

**The Company Secretary
CUADRILLA BOWLAND LIMITED
Manchester Business Park
3000 Aviator Way
Wythenshawe
Manchester
M22 5TG**

Phone: 01772 536098

Email: saleha.khalid@lancashire.gov.uk

Your ref:

Our ref: LSG4/894_20104

Date: 03 June 2026

Lancashire County Council does not accept
service by e-mail.

Dear Sirs,

**RE: TOWN AND COUNTRY PLANNING ACT 1990 AS AMENDED
ENFORCEMENT NOTICE RELATING TO PRESTON NEW ROAD LOCATED ON
THE NORTH SIDE OF THE A583 APPROXIMATELY 5KM WEST OF KIRKHAM
AND 7KM EAST OF BLACKPOOL**

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

The local planning authority, Lancashire County Council, has issued an enforcement notice relating to the above land. I now serve on you a copy of this notice as the **owner** of that land.

To assist, I also enclose a copy of sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (located at Annex B).

There is a right of appeal to the Secretary of State against the enforcement notice.

An information sheet prepared by the Planning Inspectorate and enclosed with this notice tells you how to make an appeal in relation to the enforcement notice (located at Annex D).

If you decide that you want to appeal against the enforcement notice you must submit your appeal to the Planning Inspectorate. Appeals can be made online via the Planning Inspectorate's Appeal a Planning Decision service, details are set out in the enclosed Planning Inspectorate information sheet (Appendix D).

This notice takes effect on **8th July 2026** unless an appeal is made against it beforehand.

Failure to comply with an enforcement notice which has taken effect **can result in prosecution and/or remedial action** by the Council.

Yours faithfully

Lancashire County Council
PO Box 100, County Hall, Preston, PR1 0LD



Saleha Khalid
Solicitor

Please quote our full reference number on all correspondence



IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: LANCASHIRE COUNTY COUNCIL ("the Council")

1. **THIS IS A FORMAL NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph a) of Section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to 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 TO WHICH THE NOTICE RELATES**

Land at Preston New Road located on the north side of the A583 approximately 5km west of Kirkham and 7km east of Blackpool as shown edged red on the attached plan ref LCC1 hereinafter referred to as 'the Land'.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission the retention of a drilling compound for hydrocarbons including plant, buildings, security and acoustic fencing, pollution control membranes, aggregates and concrete hard standings

4. **REASONS FOR ISSUING THIS NOTICE**

- (i) The restoration works at the site have not taken place in accordance with the timetable set by condition 1 of planning permission LCC/2023/0002. The permission required the decommissioning works required by condition 11a) to be completed within 18 months of the date of that permission. The required completion date was the 8 December 2024. The permission required the soil treatment and replacement works required by condition 11b) and condition 11c) to be completed within 2 years of the date of that permission. The required completion date was 8 June 2025.

Condition 1 states:

The decommissioning works required by condition 11a) shall be completed by not later than a period of 18 months from the date of this planning permission. The soil treatment and replacement works required by condition 11 b) and c) shall be completed within a period of 2 years from the date of this planning permission

Condition 11 (a-c) were set out as follows:

Condition 11a) All plant, buildings, security and acoustic fencing, pollution control membranes, aggregates and concrete hard standings forming part of the drilling compound shall be removed from the land.

Condition 11b) The upper layers of the subsoil material shall be subsoiled to a depth of 600mm using a heavy duty winged subsoiler prior to the replacement of topsoils to relieve compaction and remove materials injurious to plant life and any rock, stone or other materials capable of preventing or impeding normal agricultural use or land drainage operations.

Condition 11c) Following treatment of the subsoil the topsoil from the soil storage mounds on the site shall be distributed evenly across the site to a minimum depth of 150mm and shall then be ripped, cultivated, and left in a state that will enable the land to be brought to a standard fit for agricultural use.

- (ii) The failure to restore the site in accordance with the timetable set out in condition 1 of planning permission LCC/2023/0002 is resulting in unnecessary and unacceptable harm to the rural character of the area. This conflicts with the original intention and purpose of the condition, which was imposed to ensure that the lifetime of the development was strictly controlled and that the Land would be restored to its former condition within the approved timescale.
- (ii) The timetable set out in condition 1 of planning permission LCC/2023/0002 has now expired and there is now no timetable in place for the site restoration that takes account of the processes that need to be followed to deliver the restoration.
- (iii) The failure to restore the site at the earliest opportunity is contrary to:

Paragraph 224 of the National Planning Policy Framework 2025, which requires that mineral planning authorities ensure that there are no unacceptable impacts on the natural environment, and that restoration and

aftercare are provided for at the earliest opportunity and carried out to high environmental standards through the application of appropriate conditions.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan which seeks to mitigate visual and landscape impacts of minerals development, by ensuring that such activities are temporary in nature and are restored to beneficial after uses within a limited timescale.

Policy GD4 of the Fylde Local Plan (Development in the Countryside) which limits development to that appropriate for a rural location, including development needed for the purposes of meeting local business need or community needs, for the purposes of agriculture, horticulture, forestry or other uses appropriate to a rural area or development essentially needed for the continuation of an existing enterprise, facility or operation. In all cases, the policy requires that development must be sensitive to its surroundings and be of a type and scale that would not harm the character of the surrounding countryside.

Policy GD7 of the Fylde Local Plan, Achieving Good Design in the Development, expects development to be of a high standard of design, taking into account the character and appearance of the local area.

5. WHAT YOU ARE REQUIRED TO DO

- (i) All plant, buildings, security and acoustic fencing, pollution control membranes, aggregates and concrete hard standings forming part of the drilling compound for hydrocarbons shall be removed from the Land.
- (ii) The upper layers of the subsoil material shall be subsoiled to a depth of 600mm using a heavy duty winged subsoiler prior to the replacement of topsoils to relieve compaction and remove materials injurious to plant life and any rock, stone or other materials capable of preventing or impeding normal agricultural use or land drainage operations.
- (iii) Following treatment of the subsoil the topsoil from the soil storage mounds on the Land shall be distributed evenly across the Land to a minimum depth of 150mm and shall then be ripped, cultivated, and left in a state that will enable the Land to be brought to a standard fit for agricultural use.

6. TIME FOR COMPLIANCE

The period for compliance with the steps set out in paragraph 5 are as follows:

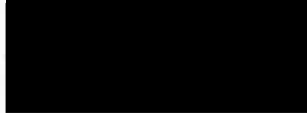
- (i) Within a period of 4 months from the date on which this notice takes effect.
- (ii) Within a period of 5 months from the date on which this notice takes effect.
- (iii) Within a period of 6 months from the date on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 8th July 2026 unless an appeal is made against it beforehand.

Dated: 3rd June 2026

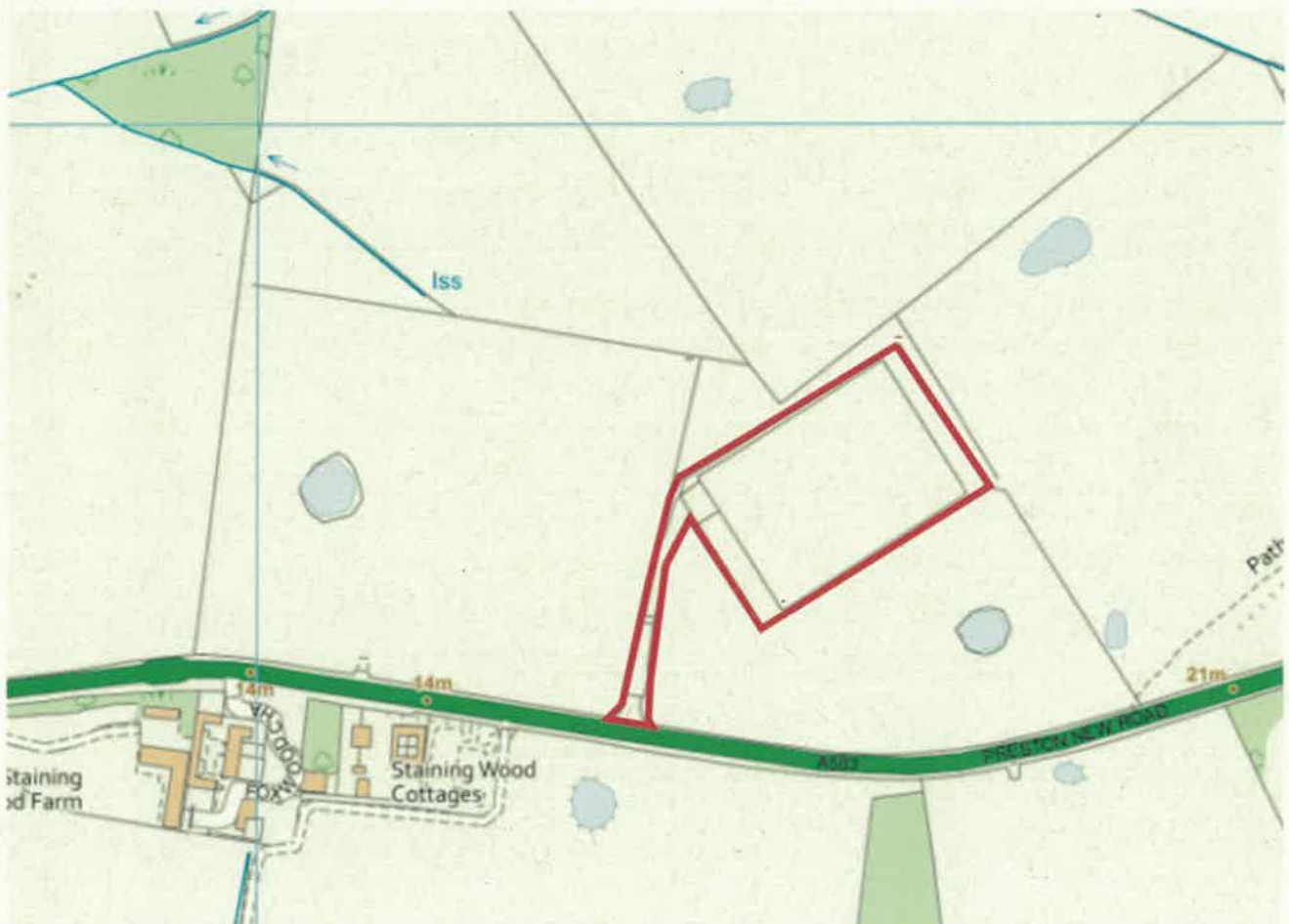
Signed:

A solid black rectangular box used to redact the signature of the Director of Law and Governance.

For and on behalf of
Heloise MacAndrew
Director of Law and Governance
on behalf of Lancashire County Council
PO Box 100
Preston
Lancashire
PR1 0LD

Plan ref LCC1

LAND AT AN EXISTING HYDROCARBON SITE AT PRESTON NEW ROAD LOCATED ON THE NORTH SIDE OF THE A583 APPROXIMATELY 5KM WEST OF KIRKHAM AND 7KM EAST OF BLACKPOOL



Annexes

Lancashire County Council has issued an enforcement notice relating to land at Preston New Road located on the north side of the A583 approximately 5km west of Kirkham and 7km east of Blackpool and you are served with a copy of that notice as you have an interest in the Land. Copies of the notice have also been served on the parties listed at **Annex C**.

As required by Regulation 5 of the Town and Country Planning (Enforcement Notices and Appeals) (England) Regulations 2002 you are provided with the following information:

- Annex A: Details of information you must submit if you appeal
- Annex B: A copy of sections 171A, 171B, 172 to 177 of the Town and Country Planning Act
- Annex C: List of the names and addresses of the persons on whom a copy of the Enforcement Notice was served
- Annex D: Planning Inspectorate information sheet

Annex A: Details of information you must submit if you appeal

YOUR RIGHT OF APPEAL

You can appeal against this enforcement notice, but any appeal must be received by the Planning Inspectorate before the date specified in paragraph 7 of the notice.

If you intend to appeal against this notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this notice at **Annex D**

GROUND OF APPEAL

The grounds of appeal are set out in section 174 of the TCPA 1990. You may appeal on one or more of the following grounds that:

- In respect of any breach of planning control which may have been 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 (**ground a**).
- Those matters have not occurred (**ground b**).
- Those matters (if they have occurred) do not constitute a breach of planning control (**ground c**).
- 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 (**ground d**).
- Copies of the enforcement notice were not served as required by section 172 of the TCPA 1990 (**ground e**).
- 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 (**ground f**).
- Any period specified in the notice in accordance with section 173(9) of the TCPA 1990 falls short of what should reasonably be allowed (**ground g**).

Not all of these grounds may be relevant to you.

STATEMENT ON GROUNDS OF APPEAL

If you decide to appeal, you should state in writing the grounds(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.

STATUTORY PROVISIONS

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

You can appeal against this notice, but any appeal must be received by the Secretary of State before **8th July 2026**. The information sheet issued by the Planning Inspectorate and enclosed at **Annex D** with the covering Enforcement Notice letter tells you how to make an appeal.

PLANNING APPLICATION FEE

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 **£5352**. You should pay the fee to Lancashire County Council. If the fee is not paid then that ground of appeal will not be valid,

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on **8th July 2026** and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods specified in paragraph 6 of the notice. Failure to comply with an enforcement notice that has taken effect can result in prosecution and/ or remedial action by the Council.

Annex B - Sections 171A, 171B, 172 to 177 of the Town and Country Planning Act

171A.— Expressions used in connection with enforcement.

(1) For the purposes of this Act—

- (a) carrying out development without the required planning permission; or
- (b) failing to comply with any condition or limitation subject to which planning permission has been granted, constitutes a breach of planning control.

(2) For the purposes of this Act—[

- (za) the issue of an enforcement warning notice in relation to land in England under [section 172ZA](#);
- (a) the issue of an enforcement notice (defined in section 172);
- (aa) the issue of an enforcement warning notice [in relation to land in Wales under [section 173ZA](#) ; or
- (b) the service of a breach of condition notice (defined in [section 187A](#)), constitutes taking enforcement action.

(3) In this Part “*planning permission*” includes permission under Part III of the 1947 Act, of the 1962 Act or of the 1971 Act.

171B.— Time limits.

(1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of -

- (a) in the case of a breach of planning control in England, ten years beginning with the date on which the operations were substantially completed, and
- (b) in the case of a breach of planning control in Wales, four years beginning with the date on which the operations were substantially completed.

(2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwelling house, no enforcement action may be taken after the end of the period of—

- (a) in the case of a breach of planning control in England, ten years beginning with the date of the breach, and
- (b) in the case of a breach of planning control in Wales, four years beginning with the date of the breach.

(2A) There is no restriction on when enforcement action may be taken in relation to a breach of planning control in respect of relevant demolition (within the meaning of [section 196D](#)).

(3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.

(4) The preceding subsections do not prevent—

- (a) the service of a breach of condition notice in respect of any breach of planning control if an enforcement notice in respect of the breach is in effect; or
- (b) taking further enforcement action in respect of any breach of planning control if, during the period of four years ending with that action being taken, the local planning authority have taken or purported to take enforcement action in respect of that breach.

172.— Issue of enforcement notice.

(1) The local planning authority may issue a notice (in this Act referred to as an “enforcement notice”) where it appears to them—

- (a) that there has been a breach of planning control; and
- (b) that it is expedient to issue the notice, having regard to the provisions of the development plan and to any other material considerations.

(2) A copy of an enforcement notice shall be served—

- (a) on the owner and on the occupier of the land to which it relates; and
- (b) on any other person having an interest in the land, being an interest which, in the opinion of the authority, is materially affected by the notice.

(3) The service of the notice shall take place—

- (a) not more than twenty-eight days after its date of issue; and
- (b) not less than twenty-eight days before the date specified in it as the date on which it is to take effect.

173.— Contents and effect of notice.

(1) An enforcement notice shall state—

- (a) the matters which appear to the local planning authority to constitute the breach of planning control; and
- (b) the paragraph of section 171A(1) within which, in the opinion of the authority, the breach falls.

(2) A notice complies with subsection (1)(a) if it enables any person on whom a copy of it is served to know what those matters are.

(3) An enforcement notice shall specify the steps which the authority require to be taken, or the activities which the authority require to cease, in order to achieve, wholly or partly, any of the following purposes.

(4) Those purposes are—

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- (a) remedying the breach by making any development comply with the terms (including conditions and limitations) of any planning permission which has been granted in respect of the land, by discontinuing any use of the land or by restoring the land to its condition before the breach took place; or
- (b) remedying any injury to amenity which has been caused by the breach.

(5) An enforcement notice may, for example, require—

- (a) the alteration or removal of any buildings or works;
- (b) the carrying out of any building or other operations;
- (c) any activity on the land not to be carried on except to the extent specified in the notice;

or

(d) the contour of a deposit of refuse or waste materials on land to be modified by altering the gradient or gradients of its sides.

(6) Where an enforcement notice is issued in respect of a breach of planning control consisting of demolition of a building, the notice may require the construction of a building (in this section referred to as a "replacement building") which, subject to subsection (7), is as similar as possible to the demolished building.

(7) A replacement building—

- (a) must comply with any requirement imposed by any enactment applicable to the construction of buildings;
- (b) may differ from the demolished building in any respect which, if the demolished building had been altered in that respect, would not have constituted a breach of planning control;
- (c) must comply with any regulations made for the purposes of this subsection (including regulations modifying paragraphs (a) and (b)).

(8) An enforcement notice shall specify the date on which it is to take effect and, subject to sections 175(4) and 289(4A), shall take effect on that date.

(9) An enforcement notice shall specify the period at the end of which any steps are required to have been taken or any activities are required to have ceased and may specify different periods for different steps or activities; and, where different periods apply to different steps or activities, references in this Part to the period for compliance with an enforcement notice, in relation to any step or activity, are to the period at the end of which the step is required to have been taken or the activity is required to have ceased.

(10) An enforcement notice shall specify such additional matters as may be prescribed, and regulations may require every copy of an enforcement notice served under section 172 to be accompanied by an explanatory note giving prescribed information as to the right of appeal under section 174.

(11) Where—

- (a) an enforcement notice in respect of any breach of planning control could have required any buildings or works to be removed or any activity to cease, but does not do so; and
- (b) all the requirements of the notice have been complied with, then, so far as the notice did not so require, planning permission shall be treated as having been granted by virtue of section 73A in respect of development consisting of the construction of the buildings or works or, as the case may be, the carrying out of the activities.

(12) Where—

(a) an enforcement notice requires the construction of a replacement building; and Town and Country Planning Act 1990

(b) all the requirements of the notice with respect to that construction have been complied with, planning permission shall be treated as having been granted by virtue of section 73A in respect of development consisting of that construction.

173A.— Variation and withdrawal of enforcement notices.

(1) The local planning authority may—

- (a) withdraw an enforcement notice issued by them; or
- (b) waive or relax any requirement of such a notice and, in particular, may extend any period specified in accordance with section 173(9).

(2) The powers conferred by subsection (1) may be exercised whether or not the notice has taken effect.

(3) The local planning authority shall, immediately after exercising the powers conferred by subsection (1), give notice of the exercise to every person who has been served with a copy of the enforcement notice or would, if the notice were re-issued, be served with a copy of it.

(4) The withdrawal of an enforcement notice does not affect the power of the local planning authority to issue a further enforcement notice.

174.— Appeal against enforcement notice.

(1) A person having an interest in the land to which an enforcement notice relates or a relevant occupier may appeal to the Secretary of State against the notice, whether or not a copy of it has been served on him.

(2) An appeal may be brought on any of the following grounds—

- (a) that, 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) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, 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) that copies of the enforcement notice were not served as required by section 172;
- (f) that 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 any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

(2A) An appeal may not be brought on the ground specified in subsection (2)(a) if—

- (a) the land to which the enforcement notice relates is in England, and
- (b) the enforcement notice was issued at a time after the making of an application for planning permission that was related to the enforcement notice.

(2AA) For the purposes of subsection (2A)—

- (a) an application for planning permission for the development of any land is related to an enforcement notice if granting planning permission for the development would involve granting planning permission in respect of the matters specified in the enforcement notice as constituting a breach of planning control;
- (b) an application for planning permission that the local planning authority or the Secretary of State declined to determine under section 70A, 70B or 70C is to be ignored.

(2AB) But subsection (2A) does not apply if—

- (a) the application for planning permission has ceased to be under consideration, and
- (b) the enforcement notice was issued after the end of the period of two years beginning with the day on which the application ceased to be under consideration.

(2AC) For the purposes of subsection (2AB), an application for planning permission has ceased to be under consideration if—

- (a) the application was refused, or granted subject to conditions, and, in the case of an application determined by the local planning authority, the applicant did not appeal under section 78(1)(a);
- (b) the applicant did not appeal in the circumstances mentioned in section 78(2) and the application was not subsequently refused;
- (c) the applicant appealed under section 78(1)(a) or section 78(2) and—
 - (i) the appeal was dismissed,
 - (ii) the application was on appeal granted subject to conditions, or subject to different conditions, or
 - (iii) the Secretary of State declined under section 79(6) to determine the appeal.

(2B) For the purposes of subsection (2AB), the day on which the application ceased to be under consideration is—

- (a) in a case within subsection (2AC)(a), the day on which the right to appeal arose;

- (b) in a case within subsection (2AC)(b), the day after the end of the prescribed period referred to in section 78(2);
- (c) in a case within subsection (2AC)(c)(i), the day on which the appeal was dismissed;
- (d) in a case within subsection (2AC)(c)(ii), the day on which the appeal was determined;
- (e) in a case within subsection (2AC)(c)(iii) relating to an appeal under section 78(1)(a), the day on which the right to appeal arose;
- (f) in a case within subsection (2AC)(c)(iii) relating to an appeal under section 78(2), the day after the end of the prescribed period referred to in section 78(2).

175.— Appeals: supplementary provisions.

(1) [...]1 The Secretary of State may by regulations prescribe the procedure which is to be followed on appeals under section 174 and, in particular, but without prejudice to the generality of this subsection, may—

- (a) require the local planning authority to submit, within such time as may be prescribed, a statement indicating the submissions which they propose to put forward on the appeal;
- (b) specify the matters to be included in such a statement;
- (c) require the authority or the appellant to give such notice of such an appeal as may be prescribed;
- (d) require the authority to send to the Secretary of State, within such period from the date of the bringing of the appeal as may be prescribed, a copy of the enforcement notice and a list of the persons served with copies of it.

(2) The notice to be prescribed under subsection (1)(c) shall be such notice as in the opinion of the Secretary of State is likely to bring the appeal to the attention of persons in the locality in which the land to which the enforcement notice relates is situated.

(3) Subject to section 176(4), the Secretary of State shall, if either the appellant or the local planning authority so desire, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

(3A) Subsection (3) does not apply to an appeal against an enforcement notice issued by a local planning authority in England.

(3B) Subsection (3) does not apply to an appeal against an enforcement notice issued by a local planning authority in Wales.

(4) Where an appeal is brought under section 174 the enforcement notice shall [subject to any order under section 289(4A)] be of no effect pending the final determination or the withdrawal of the appeal.

(5) Where any person has appealed to the Secretary of State against an enforcement notice, no person shall be entitled, in any other proceedings instituted after the making of the appeal, to claim that the notice was not duly served on the person who appealed.

(6) Schedule 6 applies to appeals under section 174, including appeals under that section as applied by regulations under any other provisions of this Act.

176.— General provisions relating to determination of appeals.

(1) On an appeal under section 174 the Secretary of State may—

- (a) correct any defect, error or misdescription in the enforcement notice; or
- (b) vary the terms of the enforcement notice, if he is satisfied that the correction or variation will not cause injustice to the appellant or the local planning authority.

(2) Where the Secretary of State determines to allow the appeal, he may quash the notice.

(2A) The Secretary of State shall give any directions necessary to give effect to his determination on the appeal.

(3) The Secretary of State—

- (a) may dismiss an appeal if the appellant fails to comply with section 174(4) within the prescribed time; and
- (b) may allow an appeal and quash the enforcement notice if the local planning authority fail to comply with any requirement of regulations made by virtue of paragraph (a), (b), or (d) of section 175(1) within the prescribed period.

(4) If [section 175(3) would otherwise apply and the Secretary of State proposes to dismiss an appeal under paragraph (a) of subsection (3) [of this section] or to allow an appeal and quash the enforcement notice under paragraph (b) of that subsection, he need not comply with section 175(3).

(5) Where it would otherwise be a ground for determining an appeal under section 174 in favour of the appellant that a person required to be served with a copy of the enforcement notice was not served, the Secretary of State may disregard that fact if neither the appellant nor that person has been substantially prejudiced by the failure to serve him.

(6) If at any time before or during the determination of an appeal against an enforcement notice issued by a local planning authority in England it appears to the Secretary of State that the appellant is responsible for undue delay in the progress of the appeal, the Secretary of State may—

(a) give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are so specified for the expedition of the appeal, and (b) if the appellant fails to take those steps within that period, dismiss the appeal accordingly.

177.— Grant or modification of planning permission on appeals against enforcement notices.

(1) On the determination of an appeal under section 174, the Secretary of State may—

(a) grant planning permission in respect of the matters stated in the enforcement notice as constituting a breach of planning control, whether in relation to the whole or any part of those matters or in relation to the whole or any part of the land to which the notice relates;

(b) discharge any condition or limitation subject to which planning permission was granted;

(c) determine whether, on the date on which the appeal was made, any existing use of the land was lawful, any operations which had been carried out in, on, over or under the land were lawful or any matter constituting a failure to comply with any condition or limitation subject to which planning permission was granted was lawful and, if so, issue a certificate under section 191.

(1A) The provisions of sections 191 to 194 mentioned in subsection (1B) shall apply for the purposes of subsection (1)(c) as they apply for the purposes of section 191, but as if—

(a) any reference to an application for a certificate were a reference to the appeal and any reference to the date of such an application were a reference to the date on which the appeal is made; and

(b) references to the local planning authority were references to the Secretary of State.

(1B) Those provisions are: sections 191(5) to (7), 193(4) (so far as it relates to the form of the certificate), (6) and (7) and 194.

(1C) Subsection (1)(a) applies only if the statement under section 174(4) specifies the ground mentioned in section 174(2)(a).

(2) In considering whether to grant planning permission under subsection (1), the Secretary of State shall have regard to the provisions of the development plan, so far as material to the subject matter of the enforcement notice, and to any other material considerations.

(3) The planning permission that may be granted under subsection (1) is any planning permission that might be granted on an application under Part III.

(4) Where under subsection (1) the Secretary of State discharges a condition or limitation, he may substitute another condition or limitation for it, whether more or less onerous.

(4A) Section 100ZA (which makes provision about restrictions on the power to impose conditions or limitations on a grant of planning permission in relation to land in England) applies in relation to conditions substituted under subsection (4) as it applies in relation to conditions imposed on a grant of planning permission to develop land which is granted on an application made under Part 3.

(5) [[Where—]

(a) an appeal against an enforcement notice is brought under section 174, and

(b) the statement under section 174(4) specifies the ground mentioned in section 174(2)(a), Town and Country Planning Act 1990 the appellant shall be deemed to have made an application for planning permission in respect of the matters stated in the enforcement notice as constituting a breach of planning control.

(5A) Where—

(a) the statement under subsection (4) of section 174 specifies the ground mentioned in subsection (2)(a) of that section;

(b) any fee is payable under regulations made by virtue of section 303 in respect of the application deemed to be made by virtue of the appeal; and

(c) the Secretary of State gives notice in writing to the appellant specifying the period within which the fee must be paid,

then, if that fee is not paid within that period, the appeal, so far as brought on that ground, and the application shall lapse at the end of that period.

(6) Any planning permission granted under subsection (1) on an appeal shall be treated as granted on the application deemed to have been made by the appellant.

(7) In relation to a grant of planning permission or a determination under subsection (1) the Secretary of State's decision shall be final.

(8) For the purposes of section 69 the Secretary of State's decision shall be treated as having been given by him in dealing with an application for planning permission made to the local planning authority.

Annexe C: List of the names and addresses of the persons on whom a copy of the Enforcement Notice was served

RECIPIENTS OF THE ENFORCEMENT NOTICE:

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

1. **THOMAS ANDREW WENSLEY of The Mews, Plumpton Hall Farm, Westby, Kirkham, Preston, PR4 3PJ**
2. **ALLAN DEREK WENSLEY of The Gables, Plumpton Hall Farm, Westby, Kirkham, Preston, PR4 3PJ**
3. **CUADRILLA BOWLAND LIMITED Unit 6, Sceptre Court, Sceptre Way, Bamber Bridge, Preston PR5 6AW.**
4. **CUADRILLA BOWLAND LIMITED, Manchester Business Park 3000 Aviator Way, Wythenshawe, Manchester M22 5TG**
5. **The Company Secretary, JAAW Limited, Plumpton Hall Farm, Little Plumpton, Preston PR4 3PJ**

Annexe D: Planning Inspectorate information sheet

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

Direct Line: 0303 444 5000

Contact us: Customer services and general enquiries (<https://contact-us.planninginspectorate.gov.uk/hc/en-gb/requests/new>)

1. THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can use the Appeal a Planning Decision service (<https://appeal-planning-decision.service.gov.uk/before-you-start>).

You **MUST** make sure that we **RECEIVE** your appeal **BEFORE** the effective date on the enforcement notice.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We **MUST** receive this **BEFORE** the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.