


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	BT	Date:	16/12/25	Manager:	LH	Date:	17/12/25
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Application Ref:	3/2025/0517			 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	~	Site Notice:	3/10/25	
Officer:	BT			
DELEGATED ITEM FILE REPORT:				REFUSAL

Development Description:	Regularisation of construction of a steel portal framed building for use as a pet crematorium facility (sui generis).
Site Address/Location:	Dockber Laithe Farm, Sawley Old Brow, Sawley, BB7 4LF.

CONSULTATIONS:	Parish/Town Council
Bolton-by-Bowland, Gisburn Forest & Sawley Parish Council:	Comments made querying the traffic associated with the development and noting that this would allow for further industrial development allowed as farm diversification.

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	No objections – The Local Highway Authority (LHA) does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

LCC PROW:	Lancashire County Council Public Rights of Way Team raises no objection as the development will not cause a significant impact to bridleway BW0339020, recorded along the access to the proposed facility.
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RVBC Environmental Health:	Concerns raised with regards to impacts upon neighbouring amenity arising from odour omissions.
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CONSULTATIONS:	Additional Representations.
<p>Objections have been received from two households. The objections received are summarised as follows:</p> <ul style="list-style-type: none"> • Acceptance of the unauthorised development would add more non-agricultural enterprises to the site • The unauthorised development is not considered to amount to an appropriate farm diversification within an open countryside setting • Impact of the proposal upon residential amenity • Impact of the proposal upon the visual amenities of the area • Impact of the proposal upon highway safety 	

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 EC1: Business and Employment Development
Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations
Policy DMG2: Strategic Considerations
Policy DMG3: Transport & Mobility
Policy DMB1: Supporting Business Growth and the Local Economy
Policy DMB5: Footpaths and Bridleways

National Planning Policy Framework (NPPF)

Relevant Planning History:

3/2021/1225:

Alterations and extension to an attached single storey domestic laundry and store room to form granny annex (Approved)

3/2013/1042:

Erection of an agricultural livestock building to accommodate breeding sheep (Building Number 2) (Approved)

3/2013/1041:

Erection of an agricultural livestock building to accommodate breeding sheep (Building Number 3) (Approved)

3/2013/1040:

Prior notification for a building to store agricultural machinery and equipment and produce length 45.71m x height to eaves 8.7m x breadth 10.16m (Permission Not Required)

3/2005/0496:

Agricultural building for feed storage (Approved)

3/2005/0495:

Agricultural building for cattle housing (Approved)

3/2005/0494:

Agricultural building for cattle housing (Approved)

3/2005/0493:

Agricultural slurry storage tank (Approved)

3/2004/0785:

To extend permitted events to 30 sales a year (car boot sales) (Refused)

3/1995/0585:

Diversion of o/h line (Approved)

3/1995/0539:

Animal housing building (Approved)

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a farmstead situated on the North-eastern outskirts of Sawley. Access to the application site is from Sawley Old Brow via unadopted road X1670 which runs through the centre of the application site and also carries Public Rights Of Way BW0339016 and BW0339020. The application site accommodates a farmhouse property and numerous agricultural buildings with the unauthorised building subject to this application adjoining the North-western gable end of the site's largest portal framed building. A semi-detached pairing of neighbouring properties known as West Dockber Farm and West Dockber Cottage lies approximately 250 metres away to the West of the unauthorised building. The application site occupies an open countryside location within the Forest Of Bowland National Landscape.

Proposed Development for which consent is sought:

Retrospective planning consent is sought for the regularisation of an unauthorised steel portal framed building which is currently being utilised as a pet crematorium facility.

Principle of Development:

Key Statement EC1 of the Ribble Valley Core Strategy states that developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability will be supported in principle.

In addition, the application site is located outside of the defined settlement area of Sawley and as such lies within the open countryside from a strategic perspective, with the site also lying within the Forest of Bowland National Landscape. Policy DMG2 of the Core Strategy requires development outside of defined settlement areas to meet at least one of six exceptions which are as follows:

- 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*

The covering letter submitted with the application states that the applicant operates a well-established agricultural enterprise that is currently facing increasing financial pressure. The covering letter indicates that the development represents a strategic effort to diversify income streams whereby the additional revenue generated plays a crucial role in sustaining the core agricultural operations and ensuring the long-term viability of the business.

With regards to Key Statement EC1, notwithstanding the above, the submitted information that forms part of this application fails to sufficiently evidence how the proposal is a genuine farm diversification scheme. The application has not been supported by any information regarding the current agricultural enterprise and no information has been provided with regards to other enterprises being conducted within the site or how the unauthorised 'diversification' relates to these proportionally.

As such, insufficient information has been submitted to demonstrate that the proposal is supported by Key Statement EC1 of the Ribble Valley Core Strategy.

Turning to Policy DMG2 of the Ribble Valley Core Strategy, the proposal must meet one of the criteria outlined in the policy.

The most relevant criteria of this Policy would be criteria point (5) which allows for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated. The covering letter notes that there is 1 no. van and 1 no. employee associated with the application site. In addition, the footprint of the building could be considered small-scale being approximately 40.74sqm in size.

However, the development is not considered to be appropriate to a rural area. There have been concerns raised by the occupiers of neighbouring properties regarding air pollution from the facility and photographs of black smoke being emitted from the site have been provided (this will be discussed later in the report). These concerns have also been raised by the Council's Environmental Health Officer. Whilst it is understood that the black smoke related to a specific issue that has since been rectified, there are concerns that planning conditions will not be able to sufficiently mitigate the impact of odour emissions and prevent similar events from happening in the future. Taking into account the above, it is not considered that the use is appropriate to the rural area and would be better suited to an industrial setting.

In addition, it is not considered that the development satisfies the requirement to provide a local need or benefit. The cover letter states that the operation involves travel between the application site and a second site in Burnley. No information has been provided within the application to demonstrate that the development would provide a service for people within the borough and there is no way that the Council could control this via planning condition. As such, it is not considered that there is a local need or benefit resulting from the development to comply with criterion (5) of Policy DMG2 of the Ribble Valley Core Strategy.

With regards to the sustainable location of the site. Key Statement DM12 states that:

'New development should be located to minimise the need to travel. Also it should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.'

Policy DMG3 also states that:

'In making decisions on development proposals the local planning authority will, in addition to assessing proposals within the context of the development strategy, attach considerable weight to:

The availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development –

- 1. The relationship of the site to the primary route network and the strategic road network.*
- 2. The provision made for access to the development by pedestrian, cyclists and those with reduced mobility.*
- 3. Proposals which promote development within existing developed areas or extensions to them at locations which are highly accessible by means other than the private car.'*

The covering letter confirms that no members of the public would be able to access the site and as such, would not involve members of the public travelling to a rural location by private motor vehicle. However, the supporting information indicates that there is 1 no. full time employee and the business involves travel from a customers home to a site in Burnley, travel to the application site and then back to the site in Burnley. This is not considered to be a sustainable development, as having the facility in this location involves travelling between two sites, with the application site being located in the rural location of Sawley, which is not considered to be a sustainable location and does not minimise the need to travel, with a large part of the business relying on private motor vehicle use. No information has been submitted

to demonstrate why the businesses cannot be operated from one premises or in a more sustainable location closer to the Burnley site. In addition, the LPA has reservations as to whether planning conditions preventing members of the public from visiting the site, or restricting staff vehicle movements to those specified in the application, would be enforceable.

As such, the proposal fails to comply with the aims of Key Statement DMI2 and Policy DMG3 of the Ribble Valley Core Strategy.

Impact Upon Residential Amenity:

Policy DMG1 of the Ribble Valley Core Strategy states that, development must:

1. *Not adversely affect the amenities of the surrounding area.*
2. *Provide adequate day lighting and privacy distances.*
3. *Have regard to public safety and secured by design principles.*
4. *Consider air quality and mitigate adverse impacts where possible.*

An odour assessment has been provided (dated September 2025) in support of the application which concludes that the development operates in such a manner to prevent odours being released from the operations and due to the separation distances and location upwind of the nearest receptors would ensure that there would be no impact on the nearby residential sensitive receptors.

There have been concerns raised from a neighbouring property with regards to concerns of smoke and odour. A submitted objection notes that there is an odour of burning hair/flesh which is causing odour and smoke pollution. A photograph has been submitted (taken October 2025) which shows flames and plumes of dark smoke being omitted from the chimney of the pet crematorium. The response states that there was a previous issue with diesel being used by the cremator that had resulted in dark plumes of smoke being emitted and the problem had been rectified. However, the neighbour continues to raise concern that this has not been rectified and the odour and smoke is continuing to harm their amenity.

The Environmental Health Officer's comments were received around the time of the dark smoke being omitted, and it is understood that this related to a specific issue with burning that has since been rectified. However, given that the submitted photographs from the objector which show dark smoke being emitted were taken after the odour assessment was undertaken, the LPA has concerns about relying on the odour assessment and that planning conditions alone will not be able to sufficiently mitigate the impact of odour emissions and prevent similar events from happening in the future. Taking into account the above, the LPA has concerns with regards to the impact upon neighbouring amenity arising from odour and smoke emissions.

For this reason, the proposal is considered contrary to Policy DMG1 of regards to impacts upon neighbouring amenity arising from odour and smoke omissions.

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, whilst the building is small in size when compared to the size and scale of the adjoining building, it is considered that the addition of a flue would be predominantly at odds with the prevailing agricultural character of the site and its immediate and wider rural surroundings and appears more industrial in character. The site is visible from the Public Right of Way which runs along the path to the north of the application building and as such, the visual harm arising from the development is greater, given it is visible from public vantage points within the Forest of Bowland National Landscape.

As such, the design of the building, specifically with the addition of a flue/chimney, fails to protect, conserve and enhance the landscape and character of the Forest of Bowland National Landscape and would introduce inappropriate features which are inappropriate to the rural landscape.

As such, the proposed development would fail to fully satisfy the requirements of Key Statement EN2 and Policies DMG1 and DMG2 and paragraphs 135 (C) and 189 of the NPPF.

Highways and Parking:

Ribble Valley Core Strategy Policy DMG3 states that:

'All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards'

In addition, Policy DMG1 states that all development must:

- '1. consider the potential traffic and car parking implications.*
- 2. ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated'*

The Local Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

They note that the site will be accessed via a private access tract subject to a national speed limit and the private access tract also serves Bridleways, BW0339016 and BW0339020. The private access tract meets the highway maintained at public expense at an existing access on to Sawley Old Brow, an unclassified road with a speed limit of 30 mph fronting the site access and they do not consider the granting of planning permission does not constitute the diversion of a Definitive Right of Way.

They note that the site will support an existing business established in Burnley, collections and deliveries will be made from the Burnley premises, accounting for an additional 4 vehicle movements. No external

visitors will travel to the site, and there will be one member of staff operating from the site, supported by one parking space. As such, the effect of the development on the operation of the local highway network is considered to be negligible if the development operates as stated in the application .

The highway authority also considers that an adequate level of on-site car parking has been provided.

As such, the proposal is acceptable from a highway safety and parking perspective.

Landscape/Ecology:

BNG

The development is exempt from having to achieve the mandatory Biodiversity Net Gain requirement as it is subject to the de minimis exception and forms the basis of retrospective development.

Observations/Consideration of Matters Raised/Conclusion:

It is for the above reasons and having regard to all material considerations and matters raised that planning permission be refused.

RECOMMENDATION: That planning consent be refused for the following reasons:

01:	The application fails to sufficiently evidence how the development is a genuine farm diversification scheme and the development is not considered to constitute a small-scale use that is appropriate to a rural area where a local need or benefit can be demonstrated, contrary to Key Statement EC1 and Policy DMG2 of the Ribble Valley Core Strategy.
02:	The development is not considered to be a sustainable use due to the involvement of travelling between two sites, with the application site being located in the rural location of Sawley, which is not considered to be a sustainable location and does not minimise the need to travel, whereby the business relies on the use of private motor vehicle use. No information has been submitted to demonstrate why the businesses cannot be operated from one premises or in a more sustainable location closer to the applicant's other site, contrary to Key Statement DMI2 and Policy DMG3 of the Ribble Valley Core Strategy.
03:	The application fails to demonstrate that the development can be appropriately mitigated to avoid future incidents of adverse smoke and odour emissions from the development. Therefore the development fails to protect the amenities of nearby surrounding residential properties from adverse odour and smoke pollution, contrary to Policy DMG1 of the Ribble Valley Core Strategy.
04:	The proposed development, specifically the erection of an industrial flue/chimney, is considered to introduce an alien feature which is not appropriate to the agricultural character of the surrounding landscape, failing to protect, conserve and enhance the landscape and character of the Forest of Bowland National Landscape, contrary to the requirements of Key Statement EN2 and Policies DMG1 and DMG2 of the Ribble Valley Core Strategy and paragraphs 135 (C) and 189 of the NPPF.