


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

<b>Signed:</b>	<b>Officer:</b>	<b>KH</b>	<b>Date:</b>	<b>22/08/25</b>	<b>Manager:</b>	<b>LH</b>	<b>Date:</b>	<b>29/8/25</b>
----------------	-----------------	-----------	--------------	-----------------	-----------------	-----------	--------------	----------------

<b>Application Ref:</b>	2024/0884			 Ribble Valley Borough Council <small>www.ribblevalley.gov.uk</small>
<b>Date Visited:</b>	05/02/25	<b>Site Notice Posted:</b>	20/12/24	
		<b>Expired:</b>	10/01/25	
<b>Officer:</b>	KH			
<b>DELEGATED ITEM FILE REPORT:</b>				<b>REFUSAL</b>

<b>Development Description:</b>	Proposed erection of a building to provide storage, packing and office space for direct to customer retail sales business and installation of package treatment plant.
<b>Site Address/Location:</b>	Hawkshaw Farm Longsight Road Clayton Le Dale Lancashire BB2 7JA

<b>CONSULTATIONS:</b>	<b>Parish/Town Council</b>
None.	

<b>CONSULTATIONS:</b>	<b>Highways/Water Authority/Other Bodies</b>
<b>LCC Highways:</b>	
The application as submitted does not fully assess the highway impact of the proposed development and further information is required. On receipt of the further information requested the LHA does not raise any objection and are of the opinion that the proposed development will not have a significant impact on highway safety or capacity in the immediate vicinity of the site subject to conditions relating to car parking and turning areas and cycle storage provisions.	

<b>CONSULTATIONS:</b>	<b>Additional Representations.</b>
None.	

<b>RELEVANT POLICIES AND SITE PLANNING HISTORY:</b>
<p><b>Ribble Valley Core Strategy:</b></p> <ul style="list-style-type: none"> <li>Key Statement DS1 – Development Strategy</li> <li>Key Statement DS2 – Sustainable Development</li> <li>Key Statement DMI2 – Transport Considerations</li> <li>Key Statement EN3 – Sustainable Development</li> <li>Key Statement EC1 – Business and Employment Development</li> </ul> <ul style="list-style-type: none"> <li>Policy DMG1 – General Considerations</li> <li>Policy DMG2 – Strategic Considerations</li> <li>Policy DMG3 – Transport &amp; Mobility</li> <li>Policy DME6 – Water Management</li> <li>Policy DMB1 – Supporting Business Growth and the Local Economy</li> <li>Policy DMB5 – Footpaths and Bridleways</li> <li>Policy DMR3 – Retail Outside the Main Settlements</li> </ul> National Planning Policy Framework (NPPF)

**Relevant Planning History:**

2025/0346 – Change of use of agricultural land to create an additional 95 car parking spaces – Pending.

2024/0591 – Regularisation of construction of two timber classroom buildings and a building for toilets and storage. Approved with conditions.

2024/0482 – Regularisation of change of use of land for additional animal enclosures and play area associated with the farm park. Approved with conditions.

2024/0112 - Erection of a new agricultural storage building (pursuant to variation of condition 2 (approved plans) of planning permission 3/2022/0084 to allow the building to be built in a different location) – Approved with conditions.

2022/1093 – Proposed erection of one new dwelling for agriculture with package treatment plant - Approved with conditions.

2022/0084 – Erection of new agricultural storage building. Approved.

2020/0672 – Variation of condition 4 (Play Barn Opening Hours) from planning permission 3/2020/0017 to allow opening hours to be changed to 8.00am to 9.00pm Monday to Saturday and 9.00am to 5.30pm on Sundays. Approved.

2020/0655 – Variation of condition 2 of planning permission 3/2014/1094 to allow opening hours to be changed to 8.00am to 9.00pm Monday to Saturday and 9.00am to 5.30pm on Sundays. Approved.

2020/0017 – Construction of a play barn/activity centre. Approved.

2018/1134 – To create an additional farm worker dwelling- Approved with conditions.

2018/0575 - Change of use of part of field to create tipi wedding venue to be used for half of each year. Approved with Conditions.

2017/0323 - Retention of unauthorised change of use of an agricultural building and storage containers for the operation of Scare Kingdom. Approved.

3/2016/0317 - To erect a replacement livestock building and adjacent machinery store. Approved.

3/2015/0536 - Erection of a new storage building adjacent to the ice cream production buildings. Approved.

2014/1094 - Retrospective application for a visitor centre, comprising a car park, five livestock shelters, one storage building, one polytunnel and one children's play area. Approved.

2014/1092 - Retrospective application for change of use of an agricultural storage building to Scare Kingdom visitor attraction, retention of temporary storage container building and car parking. Approved.

2014/0939 - Steel framed portal building 24m wide 28m long 5.9m to eaves and 7.5m to ridge for livestock within the existing farmyard. Withdrawn.

2013/0468 – Proposed development of six micro rural business units for B1 Light Industrial or office use – Approved.

2013/0117 - Portal steel frame storage building. Permission Not Required.

2009/0926 - Creation of a small light manufacturing unit and associated storage area for timber screen business located on what was agricultural land. Approved.

2006/0149 - Construction of farm shop and associated facilities including educational rooms and parking, and alterations to access. Re-submission. Approved.

#### **ASSESSMENT OF PROPOSED DEVELOPMENT:**

##### **Site Description and Surrounding Area:**

Hawkshaw Farm, Longsight Road, Clayton le Dale. Hawkshaw Farm is 35.5 ha dairy farm owned by the applicant and his family which is farmed as part of the business. In addition to the commercial farm livestock the site also operates a Farm Park for paying visitors with a number of rare breed animals.

Hawkshaw Farm is located off Longsight Road (A59), no alterations are proposed to the existing access which serves all elements of the site.

Permission was granted in 2013 for six micro business units for B1 Light Industrial or office use. It was noted on the site visit that the development approved under 3/2013/0468 has not been constructed in accordance with the approved site layout plan however the submitted information suggests that the current business operates from one of those units as well as other buildings nearby.

The site area is 2104sq.m. and lies outside of the defined settlement within open countryside.

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

The proposal is to erect a commercial building of 348sq.m. on the site measuring 36.5m x 18.1m x 7.45m to ridge height (6.1m to eaves) faced in with steel sheets in Juniper Green for the walls and Grey cement fibre sheets to the roof with steel roller shutter door and steel personnel door on north elevation together with south facing solar panels to roof.

The building would be located to the west of the overall site to the southwest of the Hawkshaw Business Village and to the north of the agricultural building recently approved under 3/2024/0112.

The majority of the 648sq.m. building would contain storage for an online golf shop together with an office/ restroom space and W.C. facilities.

Originally seven parking spaces were proposed, following comments from LCC Highways this has been increased to fourteen spaces

A mini treatment plant is proposed to serve the new building with the outfall to the local water course.

Details of Biodiversity Net Gain have been submitted.

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

The application site lies in the open countryside along the A59 corridor. Policy DMG2 of the Ribble Valley Core Strategy states that within the Open Countryside development will be limited to specific exceptions:

Policy DMG2 of the Ribble Valley Core Strategy seeks to restrict development within the open countryside and Tier 2 Village settlements except where they meet explicit criteria, Key Statement DS1 reaffirms these criteria and sets out the overall spatial aspirations for development within the Borough.

In respect of assessing the submitted proposal, Policy DMG2 remains fully engaged. 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 with principal and tier 1 settlements with the second part of the policy DMG2(2) being engaged when a 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 location of the proposal.

The site is located outside of a defined settlement and within the designated open countryside. In this respect, when assessing the locational aspects of development, Policy DMG2(2) remains engaged 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.*

In order to be considered acceptable the proposal would need to meet the exception criterion above.

One such criterion is where development is considered 'essential to the local economy or social wellbeing of the area'.

In order to determine whether there is justification for a commercial storage building at Hawkshaw Farm it must be established that there is an existing need for the building to be sited in this rural location. The supporting statement states that in order to improve efficiency and ensure good communication between staff the current business is looking to bring all of the operations under one roof, and that stock volumes are being restricted by space, thus preventing business growth. However, there is no information provided as to why this growing business cannot reasonably relocate to a more suitable employment premises within the Borough, nor why it is essential for them to remain at this particular site. As such the development of a new large-scale commercial building in this location cannot be considered essential to the local economy.

Another exception criterion to allowing development in rural locations is where '*the development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.*'

The 2013 permission for the six micro rural business units was approved subject to restrictions on the type of uses to Light Industrial or office use only. This aligns with the principle of supporting small-scale uses appropriate to a rural area. The online retail business has now outgrown its current premises to a use which is no longer considered 'small-scale' and the creation of a new building of 648 sq.m. would neither be small scale nor an appropriate use in this location.

I would consider that the other criterion listed do not readily apply. Therefore, it cannot be considered that the proposal would meet any of the exception criterion contained within Policy DMG2 in relation to new development outside of defined settlement limits, in which case there is no explicit policy support for new employment development in the location proposed. The development would therefore fail to accord with Key Statement Policy DMG2 of the Ribble Valley Core Strategy.

Key Statement EC1 outlines that the spatial strategy for employment development during the current plan period is to be directed towards the main settlement of Clitheroe, Whalley and Longridge as well as locations well related to the A59 corridor. It states the Council aims to allocate an additional 8 hectares

of land for employment purposes in line with the supporting evidence base. The actual need as determined by the Housing and Economic Development DPD was identified as a residual requirement for 2.41ha of employment land. This policy does not provide express support for employment development along the A59 corridor other than that which is planned for by virtue of employment allocations.

Key Statement EC1 also supports developments that contribute to farm diversification in principle. Policy DMR3 supports farm shops which are linked to genuine farm diversification however this is only where the range of goods sold is linked to the farming nature of the enterprise therefore this policy support is not applicable in this case. Whilst the Planning Statement explains the creation of a new building would be a source of diversified income for the farm, the farming enterprise has already extensively diversified with alternative leisure and small-scale business uses which are considered more suitable to this rural location, as such this is not a material consideration which carries weight in this case given the policy conflicts identified.

Policy DMB1 supports proposals intended to support business growth and the local economy in principle; although there is an expectation that proposals will be determined in accordance with the development plan. Where such over-riding conflict is identified, e.g. with Policy DMG2 in particular in this case, the general support afforded by Policy DMB1 is considered to be fully disengaged.

Policy DMG3 seeks to support development proposals which are well related to the primary road network and can be accessed by sustainable transport modes. This is in line with one of the overarching objectives of the NPPF to encourage sustainable development and in turn to reduce reliance on private motor vehicles.

LCC Highways are of the view that the site is within acceptable walking distance to bus stops along the A59. However the A59 can also be considered be a constraint to pedestrians and cyclists, particularly when crossing to the bus stop on the other side of the road. Services and facilities within walking distance are limited. Therefore, the LPA is of the view that future users of the development will largely be reliant on private motor vehicle and that the site is not a sustainable location for this type of employment development and this weighs against the proposal.

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

The proposed building would be located close to the existing farm and visitor attraction facilities with the existing business units immediately adjacent. There are existing dwellings on the site which are occupied by family members in associated with the farm, dairy and visitor attraction. There would not be any additional undue impact on any other residential property due to the siting and extent of the holding.

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

The proposed development is located in the open countryside.

Policy DMG2 requires that *'within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting'*.

Policy DMG1 places particular emphasis on the visual appearance on new development and the relationship to surroundings, including impact on landscape character.

The application site is located within the open countryside, albeit adjacent to existing built form and close to the A59 corridor. Adjacent to the application site are a number of buildings associated with the Farm and visitor complex and small-scale commercial units as well as a number of residential properties. The size of this building at more than 660sq.m. (external) and an overall height of 7.45m would introduce a

large-scale commercial element onto this site and so there would be a visual impact. However it is acknowledged that it would be of a similar size and appearance to a recently approved agricultural building (3/2024/0112) and would be read against a backdrop of existing built form and would not result in further incursion into the countryside, as such whilst there are concerns about the visual harm based on the above this is not considered sufficient to amount to a refusal reason.

**Highways and Parking:**

LCC Highways originally raised concerns relating to highway safety and whilst it is accepted that the proposed commercial building would use the existing access track that serves the Hawkshaw Farm and its associated visitor attractions the proposal lacked information on deliveries and adequate on-site parking provision. This has been addressed by the submission of amended plans as detailed below.

The proposal will be accessed via an existing access off Longsight Road which is a classified A road subject to a 60mph speed limit.

The existing access serves the farm, farmhouse, bungalow, a range of agricultural buildings, Mrs Dawsons ice cream parlour, the business and caravan storage site within the Garden Village, a farm visitor centre and Scare Kingdom during seasonal events. Therefore, given that the access is existing and serves a range of enterprises there is no objection to the access being used to serve the proposal.

The LHA reviewed drawing number A4375-PL32 titled Proposed Site Layout Plan which proposed only 7 parking spaces and requested that the parking provision be increased to support the number of employees based on the size of the proposed building. This has been increased to 14 off parking spaces. This should ensure that overspill parking does not take place within the wider site.

There were concerns regarding access to the building for larger delivery vehicles, therefore the LHA requested a swept path analysis be provided showing access for the largest vehicle expected to serve the site. An acceptable plan has been submitted.

The amended plans and additional information have addressed the concerns of the highway authority as such the development is considered to accord with DMG1 and DMG3 in terms of access and parking.

The highways authority also advise that there are a number of Public Right of Ways which run through the application site which must not be obstructed during the proposed developments. The granting of planning permission does not constitute the diversion of a Definitive Right of Way. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on [PROW@lancashire.gov.uk](mailto:PROW@lancashire.gov.uk), quoting the location, district and planning application number, to discuss their proposal before any development works begin.

The applicant must be certain that they have private vehicular rights along this public path before driving on it either during construction or for subsequent access. Without private vehicular rights or permission from the owner it is a criminal offence to drive a motor vehicle on the public path.

**Drainage:**

A foul water treatment plant is proposed to be installed in the form of a Klargester Bio 4 plant sited to the west of the proposed building this is acceptable. Details of surface water would need to be secured by condition.

**Landscape/Ecology/BNG:**

An assessment of BNG has been submitted as part of this application. This suggests the removal of 91m<sup>2</sup> of existing modified grassland due to the removal of the vegetated bank which would be replaced with 91m<sup>2</sup> of modified grassland to be enhanced Hawthorn scrub planting as shown on the submitted proposed layout plan A4275-PL32 Rev b. This result in a net gain of habitat units of 0.0373 and a percentage gain of 51.9%. The submitted information suggests that the development could achieve the requirement for BNG uplift on-site, which would be subject to the statutory condition.

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

Having regard to the above, it is considered that the proposal for the erection of a large commercial storage building in this open countryside location does not meet any of the exception criteria for allowing new build development in the countryside and its rural location means that it would be dependent on private motor vehicle contrary to Key Statement EC1 and Policies DMG2 and DMG3.

Accordingly, it is recommended that the application be refused on this basis.

**RECOMMENDATION:**

That planning permission be refused on the following grounds:

1. The proposed development would result in a large-scale commercial development outside of a defined settlement which fails to meet any of the exception criteria for allowing development in such locations. Furthermore the rural location of the site means that the development would be reliant on a private motor vehicle. The harm that would arise would be contrary to Key Statement EC1 and Policies DMG2 and DMG3 of the Ribble Valley Core Strategy 2008 – 2028 as well as the National Planning Policy Framework which supports sustainable patterns of development.