

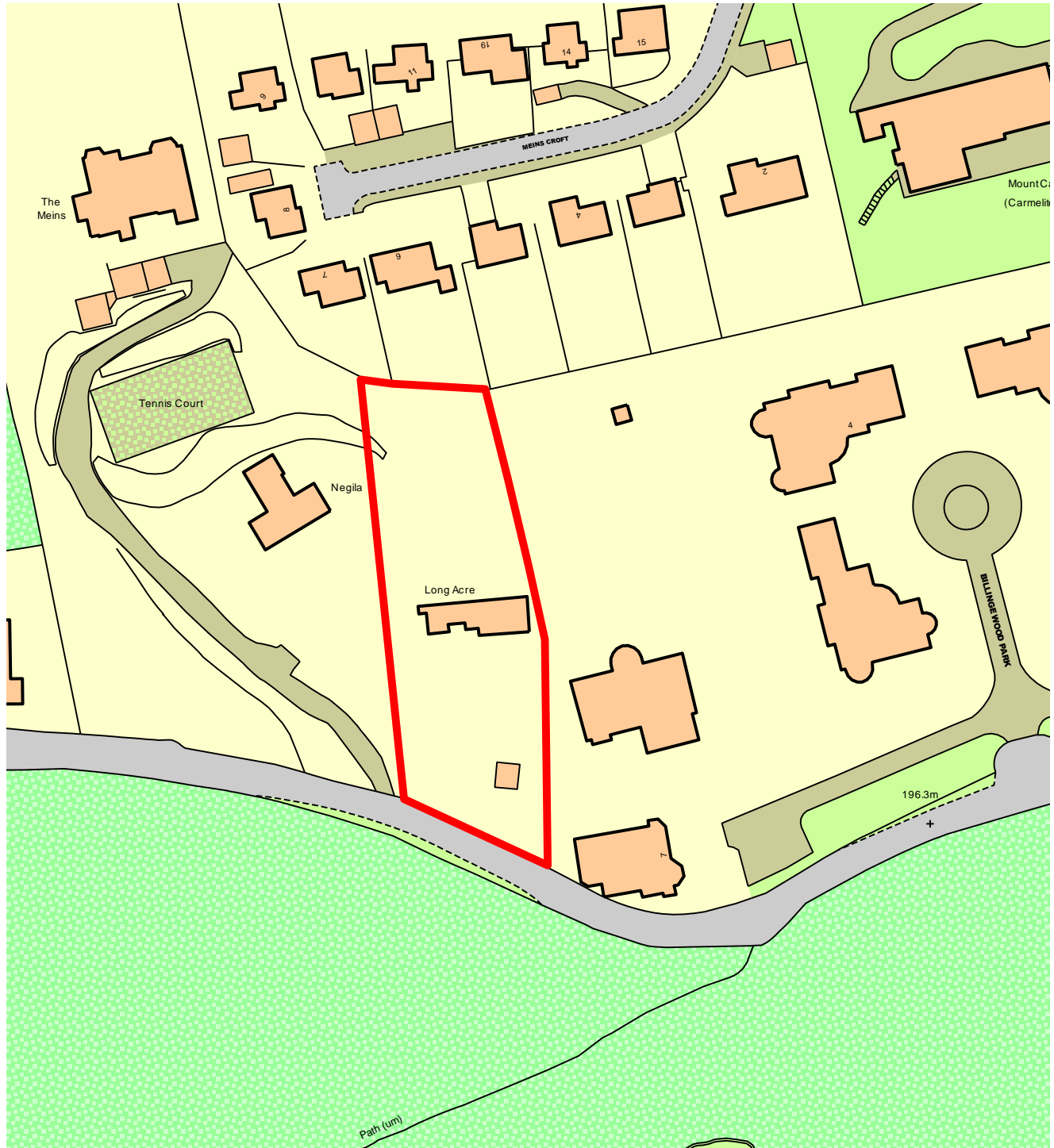
Proposed development: Full Planning Application for New dwelling house including retrospective permission for demolition of original dwelling

Site address: Longacre, Billinge End Road, Blackburn, BB2 6PT

Applicant: Mr Ahtesham Sadiq

Ward: Beardwood With Lammack

Councillor Michael Lee	
Councillor Julie Daley	
Councillor Imtiaz Ali	



1.0 SUMMARY OF RECOMMENDATION

1.1 Approve subject to the following conditions:

- Materials to be submitted
- Landscaping scheme to be submitted
- Arboricultural Method Statement and Tree protection Plan to be submitted
- Protective fencing to be installed
- Existing trees not to be lopped, topped, felled pruned or sustain root severance
- Work to stop if protected species discovered
- Removal of vegetation to be undertaken outside bird nesting season, unless \Ecology survey first confirms no birds' nests present.
- External lighting to be minimal.
- Removal of permitted development rights.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The key issues to be addressed are as follows:

- Overview of and requirement for this application.
- Position and scale of footprint.
- Scale and massing of proposed dwelling.
- Design.
- Landscaping.
- Overlooking.
- Trees.
- Ecology.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site was a large brick and tiled detached two storey residential property known as Longacre. This dwelling has now largely been demolished.

3.1.2 The site is located immediately to the north of Billinge End Road and access to the site is directly off Billinge End via a gated driveway. The former Richardson House residential development known as Billinge Wood Park is situated to the east of the site and a residential property known as Negila lies to the north-west. The land slopes northwards towards the rear of the property, sharing a boundary with several properties along Meins Croft.

3.1.3 The property in question is set within substantial landscaped grounds with a number of protected trees within and adjacent to the curtilage.

The commencement of unauthorised development has been accompanied by the clearance of vegetation, principally along the boundary with Meins Croft.

- 3.1.4 The unauthorised works have included the erection of a basic steel structure. A temporary stop notice was served on the developer to allow the Council time to assess the breach of planning permission and to request this new application.

3.2 Proposed Development

- 3.2.1 The Planning and Highways Committee have previously approved a proposal for the remodelling of the original house with extensive internal alterations and lower ground extension (10/14/0411, 18th September 2014). This work has been begun with the demolition of the original house (not authorised) and the commencement of rebuilding without discharging any of the original conditions.
- 3.2.2 The current application is therefore for the demolition of the existing property and the construction of a three storey dwelling comprising of kitchen, lounge, study, snug and family living space on the ground floor, three en-suite bedrooms, prayer room and dressing room at first floor level, and bedroom, office, gym Jacuzzi and bathroom at second floor level. A south-facing balcony is proposed at second floor level (looking out towards Billinge Woods) and a first floor balcony looking over the rear garden.

3.3 Development Plan

- 3.3.1 Blackburn with Darwen Borough Core Strategy:
Policy CS5: "Locations for New Housing"
Policy CS7: "Types of Housing"
Policy CS8: "Affordable Housing Requirements"
- 3.3.2 Blackburn with Darwen Borough Local Plan Part 2:
Policy 18: "Housing Mix"
Policy 8: "Development and People"
Policy 9: "Development and the Environment"
Policy 10: "Accessibility and Transport"
Policy 11: "Design"

3.4 Other Material Planning Considerations

- 3.4.1 National Planning Policy Framework (NPPF) Section 7: "Requiring Good Design".
- 3.4.2 Blackburn with Darwen Borough residential Design Guide SPD.

3.5 Assessment

- 3.5.1 Overview. Planning application 10/14/0411 was described as being the “remodelling of the existing house with extensive internal alterations and lower ground extension”. Members are advised that development has commenced without the conditions attached to the planning permission by Committee being discharged. The development has entailed the almost complete demolition of the original property. The clearance of vegetation from the north boundary of the property has opened up a wide vista across the site from Meins Croft. The steel structure currently in place has a high visual prominence when viewed from the dwellings along this road. The unauthorised commencement of construction led to concerns that the footprint as approved had been altered and the height of the proposed dwelling had increased. Moreover, engineering works has brought about a change in land levels between the property and Meins Croft.
- 3.5.2 It was therefore considered that the original planning permission granted by the Planning and Highways Committee was not being implemented in accordance with the description of the development and the terms of the conditions attached to the permission. Consequently, a new planning permission would be required, and a fresh assessment made of the proposals. Members are advised that weight has been accorded to the original planning permission.
- 3.5.3 Footprint. In relation to the boundary wall that fronts Billinge End Road: as approved, the distance to the corner of the snug rear elevation is 35.2 metres (compared to 34.8 approved previously). The distance from the rear elevation of the kitchen to the boundary wall to the north is 43.4 metres (compared to 43.4 metres approved previously).
- 3.5.4 Across the front elevation, the distance to the front boundary wall from the corner of the lounge is 48 metres (as compared to 48.4 metres as approved; but this change can be attributed to the 0.8 metre forward projection of the lounge from the previous application, which would mean an overall movement back of 0.4 metres on the previously approved footprint. To the rear of the property, the distance from the corner of the family living space to the rear boundary is 40.8 metres (as compared to 40.4 metres).
- 3.5.5 The distance from the lounge wall to the east side boundary (at its widest point) is 3.2 metres – as per already approved. An alteration to the utility area to the west adds 0.4 metres to the width of the north side of the building.
- 3.5.6 It is therefore considered that the footprint has moved 0.4 metres north and partially extended 0.4 metres west of its original position. Site visits have attested that the footprint on which the development has been begun corresponds almost exactly with that demonstrated in the

submitted plans. Given the size of the plot and the distances between the proposed development and neighbouring properties, particularly Meins Croft and Negila, the movement of the footprint is considered negligible. The footprint on which the proposed dwelling is to be constructed, therefore, is not considered to be located in a position which would harm the amenity of neighbouring dwellings. Rather, its position, size and orientation is considered to facilitate a satisfactory relationship between the dwelling and adjacent properties. In respect of footprint, the proposal is in accordance with Policy 8 of the Local Plan 2.

- 3.5.7 Scale. The originally approved alterations to the existing house took the height of the building to 8.5 metres above original ground level at the rear of the building, and 8.0 metres at the front. The proposed new dwelling raises this height to 9.2 and 8.7 metres respectively. The increase in height over and above the previous approval is therefore considered negligible.
- 3.5.8 In addition to this, the eastern wing which was to originally incorporate the remains of the original house is now to extend forward 3 metres, bringing its rear elevation in line with the glazing to the living space. At 5.3 metres across, its position on the rear elevation in relation to the east boundary wall and its distance from the properties at Meins Croft is not considered to be unduly dominating within the setting. In this respect, the proposal is considered to accord with Policy 8 of the Local Plan 2 in ensuring that there is no undue dominance on the setting.
- 3.5.9 Design. The building to be demolished was a rather ordinary brick residential property. The proposal is to create a dwelling comprising of a mixed pallet of traditional and modern materials, blending natural stone and timber with glazing and white render. Some grey aluminium cladding is proposed for the second floor. The originally approved lower ground floor level is removed from this application.
- 3.5.10 Local Plan 2 Policy 11 encourages a high quality architectural style through structure, good quality materials, proportions, visual order and detailing. This is considered to be achieved through the way materials are balanced throughout the construction, providing an interesting and striking appearance. This may appear to be somewhat at odds with the same Policy's requirement to style and materials to complement local character. However, the dwellings that make up Billinge End Road are not of a homogenous character, each contributing of the architectural style of its period whilst contributing something new. It is considered that the dwelling at Longacre continue this tradition. Moreover, the National Planning Policy Framework, whilst requiring design to respond to its local surroundings, states that this should not prevent or discourage appropriate innovation (paragraph 58).
- 3.5.11 Other than the additional element highlighted at 3.5.8 and the loss of the roof terrace, the appearance of the building is almost identical with

that approved in 2014, with a small addition to the proposed utility room on the west side elevation..

3.5.12 Landscaping. This is a key area of concern, since the substantial landscaped grounds with protected trees within and adjacent to the curtilage formed part of the original reasons for approval. The clearing away by the applicant of a large amount of vegetation at the north end of the property, towards the boundary with Meins Croft, has opened up the site to wide views from these properties. It is considered that the landscaping was an important element of enabling the dwelling to be assimilated into its surroundings and balance its innovative design with the natural environment.

3.5.13 Moreover, the landscaping is an important aspect of maintaining the privacy enjoyed by the properties within the setting, protecting one another from undue overlooking. Indicative landscaping is shown on the proposed Site Section Side Elevation drawing submitted on 10th May 2016 (Drawing No. BB074-310-A). However, no details regarding numbers or types of species of trees and bushes have been submitted. It is therefore recommended to Members that a landscaping scheme should be submitted for approval and implemented prior to occupation of development. The landscaping scheme would be expected to address the boundaries with Meins Croft and Billinge Wood Park, as well as the north-west boundary with Negila. Some evergreen planting between the site and Billinge Wood Park would be required as per approved application.

3.5.14 The proposal for the grounds includes a changing of land levels to the north of the building, which results in the levelling out of the garden beyond the proposed terrace and the creation of a bund dropping steeply to the original ground level 4 metres from the boundary wall. This would permit occupants of the dwelling being able to stand on the edge of the bund at top of wall level. This is considered to create an unacceptable level of overlooking and loss of privacy, particularly so in the summer months when occupants of Longacre and the Meins Croft dwellings could reasonably expect to enjoy the privacy of their gardens. Members are advised that this element of the scheme is still being negotiated on at the time of writing, with the applicant being asked to restore land levels to their original state. The Committee Update report will inform Members of the outcome of these negotiations.

3.5.15 Overlooking. The second floor roof terrace previously approved has been replaced by a snug and office. Two small windows facing Billinge Wood Park are to be obscure glazed.

3.5.16 However, separation distances between the habitable windows of the proposed dwelling and neighbouring dwellings should be no more than 21 metres (RES 2G of the Residential design Guide). The aim of this to ensure a maximum degree of privacy for the benefit both of the occupants of Longacre and their neighbours. Distances are in excess

of this on all sides, up to around 60 metres to properties on the north and east.

3.5.17 Trees. Whilst the submitted Arboricultural Report is dated March 2014, and therefore pre-dates clearance work on the site, Longacres has been visited in connection with this application by the tree consultant and the Borough Tree Officer. An appendix from the tree consultant dated 2nd May 2016 has updated his findings in connection with the impact on the neighbouring trees that could potentially be caused by the additional two storey element.

3.5.18 The original report cites that one category C tree is scheduled to be lost, and one category U tree. These losses are considered acceptable. Five trees are considered to be affected in some way by the development. It is recommended that the standard tree conditions are attached to the planning permission, requiring tree protection methods to be submitted for approval and implementation within one month of the decision. It is also recommended that tree planting be included as part of the landscaping scheme.

3.5.19 Ecology. In the course of the previous application process, the Council's Ecological consultant conceded that, following sufficient surveying of the original house, no evidence could be found of roosting bats. These comments were dated 17th September 2014. Therefore the demolition of the property would not have adverse ecological effects.

3.5.20 Summary. The National Planning Policy framework states that 'housing applications should be considered in the context of the presumption in favour of sustainable development' (paragraph 49) with good design being a key aspect of this (paragraph 56). It is considered that the innovative design utilises an existing site and will, with the submission of a suitable landscaping and tree planting scheme, add to the overall quality of the area whilst protecting the amenities of neighbouring dwellings, in accordance with Policies 8 and 11 of the Blackburn with Darwen Local Plan 2.

4.0 RECOMMENDATION

4.1 APPROVE

5.0 PLANNING HISTORY

5.1 10/14/0411 - Remodelling of the existing house with extensive internal alterations and lower ground extension. Approved by Planning and Highways Committee 18th September 2014.

- 5.2 10/06/1235 - Proposed extension to form new stairwell and proposed lounge under existing bedroom. Approved under delegated powers 11th January 2007.
- 5.3 10/01/0459 – Rear conservatory. Approved under delegated powers 26th July 2001.

6.0 CONSULTATIONS

- 6.1 19 neighbours. 13 objections have been received and can be summarised as follows:
No screening proposed.
Loss of privacy.
Substantial illumination from glazing.
Tree screening substantially reduced in winter.
Overlooking and undesirable impact of three storey brick wall.
Over-development of the site.
Root damage to trees and loss of mature trees.
Surface water run-off exacerbated by loss of water retention qualities of trees.
Adverse environmental effects.
Loss of bird and bat habitats.
Change to views of and from Longacre.
Works being carried out completely different from what was submitted.
Building much higher than original and not on original footprint.
Plans completely out of place with properties along the road.
Ignoring of planning law by applicant.
- 6.2 Drainage. No objections.
- 6.3 Environmental Protection. No objection on environmental health grounds.
- 6.4 Highways. No response. Development is unlikely to impact on the highway.
- 6.5 Ecology. dense vegetation to be removed outside of bird nesting season, unless accompanied by Ecology survey of nesting birds. Trees to be removed should be replaced.

7.0 CONTACT OFFICER: John Wilson, Planner

8.0 DATE PREPARED: 13th May 2016

Summary of Representations

Sent: 12 April 2016 17:54

To: Planning

Subject: LONGACRE - Retrospective Application Number 10/16/0227 FAO: John WILSON

Dear Sirs,

I write regarding the above which is causing grave concern among numerous local residents.

Naturally, I can only offer observations from my own perspective but I am sure that others, affected in different ways, will make their own cases to you.

Originally, when the permission was applied for in 2014, it was clearly stated that the new building was to be a "renovation" and "re-modelling" of the old house by way of alteration to the existing structure - what we are currently seeing is demolition and re-development!

The height of the new structure was specifically mentioned and clearly undertook to be no higher than the original house.

There are also ambiguities in the application about which areas of the site are visible from the road and other public land - John Wilson tells me that this section is intended to relate to the possibility of Council Officers visiting the site, although its presence within the application does suggest it is relevant to the consultees as well.

I have already had conversations with Mr Prescott and communications with your Tree Officer about works which have gone on at the property, prior to the project being started. I understand that Wildlife Surveys were completed but I remain far from convinced that this was not done until AFTER the relevant Wildlife (Bats) had already been cleared from the site.

The developers on this site have caused concern to residents from Day 1 of the work starting, logging trees which were supposedly poor and encroaching latterly onto land which is not even in their ownership at Negila, cutting down trees and shrubs without the absent owner's permission - this issue is ongoing!

The construction work completed so far bears little resemblance to the plan approved by the Council in 2014, differing so dramatically that it could not be possible for a competent architect, such as the one involved here, to be unaware of the intention from the outset.

In short, you have been "hoodwinked" into approving this development and now, the unscrupulous people submitting this application will expect to just get it changed for a supposedly new plan which bears no resemblance to the original.

Personally, I had no objection to the original proposition as it would have been relatively unobtrusive and of little devaluation to the character of the area. What we have now is going to be MUCH higher than the original building, a completely different character of property and is to be built other than on the "footprint" of the original house. It will now overlook, not only Billinge End Road because of the greatly increased height, but also the properties at the rear on Meins Croft, depriving them of any kind of privacy which they have previously enjoyed.

One vital point I would make is this:

I have observed the steelwork which has now been constructed on the site!
Can I point out to you that this construction is clearly a "one off" and that the lead time for the production of the steelwork involved here would have been quite lengthy, probably a good number of months for the specification to be achieved.
This in itself clearly confirms that the developers never had any intention whatsoever of completing the original plan and that this retrospective planning application has been the objective all along - in short, apply for one thing, build something different!

It will be a poor effort on the part of our Council (and Councillors) if this is allowed to be built as is now the intention.

Finally, my wife and I made a relatively small planning application last year to build a small residential annex at our house for our ageing parents.
We had the full support of our neighbours but, for some unknown reason the Planning Department came out in robust opposition to our plans for the sake of two very poor quality trees.
We have had to accept the decision and get on with our lives as normal like law abiding citizens must do although one cannot help but wonder why some people can just come here from outside of the town, flout the law and then get exactly what they want - it is simply not fair, especially taking into account that this particular issue is adversely affecting and intruding into the lives of so many other people.

To my mind, there is some question of imbalance involved here if the Council should decide to give any kind of support to this particular application as it now stands.

Regards,

Allen Evans.

"Southworth"
Billinge End Road,
Blackburn.
BB2 6PY

*9 Meins Croft
Blackburn, Lancashire
BB2 6QH*

Dear Mr. Wilson,

Re: Planning Application 10/16/0227 "Longacre," Billinge End Road, Blackburn BB2 6PT

This is an objection to the above planning application with retrospective demolition at "Longacre," Billinge End Road, BB2 6PT. We are objecting on the following grounds:

1. Visual Impact
2. Effect on the Character of the Neighbourhood
3. Overlooking and Loss of Privacy
4. Design and materials
5. Environmental Impact.

We also find that the fact that the demolition of the existing house, removal of trees and shrubs, and the erection of a steel framework without planning approval in accordance with U.K. planning law to be highly detrimental to Blackburn with Darwen Borough Council as Planning Authority. These actions, if sanctioned, would set an unacceptable precedent for future developments going ahead without proper prior approval. There is no comparison between the previous application for extension to an existing house and what is now proposed. There is no evidence of structural instability in the previously existing house. No bat survey was carried out prior to demolition and no regard has been paid to the setting adjacent to Witton Country Park/Billinge Wood.

1. **Visual Impact:** The first we knew of development taking place on this site (following on from the removal of tree cover which we had noted) was the appearance of a steel framework on the 24th of March 2016. This looms above 5, 6 and 7 Meins Croft and is visible from our upstairs bedrooms despite the fact that we are on the far side of Meins Croft and further down the hill. We immediately contacted our local Councillors and have been made aware of the **Temporary Stop Notice** that was issued by the Enforcement Team due to: 1. the building is 600 mm higher than the planning application previously submitted (10/14/0411), 2. the proposals being acted upon bear no relation whatsoever to the previously approved plans and 3. no planning approval is in place. It is now clear that despite the drawings accompanying the current planning application (10/16/0227) the steel structure is considerably closer to existing dwellings in Meins Croft than the previous house. The new

building is not on the footprint of the previous house as evidenced by the remaining wall. The proposals cause an unacceptable visual impact, not just from Meins Croft. The grey steel structure is now visible from Preston New Road (A677) as far away as the junction with Yew Tree Drive (A6119) even before a huge white building is fitted to the steel frame.

2. **Effect on the Character of the Neighbourhood:** In accordance with the Blackburn with Darwen Borough Council Local Plan 2, “new development must enhance and reinforce the established character of the locality.” This includes “existing topography, buildings and landscape features,...height and building line of the established area” and is designed to “take references from positive character elements in the wider area.” Meins Road and Billinge End Road constitute areas of quality dwellings that the Council is trying to encourage throughout the borough. Billinge End Road is not a setting for a house that is totally out of character with the area and doesn’t “enhance” the character of an area bordering the green belt/Witton Country Park or neighbouring properties. It will stand out not just from the adjacent roads, but from a wide area given its prominent position on Billinge Hill. This is not Los Angeles. It is not even the Cheshire plain where various “McMansions” have been built in the recent past, far less visibly than this proposal. Planning permission was recently refused for two houses behind The Meins on Meins Road (10/15/1122) because they did not “enhance and reinforce the established character of the locality (contrary to Policy 11 of the Local Plan). This proposal is even more detrimental. The Local Plan states: (7.13) “The dramatic landscape setting of Blackburn with Darwen is one of its principal assets. The visibility of open upland countryside from many parts of the urban area helps convey a sense of place, and is a factor in the attractiveness of Blackburn and Darwen as a place to live and invest.” This proposal detracts from the landscape setting of this area and the character of existing homes.

3. **Overlooking and Loss of Privacy:** This problem particularly effects 5, 6 and 7 Meins Croft, but the sight line from the new proposed property also impacts upon the privacy of bedrooms at 9 and 10 Meins Croft due to the topography and the positioning of the proposed building. It is imperative that the photographs submitted by Mrs. Alison Kerry, 6 Meins Croft, are viewed as they show the “before” and “after” situations that have destroyed her privacy and that of her immediate neighbours. **But it is also essential that anyone involved in deciding upon this planning application visit the site to see the devastation that has already been caused by raising the site level, destroying plants, and positioning the steel framework.** As the proposal suggests that the entire facade facing Meins Croft will be glass it is obvious the effect this proposal will have upon an established neighbourhood. It causes unacceptable overlooking and loss of privacy to many homes.
4. **Design and materials:** The Local Plan 2 (8) states that “All new development must make considered use of materials and colour, to reflect local distinctiveness and character. As appropriate the Council will expect materials and colour to: i) Accentuate a building or assist with its integration into the wider built landscape.” The proposed design does not do anything of the sort. Whatever its merits as a generic design, it does not belong on this site. Elsewhere in the Local Plan 2 the Council states: “Building shapes, plot and block sizes, styles, colours and materials that contribute to the character of streets and use these to complement local character” will be taken into account. This proposal fails on all counts.
5. **Environmental Impact:** There has already been significant environmental damage on this site and so far nothing is being proposed to mitigate this damage or rectify any of the problems caused. The application says that the proposal is not on land adjacent to any “designated site, important habitat or other biodiversity features.” It is across the street from Witton Country Park! It is on the border of the green belt. (We have added an appendix listing the birds in and seen from our garden to give an indication of the importance of the tree cover/greenery in this area for biodiversity.) The initial Tree Report (which was out of date at the time of the application, based upon the previous plans and not adequately

updated) called for an ecological study to be carried out (p. 16). Has one been carried out? The same tree report (dated March 2014) said that "it was possible to retain trees/shrubs as a boundary screen without having significant impact." (p. 10) However, the site has been stripped of greenery so that it is just a high mound of soil – pressing against a stone wall that is over 100 years old. The solution being proposed is to plant a leylandii hedge! RSPB studies have shown that the planting of leylandii hedges have contributed to the decline of the house sparrow and are not wildlife friendly. In this wildlife rich area this suggested "solution" is totally unacceptable as mitigation for the greenery that has been removed. These plants preserved the privacy of the properties on Meins Croft, provided nesting places for the extensive bird life in the area (and whatever bats there may have been) and acted to absorb the extensive water flows that come down the hill. There is potentially a significant flood risk to all properties on Meins Croft due to the removal of this greenery. Water flow has increased substantially, especially at 6 Meins Croft. Following this winter's rainfall the ground is still saturated and given the amount of precipitation in this part of Blackburn, the future risk of flooding is something that must be addressed whatever is or isn't built at Longacre. No understanding of the impact on biodiversity or flood risk is evidenced in this application.

Blackburn with Darwen Planning Authority has been provided with a planning application which should be refused on all the grounds aforementioned. The application should also be refused due to the lack of respect for planning law and policies demonstrated by the unauthorised actions of the applicant, his agent and consultants. Precedents such as this could have serious implications for future developments in this and other areas of the borough.

Appendix – Bird species in and seen from garden of 9 Meins Croft:

Blackbird

Robin

Long-tailed Tit

Coal Tit

Blue Tit

Great Tit

Chaffinch

Hedge Sparrow

Mistle Thrush

Nuthatch

Song Thrush

Wren

Greater Spotted Woodpecker

Bull Finch

Gold Finch

Gold Crest (a rare and endangered bird)

Wood Pigeon

Magpie

Starling

Herring Gull

Black Headed Gull

Tawny Owl

Rock Dove/Stock Dove

Canada Geese

Mallards

Osprey (flyway between Rishton Reservoir/Martin Mere)

Buzzard

Sparrow Hawk

Rook

Collared Dove

Crow

Jay

Swift

Swallow

(Bats are also observed.)


Jim Titterington

Andrea Titterington

6 Meins Croft
Blackburn
BB2 6QH
April 15 2016

I would like to comment on and object to the above application on the following grounds:

1. Loss of privacy
2. Design and materials
3. Visual impact
4. Effect on neighbourhood
5. Environmental impact

With reference to application 10/14/0411, for "remodelling of the existing house with extensive internal alterations & lower ground extension", as stated in the letter to residents, May 29 2014. I did not object at the time as the plans submitted did not affect my property, ultimately because it was unseen all bar the roof ridge from the upstairs bedroom windows. Internal alterations at the existing house and redesigning the roof, from pitch to flat, would not impinge on my privacy and Longacre was unseen from the road and surrounding area; note the recent Google Earth map.

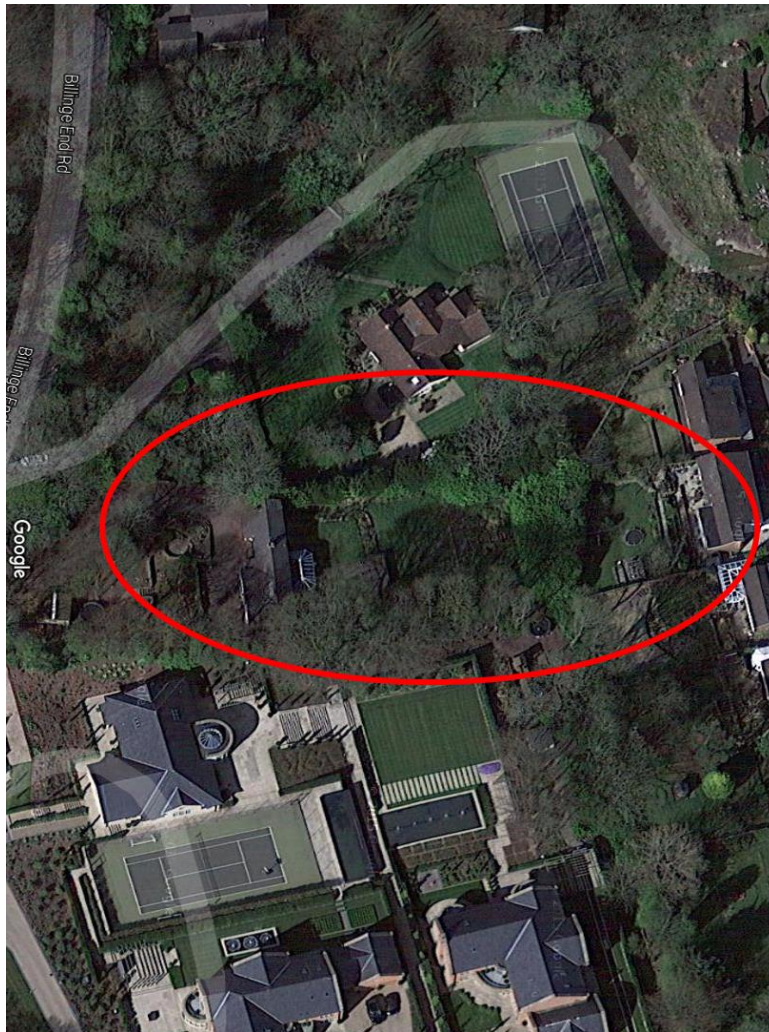
The latest application is fundamentally different:

- the views from No. 6 Meins Croft are in stark contrast my previous views, see photographs, as were the views from Longacre to Meins Croft
- the works being carried out on site differ from what has been submitted to the Planning Authority in 2014 and 2016.

Until the shrubs and assorted trees behind my garden wall were removed, mid -September 2015, I had no view whatsoever of Longacre from any of my living rooms or areas in my garden. Since October I have also been able to see Negila, the bungalow next door to Longacre, due to trespass by the applicant and the unlawful removal of several mature trees and shrubs on land belonging to Negila.

My property is now vulnerable from a security point of view, being clearly visible and accessible from Billinge End Rd. From February of this year, following the systematic demolition of the existing house, I have witnessed its bricks and timber being buried in huge mounds to the rear of the original house and rubble being dumped and distributed around the previously lawned areas. This has significantly raised the ground level of the whole site. Vast quantities of rubble have also been brought on site from elsewhere . (Is it known where this material originated from?) Tons of debris being dumped and the construction of a colossal steel tower which appeared are acts being undertaken without proper permissions or, in my opinion, any regard for the Health and Safety of the workers.

(I have video and photographic evidence to testify to this which is available on request.)



Please see attached some of the numerous photographs taken from my back garden and rooms at the rear of my property, detailing the works undertaken to date.

The 2016 Google earth map above, shows the topography of the area in question; this differs significantly from the out-of-date one submitted with the latest planning application and within the report by GM Tree Consultants.

Application 10/14/0411 stated the "intention to redevelop the existing house, Longacre, predominantly to the rear, with an extension to the front where the existing kitchen is. The roof profile will also be redesigned." This application became invalid in March 2016, with the demolition of said house. Photograph below showing Longacre AFTER shrubs etc removed



I spoke to Ann Phelan at the Planning Department in September of last year when it became apparent from conversations with various contractors and the house owner himself that the intention was to completely demolish the property and start again. The conversations with the Reinforcement Team continued over many months. Only once the property was actually demolished and the steel structure erected days later was something done; a Stop Notice was served and works ceased. It has been evident for some time that UK planning law requirements were not considered in the actions taken as I repeatedly reported to BwDBC. The most recent plans submitted in April 2016 differ fundamentally to the first application. The proposed property (evidenced by the steel structure as erected) is far higher than the demolished house and is not on the original footprint of the demolished property, as can be seen below and on the attached photographs. All of the planning officers I spoke to confirmed that the new property was to be erected on the footprint of the demolished property and that the design was intrinsically the same as that of application 10/14/0411. This is evidently not the case; the photograph below shows the site prior to Stop Notice being served; work continued the following day. Note raised land level



1. Loss of Privacy

It is obvious from the attached photographs that all privacy to the rear of my property has been destroyed. The removal of all the boundary shrubs and trees has changed a wooded sanctuary into an overlooked goldfish bowl. Added to this, the new construction is not on the original foot print of the property which was demolished. It is behind the original house and considerably higher as the foundations are on the raised ground, thus bringing it nearer to the properties on Meins Croft. The tree survey, which is significantly out of date, stated 8.3, page 15, "All the significant tree boundary cover will remain intact." It goes on to state, 9.2, "Any trees that are located in adjacent properties are effectively out of the control of the client/land owner". Why then were the trees and shrubs directly behind my property and in the grounds of Negila removed?



Aerial photograph below shows lay of land, November 2002. Note lawned areas at the bottom of Longacre's garden and the wooded area behind stone wall.



G Marsden's report, p13, 7.13 goes on to state:

"Some tree loss will take place as a result of the development of the site. As yet, there are no proposed replacement trees to be planted." He continues, "A line of laurel shrubs have been removed from the bottom of the garden.....As mitigation it is proposed to plant a leylandii hedge..."

He goes on to add an inaccurate diagram, p. 13 of the report which was posted to me by Areeba, the architectural practice (7.13). As is clearly visible from the pictures above, laurels formed part of the wooded area at the bottom of the garden, directly behind, but not touching, the wall and filling an area several meters deep towards Longacre. He also seems to have mixed up the labels on his sketches; as does Areeba: Drawing Number BB074-310.

In addition to this, the ground level at the rear of the garden has been raised significantly, predominantly with rubble, hardly the ideal material to promote healthy planting at a later date. I refer you to Canon Titterington's e-mail to John Wilson and Kate McDonald, April 15 2016.

Some of the boundary screening can be seen below



There are no plans in place to re-screen the boundary other than the unacceptable suggestion of a leylandii hedge. Given the new height of the house under construction, I am at a loss as to what will provide adequate screening/privacy for all of the affected properties.





Whilst I have no wish to see into Longacre I would assume they wouldn't want to see into my rooms either. Is it known as to how they propose to overcome this?

I have been asked by Rafiq Mogra of Areeba, on site and in the presence of you and Kate McDonald (14.04.16), to suggest replacement evergreen screening. (Surely this isn't my role? I would be able suggest suitable mix of mature evergreen trees at least 2 ½ to 3 meters tall, if necessary; though this is something which should have been properly addressed earlier and would have to be accurately assessed to see if the sight lines from the all-glass rear windows of the proposed dwelling do not allow people to see directly into my house or other affected properties on Meins Croft as the current state of affairs allows.)

2. Design and materials

The proposed materials, predominantly glass to the rear, are not compatible with the locality or the surrounding properties. Are samples of the materials to be used in any replacement dwelling available for consultation? The scale of the property also has to be questioned. The drawings show the proposed construction extending to the site's East and West boundaries. How will whatever garden is planned be maintained? What is the access?

3. Visual Impact

The sheer bulk and height of the structure as it currently stands can be seen as far away as Preston New Rd, before Yew Tree Drive, towards Blackburn. Currently this is a small section of the proposed design, without any of the proposed white cladding. It is also clearly visible from a friend's house on Mellor Lane. I dread to think what the completed building would look like should application 10/16/0227 be passed. The outdated Google Earth map submitted with the application, as part of GM Tree Consultants Report, shows the plot surrounded by mature trees and shrubs. Why submit such an out-dated map?

A more recent map, attached, shows just how much the trees have grown in recent years. In fact, the previously existing house at Longacre is almost totally obscured by the trees. The fact that many of these mature trees and shrubs have been ripped from the ground illustrates the mind -set that disregards the environment. The sight lines shown on the proposed elevations in the submitted drawings are inaccurate. They do not take into account the raised ground levels of the site as they are now or the actual ground level at my property and at number 7 Meins Croft. I would suggest a visit to my property, with a laser measure so that the impact of the steel structure at ground and first floor levels can be recorded as accurately as possible and proper drawings made. I do not think that a full consideration of this application can be made without a site visit to 6 and 7 Meins Croft by the Planning Committee. I would also welcome the opportunity to speak with the responsible planning officers and architect on a formal basis without prejudice prior to any decision being taken.

4. Effect on neighbourhood

The plans submitted do not "enhance and reinforce the established character of the locality", as required by BwDBC's Local Plan. Billinge End Road is adjacent to Billinge Woods.

This application is contrary to the council's statements: "existing topography, buildings and landscape features,.... height and building line of the established area" and new properties are designed to "take references from positive character elements in the wider area."

Billinge End Road and Meins Road are areas of quality dwellings. The proposed dwelling does not "enhance" the character of an area which borders Billinge Woods and Witton Country Park.

Planning permission was recently refused for two houses behind The Meins, Meins Road (10/15/1122) because they did not "enhance and reinforce the established character of the locality; contrary to Policy 11 of the Local Plan." This application is clearly detrimental; detracting from the landscape setting of the area and its character.

5. Environmental impact

As already mentioned, there has been a dramatic loss of mature trees and shrubs both on and adjacent to the plot on which Longacre originally stood. I refer back to the 2016 Google earth map.

The raising of the ground level on site has caused the soil to compact. This will have a dramatic effect on the land, will alter the water table and water run-off (which has already been affected by the removal of the trees, etc.) and cause long term damage and degradation. There is a history of culverts on this land which previously was farm land; the stone boundary wall running from Meins Road back to Preston New Road, beside the Woodland Hotel being historical evidence of this. Have these culverts been identified on the Longacre site and are there any proposals in place to maintain them? Or have any existing culverts just been covered by rubble? In the absence of such research there is a serious risk of flooding to the gardens of all the properties on Meins Croft and the highway.

Since the development on the site of Richardson House, the water table has been adversely affected, causing excess water to run off through the gardens of several adjacent properties. The water can be heard and seen, running down the Croft. Has anyone from the appropriate department checked this out? See pictures below, rear garden at No 6





Statutory wildlife obligations have not been adhered to; nesting birds have been disturbed and a bat survey was not undertaken. In fact, many, if not all, of the roosting trees have been removed. Habitats for numerous creatures have been obliterated due to the actions of contractors who have clearly violated numerous rules and regulations. The application says that the proposal is not on land adjacent to any “designated site, important habitat or other biodiversity features.” It is across the road from Billinge Woods and borders Witton Country Park and Green belt land towards Pleasington. Not only are a vast variety of birds visible in bordering gardens (a list is available on request), I have also had deer and a badger in my garden. (The latter was captured by the RSPCA and released into Billinge Woods.)



Raising of ground level



Has the ecological study been carried out, as recommended by G Marsden in his Report, March 13, 2014? Why was this application able to proceed without a bat survey or accurate tree survey now that much of the greenery has been removed? The attached photographs are just some of many which I am happy to share with the Planning Department and Planning Committee.

I am unable to comprehend how a professional architectural practice can draw up plans to revamp a £450,000 plus property, only to have to authorise its contractors to demolish it soon afterwards due to it

being “unstable”. At no point has evidence been submitted to show that the property was “unstable.” I have photographs showing the systematic demolition of the existing house and at no time do those images show an “unstable” or collapsing structure. Add to this the conversation I had in September 2015 with Mr. Ahtesham Sadiq, when he clearly stated his intention to, “demolish entirely and build an ‘amazing replacement’ ”.

In conclusion, this development proposed for Longacre in its current form cannot be allowed to go ahead and the steel structure that has been illegally erected should be taken down. I find the idea of allowing this development to proceed upsetting and an insult. It would set an extremely dangerous precedent for Blackburn. Not only has it flouted UK planning law by proceeding without permission, it has also shown a total disrespect for the neighbourhood, local government and the environment.

Yours sincerely
Alison Kerry

11 Meins Croft

Blackburn

BB2 6QH

26 APR 2016

April 18 2016

Dear Mr Wilson

Re: Planning Application 10/16/0227 Longacre, Billinge End Rd, Blackburn, BB2 6PT

I would like to make comments on, and object to, the above application, on the following grounds:

1. **Design and materials**
2. **Visual impact**
3. **Effect on neighbourhood**
4. **Environmental impact**

Application 10/14/0411 stated the "intention to redevelop the existing house, Longacre, predominantly to the rear, with an extension to the front where the existing kitchen is. The roof profile will also be redesigned." This application became invalid in March 2016, due to the demolition of the house. The latest plans submitted in April 2016 differ greatly to the first application. The proposed property is far higher than the demolished house and is not on the original footprint of the demolished property, as can be seen on the photographs submitted by my neighbours at numbers 5,6 and 7 Meins Croft. The structure can now be seen from my back bedroom windows; no part of the previous property was visible.

1. **Design and materials**

The proposed materials, predominantly glass to the rear, are not compatible with the locality nor the surrounding properties. Are samples of the materials to be used available for consultation by the public?

2. **Visual Impact**

The sheer height of the structure as it currently stands can be seen as far away as Preston New Rd, before Yew Tree Drive, coming towards Blackburn. Currently this is a small section of the proposed design, goodness knows what the completed building would look like. The outdated Google Earth map submitted with the application, as part of GM Tree Consultants Report, shows the plot surrounded by mature trees and shrubs. Why add such an out dated map? A more recent map shows just how much the trees have grown in subsequent years; the property was almost totally obscured by the trees; these have recently been removed. The sight lines shown on the proposed elevations are inaccurate; they do not take into account the raised ground levels of the site; this is obvious from my friend's house, number 7.

3. **Effect on neighbourhood**

In no way do the plans submitted "enhance and reinforce the established character of the locality", as required by BwDBC's Local Plan. Billinge End Road is adjacent to Billinge Woods and the country park.

This application is contrary to the council's statements: "existing topography, buildings and landscape features,.... height and building line of the established area" and is designed to "take references from positive character elements in the wider area. Billinge End Road and Meins Road constitute areas of quality residences of the type the Council is trying to encourage. The proposed dwelling does not "enhance" the character of an area which borders Billinge Woods and Witton Country Park.

I believe planning permission was recently refused for two houses behind The Meins, Meins Road (10/15/1122) because they did not "enhance and reinforce the established character of the locality; contrary to Policy 11 of the Local Plan." This application is far more detrimental; it totally detracts from the landscape setting of the area and its character.

4. Environmental impact

As already mentioned, there has been a dramatic loss of mature trees and shrubs both on and adjacent to the plot on which Longacre originally stood.

The raising of the ground level on site has caused the soil to compact; this will have a dramatic effect on the land. It will alter the water table and cause long term damage. There is a history of culverts and springs on this land. Have they been identified ? Without this research there is a serious risk of flooding to the gardens of all the properties on Meins Croft and the road. The Croft already freezes badly in winter, when water running from the adjacent gardens seeps out onto the road, causing a danger to motorists and pedestrians; I walk my young children to school. The water can be heard and seen, running down the road outside my house. Has anyone from the appropriate department checked this out? We don't even have easy access to a grit box.

Wildlife obligations have not been taken into account; birds have been disturbed and a bat survey was not undertaken. In fact many of the roosting trees have been removed. Habitats for numerous creatures have been wiped out due to the actions of contractors who have quite clearly violated numerous rules and regulations.

The application states that the proposal is **not** on land adjacent to any “ *designated site, important habitat or other biodiversity features.*” It is **across the road** from Billinge Woods and borders Witton Country Park. Was the ecological study ever carried out, as recommended by G Marsden in his report March 2014?

I find the idea of allowing this development to proceed to be disgraceful. It has flouted UK planning law by proceeding without permission and has also shown a total disrespect for the neighbourhood; wildlife, residents and the landscape. Whilst I do not have any photographic evidence of the destruction caused, I believe Mrs Kerry at number 6 has submitted a lot and I am sure she would share them with you.

Yours sincerely

Sent: 14 April 2016 09:54

To: Planning

Subject: Planning Application Reference 10/16/0227 Longacre Billinge End Road Blackburn BB2 6PT

FAO John Wilson /Brian Bailey

Dear Sirs

I am writing with regard the above planning application as I am a resident of 4 Meins Croft, Blackburn BB2 6QH which backs onto the above property.

Since the adjacent properties in the old deaf school have been constructed I have noticed a major change in the amount of running water which comes through our back garden which is due to the fact that the ground level has been raised. This is obviously compacting the soil below and worries me about the long term detrimental damage it has having on my property. Should more housing as the above application be approved then this is only going to get worse. There is presently a constant stream of water at the bottom of our drive which I have had the water board out to in the last couple of weeks to check there is no leaking pipes underground. They have assessed the situation and written to confirm that there is no leakage on the water main or service pipes. They go on to state that this is naturally occurring ground water. This has got to be from the covenants which have now been diverted onto our properties from the properties to the rear of our houses on Meins Croft. I have a copy of their report and will enclose it with a written copy of this letter which I will send into yourselves. Who is going to pay for the extra drainage I am going to need in my garden? Not the people who are building on the ground behind us.

Also my wife and I have noticed a large number of the trees, which we were told were protected when we bought our property 10 years ago, have disappeared when the previous development arose and this new dwelling which obviously has been constructed prior to planning. This has a major effect on our privacy. We bought our house for the protection from the trees from neighbours but this is now somehow being eradicated in what is supposed to be a protected area. Does this not contravene the Countryside and Rights of Way Act 2000, giving statutory protection to the birds and bats which inhabit the trees?

There has been a lot of work on this new residence before planning has been given and this must warrant some form of penalty especially as it is the residents of Meins Croft who have to watch and hear this happening knowing that permission has not been granted.

Yours Sincerely

David Fevre

4 Meins Croft, Beardwood, Blackburn, BB2 6QH

Sent: 09 April 2016 13:31

To: Planning

Subject: FAO of John Wilson - Planning Officer - Case reference - 10/16/0227

Hi John

I got a letter from council about the planning application for a property development at the back of my House - Application Reference: 10/16/0227

My House number is 5, Meins Croft BB2 6QH

I would like to make the following comments about the proposed planning application and construction after going through the planning application and designs

- 1) The proposed design is not compatible with the surrounding area as its very HIGH
- 2) This Development will result in a complete loss of PRIVACY for our household as the proposed property looks down on to my and my childrens bedroom windows
- 3) Size and bulk of the development will have an adverse effect on natural habitat of Billinge woods and also have environmental adverse effects - its too High for a residential property
- 4) It doesnt comply with the councils Local Plan - in terms of the materials used etc
- 5) Trees have been cut and ground level has been raised significantly causing soil compaction which will have a dramatic effect on the land, alter the water table and could cause long term detrimental damage to all the neighbouring properties eg. I have seen water logging in my back garden since the proposed property construction have started - it could be seen in the photos which I have attached with this e-mail
- 6) Loss of trees contravenes countryside and Right of Way Act 2000 - statutory protection to birds and bats which inhabited the trees
- 7) I feel the proposed plans are not a true reflection of the work being undertaken
- 8) Planning permission was recently refused for 2 properties behind the Meins Road (10/15/1122) because they did not 'enhance and reinforce the character of the locality'. The proposal for Longacre development is far more detrimental to the character of the neighbourhood

I am really concerned about this development and raising the above issues red flagging the effects caused by this development - it will cause a serious damage to the character of the neighbourhood along with the the privacy and environmental issues highlighted above. The proposed development will cause harm to the amenity of neighbouring properties and to other planning interests

Please find photos taken from my property of the proposed development - they reinforce the my above comments

The first two images show the Height of the proposed development

The third image shows the development from my bedroom window

The fourth image shows water logging in my garden due to the loss of trees and environmental changes due to neighbouring constructions

Thanks and Regards

Dr Devan Vora

Graham Cockburn BSc (Hons) Dip.TP MRTPI

Planning Consultant

10 Peebles Close

Huddersfield

HD3 3WD

Dear Sir

Re: OBJECTION by the Occupiers of 1-7 Billinge Wood Park, Billinge End Road, Blackburn, Lancashire, BB2 6PB – Application No. N/16/0227 – New Dwelling House including new Retrospective Permission for demolition of original dwelling at Longacre, Billinge end Road, Blackburn, BB2 6PT.

I write on behalf of the occupants of the above properties following an inspection of the plans on the Council's application website relating to the above development.

In 2014 I objected on behalf of my clients to Application No. 10/14/0411 which was for replacement of the original two-storey property with a standard pitched roof and conservatory at the rear to a three-storey flat roofed house with a substantial single-storey rear extension. Included in that proposal was a two-storey development on the party boundary with my client's land. A two-storey flat roofed extension with an open balcony on top was proposed directly overlooking my client's private amenity area and habitable rooms.

Now the original two-storey property has been demolished and grounds regraded with extensive use of hardcore and all screen trees and vegetation have been removed.

The current proposal is to build a three-storey replacement house with a flat roof and proposed to extend to full three-storeys in height on the party boundary with my client's land. The east elevation is three-storey and is also extended further to the north and south than previously and presents a substantial obtrusive feature. It looks like a flat roofed three-storey box when viewed from my client's land. No screening is proposed whatsoever to soften the development and none is now possible. In addition the second floor has full height glazing to the front (south) and rear (north) with obscure glazing on part of the east elevation facing my client's land. This obscure glazing is unacceptable as there is substantial illumination proposed by the full height glazing on the north and south elevations. This room would be an office and snug which would be frequently used and users would overlook my client's private amenity area and habitable rooms.

The new house at Longacre would be directly to the west of the rear garden of No. 1 Billinge Wood Park and would also be directly to the west of the second property, No. 2 Billinge Wood Park, and directly to the north west of the gymnasium and swimming pool building which forms a communal facility for all the residents in Billinge Wood Park. My client has trees on his boundary with this property comprising individual specimens of Beech, Lime, Ash and Sycamore, all trees which are deciduous and therefore in winter lose their leaves. In summer they form an effective visual screen between Longacre and No. 1 Billinge Wood Park and the communal gymnasium/swimming pool but the screen is in effect substantially reduced in winter. My client will then be able to view a three-storey brick wall with obscure glazing at third floor level on the corners. He would be overlooked by users of the second floor from the full height glazing on the north and south elevations.

The overlooking and the undesirable impact of a three-storey brick wall is not considered to be acceptable in this location of low density development and good spacing between dwellings.

The applicant has not helped the situation by removing all existing screening on his own side from the site.

It is considered that the proposed development is an over-development of the site and would contravene the advice relating to privacy/overlooking and the relationship between buildings at Policy 8 of the Blackburn Local Plan Core Policies Sub-Section ii) 2014.

Furthermore, it is considered that the proposed encroachment of the three-storey built development towards my client's boundary will have a detrimental effect on the existing mature trees within my client's curtilage.

Building operations as proposed would inevitably lead to root damage to my client's trees which should be protected from such development as the proposed development is of such a scale and close proximity to those trees there are grounds for refusing the application on the detrimental effect on existing trees.

Further points against the development are the fact that work has already commenced with the demolition of the house and the regrading of the land and there is no indication of how surface water would be disposed of. My client is concerned that surplus run off would encroach onto his property. My client therefore would request that the application be refused in its current form.

If, however, the Committee or the Secretary of State decide to approve the development, my client would request that the obscure glazing be omitted from the east elevation at second floor level as there is no guarantee that this would be maintained in that form. Furthermore, my client would request that permitted development rights be removed from the property to prevent future extensions to the finished property. My client would also request that a Condition be imposed to prevent the future addition of any windows on the east elevation without the prior written consent of the Local Planning Authority. The hours of working on the construction of the premises should also be restricted to normal working hours, 09:00 hours to 17:00 hours, Monday to Friday and no work undertaken at the weekends in the interests of the amenities of my client and other residents of Billinge Wood Park.

A further Condition requested is that the excavations adjacent to my client's boundary be done by hand so as not to damage the roots of mature trees and that those trees should be fully protected during any building work in accordance with a plan to be agreed with the Local Planning Authority prior to the commencement of any works.

Yours faithfully

Graham Cockburn

11 Meins Croft
Blackburn
BB2 6QH
April 18 2016

Dear Mr Wilson

Re: Planning Application 10/16/0227 Longacre, Billinge End Rd, Blackburn, BB2 6PT

I would like to make comments on, and object to, the above application, on the following grounds:

1. Design and materials
2. Visual impact
- 3 .Effect on neighbourhood
4. Environmental impact

Application 10/14/0411 stated the "intention to redevelop the existing house, Longacre, predominantly to the rear, with an extension to the front where the existing kitchen is. The roof profile will also be redesigned." This application became invalid in March 2016, due to the demolition of the house. The latest plans submitted in April 2016 differ greatly to the first application. The proposed property is far higher than the demolished house and is not on the original footprint of the demolished property, as can be seen on the photographs submitted by my neighbours at numbers 5,6 and 7 Meins Croft. The structure can now be seen from my back bedroom windows; no part of the previous property was visible.

1. Design and materials

The proposed materials, predominantly glass to the rear, are not compatible with the locality nor the surrounding properties. Are samples of the materials to be used available for consultation by the public?

2. Visual Impact

The sheer height of the structure as it currently stands can be seen as far away as Preston New Rd, before Yew Tree Drive, coming towards Blackburn. Currently this is a small section of the proposed design, goodness knows what the completed building would look like. The outdated Google Earth map submitted with the application, as part of GM Tree Consultants Report, shows the plot surrounded by mature trees and shrubs. Why add such an out dated map? A more recent map shows just how much the trees have grown in subsequent years; the property was almost totally obscured by the trees; these have recently been removed. The sight lines shown on the proposed elevations are inaccurate; they do not take into account the raised ground levels of the site; this is obvious from my friend's house, number 7.

3. Effect on neighbourhood

In no way do the plans submitted "enhance and reinforce the established character of the locality", as required by BwDBC's Local Plan. Billinge End Road is adjacent to Billinge Woods and the country park. This application is contrary to the council's statements: "existing topography, buildings and landscape features,.... height and building line of the established area" and is designed to "take references from positive character elements in the wider area. Billinge End Road and Meins Road constitute areas of quality residences of the type the Council is trying to encourage. The proposed dwelling does not "enhance" the character of an area which borders Billinge Woods and Witton Country Park. I believe planning permission was recently refused for two houses behind The Meins, Meins Road (10/15/1122) because they did not "enhance and reinforce the established character of the locality; contrary to Policy 11 of the Local Plan." This application is far more detrimental; it totally detracts from the landscape setting of the area and its character.

4. Environmental impact

As already mentioned, there has been a dramatic loss of mature trees and shrubs both on and adjacent to the plot on which Longacre originally stood.

The raising of the ground level on site has caused the soil to compact; this will have a dramatic effect on the land. It will alter the water table and cause long term damage. There is a history of culverts and springs on this land. Have they been identified? Without this research there is a serious risk of flooding to the gardens of all the properties on Meins Croft and the road. The Croft already freezes badly in winter, when water running from the adjacent gardens seeps out onto the road, causing a danger to motorists and pedestrians; I walk my young children to school. The water can be heard and seen, running down the road outside my house. Has anyone from the appropriate department checked this out? We don't even have easy access to a grit box.

Wildlife obligations have not been taken into account; birds have been disturbed and a bat survey was not undertaken. In fact many of the roosting trees have been removed. Habitats for numerous creatures have been wiped out due to the actions of contractors who have quite clearly violated numerous rules and regulations.

The application states that the proposal is not on land adjacent to any "designated site, important habitat or other biodiversity features." It is across the road from Billinge Woods and borders Witton Country Park. Was the ecological study ever carried out, as recommended by G Marsden in his report March 2014?

I find the idea of allowing this development to proceed to be disgraceful. It has flouted UK planning law by proceeding without permission and has also shown a total disrespect for the neighbourhood; wildlife, residents and the landscape. Whilst I do not have any photographic evidence of the destruction caused, I believe Mrs Kerry at number 6 has submitted a lot and I am sure she would share them with you.

Yours sincerely
Hafsa Ahmed

2, Home Croft
BLACKBURN
LANCS BB2 6QH.
16/4/16.

Thank you for your letter of 4th April
I would like to add my comments
regarding Mr. Sadiq's application.
He originally stated that he
wished to refurbish Long Here internally,
but now has asked for retrospective
permission to build an entirely new
house, photographs of which I have seen.
The plans are completely out of phase
with the rest of the houses on the road
and detrimental to the privacy of the
owners backing onto it, having destroyed
the original site. Unfortunately he seems
to have decided to do 'just what he likes'

As residents, most of us having been here for over twenty years, we have always been aware that it is important to preserve the environment, in that we are expected to abide by the rules, even to the extent of gaining permission for the removal of any trees, let alone erecting a new building, added to which we all know the importance of retaining the existing water levels because the site was a farm with a stream running through it - during heavy rain it can still be heard flowing.

I agree with my neighbours that it is unfair that one application may be passed without due consideration given to the worries of house owners around him, and hope that proper consultation is carried out before he proceeds any further.

Yours sincerely

Rockwood
Billinge End Road Blackburn
BB2 6PT
April 18 2016
Dear Mr Wilson

Re: Planning Application 10/16/0227 Longacre, Billinge End Rd, Blackburn, BB2 6PT

I would like to make comments on, and object to, the above application, on the following grounds:

Application 10/14/0411 stated the "intention to redevelop the existing house, Longacre, predominantly to the rear, with an extension to the front where the existing kitchen is. The roof profile will also be redesigned." This application became invalid in March 2016, due to the demolition of the house. The latest plans submitted in April 2016 differ greatly to the first application. The proposed property is far higher than the demolished house and is not on the original footprint of the demolished property,

1. Over the years there has been a dramatic loss of mature trees and shrubs both on and adjacent to the plot on which Longacre originally stood. The effect on our wild life in this area must be devastating; surely this is something which should concern us all, not just for now but for future generations. There has been little or no regard for the natural habitat and it appears to be a case of - it's what I want and it's what I'm going to get." Just by looking at old and recent maps one can see just how much habitat has been destroyed.

2. The application states that the proposal is not on land adjacent to any "designated site, important habitat or other biodiversity features." It is across the road from Billinge Woods and borders Witton Country Park. Was the ecological study ever carried out, as recommended by G Marsden in his report March 2014?

3. The ground appears to have been raised considerably with the structure now erected far taller than the original building, has all the necessary safety checks been carried out to allow this, also is the proposed new building on the plot of the original house it doesn't seem so, surely to erect something so tall in such a short space of time does have

cause for concern, and the effect on water tables etc. should also be a major cause for concern. From the appearance of the structure so far I doubt if it will be in keeping with the surrounding area. In no way do the plans submitted "enhance and reinforce the established character of the locality", as required by BwDBC's Local Plan. Billinge End Road is adjacent to Billinge Woods and the country park.

Mrs J Willan

Negila
Billinge End Road
Blackburn
BB2 6PT
20 April 2016

Dear Mr Wilson,

Re: Planning Application 10/16/0227 Longacre, Billinge End Rd, Blackburn, BB2 6PT

We write in relation to the above application. You have received correspondence from a number of residents of Meins Croft with reasons for their objection to the application, such to include loss of privacy, loss of daylight, nature of the aesthetic design of the proposed house, as well as the obvious impact upon the neighbourhood and the environment.

We did not have the opportunity to make any observations at the time of the 'original' application. This is despite the planning authority having a record of our address, as we had submitted an application for development on the land between The Meins/Kingswood and Negila. In any event, we understand the original proposal for Longacre was to build on the existing footing, same height as before, and retaining the original walls (or some of them).

We share the concerns expressed in the letters from the other neighbours.

During your site visit you could not have failed to notice the height of the proposed building, impacting directly upon our property. We note the ground/foundations level is raised, The consequence is that occupants of any such building would be able to look directly into our gardens and property – both at ground level (comprising living rooms and kitchen) and, once we build a further floor to accommodate bedrooms (as is intended), they would be able to look directly into our bedrooms, destroying any prospect of privacy.

Matters are compounded by the fact that trees have been removed both on the owner's land and our land. Incredibly, these trees were not subject to Tree Preservation Orders which in itself is a cause for complaint. These trees were at least 80 to 100 years old and provided natural screening, and natural water retention qualities. We are left in one part of our property with an exposed garden shed, and on the side elevation with residents of Meins Croft being able to look into our property from their first floor rooms. Although admittedly there was an acknowledgment by the owner of Longacre to replace these trees at his expense nothing has been resolved and the suggested screening stated in the new application (with use of leylandii) is most certainly not the answer. We would be looking for appropriate fully mature trees on the line all the way (top to bottom) between Longacre and Negila, at the site of the wall which runs between Longacre and Meins Croft, and continuing down the wall dividing the plot between Negila and the Meins on one side and the properties on Meins Croft on the other.

You made a site visit last week, and no doubt saw the devastation first hand.

We hope you can appreciate our concerns and you will take our representations into consideration before determining the application. During the site visit you have seen first hand how the various neighbours of Longacre are (and are likely to be) affected as a consequence of the new (proposed) development. Our observations should not be taken as some personal attack upon the owners of Longacre. We moved to this area at a considerable expense to enjoy the greenery, wildlife, and general environment. We were intending to make this our final move. We are all neighbouring Billinge Woods. All we ask is that steps are taken to ensure that such an idyllic part of Blackburn - and the peace and tranquillity that it can provide - is preserved for the quiet enjoyment of all in the neighbourhood, not only today but for our future generations. Any development must be in keeping with that objective, and if that means the imposition of conditions (in terms of restricting the height of the building, design, planting of trees, and any other steps), so be it.

Yours sincerely,

Siraj Ahmed

Samim Ahmed-Issap

8 Meins Croft
Blackburn
Lancashire
BB2 6QH

19th April 2016

Mr J. Wilson
Planning Department
Lower Ground Floor
Town Hall
King William Street
Blackburn, Lancashire BB1 7DY
Dear Mr. Wilson,

Re: Planning Application 10/16/0227 – Longacre, Billinge End Rd.

I am writing to object to the above application for retrospective approval to demolish the previously existing house at Longacre and build a new dwelling. Although I cannot see the proposed dwelling from my bungalow because it faces East/West, I am objecting on two points:

1. Environmental damage and
2. Ignoring planning law.

Environmental Damage

We live on Billinge Hill, close to Billinge Wood/Witton Country Park and the green belt towards Pleasington. The area is an important home for birds and wildlife. A key factor in this is obviously the extensive tree cover. The loss of the tree cover on the Longacre site has been unnecessary and damaging. There is no evidence that any studies of effects on the environment were carried out before the shrubs and trees were removed.

Also worrying is the way in which the site level has been raised using the material from the former house and from other unknown demolition sites. This is worrying because of possible contamination of the land and future flooding of Meins Croft.

Ignoring Planning Law

If Blackburn with Darwen Borough Council allows these actions it will set a precedent for the future. Anyone will think that they can build whatever they want, whenever they want with no regard to planning policies which are designed to protect the town and environment.

Yours sincerely,

Yasmin Powell

7 Meins Croft
Blackburn
BB2 6QH

16th April 2016

Re: Planning Application 10/16/0227 Longacre, Billinge End Rd, Blackburn, BB2 6PT

I would like to comment on and object to the above application on the following grounds:

1. Loss of privacy
2. Design and materials
3. Visual impact
4. Effect on neighbourhood
5. Environmental impact

With reference to the previous application (10/14/0411), for “**remodelling of the existing house with extensive internal alterations & lower ground extension**”, as stated in the letter to residents, 29th May 2014: I did not comment on the plans submitted at that time as the proposals did not affect my property as Longacre was unseen from my house and gardens. ‘Cladding’ of the existing house and redesigning the roof, from pitch to flat, did not intrude on my privacy and was unseen from the road and surrounding area as you can see from the recent Google Earth map enclosed.

The latest application is fundamentally different:

- The views of and from Longacre have changed completely
- The works being carried out on site differ completely from what was submitted to the planners.

Until the trees at the back of my garden wall were removed in mid-September 2015, I had **no view whatsoever of Longacre**. Since then not only have I seen a vacant property being very quickly dismantled, I can also see Negila, the adjoining bungalow, due to the unlawful removal of several mature trees and shrubs. More recently, from February of this year onwards, I have witnessed the demolition of a perfectly sound house, the raising of the rear garden level and the construction of a steel monstrosity, which incidentally is closer to my property than the original house as can be clearly seen below. Please see the attached photographs taken from my

- back garden
- hallway and kitchen

- rear bedrooms
- **Also a 2016 Google earth map, showing the topography of the area in question.**



Application 10/14/0411 stated the “intention to redevelop the existing house, Longacre, predominantly to the rear, with an extension to the front where the existing kitchen is. The roof profile will also be redesigned.” This application became invalid in March 2016 with the demolition of the house without prior planning permission.

The plans submitted in April 2016 fundamentally differ from the first application. The proposed property is not on the original footprint of the demolished property, as can be seen on the attached photographs. It is also far higher than the original property.

1. **Loss of Privacy**

It is obvious from the attached photographs that all privacy to the rear of my property has been destroyed. The removal of **all the boundary shrubs and trees** has seen to that. The proposed house with its glass walls to the rear looks directly into my bedrooms and living rooms. The new construction is not on the original foot print of the property which was demolished. It is behind the original house and considerably higher as the foundations are on the raised ground, bringing it nearer to the properties on Meins Croft. The tree survey, which is out of date, stated 8.3, page 15, “All the significant tree boundary cover will remain intact.” It goes on to state, 9.2, “Any trees that are located in adjacent properties are effectively out of the control of the client/land owner”. **WHY then were the trees and shrubs directly behind my property and in the grounds of Negila removed?**

There are no plans in place to rescreen the boundary and given the new height of the building under construction, I am at a loss as to what will provide adequate screening/privacy for both properties. The trees and shrubs that have been removed were high and very old. How the

problem of the unlawful removal of the trees on Negila's land is to be resolved is another question.



2. Design and materials

The proposed materials, predominantly glass to the rear, are not compatible with the locality or the surrounding properties. The proposed building is out of scale with surrounding properties.

3. Visual Impact

The sheer bulk and height of the structure as it currently stands can be seen as far away as Preston New Rd on the way into Blackburn at Yew Tree Drive. This is a small section of the proposed design. Goodness only knows what the finished property will look like should application 10/16/0227 be passed. The outdated Google Earth map submitted with the application shows the plot surrounded by mature trees and shrubs. A more recent map, attached, shows just how much the trees etc. have grown in recent years. The fact that many of these have been removed shows the owner's disregard towards his future neighbours. The drawings also appear to be labelled inaccurately: BB074-310, in particular; the "existing planting to be removed" was directly **BEHIND** the wall. The sight lines shown on the proposed elevations are also inaccurate. They do not take into account the raised ground levels on site. **It is essential that a site visit is made to 6 or 7 Meins Croft to see the terrible damage that has been done to our existing properties in terms of visual impact.**



4. Effect on neighbourhood

The plans submitted do not "enhance and reinforce the established character of the locality", as required by BwDBC's Local Plan. Billinge End Road is adjacent to Billinge Woods. This application is contrary to the Council's statements: "existing topography, buildings and landscape features, height and building line of the established areas" will have to be respected in new construction.

5. Environmental impact

As already mentioned, there has been a dramatic loss of mature trees and shrubs both on and adjacent to the plot on which Longacre originally stood. I refer back to the 2016 Google earth map.

The raising of the ground level on site by using the materials from the demolished house and from other demolition sites has caused the underlying soil to compact. This has already had a dramatic effect on the land, altering the water table, (which has already been effected by the removal of the trees) and will cause long term damage. Flooding is more likely in the future. Has anyone from the appropriate department checked this out?

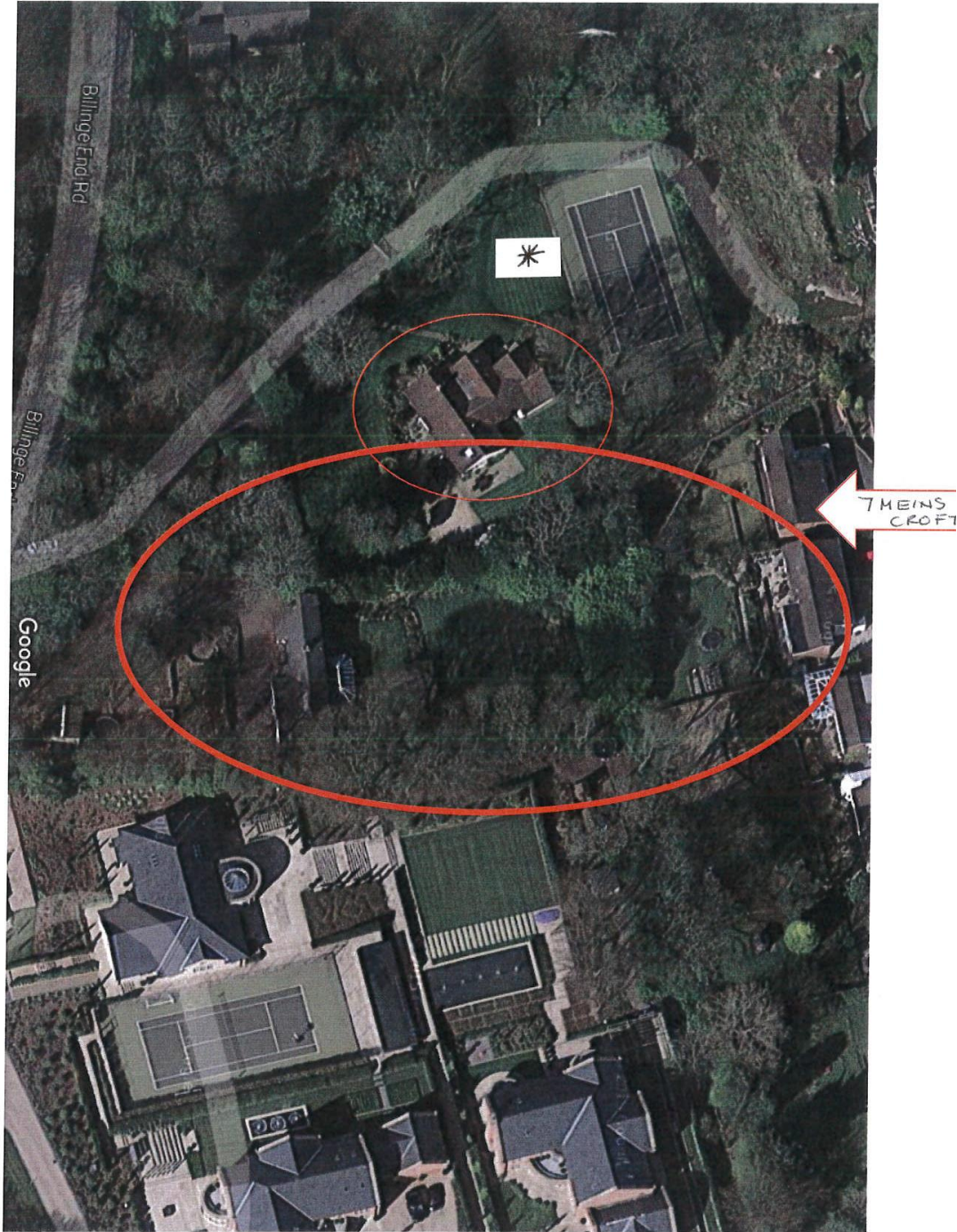


The view of the monkey puzzle tree clearly shows the ground levels before and after demolition and the improper use of the bricks, timber and rubble from the previous house and other sites to raise the ground level.



Statutory wildlife obligations have not been adhered to; nesting birds have been disturbed and a bat survey was not undertaken. In fact, many of the roosting trees have been removed. Surely this isn't legal?





* NOTE SHADOWS CAST BY TREES

In conclusion, I find the idea of allowing this development to proceed disgraceful. Not only has the applicant flouted UK planning law by proceeding without permission, he has also shown a total disrespect for the neighbourhood: residents, wildlife and the landscape.

Yours sincerely

Mubasshar Azam
