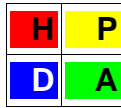


**Proposed 5 no glamping pods and amenity block at  
Hey Meadow, Coal Pit Lane, Waterfoot BB4 9 SB  
Planning Statement**

**Resubmission**



**July 2021**

**Prepared by Hartley Planning and Development Associates Ltd**

## **Introduction**

The following statement is to accompany a full application for the use of land for 5 no glamping pods and an associated amenity block at the above address.

The application is identical to an earlier application under reference 2021/-0291, refused on 18 June 2021 for one reason only: -

*‘ 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’.*

The officer report makes it clear that the ‘legally protected species’ refers to badgers.

## **Consistency in decision making**

Planning Practice Guidance advises that on appeal, it would be regarded as unreasonable behaviour by *‘not determining similar cases in a consistent manner’*.

The current application is identical to the earlier application no 2021/0291 when the only reason for refusal related to the issue of the avoidance of harm to a legally protected species.

The LPA has already concluded that it wishes to raise no objections with regard to : -

1. The principle of the proposed development and its scale
2. Visual amenity and countryside impact
3. Neighbour amenity
4. Access, parking and highway safety (where the Highway Authority requested no conditions)
5. Other objections raised by third parties

## **The Main Issue**

In view of the above, the main issue is the impact of the proposed development upon a legally protected species (ie badgers)

*A report is attached from the Lancashire Badger Group which concludes that 'we are confident that this plot of land is currently not being used by the badgers' and that 'We are happy for the development (to) proceed'.*

In view of the above, the proposed development would accord with Section 15 of the National Planning Policy Framework( 2021) and policies 1 and 18 of the Core Strategy(2011) which seek, amongst other things, to protect and enhance biodiversity, including habitats and species, and avoid harm to Rossendale's natural environment.

**NB As the above reports refer to a protected species, the Lancashire Badger Group requests that the reports are not placed in the public domain, or if they must be, that shortened grid references, as recommended in the report, are used**

**Ref:ML.240621.A**