



## TOWN AND COUNTRY PLANNING DECISION NOTICE

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TOWN AND COUNTRY PLANNING ACT 1990

### THE APPLICATION

Applicant:	Agent:
Mr & Mrs Sohail & Jane Bhatti	Younus Khan
38 Eden Park	6 Longton Street
Blackburn	Blackburn
BB2 7HJ	BB1 1UF

#### Full Planning Application

FOR:

Proposed single storey side ancillary granny flat

AT:

38 Eden Park  
Blackburn  
BB2 7HJ

APPLICATION REFERENCE NUMBER: **10/18/0099**

The application was received: **24/01/2018**

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### THE DECISION

Date of Decision: 13/03/2018

In pursuance of their powers under the above Act, the Council

### PERMITS

The above development in accordance with the details given on the application form and submitted plans. Permission is given subject to the following CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. Notwithstanding the submitted details, the external walling and roofing materials to be used in the construction of the development hereby permitted shall match in colour and texture those used on the existing building.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2.

3. This consent relates to the submitted details marked received on 24th January 2018 and submitted drawing no's. 01, 02, 03, 04, 05 and 06 and any subsequent amendments approved in writing by the Local Planning Authority.

REASON: To clarify the terms of this consent.

### **REASONS FOR GRANTING PLANNING PERMISSION:**

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is of appropriate design and appearance and would not be detrimental to the residential amenity for occupiers of the dwelling or neighbouring dwellings or compromise highway safety in accordance with Policies 8, 10 and 11 of the Blackburn with Darwen Local Plan Part 2 (December 2015) and Residential Design Guide Supplementary Planning Document (as amended September 2012).

2. The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring all the issues have been resolved. 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 the NPPF.

Your attention is drawn to the NOTES attached and to the following:

1. A process has been introduced by The Department for Communities and Local Government for dealing with material and non-material amendments to planning permissions. For more information please contact the case officer or consult the Planning Portal website [www.planningportal.co.uk](http://www.planningportal.co.uk)

2. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other Enactment, Byelaw, Order or Regulation. Before commencing development you are advised to check the requirements of the Building Regulations. Section 31 of the County of Lancashire Act 1984 (access for the Fire Brigade) also applies. For information please contact the Building Surveyors, telephone 01254 505022. Additionally, if you wish to carry out building work which involves work along a party boundary the Party Wall Etc Act 1996 comes into force. You must find out whether your works falls within the Act by contacting your Solicitor, and if it does, you must notify all affected neighbours.

3. The Construction (Design & Management) Regulations 2015

The development hereby approved may be subject to the Construction (Design and Management) Regulations 2015 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline 0845 345 0055

**4.** This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

(b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

**5.** As part of this permission, you are required to ensure that no skips or building materials are placed on the adopted highway which will hinder or inhibit the refuse or recycling collection services. Any building materials that do not cause an obstruction to the collection services and permission is given for temporary storage on the adopted highway whilst work is ongoing must be removed when the work is completed and the area must be cleared and swept, so no remnants of any of the materials are left

PLEASE NOTE:

Town and Country Planning (Written Representations) Regulations 1987

In accordance with the provisions of these Regulations, in the event of an appeal, the Local Authority's copy of the completed appeal form should be sent to:

The Director of Growth & Development, Blackburn with Darwen Borough Council, Town Hall, Blackburn. BB1 7DY



Ian Richardson,  
Director of Growth & Development  
Blackburn with Darwen Borough Council.

