

Report Title	Enforcement Action - Appendix
Meeting	West Craven Area Committee
Meeting Date	3 rd November 2026
Report Author	Laura Barnes
Directorate	Place
Lead Executive Member(s)	Councillor L Whipp
Wards Affected	Barnoldswick
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	None

1. Executive Summary

- 1.1 The report is to provide members with a summary of the case in relation to an enforcement notice and appeal decision at 2a Park Road, Barnoldswick.

2. Recommendations

For the reasons set out in this report, West Craven Area Committee is recommended to:

- 2.1 Proceed with enforcement action.

3. Information: the Rationale & Evidence for the Recommendations

- 3.1 At the West Craven Area Committee meeting on 6th October 2026, Members voted on a motion not to take further action on this case until a report had been brought to the next committee for discussion.
- 3.2 As it stands, an enforcement notice has been served on the applicant for the removal of an unlawful UPVC door to the front of the building. This notice was served on 2nd June 2026 and required action within 2 months after the notice took effect on 7th July 2026. To date, the UPVC door remains in place.
- 3.3 Planning permission was approved on 26th March 2026 for the replacement of the windows and alteration to the existing door and window to the front elevation.
- 3.4 Whilst the approved plans indicated the use of uPVC for the window and door frames, a condition was included to clarify that permission was not given for the use of uPVC at ground floor level. The Council considers the condition to

be necessary to ensure that the materials used for the ground floor window and door protect the character and appearance of the Barnoldswick Conservation Area (the CA). The appellant, however, objects to the condition as they do not consider it to be reasonable or necessary.

- 3.5 On 1st October 2026, the Planning Inspectorate issued an appeal decision which dismissed the appeal. This set out that condition 3 is reasonable and necessary to preserve or enhance the character or appearance of the CA. It is consistent with the aims and objectives of Policies SP11, DM16 and DM18 of the Pendle Local Plan Fourth Edition (2021-2040) (2025) which collectively seek to ensure that proposals conserve the historic environment by sustaining and enhancing the significance of heritage assets, considering elements of built form such as materials and architectural details, and make a positive contribution to local character and distinctiveness. The condition is also consistent with the requirements of the Act as well as the Framework.
- 3.6 Members wanted to understand why the doctors surgery could have UPVC windows whilst the applicant was being asked not to install them to the ground floor. In response, the Planning Inspector has addressed this issue:
“...the scale and design of this building is not comparable to the predominantly small-scale shopfronts along Rainhall Road and to which the character and appearance of the appeal property more closely relates. Their appearance also highlights the limitations of uPVC in terms of successfully replicating the detailing and finish of traditional timber windows and doors. This does not therefore provide justification for the harm that would result from the use of uPVC for the windows and door at the ground floor of the appeal property, and it does not alter my conclusion on the main issue.”
- 3.7 Addressing the significance of the shop itself the Inspector finds the following:
“The appeal property is positioned at the edge of the CA and the town’s commercial centre. Due to its modest scale, simple vernacular form, ground-floor commercial use and timber shopfront, it has a much stronger visual and historic relationship with the commercial properties along Rainhall Road than with the predominantly residential buildings on Park Road. Whilst the appeal property’s shopfront is not original, its simple timber construction and slender framing reflect many of the traditional shopfront characteristics that contribute to the historic character of the town centre. Together with the building’s other traditional features and materials, the shopfront makes a positive contribution to the significance of the CA by preserving the legibility of its historic commercial development, maintaining the continuity of its traditional built form, and reinforcing the established character and appearance of the CA.”
- 3.8 It is clear that the property makes a contribution to the special character of the Conservation Area. The owner has been asked to remove the unlawful UPVC front door and this request has not been actioned. An enforcement notice has been served requiring compliance and this has not been adhered to.

- 3.9 Members are asked to discuss how to progress this case in light of the enforcement notice and the Inspector’s Appeal decision on this matter, along with the wider implications which would have on the overall character and appearance of the Conservation Area.

4. Link to Council Plan Priorities: (Providing High Quality Services and Facilities, Proud and Connected Communities and Places, Good Growth, Housing and Healthy Communities and Preparing for Local Government Reorganisation)

- 4.1 Providing high quality services and facilities for the residents of Pendle to appreciate and enjoy.

5. Implications

5.1 Financial Implications

None

5.2 Legal and Governance Implications

Non-compliance with enforcement notice

5.3 Climate and Biodiversity Implications

None

5.4 Human Resources Implications

None

5.5 Equality and Diversity Implications

None

6. Consultation

- 6.1 Consultation had been carried out as part of the original application, in the form of letters to neighbours, a site & press notice.

7. Alternative Options Considered

- 7.1 Enforcement action should be taken in order to regularise the situation in relation to the unlawful door.

8. Statutory Officer Sign off

Section 151 Officer	x
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Monitoring Officer	
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9. Background Documents

Planning Inspectorate Appeal Decision Ref: 6009979

Enforcement Notice reference HS/2104764

Contact Officers

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