


**Report to be read in conjunction with the Decision Notice.**

<b>Signed:</b>	<b>Officer:</b>	<b>SK</b>	<b>Date:</b>	<b>3.6.25</b>	<b>Manager:</b>	<b>LH</b>	<b>Date:</b>	<b>20/6/25</b>
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<b>Application Ref:</b>	2021/0674			 Ribble Valley Borough Council <a href="http://www.ribblevalley.gov.uk">www.ribblevalley.gov.uk</a>
<b>Date Inspected:</b>	29.09.21	<b>Site Notice:</b>	N/A	
<b>Officer:</b>	Stephen Kilmartin			
<b>DELEGATED ITEM FILE REPORT:</b>				<b>APPROVAL</b>

<b>Development Description:</b>	Erection of agricultural worker's dwelling (Outline).
<b>Site Address/Location:</b>	Lower Edge Farm Tinklers Lane Slaidburn BB7 4TP

<b>CONSULTATIONS:</b>	<b>Parish/Town Council</b>
<b>Slaidburn and Easington parish Council have offered the following observations:</b>	
<p>I write on behalf of Slaidburn and Easington Parish Council in response to the above planning application. The Parish Council wonder whether this agricultural dwelling is necessary - there are already 3 houses on the site. There is also one house on the applicant's other site, which has to date not been completed.</p>	

<b>CONSULTATIONS:</b>	<b>Highways/Water Authority/Other Bodies</b>
<b>N/A:</b>	
N/A	
<b>CONSULTATIONS:</b>	<b>Additional Representations.</b>
No representations received in respect of the proposal.	

<b>RELEVANT POLICIES AND SITE PLANNING HISTORY:</b>
<p><b>Ribble Valley Core Strategy:</b></p> <p><b>Ribble Valley Core Strategy:</b></p> <p>Key Statement DS1: Development Strategy                  Key Statement DS2: Sustainable Development                  Key Statement EN2: Landscape                  Key Statement EN3: Sustainable Development and Climate Change                  Key Statement EN4: Biodiversity and Geodiversity                  Key Statement EN5: Heritage Assets                  Key Statement EC1: Business and Employment Development                  Key Statement DMI2: Transport Considerations</p> <p>Policy DMG1: General Considerations                  Policy DMG2: Strategic Considerations                  Policy DMG3: Transport &amp; Mobility                  Policy DME1: Protecting Trees &amp; Woodland                  Policy DME2: Landscape &amp; Townscape Protection                  Policy DME3: Site and Species Protection and Conservation                  Policy DME4: Protecting Heritage Assets                  Policy DME5: Renewable Energy</p>

Policy DME6: Water Management  
Policy DMH3: Dwellings in the Open Countryside and AONB

Planning (Listed Buildings and Conservation Areas) Act  
National Planning Policy Framework (NPPF)

**Relevant Planning History:**

No recent planning history directly relevant to the determination of the current application.

**ASSESSMENT OF PROPOSED DEVELOPMENT:**

**Site Description and Surrounding Area:**

The application relates to an existing former stable block located within the Lower Edge Farm agricultural complex. The application site lies within the Forest of Bowland National Landscape with the surrounding area being largely characterised by open aspect agricultural land.

**Proposed Development for which consent is sought:**

The application seeks outline consent (all matters reserved) for the erection of an agricultural workers dwelling at Lower Edge Farm, Tinklers Lane, Slaidburn. The application specifically relates to an area that accommodates unused stables, with it being proposed that the stables be demolished to facilitate the construction of the proposed dwelling. No details in relation to the proposed dwelling have been provided given the application is made in outline with all matters reserved.

**Principle of Development:**

The application seeks outline consent (all matters reserved) for the erection of an agricultural workers dwelling at Lower Edge Farm, Tinklers Lane, Slaidburn. As such both Policies DMH3 and DMG2 of the Ribble Valley Core Strategy are primarily, but not solely, engaged for the purposes of assessing the compatibility of the principle of the development with the adopted development plan.

Policies DMH3 and DMG2 of the Ribble Valley Core Strategy seeks to restrict residential development within the open countryside and AONB to that which meets a number of explicit criterion, with Key Statement DS1 setting out the overall spatial and locational aspirations for general (including residential) development within the Borough.

**Policy DMG2:**

Policy DMG2 is two-fold in its approach to guiding development. The primary part of the policy DMG2(1) is engaged where development proposals are located 'in' principal and tier 1 settlements with the second part of the policy DMG2(2) being engaged in circumstances when proposed development is located 'outside' defined settlement areas or within tier 2 villages, with each part of the policy therefore being engaged in isolation and independent of the other dependant on the locational aspects of a proposal.

The mechanics and engagement of the policy are clear in this respect insofar that it contains explicit triggers as to when the former or latter criterion are applied and the triggers are purely locational and clearly based on a proposals relationship to defined settlement boundaries and whether, in this case, such a proposal is 'inside' or 'outside' of a defined settlement.

Given the proposal is located outside of any defined settlement boundary, it is the secondary element of Policy DMG2 that is engaged (Policy DMG2(2)) which states that:

*Within the tier 2 villages and outside the defined settlement areas development must meet at least one of the following considerations:*

- 1. The development should be essential to the local economy or social wellbeing of the area.*
- 2. The development is needed for the purposes of forestry or agriculture.*
- 3. The development is for local needs housing which meets an identified need and is secured as such.*
- 4. The development is for small scale tourism or recreational developments appropriate to a rural area.*
- 5. The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.*

### **Policy DMH3:**

Given the site is located outside of any defined settlement limits, Policy DMH3 is also engaged in parallel and in concert with Policy DMG2. In this respect Policy DMH3 states that:

*Within areas defined as open countryside or AONB on the proposals map, residential development will be limited to:*

- 1. Development essential for the purposes of agriculture or residential development which meets an identified local need. In assessing any proposal for an agricultural, forestry or other essential workers dwellings a functional and financial test will be applied.*
- 2. The appropriate conversion of buildings to dwellings providing they are suitably located and their form and general design are in keeping with their surroundings. buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction.*
- 3. The rebuilding or replacement of existing dwellings [subject to a number of criteria].*

### **Assessment of Principle of Development:**

The application seeks outline consent for the erection of an agricultural workers dwelling associated with the agricultural functions undertaken at Lower Edge Farm, Slaidburn. As such the proposal must satisfy criterion 2 of Policy DMG2(2) and criterion 1 of Policy DMH3 to be afforded general support.

With the Functional and Financial test as embodied within criterion 1 of Policy DMH3 being defined within the Glossary of the Ribble Valley Core Strategy as follows:

*FUNCTIONAL and FINANCIAL TEST – In considering proposals for permanent agricultural, forestry and other essential dwellings, the following criteria will be applied:*

- Is there a clearly established existing functional need?*
- Does the need relate to a full time worker or one who is primarily employed rather than a part time requirement?*
- Have the unit and the agricultural activity concerned been established for at least 3 years, been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so?*
- Could the functional need be fulfilled by another existing dwelling on the unit?*

The applicant has submitted detailed information in relation to the ongoing functions and profitability of the existing agricultural functions undertaken on site which have been assessed by an Independent Agricultural Consultant commissioned by the authority.

In assessing the submitted information, the consultants report has concluded the following:

I therefore conclude by advising as follows:-

**'14.2.**

*At the present time there is a clearly established existing functional need in relation to the landholdings that are based on Lower Edge and Woodhill Farms. My calculations indicate that the existing labour requirement for caring for the livestock is reasonable.*

*Your Council should have confidence that the overall business will remain financially viable for the foreseeable future. I am of the view that it is essential that 2 full time workers actively involved in the management of the unit should be resident on these land holdings to meet the existing functional need with 1 full time worker housed on Woodhill Farm and 1 at Lower Edge Farm*

*The existing approved farm workers dwelling will, when complete, be suitable and available to house the 1 worker at Woodhill Farm. There is no existing permanent dwelling available at Lower edge Farm to house the 1 worker that in my view should be housed there.*

*Your Council should ensure that the existing dwelling nearing completion at Woodhill Farm is subject to an agricultural occupancy condition'.*

Taking account of the above and taking account of the submitted information and subsequent independent assessment, it is considered that the principle of the erection of an agricultural workers dwelling in this location would satisfy the requirements of criterion 2 of Policy DMG2(2) and criterion 1 of Policy DMH3.

As such the principle of the development, notwithstanding other development management consideration, raises no significant direct conflict with the aims and objectives of the Ribble Valley core Strategy that would warrant the refusal to grant outline planning permission in this instance.

Further to the above, it is noted that a previous outline consent for an agricultural workers dwelling was granted pursuant to permission 3/2017/0313 with the dwelling being located within the ownership of the current applicant. The dwelling is now nearing completion, being constructed pursuant to subsequent reserved matters consent 3/2018/0291. The applicant has agreed that as part of accepting the proposed dwelling, a condition is to be imposed on the previously approved dwelling (Woodhill Farm) to ensure that it remains available for the purposes of accommodating agricultural workers in area.

**Impact upon Listed Building(s) and Setting (Where Applicable):**

The application seeks outline consent (all matters reserved) for the erection of an agricultural workers dwelling within the setting of Lower Edge farm which is a Grade II Designated Heritage Asset (List Entry Number: 1072225).

As such, in assessing the proposal, regard must be given to the statutory duties imposed on the authority in respect of the preservation and enhancement of such assets. In this respect, at a local level, Key Statement EN5 and Policy DME4 are primarily, but not solely, engaged for the purposes of assessing likely impacts upon designated heritage assets resultant from the proposed development.

**Key Statement EN5:**

In this respect Key Statement EN5 states that:

*There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.*

*This will be achieved through:*

- *Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.*
- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*
- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*
- *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.*

#### **Policy DME4:**

With Policy DME4 stating, in respect of development within conservation areas or those affecting the listed buildings or their setting, that development will be assessed on the following basis:

##### **1: CONSERVATION AREAS**

*Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.*

*In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.*

##### **2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST**

*Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.*

#### **Policy DMG1:**

Policy DMG1 is also engaged in concert with Key Statement EN5 and Policy DME4 insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state:

*In determining planning applications, all development must:*

#### **DESIGN**

1. *Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building in context toolkit).*
2. *Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
3. *Consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

#### **AMENITY**

1. *Not adversely affect the amenities of the surrounding area.*

#### **ENVIRONMENT**

3. *All development must protect and enhance heritage assets and their settings.*

#### **Planning (Listed Building and Conservation Areas) Act 1990:**

Given the proposal relates to a Grade II Designated Heritage Asset, special regard must also be given to the statutory duties imposed on the authority, pursuant to national legislation, particularly in respect of the preservation and enhancement of such assets.

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by s.58B (1) of Levelling-up and Regeneration Act 2023) is to preserve or enhance the special character of heritage assets, including their setting. As such, in determining applications that affect designated heritage assets, the authority must consider the duties contained within the principle Act which states the following;

#### **Listed Buildings – Section 66(1) (as amended by s.58B of Levelling-up and Regeneration Act 2023):**

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving or enhancing the building or its setting. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.

#### **Listed buildings - Section 16 (2) (as amended by s.58B of Levelling-up and Regeneration Act 2023):**

In considering whether to grant listed building consent for any works to a listed building the local planning authority shall have special regard to the desirability of preserving or enhancing the building. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.

#### **National Planning Policy Framework (December 2024):**

The National planning Policy Framework (NPPF) sets out further duties in respect of determining proposals that affect heritage assets stating that *‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’.*

The Framework sets out further duties in respect of considering potential impacts upon designated heritage assets with Paragraphs 212 – 220 reading as follows:

**Considering Potential Impacts:**

212:

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

213:

*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214:

*Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215:

*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

216:

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

217:

*Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*

218:

*Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.*

219:

*Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

220:

*Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*

#### **Assessment of Impacts:**

The application seeks outline consent (all matters reserved) for the erection of an agricultural workers dwelling within the setting of Lower Edge farm which is a Grade II Designated Heritage Asset (List Entry Number: 1072225). However, given the application is made in outline only, with all matters reserved, no detailed assessment can be made in respect of the potential impacts of the development upon the character and setting of the nearby Grade II Designated Heritage Asset.

Notwithstanding this matter, Lower edge Farm is a significant agricultural holding with a number of large-scale agricultural buildings being located adjacent to the existing Designated Heritage Asset, with the development in its entirety being read as a unified agricultural cluster of built form. In this respect, subject to detailed design matters, the introduction of an agricultural workers dwelling in this location is unlikely to result in any significant detrimental impacts or significant measurable harm to the setting of Lower Edge Farm.

As such and at this stage, taking account of the above matters, it is not considered that the proposed development raises any significant direct conflict(s) with Key Statement EN5 or Policies DMG1 and DME4 of the Ribble Valley Core Strategy, nor any significant measurable conflicts with the aims, objectives and requirements of Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 nor Paragraphs 212 – 220 of the National Planning Policy Framework. Particularly In respect of measurable adverse impacts upon or development that would result in measurable harm to a Grade II Designated Heritage Asset.

#### **Impact Upon Residential Amenity:**

Given the application is made in outline with all matters reserved, a detailed assessment of the potential impacts of the development upon any nearby residential receptors or cannot be made at this stage.

As such, and taking account of the above matters, the proposal does not raise any significant direct conflicts with Policy DMG1 which seeks to ensure of adequate standards of residential amenity and protect against development(s) that would result in measurable detrimental impact(s) upon nearby existing residential amenities.

#### **Visual Amenity/External Appearance:**

Given the application is made in outline with all matters reserved no detailed assessment can be made at this stage in respect of the potential visual impacts of the development upon the character and visual amenities of the Forest of Bowland National Landscape.

However, given the proposed dwelling will be read in the landscape conjunction with a significant amount of agricultural built-form, it is not considered, in principle, that the introduction of a structure (subject to detailed design and acceptable scale) will be read as being an anomalous or discordant introduction into the landscape.

As such and taking account of the above, it is not considered that the proposal will result in any direct conflict with the aims and objectives of Key Statement EN2 nor Policies DMG1 or DMG2 which seek to protect against development which would be of detriment to the character or visual amenities of the area or development that would undermine the character and visual amenities of the Forest of Bowland National Landscape.

**Landscape/Ecology:**

Given the proposal relates to the demolition of an existing structure the application has been accompanied by a Preliminary Bat Roost Assessment Report. In this respect the submitted report concludes that no evidence was recorded to suggest bats were roosting within the building, with no bats having been observed or recorded using the building for roosting. With the report further concluding that the building is considered to be of negligible potential for roosting bats.

As such and taking account of the above, the proposal does not raise any significant measurable conflict(s) with Policies DME1, DME2 nor DME3 of the Ribble Valley Core Strategy which seek to protect against adverse impacts upon habitat, biodiversity, ecology or protected species and species of conservation concern.

The development is exempt from having to achieve the mandatory BNG as the application was made before the legislation was introduced.

**Observations/Consideration of Matters Raised/Conclusion:**

As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval.

**RECOMMENDATION:**

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