



Appeal Decisions

Site visit made on 26 February 2026

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

an Inspector appointed by the Secretary of State

Decision date: 03 March 2026

Appeal A Ref: APP/E2340/C/25/3368910 and 3368911

Land to the east of Pendle House, Barley Lane, Barley BB9 6LG

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeals are made by Mrs Deborah and Mr Daniel Harper against an enforcement notice issued by Pendle Borough Council.
 - The notice was issued on 11 June 2025.
 - The breach of planning control as alleged in the notice is the erection of a single storey structure on agricultural land.
 - The requirements of the notice are i. Remove the building from the land and permanently remove all materials from the land used in the construction of the building.
 - The period for compliance with the requirement is three months.
 - The appeals are proceeding on the grounds set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended) and the appeal by Mrs Harper is also proceeding on the grounds set out in section 174(2)(a) of the Act. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal under ground (a) is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the erection of a single storey structure on agricultural land to the east of Pendle House, Barley Lane, Barley as shown on the plan attached to the notice and subject to the condition that:

1. There shall be no storage of items of any nature outside of the building.

Applications for costs

2. An application for costs has been made by the Appellants against the Council. This application is the subject of a separate Decision.

Reasons

The ground (a) appeal

3. The main issue in the ground (a) appeal is the effect of the structure on the landscape character of the area.

4. Pendle House is a substantial semi-detached house. The two dwellings and associated buildings form a group at the end of a cul-de-sac private lane that extends generally south-westwards from a junction with Barley Lane. To the north-west of the group of buildings is Pendle Hill; a well-used steep footpath leads from the lane to the summit of the hill. From the group of buildings are far reaching views to the south and east across a farmed, gently sloping landscape interspersed by blocks of woodland. A

block of coniferous woodland is close to the south-east of the group of buildings. To the south-west of the woodland, beyond a boundary wall, is a public footpath which extends south-eastwards towards Barley Mow.

5. The appeal building is about 9.5 metres long, 8.5 metres wide and 3.5 metres high to a central ridge. It has a corrugated metal dark roof and black stained timber boarded elevations above blockwork; this is unfinished pending the outcome of the appeal and is likely to be faced in stone. The building is to the north-east of a large agricultural building which is close to, and to the south of, the dwelling adjoining Pendle House. The building is set into ground sloping away from the group.

6. The building that is two dwellings and the agricultural barn are substantial buildings and together with other buildings to the north-east of Pendle House form a substantial group. This group can be seen from all directions and are prominent in the landscape. The appeal building, given its relatively small size and that it is partially set into the ground, and the topography of the area in general, cannot be seen from the lane or from the steep footpath up Pendle Hill.

7. The only significant view of the building is from the south-west, from the footpath beyond the boundary wall. But from most of the footpath the building is screened by the block of woodland. It is only visible through a gap of about 50 metres between the woodland and the agricultural barn. From here only the roof and part of the gable end of the building are visible. In this view the building is seen to be part of the group of buildings and behind it are buildings alongside the lane and a backdrop of countryside.

8. The appeal building has joined an existing group of buildings and is constructed of appropriate materials in this countryside location. It is not a prominent or isolated feature in the landscape. A photograph after paragraph 4.3 in the Council's appeal statement gives a false impression of the building's relationship to the group, because the photograph does not show the largest building in the group, the agricultural barn, or its location in front of the dwellings. The building that is the subject of the appeal does not cause any significant harm to the landscape character of the area.

Other matters

9. There is no evidence that the appeal building has ever been used for any manufacturing or industrial processes. The building is used to store timber for personal use and equipment used in the maintenance of the Appellant's agricultural land and the lane. An advert was displayed on the site a few years ago advertising 'Logs for Sale' and giving the Appellant's telephone number. But this is a relative's business and the advert was placed because it would have been seen by walkers using the footpath network. The business is elsewhere and does not utilise the building. There is no conflict with policy WRK1 of the Pendle Local Plan: Part 1.

10. A petition has been submitted in opposition to the appeal. The petition does not refer to a specific building or location and can therefore be discounted. Third party objections have been taken into account but they do not, either individually or collectively, outweigh the conclusion to be reached.

11. The Council has suggested a condition, which has not been commented on by the Appellant, that would prevent any storage outside the building. The condition would prevent visually intrusive clutter around the building and is necessary.

Conclusion on the ground (a) appeal

12. The structure does not have any significant adverse effect on the landscape character of the area and does not conflict with policies ENV1 and ENV2 of the Pendle Local Plan: Part 1. The ground (a) appeal therefore succeeds and planning permission has been granted for 'the erection of a single storey structure on agricultural land' on land to the east of Pendle House, Barley Lane, Barley. The Appellants' ground (g) appeal does not need to be considered.

John Braithwaite

Inspector