|  |
| --- |
| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | MC | **Date:** | 25/04/2025 | **Manager:** | LH | **Date:** | 25/4/25 |
|  |
| **Application Ref:** | 3/2024/0942 |  |
| **Date Inspected:** | 11/02/2025 | **Site Notice:** | 11/02/2025 |  |
| **Officer:** | MC |  |
| **DELEGATED ITEM FILE REPORT:**  | **REFUSAL** |
|  |
| **Development Description:** | Proposed conversion of two stone barns to create three holiday cottages with associated curtilages. Erection of fencing and pedestrian gate. |
| **Site Address/Location:** | Black Moss Farm, Elmridge Lane, Chipping, PR3 2NY |
|  |
| **CONSULTATIONS:**  | **Parish/Town Council** |
| **Chipping Parish Council:** | No objections. |
|  |
| **CONSULTATIONS:**  | **Highways/Water Authority/Other Bodies** |
| **LCC Highways:** | No objection subject to conditions ensuring parking and turning provision is provided prior to the first use and retained thereafter, as well as the provision of secure cycle storage. |
| **Lancashire Fire & Rescue Service:** | Comments made in relation to the scheme needing to fully comply with Building Regulations. |
| **LCC Archaeology:** | Advise that an archaeological building record be made of the barn prior to its conversion and secured by way of condition. |
| **United Utilities:** | Due to the proximity of the proposed development to United Utilities assets and apparatus, United Utilities object to the scheme. They consider to overcome their objection, the applicant must contact their Developer Services team to investigate a satisfactory resolution. Evidence of any proposed agreement or resolution of this matter, agreed between the applicant and our Developer Services team, should be submitted to the Local Planning Authority before our objection can be removed. |
| **Health & Safety Executive:** | The development does not intersect a pipeline or hazard zone. HSE Planning Advice does not have an interest in the development.  |
| **LCC Footpath Officer:** | No objection |
| **RVBC Countryside:** | Recommends a condition be added to any grant of permission to ensure no development shall commence until an application to register the site under an EPS or Earned Recognition licence has been  submitted in the time scale identified and is in place prior to any works that could impact the known roosts to ensure that the detailed mitigation and compensation measures are met in accordance with the details of the protected species survey report submitted - Bat Presence/Absence report 9/9/2024 4.3 [4.3.1] bats and 4.3.2 birds and for conclusions 5 specifically any proposed changes affecting mitigation. In addition, any condition should include all recommendations appertaining to a lighting scheme in relation to bats. |
| **RVBC Environmental Health:** | The Environmental Health Officer (EHO) has raised concerns with having 2 holiday lets in the middle of a working farm in terms of health and safety concerns. Concerns raised regarding farm vehicles and the safety of visitors (reversing telehandlers, silage trailers etc driving round at night on a busy working farm.) and concerns regarding holidaymakers having young children in a working farmyard. The applicant needs to demonstrate safety measures on how the two operations will be separated i.e. fencing around holiday lets, site segregation i.e. the road is solely used for the holiday lets and not for any farm machinery, signage provided to direct cars etc.Following an email from the agent for the application, confirming that one of the existing residential units is not within the ownership of the applicant, the EHO recommends a condition for a schedule of days and hours of operation to be submitted prior to the commencement of development.Two other conditions are recommended to be added to any grant of permission which relate to site preparation and construction phase control of dust/noise/fumes/vibration and a condition restricting construction/delivery times.  |
| **Greater Manchester Ecology Unit:** | Comments made in relation to impact on nesting birds.They note a licence from Natural England would be required for the development due to the presence of bats within the building to be converted.They consider that BNG can be accommodated either on or off site and can be secured through the submission of a Biodiversity Gain Plan secured by way of condition. |
|  |
| **CONSULTATIONS:**  | **Additional Representations.** |
| No additional representations received. |
|  |
| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** |
| **Ribble Valley Core Strategy:**Key Statement DS1: Development StrategyKey Statement DS2: Sustainable DevelopmentKey Statement EC3: Visitor EconomyKey Statement EN2: LandscapeKey Statement EN5: Heritage AssetsKey Statement DMI2: Transport ConsiderationsPolicy DMG1: General ConsiderationsPolicy DMG2: Strategic ConsiderationsPolicy DMG3: Transport & MobilityPolicy DME3: Site And Species Protection And ConservationPolicy DMH3: Dwellings in the Open Countryside and the AONBPolicy DMH4: The Conversion of Barns and Other Buildings to DwellingsPolicy DMB1: Supporting Business Growth and the Local EconomyPolicy DMB3: Recreation and Tourism DevelopmentPolicy DME4: Protecting Heritage AssetsNational Planning Policy Framework 2024 (NPPF) |
| **Relevant Planning History:**No planning history associated with the buildings.**6/10/1291** (relates to building adjoining the Pigsty)Conversion of farm building to dwellingGranted |
|  |
| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**The application site is occupied by a two-storey detached barn and single storey agricultural building which form part of the farmstead at ‘Black Moss Farm’ which is a working dairy farm. Both buildings are located towards the north of the farm and both adjoin existing residential buildings (1&2 Black Moss Farm and Far Black Moss Farm). The agent has confirmed that ‘Far Black Moss Farm’ is not within the ownership of the applicant, although it should be noted that this conflicts with drawing number P.02-P30 Rev P3 which indicates that this dwelling is within land owned by the applicant.The area is predominantly rural with agricultural buildings located to the South of the buildings. The site is accessed off an unclassified road from Elmridge Lane which also serves Public Right of Way FP0312038.The site is also located within the Forest of Bowland National Landscape (formerly known as the Area of Outstanding Natural Beauty). |
| **Proposed Development for which consent is sought:**The proposed development is for the conversion of the existing barn and Pigsty buildings to create 3 no. holiday lets. The existing barn would be converted to 2 no. two bedroom holiday lets over two storeys and the existing single storey Pigsty would be converted to a 2 no. bedroom holiday let over one storey. The single storey Pigsty is constructed of stonework walls with stone quoin corners and blockwork infill to the front elevation. The building has an existing timber stable door which provide access to the front elevation and has timber windows either side. The existing blockwork would be replaced with natural random stone and new sash windows formed in openings to match the original building. The existing timber doors would be replaced with stonework to the southern elevation along with the insertion of new windows and a new door would be inserted to the north elevation. There would be a flue added to the roof slope of the southern elevation and 1 no. conservation style rooflight to the northern elevation. With regards to the barn conversion, this would accommodate 2 no. two bedroom holiday lodges over two floors. The works would involve the insertion of a new window opening to the first-floor front elevation as well as the existing cart opening being reinstated as a window. Existing openings would also be reinstated to create two front doors and two windows. 3 no. rooflights would be added to the front elevation as well as two small chimneys. To the rear elevation, 1 no. rooflight would be added to the roof slope, and existing openings would be re-used to provide windows. The existing door to the rear elevation would be blocked up using random stone and to the side elevation, existing brick/block would be replaced with random stone at ground floor level and existing openings re-purposed to create new windows. The application form indicates that all windows would be timber framed sliding sash windows. The proposal also includes the introduction of hardstanding to the pigsty conversion to provide parking provision for 2 no. cars and a garden area with estate style post and rail fencing. The barn would also have gardens and separate curtilages which are separated by pedestrian gates and low-level stone walls. Following discussions between the Planning Officer and the agent for the application, the number of rooflights have been reduced to the amount noted above and to the south and south-east of the barn, a low level natural stone wall would separate the holiday lets and agricultural farm. The parking area for the barn is also now shown to the west of the existing dwellings, along the access track. Access to the holiday lodges would now be through the northern and central access track rather than the southern track which serves the farm.  |
| **Principle of Development:**Key Statement EC1 relates to business and employment development and 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.’*Key Statement EC3 states:*‘Proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged, including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions.’*In addition, Policy DMB1 seeks to support proposals that are intended to support business growth and the local economy. In this instance, the submitted Design and Access statement indicates that holiday lets in this location would generate additional income for the rural business and as they are located within the Forest of Bowland National Landscape, the applicant anticipates that they would generate a lot of interest. The Design & Access statement considers the use to be employment and would generate rural employment by way of a full-time housekeeper position. Having regard to the above considerations, it is considered that the conversion of redundant farm buildings to holiday let accommodation could be considered to fall within the scope of farm diversification and could contribute to and strengthen visitor economy within the Borough by way of providing new tourism accommodation by re-using existing buildings.On this basis, the proposed development would therefore accord with the general intentions of Key Statement EC3 and Policy DMB1.Policy DMG2 of the Core Strategy requires development outside of defined settlement areas to meet at least one of six exceptions, one of which allows for developments for small scale tourism or recreational developments appropriate to a rural area. The proposal would result in the addition of 3 no. new holiday lets through the re-use of existing buildings. As the buildings are existing and would not introduce additional built form, other than low levels walls/gates, the proposal is considered to constitute a small-scale tourism use that is appropriate to the rural area and in compliance with Policy DMG2 of the Ribble Valley Core Strategy.Policy DMG3 of the Core Strategy requires decision taking to consider the availability and adequacy of public transport and associated infrastructure to serve those moving to and from new developments. This is consistent with the NPPF which requires development proposals to promote sustainable transport. In this instance, analysis shows an absence of bus stops within the nearby vicinity of the application site with the nearest public transport links being sited approximately 2.5 kilometres away to the south-east of the application site. In addition, there is an absence of pavements and street lighting the roads which serves as the access for the application site. Therefore, due to the rural location of the application site future occupants of the holiday let accommodation would be reliant on the use of private motor vehicles and this weighs against the proposal, however this is balanced against the sustainable benefits of re-using an existing building. Policy DMB3 requires additional criteria to be met with regards to the provision of tourism and visitor facilities:*Planning permission will be granted for development proposals that extend the range of tourism and visitor facilities in the borough. This is subject to the following criteria being met:* *1. The proposal must not conflict with other policies of this plan;* *2. The proposal must be physically well related to an existing main settlement or village or to an existing group of buildings,**3. The development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;* *4. The proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network;* *5. The site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas; and* *6. The proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. Failing this then adequate mitigation will be sought.*Having regard to criteria point 1 of Policy DMB3, Key Statement EC3 and Policies DMG2 and DMG3 are of relevance in this instance and as outlined above, the proposal would not be in conflict with any of these policies in terms of the principle of development. The proposal would therefore satisfy criteria point 1 of Policy DMB3.Turning to criteria point 2, the buildings to be converted are part of Black Moss farm which is a working farm and the wider site also includes a number of residential dwellings. As such, it is considered that the buildings relate well to an existing group of buildings in accordance with Criterion 2 of Policy DMB3.Criterion 3 shall be assessed later in this report.Turning to criteria point 4, the application site is rural and not located within close proximity to classified roads. However, notwithstanding this, given the small-scale nature of the proposed use, it is not anticipated that the proposal would generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Furthermore, no concerns with respect to highway safety have been raised in the response from Lancashire County Council Highways. The absence of nearby public transport links is acknowledged however as previously conveyed, this is balanced against the sustainable benefits of re-using an existing building. The proposal is therefore considered to be broadly compliant with criteria point 4 of Policy DMB3.With respect to criteria point 5, analysis shows that adequate vehicle parking space for the proposed holiday let could be accommodated within the application site and this has been confirmed by the LHA. In addition, the existing site accommodates an area of soft landscaping for recreational use. The proposal would therefore satisfy criteria point 5. Turning to criteria point 6, a preliminary bat roost assessment has been provided in support of the application. This shall be assessed later in this report.It is considered that a holiday let would fall within a C3 use with a restrictive occupancy condition. As such, it is considered that Policies DMH3 and DMH4 would also apply to the proposal.Policy DMH3 relates to dwellings in the Open Countryside and AONB (now National Landscape).Policy DMH3 allows for:*‘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’.*With regards to the holiday lets being suitably located, it has been assessed earlier in this report that in terms of the sustainability of the site, this would be balanced against the benefit of re-using a redundant building. The EHO had previously raised some concerns regarding how suitable the site would be for holiday lets from a health and safety point of view by way the close proximity and lack of segregation from the working farm. The drawings have since been amended to include a low stone wall to the south/south-east of the barn conversion and utilise an access point that is further from the existing agricultural access track which serves the farm traffic. This is considered to be an improvement in terms of the suitability of the site for holiday lets within the working farm from a health and safety point of view. Policy DMH4 relates to the conversion of barns and other buildings to dwellings.*‘Planning permission will be granted for the conversion of buildings to dwellings where:**1. The building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings, and**2. There need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure, and**3. There would be no materially damaging effect on the landscape qualities of the area or harm to nature conservations interests, and**4. There would be no detrimental effect on the rural economy, and**5. The proposals are consistent with the conservation of the natural beauty of the area.**6. That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.**The building to be converted must:**1. Be structurally sound and capable of conversion for the proposed use without the need for extensive building or major alternation, which would adversely affect the character or appearance of the building. The council will require a structural survey to be submitted with all planning application of this nature. This should include plans of any rebuilding that is proposed;**2. Be of a sufficient size to provide necessary living accommodation without the need for further extensions which would harm the character or appearance of he building, and**3. The character of the building and its materials are appropriate to its surroundings and the building and its materials are worthy of retention because of its intrinsic interest or potential or its contribution to its setting, and**4. The building has a genuine history of use for agriculture or another rural enterprise’.*With regards to criterion 1, it is not considered that the buildings to be converted are isolated within the landscape as they form part of the existing working farm and adjoin existing residential properties. Given the presence of existing residential properties which adjoin the buildings, it is not considered that the proposal would result in unnecessary expenditure by public authorities and utilities on the provision of infrastructure.Criteria 3 and 5 shall be assessed later in this report and with regards to the impact on the rural economy as outlined within Criterion 4, it is not considered that the barn and pigsty’s conversion would impact on the rural economy as Black Moss Farm is a working farm, seeking to expand as shown in the details submitted within planning ref: 3/2024/0943 and the buildings are currently redundant.Compliance with Criterion 6 will also be assessed later in this report.Turning to whether the buildings are capable for conversion, the application has been supported by a structural survey for each building by Peter Hodson (Civil Engineer). This report concludes that based on inspection of the buildings, no rebuilding would be required to either the Barn or Pigsty buildings and these are in reasonable structural condition. They consider that no specialist propping will be required to restrain the Barn and Pigsty buildings to safeguard their stability, other than that normally used for this type of work. The roof structure over the Barn would likely need to be replaced as the rear section is sagging quite noticeably and re-using any existing timbers would need to be carefully assessed to ensure they have not suffered from excessive rot, but this will be subject to approval from the Local Authority Building Control Officer. The first-floor timbers in the Barn will have to be completely renewed as most of these are in poor condition and both the barn and Pigsty would require new internal leaves but it is considered that both buildings are suitable, structurally for the proposed conversion works. In this instance the replacement of the roof as part of the conversion does not cause a concern. Nor would it be unreasonable for some new windows to be inserted. These would mostly utilise existing openings with minimal rooflights now that the scheme has been amended. The structural survey does not identify that there would be any significant re-build required that would adversely affect the character and appearance of the building. As such, the buildings are considered to comply with the conversion elements of Policies DMH3 and DMH4 of the Ribble Valley Core Strategy. |
| **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.The main neighbouring properties that would be impacted by the holiday lets are 1-2 Black Moss Farm and Far Black Moss which adjoin the existing pigsty and the barn. The Environmental Health Officer has recommended a number of conditions which relate to the submission of details relating to hours of use of the holiday lets, however it would be unreasonable to restrict the dates/hours of a holiday let, other than to ensure that they are not used as permanent living accommodation. Whilst there would be a small garden area for the occupiers of the holiday lets to use, given that they would be for 2 no. bedrooms, it is not considered that this would result in an undue level of noise pollution for the occupiers of the neighbouring properties from large gatherings. The holiday lets would see the introduction of new windows and doors which may result in some overlooking to the occupiers of 1 Black Moss Farm, however this dwelling is within the ownership of the applicant. In addition, the first-floor rear window serving a bathroom would be obscure glazed and the windows would be low level in relation to the finished floor levels. Due to the siting of Far Black Moss and no. 2 Black Moss Farm in relation to the insertion of new windows/doors, it is not considered that there would be any detrimental overlooking by way of introduction of new windows as the front of no. 2 Black Moss Farm is already overlooked from users of the main farm. Having regard to the above, whilst there may be some harm to the amenity of neighbouring properties, the impacted properties are owned by the applicant and the level of overlooking would not result in any significant, adverse impact. The proposal would therefore be compliant with the aims and objectives of Paragraph 135 (f) of the NPPF and Policy DMG1.  |
| **Heritage Impacts:**With regards to Archaeology, the Historic Environment Team at Lancashire County Council have been consulted on the scheme. They have provided comments noting that the map surveyed in 1847 shows a building in this location and equates to the buildings for conversion. They consider that the proposed conversions would have a significant impact on the historic character and appearance of the building and would result in the loss of, or obscuration of, historical features relating to the use of the building and the changes during its working life as a farm building. The Historic Environment Team therefore suggest the inclusion of a condition to secure an archaeological building record of the barn prior to its conversion. A Level 2/3 survey, as set out in Understanding Historic Buildings: A guide to good recording practice. (Historic England 2016) would be appropriate. They consider that the recording should comprise a survey of the building as it exists at present with further recording following any interior strip out and removal of wall coverings to record any features concealed behind wall plater etc. Taking into account the comments made by The Historic Environment Team, noting the age of the buildings, it is considered that the buildings are considered non-designated heritage assets.Key Statement EN5 of the Ribble Valley Core Strategy states that:*‘There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.’*In addition, Policy DME4 also states that:*‘Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported.*’As such, a heritage statement is required to fully assess the significance of the non-designated heritage assets and the impact that the proposed development would have on the assets. In the absence of this information and in light of the concerns raised by the Historic Environment Team in relation to the loss of, or obscuration of, historical features relating to the use of the building, the proposal is considered to be contrary to Key Statement EN4 and Policy DME4 of the Ribble Valley Core Strategy and the NPPF. |
| **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.’*The site is also located within the Forest of Bowland National Landscape. Key Statement EN2 of the Ribble Valley Core Strategy states that:Key Statement EN2 of the Ribble Valley Core Strategy states that:*‘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.**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.**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 addition, Policy DMG2 also states that:*‘Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. 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’.*With regards to the visual impact of the barn and pigsty conversion, the materials are considered to be appropriate to the surroundings. The new windows would be timber sash which is in keeping with the adjacent properties and any brickwork/blockwork would be removed and replaced with random stone to match the existing. The roof of each building would likely be replaced, however this could be conditioned to match the existing roofing materials. The existing cart door would also be re-instated. Whilst this would be a modern addition with high level glazing, this would not be an unusual design feature of a barn conversion and as such, is considered acceptable. The number of roof lights has been reduced from the originally proposed scheme, however the roof light above the en-suite is not considered to be necessary and the cumulative visual impact of this alongside the two others on this roof plane is considered to be unsympathetic with the character of the barn and its rural setting. The proposal would see the introduction of new stone walls and estate style fencing, as well as separate residential curtilages for each of the holiday lets. With regards to the pigsty conversion, the introduction of parking to the front of the site would have some urbanising impact on the landscape character, although this is considered to be neutral as the adjacent property already has a parking area. The parking area for the barn has been amended to further west of the building and the two holiday lets within the barn would now be completely separated from the main farm by introduction of a low-level stone wall. Whilst it is acknowledged that the adjacent properties at Far Black Moss and 2 Black Moss Farm do have a low-level stone wall in front of the property, these are existing residential properties rather than holiday lets. Similarly, estate style fencing has been recently granted to the main farmhouse dwelling at Black Moss Farm Cottage but again, this is an existing residential property. The further introduction of gates, walls and fences would lead to the holiday lets being overly domestic in appearance and the introduction of a garden area would likely lead to the introduction of domestic paraphernalia associated with a holiday let such as barbeques, tables, chairs, umbrellas etc. Whilst there are vehicles already parking in this areas, in particular to the front of the barn as noted when the Planning Officer visited the site, the land surrounding the barn appeared open in character and associated with the main farm, however by introducing further curtilages and walls, in addition to the introduction of rooflights to the barn, it is considered that the historic character of the barn and the relationship with the farm would be eroded. As such, the proposed development would result in visual harm by way of domestication of the site which would fail to protect or conserve the landscape and character of the Forest of Bowland National Landscape and the surrounding area, contrary to Policies DMG1, DMG2, DMB3 and DMH4 and Key Statement EN2 of the Ribble Valley Core Strategy.   |
| **Highways and Parking:**Paragraph 116 of the National Planning Policy Framework states that *‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios’.* With regards to parking, Policy DMG3 of the Ribble Valley Core Strategy states that:*‘All development proposals will be required to provide adequate car parking and servicing**space in line with currently approved standards’.*Policy DMG1 also states that development must:1. *Consider the potential traffic and car parking implications.*
2. *Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.*

The proposed development has been subject to review from LCC Highways who have raised no issues with the proposal with respect to access, vehicle parking provision or general highway safety subject to conditions.The LHA consider the level of parking is compliant with the LHAs parking standards as defined in the Joint Lancashire Structure Plan. There is also room to turn within the site and leave in a forward gear.They note that Public Rights of Way FP0312038 runs through the application site which must not be obstructed during the proposed developments and they note that the applicant must be certain that they have private vehicular rights along this public path before driving on it either during construction or for subsequent access. Without private vehicular rights or permission from the owner it is a criminal offence to drive a motor vehicle on the public path. Whilst the LHA have not been consulted on the updated drawings, including the re-location of the parking, given that this would use an existing private track and vehicles would be able to manoeuvre to leave in forward gear, this is not considered to result in a material change.The LHA recommend conditions to ensure the areas shown for car parking and turning areas provided in full, available for use and retained thereafter. They also recommend the provision of secure cycle storage. As such, it is considered that the proposal accords with the above policies. |
| **Landscape/Ecology:**Protected speciesThe buildings to be converted have been shown to support bat roosts. The Ecologist at Greater Manchester Ecology Unit and the RVBC Countryside Officer have provided comments on the scheme. To summarise, the roosts recorded support relatively few bats of relatively common species. It would be possible to allow the development while mitigating for any disturbance to bats, and therefore the conservation status of bats would be capable of being retained. Mitigation measures for avoiding harm to bats have been proposed in Section 4.3 of the Bat Presence / Absence Survey Report (*UES 2024*) provided to inform the application, and the Ecologist considers that these proposals are acceptable. All UK bats and their resting places carry a high level of legal protection and their presence is material to the determination of the application. It is considered that implementing the mitigation measures would require the applicant to obtain a protected species License from Natural England, which is a separate process from obtaining a grant of planning permission. As a competent authority the Habitats Directive places a duty on local planning authorities to consider the three tests in the Habitats Regulations 2019 and so the LPA is required to consider the:-‘no satisfactory alternative’ test‘imperative reasons of overriding public interest’ test‘favourable conservation status’ testThere is not considered to be a satisfactory alternative in terms of converting the buildings of providing holiday accommodation on the site via other means. And in terms of the overriding public interest test, there would be benefits in the provision of jobs during the conversion of the units as well as resulting from the end uses of the units. This would be considered an imperative reason of overriding public interest. Finally there is considered to be adequate mitigation measures identified to satisfy the ‘favourable conservation status’ test.As such, the need for a license is not a reason to prevent the development, however a condition should be added to any grant of permission to prevent development from commencing until the Local Planning Authority has been provided with a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead.The Ecologist also considers that nesting birds may be present in the buildings to be converted and could be disturbed by the planned works. As all nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended), they advise the applicant that no works which could cause harm to nesting birds should commence during the optimum time of year for bird nesting (March to August inclusive), unless nesting birds have been shown to be absent by a suitably qualified person. This should be added as an informative to any grant of permission.With regards to Biodiversity Net Gain, it is considered that the development only requires a small amount of new or enhanced habitat in order to achieve the required 10% gain in biodiversity. The Ecologist considers that this could be achieved either on or off-site, or with a combination of both. The statutory Biodiversity Gain Condition applies to the development, to require the applicant to provide a Biodiversity Gain Plan prior to commencement of the development.  |
| **Other matters:**Lancashire Fire and Rescue Service have provided advice in respect of access for fire appliances and water supplies. The recommendations include ensuring that the scheme fully complies with the requirements of Building Regulations in relation to access and turning for fire service vehicles and water provision. Is it considered that this would be dealt with at through Building Regulations. The site would not intersect a pipeline or hazard zone and as such, in relation to gas apparatus, the Health and Safety Executive does not have an interest in the development.--In relation to drainage/flood risk, Policy DME6 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’.*United Utilities have provided comments on the scheme. They raise an objection due to the proximity of the proposed development to United Utilities assets and apparatus. United Utilities have identified that there is an easement crossing the proposed development site which is in addition to their statutory rights for inspection, maintenance and repair. They consider that following a review of the proposed site layout, they have concerns regarding the proximity of proposed development to significant water assets. United Utilities have requested that to demonstrate that this layout can be achieved, and to avoid any unnecessary costs or delays to either the applicant or any future developer, the applicant should submit a detailed site layout plan which overlays the proven location of all water mains in relation to any proposed development (including walls, fencing, parking etc.). Two drainage plans have been provided. Drawing no. CSH-BML-XX-XX-DR-C-0500 Rev P04 and drawing ref: CSH-BML-XX-XX-DR-C-0501 Rev P03 which show a 3m easement for a water main which crosses the proposed parking area for the pigsty conversion. The submitted Biodiversity Report indicates that this is currently an area of improved grassland and as such hardstanding would be proposed to provide suitable parking. It is not considered that the submitted drawings sufficiently identify the hardstanding in relation to the drainage layout and easement as it is not shown on the above aforementioned drainage strategy plans and therefore it is not possible to determine assess the acceptability of the scheme in relation to existing water assets. In the absence of this information, the proposal is contrary to Policy DME6 of the Ribble Valley Core Strategy. |
| **Observations/Consideration of Matters Raised/Conclusion:**The provision of tourist accommodation at the application site meets with the requirements of Key Statement EC3 and Policies DMG2, DMG3, DMB3, DMH3 and DMH4 by way of the principle of development. However, it is considered that the associated hardstanding, separate residential curtilages and additional gates, walls, fences and rooflights would result in a harmful domestication of the site by way of loss of rural character and introduction of domestic paraphernalia which, cumulatively with the existing residential properties at the site would fail to protect or conserve the landscape character of the site and the Forest of Bowland National Landscape.As such, the general weight afforded to the conversion of buildings for tourism purposes and farm diversification is disengaged. The proposed development therefore fails to fully comply with Key Statement EN2 of the Ribble Valley Core Strategy and Policies DMG1, DMG2, DMB3, DMH3 and DMH4 of the Ribble Valley Core Strategy and the NPPF.In addition, insufficient information has been submitted within the application to fully assess the significance of the non-designated heritage assets and the impact of the proposal, contrary to Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy and the NPPF. Furthermore, insufficient information has been submitted to demonstrate that the proposed development would not impact on water apparatus/equipment, contrary to Policy DME6 of the Ribble Valley Core Strategy.As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for refusal. |
| **RECOMMENDATION**: | That planning consent be refused for the following reasons: |
| **01:** | The proposed development by reason way of the introduction of new gates, walls, fencing, rooflights, separate domestic curtilages and separate parking provision, cumulatively would result in a harmful urbanising impact that is considered to erode the historic and rural, agricultural character of the site, failing to protect or conserve the landscape and character of the Forest of Bowland National Landscape, contrary to Policies DMG1, DMG2, DMB3, DMH3 and DMH4 of the Ribble Valley Core Strategy. |
| **02:** | Insufficient information has been submitted within the application to fully assess the significance of the non-designated heritage assets and the impact of the proposal, contrary to Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy and the NPPF.  |
| **03:** | Insufficient information has been submitted within the application to fully assess whether the proposal would impact on significant water assets, contrary to Policy DME6 of the Ribble Valley Core Strategy.  |