


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	BT	Date:	14/5/25	Manager:	LH	Date:	16/5/25
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Application Ref:	3/2025/0068			 Ribble Valley Borough Council <small>www.ribbonvalley.gov.uk</small>
Date Inspected:	26/1/24	Site Notice:	21/3/25	
Officer:	BT			
DELEGATED ITEM FILE REPORT:				APPROVAL

Development Description:	Proposed construction of a two-bedroom rural workers' self-build dwelling, new access track, package treatment unit and solar panels on existing stables building.
Site Address/Location:	NJS Rehabilitation, Cow Ark Equestrian Centre, Whitewell Road, Cow Ark, BB7 3DG.

CONSULTATIONS:	Parish/Town Council
Bowland Forest (Lower Division) Parish Council:	Consulted 26/2 – no response received.

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	No objections subject to conditions.
RVBC Countryside:	Consulted 26/2 – no response received.
RVBC Environmental Health:	No objections.
United Utilities:	No objections.

CONSULTATIONS:	Additional Representations.
Five letters of support submitted with the application	
One objection received to the consultation, summarised as follows:	
<ul style="list-style-type: none"> • Principal of development unacceptable • Impact of proposal upon residential amenity • Impact of the proposal upon visual amenity 	

RELEVANT POLICIES AND SITE PLANNING HISTORY:
Ribble Valley Core Strategy:
Key Statement DS1: Development Strategy Key Statement DS2: Sustainable Development

Key Statement EN2: Landscape
Key Statement EN3: Sustainable Development and Climate Change
Key Statement EC1: Business and Employment Development
Key Statement DMI2: Transport Considerations
Policy DMG1: General Considerations
Policy DMG2: Strategic Considerations
Policy DMG3: Transport & Mobility
Policy DME1: Protecting Trees & Woodland
Policy DME2: Landscape & Townscape Protection
Policy DME5: Renewable Energy
Policy DMH3: Dwellings in the Open Countryside and AONB
Policy DMB1: Supporting Business Growth and the Local Economy
Policy DMB5: Footpaths and Bridleways

National Planning Policy Framework (NPPF)

Relevant Planning History:

3/2023/1028:

Proposed construction of one new two-bedroom dwelling together with installation of solar panels on adjacent stable buildings, package treatment unit and landscaping (Refused)

3/2021/1177:

Retrospective planning application for a new outdoor equine arena and proposed change of use of agricultural building to equestrian use (Approved)

3/2020/0204:

Outline application for a rural workers dwelling (Refused)

3/2009/0863:

Erection of steel framed agricultural umbrella building to cover existing livestock corral/handling pens (Approved)

3/2009/0723:

Erection of steel framed agricultural umbrella building to cover existing livestock corral/handling pens (Permission Required)

3/2007/1147:

Erection of agricultural building for livestock, fodder and machinery (Approved)

3/2006/0482:

Erection of a general purpose agricultural building for livestock, machinery and hay and straw (Refused)

3/2006/0390:

General purpose building - livestock storage etc (Permission Required)

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a land parcel sited approximately 670 metres to the South of Whitewell Road in Cow Ark. Access to the application site is from Whitewell Road via an access track which also serves Lees House Farm and an additional cluster of residential properties. The application site comprises an

equine menage, agricultural building and stable building. An informal parking area and Public Right Of Way lie immediately to the East and South of the site's stable building respectively. The application site lies within the Forest Of Bowland National Landscape with the surrounding area comprising a mixture of woodland, agricultural land and open countryside.

Proposed Development for which consent is sought:

Planning consent is sought for the construction of a new two bedroom self-build dwelling including landscaping, vehicle parking and the installation of a package treatment plant. Additional works proposed include the installation of solar panels to the North-western roof slope of the site's existing stable building. The application includes supporting information that proposes the dwelling as being required in connection with NJS Rehabilitation (a specialist equine rehabilitation practice).

Principle of Development:

Key statement DS1 of the Ribble Valley Borough Council Core Strategy sets out the spatial vision for the Borough as follows:

'The majority of new housing development will be:

- concentrated within an identified strategic site located to the South of Clitheroe towards the A59; and
- the principle settlements of:
 - Clitheroe;
 - Longridge; and
 - Whalley

...in addition to the strategic site at Standen and the Borough's principal settlements, development will be focused towards the Tier 1 Villages, which are the more sustainable of the 32 defined settlements...in the 23 remaining Tier 2 Village settlements, which are the less sustainable of the 32 defined settlements, development will need to meet proven local needs or deliver regeneration benefits.'

In this instance, the application site is not situated within any of the Borough's defined settlements. In which case Policy DMG2 of the Core Strategy is relevant which states:

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 well-being 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.*
- 6. The development is compatible with the enterprise zone designation*

In a similar vein, Policy DMH3 states:

'Development essential for the purposes of agriculture or residential development which meets an identified local need. In assessing any proposal for an agricultural, forestry or other essential workers dwellings a functional and financial test will be applied.'

This is consistent with NPPF Paragraph 84 (a) which allows the provision of a dwelling for a rural worker where there is an essential need to live permanently at their place of work in the countryside. In assessing the proposal against Policy DMG2, the proposed dwelling is not considered local needs housing, needed for the purposes of forestry or agriculture, or a small scale use that would be appropriate within a rural area. The proposed dwelling for occupancy by a rural worker *could* be considered essential to the local economy of the area. However this is dependent on successfully satisfying Policy DMH3 which is considered below.

In assessing the proposal against Policy DMH3, the functional and financial test referred to in the policy is defined in the Glossary of the Core Strategy as follows:

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

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

An assessment of the above criteria has subsequently been carried out through consultation with the Council's retained Land Agent advisor, the findings of which have been detailed within an agricultural report and which included a site meeting with the applicant. The findings are reflected below:-

Existing functional need

The proposal site currently accommodates six horses all of which require constant care and treatment whilst they are in the care of the applicant. Some of those horses maybe on the holding from several days up to several weeks / months. When they are returned to their owners the vacant stable space is subsequently filled with a new horse. All the animals on the unit will require regular health checks and some may need treatment, possibly outside of normal working hours. Furthermore, security of the livestock and applicant's equipment also needs to be taken into account. As such, there is an established functional need on the applicant's land holdings at Cow Ark Equestrian Centre, with the intensity of this need being in relation to the periods when animals are undergoing treatment for injury, illness or after surgery.

Full time worker

The applicant is understood to be a full time worker with part time workers employed therefore this criterion is satisfied.

Financial test

Having regard to financial viability, details of the applicant's financial accounts have been provided in support of the application which show the applicant's existing equine business to be financially sound with a clear prospect of remaining as such for the foreseeable future therefore this criterion is satisfied.

Any existing dwelling on the unit

In relation to the final requirement, in the interests of the wellbeing of the horses receiving treatment on site, the efficient running of the holding and for overall security at the land holdings at Cow Ark Equine Centre it is essential that one full time worker, actively involved in the management of this equine unit should be resident on the land holdings at Cow Ark Equine Centre however at the present time there is no existing dwelling on the holding that is suitable and available to house the applicant.

Accordingly, the above findings are considered to satisfy the requirements of Paragraph 84 (a) of the NPPF and Policies DMG2 and DMH3 of the Ribble Valley Borough Council Core Strategy with respect to the development of dwellings in the open countryside for rural workers and as such establish the principle of development.

Self-build

The proposal has been submitted as a self-build development. Whilst the proposal only relates to the provision of one dwelling, some weight is nonetheless given to the fact that this would be a self-build dwelling. In addition, the applicant has provided a unilateral undertaking in support of the application which confirms that the proposed dwelling is to be delivered by way of a self-build housing project. The principle of self-build housing for the application site is therefore secured.

Sustainability

In this instance, the application sites occupies an open countryside location some distance away from the Borough's defined settlement areas. In addition, there is a notable absence of public transport links, pavements and street lighting within the nearby vicinity of the site therefore future occupants of the proposed dwelling would likely be reliant on the use of a private motor vehicle. Notwithstanding this policy conflict, a functional need for a rural worker's dwelling has nonetheless been established for the application site against the provisions of Policies DMG2 and DMH3. As such, an isolated site location which will be dependent on private motor vehicle is justified in this case.

Micro regeneration Equipment

The provision of solar panels on the roof of an existing building is in accordance with one of the overarching objectives of the NPPF as well as Policy DME5 to encourage renewable energy schemes and is therefore acceptable in principle.

Impact Upon Residential Amenity:

Paragraph 135 (f) of the National Planning Policy Framework states:

'Planning policies and decisions should ensure that developments 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'.

Furthermore, Policy DMG1 of the Core Strategy requires all proposals for development to consider the effects of development upon existing amenities.

In this instance, the proposed dwelling would be located over 300 metres away from the site's nearest residential receptors to the North-east therefore given the separation distance in place between the application site and nearest residential receptors it is not considered that the introduction of one new residential dwelling would lead to any undue impacts upon neighbouring amenity in terms of noise and disturbances.

Concerns have been raised through the application's public consultation process with respect to noise generation from an existing generator on site. A noise assessment has been provided in support of the

application which shows that continued use of the existing generator would not have any detrimental impact upon the amenity of the site's nearest neighbouring residents. Furthermore, it is noted that the noise calculations underpinning these findings are based upon the generator in question being sited outdoors however the applicant has confirmed that the existing generator on site is to be retained in its existing timber based building (as is stated in the submitted noise assessment), with the generator only being periodically utilised to support the proposed development. As such, the noise impacts from the site's generator would likely be less pronounced than as calculated in the submitted noise assessment. Furthermore, the submitted noise assessment has been subject to review from the Council's Environmental Health team who have concurred with the report's findings, with no issues being raised with respect to noise impacts arising from the continued use of the site's existing generator.

Having regard to the amenity of future occupants of the proposed dwelling, analysis shows that all habitable rooms within the proposed dwelling would be served by a sufficient number of window and rooflight openings therefore future occupants of the dwelling would receive an adequate provision of natural light and outlook.

Taking account of all of the above, it is not considered that the proposed development would be harmful to the amenity of any neighbouring residents or future occupants of the dwelling. The proposed development would therefore be compliant with the aims and objectives of Paragraph 135 (f) of the NPPF and Policy DMG1.

Visual Amenity/External Appearance:

Paragraph 135 (c) of the NPPF states:

'Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.'

Policy DMG1 of the Ribble Valley Core Strategy provides additional general design guidance as follows:

'All development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style...particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.'

With respect to development within National Landscapes (previously known as Areas Of Outstanding Natural Beauty) Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty.'

The above is reiterated within Key Statement EN2 of the Core Strategy:

'The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area. As a principle 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.'

In this instance, the proposed dwelling would be relatively modest in terms of size with respect to its height and footprint, with both its height and footprint being less than that of the existing agricultural and stable buildings on site. In addition, the proposed dwelling would be sited directly adjacent to the site's existing agricultural building and would therefore not read as an isolated addition to the site or wider landscape. Furthermore, the proposed dwelling would be detailed in natural stone, timber cladding and timber doors and windows, all of which would be in keeping with the rural character of the site and

its wider surroundings. As such, the proposed dwelling would read as a proportionate and congruent addition to the application site.

The original conception of the proposed development included the siting of the proposed dwelling's domestic curtilage area to the North-western gable end of the dwelling and the introduction of twenty solar panels to the North-western roof slope of the site's existing stable building. Analysis from the application's Landscape And Visual Impact Assessment shows that both the proposed domestic curtilage area and all twenty of the solar panels (as proposed in their original position) would be readily visible from Public Right Of Way FP0309015 which runs along the Southern perimeter of the sit. In light of this, the applicant was advised to consider alternative sitings for the property's proposed domestic curtilage area and an alternative configuration for the proposed solar panel array. An amended scheme has since been provided with the property's proposed domestic curtilage area sited on the North-eastern side of the proposed dwelling whereby it would remain predominantly screened from public views from PROW FP0309015. In addition, the twenty solar panels proposed have since been redistributed across both roof slopes of the site's stable building which in turn will reduce their cumulative visual impact within the public realm.

Taking account of all of the above, it is considered that the proposed development would conserve the surrounding National Landscape without any harm to the visual amenities of the immediate or wider area. The proposal would therefore satisfy the requirements of Paragraph 135 (c) and 189 of the NPPF and Key Statement EN2 and Policy DMG1 of the Core Strategy.

Highways and Parking:

The proposed development has been subject to review by Lancashire County Council Highways who have raised no issues with respect to access, parking provision or general highway safety. The LHA response recommends for the imposition of conditions with respect to parking and turning areas and secure cycle storage, all of which have been imposed on this consent. On this basis, it is not considered that the proposed development will have any undue impacts upon highway safety as such the proposal satisfies Policy DMG1 of the Core Strategy (highways).

Landscape/Ecology:

The development is exempt from having to achieve the mandatory Biodiversity Net Gain requirement as it forms the basis of self-build development which has been secured through the provision of a unilateral undertaking. No other ecological constraints were identified in relation to the proposal.

Observations/Consideration of Matters Raised/Conclusion:

A functional need for a rural worker's dwelling on the site has been established. It is not considered that the proposed development would have any undue impact upon residential amenity for any neighbouring residents or future occupants of the proposed development, nor is it considered that the proposed development would be of detriment to the visual amenities of the immediate area or wider National Landscape. The design, materials and scale of the worker's dwelling are acceptable subject to appropriate conditions. Furthermore, the development as proposed does not raise any concerns with respect to its impact upon highway safety or the ecology of the area.

Policies DMG2 and DMH3 of the Ribble Valley Core Strategy seek to limit development within areas of open countryside to essential dwellings therefore an occupancy condition will be required in order to accord with policy.

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

RECOMMENDATION:

That planning consent be granted subject to the imposition of conditions and a unilateral undertaking being secured.