



Appeal Decisions

Site visit made on 15 May 2026

by **R Bartlett PGDip URP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 June 2026

Appeal A Ref: APP/T2350/C/25/3366044 and

Appeal B Ref: APP/T2350/C/25/3366045

Land at Bowland Wild Boar Park, Wardsley Road, Chipping, PR3 2HB

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
- Appeal A is made by Mr Neil McDonald of Hi-Line Holdings Limited, and Appeal B is made by National Westminster Bank PLC, against an enforcement notice issued by Ribble Valley Borough Council.
- The notice was issued on 17 April 2025.
- The breach of planning control as alleged in the notice is without planning permission:
 - a) the carrying out of engineering operations and other installations on the Land including creation of areas of hardstanding, and wooden bases for tipis, and siting on the Land of a storage container, a mobile home, and of tipis for a period exceeding that permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the Order”).
 - b) change of use of the land to use as a wedding venue.
- The requirements of the notice are:
 - i) Remove the hardstanding, bases for tipis, storage container, mobile home and tipis, except that which would be permitted under schedule 2 of the Order.
 - ii) Remove from the land all building materials and rubble arising from compliance with requirement (i) above, and restore the land to its condition before the breach took place by levelling the ground as necessary and re-seeding it with grass, and replanting trees to replace those removed in the course of development.
 - iii) Cease use of the land as a wedding venue, except for such period as would be permitted under schedule 2 of the Order.
- The periods for compliance with the requirements are:
 - i) 13 weeks from the date the notice takes effect.
 - ii) 52 weeks from the date the notice takes effect.
 - iii) 13 weeks from the date the notice takes effect.
- Appeals A and B are proceeding on the grounds set out in section 174(2) (f) and (g) of the Town and Country Planning Act 1990 (as amended).

Summary Decision Appeals A and B: The appeals are dismissed and the notice is upheld with the corrections and variations set out in the Formal Decision.

Procedural Matters

1. The appeals were made on grounds (a), (f) and (g). However, section 174(2) of the Town and Country Planning Act 1990 (as amended) (the 1990 Act), prevents appellants from having multiple attempts at getting planning permission for the same development within a two-year period. In this case, a retrospective application to retain the unauthorised works was refused planning permission less than two years before the enforcement notice was served, primarily due to the site being considered an unsustainable location for the development. Consequently, ground (a) has been barred and in determining this appeal, I am unable to take account of any planning merits. My consideration is therefore confined to matters relating to grounds (f) and (g).

2. I acknowledge that representations have been made by third parties, but for the reasons given above, I am unable to consider any planning merits.

The Enforcement Notice

3. The notice heading refers only to operational development but the matters constituting the breach refer to both operational development and a change of use. As the change of use is covered elsewhere within the notice it is not necessary to formally correct this error.
4. Paragraph 2 of the notice states that it relates to the land shown edged red on the attached plan. However, at the site visit, both parties confirmed that the hardstanding referred to in the notice does not include the vehicular access or car parking area, which are both included within the land edged red on the plan. I shall correct the notice to reflect this to provide certainty as to the area of hardstanding referred to.
5. Paragraph 3 of the notice sets out the matters which appear to the Council to constitute the breach of planning control. Part a) refers to matters which the Council consider to be operational development and part b) refers to the change of use of land. As the operational development comprises facilities required in connection with the change of use of the land to a wedding venue, I shall correct the notice to address the change of use first. This is because the provision of moveable structures sited in connection with and for the duration of operations being carried out on the land, may in some cases be permitted development or not development at all.
6. The notice alleges the 'change of use' of the land which, in itself, is not development requiring planning permission for the purposes of section 55(1) of the 1990 Act. I shall therefore correct the notice to refer to a material change of use of the land as defined in section 55(1) of that Act.
7. Whilst the limited scrape off and laying of loose gravel material on the ground to create footways within the site may not, as a matter of fact and degree, constitute an engineering operation, I have not been provided with any evidence to dispute this. Having regard to established case law, and in the absence of any evidence being submitted to suggest otherwise, I am minded to agree that the siting of the storage container (used for storing furniture in connection with the unauthorised use), mobile home (used as a store and pot wash area in connection with the unauthorised use) and tipis (used for wedding ceremonies and receptions), together with their wooden bases, are, on the balance of probability, operational development, given their size, permanence, and the fact that they are not generally moved or intended to be moved.
8. As the 'other installations' referred to in the notice are not specified, it is unclear what these are, and their removal is not referred to in the requirements at paragraph 5 of the notice. As such, I shall delete this from the allegations. I shall also separate out the engineering operations and the siting of structures, as well as the material change of use.
9. The requirements at paragraph 5(ii) of the notice refer to levelling the ground as necessary. I have seen no evidence that ground levels have been altered, and this is not referred to in the allegations. As it is unclear what the appellants are required to do or why, I shall delete this from the requirements.

10. To provide clarity, where reference is made to the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), I shall correct the wording of the notice to include the relevant part.
11. These corrections would not result in injustice to either party, as the appellants have understood what the notice relates to and the corrections do not alter the substance of the alleged breach or expand the scope of the notice.

The appeals on ground (f)

12. The appeals on ground (f) are made on the basis that the requirements of the notice exceed what is necessary to either (a) remedy the breach of planning control or (b) remedy any injury to amenity which has been caused by the breach.
13. In this instance, the notice does not explicitly state which of the two purposes it seeks to achieve. However, as the notice requires the use of the land as a wedding venue to cease, and the removal of all associated structures and hardstanding, I consider that its purpose is to remedy the breach of planning control.
14. The appellants accept that to remedy the breach, it is necessary to cease the use of the land as a wedding venue, to remove the hardstanding, tipis, their wooden bases, the storage container and the mobile home from the land, and to remove all materials arising from this.
15. However, they consider the requirements to level the ground, re-seed it with grass and to replant trees to be excessive. This is because the land was allegedly naturally more open than the surrounding woodland before any development took place, the trees were not protected by preservation orders and the appellants would benefit from limited felling rights, hence the appellants argue they are within their rights to maintain the land, with regard to vegetation growth, as they see fit.
16. At the time of my visit the site appeared relatively level and was surrounded by grass and trees. It was pointed out that trees removed were small non-native species such as Christmas trees, which had been replanted elsewhere within the site. This is also confirmed in supporting documents submitted with the appeal and I note that no harm resulting from the removal and replanting of trees was cited as a reason for issuing the notice.
17. Given that the allegations and requirements set out in the notice recognise that the GPDO permits the use of any land for any purpose for not more than 28 days in total in any calendar year, and the provision on the land of any moveable structure for the purposes of the permitted use, it is clear that if the Appellants so wished, they could undertake the reseeding and replanting works to comply with the notice and then remove them once again, without the need for planning permission, in order to use the land as a wedding venue, with the associated movable structures, on a temporary basis in accordance with the GPDO. In this respect, I am advised that if ongoing attempts to obtain planning permission are unsuccessful, the Appellants would potentially continue to use the site within the parameters of their permitted development rights for weddings or other events.
18. An enforcement notice should not be used to limit a person's ability to lawfully utilise their land and although I acknowledge that the trees were most likely relocated specifically to facilitate the development, their removal was not

development and did not require planning permission. Whilst levelling appears unnecessary and grass is likely to regrow with or without re-seeding and would not restrict a temporary use of the site, replanting trees in the woodland opening would prevent the appellants from utilising their permitted development rights, in direct conflict with the other requirements of the notice, that specifically acknowledge the development could continue within the parameters of these rights.

19. Furthermore, as it is unclear what trees previously existed and where, or where any new trees would need to be replanted, or how their retention would be secured, I agree that this requirement would be excessive and unenforceable in the long term, and exceeds what is necessary to remedy the breach of planning control. I shall vary the requirements of the notice to reflect this, and to ensure that the requirements align with the allegations as I propose to correct them.
20. The appeals on ground (f) therefore succeed in part but otherwise fail.

The appeals on ground (g)

21. The appeals on ground (g) are made on the basis that the periods for compliance specified in the notice fall short of what should reasonably be allowed. The periods specified in the notice are 13 weeks to cease the use of the land as a wedding venue and to remove the associated operational development, and 52 weeks to remove all waste and to restore the land to its previous condition, including levelling, reseeding it with grass and replanting trees.
22. The purpose of the compliance period within an enforcement notice is to allow for the physical works associated with the notice to be completed. The appellants do not dispute that it would be possible to meet the requirements within the time scales specified. However, a longer period was sought to enable wedding bookings made up to the end of October 2025 to be honoured. This period has now passed and if further bookings have been made that was with the appellants knowledge of the risk and the timeframe for enforcement action. Furthermore, 13 weeks from the date of this decision is likely to take the appellants up to the end of the 2026 summer outdoor wedding season.
23. The appeals on ground (g) therefore fail. I shall however amend paragraph 6 of the notice to ensure the periods for compliance align with the steps as proposed to be varied at paragraph 5.

Conclusion

24. For the reasons given above, I conclude that the appeals shall succeed only in part. I shall uphold the enforcement notice with corrections and variations.

Formal Decisions

25. It is directed that the enforcement notice is corrected and varied by:
 - i) deleting paragraph 3 and substituting it with:
Without planning permission:
 - a) The material change of use of the land to use as a wedding venue other than in accordance with Class B, Part 4, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

- b) The siting of tipis with wooden bases, a storage container and a mobile home, used in connection with the unauthorised use of the land as a wedding venue, other than in accordance with Class B, Part 4, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
- c) The carrying out of engineering operations comprising the laying of hardstanding (excluding the vehicular access and car park) within the area outlined in red on the Enforcement Notice plan.

ii) Deleting paragraph 5 and substituting it with:

You must:

- a) Cease the use of the land as a wedding venue other than in accordance with Class B, Part 4, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
- b) Remove all tipis and their wooden bases, the storage container and the mobile home, used in connection with the unauthorised use of the land as a wedding venue, other than in accordance with Class B, Part 4, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
- c) Remove all areas of hardstanding (excluding the vehicular access road and car park) within the area outlined in red on the Enforcement Notice plan.
- d) Remove from the land all materials and rubble arising from compliance with requirements (a) to (c) above and re-seed it with grass.

iii) Deleting paragraph 6 and replacing it with:

The periods for compliance with the steps set out in paragraph 5 are:

- a) 13 weeks from the date this notice takes effect.
- b) 13 weeks from the date this notice takes effect.
- c) 13 weeks from the date this notice takes effect.
- d) 52 weeks from the date this notice takes effect.

26. Subject to the corrections and variations, the appeals are dismissed and the enforcement notice is upheld.

R Bartlett

INSPECTOR