IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN & COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

TO: Mr Gary Pemberton,
9 Watergrove Road,
Dukinfield,
Cheshire.
SK16 5QS

ISSUED BY RIBBLE VALLEY BOROUGH COUNCIL ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a), section 171A of the Town and Country Planning Act 1990, at the land described below. It is considered expedient to issue this Notice, having regard to the provisions of the development plan and all other material planning considerations.

The Annex at the end of the Notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

Land off Slaidburn Road, Waddington, Clitheroe. BB7 3JJ, shown edged blue on the attached "Map One" (the land).

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission,

(a) Operational development comprising the siting of a storage container, 2 no. static caravans/mobile homes and a timber structure on the land shown edged blue on attached "Map Two"
(b) the material change of use of the land from use as agriculture to the siting of buildings/structures for a mixed agriculture and equestrian use.

4. **REASONS FOR ISSUING THIS NOTICE**

In respect of (a) above, the operational development does not benefit from any permitted development rights under the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and it appears to the Council that the above breach of planning control has occurred within the last four years.

In respect of (b) above, it appears to the Council that the above breach of planning control has occurred within the last ten years.

The container, static caravans/mobile homes and timber structure, by virtue of their scale, siting, design and external appearance, results in the introduction of an incongruous, anomalous and discordant form of development that fails to respond positively to the rural character of the area and fails to conserve and enhance the Forest of Bowland National Landscape.

The development is contrary to development plan policies DMG1, DMG2 and Key Statement EN2 (Adopted Ribble Valley Core Strategy) and paragraphs 135 and 189 of the National Planning Policy Framework.

5. WHAT YOU ARE REQUIRED TO DO

Remove the storage container, 2 No. static caravans/mobile homes and timber structure from the land and cease the use of the land for equestrian use.

6. TIME FOR COMPLIANCE

Four months from the date this Notice takes effect. This timeframe has regard to animal welfare concerns to enable alternative accommodation provision to be made.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 1st September 2026 unless an appeal is made against it beforehand.

Dated: 29th July 2026

Signed 

Nicola Hopkins
Designation: Director of Economic Development and Planning

Address to which all communications should be sent:
Ribble Valley Borough Council
Development Control Department
Council Offices
Church Walk
CLITHEROE
Lancashire BB7 2RA

ANNEX

Ribble Valley Borough Council has issued an enforcement notice relating to Land off Slaidburn Road, Waddington, Clitheroe. BB7 3JJ shown edged blue on the attached plan (map one), and you are served with a copy of that notice as you have an interest in the Land.

YOUR RIGHT OF APPEAL

You can appeal against this enforcement notice, but any appeal must be received by the Planning Inspectorate (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be delivered to the Planning Inspectorate) before the date specified in paragraph 7 of the notice.

If you want to appeal against this enforcement notice you can do it:

- Online at the Planning Casework Service area of the Planning Portal (https://planninginspectorate.gov.uk)

- By getting enforcement appeal forms from the Planning Inspectorate on 0303 444 5000

- In exceptional circumstances you may give notice of appeal by letter. You should include:

The name of the local planning authority.

- The site address.
- Your address.
- The effective date of the enforcement notice.

This should **immediately** be followed by your completed appeal forms.

The Planning Inspectorate's address and contact details are as follows:

The Planning Inspectorate
c/o Quadient
69 Buckingham Avenue
Slough
SL1 4PN

Direct line: 0303 444 5000

Under section 174 of the TCPA 1990 you may appeal on one or more of the following grounds that:

A In respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged.
B Those matters have not occurred.
C Those matters (if they have occurred) do not constitute a breach of planning control.
D At the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters.
E Copies of the enforcement notice were not served as required by section 172 of the TCPA 1990.
F The steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by such breach.

G Any period specified in the notice in accordance with section 173(9) of the TCPA 1990 falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under ground (a) of section 174(2) of the TCPA 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £1176:00 You should pay the fee to Ribble Valley Borough Council.

If you decide to appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring, you to do so within 14 days.

A copy of sections 171A, 171B and 172 to 177 of the TCPA 1990 are attached for your information.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Persons served with a copy of this enforcement notice are as follows:

Mr Gary Pemberton, 9 Watergrove Road, Dukinfield, Cheshire. SK16 5QS
Mrs Georgina Pemberton, 9 Watergrove Road, Dukinfield, Cheshire. SK16 5QS