

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

**APPEAL BY ANDREW WALSH AND LEE MCGARRY AGAINST
ENFORCEMENT NOTICES RELATING TO LAND AT
CHISNALL HOUSE FARM, CROSTON LANE, CHARNOCK
RICHARD, CHORLEY, PR7 5HJ**

SERVED ON 21 JUNE 2021

PL. INSP. REF: APP/D2320/C/21/3279304&3279305

LPA REF: 20/00358/COUDWL

APPELLANT'S REF: BL/CHARNOCK

NAME OF LPA: Chorley Borough Council.

APPELLANTS' ADDRESS: Andrew Walsh, Chisnall House Farm, Croston Lane,
Charnock Richard, Chorley, PR7 5HJ.

Lee Mcgarry c/o Chisnall House Farm, Croston Lane, Charnock Richard, Chorley,
PR7 5HJ.

SITE ADDRESS: Chisnall House Farm, Croston Lane, Charnock Richard, Chorley,
PR7 5HL.

EFFECTIVE DATE OF THE ENFORCEMENT NOTICES 22 July 2021.

APPELLANT'S STATEMENT OF CASE

03 DECEMBER 2021

TERMINOLOGY

“The 1990 Act”.

The Town and Country Planning Act 1990 (as amended).

“The GPDO”.

The Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended).

INTRODUCTION

ATTEMPT TO NEGOTIATE

1 The appellant wrote to the LPA on 15 June 2021 (copy at **ANNEX A1**) before these Enforcement Notices were issued seeking a round-the-table meeting to discuss the issues and attempt to resolve them but the LPA declined and subsequently issued the Enforcement and Stop Notices on 21 June 2021.

THE APPEAL SITE

2 The appeal site is 6.624 ha in area and the length of the motocross track is 1.46 kilometres. There are 8 jumps on the track. For some time the course was called ‘Coppull’ to avoid confusing it with another local motocross course. Prior to the material change of use of the land to the riding of motorcycles for sport in 2005 it was agricultural land which could not be economically farmed. It is mainly comprised of a natural dish in the land surface. The site is immediately adjacent to the western embankment of the M6 Motorway a short distance south of the Charnock Richard Motorway Service Area.

3 The site is situated in wooded countryside with a scattering of dwelling houses. The location of the nearest dwellings and their distance from the nearest point of the motocross track are shown on the OS plan at **ANNEX A2**.

4 Chisnall House Farmhouse, the appellant’s home, is situated a short distance to the east of the M6. It is a Grade II Listed Building with a scattering of outbuildings. It fronts onto Croston Lane, a cul-de-sac which is an adopted public highway for part of its length and is the only means of vehicular access to the appeal site. The

adopted section ends part way between the farmhouse and the bridge over the M6 where it becomes a private right of way for vehicles and a public right of way on foot beyond that point. Vehicles are not allowed to stop or park on the bridge.

THE NATURE OF MOTOCROSS

5 Motocross is virtually unique in the following ways:

- (a) it can be performed with or without any operational development.

All operational development is banned in permitted development for vehicle sports in the GPDO.

- (b) there is no minimum or maximum track length and riding takes place all year round.

- (c) if it incorporates operational development the course is ridden extensively before the operational development (usually engineering operations such as the construction of jumps) is constructed. This is because courses vary immensely in terms of ground conditions (soil, sand, rock, wet, dry etc), ground levels across the arena and other features. When the course has been ridden for 6 months or so decisions are taken on how to deal with the various physical features encountered. Even then jumps may be constructed and deconstructed until the course designer is satisfied that they are:

- (i) safe to ride (taking account of the huge range of riders from 5 years old upwards).

- (ii) offer varying challenges to differing age groups and rider capabilities.

- (d) After all this care jumps have to be virtually reconstructed after each event due to the amount of soil and debris scattered across the surrounding terrain by the riders.

- (e) Ground conditions on accesses and car parks can be a particular problem. At Charnock Richard the appellant has spread hardcore across parts of the grass surfaces as in his opinion it is incidental to the primary use of the site. The

LPA have told him to remove that hardcore. Fortunately there are other solutions to the problems that arise with wet ground, viz:

(i) listen carefully to weather forecasts.

(ii) adopt one or two alternative solutions to the use of the accesses and car parks by importing the following materials and laying them on the ground but not attaching them to it:

- straw.
- linked rubber matting for particularly vulnerable spots. This product is used with great success at County Shows.

JUMPS ON MOTORCROSS COURSES ENFORCEMENT POWERS

6 Some motorcross courses have jumps, some don't. Most permanent courses have jumps. There is a wide range of methods to create jumps. These range from edifices built from brick, concrete, wood, etc. There is no don't what ever that these constitute operational development. At the other end of the scale is Charnock Richard. Jumps comprises heaps of soil dumped at selected points around the course. They are not permanent structures. During each event riders spread this soil around the surrounding terrain and in between events a bulldozer is brought in to replace the soil in heaps. Ordinarily the piling of soil on land is a use of land and there appears to be no reasoner treating the mounds of soil at Charnock Richard any differently.

7 Enforcement powers can only be used against unlawful development and are optional. LPAs are often aware of the existence of unlawful development but take no action, as was the case at Charnock Richard. There are time limits for the service of enforcement notices under the 1990 Act - 4 years for operational development from the time it is complete or almost complete and 10 years for making a material change in the use of land starting on the day that the material change of use took place. The unlawful use has to be continuous up to the time it becomes lawful. There are problems with this which are set out below. When unlawful development has existed continuously for these periods it becomes lawful without limitation if it meets the test that on the balance of probability these time limits have been exceeded and the

development has become lawful. The requirement that the site shall be used continuously ceases to apply when the site becomes lawful. No conditions can be applied to the use. Policies such as the protection of the Green Belt and wildlife, residential amenities and highway safety do not apply to a site that has become lawful. In the appellant's view both Enforcement Notices are invalid because on the balance of probability the use of the site for motorcycle sport has been lawful since the end of 2015. In addition to other evidence the LPA has issued a CLEUD to this effect. There are problems with this CLEUD which are set out below. This view on the lawfulness of the site is supported by the chronological history set out below.

CLEUDS

8 The LPA appear to be under the impression that a CLEUD is the equivalent of a planning permission. This is not the case as there are major differences including:

- (a) A CLEUD cannot be personal to the applicant.
- (b) Planning permission cannot be abandoned once spent (ie fully implemented).
- (c) A planning permission may open the door to a wide range of development opportunities without the need for further planning permission. An examination of the GPDO and the Town and Country Planning Use Classes Order reveals the extent of what can be done without the need for planning permission.
- (d) A CLEUD can only relate to one site.
- (e) A planning permission lapses under the terms of the planning permission naming the time limit for development to begin.
- (f) An LPA has no power to reduce the size of an application site by condition.
- (g) A planning permission can be granted for a limited period.

(h) Anyone submitting a planning permission for land they don't own or on land which is subject to an agricultural tenancy must serve notice on the owner / tenant.

(i) A CLEUD relates to the development on the site on the day it is issued.

(j) An LPA has no power to attach conditions to a CLEUD. When submitting a CLEUD application there is no requirement to submit reports in relation to planning policies such as protection of the Green Belt, protection of residential amenities, protection of wild life habitats etc.

9 Anyone who has begun development unlawfully and is of the opinion that it has become lawful is able to apply for a CLEUD. If the LPA is satisfied on the balance of probability that the development is lawful (often because it has exceeded the above time limits for taking enforcement action) it can issue a CLEUD to that effect.

CHRONOLOGICAL HISTORY OF CHARNOCK - RICHARD MOTOCROSS COURSE

10 The appeal site was in continuous use for motor cycle sports from 2005 to 23 April 2021 when the LPA served a Temporary Stop Notice on the appellant requiring the use to cease. That Notice ceased to have effect on 20 May 2021. The only other suspension of activities on the course is that caused by COVID 19 and the issue of these Enforcement Notices.

11 Following is a chronological history of significant events in the history of the appeal site

2000

An aerial photograph dated 2000 (copy at **ANNEX A3**) shows the site as it was before motorsport began. It is a useful indicator of tree coverage at that stage.

2005

An aerial photograph dated 2005 (copy at **ANNEX A4**) shows that a substantial amount of track had been completed by that time. This can only mean that a material

change from use of the appeal site for agriculture to use of the appeal site for the riding of motorcycles for sport had taken place and that the primary use of the site had become the riding of motorcycles for sport. At this stage of its development the track was in regular use for competitions, practising and training.

2006

i) An aerial photograph dated 3 August 2006 (copy at **ANNEX A5**) shows further progress in the development of the motocross course. By that time the course was complete and henceforth only minor alterations to the track were made. The most significant of these was to reverse the direction in which the riders rode which had the dual benefits of improving safety and reducing noise levels at the site boundary.

ii) In its early years the site was developed by the sport's two governing bodies the Auto-Cycle Union (ACU) and the Amateur Motor Cycling Association (AMCA) under a casual arrangement between the parties. The appeal site owner who was the appellant's aunt lived abroad and the appellant looked after her UK interests. In **October 2006** the AMCA approached the appellant with a proposal to take out a five year lease of the site on condition that no other clubs or promoters were allowed to use the site for off road motorcycle events or for practice. (Copy at **ANNEX A 6**) They stated that they had carried out noise tests at the circuit and were aware that the local council would not permit the over use of the site for off road motorcycling. They also requested that should the owner decide to sell the site that they be given the first option to purchase. The lease was granted and the AMCA operated the site for the five year period of the lease. At the end of the lease period the AMCA continued to use the site but did not have exclusive use. The appellant had acquired the site by then (see below) and he and ACAS entered into a Lease in 2014 which gave AMCA priority rights over other users.

2007

The appellant acquired the appeal site (Copy of Land Registry title number LAN26056 attached at **ANNEX A7**). He intended to run the site himself in the longer term but meanwhile wished to see out the five year period of the lease to the AMCA and to allow them to continue to use the course until he was ready to take over the running of it.

2014

New two year lease between the appellant and AMCA signed on the 10th January 2014 and running for a period of two years in respect of the holding of events on the appeal site (copy at **ANNEX A9**).

2015

Aerial photograph dated April 2015 shows the track as it was then (Copy at **ANNEX A10**).

2016

i) Aerial photograph dated June 2016 shows the track as it was then (Copy at **ANNEX A11**).

ii) Email from Suzanne Potts of AMCA to Andrew Walsh, dated **21 December 2016** (Copy at **ANNEX A12**) setting out details of the AMCA's use of the site for the period 5 August 2009 to 6 September 2016. The AMCA's use began in 2005 but they have no written proof of this. They did however take out a lease in 2006 and used the site continuously from then to beyond the date on which lawfulness was achieved.

2017

i) Aerial photograph showing the course layout in July 2017 (copy at **ANNEX A13**).

ii) Refusal of CLEUD in respect of engineering operations to create a motocross track under Ref. No. 17/00153/CLEUD(A) issued on 11 April 2017 (copy at **ANNEX A14**).

iii) CLEUD in respect of engineering operations granted 17 November 2017 (copy at **ANNEX A15**). There are several problems with this CLEUD as follows:

- the operational development referred to in the CLEUD is the formation of the track by riding motorcycles on grass. In the appellants view this is a use of land not an engineering operation. If the appellant is correct in his view this means that the CLEUD relates only to the use of land, not to any engineering operations and the ten year period for the use to become lawful, according to the LPA's timetable, had not been reached.
- nothing is shown on the plan attached to the CLEUD but the formation of the track and its use for off-road motorcycle racing took place in 2005 was completed by 2008.
- a condition is attached to the CLEUD limiting use of the track to the level allowed in the GPDO. There is no power for an LPA to attach such a condition (see copy of email dated 12/07/2021 from Paul Tucker QC at **ANNEX A16**).

2018

Aerial photograph dated June 2018 shows the track as it was then (Copy at **ANNEX A17**).

2019

Aerial photograph dated September 2019 shows the track as it was then (Copy at **ANNEX A18**).

2020

Aerial photograph dated April 2020 shows the track as it was then (Copy at **ANNEX A19**).

2021

Aerial photo of the site dated 2021 shows the site as it is now (copy at **ANNEX A20**).

Stop Notice in respect of operational development served by LPA 21 June 2021.

Stop Notice served in respect of change of use issued on same date.

Enforcement Notice served in respect of operational development issued on same date.

Enforcement Notice served in respect of change of use issued on same date.

PLANNING POLICIES AND GUIDANCE IN RELATION TO LAWFUL SITES

If development has become lawful because the LPA failed to enforce against it within the time limits set out in the 1990 Act planning policies do not apply to it when it is lawful.

So if the appellant is correct in his view that the site is lawful there are no relevant policies.

If on the other hand the appellant is wrong in his view as to the lawfulness of the site the policies which are considered to be the most relevant are set out below.

ACCESSES AND CARPARKS

In the appellant's view the use of a grass surface or an existing hard surface as an access or a car park is a use of land not an engineering operation. The problems usually start when hardcore is used to cover grass, when in most peoples' eyes it becomes an engineering operation. Without the hardcore there is every chance that grassed accesses and carparks will become quagmires, leading in some cases to the cancellation of the event.

The LPA's view is that forming a track by riding motorcycles on grass is an engineering operation. The appellant's view is that it is a use of land as discussed elsewhere.

The Ordnance Survey map at **ANNEX A2** is dated 13 January 2020 according to the publishers. The motor cycle track shown on that map is 1.46 kilometres in length. One method of establishing how much of that length is lawful is to compare aerial photographs showing the track at various stages of its construction which are listed in the chronology. All engineering operations completed more than 4 years prior to the date of service of the Enforcement Notice which was 21 June 2021, are lawful. As the track was completed in 2006 it became lawful no later than the end of 2011. The use of the track became lawful by the end of 2015. In 2017 the LPA advised the appellant to submit an application for a CLEUD which he did. In the appellant's view the LPA erred in law when issuing the CLEUD on 17 November 2017 (copy at

Ax of the appellant's bundle). The appellant wrote to the LPA expressing my opinion that they had erred in law when issuing the CLEUD but they did not respond. Nevertheless the LPA had accepted the appellant's evidence as to how much of the development was lawful when issuing the CLEUD. A copy of the CLEUD application giving the lawfulness date is at **ANNEX A15** of the appellant's bundle. The LPA did not show the extent of track or other engineering operations carried out by that date on the map attached to the CLEUD. The LPA makes no reference to the CLEUD in the Enforcement Notice. CLEUDs are intended to show unequivocally the extent of development that has taken place and is legal under the provisions of the 1990 Act. The LPA has no power to attach conditions or limitations to a CLEUD when issuing it. In this case the LPA imposed a time limit on the number of events that could be held in any calendar year based upon the provisions of the Town and Country Planning (General Permitted Development) (England) Order 1995 Class B Part 4 Schedule 2 (the GPDO) which are irrelevant in these circumstances.

TEMPORARY STOP NOTICE

One of the operations banned under the first Stop Notice which took effect on 23 April 2021 and ceased to have effect on 29 May 2021 was the erection of fencing. (Copy at **ANNEX A15/1**) The appellant wrote to the LPA pointing out that the erection of fencing was a stand alone class of development in the GPDO but have the LPA did not respond. The Stop Notice which took effect on 21 June 2021 still bans the erection of fencing. If my interpretation of the law is correct this could affect the validity of the Stop Notice. As stated elsewhere permitted development rights for the erection of fencing can only be removed by a condition which withdraws those rights or an Article 4 Direction under the GPDO.

PLANNING POLICY

NATIONAL POLICY

NATIONAL PLANNING POLICY FRAMEWORK

In the NPPF issued in February 2019, the following policies are considered to be the most relevant to this appeal:

10, so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

40, local planning authorities have a key role to play in encouraging the parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

53, use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area....

83, Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conservation of existing buildings and well-designed new buildings.
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities. Such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

91, planning policies and decisions should aim to achieve healthy, inclusive and safe places which

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

92, to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should

a) plan positively for the provisions and use of...sports venues....to enhance the sustainability of communities and residential environments.

96, access to a network of high quality open spaces and opportunities for sport and physical activities important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space and recreational provision is needed, which plans should then seek to accommodate.

118(b), planning policies and decisions should recognise that some undeveloped land can perform many functions, such as for recreation....

141, once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities for outdoor sport and recreation....

143, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

146, certain other forms of development are also not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it. These are....

e) material changes in the use of land (such as changes of use for outdoor sport or recreation)....

174(b), the whole of paragraphs 174 to 177 are concerned with the protection of wildlife and their habitats.

180(a), planing policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including

cumulative effects) on pollution, on health, living conditions and the natural environment....

LOCAL POLICY

CHORLEY LOCAL PLAN 2012/2026

This plan is based on information published up to 2012 and is therefore out of date. In this situation the policies contained in NPPF take priority if there is a clash.

The policies in the Chorley Local Plan considered to be of greatest relevance to this appeal are as follows:

BNE9, Biodiversity and Nature Conservation. This policy repeats many of the NPPF policies on this subject.

BNE10, Trees. Proposals which would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape....will not be permitted.

Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows. Tree Preservation Orders will be used to protect trees of landscape or townscape significance.

BNE11, Species Protection is concerned with development which would have an adverse effect on a priority species unless the benefits of the development outweigh the need to maintain the population of species in situ.

HW1, New Open Space, Sport and Recreational Facilities. States that proposals for the provision of new...sport and recreational facilities and alterations to existing facilities will be permitted if specified criteria are met.

Core Strategy Objectives.

SO18: To improve the health and wellbeing of all Central Lancashire's residents and reduce the health inequalities that affect the most deprived areas.

SO19: To improve access to ..., sport and recreation.

SO20: To create environments in Central Lancashire that help to reduce crime, disorder, and the fear of crime, especially in the more deprived areas which often experience higher levels of crime.

Policy 24 Sport and Recreation.

Introduction...The core strategy aims to protect existing...sport and recreational facilities. This local plan achieves this by protecting existing facilities and advocating land for new facilities.

8.5 Any planning applications for new sport and recreational facilities, including ancillary facilities such as changing facilities and parking, will be assessed against policy **HW1: New open space, sport and recreational facilities.**

HW2 :Protection of Existing Open Space, Sport and Recreation Facilities.

Land currently or last used as, or ancillary to, open space for sports and recreation facilities will be protected unless:

- a) alternative facilities of an equivalent or enhanced standard are provided near by before the existing facilities cease to be available or it can be demonstrated that the loss of the site would not lead to a deficit of provision in the local area in terms of quantity and accessibility....

CONCLUSIONS IN RESPECT OF THE APPEAL ON GROUNDS

a), c), d) and f)

- i) The **LPA** have used enforcement notices in an attempt to terminate development which has become lawful under the time limit provisions for taking enforcement action in the 1990 Act.
- ii) There has been no change in circumstances since a **CLEUD** was issued by the **LPA** on the basis that on the balance of probability the track was lawful. If so enforcement powers cannot be used.
- iii) The enforcement notices include a provision that partially erected safety fencing which is permitted development under **GPDO** provisions shall be removed. In the appellant's view, the erection of fencing which complies with the conditions under **GPDO** provisions can only be prevented in two ways. Firstly if planning permission is being granted for development the **LPA** is able to attach a condition removing permitted development rights. Secondly the **LPA** could make an Article

4 Direction to take away permitted development rights which would involve them in the payment of compensation.

- iv) The LPA has imposed a condition on the CLEUD which severely restricts the use of the appeal site for motor cycle sport by limiting the number of days on which the site can be used for that purpose to the limit set out in the GPDO for permitted development. It has no power to do so.
- v) The LPA has failed to indicate on the plan attached to the CLEUD the extent of the change of use or operational development which has become lawful.
- b) By classing the use of this site for motor cycle sport as inappropriate development in the Green Belt the LPA has overridden national policy which supports the provision of sporting and recreational facilities in the Green Belt without justification for doing so and their own Local Plan. The site is relatively isolated, dish-shaped and has a safe access. In the appellant's view the development is clearly not inappropriate development in the Green Belt.
- c) In the appellant's view there is strong and unequivocal evidence that the development which is the subject of these enforcement notices is lawful and that enforcement powers cannot be used to terminate it.
- d) The LPA knew of the existence of this development in 2006, some years before it became lawful and could have used their enforcement powers to terminate unlawful development on the appeal site and require that the land be returned to a condition fit for agricultural use but did not do so. This usually means that development is of no concern to the LPA and they do not exercise their optional powers to take action.
- e) The appellant appealed these enforcement notices in order to settle once and for all whether or not the use of the land for motor cycle sports is lawful. His appeal on ground (g) was made partly to safeguard his position in the event that lawfulness is not confirmed. If the content of the planning permission and the Section 106 unilateral undertaking are approved and the appellant is happy with them he then has

to decide which option to pursue. He has therefore set out his views on the wording of the permission and of the statutory declaration.

APPLICATION FOR RETROSPECTIVE PLANNING PERMISSION

The appellant has indicated that he is prepared to enter into a S106 unilateral undertaking if retrospective planning permission is granted and implemented. The appellant would wish the description of the development being granted planning permission to be as follows:

Change of use to the riding of motorcycles for sport with the following provisos

- a) The use of the appeal site for the riding of motorcycle sport should take place on no more than 40 days per calendar year. Competitions will be held on those 40 days but otherwise access to the appeal site shall be limited to site repair and maintenance.
- b) Access roads and carparks shall be as shown on an agreed plan and dressed with hardcore where ever necessary.
- c) The course will have provision for no more than 8 jumps.

If the development is permitted as above in addition to entering into a unilateral undertaking, the appellant is willing to make land available for:

- i) the construction or maintenance of noise attenuation barriers on the northern and southern boundaries of the site but not to be involved in the construction of those barriers, or meeting their cost.
- ii) The provision of wildlife habitats at agreed locations on the site but not to be involved with their implementation, maintenance or cost.
- iii) The planting of trees at agreed locations within the site but not to be involved with their planning, maintenance or cost.

CONCLUSIONS TO APPEAL ON GROUND (g)

In the appellant's view the material change of use is lawful. Problems arise with the wording of the CLEUD which is discussed above. However the main issue is that of the lawfulness of riding motorcycles for sport on the site which the appellant

considers to be lawful in its entirety. In the event that the lawfulness of the site is confirmed the appellant has two options:

- i) to continue using the site as is.
- ii) if a retrospective planning permission is granted to implement that permission if it overcomes problems.

LIST OF DOCUMENTS THAT MAY BE REFERRED TO

- 1) GOV.UK Procedural Guide : Enforcement Notice Appeals / England Dated 25.06.2021.
- 2) England and Wales High Court (Administrative Court) decision. In the High Court of Justice Queen’s Bench Division Planning Court. The Queen on the application of OCARDO RETAIL LTD and LONDON BOROUGH OF ISLINGTON and (1) TELEREAL TRILLIUM LTD (2) CONCERNED RESIDENTS OF TUFNELL PARK BETWEEN the Queen on the application of OCARDO RETAIL LTD and LONDON BOROUGH OF ISLINGTON and (1) TELEREAL TRILLIUM LTD (2) CONCERNED RESIDENTS OF TUFNELL PARK. Case number CO/4316/2020.
- 3) The Town and Country Planning Act of 1990 as amended.
- 4) The Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended).

END

