

Rossendale Borough Council

REFUSAL OF PLANNING PERMISSION

Town and Country Planning Act 1990

Applicant Name: Mr _ Mrs M _ C Lyons
Notice Recipient: Hartley Planning & Development Associates
Swallow Barn
Hurst Lane
Rawtenstall
Rossendale
BB4 8TB

Part 1 – Particulars of Application:

Dated Received: **11th May 2021**

Application Number: **2021/0291**

Proposed Works: Full: construction of 5 no. glamping pods and amenity block, with associated works.

Location: Hey Meadow Farm Coal Pit Lane Whitewell Bottom

Following consideration of the application in respect of the proposal outlined above, it was resolved to **REFUSE PLANNING PERMISSION** for the following reasons:-

REASON FOR REFUSAL

It has not been demonstrated that the development would avoid causing harm to a legally protected species and its habitat. As such, the proposal would conflict with Section 15 of the Framework and policies 1 and 18 of the Core Strategy which seek, amongst other things, to Version Number: 1 Page: 8 of 8 protect and enhance biodiversity, including habitats and species, and avoid harm to Rossendale's natural environment. It is not possible to address this matter with the use of a planning condition.

INFORMATIVE:

The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at http://www.rossendale.gov.uk/a_to_z/service/309/core_strategy, and operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context. In this case it has not been possible to resolve the issues as set out in this refusal notice. The applicant was informed of this during the course of the application.

Date: 18.06.2021

Signed: L.Ashworth

Development Control
First Floor
The Business Centre
Futures Park
Bacup
OL13 0BB

Lauren Ashworth
Principal Planning Officer

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at
- <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

* delete where inappropriate

