

**GROUNDS OF APPEAL 'GROUND A' AND STATEMENT OF CASE**  
(Section 174(2)(a) Town and Country Planning Act 1990)

Appellant: Mudassir Shaheen  
Site Address: Land to the East of York Road (south-east of Whalley Old Road), Langho,  
Blackburn, Lancashire

Local Planning Authority: Ribble Valley Borough Council  
Planning Ref: 2025/0454  
Enforcement Notice Ref: 22172

**Introduction**

This appeal is made under Ground A of Section 174(2) of the Town and Country Planning Act 1990, that planning permission ought to be granted for the development alleged in the enforcement notice.

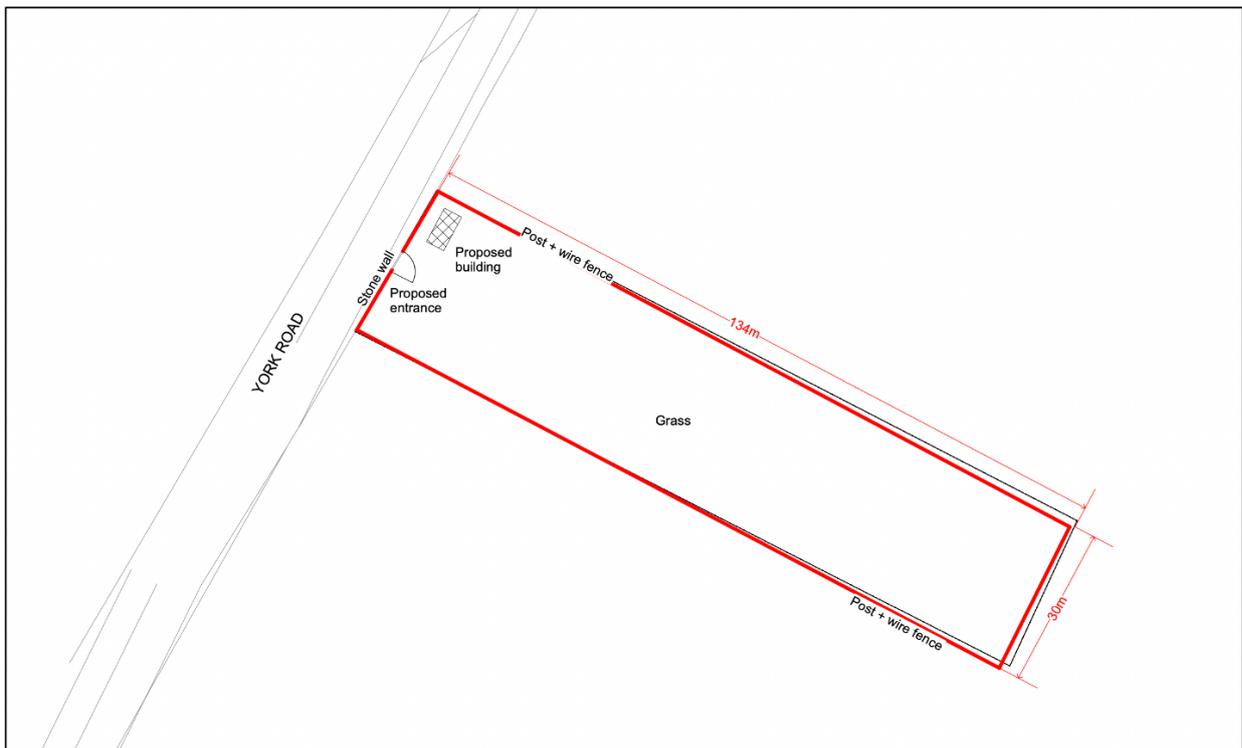
The notice, dated 10 September 2025, alleges three breaches:

1. The construction of a timber building on the land.
2. The unauthorised creation of an access from the land onto the highway.
3. The installation of a CCTV pole on the land.

The appellant seeks permission to retain these features. Each serves a legitimate agricultural purpose, causes no material planning harm, and accords with both national and local planning policy. The notice is therefore unnecessary and disproportionate.

**Site Context and Background**

The site extends to about 0.4 ha (1 acre) within the Green Belt and forms one of several small rural holdings along York Road.



It remains in active agricultural use, primarily for small-scale poultry keeping and grazing, with a modest building for storage and shelter, a simple access gate, and a small CCTV pole for security.

A retrospective application (ref 2025/0454) for this development was refused on 2nd September 2025. The enforcement notice now seeks removal of those same elements.

### **Alleged Breaches and Responses**

#### **(a) Timber Building**

The building (approx. 24.5 m<sup>2</sup>) is modest and purely functional. It stores a compact tractor, feed, and small equipment, and provides weather shelter for roughly 50 organic free-range chickens. Constructed in olive-green wall sheeting with a grey roof, the design is typical of small rural structures and avoids visual intrusion. Siting the building near the frontage ensures easy access while preventing encroachment into the open rear field.

The LPA accepts that the land remains in agricultural use, notwithstanding its subdivision. Such subdivision does not diminish the lawful agricultural status under s.336(1) of the Act. Modest agricultural fixtures and buildings associated with farming, storage, or livestock management are part of the lawful operational use of agricultural land.

Accordingly, under paragraph 154(b) of the NPPF (2024), the building constitutes appropriate Green Belt development—“buildings for agriculture or forestry”—and there is no requirement to demonstrate ‘very special circumstances.’ It preserves openness, uses appropriate rural materials, and accords with Core Strategy Policies EN1, DMG1, and DMG2.

#### **(b) Access from the Land onto the Highway**

The access is a simple 4.5 m metal field gate created through a short opening in the boundary wall. It serves only this smallholding; vehicle movements are infrequent and limited to agricultural purposes.

The existing width and visibility are adequate for safe entry and exit in forward gear. York Road carries little pedestrian traffic, and there is no conflict with public users.

The LPA’s implication that the access requires a hard-surfaced turning area is misplaced. Agricultural vehicles operate on natural ground surfaces—soil, grass, and compacted earth—and do not require engineered finishes. Imposing tarmac or gravel would urbanise the frontage, harm visual character, and add no safety benefit.

Given the low frequency of use and clear sightlines, the access is safe, functional, and proportionate to the holding’s needs. Any minor technical refinement could be secured by condition under NPPF para. 143.

#### **(c) CCTV Pole**

A small CCTV pole is installed adjacent to the building. It was erected after several incidents of attempted arson and illegal dumping affecting the site. Its purpose is therefore security and deterrence, protecting livestock, equipment, and the wider holding.

The pole is slimline and unobtrusive, positioned against existing boundary features, and viewed within the context of the agricultural building. It causes no harm to openness or visual amenity and performs a legitimate ancillary role to the agricultural use. The CCTV system is a reasonable and proportionate security measure, entirely consistent with rural land management.

### **Green Belt Policy Context and National Support**

Paragraph 154(b) of the NPPF (2024) identifies “buildings for agriculture or forestry” as not inappropriate development in the Green Belt when reasonably necessary. It also allows

“appropriate facilities (in connection with the existing use of land), including buildings,” provided they preserve openness and do not conflict with Green Belt purposes.

Paragraph 155 further allows other forms of development where openness is preserved. This demonstrates national flexibility for modest agricultural and operational improvements—such as small buildings, access ways, or storage structures—where they are justified and sensitively designed.

The NPPF (2024) also continues the long-standing objective of supporting a prosperous rural economy and sustainable land management, recognising that diversification and smaller agricultural units contribute to rural vitality and food production.

### **Sustainable Small-Scale Agriculture and Diversification**

The subdivision of larger farms into smaller holdings sustains active management, prevents dereliction, and supports local self-sufficiency. Nationally, Government policy encourages the productive use of under-used farmland and promotes diversified, sustainable smallholdings.

For such holdings to remain viable, they must function efficiently—which requires basic operational elements: access, small storage facilities, and modest ancillary buildings. Without these, smallholdings become unviable and unattractive to manage, undermining national objectives for sustainable farming, rural enterprise, and land stewardship.

When proportionate and well-sited—as here—such development does not harm Green Belt openness but ensures continued agricultural activity and the positive maintenance of the rural landscape. This aligns with NPPF paragraphs 88–91 and Core Strategy Policy DMG2.

### **Planning Balance and Conclusion on the Notice**

The notice requires removal of the building, access, and CCTV pole. That action would be disproportionate because each element:

- serves a lawful agricultural purpose;
- is modest in scale and appropriate in design;
- causes no material harm to openness, amenity, or safety; and
- can be controlled by simple conditions.

Requiring removal would unnecessarily impede legitimate small-scale agriculture, contrary to the NPPF’s objectives to support rural productivity and diversification.

### **Overall Conclusion**

The appeal development—comprising a modest agricultural building, a simple field access, and a small CCTV pole—constitutes appropriate agricultural development within the Green Belt. It accords with NPPF 2024 paragraphs 88–91, 154(b), and 155 and Core Strategy Policies EN1, DMG1, and DMG2.

The land remains in lawful agricultural use; the works are proportionate, functional, and essential to sustain a viable smallholding. They preserve the openness and character of the Green Belt, maintain rural security, and support national objectives for sustainable diversification of farming land.

For these reasons, the appellant respectfully requests that the appeal be allowed under Ground A, the enforcement notice be quashed, and planning permission granted for the development as existing.