


16.11.19

Report to be read in conjunction with the Decision Notice.

Application Ref:	3/2019/0845		Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	27/09/2019		
Officer:	RB		
DELEGATED ITEM FILE REPORT:		APPROVAL	

Development Description:	Change of use of one quarter of an existing agricultural building to suit generis (dog day care) with adjoining exercise paddock.
Site Address/Location:	Eaves Hall Farm, Moor Lane, West Bradford, BB7 3JG

CONSULTATIONS:	Parish/Town Council
West Bradford Parish council have concerns regarding increased traffic flow irrespective of the collect and return service as well as have concerns regarding noise nuisance and the development setting a precedent for a dwelling at the site.	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	

- The proposal represents low impact development in respect of the anticipated traffic generation and I would therefore raise no objection to the proposal on highway grounds, however I note from the statement submitted with the application that the proposal is to operate the facility using a collect and return service which would reduce the likelihood of opposing vehicles meeting on Eaves Hall Lane. In view of this and the limited parking offered at the site I would request that should you be minded to approve this application a suitably worded condition be attached such that customers will not visit the premises for the purpose of delivery and collection.

CONSULTATIONS:	Additional Representations.
One letter of representation has been received with the following objections:	
<ul style="list-style-type: none"> • Concerns regarding noise nuisance • Impact the agricultural building has on the character of the area. • Precedent set for further development. 	

RELEVANT POLICIES AND SITE PLANNING HISTORY:
Ribble Valley Core Strategy:
Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement DMI2 – Transport Considerations
Key Statement EN2 - Landscape
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport & Mobility
Policy DME1 – Protecting Trees & Woodland

Policy DME2 – Landscape & Townscape Protection
Policy DMB2 – Conversion of Barns and Other Rural Building for Employment

National Planning Policy Framework (NPPF)

Relevant Planning History:

3/2018/1166-Proposed agricultural building for livestock, feed, bedding and machinery for new farm business.- Approved with Conditions.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application site lies approximately 2km north west of West Bradford. The area is predominantly agricultural in nature with the occasional farmstead and rural dwelling. The application site lies within the Forest of Bowland Area of Outstanding Natural Beauty.

Proposed Development for which consent is sought:

Consent is sought for the change of use of one quarter of the previously granted agricultural building from agricultural to that of daycare for dogs and change of use of agricultural land to an exercise paddock for dogs.

The submitted details propose the partial conversion of one bay of the existing agricultural building to accommodate dog-pens and drying off/play area. The internal floor space of the bay measured 12.19 x 4.6 metres with there being no changes externally.

The exercise paddock is to the south of the agricultural building and measures 38 metres by 70 metres and there will be 1.8 metre high deer fencing enclosing the paddock.

It is proposed that the business will operate on a pick-up basis only with dogs being picked up from the client's home by operatives of the business rather than drop-off by the client. The information in support of the application states that the business will operate as follows:

- Maximum of 12 dogs per day
- Pick up by business operative between 8am-9.30am
- Outside play until 12:00pm
- Indoor Rest
- Outside play 12.45pm-14:00pm
- Indoor Rest
- Outside play 14.30pm-15.45pm
- Dogs to be dropped off home by business operative 16:00pm-17:30pm.
- No dogs to be kept overnight

Principle of Development:

The application site lies within the Forest of Bowland AONB in a relatively isolated location being located a significant distance (1.4 miles) from the closest settlement of West Bradford. The development Strategy for the Borough categorises West Bradford as a tier 2 Settlement, which are the lesser sustainable of the 32 defined settlements in the borough. Policy DMG2 considers development within the AONB and states that 'in protecting the designated Area of Outstanding

Natural Beauty the Council will have regard to the economic and social well-being of the area’.

It is important to highlight, that in assessing this application, Policy DMG2 is explicit in that it states *‘the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation.’* and *‘where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.’* In this respect the proposal proposes the reuse and partial conversion of an existing agricultural building for the resting of dogs and therefore no additional visual impact upon the landscape will be resultant from this element of the proposal.

Policy DMB2 supports the conversion of barns and other rural buildings for employment use in the countryside subject to a number of considerations.

1. The proposed use will not cause unacceptable disturbance to neighbours in any way.
2. The building has a genuine history of use for agriculture or other rural enterprise.
3. The building is structurally sound and capable of conversion for the proposed use, without the need for major alterations which would adversely affect the character of the building.
4. The impact of the proposal or additional elements likely to be required for the proper operation of the building will not harm the appearance or function of the area in which it is situated.
5. The access to the site is of a safe standard or is capable of being improved to a safe standard without harming the appearance of the area.
6. The design of the conversion should be of a high standard and be in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings.
7. That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.

Consideration of the impact upon neighbours is considered in detail below. The building has been newly constructed and is therefore structurally sound and no alterations are required. The main consideration is whether the building has a genuine history of agricultural use given the short timeframe between its erection and the current application for change of use. Moreover, Policy DMG2 of the Core Strategy supports the principle of development for small scale uses appropriate to a rural area where a local need or benefit can be demonstrated.

Concerns have been expressed by neighbours regarding the short time period between the erection of the agricultural building and this application for a change of use. The approved agricultural building was granted on the basis that it was required in order to support a new farm business for the storage of livestock, feed, bedding and machinery. The building has only recently been built but has been used for agricultural purposes albeit only for a short period of time. Subject to the business having no additional impact on the visual appearance or amenity of the area and residents it is considered to be a use that is appropriate to a rural area and would result in some minor economic benefits.

It is considered appropriate, should I be minded to approve the application subject to consideration of all other material considerations (below), that any consent issued be personal to the applicant only and that should the dog day-care business cease the building revert back to agricultural use.

Impact Upon Residential Amenity:

Policy DMG1 of the Core Strategy states that development must not adversely affect the amenities of nearby residential occupiers or the surrounding area.

The closest neighbouring dwelling is Seedalls Farm which is approximately 180 metres away from the application site. To the east is open farm land with the nearest property being 340 metres away and to the west is open farm land which the nearest property approximately 800 metres away. The closest residential dwelling to the south is Hancock's farm which is approximately 400 metres away. A letter of objection has been received by Hancock House. The concerns relate to noise nuisance caused by the barking of dogs, as the agricultural building has no soundproofing and the outdoor exercise area is even closer to their property.

As the proposed use is for modest scale development it is not considered that the business would generate such a significant level of additional traffic or create noise levels that would have a detrimental impact upon neighbouring amenity. The Councils EHO also has no objections to the proposed development. However it is considered appropriate to attach a number of conditions to ensure the safeguarding of nearby residential amenity and to ensure the compatibility of the use with the area.

Visual Amenity/External Appearance:

The development proposes to utilise the internal space of an existing agricultural building at the application site with the only external works being the erection of the deer fencing that will enclose the exercise area. Deer fencing is typically found in a rural area and as such is not considered to harm the visual amenity and character of the AONB.

Observations/Consideration of Matters Raised/Conclusion:

It is accepted that a condition be attached to limit the operations of the business in that all dogs using the day care services shall arrive by a vehicle associated with the business and no client drop-off/pick-up will be undertaken from the site, this will ensure vehicular movements remain limited.

Furthermore, consent would be personal to the applicant who owns the building and this would prevent, for example, lease of the building to a third party for a similar dog day-care use. This is considered appropriate given that planning permission was originally granted to the same applicant for the building for agricultural use and that the way the proposed business would operate is specific to the applicant.

It is for the above reasons and having regard to all material considerations and matters raised that I recommend accordingly.

RECOMMENDATION:	That planning consent be granted subject to the imposition of conditions.
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