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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | | |
| **Signed:** | | **Officer:** | BT | | | | **Date:** | | 21/10/24 | | **Manager:** | | SK | **Date:** | 22/10/24 |
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| **Application Ref:** | | | | | 3/2024/0727 | | | | | | |  | | | |
| **Date Inspected:** | | | | | 10/10/24 | | | **Site Notice:** | | 10/10/24 | |
| **Officer:** | | | | | BT | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | | **REFUSAL** | | | |
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| **Development Description:** | | | | | | Proposed general purpose agricultural and forestry building, access track and landscaping. | | | | | | | | | |
| **Site Address/Location:** | | | | | | Land rear of Dusty Clough Barn, Green Lane, Chipping, PR3 2TS. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Parish/Town Council** | | | | | | | | | |
| **Thornley with Wheatley Parish Council:** | | | | | | No objections. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| **LCC Highways:** | | | | | | No objections subject to condition. | | | | | | | | | |
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| **RVBC Countryside:** | | | | | | No objections. | | | | | | | | | |
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| **Greater Manchester Ecology Unit (GMEU):** | | | | | | Consulted 11/9/24 - no response received. | | | | | | | | | |
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| **Electricity Northwest:** | | | | | | Consulted 11/9/24 – no response received. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Additional Representations.** | | | | | | | | | |
| None. | | | | | | | | | | | | | | | |
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| **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 EN4: Biodiversity And Geodiversity  Policy DMG1: General Considerations  Policy DMG2: Strategic Considerations  Policy DMG3: Transport & Mobility  Policy DME2: Landscape And Townscape Protection  Policy DMB1: Supporting Business Growth And The Local Economy  National Planning Policy Framework (NPPF) | | | | | | | | | | | | | | | |
| **Relevant Planning History:**  **3/2019/0127:**  Proposed insertion of window openings (Approved)  **3/2012/1055:**  Proposed conversion and change of use of redundant barn to provide holiday accommodation to provide local tourism and on site recreational activities. Improvements to existing vehicular and pedestrian access. Installation of sustainable ground source heat system and underground rainwater harvesting tank. Installation of sewerage treatment plant and soakaway. Siting of a detached timber shed and new stone outbuilding to keep fishing tackle and bicycles. Formation of an external bin and domestic waste recycling area. Associated external work. Re-submission of approved scheme 3/2010/0540P with design amendments to proposed external works (Approved)  **3/2011/0066:**  Application to discharge condition no. 4 (walling and roofing materials), condition no.6 (Velux rooflights), condition no. 11 (hard landscaping), condition no. 14 (bat roosting facilities) and condition no. 15 (details of ground source heat pump), of planning consent 3/2010/0540P (Approved)  **3/2010/0540:**  Proposed conversion and change of use of redundant barn to provide holiday accommodation to provide local tourism and on-site recreational activities. Improvements to existing vehicular and pedestrian access. Installation of sustainable ground source heat system and underground rainwater harvesting tank. Installation of sewerage treatment plant and soakaway. Sitting of a detached timber shed to keep fishing tackle and bicycles, and formation of an external bin and domestic waste recycling area, associated external works (Approved) | | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to land sited to the North-west of the property known as Dusty Clough Barn which is currently in use as a holiday let. The land parcel in question comprises a 1.6 hectare triangular shaped area of land consisting of modified grassland (1 hectare) and woodland (0.6 hectares). Access to the land parcel is from Green Lane via the access serving Dusty Clough Barn. The land subject to the proposed development comprises the strip of modified grassland adjoining the South-western perimeter of the aforementioned woodland (known as Dusty Clough Wood), with three wooden poles and their associated overhead powerlines running through the strip of grassland. The land subject to development lies on the South-eastern outskirts of Chipping in an area of open countryside within the Forest Of Bowland National Landscape. The wider area comprises a mixture of woodland, agricultural land, isolated residential properties, farmsteads and open countryside with the River Loud running along the Northern perimeter of the application site. | | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  Planning consent is sought for the construction of a general purpose agricultural and forestry building, access track and associated landscaping. | | | | | | | | | | | | | | | |
| **Principle of Development:**  The application site lies outside of the defined settlement area of Chipping. Policy DMG2 of the Ribble Valley Core Strategy allows for the provision of development outside the Borough’s defined settlement areas on the basis of the development in question being needed for the purposes of forestry or agriculture.  In this instance, it is understood that the applicant manages the land holdings on a part-time basis with the applicant currently being in ownership of 8 rare breed sheep. It is understood that the applicant intends to breed and lamb these sheep each spring, with additional plans to purchase a small number of cattle in the spring. The applicant intends to house their sheep both prior to and during lambing, with the aforementioned store cattle to be housed each winter. It is further understood that the applicant proposes to extract timber from the adjacent woodland for firewood, with a further requirement to house the extracted timber and associated forestry equipment. There are currently no buildings at the application site to accommodate the applicant’s operation therefore the applicant seeks consent for the construction of a general purpose agricultural / forestry building for the housing of livestock and for the storage of agricultural and forestry equipment.  The proposed development has been subject to review from the Council’s agricultural advisor who has raised no issues with respect to the size, design and location of the proposed building. The applicant’s existing and proposed agricultural and forestry operations have also been subject to review with no issues raised in relation to the authenticity of these operations. Agricultural workers are bound by rules and good practice in relation to the welfare of livestock which require farm animals to be kept free from thirst, hunger, discomfort, pain, injury or disease, fear and distress and to possess the ability to express normal behaviour. The applicant would need to be compliant with all of the above therefore, based upon the level of supporting information provided, the proposed development is considered to be necessary in order to support the existing and future development of the applicant’s agricultural and forestry operations.  Whilst it is acknowledged that the proposal would be compliant with Policy DMG2 with respect to being necessary for the purposes of forestry and agriculture, the same policy also states (with respect to development within National Landscapes - formerly known as Areas Of Outstanding Natural Beauty):  *‘The most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area…development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting.’*  In this instance, the proposal site comprises a distinctly natural and unspoilt character, with the proposal site and its immediate surroundings contributing to the visual amenities of the area through forming part of the area’s wider open countryside. The proposed development would involve the introduction of new build elements to the proposal site in the form of a new building and extensive vehicle access track and on this basis, it is not considered that the proposed development would enhance or conserve the character of the surrounding National Landscape (the visual impact of the proposed development is assessed in further detail in the report’s ‘Visual Amenity/External Appearance’ section).  Taking account of all of the above, the proposal would fail to fully satisfy the requirements of Policy DMG2 and is therefore 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’.*  Furthermore, Policy DMG1 of the Core Strategy requires all proposals for development to consider the effects of development upon existing amenities.  In this instance, the proposed building would be partially utilised to house livestock which in turn carries implications with respect to noise disturbances and odour omissions however analysis shows that the proposed building would be located approximately 120 metres away from Dusty Clough Barn. As such, given the separation distance that would be in place between the proposed building and existing holiday let, it is not anticipated that users of the holiday let would be subjected to adverse noise disturbances or potent odour omissions.  Consequently, it is not considered that the proposed development would be harmful to the amenity of any neighbouring residents. The proposed development would therefore be compliant with the aims and objectives of Paragraph 135 (f) of the NPPF and Policy DMG1. | | | | | | | | | | | | | | | |
| **Visual Amenity/External Appearance:**  Paragraph 135 (c) of the NPPF states:  *‘Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting’.*  Policy DMG1 of the Ribble Valley Core Strategy provides 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 the Forest Of Bowland National Landscape, Paragraph 182 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.’*  Key Statement EN2 of the Core Strategy provides similar guidance:  *‘The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced…the Council considers that it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape…the Council will also seek to ensure that the open countryside is protected from inappropriate development.’*  In this instance, the proposal site comprises an expanse of grassland predominantly void of any build form (save for the overhead powerlines and three support poles) with Dusty Clough Wood serving as a natural boundary to the North-eastern perimeter of the site. Additional fields void of any built form adjoin the Eastern perimeter of the application site which occupies a visually prominent position by virtue of its proximity to Green Lane. As such, the proposal site comprises a distinctly natural and unspoilt character, with the proposal site and its immediate surroundings contributing to the visual amenities of the area through forming part of the area’s wider open countryside.  The proposed development would necessitate the creation of a new stone access track which would provide vehicular access between the rear yard area of Dusty Clough Barn and the proposed agricultural / forestry building. Due to the existing constraints present on site with respect to electrical infrastructure, there would be a requirement to site the proposed building some distance away from Dusty Clough Barn which would result in the proposed vehicle access track extending approximately 125 metres into the undeveloped area of grassland which in turn would have an urbanising impact upon the application site. The proposed agricultural / forestry building would be sited at the terminus of the access track and whilst this would not be a significantly sized structure in terms of its height and footprint, the building would nonetheless read as an isolated and anomalous addition to the surrounding landscape by virtue of its siting and the absence of any other built form within the application site and surrounding fields. In addition, the entirety of the building’s elevations would be detailed in vertical timber boarding which in turn would increase the bulk and massing effect of the proposed building. Furthermore, the proposed development would be publicly viewable from Green Lane on approach to the application site from the South-west and as such would have a discernible visual impact within the surrounding landscape.  In light of the above, it is considered that the proposal would constitute an inappropriate form of development in as much that the cumulative visual impact of the proposed building and associated vehicle access track would collectively have a harmful impact upon the openness and unspoilt character of the application site and surrounding open countryside that would neither enhance or conserve the visual amenities of the National Landscape. The proposal would therefore fail to satisfy the requirements of Paragraphs 135 (C) and 182 of the NPPF and Key Statement EN2 and Policy DMG1 of the Core Strategy. | | | | | | | | | | | | | | | |
| **Highways and Parking:**  Lancashire County Council Highways have reviewed the proposal and have raised no concerns with the proposed development in relation to access, intensification of use or general highway safety, subject to the imposition of a condition with respect to construction management in the event of planning consent being granted. 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:**  Trees  A tree survey has been provided in support of the application which shows that the access track proposed for the application site would be sited within the root protection areas of two Beech trees (identified as T1 and T2 on the submitted tree constraints plan). Notwithstanding this, the sections of access track within the root protection areas of the affected trees would comprise a geocell based surface, with a no dig approach (marked by protective fencing) also undertaken for the construction of these sections of the proposed access track. In addition, the submitted tree survey comprises a series of standard working practices and mitigation measures to be adhered to in order to ensure the protection of all trees on site during the construction phase of the proposed development. The submitted tree survey has been subject to review from the Council’s Countryside Officer who has raised no issues with respect to the tree protection measures and working methodologies proposed. The proposed development therefore raises no concerns with respect to impacts upon trees.  BNG  A biodiversity net gain assessment has been provided in support of the application which indicates that construction of the vehicle access track and building would result in a loss of biodiversity to the application site however the submitted BNG assessment shows that the identified loss of biodiversity could be offset through on-site habitat creation which in turn would result in a post development biodiversity net gain of 114.5%. As such, the proposed development satisfies the statutory requirements with respect to biodiversity net gain. | | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  The proposed development is considered to be reasonably necessary for the purposes of agriculture and forestry however the proposal would nonetheless involve the introduction of new build elements in the form of a new building and extensive vehicle access track into an area of open countryside with a predominantly natural and unspoilt character and as such would fail to protect, conserve or enhance the visual amenities of the surrounding National Landscape which in turn would be in conflict with the aims and objectives of Paragraphs 135 (C) and 182 of the NPPF and Key Statement EN2 and Policies DMG1 and DMG2 of the Core Strategy.  It is for the above reasons and having regard to all material considerations and matters raised that planning consent be refused. | | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | That planning permission be refused for the following reasons: | | | | | | | | | | | |
| **01:** | The proposal would constitute an inappropriate form of development in as much that the cumulative visual impact of the proposed building and associated vehicle access track would collectively have a harmful impact upon the openness and unspoilt character of the application site and surrounding open countryside that would neither enhance or conserve the visual amenities of the National Landscape. The proposal would therefore fail to satisfy the requirements of Paragraphs 135 (C) and 182 of the NPPF and Key Statement EN2 and Policies DMG1 and DMG2 of the Core Strategy. | | | | | | | | | | | | | | |