

DEVELOPMENT CONTROL AND REGULATORY BOARD

16TH FEBRUARY 2006

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

COUNTY MATTER

**LONDON ROCK LEISURE LTD – RELOCATION OF MINERAL PROCESSING
PLANT, LAND OFF FLESH HOVEL LANE ADJACENT TO MARINA
DEVELOPMENT AT PILLINGS LOCK, QUORN (CHARNWOOD BOROUGH)**

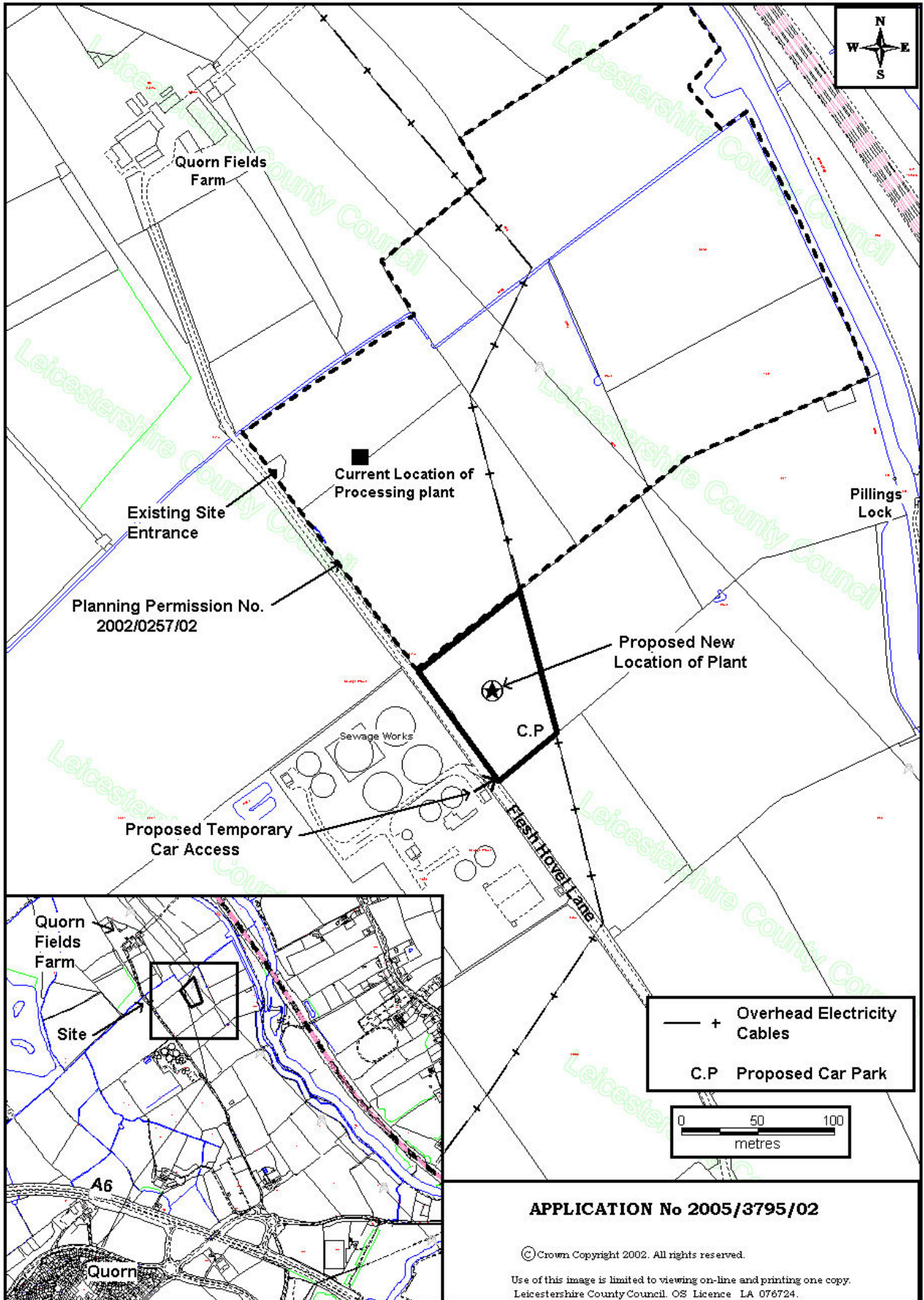
2005/3795/02 - 20th December 2005

Background & Planning History

1. Planning Permissions for the Pillings Lock Marina development allow for the extraction and sale of the sand and gravel deposits present on the site and the creation of a boating marina, fishing lakes, site access, car park and erection of a site building.
2. The County Council granted planning permission for the extraction of sand and gravel from land between Flesh Hovel Lane and the Grand Union Canal in September 2003. Mineral extraction commenced in August 2004. It is estimated that 60% of the sand and gravel deposit has been extracted. The Planning Permission requires that the mineral extraction operations be completed by 16th August 2006.
3. Condition No. 9 of the planning permission requires that “prior to the commencement of mineral extraction within Area 3, details of the relocated site access, processing plant, weighbridge, wheel wash and portacabin site offices within Area 1 and the construction of settling lagoons within Area 3 shall be submitted to and approved in writing by the Director of Community Services.”
4. Charnwood Borough Council granted outline planning permission for the Pillings Lock Marina development in January 2003. Charnwood Borough Council approved a revised marina development scheme in September 2005. This involved modifications to the shape of the marina basin and re-location of the facilities buildings to the central part of the site.

Location of Proposed Development

5. The site is situated approximately 1.5 kilometres north east of Quorn and 1.5 kilometres north west of Barrow upon Soar. The bridleway known as Flesh Hovel Lane forms the western boundary of the site. Flesh Hovel Lane joins Barrow Road at a junction about 700 metres to the south. The nearest residential property (Quorn Fields Farm) lies about 350 metres to the north.



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6. The site covers 0.56 hectares in extent and comprises the western part of a grassland field located immediately to the south of the Pillings Lock Marina development. Agricultural land lies adjacent to the east and south of the site. An overhead power line runs along the eastern boundary of the site. A Severn Trent owned sewage works is located on the opposite side of Flesh Hovel Lane.

Description of Proposal

7. To complete the final phase of the marina development, the sand and gravel reserves present within the western part of the site have to be removed and the area restored as per the approved scheme. To allow the final phase of the mineral extraction to take place, the existing processing plant and the associated facilities have to be removed and re-located.
8. This Planning Application seeks permission to re-locate the sand and gravel processing plant, currently located on the Pillings Lock site, on to the adjacent land for the final six months (to August 2006) of the permitted mineral extraction operations associated with the marina development scheme. This will ensure that the remaining mineral reserves can be extracted and processed and allow the site to be developed to create the boating marina and fishing lakes that have been permitted by Charnwood Borough Council.
9. It is proposed that a small-scale sand and gravel washing and processing plant be installed on the land that lies adjacent to the Pillings Lock site. The plant will comprise a mobile, low-level unit that will have a height of no more than 5m. This will be no higher than the existing plant and will have a similar dark green colour.
10. Due to the temporary, short-term nature of the plant operations, it is proposed that the ground disturbance will be kept to a minimum, with only the top 150mm of soil/ grass stripped to ensure that any underlying archaeology is not affected. The soil will be stored in a bund on the eastern part of the proposed application area to ensure that no vehicles or plant can drive beneath the overhead electricity cables. A screening bund (3m high) is also proposed for the field boundary adjacent to Flesh Hovel Lane. It is proposed that this will be constructed using soils from the stockpile located in the south-western corner of the existing site. This bund would provide an element of security for the proposed plant area.
11. It is proposed that, once the upper part of the topsoil has been stripped, the ground will be covered with a heavy-duty geotextile (or similar material). This geotextile will then be covered with a unit of granular sub-grade material to distribute the weight of the plant.
12. It is proposed that the silt produced from the sand and gravel washing operations will be pumped into the worked out part of the excavation, as is the current practise.
13. It is proposed that this new plant area will be accessed from the existing site using the current site entrance and, at a later stage, by the new entrance permitted for the marina development. An access road from the existing

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weighbridge and site entrance will be developed into the new plant area. This access road will enter into the new plant area through a gap in the hedgerow, so that no trees or hedgerows will have to be removed.

14. To allow the plant personnel easy access into the proposed plant area, it is proposed that a new car park will be developed, with a temporary access from Flesh Hovel Lane (located in the southern-most part of the proposed plant area) for car access. Any access to the Grand Union Canal required during the proposed operations will be via the temporary entrance and proposed car park area.
15. On completion of the works, the mobile processing plant will be removed from the site and the area stripped of all the engineering backfill materials and geotextiles. The soils will then be re-spread from the bunds and the area re-seeded and restored back to pasture. The temporary access and internal haul roads will also be stopped-up and the fences will be re-instated.
16. The Applicant has assessed the implications of the proposed development in relation to hydrology, visual impact, archaeology, soils, noise, dust, traffic and ecology.
17. The proposed plant and associated mineral stockpile areas will all be located off the floodplain area of the River Soar. There are no surface water features located within, or adjacent to, the application area. The applicant does not therefore consider that there will be any adverse hydrological impact from the proposed development.
18. Current views across the proposed plant area are restricted by existing mature trees and vegetation that are present along Flesh Hovel Lane, and the vegetation that is present on the mainline railway embankment that is situated between the site and Barrow upon Soar. However, to ensure that the development does not have an adverse visual impact from Flesh Hovel Lane, it is proposed that a 3m high soil screening bund be developed within the field boundary. Due to the generally well-screened nature of the site, together with the distance between the site and the main settlements, the applicant does not consider that the proposed development will have an adverse visual impact on the local area.
19. It is proposed that the upper part (150mm) of the soil unit is stripped and that the plant and access routes are situated on suitably engineered materials. By implementing these engineering proposals, the applicant considers that any underlying archaeology that may be present will not be affected, and that the development will have no archaeological impact.
20. The nominal top soil thickness stripped and placed within the screening bunds will be replaced on completion of the site works. The applicant does not therefore consider that there will be any adverse impact on soil resources.
21. The proposed re-location of the mineral processing plant into the land adjacent to the south-western site boundary will move the main source of noise away from the only receptor in the area (Quorn Fields Farm). Noise monitoring has

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confirmed that the existing mineral extraction processing operations do not exceed permitted noise levels. By installing a smaller, mobile processing unit and by moving the processing operations about 150m away from Quorn Fields Farm, the applicant does not consider that there will be any adverse noise impact from his proposed development.

22. Due to the wet nature of the site operations, the applicant does not consider that there will be any adverse impact from dust on the local area. The proposed mineral processing operations will continue to wash the sand and gravel deposits. The internal access routes will also be damped down.
23. The proposed plant re-location will have no impact on the output from mineral extraction operations, thus there will be no additional impacts on the local road network from the sale of the processed sand and gravel products.
24. Since the proposed development does not require the felling of any trees and the application area will be restored to grassland, the applicant does not consider that there will be any short or long-term adverse ecological impact from the proposals.
25. The applicant has assessed a range of options to re-locate the plant within the existing permitted area, but these were not considered acceptable due to engineering, health and safety and pollution control reasons. The applicant considers that the proposed scheme is environmentally acceptable since the plant will be moving away from the only residential property in the area and the proposals will not have any adverse ecological, archaeology or the hydrological impacts.
26. If the plant cannot be re-located, over 25% the mineral deposits will remain un-worked and the marina basin will have to be significantly smaller. The applicant considers that the reduction in the number of berths available may have an impact on the potential long-term financial viability of the project.

Planning Policy

27. The current Development Plan for the application site comprises the Regional Spatial Strategy for the East Midlands (RSS8), the Leicestershire Leicester and Rutland Structure Plan (2005), Leicestershire Minerals Local Plan (1995) and the Borough of Charnwood Local Plan. The principal policy considerations relevant to the current planning application are set out below.
28. Policy 2 of the Minerals Local Plan covers Assessment of Proposals. Part (b) of this policy covers proposals for buildings and sets out 5 criteria against which proposals will be considered. Briefly, these cover siting and visual appearance; screening; extent of improvement to operation; character of surrounding area; and, design and potential nuisance.

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29. Policy CT/8 of the Charnwood Local Plan states that within the Soar Valley area local landscape value planning permission will be granted for development where the proposal would not damage the intimate pastoral character based on a water meadow landscape nor impair its ecological interest.

Consultations

Charnwood Borough Council (Planning)

30. No reply received at the time this report was published.

Charnwood Borough Council – Environmental Health

31. No reply received at the time this report was published.

Quorn Parish Council

32. No reply received at the time this report was published.

Barrow upon Soar Parish Council

33. No objection though would request that the land is left in good order. The Parish Council also refers to a Permissive Right of Way across the site from Flesh Hovel Lane to Pillings Lock. They request that provision is made for the right of way to be retained.

Environment Agency

34. No objections in principle subject to the imposition of certain conditions.

National Grid

35. The proposal does not affect National Grid's high voltage electricity transmission plant and equipment.

Central Networks

36. No objection.

Severn Trent Water

37. No reply received at the time this report was published.

Ecological Advice

38. The land in question is semi-improved grassland of minimal ecological significance. The existing hedgerows surrounding the site should be gapped up and planted with additional woody species. The restoration of the field to grassland should use a seed mixture that includes additional species to augment the existing. A walkover of the land should be undertaken immediately before works begin to check for protected species.

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Archaeological Advice

39. The proposed ground works should have little or no archaeological implication.

Leicestershire and Rutland Bridleways Association

40. No comment to make, apart from our continuing disgust that neither the Minerals Extraction nor the Marina at Pillings Lock has resulted in an extension to the dead-end BW (K30) along Flesh Hovel Lane to link it to either Byway K52 (Moor Lane) or via Footpaths K31 and K32 to Bull in the Hollow Farm opposite the old road to Woodthorpe.

Council for the Protection of Rural England

41. No reply received at the time this report was published.

Highways Authority

42. Recommends that conditions be imposed regarding the provision of visibility splays, surfacing of the proposed access and car parking area, and permanent closure of the temporary access after the completion of development.

Publicity

43. The proposal was publicised by neighbour notification, site notice (which was posted on 30th December 2005) and advertisement in the Loughborough Echo.

Representations Received

44. The resident of Quorn Fields Farm has requested that any fencing be erected on the inside of the hedge (i.e. within the field) to prevent further damage and disruption to his water supply pipe which runs along Flesh Hovel Lane. He has also requested that members of the Board drive along the length of Flesh Hovel Lane.

Assessment of Proposals

45. Policy 2 of the Minerals Local Plan states that proposals for buildings, plant and other forms of construction or engineering works will be assessed in the light of the following considerations:
- i. The siting and visual appearance of the development including its height, scale and colour;
 - ii. Screening of the development;
 - iii. The extent to which the development will contribute to an improvement in the efficiency of mineral working;
 - iv. The character of the surrounding area;
 - v. The design of the development and the anticipated generation of noise and dust and any other nuisance.

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46. The proposed plant to be re-located onto the land adjacent to the Pillings Lock site will be a mobile unit, with a height of less than 5m. This will be no higher than the existing plant, and will have a similar dark green colour. In scale, it will be about 30% smaller than the existing plant.
47. The proposed development will be screened from Flesh Hovel Lane by a 3m high soil screening bund. Mature trees and hedgerows in the surrounding area will also mitigate the impact of the new development. The plant will therefore be well screened from any near or distant residential property.
48. The proposed site would only be used for the final 6 months of the mineral extraction operations. It is not therefore considered that in visual terms the proposed relocation of the plant would be detrimental to the amenity of the area. A mature ash tree however lies adjacent to the proposed access to the car park area. The provision of the visibility splays recommended by the Highways Authority will also affect hedgerows fronting Flesh Hovel Lane. In order to avoid damage to the ash tree and the removal of hedgerow, the applicant has agreed that all vehicular access to the site be gained from the existing site.
49. The original permission allowed for the relocation of the processing plant within the existing site. Having given further consideration to the options available involve relocating the plant near to overhead electricity cable or onto the floor of the workings, below the water table on the clay bedrock, it has been concluded that this would cause considerable operational difficulties. The relocation of the processing plant into the adjacent field on the other hand will enable the remaining minerals to be extracted more efficiently.
50. The removal of mineral off-site for processing at some distant facility would involve additional traffic movements and there are no operational sand and gravel sites within 20km radius of the site and no other suitable sites situated locally (with planning permission) that could accept this material. The proposed relocation of the processing plant into the adjacent field does not involve any additional traffic on Flesh Hovel Lane. If the remaining minerals are not extracted, the potential long-term financial viability of the marina project could be affected.
51. The surrounding area comprises a Sewage works to the south-east, pasture land and high hedges within the floodplain of the River Soar to the south and east, and the marina development area to the north. The surrounding area does not have any statutory landscape designation. Given the temporary nature of the proposal, it is not considered that it will have an adverse impact on the character of the area.
52. The development has been designed to minimise the amount of land required, to ensure that there is no adverse environmental impact and that the plant can be operated to the latest health and safety requirements. Since the mineral operations will include a washing plant, no dust will be generated from the washing and screening operations. The plant will be located further from the only residential receptor in the area. It is therefore expected that noise levels will be reduced at this location.

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53. Barrow upon Soar Parish Council refer to a Permissive Right of Way across the site from Flesh Hovel Lane to Pillings Lock. They request that provision is made for the right of way to be retained. The application refers to a track within the site that gives access to the Canal and proposes that alternative access be achieved through the proposed temporary access and site car park. The applicant has confirmed that provision can be made for a public right of way around the southern part of the site.
54. The occupant of Quorn Fields Farm has requested that any fencing be erected on the inside of the hedge (i.e. within the field) to prevent further damage and disruption to his water supply pipe which runs along Flesh Hovel Lane. The applicant has confirmed that any fencing or hedge planting on the proposed plant site will be within the existing boundary fence. The applicant's land ownership does not allow them to provide the extensions to the rights of way network requested by the Bridleways Association.
55. In conclusion, provided that conditions are imposed to protect local amenity, it is not considered that the proposed relocation of the processing plant onto to adjacent land for a temporary period is likely to give rise to an unacceptable level of impact. The proposed development does not conflict with development plan policy and, consequently, it is recommended that approval is granted.

Recommendation

1. Permit, subject to the conditions as set out in the appendix.
2. To endorse, as required by The Town and Country Planning (General Development Procedure) Order 1995 (as amended), a summary of the:
 - a. policies and proposals in the development plan which are relevant to the decision, as follows:
 - i. This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy guidance and the relevant Circulars, together with the relevant development plan policies, including the following, and those referred to under the specific conditions as set out in the appendix:-
 - Leicestershire Minerals Local Plan: Policy 2
 - b. reasons for the grant of planning permission, as follows:
 - i. The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm to the amenity of the local area as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

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Background Papers

1. Planning Permission No. 2002/0257/2 dated 17th September 2003.
2. Reports of the Director of Community Services to Development Control and Regulatory Board, 12th December 2002 and 21st August 2003.
3. Planning Application 2005/3795/02 dated 16th December 2005.

Circulation Under Sensitive Issues Procedure

Mr. A.M. Kershaw C.C.

Officer to Contact

Mr. N. Hunt (Tel. 0116 265 7042)
E-mail: planning_control@leics.gov.uk

CONDITIONS

1. This permission relates to the relocation of mineral processing plant on land edged red as shown on Plan QMP2 accompanying the planning application.
2. Unless otherwise approved in writing by the Director of Community Services, the development shall be carried out in accordance with the statement and associated drawings accompanying the planning application, as amended by the email from Greenfield Associates dated 6th February 2006 and the accompanying Plan QMP 5 (Rev Feb06).
3. The plant shall only be used to process minerals from the adjacent site, which is subject to planning permission 202/0257/02 dated 17th September 2003.
4. Use of the land for the processing of sand and gravel shall cease no later than 16th August 2006. The plant and ancillary facilities shall be removed from the site and the site restored in accordance with details that have been previously approved by the Director of Community Services no later than 30th November 2006.

Access

5. All vehicles associated with the development hereby permitted shall only gain access to or from the site by means of the access arrangements as approved under Planning Permission 202/0257/02 dated 17th September 2003.

Hours of Working

6. Unless otherwise agreed in writing by the Director of Community Services, no operations shall be carried out at the site except between 0700 hours and 1800 hours Monday to Friday; and 0700 hours and 1400 hours Saturdays. No operations at the site shall take place on Sundays or public or bank holidays.

Noise

7. All operations shall be carried out in a manner to minimise the emission of noise and dust from the site.
8. Noise levels arising from the development shall not exceed 51dB(LAeq) (1 hour), freefield at Quorn Fields Farm. Noise levels arising from temporary operations, such as soil stripping, and the construction and removal of soil mounds, shall be minimised as far as is reasonably practicable and shall not exceed 70db (Laeq) (1 hour), freefield at Quorn Fields Farm. .

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Water Protection and Pollution

9. Any facilities for the storage of oils, fuel or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses shall be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
10. The screening bunds shown on Plan No. QMP 5 (Rev Feb06) shall only be constructed from soils stripped from the site itself or from the adjacent site, which is subject to planning permission 202/0257/02 dated 17th September 2003. No waste material shall be imported to the site.

Landscaping and Ecology

11. All existing trees, shrubs or hedges around the perimeter of the site shall be retained, maintained and managed throughout the duration of the operations hereby permitted. Whilst operations, including the passage of vehicles, are occurring within the vicinity of any trees and hedges, an area around the trees and hedges at a distance equivalent to not less than the existing spread of branches from the trunk and in any case not less than 3 metres shall be cordoned off with distinctive markings. The land between the fence and the trees and hedges shall be left completely undisturbed and no trees shall be used as an anchorage and no items shall be fixed to any tree.
12. No development shall commence until a walkover survey of the site has been carried out for evidence of any protected species and the results of the survey together with proposals for mitigation and compensation measures, if necessary, have been submitted to and approved by the Director of Community Services. Mitigation and compensation measures shall subsequently be implemented in accordance with the details as approved.

Soils

13. All topsoil shall be retained on site for use in restoration.
14. Soils shall be handled in accordance with the advice set out in Defra's Good Practice Guide for Handling Soils.
15. Plant or vehicle movement shall be confined to clearly defined haul routes and shall not cross areas of topsoil except where such trafficking is unavoidable in undertaking soil handling operations hereby permitted.

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16. Advance written notice shall be given to the Director of Community Services not less than three days and no more than 7 days before the commencement of soil stripping operations.
17. No movement of soils shall take place except when the full depth of soil to be stripped or otherwise transported is in a dry and friable condition, i.e. the soil is in a non-plastic state such that damage to its structure shall be avoided.
18. Before any part of the site is excavated or traversed by heavy vehicles or machinery (except for the purpose of stripping that part or stacking topsoil on that part), all available topsoil shall be stripped from that part.
19. Unless otherwise approved in writing by the Director of Community Services, soils shall only be stored in the locations shown on Plans QMP 5 (Rev Feb06).
20. Unless otherwise agreed in writing by the Director of Community Services, soil mounds shall not exceed 3 metres in height.
21. All soil storage mounds shall be constructed with only the minimum amount of compaction necessary to ensure stability, and shall not be traversed by heavy vehicles or machinery except where essential for purposes of mound construction or removal for restoration purposes.
22. Prior to respreading of soil topsoil, the upper layers of the prepared surface shall be ripped to relieve compaction. Topsoil shall be loose tipped and evenly spread onto the ripped surface in such a manner as to avoid compaction of the placed soils. Plant or vehicle movements involved in soil replacement operations shall be kept to the minimum necessary to achieve the final restored land form, and shall avoid unnecessary crossing or travelling over restored soils.
23. Within 3 months of the date of this permission, a restoration scheme shall be submitted to the Director of Community Services for approval. The scheme shall include details of the gapping up of hedgerows surrounding the site and the grass seed mixture to be used. Seeding and planting shall be carried out in the first suitable season following the removal of the processing plant from the site.
24. Following the restoration of the site in accordance with the approved restoration scheme, the restored land shall be treated and managed over a period of 5 years in accordance with an after-care scheme which has previously been submitted to and approved in writing by the Director of Community Services. The submitted scheme shall provide an outline strategy for the 5 year aftercare period and shall specify the steps that are to be taken over the period in order to bring the newly restored land to the required standard for its subsequent use, and the subsequent management of the restored land and vegetation. Unless otherwise agreed by the Director of Community Services, aftercare shall be carried out in accordance with the approved scheme.

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REASONS

- 1&2 For the avoidance of doubt and to ensure that the development is carried out in accordance with the application and in a satisfactory manner in the interests of the amenities of the area.
- 3&4 The proposed development is only acceptable as an ancillary activity to operations on the adjacent land.(MLP Policy 32)
- 5. In the interests of highway safety and the amenities of the area. [MLP Policy 5]
- 6. To protect the amenities of the area. [MLP Policy 5]
- 7&8. To minimise the adverse impact of dust and noise from site operations [MLP Policy 5f5g]
- 9&10 To prevent pollution to the water environment [MLP Policy 5e]
- 11 To protect visual amenity in the locality and to preserve ecological aspects of hedgerows and trees. [MLP Policy 5 k, l and q]
- 12. To minimise the effects on nature conservation interests.
- 13,14, 15,16, 17,18, 19,20, 21&22 To protect the soil resource and in the interests of final restoration [MLP Policy 11d and e]
- 23. In the interests of satisfactory restoration of the site. [MLP Policy 11, 12]
- 24. To ensure the site is restored to a condition suitable for long term beneficial use [MLP Policy 11h]

Note to Applicant

The applicant's attention is drawn to the contents of the letters from Central Networks dated 6th January 2006, a copy of which is attached.

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The considerations set out below apply to all preceding applications.

EQUAL OPPORTUNITIES IMPLICATIONS

Unless otherwise stated in the report there are no discernible equal opportunities implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Education and the Director of Resources will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970, the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984 and to the Disability Discrimination Act 1995.

You are advised to contact the County Council's Assistant Personnel Officer (Disabled People) if you require further advice on this aspect of the proposal.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 38(6) OF PLANNING AND COMPLUSORY PURCHASE ACT 2004

Members are reminded that Section 38(6) of the 2004 Act requires that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. the Regional Spatial Strategy, Structure Plan or any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are given in the Town and Country Planning Act 1990:

Section 70(2)	:	determination of applications;
Section 77(4)	:	called-in applications (applying s. 70);
Section 79(4)	:	planning appeals (applying s. 70);
Section 81(3)	:	provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
Section 91(2)	:	power to vary period in statutory condition requiring development to be begun;
Section 92(6)	:	power to vary applicable period for outline planning permission;
Section 97(2)	:	revocation or modification of planning permission;
Section 102(1)	:	discontinuance orders;
Section 172(1)	:	enforcement notices ;
Section 177(2)	:	Secretary of State's power to grant planning permission on enforcement appeal;
Section 226(2)	:	compulsory acquisition of land for planning purposes;
Section 294(3)	:	special enforcement notices in relation to Crown land;
Sched. 9 para (1)	:	minerals discontinuance orders.