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TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

APPROVAL SUBJECT TO CONDITIONS

Application Number: 08/0241/OUT

Applicant :

West Rayham Developments Limited
18-20 Broadway
Rayham
Essex
RM13 9YW

Agent :

Peter Wigglesworth
7 Hawleys Close
Matlock
Derbyshire
DE4 5LY

This Council of Stockton on Tees as the Local Planning Authority **HEREBY PERMIT** the development proposed by you in your application registered on 31 January 2008 namely

Revised Outline application for industrial estate comprising the erection of B2 and B8 use class units and associated means of access. at Land At Urlay Nook Road, Eaglescliffe, Stockton On Tees

and shown on the approved plan(s) subject to the compliance with the Building Regulations and general statutory provisions in force in the district and subject to the conditions and reasons specified hereunder:

- 1 The development hereby permitted shall be begun either before the expiration of THREE years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

Reason

By virtue of the provision of Section 92 of the Town and Country Planning Act 1990 (as amended).

Change to planning procedure relating to Amendments to Approved Plans

As a result of changes contained in the Town and Country Planning (General Development Procedure)(Amendment No 3) (England) Order 2009 There are now procedures for dealing with Non Material changes to Planning permissions, Varying conditions attached to a planning permission under Section 73 of the Town and Country Planning Act 1990 and planning applications which seek to extend the period of an Extant planning permission granted on or before 1st October 2009 for development which has not yet begun. For further guidance please contact the Development Services Section.

Dated: 3 August 2015



Richard McGuckin
Head of Economic Growth and Development Services

2 The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
3002/01G	6 May 2008
3002/03	31 January 2008
PWP/10070380/203	31 January 2008
PWP/10070380/204	31 January 2008

Reason: To define the consent.

03. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

04. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of [three] years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990

05. Approval of the details of the external appearance of the buildings and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: The application is for outline permission with these matters reserved for subsequent development.

06. Plans and particulars of the reserved matters referred to in above relating to the external appearance of the buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason: The application is for outline permission with these matters reserved for subsequent development.

07. The development shall be implemented in general conformity with the approved 'Illustrative Built Form Masterplan' submitted with the planning application unless otherwise agreed in writing by the Local Planning Authority. Nothing in this consent shall be construed as authorising the illustrative details submitted with the application other than the layout, means of access and scale for which approval was sought.

Reason: To ensure that the Reserved Matters for the appearance and layout to be submitted are in accordance with the approved Design and Access Statement and to enable the Local Planning Authority to satisfactorily control the development.

08. Samples of all materials to be used in the construction of the external surfaces of each phase of the proposed development shall be submitted to and agreed in writing by the Local Planning Authority before the development commences. Each phase of development shall be constructed in accordance with the agreed details.

Reason: To ensure a satisfactory external appearance of the development, in the interests of visual amenity.

09. No phase of development shall commence until detailed plans showing the design, location and materials to be used on all boundary walls/fences/screen walls and other means of

enclosure have been submitted to and agreed in writing with the Local Planning Authority. Each phase of development shall be implemented in accordance with the agreed details. The boundary treatments so approved shall be completed prior to the first use of the building(s) and retained thereafter.

Reason: In the interests of visual amenity and highway safety.

10. Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Attention should be given to existing vegetation and surrounding landform.

Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity of the area, the living conditions of nearby residents or integrity of existing natural features and habitats.

11. No development shall commence on any phase of the development until details of the earth works have been submitted and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, including the relationship of proposed mounding to existing vegetation and surrounding landform and a timetable for their implementation, which in the case of the mounds on the east and western boundaries of the site shall be prior to the commencement of development of any construction activities on site.

Reason: In the interests of visual amenity

12. Prior to installation, full details of the method of illumination (light colour and luminance) of the external areas of the site, including parking courts, floodlighting and lit signage shall be submitted to and agreed in writing by the Local Planning Authority and the lighting shall be implemented wholly in accordance with the agreed scheme.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining residents.

13. No development shall commence until full details of Soft Landscaping including aquatic planting has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the Council's Design Guide, Specification (Residential and Industrial Estates Development) current edition BS4428:1989, Code of practice for General Landscape operations. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of the development or prior to the occupation of any part of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

14. A soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. Maintenance shall be detailed for a minimum of 5 years

from date of completion of the total scheme regardless of any phased development. The landscape management plan shall be carried out as approved.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

15. The development shall not commence until the means of external finishing materials of all hard landscaped areas including roads and footpaths has been submitted to and approved in writing by the Local Planning Authority. The hard landscaping shall thereafter accord with the approved documents.

Reason: To enable the Local Planning Authority to control details of the proposed development, and to improve the appearance of the site in the interests of visual amenity.

16. All trees on site and within 10m of its external boundary shall be indicated on the Site Survey Plan. These trees shall be assessed in accordance with BS 5837:2012 Trees in Relation to design, demolition and aonstruction. The assessment should concur with the latest site plans and include for the following information:
- a) A plan to scale and level of accuracy appropriate to the proposal showing the position of every tree on and adjacent to the site with a stem diameter over the bark measured at 1.5 metres above ground level at 75mm.
 - b) A tree schedule as detailed in BS5837:2012;
 - c) A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work.
 - d) Details of any ground level changes or excavations within 5 metres of the Root Protection Area of any tree to be retained including those on adjacent land.
 - e) A statement setting out long term future of the trees in terms of aesthetic quality and including post development pressure.

Reason: To assess the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained

17. No development shall commence until a scheme for the protection of trees prepared in accordance with BS5837: 2012 has been submitted to and approved in writing by the Local Planning Authority. Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees, shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be appropriately maintained and protected.

18. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

19. No development approved by this permission shall be commenced until a detailed design scheme for the proposed balancing pond (SUDS) and timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be completed in accordance with the approved plans and timetable and thereafter retained throughout the life of the development.

Reason: To protect the water environment, and in the interest of the visual amenities of the locality.

20. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water drainage and regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding.

21. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the local planning authority. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

22. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment, which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site may be subject to contamination. There is a need to protect local surface watercourses and the underlying Sherwood Sandstone primary aquifer

23. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained

written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure the site is remediated to the appropriate standard

24. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: If the site is contaminated piling may allow migration of contaminants to the underlying aquifer

25. A Stage 1 Safety Audit should be undertaken in line with national guidance in order to inform the Highway Authority on the safe operation of the proposed development. Particular account should be taken on the proposed location of any trees to ensure adequate forward visibility at bends is maintained.

Reason: To achieve a satisfactory form of development, in the interests of highway safety and the free flow of traffic.

26. Concurrent with the first occupation of the first building on the site, two bus stops and connecting footpath as shown on Drawing No. 3002/01G received 6th May 2008 shall be available for use. The bus stop and path shall be retained for the life of the development hereby permitted, unless with the prior written consent of the Local Planning Authority to any variation.

Reason: To facilitate the use of a sustainable mode of transport.

27. Concurrent with the first use of each building or phase of development hereby approved, the cycle parking agreed in relation to that building or phase of development shall be available for use. The cycle parking shall thereafter be retained for the life of the relevant building or phase development unless with the prior written agreement of the Local Planning Authority to any variation.

Reason: To facilitate the use of a sustainable mode of transport

28. Measures shall be taken to prevent any mud, dirt and debris being carried on to the adjoining highway as a result of site construction works. Details of the preventative measures shall be submitted to and agreed in writing by the Local Planning Authority before any phase of the development commences. The facilities so provided shall be maintained whenever the approved construction activities are carried out.

Reason: In the interests of highway safety

29. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the construction period has been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed scheme.

Reason: In the interests of the amenities of the area.

30. No paint spraying equipment shall be used unless in a properly constructed part of any building to which suitable filtration equipment has been fitted to the satisfaction of the Local Planning Authority.

Reason: In the interests of the local amenity.

31. No sump oil, gearbox oil, hydraulic fluids and battery acids shall be drained from any vehicle unless in a bonded impervious area which is drained to an interceptor constructed to retain all such fluids until removed by a licensed waste transport carrier.

Reason: To protect the water environment

32. No engine cleaning using solvents shall take place unless where an extraction system is in place in accordance with a scheme to be agreed in writing with the Local Planning Authority. The agreed scheme shall be retained thereafter for the life of the use to which the extraction system is required.

Reason: In the interests of local amenity

33. Before any plant is brought into use the buildings, structure and plant shall be insulated against the emission of noise in accordance with a scheme to be approved by the Local Planning Authority. Such noise insulation shall be maintained thereafter to the satisfaction of the Local Planning Authority. Any new plant installed subsequent to the approval shall not increase background noise levels as agreed without the agreement in writing of the Local Planning Authority.

Reason: To prevent noise pollution in the interests of aural amenity.

34. Prior to commencement of any phase of the development, a scheme detailing the area to be used for on-site staff accommodation, storage of plant and materials, parking and manoeuvring of site operatives and visitor vehicles, together with the unloading and loading of goods vehicles for the period of construction of any phase of development shall be submitted to for consideration and agreement of the Local Planning Authority. The agreed scheme shall thereafter be implemented in full and available for use concurrent with the commencement of development.

Reason: In the interests of highway safety

35. No goods, refuse, plant machinery or packing materials shall be stored outside the confines of the building(s) other than in a screened area, the location and details of which shall be submitted and agreed in writing by the Local Planning Authority before the screening has been erected.

Reason: To preserve the visual amenities of the area.

36. No development shall take place until the Local Planning Authority has approved a report provided by the developer of each phase of the development identifying how the predicted CO2 emissions for the development will be reduced by 10% through use of on site renewable energy equipment. The carbon savings which result from this will be above and beyond what is required to comply with Part L of the Building Regulations. Before the development is occupied, the renewable energy equipment shall have been installed and the Local Planning Authority shall be satisfied that their day-to-day operation will provide energy for the development for the life of the development.

Reason: In the interests of facilitating sustainable development.

37. No development shall take place unless in accordance with the mitigation detailed within the protected species report Ecological Appraisal and Protected Species Surveys A Report for West Raynham Developments Ltd dated July 2008, author Clear Ecology; and for great crested newts Mitigation Proposals for High Great Crested Newt Population (CONFIDENTIAL) dated August 2008, author Clear Ecology and Uray Nook GCN Mitigation Proposals - Tabular Summarisation of Proposed Habitat Dynamics dated September 2008, including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation and compensatory habitats in advance; undertaking confirming surveys as stated and adherence to precautionary working methods.

An appropriate and detailed scheme of habitat conservation, enhancement and creation informed by the recommendations of the documents referenced above, to be produced and agreed by the Local Planning Authority as Reserved Matters, or prior to determination of a full planning application.

An appropriate and detailed habitat management plan and commitment for its delivery informed by the recommendations of the documents referenced above, to be produced and agreed by the Local Planning Authority as reserved matters or prior to determination of a full planning application.

Reason: To conserve protected species and their habitat.

38. Within 6 months of the occupation of each individual unit of the development, a Travel Plan document relating to that unit of occupation shall be submitted, finalised and agreed in writing by the local planning authority. The Travel Plan shall include vehicle trip generation, person trips and mode share targets and outcomes (within the specified timescales).

Reason: In the interests of reducing the impact of traffic generated by the development in the interests of highway safety.

39. Prior to the commencement of development or any phase of the development permitted, all public footpath routes through the site shall be protected and/or temporarily diverted in accordance with the statutory procedures and a scheme which shall have been submitted to and approved in writing with the Local Planning Authority. Such agreed measures shall remain in place for the duration of the development and thereafter, and any such route shall be returned to its original state or in accordance with a scheme as shall be agreed previously with the Local Planning Authority, once the works which immediately affect them have been completed.

Reason: To ensure that pedestrian routes are protected.

40. The proposed means of vehicular and pedestrian access hereby approved to each phase or unit of the development shall be laid out, hard surfaced, sealed and drained prior to occupation of the phase of unit.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway and pedestrian safety.

41. Prior to occupation of each phase or unit of the development hereby permitted, the approved parking and manoeuvring space to serve each phase or unit shall be laid out, hard surfaced, sealed and drained.

Reason: In the interests of highway safety.

42. The access to Uraly Nook Road shall be laid out, hard surfaces and sealed in accordance with details and timetable, which shall have been submitted to and agreed in writing with the Local Planning Authority prior to commencement of development.

Reason: To ensure that a suitable form of access is made available to serve the development, in the interests of highway safety.

43. Before the commencement of development of any phase or unit of development commences on site, full details of wheel cleaning facilities and its location within the site shall be submitted in writing by the Local Planning Authority. The details and measures so approved shall be installed, maintained in good operational condition and used for wheel cleaning whilst ever construction or delivery vehicles associated with construction activities use the site.

Reason: In the interests of highway safety.

44. No phase of development shall be brought into use until the access to Uraly Nook Road has been provided with 9 metre by 160 metre visibility splays in each direction with there being no obstruction between the sightline and the adjacent carriageway edge exceeding 600mm above carriageway channel edge. The sightlines shall be so maintained for the life of the development hereby permitted.

Reason: To ensure satisfactory visibility for emerging vehicles, in the interests of highway safety

45. Prior to the first occupation of the development hereby approved, a refuse management plan to facilitate the deposit and subsequent collection of refuse from the site, which shall include recycling facilities, shall be submitted to for consideration and approval of the Local Planning Authority. The plan as approved shall be implemented:
- a) within 12 months of the commencement of the development; or
 - b) in agreed phases; or
 - c) prior to the occupation of any part of the development
- As shall be agreed in writing with the Local Planning Authority.
The facilities shall be available for the life of the development hereby permitted.

Reason: In order to facilitate refuse collection and recycling in the interests of sustainability and amenity.

46. The new footpath link shown on Drawing No. 3002/01G between Units 15 and 16 shall be installed in accordance with an scheme and to a timetable to be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall thereafter be implemented in full.

Reason: To facilitate pedestrian access and in the interests of pedestrian and highway safety.

INFORMATIVES

Section 106 Agreement

The planning permission shall be read in conjunction with the accompanying legal agreement under Section 106 of the Town and Country Planning Act .

Environment Agency

The Environment Agency recommends that developers should:

- 1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- 2) Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.
- 3) Refer to our website at www.environment-agency.gov.uk for more information.

It is recommended that the requirements of PPS23 should also be followed.

The principles outlined in the flood risk assessment ref 07164/FRA dated June 2007 are generally acceptable, but because of the high risk of flooding elsewhere in the catchment surface water run-off should be attenuated to the 1:1 year greenfield rate. Also, the existing greenfield discharge route should be confirmed.

Natural England

Planning permission does not absolve the developer from complying with the relevant law; including obtaining and complying with the terms and conditions of any licences the developer may need to obtain from Natural England prior to commencement of development.

Appeals to the Secretary of State

Important Note: The applicant's attention is drawn to the appeal time limits indicated below and the need to adhere to the specific time limit for appeal in relation to the application/appeal type

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land to grant it subject to conditions, the owner may claim that the land has become incapable of reasonable beneficial use in its existing state and in a case where planning permission was granted subject to condition, that the land cannot be rendered capable of reasonable beneficial use by the carrying out of the permitted development in accordance with these conditions, and in any case that the land cannot be rendered capable of reasonable beneficial use for the carrying out of any other development for which planning permission has been granted or for which the Local Planning Authority or the Secretary of State has undertaken to grant planning permission.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated requiring the council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Part VI of the Town and country Planning Act 1990. By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended) and Article 7(1) of the Town and country Planning General Development Order 1988, where outline planning permission is granted on or after the 1st April 1969 of this section it shall be granted subject to the condition that in the case of any reserved matter, application for the approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission and that the development to which the permission relates must be begun not later than whichever is the later of the follow dates:-
 - (i) the expiration of three years from the date of the grant of outline planning permission;Or
 - (ii) the expiration of two years from the final approval of the reserved matters or in case of approval on different dates, the final approval of the last such matter to be approved.The attention of developers is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to the consent constitutes a contravention of the provisions of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.