

15th August 2022

2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

01772 369 669
info@pwaplanning.co.uk
www.pwaplanning.co.uk

Town and Country Planning Act 1990

Appeal by Mr Joshua Hocking

Site Address: Pendle View Fisheries, Whalley, Clitheroe Bypass, Wiswell, BB7 9DH

APPELLANT'S STATEMENT OF CASE

1. Introduction

- 1.1 PWA Planning is retained by Mr Joshua Hocking ('the appellant') to lodge an appeal under Section 78 of the Town and Country Planning Act 1990, against the refusal of planning application ref. 3/2022/0161. Consent was sought for the '*Variation of conditions 8 (lodges cannot be occupied until the scheme for highway improvements has been approved) and 7 (submission of highway improvements scheme) from permission 3/2021/0431 (which varied conditions 19 and 20 from planning permission 3/2015/0426)*' at Pendle View Fisheries, Whalley, Clitheroe Bypass, Wiswell, BB7 9DH ('the site') by Ribble Valley Borough Council ('the Council' 'LPA').
- 1.2 The planning application was submitted to the Council on 1st March 2022 and was accompanied by appropriate plans and supporting information. The application was refused by delegated powers on 23rd May 2022. The Decision Notice specifies a single Reason for Refusal (RfR):
1. *The proposal is contrary to Policies DMG1 and Policy DMG3 of the Core Strategy in that it would lead to conditions to the detriment of highway safety by virtue of the conflict of pedestrian and vehicular activity from the site. The proposal would have an unacceptable impact upon highway safety, which is contrary to paragraph 111 of the National Planning Policy Framework (2021).*
- 1.3 This Statement of Case should be read in conjunction with the original planning permission. This statement has been submitted to justify the highways impacts that are referred to in the RfR. It is understood that Lancashire County Highways Authority, despite being paid to design the required highway improvement scheme, have delayed the improvements works three times since the start of the year which has impacted the developer financially. This is despite the applicant providing financial payment for this work to be completed.

2. Appeal Context

- 2.1. The appeal relates to the land at the former Pendle View Fisheries, which has been granted permission for a holiday lodge destination, located opposite Barrow Brook Retail Park.
- 2.2. The site is surrounded by agricultural fields to the north and east with the settlements of Barrow located to the west of the site, including an existing employment area. The A59 runs to the west of the site, beyond which is the settlement of Barrow. A Public Right of Way also passes the site and crosses over the A59 (reference 3-47-FP-1). The development site within its wider context is shown in Figure 1 below.



Figure 1: Aerial View of the application Site, identified in red. (Source: Google Earth)

3. Development Proposal

- 3.1. The development proposal relating to this appeal relates to a variation of condition application submitted to the Local Authority. The application was for the:

Variation of conditions 8 (lodges cannot be occupied until the scheme for highway improvements has been approved) and 7 (submission of highway improvements scheme) from permission 3/2021/0431 (which varied conditions 19 and 20 from planning permission 3/2015/0426).

The application reference number 3/2015/0426 was for the change of use of the fishery to leisure park with 19 lodges, 11 woodland lodges, 10 cabins, warden's lodge, conversion, extension and amenity building to form one bedroom holiday cottage, conversion of storage buildings to form one 2 bed holiday cottage, conversion and extension of existing manager's house and café to form restaurant, public house and manager's accommodation, 100 car parking space, ground work, re-contouring and creation of ecological wetland and ancillary landscaping (ref. 3/2015/0426).

- 3.2. It was proposed to amend the wording of Conditions 7 and 8 attached to the revised permission, which restricted the occupation of the approved holiday cabins until highways works are undertaken. The existing and proposed variations of Conditions 7 and 8 are listed below.
- 3.3. Without the proposed changes to these conditions, the schemes financial viability becomes questionable. The details of the required highway works are at present required to be provided for approval by the Local Planning Authority within six months of the opening of the site office on the site. None of the holiday lodges or cabins are allowed to be occupied until the approved scheme has then been constructed.
- 3.4. However, this condition depends upon Lancashire County Council Highways completing the works to construct a pedestrian link between the site of Pendle View Holiday Park and Barrow Brook Retail Park and the original time scales to complete the works (January-April 2022) are now not achievable. Therefore, it is not financially viable for the applicant to wait for the works to be completed given that the work may not even commence until 2023 (as stated in the LCC Highways response) and so the below conditions are sought to be varied to allow for a temporary solution for people staying on site to be transported to the nearby Barrow Brook Retail Park or Clitheroe via a minibus.

Condition 7

- 3.5. This condition currently reads as follows;

"A scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority within 6 months of the opening of the sales office on site. The applicant shall advise the Council on the completion of any associated works (relating to the sales office and upon its opening to enable this time period to be begun."

- 3.6. It is proposed to amend the wording of the above condition, to provide a feasible highway scheme. The proposed temporary minibus service details have been provided within the Temporary Scheme document produced by the applicant submitted with the original application. As such, it was proposed that Condition 7 should be amended to read as follows:

- 3.7. *"A scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority within 6 months of this application. The scheme will include a temporary minibus service available to the owners and visitors to park. The applicant shall advise the Council on the completion of any associated works."*

Condition 8

- 3.8. This condition currently reads as follows;

"None of the holiday lodges or cabins hereby approved shall be occupied until the approved scheme referred to in condition 7 has been constructed in accordance with the scheme details."

- 3.9. It is proposed to amend the wording of the above condition, as the appellant believes that they can offer a safe short-term alternative to the pedestrian link whilst the design and construction works continue. In the short term this will protect their business and allow time for LCC Highways to complete the highways works.

- 3.10. As such, it is proposed that Condition 8 be amended to read as follows:

"Only up to 25% of the holiday lodges or cabins hereby approved shall be occupied until the approved scheme referred to in condition 7 has been approved and constructed in accordance with the scheme details, Construction must be completed within 12 months of this application."

4. Relevant Planning Policy

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2. The statutory Development Plan for the application site comprises the Ribble Valley Borough Council Core Strategy 2008 – 2028 (2014) and Housing and Economic Development Plan Document (HED DPD). Additionally, key policy documents that comprises 'material considerations' including the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).
- 4.3. Within the Decision Notice, the Council refers to the following Development Plan policies within the reason for refusal:

Ribble Valley Borough Council Core Strategy: Core Strategy

- Policy DMG1 - General Considerations
- Policy DMG3 - Transport and Mobility

Policy DMG1 – General Considerations

- 4.4. General Considerations assists in ensuring that development proposals are in line with numerous broad criteria by providing a series of overarching considerations regarding the quality of developments. The policy requires development to;
- Consider the potential traffic and car parking implications;
 - Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
 - Consider the protection and enhancement of Public Right of Ways and access
- 4.5. The proposals are considered fully compliant with Policy DMG1. The scheme ensures safe access is provided to the neighbouring settlement of Barrow and Clitheroe Town Centre, through the provision of a minibus service 3 times a day for guests. This ensures those staying at the development can safely access a range of local services without the need of a private vehicle until such a time the pedestrian link is completed. The proposals therefore accord with Policy DMG1.

Policy DMG3 Transport and Mobility

- 4.6. This policy sets out additional weight to be attributed to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development including a series of considerations which are as follows;
- 4.7. This policy further states that; *'where necessary developers will be expected to contribute towards improvements in public transport provision and infrastructure.'*
- 4.8. The appellant has paid Lancashire County Council to design a suitable scheme, and they will also be funding the construction of the scheme. A significant financial contribution to Lancashire County Council Highways has therefore been agreed in accordance with Policy DMG3. However, there has been significant delays in their works to complete the pedestrian access with the proposed variations and mitigation ensuring guests retain safe access to the local area.
- 4.9. The Decision Notice also refers to Paragraph 111 of the NPPF:

National Planning Policy Framework (NPPF) (2021)

- 4.10. Section 9 of the NPPF deals with promoting sustainable transport. Paragraph 111 states that; *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
- 4.11. The scheme ensures safe access is provided to the neighbouring settlement of Barrow and Clitheroe Town Centre, through the provision of a minibus service 3 times a day for guests. This overcomes concerns regarding highways safety, with the proposals deemed in accordance with Paragraph 111 of the NPPF.

5. Case for the appellant

5.1. The Decision Notice specifies a single RfR:

1. *The proposal is contrary to Policies DMG1 and Policy DMG3 of the Core Strategy in that it would lead to conditions to the detriment of highway safety by virtue of the conflict of pedestrian and vehicular activity from the site. The proposal would have an unacceptable impact upon highway safety, which is contrary to paragraph 111 of the National Planning Policy Framework (2021).*

- 5.2. The Delegated Report and LCC Highways response consider the appeal proposals to be harmful to highways safety and warrant an unacceptable change to the development proposals. No commentary is however provided on the supporting information provided with the application which would provide guests with safe access to the facilities within Barrow across the A59.
- 5.3. Submitted with the planning application were details of a temporary traffic scheme to ensure safe access for guests to Barrow Brook Retail Park and Clitheroe town centre, which would run 3 times per day or more if required. This negates the need for guests to cross the road by foot, overcoming concerns over highways safety. It should also be noted that the majority of guests have their own vehicles should they need an emergency trip somewhere. The appellant has also confirmed that there will be at least one member of staff available on site 24/7 to accommodate emergency access out of the site.
- 5.4. Further highway safety measures are to be communicated to guests upon arrival, requiring owners and visitors to sign a document which states not to cross the A59 on foot but to use the free bus service provided. This will form part of their sales agreement paperwork and will be signed by the park manager and the individual owners/occupiers. In addition, appropriate signage will be installation to the site entrance and Public Right of Way.
- 5.5. Considering the above mitigation, there are not considered to be any policy conflicts with the Development Plan as noted within the Decision Notice. The proposals are deemed to fully accord with Policies DMG1, and DMG3 of the Ribble Valley Core Strategy and paragraph 111 of the NPPF (2021), having an acceptable impact upon highways safety given the short-term mitigation measures proposed as set out above.
- 5.6. It should also be noted that since the original condition was attached, Pendle View Holiday Park has successfully applied to remove the 150 person Gastro pub from the original planning application via a new planning application (3/2021/0748) for the following development:
- “Proposed creation of 16 base plots for holiday lodges and provision of sales office and site manager’s accommodation within existing building on site (pursuant to previously approved development under 3/2015/0426 amended by 3/2017/0775).”*
- 5.7. This sales office and managers accommodation lies in the building formerly granted permission for a larger restaurant so significantly reduces the risk to local residents & PROW walkers coming to the site on foot to use this facility which should have been afforded weight in the decision making process. A copy of this decision notice is included as Appendix A with this letter, with a copy of the officer report for that application included as Appendix B and our Planning Statement included as Appendix C.
- 5.8. Notwithstanding the above, it is very important to consider how Section 2 of the NPPF stresses that the purpose of the planning system is to contribute to the achievement of sustainable development. Development must secure net gains to economic, social and environmental objectives, which

should be seen as interdependent and to be pursued in mutually supportive ways. Likewise, Key Statement EC3 and Policy DMB1 of the Ribble Valley Local Plan both confirm development for business growth that will support the local visitor economy and generate growth will be supported in principle. Allowing the variation of these conditions to allow more time for the works to be agreed with the Local Highway Authority, who are themselves designing the scheme, and then construct the works, which the applicant is paying for, will enable the holiday park to have a soft opening and begin to recoup some of the investment already made in the site.

- 5.9. By allowing a small percentage of occupiers on site, this will both support a local business (the appellant) and bring guests to the area which will support local businesses. Delaying the opening of the site until such a time the highways works are completed will have negative impacts upon the appellant's business and growth of the local economy. Within the Case Officer's report, it is acknowledged that there are economic benefits associated with modifying the condition but does not consider these to outweigh the harm on highway safety. It is considered the identified benefits here should be given significant weight in this case, especially as there are no severe impacts caused by the change in the trigger points of the conditions in question.
- 5.10. The evidence presented in this Statement of Case demonstrates how the proposed development is in full accordance with the Development Plan for Ribble Valley and policy conflicts raised in the RfR are unjustified.

6. Conclusion

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2. The evidence presented demonstrates how the proposed development can be achieved whilst ensuring highway safety is maintained, and that there are no severe impacts of allowing the variation of these conditions. In addition, the proposed variation of these conditions would allow a soft opening of the business that will allow them to begin to recoup some of the investment already made in the site, and to ensure they will be economically viable by reducing any further delays which will significantly hinder the businesses finances.
- 6.3. The proposed development is ultimately compliant with the Development Plan and achieves sustainable development, as per the NPPF. There are no significant or demonstrable harms arising from the proposed development that could outweigh the very clear benefits.
- 6.4. The Inspector is respectfully requested to allow this appeal and grant planning permission.

Appendices

- Appendix A – Decision Notice for application reference 3/2021/0748
- Appendix B – Officer's Report for application reference 3/2021/0748
- Appendix C – Planning Statement for Pendle View Fisheries

**Appendix A – Decision Notice for application
reference 3/2021/0748**

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111 www.ribblevalley.gov.uk planning@ribblevalley.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2021/0748
DECISION DATE: 23 September 2021
DATE RECEIVED: 30/07/2021

APPLICANT:

Mr Josh Hocking
Pendle View Fisheries
Whalley Clitheroe Bypass
Wiswell
Clitheroe
BB7 9DH

AGENT:

Mr Graeme Thorpe
PWA Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

DEVELOPMENT PROPOSED: Proposed creation of 16 base plots for holiday lodges and provision of sales office and site manager's accommodation within existing building on site (pursuant to previously approved development under 3/2015/0426 amended by 3/2017/0775).

AT: Pendle View Fisheries Whalley Clitheroe Bypass Wiswell BB7 9DH

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan PPD1192/01/01
Proposed General Arrangement PPD1192/01/03
Proposed Level Plan Planting Plan PPD1192/01/06
Proposed Development Section Plan and Base Detail PPD1192/01/04
Proposed Manager Accommodation and Sales Office Plan PPD1192/01/07

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

2. Prior to the erection of caravans/holiday lodges on site precise details of the caravan including the colouring shall be submitted to and approved in writing by the Local Planning Authority. The caravan/ holiday lodges thereafter shall be erected in accordance with the approved details.

REASON: In the interest of visual amenity.

3. Drainage

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company and,
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

REASON: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

4. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul Water Drainage Strategy, ref: C-0678-FW Issue 1 dated 06/01/2016 and Surface Water Drainage Strategy, ref: C-0678-SW Issue 1 dated 06/01/2016. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul water shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

5. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

6. Highways

A scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the opening of the sales office on site. The applicant shall advise the Council on the completion of any associated works relating to the sales office and its opening to enable this time period to be begun.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable.

7. None of the holiday lodges or cabins hereby approved shall be occupied until the approved scheme referred to in the preceding condition number 8 has been constructed in accordance with the approved details.

REASON: In the interest of highway safety.

8. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

9. Ecology/ landscape

Prior to the siting of any caravans/holiday lodges full details of the location of a minimum of 3 bat boxes, to be attached to mature trees within the site, shall be submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be erected prior to the first use of the caravans/holiday lodges hereby permitted.

REASON: To encourage and promote biodiversity.

10. The landscaping proposals hereby approved shall be implemented in the first planting season following occupation or use of the development unless otherwise required by the reports above, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality.

11. Amenity

Each holiday unit hereby approved shall not be let to or occupied by the owner, any one person or group of persons for a combined total period exceeding 28 days in any one calendar year and in any event shall not be used as a unit of permanent accommodation or any individual(s) sole place of residence.

The owner shall maintain a register of all guests of each unit of accommodation hereby approved at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain:

- the name and address of the owner's permanent residence (where they pay Council tax and/or are registered to vote and keep the majority of their possessions);
- the name and address (permanent residence) of main guest who made the booking together with dates of occupation.

For the avoidance of doubt permanent residence is where the owner/ guest pay Council tax and/or are registered to vote and keep the majority of their possessions.

REASON: The permission relates to the provision of holiday accommodation. The condition is necessary to define the scope of the permission hereby approved and to ensure that the development promotes sustainable tourism and contributes to the area's economy.

12. Prior to the first use of the caravans/holiday lodges hereby permitted a scheme showing dedicated electric vehicle charging points throughout the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the electric vehicle charging points shall be provided in accordance with the approved scheme prior to the first use of the caravans/holiday lodges hereby permitted.

REASON: To promote options for sustainable modes of transport within the site.

13. The residential accommodation associated with the development contained within the proposed sales office and site managers building shall be occupied by persons employed in connection with the operational management of the proposed complex.

REASON: In the interests of safeguarding the accommodation specific to the site and the operational requirements of the business.

14. No phase of development shall be occupied until a management plan for the site has been submitted to and approved in writing by the local planning authority. The site shall be operated at all times in accordance with the approved plan. As a minimum, the management plan shall provide details of:

1. Access arrangements
2. Security arrangements
3. Site maintenance arrangements
4. Site rules and regulations for residents

REASON: In the interests of the amenity of the area.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. The Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.

John Machole

pp NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

Notes

Right of Appeal

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it

without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

Purchase Notices

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**Appendix B – Officer's Report for application
reference 3/2021/0748**

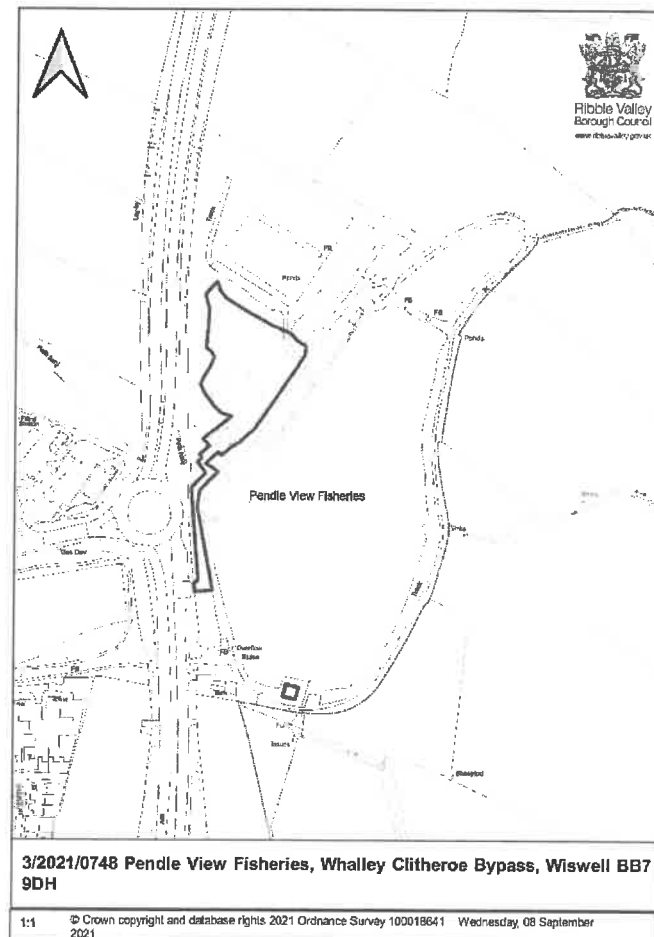
Agenda Item 5e

APPLICATION REF: 3/2021/0748

GRID REF: SD 374241 438293

DEVELOPMENT DESCRIPTION:

PROPOSED CREATION OF 16 BASE PLOTS FOR HOLIDAY LODGES AND PROVISION OF SALES OFFICE AND SITE MANAGER'S ACCOMMODATION WITHIN EXISTING BUILDING ON SITE (PURSUANT TO PREVIOUSLY APPROVED DEVELOPMENT UNDER 3/2015/0426 AMENDED BY 3/2017/0775) AT PENDLE VIEW FISHERIES, WHALLEY, CLITHEROE BYPASS, WISWELL BB7 9DH



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Raise concern in relation to accuracy of the application form and lack of details and request consideration of pedestrian footbridge or controlled crossing light across the A59 in the interests of safety of residents and users of the site.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objection subject to a planning condition imposed under consent 3/2021/0431.

LEAD LOCAL FLOOD AUTHORITY (LLFA):

No comment to make as not within the consultation procedure so LLFA standing advice should be applied.

UNITED UTILITIES:

No objections subject to the imposition of appropriate conditions with the site drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

ADDITIONAL REPRESENTATIONS:

None

1. Site Description and Surrounding Area

- 1.1 The application site is located along the A59 on the eastern edge of Barrow, approximately 3.5km south of Clitheroe and 2km north of Whalley. The site is on the outskirts of the AONB. The site is bound by the fishing lake to the east and the A59 to the west.
- 1.2 The overall site is currently being developed under an extant consent and the current proposal relates to part of the land that was previously used as carparking for the former fisheries. It includes part of the previously approved scheme, namely the area proposed for the 10 cabins, the large car parking area and the former Manager's house and café.
- 1.3 The site is surrounded by agricultural fields to the north and east with the settlements of Barrow located to the west of the site, including an existing employment area.
- 1.4 Permission for the entire site was granted in October 2015 for the change of use of the former fishery to a leisure park that included 19 lodges, 11 woodland lodges, 10 cabins, warden's lodge, conversion, extension and amenity building to form one bedroom holiday cottage, conversion of storage buildings to form one 2 bed holiday cottage, conversion and extension of existing manager's house and café to form restaurant public house and manager's accommodation, 100 car parking space, ground work, recontouring and creation of ecological wetland and ancillary landscaping. Groundworks pertaining to the extant permissions 3/2015/0426 and 3/2017/0775 are underway.

2. Proposed Development for which consent is sought

- 2.1 The proposed development includes the following elements:
 - Erection of 16 caravans/ holiday lodges including decking area and associated landscaping,
 - Creation of a sales office and Site Manager's accommodation within an existing building on-site (the former Site Managers accommodation and café building).
- 2.2 The scheme includes the siting of 16 base plots for caravans/holiday lodges with car parking spaces next to each proposed lodge. These caravans/lodges will replace the 10 smaller cabins that were approved as part of the 2015 consent, and the large car parking

area that was proposed to service the new Gastro pub/restaurant that was proposed within the former Site Manager's/cafe building. As some work has already commenced the application is part retrospective.

- 2.3 The caravans/holiday lodges have a range of colours with some of the units having a different palette. The colours are either shades of brown or green with a profiled roof. The decking area is timber and there is an internal access way with low level lighting and a bin store area. There is a communal landscaped area with each plot also having a grassed area and individual parking spaces,
- 2.4 The former Site Manager's/cafe building is proposed to be retained as self-contained accommodation for a Site Manager with a sales office at ground floor with associated office and staff rooms at first floor. The proposal includes parking area for the sales office and two spaces for the Site Manager's dwelling will be retained solely for their use.

3. **Relevant Planning History**

3/2015/0426 | Change of use of fishery to leisure park with 19 lodges, 11 woodland lodges, 10 cabins, warden's lodge, conversion, extension and amenity building to form one bedroom holiday cottage, conversion of storage buildings to form one 2 bed holiday cottage, conversion and extension of existing manager's house and café to form restaurant, public house and manager's accommodation, 100 car parking space, ground work, re-contouring and creation of ecological wetland and ancillary landscaping | Approved with Conditions.

3/2016/0245 | Discharge of conditions 3 (phasing programme) 4 (surface water drainage scheme) 5 (drainage adoption plan) 6 (foul water drainage scheme) 7 (ecological wetland) 8 (detailed groundwork layout) 9 (details of lakeside structures) 12 (landscaping) 13 (construction method statement) and 19 (site access) of planning permission 3/2015/0426 | Approved with Conditions.

3/2017/0775 | Variation of condition two from planning permission 3/2015/0426 to allow layout revisions in order to retain existing pond and to revise the locations of the lodges and cabins to the north west of the site | Approved.

3/2017/0827 | Discharge of condition 9 (details of structures along shore and projecting into the water), 10 (lighting details) and 19 (site access and off-site works highway improvements) from planning permission 3/2015/0426 | Approved.

3/2017/0999 | Discharge of conditions 11 (cabin and lodge details) and 13 (construction management plan) planning permission 3/2015/0426 | Approved.

3/2017/0998 | Discharge of condition 8 (earthworks, finished ground levels, infrastructure) from planning permission 3/2015/0426 | Approved.

3/2021/0431 | Variation of conditions of planning application 3/2015/0426. Condition 19 - Site Access and Highways, Condition 20 – Occupancy Approved.

3/2021/0512 | Discharge of Condition 6 (Ecologist Report) from planning permission Approved.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Presumption in Favour of Sustainable Development
Key Statement EC3 – Visitor Economy
Key Statement EN2 - Landscape
Key Statement EN3 – Sustainable Development and Climate Change
Key Statement DMI2 – Transport Considerations
Policy DMB1 – Supporting Business Growth
Policy DMB3- Recreation and Tourism Development
Policy DMB5 – Footpaths and Bridleways
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME6 – Water Management

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 It is evident that given the previous approval and extant consent that principle of tourism-based development has previously been established on this site and is policy compliant.

5.2 **Impact upon Residential Amenity:**

5.2.1 The issues relevant here relate to additional noise and light pollution caused by the additional lodges and the loss of a Gastro pub facility. Although there may be a perceived loss of a facility to the local residents this is not considered significant and there would be benefits resulting from less traffic movements and reduction in noise.

5.3 **Visual Amenity/External Appearance:**

5.3.1 It is evident that given the existing consents and the proposed landscaping and suitable materials that any visual impact is limited and to an acceptable level. There would only be long distant views of the lodges and any incursion into the open countryside would have a limited visual impact.

5.3.2. The siting of additional lodges, as proposed by this application, will not have a significant visual impact on the existing site or the surrounding area. Furthermore, it is intended that existing tree cover on the site will be retained and additional tree planting and landscaping will be undertaken as part of the development.

5.4 **Highway Safety:**

5.4.1 The highway authority has not objected to the development and subject to the imposition of appropriate planning conditions would not create an adverse highway condition.

5.5 Landscape/ Arboricultural/Ecological issues:

5.5.1 A Preliminary Ecological Appraisal and tree survey has been submitted with the application. It is considered the additional landscaping and planting proposed will promote wildlife diversity and encourage a wider variety of wildlife to use the site than already occurs. Any trees that are to be removed are identified as low quality and not worthy of retention. There is only a limited impact on ecology and biodiversity as result of this proposal and negligible impact when compared with the extant consent and such it is deemed to be in accordance with Policy EN4.

5.5.2 The planting of additional local species of trees and plants, as part of the landscaping scheme for the development will assist in biodiversity on the site.

5.6 Drainage:

5.6.1 Based on the previous response from the LLFA and United Utilities it would not lead to detrimental conditions appertaining to drainage issues. Mindful that no formal response has been received from the LLFA and on the understanding that drainage is a technical matter and any recommendation would be subject to compliance of any conditions required by the LLFA should Committee be minded to approve the scheme.

6 Observations/Consideration of Matters Raised/Conclusion

6.1 The observations of the Parish Council are noted and in relation to a footway crossing, this was an issue considered by LCC in the initial application and deemed necessary. Notwithstanding that point it is considered that this scheme may reduce the possible need further due to the removal of the Gasto Pub element from the scheme. It is accepted that some of the users of the caravan would benefit from a crossing or foot bridge and possible highway benefits but it is evident that the highway authority does not consider it necessary.

6.2 Considering all of the above and having regard to all material considerations the proposal is considered to be acceptable subject to the imposition of appropriate conditions.

RECOMMENDATION: That the application be APPROVED subject to the following conditions:

1. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan PPD1192/01/01

Proposed General Arrangement PPD1192/01/03

Proposed Level Plan Planting Plan PPD1192/01/06

Proposed Development Section Plan and Base Detail PPD1192/01/04

Proposed Manager Accommodation and Sales Office Plan PPD1192/01/07

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

2. Prior to the erection of caravans/holiday lodges on site precise details of the caravan including the colouring shall be submitted to and approved in writing by the Local Planning Authority. The caravan/ holiday lodges thereafter shall be erected in accordance with the approved details.

REASON: In the interest of visual amenity.

Drainage

3. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company and,
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

REASON: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

4. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

5. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

Highways

6. A scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the opening of the sales office on site. The applicant shall advise the Council on the completion of any associated works relating to the sales office and its opening to enable this time period to be begun.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable.

7. None of the holiday lodges or cabins hereby approved shall be occupied until the approved scheme referred to in the preceding condition number 8 has been constructed in accordance with the approved details.

REASON: In the interest of highway safety.

8. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

Ecology/ landscape

9. Prior to the siting of any caravans/holiday lodges full details of the location of a minimum of 3 bat boxes, to be attached to mature trees within the site, shall be submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be erected prior to the first use of the caravans/holiday lodges hereby permitted.

REASON: To encourage and promote biodiversity.

10. The landscaping proposals hereby approved shall be implemented in the first planting season following occupation or use of the development unless otherwise required by the reports above, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality.

Amenity

11. Each holiday unit hereby approved shall not be let to or occupied by the owner, any one person or group of persons for a combined total period exceeding 28 days in any one calendar year and in any event shall not be used as a unit of permanent accommodation or any individual(s) sole place of residence.

The owner shall maintain a register of all guests of each unit of accommodation hereby approved at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain:

- the name and address of the owner's permanent residence (where they pay Council tax and/ or are registered to vote and keep the majority of their possessions);
- the name and address (permanent residence) of main guest who made the booking together with dates of occupation.

For the avoidance of doubt permanent residence is where the owner/ guest pay Council tax and/or are registered to vote and keep the majority of their possessions.

REASON: The permission relates to the provision of holiday accommodation. The condition is necessary to define the scope of the permission hereby approved and to ensure that the development promotes sustainable tourism and contributes to the area's economy.

12. Prior to the first use of the caravans/holiday lodges hereby permitted a scheme showing dedicated electric vehicle charging points throughout the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the electric vehicle charging points shall be provided in accordance with the approved scheme prior to the first use of the caravans/holiday lodges hereby permitted.

REASON: To promote options for sustainable modes of transport within the site.

13. The residential accommodation associated with the development contained within the proposed sales office and site managers building shall be occupied by persons employed in connection with the operational management of the proposed complex.

REASON: In the interests of safeguarding the accommodation specific to the site and the operational requirements of the business.

14. No phase of development shall be occupied until a management plan for the site has been submitted to and approved in writing by the local planning authority. The site shall be operated at all times in accordance with the approved plan. As a minimum, the management plan shall provide details of:

1. Access arrangements
2. Security arrangements
3. Site maintenance arrangements
4. Site rules and regulations for residents

REASON: In the interests of the amenity of the area.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2021%2F0748

Appendix C – Planning Statement for Pendle View Fisheries



Pendle View Fisheries A59 Bypass Barrow BB7 9DH

Proposed creation of 16 base plots for holiday lodges and provision of sales office and Site Manager's accommodation within existing building on site (pursuant to previously approved development under 3/2015/0426 and 3/2017/0775)

PLANNING STATEMENT

July 2021



RTPI
Chartered Town Planners

PWA Planning is a trading name of Paul Walton Associates Ltd.
Registered in England and Wales no. 8605706. Registered Address:
316 Blackpool Road, Fulwood, Preston PR2 3AE

2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

01772 369 669
info@pwaplanning.co.uk
www.pwaplanning.co.uk

REPORT CONTROL

Document	Planning Statement
Project	Pendle View Fisheries
Client	Josh Hocking
Job Number	21-1053
File storage	Z:\PWA Planning\Client files\21-1002 to 21-\21-1053 Pendle View Fisheries\3. Applications\Proposed 16 Base Development APP

Document Checking

Primary Author:	Matt Walton	Initialled:	MPW
Contributor:	Joe Davis	Initialled:	JD
Reviewer:	Graeme Thorpe	Initialled:	GT

Revision Status

Issue	Date	Status	Checked for issue
1	24/06/2021	Draft	MPW
2	05/07/2021	Draft V2	JD
3	09/07/2021	Draft V3	GT
4	13/07/2021	FINAL	GT

CONTENTS

1	INTRODUCTION
2	SITE DESCRIPTION
3	PLANNING HISTORY
4	PROPOSED DEVELOPEMT
5	TECHNICAL CONSIDERATIONS
6	PLANNING POLICY
7	PLANNING POLICY ASSESSMENT
8	CONCLUSION

/1 INTRODUCTION

- 1.1. PWA Planning is instructed by Mr Joshua Hocking ('the Applicant') to progress a full planning application for the proposed development of 16 base plots for holiday lodges and provision of sales office and Site Manager's accommodation within existing building on site.
- 1.2. Planning permission has previously been granted on site in October 2015 for the change of use of the former fishery to a leisure park with 19 lodges, 11 woodland lodges, 10 cabins, warden's lodge, conversion, extension and amenity building to form one bedroom holiday cottage, conversion of storage buildings to form one 2 bed holiday cottage, conversion and extension of existing manager's house and café to form restaurant, public house and manager's accommodation, 100 car parking space, ground work, re-contouring and creation of ecological wetland and ancillary landscaping. The layout of the scheme was further amended under application 3/2017/0775, approved in 2017. This application seeks to replace the approved public house, associated car park and glamping pods with 16 base plots and retain the existing property as Site Manager's accommodation and sales office.
- 1.3. The planning application is made to Ribble Valley Borough Council and relates to the land in the red edge site boundary as seen on the location plan.
- 1.4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This Planning Statement will look to demonstrate that the proposals accord with the provisions of the relevant policies of the Development Plan, and moreover that there are other significant material considerations which indicate that planning permission ought to be granted. In addition, the statement will seek to demonstrate that there are no technical reasons which could hinder the grant of planning permission.

1.5. This statement should be read in conjunction with the submitted application package, which includes the following documents: -

- Application Form;
- Ecological Assessment;
- Highways Note;
- Tree Survey;
- Drawn information:
 - PPD1192/01/01 Location Plan;
 - PPD1192/01/02 Topographical Survey;
 - PPD1192/01/03 General Arrangement;
 - PPD1192/01/04 Proposed Development Section;
 - PPD1192/01/05 Proposed/Existing Overlay;
 - PPD1192/01/06 Proposed Levels;
 - PPD1192/01/07 Proposed Manager Accommodation & Sales Office.

12 SITE DESCRIPTION

- 2.1. The application site is located along the A59 on the eastern edge of Barrow, approximately 3.5km south of Clitheroe and 2km north of Whalley. At present, the site comprises an area formally used as carparking for the former fisheries located on site, alongside a vacant land to the northern edge of the site. The existing property to the south of the site which was formerly utilised as a manager's house, tackle shop and café.
- 2.2. In a wider context, the site is surrounded by agricultural fields to the north and east with the settlements of Barrow located to the west of the site, including an existing employment area. The site can be seen at Figure 1 below.



Figure 1 - Aerial view of the application site. Application site in red. Source: Google Earth

- 2.3. Permission for the entire site was granted in October 2015 for the change of use of the former fishery to a leisure park that included 19 lodges, 11 woodland lodges, 10 cabins, warden's lodge, conversion, extension and amenity building to form one bedroom holiday cottage, conversion of storage buildings to form one 2 bed holiday cottage, conversion and extension of existing manager's house and café to form restaurant,

public house and manager's accommodation, 100 car parking space, ground work, re-contouring and creation of ecological wetland and ancillary landscaping. Groundworks pertaining to the extant permissions 3/2015/0426 and 3/2017/0775 are underway, with earthworks currently being carried out around the small lake to the north eastern portion of the site in order to create a flat area for those 11 approved bases surrounding that lake to be installed.

- 2.4. The Council will be aware of the past history of this site and the difficulties the previous owner had in progressing the approved scheme. Works on the site in connection with the approved schemes were begun by the former owner back in December 2017. However, due to financial reasons, the owner placed the works on hold and the site put up for sale. As the recent purchaser of this site, Josh Hocking, began works to the existing main building and on the surrounding land in January 2021, continuing the work previously commenced. This included general vegetation and site clearance works initially, moving onto engineering/levelling works beyond the main house/building/car park on site. PWA Planning have been advising the applicant on planning related matters since this time.
- 2.5. The site subject to this application covers part of the previously approved scheme, namely the area proposed for the 10 cabins, the large car parking area and the former Manager's house and café. The site is bound by the fishing lake to the east and the A59 to the west.
- 2.6. With regards to constraints, the site does not fall within a Conservation Area and there are no known designated heritage assets within the area surrounding the site. There site is not subject to any ecological designations, and there are no Tree Preservation Orders (TPOs) or Public Rights of Way (PROWs) associated with the site.
- 2.7. The application site falls within Flood Zone 1 and is therefore at the lowest risk of flooding. The site area is less than 1 hectare in size and as such a Flood Risk Assessment is therefore not required in this case.

/3 PLANNING HISTORY

3.1. A review of Ribble Valley Borough Council's planning register has been undertaken for the site. As previously noted, the application site has been subject to several applications associated with the change of use of the site to a leisure park. These applications are listed below:

- **3/2015/0426** | Change of use of fishery to leisure park with 19 lodges, 11 woodland lodges, 10 cabins, warden's lodge, conversion, extension and amenity building to form one bedroom holiday cottage, conversion of storage buildings to form one 2 bed holiday cottage, conversion and extension of existing manager's house and café to form restaurant, public house and manager's accommodation, 100 car parking space, ground work, re-contouring and creation of ecological wetland and ancillary landscaping | **Approved with Conditions 16/10/2015**
- **3/2016/0245** | Discharge of conditions 3 (phasing programme) 4 (surface water drainage scheme) 5 (drainage adoption plan) 6 (foul water drainage scheme) 7 (ecological wetland) 8 (detailed groundwork layout) 9 (details of lakeside structures) 12 (landscaping) 13 (construction method statement) and 19 (site access) of planning permission 3/2015/0426 | **Approved with Conditions 21/06/2017**
- **3/2017/0775** | Variation of condition two from planning permission 3/2015/0426 to allow layout revisions in order to retain existing pond and to revise the locations of the lodges and cabins to the north west of the site | **Approved 29/11/2017**
- **3/2017/0827** | Discharge of condition 9 (details of structures along shore and projecting into the water), 10 (lighting details) and 19 (site access and off-site works highway improvements) from planning permission 3/2015/0426 | **Approved 27/11/2017**

- **3/2017/0999** | Discharge of conditions 11 (cabin and lodge details) and 13 (construction management plan) planning permission 3/2015/0426 | **Approved 29/11/2017**
- **3/2017/0998** | Discharge of condition 8 (earthworks, finished ground levels, infrastructure) from planning permission 3/2015/0426 | **Approved 27/11/2017**
- **3/2021/0431** | Variation of conditions of planning application 3/2015/0426. Condition 19 - Site Access and Highways, Condition 20 – Occupancy | **Registered**
- **3/2021/0512** | Discharge of Condition 6 (Ecologist Report) from planning permission 3/2017/0775 | **Approved 27/05/2021**

/4 PROPOSED DEVELOPMENT

- 4.1. Planning Permission is sought for the erection of 16no. base plots for the housing of holiday lodges, and the creation of a sales office and Site Manager's accommodation within an existing building on-site, the former Site Managers accommodation and café building. The application is pursuant to previously approved development under 3/2015/0426 and 3/2017/0775. The submission of a Section 73 application was considered however due to the scheme being deemed to constitute more than a 'Minor Material Amendment' to the previously approved schemes, a full application has been submitted.
- 4.2. The site subject to this application proposes a change to part of the scheme previously approved, namely the area proposed for the 10 cabins, the large car parking area and the extended and altered former Manager's house and café (Gastro Pub – Restaurant).
- 4.3. This application pertains to 'Phase 2' of the development of the new Pendle View Holiday Park, which follows the completion of the holiday lodge bases surrounding the north-western lake on the wider site as seen on the supporting L. This new scheme fits in to the south of the existing and approved 11 bases which surround the aforementioned smaller lake.
- 4.4. As can be seen on the General Arrangements Plan (drawing no. PPD1192/01/03), the scheme would lead to the siting of 16 base plots for holiday lodges with car parking spaces next to each proposed lodge. These lodges will replace the 10 smaller cabins that were approved as part of the 2015 consent, and the large car parking area that was proposed to service the new Gastro pub/restaurant that was proposed within the former Site Manager's/cafe building. The Gastro pub/restaurant is no longer being brought forward by the applicant for a number of reasons, mainly that this type of use does not fit with the dynamics of the proposed end user or visitors to the site. The building on site is now proposed to be retained as self-contained accommodation for

the Site Manager and a sales office at ground floor with associated office and staff rooms at first floor.

- 4.5. Each of the lodges will have their own outside area adjacent to the car parking space. The proposed layout includes an access road through the site that joins to the existing access road that runs around the site, with vehicular entrances to the development situated to the north and south of this section. A smaller parking area for the sales office will be created adjacent to the building, and two spaces for the Site Manager's dwelling will be retained solely for their use.
- 4.6. It is proposed that extensive landscaping will be undertaken to improve the screening of the area from the A59 to the west, as well as providing a visual improvement to the site at present. It is proposed that tree planting and screening will run along the back of the holiday lodge area to the western boundary of the red edge, as seen in the plan, to screen the lodges from the A59. Planting is also proposed where between the cabins and the access road.

/5 TECHNICAL CONSIDERATIONS

- 5.1 This planning application is supported by the relevant technical details which demonstrate that the proposed development is capable of being implemented without significant adverse impacts arising from site constraints. These are summarised below.

Ecology

- 5.2 A Preliminary Ecological Appraisal has been undertaken for the site to assess the ecological value of the development site. The survey found several ecological constraints including the presence of broad habitats and foraging, nesting and wintering birds. The advice recommended several management measures to address the ecological constraints. The report concluded the Preliminary Ecological Appraisal provided sufficient level of detail for the small-scale nature of the development and the predicted impacts of the scheme. No further survey work was therefore recommended.

Highways

- 5.3 A highways note has been provided in support of the application to consider the traffic impact related to the proposed development. The note makes reference to previously submitted Transport Assessment and previous comments by the LPA. It was found traffic generation from the development is predicted to result in an overall reduction in trips over the approved gastropub, notably on weekends. It was therefore concluded the proposed development would result in an overall reduction in trips and there are no material reasons why the proposed development should not be granted planning consent on highways or transportation grounds.

Arboriculture

- 5.4 A Tree Survey has been undertaken for the which identified two individual trees and five groups of trees, all within the applicant's ownership. All of the trees identified were either category U, being unsuitable for retention, or category C, being of low quality. A Tree Survey Plan has also been provided, which evidences how the only tree located on the development site here (reference T1) is classified as category U.

/6 PLANNING POLICY CONTEXT

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. A review of the relevant planning policies and material considerations is provided below:

Development Plan

- 6.2 The In this instance, the Development Plan for the Application Site comprises of the Ribble Valley Borough Council Core Strategy 2008 – 2028 (2014) and Housing and Economic Development Plan Document (HED DPD). Additionally, key policy documents that comprise 'material considerations' include to the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).
- 6.3 An extract from the Proposals Map is provided at Figure 2, the site is located within the Open Countryside (Policy EN2) adjacent to an existing employment area associated with the settlement of Barrow.



Figure 2- Extract from the Housing and Economic Development DPD Proposals Map

Ribble Valley Borough Council - Core Strategy 2008 – 2028

6.4 The following policies of the Core Strategy are considered relevant to the proposals at hand:

- Key Statement DS1: Development Strategy;
- Key Statement DS2: Sustainable Development;
- Key Statement EN2: Landscaping;
- Key Statement EC3: Visitor Economy;
- Key Statement DMI2: Transport Considerations;
- Policy DMG1: General Considerations;
- Policy DMG3: Transport and Mobility.
- Policy DME3: Species Protection;
- Policy DMB1: Supporting Business Growth and the Local Economy;
- Policy DMB3: Recreation and Tourism.

- 6.5 **Key Statement DS1: Development Strategy** seeks to outline briefly the locations in which growth will be focused. Within the policy Barrow is defined as a Tier 1 village.
- 6.6 **Key Statement DS2: Sustainable Development** looks to mirror Paragraph 11 of the NPPF which details the sustainable development principle that seeks to guide both authorities and developers. Further to that it places emphasis on the Council to develop proactive relationships with applicants to ensure that where possible applications are approved unless material considerations indicate otherwise.
- 6.7 **Key Statement EN2: Landscaping** focuses primarily on the Forest of Bowland AONB. The policy however details how the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.
- 6.8 **Key Statement EC3: Visitor Economy** states that 'Proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged, including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions. Significant new attractions will be supported, in circumstances where they would deliver overall improvements to the environment and benefits to local communities and employment opportunities.'
- 6.9 **Key Statement DMI2: Transport Considerations** states the need for sustainable transport solutions to be considered when applying for major applications and the need for such applications to be supported by a travel plan/transport statement.
- 6.10 **Policy DMG1: General Considerations** assists in ensuring that development proposals are in line with numerous broad considerations by providing a series of overarching considerations regarding the quality of developments. The policy categorises the criteria under 6 headings which are as follows: Design, Access, Amenity, Environment, Infrastructure and Other.
- 6.11 **Policy DMG3: Transport and Mobility** relates to a range of transport related matters, including requiring developments requiring adequate access to the public transport and road networks, alongside adequate car parking provision.

- 6.12 **Policy DME3: Species Protection** seeks to protect a variety of species and habitats. Developments will be encouraged to incorporate measures to enhance biodiversity where appropriate.
- 6.13 **Policy DMB1: Supporting Business Growth and the Local Economy** states that proposals that are intended to support business growth and the local economy will be supported in principle. Development proposals will be determined in accord with the Core Strategy and detailed policies of the LDF as appropriate.
- 6.14 **Policy DMB3: Recreation and Tourism** supports proposals which extend the range of tourism and visitor facilities within the Borough. This is subject to a range of criteria being met, including being well related to an existing settlement, respecting the visual amenity of the area, being well related to the existing highways network and provide appropriate parking provision.

Material Considerations

National Planning Policy Framework (NPPF) (2019)

- 6.15 The NPPF sets out Government planning policies for England and how these are expected to be applied. The golden thread running throughout the NPPF is the Government's presumption in favour of sustainable development (Paragraph 11) whereby developments which correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted. The NPPF also strongly supports economic and housing development.
- 6.16 Sustainable development is broadly defined in Paragraph 8 of the Framework as having three overarching objectives:
- a. an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right*

places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

- b. a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c. an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

6.17 Paragraph 83 of the NPPF relates to supporting a prosperous rural economy. It is stated that planning decisions should enable:

- a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and
- c) Sustainable rural tourism and leisure developments which respect the character or the countryside.

6.18 Paragraph 127 moreover sets out that amongst other considerations, planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

17 PLANNING POLICY ASSESSMENT

Principle of Development

- 7.1 The principle of tourism-based development has previously been established on site through the previous application on site under application ref. 3/2015/0426. Within the Officer's Report the previous proposals were considered to accord with Key Statement EC3, which aims to strengthen the visitor economy. The proposals were also deemed appropriately located close to a main highway and existing development at Barrow, according with the requirements of Key Statement DS2 for sustainable development. The principle of further tourism-based development on site, as proposed here, is therefore deemed acceptable in principle.
- 7.2 Under the original application, 3/2015/0426, approval was granted, along with the holiday lodges, for a gastropub with a 100-space carpark to accommodate guests. This application seeks to site the 16no. additional base plates over the car park area. As can be seen on the General Arrangements Plan (drawing no. PPD1192/01/03), the gastropub with ancillary holiday accommodation is no longer coming forward as this building is now to become a sales office and managers accommodation. As such, the large carpark that would have been required to facilitate guests at the restaurant is no longer required. This leaves space for this application and the addition of 16no. baseplates in its place, making better use of the space and providing more, larger holiday lets for future guests.
- 7.3 This application remains in line with the Local Plan by virtue of Key Statement's EC3 and DS2, continuing the expansion of an existing holiday park in a sustainable location. Similarly, the proposals accord with the requirements of Policy DMB3, extending the tourism offering within the Borough. The proposals are considered to fully accord with the criteria set out within Policy DMB3, in that the development is well located close to the settlement of Barrow with easy access to the highways network. The proposals also respect the visual amenity of the area, continuing the expansion of the existing leisure park which is well screened from the surrounding area by the existing bund and

proposed landscaping. The proposals are therefore considered to fully accord with the above policies, representing appropriate tourism development.

- 7.4 The proposals also support the requirements Policy DMB1, which aims to support business growth and the local economy. The proposals will continue the expansion of the holiday park business, creating additional bases and facilities for visitors, whilst also making use of a currently vacant site. This will allow for further employment on site. As such, it is deemed acceptable to implement these additional baseplates to facilitate the expansion and continued growth of the holiday park business.
- 7.5 With reference to the NPPF, it is important to note that Paragraph 7 is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. At Paragraph 8 it is stated that: "Achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)".
- 7.6 Firstly, in terms of economic benefit, given the small nature of the proposal it is considered that before and during construction, the development would contribute to the local economy directly through the employment of local companies to facilitate the build. This includes the planners and architects/designers used as a part of this application, local contractors involved in the physical build and the local supply chain through the provision of materials. Once occupied, visitors and guests of the proposed development would support local services and tourism within the Ribble Valley. The development will also support the local economy through creating employment opportunities on site. It is considered that the proposed development would therefore assist in achieving the economic aims of sustainable development.
- 7.7 The social aspect of sustainability is met, in that the proposal will result in the creation of a high-quality environment for visitors and comprises a compatible use in keeping with the wider site. The site also lies in a sustainable location, within a range of local services and amenities available within walking distance of the site in Barrow.

- 7.8 Turning to the environmental aspect of sustainability, the site is not subject to any statutory ecological designations or heritage assets. It is not within an area of flooding as defined by the Environment Agency flood map. The applicant is also committed to incorporating additional planting and biodiversity into the proposed development.

Design and Technical Considerations

Design and Landscaping

- 7.9 Policy DMG1 details design principles developments should accord, including high standards of design which are sympathetic to site with an appropriate layout. The proposed development is deemed to accord with the Policy DMG1, with careful consideration to creating a scheme which is in keeping with the character of the surrounding context. In terms of the proposed managers accommodation and sales office, minimal changes are proposed over the existing building, with the existing appearance of the building retained. The siting of bases on site is considered appropriate, with the siting of caravans on site being in keeping with the existing character of the wider site.
- 7.10 Extensive landscaping is also proposed to the boundaries of the site, notably tree screening to the site's western boundary. This will both increase biodiversity on site and screen the site from the wider area. The proposals are therefore considered to accord with Policy DME2, enhancing the landscape character of the site.

Highways

- 7.11 Policy DMG1 sets out access related matters, such as traffic and parking implications. The existing access point to the site is suitable for the proposed development. This application looks to remove the 100-space car park in favour of additional cabins for guests. This will have the added benefit on highways of reducing traffic generation from the site through the removal of the previously approved gastropub, which the

supporting transport note confirms would result in an overall reduction in trips and the scheme deemed acceptable on transport grounds.

7.12 All of the holiday lets will be provided with double driveways adjacent to the cabins in order to provide adequate parking for the guests. There is also sufficient parking provided next to the site office/managers accommodation to accommodate staff parking requirements. As such, there is a more than adequate levels of parking on and around the site to justify the removal of the 100-space designated parking area. The proposals are therefore deemed to accord with Policy DMG1.

7.13 Key Statement DMI2 relates to transport considerations, with developments being located to minimising the need to travel and offer more sustainable means of travel. The previous application on site confirmed the site was a sustainable location for development, located adjacent to the settlement of Barrow and highways network, which remains the case here.

Ecology

7.14 A Preliminary Ecological Appraisal was undertaken for the site which found the ecological constraints on site can be adequately mitigated through management measures with no further survey work recommended. The additional landscaping and planting proposed will promote wildlife diversity and encourage a wider variety of wildlife to use the site than already occurs. Given the proposals nominal impact on ecology and biodiversity, it is deemed to be in accordance with Policy EN4.

Arboriculture

7.15 As noted, the planning application is accompanied a Tree Survey which details the quality of trees on site. All trees on site were considered to be of low quality or unsuitable for retention. Further tree planting is proposed as part of the landscaping scheme. The development is therefore deemed acceptable from an arboricultural perspective.

Flood Risk and Drainage

- 7.16 The site lies within Flood Zone 1 where the risk from flooding is at its lowest. The earlier Drainage Strategy approved confirms the infiltration of surface water runoff back into the ground is likely to be feasible on this site. Foul water from the proposed development will be collected by a piped system and discharged into a suitable sized treatment plant.

The Planning Balance / Summary

- 7.17 This section of the Planning Statement has succinctly detailed how the proposed development can be adjudged as acceptable in the context of the Development Plan and the Framework.
- 7.18 The principle of development is deemed to have previously been established on site through application ref. 3/2015/0426. The proposals would continue the expansion of the holiday park, supporting the tourism related policies of the Development Plan. The proposals represent an appropriate location for development, expanding the leisure park with excellent links to the settlement of Barrow and highways network.
- 7.19 The design of the proposed development is deemed appropriate for the site's location, incorporating an extensive landscaping scheme to soften the development impact on the wider context. There are no other technical issues which would preclude development of the site.
- 7.20 Taking the above into account, it is considered that the principle of the proposed development can be viewed as acceptable, there are no material or technical considerations which indicate otherwise.

/8 CONCLUSION

- 8.1 This Statement has been prepared by PWA Planning on behalf of Mr Joshua Hocking in support of the planning application for the siting of 16no. new bases for holiday lets, alongside managers accommodation and sales office.
- 8.2 The principle of development is deemed to have previously been established on site through the previous leisure park permissions. The proposals would continue the expansion of the holiday park, supporting the tourism related policies of the Development Plan. The proposals represent an appropriate location for development, expanding the leisure park with excellent links to the settlement of Barrow and highways network. The design of the proposed development is deemed appropriate for the site's location, incorporating an extensive landscaping scheme to soften the development impact on the wider context.
- 8.3 Furthermore, this development satiates the relevant policies within the Development Plan as well as the NPPF, constituting sustainable development which should be favoured.
- 8.4 There are no technical constraints which would preclude the development of this site for residential use.
- 8.5 Given the above, the proposed development is considered acceptable and should be approved without delay.



www.pwaplanning.co.uk

2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

01772 369 669
info@pwaplanning.co.uk
www.pwaplanning.co.uk