


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	BT	Date:	30/4/26	Manager:	LH	Date:	8/5/26
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Application Ref:	3/2026/0154			 <p>Ribble Valley Borough Council www.ribblevalley.gov.uk</p>
Date Inspected:	16/4/26 (RVBC Environmental Health)	Site Notice:	25/3/26	
Officer:	BT			
DELEGATED ITEM FILE REPORT:				REFUSAL

Development Description:	Regularisation of construction of a steel portal framed building with associated chimney stack 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:	Concerns raised with regards to the impact of the proposal upon neighbouring amenity.

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	No objections.
LCC PROW:	Consulted 6/3/26 – no response received.
RVBC Environmental Health:	No objections.

CONSULTATIONS:	Additional Representations.
<p>Objections from three households have been received in relation to the proposal which 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:**3/2025/0517:**

Regularisation of construction of a steel portal framed building for use as a pet crematorium facility (sui generis) (Refused)

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:

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 application's supporting statement considers the proposal to be compliant with criteria point 2 of Policy DMG2 on the basis of the proposal constituting a farm diversification however for the reasons discussed below (when assessing the scheme against EC1) it is not considered that sufficient information has been provided to demonstrate that the proposed development amounts to a genuine farm diversification. Even if it did, farm diversification is not considered to fall within criteria point 2.

Further reference is made to compliance with criteria point 5 of Policy DMG2. In this instance, the unauthorised pet crematorium facility is operated within a modestly sized building by a single employee utilising a single motor vehicle and in this respect could be considered as falling within the remit of a small scale development. In addition, previous issues pertaining to adverse odour emissions emanating from the business have now been resolved (this issue is discussed in more detail in the 'Impact Upon Residential Amenity' section of this report). Notwithstanding this, the activities undertaken in relation to the function of the business are nonetheless inherently industrial in nature and would be better suited to an industrial setting away from residential receptors. The reliance upon a second site in Burnley (which itself is located within an industrial estate) to carry out the pre-cremation preparational activities associated with the business operation adds further weight to this notion. For these reasons, the proposal is not considered to constitute development appropriate to a rural area.

Criteria point 5 of Policy DMG2 also stipulates that developments should serve local needs or provide local benefits. The officer's report pretraining to previous application 3/2025/0517 made reference to an absence

of information having been provided to demonstrate that the business would exclusively serve residents within the Ribble Valley Borough, with there also being no mechanism to control this through the imposition of conditions. In response to this, the planning statement provided in support of the current application asserts that Policy DMG2 does not expressly define 'local' in narrow or fixed geographic terms and in light of this further argues that 'local' could be interpreted as encompassing wider geographical locations such as the entire East Lancashire area where it is stated that there is an absence of services comparable to the existing business operation. This line of reasoning is considered to be somewhat tenuous however even if the Council were to regard the geographical area of East Lancashire as being 'local', the notion of the existing business providing a local need or benefit relies on an assumption of the existing business being primarily utilised by bereaved pet owners from this geographical area however there is no guarantee that this would be the case as bereaved pet owners from this geographical area could still choose to utilise other service providers from further afield if so desired (such as those referenced in the application's supporting statement). In a similar vein, it is unrealistic to assume that custom would only be accepted from residents within the East Lancashire area (the business's website indicates that services are provided across the entirety of Lancashire, Manchester and Merseyside). In addition, it is stated that the existing business serves a gap in the market due to many veterinary practices no longer routinely offering home visits for euthanasia or providing collection services for deceased pets however no information has been provided to demonstrate that home pet euthanasia and collection services are largely uncatered for by veterinary practices in the Ribble Valley or wider East Lancashire area. Furthermore, it is stated that the nearest dedicated pet crematorium facility to the applicant's core operating area is located within Leyland however analysis shows the presence of at least one business in the East Lancashire area (based in Crawshawbooth) which provides similar services to the business referenced in Leyland. For the above reasons, it is not considered that the proposed business operation exclusively serves a local need or provides a local benefit.

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.

With regards to the above, the application's planning statement states:

'This planning application is a further effort to diversify income streams, and the additional revenue (i.e. rental payments) will play an important role in sustaining the core agricultural operation and in turn ensuring longevity of the farm business...it is unclear what further information might be expected. It is surely obvious that, at a time that the agricultural sector is struggling, any additional income that might be derived from diversification of the rural economy will assist in sustaining this agricultural enterprise.'

Notwithstanding the above assertion, the precise nature and scale of the farming enterprise alleged to be in place at the application site has not been clearly defined. In the absence of this information, there is no way to ascertain the proportionality of the proposal in the context of the alleged farming operation in order to determine whether the income derived from the proposal is supplementary in nature as stated. This issue was raised previously as part of refused application 3/2025/0517 and is also acknowledged in the supporting statement provided in support of the current application. As such, it remains unclear as to why further detailed information pertaining to the alleged agricultural operation has not been provided in support of the current application. Consequently, it is not considered that sufficient information has been provided to demonstrate that the proposed development amounts to a genuine farm diversification. Even if it did, whilst Key Statement EC1 provides general support to schemes with strengthen the rural economy, this general support does not override the need for Policy DMG2 compliance.

Turning to the issue of sustainability, Key Statement DMI2 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.'

In addition, 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.'*

In this instance, it is stated that there is no public or customer access to the proposal site and with a single employee utilising a single motor vehicle as part of the existing business however concerns were raised under previous application 3/2025/0517 with regards to the reliance of the business operation on two separate sites in Sawley and Burnley which in turn was not considered to amount to a sustainable form of development. Furthermore, no information had been provided to demonstrate why the businesses could not be operated from one premises or in a more sustainable location closer to the Burnley site. The supporting statement provided under the current application states that the Burnley premises cannot accommodate a cremation facility due to landlord restrictions and confirmation of this has been provided in support of the application in the form of email correspondence. Notwithstanding this, no information has been provided to demonstrate that consideration has been given to relocating a consolidated business operation to an alternative site (as is offered in the correspondence from the business owner's landlord) which in turn would provide a more sustainable option through precluding the need for travel between two sites, thus reducing the overall quantity of vehicle movements associated with the business operation. Furthermore, and as conveyed in the assessment of previous application 3/2025/0517, 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.

Taking account of all of the above, the proposal fails to satisfy the requirements of Key Statements EC1 and DMI2 and Policies DMG2 and DMG3 of the Core Strategy and as such is considered to be unacceptable 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'.

In addition, Paragraph 198 of the National Planning Policy Framework states:

'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.'

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

In this instance, concerns were raised under previous application 3/2025/0517 with regards to the prevalence of odour emissions emanating from the pet crematorium on site, as evidenced by third party

photographs, videos and correspondence. For these reasons the aforementioned previous application was (amongst other reasons) refused on the basis of its adverse impact upon the amenity of neighbouring receptors. It is understood that the applicant has since purchased a new cremator in light of problems experienced with the previous cremator on site with respect to temperature function. A revised odour assessment has also been provided in support of the current application which states that the proposed crematorium would be unlikely to produce any discernible odour and even if emissions were to occur, these would be diluted to a negligible level before reaching any sensitive receptors and away from prevailing wind conditions. These findings have been subject to review from the Council's Environmental Health team who have also visited the proposal site and observed the crematorium whilst operational. During this process, a plume was observed however this was said to be solely limited to a heat haze and it is stated that no observable odour was present when standing in a field downwind of the site's wind direction. In light of these observations, the Council's Environmental Health team have concluded that there is no evidence to suggest that the proposed development would give rise to odour emissions that would be of detriment to the amenity of the site's neighbouring receptors.

In light of the above, the proposed development is considered to satisfy the requirements of Paragraph 135 (f) and 198 of the NPPF and Policy DMG1 of the Core Strategy.

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, concerns were raised under previous application 3/2025/0517 with regards to the visual impact of the unauthorised development, namely that the addition of a flue feature to the crematorium building was considered to be predominantly at odds with the prevailing agricultural character of the site and its immediate and wider rural surroundings by virtue of its industrial character. Further concerns were raised with regards to the public visibility of the unauthorised building on account of the building being viewable in the public realm from Public Right Of Way BW0339020 which runs along the path to the North of the application building.

At present the application building retains the same design as proposed under previous application 3/2025/0517, albeit with the exception of a cowl feature which has since been added to the building's flue

which further reinforces the industrial character of the building. In addition, the application building remains visible within the public realm from Public Right Of Way BW0339020. As such, and as conveyed under previous application 3/2025/0517, it is considered that the unauthorised building, by virtue of its predominantly industrial character, reads as an incongruous form of development in the context of the site's agricultural character and open countryside setting.

The application's supporting information deems the design and visual impact of the building's flue / cowl feature as justifiable on the basis of the building's flue / cowl feature being consistent with other more substantial and imposing agricultural features within the farmstead however this is not apparent within the photographs provided in the application's supporting statement.

Consequently, it is considered that retention of the unauthorised development would fail to protect, conserve or enhance the landscape and character of the Forest of Bowland National Landscape and would therefore 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:

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. On this basis, it is not considered that the proposed development would have any undue impacts upon highway safety as such the proposal satisfies Policy DMG1 of the Core Strategy (highways).

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:

The proposal is not considered to constitute development appropriate to a rural area, nor is it considered that the proposed business operation exclusively serves a local need or provides a local benefit.

The development is not considered to amount to a sustainable use due to the involvement of travelling between two sites and no information has been provided to demonstrate that consideration has been given to relocating a consolidated business operation to an alternative site which in turn would provide a more sustainable option through precluding the need for travel between two sites, thus reducing the overall quantity of vehicle movements associated with the business operation.

Furthermore, it is considered that retention of the unauthorised development, by virtue of its predominantly industrial character, would fail to protect, conserve or enhance the character of the Forest of Bowland National Landscape.

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:

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| 01: | 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 Policy DMG2 of the Ribble Valley Core Strategy. |
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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 vehicles. 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 proposed development, specifically the erection of an industrial flue / cowl, is considered to introduce an alien feature which is not appropriate to the agricultural character of the surrounding landscape, failing to protect, conserve or 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.