

Date: 03 February 2021  
Our ref: 341967  
Your ref: 3/2020/0667



FAO Adam Birkett  
Ribble Valley Council

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**BY EMAIL ONLY**

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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 29 January 2021.

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**

##### **DESIGNATED SITES - FURTHER INFORMATION REQUIRED**

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

A Habitats Regulations Assessment (HRA) needs to be completed – see below for further information. Please re-consult Natural England once this has been completed.

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

##### **PROTECTED LANDSCAPES - NO FURTHER COMMENTS TO MAKE**

We are satisfied that the proposed amendments to the proposal overcome our previous concerns we are confident that you now have the information you need to reach a fully informed decision.

See below for further information.

Following our previous consultation response, we have reviewed the amended plans and reports submitted and have the following comments to make.

##### **Further Information Required - Habitats Regulations Assessment**

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 (HRA).

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.

We recommend that you refer to the submitted Ecology Impact Assessment and Habitats Regulations Assessment (Naturally Wild, January 2021, RSC-19-01) to inform your HRA and that you proceed to the appropriate assessment stage to consider the impacts of recreational disturbance on Bowland Fells SPA. The submitted report also includes mitigation measures in the form of information document/packs to mitigate for recreational disturbance – we would agree that this is appropriate mitigation for this development type. The information document packs should explain the nature and location of the SPA/SSSI and the designated features, advise regarding the breeding seasons and how to avoid disturbance to ground-nesting birds and other wildlife within the SPA during their visit such as keeping to footpaths and keeping dogs on leads.

With the addition of this mitigation, we consider that the proposal will have no adverse effects on the integrity of Bowland Fells SPA.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure this mitigation measure.

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

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.

#### **Protected Landscapes – No Further Comments**

We have reviewed the amended Summary Landscape and Visual Impact Assessment (LVIA) (Rural Solutions, May 2019, Rev A), the Landscape Masterplan and Elevations and Typical Section as Proposed (5891 c/b/02 Rev B). We are satisfied that the proposed amendments to the elevations of the building, screening and lighting arrangements overcome our previous concerns we are confident that you now have the information you need to reach a fully informed decision.

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).

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

We would be pleased to provide advice on the discharge of planning conditions or obligations attached to any planning permission to address the issues above.

Should the proposal change, please consult us again.

Yours sincerely

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