

Date: 09 March 2021
Our ref: 344382
Your ref: 3/2020/0667



FAO Adam Birkett
Ribble Valley Council

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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 22 February 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 - NO OBJECTION, SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Bowland Fells Special Protection Area (SPA) <https://designatedsites.naturalengland.org.uk/>
- damage or destroy the interest features for which Bowland Fells Site of Special Scientific Interest (SSSI) has been notified.

In order to mitigate these adverse effects and make the development acceptable, the mitigation measures need to be secured as set out in the Shadow Appropriate Assessment. See below for further details.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

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

Habitats Regulations Assessment – No objection subject to appropriate mitigation being secured

We have reviewed the Shadow Habitat Regulations Assessment Report (Naturally Wild, March 2021, ref. RSC-19-01, version R2).

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

The Shadow appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

- An information pack should be provided to all guests to explain the nature of the SPA, the reasons for its designation and species for which it is designated. A location map should be provided within the pack, highlighting the proximity from the site along with information on breeding habitat of hen harrier, merlin and lesser black-backed gull and how to avoid disturbance. Good practice guidelines should be set out for guests to follow during any visits to the SPA such as sticking to designated and well-worn footpaths and public rights of way, keeping dogs on leashes and avoiding habitats that offer nesting suitability to the designated species.

Bowland Fells Site of Special Scientific Interest (SSSI)

Our concerns regarding the potential impacts upon the SSSI, coincide with our concerns regarding the potential impacts upon the international designated site.

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