

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	LW	Date:	31/07/26	Manager:	LH	Date:	04/08/26
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Application Ref:	3/2026/0448			 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	N/A	Site Notice:	N/A	
Officer:	LW			
DELEGATED ITEM FILE REPORT:				REFUSAL

Development Description:	Certificate of Lawfulness for existing use of building as a domestic outbuilding.
Site Address/Location:	New Barn Farm, Alston Lane, Longridge, PR3 3BN.

CONSULTATIONS:	Parish/Town Council
N/A	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	N/A
National Gas:	No objection.

CONSULTATIONS:	Additional Representations.
None received.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:

Town and Country Planning Act 1990 Section 191.

Planning and Compensation Act 1991 Section 171B Time limits.

Relevant Planning History:

3/2024/0984: Certificate of Lawfulness for existing use of a building as a domestic outbuilding together with use of surrounding land as domestic curtilage (Refused).

3/2024/0278: Proposed demolition of existing mixed-use building and garages and erection of one replacement mixed use building for domestic garaging, equine storage and agricultural machinery (Withdrawn).

3/2006/0530: Erection of four stables to replace derelict hen cabin (Approved).

3/2003/0871: Change of use of stables to form one dwelling for holiday letting (Approved).

3/2002/0101: Demolition, alteration and extensions to farmhouse (Approved).

3/2000/0643: Division of existing farmhouse to form two cottages (Refused).

3/1998/0572: Erection of four loose boxes and tack room with loft storage over (Approved).

3/1993/0666: Change of use of barn to form one dwelling (revised details) (Approved).

3/1993/0341: Conversion of existing stone barn to dwelling (Approved).

3/1991/0164: Tennis court and surrounding landscaping (re-submission) (Approved).

3/1990/0588: Construction of tennis court (Refused).

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a sizeable, detached building located adjacent to the residential property known as New Barn Farm, accessed off Alston Lane, Longridge.

Proposed Development for which consent is sought:

The application seeks a Certificate of Lawful Existing Use or Development (CLEUD) to establish the lawful use of the building as a domestic outbuilding ancillary to the dwelling at New Barn Farm, pursuant to Section 191 of the Town and Country Planning Act 1990. The applicant contends that the building has been used for domestic purposes continuously for a period exceeding 10 years and is therefore lawful under the provisions of Section 171B of the Act.

In determining an application under Section 191, the responsibility rests with the applicant to demonstrate, on the balance of probabilities, that the claimed use is lawful.

National Planning Practice Guidance advises that, in cases involving existing uses, where the local planning authority has no evidence of its own, nor evidence from third parties, that contradicts the applicant's account or renders it less than probable, there will be no justification for refusing the application, provided that the evidence submitted is sufficiently precise, unambiguous and cogent to demonstrate, on the balance of probabilities, that the claimed use is lawful.

Other Matters:

The principal issue is whether there is sufficient evidence to demonstrate that the building subject to this application has been in continuous use as domestic outbuilding for a period exceeding ten years prior to the date of this application, having regard to the provisions of Section 171(B) of the Town and Country Planning Act 1990.

Section 171(B) sets out the time limits after which unauthorised development becomes immune from enforcement action and, therefore, lawful. In relation to a material change of use, Section 171(B) states:

In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.

This application follows the Council's refusal to grant a Certificate of Lawfulness in 2025 under application reference 3/2024/0984, which sought to establish the lawful use of the building as a domestic outbuilding incidental to New Barn Farm, together with the use of the surrounding land as residential curtilage. The application was refused because the evidence submitted did not demonstrate, on the balance of probabilities, that the building and associated land has been used continuously for domestic purposes for a period exceeding 10-years. Consequently, the lawful use of the building and land was not established.

In support of the previous application, the applicant asserted that the building has been used for domestic storage since 2002 by the former owners of New Barn Farm and subsequently by the current owners since 2011. It was claimed that the building has accommodated a range of domestic items and equipment including domestic and agricultural trailers, gardening, beekeeping and equestrian equipment, tools, spare timber, a Land Rover and quad bike, amplifiers and televisions, children's toys and beds, sports equipment, baled grass and bedding, and family vehicles. The applicant also stated that the building had occasionally been used to store items belonging to friends, family members and neighbours, including a motorcycle, speedboat and water-skiing equipment. Reference was also made to the use of land to the north and west of the building for domestic parking purposes.

In support of the current application, the applicant has submitted an updated Supporting Statement. This explains that New Barn Farm comprises a five-bedroom dwelling, a derelict triple garage, a large mixed-use barn (the subject of this application), a stable block and approximately seven acres of land. The land is stated to have historically been used for the grazing of horses and sheep and continues to be used for hay production.

The applicant maintains that the barn has been used for domestic storage throughout their ownership of the property since 2011, and that the same use was established by the previous owners before that date. It is claimed that the barn has been used on a continuous basis from 2011 to the present day for the storage of a variety of items, including:

- Domestic and agricultural trailers;
- A Land Rover (from 2013 to the present day) and a quad bike;
- Gardening equipment, tools and lawn mowers;
- Equestrian equipment, including saddles, drags and rugs;
- Spare furniture;
- Bicycles;
- Garden furniture and barbeques;
- Ladders and tools;
- Fencing equipment and spare timber;
- Beekeeping equipment;
- Tennis nets;
- Children's toys, including trampolines and cubby houses; and
- Spare TVs and amplifiers

The applicant further states that, on a more occasional basis, the barn has also been used to store horse jumps, animal feed and bedding, personal vehicles, gym equipment, and domestic appliances, including spare washing machines and refrigerators.

To substantiate these claims, the application is accompanied by a series of photographs dated between 2017 and 2024 showing the interior of the building containing vehicles, including cars, a quad bike and motorcycle, together with a range of tools and equipment. In addition, four signed Statements of Truth have been submitted by neighbouring residents, each of whom confirms their understanding that the building has been used for the storage purposes described above.

Whilst the Council does not dispute that the building has been used to store domestic items during the period claimed, uncertainty remains as to whether its primary use has been for domestic purposes.

The building is situated adjacent to a stable block approved under planning permission 3/2006/0530, which provides stabling for four horses. The stable block is within the applicant's ownership but lies outside the residential curtilage of New Barn Farm. The evidence submitted in support of the application refers to the storage of equestrian related items, including saddles, drags, rugs, horse jumps, animal feed and bedding.

Given the building's close proximity to the stables, the absence of dedicated storage facilities associated with the approved equestrian use, and the nature of the items identified within the supporting evidence, the Council is unable to conclude, on the balance of probabilities, that the building's primary function throughout the last ten years has been that of a domestic outbuilding. Rather, the evidence suggests that the building may have been used, at least in part, for purposes ancillary to adjacent stable block. As such, it cannot be ruled out that the building has been in a mixed domestic and equestrian use during the relevant period.

In light of the above, the information provided does not satisfactorily demonstrate, on the balance of probabilities, that the building has been used primarily and continuously for domestic purposes throughout the requisite ten-year period. Consequently, the Council does not consider the claimed lawful use to have been established.

Observations/Consideration of Matters Raised/Conclusion:

As such, it is for the above reasons and having regard to all material considerations and matters raised that the application is recommended for refusal.

RECOMMENDATION:	That the Certificate of Lawfulness be refused for the following reason:
01:	The application has failed to demonstrate that, on the balance of probability, the building to which the application relates has been used primarily and continuously for domestic purposes for a period in excess of 10 years, and therefore the use of the building as a domestic outbuilding incidental to the residential property known as New Barn Farm is not considered lawful by virtue of Section 191 of the Town and Country Planning Act 1990.