

Report to be read in conjunction with the Decision Notice.								
Signed:	Officer:	MC	Date:	08/10/2026	Manager:	LH	Date:	9/10/26

Application Ref:	3/2026/0599			 Ribble Valley Borough Council www.ribblevalley.gov.uk APPROVAL
Date Inspected:	26/08/2026	Site Notice:	26/08/2026	
Officer:	MC			
DELEGATED ITEM FILE REPORT:				

Development Description:	Removal of condition 12 (occupancy) from variation of condition 3/2022/0530 and planning permission 3/2021/0595 to allow the holiday lodges to be occupied permanently.
Site Address/Location:	Land at Preston Road Ribchester PR3 3XL

CONSULTATIONS:	Parish/Town Council
No response received.	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	The Local Highway Authority (LHA) have provided comments on the scheme noting the following: - Footway or bin store is required as if all 6 holiday lets become residential after the removal of the condition, there could be an accumulation of 12 bins sat within the access on bin collection days, which would limit two-way movement/visibility - There are no pedestrian provisions within the site at the moment either; access is via a shared arrangement, which is a concern, especially with a business operating within the site and that the target market would be those who would be considered vulnerable highway users, as suggested within the statement 'particularly for older people or those with mobility issues, wishing to live in appropriately sized accommodation, across a single floor.' - Suggest an amended plan through the footway of the site - Recommends inclusion of Section 278 condition for a scheme for the construction of 2m wide footway to the north of the site access be submitted prior to first occupation.

CONSULTATIONS:	Additional Representations.
Five representations have been received raising the following concerns: - The buildings have not been used as holiday lets - The site entrance is concealed - The many changes to the site from the original application is confusing - The Snail Farm buildings are now up for sale - Site has never been used for education purposes - There is insufficient information within the application to comment on - More consultation is required - A bridge would be required for access to the footpath	

- Flood risk concerns
- Doubts over whether future commitments will be honoured due to unlawful development
- There is a lack of tourism accommodation within Ribchester
- Concerns regarding further variations
- Concerns regarding missing plans for amendments to cladding/construction of loading bays
- No effort made to improve visual impact of development
- Properties have not been marketed as holiday let

RELEVANT POLICIES AND SITE PLANNING HISTORY:

Ribble Valley Core Strategy:

Key Statement DS1: Development Strategy
 Key Statement DS2: Sustainable Development
 Key Statement H1: Housing Provision
 Key Statement H2: Housing Balance
 Key Statement H3: Affordable Housing
 Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations
 Policy DMG2: Strategic Considerations
 Policy DME2: Landscape and Townscape Protection
 Policy DMG3: Transport and Mobility
 Policy DME6: Water Management

National Planning Policy Framework (NPPF)

Relevant Planning History:

3/2026/0050 (Adjacent to site)

Permission in principle for erection of up to two dwellings.

Appeal Allowed

3/2025/0107

Retention of two holiday lodges and office building with associated parking, infrastructure and alterations.

Refused – Appeal Dismissed

3/2022/0530

Variation of condition 2 (approved plans) and removal of condition 9 (off site highway works) from planning permission 3/2021/0595 to allow the addition of a loading area to the east of the main building and change of cladding to timber boarding (resubmission of 3/2022/0271).

Approved with Conditions

3/2022/0271

Variation of Conditions 2 (Plans) and Removal of Condition 9 (Off Site Works) of planning application 3/2021/0595

Refused

3/2022/0315

Discharge of conditions 4 (Drainage) and 14 (Construction Management) from planning permission 3/2021/0595

Discharged

3/2021/0595

Change of use of land and erection of building for heliculture (snail breeding) together with six log cabins to be used as holiday lets following planning application refusal 3/2020/0940

Approved with Conditions

3/2020/0940

Change of use of land and erection of building for heliculture (snail breeding) together with six log cabins to be used as holiday lets.

Refused

3/2020/0513

Change of use of land and erection of building for heliculture (snail breeding) together with six log cabins to be used as holiday lets.

Withdrawn

ASSESSMENT OF PROPOSED DEVELOPMENT:**Site Description and Surrounding Area:**

The application site relates to land off Preston Road, Ribchester, within land designated as Open Countryside. The site is accessed off Preston Road between New House Farm and land to the East of Pendle View. Planning permission has been granted for a large building for the use for Heliculture (snail breeding) and also for six holiday lodges within the site. The heliculture building has been constructed, as has two of the holiday lets. Part of the site closest to the constructed holiday lets has been landscaped but the main road through the site comprises an unsealed surface and the area of land where the buildings have not yet been constructed is currently vegetated.

Part of the site is located within Flood Zones 2 and 3 and the north of the site borders Boyces Brook. Boyces Brook is designated as a main river within the village but becomes an ordinary watercourse adjacent to the site boundary.

An appeal was dismissed for planning ref: 3/2025/0107 which was for '*Retention of two holiday lodges and office building with associated parking, infrastructure and alterations.*'. This was for two different modular buildings which have now been removed from the site in a different location to the approved siting of the holiday lets. The Inspector dismissed the appeal as there was insufficient information in relation to flood risk.

Proposed Development for which consent is sought:

The Section 73 application seeks to remove condition 12 of planning permission ref: 3/2022/0530 to remove the occupancy restriction on the lodges, allowing them to be occupied permanently. See attached supporting statement for further information.

Principle of Development:

The application is made under Section 73 of the Town and Country Planning Act 1990 which seeks to remove condition 12 (occupancy condition) to allow the holiday lets to be occupied as independent dwellings.

The applicant's agent had been initially advised that the application fell outside the scope of a Section 73 application because it would result in a material change to the description of the original consent. In response the agent has provided a case law judgement on this issue: *Freddie Reid v Secretary of State for Levelling Up Housing and Communities & Newark and Sherwood DC* [2022] EWHC 3116 (Admin). It has been established under the 'Reid' judgement that removing the holiday let restriction condition would still leave the operative

part of the permission intact and removing such condition would not conflict with the description of development. Therefore the proposal can be determined under section 73 of the 1990 Act.

The removal of the occupancy condition for use as holiday lets would result in an unrestricted use of the land for open market housing. Therefore, an assessment of the acceptability of the site for unrestricted residential use is required to be assessed to identify the suitability of the site for residential development:

Spatial Strategy

The application site lies outside of the settlement boundary of Ribchester which is identified within the Ribble Valley Core Strategy as a Tier 2 settlement. The application site is adjacent to the settlement boundary.

Key Statement DS1 relates to new housing development and seeks to direct new housing development within an identified strategic site and the principal settlements of Clitheroe, Whalley and Longridge in addition to Tier 1 Villages which are the more sustainable of the Borough's 32 defined settlements. The same policy also requires development within the Borough's remaining 23 Tier 2 Village settlements to meet proven local needs or deliver regeneration benefits.

The site is located adjacent to the settlement boundary of Ribchester which is a Tier 2 Village. However, as it is not located within the defined settlement, the site is located within the open countryside.

The site lies outside of a main settlement boundary and therefore Policy DMG2 is primarily engaged which requires development to meet one of the following criteria:

- *Essential to the local economy or social well-being;*
- *Development needed for the purposes of forestry or agriculture;*
- *Development for local needs housing which meets an identified need;*
- *Development for small scale tourism or recreation appropriate to a rural area;*
- *Small scale use appropriate to a rural area where a local need for benefit can be demonstrated;*
- *Development compatible with the enterprise zone.*

Policy DMH3 is also engaged in parallel with Policy DMG2 given the site location. This states within areas defined as open countryside or AONB residential development will be limited to:

- 1. 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.*
- 2. The appropriate conversion of buildings to dwellings providing they are suitably located and their form and general design are in keeping with their surroundings. buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction.*

The application form and submitted information does not state whether the dwellings would be for local needs housing. The supporting statement indicates that the buildings could be used for those with mobility issues. However, no such assessment has been made as to how the proposal would meet an identified need and as such, it must be assumed that the removal of the occupancy condition would result in unrestricted market housing. As such, the proposal fails to comply with Policy DMG2 and DMH3 of the Ribble Valley Core Strategy.

Also of relevance is Policy S5 of the NPPF. Policy S5 states that:

- 1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:*

a. Development for: agriculture, horticulture and forestry; outdoor sport and recreation; allotments; cemeteries and burial grounds; mineral extraction and processing; engineering operations and infrastructure (including

for transport, energy, water and telecommunications); roadside facilities in accordance with policy TR5; national defence and security; or which is solely for nature conservation, restoration and/or enhancement;

b. Development for rural businesses and services, including tourism, where a location outside settlements is shown to be necessary;

c. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces;

d. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential);

e. Limited infilling within groups of houses;

f. An exception site as provided for in policy HO10, or development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

g. Development which would address an evidenced unmet need for gypsy, traveller or 25 The existing building is to be assessed as the property as existing on the date of the publication of this Framework. 25 travelling showpeople accommodation, provided it meets the criteria in policy HO12;

h. Residential and mixed-use development which would:

- i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B)
- ii. Be physically well-related to the station or the settlement within which the station is located;
- iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; and
- iv. Not prejudice any proposals for long-term comprehensive development in the same location.

i. The development of land allocated for that purpose in the development plan (where this lies outside settlements);

j. Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would:

- i. Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or
- ii. Comprise major development for freight and logistics purposes which accords with policy

2. In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

3. Development proposals comprising isolated homes, which are those lying outside settlements or groups of houses, should not be approved other than in accordance with policy HO11.

4. Development proposals which do not fall within one of the categories set out in this policy should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.

5. This policy does not apply to development proposals in the Green Belt or on land designated as Local Green Space, which should instead be determined in accordance with policies HC8, GB6, GB7 and/or GB8 (as appropriate). However, where development would not be inappropriate in these locations (through the application of policies HC8 and GB7), proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy.

Firstly, when assessing against criterion 1 of Policy S5, it is considered that sub criteria a-i are not relevant to the proposal.

In respect of sub criteria j, the most recently published five-year housing land supply figure for the Ribble Valley (base date of 31st March 2026) is 2.24 years. As such, the Council are unable to demonstrate a five-year housing land supply. In which case it is necessary to consider sub-section j(i) and (ii) of the NPPF.

The development is considered to be physically well-related to the existing settlement and of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure. As such it is considered this scheme would fall within this exception.

As Policy S5 (1) states, developments falling within any of the exceptions should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects. This shall be discussed in more detail in the Planning Balance section of the report.

Turning to the rest of the criteria of Policy S5 of the NPPF, Criteria 2 and 4 shall also be discussed within the planning balance section of the report, where the benefits of the scheme shall be weighed against any adverse effects. Criterion 3 relates to isolated homes which is not considered to be relevant to this site, as the site is immediately adjacent to the settlement boundary of Ribchester and would therefore not be considered an isolated location. Criterion 5 does not relate to this application as the site does not comprise Green Belt land or designated Local Green Space.

Also of relevance is Policy HO7 which states:

'In applying the policies in this Framework, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1.'

This Policy is engaged and aligns with NPPF Policy HO5 insofar that the Parish of Ribchester is a designated rural area as such the Local Plan requirement is for an element of affordable housing to be secured.

Key Statement H3 states that:

"Affordable housing is broadly defined as that which is accessible to people whose income does not enable them to afford to buy or rent property suitable for their needs in the open housing market. Within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing will be required on all schemes. The Council will seek affordable housing provision at 30% of units on the site.

The Council will use open book viability assessments, provided at the developer's cost, within its consideration of affordable housing provision particularly where thresholds are not being met.

In all other locations in the borough, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the council will require 30% affordable units on the site (emphasis added).

The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal fully justifies a lower level of provision to the council's satisfaction. Providing housing for older people is a priority for the Council within the Housing Strategy. Within the negotiations for housing developments, 15% of the units will be sought to provide for older people on sites of units or more. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (ie the remaining 50% of the 15% older people's element) will be for market housing for older people.

All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity. Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site. Older people's housing should meet the Lifetime Homes standard as a minimum."

The removal of the occupancy condition would result in a total of 6 residential units and as such, 30% of the units would be required to be affordable. No details have been provided at this stage as such it is assumed the scheme would not meet this policy requirement.

Sustainable Location

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."

Policy DMG3 requires considerable weight to be attached to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development.

Policy TR3 of the NPPF also states that:

"1. So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:

- a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical;*
- b. Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;*
- c. Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach;*
- d. The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution; and*
- e. In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.*

2. The Connectivity Tool (Connectivity Tool - GOV.UK) should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development."

Also of relevance is Policy CC2 of the NPPF which states that:

"1. In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal:

- a. Accord with policies TR3 and TR4 so that sustainable patterns of movement are 28 prioritised, opportunities are taken to improve walking, wheeling, cycling and public transport, and infrastructure is provided to support the transition to zero-emission vehicles."*

Permission in Principle was refused immediately adjacent to the site under planning ref: 3/2026/0050 for up to two dwellings on the grounds that the site was not considered to be sustainably located. However, this was allowed at appeal (6006097) and the Inspector noted the following:

"I observed that the site is located on a primary route through Ribchester and it is well connected by footpaths to the centre of the village which is within a reasonable walking distance. Within the centre there are a range of services, including public houses serving food, a retail shop, a post office, cafes, places of worship, a village hall, and a primary school. In addition, there are recreational facilities including an outdoor playground, tennis courts, and football pitches, as well as a range of local businesses. Collectively, these facilities provide for a range of day-to-day needs and contribute positively to the overall accessibility of the site.

I recognise that future occupants may need to travel further afield for employment, supermarkets and secondary schools, however, the site is located within close proximity of a bus stop providing an hourly service between 6am and 8.30pm. This offers a reasonable alternative to private car use, with journey time to Longridge which has a greater range of services, of approximately 8 minutes and onward connections to the wider area, such that future occupiers would not be wholly reliant on a private car.

In addition, the presence of a designated cycle route running along the frontage of the site offers further opportunities for travel by modes other than the private car. This offers connectivity to the surrounding area, and its proximity is likely to encourage its use by future occupiers.

Taking these factors together, future occupiers of the proposed development would not be wholly reliant on the private motor vehicle, and the site can therefore reasonably be regarded as being in an accessible location to local services by other modes of transport."

This appeal decision is a material consideration in the determination of the application insofar that the appeal site lies immediately adjacent to the application site. As such, it is considered that the application site would be in a sustainable location for residential development.

Impact Upon Residential Amenity:

It is necessary to consider whether the removal of the holiday let occupancy condition would have a greater impact as an unrestricted residential use on existing and future occupiers, when compared to its existing use.

Policy DMG1 of the Ribble Valley Core Strategy states that all 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.*

Policy P3 of the NPPF states that:

- 1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).*
- 2. Within this context development proposals should:*

- a) *Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;*
 - b) *Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);*
 - c) *Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies;*
 - d) *Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);*
 - e) *Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those areas entirely, or largely, uninterrupted by artificial light) and nature; and*
 - f) *Assess and mitigate impacts where the development could have an unacceptable adverse effect on water quality, especially in relation to sensitive water bodies such as chalk streams.*
3. *In applying this policy, it should be assumed, unless there is clear evidence to the contrary, that separate regulatory regimes for the control of pollution will operate effectively, as set out in policy DM7. This means that it will be appropriate to take into account emissions limits set through those other regimes.*

Firstly, the impact on existing neighbouring properties would be similar to the approved scheme, insofar that the proposal does not include the re-location of any of the buildings when compared to the approved plans. There are no amended residential curtilages proposed as part of this application and permitted development rights could be removed to ensure that the buildings could not be altered in any way which may result in harm to the amenity of the adjacent residential properties along Preston Road.

Given that the buildings are single storey, it is not considered that there would be any adverse, overshadowing, loss of light or overbearing impact to future occupiers of the properties.

The Council must also consider the potential impact on future occupiers of the development. The application has not been supported by a site plan. However, when viewing the approved site plan, it is noted that the existing holiday lets are sited very close together. For example, lodges 3 and 4 are sited approximately 2.7m apart at their closest points and lodges 1 and 2 are located approximately 5.8m apart. The approved floorplans for the lodges indicate that the side facing windows serve bedrooms and would therefore constitute primary living accommodation. Such distance would not provide adequate separation distances to ensure future occupiers of the properties are protected from harmful overlooking from each dwelling. It would also not be appropriate to include obscure glazing to these properties, given that they serve bedrooms. It should also be noted that the two single bedrooms do not meet the minimum floorspace requirements to be classed as a bedroom which need to be at least 7.5m² and 2.15m.

Lastly, the proposal does not provide any private amenity space for future occupiers. Given that the buildings are 3 no. bedrooms, it is anticipated that these could be occupied by families and given the lack of separated residential curtilages, with overlooking windows and lack of private amenity space, this also supports the Councils view that the proposal would result in unhealthy living conditions with a lack of privacy for future occupiers.

Having regard to the above, the development would result in poor quality accommodation for future occupiers of the residential properties by way of inadequate floorspace, privacy and private amenity space.

Turning to noise and disturbance, the adjacent heliculture building has been approved with a restrictive condition on which would require planning permission for the building to change use. Notwithstanding this, the previous assessment of the application included an assessment in relation to potential noise impact, with the committee report noting that there is tree planting between the existing properties and the commercial element of the site which would act as a natural noise barrier and help contain any noise created on the site. The approved scheme also included conditions for restricting the dumping of snails and lighting.

The removal of the holiday let occupancy condition would now remove separation distance between the heliculture use and residential use from approximately 72m at its closest point to around 30m. In addition, future occupiers of the site would access the site along the same road as the heliculture building.

Concerns have been raised from neighbouring properties as to whether the site is actually being used for snail breeding. When the planning officer visited the site, it was noted that there 3 no. vehicles parked at the site, including a van but no information has been submitted with this application as to how the business is currently operating.

The Council raise concerns that future occupiers could be subject to increased noise and disturbance coming from the site when compared to existing residential properties from deliveries and loading. It is not considered that the applicant is supported by sufficient information to fully assess the noise impact and whether the remove of the holiday let condition, allowing residential use within the siter itself, much closer to the existing businesses would maintain healthy living conditions on future occupiers by way of noise and disturbance.

As such, allowing the removal of Condition 12 would result in the creation of unacceptable residential living conditions which would harm the amenity of future occupiers, contrary to Policy DMG1 of the Ribble Valley Core Strategy and Policy P3 of the NPPF.

Visual Amenity/Design:

Policy DMG1 also states that all development must:

- ‘1. be of a high standard of building design which considers the 8 building in context principles (from the cabe/english heritage building on context toolkit.*
- 2. be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
- 3. consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*
- 4. use sustainable construction techniques where possible and provide evidence that energy efficiency, as described within policy dme5, has been incorporated into schemes where possible.*
- 5. the code for sustainable homes and lifetime homes, or any subsequent nationally recognised equivalent standards, should be incorporated into schemes.’*

In addition, Ribble Valley Core Strategy Policy DMG2 states 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. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.’

Criterion 1 of Policy DP3 is also of relevance which also states:

“Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and

integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3."

The proposal includes no amendments to the layout of the site to facilitate a residential use.

It has already been noted within the site that the buildings are sited very closely together, with little separation distance between each of the buildings. In terms of the acceptability of the site for residential use in relation to design/layout, it is considered that the buildings would be overly cramped and would not constitute a high standard of design that would be sympathetic to a residential use of the site.

The Council would expect a site for residential development to be supported by sufficient pedestrian footpaths within the site to facilitate easy pedestrian movement by foot. In addition, as noted earlier in this report, the dwellings do not have any private amenity space which would be expected for 3 no. bedroom properties.

Whilst each residential dwelling would have an area for parking at the front of the site, the layout of the site in its current form is not considered suitable for residential development insofar that the site does not facilitate easy pedestrian movement within the site to support healthy communities, nor does it constitute a high standard of design with regards to the relationship between plots and lack of defined curtilage and private amenity space for future occupiers.

An Inspector for an appeal at the site has noted the following with regards to the character of the site "The presence of open areas of land at and around the appeal site provides for a spacious semi-rural character." Even if the site were to be subdivided to create individual separate residential curtilages, the plot sizes would not be reflective of the pattern of development within the immediate vicinity and would appear cramped, diminishing the spacious semi-rural character of the site.

As such, the proposal fails to comply with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy and Policy DP3 of the NPPF.

Highways/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'.*

Each unit would have two parking spaces which is considered to be acceptable.

The LHA have provided comments on the application. They note that a refuse vehicle cannot enter the private arrangement within the site, so if all 6 holiday lets become residential after the removal of the condition, there could be an accumulation of 12 bins sat within the access on bin collection days, which would limit two-way movement/visibility and a footway would at least provide an alternative place for these bins, but a bin store would be more appropriate. They also note that there are no pedestrian provisions within the site at the moment either; access is via a shared arrangement, which is a concern, especially with a business operating within the site and that the target market would be those who would be considered vulnerable highway users, as suggested within the statement 'particularly for older people or those with mobility issues, wishing to live in appropriately sized accommodation, across a single floor.'

The LHA therefore recommend an amended plan be submitted which shows a suitable footway within the site adjacent to the holiday lets, around the access, and then linking into a new footway adjacent to the carriageway. They also consider that works to highway should be secured as part of a Section 278 agreement to provide the construction of a 2m wide footway to the north of the site access.

Whilst not an optimal solution, the bins could be stored on the grass verge, adjacent to the site access, with details to be secured by condition. In addition, given the limited distance that future occupiers would have to walk along the access path to reach the footpath at Preston Road, the LPA considers that the lack of a dedicated footpath would not result in a reason to refuse the scheme on highway safety grounds. The LHA also request a new footpath to the north of the site access as part of a s278 agreement which could be secured by condition.

Having regard to the above, the proposal is considered to accord with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

Other matters:

Ecology

With regards to Biodiversity Net-Gain, the development is exempt from having to achieve the mandatory Biodiversity Net Gain requirement as it is a S73 variation of a previous permission granted before April 2024.

Flood Risk

It should be noted that since the granting of the original application, the flood map for planning has been updated. The two lodges that have been constructed are located outside of the flood zone. However, lodges 3 and 4 would be located within Flood Zone 2 and lodges 5 and 6 within Flood Zone 3.

Policy F4 of the NPPF states that:

- 1. To inform the assessment of flood risk and, where relevant, appropriate mitigation, a site specific flood risk assessment should accompany all development proposals in Flood Zones 2, 3a, and 3b as defined in Annex F, table 1.*
- 2. In Flood Zone 1, a site-specific flood risk assessment should inform and accompany all development proposals involving:*
 - a. Sites of one hectare or more;*
 - b. Land which has been identified by the Environment Agency as having critical drainage problems; and*
 - c. Land identified in a strategic flood risk assessment or the Flood Map for Planning as being at risk of flooding from any source, whether now or in the future.*
- 3. Site-specific flood risk assessments should be appropriate to the scale, nature, and location of development and should, where relevant, support an assessment of whether a development proposal satisfies the sequential and exception tests set out in policies F5 and F6.*

Policy F5 relates to the sequential test which states:

- 1. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Where the test applies, development proposals should not be located in areas at risk of flooding where alternative sites, appropriate for the development, are reasonably available in areas with a lower risk of flooding. The area to which the test is applied should not be greater than the anticipated catchment of the development in terms of its likely occupiers or users.*
- 2. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, other than for:*
 - a. Sites allocated in the development plan which were subject to the sequential test during plan preparation;*
 - b. Sites where a site-specific flood risk assessment demonstrates clearly that:*

- i. No built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk);*
 - ii. Where the site would be at risk of surface water flooding only, the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development without increasing flood risk elsewhere in accordance with policy*
 - c. For the following types of development:*
 - i. Householder development;*
 - ii. Small non-residential extensions (with a footprint of less than 250m²); and*
 - iii. Changes of use, other than changes of use to a caravan, camping or chalet site, or to a mobile home or park home site.*
- 3. The strategic flood risk assessment covering the area of the proposed development and the Flood Map for Planning should provide the evidential basis for applying the sequential test.*

Policy F6 relates to the 'exception test' and this states that:

- 1. In areas falling within flood zones 2, 3a, or 3b (as defined in Annex F, table 1):*
 - a. Development proposals should be refused if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3; and*
 - b. In certain other circumstances set out in Annex F, table 3, in addition to satisfying the sequential test in policy F5 where applicable, development will only be appropriate where an 'exception test' is satisfied. The exception test involves demonstrating that the development would meet all the following criteria:*
 - i. Provide wider sustainability benefits to the community that outweigh the flood risk;*
 - ii. Be safe for its anticipated lifetime in accordance with policy F7; and*
 - iii. Not increase flood risk elsewhere and, where possible, reduce flood risk overall.*
- 2. The application of the exception test should be informed by a site-specific flood risk assessment. The exception test does not need to be applied:*
 - a. To those forms of development, or in those circumstances, where the sequential test is not required, as set out in policy F5; or*
 - b. Where development is proposed on a site allocated in the development plan to which the exception test was applied at the plan-making stage, unless there has been a significant increase in the risk of flooding to the site subsequently, or the nature of the development itself has changed significantly from that which was allocated so as to introduce a more vulnerable use (having regard to Annex F, table 2).*

Policy DME6 of the Ribble Valley Core Strategy states that:

'Development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere. Applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to:

- 1. preventing pollution of surface and / or groundwater*
- 2. reducing water consumption*
- 3. reducing the risk of surface water flooding (for example the use of sustainable drainage systems (SuDS))*

As a part of the consideration of water management issues, and in parallel with flood management objectives, the authority will also seek the protection of the borough's water courses for their biodiversity value.

All applications for planning permission should include details for surface water drainage and means of disposal based on sustainable drainage principles. the use of the public sewerage system is the least sustainable form of surface water drainage and therefore development proposals will be expected to investigate and identify more sustainable alternatives to help reduce the risk of surface water flooding and environmental impact'.

Given that four of the buildings have not yet been constructed and the flood zones have been updated, a new assessment against the risk of flooding should be made. The application is not supported by a flood risk assessment to assess the risk of flooding at the site. As such, the Council are unable to determine whether the proposal would increase flood risk at the site or elsewhere. The Flood Risk Vulnerability Classification identifies residential buildings used for dwellinghouses as 'more vulnerable' whereby the sequential test would apply. In addition, for the residential units in Flood Zone 3, the applicant would also need to satisfy the exception test.

The application is not supported by a Flood Risk Assessment nor with details the sequential and exception test has been satisfied and the proposal therefore fails to satisfy the requirements of Policy DME6 of the Ribble Valley Core Strategy and Policies F5, F6 and F7 of the NPPF.

Observations/Consideration of Matters Raised/Conclusion:

The Council are satisfied that the proposal falls within the scope of NPPF Policy S5(1)(j) and therefore development should be approved unless the benefits of doing so would be substantially outweighed by adverse effects, when assessed against the national decision-making policies in the NPPF.

Criterion 2 of Policy S5 also states that the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

In assessing the benefits of the proposal, it is important to note that the Council is currently unable to demonstrate a five-year supply of deliverable housing land. The Council's most recently published housing land supply position (base date 31 March 2026) confirms a supply of 2.24 years. As such, there is an identified shortfall in housing delivery within the Borough, where the provision of six additional dwellings would make a contribution towards meeting this need. However, the benefits of this would be relatively modest given the limited scale of the development.

Balanced against these benefits, is the harm that would arise, insofar that the scheme would not provide any affordable housing as required by Key Statement H3, would provide poor quality residential living accommodation that would fail to protect the amenity of future occupiers with regards to privacy and provides insufficient information in relation to potential noise pollution from adjacent business use. The removal of the occupancy condition would also result in a cramped form of development by reason of its poor layout, including separation distances between properties and footpaths within the site, failing to achieve a high standard of design for residential use, contrary to Ribble Valley Core Strategy DMG1 and DMG2 and Policies P3 and DP3 of the NPPF. This would significantly weigh against the proposal.

The proposal also fails to fully assess the impact of flood risk and fails to satisfy the sequential and exception test. As such, the Council are unable to be satisfied that the buildings would be safe during a flooding event, or that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk) contrary to Policies F5, F6 and F7 of the NPPF and Policy DME6 of the NPPF. This would significantly weigh against the proposal.

Taking all of the above considerations into account, the Council acknowledges that the removal of the occupancy condition to allow residential use would contribute towards addressing the Borough's housing shortfall. However, that contribution would be limited by the modest scale of the scheme. By contrast, significant harm has been identified above.

Accordingly, having regard to all material planning considerations, the removal of Condition 12 of planning permission ref: 3/2022/0530 to enable residential use is considered to be unacceptable and the application is recommended for refusal.

RECOMMENDATION:	That planning consent be refused for the following reason(s):
1.	The proposal would result in a cramped form of development by reason of its poor layout, including separation distances between properties, lack of private amenity space, inadequate floorspace and lack of sufficient footpaths within the site, failing to achieve a high standard of design for residential use, contrary to Ribble Valley Core Strategy DMG1 and DMG2 and Policies P3 and DP3 of the National Planning Policy Framework.
2.	The application has not been supported by a Flood Risk Assessment and the applicant has failed to satisfy the sequential and exception tests. In the absence of this, there is insufficient information to fully assess the impact of Flood Risk resulting from the development, contrary to Policy DME6 of the Ribble Valley Core Strategy and Policies F4, F5 and F6 of the National Planning Policy Framework.
3.	The application site falls within a designated rural area as defined by the NPPF as such Key Statement H3 of the Ribble Valley Core Strategy is engaged which requires the development proposal to include affordable housing provision. As the scheme fails to make such provision the housing proposal fails to meet the local needs of the community.
4.	Insufficient information has been submitted with the application to demonstrate that future residents would not be subject to adverse noise and disturbance as a result of activity levels associated with the adjacent Heliculture (snail farm) business, contrary to Policy DMG1 of the Ribble Valley Core Strategy and Policy P3 of the NPPF.