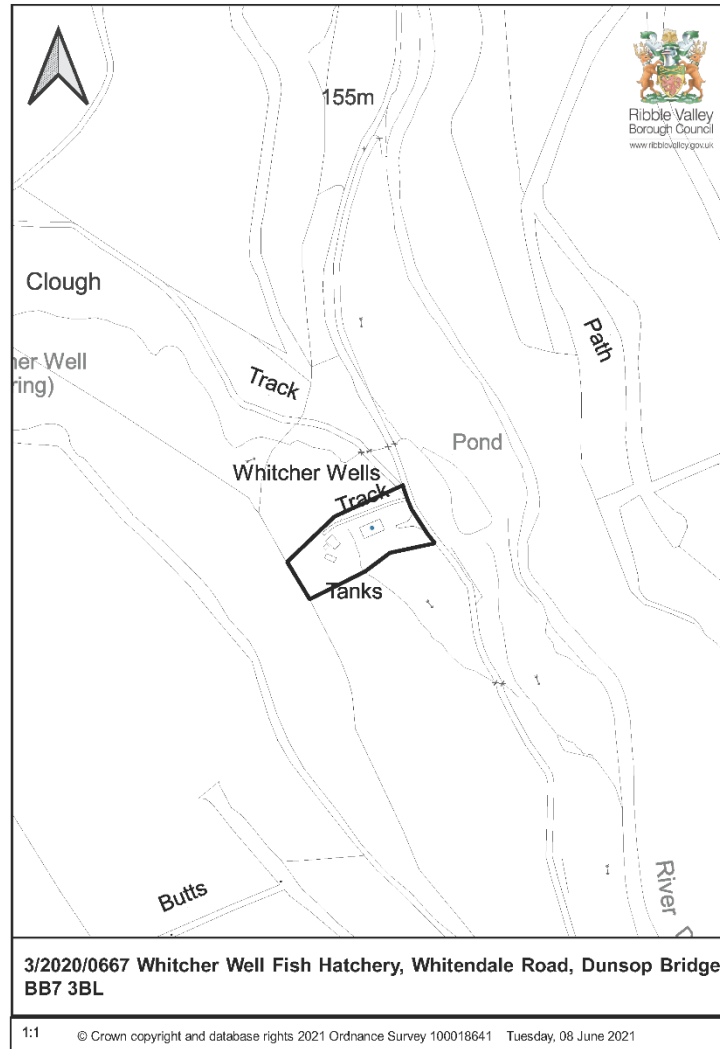


APPLICATION REF:
3/2020/0667

GRID REF: SD 365891 450056

DEVELOPMENT DESCRIPTION:

CHANGE OF USE AND CONVERSION OF FORMER FISH HATCHERY TO THREE HOLIDAY LET UNITS AND CREATION OF ASSOCIATED CAR PARK FOR SIX VEHICLES AT WHITCHER WELL FISH HATCHERY WHITENDALE ROAD DUNSOP BRIDGE BB7 3BL



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

NATURAL ENGLAND:

DESIGNATED SITES - NO OBJECTION, SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Bowland Fells Special Protection Area (SPA) <https://designatedsites.naturalengland.org.uk/>
- damage or destroy the interest features for which Bowland Fells Site of Special Scientific Interest (SSSI) has been notified.

In order to mitigate these adverse effects and make the development acceptable, the mitigation measures need to be secured as set out in the Shadow Appropriate Assessment.

PROTECTED LANDSCAPES – NO FURTHER COMMENTS

We have reviewed the amended Summary Landscape and Visual Impact Assessment (LVIA) (Rural Solutions, May 2019, Rev A), the Landscape Masterplan and Elevations and Typical Section as Proposed (5891 c/b/02 Rev B). We are satisfied that the proposed amendments to the elevations of the building, screening and lighting arrangements overcome our previous concerns we are confident that you now have the information you need to reach a fully informed decision.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

Whilst the Local Highway Authority would raise no objection to the principle of the development proposal, the applicant would be expected to maintain Whitendale Road to a reasonable standard, provide sufficient vehicular passing places and keep 3-8-BW-8 clear and free from obstruction at all times during the construction works and in perpetuity of the development thereafter, to allow safe accessibility between the interface of vehicles and pedestrians/horse riders. Should the applicant provide confirmation of this, then the Local Highway Authority would raise no objection to the proposal on highway grounds.

ENVIRONMENT AGENCY:

We have no objection to the development as proposed. We note that there are no utilities in the area for foul drainage and that the applicant is proposing to install a package treatment plant to deal with foul water discharges. We would therefore take this opportunity to remind the applicant of the rules governing the installation and operation of non-mains drainage.

AONB PARTNERSHIP:

Satisfied that the proposed development for re-use of the former hatchery buildings could be acceptable in this location within the AONB.

ADDITIONAL REPRESENTATIONS:

A total of 35 objections have been received and raise the following concerns:

- To ensure that access along the track is maintained.
- The proposed development is within 20 metres of a watercourse and an FRA has not been submitted.
- Installation of access tracks and parking will impact upon flooding.
- Site includes wild orchids.
- Consent for package treatment plant should be sought prior to permission being granted.
- Impact on ecology if recommendations not followed.
- Impact on bats.
- Impact on AONB dark skies.
- No consideration to hedgehogs/brown hares.

- Visual impact of the car park.
- 6 parking spaces insufficient.
- No transport links within 15 miles.
- The area is open access land.
- Site in unsustainable location.
- Significant increase in traffic along access road used by walkers and cyclists.
- Increase risk of moorland fires.
- Buildings at the site are vacant and when they were in use it was periodically – development would create constant human presence.
- Concerned about security at the site.
- Development would have a negative impact on appearance of the valley.
- No need/demand as numerous places to stay locally.
- Site is surrounded by SSSI moorland.
- Restrictions should be put in place on access.
- Approval would set a precedent for conversion of other structures.
- Planning cannot control amount of garden furniture, barbeques, etc.

1. Site Description and Surrounding Area

- 1.1 Consent is sought for a tourism-based development comprising the change of use and conversion of a former fish hatchery building to three holiday let units and creation of associated car park for six vehicles at Witcher Well Fish Hatchery, Whitendale Road, Dunsop Bridge.
- 1.2 The application site is a former fish hatchery located approximately 2.7km north of the village of Dunsop Bridge in the v-shaped Dunsop valley. The fish hatchery site was created by the Environment Agency (EA) for the breeding of salmon and sea trout and the site is believed to have been in operation from the 1920s/30s. The site was closed by EA in the late 1990s when there was no longer a need for the facility. The site was marketed for sale in 2016 including the hatchery building, outbuildings and a small land holding.
- 1.3 The site is located with the Forest of Bowland AONB and adjacent to the River Dunsop. The site is accessed from Whitendale Road, a private road off the main road through Dunsop Bridge which is also a public bridleway (no.8) which passes the sites eastern boundary. A conifer plantation on an east facing slope is to the west of the site. The site is adjacent to flood zones 2 and 3 and is also located within a biological heritage site and also in close proximity to the Bowland Fells Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI).

2. Proposed Development for which consent is sought

- 2.1 The application proposes to convert the existing fish hatchery building into three units of holiday accommodation each providing two-bedrooms with living space and bathroom. Externally the proposals include the insertion of new door and window openings and roof lights.
- 2.2 A modest stone lean-to extension is proposed on the west elevation to provide a plant room. Internally the conversion would require the insertion of a new suspended timber floor and partition walls. A number of disused buildings would be removed and an existing corrugated roof is to be removed from one of the westerly outbuildings and replaced with a seeded grass roof.

- 2.3 A gravel parking area would be created to the north of the building. The existing access point to the site will be utilised, with the existing permeable agricultural track re-routed to the north of the holiday units. The track will comprise of gravel with a central grass margin. Additional tree planting is proposed along the access track and at easterly and west points to the car park.

3. **Relevant Planning History**

3/1990/0526 – Hatchery extension building. Approved.

3/2019/0775 - Change of use of agricultural field to form camp site with the siting of four glamping huts, redevelopment of outbuildings to manager's accommodation, replacement of septic tank and marking out of associated parking for five cars. Withdrawn.

4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EC1 – Business and Employment Development
Key Statement EC3 – Visitor Economy
Key Statement DMI2 – Transport Considerations
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 DME6 – Water Management
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMB3 – Recreation and Tourism Development
Policy DMB5 – Footpaths and Bridleways
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 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 the intentions of Key Statement EC3.

5.1.2 The application site is located in the Forest of Bowland AONB where Core Strategy Policy DMG2 requires development outside of defined settlement areas to meet at least one of six considerations, one of which is the following:

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

5.1.3 The development comprising three two-bed holiday units is considered to be small-scale and of a type that is appropriate to a rural area.

5.1.4 Policy DMG2 goes on to state that 'in protecting the AONB the Council will have regard to the economic and social-wellbeing of the area. However, the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area, avoiding where possible habitat fragmentation'. It continues, confirming that 'where possible new development should be accommodated through the re-use of existing buildings...'

5.1.5 Policy DMB3 relates specifically to recreation and tourism development. Tourism and visitor attractions are generally supported subject to a number of considerations. The visual and landscape, ecology and highways impacts of the proposals will be considered in detail later in this report. In terms of its location, the site is remote and is not physically well-related to an existing settlement or village. In the Forest of Bowland Area of Outstanding Natural Beauty the following criteria 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).

5.1.6 The buildings associated with the former fish hatchery are located approximately 660 metres from the nearest structure of substantial built form, Bishops Cottage and Bishops Farm to the south. In addition, whilst the former use of the existing buildings falls outside the scope of 'agriculture or forestry uses' they were used for a purpose that related directly to the management of the land and the adjacent watercourse.

5.1.7 One of the requirements of Policy DMB3 is that the proposal must be 'physically well-related 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 development is not required in conjunction with a particular countryside attraction and therefore should be well-related to an existing group of buildings. There is no definition of what constitutes a 'group' as specified in the wording of the policy. The requirement for buildings to be part of an already defined group is to ensure that the local landscape is not damaged through a degree of urbanisation imposed on an otherwise rural setting.

5.1.8 There are multiple smaller ancillary buildings surrounding the main fisheries building that is proposed for conversion and therefore together they may be considered as a 'group' in the general sense of the word. However, for the purposes of Policy DMH3 a more substantial group of buildings would be envisaged such that any urbanising features including garden areas and car parking facilities could be suitably screened and contained.

5.1.9 As such, there may be a degree of conflict with Policy DMB3 (criteria 2), insofar that it could be argued that the buildings at the application site do not form an existing 'group'. Despite this, the proposal seeks to re-use an existing purpose-

built structure that has been rendered redundant and that could, if left unused, fall into a state of disrepair. Whilst generally this would not attract sufficient weight in the decision-making process to overcome the identified policy conflict, in this case the building is non-traditional and utilitarian in appearance such that, if allowed to degrade, it would be considered visually detrimental to its surroundings, unlike for example traditional stone barns that can contribute to visual and landscape character even in a state of dereliction. Furthermore, the proposals would not introduce new-build development and the site is located directly adjacent to a well-used public right of way such that it would be ideally placed for use by cyclists and walkers.

5.2 Impact upon Residential Amenity:

5.2.1 There are no residential properties in the immediate locality and therefore the development would not impact negatively on residential amenity.

5.3 Effects Upon the Landscape/Visual Amenity:

5.3.1 The site is located in the Forest of Bowland AONB. Core Strategy Key Statement EN2 seeks to protect, conserve and enhance the landscape and character of the Forest of Bowland and states that any development must contribute to the conservation of the natural beauty of the area.

5.3.2 The NPPF requires decisions to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Paragraph 172 of the Framework attaches great weight to the conservation and enhancement of the landscape and scenic beauty of Areas of Outstanding Natural Beauty, which have the highest status of landscape protection and that the conservation and enhancement of wildlife and cultural heritage in these areas are also important considerations.

5.3.3 Core Strategy policies DMG2 and DMB3 also include specific reference to the visual appearance and design of development proposals and their impact on the AONB. Policy DMG2 states that, 'Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, use of materials, landscaping and siting.'

5.3.4 The site for the proposed development is located within the AONB Landscape Character type, Unenclosed Moorland Hills B7 Langden described within the Forest of Bowland AONB Landscape Character Assessment as follows.

'This Landscape Character Type is considered to have very high visual sensitivity overall, as a result of the strong sense of openness and generally uninterrupted skylines, coupled with strong inter-visibility with adjacent Landscape Character Types. Areas that appear to be hidden within one viewpoint are likely to be highly visible and exposed from another. This Landscape Character Type also forms a striking backdrop to views from adjacent landscapes. This Type also has high ecological sensitivity and supports a diverse range of rare habitats and species (recognised by designation of much of the area as SAC and SSSI) and an intact and recognisable landscape pattern. In addition, there is a strong sense of remoteness and tranquillity throughout (only partially disturbed at times of shooting). Landscape Character sensitivity is considered to be high. As a result, overall capacity to accommodate change, without compromising the

key characteristics of this Landscape Character Type is considered to be very limited.'

- 5.3.5 The proposal would utilise an existing building, with the exception of a small extension and new parking area. The main fisheries building does not contribute to the character of the area – it is a building of modern construction finished externally with coursed stone and is simple and functional in appearance with a shutter door opening on the east elevation and a single small window on the west (rear). The proposals would introduce window and door openings and rooflights however the building's appearance as a simple, functional building would be retained and domestic, urbanising additions have been minimised.
- 5.3.6 The applicant has provided a Landscape and Visual Impact Assessment (LVIA). In respect of landscape effects, the proposed development is considered to have no significant effect at year 10 and beyond taking into account the existing situation. In terms of visual effects, viewpoints close to the site would result in moderate harm. The majority of available views of the site are limited to along the River Dunsop river corridor. The LVIA concludes that overall there are no overriding landscape or visual reasons to suggest that the proposals would cause important levels of harm to either the landscape and visual integrity of the national or local landscape character areas or AONB and that any changes in visual amenity / views would relate entirely to effects arising from temporary visibility of construction activity and parked cars along with permanent views of the new parking facilities associated with the proposed development.
- 5.3.7 A scheme of mitigation and enhancement measures are recommended including native planting to help screen the building and parking areas, providing a wider variety of habitats to enhance ecological value and use of gritstone for surfacing. Further benefits are cited including the removal of existing buildings and economic benefits arising from the proposals. The applicant has responded to points of concerns raised by the AONB Partnership during the course of the application process and amended the proposals accordingly. The AONB Officer is satisfied that the scheme for re-use of the former hatchery buildings could be acceptable in this location within the AONB.
- 5.3.8 In order to ensure that the effects of the proposed development are minimised there would be a requirement to control external lighting and use of the surrounding land within the site by guests by planning condition.
- 5.3.9 The central Bowland Fells (including the Dunsop valley) has some of the darkest skies in England and introduction of potentially obtrusive exterior lighting into this location will have an adverse effect on this element of the overall landscape tranquillity.
- 5.4 Ecology/Trees:
- 5.4.1 The application site is located within an environmentally sensitive landscape designated both locally and nationally for its biodiversity. The Bowland Fells SSSI and SPA is located around 350 metres from the site at its closest point and occupies an area of around 16,000 hectares with habitats comprised mainly of blanket bog and heather moorland and provides suitable habitat for a diverse upland breeding bird community.

- 5.4.2 A Preliminary Ecological Appraisal of the application site and surrounding areas was carried out on 24th May 2019. Further to this, updated site visits have been carried out on 10th July 2019 and 3rd September 2020. The site is considered to be of low ecological value overall. Three of the buildings on site were considered to have either low or negligible bat roost potential, with survey work indicating that bats are likely absent, but with a single soprano pipistrelle bat found to be roosting within the salmon hatchery building. It is understood that this roost will be retained as part of the proposed works.
- 5.4.3 The semi-improved grassland offers some suitability for ground-nesting birds and foraging bats. The site is also located within priority habitats and forms part of a Biological Heritage Site. Following the site assessment and in review of the findings, a series of ecological mitigation and enhancement measures to be incorporated into the works have been outlined. These include:
- carrying out conversion of the hatchery building under a European Protected Species mitigation licence in relation to bats, to be obtained from Natural England, with appropriate mitigation measures being incorporated into the works;
 - carrying out site clearance works following Reasonable Avoidance Measures in relation to reptiles and common amphibians;
 - commencing works outside of bird nesting season, or carrying out a pre-start nesting bird survey if this is not feasible;
 - adequate protection of surrounding vegetation to be retained; implementation of a sensitive lighting scheme;
 - avoiding leaving trenches open overnight; provision of a suitable information leaflet in relation to the nearby Bowland Fells Special Protection Area;
 - provision of enhanced bat roosting and bird nesting habitat;
 - and appropriate soft landscaping.
- 5.4.4 The need to consider and address potential impacts on sites of European-level importance, a.k.a. an 'Appropriate Assessment', is set out in Article 6(3) of the Habitats Directive and interpreted into British law by Regulation 63 of the Habitats Regulations.
- 5.4.5 An Appropriate Assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European protected site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.
- 5.4.6 The Habitats Regulations apply a precautionary approach to relevant designated areas held under the collective term of European or UK National Site Network sites, which includes SPAs, to ensure that a proposed project will have no adverse effect on the integrity of the site.
- 5.4.7 A Habitat Regulations Assessment (HRA) Report has been provided. The first stage of an HRA is a screening assessment, which identifies the likely impacts upon one or more UK National Network Sites, either alone or in combination with other projects, and considers whether these impacts are likely to have significant effects on the designated sites or the features for which they are designated.
- 5.4.8 The application site is located 360m from the Bowland Fells SPA. Due to the small-scale nature of the proposals, with the works being restricted to the footprint of the

site and largely internal to one of the existing buildings, and the distance of the site from the SPA, which is separated by an area of coniferous plantation woodland, there will be no direct impact on the designated area as a result of the works and, as such, no adverse effects. This is also considered to be applicable to the SSSI.

- 5.4.9 The areas that are to be affected by the proposed works are so limited in extent that any impacts to potential foraging habitat or the prey items within them are expected to be negligible. On this basis, it is considered that there will be no adverse effects to the integrity of the designated areas resulting from indirect loss of habitat. Potential disturbance or harm to qualifying species outside of the designated area as a result of on-site activities are expected to be negligible.
- 5.4.10 One potential factor which could have a negative impact to the SPA and designated features is the increased footfall in the area as a result of the additional holiday let accommodation that the proposals will provide. Each of the three holiday lets would contain two bedrooms with either a double or twin beds, resulting in a total maximum capacity of 12 guests. It is generally accepted that guests would often partake in hiking/walking activities in the local area, and potentially enter the SPA/SSSI whilst doing so.
- 5.4.11 The proposals are expected to result in only a small increase in walkers present in the area, with a maximum of 12 guests present at any one time, and a well-established Public Right of Way (PRoW) is already present close to the site, providing a defined route for walkers, which should aid in minimising any encroachment into any habitats that don't form part of the walking route and, in turn, limit disturbance to SPA habitat. Notwithstanding this, complete avoidance of SPA habitats cannot be guaranteed, and it is understood that human disturbance is a factor in the decline of hen harrier and merlin; therefore, appropriate further mitigation will be incorporated into the operational phase of the development to ensure that potential impacts are avoided. The following mitigation measures are considered to be required to ensure no adverse effects to the Bowland Fells SPA/SSSI.
- An information pack will be provided to all guests to explain the nature of the SPA, the reasons for its designation and species for which it is designated. A location map will be provided within the pack, highlighting the proximity from the site along with information on breeding habitat of hen harrier, merlin and lesser black-backed gull and how to avoid disturbance. Good practice guidelines will be set out for guests to follow during any visits to the SPA such as sticking to designated and well-worn footpaths and PRoW, keeping dogs on leashes, and avoiding habitats that offer nesting suitability to the designated species. Provision of this information could be secured via a planning condition.
 - As many guests may be keen birdwatchers, a guest book could be kept within each holiday let to allow recordings of sightings and could potentially be used to provide data for species within the area, to be provided to the local environmental records centre to aid conservation efforts and management of the SPA/SSSI.
- 5.4.12 Taking into account the above, Natural England have raised no objection subject to the mitigation measures being secured.

5.5 Highway Safety:

5.5.1 The proposed development is for the creation of a small-scale tourism use which is unlikely to generate significant vehicle movements. The location of the proposed holiday lets are to be sited over 2000 metres from the access point off Newton Road via Whitendale Road, a private road namely X1713 which is also a public right of way. The County Highways Officer is satisfied that sufficient passing places exist to ensure the safe use of the road.

5.5.2 The Highways Authority does not raise an objection regarding the proposed development and is of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The proposed parking area would provide sufficient space for guests to park within the site.

5.6 Flood Risk and Drainage:

5.6.1 The application site is located in close proximity to the River Dunsop. The site is however located entirely within Flood Zone 1 and therefore has a low risk of fluvial flooding. The primary flood risk at the proposed development is from surface water flow routes that pass through the site. The Environment Agency has been consulted and have raised no objection to the proposals.

6. Conclusion

6.1 Whilst there is some conflict identified with Core Strategy Policy DMB3 (criteria 2) it is considered that, taking into account the unique characteristics of the application building and site, such conflict is outweighed by other material considerations. The development would re-use an existing building and would not result in any undue harm to the visual amenity and landscape character of the Forest of Bowland AONB subject to the imposition of appropriate planning conditions.

6.2 Statutory consultees have raised no objections to this application and it is therefore recommended that the planning permission be granted subject to conditions.

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

CONDITIONS

Time limit, plans and details

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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan 1:5000
5891b/b/01 Site Location Plan 1:1250

Site Plan As Existing (received 28.01.2021)
5891 b/b/01 Floor Plans and Elevations as Existing
Existing Ground Floor Plan (Buildings A & B) (received 28.01.2021)
Existing First Floor Plan (Buildings A & B) (received 28.01.2021)
Existing Roof Plan (Buildings A & B) (received 28.01.2021)
Existing North Elevation (Buildings A & B) (received 28.01.2021)
Existing East Elevation (Buildings A & B) (received 28.01.2021)
Existing South Elevation (Buildings A & B) (received 28.01.2021)
Existing West Elevation (Buildings A & B) (received 28.01.2021)
Existing Long Section (received 28.01.2021)
5891 c/b/01 rev.B Site Plan and Floor Plans as Proposed (received 28.01.2021)
5891 c/b/02 rev.B Elevations and Typical Section as Proposed (received 28.01.2021)
Landscape Masterplan (received 28.01.2021)

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. All the external works of the development hereby permitted shall be completed before the expiration of three years from the date of this permission.

REASON: In order that the Local Planning Authority retains effective control over the development and to ensure that there is no significant deterioration in the condition of the building.

4. The existing buildings identified for demolition shall be demolished and all resultant materials removed from the site before development pursuant to this permission is commenced.

REASON: To safeguard the amenity of the locality.

5. This permission shall relate to the proposed conversion in accordance with the Design and Access Statement and Condition Report by Mason Gillibrand Architects submitted as part of the application. Any deviation from the survey may need to be the subject of a further planning application.

REASON: Since the application is for the conversion of the building only.

6. Notwithstanding the submitted details, precise specifications or samples of walling, door/window surrounds, rainwater goods, roofing/ridge materials including surfacing materials, their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The development shall be completed in accordance with the approved details.

REASON: To ensure that the materials to be used are appropriate to the locality.

7. The proposed roof lights shall be of Conservation Type, recessed with a flush fitting, and shall be retained as such in perpetuity.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

8. Full details of the alignment, height and appearance of any fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall

have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The development shall be carried out in accordance with the approved details and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no other fences, gates or walls shall be erected within the site (other than those expressly authorised by this permission).

REASON: To ensure a satisfactory appearance within the Forest of Bowland Area of Outstanding Natural Beauty.

9. Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the approved development shall only be used as holiday accommodation and for no other purpose, including any other purpose within Use Class C3.

REASON: For the avoidance of doubt, and to avoid an over-intensive use and to ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved.

10. The proposed holiday units shall be restricted to short-term holiday purposes only. No unit on the site shall be occupied at any time as permanent residential accommodation or as a person's main place of residence.

The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the cottage, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

11. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the holiday accommodation hereby permitted shall not be altered or extended, no new windows shall be inserted (including rooflights) and no additional buildings or structures shall be erected within its external area unless planning permission has first been granted by the Local Planning Authority.

REASON: In the interests of the amenity of the area

12. The external lighting shall be installed precisely in accordance with the details and specifications as shown on the approved plans and thereby retained as such. All external lighting units shall be fitted with a timing mechanism to ensure that there is no illumination between the hours of 23.00 and 07.00. No additional external lighting shall be installed without the express written permission of the Local Planning Authority.

REASON: To ensure a satisfactory appearance within the Forest of Bowland Area of Outstanding Natural Beauty and to minimise/mitigate the potential impacts upon protected species resultant from the development.

13. Prior to the commencement of development plans and particulars showing the provision to be made for the storage and disposal of refuse and recycling receptacles, shall be submitted to, and approved in writing by, the Local Planning Authority. Such provision as is agreed shall be implemented concurrently with the development and thereafter retained. No part of the development shall be occupied until the agreed provision is completed and made available for use.

REASON: In order that the Council may be satisfied with the details of the proposal.

14. Notwithstanding the details shown on the approved plans, no electric vehicle charging points shall be installed without the express written permission of the Local Planning Authority.

REASON: To ensure a satisfactory appearance within the Forest of Bowland Area of Outstanding Natural Beauty.

Landscaping and Ecology

15. A scheme for the landscaping of the development, in accordance with the approved Landscape Masterplan and taking into account the mitigation and enhancement recommendations within the Landscape and Visual Impact Assessment (May 2019 Rev. A) and Ecological Impact Assessment and Habitats Regulation Assessment by Naturally Wild (RSC-19-01, January 2021), shall be submitted prior to the commencement of the development. These details shall indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped (including full details of the colour, form and texture); and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner.

REASON: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

16. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a landscape and ecological management plan, including management responsibilities and maintenance schedules for all landscaped areas has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall also indicate that the landscaping proposals shall be maintained for a period of not less than 10 years 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.

The landscape management of the site shall thereafter be carried out in strict accordance with the approved details.

REASON: In order to ensure that the landscaping hereby approved is adequately and appropriately managed.

17. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a European Protected Species Mitigation Licence has been submitted to and obtained from Natural England. A copy of the licence obtained shall then be submitted to and agreed in writing by local planning authority in consultation with Natural England.

The actions, methods & timings included in the mitigation measures identified and the conditions of the Natural England Licence shall be fully implemented and adhered to throughout the lifetime of the development

REASON: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to minimise/mitigate the potential impacts upon protected species resultant from the development.

18. The development hereby approved shall be completed and operated in strict accordance with the mitigation and enhancement measures contained in the Bat Risk Assessment and Bat Survey Report (RSC-19-01, October 2020), Ecological Impact Assessment and Habitats Regulation Assessment (RSC-19-01, January 2021) and Habitats Regulations Assessment Report (RSC-19-01, March 2021).

The artificial nesting/roosting features shall be incorporated into the building during the conversion works before the building is first brought into use and retained thereafter.

REASON: In the interests of biodiversity and to ensure there is no adverse effect on the integrity of Bowland Fells Special Protection Area (SPA) and Bowland Fells Site of Special Scientific Interest (SSSI).

19. During the period of construction no building or engineering operations within the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents and the surrounding area.

Drainage

20. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to a private treatment plant has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

REASON: To prevent pollution of the water environment

NOTES:

1. Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:
 1. Connection to the public sewer

2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank Foul drainage should be connected to the main sewer.

Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

2. The grant 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.

UPDATE FOLLOWING 1st July 2021 PLANNING AND DEVELOPMENT COMMITTEE MEETING:

At the committee meeting on 1st July 2021 members were minded to refuse the application based on the impact of the development on the local environment and the location of the site. It is noted that as no concerns in relation to habitat issues were raised by the statutory consultees that the first reason should refer to the impact that the building and the associated activities would have on the Area of Outstanding Natural Beauty.

- 1) The proposal is considered to be contrary to Policies DMG1, DMG2 and DMB3 of the Adopted Core Strategy for the Ribble Valley as the proposal would result in the intensification of usage of the existing building to the detriment of the quiet and tranquil nature of the Area of Outstanding Natural Beauty.

- 2) The proposed development is contrary to Policy DMB3 of the Ribble Valley Adopted Core Strategy due to the remote and isolated nature of the application site which is not physically well related to an existing main settlement or village or to an existing group of buildings.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2020%2F0667