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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | | |
| **Signed:** | | **Officer:** | **MC** | | | | **Date:** | | **23/04/2025** | | **Manager:** | | **LH** | **Date:** | **23/4/25** |
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| **Application Ref:** | | | | | 3/2025/0107 | | | | | | |  | | | |
| **Date Inspected:** | | | | | 25/03/2025 | | | **Site Notice:** | | 25/03/2025 | |
| **Officer:** | | | | | MC | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | | **REFUSAL** | | | |
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| **Development Description:** | | | | | | Retention of two holiday lodges and office building with associated parking, infrastructure and alterations. | | | | | | | | | |
| **Site Address/Location:** | | | | | | Boadicea Park Preston Road Ribchester PR3 3XL | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Parish/Town Council** | | | | | | | | | |
| Ribchester Parish Council object on the following grounds:   * Work continuous at the site despite objections from Councillors and residents * Expert Opinion has been received which states that Boyce’s Brook is home to threatened and endangered species, which will have been directly, negatively impacted by this work, and there appears to be no temporary works or mitigation. Was a fish rescue undertaken? * The proposal is not policy compliant by way of appearance/design/local distinctiveness * The site is not sustainable and users would have to cross at least 1 major road to access the village * The development has had a negative impact on residential amenity and wildlife * Concerns regarding floodlighting * Concerns that the site is not being used for Heliculture and for other businesses | | | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| **LCC Highways:** | | | | | | Lancashire County Council acting as the Local Highway Authority (LHA) does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site subject to the following conditions being stated on any approval.  They recommend the inclusion of two conditions relating to the parking/turning areas being implemented prior to the use of the development and within 3 months of the that part of the access extending from the highway boundary for a minimum distance of 10m into the site shall be appropriately paved using a permeable form of bitumen macadam, concrete, block paviours, or other approved materials. | | | | | | | | | |
| Environment Agency: | | | | | | The Environment Agency originally suggested a condition relating to flood risk mitigation be added to any grant of permission, however following discussions between the Environment Agency (EA) and the Planning Officer regarding the office building being in situ, the EA now object to the development on the basis that a Flood Risk Assessment has not been submitted. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Additional Representations.** | | | | | | | | | |
| Five additional representations have been received raising the following concerns:   * Concerns regarding why the building is needed given the large scale of existing building * High level of unauthorised lighting has already resulted in adverse impact on local bat population. Glazed building would make matters worse * Concerns regarding the number of applications/variations at the site with little overall plan in place. * Impact on amenity from continuous alterations to scheme, building works, noise, disruption * Concerns that they the adjacent Boyce’s Brook has been dug out which is ecologically sensitive * Concerns regarding flood risk * Decision should await report of Environment Agency * The application is retrospective and raises concerns that any decision made will be disregarded * The location of the amended holiday lodges would be closer to neighbouring residential properties which raises concerns regarding noise levels and unnecessary disturbance * Moving the lodges closer to the Snail Farm doesn’t make sense from a safety point of view * Permission has already been refused for the same changes under planning ref: 3/2022/0271 * Unclear why additional office space is required if there is already office space within the main building * Floodlighting on the main building is excessive and impact on residents and local wildlife * Concerns that cameras installed at the site have a view into neighbouring properties * The colour of the main building is not in keeping with the surrounding area * No trees have been planted * Waste is being burnt at the site and the site is untidy * Security barrier does not have permission * Concerns that the site is not a tourism or recreational use * The natural screening does not disguise any of the buildings * Two containers are on site behind the office building. This application makes no reference to it * The containers and office building is incongruous to the environment * Main building does not appear to be used for Heli culture, no evidence of this use * Additional hardstanding for ‘outdoor activities’ will adversely affect the amenity of the area * Concerns regarding flood risk as a result of the works to the Boyce Brook | | | | | | | | | | | | | | | |
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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 DMI2 – Transport Considerations * Key Statement EC1 – Business and Employment Development * Key Statement EC3 – Visitor Economy * Policy DMG1 – General Considerations * Policy DMG2 – Strategic Considerations * Policy DMG3 – Transport & Mobility * Policy DMH3 -Dwellings in the Open Countryside and AONB. * Policy DME2 – Landscape & Townscape Protection * Policy DMB3 – Recreation and Tourism Development. * Policy DMB1 – Supporting Business Growth and Local Economy * Policy DME6 – Water Management   National Planning Policy Framework (NPPF) | | | | | | | | | | | | | | | |
| **Relevant Planning History:**  3/2020/0513 - Change of use of land and erection of building for heliciculture (snail breeding) together with six log cabins to be used as holiday lets. Resubmission of 3/2020/0513 – Withdrawn.  3/2020/0940 – Change of use of land and erection of building for heliciculture (snail breeding) together with six log cabins to be used as holiday lets. Resubmission of 3/2020/0513 – Refused 14/04/21.  3/2021/0595 - Change of use of land and erection of building for heliciculture (snail breeding) together with six log cabins to be used as holiday lets following planning application refusal 3/2020/0940 – Approved with conditions 24/09/21.  3/2022/0315 – Discharge of conditions 4 (Drainage) and 14 (Construction Management) from planning permission 3/2021/0595 – Discharged 06/05/22.  3/2022/0271 – Variation of Conditions 2 (Plans) and Removal of Condition 9 (Off Site Works) of planning application 3/2021/0595 – Refused 04/05/22.  3/2022/0530 **-** Variation of condition 2 (approved plans) and removal of condition 9 (off site highway works) from planning permission 3/2021/0595 to allow the addition of a loading area to the east of the main building and change of cladding to timber boarding (resubmission of 3/2022/0271. – Approved 4/08/2022 | | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application site relates to land off Preston Road, Ribchester, within land designated as Open Countryside. The site is accessed off Preston Road between New House Farm and land to the East of Pendle View. Planning permission has been granted for a large building for the use for Heliculture (snail breeding) and also for six holiday lodges within the site. The application site falls within Flood Zones 2 and 3 and the north of the site borders Boyces Brook. Boyces Brook is designated as a main river within the village but becomes an ordinary watercourse adjacent to the site boundary. It should be noted that since the application was submitted, the Flood Maps for Planning have been updated and a greater proportion of the site now lies within Flood Zone 3. In addition, Public Footpath 49 lies adjacent to the site to the north and east.  The site sits on land behind residential properties on lower land than Preston Road and whilst two of the holiday units have been erected, the submitted site plan indicates that Units 3 and 4 have not yet been constructed.  An Enforcement Notice was served at the site on 17th March which relates to the construction of concrete hardstandings and siting of two modular structures on said hardstandings, as well as the siting of a black metal and glass office style structure. At the time of writing this application, the applicant has lodged an appeal against the Enforcement Notice. | | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  This planning application relates to retrospective planning permission for the retention of two holiday lodges and an office building with associated parking, infrastructure and alterations. The two holiday lodges would include the re-location of Lodges 5 and 6 further west within the site and closer to the building labelled ‘Boadicea House’ which was granted permission for Snail Breeding. The two lodges that are subject to the enforcement notice are the lodges proposed in this application but with changes to their elevational detailing as shown on the submitted elevation plans (i.e. the addition of pitched roofs and small veranda on both lodges and the addition of timber cladding on Lodge 6). The site plan also shows parking areas and cycle storage.  Planning permission is also sought for the retention of the modular office building which is located to the north of Boadicea House. This is a flat roof building with a height of approximately 3.1 metres and approximately 18sqm in size. The building is constructed of black cladding with glazing to the front elevation and a stone plinth to match the stone plinths elsewhere within the site (not yet constructed). There is also an Air Conditioning Unit to the flank wall which is not shown on the elevation drawings. | | | | | | | | | | | | | | | |
| **Principle of Development:**  Ribchester Parish Council have raised concerns that the site is not appropriately located and users of the holiday lodges would have to cross a major road to access the facilities within the village or a bus stop. Whilst these comments are noted, the principle of six holiday lodges at the site has already been established and this would not therefore warrant refusal of the application.  Policy DMB1 states that:  *“Proposals that are intended to support business growth and the local economy will be supported in principle. Development proposals will be determined in accord with the core strategy and detailed policies of the LDF as appropriate”.*  As the site is located within land designated as Open Countryside, Policy DMG2 applies. 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 principle of the site for the use as holiday accommodation and for Heliculture has already been established under previous planning permissions. Whilst a number of concerns have been raised with regards to whether the site is actually being used for these purposes, the supporting information within the application does not confirm otherwise and this application does not propose to change the use of the site for any other purpose.  With regards to the re-location of the two holiday lodges, it is not considered that there would be an intensification in the tourism use as the number of lodges would not increase from the approved scheme. As such, this is considered to be compliant with Criterion 4, being a small-scale tourism development.  Turning to the office building, this would be ancillary to the main snail farm building to provide additional office accommodation. This use was previously considered to fall within Criterion 4 as the development would run educational courses for the local community and incorporate other visitors from schools. The amended internal layout of Boadicea Park included two offices and the supporting information does not indicate that this office space would be removed. The Planning Statement indicates that this building is to be used in association with the existing business and is intended to act as a base for warehouse quality control and to manage deliveries to and from the site.  Policy DMB3 also states that:  *“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, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available;*  *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.”*  As such, there is no in principle objection to the development however a full assessment against the above criteria shall be made later in this report. | | | | | | | | | | | | | | | |
| **Impact Upon Residential Amenity:**  Ribble Valley Core Strategy Policy DMG1 provides specific guidance in relation to amenity and states that all development must:  *‘1. not adversely affect the amenities of the surrounding area.*  *2. provide adequate day lighting and privacy distances.*  *3. have regard to public safety and secured by design principles.*  *4. consider air quality and mitigate adverse impacts where possible’*  The office building is not located within close proximity to any neighbouring properties and is sited behind the existing main building ‘Boadicea House’. Whilst it may be visible from the rear gardens of the properties along Preston Road, it would be of such a distance that it would not likely result in any adverse impact to amenity. There have been objections from neighbouring properties regarding the presence of two storage containers behind the office building, however these do not form part of the application.  The re-location of the two holiday lodges would see them being sited closer to the neighbouring properties of ‘Hillcroft’, ‘Culrathain’ and ‘Hazelmere’. There have been objections from the occupiers of neighbouring properties raising concerns regarding the siting of the lodges and the increased noise and unnecessary disturbance that would arise. Lodge 6 would be approximately 20m from the boundary at ‘Hillcroft’ and would be sited on lower land levels and Lodge 5 would be sited approximately 30m from the primary living accommodation at ‘Pendle View’. Due to the separation distances, whilst they would be visible from the rear of these properties, it is not considered that this would be significantly greater than the approved locations with regards to overlooking, overbearing impact or noise levels. The holiday units are two bedrooms and would not therefore allow for large numbers of visitors to stay in the lodges at one time.  Concerns have been raised regarding floodlighting from the main building and impact on amenity. This does not form part of this application, however a condition to any grant of permission for this scheme could include the submission of a lighting scheme to ensure there would be no adverse impact to amenity by way of harmful light pollution associated with the proposed development the subject of this application.  Concerns have been raised by the occupiers of neighbouring properties regarding the burning of rubbish/waste at the site, however this does not fall within the planning remit and would need to be investigated as a statutory nuisance complaint.  A condition to any grant of planning permission would be required to secure an alternative landscaping scheme to provide additional screening between the holiday lodges and the residential properties.  As such, subject to conditions, the proposal is considered to accord with the amenity section of Policy DMG1 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | | | |
| **Visual Amenity/External Appearance and impact on Conservation Area:**    Ribble Valley Core Strategy Policy DMG1 provides specific guidance in relation to design and states:  *‘All development must* *be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style [and] consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings.’*  In addition, Policy DMG2 also states that:  *“Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build”.*  One of the occupiers of a neighbouring property has raised concerns that this permission should be refused as it has already been refused under planning ref: 3/2022/0271. The Planning Officer has reviewed the delegated report and whilst this scheme was not for the office building, it related to a Section 73 application to move lodges 5 and 6 to a similar location. However, the reasons for refusal of this scheme related to the proposal not constituting a minor amendment to the original permission and did not make an assessment of their acceptability on visual impact.  Under the approved scheme (planning ref: 3/2021/0595 and subsequent variation planning ref: 3/2022/0530), lodges 5 and 6 where proposed in a linear pattern, adjacent to lodges 3 and 4. This provided a visual separation between the holiday lodges and the Heliculture building (Boadicea Lodge) and retained a sense of openness between the residential properties along Preston Road and the buildings. Screening was also proposed along the southern and eastern areas of hardstanding and Boadicea House to help screen the building from view.  Whilst the flat roof buildings that are currently in situ where lodges 5 and 6 are proposed are to be altered to a pitched roof, it is not considered that the proposed location for the new lodges as shown on drawing ref: 25/03/03 A is appropriate. The footprint of the lodges differ from the approved lodges and are not of a size and design which are in keeping the approved scheme. It is also unclear as to why the location of the lodges have been moved as this does not follow the pattern of development within the site. The re-location of lodges 5 and 6 to this location, with additional hardstanding for parking provision has resulted in an encroachment of built form into an area which was previously retained as soft landscaping. This encroachment is considered to be incongruous with the character of the area and reduces the visual separation between the commercial use/holiday lets and residential properties which is considered to be harmful to the character and appearance of the site and surrounding area.  Whilst the office building is located behind the existing Heliculture building and is therefore not highly visible from the street scene, it adds additional built form to the site which has already had planning permission granted for a building of a significant size and scale. The Planning Statement indicates that the building would be used as a base for deliveries and provide additional office space, however Policy DMG2 states where possible, new development should be accommodated through the re-use of existing buildings. No assessment has been made as to why the office cannot be accommodated within the building itself, given the building already has two office rooms associated with the use. It is not considered that an additional office space is fully justified and would further result in an encroachment of built form which is harmful to the character of the site and surrounding open countryside.  Having regard to the above, the proposal is considered contrary to Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | | | |
| **Highways and Parking:**  Ribble Valley Core Strategy Policy DMG3 states that:  *‘All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards’.*  In addition, Policy DMG1 states that all development must:  *‘1. consider the potential traffic and car parking implications.*  *2. ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated’.*  The LHA have been consulted on the scheme and consider that whilst improvements have been made to the width of the access, the access has yet to be finished in an appropriate surface material as such recommend a surfacing condition as part of this application.  With regards to parking, they note that parking spaces are provided next to each of the cabins which is acceptable, although they would benefit from further widening to accommodate 2 vehicles. However, they consider that there is space to park elsewhere within the site. They also note that the office building is placed over an approved loading area however, 10m of hardstanding will still be retained in front of the building, which could cater for service vehicles and does not impose on the turn provisions as such the LHA does not raise any concerns. They recommend a condition to ensure that the development shall not be occupied or brought into use until the car parking and turning areas shown on the approved plan(s) have been provided in full, available for use and retained thereafter.  Subject to the above conditions, the proposal complies with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | | | |
| **Landscape/Ecology:**  A number of concerns have been raised from the occupiers of neighbouring properties regarding the impact on lighting to the local bat population as well as the ecological harm as a result of digging the banks of the Boyce Brook.  The application has not been supported by any updated ecological surveys, however with regards to planning ref: 3/2022/0530, it was noted that the submitted survey at the time assessed the impacts on other terrestrial mammals and birds. A condition was added for details of the proposed ecological mitigation to include 2 bat boxes and 2 breeding bird boxes on trees within the boundary of the site to be submitted to and approved in writing by the Local Planning Authority before the approved building and lodges were first occupied and mitigation installed prior to the building and lodges hereby approved being first brought in to use and retained in perpetuity thereafter.  Whilst the objections are noted, the works are retrospective. With particular reference to the impact on the Boyce Brook as a result of the erection of the office building, whilst regretful that permission was not sought prior to its erection with the submission of an updated ecology survey, any harm that has resulted from the works to ecology would have already taken place. Notwithstanding the above, it would not be unreasonable for updated details to be provided, given that the lodges would now be sited in a different location to the approved scheme and further built form has been introduced by way of the erection of the office building.  In addition, an updated landscaping scheme for the site would be required which could be secured by condition in the interest of visual amenity. | | | | | | | | | | | | | | | |
| **Other matters:**  Policy DME6 of the Ribble Valley Core Strategy states that:  *“Development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere.*  *Applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to:*  *1. Preventing pollution of surface and / or groundwater*  *2. Reducing water consumption*  *3. Reducing the risk of surface water flooding (for example the use of sustainable drainage systems (SuDS))*  *As a part of the consideration of water management issues, and in parallel with flood management objectives, the authority will also seek the protection of the borough’s water courses for their biodiversity value.*  *All applications for planning permission should include details for surface water drainage and means of disposal based on sustainable drainage principles. The use of the public sewerage system is the least sustainable form of surface water drainage and therefore development proposals will be expected to investigate and identify more sustainable alternatives to help reduce the risk of surface water flooding and*  *environmental impact”.*  The site is located within Flood Zones 2 and 3 and is also at risk of surface water flooding. Concerns have been raised from the occupiers of neighbouring properties and from the Parish Council regarding the potential increase in flood risk.  Whilst a drainage strategy has already been discharged for the site under planning ref: 3/2022/0315, this relates to a previous scheme.  The EA have provided amended comments on the scheme following discussions with the Planning Officer regarding the office building being in situ. They note that whilst they originally raised no objection to the relocation of two of the lodges on the site on 7 April 2025, they note that the office building that forms part of this application was not part of the original planning consent (planning ref: 3/2021/0595).  They note that the Flood Map for Planning for the development site has changed since their earlier responses to the original application 3/2021/0595 and the new office block has been located in an area of the site now currently designated as Flood Zone 3 on the Environment Agency’s recently updated Flood Map for Planning. Flood Zone 3 represents a high risk of flooding and no Flood Risk Assessment has been submitted with the application. In its absence, the flood risks posed by the development are unknown. The Planning Officer has given the applicant the opportunity to submit a Flood Risk Assessment on 2 April 2025, however this has not been received.  As such, there is insufficient information to fully assess the Flood Risk posed by the development, contrary to Policy DME6 of the Ribble Valley Core Strategy and the NPPF.  Concerns have also been raised from the occupiers of neighbouring properties that cameras have been installed and are directed towards adjacent properties, however this is not a material planning consideration that would impact on the determination of this application. | | | | | | | | | | | | | | | |
| **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 siting, size and design of holiday lodges 5 and 6, additional hardstanding and the erection of an additional office building would result in an incongruous, encroachment into the open countryside, resulting in a loss of openness within the site. The development is therefore contrary to Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | | |
| **02:** | The application has not been supported by a Flood Risk Assessment. In the absence of this, there is insufficient information to fully assess the impact of Flood Risk resulting from the development, contrary to Policy DME6 of the Ribble Valley Core Strategy and the National Planning Policy Framework. | | | | | | | | | | | | | | |