

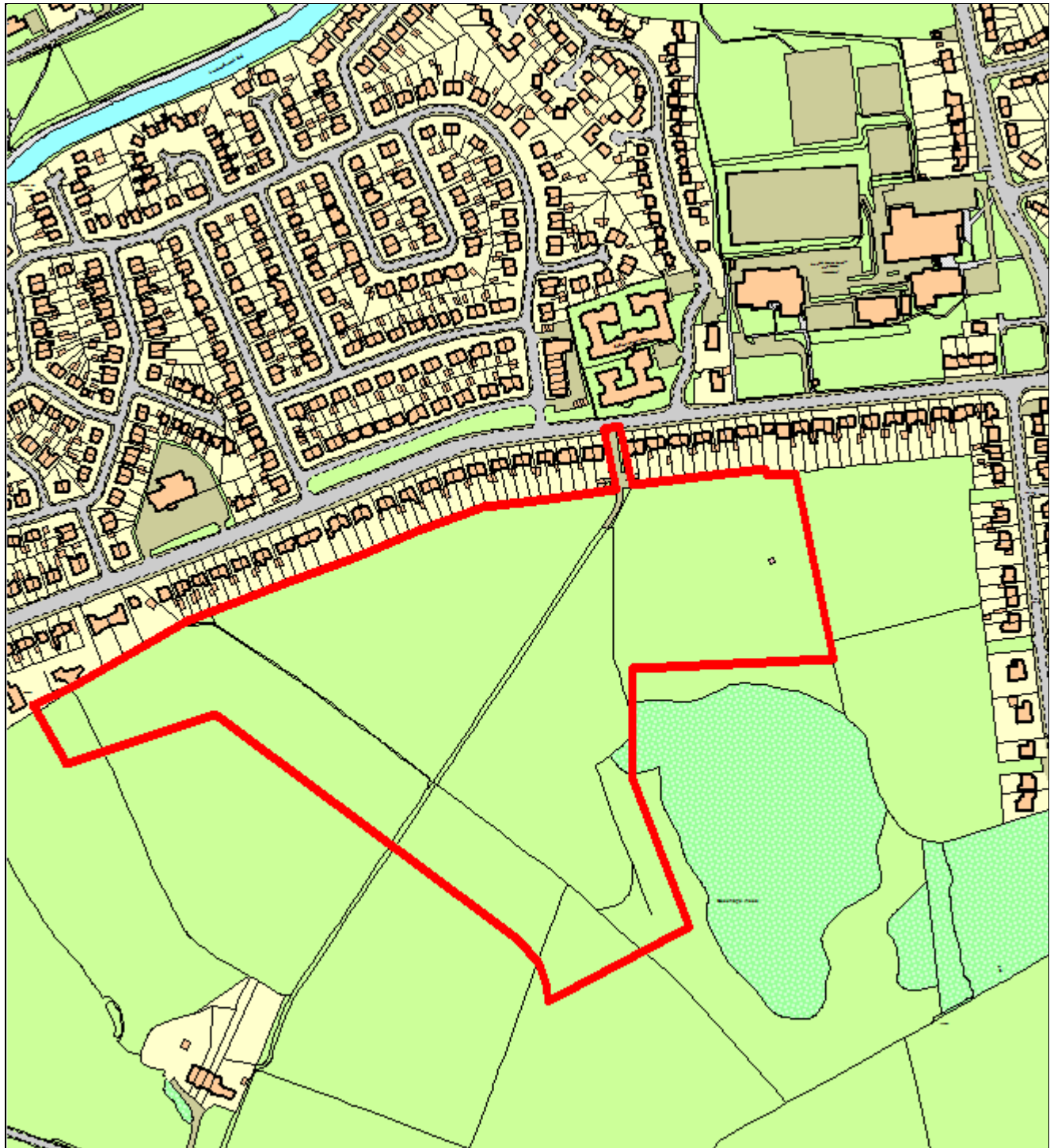
Proposed development: Full Planning Application for Erection of 167 No. residential dwellings, new village green/public open space, provision for a future community building, new access junction to Livesey Branch Road, associated highway infrastructure and drainage attenuation measures forming Phase A of the wider Gib Lane Masterplan site.

Site address: Land off Livesey Branch Road, Blackburn

Applicant: Kingswood Homes UK Ltd

Ward: Livesey With Pleasington

Councillor Derek Hardman	
Councillor John Pearson	
Councillor Paul Marrow	



1.0 SUMMARY OF RECOMMENDATION –

- 1.1 APPROVE – Subject to a Section 106 Agreement relating to the provision of off-site highway works to facilitate the development, upgrading of bus stops and sustainable transport initiatives – see paragraph 4.1 for details.**

2.0 KEY ISSUES / SUMMARY OF PLANNING BALANCE

- 2.1** The proposal will deliver a high quality bespoke housing development which will widen the choice of family housing in the Borough. It supports the Borough's planning strategy for housing growth as set out in the Core Strategy, it delivers housing at a site which is allocated for housing development in the Local Plan Part 2 and it meets the objectives identified within the Gib Lane Masterplan. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1** The site in question forms part of a wider landholding known as Land to the West of Gib Lane, situated on the western side of Blackburn between Livesey Branch Road, Gib Lane and Brokenstone Road / Horden Rake. The wider development area measures approximately 54 hectares (133 acres) and is recognised as being key to the delivery of housing for the Borough. To the north of the site is the residential area known as Livesey which is dominated by suburban housing development with a mix of supporting services, including schools, shops and a nursing home.
- 3.1.2** Public transport links run along Livesey Branch Road to the north of the site and there are a number of pedestrian and cycle routes in the vicinity including the Witton Weavers Way which runs through the site. Access is available directly from Livesey Branch Road.
- 3.1.3** The application site is 10.4 hectares in area (25.7 acres) and lies within the northern part of the wider site. It currently comprises poor quality grassland which is bisected by the Witton Weavers Way public right of way. Along its northern boundary are rear gardens and boundaries of properties along Livesey Branch Road.
- 3.1.4** The land is open fields, currently used for grazing purposes, with the land rising upwards to the south. Beyond the current application site boundary the land continues to rise. Parts of the northern boundary of

the site are formed by trees and hedges adjoining adjacent residential properties.

3.2 Proposed Development

- 3.2.1 The proposal is a full planning application for the erection of 167 no. residential dwellings, new village green / public open space, provision for a future community building, new access junction to Livesey Branch Road, associated highway infrastructure and drainage attenuation measures; forming Phase A of the wider Gib Lane Masterplan site.
- 3.2.2 The proposed layout seeks to deliver a development which accords with the Livesey Character Area of the wider Masterplan. The layout shows suitable access to the local road network and accommodates 167 dwellings with associated landscaping and drainage attenuation. The layout shows how the residential development will be arranged around a new village green with space for a future community building. It is proposed to have a village character with clusters of dwellings alongside less dense residential development towards the southern part of the site. Water attenuation swales and landscaped green buffer areas are proposed along the northern boundary with properties on Livesey Branch Road.
- 3.2.3 The proposed development provides a residential density of 34.65 dwellings per hectare (based on the nett site area of 4.82 ha), or 16 dwellings per hectare (based on the gross site area of 10.4 ha), with residential buildings overlooking the proposed village green. The properties are a mix of semi-detached and detached dwellings with clusters of small terraces to form a strong edge to the village green. The mix of properties is 2 no. 2 bedroom apartments, 85 no. 3 bedroom dwellings, 77 no. 4 bedroom dwellings and 2 no. 5 bedroom dwellings.
- 3.2.4 The village green is central to the proposal. It's bordered by the Witton Weavers Way to the west and the main road through the site to the east. The green will be open and laid in grass with feature planting. Space for a future community building is proposed along the southern edge of the green to generate activity.
- 3.2.5 The northern part of the site includes a large area of open space which accommodates swales as part of the drainage strategy. These areas will be informally landscaped.
- 3.2.6 Access is proposed off Livesey Branch Road, through an existing gap between properties, which also includes the Witton Weavers Way public right of way. This will form one of the vehicle access points into the wider Gib Lane masterplan area. Secondary access will be achieved from Gib Lane via the Phase B site which is currently being

developed. Vehicular and pedestrian routes can be linked into the development of the wider area.

3.3 Development Plan

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

3.3.2 Core Strategy

- CS1 – A Targeted Growth Strategy
- CS5 - Locations for New Housing
- CS6 – Housing Targets
- CS7 – Types of Housing
- CS16 – Form and Design of New Development
- CS18 – The Borough’s Landscapes
- CS19 – Green Infrastructure

3.3.3 Local Plan Part 2

- Policy 1 – The Urban Boundary
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 12 – Developer Contributions
- Policy 16/9 – Housing Land Allocations (Gib Lane Development Site, Blackburn)
- Policy 18 – Housing Mix
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development
- Policy 41 – Landscape

3.4 Other Material Planning Considerations

3.4.1 Gib Lane Masterplan

The site is within the Gib Lane Masterplan area, forming Phase A of the delivery strategy. The Masterplan was the subject of public consultation and was prepared in consultation with the majority of the land owners. It was approved in February 2015, and as such is a material consideration which should be taken into account when considering this and future proposals for the area.

3.4.2 The overall vision for the Gib Lane Masterplan Area is set out below:

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

It will be an aspirational place to live with approximately 440 new homes being provided in the plan period until 2026, including a significant proportion of larger family housing, a new primary school and a village green which forms the natural focal point of the site.

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

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

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

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

1. To create a new sustainable neighbourhood which is integrated socially and physically with the existing urban area but which has its own distinct local identity.

2. To deliver a high quality scheme which consists of well designed, attractive houses, buildings and spaces with a semi-rural form and layout that utilises local built and landscape character and architectural styles in either a traditional or contemporary design response.

3. To provide a mix of housing through different character areas that respond to the different constraints and opportunities of the site, including a significant provision of larger, family properties in a well landscaped setting.

4. To ensure the scheme design and layout creatively responds to the topographical character of the site, the unique West Pennine rural setting and the existing landscape features of the site.

5. To provide a clear and permeable street hierarchy with a tree-lined primary route from Livesey Branch Road to Broken Stone Road, streets designed to limit traffic speeds and a network of footpaths and cycleways which encourage walking and cycling.

6. To protect and enhance Witton Weavers Way as a primary green route which traverses through the development.

7. To provide a high quality living environment with an attractive network of green spaces, including a village green, ridge park and a managed and improved Cockridge Wood which provides a biodiversity, landscape and recreational / play function.

8. To maximise linkages and integration between the site and existing communities to the north, Heys Lane to the east and the wider West Pennine countryside to the south.

9. To manage surface water run-off through a coordinated network of sustainable drainage (SuDS) techniques which are integrated into, and enhance, the green infrastructure network.

10. To ensure that appropriate infrastructure is provided alongside the new development at the right time and in the right place.

3.4.4 Key considerations within the Masterplan document in relation to the current proposal are:

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

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

3.4.6 Residential Design Guide Supplementary Planning Document

This document provides targeted advice to ensure high quality new homes. It aims to ensure that new development reflects the individual and collective character of areas of the Borough and promotes high

standards of design. The document also seeks to ensure a good relationship between existing and proposed development in terms of protecting and enhancing amenity.

3.4.7 National Planning Policy Framework (NPPF)

In particular Section 6 of the NPPF relates to delivering a wide choice of high quality homes, and Section 8 relates to promoting healthy communities.

3.5 **Assessment**

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

- Principle and compliance with Masterplan objectives;
- Highways and access;
- Drainage;
- Design and Layout;
- Amenity impact;
- Ecology;
- Contaminated land; and
- Affordable housing.

3.5.2 Principle and Compliance with Masterplan Objectives

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

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

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

- 3.5.5 Core Strategy Policy CS1 sets out the principle that development will be concentrated within the urban area, in which the site is located according to Policy 1 of the Local Plan Part 2. Furthermore, the NPPF requires local authorities to maintain a continuous five-year supply of deliverable housing sites, which this site contributes towards.
- 3.5.6 Outline planning permission for housing development at the site was granted by the Planning and Highways Committee in July 2015, reference 10/14/1331. This outline permission is extant and established the principle of a housing development on the site.
- 3.5.7 As an allocated housing site, with an extant outline planning approval, the principle of the current proposal is considered to be acceptable, and in accordance with the provisions of the development plan in terms of delivering a high quality residential site with the urban area. This is subject to the more detailed considerations also being in accordance with adopted development plan policy and national guidance.
- 3.5.8 Highways and Access
The traffic impact on local roads associated with the development of the site was fully considered when the outline planning application was approved in July 2015 (reference 10/14/1331) and found to be acceptable. A detailed Transport Assessment was submitted with the outline application, and an updated addendum to the Transport Assessment has been submitted to support the current proposal due to the proposed increase in the number of units from 145 no. in the outline approval to 167 no. in the current proposal.
- 3.5.9 The transport assessment report evaluates the existing transport and highways context of the site, access, parking and servicing conditions, trip generation and junction capacity. This allows an assessment as to whether the highways network has the capacity to accommodate the potential increases in traffic as a result of significant new residential development. The assessment takes account of all committed development around the site and forecast increases in transport movements associated with allocated development sites across the Borough.
- 3.5.10 Overall, the objective of the development is to create a new residential area with a range of on-site facilities to reduce reliance on the car and to reduce overall journey lengths, where possible. The provision of a new primary school within the Masterplan area, and extensive public open space on the site are illustrations of how on-site facilities will reduce the need to travel to such facilities off-site on the local highways network.
- 3.5.11 The site is also to be designed to be accessible by pedestrians. Footways are to be provided and key routes through the site such as the Witton Weavers Way will be enhanced. Similarly, cycle facilities will be provided.

3.5.12 The development will be accessible by public transport on Livesey Branch Road, with the proposed upgrade of bus stops to be funded via a commuted sum, should the application receive approval. The primary route through the site has also been designed accommodate a potential future bus route.

3.5.13 In terms of vehicular access, the submitted details show the main access via Livesey Branch Road, with vehicle links through to the adjacent Phases B, D and E sites. A selection of surfacing materials are proposed to add character to the streets, the finer details of which will be inspected at technical highways approval stage.

3.5.14 As a result of the overall impact of the whole Masterplan site on the local highways network, a number of off-site highway works are identified through the Infrastructure Delivery Plan within the Masterplan. Each development phase is attributed an element of the infrastructure works. For this proposal, which is Phase A of the Masterplan, the following is identified:

- New vehicular access onto Livesey Branch Road;
- Enhancements to the Finnington Lane / Moulden Brow junction;
- Phase 1 of the primary street connecting Livesey Branch Road with Broken Stone Road;
- New pedestrian refuge and footway widening on Livesey Branch Road; and
- Upgrading of bus stops on Livesey Branch Road.

The applicant has agreed to deliver these works, the majority of which will be captured through a Section 106 legal agreement.

3.5.15 In order to encourage the use of more sustainable modes of transport, a Travel Plan has also been submitted to support the application. This identifies a range of measures, including:

- Provision of Community Rail Lancashire, and site specific, transport information packs to each property;
- Travel Survey Incentives;
- Community cycle storage stands;
- Weavers Wheel Cycle Route signage;
- Marketing, promotions and awareness raising campaigns; and
- Monitoring and evaluation.

The applicant has agreed to provide a commuted sum for these transport initiatives through a Section 106 legal agreement.

3.5.16 The highway works set out in paragraph 3.5.14, and the travel planning initiatives set out in paragraph 3.5.15 are recommended to be funded by the developer through a Section 106 agreement requiring a commuted sum totalling £451,000. Subject to this, the development is considered to have an acceptable impact on highways movements.

- 3.5.17 It should be noted that the above infrastructure to be provided by Phase A will also allow the later phases of the Gib Lane site to be brought forward.
- 3.5.18 The main vehicular access to the site is proposed to be off Livesey Branch Road, between No's 451 and 453 Livesey Branch Road. An access road will be provided plus a footway on each side to ensure good linkages with the existing pedestrian infrastructure. A raised junction table with resin bonded surface dressing in a contrasting colour to the adjacent highway is proposed, along with small narrowing of the carriageway and a pedestrian refuge island. These features will allow the site entrance to be identified, and also ensure the safety of pedestrians close to the site entrance. A local resident has commented that the proposed road narrowing at the access is unacceptable, bringing potential for accidents. However, the proposed entrance arrangement is considered to be a well-engineered and safe solution which has been designed by Capita on behalf of the Council.
- 3.5.19 A hierarchy of streets is proposed within the site, with a main route through the site, tertiary streets and private / shared space streets. The main route is to be 6 metres wide, with 2 metre wide footways; and the tertiary streets are designed for 20 mph vehicular speeds with a width of 4.8 metres. Swept path analysis shows that the layout works and is capable of accommodating a three-axle bin lorry. Sufficient off-street parking within the curtilages of properties is to be provided.
- 3.5.20 The proposed site layout provides a 2.5 metre wide footpath and cycle link, which increases to 3 metres wide within the Phase B site leading east to Gib Lane. The 2.5 metre width was considered sufficient in this case to ensure that the rural feel is retained without compromising the space available for the adjacent sustainable drainage features. A 2.5 metre wide path is also retained along the line of the Witton Weavers Way public right of way, which will link through to Phases D and E. The road through the site will also link to Phases B, D and E. This will ensure integration into the surrounding locality in accordance with the Masterplan requirements.
- 3.5.21 A total of 420 off-street car parking spaces are proposed as part of the current proposal, which is an average of just over 2.5 spaces per property. This includes integral garages, detached garages and driveway space. The garages have internal dimensions of 3 metres by 6 metres to ensure they are usable to park a car. This car parking provision is considered to be acceptable.
- 3.5.22 A construction management plan has been submitted, setting out how the construction process will be managed to ensure that consideration is given to highway safety and residential amenity during the construction phase. This is considered to be acceptable, subject to the following adjustments which the applicant proposes to submit in

advance of the committee meeting – to be reported within the Update Report:

- Site working hours to be 8am-6pm (Monday-Friday) and 9am-1pm on Saturdays. No works on Sundays or Bank Holidays;
- Contractor parking will be located on site once the initial roadway is constructed. Details to be provided regarding how contractor parking will be managed before the roadway is in place;
- Details of wheel wash type and location;
- Details of traffic management; and
- Ensure site security gates avoid conflict with residents access and Livesey Branch Road.

3.5.23 Overall, the scope of information submitted in support of the transport and highways aspects of the proposal illustrate an acceptable highways layout and off-site highways works that will mitigate the likely impacts on the network. As such, it is in accordance with the requirements of the Masterplan and Policy 10 of the Local Plan Part 2.

3.5.24 Drainage

The site lies in Flood Zone 1, which is low risk on the Environment Agency's Flood Zone Map. However, as a result of the size of the proposed development, the topography and known problems associated with surface water across the site a detailed surface water drainage strategy has been submitted. The overall strategy is to incorporate a Sustainable Urban Drainage (SuDS) system throughout the site which will involve surface water retention features within the scheme that will store rainwater for discharge to the surface water sewer outfalls to the north of the application site.

3.5.25 The objective of the proposed system is to ensure that drainage from the proposed development does not lead to any further flooding issues in the locality. Phase A will accommodate much of the SuDS due to the topography of the Gib Lane site which slopes downwards to the north. The SuDS will largely be provided within the linear park which is proposed for the northern boundary of Phase A. The detailed strategy for this first phase of the development has been designed to ensure that it does not hinder future phases.

3.5.26 The Council's Drainage engineers have scrutinised the proposed drainage details, and have confirmed that the drainage design is acceptable. The detention basins have been sized to serve the proposed development as well as future developments within the catchments.

3.5.27 Suggestions were made regarding some small amendments: to ensure the side slopes of the swales and basins are not less than a 1 in 3 gradient, and to introduce terracing to the side slopes where possible. It was also suggested that wet bases (150-225mm deep) could be formed in the larger basins to enhance the appearance. In response, the applicant submitted amended details on 29th November 2016. Any

further comments from drainage colleagues will be provided in the Update Report for Committee.

3.5.28 A management / maintenance plan has been submitted, describing how a management company will be set up to maintain the open areas within the development. Drainage colleagues have requested further details regarding maintenance of the SUDS areas, which the applicant has agreed to provide for agreement in advance of the Committee meeting; to be confirmed in the Update Report for Committee.

3.5.29 Subject to adherence to the principles within the drainage strategy the development is considered to be acceptable.

3.5.30 Design and Layout

The Masterplan identifies the application site as Phase A, the Livesey Green character area, and anticipates a medium density residential development of approx. 30-35 dwellings per hectare (dph), with the proposal complying with this at 34.65 dwellings per hectare. The area is focused around a village green with the main access and primary route from Livesey Branch Road which is traversed by the Witton Weavers footpath. A linear park on the northern boundary is outlined in the Masterplan to incorporate Sustainable Urban Drainage in a landscaped parkland setting, which is incorporated within the proposal.

3.5.31 A detailed design and access statement has been provided, which sets out the key design principles, derived from the Masterplan, which have informed the site layout:

- Protecting sustainable routeways;
- Providing optimum outdoor space;
- Feathering the edge of development;
- Ensuring the development can enhance biodiversity;
- Integrating green and blue infrastructure; and
- Offering a wide range of housing typologies and enhancing sustainability.

The development is described as being set within a “*landscaped campus’ providing a therapeutic and multi-sensory environment for the residents*”.

3.5.32 When designing the development, the applicant’s design team has considered typical farmstead plan forms from the area to establish the layout and house types, drawing on the upland West Pennine setting of the site. This has led to the proposed housing being arranged in a series of small blocks within which rural courtyards and shared space streets are proposed. Five specific character areas are described within the Design and Access Statement, with each one having its own positive identity.

3.5.33 In terms of housing mix, the proposal includes 3 no. 2 bed apartments, 84 no. 3 bed houses, 77 no. 4 bed houses and 2 no. 5 bed houses. Of the total number of units to be built, 92% are detached or semi-

detached. Policy 18 of the Local Plan Part 2 illustrates that the Council requires detached and semi-detached housing to be the principal element of the dwelling mix on any site that is capable of accommodating such housing, and therefore the proposal meets this policy requirement. An objection letter from a local resident and Livesey Parish Council questions whether the proposed areas of terraced blocks are acceptable. There are small areas of terracing proposed, fronting onto the village green and main arterial road. This has been included to provide a strong frontage to the greens and offers natural surveillance of this public area from people's homes. Given the design intent to create different character areas it is appropriate to incorporate a range of housing typologies to assist with wider placemaking aspirations.

3.5.34 The Masterplan, at section 3.4, identifies that the topography of the site provides opportunities for broad panoramic views in all directions. The proposed layout has responded to this within the Greenhills View character area (Design and Access Statement, p.63) by incorporating 3 storey homes on the hillside, which are split level homes (3 storey from one side but only 2 storey on the other). These units work with the significant change in gradient on this part of the site and are an appropriate design solution addressing this opportunity on the site. The 3 storey properties are detached thereby permitting views between units and breaking down the overall massing. They have also been designed as narrow split level housing typologies which given the detached configuration ensure they are not overly dominant. In broad urban design terms these homes are an important part of the strategy to frame the village green and to create a real sense of place.

3.5.35 A local resident, and Livesey Parish Council, have commented that the Masterplan, para 3.4, *"makes reference to the layout being sympathetic to the landform in order to preserve important views and to avoid disturbing the surrounding rural character"*. They assert that the 3 storey houses are not in keeping with this Masterplan requirement, and that they will damage the rural views from Billinge Hill, Wainwright Monument and part of Pleasington cemetery. The Masterplan section referred to in fact finds that *"there are a limited number of views towards the site and, in particular, the site is not visible in its entirety from any of the dwellings within the study area, apart from those immediately bordering the site"*. The Masterplan also suggests that the topography of the site provides opportunities for broad panoramic views in all directions, a point which is maximised through the inclusion of the 3 storey dwellings. For the reasons set out above, the 23 no. proposed 3 storey dwellings are acceptable in accordance with the Local Plan and the Masterplan.

3.5.36 The homes throughout the proposed development have been specifically designed for this site, with carefully considered internal layouts to offer a variety of configurations to appeal to families of varying sizes and needs. Furthermore, the building materials have

been considered on a plot by plot basis to create varied and attractive street scenes. A detailed materials matrix has been submitted with the application, which sets out the proposed materials plot by plot. In summary, the proposed materials are a mixture of traditional brick in a variety of shades, fibre cement weatherboard cladding (which is a low maintenance, rot free material with the appearance of timber), metal cladding, thin-leading-edge roofing tiles with mock joints creating a slate appearance and uPVC windows in two shades of grey.

3.5.37 Details of the proposed boundary treatments have been provided, alongside a detailed layout to illustrate the boundary treatments for each part of the site. The treatments include brick walls, brick and timber panels, hedgerows with brick pillars, close boarded fencing for rear gardens, hit and miss timber fencing at the rural edge, and timber bollards. Lancashire Constabulary initially raised a concern regarding the design of the rear garden fences at the rural edge, and therefore the applicant addressed this through a revised boundary treatment plan which was submitted on 2nd November 2016.

3.5.38 An attractive entrance wall feature is proposed to be implemented close to the existing garages at the site entrance. Should the application be approved, details of this entrance feature will be required via a suitably worded planning condition.

3.5.39 The submitted details include a landscape masterplan and management scheme, which describes how a management company will be set up to maintain the open areas within the development. Drainage colleagues have requested further detail regarding maintenance of the SUDS areas, which the applicant has agreed to provide for agreement in advance of the Committee meeting. The proposal includes the loss of four individual existing trees, one group of trees and part of a hedgerow, all of which are classified as low quality except two of the individual trees which are of medium quality. Their loss is justified because they are located within the proposed drainage basins, and because a new tree planting scheme is to be implemented which utilises a diverse range of tree species. It's recommended that the trees to be retained on site should be protected during construction, via a suitably worded planning condition.

3.5.40 The comprehensive details submitted illustrate a design and layout which show dwellings, infrastructure and landscaping which accords with the provisions of the adopted Masterplan and Local Plan Part 2.

3.5.41 Amenity Impact

Given the proximity of the site to existing residential areas and the likelihood of some disruption during site operations, the Head of Public Protection has raised a number of issues that need to be considered in the assessment of the current proposal.

- 3.5.42 An air quality assessment has been submitted, which considers the development's potential impacts on air quality particularly due to the proximity of the site to the Moorgate Street / Livesey Branch Road junction which has for some time been an area of concern in terms of poor air quality. Although it is not a designated Air Quality Management Area, and there have been recent improvements to air quality in the vicinity of this junction, a development of the scale proposed has the potential to have an impact. In response to an initial appraisal of the air quality assessment by Public Protection, a revised assessment was submitted for review on 1st December 2016. Updated advice from Public Protection will be provided within the Update Report for Committee.
- 3.5.43 Proposed measures to protect residential amenity during the construction phase are set out within the submitted Construction Management Plan and Dust Suppression Plan. Subject to the implementation of these measures, and a restriction of hours of operation on site via a suitable planning condition, the construction impact on residential amenity will be suitably controlled.
- 3.5.44 The Council's adopted Residential Design Guide Supplementary Planning Document (SPD) provides advice to enhance the quality of new homes, including the protection of the amenity of existing residents. Space standards are an important consideration when assessing such impact. These standards have been considered when assessing the current proposal, both within the site and in relation to surrounding properties which are either existing or under construction.
- 3.5.45 The Residential Design Guide SPD indicates an appropriate separation of 21 metres between facing windows of habitable rooms of two storey dwellings, unless an alternative approach is justified to the Council's satisfaction. Where windows of habitable rooms face a blank wall or a wall with only non-habitable rooms a separation of no less than 13.5 metres shall be maintained, again unless an alternative approach is justified to the Council's satisfaction.
- 3.5.46 A number of existing properties along Livesey Branch Road, and approved properties within the Phase B site, have habitable rooms to their rear which face directly towards the proposed development site. In order to ensure an acceptable level of amenity is achieved for residents of these properties, and of the residents of the proposed dwellings, the separation distances as required by the SPD have been achieved, with the exception of two plots at the eastern extent of the site which are a fraction below 21 metres. An initial objection was received from Wainhomes, who are developing at Phase B, and in response to this concern the applicant subsequently adjusted the layout. Plot 149 remains a fraction below the 21 metres (approximately 20.2 metres), and Plot 145 was revised by repositioning a bedroom window to overcome separation distances between habitable rooms. Considering that the properties within the application site, and within

the Phase B site, are positioned at an oblique angle on roughly even floor levels; in addition to the consideration of the detailed position of habitable rooms and in some instances more than one window serving each room, it is suggested that the separation distances proposed will provide an acceptable level of residential amenity in accordance with the SPD and Local Plan Policy 8.

3.5.47 Within the site, there are some instances of front to front separation distances below those set out in the SPD, for example between plots 155 and 158, and between plots 138 and 153. The applicant has incorporated these shorter separation distances in some parts of the site in order to create the village feel sought by the Masterplan. In addition to separation distances, the SPD also refers Blackburn's character, identifying a range of character typologies including villages. Of particular relevance is the following extract:

"Villages

The smaller traditional settlements often on the edge of the urban area create the scale and character of a village that new developments in such places should reflect. This is not about making places that look old but is about creating an intimate village scale and character by the design and layout of streets and properties, and by the relationships between buildings. Often, traditional villages are successful because of the organic layout and 'cheek by jowl' building forms, where buildings are varied, develop interesting relationships and include local architectural features."

3.5.48 The proposals for this development have been considered with the specific intention of creating a tighter more rural urban grain rather than a standard suburban housing layout which would not be appropriate given the location of the site on the edge of Blackburn and its upland setting. The applicant has prepared bespoke house types that are designed to be used in a way which creates continuous street frontages with a tight grain and narrower streets in some areas which makes reference to the village \ rural upland Pennine Village that the residential design guidance refers to. Allowing some occasional instances of front to front separation of less than 21 metres, within the specific courtyard areas, is considered to be appropriate given the design intent described above.

3.5.49 Within the submitted Design and Access Statement (DAS) is a section relating to the characteristics and form of nearby villages. Narrow lanes and a tighter urban grain are identified as distinctive features. Section 7 of the submitted DAS provides more information regarding how the proposals have been developed to respond to context including traditional Lancashire farm buildings which would be typically arranged in a tight cluster with courtyard areas. The submitted layout draws upon the village and farmstead theme in terms of the overall layout and as a consequence there has been a conscious effort to incorporate narrow road widths and a tight urban grain rather than to

create a suburban development that could be found in any location. The submitted DAS clearly justifies the design approach taken, in accordance with the NPPF which encourages high quality and states that achieving good design is about creating places, buildings, or spaces that work well for everyone and will adapt to the needs of future generations.

3.5.50 Ecology

The ecological impact of the proposal was fully considered when the outline planning application was approved in July 2015 (reference 10/14/1331) and found to be acceptable, subject to a condition relating to bats as they are a protected species:

- *Where trees are identified for removal they shall be inspected to identify features with roosting potential, including the presence of bat activity, prior to development works commencing. The survey should be undertaken and the results submitted to the local planning authority with reserved matters pursuant to this application. Where suitable features are identified, emergence and/or re-entry surveys should be undertaken to ascertain the presence or likely absence of bats, such surveys being undertaken and submitted prior to the approval of reserved matters.*

As the outline permission is extant, and could be implemented any time before May 2018, it is not reasonable to request a re-survey at this point. However, the submitted application has included a bat survey to address the condition from the outline approval.

3.5.51 The submitted Bat and Badger Survey Report (Haycock and Jay Associates Ltd, 2016) found that scattered mature trees along the north west field boundary contain potential roosting features for bats. Capita Ecologists have reviewed the report and commented that if any of these trees are to be removed, they should be inspected for their potential to support bat roosts. This inspection has been completed as noted above. If the trees with bat roosting potential are to be removed, further survey work will be necessary (aerial climbing surveys or emergence/re-entry surveys) for bats. Capita Ecology commented that the results of these surveys should be provided prior to determination of the application, however outline planning approval has already been granted. It's therefore proposed to include a condition requiring the further survey work to take place prior to works affecting the identified trees, i.e. before Construction Phase A3. Transect surveys to determine bat activity across the site were undertaken in August, September and October 2016. As identified in Section 3.3 of the Bat and Badger Survey Report, due to the late commissioning of surveys no bat activity transects were undertaken in Spring, as recommended in the Good Practice Guidelines (Bat Surveys for Professional Ecologists: Good Practice Guidelines, Collins, J, 2016). However, the report's conclusions state it was considered that this survey effort sufficiently identified the level of use and value of the site for bats and Capita Ecologists agreed that the surveys and data provided is sufficient.

3.5.52 A low level of bat activity was recorded during the surveys. The majority of bat activity recorded was to the east of the site and at Cockridge Wood, along a defunct hedgerow boundary and an area of marshy grassland. Social calls were recorded in the north west corner of the site during October, which may indicate the presence of an autumn swarming or hibernation site nearby. Therefore, vegetated corridors and linear features should be retained, protected and enhanced at the site throughout site clearance and development. Isolating the woodland habitat by development or hard landscaping should be avoided. The layout has been designed accordingly, and a suitably worded condition is recommended to protect trees and other vegetation which is to be retained throughout the construction period. Further recommendations regarding the avoidance of lighting impact on bats and other nocturnal species are suggested to be included as informative notes should the planning application receive approval.

3.5.53 The site borders an area of Lowland Mixed Deciduous Woodland Habitat of Principal Importance. Policy CS13 of the Core Strategy states that "*Development will only be permitted where it creates no unacceptable environmental impact*" and so the woodland habitat should be protected with a suitable buffer zone and fencing. The proposed layout allows for this necessary protection.

3.5.54 The habitat report covers the whole Masterplan area beyond the current application site, and identifies that Himalayan Balsam is present to the south west of the site and rhododendron has been recorded in Cockridge Wood to the south east of the site. Later phases of the Masterplan site may need to secure a method for eradication of these species in accordance with best practice guidelines. Complete eradication of the species from the Masterplan site would be considered a biodiversity enhancement, contribute to the sustainability of the development and improve biodiversity in the local area by allowing native species to dominate.

3.5.55 Habitat suitable to support badgers has been identified at the site, however the updated badger survey did not record any current evidence of badgers at the site. Capita Ecologists agreed with the submitted report advising that a condition should be attached to the application, should it be approved, to state that a pre-commencement survey for badgers should be undertaken if the development has not commenced within 12 months of the previous survey. A suitably worded condition is recommended in accordance with this advice.

3.5.56 Habitat suitable for nesting birds, including ground nesting species is present within the site. Therefore, in accordance with the existing outline planning permission, a condition is recommended to ensure that vegetation removal is undertaken outside of the nesting bird season (March to August, inclusive). Where this is not possible, a nesting bird check should be undertaken immediately prior to construction taking

place. Should any nests be observed a suitable buffer will be necessary and must remain in place until the nest is no longer in use.

3.5.57 Most of the site is grazed semi-improved grassland with some marshy grassland and paddock. These habitats do have some potential for foraging and breeding species; however, these are likely to be common. As such the development of the land and loss of the habitats is unlikely to have significant negative impacts on the ecological value of the area.

3.5.58 It is considered that providing suitable conditions are applied to the planning approval, the impact of the development upon ecology will be suitably mitigated and compliant with Policy 9 of the LPP2.

3.5.59 Contaminated land

A Preliminary Risk Assessment and Site Investigation Scope has been submitted, which confirms that the site is not likely to present a significant risk from contamination. The submitted Preliminary Conceptual Model concludes that intrusive investigation is required and this precautionary approach is welcomed. A period of gas monitoring is also taking place. The results of the site investigations will be required to be reported via a pre-commencement planning condition, also identifying any necessary remediation and validation.

3.5.60 Within the required site investigations report, reference will be made to a nearby historic animal burial pit as a potential source of ground contamination; to consider any necessary implications and remediation before works commence.

3.5.61 Affordable Housing

A viability appraisal, based on a set of assumptions agreed between the Council and the developer, suggests that there is no viability within this first phase for the provision of affordable housing. Again, this is largely as a result of the developer agreeing to fund the extensive off-site highway works and sustainable drainage measures which will benefit the whole masterplan site. The benefit of this compromise is that the remaining phases of the wider Masterplan site will be more attractive to developers in the future. The delivery of housing numbers required by the Council, including affordable housing, is therefore more likely.

3.5.62 Summary

This report assesses the full planning application for the residential development of land off Livesey Branch Road, Blackburn. In considering the proposal, a wide range of material considerations have been taken into account.

3.5.63 In addition to the matters described above, local residents raised the following concerns:

- *Will the details within the market appraisal at para 3.11 of the Masterplan be applied across the site i.e. upper market housing at upper market prices? Whilst this is not a material planning consideration in assessing this application, the developer has confirmed that full account has been taken of current and predicted market demand, with advice taken from relevant local agents, and the houses will be priced accordingly in line with the Masterplan.*
- *The Masterplan specifies that dwellings should be on irregular plots and avoid small gaps between, much of the layout ignores this requirement with minimum distances sufficient to provide only access paths to the rear of dwellings. The development cells across the site are irregular and have been arranged to create a varied streetscene and unfolding views. This means that many units, contrary to the above, are within irregular shaped plots often featuring corner turning units which pay special attention to both street frontages.*
- *Witton Weavers is presently a farm track 3 metres wide, this will need to be maintained at this width to enable large farm vehicles and livestock transport to access the remaining fields at all times or be integrated with the road network. The Witton Weavers Way is currently 2.2 metres wide and the proposed layout increases the width to 2.5 metres as requested by Public Rights of Way Officer.*
- *Concerns with the durability of the cladding proposed for some properties and the metal cladding for porches - cladding is less durable than brick. The type of cladding proposed is resistant to weathering and discolouration. Natural timber has not been proposed due to discolouration issues. The proposed Cedar cladding is resistant to rot, insects and moisture. It is approved by the BBA subject to appropriate installation as meeting the requirement of Building Regulations 2010.*
- *The position of the intended school is not shown but it will require adequate parking for those bringing or collecting children and extra parking spaces should be provided around the village green to enable free movement of traffic to be maintained. We are all well aware of school parking problems and this is an opportunity to design most of the problem out before it appears. This is noted, and the main arterial road adjacent to the village green has been designed to allow for on-street parking. Further considerations relating to the school will be considered in future phases.*
- *On the Wainhomes drawings [Phase B Site] the stream outfall from their development is shown connecting into existing pipework behind Livesey Branch Road, but on this site. Is the route of the pipework acceptable to Kingswood Homes and has it been allowed for in the site layout. Yes, the 375mm pipe from the Wainhomes*

site is picked up by the drainage proposals of the site which is the subject of this current application.

- *The Wainhomes development will not sit comfortable with these proposed designs, the Wainhomes dwellings being of a larger scale and different materials.* This comment relates to the adjacent site, whose owners chose not to engage in the masterplanning exercise. The current application is considered on its own merits and is found to be in accordance with the Masterplan.
- *There does not appear to be provision for connecting SUDS drainage or foul sewers from the proposed Story Homes development into this site. I believe this was the intention of the Masterplan document and the Witton Estates drainage scheme. Have United Utilities been consulted on the overall site plan and how the different phases will be integrated for foul drainage?* Yes, United Utilities have been consulted and the design includes provision at Manholes S1-05 and S2-01 for surface water from the Phase C development. The foul water design also includes provision for the Phase C site at Manhole F1-42B.
- *I presume the access for existing garages near the site entrance will be given due thought to avoid inconvenience for the home owners.* The developer is in contact with the garage owners to manage this situation.
- Regarding the submitted cross-sections: *The detailed section views distance dimensions are substantially different at Section A = 75.8m, B = 68m, C = 71m & D = 78.3m. This appears to be a deliberate attempt to mislead the reader by presenting graphically large sectional views which have been stretched and adding fictional distance dimensions which indicate a far larger distance between the existing properties and the new build.* The cross sections are indicative in relation to the existing premises beyond the site boundary as the applicant does not have access to the private gardens at this stage, however they are as accurate as they can be. A discrepancy was identified in terms of the measurement on the sections and therefore a revised cross section plan was received on 14th November 2016 to address it. The key point to note is that the new build development is located far in excess of 21 metres away from neighbouring properties which is the separation distance of new build housing in relation to existing properties as set out in the adopted Residential Design Guide SPD.
- Regarding phasing of construction: *This requires clarification on the timing of the 'SUDs' completion. The plan is colour coded to indicate phases of work A1, A2 & A3. The northern edge of the site contains all three phases which is stating a four year timescale for completion, so potentially four years before full drainage completion and the associated disruption and disturbance to*

existing residents. The area covered by phase A3 is the last to be completed and is where the worst flooding currently occurs. There needs to be a commitment from the developer that all SUDs along the northern edge of the site be completed, landscaped and planted within phase A1 to limit the disruption and disturbance to the local residents. The detailed phasing across the whole 167 houses has yet to be finalised but the developer intends to install 50% of the proposed swales / detention basins as soon as development commences and for the cellular storage system also to be installed at this point. This will allow sufficient drainage capacity to accommodate the dwellings installed before it is required. The smaller village green area is also proposed to be installed as soon as development commences.

3.5.64 The assessment of the proposal clearly shows that the decision must be made in terms of assessing the merits of the case against any potential harm that may result from the implementation of the development. This report concludes that the proposal provides a high quality bespoke housing development and meets the policy requirements of the saved Local Plan, Core Strategy, National Planning Policy Framework and the Gib Lane Masterplan.

3.5.65 The development proposals are the result of extensive design development which will provide a unique and special development in terms of quality for Blackburn.

4 RECOMMENDATION

4.1 Approve subject to:

- (i) Delegated authority is given to the Head of Service for Planning and Infrastructure to approve planning permission subject to an agreement under Section 106 of the Town & Country Planning Act 1990, relating to the payment of a commuted sum of £451,000 towards: the design of a new vehicular access onto Livesey Branch Road; green travel planning initiatives; construction of the new vehicular access onto Livesey Branch Road; enhancements to Finnington Lane / Moulden Brow junction (to alleviate pressure on Preston Old Road / Livesey Branch Road junction); and upgrading of bus stops on Livesey Branch Road.

Should the Section 106 agreement not be completed within 6 months of the date of the planning application being received, the Head of Service for Planning and Infrastructure will have delegated powers to refuse the application.

- (ii) Conditions which relate to the following matters:
 - Commence within 3 years

- Materials to be implemented
- Landscaping scheme to be implemented
- Landscaping management and maintenance plan to be implemented
- Off-site highways works to be implemented
- Transport initiatives to be implemented
- Visibility splays to be protected
- Retention of householder parking spaces (and garages)
- Construction management plan to be implemented
- Condition surveys of site access at 3 stages
- Drainage scheme to be implemented, including maintenance proposals
- Foul and surface water to be drained on separate systems
- Green infrastructure areas to remain undeveloped
- Arboricultural method statement measures to be implemented
- Tree protection during construction
- Site clearance works outside bird nesting season
- Badger presence to be resurveyed if works commence beyond 12 months
- Further bat survey prior to works affecting relevant trees (phase A3)
- Proposed finished floor levels to be implemented
- Permitted development rights to be removed
- Contaminated land and coal site investigations
- Unexpected contamination
- Air quality mitigation
- Limitation of construction site works to:
 - 08:00 to 18:00 Mondays to Fridays
 - 09:00 to 13:00 Saturdays
 - Not at all on Sundays and Bank Holidays
- Dust management plan to be implemented
- Site entrance feature to be agreed

5 PLANNING HISTORY

- 5.1 Outline Planning Permission was granted in July 2015, reference 10/14/1331 for the erection of up to 145 no. new residential dwellings, new village green and A3 cafe use, and site wide features of green infrastructure and drainage attenuation measures forming Phase A of wider site Masterplan.
- 5.2 Pre-application enquiry reference: 7062 (July 2016), for proposed residential development. The pre-application enquiry received a favourable response.

6 CONSULTATIONS

- 6.1 Arboricultural Officer

No objections. Suggested Swamp Cypress trees to be planted in the drainage basins, which the applicant is considering.

6.2 Drainage Section

Confirmed the drainage design is acceptable, and made the following recommendations:

- All side slopes to the swales and basins are to be not less than 1 in 3;
- Terracing to side slopes of basins to be introduced where possible;
- Wet bases 150-225mm deep to be formed in the larger basins (to enhance the appearance);
- Liaison with United Utilities regarding adoption of the cellular storage system; and
- Revised maintenance plan to be provided.

Amended drainage details were received on 29th November 2016 in response to these suggestions. Updated comments from the drainage section will be reported in the Update Report for Committee.

6.3 Education Section

No objections.

6.4 Environmental Services

No objections.

6.5 Public Protection

Noise

Requested a programme for the monitoring of noise during construction works, specifying the measurement locations and maximum permissible noise levels at each location. However, this was not justified in planning terms, and not necessary providing hours of construction are restricted by a suitable condition.

6.5.1 *Dust*

A dust management plan was requested, which was subsequently provided by the applicant and accepted by Public Protection.

6.5.2 *Floodlighting Control*

If it is intended to have security floodlighting during the construction phase, a control scheme was requested. The applicant confirmed that floodlighting will not be used.

6.5.3 *Hours of Site Works*

A condition was recommended, that there shall be no site operations on any Sunday or Bank Holiday nor on any other day except between the following times: Monday to Friday 08:00 – 18:00 hours and Saturday 09:00 - 13:00 hours. This condition is proposed.

6.5.4 *Contaminated Land*

In summary, the applicant has been asked to address the following:

- Adapt the conceptual site model and text with the 2016 Preliminary Risk Assessment to make reference to the animal burial pit as a potential source of ground contamination.
- Adapt the site investigation scope report to take account of the animal burial pit. In particular, ensure that ground gas monitoring is carried out on the appropriate border of the Phase A site. Similarly, groundwater should be monitored to see whether the flow direction is toward Phase A and analysed for appropriate pathogens.
- Adapt the analyte lists and the proposed site investigation plan to take into account the above comments.
- Ensure that ground gas monitoring is also carried out within the on-site areas of unknown filled ground and areas of shallow coal mining and adapt the SI plan accordingly to reflect this.

A pre-commencement condition is recommended in order to resolve these matters.

6.5.5 *Air Quality*

The initial Air Quality Assessment Report was revised in response to Public Protection comments. Further comments were provided as follows (in summary):

- The revised report doesn't predict concentrations at receptors at the Moorgate St / Livesey Branch Road junction. There is a contour map showing predicted pollution levels, but more detail is needed. Worst case exposure at receptors by the Moorgate St / Livesey Branch Road junction should be modelled.
- Monitored urban background concentrations of NO₂ should be used in preference to the modelled Defra map backgrounds. DT1 would be representative of exposure on Livesey Branch Road, DT36 would be representative of background concentrations in the vicinity of receptor R7, and DT23 would be representative of background at R5.

6.5.6 In response to these comments, a further revised air quality report was received on 1st December 2016. Updated Public Protection comments will be provided in the Update Report to Committee.

6.6 Highways Authority

In principle, supportive of the scheme. Initial comments included:

- Parking spaces to meet adopted standards;
- Consider reducing the width of the main route, and attempt to soften the treatment of the streets;
- Connection through the site is noted, however there are links which have not been pursued, the most notable one being from plots 68 to 69;
- Where shared surfaces are proposed, clarify if there is to be a service verge around the edge of the carriageway;
- Clarity regarding bin collection points;
- The footway connections to the Witton Weavers Way and those connecting to the surrounding site to enhance wider movement should be 3m wide to accommodate footway and cycle ways;

- Further explore the crossover points where the highway meets Witton Weavers' Way, to maintain a priority gateway for pedestrians;
- Highway surfacing materials will be subject to formal technical highways approval;
- Clarity is required on which areas are to be adopted;
- Sightlines to be clarified;
- Tracking plan to be revised;
- Turning heads which end within the site curtilage have not been extended up to the boundary of the site;
- Conditions to be attached for off-site highway works as agreed within the approved masterplan document for Phase 1, they are;
 - New vehicular access onto Livesey Branch Road, new junction and associated TRO's;
 - New pedestrian refuge on Livesey Branch Road;
 - Upgrading of bus stops on Livesey Branch Road; and
 - Upgrade of Finnington Lane includes MOVA and associated works.
- To allow the new entrance to be put in place from the outset, a condition is proposed requesting a highway condition survey to be taken prior to works commencing, after 60 houses have been completed and then a further survey at completion of the 115th house, to establish if the construction has caused damage and to allow a list of remedial works to be compiled (if necessary) which would need to be undertaken prior to the completion of the last property;
- Construction method statement is required;
- The Transport Assessment Addendum offers evidence to support the assertions made in trip generation and traffic impact at the site accesses across the proposed site. This indicates that there is no severe impact on the access points. However, there are a number of issues on the local highway network which may impact delivery of the Gib Lane masterplan. It should be noted that these impacts are due to a number of factors and not just this single proposed development. It is recommended that the Section 106 agreement should be discussed to increase the funding available due to the increased number of dwellings across a number of planning applications than initially agreed. This should be a proportional uplift based on the percentage increase in housing units as compared to the masterplan. This will ensure sufficient funding is received to deliver the mitigation measures required to support delivery of the Gib Lane masterplan.

6.6.1 In response to the above comments, a revised layout has been submitted, in addition to a plan showing areas for adoption and a Construction Management Plan. It's noted that should the overall Gib Lane Masterplan site exceed 700 units, the potential for further off-site highway works will need to be revisited.

6.7 Public Rights of Way Officer

The design is acceptable regarding alignment of the Public Right of Way and the crossing points. The applicant will need to apply for temporary closure and diversion of the Witton Weavers Way during the works to ensure the safety of the public, and for permanent diversion of Witton Weavers Way at the entrance to the site where it is shown to be diverted to follow a Public Footway. The applicant will need to apply for an upgrade of the Witton Weavers way to a Public Bridleway for its entirety throughout the development site. An agreement shall be put in place to ensure that the upgrade to Bridleway is implemented as soon as practical following the start of the works.

6.7.1 The diversion applications are to be dealt with separately to the planning application, and whilst a bridleway upgrade is desirable it is not reasonable to insist on it via a planning condition as it does not meet the tests for the use of planning conditions in this case.

6.8 Travel Planning Officer

Detailed comments were provided, welcoming the travel planning proposals and suggesting small amendments. A series of green travel planning initiatives were suggested, which are recommended for inclusion as part of the Section 106 agreement. The small amendments are to be incorporated into the site's Travel Plan prior to the Committee Meeting.

6.9 Strategic Housing

In summary, the proposed development will contribute positively to the Council's aspiration to see new homes being developed in the Borough as part of the Growth priority. 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 Housing Growth Team is supportive of the proposal subject to it meeting the Council's planning policies.

6.10 Lancashire Constabulary

No objections, but recommended measures to reduce crime risk including:

- Amending the hit-and-miss fence;
- Security standards for external doors and ground floor windows;
- Garden lighting;
- Avoid windows in garages or sheds.

6.10.1 In response to these comments, the boundary treatment plan was amended and all garage windows (only 2 instances) are to be obscure-glazed.

6.11 Coal Authority

No objections, subject to conditions. The Coal Authority concurs with the recommendations contained within the submitted Coal Mining Risk

Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

6.11.1 The Coal Authority recommends that a condition is imposed, should planning permission be granted, requiring these works prior to commencement of development.

6.12 Electricity Northwest

Considered the proposal and found it has no impact on Electricity Distribution System infrastructure or other ENW assets. Any requirements for a supply of electricity will be considered as and when a formal application is received.

6.13 Environment Agency

Confirmed that no comment to be provided.

6.14 Capita Ecology

In summary:

- As the previous survey was undertaken in 2013, an updated Ecology Walkover of the site should be carried out and the results along with recommendations for mitigation and compensation should be provided.
- The development should be screened for an Environmental Impact Assessment.
- Recommendations are made for the protection and enhancement of the Lowland Mixed Deciduous Woodland Habitat of Principal Importance. It is also recommended that habitat connectivity across the site is maintained.
- Habitats lost at the site that are suitable to support protected species should be replaced with habitats of equal value.
- The current status of non-native invasive species at the site should be re-surveyed as part of the updated Ecology Walkover. If invasive species are likely to be affected by the development, a method for their eradication should be produced to ensure there are no offences under the Wildlife and Countryside Act 1981 (as amended).
- Further information is required relating to trees that will be removed/affected by the development and their potential to support bat roosts, further surveys for bats may be required.
- A condition should be attached to the application to state that a pre-commencement survey for badgers should be undertaken if the development has not commenced within 12 months of the previous survey.
- The information provided in Section 5.3.21 and 5.3.22 of the Extended Phase 1 Habitat Survey Report should be conditioned to ensure the protection of nesting birds during development.
- Ecological enhancements should be considered at the site to contribute to the sustainability of the development and in line with

the National Planning Policy Framework (NPPF) and Natural Environment and Rural Communities (NERC) Act 2006, these should be provided within the updated Ecology Walkover Report and shown on the landscaping plans.

6.14.1 The above comments are considered within section 3.5.50-58, and it is confirmed that the proposal was screened as to the need for Environmental Impact Assessment.

6.15 United Utilities

No objections, subject to conditions requiring separate foul and surface water systems, submission of a drainage scheme and details of maintenance of the sustainable drainage system. These details have been provided.

6.16 Livesey Parish Council

Unanimous objection, for the following reasons (also referring to the objection by K Murray which is reported in the Summary of Representations):

- *Does not meet the local plan as houses linked in a terrace form, not the high end family homes proposed for this site.*
- *master plan para 3.4 layout should be sympathetic to the land form to preserve important views and to avoid disturbing the local rural character, 3 storey on the highest point of site are not in keeping with the master plan.*
- *3.11 of master plan as far a possible upper market houses at upper market prices.*
- *The master plan specifies that dwellings should be in irregular plots and avoid small gaps between, much of the layout ignores this requirement with minimum distances sufficient to provide only access paths to the rear.*
- *Some of the houses are to be finished in cladding and as such is inferior to brick.*
- *The master plan stated the site should be of a uniform character, these do not fit in with the Wainhomes proposal, as they are much larger scale and different materials.*
- *In summing up our objections we believe these houses will be more affordable housing (as stated by the builders at the meeting held at St Bedes) they do not meet the aspirations set out for this site and we ask you to reject this application, what was sold to residents at the Master plan consultation was quality family housing, what is being proposed is not.*

Responses to these points are set out at paragraph 3.5.63.

6.17 Public consultation has taken place, with over 270 letters posted to neighbouring addresses; a press notice was published on 27th October 2016; and three site notices were displayed on 19th October and again on 29th November. In response, five letters of objection have been received which are shown within the summary of representations below.

Summary of Representations

Planning Application 10/16/1132 Kingswood Homes Phase A Gib Lane masterplan

Within the Local Plan² there is reference to the housing mix in Blackburn with Darwen being dominated by terraced properties, these are still being built – Drakes Close, small terraces on the Infirmary site and others, particularly on those sites with affordable homes. What is proposed here includes blocks of dwellings linked together in a terrace form, are these acceptable under the circumstances?

Considering the Masterplan, para 3.4 makes reference to the layout being sympathetic to the landform in order to preserve important views and to avoid disturbing the surrounding rural character, 3 storey houses 9 metres tall on the higher part of the site are not in keeping with this requirement in the Masterplan how do you propose to resolve this aspect? As proposed these 3 storey houses will damage the rural views from Billinge Hill, Wainwright Monument and part of Pleasington cemetery.

Para 6.4 of the Masterplan states “ Development proposals will be expected to contribute towards the enhancement of existing bus facilities and should be designed to ensure it has the potential to accommodate a bus service in the future.

Please confirm this future bus route and provision for bus stops and other furniture can be integrated into the site should the need arise later.

There is understandably no indication of likely house prices at this stage but please confirm the details within the market appraisal para 3.11 of the Masterplan have been noted and as far as possible will be applied across the site ie. upper market housing at upper market prices.

For Livesey Green the dwelling density should be 30-35 per hectare, does this proposal conform considering the increased number of dwellings now proposed? The Masterplan specifies that dwellings should be on irregular plots and avoid small gaps between, much of the layout ignores this requirement with minimum distances sufficient to provide only access paths to the rear of dwellings. The proposed layout does not have sufficient detail to define boundary treatment which presumably will be required to conform to the Masterplan and be decided in reserve matters.

Witton Weavers is presently a farm track 3 metres wide, this will need to be maintained at this width to enable large farm vehicles and livestock transport to access the remaining fields at all times or be integrated with the road network.

It is pleasing to see that the designers have attempted to vary the street scene and to remove much of the vehicle parking behind the building line.

I have a few concerns with the durability of the cladding proposed for some properties and the metal cladding for porches, cladding is less durable than brick, I wonder how the buildings will look in 20 years time?

The proposed road narrowing at the road access is unacceptable, Livesey Branch Road is already busy at peak times, narrowing the road will bring potential for accidents. It is for the developer to integrate with what is already there, not to change the road layout to suit the developer's needs, I presume this will be dealt with by highways and a similar compromise to that used on Gib Lane will be agreed. Given that this will be the most heavily used access for much of the site, it is vital that the details are satisfactory for free flowing traffic on Livesey Branch Road as the first priority.

The position of the intended school is not shown but it will require adequate parking for those bringing or collecting children and extra parking spaces should be provided around the village green to enable free movement of traffic to be maintained. We are all well aware of school parking problems and this is an opportunity to design most of the problem out before it appears.

Drainage and SUDS. I note the drainage calculations from the drainage study, please confirm that the detention basins proposed have adequate capacity to cope with the total drainage requirement for storage in this area and that provision has been made to link in to drainage needs from higher up the site.

On the Wainhomes drawings the stream outfall from their development is shown connecting into existing pipework behind Livesey Branch Road, but on this site. I presume the route of the pipework is acceptable to Kingswood Homes and has been allowed for in their site layout.

I am disappointed that the Wainhomes development will not sit comfortable with these proposed designs, the Wainhomes dwellings being of a larger scale and

different materials. The Masterplan was intended to ensure the site as a whole presented a uniform character, unfortunately the Wainhomes designs are their standard products and not laid out to the principles set out in the masterplan – only the primary route.

I would point out that the Wainhomes site will need the road connection to Phase A as an escape route as soon as possible in ice and snow as access onto Gib Lane may not be practical due to the inclined road and north facing slope.

There does not appear to be provision for connecting SUDS drainage or foul sewers from the proposed Story Homes development into this site. I believe this was the intention of the Masterplan document and the Witton Estates drainage scheme. Have United Utilities been consulted on the overall site plan and how the different phases will be integrated for foul drainage?

I would remind you of the Local Plan 2 Core policies page 10 of the Site Allocations and Development Management Policies paras. 2.14-2.16 which refers to development and people.

In particular para. 2.6 is most relevant, “Some developments can have a very high direct impact on people closest to it. It is important that planning manages this impact to ensure no one suffers from unsatisfactory conditions as a result of new development”. I would expect the situations closest to the existing homes on Livesey Branch Road to be carefully controlled to minimise the impact of development and potential flooding risks from the detention basins. I presume the access for existing garages near the site entrance will be given due thought to avoid inconvenience for the home owners.

Regards,

Keith Murray

2nd November 2016

Sent: 12 November 2016 14:48

To: Planning

Subject: Planning Application 10/16/1132

I refer to your letter dated 18 October 2016 and I hope my comments will be taken into consideration. I couldn't respond within the due dates as I have been away from home.

I would like to object for the following reasons:

The proposal will drastically damage the appearance of the landscape.

Livesey/Feniscowles/Pleasington is now the most attractive side of Blackburn, mainly because there are still some open green spaces and because the residents of these areas plus the visitors respect the beauty and look after the properties and gardens.

Livesey Branch Road with two major schools and a large number of houses plus a supermarket and playing field is always a very busy road, both with local residents and people wishing to access the motorways or Preston. The access road to this development, almost opposite the entry to Holly Tree shops and houses seems an unbelievably dangerous idea with people slowing down to enter or exit the entrance.

The drains are also a major problem with water flowing on to Livesey Branch Road when we have a lot of wet weather.

I cannot believe that the proposal of 167 dwellings, new village green/public space, provision for a future community building on this site has even been a consideration, mainly because of the danger it will create with all the extra traffic.

I would like to be kept informed of the progress of this application as well as notice of any meetings.

Thank you

Josephine Bunyan

Gib Lane

Mr A Gardner

503 Livesey Branch Road
Blackburn
BB2 5DB

Re Planning Application – 10/16/1132

Please find attached my comments to the application detailed above.

1. Cross Sections 01, Drawing Number CS01

Plan view details four section locations A,B,C & D with length dimensions of A = 56, B = 47, C = 39 & D = 46 indicating distances from existing properties to the proposed new build. Note – Section A indicates an existing home back garden length of approx. 25m which appears to be correct.

The detailed section views distance dimensions are substantially different at Section A = 75.8m, B = 68m, C = 71m & D = 78.3m.

This appears to be a deliberate attempt to mislead the reader by presenting graphically large sectional views which have been stretched and adding fictional distance dimensions which indicate a far large distance between the existing properties and the new build.

2. Design Statement – Phasing Plan Page 82

This requires clarification on the timing of the 'SUDs' completion.

The plan is colour coded to indicate phases of work A1, A2 & A3. The northern edge of the site contains all three phases which is stating a four year timescale for completion, so potentially four years before full drainage completion and the associated disruption and disturbance to existing residents.

Note – The area covered by phase A3 is the last to be completed and is where the worst flooding currently occurs.

Detailed within phase 1 text is a comment that the SUD's and the 'village green' be brought forward in the early phases?

There needs to be a commitment to the local residents from the developer that all SUDs along the northern edge of the site be completed, landscaped and planted within phase A1 to limit the disruption and disturbance to the local residents.

Sent: 21 November 2016 16:26

To: Planning

Subject: FW: Planning Application 10/16/1132 Kingswood Homes

Dear Sir/ Madam,

At the last Livesey Parish Council Meeting held in November 2016 , Councillors unanimously objected to planning application 10/16/1132 put forward by Kingswood Homes. Please see the list below that has been put forward by the Parish Councillors which should be put before your next planning meeting. Also enclosed is a letter from Keith Murray which you may have already have on file which should form part of the objection.

Please take into account the following:

- Does not meet the local plan as Houses linked in a terrace form, not the high end family homes proposed for this site.
- master plan para 3.4 layout should be sympathetic to the land form to preserve important views and to avoid disturbing the local rural character, 3 storey on the highest point of site are not in keeping with the master plan.
- 3.11 of master plan as far a possible upper market houses at upper market prices.
- The master plan specifies that dwellings should be in irregular plots and avoid small gaps between, much of the layout ignores this requirement with minimum distances sufficient to provide only access paths to the rear.

- Some of the houses are to be finished in cladding and as such is inferior to brick.
- The master plan stated the site should be of a uniform character, these do not fit in with the Wainhomes proposal, as they are much larger scale and different materials.
- In summing up our objections we believe these houses will be more affordable housing (as stated by the builders at the meeting held at St Bedes) they do not meet the aspirations set out for this site and we ask you to reject this application, what was sold to residents at the Master plan consultation was quality family housing, what is being proposed is not.

Kind regards
Rory Needham
Clerk to Livesey Parish Council

H. Holly Green Village
Holly Green Village
Harris corner
Blackburn
BB2 5AB
7/11/2016

Dear Sir, I am writing to express my strong objection to the Planning Application made by Kingswood Homes UK Ltd, on land off Siversy Branch Rd. this is a green field, I and others agree that our green fields should be protected, there are other Brown Sites within Blackburn and Darwen Borough, that could be developed instead, I would point out that within one mile of this site, there are many houses for sale and to rent, and at one modern development not far from this site there is a cluster of at least five for sale boards at the entrance to this development, so why is there a need to build more houses? also who can afford them?

At one meeting with the local residents at St Bede's School, we were told that any houses built in this area would be executive style homes. This does not seem to be the case with this Planning Application by Kingswood Homes U.K. LTD.

I think it is also very worrying as the entrance to this site is directly opposite a Nursing Home, and in close proximity to a School, with all the disruption and pollution that this will cause, also along Limesey Branch Rd, this has become a very busy main road, can it take more traffic? - I do not think so.

Lastly this Planning Application is on land that has a Public Footpath.

Yours Sincerely



Claire Campbell

PLANNING APPLICATION NO 10/16/1132

Erection of 167 No. residential dwellings, new village green/public open space, provision for a future community building, new access junction to Livesey Branch Road, associated highway infrastructure and drainage attenuation measures forming Phase A of the wider Gib Lane Masterplan site, by Kingswood Homes.

I write in connection with the above planning application. I have examined the plans and I wish to object to the development of these houses in this location.

Wainhomes holds an extant permission (10/15/0901) for 79 dwellings on land west of Gib Lane, which is the adjoining parcel of land to the above referenced proposed Kingswood Homes development. You will be aware that construction of our consented development is now under way. From our existing approved layout we wish to make the following comment, as reason for the objection against planning application no. 10/16/1132:-

1. The Full planning application submitted by Kingswood Homes includes a site layout. This site layout fails to meet Blackburn with Darwen Borough Council's adopted minimum separation distances, by a significant margin, thereby creating unacceptable levels of amenity for the future occupants of plots 18-25, of the already approved Wainhomes layout. This is contrary to Policy 8 of the Blackburn with Darwen Local Plan Part 2 and Policies RES 2G of the adopted Residential Design Guide Supplementary Planning Document.

Therefore, it is asked that you request Kingswood Homes to resubmit a layout that follows the space standards required for all new residential developments and conforms with principles established in the adopted 'Gib Lane Masterplan'. Should a revised layout fail to be produced, I would urge you to refuse this planning application.

7 **CONTACT OFFICER: Helen Holland, Planning Team Leader (Strategy).**

8 **DATE PREPARED: 2nd December 2016**