

REPORT FROM: ASSISTANT DIRECTOR PLANNING, BUILDING CONTROL
AND REGULATORY SERVICES

TO: BARROWFORD AND WESTERN PARISHES COMMITTEE

DATE: 2ND AUGUST 2023

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE 2ND AUGUST 2023

Application Ref: 23/0264/FUL

Proposal: Full: Siting of a temporary mobile catering trailer with a paved picnic area within Boothman Park.

At: Boothman Park, Barley New Road, Barley

On behalf of: Strydon Ltd

Date Registered: 17/05/2023

Expiry Date: 12/07/2023

Case Officer: Yvonne Smallwood

This has been brought to Committee as 3+ objections have been received.

Site Description and Proposal

The application site is a recreational fishery with associated reception/office and tourist accommodation located within woodland to the north and open fields to the east, west and south east of the site. The site slopes steeply up to the south from Barley New Road with dense woodland above and below the central fishing ponds and buildings. The site is in Open Countryside within an Area of Outstanding Natural Beauty (AONB).

The site is popular for walking, running, cycling and mountain biking, as well as fishing. The existing site offers outdoor activities for educational groups and charities for mental well-being; groups of children with special needs; activities for college students such as bush craft and nature trails; archery and log cabin rentals for tourists.

The proposal seeks the siting of a temporary timber trailer for catering purposes, to serve hot and cold food and drinks. The proposed trailer would be finished in pine cladding, with a door to the rear and a serving hatch to the front. The trailer would measure 3.6m x 2m with a height of 2.4m.

There would be a natural stone paved picnic area measuring circa 7.2m x 5.4m, accommodating 6 picnic benches, located to the west of the proposed catering trailer.

The access to the site would be via the private road to Boothman Park Fishery and there are parking spaces adjacent to the site.

Relevant Planning History

17/0039/FUL - Full: Erection of reception and office building. Refused, 11/05/2017.

17/0298/FUL – Full: Erection of a reception and office space building (Re-submission) – Approved with Conditions – 10.08.2017

13/12/0065P - Change of use of a wooded area for the siting of 8 camping pods, erection of field kitchen and wc/shower unit and installation of associated infrastructure (part retrospective). Refused and appeal dismissed.

13/10/0643P - Erect 1.3m high post and rail fence. Refused, 07/02/2011.

13/09/0199P - Alteration to ground levels and construction of track. Approved, 07/2009

13/09/0420P - Remove Condition 9 Planning permission 13/09/0199p to retain track to Heys Lane. Refused, 05/11/2009.

13/07/0240P - modify Condition 2 - as above (re-submission) Refused 10/05/2007 Approved on Appeal

13/06/0776P - modify Condition 2 App ref. 13/05/0034p 'erect 3 chalets' to reduce 'closed period' Refused, 2 February, 2007

13/06/0365P - complete the formation of track for forestry (Forestry Commission Determination) - Approved 28/06/2006

13/05/0034P - Erect 3 holiday chalets. Approved, 18/05/2005

13/05/0033P - Retain 3 fishing ponds. Approved, 17/05/2005

13/04/0516P - Erect 3 holiday chalets. Refused, 11/01/2005

13/02/0156P - Continue use of pond for recreational fishing. Approved, 10/02/2003

13/97/0246P - Retain pond and use for recreational fishing. Approved, 07/08/1997

Consultee Response

LCC Highways –

No objection.

The submitted documents and plans have been reviewed and the following comments are made.

The application seeks approval for a mobile catering trailer every year between 1st April and 31st of October, open Friday - Sunday 9.00am - 3.30pm.

The trailer will serve hot drinks and sandwiches which will be prepared on site to people visiting Boothman Park. A new stone paved picnic area with tables will be provided. The applicant states that the site is a leisure destination for fisherman, walkers, cyclists and tourists visiting Pendle. The site also provides a link with the surrounding communities of Pendle by engaging with charities, schools and organisations, to promote the benefits of spending time in the countryside.

The site is accessed via an existing private access on Barley New Road and there is an existing car park. There are no amendments proposed to the site access and none are considered necessary considering that the proposal will not significantly increase traffic at the junction.

There are no public rights of way crossing the site.

The food trailer will serve visitors to the site and due to its small size and nature it is not anticipated to generate any significant traffic in its own right.

Lancashire County Council acting as the Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Environmental Health –

No objection.

Barley Parish Council –

Barley Parish Council met and discussed the application on 6 June, 2023. The Council RESOLVED to object to the application.

The Council felt that no more development should be permitted on this site until all of the outstanding planning matters from May 2022 have been resolved.

Whilst the catering trailer is relatively small, alongside with the picnic table hardstanding, it becomes a significant size which can clearly be seen from Heys Lane and will be visually intrusive. There is no mention of a power supply and this raises the question of whether a generator, with associated noise, will be required for hot food and drinks.

The Planning Department might also consider whether the area is already adequately served by food retail and take-away establishments including The Cabin, Pendle Inn, Barley Mow and Ing End Farm.

Public Response

Nearest neighbours notified by letter with four responses, summarised below:

- Increased traffic.
- Red edge on the submitted plans was very large: consequently, the development could be proposed anywhere within the curtilage.
- It would conflict with the existing use of a fishing lodge that should be peaceful/tranquil.
- The area is well served with cafes and parking facilities in Barley.
- The development would have an adverse impact on the AONB and there is no need for the development as set out within the Forest of Bowland AONB SPG.
- The proposal would urbanise the Open Countryside.
- The site would be visible from Heys Lane.
- The proposed development would generate noise, (generators, customers and music), traffic and disturbance.
- The development would increase existing traffic/parking problems on Barley New Road, Barley and Thorneyholme Square at weekends.
- Lancashire County Council have introduced sections of double yellow lines along Barley New Road to provide passing places for traffic.
- Waste would be generated by a take-away mobile catering trailer.
- Barley has a large carpark with large village green for children to play and toilets.
- The Cabin on the Village Green is a permanent established catering facility (not mobile) which provides excellent meals and snacks with the village infrastructure around it to provide toilets and litter collection services.
- The developer has a poor history of compliance with planning regulations. The current issue regarding unlawfully imported material should be resolved before any further permissions are granted.
- No Design and Access Statement was submitted with the application.

Officer Comments

Policy

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG, or its replacement. In determining proposals which affect the Forest of Bowland Area of Outstanding Natural Beauty (AONB) great weight will be given to conserving its landscape and scenic beauty. In addition, proposals in the AONB will be considered on a needs basis, should be in scale with and have respect for their surroundings, and be in line with AONB Management Plan objectives. Proposals in the AONB should have regard to the Forest of Bowland SPG or its replacement.

Policy ENV2 (Achieving Quality in Design and Conservation) states that all new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets. Proposals should protect or enhance the natural environment and not detract from the natural beauty of the AONB by way of their siting, size, design and appearance.

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system. Paragraphs 176 and 177 states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs.

Policy WRK5 (Tourism, Leisure and Culture) states that Proposals associated with the provision of new or improved facilities for tourism, leisure and cultural activities, including accommodation for visitors, will be supported where they:

1. Promote sustainable tourism associated with walking, cycling, waterways and the appreciation of the area's natural and historic environment.
2. Help to improve the quality and diversity of the existing tourism offer and extend the tourist season.
3. Do not result in a significant increase in car usage and are readily accessible by public transport, and sustainable modes of transport (e.g. walking and cycling).
4. Support conservation, regeneration and/or economic development objectives, including the promotion of cross-border initiatives.
5. Are of an appropriate scale and will not have a significant detrimental effect on the natural or historic environment, local amenity or character of the area.
6. Achieve high environmental standards in terms of design and accessibility.

Forest of Bowland AONB SPG - The main aims of the Action Plan are to:

1. Protect conserve and enhance the natural and cultural heritage of the Forest of Bowland AONB.
2. Promote the sustainable social and economic development of the area, particularly where such activity conserves and enhances the environment.
3. Encourage enjoyment of the area where it is consistent with the first two objectives. It is the aim of this SPG.

The Development in the Open Countryside SPG requires that developments in the Open Countryside are in proportion with the area and appropriate to the setting.

Principle of the Development

The provision of new or improved facilities for tourism and leisure is supported by Policy WRK5 of the Pendle Local Plan, providing that there is no unacceptable impact on the natural or historic environment, local amenity and character of the area.

Opening Hours and Employment

The catering trailer would create an additional job, as there would be 2 part-time staff which in total would be equivalent to one full-time worker.

The opening times for the catering trailer would be:

09:00 – 15:30 Monday to Friday

09:00 – 15:30 Saturdays

09:00 – 15:30 Sundays and Bank Holidays

Design and Visual Impact

The proposed paved area would consist of stone flags covering an area of 7.2m x 5.4m to create a picnic area. There would be a catering trailer measuring 3.6m x 2m with a height of 2.4m. The existing office/reception is located 15m to the south of the proposed site for the trailer.

The character and quality of the AONB require the highest standards of design to be employed and requires the landscape to be protected from visually unacceptable development. That would be visible from Heys Lane to the south of the site and from higher vantage points to the north. It would add to the man made features on the site and would look out of context with the area. This would be exacerbated by the additional cars that would be attracted to the site which would add to the visual harm the development would have. Therefore the proposed development and additional traffic would unacceptably impact upon the visual amenity, character and natural beauty of the AONB, contrary to policies ENV1, ENV2 and WRK5.

Open Countryside

The Development in the Open Countryside SPG requires that developments within the Open Countryside are in proportion with the area and appropriate to the setting. Development is permitted where its overall impact is assessed as being beneficial and not detrimental to the landscape and character of the area. The considerations are social and economic as well as environmental. Development should only occur where there are existing buildings.

The development would be inappropriate within the setting of the Open Countryside and would therefore be contrary to the guidance of the Development in the Open Countryside SPG.

Amenity

The proposed building would raise no adverse residential amenity issues.

Highways

There is existing gravelled parking provision for 50 vehicles. Highways LCC have raised no objection to the proposal, however the Council are of the opinion that the proposal would increase the level of traffic to an inappropriate level.

Other Matters

The Parish Council enquired whether an additional generator would be required for the catering trailer. The existing generator that powers the holiday accommodation would have capacity to also power the catering trailer, so no additional generator would be installed for this proposal.

It is noted that the red edge on the first iteration of the location plan outlined too large an area. An amended plan has been received showing the precise location of the proposal, along with Design and Access Statement.

The appropriate disposal of all litter generated by the catering trailer could be conditioned, should the development be approved.

RECOMMENDATION: Refuse

The siting of a catering trailer would bring an unnecessary addition to the AONB and would harm the visual quality of the area which would be exacerbated by the vehicles that would be attracted to the site to use the facility. The development would result in unacceptable harm to the character and scenic beauty of the Area of Outstanding Natural Beauty contrary to Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy, Policy 2 of the Replacement Pendle Local Plan and paragraph 176 and 177 of the National Planning Policy Framework.

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