

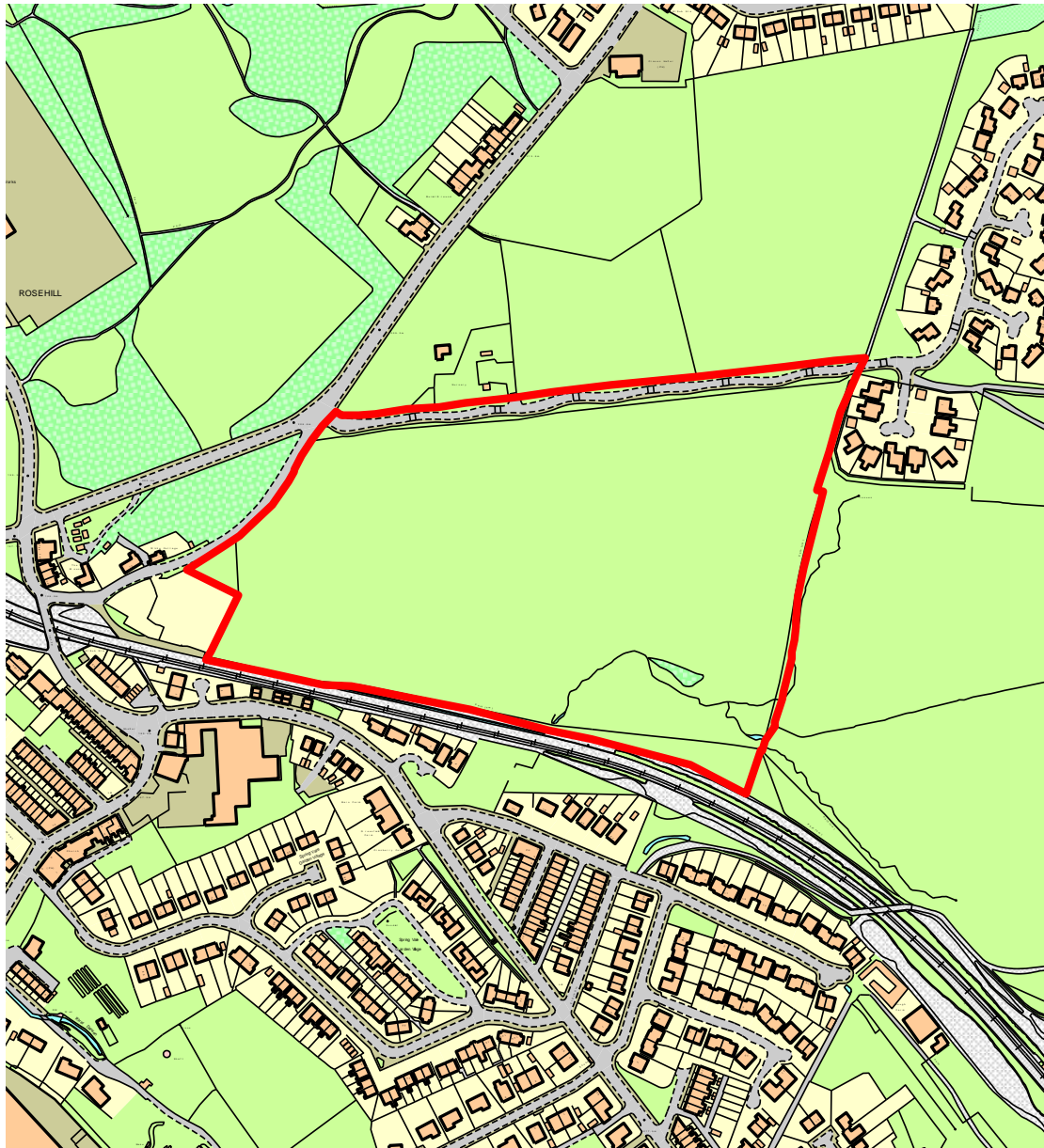
Proposed development: Outline (access) planning application for the erection of up to 134 dwellings with associated infrastructure and landscaping.

Site address: Land to the south of, Spring Meadows, Darwen, Lancashire,

Applicant: Metacre Limited

Ward: Marsh House

Councillor John Roberts	
Councillor Kevin Connor	
Councillor Neil Slater	



1.0 SUMMARY OF RECOMMENDATION

1.1 Approve, subject to:

(i) an agreement under S106 of the Town & Country Planning Act 1990, relating to financial contribution toward the provision of affordable housing in the borough.

And the conditions referred to in Section 4 of this report.

2.0 KEY ISSUES

2.1 The outline nature of the application dictates that only the principle of residential development on the site and vehicular access are to be considered. Detail relating appearance, landscaping, layout and scale are to be assessed at the reserved matters stage.

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

3.0 RATIONALE

3.1 Site and Surroundings

The application site relates to a parcel of land located to the south east and within the urban boundary of Darwen. It is approximately 6.7 hectares in size, being bound by Spring Meadows road to the north, a rail corridor to the south, housing/ open fields to the north and east, and Pole Lane to the west.

3.2 The site slopes in a north to south direction toward the rail line, with a significant lower level adjacent to the rail line created by historic mining of the area. There are no existing land uses on the site, which is vegetated by grassland, self seeded trees and a watercourse to the lower land level. A public right of way envelopes the site to the south and east.

3.3 Land immediately north of the application site, to the opposing side of Spring Meadow road, has the benefit of outline residential consent.

3.4 Proposed Development

The current proposal seeks outline planning permission (access) for residential development of the application site. All other matters (appearance, landscaping, layout and scale) are to be determined under future reserved matters application(s) should outline planning permission be granted.

3.5 Vehicular access to the application site is proposed via Pole Lane and Spring Meadows. Two entrances, 170m apart, are indicated to serve the development and will enable a two way flow of traffic into the site. Retention of the existing footpath is also annotated on plan and

pedestrian linkages to the footpath network are also proposed indicatively.

3.6 The indicative site plan illustrates a 110 unit residential development with a mix of detached, semi detached and mews style dwellings and includes provision of an equipped play area. The detailed mix of properties and their disposition across the site would be determined under reserved matters. Dwellings are proposed to the higher land level on the site, with the lower land level being reserved for retention and enhancement of existing habitat. Landscaping is also proposed to the eastern edge in the boundary with open countryside.

3.7 The applicant has undertaken consultation with residents prior to submission of the proposal. This included a leaflet drop to approximately 800 local residents and businesses providing opportunity to view and comment on the draft proposals.

3.8 **Development Plan**

The Development Plan comprises the adopted Blackburn with Darwen Local Plan Part 2 (December 2015) and the Core Strategy (January 2011). The following policies are considered relevant to the proposal:

Core Strategy (CS):

CS1 - A Targeted Growth Strategy
CS5 - Locations for New Housing
CS7 - Types of Housing
CS8 - Affordable Housing
CS15 - Ecological Assets
CS16 - Form and Design of New Development
CS22 - Accessibility Strategy

Local Plan Part 2 (LPP2):

1 - The Urban Boundary
8 - Development and People
9 - Development and the Environment
10 - Accessibility and Transport
11 - Design
12 - Developer Contributions
16 - Housing Allocations
18 - Housing Mix
40 - Integrating Green Infrastructure & Ecological Networks with New Development
41 - Landscape

3.9 **Other Material Planning Considerations**

Green Infrastructure Supplementary Planning Document.

National Planning Policy Framework

3.10 **Assessment**

The main issues pertinent in the assessment of the proposal are:

- Principle of residential development.
- Highways (access and network impact).
- Design.
- Residential amenity.
- Flood risk/ drainage.
- Ecology.

3.11 Principle

With regards to principle of residential development, the site is located within the Urban Boundary of Darwen. New development will be focused to such areas as stipulated by CS1 of the CS and Policy 1 of LPP2. Objection has been raised with regards to suitability of the site for residential development, with other sites within the Borough in urgent need of regeneration.

3.12 Policy CS5 encourages new housing to identified sites within LPP2.

The site is designated as a Housing Land Allocation in LPP2 and Policy 16/16 Pole Lane South, Darwen is of relevance. This policy has allocated the application site for residential development; the principle of the proposal is therefore supported, subject to the Key Development Considerations referred to in Policy 16/16, namely:

1. Provision of a robust Green Belt boundary.
2. Minimise impact on the landscape character, ecological and recreational value of the West Pennine Moors.
3. Ground contamination and mitigation where necessary.
4. Consideration for surface water and use of Sustainable Urban Drainage Systems.
5. Consideration of ecological impact.
6. Connectivity to the existing Public Rights of Way network.
7. Expansion of the housing offer in Darwen and the Borough as a whole.
8. Contribution toward the provision of additional primary school capacity.
9. Contribution toward the Darwen Eastern Distributor Corridor.

The above 9 considerations will be addressed in the remainder of the report.

Members should note that the application site was original submission document for the Local Plan Part 2 review was allocated as 'Land for Development Beyond the Plan Period'. This allocation adjudged the site to have the potential to accommodate some of the Boroughs longer term development needs in the 2030s and beyond. Following concerns raised by the Planning Inspector surrounding housing land supply and number of dwellings to be built, the designation was altered to a Housing Allocation enabling delivery in the short term.

3.13 Policy 12 of LPP2 states that the Planning Authority will seek financial contributions from a developer where required by Policy of the

development plan. Policies CS8 and the Green Infrastructure SPD require new housing development to contribute toward affordable housing and public open space on a design led approach. Given the location of development and transitional nature of the site between urban and rural, it is not expected that affordable housing be provided in situ and a contribution toward such is supported. Due to the number of dwellings proposed it is also expected that provision of POS be provided on the site without a requirement for contribution, indeed the indicative layout includes an equipped play area and substantial amounts of informal landscaping. Requirement for this provision on site should be conditioned. The education contribution required by Policy 16/16 is not necessary due to the Education officer comment relating to school roll. Members should note that the applicant has committed to a Legal Agreement agreeing to affordable housing contributions equivalent to 20% of the total number of units contained in the reserved matters submission.

3.14 Highways

The outline application refers to matters relating to access, it is therefore appropriate to assess the access arrangements and implications on the network as a result of additional vehicles associated to the development. Policy 10 of LPP2 supports new developments which provide appropriate access and do not prejudice the safe, efficient and convenient movement of all highway users. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Objection has been received with regards to increased traffic from the development and capability of the local road network to accommodate.

3.15 Vehicular access to the site will be via two entrances, approximately 170m apart, on Spring Meadows. The carriageway is a single track road which serves as the sole means of access to dwellings on the Spring Meadows estate. The residential consent located to the north has driveway access to Spring Meadows. Spring Meadows is un-adopted at present due to issues relating to adoption of sewers under the road with United Utilities.

3.16 A Transport Assessment has been submitted which included survey of the local highway network and referenced committed developments close to the application site. The proposal is expected to generate a 2 way total of approximately 74 trips in the AM and 77 trips in the PM peak hour and details impact of these additional vehicles at affected junction, including Pole Lane/ Prior Drive, Sough Road/ Pole Lane junction. The report concludes that affected junctions and the network in general can accommodate the traffic forecast of the proposal and would have a minimal impact on the local highway network. The report also refers to high accessibility of the site, having good pedestrian linkages and close to bus routes which provide access to Darwen Town Centre and the rail network.

- 3.17 The design of the proposed access points into the application site are supported, subject to suitable visibility splays which can be provided by condition. The main issue for consideration relates to network impact created by additional vehicles associated to the development.
- 3.18 The Highway officer has not raised any concern with regards to impact of the proposal on the local road network. It should be noted that the Sough Road/ Pole Lane/ Grimshaw Street junction currently operates above capacity though impact of the development will be minimal. Junction improvements are therefore required at Spring Meadows/ Pole Lane (roundabout and associated works) and Pole Lane/ Sough Road (footpath continuation). Furthermore, it is also requested that Spring Meadows be widened in order to accommodate a two way flow of traffic. These measures will ease the flow of traffic in mitigation for additional vehicles using the network. The off-site junction improvements form part of the wider scope of works associated with the Darwen East Distributor Corridor, which accords with consideration 9 of Policy 16/16 for contributions toward this major road scheme. To improve accessibility of the site, 3 Bus Stops will also be improved to provide disabled access. The applicant has no objection to such improvements which can be conditioned for implementation.
- 3.19 On this basis it is considered that the highway impact of the proposal would not be severe and mitigation measures are proposed to improve the local road network, refusal on highway grounds should not therefore be recommended in accordance with the NPPF.
- 3.20 The Footpath officer has raised concern to the impact of the development on the public footpath located to the southern and eastern boundaries of the site. This is based primarily on the change from a rural route with views of fields to a suburban housing estate and contributions are requested to improve the local footpath to a bridleway. It should be noted that the application is made in outline form, reserving matters relating to layout for further assessment. Notwithstanding this, it is considered that the indicative layout does retain the existing character and setting for majority of the footpath through retention/ enhancement of the waterbody habitat located to the lower level of the site. Layout drawings are indicative only and the applicant should be given opportunity to provide for an acceptable footpath retention scheme within their final layout. On this basis the request for contributions is considered onerous.
- 3.21 Policy CS22 also requires new development to be located within accessible locations so as to minimise the need to travel by car. The development is within walking distance of a main bus route with linkages to the rail network in Darwen Town Centre. The required bus stop improvements will also increase accessibility. The proposal is therefore considered to be in an accessible location in accordance with Policy CS22.

3.22 Design

Policy 11 of LPP2 is of relevance and requires all new development to present a good standard of design. Development will be expected to demonstrate a good understanding of the wider context and make a positive contribution to the local area, including enhancing/ reinforcing the established character of the locality. Considerations 1 and 2 of Policy 16/16 reinforce the requirements of Policy 11. Policy 18 all requires new housing development to widen the choice of housing types in the Borough.

3.23 An indicative site layout drawing has been provided detailing a mix of detached, semi-detached and mews dwellings which will help diversify the Borough housing market according with Policy 18. The layout reflects the importance of habitats on the site, locating dwellings to the less sensitive upper portion, with the lower water course area being retained and enhanced. Landscape enhancements to the eastern edge provide a buffer between the rural character of the surrounding valley landscape and a linkage to landscaping within the residential development to the north.

3.24 It should be noted that the main design assessment of residential development of the site will be undertaken at the time of the reserved matters submission. The Design and Conservation Officer has raised concern to the indicative layout provided raising concerns for the suburban layout proposed. Notwithstanding this, it is considered that a scheme of development could be achieved which respects the character of the locality to accord with considerations 1 and 2 of Policy 16. These concerns have been relayed to the applicant to consider within any subsequent reserved matters application.

3.25 Amenity

Policy 8 supports new development that secures a satisfactory level of amenity for surrounding uses and for occupants/ users of the development itself. The SPD provides additional guidance with particular reference to separation distances between dwellings to ensure the amenity of residents is protected.

3.26 The planning application is made in outline form (access) with detailed siting of dwellings being reserved. The siting of dwellings proposed on the submitted Layout drawing is indicative only and the relationship between dwellings proposed and neighbours cannot therefore be assessed at this time. Notwithstanding this, the indicative layout illustrates that residential development of the site could be achieved in order to safeguard the amenity of existing and prospective occupants, minimising any physical impact of the development by virtue of overlooking, loss of light, overshadowing or dominance.

3.27 The proposal will intensify use of the site and increase the number of vehicles using surrounding roads. The level of vehicle activity

associated with the development is not considered to have a significant noise impact on adjacent residents and is therefore unlikely to cause an unacceptable disturbance. There is a rail corridor located immediately south of the application site which could impinge on prospective residents by virtue of noise and vibration. The indicative layout illustrates that proposed housing in this locality will be set to a high level with separation of approximately 40m at the closest point. Whilst a level of disturbance will occur, it is considered that this can be mitigated through the scheme design and the Head of Public Protection and Network Rail advise that this matter can be dealt by condition. It is inevitable that there will be some disruption for residents during the construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. Conditions can be imposed to reduce this disruption for neighbours and construction hour's restriction, wheel wash facility and dust suppression controls are recommended.

3.28 Ecology

Policy CS15 seeks to protect and enhance the Boroughs ecological assets with the aim of establishing and preserving functional networks. Policy 9 seeks to avoid disturbance to protected species and provide compensatory measures when necessary, as per considerations 2 and 5 of Policy 16/16. Objection has been received in relation to the habitat and wildlife on site, including badgers, deer, foxes, birds which need protecting for future generations.

3.29 The site is currently grassed, with self seeded trees and a water course located to the southern boundary. The applicant has submitted an Extended Phase 1 Habitat Survey, Reptile and Invertebrate Survey and Badger Survey. The reports conclude that the grassland habitats are species poor, no national or locally rare species were found during the survey and are common throughout the UK. These habitats do offer foraging and nesting opportunity for invertebrates, mammals and birds. Members should note that the water habitat is to be retained/enhanced. The surveys report that impact to protected species such as great crested newts, bats, barn owl, water vole are not considered to be a constraint on the development and no reptiles were recorded on the site.

3.30 The Surveys suggest that habitats such as stone walls and mature trees should be retained where possible, and replacement habitat provided in the form of native tree planting, soft landscaping, wild flower belt and bat/ bird boxes. Reasonable avoidance measures to protect badgers and a watching brief for reptiles during site clearance/ construction are advised and all works should avoid the bird nesting season. Capita Ecologists have no objection to the proposals subject to condition requiring Construction Environmental Management Plan, Bio-diversity Method Statement and a Landscape and Ecological Management Plan. The felling of trees on the site is supported in order

to facilitate the development and given minimal amenity value, subject to replacement planting.

3.31 Flood Risk and Drainage

Policy 9 of LPP2 requires development to demonstrate that it will not be at risk of flooding and use of Sustainable Urban Drainage Systems (SUDS) is required, as per consideration 4 of Policy 16/16.

3.32 The site is located within Flood Zone 1. The applicant has provided a Flood Risk Assessment (FRA) due to the site size exceeding 1 hectare, as per NPPF guidance. The FRA demonstrates that the development will be at low risk of flooding and would not increase the opportunity of flooding elsewhere. The drainage strategy for the development identifies the requirements for on site water retention and the indicative layout provides for an attenuation pond which is to be designed of sufficient size to accommodate needs of the development. This would be an acceptable SUDS solution indeed the Councils Drainage Officer, United Utilities and Environment Agency have no objection to the proposal subject to the use of SUDS within the approved layout. On this basis it is considered is consistent with Policies 9 and 16/6 of LPP2.

3.33 Other Matters

A matter has been raised with regards to the un-adopted status of Spring Meadows and whether this could impinge on the development. It is believed that the road has not been adopted due to problems associated with existing drainage infrastructure, as per Capita Highway comment. This issue is seen as separate to the current proposal. If making use of existing infrastructure, whether this be on Spring Meadow road or elsewhere, the foul/ surface water drainage for the development will need to be approved by both the Councils Drainage team and United Utilities. This will ensure an appropriate drainage solution for the scheme.

3.34 Objection has been received relating to suitability of the site for building and it is known that the application site has been subject to historic mining. The applicant has submitted a Coal Mining Risk Assessment which confirms the presence of mine shafts, coal pits, gravel pits and coal seams at a depth of circa 40m on the site. There is also no record of mine gas emission. The report comments that there is no risk to the development from shallow coal mine workings and that intrusive works should be undertaken to confirm the precise location of the 3 mine entries. The Coal Authority comment that the intrusive survey should inform the final scheme layout and building over the top of, or in close proximity to mine entries should be avoided. The intrusive survey should also inform remedial measures required to ensure that mine entries and their zones of influence do not pose a risk to public safety or the safety and stability of the development proposed. The Coal Authority has no objection to the proposal subject to conditions which require submission of the intrusive investigation and proposed

remediation with the reserved matters application. This can be conditioned appropriately.

3.35 To compensate for air borne emissions resultant from additional vehicles accessing the site, the Head of Public Protection seeks provision of electric charging points within each dwelling proposed. Policy 8 seeks to ensure that development will not give rise to a deterioration of air quality in an Air Quality Management Area or result in the declaration of a new Area. It is considered that vehicles associated with the development would not impinge on such areas and on this basis there is no policy justification to request provision of charging points within the development.

3.35 In summary, subject to a range of planning conditions which will control the reserved matters it is considered that this outline planning application be recommended for approval. The grant of this outline accepts only the principle of the residential development and access arrangements. All other matters will be the subject of future reserved matters submissions.

4.0 RECOMMENDATION

Approve, subject to delegated authority being given to the Head of Service for Planning and Infrastructure to approve planning permission subject to an agreement under S106 of the Town & Country Planning Act 1990, relating to the payment of a financial contribution towards:

Affordable Housing - A formula detailing “x’ no. of dwellings x (42.5% of average affordable house value) x 20% =£y contribution) towards the provision of affordable housing off-site in the locality.

and the following conditions:

- Application for approval of all reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the date of the approval of the last of the reserved matters to be approved.
- Details of the following matters (subsequently referred to as the reserved matters) shall be submitted to and be approved in writing by the Local Planning Authority before the commencement of any works:-
 - a) Appearance.
 - b) Landscaping.
 - c) Layout – to include provision of an equipped play area.
 - d) Scale.
- Samples of construction materials.
- Boundary treatments.

- Submission of an intrusive investigation for the presence of mine entries on the site and proposed remediation of mine entries found on the site shall be submitted with the reserved matters application. Any agreed remediation shall be implemented prior to occupation of the development and retained thereafter.
- The reserved matters submission shall make provision for the widening of Spring Meadows to a two lane carriageway with footpath and traffic calming on Spring Meadows. All agreed works to be implemented prior to occupation of the development.
- Detailed scheme of off site highway works:
 - Improvement to the road junction at Spring Meadows/ Pole Lane to include footpath continuation to Pole Lane, white lining and cycle patches.
 - Improvement to the road junction at Pole Lane/ Sough Road/ Grimshaw Street to include compact roundabout and associated Traffic Regulation Orders, street lighting.
 - Bus stop improvements to enable disabled access at 3 stops (Pole Lane, Priory Drive and Sough Road).

All agreed works to be implemented prior to occupation of the development.
- Visibility splays shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height greater than 1 metre above the crown level of the adjacent highway.
- Prior to commencement of the development hereby approved, a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) wheel washing facilities, including a method statement outlining how the developer intends to use and manage the facility. The approved wheel wash shall be put in place at all vehicle access points onto the public highway when work commences and shall remain in operation throughout the period of development.
- Scheme for protecting existing neighbouring residential dwellings from dust during site works.
- Scheme for protecting residents of the development from noise and vibration disturbance created by the adjacent rail corridor shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented and retained thereafter.

- Construction restricted to the hours of :
 - Monday to Friday 08:00 to 18:00.
 - Saturday 09:00 to 13:00.
 - Not at all on Sunday and Bank Holidays.
- Land contamination.
- Arboricultural method statement and tree protection plan to be submitted with the Reserved Matters application.
- Hard and soft Landscaping, to include replacement native tree planting and to compensate for lost habitat as per paragraph 5.0 of the Reptile and Invertebrate Survey (Rachel Hacking Ecology - 2015) and paragraph 5.0 of the specified in paragraphs 3.2.1 of the submitted Extended Phase 1 Habitat Survey (Rachel Hacking Ecology - 2014).
- Submission and approval of a Construction Environmental Management Plan. Implementation of the development in accordance with the agreed details.
- Submission and approval of a Biodiversity Method Statement. Implementation of the development in accordance with the agreed details.
- Submission and approval of a Landscape and Ecological Management Plan. Implementation of the development in accordance with the agreed details.
- Lighting scheme proposed to ensure negligible impact upon bats
- Scheme for foul and surface water drainage. Implementation of the development in accordance with the agreed details.
- Sustainable drainage management and maintenance plan. Implementation of the development in accordance with the agreed details.
- Submission of a Biodiversity Enhancement Strategy, which should seek to compensate for lost habitat specified in paragraphs 3.2.1 of the submitted Extended Phase 1 Habitat Survey (Pennine Ecological – December 2014) and provision of Bat and Bird Boxes.
- Vegetation removal should not be undertaken during the nesting bird season (March to August, inclusive), unless a nesting bird check undertaken immediately prior to construction has confirmed the absence of nesting birds.
- Lighting scheme proposed to minimise impact upon bat foraging areas.
- If construction of the development has not commenced within two years of the date of submitted Extended Phase 1 Habitat Survey (Rachel Hacking Ecology - 2014), an updated Ecology Report shall be submitted to and approved in writing by the Local Planning

Authority. Any required mitigation shall inform the Biodiversity Enhancement Strategy and landscaping strategy for the development.

5.0 PLANNING HISTORY

There is no planning history relevant to this current proposal.

6.0 CONSULTATIONS

6.1 Lancashire Constabulary

- Comments refer to security improvements which the developer should consider within the proposal, including physical security, perimeter security and layout.

6.2 Network Rail

- No objection subject to conditions relating to drainage, noise and vibration mitigation, landscaping and fencing adjacent to the rail corridor.
- It is also advised that the applicant contacts NR to discuss works adjacent to the rail corridor relative to health and safety.

6.3 Natural England

- No objections made, general comments have been made and focus on relevant national policy but does not provide detailed guidance on the submission.

6.4 Environment, Housing and Neighbourhoods

- The layout must ensure vehicular access for refuse wagons.
- Each property will require sufficient space to accommodate 3 bins.

6.5 Education – School Organisation Manager

- No objections.
- No need for an education contribution for this development. There are sufficient available places in this area of Darwen to accommodate pupil yield from this new housing within our existing schools without the need to add extra capacity.

6.6 Strategic Housing Development & Partnerships Team

- The principle of the development and housing mix proposed is acceptable.
- The borough is significantly under-represented in larger, good quality family homes and is actively supporting developments which increase the choice of homes in the borough. This scheme proposes to provide new mid to higher value family housing to cater for identified needs and aspirations in the Borough. The development will also introduce a type of housing which is needed to retain the

borough's high earners whilst also helping to attract new ones. The retention of higher income earners protects revenue and increases spend in the borough.

- In accordance with the Council's Affordable Homes Policy the developer will be required to provide 20% of the scheme as affordable homes. Due to the location and aspirational housing proposed for the site we would be willing to consider a commuted sum rather than on site provision.

6.7 Design and Conservation Officer

- The application is in outline form and the Design is not a consideration at this stage. The following points should be raised with the applicant.
- Reference is made to garage courts on part of the site, these should generally be avoided as often become less maintained and have less surveillance resulting in unsafe spaces. Parking should be predominantly on plot to the side of properties or some limited front forecourts, with occasional on street as long as this is well designed.
- Village street approach not sure this is relevant as this is more of a suburban/ countryside area and results in dominance of hard landscape.
- Soft landscape should be more dominant with a clear definition between public/private front areas such as boundary treatments, hedges and small front gardens.
- I would suggest they also look at some Pennine characteristics in the built form and layout as this is at the edge of the Pennines. Suggest they look at Tockholes, Hoddlesden, or Chapeltown and possibly some hamlets.
- Stone is the dominant building material in Darwen and would normally expect to be the prevalent building material. Should also consider skyline as the site will be visible from high levels.
- Boundaries will be important features in the street scene such as stone boundary walls.

6.8 Capita Ecology

- No objections subject to condition requiring submission of construction environmental improvement plan, biodiversity method statement and landscape and ecological management plan.
- It should be noted that as the Extended Phase 1 Survey was undertaken on the 19th November 2014. If the development has not started two years from the date of this survey, an updated walkover survey should be undertaken or a statement from the Ecologist should be provided to the Local Planning Authority to ensure that the habitats and conditions of the site have not changed.
- No development should take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been

submitted to and approved in writing by the local planning authority. The CEMP should include a risk assessment of potentially damaging construction activities, identification of 'Biodiversity protection zones', practical measures to avoid or reduce impacts during construction, the location and timings of sensitive works to avoid harm to biodiversity features, the times during construction when specialist ecologists need to be on site to supervise works, use of protective fencing, exclusion barriers and warning signs.

- No development should take place until a biodiversity method statement for the protection of badgers and reptiles has been submitted to and approved in writing by the local authority.
- It is advised that the recommendations made in Section 5.2 of the Extended Phase 1 Habitat Survey Report and Section 5.2 of the Ecological Surveys Report are adopted to compensate for the loss of habitats and ensure net gains in biodiversity. These enhancements should be included within a Landscape and Ecological Management Plan.
- The Landscape Strategy Statement submitted with the application states that retained habitats will be managed for the longer term to encourage future biodiversity particularly for invertebrates and also includes green infrastructure, retention of the watercourse and standoff between habitats. We welcome the inclusion of these areas and request that details for their management should be included within the LEMP.
- The Landscape Strategy Statement should be updated to ensure that only native species of flora are used where possible.

6.9 United Utilities

- No objection subject to condition requiring foul and surface water to be drained on separate systems and surface water drainage design to be submitted to and approved by the Planning Authority.

6.10 Head of Public Protection

- No objection subject to conditions relating to land contamination, provision of electric charging points for each dwelling, gas fired heating boilers shall not emit more than 40mgNO_x/kWh, dust suppression and scheme to safeguard amenity of prospective occupants from noise and vibration from the rail corridor.

6.11 Environment Agency

- No objections in principle.
- The application states that it is 'Unknown' how the foul sewage will be disposed of. We advise that we would be likely to object at the reserved matters stage if the proposal was to not connect to the mains sewer.
- The installation of private sewage treatment facilities within publicly sewered areas is not normally considered environmentally

acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems.

- The applicant should investigate connectivity to the foul sewer.

6.12 Coal Authority

- No objection subject to condition requiring intrusive site investigation to establish precise location of mine entries on the site, necessary remediation and implementation of agreed remediation.
- the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.
- The Coal Authority records indicate that there are three mine entries and their resultant zones of influence on the application site.
- The Coal Mining Risk Assessment comments that on the basis of a review of the coal mining and geological information and the findings of the intrusive site investigations there is no risk to the development from shallow coal mine workings. In respect of the three recorded mine entries on the site their exact location and condition should be established through intrusive site investigations as recommended in the Coal Mining Risk Assessment.
- The Coal Authority would expect the exact location of the mine entries on the site to inform the layout of the development in order to ensure that there is adequate separation between these features and the buildings proposed. The Coal Authority notes that layout of the development is not open for consideration at this time and is a reserved matter. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped.
- The findings of the intrusive site investigations should inform the remedial measures required in order to ensure that the mine entries and their zones of influence do not pose a risk to public safety or the safety and stability of the development proposed.

6.13 Capita Highways

- The assessment is centred on the principle of access and whether the access point proposed and impact on the network can be supported by the existing infrastructure.
- Two site access locations are proposed into the site from Spring Meadows which is unadopted and narrow in width at intersections. The highway referred to as Spring Meadows is unadopted due to the sewers defects which require addressing. It is only until these works are completed, that the highway authority can adopt the roads.

- Two accesses are preferred as this will aid alternative access into the site in case of an emergency.
- Spring Meadow road would need to maintain a standard width throughout and would therefore require widening, footways should bound the carriageway on both sides at 2.0m width. The alignment of the road should be straightened. None of this is evident within the scheme received, please seek further amendments.
- Access positions; the first one is 70m from the Junction of Pole Lane/Spring Meadows. The revised proposal provides for satisfactory junction radii.
- No details of sightlines are offered within the submission; this should be provided for all access points including all drives. To accompany this boundary treatment details are to be received in conjunction with the splays for vehicular and pedestrian sightlines.
- No comment is offered on the internal layout or parking, this will be considered under the full planning/reserved matters proposals.
- The current footway along the frontage of the site on Spring Meadows differs in widths, due to the incorporation of grassed strips; we would request that these are taken out and the footway is reinstated to a minimum of 2.0m along the full frontage.
- At the junction with Spring Meadows from Pole lane the footway ceases, in favour of white line marking to support visibility into an out of the junction, we would recommend that this is replaced with a continuous footway across to connect to the existing footway on pole lane, where the unmade track access Pole Lane, a dropped kerb is introduced.
- No details of any cycle routes in and close to the site have been reported. To support cycle safety we would request as part of the minor improvement to footway at the junction of Spring Meadows/Pole Lane some enhancement/addition of cycle patches to safeguard pedestrians as they travel past the junction on Pole Lane – please condition as part of the Grampian.
- The TIA section indicates that the Sough Road/Pole Lane/Grimshaw Street Junction currently operates above capacity with trips generated by the proposed development having a further detrimental impact. The TA goes on to suggest that whilst the impact of the development proposals are minimal that “further detailed discussions will be held with the local highways officers regarding their proposals for the junction.
- The TIA section also indicates that the Marsh House Lane/Pole Lane Mini-roundabout Junction operates over capacity with a detrimental impact arising from the development trip generation. For both of

these junctions it does not appear that any form of mitigation is being offered by the applicant.

- Whilst the TIA indicates there are no capacity issues at the Spring Meadows / Pole Lane junction the layout is not conventional and provision for pedestrians is poor. I also have some concerns about vegetation restricting visibility to the right for vehicles emerging from Spring Meadows. Some improvement to footways and lining at the junction should be considered to improve conditions for all users and to support the development proposals.
- The TA states that an effective public transport system is essential in providing good accessibility for large parts of the population enabling opportunities for work, education, shopping, leisure and healthcare in the town and beyond. The nearest bus stops to the site are situated on Pole Lane and Priory Drive, with the closest active bus stop being located approximately 560 meters on from the centre of the site. The bus stops on Pole Lane and one of the stops on Priory Drive have a stand post and timetable only as can be seen below. Consideration should be given to the upgrade of these to provide access kerbs and improved shelter/waiting facilities similar in standard to the other bus stop on Priory Drive given the potential for increased usage arising from the development proposals. Convenient pedestrian crossing points comprising dropped kerbs and tactile paving (as a minimum) close to the Pole Lane bus stops should also be considered.
- The amenity value of the rural landscape to PROW users is certainly compromised by the development and would result in objection from the Footpaths Officer. This could be mitigated through an s.106 contribution from the developer which need not be too much effort. The developer is encouraged to include and dedicate a Public bridleway across or around the housing development, possibly following the line of the existing Public Footpaths which will form part of the Pennine Bridleway Link.
- In order to fully support the development, we require improvement of the junction at Sough Road/Pole Lane/Grimshaw Road (compact roundabout), construction and continuation of footway at the junction of Spring Meadows/Pole Lane, upgrade of bus stops along Pole Lane to quality kerbs stands with shelter, together with improving pedestrian crossing to access to Bus facilities, footway and carriageway improvements along Spring Meadows and traffic calming enhancement as required on Spring Meadows following improvements to the carriageway.
- Please be advised the need to secure these works at this location against this development is imperative, to assist wider development of the area, and to support the potential success of the EDDC scheme.

6.14 Drainage

- No objections to the proposal provided the drainage system complies with the proposals outlined in the Flood Risk Assessment.

7.0 CONTACT OFFICER: Robert Buffham, Principal Planning Officer.

8.0 DATE PREPARED: 15th July 2016.

9.0 SUMMARY OF REPRESENTATIONS

OBJECTIONS

C & R Cooper

16 April 2016

We write to inform you that we very strongly object to the above planning application for the following reasons:

1. There are numerous sites within the Borough much more suitable for building or in urgent need of regeneration.
2. Over 3000 properties are currently unoccupied within the Darwen/Blackburn Borough and need occupying before considering building more houses especially on protected land.
3. Planning permission has already been granted for 130 new houses on the field directly opposite to the above site.
4. This development could seriously place immense strain on drains, water supplies, policing, the hospital and health support centres, all council services, health centres, traffic control, schooling, in addition to many other amenities.
5. The area is completely unsuitable for building due to the whole area requiring a huge amount of filling because of the uneven and sloping landscape. Any properties built on this area could subsequently suffer serious defects and would be very dangerous for the occupants.

6. There is an abundance of wild life occupying the area, including badgers, deer, foxes, a wide variety of birds etc. which need to be protected for future generations.
 7. Severe over development needs to be controlled and indeed restricted to maintain the well being and standard of living for the current residents.
 8. There are already proposals for further developments in Cranberry Lane and Marsh House Lane, which could cause this very small area to be grossly overpopulated. This will have a huge impact on all the services previously mentioned.
-

Cllr Kevin Commor
Councillor – Marsh House Ward
13 April 2016

Subject: Planning Application 10/16/0266 - Land to the South of Spring Meadows
Darwen

This is a large development which will lead to the loss of yet another green field in a semi - rural environment and as with all such developments comes the usual problems; increased number of vehicles, extra strain on nursery and school provision. Let's be clear when these green fields have gone they are gone, in addition it is the council that allocates development sites not the Government ergo it is the councils responsibility to ensure that any development is appropriate for the site and I contend this development is not. The council's may contend that this the right sort of development to achieve its' aim of attracting 'Executives' maybe but if that is the case it is too many properties and in the in the wrong place!

Two and a half years ago, in answer to a local residents query, the council admitted that the road leading to Spring Meadows was unadopted, this after the Spring Meadows development had been in existence for eighteen years. I quote from the e-mail:

At this present time United Utilities are unable to adopt the surface water sewer, due to the fact that it runs through a number of private gardens in the adjacent housing development, it then discharges into a watercourse off Cranberry Lane. Also according to information supplied by United Utilities, there is a significant amount of remedial works to be completed before the sewer would be deemed acceptable for

adoption. A photocopy of the full text of the e-mail will be supplied, if necessary. Is the council, and more importantly, United Utilities now in a position where the sewers and road can now be adopted?

I note on the site schematic four Mine Shaft Zones, will there be a full written explanation of all the structure and safety aspects of these zones?

I realise that this application has been red flagged, but felt a need to make initial comments and will add further comments, if necessary as the application progresses.

Peter Merry,
135 sough road,
Darwen,
Bb32ha.
19 April 2016

Subject: Objection to planning -10/16/0266

Dear sir/madam,

I am emailing you to complain about the proposed site for 134 dwellings on the land south of spring meadows. Our house is situated at the end of Sough road that turns into watery lane. Our main cause for concern is the increased traffic that this proposal would entail. We already experience high volumes of traffic, people using this as a cut through from the very busy A666. Traffic already consists of all types of vehicles and this site would cause our road to become even more chaotic than it already is. Recent planning proposals (jacks key) have highlighted Sough road as unable to accept more traffic. I recall it being highlighted as a red zone on the proposal. Houses that were built on the woodlands park site (Miller homes) struggled to be sold and I cannot see the demand for this housing in our area taking up yet more green areas that are taken for granted. I welcome any discussion and would like to be kept up to date on this planning process.

Conn
8 Spring Meadows
Darwen
Lancashire

Application No 10/16/0266

Dear Gavin Prescott

The proposal to build on land identified as Pole Lane South should be declined because of its significant impact with regard to local infrastructure principally involving traffic issues, effect on local amenities, effect on Schools and land drainage.

The ability of Watery Lane to accept further traffic loadings safely, must be called into doubt, along with the safety of the Pole lane, Grimshaw street, Watery Lane and Sough Road Cross roads.

The installation of the interactive speed sign, is a welcome addition to the number of approved speed check sites, the increased use by large Commercial vehicles as a rat run to the motorway, the increase in pedestrian use with the opening of the Darwen Academy plus the likelihood of further housing off Cranberry Lane and the Rosehill industrial area, plus further natural increase in car usage as per nationally -collectively call into question whether a further 500 plus cars accessing and exiting Pole Lane is sustainable, particularly at peak times. It is bad enough now if you want to turn up Pole Lane from Spring Meadows at rush hour you can expect to sit there a good ten to fifteen minuets if you are lucky before you get on to the road. This number would further increase should development occur off Cranberry Lane and Baileys Field. The infrastructure cannot accommodate these numbers. The lane that leads to the Spring Meadows estate is still un-adopted some 20 years after being built, yet is expected to service vast increase in traffic flow. This road has not been maintained in anyway in the last 20 odd years as we were led to believe there are unresolved issues with United Utilities as regards to drainage. In addition to this, there is still the continuing issue with regard to the maintenance of the Grimshaw Street Bridge which cannot take heavy loads. I find nothing in all the documentation that highlights the issues let alone provides a remedy to them.

Another thought when winter comes Spring Meadows road does not have a road salt bin, In snowy weather if we get one just one vehicle abandoned on the road then the road is more or less closed, you risk damaging both your vehicle and the other if you attempt to try and get passed. The proposal fails to similarly take note of the effect on local Schools but particularly local Infant and Junior Schools. I can find the analysis having being undertaken as complete and utter rubbish in an ideal world people would walk but this is Darwen Lancashire not Darwin Australia they have the climate to walk we don't; with the busy lives people have these days people use their cars no ifs or butts get in the car its raining. No comments on how or where children would be educated no doubt a contribution would have to be made towards the provision of additional primary school capacity in Darwen. Also would the high flying executive types that you are trying to attract really be happy to send their children to local school which are either failing are about to fail.

The proposal to build fails to take in to account the wide and varied species and habit that currently exist on or utilise the land. The effects on nature conservation/bio diversity will be marked as the development will act as a barrier between the open green space and the moorland to the south of Darwen.

One can only conclude that the habitat assessment has been undertaken and is written by someone who does not know the area, now I am not saying they can't do there job but there is a vast array of Bird wildlife including Falcons, Lapwings, Owls etc that nest in the area. The land is regularly occupied by Deer of which there is a growing population the land also provides a natural habitat for badgers of which there are many and have been here for many years. There is an active badger sett within the proposed site which is of interest to and monitored by members of the local Badger Group. There is a significant watercourse important to the wildlife and ecology that runs through the site many birds water and spend time over night before continuing on there journey this could be lost should any disturbance be caused to the area.

I thought the goverment had strict guideline for the use of greenbelt land this is an area that separates us from the rest of the town,if the urban spawl is allowed to continue we will be as big as Blackburn, now I am not one to stand in the way of progress but it seems to me these developers are choosing the best areas to build rather than build on the designated brown site that already have some sort of planning on them. Once the brown site have been built on then by all means look for other sites but not until. There are a few site in the Darwen vicinity that have been started and not finished like the Belgrave site what an abortion that is. What assurances do we and the council have that this site will be finished. There is also the old Vernon Carus site in Hoddlesden that has been cleared of the buildings and left in a terribly untidy state they then become a dumping ground for flytippers etc. For which the tax payer then has to pay for removal.
