
| **Enforcement notice plan** | Browns EN Plans.pdf (/published-document/f9dcc30d-ab12-475c-9f4d-042862dc4da1) |
| **New supporting documents** | Stat Dec Robert J Wilkinson.pdf (/published-document/b949da66-31d6-4a2c-b48f-08b1c56c0146)<br>3505 LDC Drawings 2-002.pdf (/published-document/18354746-915d-4066-8bc6-0d30fa0671b2)<br>Stat Dec Henry G Worthington.pdf (/published-document/5ab54b56-7896-4693-8e09-3088e2309767)<br>LDC Statement Lane Ends Farm January 2026.pdf (/published-document/c5840200-a0ac-4a27-9a4e-4112d477ab3b)<br>3505 LDC Drawings 2-001.pdf (/published-document/c2070050-c989-40b0-a26d-721fb3e069cd)<br>Application Form Updated.pdf (/published-document/235143f7-8363-4852-98e3-a83583904cc9)<br>Stat Dec Sydney R Brown.pdf (/published-document/4c0bfdc5-368f- |

4d1d-a022-c52af3f0e202)
3505-003A.pdf (/published-document/c7571c2d-0785-4d3d-9700-e306f04e8704)
3505 LDC Drawings 2-005.pdf (/published-document/35e47499-b48d-474c-bab7-f72151890e0b)