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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | | | MC | **Date:** | | | 25/04/2025 | | **Manager:** | | LH | | **Date:** | 30/4/25 |
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| **Application Ref:** | | 3/2024/0943 | | | | |  | | | |  | | | | |
| **Date Inspected:** | | 11/02/2025 | | | | | **Site Notice:** | | 11/02/2025 | |  | | | | |
| **Officer:** | | MC | | | | | | |  | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | | | **REFUSAL** | | |
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| **Development Description:** | | | | | | Proposed erection of eight new agricultural buildings for dairy cattle and associated infrastructure to include: 1 x covered midden, 2 x plant rooms, 1 x cattle sheds with robotic milking machines, 1 x calving shed, extension to existing calving shed, 1 x 1.5 storey staff room/office and erection of wash down area/fuel storage bay. Creation of hard standing, installation of 3 x silo's, and installation of Sustainable Drainage Systems. | | | | | | | | | |
| **Site Address/Location:** | | | | | | Black Moss Farm, Elmridge Lane, Chipping, PR3 2NY | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Parish/Town Council** | | | | | | | | | |
| **Chipping Parish Council:** | | | | | | No objections. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| **LCC Highways:** | | | | | | The Local Highway Authority (LHA) does not consider the proposal fully assesses the highway impact. Further information required in relation to a detailed access track drawing, information regarding existing and proposed passing places as concerns are raised regarding the intensification of the use.  An Operational Statement is required detailing the impacts of the development on the business and any increase in vehicular numbers and number of employees/increases. They not parking provision should also be included if employees live offsite.  Other comments made in relation to the Public Right of Way, sustainability of the site and drainage. | | | | | | | | | |
| **Lancashire Fire & Rescue Service:** | | | | | | Comments made in relation to the scheme needing to fully comply with Building Regulations. | | | | | | | | | |
| **Environment Agency:** | | | | | | No objection to wash down area as the drainage details show the proposal is to drain roof water on a separate system to foul flows from yard wash downs, including those from the refuelling/vehicle wash down area.  Advice given to applicant regarding SSAFO Regulations and Slurry Calculations and Fuel Storage | | | | | | | | | |
| **Natural England:** | | | | | | Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although they have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, they offer the further advice and references to Standing Advice. | | | | | | | | | |
| **Lead Local Flood Authority:** | | | | | | No objection subject to a condition to secure a final Surface Water Sustainable Drainage Strategy, Construction Surface Water Management Plan, a Sustainable Drainage System Operation and Maintenance Manual and a Verification Report. | | | | | | | | | |
| **United Utilities:** | | | | | | Objection to the scheme - the plans are not acceptable to United Utilities and request the drainage plan is updated to include finished floor levels, cover levels and invert levels. The drainage plan also incorrectly shows foul water discharging into the surface water sewers.  If permission is granted, they recommend an updated drainage strategy for surface water and foul water is secured by condition prior to the commencement of development and the drainage plans submitted with this application should not be included on approved plans. | | | | | | | | | |
| **Health & Safety Executive (consulted on planning ref: 3/2024/0942):** | | | | | | The development does not intersect a pipeline or hazard zone. HSE Planning Advice does not have an interest in the development. | | | | | | | | | |
| **Agricultural Advisor:** | | | | | | Concludes that the building structures are in line with modern farm buildings and are therefore reasonable for their intended purpose. The proposed buildings are of a reasonable floor area and height for their intended purpose. The proposed buildings are well located for their intended purpose. There is an agricultural need for the proposed buildings to enable the care of around 300 dairy cows and their young stock on this farm. | | | | | | | | | |
| **LCC Footpath Officer:** | | | | | | No objection | | | | | | | | | |
| **RVBC Environmental Health:** | | | | | | The Environmental Health Officer (EHO) raises no objection and recommends conditions for construction operation and deliveries restriction and restriction of hours of noisy construction works as well as a lighting scheme. | | | | | | | | | |
| **Greater Manchester Ecology Unit:** | | | | | | Comments made in relation to BNG, bats, nesting birds, amphibians and the impact on designated and non-designated sites. Further information is requested in relation to Great Crested Newts and how BNG would be met. | | | | | | | | | |
| **RVBC Countryside Officer:** | | | | | | Comments made in relation to the bat roosts outlined within planning ref: 3/2024/0942 | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Additional Representations.** | | | | | | | | | |
| Three additional representations have been received raising the following concerns:   * Concerns regarding the quality of the access track * The utilities need to be protected to ensure neighbouring properties have enough power * Regular cleanups of the road should be maintained * Concerns that neighbours have not been notified * The proposal is not in keeping with other farms within the area * Concerns regarding adverse impact from lighting * The colour of the buildings are inappropriate * The proposals are visible from properties along the main Longridge to Chipping Road due to the topography of the site and the development has a significant adverse impact * Proposed tree planting will have no effect due to topography of the site * The roof materials do not adhere to the current planning permission * Concern regarding light pollution and the dark skies status that the area has * Concerns regarding light pollution on animals * Intensive farming will create water pollution, soil degradation and loss of wildlife habitat * Concerns regarding loss of views from properties * Noise pollution from construction traffic | | | | | | | | | | | | | | | |
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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  Key Statement EC1: Business and Employment Development  Key Statement DMI2: Transport Considerations  Policy DMG1: General Considerations  Policy DMG2: Strategic Considerations  Policy DMG3: Transport & Mobility  Policy DME2: Landscape and Townscape Protection  Policy DME3: Site And Species Protection And Conservation  Policy DME5: Renewable Energy  Policy DMB1: Supporting Business Growth and the Local Economy  Policy DMB5: Footpaths and Bridleways  Policy DME6: Flood Risk  National Planning Policy Framework 2024 (NPPF) | | | | | | | | | | | | | | | |
| **Relevant Planning History:**  **3/2024/0942**  Proposed conversion of two stone barns to create three holiday cottages with associated curtilages. Erection of fencing and pedestrian gate  Refused  **3/2024/0941**  Proposed demolition of existing single storey front extension and erection of two storey side extension and pitched roof front canopy. Alterations to existing window openings and doors. Insertion of new windows to flank elevations. Replacement of stonework to external walls and erection of new chimney and flue. Erection of entrance gates and fencing.  Approved with Conditions  **3/2024/0145**  Approval of details reserved by conditions 4 (scheme to cover slurry tank), 5 (SW drainage strategy), 6 (construction SW management plan), 7 (site-specific verification report pertaining to SW sustainable drainage system), 8 (landscaping) and 9 (solar panel details) of planning permission 3/2023/0465.  Approved with Conditions  **3/2023/0465**  Erection of one new dairy cattle building with underground slurry tanks, associated hard standing and solar panels to south facing roofscape, removal of redundant metal ring slurry store and erection of two concrete slurry tanks with canopies.  Approved with Conditions  **2022/0928:**  Prior notification for a proposed new agricultural building for livestock  Permission Not Required  **2016/0414:**  Micro scale, slurry only anaerobic digester  Approved with Conditions  **3/2013/0961**  Steel portal building to house livestock and to store machinery  Permission Required  **2009/0782:**  Steel framed agricultural storage building  Approved with Conditions  **2009/0225:**  To change the use of 4.5 acres of woodland situated on the edge of a farm, into an outdoor laser tag site. There will no buildings erected or alteration to the woodland  Approved with Conditions | | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application site relates to Black Moss Farm which is accessed from an unclassified road from Elmridge Lane. The area is predominantly rural located between the settlements of Longridge and Chipping and the site is located within the with Forest of Bowland National Landscape (formerly known as the Area of Outstanding Natural Beauty).  Black Moss Farm extends to 185ha in size with the original farm being purchased by the applicant in 2022. Other land is rented by the applicant within the vicinity of the farm making the total area approximately 204ha. The site currently has 289 dairy cows and 290 sheep. The farm has a number of large agricultural buildings, some of which have been recently granted planning permission. This includes modern steel framed buildings to provide cubicle accommodation with central feeding passages for the dairy farm which house the dairy cows throughout the year, a milking parlour, dairy, office, covered and open silage pits, underground slurry tanks, calf house and other miscellaneous modern buildings for the storage of young cattle and farm machinery.  There are two major water mains pipes which run through the site as well as a major hazard pipeline to the south of the site. There are also a number of mature trees between the main farmhouse and the agricultural buildings and also a strip of woodland running south-east from the existing sileage clamps. | | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The proposed development forms part of a multi-phase development and comprises the erection of a number of agricultural buildings. These are as follows:   * The construction of a new calving shed which will have capacity for 70 cows and the extension of an existing calf shed which would be located to the south of the existing dairy cattle building granted under planning ref: 3/2023/0465. This building would have a dual pitched roof with 72 pens for calves and straw yards. The calving shed would be partly open with a total height of 7.1 metres and an eaves height of 4.6 metres. It would be approximately 18.2 metres wide and 52.8 metres in length. The external materials would be an anthracite colour steel roof, green temperature-controlled curtains to the walls, low concrete panels and the gable ends would be constructed of Yorkshire timber boards with flat tin doors. * The extension to the existing livestock building would also be of the same size and scale * A robotic milking parlour is also proposed to the south-west of the existing dairy cattle building. This would adjoin the exiting structure and each pitched roof element would have a width of approximately 26.1 metres, a length of approximately 27.4 metres and a low roof pitch similar to the existing building. The materials of construction would be an anthracite grey cement fibre sheet roof with grey cladded walls. * Three silo’s are also proposed to the south-east of the proposed Robotic Milking Parlour although no elevations have been provided. * A 1.5 storey office/welfare building is also proposed to the north-west of the new robotic milking parlour which would have a pitched roof with a height of approximately 5.4 metres and an eaves height of approximately 3.3 metres. This room would have a staff canteen/rest room area, an office, toilets and then a visor area/meeting room to the first floor. The proposed building would have a natural slate roof with natural local stone walls and brow uPVC windows and doors. There would be two windows inserted at the top of each gable. * Two small plant rooms are proposed adjacent to the new robotic milking parlour which would have a mono-pitched roof with a total height of 3.6 metres. * A wash down area is proposed adjacent to the existing Machine Shed, although no further details of this building have been provided. * A covered midden is proposed in front of the existing slurry tanks which would have a dual pitched roof with a maximum height of approximately 7.8 metres, a width of 23.1 metres and a length of 32 metres. This building would have a fibre cement roof, with slate blue box profile tin sheets to the walls with concrete panels at the lower level and a flat sheeted tin door. * A number of native trees are proposed in a linear pattern along the western site boundaries and further towards the south of the proposed covered midden building * A new access would also be created providing additional hardstanding and a turning area to the south and west of the proposed Robotic Milking Parlour | | | | | | | | | | | | | | | |
| **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.’*  In addition, Policy DMB1 seeks to support proposals that are intended to support business growth and the local economy.  In addition, Paragraph 88 of the NPPF states that:  *Planning policies and decisions should enable:*  *a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;*  *b) the development and diversification of agricultural and other land-based rural businesses;*  The proposed development relates to the expansion of an existing agricultural business and operation in a rural area through the provision of additional farm buildings and infrastructure. The submitted Design & Access statement indicate that the buildings are required for the necessary expansion of the farm to ensure the financial viability of the business. The proposed development is therefore considered to broadly accord with the aims and objectives of Paragraph 88 of the NPPF and Key Statement EC1 and Policy DMB1 of the Core Strategy.  As the site is not located within a defined settlement boundary, the proposed development should be assessed under the criteria outlined within Policy DMG2 of the Ribble Valley Core Strategy. Policy DMG2 states that:  *Within the tier 2 villages and outside the defined settlement areas development must meet at least one of the following considerations:*  *1. The development should be essential to the local economy or social well being of the area.*  *2. The development is needed for the purposes of forestry or agriculture.*  *3. The development is for local needs housing which meets an identified need and is secured as such.*  *4. The development is for small scale tourism or recreational developments appropriate to a rural area.*  *5. The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.*  *6. The development is compatible with the enterprise zone designation.*  The proposed development could fall within the scope of Criterion 2. However, it is therefore considered necessary to assess whether the proposed development is ‘needed’ for the purposes of agriculture.  In addition to this, the site is located within the Forest of Bowland National Landscape and due to the scale of development proposed, with a significant increase in floorspace, the proposal is considered to fall within the scope of ‘major development’ for the purposes of assessment under Paragraph 190 of the NPPF. Paragraph 190 states that:  *When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*  *a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*  *b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*  *c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*  The Council’s Agricultural Advisor has provided comments on the scheme and notes that the farm currently employs 5 full time workers and 2 part time members of staff plus up to 4 people for relief milking. The proposal is to replace the existing milking parlour with 6 robotic milking machines to reduce labour demand.  The response from the Agricultural Advisor notes that the applicant would be required to comply with appropriate rules and good practice in relation to the welfare of livestock and the applicant would need to ensure there is appropriate availability of suitable housing to house the dairy cows and young stock is. The Agricultural Advisor considers this is necessary and notes that the provision of these proposed buildings is a continuation of the modernisation of the dairy farm which includes the use of up-to-date technology. The introduction of robotic milking machines is the next step in the introduction of this technology on the farm and would reduce the labour demand of having to milk approximately 300 dairy cows twice per day every day. The report notes that the dairy cows enter the robotic milking machines around 3 times every 24 hours and they have to be kept in close proximity to the robots and therefore have to be housed near to them. The result is that such cows may only be turned onto the pastures for several weeks during the summer months between the end of their lactation and the next calving. The Agricultural Advisor notes that given there is more slurry produced from the housed cows, more slurry storage is required and the need for larger farm equipment is greater and the need for more specialist buildings and equipment such a increased ventilation in buildings where more cows are being housed as well as robots for scraping passageways and for pushing silage towards the feed barriers now require more high-quality buildings with improved design for housing dairy cows and young stock.  The Agricultural Advisor therefore concludes that the buildings are in line with modern farm buildings and are reasonable for their intended purpose and are of a reasonable floor area and height for their use. They also consider the locations are appropriate and there is an agricultural need for the proposed buildings to enable the care of around 300 fairy cows and their young stock on the farm.  As such, it is considered that the development is ‘needed’ for the purposes of agriculture and complies with Policy DMG2 of the Ribble Valley Core Strategy.  Turning to the major development tests as outlined in Paragraph 190 of the NPPF.  With regards to criterion (a) of Paragraph 190, the submitted Design & Access Statement indicates that there is a functional need present, with the design of the buildings reasonable for their intended purpose. The Design & Access statement makes reference to Paragraph 88 (wrongly referred to as 84) and supporting the rural economy. The applicant considers that approving the proposed development would have a positive impact upon the local economy.  Notwithstanding this, the supporting information within the application fails to demonstrate that the proposal is in the public interest. The submitted application form states that there would be no change in employee numbers. Whilst there may be a functional need for the purposes of agriculture at the farm, the application has not been supported by information to demonstrate that permitting the development would have a positive impact on the local economy, nor would refusing the scheme have a detrimental impact on the viability of the farming operations. As such, the application fails to satisfy the requirements of Criterion (a) of Paragraph 190 of the NPPF with regards to the need for the development and its impact upon the local economy.  With regards to Criterion (b) of Paragraph 190, the existing agricultural operation and essential buildings and associated infrastructure are centred around the application site at Black Moss Farm which lies well within the confines of the Forest of Bowland National Landscape. Consequently, it would be unreasonable for the LPA to request for the proposed development to be sited an alternative location outside of the National Landscape as this would likely make the required operations of the business unviable and logistically unworkable. However, criterion (b) of paragraph 190 also states that consideration of such applications should include an assessment as to whether the need for the development could be met in some other way. When the Planning Officer visited the site, it was noted that some of the existing cattle sheds sited in front of the proposed barn conversion (considered under planning ref: 3/2024/0942) have been demolished. The agent for the application advises that this is to make way for a new structure, although no further information has been provided regarding the intended use and why the building was demolished. As noted previously, the supporting information submitted with the application does not make reference to whether these buildings are still in use or whether the proposed buildings could be sited in an alternative location, re-using the existing footprints which would be more contained within the farm. As such, it is not considered that options of siting the some of the buildings within the envelope of the existing farm, rather than extending further into the National Landscape have been fully explored, contrary to Paragraph 190 (b) of the NPPF.  Turning to criteria point (c), constraint analysis shows the proposal site to be located within numerous Impact Risk Zones for statutory designated sites and protected landscapes. These include, Bowland Fells Special Protection Area, Bowland Fells Site of Special Scientific Interest and Red Scar and Tun Brook Woods Site of Special Scientific Interest. The application has not been supported by a Habitats Regulations Assessment to as required by the [Conservation of Habitats and Species Regulations 2017 (as amended)](https://www.legislation.gov.uk/uksi/2010/490/contents/made) to determine if the proposal would affect the Bowland Fells Special Protection Area, the Bowland Fells Site of Specific Scientific Interest and the Red Scar and Tun Brook Woods Site of Special Scientific Interest. This shall be fully assessed later in the report.  A further assessment shall be made regarding the impact on the landscape and visual amenities of the area, later in this report. | | | | | | | | | | | | | | | |
| **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 submitted information indicates that the closest neighbouring residential property that is not within the ownership of the application is ‘Far Black Moss’ (although this has been shown within the blue edge). Given the existing presence of farming operations and that the proposal would not introduce new buildings within the immediate vicinity of the application site, it is not considered that there would be any detrimental impact to the amenity of the occupiers of this property by way of loss of light, overshadowing or overbearing impact. There have been concerns raised from the occupiers of surrounding properties regarding the damage to cars from the ongoing works affecting the private access track, however given the access is a private track, this would be a civil matter.  Other concerns have been raised regarding from the occupier of properties within the vicinity of Birks Brow and Birks Cottages regarding the existing level of light pollution and lack of publication. It is noted that whilst these properties sit on higher land than the application site and therefore Black Moss Farm may be visible from the properties, they do not adjoin the red line boundary and were not therefore consulted on the application. Photographs have been submitted showing external lighting at night and concerns are raised regarding the potential light pollution. It should be noted that whilst the existing issue would be dealt with separately from this planning application, the Environmental Health Officer recommends any external lighting be submitted and approved by way of condition to protect the amenity of neighbouring properties.  They also recommend conditions relating to the restriction of construction delivery hours and ‘noisy’ construction works which could be added to any grant of planning permission. | | | | | | | | | | | | | | | |
| **Visual Amenity/External Appearance and impact on National Landscape:**  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’.*  The proposed development would involve the erection of a number of new buildings within the site and hardstanding, as such extending built development beyond the footprint of the current farmstead. Overall, the additional buildings would be similar in size, scale and appearance to other buildings that have been erected within the vicinity of the site. There have been concerns raised from the occupiers of neighbouring properties that the external materials of existing buildings do not match the approval, however this would be dealt with separately from this application and has been raised with the enforcement team.  Some of the buildings proposed share similarities with the large cattle shed that was granted under planning ref: 3/2023/0465. The delegated report for planning ref: 3/2023/0465 noted that the dairy cattle building proposed would be substantial in terms of scale at 106m long and would have a significant additional impact on the landscape of the AONB by virtue of the provision of additional, substantial built form where there was previously none. However, the Planning Officer considered that the evidenced need for the building to support the farming business, the height of the building in comparison to other farm buildings within the site weighed in favour of the proposal. Weight was also given to the provision of Green colour treatment to the side elevations which would further ensure the building, viewed from a distance, would be able to absorb into the existing landscape which is characterised as ‘Undulating Lowland Farmland’– largely consisting of undulating grassed peaks and troughs, vast rural and agricultural fields and some gatherings of woodland, all varying shades of green. Significant planting was also secured as part of the landscaping scheme which has not yet been implemented (another issue that has been raised with the enforcement team).  This application has been supported by a Landscape and Visual Impact Appraisal Report (LVIA) which notes that the site is located in the National Character Area Bowland Fringe and Pendle Hill.  The LVIA considers that the development would be in an enclosed location relative to the wider lowland landscape of the River Loud valley and contained by existing buildings within the Black Moss Farm farmstead to the north-east and woodland blocks to the north and south-east. As such, the effect of the proposed development on the NCA is categorised as neutral as it would form part of an existing group of farm buildings and fit with the existing character of the NCA in this location. The LVIA also concludes that the proposed development would have a neutral visual impact from FP0312038, FP0312042 as the development would be viewed in juxtaposition with existing buildings within the farmstead.  The LVIA states that the development would result in a high degree of change to the site itself but would be located where agricultural buildings are a notable element of local character resulting in a moderate scale of change to the immediate site context, stating that the geographical extent of the landscape effect is localised at the immediate setting of the site and overall, the magnitude of the landscape effect is judged to be at the higher end of medium. The report concludes that the proposed development would have a moderate-slight level of effect on the site and its surroundings and states that mitigation embedded in the landscape strategy would reduce the visual effects as planting matures.  The LPA agree that to an extent, some of the buildings would be viewed within the context of the farmstead itself. For example, the proposed midden and extension to the existing calving shed would be viewed in context with the adjacent building approved under planning ref: 3/2023/0465 and the existing machine shed and slurry tanks.  Notwithstanding this, it should be noted that the existing cattle shed granted under planning ref: 3/2023/0465 was considered to constitute a substantial building and only due to mitigation measures was it considered to be acceptable. The extension of built form beyond the rear of the existing building granted under planning ref: 3/2023/0465 by introduction of additional hardstanding, erection of the 1.5 storey office/welfare building in addition to the milking parlour that would be taller and wider than the cattle building granted under planning ref: 3/2023/0465 would have a detrimental urbanising impact, eroding into the rural landscape.  As previously noted, the agent for the application advises that some existing buildings have been demolished to make way for a new structure, however no further information has been provided regarding the intended use and why the building was demolished. As noted previously, the supporting information submitted with the application does not make reference to whether these buildings are still in use or whether the proposed buildings could be sited in an alternative location, re-using the existing footprints which would be more contained within the farm. Policy DMG2 of the Ribble Valley Core Strategy states that where possible, buildings should be accommodated through the re-use of existing buildings however it is not considered that this has been fully addressed within the submission documents as to whether there are alternative locations within the site.  The LVIA identifies that the buildings would be fairly visible from public view points, namely from FP0312042 near Elmridge Granary and FP0341014 near Brow Top. From a visual amenity aspect, the siting of these buildings and associated infrastructure has not been fully justified and due to their size and scale would harm the landscape and character of the Forest of Bowland National Landscape.  Overall, whilst a landscaping scheme has been provided which shows tree planting along the boundaries to the west and east of the farm site, it is not considered that this is sufficient to fully mitigate the harm arising by way of the size and siting of the buildings and hardstanding.  In addition to this, it is not considered that all of the proposed buildings would be acceptable in terms of design. Whilst there is no objection to the smaller plant rooms, the proposed 1.5 storey office/welfare building would be constructed of stone which is acceptable, however the building would have brown uPVC windows. Whilst modern materials are proposed to the more modern agricultural buildings, the window material, design and positioning with a high-level window which sits awkwardly within the roof gables are not considered to constitute a high-quality design and would fail to protect or conserve the character of the Forest of Bowland National Landscape.  Having regard to the above, it is not considered that the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved or enhanced and the proposed development would not contribute to the conservation of the natural beauty of the area. Whilst some weight can be given to the need to expand the farm and accommodate buildings of an appropriate size and design to facilitate the modern dairy farming technology which is being utilised by the farm, the scale and siting of the buildings would be inappropriate, resulting in significant bulk and mass, cumulatively with existing large buildings within the farm and would result in an harmful encroachment into the countryside contrary to Policies DMG1, DMG2, 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 Local Highway Authority (LHA) have been consulted on the application.  They note that the site would utilise an existing access from Elmridge Lane which is an unclassified road subject to a national speed limit which then leads to a private access track to the site. They note that the private access track also meets Public Right of Way FP0312038 where the new access track will begin.  The LHA consider that a detailed access track drawing which clearly shows the width of the existing and proposed access track is required as well as information regarding any existing passing places and any scope to create new passing places, particularly within the existing access track due to it serving several other properties. This is because the existing access track is approximately 280m long before it meets the proposed access track which leads to the development and following the proposal, more two-way movements could occur along the track. The LHA note that currently, the track appears to range in width with the smallest section being approximately 2.5m wide, therefore it's unlikely that two-way movements can occur at the same time.  The LHA consider that the proposed development would result in an intensification of the use and they require either passing bays to be erected or the track to be widened.  In addition to this, the LHA note that the application is not supported by an Operation Statement detailing the impacts of the development on the business such as any increase in the number of vehicles which are expected to access the site. They consider that this should also include the number of employees and any increase in staffing levels, although the application form confirms there would be no increase in employee numbers.  Further comments are made in relation to the impact Public Rights of Way FP0312038, noting it must not be obstructed during the proposed developments.  In conclusion, the LHA has requested a comprehensive drawing of the access track, highlighting its existing and proposed widths, as well as any passing places and potential to provide passing places where the track reduces in width. This is to ensure safe two way movements along the track, given the potential intensification of use. Additionally, an operating statement is required to outline the impact on traffic movements to and from the site as well as any changes to staffing levels and their parking provisions. Whilst the proposed development may not directly result in an intensification of the use in terms of employee numbers of livestock, there are a number of existing buildings within the site such as cattle barns which are not referenced as to their proposed use following the granting of this permission and there is ambiguity as to whether the intention is to expand the farming businesses as no reference is made to these buildings being demolished within the submitted Design & Access Statement. The Design & Access statement does confirm that the buildings are necessary for the planned expansion of the farm to become financially viable and without sufficient details outlining the level of expansion as a result of the granting of this planning permission, the LPA are unable to fully assess the impact on the highway network.  As such, the proposal fails to comply with Policy DMG1 and DMG3 of the Ribble Valley Core Strategy and Paragraph 116 of the NPPF. | | | | | | | | | | | | | | | |
| **Landscape/Ecology:**  Policy DME3 of the Ribble Valley Core Strategy states that:  *‘Development proposals that are likely to adversely affect the following will not be granted planning permission. Exceptions will only be made where it can clearly be demonstrated that the benefits of a*  *development at a site outweigh both the local and the wider impacts. planning conditions or agreements will be used to secure protection or, in the case of any exceptional development as defined above, to mitigate any harm, unless arrangements can be made through planning conditions or agreements to secure their protection:*  *1. Wildlife species protected by law*  *2. SSSI’s*  *3. Priority habitats or species identified in the Lancashire Biodiversity Action Plan*  *4. Local Nature Reserves*  *5. County Biological Heritage Sites*  *6. Special Areas Of Conservation (SAC’s)*  *7. Special Protected Areas (SPA’s)*  *8. Any acknowledged nature conservation value of sites or species.’*  Concerns have been raised from neighbouring properties regarding water pollution and soil degradation as a result of the intense farming activity. The Environment Agency have provided a response to the scheme and raise no objection to the development but provide advice to the applicant regarding the facilities for the storage of oils, fuels or chemicals and advice to the applicant regarding the storage of slurry, ensuring the development complies with the appropriate regulations.  Notwithstanding this, the application sits within the Impact Risk Zone for a number of statutory designated sites and protected landscapes – notably, Bowland Fells Special Protection Area, Bowland Fells Site of Special Scientific Interest and Red Scar and Tun Brook Woods Site of Special Scientific Interest. As a result of this, and because of the type and scale of development, Natural England have been consulted on the application.  Natural England have provided comments on the scheme noting that they are not able to provide specific advice on the application and have no comment to make. However, the Ecologist at Greater Manchester Ecology Unit (GMEU) does not consider the proposals would have the potential to affect any designated nature conservation sites.  The bat survey submitted within this application noted that there are several bat roosts identified in other buildings within the site. The Ecologist at GMEU considers that an informative should be added to any grant of permission regarding the need to avoid any disturbance to known nearby bat roosts during constructions works should be added to any grant of permission as well as in formative advising 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.  With regards to Biodiversity Net-Gain, currently, the development will result in a net loss to Biodiversity, contrary to the statutory requirement for a Biodiversity Gain of at least 10% to be achieved. The Ecologist considers that full details have not been provided as to how the required gains will be achieved, although it is stated that some habitat creation could take place within the red line application boundary and in other parts of the landholding outside of the application boundary. Whilst it is preferred that these details are provided up-front the Ecologist accepts that in principle it would be possible to achieve suitable habitat creation on other parts of the landholding and therefore that the application could go forward for determination. They advise that a fully comprehensive Biodiversity Gain Plan will need to be required by the deemed Biodiversity Gain Condition which will apply to any permission granted to the application. In addition, a long-term Habitat Management and Monitoring Plan for any on-site and off-site habitat creation should also be required by Condition and any off-site habitat creation will need to be secured by means of an S106 planning obligation which could be prepared at condition discharge stage. In addition, any off-site habitat creation will need to be Registered on the national Biodiversity Gain Register. Having regard to the above, it is considered that the proposed development could achieve the mandatory 10% Biodiversity Net-Gain.  The Ecologist also recommends the addition of new features for nesting birds (e.g. swallow nesting cups or owl nesting boxes) would be a useful biodiversity enhancement for species.  Concerns have been raised regarding light pollution and the impact on dark skies and wildlife. Again, the existing issues are currently being investigated separately from this application and any further external lighting would be required to be submitted to the Local Planning Authority and approved prior to installation to ensure there would be no harm to local ecology within the vicinity of the site.  With regards to amphibians, the Ecologist raises a query about the level of information provided regarding the protected species great crested newt. The plans would on the face of it indicate that ponds are being retained, but the block plans show that buildings will be very close to a pond and therefore may impact directly on amphibian breeding habitat. Given that the pond and associated terrestrial habitat may well be affected by the scheme and as such, further information concerning impacts on amphibians is required.  In the absence of this information, it is not considered that the application has fully assessed the impact on protected species, contrary to Policy DME3 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | | | |
| **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 Health and Safety Executive provided comments on planning ref: 3/2024/0942 and concluded that 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. No comments have been received in relation to this application, although it should be noted that the red line boundary for this application is also not within the buffer zone for the major gas pipeline.  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’.*  A Drainage Strategy has been submitted as part of the application which includes a number of SuDS features including a filter trench/drain, swale and pond.  The LLFA have been consulted on the application and do not object to the proposal subject to conditions relating to the submission of a final Surface Water Sustainable Drainage Strategy, a Construction Surface Water Management Plan, a Sustainable Drainage System Operation and Maintenance Manual and a Verification Report.  United Utilities have also provided a response to the scheme. They do not consider that the submitted Drainage Strategy is acceptable and request that the drainage plans are updated to include finished floor levels, cover levels and invert levels. They also raise concerns that the drainage plan also incorrectly shows foul water discharging into the surface water sewers. Should planning permission be granted in advance of receiving the updated drainage details, they request a drainage condition for surface and foul water drainage and the current drainage plans are not listed as approved documents on the subsequent Decision Notice. It is considered that this could be dealt with by way of condition to provide an updated surface and foul water drainage strategy in line with the suggested condition wording provided by United Utilities.  Concerns have been raised from the occupiers of neighbouring properties regarding the loss of views. Whilst the issues relating to the visual harm to the character of the area and the impact on the National Landscape are a material planning consideration, the loss of a private view from a residential property would not warrant refusal of the scheme as this is not a planning consideration. | | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  As such, for the above reasons and having regard to all material considerations and matters raised, the application is recommended for refusal. | | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | That planning consent be refused for the following reason(s): | | | | | | | | | | | | |
| **01:** | | | The proposed development would fail to achieve a high-quality design and would result in a harmful encroachment into the rural countryside by reason of the size, scale and siting of the proposed buildings and additional hardstanding. The proposed development would therefore fail to protect or conserve the landscape character of the Forest of Bowland National Landscape, contrary to Key Statement EN2 and Policies DMG1 and DMG2 of the Ribble Valley Core Strategy. | | | | | | | | | | | | |
| **02:** | | | Insufficient information has been submitted with regards to the need for the development and its impact upon the local economy and whether the development could be accommodated in some other way, elsewhere within the site. The proposal therefore fails to satisfy the requirements of Paragraph 190 of the National Planning Policy Framework whereby major development within National Landscapes should only be permitted in exceptional circumstances and where the development is considered to be in the public interest. | | | | | | | | | | | | |
| **03:** | | | Insufficient information has been submitted within the application to fully assess the highway impact of the proposed development. In the absence of this information, the proposal is considered contrary to Policies DMG1 and DMG3 of the Ribble Valley Core Strategy and Paragraph 116 of the National Planning Policy Framework. | | | | | | | | | | | | |
| **04:** | | | Insufficient information has been submitted within the application to fully assess the impact of the proposed development on the protected species Great Crested Newts. In the absence of this information, the proposal is considered contrary to Policy DME3 of the Ribble Valley Core Strategy. | | | | | | | | | | | | |