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Our ref: 334078  
Your ref: 3/2020/0667



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**BY EMAIL ONLY**

Dear Adam

**Planning consultation: Change of use and conversion of former fish hatchery to three holiday let units and creation of associated car park for six vehicles.  
Location: Whitcher Well Fish Hatchery Whitendale Road Dunsop Bridge BB7 3BL**

Thank you for your consultation on the above dated and received by Natural England on 12 November 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

#### **FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON PROTECTED LANDSCAPE AND DESIGNATED SITES.**

As submitted, the application could have potential significant effects on Forest of Bowland Area of Outstanding Natural Beauty (AONB), Bowland Fells Special Protection Area (SPA) and Bowland Fells Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Details of the proposed landscape mitigation,
- An assessment of the impact of the external terrace, lighting and porch additions,
- A Habitats Regulations Assessment,
- An assessment of impacts on the nearby Site of Special Scientific Interest.

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

## **Additional Information Required**

### **Protected Landscape – Forest of Bowland AONB**

Having reviewed the amended Landscape and Visual Impact Assessment (LVIA) and associated information for this proposal, we advise that the development would have a moderate and long term impact on highly sensitive 'receptors' i.e. the quality and character of this nationally designated landscape and the people seeking to enjoy the AONB. We are concerned that this development would introduce an entirely new active component to this part of the valley, one that would be detrimental to its existing character and quality.

The LVIA itself has some major shortcomings, notably the lack of any photomontages and sections showing the completed development. A LVIA for a highly sensitive site within an AONB should provide that level of information and evidence to aid the LPAs decision making. The LVIA is also vague about the ability of new planting to screen the development and as such, we consider that the LVIA is inadequate.

Detailed plans need to be submitted to show the proposed planting and how this will help to mitigate the landscape impacts along with site sections showing the impact of the proposed land lowering.

There is also a lack of assessment of the impact of the design features such as the external terrace, lighting and porch additions on the special qualities of the AONB.

We also note that the proposed site plan and floor plans (drawing no. 5891c/b/01, April-20) indicates works to an existing building on the west of the site but it is not clear what is proposed. It is marked on the plan as 'existing corrugated roof removed and green roof installed'. Please clarify what this building will be used for.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000).

### **Habitats Regulations Assessment - Bowland Fells Special Protection Area (SPA)**

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

### **Bowland Fells Site of Special Scientific Interest (SSSI)**

The potential impacts on Bowland Fells SSSI should also be assessed.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

If you have any queries relating to the advice in this letter please contact me on 0208 225 7506.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours sincerely

Miss Elizabeth Knowles  
Senior Adviser  
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team