



Appeal Decision

Site visit made on 3 February 2026

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2026

Appeal Ref: APP/E2340/X/25/3358821

Stable Cottage, Far Wanless Farm, Hollin Hall, Trawden, Colne BB8 8QE

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr and Mrs J Holland against the decision of Pendle Borough Council.
 - The application ref 24/0777/CEA, dated 7 November 2024, was refused by notice dated 11 December 2024.
 - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
 - The development for which an LDC is sought is replacement of uPVC framed windows with timber framed windows and replacement of timber external doors with timber external doors, with some doors incorporating additional glazing.
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Decision

1. The appeal is dismissed.

Reasons

2. Stable Cottage is one of three principal buildings that comprise Far Wanless Farm; the other two being a barn that has been converted to two dwellings and Far Wanless Farmhouse, a Grade II listed building. The Appellants are seeking to establish that Stable Cottage is not subject to listed building control because it is not within the curtilage of the listed building. If Stable Cottage is found not to be curtilage listed then an LDC can be granted for the proposed window and door works, and if it is curtilage listed then listed building consent would be required for the works and an LDC cannot be granted. The onus of proof is on the Appellants whose evidence must be sufficiently precise and unambiguous to demonstrate, on the balance of probability, that Stable Cottage is not a curtilage listed building.

3. Far Wanless Farmhouse has a residential curtilage, defined by stone walls, but this is not necessarily the same as the curtilage of the listed building. Historic England have published Advice Note 10 'Listed Buildings and Curtilage' (HEAN10) and in this advice note the curtilage of a listed building is defined as, in general terms, any area of land and other buildings that are around and associated with the listed building. HEAN 10 advises that "The courts have said that there are three key factors to be taken into account in assessing whether a structure or object is within the curtilage of a listed building: the physical layout of the listed building and the structure; their ownership, both historically and at the date of listing; and the use and function of the relevant buildings, again both historically and at the date of listing".

4. Far Wanless Farmhouse was listed in April 1952 when the farm was in single ownership. It is likely that the farm was a working farm both historically and at the time of listing. The substantial barn was for the storage of hay and for other farming

activities such as winter housing for livestock, the stable block, now Stable Cottage, was for stabling of horses and other farming activities, and the farmhouse was the home of the farmer and their family and the administrative heart of the farm. The three buildings have characteristics that demonstrate their different functions and are set close together in a typical farmstead layout; the barn and stable building are either side of a yard and the farmhouse is set slightly apart yet close to provide almost immediate access to activity in the yard and buildings.

5. The vehicular access to Far Wanless Farm approaches from the south-east and terminates at the farm, though continues as a footpath between the barn and the farmhouse. From the access the relationship between the three buildings is apparent; the farmhouse is close to the farm buildings but slightly separate from them, a reflection of their different functions. The Appellants' Agent has commented that the farmhouse "...has a curtilage that is clearly defined by historic stone walls..."; it is, but the walls serve the practical function of preventing livestock straying into garden areas. He has also referred to "...a further element of separation is provided by historic walls and gateposts to the farmyard". Again, the walls and gateposts, which no longer support gates, served the function of preventing livestock straying from the farmyard.

6. HEAN10 provides hypothetical examples of farm situations to guide decisions on listed buildings and their curtilages. The Agent has referred to section 3.1 which relates to a listed farmhouse and associated unlisted barn and stable block. The conclusion in that example, where the farmhouse is set apart from the other buildings was "...the physical separation of the unlisted farm buildings from the listed farmhouse when combined with the distinction between the mostly domestic nature of the farmhouse and the business-related function of the barn and stable block are likely to mean that they would be considered to be outside its curtilage". At Far Wanless Farm, however, the listed farmhouse is separated from the barn by only a few metres and in close views from the access the three buildings are, visually, a tight knit group.

7. In relation to the three key factors mentioned in HEAN10, the three buildings have a close visual and physical relationship, they were in single ownership both historically and at the date of listing, and their use and function were as a single entity, Far Wanless Farm, both historically and at the date of listing. The stone walls were integral to the function of the farm and do not affect the conclusion that, as a matter of planning judgement, Stable Cottage is within the curtilage of the listed farmhouse. The Appellants' evidence is not sufficiently precise and unambiguous to demonstrate, on the balance of probability, that Stable Cottage is not a curtilage listed building.

8. For the reasons given above, and on all the evidence now available, the Council's refusal to grant an LDC for 'replacement of uPVC framed windows with timber framed windows and replacement of timber external doors with timber external doors, with some doors incorporating additional glazing' at Stable Cottage, Far Wanless Farm, Hollin Hall, Trawden was well-founded and the appeal fails. The powers transferred under section 195(2) of the 1990 Act as amended have been exercised accordingly.

John Braithwaite

Inspector