

Proposed development: Full Planning Application for Residential development for 79 dwellings

Site address: Land West of Gib Lane, Blackburn, Lancashire, BB2

Applicant: Wainhomes NW (Ltd)

Ward: Livesey with Pleasington / Meadowhead

Councillor Alan Cottam	
Councillor Derek Hardman	
Councillor John Pearson	
Councillor Ashley Whalley	
Councillor Julie Gunn	
Councillor Konrad Tapp	



1.0 SUMMARY OF RECOMMENDATION

- 1.1 **APPROVE** subject to conditions as detailed in Section 4 of this report and Section 106 Agreement with respect to off-site highways improvements and affordable housing.

2.0 KEY ISSUES / SUMMARY OF PLANNING BALANCE

- 2.1 The proposal supports the Borough's overall planning strategy of housing growth as set out in the Core Strategy and Local Plan Part 2, and is on a site that is allocated for housing in the Local Plan. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.2 The site the subject of the current proposal is 3.4 hectares in area and lies to the rear of properties along Gib Lane and Livesey Branch Road in Blackburn. To the immediate north and east of the site are residential properties, to the south and south west is Cockridge Wood and to the west is land known as Gib Lane Phase A for which outline planning permission for residential development was granted by the Council in July 2015.

- 3.3 The site slopes downwards towards the rear of properties on Livesey Branch Road. It is currently used for rough grazing for sheep and horses. A culverted watercourse runs through the site and there is an existing water main which runs across the central part of the site from east to west.

- 3.4 The site is designated as Site 16/9 in the adopted Local Plan Part 2 as part of the Gib Lane Development Site, Blackburn.

3.5 Proposed Development

- 3.6 The current application is for full planning permission for 79 dwellings. 71 of the properties would have 4 bedrooms with the remaining 8 having five bedrooms. 54 of the properties are two storey with 25 having 2.5 storeys. 12 of the properties are in pairs of semis with the remaining 67 being detached. Proposed materials for the properties are to be agreed through condition. It is expected that the majority of properties will be red brick; however, properties towards the north of the site near to Livesey Branch Road will feature render to match properties along the existing residential street. Some of the feature properties within the development are also likely to include elements of render for visual interest. The properties are proposed to be high

quality family dwellings with gardens to the front and rear, off road parking in driveways and garages.

- 3.7 In terms of landscaping it is proposed to incorporate tree and shrub planting throughout the scheme, particularly along the main access roads, within the proposed green space to the northern boundary of the site and also reinforced planting along the rear of properties on Gib Lane. Detailed landscaping should be conditioned; however, plans do show a linear green space running along the northern boundary of the site.
- 3.8 Internal access roads are proposed to have footways on both sides. There will also be shared driveways in parts of the site with key junctions and highway endings in black bitmac with red chippings.
- 3.9 The main vehicular access into the site will be off Gib Lane to the east of the site – between 38 and 40 Gib Lane. The junction with Gib Lane will form a T-junction with visibility splays. The width of Gib Lane at the junction would be reduced to 5.5 metres which will serve as a traffic calming feature to reduce vehicle speeds.
- 3.10 Pedestrian and cycle access is also provided off Gib Lane – between 14 and 16 and between 32 and 34. These will ensure good permeability of the site from the immediate surroundings. A 3 metre wide cycle and pedestrian access is also provided towards the south west corner of the site in order to provide connectivity to adjacent land and, in particular, Cockridge Wood. The layout of the scheme also provides for potential future vehicular, cycle and pedestrian linkages with residential land to the west.
- 3.11 The existing culvert that runs through the site is proposed to be diverted through the front gardens of proposed residential properties – this will ensure ease of access for maintenance purposes. Water running off the site at a 1 in 30 year run off rate will discharge directly into the nearby sewer system; however, a system including a cellular off line attenuation tank within the linear greenspace along the northern boundary of the site will cater for 1 in 100 year flood event run off plus 30%. Water will flow out of this tank at a rate of 27 litres per minute into the main sewer via a new linkage from the site down Gib Lane and onto Livesey Branch Road.
- 3.12 In order to regulate the flow of water off the site the layout incorporates permeable driveways above stone sub-bases. These will also serve to filter surface water to ensure no detriment to water quality.
- 3.13 Development Plan**

3.14 The Development Plan comprises the Core Strategy and adopted Local Plan Part 2 – Site Allocations and Development Management Policies. In determining the current proposal the following are considered to be the most relevant policies:

3.15 Core Strategy:

CS1 – A Targeted Growth Strategy

CS5 - Locations for New Housing

CS6 – Housing Targets

CS7 – Types of Housing

CS16 – Form and Design of New Development

CS18 – The Borough’s Landscapes

CS19 – Green Infrastructure

3.16 Local Plan Part 2:

Policy 16 – Housing Land Allocations and, in particular, Site Allocation 16/9 – Gib Lane Development Site, Blackburn

Policy 7 – Sustainable and Viable Development

Policy 9 – Development and the Environment

Policy 10 – Accessibility and Transport

Policy 11 – Design

Policy 12 – Developer Contributions

Policy 18 – Housing Mix

Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development

Policy 41 - Landscape

3.17 Other key material policy considerations

3.18 Gib Lane Masterplan

3.19 The site the subject of the current proposal is part of the Gib Lane Masterplan, forming Phase B of the Delivery Strategy. The Masterplan has been the subject of public consultation and prepared in consultation with land owners; however, the owners of the current application site declined to be involved in the masterplanning process. It was approved in February 2015 and as such is a formally adopted planning policy document which should be taken into account when considering this and future proposals for the area.

3.20 The overall vision for the Gib Lane site is set out in the Masterplan as is set out below:

The land to the west of Gib Lane will be a high quality, sustainable neighbourhood that is integrated socially and physically with the existing urban area.

It will be an aspirational place to live with approximately 621 new homes being provided in the plan period until 2026, including a significant proportion of larger family housing, a new primary school and a village green which forms the natural focal point of the site.

The site will have a strong local identity. It will be characterised by attractive, well-designed buildings and spaces and will comprise of a number of distinctive areas with their own unique character which responds to the characteristics of that particular part of the site.

Development will capitalise upon the outstanding panoramic views from the site and will respond positively to the topographical character of the site and the rural setting provided by the West Pennine Moors. It will be structured by existing landscape features and will incorporate a network of green spaces that provide opportunities for informal recreation and contribute to the area's green, leafy character.

The site will be well-connected to existing facilities and services, with a permeable layout that maximises linkages and integration within the site and to the wider area. The comprehensive footpath / cycleway network within the site, including an enhanced Witton Weavers Way, will encourage walking and cycling as an alternative to travelling by car will improve access to public transport services.

3.21 In order to achieve the vision the masterplan has a set of the following objectives:

- 1. To create a new sustainable neighbourhood which is integrated socially and physically with the existing urban area but which has its own distinct local identity.*
- 2. To deliver a high quality scheme which consists of well designed, attractive houses, buildings and spaces with a semi-rural form and layout that utilises local built and landscape character and architectural styles in either a traditional or contemporary design response.*
- 3. To provide a mix of housing through different character areas that respond to the different constraints and opportunities of the site, including a significant provision of larger, family properties in a well landscaped setting.*
- 4. To ensure the scheme design and layout creatively responds to the topographical character of the site, the unique West Pennine rural setting and the existing landscape features of the site.*
- 5. To provide a clear and permeable street hierarchy with a tree-lined primary route from Livesey Branch Road to Broken Stone Road, streets designed to limit traffic speeds and a network of footpaths and cycleways which encourage walking and cycling.*
- 6. To protect and enhance Witton Weavers Way as a primary green route which traverses through the development.*
- 7. To provide a high quality living environment with an attractive network of greenspaces, including a village green, ridge park and a managed and improved Cockridge Wood which provides a biodiversity, landscape and recreational/play function.*
- 8. To maximise linkages and integration between the site and existing communities to the north, Heys Lane to the east and the wider West Pennine countryside to the south.*
- 9. To manage surface water run-off through a coordinated network of sustainable drainage (SuDS) techniques which are integrated into, and enhance, the green infrastructure network.*
- 10. To ensure that appropriate infrastructure is provided alongside the new development at the right time and in the right place.*

3.22 Key policies within the Masterplan document in relation to the current proposal are:

H1 – Housing Layout;
H2 – Housing Density; and
H3 – Housing Mix.

3.23 Five character areas are identified in the masterplan to take account of the existing landscape, ecological and topographical characteristics of the site and relationship with surroundings. The site the subject of the current planning application is within the Livesey Green Character Area, focused around the village green and the new school and is considered to be the main activity hub of the development. The Masterplan indicates that this site should create a sense of arrival to the new neighbourhood and that swales and landscaping should be created along the rear boundaries of existing properties. The Masterplan then sets out a range of characteristics which should be adhered to in terms of design and layout. These include layout and density, land use, scale and form, streets, spaces and landscape and boundary treatments and enclosure.

3.24 Residential Design Guide Supplementary Planning Document (September 2012). This document provides targeted advice to ensure high quality new homes. It ensures that new development reflects the individual and collective character of areas of the Borough and promoted high standards of design. The document also seeks to ensure a good relationship between existing and proposed development in terms of protecting and enhancing amenity.

3.25 National Planning Policy Framework (NPPF). In particular Section 6 which relates to delivering a wide choice of high quality homes.

3.26 Assessment

3.27 In assessing this case there are a number of important material considerations that need to be taken into account as follows:

- Principle of the proposed development;
- Highways and access;
- Drainage;
- Design and layout;
- Neighbour impact;
- Trees and landscape;
- Ecology;
- Contaminated land and public protection; and
- Affordable housing.

3.28 Principle

3.29 The principle of development is considered under the Blackburn with Darwen Local Plan Part 2 – Site Allocations and Development Management Policies (particularly Policy 16 – Housing Land Allocations); and the Core Strategy (particularly Policies CS1 and CS5).

3.30 Local Plan Policy 16 allocates land for development within the 15 year life of the Plan, subject to key development principles. This proposal represents residential development of a significant scale on Site 16/9 – Gib Lane Development Site, Blackburn. The site has been brought forward in line with the adopted Gib Lane Masterplan covering the wider 56 hectare Gib Lane area. Key development considerations identified in the Local Plan Part 2 include the following:

- Impact on the countryside;
- Protection of important landscape features;
- Drainage and flood risk;
- Access and highways improvements;
- Public rights of way;
- Water supply and waste water infrastructure;
- Primary school capacity; and
- Ecological impacts.

3.31 Core Strategy Policy CS1 continues the principle that development will be concentrated within the urban area in which the current site is now located according to Policy 1 of Local Plan Part 2. The NPPF requires authorities to maintain a continuous five-year supply of deliverable housing sites. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

3.32 As a Local Plan allocated site the principle of the current proposal is considered to be acceptable, and in accordance with the provisions of the NPPF, in terms of delivering a high quality residential site with the urban area. This is subject to key considerations also being in accordance with adopted Policy and National guidance.

3.33 Highways and Access

3.34 The site is bounded by Livesey Branch Road to the north and Gib Lane to the east. Both of the immediate roads are residential in character; however, towards the south of the site Gib Lane does become more rural in character. A Transport Assessment has informed the Gib Lane Masterplan to assess the impact of the proposed overall development on the highways network. This demonstrates the importance of the development being served by multiple access points to provide a permeable layout and to disperse traffic movements around the site

and adjacent infrastructure. The Transport Assessment has also highlighted the importance of there being a number of highways improvements around the Gib Lane area, including upgrading a number of road junctions. There are no formal public rights of way through the current application site.

- 3.35 Infrastructure requirements associated with this phase of the development are new vehicular access onto Gib Lane and enhancements to the Gib Lane / Brokenstone Road junction. These should be delivered through a Section 106 Agreement and associated Section 278 agreements. Both pieces of infrastructure should be provided at the outset of the development phase.
- 3.36 In response to concerns from the Council the developer has taken account of a number of committed developments in the area when assessing overall highways impact. These include the Pleasington Lakes holiday village of 95 holiday lodges, a 60 dwelling development on Queen Victoria Street, 37 unit development on Moorgate Street, 500 residential units with commercial development at the former Sappi Mill site off Livesey Branch Road and the Phase 1 Gib Lane residential development approved in July 2015 (reference 10/14/1331). Key junctions assessed are the proposed site access onto Gib Lane, the existing Gib Lane / Livesey Branch Road junction and existing Livesey Branch Road / Preston Old Road roundabout.
- 3.37 The proposed access onto Gib Lane and the existing Gib Lane / Livesey Branch Road junctions will both operate significantly below capacity with the inclusion of the traffic flows likely to be generated by the proposed development. Also, the Livesey Branch Road / Preston Old Road junction will also operate within its capacity in 2021 – with there being a small degree of spare capacity in both AM and PM peak periods. Highways have questioned the robustness of the methodology used by the applicant to assess overall traffic impacts of the proposal. However, whilst the work undertaken does not fully address Highways concerns and is lacking in some detail, ultimately the proposed mitigation proposed by the applicant is acceptable. Furthermore, it should also be recognised that the Gib Lane Masterplan will bring forward additional highways improvements in the area that will serve to mitigate the potential detriment to highways safety and efficiency.
- 3.38 Although the developer does not consider that the proposals will have an impact on the Gib Lane / Brokenstone Road junction a financial contribution of £60,000 towards junction improvements has been offered. This is in recognition of the overall impact of the development on the local highways infrastructure and their willingness to ensure their development does not have a harmful impact on the safe, efficient and convenient movement of highways users in the vicinity of the site or in the wider area. This contribution is considered to be sufficient to pay for the required junction improvements and should be secured

through a Section 106 agreement in accordance with Policies CS21 and CS22 of the Core Strategy and Policy 10 of the Local Plan Part 2.

- 3.39 Vehicular access to the site is proposed to be off Gib Lane, between 38 and 40 Gib Lane. A 5.5 metre wide access is proposed at this point plus a 2 metre wide footway to ensure good linkages with the existing pedestrian infrastructure. The width of Gib Lane at the point of the junction is reduced in order to create the space for the junction and a raised plateau with red coloured surfacing is also proposed to act as a traffic calming feature. In order to ensure safe access the section of Gib Lane between Livesey Branch Road and Risedale Grove is proposed to be a traffic calmed area with a series of plateaus adjacent to all 3 access points into the proposed development and 'slow' road markings. It is proposed to reduce the speed of Gib Lane between near to Risedale Road and Brokenstone Road from derestricted (national speed limit) to 40mph with the remaining length to Livesey Branch remaining as 30mph.
- 3.40 The proposed visibility splay at the main vehicular access is 6 metres which is acceptable. The additional 2 pedestrian and cycle access points onto Gib Lane are considered acceptable.
- 3.41 The proposed roads within the development are 5.5 metres wide with wider sweeps at bends, bounded by 2 metre wide footways either side of the main carriageway. In response to concerns about the internal road layout some attempt has now been made to incorporate some Manual for Streets principles into the scheme. This mainly includes the provision of build outs along the main access route with landscaping breaks to slow down traffic. Swept path analysis does show that in parts the layout of the roads is rather restricted; however, it does work and is capable of accommodating a three axle bin lorry. Some concern has been expressed that vehicle parking within the carriageway could cause hindrance to traffic movements through the site; however, the provision of sufficient parking within the curtilages of properties will mitigate this potential issue.
- 3.42 The proposed site layout also provides a 3 metre wide footpath and cycle link in the north west corner which will link to the adjacent phase of residential development, a 3 metre wide pedestrian and cycle link in the south west corner which links to the adjacent woodland and a highway linkage to the future adjacent residential development site to the west. These will ensure integration into the surrounding locality in accordance with Masterplan requirements.
- 3.43 A total of 250 car parking spaces are proposed as part of the current proposal which is an average of just over 3 spaces per property. This includes integral garages, detached garages and driveway space. There are no proposed car parking courts. The detached garages have been increased in size to ensure they are usable as garages rather than for storage. Given that 71 of the proposed dwellings have 4

bedrooms and the remaining 8 have 5 bedrooms this car parking provision is considered acceptable.

3.44 Highways recommend a condition requiring the submission of a construction method statement to ensure that consideration is given to highways safety and residential amenity during the construction phase.

3.45 Overall, while the scope of information submitted in support of the transport and highways aspects of the proposal may be limited, the proposal does nonetheless provide a satisfactory highways layout and off-site highways works that will mitigate the likely impacts on the network. As such, it is in accordance with the requirements of the Masterplan and Policy 10 of the Local Plan Part 2.

3.46 Drainage

3.47 The Environment Agency Flood Zone Mapping shows that the site is entirely within Flood Zone 1 and is therefore considered to be at a low risk of fluvial flooding. Furthermore, the Flood Risk Assessment undertaken to support the Masterplan indicated that the risk of the site being flooded from either groundwater or sewers is negligible. However, parts of the site do experience localised ponding and parts of the site near to Cockridge Wood may be particularly susceptible to surface water ponding. Information gathered from local residents and the Council's drainage team confirm that in heavy rain conditions water does flow over the site and into (and sometimes through) the rear gardens of properties to the north of the site along Livesey Branch Road. This has been particularly evident during recent heavy and prolonged periods of rainfall.

3.48 The risk of surface water flow and ponding is partly due to the topography of the site and the high clay content of soil which impedes infiltration. Nonetheless it is principally due to flows being restricted from entering into the existing culverted watercourses or there being insufficient capacity within these culverts to deal with heavy flows. Also, the existing land drainage appears to have failed in places which results in the collection of water upstream.

3.49 Any residential development on the planning application site needs to take careful and comprehensive account of the hydrological characteristics of the site and will need to ensure that surface water run-off from the development is effectively managed in a controlled way which will improve the capacity of the existing system. Solutions such as sustainable drainage systems (SuDS) will need to be integrated into the development to store surface water run-off and limit the discharges of water into the existing culverted watercourses to a level below existing discharge rates.

3.50 In accordance with the Masterplan the current proposal therefore needs to be supported by a SuDS and must contain its own surface water drainage and must not lead to increased flood risk or pollution in adjacent areas, including residential properties.

3.51 One key principle identified in the Masterplan is that where reasonably practicable surface water run-off should be handled at source by the use of swales and drainage basins rather than by end-of-pipe systems downstream. Furthermore, a site wide SuDS Strategy approved under the outline planning permission for Phase 1 of the wider Gib Lane area in July 2015 is based on landscaped swales through the residential development area which take water run-off from roads, homes and hard surfaced areas towards larger strategic SuDS and detention ponds towards the north of the site. These ponds form part of a wider landscaped green space area forming the northern boundary of the Masterplan area. As well as operating as flood alleviation these areas will also serve as informal amenity space and visually attractive areas adjacent to existing residential properties.

3.52 The existing Greenfield run off rates associated with the site area of 3.33 hectares and as derived from the Flood Risk Assessment are as follows :-

1 year storm = 25.4 litres per second (l./sec.)

30 year storm = 82.5 l/sec.

100 year storm = 114.1 l/sec

3.53 These flows are currently contributing to the discharge through the existing 375mm diameter pipe through 425 Livesey Branch Road. However, when the site is developed the design of the drainage system will restrict flows to 27 l/sec.

1 year storm = 27.0 l/sec.

30 year storm = 27.0 l/sec

100 year storm + 30% CC = 27.0 l/sec

This demonstrates that there will be significant betterment and lessening downstream flood risk during periods of heavy rainfall. In the light of recent heavy rainfall events it is particularly important that the drainage strategy proposed is robust.

3.54 The proposal for the discharge of surface water is that a new off-site surface water sewer will be laid down Gib Lane and then along Livesey Branch Road, with connection to the existing 375mm culvert within Livesey Branch Road. Underground attenuation catering for the 1 in 100 year + 30% event will be provided to temporarily store the surface water run-off from the site prior to discharge. This attenuation tank will be situated under the landscaped amenity area towards the northern part of the development site.

- 3.55 Once the site development has been completed around 55% of the existing greenfield run off will be catered for by the positive drainage system serving the impermeable areas including roofs, roads, drives/car parking and other hard areas and will discharge via the sewer connection in Livesey Branch Road. The remaining 45% will remain as permeable areas such as gardens and landscaped open spaces.
- 3.56 The potential for run off from these areas to the culvert will also be significantly reduced by the way the site will be developed leading to garden areas which are effectively “land locked” by other properties. Furthermore, there will be increased demand for the surface water run off due to landscaping and shrub planting which are integrated into the development site.
- 3.57 The construction of roads and sewers will also act as an effective cut off land drain in that permeable bedding and backfill material to the roads and sewers will form a natural pathway for surface water to be directed along the line of the sewer trench and away from the site rather than flowing over and through the site.
- 3.58 In summary, the proposed surface water drainage scheme will improve the potential flooding situation due to the following:-
- Reduction in surface water flow to 375mm diameter pipe that currently runs through 425 Livesey Branch Road;
 - Connection of surface water downstream of properties to northern site boundary;
 - Reduction in rate of run off to 27 litres/second;
 - Underground storage as opposed to an elevated above ground storage pond will lessen flood risk to existing properties;
 - Garden and planted areas will increase demand for water; and
 - Construction of roads and sewers will provide a pathway for surface water.
- 3.59 Significant concern has been expressed to the developer with reference to the proposed pipe and tanked solution to drainage; however, as well as this approach other mechanisms are to be put in place to ensure the drainage issues is dealt with in a sustainable manner in terms of regulating water flows and ensuring water quality is not harmed as a result of the development. This includes the use of permeable surfacing for driveways over a stone base and the use of mechanical treatment units, both of which are promoted in national SuDS guidance.

3.60 Given the sensitivity of the flooding issue in the area and the concerns expressed by some local residents in relation to the prospect of attenuation ponds to the rear of properties on Livesey Branch Road, the topographical restrictions of the site and the fact that the implementation of the proposed drainage system would not necessarily prejudice the implementation of a green SuDS elsewhere within the Masterplan area, the approach proposed by the current planning application is considered to be acceptable. However, of greater importance in considering its appropriateness is that fact that evidence presented by the applicant confirms that their proposals will reduce the risk of surface water run-off related flooding to nearby adjacent residential properties and the local highways infrastructure.

3.61 Design and Layout

3.62 As set out in section 3 of this report the Masterplan identifies the land the subject of the current proposal as Phase B as the Livesey Green character area and anticipates a medium density residential development of approximately 30-35 dwellings per hectare (dph). The area the subject of the current proposal is to the east of the proposed village green with the main access and primary route from Gib Lane. A linear park on the northern boundary is outlined in the master plan to incorporate sustainable urban drainage in a landscaped park land setting.

3.63 Detailed discussions and negotiations have taken place between the applicant and Council officers before and during the planning application process. This has included taking account of the views of local residents and consultees who have been received through written correspondence and at a community meeting held.

3.64 The layout of the site has largely been informed by the existing constraint relating to the sloping topography of the site, drainage and culvert requirements and an existing water main which crosses in an east to west direction through the centre of the site. With respect to the Masterplan requirements the proposed layout of the residential development addresses key points as follows. The proposed secondary street that links the development to the wider highways infrastructure, including Gib Lane and in the future to residential land to the west is shown as an attractive residential street which is landscaped to a high standard, including trees, shrubs and front gardens. The detailed design of landscaping throughout the site should, however, be conditioned to ensure that species and planting are appropriate to the specific circumstances of the layout, including species and planting densities. The layout of the highway incorporates different materials, including black tarmac, key junctions and route terminations in black bitmac with red chippings and shared driveways in bitmac with red chippings.

- 3.65 The potential monotony of the secondary street is broken with occasional tree planting and build-outs which also serve to slow traffic travelling through the site. Overall, the site is designed for 20 mph speeds in accordance with the Masterplan.
- 3.66 In terms of walking and cycling provision the layout provides for a range of opportunities. The new neighbourhood will be integrated into the wider network including safe routes. As well as pedestrian provision alongside the main vehicular access into the site from Gib Lane pavements are provided throughout the site, including linkages to the future residential development site to the west for which outline planning permission was granted in July 2015. Furthermore, there are two further 3 metre wide pedestrian and cycle routes directly onto Gib Lane along landscaped corridors and a 3 metre wide pedestrian and cycle access in the south west corner of the site towards the adjacent public open space. The proposed linkages are in accordance with the requirements of the Masterplan and will ensure that future residents have good access to local infrastructure and services.
- 3.67 Some concern has been expressed by local residents with regard to the suitability of the proposed linkages adjacent to residential properties along Gib Lane. In the wider context of accessibility and good linkage between the proposal; and surrounding area they are supported. The limited potential future overlooking into properties adjacent to the routes is outweighed by the benefits, including providing a cohesive layout which is integrated into its surroundings.
- 3.68 The proposed density of the Livesey Green Area is to be medium at 30-35 dwellings per hectare. The proposal is for 79 dwellings on a total site area of 3.41 hectares which gives an overall density of approximately 23 dwellings per hectare. However, when considering the green infrastructure requirements of the site and access and linkages the density is considered to be reasonable.
- 3.69 As described in section 3.6 of this report the current proposal is for larger family dwellings. 71 of the properties would have 4 bedrooms with the remaining 8 having five bedrooms. 54 of the properties are two storey with 25 having 2.5 storeys. 12 of the properties are in pairs of semis with the remaining 67 being detached. The proposed materials are to be agreed through condition; however, the majority of properties will be red brick with some render. Many of the dwellings will have spacious plots which reflect the size of the properties and the targeted family market.
- 3.70 There are a variety of boundary treatments throughout the site, including native tree planting, hedgerow, 1.8 metre timber fencing 900mm high brick walls with infill timber panels. Extensive landscape planting will soften the edges of the development whilst the harder treatments between plots will ensure the protection of privacy and the amenity of existing and future residents. The proposed boundaries

along with set-backs along the streets will ensure that the site is visually interesting and breaks between the built development. Several plots have garaging to the rear of plots to ensure there are visual breaks between properties and to ensure that vehicles and driveways do not totally dominate the frontages. That said, there is some concern that driveways do somewhat dominate the areas of the site facing the secondary access route. In order to ensure that this potential undesirable impact is mitigated it will be important to agree a detailed hard and soft landscaping scheme.

3.71 Overall, whilst the layout does demonstrate some limitations with respect to visual interest and local distinctiveness, it does represent a high quality larger family residential estate layout and one which meets the overall objectives of the Masterplan with regard to character and a mix of properties in a high quality setting.

3.72 Neighbour Impact

3.73 The Council's adopted Residential Design Guide (September 2012) provides advice to enhance the quality of new homes, including the protection of the amenity of existing residents. Space standards are an important consideration when assessing such impact. When assessing the current proposal there has been concern regarding the physical relationship of proposed two storey properties on the amenity of existing residential properties along Gib Lane, in particular.

3.74 For single and two storey dwellings a separation of no less than 21 metres shall be maintained between facing windows of habitable rooms. Where windows of habitable rooms face a blank wall or a wall with only non-habitable rooms a separation of no less than 13.5 metres shall be maintained. Where land levels vary an additional set back of 3 metres shall be required. In this case the proposed dwellings are at a lower level than existing properties on Gib Lane and this matter does therefore need to be factored into the assessment.

3.75 A number of properties along Gib Lane have habitable rooms to their rear which face directly towards the proposed development site. In order to ensure the amenity of these properties, and those of the proposed dwellings, is protected extensive discussions and negotiations have taken place between officers and the applicant. As a result, the separation distances as required by the Design Guide have now been achieved. The closest relationship is between the rear habitable room of single storey 34 Gib Lane and the blank side elevation of Plot 60, which is proposed to be a two storey dwelling. This separation distance is 19 metres and the proposed two storey plot is more than 1.9 metres lower than the existing bungalow. As such this relationship is considered to be satisfactory. There is a similar relationship between proposed dwellings and the rear of 40 Gib Lane where the separation distance is 19.5 metres.

3.76 Trees and landscape

- 3.77 A detailed tree report has accompanied the current application. There are no protected trees within the site area. Only two trees are to be felled as a result of the proposal – these are two poor quality birch trees which have significant wounds to the trunk and are to be removed to facilitate access onto Gib Lane. Trees within the woodland area to the south of the application site are protected.
- 3.78 The site also contains a single defunct hedgerow which bounds the western part of the site. It is considered to be of low value in terms of both aesthetic and ecological value. It may be described more as a line of shrubs than a hedgerow. The hedgerow is to be lost through the development to provide space for garages and driveways and access through to the adjacent future development plot; however, this loss may be mitigated by ensuring a high quality landscaping scheme is approved and implemented by condition. This should include tree and shrub planting suitable for a new residential development, ensuring appropriateness in terms of softening the development, contributing towards a high quality secure layout, whilst ensuring that no loss of amenity is likely in the future through tree growth and resultant overshadowing. Subject to a good quality tree and landscaping scheme the proposal is in accordance with Policy 4 of Local Plan Part 2.
- 3.79 As set out in the Masterplan, the site is bounded to the north and east by existing residential development. There are no formal landscape designations on any part of the site. It is rural in character comprising sloping grazed grassland. The woodland to the south of the site is an important landscape feature. Although the proposed residential development is close to the woodland, there is no threat to the woodland. Indeed, the woodland itself is seen as an important open space and recreational feature that may be used by future residents of this and other future residential developments.
- 3.80 There are a number of views from the surrounding area towards and into the site, including residential properties along the north and east boundaries, in particular. Other than these the proposed residential development will not be particularly intrusive. In order to mitigate potential harm to the amenity of adjacent residential properties it is proposed to incorporate an area of landscaped open space along the northern boundary adjacent to Livesey Branch Road and enhanced boundary treatment to the rear of properties on Gib Lane. The relationship between the proposed residential development and a number of properties on Gib Lane has been a matter of some concern; however, as discussed in Section 3.75 of this report the relationship is now considered to be acceptable.

- 3.81 The Landscape and Visual Impact Assessment submitted with the current application assesses the likely impacts or effects the development would have on the landscape and visual amenity of the locality. The proposal attempts to create a new residential development that responds to the surrounding landscape and its characteristics and to incorporate appropriate landscape features. As set out above the site is to be relatively well screened; however, there is some inevitable impact on the amenities of some adjoining residential properties and their views; however, the protection of private views is not a material planning consideration. The retention of existing boundary features and maturing of proposed landscape over time will ensure better integration of the development into the landscape.
- 3.82 Some mid-distance and longer distance views towards the site may be affected; however, the existing settlement pattern and location of existing residential development along the boundaries will somewhat filter these effects, although it is acknowledged that there will be some interruption of existing more open views of the countryside.
- 3.83 Overall, whilst there will be some landscape interruption there is no impact on designated landscapes. Mitigation through planting and landscaping will ensure that any potential negative impacts are mitigated to ensure compliance with the adopted Masterplan, Core Strategy Policy CS18 and Policy 41 of Local Plan Part 2.
- 3.84 Ecology
- 3.85 Most of the application site is grazed poor quality semi-improved grassland which does have some limited ecological potential; however, species found within the site are relatively common and widespread in the surrounding area. As such, their loss is unlikely to have any significant impact on nature conservation interest. There are no designated sites of conservation importance within the site.
- 3.86 The woodland area to the south of the site does have some potential for protected species. As such, it is important that these areas are retained and improved.
- 3.87 The shrubs that surround parts of the site are of some local value as they provide opportunity for some biodiversity and are suitable for some nesting birds. A condition regarding the protection of birds is recommended.
- 3.88 Measures to protect and enhance biodiversity include the protection of existing vegetation during the construction phase, control of lighting, protection of watercourses, bat access panels in the new development, protection of birds during the nesting season and incorporation of bird boxes within the development. Furthermore, conditions regarding invasive species and enhancement for biodiversity are recommended. Overall, the development represents an opportunity to secure

ecological enhancement for wildlife in and adjacent to the site in accordance with Policy 40 of the Local Plan Part 2 and the requirements of the adopted Masterplan.

3.89 Contaminated Land and Public Protection

- 3.90 A Desk Study and associated report has been submitted with the current proposal which confirms that the site is not likely to present a significant risk from contamination. This position has been confirmed by the Head of Public Protection. The most significant potential threat appears to be landfill gas originating from the off-site Gib Lane landfill.
- 3.91 The submitted Preliminary Conceptual Model concludes that intrusive investigation is required and this precautionary approach is welcomed. The soils sampled show low levels of soil contamination.
- 3.92 A three month period of gas monitoring has been carried out which did not identify significantly elevated landfill gas concentrations and, as such, no formal gas protection measures are required in the development.
- 3.93 The site is effectively uncontaminated and no formal programme of remediation is required.
- 3.94 Additional public protection matters include air quality and construction phase impacts. In order to ensure compliance with Policy CS20 of the Core Strategy and in order to mitigate any potential harm from the development on the Earcroft Air Quality Management Area conditions are recommended with reference to an air quality assessment in order to identify any potential impact on health. Some concern has been expressed with reference to air quality given the proximity of the site to the Moorgate Street / Livesey Branch Road junction which has for some time been an area of concern in terms of poor air quality.
- 3.95 Conditions are also recommended with reference to limitation of construction hours, dust control during construction and noise and vibration control. These are required in order to protect the amenities of local residents during the development period.
- ### 3.96 Affordable Housing
- 3.97 In accordance with Policy CS8 of the Core Strategy the Gib Lane Masterplan development on the site is expected to make a contribution towards affordable housing. It is envisaged that this contribution will be in the form of a commuted sum payment towards the provision of affordable homes off site. However, in accordance with the NPPF and the Masterplan in making a decision on this and other cases consideration should be given to viability and costs to ensure that plans are deliverable. Accordingly, regard has been given to a viability

appraisal submitted by the potential developer of the site. This has been undertaken in line with the Homes and Community Agency's (HCA's) Development Appraisal Tool (DAT). Consideration should also be given to other infrastructure requirements of the proposed development, including off site highways improvements and green infrastructure.

- 3.98 In this case it is clear that there is limited viability in this important scheme which represents an opportunity to make an important contribution to the supply of new residential properties in the Borough and uplifting the housing market, in general. It is important that the developer is encouraged to implement any planning permission as soon as possible in order to deliver these required outcomes.
- 3.99 It has been agreed that, subject to the developer implementing a planning permission within 6 months of the date of the issue of such planning permission or the date of the last planning condition to be discharged (whichever is the later), there shall be no affordable housing contribution. If, however, such commencement does not occur within the six month time period then there shall be a review of viability if the development has not been completed within 3 years of implementation. At that stage if it is shown that there is significant viability in the scheme then a financial contribution towards the provision of off-site affordable homes may be negotiated.
- 3.100 The above approach is considered to be entirely appropriate in the circumstances and is in accordance with National planning policy and the objectives of the Gib Lane Masterplan.

4.0 RECOMMENDATION

- 4.1 APPROVE subject to the following:
- 4.2 A section 106 agreement to provide a financial contribution towards off site highways works and affordable housing subject to the developer implementing the development within six months of planning permission being granted or the date of the last planning condition being discharged (whichever is the later);
- 4.3 Conditions which relate to the following matters:
- Samples of materials
 - Hard and soft landscaping, including boundary treatment
 - Off-site highways works
 - Scheme for construction of site access
 - Visibility splays
 - Reduction of wall on highway
 - Retention of householder car parking spaces
 - Construction method statement
 - Phasing of drainage scheme

- Scheme for the disposal of foul and surface waters
- Tree protection scheme during construction
- Implementation of ecological mitigation and enhancement
- Protection of birds during construction
- Control of invasive species
- Unexpected contamination
- Air quality
- Limitation of site works to:
 - 08:00 to 18:00 Mondays to Fridays
 - 09:00 to 13:00 Saturdays
 - Not at all on Sundays and Bank Holidays
- Dust control
- Noise and vibration control
- Restriction of permitted development rights.

5.0 PLANNING HISTORY

- 5.1 The following is relevant to the current proposal. It relates to land within the wider Gib Lane Masterplan area to the west of the current proposal.
- 5.2 10/14/1331 - Outline Planning Application for erection of up to 145 no. new residential dwellings, new village green and A3 cafe use, and site wide features of green infrastructure and drainage attenuation measures forming Phase A of wider site Masterplan. Approved in July 2015 subject to conditions and a Section 106 Agreement.

6.0 CONSULTATIONS

- 6.1 Drainage – The drainage proposals are acceptable in principle. Surface water run-off from the development should cause no increase in the risk of flooding to existing properties. The drainage scheme for the development is designed to discharge to the equivalent greenfield run-off for a 1 in 100 year storm plus a 30% allowance for climate change, which meets the standard required by the Environment Agency. This means that surface water flows in the Livesey Branch Road culvert will be unchanged by run off from the development. This will be achieved by storm water being held in the storage tank and pipes on the site.
- 6.2 United Utilities - In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. No objection subject to relevant drainage conditions.

A water main/trunk main crosses the site which has an easement on it (Our Ref: F2966 F2946). Under no circumstances should anything be stored, planted or erected upon the easement, nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access.

6.3 Strategic Housing Development and Partnerships Team – Welcome the proposal as the Borough is significantly under-represented in larger good quality family dwellings. Subject to viability a commuted sum towards off site affordable housing provision should be sought.

6.4 Capita Highways – There are some concerns regarding the outputs and assumptions of the Transport Assessment; however, mitigation will be secured to improve and assist movement in and out of the site. Sightlines should be conditioned to ensure no obstruction to visibility. The dimensions of garages have been increased, which is acceptable.

Internal arrangements have been amended and there is still some apprehension with some of the swept path manoeuvres. Further swept path analysis should therefore be conditioned.

The off-site highways works to Gib Lane are considered satisfactory and should be conditioned with works to be carried out prior to the occupation of the first dwellings.

In summary, the application is supported subject to conditions.

6.5 Capita Ecology – Information provided within the Ecological Survey and Assessment is sufficient to support the application. The report's recommendations should be incorporated within the development to achieve protection and enhancement of the biodiversity and achieve a sustainable development.

6.6 Head of Public Protection – The site is not likely to present a significant risk from contamination. The most significant threat appears to be landfill gas originating from the off-site Gib Lane landfill. The precautionary approach to soil sampling is welcomed, although previous greenfield use of the site means the likelihood of soil contamination is low. Gas monitoring has not identified significantly elevated landfill gas concentrations and therefore no formal gas protection measures are required.

The site is effectively uncontaminated and no formal programme of remediation is required.

Recommend conditions relating to unexpected contamination, air quality assessment, control of construction hours of site works, dust control, noise and vibration control

6.7 Lancashire Constabulary Architectural Liaison Officer – Advises regarding security and crime prevention measures including physical security, perimeter security, illumination, layout and site permeability.

6.8 School Organisation Manager – No objections.

6.9 Local Residents – A total of 81 neighbours have been consulted. Seventeen objections have been received plus three letters of comment. Grounds for objection relate to:

- Traffic volumes;
- Site access arrangements;
- Overlooking and overbearing impact of proposed dwellings;
- Surface water drainage;
- Layout;
- Unsuitably located access points;
- Housing density;
- Conflicts with adopted Masterplan;
- Road noise;
- Removal of hedgerows;
- Design; and
- Impact on Cockridge Wood.

A selection of objections is appended to this report.

7.0 CONTACT OFFICER:

Alastair Phillips, Team Leader - Planning Implementation

8.0 DATE PREPARED:

5th February 2016

Summary of representation

Eileen Marie Green

20th August 2015

For the Attention of Gavin Prescott
Planning Manager
Blackburn with Darwen Borough Council

CC to Planning Committee Members, Blackburn with Darwen Borough Council & Elected Ward Councillors.

From Mrs Eileen Marie Green, 28 Gib Lane, Blackburn, BB2 5BP

Reference Planning Application Reference 10/15/091 Wainhomes NW (Ltd)

Dear Gavin

Please find below my comments on the above mentioned planning application which I will refer to as "Wainhomes proposal".

1. The Council has not finalised its overarching Development Policy. In order to ensure that the development is in line with the objectives of Blackburn with Darwen Borough Council and national Planning context I urge the Planning Authorities to reserve any decisions until such time as all Policy is finalised.
2. In general I believe that the Wainhomes proposal fails to apply the principles and guidance outlined in existing National Planning Policy, Core Strategy, the Local Plan Part 2, Design Guide Supplementary Planning Document, Residential Design Guide Supplementary Planning Document, Housing Delivery Supplementary Planning Document (Draft) and the Gib Lane Masterplan. I will refer to these documents collectively as "Planning Policy". Specifically the Wainhomes proposal fails to give adequate cognisance of those documents in the following ways.
 - a. **Proposed removal of Hedgerows.**
 - i. The Hedgerow Assessment which is attached to the Wainhomes proposal on the Blackburn with Darwen Borough Councils web site is a report commissioned by Wainhomes Limited. The report refers to The Hedgerow Regulations 1997 and indicates that the Hedgerow is possibly important under criteria set out in paragraph 4 of the law and is identifies as important under criteria set out in paragraph 5 of the law. The report indicates that further reference to the County Records office could be made. I request that the Planning Authorities instruct Wainhomes Ltd to review the proposal to produce a scheme that does not remove Hedgerow in consideration of their determination as important under Hedgerow Regulations 1997.
 - ii. Planning Policy demands that any development on the site controls surface water run off. Hedgerow provides natural and sustainable drainage as described in the two documents [http://hedgelink.org.uk/index.php?page=16#What hedges do for us](http://hedgelink.org.uk/index.php?page=16#What%20hedges%20do%20for%20us) [file:///C:/Users/Eileen/Downloads/a little rough guide around the hedgerow \(1\).pdf](file:///C:/Users/Eileen/Downloads/a%20little%20rough%20guide%20around%20the%20hedgerow%20(1).pdf). I ask the Planning Authorities to instruct Wainhomes Ltd to review the proposal to produce a scheme that does not remove Hedgerow in consideration to control surface water run off.
 - iii. Hedgerows also provide a natural wildlife habitat. There are Bats, small birds, bumble bees, moths & butterflies and I believe Dormice in the Hedgerow on this site and I ask, as a minimum that the Local Planning

Authorities instruct Wainhomes Ltd to review their plans to include maintenance and enhancement of the Hedgerows and that any revised application detail how the Hedgerows will be protected, preserved and enhanced during construction and in particular how they will be maintained in the future. For example who will own them and how will their maintenance be financed and managed in the future.

b. Design

- i. I do not believe that the housing design is in line with the Planning Policy despite statements to the contrary within the Planning Design and Access Statement submitted to support the Wainhomes proposal. The housing designs are copies of all of Wainhomes standard design and as such fail to take into consideration local influences. In particular there is no Stone in the design, the garden boundaries are uniform timber fences and the house types are not varied. I believe the Wainhomes proposal includes ugly design features and I ask the Planning Authorities to request Wainhomes Ltd review the proposal to follow guidance of the Planning Policy.
- ii. I believe that massing and proximity of the homes planned in the Wainhomes proposal is unacceptable in terms of visual impact, effect on character of the neighbourhood, will cast shadow on existing properties and therefore damage the residential amenity of the existing properties.
- iii. I believe that the Wainhomes proposal has an adverse effect on the residential amenity on my home due the visual impact caused by the development. I believe I have the right to the enjoyment of my home and I ask the Planning Authorities to instruct Wainhomes Ltd to revise the plan to adhere to the Planning Policy which I believe will minimise adverse effect on the residential amenity and damage to my right to enjoyment of my home.
- iv. The loss of existing views from my home constitutes a loss of residential amenity of my home and I ask the Planning Authorities to instruct Wainhomes Ltd to revise their plans to include a development that adheres to Planning Policy and protects the residential amenity of my home and that of my neighbours.

I also ask for you to confirm that the proposal will be considered by the Council Planning Committee? Your letter explains that it may go to the Committee Meeting but does not confirm either way.

In summary. The site must be developed to provide well designed and sensitively laid out truly executive homes. I believe that Planning Policy provides a framework for an acceptable integration of the rural landscape to deliver much needed quality homes for the Borough on this site. However I believe that the Wainhomes proposal falls far short of the Planning Policy objectives and I ask the Planning Authorities to ensure that the full and final Planning Policy is properly adhered to.

Mrs M Allton & Miss J Allton

RECEIVED

14 AUG 2015

36 Gib Lane
Blackburn
Lancashire
BB2 5BP
12 August 2015

Mr Gavin Prescott
Planning Manager
Planning Service
Planning Section
Regeneration Department
Blackburn with Darwen Council
Town Hall
Blackburn
Lancashire
BB1 7DY

Application Reference 10/15/0901.

Dear Mr Prescott,

The following are the objections and concerns regarding the planning application.

I am somewhat concerned to find a five metre high brick wall some ten metre long just three point five metres behind our rear fence, this is not well in excess of the required by Blackburn with Darwen Council. This will be overbearing to our home which is a bungalow. We consider houses so close to the fence is totally unacceptable and unreasonable as an out look from our rear windows. We have a bedroom and dining room window facing west. If a property is to be built close to my boundary, it should be in keeping with the bungalows on this side of Gib Lane, which were built as a planning condition to preserve the setting and impact on the area. The bat population needs to be considered.

Drainage on the field at the back of Gib Lane is unacceptable. I waited several months for drains to be unblocked by Blackburn with Darwen Council. Three accidents happened on Gib Lane on the 14th January.

due to unblocked drains and ice.

Access road onto Grip lane, would be dangerous due to speeding and volume of traffic between Monday to Friday 3.30pm to 6.30pm.

I am unable to drive up Grip lane, when traffic is waiting to go onto Livesay Branch Road, due to parked cars ie single track.

The new roundabout at the bottom of Grip lane and Green lane. I have seen three accidents and have been told of many more. How many more?

The access road on Grip lane is opposite Rise Dale is this safe?

Grip lane has a weight restriction on the lane so no delivery wagons will be able to deliver via Grip lane. Green land should be kept for the future, brown field land should be used first.

A caravan site has had planning permission passed on Broken stone Road. This will already cause extra traffic to Broken stone Road, Bog height Road and Grip lane.

The proposal to install hedging, is not required. who will maintain this hedging?

I have written to Mr Harris at Emery Planning who are working for Wainhomes NW (Ltd) with the above concerns and objections.

Please do not pass this application and preserve the green land for future generations.

v

Mrs Margaret Powell

59 Gib Lane
Blackburn
BB2 5BP

21 August 2015

Gavin Prescott
Planning Manager
Planning Service
Planning Section, Regeneration Dept
Blackburn with Darwen Borough Council
Town Hall
Blackburn BB1 7DY

Dear Mr Prescott

Planning Application 10/15/0901

With reference to the above mentioned application my comments/objections are as follows:

Who will buy these houses? There are existing new and older houses for sale that are not selling. Of the people who may buy the houses, many of them will be commuters heading for the M65 and not into Blackburn.

Traffic - My main concern regarding the development is the increase in traffic. Although this has been mentioned in the past, and some solutions put forward, i.e. traffic calming measures and encouraging people to use public transport (this will never happen), it will still mean an average of two cars per house extra travelling on Livesey Branch Road and up/down Gib Lane on their way to/from the M65. – There is a road now going through the housing development plan, which exits onto Gib Lane. We already have too many vehicles cutting through Gib Lane almost constantly at peak times; some travelling at 40/50 mph plus, despite 30 mph speed signs. I cannot see this improving - in fact it will become even more of a rat-run with people cutting through the proposed new development.. Accidents will happen. People are now also parking on Gib Lane at the end of school time to pick up children from St Bedes School, because there are recently placed parking restrictions in force now on Green Lane. We also have a problem with litter being thrown out of cars onto Gib Lane when they are travelling up or down.

Drainage - The area of the proposed development is full of springs and gets very water-logged. Will the site be drained properly? A huge amount of rain pours through this area, and things seem to be getting worse in the gardens and on Gib Lane. If this development went ahead, houses on Livesey Branch Road could be affected by flooding, due to disturbance of the land, causing insurance problems. Once developers start building, plans are not always followed regarding drainage. We have a drain missing in our back garden, which on the plans says exists. This was proved last summer when there was a drainage problem and inspectors were in the area. We are still waiting for street drainage, promised 40 years ago by the Council, above our house. In heavy rain the water pours down Gib Lane like a river. In winter, ice forms

on the road where the rain has poured down. If this development goes ahead the Gib Lane drainage should be done at the same time at the developer's expense. We have waited long enough.

Cockridge Wood –Plans were originally in place in a previous proposed development to look after the wood ie payments made by householders on the new estate annually for maintenance of the wood. What has happened to these plans? They should still be in place. We experience anti-social behaviour in Cockridge Wood, which is opposite our house, quite frequently, especially in summer, and this has increased in the last 10 years, including the burning of trees, leaving litter, and motor bike riding (which is destroying the bluebells – Cockridge Wood used to be known as Bluebell Wood). Anti-social behaviour would probably increase with more houses in the area, leading to the destruction of the wood. Who is to maintain the wood?

Bats are present in the area - they fly around in our gardens and on Gib Lane in the evenings in summer. Building more houses would jeopardise the opportunity for bats to 'roost'. Also there are deer in Cockridge Wood on occasions; 3 were seen recently. Building more houses would be to the detriment of wildlife.

Please consider the above points. We need these existing green spaces. Plenty of brown field sites are available to build on.

Blackburn with Darwen Borough Council
Lane
Town Hall
Blackburn
BB1 7DY
August 2015

34,Gib
Blackburn
BB2 5BP
26th

For Mr. Gavin Prescott
Planning Manager
Planning Services

Keith Murray

Mr Prescott,

Planning Application 10/15/0901-Wainhomes, West of Gib Lane

I write on behalf of my wife and I to object to the proposal submitted by Wainhomes specifically with regard to our property and the surrounding site.

As proposed the Wren dwelling on plot 60 immediately behind our rear fence will be 13.9 metres from the rear of our property and the eaves height of the new dwelling will be 1 metre above our own eaves. It will be nearer to and with a greater adverse eaves height difference than any other of the properties near to the rear of Gib Lane. Although the separation distance meets the Council's minimum requirement of 13.5 metres from window to end wall the height of the new dwelling will be overbearing to our home, cast shadows particularly in Autumn Winter and Spring when the sun is lower and now in mid August reaches our windows in early evening. There is also the potential additional projection of a conservatory which most new homes soon add to increase their living space and probably the inevitable trampoline. Due to the layout of the Wren house a conservatory would again be too close to our boundary, our privacy will be invaded and cast more shadows.

I do not believe the scheme meets the Council's requirements to be in sympathy with the scale and mass of nearby properties nor does it accord with your vision for the area.

I wrote to Emery Planning expressing my concerns immediately when notified of their proposals and requested a bungalow of Turner or Haddon design be placed on plot 60 in that position. I also spoke to the architect who seemed to have some reservations that the scheme as proposed would be acceptable to Planning. Those discussions have not resulted in any changes to our situation, will you please address this matter on our behalf.

Looking at the Planning submission layout, there would seem to be scope to increase the separation distance from our home. The garage on plot 65 (Haversham) is some distance from the house and would be much more useful close to the house, garages tend to be used for storage rather than cars and would be more convenient nearer to the house. This would enable all the other dwellings in that row to be moved further away from Gib Lane by at least the same amount and enable a bungalow to be placed on plot 60 or at least place the garage at the side of the property, as required in the Council's guidelines for development.

As pointed out in your letter to Wainhomes dated 17th April 15 “a landscape buffer is desirable between the Gib lane properties and the new dwellings and that minimum separation distances are not the only justification for positioning new dwellings” and I support what you proposed but it seems to have been ignored by Wainhomes. Presumably you will challenge this during your next discussions and resolve to the satisfaction of local residents.

Considering the proposed public access between 32 and 34 Gib Lane, this is unnecessary and not justified to open up access to or from the site, nor is it shown as an access on the approved Masterplan. Anyone wishing to go up Gib Lane would use the main entrance and those going down, the lower footpath. There are numerous examples throughout the Borough where alleyways have been gated to prevent problems and another alleyway will have similar potential problems of privacy, security and nuisance for 32 and 34 Gib Lane. Providing screening with trees and bushes does no more than provide spaces for litter, dog fouling and teenagers to congregate and create nuisance. It will be just as disadvantageous for the new home owners and will make those homes closest to the path more difficult to sell. It is even suggested in the Masterplan that nearby resident can watch over this and other paths for incidents. We will not act as police for what is already perceived as a potential problem area.

In the current Local Plan2 currently with the Planning Inspector, there is a clear statement relating to the potential problems of new development and a Planning responsibility to mitigate unsatisfactory conditions as a result of new development viz. “Some developments can have a very direct impact on people close to it. It is important that planning manages this impact to ensure that no-one suffers from unsatisfactory conditions as a result of new development... “ref. Local Plan 2, Chapter 2- Core Policies, page 10 of Site Allocations and Development Management Policies July 2014 edition para. 2.14 -2.16 refers to Development and People. In particular para. 2.16 is most relevant.

We would expect legitimate concerns to be fully addressed under this core policy and ensure we do not suffer from unsatisfactory conditions, which is clearly the case as presently proposed with the building too high and too close to our boundary.

I attach a copy of my response to Emery Planning and photographs showing the rear of our home viewed from the proposed plot 60. You will clearly see that our family room which we use throughout the day and evening will suffer a significant invasion of privacy if a dwelling is placed as proposed and that our bedroom and Lounge are also affected.



Family Room, Dining area and Kitchen (taken from boundary fence)



General view from boundary fence showing Family room, Bedroom and Lounge



View towards our home from within proposed plot 60

Keith Murray

John Michael Duckworth

RECEIVED
20 AUG 2015

Linden Lea.
14, Gib Lane,
Blackburn,
Lancs.

Re; Planning application for 79 four and five bedroom executive homes west of Gib Lane Blackburn.

Application reference 10/15/0901

Dear Mr. Prescott,

I have studied the plan which was sent to me by Emery planning on behalf of Wainhomes (North West) with great interest and also those on the Councils website. Certain points and concerns have prompted me to raise what I consider are valid objections to the proposed development, these are listed below in three sections.

- 1) Seventy nine homes; almost certainly every household will own two cars or more, for example I shall use a conservative figure of 2.5 vehicles per household which is 197.5 which I will round down to 197 vehicles. Obviously from the present plan all of these vehicles will have to use the only available entrance / exit on to Gib Lane, this surely is unacceptable for such a narrow carriageway. Also the exit / entry point is in a very unsuitable position almost creating a cross roads with Risedale Grove. Furthermore the position of the exit / entry is in a very unsuitable position in relation to Gib Lane with regard to road width and visibility when descending Gib Lane. In summary I do not consider one entrance / exit on to Gib Lane sufficient for the proposed dwellings. Having studied the plan I have noted that there is a "highway link to adjacent land" but it is not connected on the plan and although it is obviously intended to be linked to possible future development there may be other factors which affect future development. Suppose there is economic downturn, change of government policy or even a change of government, the link may never be completed. Result the planned present development will have to rely on one entry / exit. With regard to my above comments having been a long term resident of Gib

Lane and written many letters regarding proposed development of the two meadows in question. I personally know that the owner of these two meadows has had numerous attempts for planning thwarted and is obviously now seeing possible light at the end of the tunnel eager to proceed. I personally feel that nothing should commence on this site until the adjoining fields are approved with suitable additional access made available.

- 2) Surface water and drainage are of major concern to myself and many other residents I have communicated with. The "experts" on drainage systems all seem very confident but I would suspect that none of these people are residents of Livesey Branch Road. As a long term resident of Gib Lane I personally have witnessed extremely large amounts of surface water, far in excess of the amounts shown in images captured and displayed when I visited Cherry Tree Library and St. Andrews Centre. Also as I have previously mentioned in recent years I have witnessed both manhole covers on the left and right hand side at the bottom of Gib Lane become displaced by the pressure of water in the existing drains. In addition the footpath on the west side of Gib Lane around the manhole became rippled due to the hydraulic pressure generated by the excessive amount of water, which the existing drainage system could not cope with. I have to comment that this damage was repaired promptly and efficiently rather more quickly than some other footpath / highway damage I have witnessed, which prompted certain thoughts but I will not dwell upon them. After close examination of the proposed plans on the Councils website I was dismayed to discover that the drain for surface water and the sewer will run alongside my property following the route of the footpath / cycleway link 1. It would appear to me that apart from the residents of Livesey Branch Road being at risk of flooding my property and those below me on Gib Lane will additionally be vulnerable. As somebody once stated "water has a habit of travelling downhill", perhaps members of Blackburn with Darwen Borough Council Planning Section should bear this simple fact in mind before considering this application.
- 3) From the plans which I have received / viewed, apart from the vehicular access there are two footpaths / cycle ways, therefore there are six properties which will be greatly affected by these access points one of which is mine. Number 14 is my property on the lower side of the proposed route (link 1) and will be the first pedestrian entry / exit point on Gib Lane and therefore probably the busiest for pedestrian and cycle traffic. I telephoned the developers to voice certain concerns, who were very polite but were unable to directly answer my questions accurately regarding the following points. How will the proposed route adjacent to my property be defined with regard to fencing / retaining wall etc. I have ever since purchasing the property had problems with earth etc slowly moving, which I have repeatedly had to dig out and contain. This problem unless properly addressed would certainly be accentuated. Basically the underlying earth and supporting area of the proposed

route must be correctly supported and retained by a sufficiently proportioned and constructed retaining wall, and the boundary of the route must be secure and vandal proof i.e. not wooden fencing but be of brick or suitable alternative. I personally feel these six properties which will be greatly affected by the entry and access points should be consulted and informed individually exactly what is proposed, and given priority consultation should the development be approved. This should involve close consultation regarding the type of construction that will define the boundary as they will obviously have the longer boundaries than any other properties affected by the proposed development. Also at the rear of my property there will be a hedgerow and reinforced edge planting. Who will be responsible for the upkeep and maintenance of it ?, also my existing fence will possibly exposed to vandalism / damage etc along with the boundary of the proposed cycleway / footpath which at present does not occur, who will be responsible for this when problems inevitably start. Also I feel that such a pathway will attract groups of youths and children which will inevitably become a persistent nuisance to myself and other neighbours with existing properties adjacent to the entry points. What do the developers intend to do to deter such activity, to envisage that this problem will probably not occur would be naive.

Chairman Greenfield Focus Group

Keith Murray
Chairman Greenfield Focus Group
30th July 2015

Planning Application 10/15/0901 - development proposals to the West of Gib Lane by Wainhomes.

The following questions and concerns should be answered by Planning Department who will be the authority for agreeing and granting development approval. They will have to resolve conflict with the developer such that residents do not suffer unsatisfactory conditions or detriment as a result of development.

1. Residents Concerns

Throughout the preparation of the Local Plan and Masterplan consultations the legitimate concerns of local residents have persistently been ignored or sidelined until they could be forgotten. Many of the points now being raised have been identified before but no satisfactory acknowledgement that they are important or significant in the overall plan has ever been given, they have been treated more as inconvenient or an annoyance. We are now moving from Forward Planning and Local Plan to the practical aspects of development which are key to maintaining a receptive local community. It is now time for local residents to be adequately consulted and their concerns addressed and dealt with in a sympathetic and responsible manner.

2. Local Plan 2

Chapter 2- Core Policies, page 10 of Site Allocations and Development Management Policies July 2014 edition para. 2.14 -2.16 refers to Development and People.

In particular para 2.16 is most relevant " Some developments can have a very direct impact on people close to it. It is important that planning manages this impact to ensure that no-one suffers from unsatisfactory conditions as a result of new development..."We would expect legitimate concerns to be fully addressed under this core policy and ensure no-one suffers from unsatisfactory conditions.

3. Bungalows on Gib Lane

It is proposed to place 2 storey dwellings close to the existing bungalows at the top of Gib Lane. These homes were built as bungalows at the insistence of Blackburn Council- "to protect the visual amenities of the area and amenity of adjacent dwellings", - quote from planning approval conditions. A similar condition should be applied to new dwellings behind these homes to protect existing residents. Large detached two storey properties so close to existing properties here will be overbearing, cast shadows and not in sympathy with existing properties. A fundamental requirement of good planning is to ensure that the whole integration of new with existing dwellings is compatible and in proportion and layout similar to the local area.

4. Proposed Footpath and Cycleway

There is a footpath and cycle way proposed between 32 and 34 Gib Lane, this is unnecessary and not identified as a route in the Masterplan. The upper main access or the lower footpath and cycle way will be used for up or down movements. A path here will be a source of nuisance, litter, dog fouling and bring security and damage issues for the adjacent properties. The proposal that local residents should monitor activities on this path suggests that the Council already accept there is potential for difficulties to arise and shows a basic lack of understanding of the practicalities of policing such alleyways. The council has

gated many alleys across the borough to prevent criminal activities, rubbish dumping and reduce antisocial behavior but is proposing a new alleyway here which will be a source of nuisance for existing and new residents. Points 3 and 4 above should be addressed through this Core Policy para.2.16.

5. Site Strategy

The site strategy is for prestigious high quality executive and aspirational homes, the infrastructure should reflect this and be a condition of development. In the event of a failing market, any lowering of quality and increased densities should be resisted as it would be contrary to the site strategic principles. A fall back strategy should be included in the approval conditions clearly defining the site requirements for changes due to market conditions. This should be included in the design guidance for this site.

6. Housing Density

The development appears to be far too densely packed when compared with properties on Gib Lane and the surrounding areas. Oakdale, Coverdale, Regents Park and Torridon Gardens, are all far more spacious. It also appears to be in conflict with the development guidelines included in the masterplan. Why were site densities changed when the original Local Plan had densities of 9 dwellings per hectare as part of a spacious and prestigious site? The proposed density looks cramped and inappropriate for quality homes. Was it a case of the major landowner suggesting the figures and Council agreeing and if so how was the change justified? The site has inadequate visitor parking similar to Kingsley Close or Tintagel Close, both have parking problems. 33 per hectare is the same density as for social housing redevelopment in Griffin where houses will be much smaller and have less demand for parking and access.

7. Draft Housing Delivery SPD

This document specifies the characteristic and distinguishing features between higher market and executive houses required by the Council. The proposal from Wainhomes does not have sufficient detail to judge if it meets the requirements for minimum separation distances between properties, parking requirements, house footprint etc., will the Council confirm the minimum requirements will be imposed?

8. Livesey Green The proposed development forms part of Livesey Green, it is evident from the detail within the Masterplan that this part of the site was not appropriately considered when the guidelines for Livesey Green were defined, presumably as the proposal was prepared by the major landowner and not agreed with the current developer. How will the conflicts between the proposed development and the Masterplan be resolved? Will the development be required to conform to the intended street form and layout as defined in the Masterplan, which clearly it does not based on the current proposal?

9. Green Corridor

There is a green corridor shown behind the houses on Gib Lane on some of the Local Plan maps. The corridor links to the ground from Greenfields Community Centre and St. Bede's School. It is part of the ecological network that connects Witton Park with the West Pennine moors. Although this was commented on in responses to the Local Plan consultation and we were assured the corridor would be clearly shown, it has disappeared from the site. As stated previously, the

corridor to the immediate west of Gib Lane is also a bat feeding run and should remain largely unobstructed, there are numerous houses now proposed in this area. There is a Winter feeding area in the sheltered ground to the north of Cockridge Wood, just below the split between the two parts of the wood. This is used by over 30 bird varieties and numerous animals throughout Winter and particularly when severe weather happens. A buffer area is required between the rear of new properties close to the wood to permit winter feeding to continue.

10. Site access onto Gib Lane

Is it intended to narrow Gib Lane to enable adequate sight lines to be provided? Is it intended to widen the 4.36 metre width of road near the woods and if so how will this be done?

11. Surface water drainage

There are already problems with the surface water road drainage capacity, as demonstrated by the manhole at the bottom of Gib Lane lifting during heavy rain and flooding on Livesey Branch Road. As the developer proposes to use this drain for site surface water how will this be accommodated? Will there have to be significant drainage upgrade and consequential disruption for residents?

12. Section 106 Monies

The provisions from section 106 monies as detailed in the Masterplan are noted. There is a further requirement to provide adequate gully drains at the proposed site entrance and above, the first gullies are presently outside 34/36 and 33 Gib Lane and take significant run off from the fields above Bunkers Hill wood and to the east of Gib Lane. Will this be dealt with as part of the site access arrangements?

13. Transport implications

Between the West of Oakdale and Moulden Brow there are plans to erect at least 1575 dwellings. The transport assessment carried out by the landowners for area 16/9 submitted with the outline application for phase A did not take account of the other sites and their interdependence. Capita have confirmed they only considered the specific site when the recent phase A application was approved. A comprehensive traffic assessment including all the potential traffic should be provided to demonstrate the roads are adequate, the assessment carried out for the Local Plan was based on the declared figures from early 2014 not the current proposals. The Green Lane connection to Preston Old Road has not been assessed. This will be a preferred route for those from most of the area 16/9 going to Blackburn as it avoids Ewood and the road from Darwen to Blackburn. Similarly area 16/9 will largely be a commuter area as will some of the other local proposed sites and the motorway links also need to be addressed in detail, particularly the volume of traffic using Bog Height road and the Golden Cup junction based on the minimum 1575 dwellings now proposed.
