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APPEAL STATEMENT

Of

Colin Sharpe DipTP MRTPI

For and on behalf of:

Mrs Jane McDonnell
Moorgate Farm, Moorgate Lane, Dinckley,
Blackburn, BB6 8AN

**Appeal Statement against the decision by Ribble Valley
Borough Council to refuse planning permission for the
change of use of agricultural land to camping facility for
eight camping pods and associated car park and
landscaping at land at Moorgate Farm, Moorgate Lane,
Dinckley, Blackburn, BB6 8AN.**

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Chartered Surveyors ■■■ Planning & Development ■■■ Land Agents
Valuers ■■■ Property Agency ■■■ Property Management



CONTENTS

1.	INTRODUCTION	Page 3
2.	THE APPEAL SITE AND SURROUNDINGS	Page 3
3.	THE PROPOSED DEVELOPMENT	Page 4
4.	PLANNING HISTORY	Page 5
5.	POLICY BACKGROUND	Page 5
6.	THE CASE FOR THE APPELLANT	Page 10
7.	SUMMARY AND CONCLUSION	Page 19

INTRODUCTION

1. Gary Hoerty Associates has been instructed by Mrs Jane McDonnell to submit an appeal on her behalf against the decision by Ribble Valley Borough Council to refuse planning permission for the change of use of agricultural land to camping facility for eight camping pods and associated car park and landscaping at land at Moorgate Farm, Kenyon Lane, Dinckley, BB6 8AN.
2. By Decision Notice dated 28 October 2016 the Council refused the application for the following two reasons:
 1. The proposed camping pods, by virtue of their siting, number and design, would form over prominent and incongruous features that would appear isolated in the landscape to the detriment of the appearance and character of the Open Countryside. As such the proposed development would be contrary to Policies DMG1, DME2 and DMB3 and Key Statement EN2 of the Ribble Valley Core Strategy.
 2. The proposed development would have a detrimental impact on the appearance and character of the locality as experienced by users of the local footpath network contrary to Policy DMB5 of the Ribble Valley Core Strategy.
3. We ask that it be noted that these reasons for refusal of the application do not include any objection to the “principle” of the proposed development in this location, but to alleged detrimental effects in relation to the “detailed” consideration of the appearance and character of the open countryside locality. In this statement we will demonstrate that the proposal will not have such detrimental impact sufficient to warrant the refusal of the application and that the proposal therefore represents sustainable development in compliance with both NPPF and the relevant Key Statements and Policies of the Council’s adopted Core Strategy.

THE APPEAL SITE AND SURROUNDINGS

4. Moorgate Farm is situated on the north side of Moorgate Lane within the rural settlement of Dinckley. The site is approximately 7 miles from Clitheroe and 4 miles from Whalley.
5. The actual site of the proposed development extends to approximately 0.56 hectares and is situated approximately 230metres to the north of the group of buildings at the farm. The proposed location of the camping pods immediately adjoins an existing farm track that leads from the farm access onto Moorgate Lane. That existing access and track will therefore serve

the proposed development and was accordingly included within the red edged planning application site.

6. The general locality of the site is rural/agricultural with scattered farmsteads and dwellings. The camping pods would be surrounded by fields with the nearest dwelling located approximately 80 metres to the northwest.
7. There is some natural screening in the form of trees and hedgerows with regards to more distant views of the proposed development. The proposal, however, also includes the planting of an area of trees to the west of the main part of the site which will provide more immediate natural screening.

THE PROPOSED DEVELOPMENT

8. The proposed development comprises the installation of eight camping pods and associated landscaping and car parking as shown illustrated on the proposed site plan submitted with this application.
9. The proposed camping pods will be constructed with timber board cladding so that they will weather and blend into the landscape. Each pod will have a bathroom which comprises a shower, WC and sink and will also have a kitchen comprising an oven and sink. There will be a sewage treatment plant installed to the south west of the application site that each pod will be connected to.
10. There will be concrete base under each pod but this will not be visible as the pod will be sat on top of this. A hard-standing area will be created for the car park and the footpaths leading from the car park to each pod. The hard-standing will be dark grey clean quarry stone to minimise any visual impact. The remainder of the application site to the north of the car park will be kept as grass therefore reducing any visual impact.
11. The grassed areas will be kept tidy at all times with the grass been mown on a regular basis so as to provide an attractive facility to the guests of the camp site and improve the quality of tourism in the local area.
12. As previously stated, the site will be accessed through Moorgate Farm and down an existing approved track to the application site. Therefore no additional hard-standing will created in order to access the site from the highway.

PLANNING HISTORY

13. Although there have been numerous planning applications relating to Moorgate Farm, none are considered to be of any particular relevance to the consideration and determination of this Appeal.

POLICY BACKGROUND

14. Local Planning Authorities are required to determine planning applications in accordance with the Statutory Development Plan unless material considerations indicate otherwise. If it is to be approved, a development must satisfy as far as possible guidance contained within the National Planning Policy Framework (NPPF) and the relevant policies of the Council's adopted Core Strategy.
15. We set out below extracts from the relevant documents to facilitate the assessment of the appeal proposal against the principal appropriate policies and guidance.

National Planning Policy

16. The main national planning policy guidance is set out in the National Planning Policy Framework (NPPF).

National Planning Policy Framework (NPPF)

17. The adoption of the National Planning Policy Framework in March 2012 means that it is now the main national planning policy guidance influencing planning decision making and replaces a substantial number of documents previously in place. *"The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied, it sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so."*
18. Paragraphs 11 – 16 of the NPPF highlight the presumption in favour of sustainable development confirming that *"planning law requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise"*. The NPPF does not change the statutory status of the development plan as the starting point for decision making and therefore proposed development that accords with an up to date local plan should be approved, unless other material considerations indicate otherwise.

19. Importantly, paragraph 14 of the NPPF states:

*At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **plan-making** this means that:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*

*For **decision-taking** this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*

20. Paragraph 15 states:

“Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.”

21. Paragraph 17 says that one of the core principles of planning is to proactively drive and support sustainable economic development to deliver

the homes, business and industrial units, infrastructure and thriving local places that the country needs. It also says planning should encourage the effective use of land by reusing land that has been previously developed; promote mixed use developments; and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

22. Paragraph 28 says that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should promote the development and diversification of agricultural and other land-based rural businesses.

Local Planning Policy

Core Strategy

23. Core Strategy Key Statements and Policies which are relevant to this application are as follows:

- Key Statement DS1 – Development Strategy
- Key Statement DS2 – Presumption in Favour of Sustainable Development
- Key Statement EN2 - Landscape
- Key Statement EC1 – Business and Employment Development
- Key Statement EC3 – Visitor Economy
- Policy DMG1 – General Conditions
- Policy DMG2 – Strategic Considerations
- Policy DMG3 – Transport and Mobility
- Policy DME2 – Landscape and Townscape Protection
- Policy DME 3 - Site and Species Protection and Conservation
- Policy DME4 – Protecting Heritage Assets
- Policy DMB 1 – Supporting Business Growth and the Local Economy
- Policy DMB 3 – Recreation and Tourism Development

24. We comment on these Key Statements and Policies below, as appropriate.

Key Statement: DS1 Development Strategy

25. This Key Statement is the Council's definition of its development strategy, the main intention of which is that the majority of new development will be

concentrated within an identified strategic site to the south of Clitheroe and within the principal settlements of Clitheroe, Longridge and Whalley.

26. As a relatively small scale tourism related development we do not consider that the proposal would undermine the principal intentions of the development strategy as defined in Key Statement DS1.

Key Statement DS2: Presumption in favour of Sustainable Development.

27. Key Statement DS2 identifies that the Council when considering development proposals should take a positive approach that reflects the presumption in favour of sustainable development contained in NPPF. The policy states that where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in NPPF taken as a whole; or specific policies in that framework indicate that development should be restricted.

Key Statement EC3: Visitor Economy

28. This Key Statement relates specifically to the visitor economy stating that proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged; and that significant new attractions will be supported in circumstances where they will deliver overall improvements to the environment and benefits to the local communities and employment opportunities.

Policy DMG1: General considerations

29. This is a general development management policy which states that, in determining planning applications, all development must satisfy a total of 20 criteria relating to the matters of design, access, amenity, environment and infrastructure. We consider only the following criteria to be of particular relevance to the consideration of this appeal:

- The development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.
- The development must consider the density, layout and relationship between buildings, which is of major Importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.
- The development must consider the potential traffic and car parking implications.
- The development must ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
- The development must not adversely affect the amenities of the surrounding area.

Policy DMG 2: Strategic considerations

30. Policy DMG2 requires development to be in accordance with the Core Strategy Development Strategy and to support spatial vision and identifies certain forms of development that are acceptable outside of the settlement areas, three of which are as follows:

1. The development should be essential to the local economy or social well being of the area.
4. The development is for small scale tourism or recreational developments appropriate to a rural area.
5. Development is for small scale uses appropriate to a rural area where a local need or benefit can be demonstrated.

The Policy 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.'

Policy DME 2: Landscape and Townscape Protection

31. This policy identifies that development proposals will be refused which significantly harm important landscape features and sets out a list of relevant landscape features. We do not consider that the proposed development would in any way significantly harm any important landscape features.

Policy DMB 1: Supporting business growth and the local economy

32. This policy indicates that the Council will support proposals that are intended to support business growth in the local economy provided such proposals are in conformity with other relevant policies of the Local Plan. The proposed development is in full conformity with all the relevant policies and Policy DMB1 clearly supports the proposed development.

Policy DMB 3: Recreation and tourism development

33. This policy states that planning permission will be granted for development proposals that extend the range of tourism and visitor facilities in the Borough subject to a number of criteria being satisfied. With regard to those criteria, the proposed development does not conflict with other policies of the Local Plan; the proposal does not undermine the character, quality or visual amenities of the plan area by virtue of scale, siting, materials or design; and the proposal is well related to the highway network and would not create any adverse traffic problems on local roads or the nearby A59. The proposed development will support the development of tourism in the Ribble Valley by providing a camping site for visitors to use for holiday occupation purposes throughout the year when they wish to visit the Ribble Valley.

The Case for the Appellant

34. As previously stated, the Council's reasons for refusal of the application relate to detailed considerations as opposed to any contention that the proposed development is considered to be unacceptable in principle in the locality.
35. In the Delegated Item File Report (DIFR) under the heading "Principal of Development", the case officer confirms that the proposal would contribute to the tourism economy and therefore accords with Key Statement EC3. The case officer also quotes from Key Statement EC1: Business and

- Employment Development which states that "Developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability and viability will be supported in principle". Although it is not specifically stated in the D.I.F.R., we would assume that the case officer believes (as we do) that the proposal accords with the quoted aspect of Key Statement EC1.
36. The case officer accepts that, as "the proposal is for a small scale tourism development that is appropriate to a rural area", the application satisfies Policy DMG2 of the Core Strategy.
 37. The case officer then refers to Policy DMB3 that is generally supportive of recreation and tourism development subject to compliance with a number of criteria that are listed and then discussed in the D.I.F.R. The requirement for a proposal to be well related to an existing main settlement or village or to an existing group of buildings is then discussed. The case officer's conclusion is that the proposal does not satisfy this requirement. As stated in the policy, such a locational requirement would not apply if the proposed facilities were required in association with a particular countryside attraction, and there are no suitable or existing buildings or developed sites available. The case officer explained that he did not accept our contention that the countryside itself should be considered as "a particular countryside attraction." We do not intend here to debate that particular argument. We do contend, however, that the Council's policies appropriately recognise the rural nature of the Borough and give encouragement, in principle, to tourism and recreational developments that are appropriate to such a locality. The Council then, however, appears to be over intensive and restrictive in its interpretation of the detailed criteria that need to be satisfied in order for planning permission to be granted for the establishment of a new rural tourism enterprise. Our reasons for this contention will become evident in the remainder of this Appeal Statement.
 38. The case officer stated that the development is not physically well related to an existing settlement or village and is 230 metres away from the group of buildings at Moorgate Farm. We accept that Dinckley is not one of the 32 defined settlements within the Core Strategy, and that it covers a rural area that contains both isolated dwellings and farmsteads, as well as a number of groups of buildings. Moorgate Farm comprises an extensive group of buildings that form a larger group along with a number of dwellings at the junction of Kenyon Lane and Moorgate Lane. We contend, therefore, that Moorgate Farm is part of an existing group of buildings and that this should be sufficient to mean that the proposed development satisfies the locational requirement of Policy DMB3. The case officer, however, takes the view that, due to a separation of 230 metres from the buildings at Moorgate Farm, the precise location of the

proposed camping pods does not satisfy this requirement. We consider this to be an over prescriptive and restrictive interpretation of this aspect of the Policy which undermines the good overall intentions of the Policy. Camping (or "glamping" as this type of camping has come to be known) is a popular rural tourism activity; and the people who enjoy camping generally enjoy the isolation that it provides and do not want to be right next to a range of farm buildings. Our conclusion from this particular part of the D.I.F.R., is that, if the camping pods were to be sited close to the buildings at Moorgate Farm then (with regards to this specific consideration) the proposal would be acceptable. Such a location for the camping pods, however, would diminish their attractiveness to their potential users to the detriment of the viability of the business and its benefits to the rural local economy. As such, the good intentions of Policy DMB3 are being undermined.

39. Reference is then made in the D.I.F.R. to the requirement of Policy DMG2 for development in the open countryside 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. Whilst accepting that the proposed timber construction of the pods would reduce their prominence in the landscape to some extent, the case officer considered that, due to the arched form of their design, the pods would be seen as irregular and alien features that would be at odds with the character of the surrounding area.
40. We totally disagree with the Council's conclusion on this matter. The proposed development relates to camping, a long established and recognised rural activity/tourism use. As such, tents are accepted as being part of the "rural scene". We contend that the timber camping pods would be far less prominent and obtrusive in the landscape than a campsite full of tents (which we assume the Council would consider to be acceptable). Over time, with the increase in popularity of this type of camping, the pods will become an accepted part of the rural scene just as tents have done.
41. Perhaps an even better comparison is to compare the proposed camping pods to caravans. Due to its rural character and its natural beauty, there are numerous holiday caravan sites throughout the Ribble Valley, (including within the A.O.N.B) for both static and touring caravans. Without, at this point, referring to specific sites, some of these developments (that have received initial planning permissions with, in most cases, subsequent permissions for increases in site area and number of caravans) are very prominent features in the landscape. They are, however, accepted as an integral part of the rural scene.

42. Whilst accepting that each planning application must be determined on its own merits, we would like to refer to three planning permissions for caravan related developments as follows:

(a) 3/2010/0417 – Planning permission granted on 17 December 2010 for the proposed change of use of agricultural land to form an 18 pitch static caravan holiday park with warden unit, reception, grounds maintenance and associated landscaping in an open countryside location at Aspinall Farm, Old Langho, BB6 8AW. The reason we refer to this permission is because the site is located only approximately 1.1km to the south east of the current appeal site. That application was considered to represent a small scale tourism development that was appropriate to a rural area and therefore complied with Policy G5 of the Council's former Districtwide Local Plan. That specific criteria of Policy G5 is repeated in Policy DMG2 of the adopted Core Strategy. As that previous application was approved, it is evident that the Council did not consider caravans (that are timber clad with pitched tiled roofs) to represent "irregular and alien features that would be at odds with the character of the surrounding area." (See Appendix 2)

(b) 3/2015/0880 - Planning permission granted on 15 December 2016 for the change of use of agricultural land to allow extension to lodge park and the erection of an additional 12 lodges and informal recreational area and footpath on land at Aspinall Farm, Old Langho, BB6 8AW. The reason we refer to this permission is because it relates to an extension to the 18 unit caravan site referred to above, and is a very recent decision. In addition to the points that we have made in relation to permission 3/2010/ 0417, we consider it appropriate to comment on the matter of landscape screen planting. The Committee Report for application 3/2015/0880 is attached as Appendix 3, and the Committee resolved in accordance with the recommendation. At paragraph 5.2.1 of the report it is stated:

"Although the site can be seen from the adjacent highway, I am satisfied that the existing and proposed landscape reduce any visual impact to an acceptable level. The scheme provides for retention of existing tree cover, planting of trees on the proposed site and existing park which includes a range of oak, ash and birch trees."

The provision and future maintenance of the proposed landscape/screen planting is then appropriately covered by Condition No 3 of the permission. The relevance of this matter to the consideration of this current appeal is discussed below at Paragraph 44.

(c) 3/2016/0807 – Retrospective application for a caravan site including the retention of eight unauthorised hard standings and creation of five additional hard standings for caravans; replacement of existing temporary

facilities building with wooden toilet, shower facility and wash/dry room; and supplementary planting scheme with native species trees and shrubs, at Calder Farm, Settle Road, Bolton by Bowland, BB7 4NT. Permission granted on 15 November, 2016, subject to a condition restricting the site to seasonal use. The reasons we refer to this permission are because it is recent and the site is within the AONB. Even in this more sensitive location, the siting of a maximum of thirteen touring caravans (which will be of varying sizes and colours) has been regarded by the Council as acceptable with regards to its effects upon the local landscape.

We also consider it worthy of note that, within the D.I.F.R. for this application (see Appendix 4) it is stated that :

"Subject to the retention and protection of existing hedges and trees, and the proposed additional hedge planting, I consider the proposal to be acceptable in relation to the consideration of landscape and visual amenity."

Quite correctly, even in relation to this site within the A.O.N.B, there is no reference to the fact that additional planting will take time to fully achieve its screening objective.

43. We have referred above to just three planning permissions granted by the Council for developments relating to caravans. We could refer to many more caravan related developments that have been approved in the Ribble Valley, including some permissions for extensions to already large static caravan sites. We would make it clear that we are not saying that the Council has erred in its decisions to approve such developments. We accept and support the approval of caravan related developments because they are appropriate to the character of Ribble Valley and beneficial to the rural economy. What we are saying is that camping is also appropriate to the locality and benefits the rural economy. We cannot agree that the eight camping pods proposed in this application would have detrimental effects upon the local landscape sufficient to justify refusal of the application, when compared to the much more visually intrusive caravan related developments that the Council has considered to be acceptable with regards to this particular consideration.
44. It is stated in the D.I.F.R. that the scheme of planting proposed at the site would take some years to become effective and the trees would be bare during the winter months. We question the validity of this comment on two grounds. Firstly, we do not consider that the camping pods need screening as they will be an appropriate and unobtrusive feature in the landscape. Secondly, when there is a legitimate reason to screen a proposed development, it is standard practice by Ribble Valley (and probably all planning authorities) to require screen planting/landscaping

through the imposition of an appropriate condition. This practice has been appropriately and correctly followed very recently by the Council in its decisions to approve applications 3/2015/0880 and 3/2016/0807. The fact that such planting will take time to grow in order to fully achieve its screening purpose is not normally given as a reason to refuse a planning application, and obviously was not seen as a reason to refuse applications 3/2015/0880 and 3/2016/0807. We respectfully suggest that this should, therefore, not represent a reason for this appeal to be dismissed.

45. The provision of a parking area for up to twelve vehicles is then claimed in the D.I.F.R. to exacerbate the visual impact of the scheme. Any proposal for a tourist related development will include appropriate provision of parking spaces. This should be accepted as a necessary and appropriate part of the development, and the sight of twelve parked vehicles is not so harmful as to be considered a reason for refusal of the application.
46. The provision of electricity to the pods, giving the possibility of light spill is then mentioned in the D.I.F.R., with the opinion expressed that, in this isolated location, this would increase the prominence of the site at night. Any light spill from the camping pods would be minuscule when compared to the light spill from the many caravan sites in the Borough which, generally, are much larger developments and, often, in more visually prominent places (such as A.O.N.B) locations. We would respectfully suggest that any light spill from the proposed development should not form even a small part of any reason to dismiss this appeal.
47. With regards to the AONB, we note that, those aspects of Policy DMB3 that relate ONLY to the AONB are included within the D.I.F.R. beneath which is stated:
"These are therefore the detailed considerations that are relevant to this application and that will be discussed under appropriate headings below."
We contend that, as a matter of fact, the aspects of Policy DMB3 that relate only to sites in the AONB are NOT *"detailed considerations that are relevant to this application."*
48. Later in the D.I.F.R. it is acknowledged that *"the development site is located approximately 1.5km south of the Forest of Bowland AONB"*. Reference is therefore made to Key Statement EN2: Landscape, which states (with my emphasis):
"the landscape and character of those areas that contribute to the setting and character of the Forest of Bowland AONB 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, features and building materials."

Following the above quotation from the Key Statement, the comment is made that "The Borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the Borough and it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape."

49. It would appear from the above that the Council considers that the application site is within an area that contributes to the setting and character of the A.O.N.B. However, there is a statement within the D.I.F.R. which appears to contradict this conclusion as follows:
"Long distance views of the buildings at Moorgate Farm can be seen from the north at Whalley Road (B6234) when approaching the village of Hurst Green from the west, however, the application site itself is screened by a belt of trees."
50. The view being referred to in the above quotation is the view from within the A.O.N.B., and it is acknowledged that the site of the proposed development is screened from view by trees. In our opinion, in view of the tree screening, the separation distance of 1.5km, the low lying nature of the application site and the low height and low intensity of the proposed development, we do not consider that the proposal would have **ANY** impact upon the appearance and character of the A.O.N.B.
51. Key Statement EN2 is a broad statement of the Council's intentions with regards to the protection of its landscape. In refusing this application, however, we consider that the Council has placed both an over-rigorous and inappropriate emphasis on "local vernacular" stating in the D.I.F.R. that *"the camping pods would be permanently retained on site and their form and design would be incompatible with the local vernacular of the area giving rise to an incongruous and unsympathetic landscape feature."* The camping pods "are what they are." They are not buildings which the Council might expect to be designed to accord with the local vernacular. We do not consider that the Council would use this particular argument if it was seeking to refuse an application for static caravans, as it would be totally inappropriate and irrelevant. We therefore consider it equally inappropriate to refuse this application for eight camping pods because their design does not accord with the design and architectural style of buildings typically found in the locality. As we said previously "they are what they are" and we consider them to be an appropriate and unobtrusive feature in the rural landscape.
52. Reference is made in the D.I.F.R. to "localised views of the site that can be gained from public footpaths that traverse the surrounding fields." And this matter forms the subject of the second reason for refusal of the

application. The case officer's comments regarding the various footpaths are summarised as follows:

1. The site is not visible from the footpath to the north (Footpath 9).
2. There are views of the site from the footpath to the east (Footpath 9 and Footpath 11) but these are restricted by intervening vegetation.
3. The site would be considerably more prominent when viewed from Footpath 6 which is located approximately 150m to the west of the site and links with the popular Ribble Way footpath to the south. The unrestricted views of the site from this footpath would result in it "becoming undeniably less attractive to users contrary to Policy DMB5 of the Core Strategy."

53. The second reason for refusal of the application refers, in general terms, to "the local footpath network". As the Council's main concern appears to relate to Footpath 6, we will concentrate on that footpath in this Appeal Statement.
54. As acknowledged in the D.I.F.R., this footpath is 150m away from the site, yet the Council claims that the views of the camping pods from the footpath, at that distance, would result in the footpath becoming "undeniably less attractive to users." The camping pods are intended for a use (camping) that is a common and appropriate use of land in rural areas. We just cannot agree that the sight of eight timber camping pods would be so offensive to users of a public footpath as to represent a sustainable reason for refusal of the planning application. The users of the footpath could be local people, but they could also be tourists/visitors who might even be staying in tents, camping pods or caravans. Wherever they are from, some people using the footpath might use the camping pods as a point of interest, "a talking point" that would actually enhance their experience of walking the footpath. The claim that the proposal would **undeniably** make the footpath less attractive is therefore, in our opinion, totally without foundation.
55. There is, however, content within the D.I.F.R. that casts even more doubt about the Council's opinions in respect of the effects upon the public footpaths, and the sustainability of the second reason for refusal of the application. Under the heading "Residential Amenity" is the following paragraph:
"In terms of its impact on the residential amenity of nearby residents, the nearest property, Fair View, would be located at a distance of around 65m from the development site. There are unhindered views from Fair View towards the proposed development, however, the proposed plans indicate some proposed screen planting along the western site boundary. Any planting would take some time to become established and deciduous trees and shrubs are likely to provide limited screening during the winter months. Nonetheless, it is considered that the intervening distance would

be sufficient to avoid any loss of privacy to the occupants of Fair View so as to result in an unacceptable level of residential amenity.”

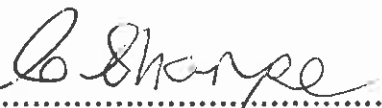
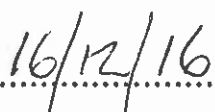
56. Fair View is located to the north west of the site at a distance (according to the Council) of 65m. Public Footpath 6 passes to the west of Fair View at a distance from the site (according to the Council) of 150m. The Council accepts that there are unhindered views of the proposed development site from Fair View. The occupiers of that dwelling would therefore be able to see the camping pods at any time should they look in that direction from their windows or their garden. The Council does not consider, however, (quite correctly) that being able to see the camping pods would result in any harm to the amenities of the occupiers of Fair View. The Council does, however, consider that the view of the camping pods, at a distance of 150m, by people walking on a public footpath, for a maximum of probably a few minutes per walker, would be so harmful to the attractiveness of the footpath to represent a reason for refusal of the application.
57. We contend that there is no logic in the Council’s differing conclusions regarding these related considerations such that the second reason for refusal of the application is totally without foundation and is unsustainable.
58. With regards to the matter of “residential amenity”, it is stated that the Council’s Environmental Health Officer is of the opinion that the proposal would not result in a statutory nuisance. It is then, however, stated that the noise from the users of the camping pods could “greatly impact on surrounding amenity”. We would, firstly, express our opinion that any impact upon residential impact that could be termed “great” would amount to a statutory nuisance. There is therefore, in our opinion, a contradiction in the Council’s comments on this matter. The Council goes on to say that “should consent be granted, the Council would require the submission of a satisfactory noise management plan so as to be satisfied that the site would be managed accordingly.” Firstly, we would say that we find the words “should consent be granted” somewhat confusing in a delegated report in which refusal was recommended. Having said that, we don’t feel that a “plan” can be put together to control the intermittent and random noise generated by the users of the camping pods. We do not consider that there would be a level of noise that would require such control but, if there was, it should be controlled under Environmental Health powers as opposed to Town Planning Enforcement Powers.
59. We note that there were no objections to the proposal with regards to effects upon highway safety and wildlife/ecology.
60. Under the heading “Planning Balance” it is stated that the site is not well related to services and facilities such that visitors would be highly reliable

on the private motor vehicle to arrive at the site. This, however, is balanced against the benefits of the proposal to local public houses, restaurants etc., and the rural economy in general. We note that (in our opinion, quite correctly) the general location of the site (as opposed to the precise location of the camping pods) does not form any part of the reasons for refusal.

61. It is therefore only the effects of the development on the local landscape and upon the attractiveness of nearby public footpaths that form the Council's reasons for refusal of the application.

SUMMARY AND CONCLUSION

62. With direct reference to the two reasons for refusals, we consider that, in this statement, we have demonstrated that the proposed camping pods would not form over prominent and incongruous features that would appear isolated in the landscape to the detriment of the appearance and character of the Open Countryside in both general terms and as specifically experienced by users of the local footpath network. As such, we have demonstrated that the proposed development is acceptable in principle and is in compliance with the sustainability requirements of NPPF and the relevant policies of the Adopted Core Strategy.
63. We therefore consider the Council's two reasons for refusal of the application to be unfounded and, in order to allow the provision of a sustainable rural tourism business in an appropriate location, it is respectfully requested that this appeal be allowed.

Signed..........Date..........
Colin Sharpe DipTP MRTPI
For and on behalf of Gary Hoerty Associates

APPENDIX 1

**Delegated Item File Report and Refusal of Planning Permission for
Application 3/2016/0833**

Report to be read in conjunction with the Decision Notice.

Application Ref: 3/2016/0833

Date Inspected: 13/09/2016

Officer: AB



**Ribble Valley
Borough Council**

www.ribblevalley.gov.uk

DELEGATED ITEM FILE REPORT:

REFUSAL

Development Description: Change of use of agricultural land to camping facility for eight camping pods and associated car park and landscaping

Site Address/Location: Land at Moorgate Farm Kenyon Lane Langho BB6 8AN

CONSULTATIONS: Parish/Town Council

CONSULTATIONS: Highways/Water Authority/Other Bodies

RVBC Environmental Health:

No objection subject to conditions.

LCC Highways:

No objection.

LLFA:

None received.

CONSULTATIONS: Additional Representations.

Letters of objection have been received from 22 individual properties and refer to the following:

- Drainage, electricity and water have already been installed.
- Eight pods would result in 40 additional people.
- No mention of lighting in the application – any lighting would cause pollution.
- No facility for storage or disposal of waste.
- Site is near existing watercourses.
- Would result in significant visual harm to the landscape.
- No local amenities to attract visitors to Dinckley and users would have to travel for supplies or for entertainment.
- Increase in traffic on country roads.
- The pods would be visible from surrounding footpaths.
- This application is the start of a larger development.
- The S-bend near the entrance to the site is dangerous.
- Significant noise from music and barbeques would disturb inhabitants and local wildlife.
- The applicants no longer farm their land and the application cannot be considered diversification.
- Many other sites in the area with full amenities.
- The Wigwam business proposed is a franchise.
- Would harm the privacy and amenities of the closest property.
- The minimal accommodation encourages outdoor activities.
- Perimeter screening is very limited and will offer little protection in winter.
- The proposal is not well related to an existing settlement.

RELEVANT PLANNING HISTORY:

3/2014/0390 - The erection of a building for the storage and drying of wood for biomass; tractor storage; a secure workshop and office and welfare facility to be used alongside an existing agricultural contracting business. Approved.

3/2015/0004 - Part retrospective application for the construction of a farm track. Approved.

RELEVANT POLICIES:

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement EN2 – Landscape
Key Statement EC1 – Business and Employment Development
Key Statement EC3 – Visitor Economy
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMB3 – Recreation and Tourism Development

National Planning Policy Framework

ASSESSMENT OF PROPOSED DEVELOPMENT:

Proposed Development for which consent is sought:

Planning consent is sought for the change of use of 0.55 hectares of agricultural land to a camping facility for eight camping pods with associated parking and landscaping at Moorgate Farm, Kenyon Lane, Langho. The application site is situated in an open field location approximately 230m north of the farm complex at Moorgate Farm and would be accessed by an existing field track. The site is within the Open Countryside and around 1.5km south of the Forest of Bowland AONB. The area is surrounded by countryside and the field is open and rural in character, comprising largely grassland. There is a hedge with frequent gaps traversing the southern site boundary and some mature trees to the north of the site that are outside the applicant's ownership. Some 150m to the west of the site is Kenyon Lane which also serves as a public footpath and the River Ribble is 400m northwards. The wider area is characterised by its openness with individual farmsteads and dwellings and small clusters of built development.

The proposal is for the erection of eight timber clad arch-shaped camping pods in a crescent arrangement. Each pod would measure 3.5m x 6.5m and would stand to a height of 3.2m and would have a bathroom which comprises a shower, WC and sink, and a kitchen and living area. The pods would be supported on paving slabs and would be connected to a water supply and electricity. There would be a sewage treatment plant installed to the south west of the site that each pod would be connected to. A hardstanding area would be created for the car park with footpaths leading from the car park to each pod. The car parking would accommodate up to 12 vehicles in a linear arrangement and there would be a 1.8m high close boarded timber bin store provided adjacent to the parking area.

Observations/Consideration of Matters Raised/Conclusion:

The matters to be considered in the determination of this application relate to the principle of the development, the impact of the proposed development upon surrounding landscape and the effects of the proposal upon the amenities of nearby residents, ecology and trees and highway safety.

Principle of Development

Core Strategy Key Statement EC3 relates specifically to the visitor economy stating that proposals that contribute to and strengthen the visitor economy of Ribble Valley will be

encouraged and that significant new attractions will be supported in circumstances where they will deliver overall improvements to the environment and benefits to local communities and employment opportunities. The proposed development would contribute to the tourism economy and accords with Key Statement EC3. Key Statement EC1 'Business and Employment Development 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"*.

The application site is located in the Open Countryside. Core Strategy Policy DMG2 requires development outside of defined settlement areas to meet at least one of six considerations one of which are the following:

4. The development is for small scale tourism or recreational developments appropriate to a rural area.

In my opinion the proposal is for a small scale tourism development of a type that is appropriate to a rural area. Policy DMB3 relates specifically to recreation and tourism development. Tourism and visitor attractions are generally supported 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.*

In the Forest of Bowland Area of Outstanding Natural Beauty the following criteria will also apply:

1. *The proposal should display a high standard of design appropriate to the area.*
2. *The site should not introduce built development into an area largely devoid of structures (other than those directly related to agriculture or forestry uses).*

These are therefore the detailed considerations that are relevant to this application and that will be discussed under appropriate headings below.

Effects Upon the Landscape/Visual Amenity

Policy DMB3 'Recreation and Tourism Development' requires development of the sort proposed to *"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"*. The proposed development is not physically well-related to an existing main settlement or village. Additionally, it is detached from the existing farm buildings at Moorgate Farm by a distance of 230m across an open field and is not considered to be well-related to the existing group of buildings. It is therefore considered that the proposal fails to meet this consideration of Policy DMB3. In making this judgement, consideration has been given to the agent's letter dated 24th October 2016. This letter does

not dispute the fact that the proposed development site is poorly related to an existing group of buildings, however; it states that the countryside itself should be considered as 'a particular countryside attraction' as required by Policy DMB3 and that people who want to camp in the countryside do not want to be next to a range of farm buildings. In my opinion, the countryside itself cannot be considered as an attraction as this would render the locational requirements of Policy DMB3 meaningless and the use of the word "particular", meaning 'of or relating to single or specific thing', makes it clear that the Policy is referring to specific tourism attractions.

The Policy DMG2 states that 'within the open countryside development will be required to be in-keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, the landscaping and siting'. Policy DMG2 is clear that in considering development proposals the most important consideration will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Key Statement EN2 states that *"the landscape and character of those areas that contribute to the setting and character of the Forest of Bowland AONB 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, features and building materials"*. The Borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the Borough and it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape.

The development site is located approximately 1.5km south of the Forest of Bowland AONB and 0.4km from the River Ribble. To the immediate north of the site land levels fall towards the River Ribble by around 40m and, on the north side of the river the land rises again towards the village of Hurst Green. The application site and the surrounding area is identified as Undulating Lowland Farmland (5) in the Lancashire Landscape Character Assessment and is described as a lowland landscape that is traversed by deeply incised, wooded cloughs and gorges. There are also many mixed farm woodlands, copses and hedgerow trees and a patchwork of wood and pasture from raised viewpoints on the fells.

The pods would be erected on paving slabs that in turn would rest on compacted gravel and would be connected to a water supply, electricity and drainage and, for all intents and purposes, would be permanent structures that would operate on a year round basis. The pods timber construction would reduce their prominence in the landscape to some extent although their arched form and design would not be reflective of local vernacular and they would be seen as irregular and alien features that would be at odds with the character of the surrounding area. The use of timber materials for the proposed structures, would fail to prevent them from appearing as intrusive and alien features within a largely open landscape. The application indicates a scheme of tree planting along the site's western boundary however; vegetation, even if standard plants are used, would take some years to become effective and the trees would be bare during winter months. Furthermore, the existing trees to the north/north-west of the development site are outside the applicant's ownership and therefore the applicant has no control over their retention. The proposed parking arrangement exacerbates the schemes visual impact with the potential for a row of up to 12 vehicles in an open field location. The provision of an electricity supply to each pod would elicit concerns regarding internal and external lighting; even light spill from internal lighting in this isolated and unlit location would increase the prominence of the site at night. Taking into account the above I consider that the proposed development would result in harm to the visual appearance and character of this rural area by virtue of the style and design of the camping pods which would be at odds with the inherent characteristics of the surrounding landscape. Furthermore, the siting of the pods in an open field location detached from the main farm complex would be contrary to Policy DMB3 and would have a detrimental impact on the open, rural appearance of the field.

To the south the land is relatively flat and there are no unrestricted views afforded of the site

from Moorgate Lane. Long distance views of the buildings at Moorgate Farm can be seen from the north at Whalley Road (B6234) when approaching the village of Hurst Green from the west, however; the application site itself is screened by a tree belt. There are however more localised views of the site that can be gained from public footpaths that traverse the surrounding fields and the proposals would impact negatively on how walkers experienced the area both visually and aurally. The site is not visible from the footpath to the north. There would be views of the site from the footpath (no.9 and 11) to the east of the site but these are restricted by intervening vegetation. Yet, the site would be considerably more prominent when seen from footpath no.6 which is located approximately 150m to the west of the site and links with the popular Ribble Way footpath to the south. There are unrestricted views of the application site from footpath no.6 which would result in this footpath becoming undeniably less attractive to users contrary to Policy DMB5 of the Core Strategy.

Highways Safety

Policy DMB3 requires recreation and leisure developments to be well related to the existing highway network. The application site is within a reasonable distance of the A59, the primary strategic route, and would be predominantly served by classified roads. The scale and type of development would not result in a significant increase in traffic movement to produce any undue problems or disturbance. The County Highways Surveyor has raised no objections on highway safety grounds and the level of parking to be provided is considered appropriate to serve the development.

Residential Amenity

In terms of its impact on the residential amenity of nearby residents, the nearest property, Fair View, would be located at a distance of around 65m from the development site. There are unhindered views from Fair View towards the proposed development, however; the proposed plans indicate some proposed screen planting along the western site boundary. Any planting would take some time to become established and deciduous trees and shrubs are likely to provide limited screening during the winter months. Nonetheless, it is considered that the intervening distance would be sufficient to avoid any loss of privacy to the occupants of Fair View so as to result in an unacceptable level of residential amenity.

With regards to noise nuisance and disturbance, the Council's Environmental Health Officer is of the opinion that the proposals would not result in a statutory nuisance. However, it is important that the site is managed in order to limit noise levels during certain hours. The location of the site within the open countryside and away from any major transport routes where existing ambient noise levels can be very low means therefore that such activities can greatly impact on surrounding amenity. Should consent be granted, the Council would require the submission of a satisfactory Noise Management Plan so as to be satisfied that the site would be managed accordingly.

Effects Upon Wildlife/Ecology

In terms of its impact on local wildlife and ecology, the site comprises poor semi-improved grassland bound by hedgerows to the north and south. Poor semi-improved grassland has a very low ecological value. There are a number of ponds in the locality but it is considered that they have a low value to amphibians being open and exposed. There are no badger setts or runs on site and no setts would be disturbed as a result of the proposals. The foraging habitat at the site is very poor for bat species and it is not considered there would be a significant degradation of the foraging habitat as a result of the proposal so long as the trees and hedgerows are retained or their loss compensated for.

It is recommended that the roots of hedgerows/trees are adequately protected during development. The application proposes some additional planting of linear trees which would improve the ecological value of the site – should consent be granted, the LPA would require full details of the proposed landscaping prior to the commencement of the development. Further mitigation is recommended in the submitted ecological appraisal to prevent harm to local wildlife and, should consent be granted, the proposals would be built in accordance with the recommended mitigation measures. However, there was no conclusive evidence of

any specifically protected species regularly occurring on the site which would be negatively affected by site development following the appropriate mitigation and the proposals would generally accord with Policy DME3.

Planning Balance

Key Statement DS2 requires the Council to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). There are three dimensions to sustainable development: economic, social and environmental. It is noted that the application site is poorly related to existing services and facilities with the nearest Tier 1 Settlement, Langho, located around 3.5km away by road, however; in terms of its economic benefit to the rural area, the proposals are likely to generate some additional business for the nearest public houses, restaurants and shops as visitors would spend some time in the local area. The primary economic benefactor of the proposals would be the applicant who would run the camping pod business alongside the existing agricultural contracting business that operates from the farm complex.

In terms of its impact on the social dimension of sustainability, the proposals would expand the range of visitor accommodation in the Borough, supporting the intentions of Core Strategy Key Statement EC1 and EC3. Nonetheless, the site would not be accessible to all due to its location which relates poorly to existing public transport links. The nearest bus stop is located around 0.75km from the site and operates a 2-hourly service and the roads linking the site are without footpaths and street lighting. Visitors to the site are therefore likely to be highly reliable on the private motor vehicle to arrive at the site.

Thus, the aforementioned economic and public benefits that would arise from the proposed development must be weighed against the environmental impacts of the proposals. As discussed above, it is considered that the introduction of eight camping pods in this open field location would result in an unacceptable level of harm to the appearance and character of the surrounding landscape. The camping pods would be permanently retained on site and their form and design would be incompatible with the local vernacular of the area giving rise to an incongruous and unsympathetic landscape feature. Moreover, the proposals would be seen from surrounding public footpaths and public viewpoints and, whilst the application proposes some additional boundary planting, this would not completely screen the development site and the impacts of landscaping measures are seasonal and cannot be forever controlled by the Council. As such, proposed and existing trees and hedges should not be used to justify a development that would be considered to be harmful to the visual amenity of the Open Countryside.

In this case, significant weight is apportioned to the harm to the surrounding landscape that would arise from the development proposal. In my opinion any gain to the rural economy would not be offset by harm which would occur to the local landscape.

Conclusion

It is considered that the proposed camping pods, as a result of their siting, number and design/appearance, would result in a built form of development that is uncharacteristic within this traditional landscape. The proposed development would have a harmful impact upon the existing visual qualities of the open countryside. The proposal is therefore contrary to Core Strategy Policies DMG1, DME2 and DMB3 and Key Statement EN2.

RECOMMENDATION: That planning consent be refused for the following reasons:

1. The proposed camping pods, by virtue of their siting, number and design, would form over prominent and incongruous features that would appear isolated in the landscape to the detriment of the appearance and character of the Open Countryside. As such, the proposed development would be contrary to Policies DMG1, DME2 and DMB3 and Key Statement EN2 of the Ribble Valley Core Strategy.

RIBBLE VALLEY BOROUGH COUNCIL

Development Department

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111 Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

APPLICATION NO: 3/2016/0833

DECISION DATE: 28 October 2016

DATE RECEIVED: 07/09/2016

APPLICANT:

Mrs Jane McDonnell
c/o Agent

AGENT:

Mr Gary Hoerty
Gary Hoerty Associates
Suite 9
Grindleton Business Centre
The Spinney
Grindleton
Clitheroe
BB7 4DH

DEVELOPMENT PROPOSED: Change of use of agricultural land to camping facility for eight camping pods and associated car park and landscaping

AT: Land at Moorgate Farm Kenyon Lane Langho BB6 8AN

Ribble Valley Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission **has been refused** for the carrying out of the above development for the following reason(s):

- 1 The proposed camping pods, by virtue of their siting, number and design, would form over prominent and incongruous features that would appear isolated in the landscape to the detriment of the appearance and character of the Open Countryside. As such, the proposed development would be contrary to Policies DMG1, DME2 and DMB3 and Key Statement EN2 of the Ribble Valley Core Strategy.
- 2 The proposed development would have a detrimental impact on the appearance and character of the locality as experienced by users of the local footpath network contrary to Policy DMB5 of the Ribble Valley Core Strategy.

P.T.O.

**RIBBLE VALLEY BOROUGH COUNCIL
REFUSAL OF PLANNING PERMISSION CONTINUED**

APPLICATION NO: 3/2016/0833

DECISION DATE: 28 October 2016

Note(s)

- 1 For rights of appeal in respect of any reason(s) attached to the decision see the attached notes.

- 2 The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. The proposal does not comprise sustainable development and there were no amendments to the scheme, or conditions that could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

- 3 For the avoidance of doubt, this decision relates to the following plans:

DWG No. 201
DWG No. 205
DWG No. 401
Drawing no. Bre/096/2148/01 (received 24th Oct 2016)
Drawing no. Bre/096/2148/02
Drawing no. Bre/096/2148/03 (received 24th Oct 2016)
Drawing no. Bre/096/2148/04 (received 24th Oct 2016)

**JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES**

APPENDIX 2

Planning Permission 3/2010/0417

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2010/0417

DECISION DATE: 17 December 2010

DATE RECEIVED: 12/10/2010

APPLICANT:

Simpsons Farm Dairies
c/o Agent

AGENT:

Reedley Chartered Town Planning & Architectural
Consultants
2 Reedley Business Centre
Redman Road
Burnley
Lancs
BB10 2TY

DEVELOPMENT PROPOSED: Proposed change of use of agricultural land to form a pitch static caravan holiday park with warden unit, reception, grounds maintenance store and associated landscaping.

AT: land at Aspinall Farm Old Langho Blackburn Lancashire

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The permission shall relate to the development as shown on Plan Reference No's SIMPS/01 Dwg 01A, SIMPS/01 Dwg 02A, SIMPS/01 Dwg 03A and SIMPS/01 Dwg 04.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 6 October 2010 and 12 October 2010.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

P.T.O.

4. The development hereby permitted shall not be commenced until details of the proposed landscaping scheme, including wherever possible the retention of existing trees, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform, the types and details of all fencing and protection and details on their maintenance.

The approved landscaping scheme shall be implemented in the first planting season prior to commencement of the development unless otherwise agreed by the Local Planning Authority, whether in whole or part and shall be maintained thereafter in perpetuity to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block paviers, or other approved materials.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

6. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 there shall not at any time in connection with the development hereby permitted, be erected or planted, or allowed to remain upon the land hereinafter defined, any building, wall, fence, hedge, tree, shrub or other device.

The visibility splay to be the subject of this condition shall be that land indicated on the submitted plan drawing No SIMPS/01 drawing 02A and shall be constructed and maintained at verge level in accordance with the scheme submitted.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to ensure adequate visibility at the street junction or site access.

7. No part of the development shall be commenced until all the on-site highway works have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The scheme shall also include details of the materials proposed for the on-site road.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users.

P.T.O.

8. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the recommendations of the badger survey and report submitted with the application dated June 2010.

REASON: To comply with policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

9. Prior to the commencement of any works on site, details of species/habitat protection and mitigation measures shall have been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include details of how badger protection measures will be incorporated into the development.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV3 and ENV7 of the Ribble Valley Districtwide Local Plan.

10. The mobile homes/lodges hereby permitted,

a. shall be occupied for holiday purposes only,
b. shall not be occupied as a person's sole, or main place of residence, and
c. the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

REASON: To comply with the terms of the application, to ensure that the units are used as holiday accommodation only, and not used for unauthorised permanent residential occupation. To comply with Policies G5 and RT5 of the Ribble Valley Districtwide Local Plan.

11. Before the development hereby permitted is commenced, details of any external lighting, including details of the location and height of columns and the intensity of lighting, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and operated in accordance with the approved details.

REASON: In the interests of preserving the visual amenities of the locality and to comply with Policies G1, ENV3, RT1 and RT5 of the Ribble Valley Districtwide Local Plan.

12. The occupation of the Warden's Unit shall be limited to a person solely employed by the owner of the site as a Site Warden to help with the day-to-day running of the site.

REASON: In order to comply with Policies G1, H2 and ENV3 of the Ribble Valley Districtwide Local Plan. The site is within an area where residential development for purposes other than the essential requirements of agriculture, forestry or other uses appropriate for a rural area, are not normally permitted.

13. No more than nineteen (19) mobile homes (or their equivalent) shall be stationed at any one time on the site as defined in red on this application. Notwithstanding the details submitted with this application, before any unit is stationed, precise details of the specification, design and external materials of the units shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and operated in accordance with the approved details.

REASON: In the interests of visual amenity and to comply with Policies G1, ENV3, RT1 and RT5 of the Ribble Valley Districtwide Local Plan.
P.T.O.

14. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, all trees identified in the tree survey shall be protected in accordance with the BS5837 [Trees in Relation to Construction]. The root protection zone shall be 12 x the DBH (unless otherwise agreed in writing with the LPA), and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value is afforded maximum physical protection from the adverse effects of development.

15. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed, with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

REASON: To prevent pollution of the water environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

16. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

REASON: To prevent pollution of the water environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

17. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

REASON: To prevent pollution of the water environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

P.T.O.

Relevant planning policy

Policy G1 - Development Control.
Policy G5 - Settlement Strategy.
Policy H2 - Dwellings in the Open Countryside.
Policy ENV3 - Development in Open Countryside.
Policy ENV7 - Species Protection.
Policy RT1 - General Recreation and Tourism Policy.
Policy RT5 - New Static Caravan Sites and Extensions to Existing Sites.
Good Practice Guide on Planning for Tourism 2006

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.
4. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath 15 in the Parish of Dinckley and Billington and Langho runs through the site.

STEWART BAILEY
DIRECTOR OF DEVELOPMENT SERVICES

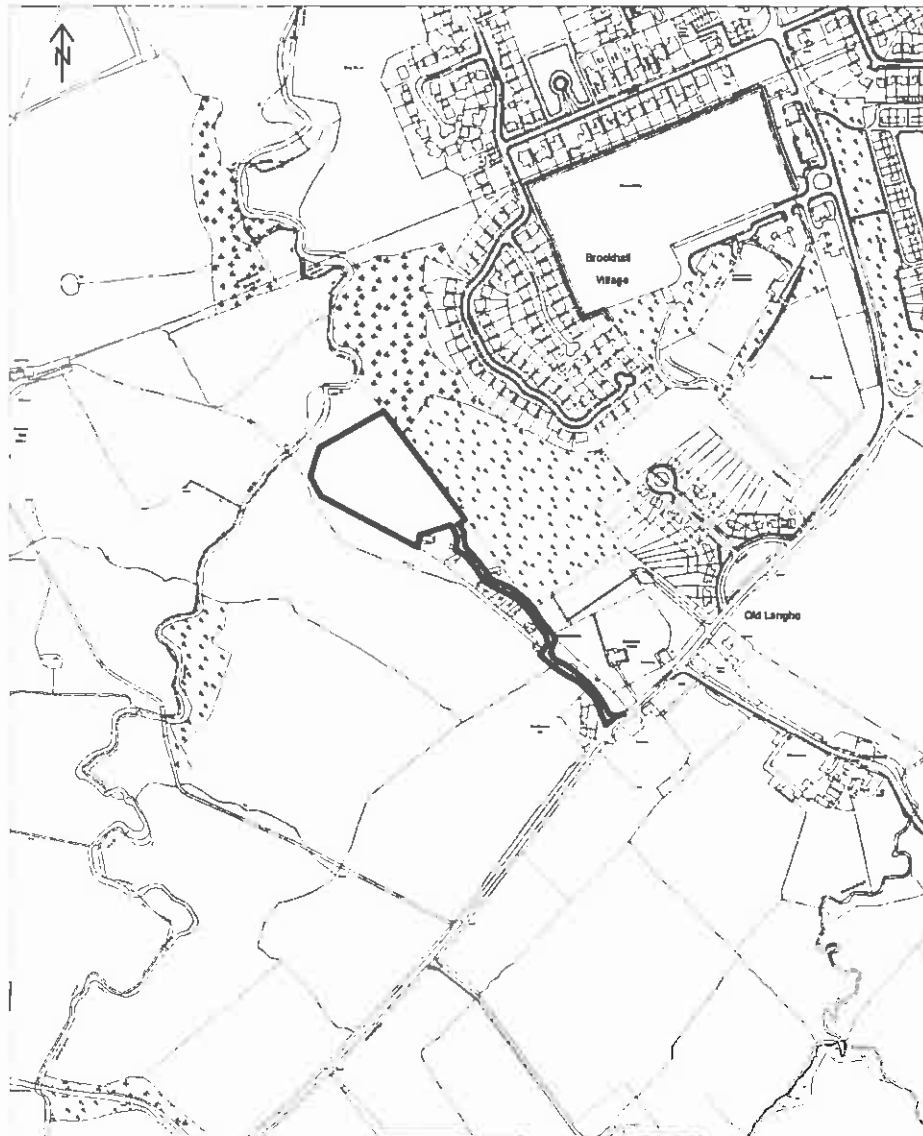
APPENDIX 3

Committee Report for Application 3/2015/0880

APPLICATION REF: 3/2015/0880/P
GRID REF: SD 369992 435924

DEVELOPMENT DESCRIPTION:

CHANGE OF USE OF AGRICULTURAL LAND TO ALLOW EXTENSION TO LODGE PARK AND THE ERECTION OF AN ADDITIONAL 12 LODGES AND INFORMAL RECREATIONAL AREA AND FOOTPATH ON LAND AT ASPINALL FARM, OLD LANGHO, BLACKBURN, LANCASHIRE



3/2015/0880 Ribble Valley View Old Langho Road Langho BB6 8AW

Scale 1:5000

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No objections.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objections to this application on highway safety but request that consideration be given to an improved footpath link.

ADDITIONAL REPRESENTATIONS:

One letter of concern which predominately relates to the management of the site, including lighting, delivery of post and a lack of warden facilities on site. One letter of support from the landlord at the Black Bull who welcomes the income generated.

1. Site Description and Surrounding Area

- 1.1 The site is located to the west of the Brockhall Village development, and to the rear of the Black Bull Inn. It is a northerly extension of the existing site, on a triangular parcel of land on the fringe of the land within the ownership of the owners of Aspinall Farm, which lies to the north west of the site. The site is situated within open countryside outside a defined settlement boundary.

2. Proposed Development for which consent is sought

- 2.1 This application seeks permission for the proposed use of agricultural land to allow an extension to the existing complex. The proposal has been amended to allow an additional area of landscaping, the creation of an informal recreational area and a reduction in the number of lodges.
- 2.2 Access to the site is as existing and gained via an existing vehicular access off Old Langho Road, adjacent to the Black Bull Inn. The proposal now includes a tarmac surfaced path from the Black Bull public house to the site.

3. Relevant Planning History

3/2010/0417 – Static caravan park. Approved with conditions.

4. Relevant Policies

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement EN2 – Landscape
Key Statement EC1 – Business and Employment Development
Key Statement EN5 – Heritage Assets
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection

Policy DMB1 - Supporting Business Growth and the Local Economy
Policy DMB3 – Recreation and Tourism Development

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

5. Assessment of Proposed Development

5.1 Principle of Development

5.1.1 The key issues to consider are the principle of the development, potential visual impact caused by the development, any potential impact on highway safety, the potential impact on the amenity of other properties in this vicinity and any ecological impacts.

5.1.2 Given that this proposal is for an extension of an existing business as well as having regard to its strategic location it is relevant to have regard to Policy DMB1 which makes reference to encouraging appropriate business growth. I am of the opinion that on the basis that this is an extension of an existing site, adjacent to the existing settlement of Brockhall Village, and within 2 miles of nearby settlements Langho, Billington that the principle is acceptable.

5.2 Visual Impact

5.2.1 Although the site can be seen from the adjacent highway, I am satisfied that the existing and proposed landscape reduce any visual impact to an acceptable level. The scheme provides for retention of existing tree cover, planting of trees on the proposed site and existing park which includes a range of oak, ash and birch trees.

5.3 Highway Safety

5.3.1 No objection has been received from a highway aspect and given the limited amount of additional vehicular traffic, I do not consider this would have an adverse impact on highway safety.

5.4 Residential Amenity

5.4.1 The nearest property affected by the proposed development, other than the Black Bull Inn, is The Old Barn, which sits opposite the proposed entrance to the site. I am satisfied that there is no further adverse impact on residential amenity as a result of the proposal.

5.5 Ecological Impacts

5.5.1 The original approval fully assessed the ecological impact. A further report submitted with this application concludes that there is no significant impact on local habitat. Furthermore I consider that the retention of existing trees and hedgerow minimises any impact and helps safeguard the local habitat.

6. **Observations/Consideration of Matters Raised/Conclusion**

- 6.1 The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

RECOMMENDATION: That the application be APPROVED subject to the following conditions:

Commencement of Development

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

Drawings and Plans

2. The permission shall relate to the development as shown on Plan Reference No's SIMPS/01B Dwg 2B received on 17 October 2016.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

Landscape and Ecology

3. The development hereby permitted shall not be commenced until further details of the proposed landscaping scheme, including wherever possible the retention of existing trees, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform, the types and details of all fencing and protection and details on their maintenance.

The approved landscaping scheme shall be implemented in the first planting season prior to commencement of the development unless otherwise agreed by the Local Planning Authority, whether in whole or part and shall be maintained thereafter in perpetuity to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

4. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the recommendations of the habitat survey and report submitted with the application dated October 2015.

REASON: To comply with Policy DMG1 of the Ribble Valley Core Strategy ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

5. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, all trees identified in the tree survey dated October 2015 shall be protected in accordance with the BS5837 [Trees in Relation to Construction]. The root protection zone shall be 12 x the DBH (unless otherwise agreed in writing with the LPA), and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value is afforded maximum physical protection from the adverse effects of development and to comply with Policy DME1 of the Ribble Valley Core Strategy.

Highway

6. The proposed footway path and informal recreational area shown on drawing SIMPS/01/2B shall be completed to the satisfaction of the Local Planning Authority before any of the lodges, the subject of this application, are occupied.

REASON: To comply with Policy DMG1 of the Ribble Valley Core Strategy and in the interests of highway safety.

Amenity

7. The mobile homes/lodges hereby permitted,
- a. shall be occupied for holiday purposes only,
 - b. shall not be occupied as a person's sole, or main place or residence, and
 - c. the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

REASON: To comply with the terms of the application, to ensure that the units are used as holiday accommodation only, and not used for unauthorised permanent residential occupation. To comply with Policy DMG2 of the Ribble Valley Core Strategy.

8. Prior to occupation of any of the lodges the subject of this application, warden's accommodation and reception shall be submitted to and agreed by the Local Planning Authority and fully implemented.

REASON: To comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

Visual

9. Before the development hereby permitted is commenced, details of any external lighting, including details of the location and height of columns and the intensity of lighting, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and operated in accordance with the approved details.

REASON: In the interests of preserving the visual amenities of the locality and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0880

APPENDIX 4

Delegated Item File Report for Application 3/2016/0807

Report to be read in conjunction with the Decision Notice.

Application Ref: 3/2016/0740-0807

Date Inspected: 16/08/2016

Officer: AB



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

DELEGATED ITEM FILE REPORT:

APPROVAL

**Development
Description:**

Retrospective application for a caravan site including the retention of eight unauthorised hard standings and creation of 5 additional hard standings for caravans. Replacement of existing temporary facilities building with wooden toilet, shower facility and wash/dry room. Supplementary planting scheme with native species trees and shrubs.

Site Address/Location:

Calder Farm Settle Road Bolton by Bowland BB7 4NT

CONSULTATIONS:

Parish/Town Council

Provided that conditions confirm that the site is for touring caravans only, Bolton by Bowland, Gisburn Forest & Sawley Parish Council has no material objections to this application.

CONSULTATIONS:

Highways/Water Authority/Other Bodies

LCC Highways:

No objection.

AONB Officer:

The caravan site (including unauthorised development and proposed additional hardstanding areas) is within the Landscape Character Type F2 – Bolton-by-Bowland to Waddington, Undulating Lowland Farmland with Wooded Brooks. The Forest of Bowland AONB Landscape Character Assessment considers this landscape character type to have moderate landscape character sensitivity.

The existing site and proposed extension appear to be screened for most visual amenities by existing vegetation (hedgerows and trees) and will be further screened by the proposed supplementary hedgerow planting. Given the above, the AONB Partnership considers the caravan site, including retention of the unauthorised development and additional hardstanding, to be acceptable and does not compromise the key characteristics of the local landscape character and the AONB designation.

LLFA:

No objection.

CONSULTATIONS:

Additional Representations.

No representations.

RELEVANT PLANNING HISTORY:

3/2016/0578 - Retention of three unauthorised hard standings and creation of five additional hard standings for caravans. Replacement of existing temporary facilities unit, wash facility and porta-loo with wooden facilities building and wash/dry room. Supplementary planting with native species shrubs/trees. Withdrawn

3/2013/0071 - New access off Settle Road into a parcel of agricultural land and the creation of a stone track to allow access for agricultural operations. Approved

RELEVANT POLICIES:

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement EN2 – Landscape
Key Statement EC1 – Business and Employment Development
Key Statement EC3 – Visitor Economy
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMB3 – Recreation and Tourism Development

National Planning Policy Framework

ASSESSMENT OF PROPOSED DEVELOPMENT:

Proposed Development for which consent is sought:

The application seeks consent for change of use of agricultural land to a caravan site comprising a total of 13 hard standings (including the retention of 8 unauthorised hard standings) and facilities building at Calder Farm, Settle Road, Bolton by Bowland. The application site is located west of Settle Road and has a southwest sloping aspect. The site is bounded on three sides by hedgerow with occasional mature trees. The majority of the internal site is grassland and a stone track has been formed around the site. At its closest point, the site is located approximately 60m from the associated farm complex and lies within the designated Forest of Bowland AONB within 500m of the settlements of Bolton-by-Bowland and Holden.

The proposed caravan site would be used by a maximum of 13 touring caravans only. Calder Farm is owned and managed by the applicant and the enterprise consists of suckler beef cattle, sheep and poultry. The business also includes diversified activities including equine livery. The existing site comprising 8 hardstandings and temporary facilities building and is certified by The Camping and Caravanning Club and supplements the farm enterprise. As well as regularising the existing site and proposing five additional hardstandings, the application includes the erection of a facilities building with toilet, shower facility and wash/dry room to replace the existing temporary facility in the northeast corner of the site. The building would measure 3.4m x 7m and would have a shallow pitched fibre cement roof up to a height of 2.7m. The walls would be constructed from vertical larch cladding over blockwork and the building would have a water connection with foul sewage disposed to a septic tank in the south east corner of the site. Electric hook ups would be provided for all caravan pitches and 10 tent pitches are provided in the central grass area.

Observations/Consideration of Matters Raised/Conclusion:

The matters to be considered in the determination of this application relate to the principle of the development in policy terms, the visual impact of the proposed development upon the Open Countryside and the effects of the proposal upon the amenities of nearby residents, ecology and trees and highway safety.

Principle of Development

Core Strategy Key Statement EC3 relates specifically to the visitor economy stating that proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged and that significant new attractions will be supported in circumstances where they will deliver overall improvements to the environment and benefits to local communities and employment opportunities. The proposed development would contribute to the tourism economy and is in accordance with Key Statement EC3.

The application site is located in the open countryside and within the Forest of Bowland.

Core Strategy Policy DMG2 requires development outside of defined settlement areas to meet at least one of six considerations one of which are the following:

4. The development is for small scale tourism or recreational developments appropriate to a rural area.

In my opinion the proposal is for a small scale tourism development of a type that is appropriate to a rural area. Policy DMB3 relates specifically to recreation and tourism development. Tourism and visitor attractions are generally supported 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.*

In the Forest of Bowland Area of Outstanding Natural Beauty the following criteria will also apply:

1. *The proposal should display a high standard of design appropriate to the area.*
2. *The site should not introduce built development into an area largely devoid of structures (other than those directly related to agriculture or forestry uses).*

These are therefore the detailed considerations that are relevant to this application and that will be discussed under appropriate headings below. In principle, however, the proposal is considered to be acceptable.

Effects Upon the Landscape/Visual Amenity

The Policy DMG2 states that 'within the open countryside development will be required to be in-keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, the landscaping and siting' and that 'in protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well-being of the area'. Policy DMG2 is clear that in considering development proposals the most important consideration will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Key Statement EN2 states "*The landscape and character of the Forrest 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...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*" and the NPPF (paragraph 115) attaches 'great weight' to conserving the landscape and scenic beauty AONB which is afforded the highest status of protection.

In this case, I consider it relevant to note the fallback position. The General Permitted Development (Order) and the Caravan Act 1960 together allow the use of land as a caravan

site for up to five touring caravans at once by members of the Caravan Club, the Camping and Caravanning Club and other recognised recreational organisations, provided the site has an exemption certificate from Defra. The site is Certified by the Camping and Caravanning Club and therefore benefits from the aforementioned permitted development rights which would allow the use of the land for up to five touring caravans; this is a material consideration in the determination of the application.

The site is located to the west of the existing farm complex which comprises the farmhouse and attached barn, agricultural buildings and stables with ménage. The application site boundary is located approximately 60m from the nearest farm building and I consider it to be relatively well-related to the existing group of buildings in compliance with criterion 2 of Policy DMB3. Moreover, the site is within 500m of the settlements of Bolton-by-Bowland and Holden and 300m from the Copynook public house and therefore I do not consider the area to be devoid of non-agricultural structures.

In relation to its impact on the landscape, the site follows the natural field boundaries with interspersed boundary hedges, shrubs and trees on the north, south and western sides. The site is not visible from Settle Road to the east of the site due to a roadside hedge and the highway being of a lower height than surrounding land. The clearest view of the site is seen from Settle Road where it crosses Bier Beck. From this point the site is around 300m away and is partially screened by existing trees. No clear views are provided from any other points on the surrounding highway network. There are public footpaths 200 metres to the west and 100 metres north of the site.

The site is identified as landscape character type F: 'Undulating lowland farmland with wooded brooks' in the Forest of Bowland AONB Landscape Character Assessment. This landscape is characterised by a patchwork of pasture fields which are deeply incised by wooded troughs and gorges, networks of hedgerows and stone walls that delineate field boundaries, and scattered cottages/farmsteads and clustered villages. This landscape type is considered to have moderate landscape character sensitivity and visual sensitivity is considered to be moderate. The assessment acknowledges that there is likely to be increased pressure from residential and tourist related developments, which could potentially affect the character and quality of the landscape.

The development site would be screened by existing vegetation on three sides and supplementary planting is proposed. The scheme as submitted is of a low density and, should consent be granted, I consider it reasonable to restrict the site to seasonal use. Whilst it is noted that it is in the summer months that the vast majority of visitors come to enjoy the landscape, during this time the site would be afforded appropriate visual screening by vegetation and the AONB Partnership considers the proposals to have an acceptable visual impact. The additional planting proposed in the Supplementary Hedgerow Planting and Proposed Planting Scheme would serve to reduce the visibility of the site and would comply with the recommendations of the Landscape Character Assessment for this landscape character type. Subject to the retention and protection of existing hedges and trees and the proposed additional hedge planting, I consider the proposal to be acceptable in relation to the consideration of landscape and visual amenity subject to conditions restricting the site to seasonal use for up to a maximum of 13 touring caravans. Following discussions with the agent, it is considered acceptable to allow a maximum of five caravans onto the site during the period 31st October to 1st March; this would result in no greater visual impact than what could be achieved without the Council's consent.

Highways Safety

Policy DMG3 and criterion 4 of Policy DMB3 relate to the matter of transport and mobility and states that, in the determination of applications, considerable weight will be given to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from developments. The nearest bus stop to the application site is located in Bolton-by-Bowland around 1.4km away and the surrounding road network does not have footways. The site is however served by classified roads and the primary strategic route, the

A59, is approximately 3 miles away at its closest point. Moreover, by the very nature of rural tourism often creates a need to travel.

Effects Upon Wildlife/Ecology

An ecological assessment of the site has been provided and considers the impact of the proposals. The site is bounded on three sides by hedgerow with occasional mature trees. The majority of the internal site is grassland which is regularly mown for camping and caravanning activities and there is an open drainage ditch along the southern boundary. The structure of the trees and shrubs provide valuable habitat and allow nesting opportunities for birds.

The construction of 5no. additional hard standings would involve the removal of topsoil to a depth of around 200mm and topping with 25mm hard core material. The loss of improved grassland would have no ecological impact and the creation of additional pitches would not extend with 2m of the existing ditch which forms a natural safeguard for tree roots. In order to ensure the development does not cause any damage to trees and shrubs it is recommended that a Tree Protection Scheme is implemented and all works carried out in accordance with BS5837 including a construction protection zone around all trees.

The proposals also indicate supplementary planting of hedgerow filling in all gaps along existing boundaries and a hedgerow creation scheme involving the planting of 366m of hedgerow alongside existing wire fences including along both side of the access track. It is envisaged that the planting of new hedgerow will improve the value of the area for wildlife and improve connectivity in accordance with Core Strategy Policy DME3.

Residential Amenity

In terms of its impact on the amenity of neighbours, the nearest residential property is located approximately 120m from the site boundary. It is considered that the intervening distance would be sufficient to avoid any loss of privacy to the occupants of Fair View. With regards to noise nuisance and disturbance, the Council's Environmental Health Officer raised no concerns. However, it is important that the site is managed in order to limit noise levels during certain hours. The location of the site within the open countryside and away from any major transport routes where existing ambient noise levels can be very low means therefore that such activities can greatly impact on surrounding amenity. Should consent be granted, the Council would require the submission of a satisfactory Site Management Plan so as to be satisfied that the site would be managed accordingly.

Planning Balance

Key Statement DS2 requires the Council to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). There are three dimensions to sustainable development: economic, social and environmental. It is noted that the application site is within a reasonable distance of Tier 2 Settlements Bolton-by-Bowland and Holden and their limited range of services whilst the nearest Tier 1 Settlement is Gisburn approximately 4 miles away. In terms of its economic benefit to the rural area, the proposals are likely to generate some additional business for the nearest public houses, restaurants and shops as visitors would spend some time in the local area and this is evidenced by the online reviews of the existing site. In terms of its impact on the social dimension of sustainability, the proposals would expand the range of visitor accommodation in the Borough, supporting the intentions of Core Strategy Key Statement EC1 and EC3. However, the site would not be accessible to all due to its location which relates poorly to existing transport links.

Thus, the aforementioned economic and public benefits that would arise from the proposed development must be weighed against the environmental impacts of the proposals. As discussed above, the use of the site for five touring caravans would not require consent and it must be identified what additional harm would arise from the provision of an additional eight caravans with hard standings and associated facilities building. The site is well-screened by existing and proposed vegetation and the Local Planning Authority could

manage the use of the site through appropriate planning conditions in order to minimise the visual impact of the proposals to an acceptable level. Subject to appropriate conditions, the proposed development would not result in unacceptable harm to the character and scenic beauty of the Forest of Bowland AONB and it is considered that the economic and public benefits outweigh any environmental impacts of the proposal.

Accordingly, it is recommended that the application be approved subject to conditions restricting the site to seasonal use.

RECOMMENDATION: That planning consent be granted