

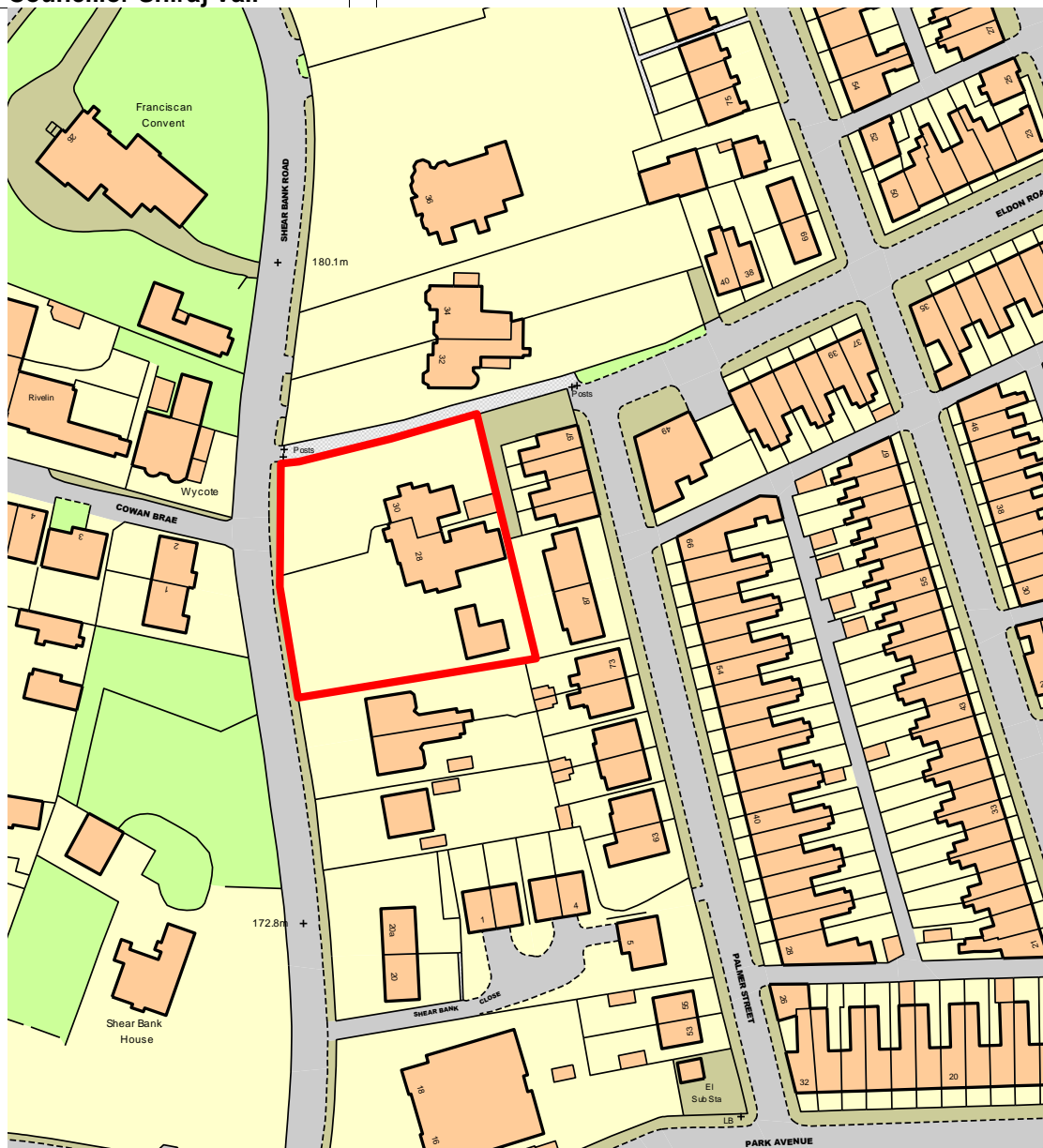
Proposed development: Full Planning Application for Demolition of existing building and erection of a two storey building for use as a Mosque and Madrassah together with car parking, landscaping and altered vehicular access.

Site address: 28-30 Shear Bank Road, Blackburn, Blackburn With Darwen, BB1 8AZ

Applicant: Eldon Road Mosque Committee

Ward: Shear Brow

Councillor Suleman Khonat	
Councillor Hussain Akhtar	
Councillor Shiraj Vali	



1.0 Details of application

1.1 Members will recall approving a resolution to grant planning permission for the proposed development at the December 2015 Planning and Highways Committee. The application was deferred to enable the drafting of conditions to be presented to the next committee as per paragraph 2.0 below.

2.0 Recommendation

2.1 **Approval by members of the Committee should be granted 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: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of development hereby approved, samples of all external walling, roofing materials, and their colour to be used in the construction of the building work shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

3. Prior to the commencement of development hereby approved, the developer must submit to the Local Planning Authority for written approval:

(i) Two copies of a comprehensive desk study report, including a preliminary conceptual site model (CSM) in text, plan and cross-section form. Where necessary, detailed proposals for subsequent site investigation should also be included, clearly based on the CSM.

(ii) Two copies of the findings of the approved site investigation work (where necessary), including an appropriate assessment of risks to both human health and the wider environment, from contaminants in, on or under the land (including ground gas). If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, along with an updated CSM. No deviation shall be made from this scheme without the written agreement from the Local Planning Authority.

REASON: To ensure that all reasonable steps have been taken to identify contamination at the site in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

4. Prior to the occupation of the development hereby approved, two copies of a comprehensive Validation Report shall be submitted to and

approved in writing by the Local Planning Authority. The Validation Report shall demonstrate effective remediation in accordance with the agreed remediation scheme and updated CSM. All the installed remediation must be retained for the duration of the approved use, and where necessary, the Local Planning Authority should be periodically informed in writing of any ongoing monitoring and decisions based thereon.

REASON: To ensure that all reasonable steps have been taken to identify contamination at the site, that the risks it presents have been appropriately assessed, and that the site can be made 'suitable for use', as such, does not pose a risk to future users of the site or the wider environment in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

5. Should contamination be encountered unexpectedly during redevelopment, all works should cease, and the LPA should be immediately informed in writing. If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, and agreed in writing by the LPA. No deviation shall be made from this scheme without the written express agreement of the Local Planning Authority.

REASON: To protect the health of future occupiers of the site in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

6. Prior to commencement of the development hereby approved, a foul and surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained thereafter

REASON: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health in accordance with Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

7. Prior to site clearance, demolition or construction within the application site, the applicant or successor in title shall submit to and obtain a licence from Natural England under the procedure set out in Section C of Government Circular 01/2005 "Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System".

REASON: In order to safeguard protected species present within the application site, in accordance with Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

8. Prior to any works at the site, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall clearly state how the trees to be retained on site will be protected during demolition and/or construction

works. The agreed method statement shall be implemented in full and be retained for duration of the construction period.

REASON: The existing trees represent a public benefit by way of visual amenity and should therefore be protected at all times in accordance with saved Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

9. All existing trees (not shown for removal) on the approved plan becoming diseased, severely damaged, removed or dying through negligence, vandalism or development works within five years of the commencement of the development or within the development period, whichever is the greater shall be replaced with a tree of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

REASON: Trees represent a public benefit by way of visual amenity and should therefore be protected at all times and replaced when necessary in accordance with Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

10. All construction works shall be in line with British Standards 5837 trees in relation to construction 2005.

REASON: Trees represent a public benefit by way of visual amenity and should therefore be protected at all times in accordance with saved Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

11. Prior to the commencement of development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Trees and shrubs shall be planted on the site in accordance with the landscaping scheme during the first available planting season. The scheme shall include details of materials to be used for hard surfaces, and details of species to be planted, with their siting and planting distances, and shall be implemented during the first available planting season after the commencement of development. Trees and shrubs dying or becoming diseased, removed or being seriously damaged within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted during the first available planting season after the loss of the trees and/or shrubs.

REASON: To ensure that there is a well laid scheme in the interests of amenity in accordance with Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

12. There shall be no externally audible "Calls to Prayer" from the building or within the application site at any time.

REASON: To protect the amenity of neighbouring properties, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

13. All windows serving the Prayer Hall, classroom numbers 4, 5, 6, 7, 8 and 9, toilets and ablution areas as illustrated on drawing numbers 02-C and 03-C shall be obscure glazed and retained thereafter.
REASON: To protect the amenity of neighbouring properties, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

14. Prior to commencement of the development hereby approved, a soundproofing scheme of the building shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall detail how any noise escape from the building, including Prayer Hall, Classrooms, plant room and any associated external plant/equipment shall be mitigated. The approved scheme shall be implemented prior to first use of the building and retained thereafter.
REASON: To protect the amenity of neighbouring properties, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

15. During the demolition and construction period, all on site work shall be limited to between the hours of:
08:00 - 18:00 Monday to Friday
08:00 - 13:00 Saturday
and no work shall be carried out on Sundays or Bank Holidays.
REASON: To protect the amenity of neighbouring properties, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

16. Prior to commencement of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall provide details of the objectives, targets and measures to promote and facilitate public transport use, walking, cycling and practices/facilities to reduce the need to travel and to reduce car use. It shall provide details of its management, monitoring and review mechanisms, travel plan coordination and the provision of travel information and marketing. The initiatives contained within the approved travel plan shall be implemented thereafter together with any additional measures that, after review, are found to be necessary to deliver the travel plan objectives.
REASON: To promote alternatives means of transport, in accordance with Policy 10 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

17. Prior to commencement of the development hereby approved a scheme of off site highway works shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall make provision for the following off site highway works:
1. Improved visibility splay for vehicles exiting Shear Bank Road onto East Park Road, by means of footway widening on the southern side of East Park Road.

The approved scheme shall be implemented prior to first use of the development hereby approved.

REASON: To promote alternatives means of transport, in accordance with Policy 10 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

18. The car park as detailed on drawing number 12 revision C shall be implemented and delineated prior to first use of the development hereby approved and retained thereafter.

REASON: To allow for vehicles visiting the site to be parked clear of the public highway, and to assimilate the new car parking areas in their surroundings in accordance with Policy 10 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

19. The vehicular access from Shear Bank Road as detailed on drawing number 12 revision C shall be implemented prior to first use of the development hereby approved and retained thereafter.

REASON: To provide for the safety and convenience of users of the highway, for the free flow of traffic, and to safeguard the amenity of neighbouring premises in accordance with Policy 10 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

20. The pedestrian access from the public footpath located to the north of the site as detailed on drawing number 12 revision C shall be implemented prior to first use of the development hereby approved and retained thereafter.

REASON: To provide for the safety and convenience of users of the highway, for the free flow of traffic, and to safeguard the amenity of neighbouring premises in accordance with Policy 10 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

21. Visibility splays shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding 1m in height.

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy 10 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

22. Prior to commencement of any works at the site (including demolition), a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel washing facilities

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy 10 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

23. Prior to commencement of the development hereby approved, drawings which demonstrate the finished floor level of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with approved finished floor level drawings.

REASON: To protect the amenity of neighbouring properties, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2 (December 2015).

24. This consent relates to the following drawing numbers:

14, 15, 16 and 17 received on 10th December 2014.

13 revision A received on 16th February 2015.

11 revision A and 18 received on 11th August 2015.

02 revision C received on 29th September 2015.

03 revision C received on 27th November 2015.

04 revision D, 05 revision B and 12 revision C received on 30th November 2015.

and supporting information received.

REASON: To clarify the terms of this consent.

- 2.2 Members should note that the Highway Officer also requested provision of a zebra crossing adjacent to the junction of Shear Bank Road and East Park Road, with a raised junction table to reduce speed. This request is considered onerous since the amount of pedestrians which may cross East Park Road to access the new Mosque building is not known. Furthermore, there is good visibility along this road of oncoming cars.
- 2.3 Members should note that the applicant objects to the proposed off site highway works requested by condition 17.
- 2.4 The existing junction of Shear Bank Road with East Park Road has substandard visibility created by the stone walling located to the back of footpath. Justification for the junction improvements is based upon an increased number of cars using the junction as a direct result of the proposal, thereby putting additional traffic on the network and increasing opportunity for conflict of vehicles. The junction improvements will act to improve visibility, reduce this conflict and improve highway safety at this locality.