

PLANNING & HIGHWAYS COMMITTEE

Wednesday, 12th July 2017

AGENDA

1. **Welcome and Apologies**

2. **Minutes of the last meeting held on 27th April 2017**

To approve the Minutes of the meeting held on 27th April 2017.

3. **Declarations of Interest Form**

A Declaration of Interest Form is attached.

If a Member requires advice on any item involving a possible Declaration of Interest which could affect his/her ability to speak and/or vote they are advised to contact Democratic Services at least 24 hours before the meeting

PLANNING MATTERS

4. **Planning Applications**

A Guidance note outlining what are and are not material considerations is attached. (pages)

Reports informing the Committee of planning applications that require a decision by the Committee are attached.

There is a file for each planning application containing application forms, plus plans, consultations, representations, case officer notes and other supporting information. Contact Officer: Gavin Prescott, telephone number 01254 585694.

MEMBERS OF THE PUBLIC WHO HAVE EXPRESSED A WISH TO SPEAK TO A PLANNING APPLICATION MAY BE INVITED TO DO SO AT THE APPROPRIATE TIME BY THE CHAIR OF THE MEETING.

5. **Petition regarding; Full Planning Application 10/17/0321 - Proposed change of use to turn the existing empty building (previously a public house) into a community centre - Former Lockside Tavern, 197 Bolton Road, Blackburn**

(A report to advise the Committee of the receipt of a petition objecting to planning application 10/17/0321 as detailed above)

**PART II – THE PRESS AND PUBLIC MAY BE EXCLUDED DURING
CONSIDERATION OF THE FOLLOWING ITEM**

**6. Enforcement – BOWLAND TRADING LTD, NEW CENTURY WORKS,
HIGHER LONDON TERRACE, DARWEN, BB3 3DF**

(A report requesting authorisation to take enforcement action)

**7. Enforcement – THE WEST PENNINE REMEMBRANCE PARK,
ENTWISTLE HALL LANE, TURTON, BL7 0LR.**

(A report requesting authorisation to take enforcement action)

HARRY CATHERALL
Chief Executive

Date published: 4th July 2017

PLANNING AND HIGHWAYS COMMITTEE
27th April 2017

PRESENT – Councillors Dave Smith (in the Chair), Ali, Brookfield, Casey, Khonat), Groves, Hardman, Mahmood (substitute for Hussain F), Hussain I, Khan Z, Murray, Nuttall, Oates, Riley.

OFFICERS – Ian Richardson ,Gavin Prescott Kate McDonald (Planning) Asad Laher (Legal), Safina Alam (Highways), Paul Conlon (Democratic Services).

RESOLUTIONS

78 Welcome and Apologies

The Chair welcomed everyone to the meeting. Apologies were received from Councillors Jacqueline Slater.

The Chair also announced that Kate McDonald would be leaving in May to take up a new position with the Planning Inspectorate.

79 Minutes of the last Meeting held on 16th February 2017

RESOLVED – That the minutes of the last meeting held on 16th February 2017 were confirmed and signed as a correct record.

80 Declarations of Interest

There were no declarations of interest.

81 Planning Applications

The Committee considered reports of the Director of Planning and Prosperity detailing the planning applications listed overleaf.

In considering the applications, the Committee took into account representations or submissions provided by individuals with the officers answering points raised during discussion thereon.

RESOLVED – (1) That the following decisions be made on the applications set out overleaf:

<u>Application No.</u>	<u>Applicant</u>	<u>Location and Description</u>	<u>Decision under Town and Country Planning Acts and Regulations</u>
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<u>Application No.</u>	<u>Applicant</u>	<u>Location and Description</u>	<u>Decision under Town and Country Planning Acts and Regulations</u>
10/16/0704	Mr Jackson,	Hoddlesden Moss, Hoddlesden, Darwen.	Withdrawn at the request of the applicant.
10/16/0789, 10/17/0250, 10/17/0414 and 10/17/0418.	Ruttle Plant Holdings.	<p>10/16/0789- Land at Pole Lane Darwen. reserved matters application for the erection of 126 dwellings pursuant to Outline Planning Approval 10/12/0933.</p> <p>10/17/0250- Works to Strengthen and upgrade Spring Meadows Road so that it can be adopted.</p> <p>10/17/0933- Variation to Section 106 Planning Obligations for planning approval 10/12/0933</p> <p>10/17/0418- Removal of condition No8 of outline Planning Approval 10/12/0933</p>	<p>Approved to revised section 106 agreement relating to offsite highway works, community benefit and development phasing.</p> <p>Application be approved subject to revised Section 106 Agreement relating to development phasing.</p> <p>Approved</p> <p>Approved subject to revised section 106 agreement for offsite highways works, community benefit and development phasing.</p>
10/16/1301	Ann-Marie Thornley 82 Higher Ridings Bromley Cross Bolton	Single storey Side (south west) extension, single storey (north east) extension, gable insertion to rear and single storey front extension to existing building.	Approved, subject to conditions.
10/17/0135	29 Columbia Way, Blackburn	Full Planning Application, 29 Columbia Way, Blackburn BB2 7DT	Approved subject to the following conditions-
10/16/1320	Lammack Community Foundation	Flat 7 Whinney Lane, Blackburn	Approved subject to conditions

82 Petition- Preston New Road Blackburn.

A report was submitted informing Members of a petition received from residents of Preston New Road Blackburn regarding the renewal of a single yellow line. The Executive Member for Regeneration drew attention to the condition of the existing line and the issues that this had caused and requested that discussions take place with residents prior to the reinstatement of the lines.

RESOLVED – 1. That the report be noted.
2. That consideration of the petition be deferred at the request of the Executive Member for Regeneration to enable further discussions to take place.

83 Exclusion of the Press and Public

RESOLVED – That the press and public be excluded from the meeting during consideration of the following item in view of the fact that the business to be transacted is exempt by virtue of paragraph 5 of Schedule 12A to the Local Government Act 1972.

84. Enforcement- Rockwood House, 4 East Park Road Blackburn.

The Director of Growth and Development submitted a report seeking authorisation to take enforcement action against all persons having an interest in land at Rockwood House, 4 East Park Road Blackburn.

Resolved- That authorisation be given to the proposed enforcement action at Rockwood House East Park Road, Blackburn.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed

**DECLARATIONS OF INTEREST IN
ITEMS ON THIS AGENDA**

Members attending a Council, Committee, Board or other meeting with a personal interest in a matter on the Agenda must disclose the existence and nature of the interest and, if it is a prejudicial interest, should leave the meeting during discussion and voting on the item.

Members declaring an interest(s) should complete this form and hand it to the Committee Administrator at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.

MEETING: **Planning and Highways Committee**

DATE:

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

NATURE OF INTEREST:

PERSONAL/PREJUDICIAL (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 13 of the Code of Conduct for Members of the Council refer)

Material Consideration

“Material Considerations” are not limited to matters relating to amenity and can cover a range of considerations, in regard to public or private interests, provided that there is some relationship to the use and development of land.

Where it is decided that a consideration is material to the determination of a planning application the courts have held that the assessment of weight is a matter for planning judgement by the planning authority, rather than the court. Materiality is a matter of law for the Court, weight is for the decision maker. Accordingly it is for the Committee to assess the weight to be attached to each material consideration, but if a Council does not take account of a material consideration or takes account of an immaterial consideration then the decision is vulnerable to challenge in the courts.

By section 38(6) of the Planning & Compensation Act 2004 Act every planning decision must be taken in accordance with the development plan (taken as a whole) **unless material considerations indicate otherwise**. The policies and guidance contained in the hierarchy of planning documents are important material considerations and the starting point for the Committee in its assessment of development proposals and most decisions are usually taken in line with them.

However, the Committee is legally obliged to consider all material matters in determining a planning application and this means that some decisions will not follow published policy or guidance. In other words, the Committee may occasionally depart from published policy when it considers this is outweighed by other factors and can be justified in the circumstances of the particular case. Similarly, in making a decision where there are competing priorities and policies the Committee must exercise its judgement in determining the balance of considerations

The following provides a broad guide of what may and may not be material, though as with any broad guidance there will on occasions be exceptions

<u>MATERIAL:</u>	<u>NOT MATERIAL:</u>
Policy (national, regional & local)	The identity of the applicant
development plans in course of preparation	Superceded development plans and withdrawn guidance
Views of consultees	Land ownership
Design	Private Rights (e.g. access)
Visual impact	Restrictive covenants
Privacy/overbearing/amenity impacts	Property value
Daylight/sunlight	Competition (save where it promotes a vital and viable town centre)
Noise, smell, pollution	Loss of a private view
Access/traffic/accessibility	“moral issues”
Health and safety	“Better” site or use”
Ecology, landscape	Change from previous scheme
Fear of Crime	Enforcement issues
Economic impact & general economic conditions	The need for the development (in most circumstances)
Planning history/related decisions	

Cumulative impact	
Need (in some circumstances – e.g. green belt)	
Impacts upon and provision of open/amenity space	
existing use/permitted development rights/fall back	
retention of existing use/heritage issues	
fear of setting a precedent	
composite or related developments	
Off-site benefits which are related to or are connected with the development	
In exceptional circumstances the availability of alternative sites	
Human Rights Act 1998 & Equality	

Before deciding a planning application members need to carefully consider an application against the provisions of the Human Rights Act 1998.

Protocol 1 of Article 1, and Article 8 confer(s) a right of respect for a person's private and family life, their possessions, home, other land; and business assets.

Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their representation, and comments,

In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning and Transport has concluded that some rights conferred by these Articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that interference is proportionate, in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. Furthermore he believes that any restriction on these rights posed by the approval of an application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Other duties have to be taken into account in determining planning applications for example the promotion of measures to reduce crime, the obligation not to act in a discriminatory manner and promote equality etc.

NB: Members should also be aware that each proposal is treated on its own merits!

Reasons for Decision

If members decide to go against officer recommendations then it is their responsibility to clearly set out their reasons for doing so, otherwise members should ask for the application to be deferred in order that a further report is presented setting out the background to the report, clarifying the reasons put forward in the debate for overriding the officer recommendation; the implications of the decision and the effect on policy; what conditions or agreements may be needed; or just to seek further information.

If Members move a motion contrary to the recommendations then members must give reasons before voting upon the motion. Alternatively members may seek to defer the application for a further report. However, if Members move a motion to follow the recommendation but the motion is lost. In these circumstances then members should be asked to state clearly their reasons for not following the recommendations or ask that a further report be presented to the next meeting

REPORT OF THE DIRECTOR OF PLANNING & PROSPERITY

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND PAPERS

There is a file for each planning application containing application forms, consultations, representations, Case Officer notes and other supporting information.
Gavin Prescott, Planning Manager – Ext 5694.

NEIGHBOUR NOTIFICATION: The extent of neighbour notification is shown on the location plans which accompany each report. Where neighbours are notified by individual letter, their properties are marked with a dot. Where a site notice has been posted, its position is shown with a cross.

PLANNING APPLICATIONS FOR DETERMINATION Date: 12/07/2017

Application No	Applicant	Site Address	Ward
10/17/0211	Story Homes Ltd Kensington House, Ackhurst Business Park Chorley PR7 1NY	Land West of Gib Lane Blackburn	Livesey With Pleasington Meadowhead

Full Planning Application for Erection of 205 No. dwellings, access, landscaping, and associated works.

RECOMMENDATION: Permits

10/17/0457	Mr D Owen Michigan House 17-19 Chorley New Road Bolton BL1 4QR Lancashire	Former 1 Middle Turn Edgworth BOLTON BL7 0PG	North Turton With Tockholes
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Variation of condition/minor material amendment for Variation of condition/minor material amendment for substitution of house type on plot 2 pursuant to a variation of condition 15 of application 10/14/0037: General amendments to design including: substitution of Velux window to the rear elevation, pediment to the roof removed, window removed from the rear elevation and installation of new window in the side elevation.

RECOMMENDATION: Permits

10/17/0584	Renea Cammish Prospect House Wharf Street Blackburn BB1 1JD	Elizabeth House Sudellside Street Darwen BB3 3EW	Sudell
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Variation of Legal Agreement/S106 for Removal of commuted sum requirement for public open space on application 10/13/0410

RECOMMENDATION: Permits

REPORT OF THE DIRECTOR **Plan No: 10/17/0211**

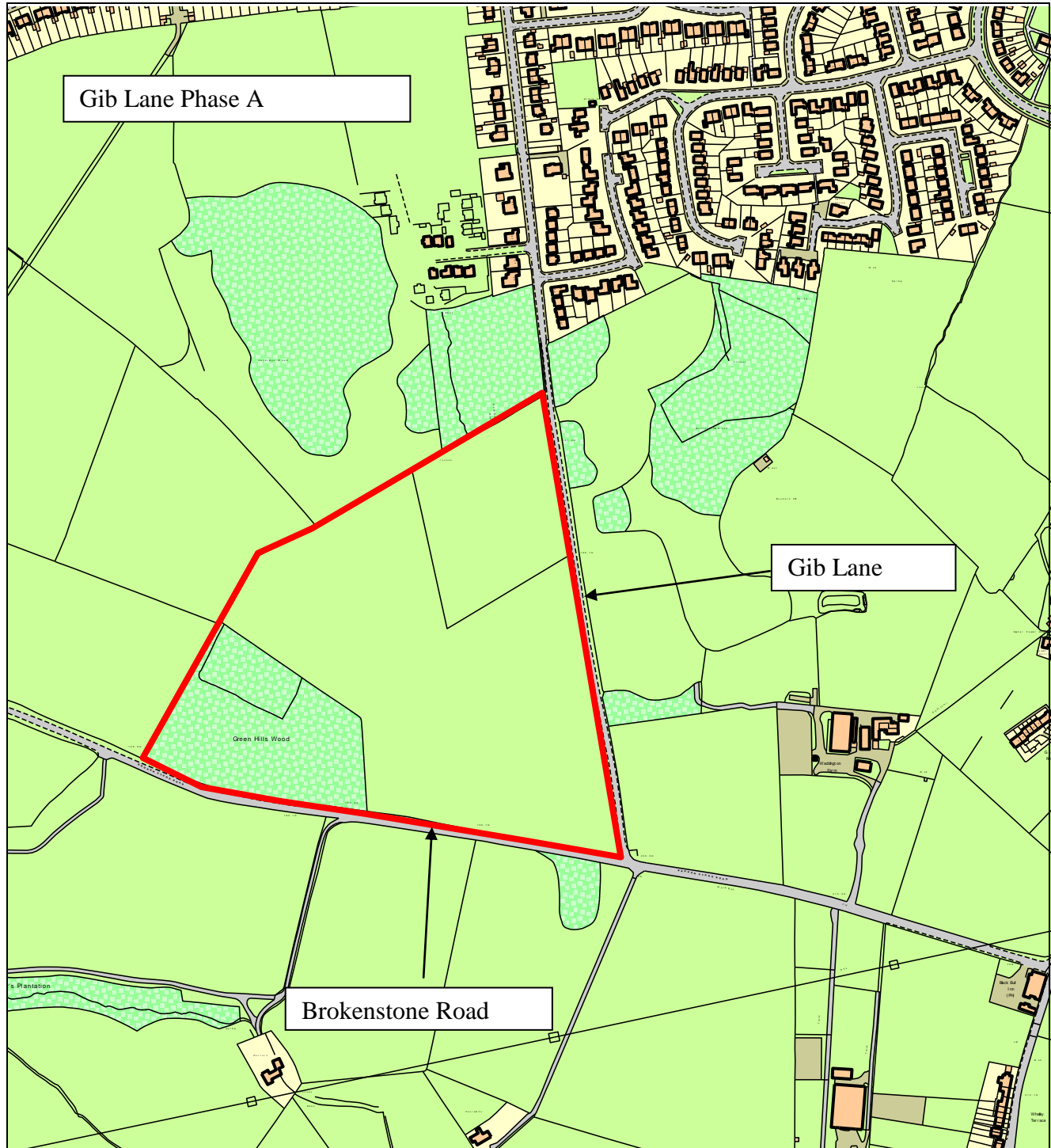
Proposed development: Full Planning Application for Erection of 205 No. dwellings, access, landscaping and associated works.

Site address: Land West of Gib Lane, Blackburn,

Applicant: Story Homes Ltd

Ward: Livesey With Pleasington and Meadowhead

Councillor Derek Hardman	
Councillor John Pearson	
Councillor Paul Marrow	
Councillor Julie Gunn	
Councillor Konrad Tapp	
Councillor Keith Murray	



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, affordable housing contribution for off-site provision and sustainable transport initiatives.**

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 The proposal will deliver a high quality 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 application site forms part of a wider housing allocation 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 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. The nearest residential properties are situated circa 120 metres to the north east, off Risedale Grove. The south of the site lies within the West Pennine Moors which hosts the nearby rural village of Tockholes.
- 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 wider allocation, to the west of the application site.
- 3.1.3 The application site is accessed directly from Gib Lane and forms approximately 11.68 hectares (28.8 acres) of undeveloped agricultural land, currently used for grazing purposes. It sits within the south east corner of the wider allocation, recognised as the rural most part, extending from the corner of Gib Lane and Brokenstone Road north

westwards. The south western corner of the site features a low covered wooded area. Land levels are relatively consistent at the southerly most section and then begin to fall gradually towards the northern boundary, beyond which lies Cockridge Wood.

3.2 Proposed Development

- 3.2.1 The proposal is a full planning application for the erection of 205 no. residential dwellings, landscaping / public open space, new access junction to Gib Lane, associated highway infrastructure and drainage attenuation measures; forming Phase C of the wider Gib Lane Masterplan site.
- 3.2.2 The proposal seeks to deliver a high specification development which accords with the 'Green Hills' Character Area of the wider Masterplan. The layout shows suitable access to the local road network and accommodates 205 dwellings with associated landscaping and drainage attenuation. The layout demonstrates how the residential development will be arranged around a series of communal landscaped areas, including the large area of public open space at the south western part of the site in the 'Green Hills' woodland area. A rural village character is proposed, featuring a density below that of the other character areas within the Masterplan site. Water attenuation swales and a network of connected green spaces are proposed within the site, including an 'Arrival Green' straddling the site access at its junction with Gib Lane. Feature landscaping is proposed throughout.
- 3.2.3 The proposed development provides a net residential density of 24 dwellings per hectare, representing a gross density of 16 dwellings per hectare, based on the gross site area of 11.68 ha. The properties are a mix of 3, 4 and 5 bedroom dwellings, two storeys in height and will predominantly be detached with a number of semi-detached. The mix of properties is 36 no. 3 bedroom dwellings, 141 no. 4 bedroom dwellings and 28 no. 5 bedroom dwellings.
- 3.2.4 A single primary access is proposed off Gib Lane, together with a series of private drives. Associated highway improvements are also proposed to Gib Lane, including provision of a new footway on the eastern side leading south from Risedale Grove, a new footway on the western side to run to the junction with Brokenstones Road, drainage, street lighting and traffic calming measures.

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 Green Hills Character Area. The Masterplan identifies the expectation for this site to be predominantly informal and rural in character, given its setting adjacent to the West Pennine Moors and sets out a range of characteristics which should guide development. These include layout and density, land use, scale and form, streets, spaces, landscape and boundary treatments and enclosures.

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 As an allocated housing site, 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 within the urban area. This is subject to the more detailed considerations also being in accordance with adopted development plan policy and national guidance.

3.5.7 Highways and Access

A detailed Transport Assessment has been submitted in support of the application. The assessment 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.

3.5.8 Overall, the objective of the development is to create a new residential area that connects well with the surrounding residential areas and public facilities. The site will incorporate a series of public open spaces with well-defined pedestrian connections. New footways are to be introduced to Gib Lane, ensuring the site will be accessible by pedestrians.

3.5.9 The development will be accessible by public transport on nearby Livesey Branch Road. Bus stops along this route will be upgraded, funded via a commuted sum contribution from the neighbouring Kingswood Development (ref. 10/16/1132).

3.5.10 Vehicular access to the site is proposed via a new access point taken from Gib Lane. Dwellings fronting Gib Lane will also take private access. An access stub will also be provided to the western edge of the site, to link with the wider Masterplan area, ensuring continued connectivity. A selection of surfacing material is proposed to add character to the streets, detail of which will be inspected at technical highways approval stage, through the application of an appropriately worded condition.

3.5.11 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 C of the Masterplan, the following is identified:

- Provision of a footway extension on the opposite side of Gib Lane;
- Off-site highways improvements (to improve access to the A666 via Bog Height Road).

3.5.12 In order to encourage the use of more sustainable modes of transport, a Travel Plan has also been submitted to support the application, in

accordance with the travel plan for the wider allocation. This identifies a range of measures, including:

- Provision of Community Rail Lancashire, and site specific, transport information packs to each property;
- Travel Survey Incentives;
- Cycling and walking route signage; and
- Monitoring and evaluation.

3.5.13 Footway provision along Gib Lane and A666 highway improvement works set out in paragraph 3.5.11 and the travel planning initiatives set out in paragraph 3.5.12 are to be funded by the developer through a Section 106 agreement requiring a commuted sum totalling £340,000.

3.5.14 The following additional enhancements will be introduced:

- Street lighting to be extended to the upper section of Gib Lane;
- Drainage to Gib Lane;
- Traffic calming to Gib Lane;
- Provision of a new footway along the frontage of the application site;
- connective route to the new footway on the opposite side of the carriageway;
- Improvements along Brokenstone Road where the footway/cycleway joins the highway.

These enhancements will be required through application of a planning condition and delivered through a Section 278 Agreement with the Local Highways Authority, who will undertake the works.

3.5.15 Subject to the aforementioned measures, the development is considered to have an acceptable impact on highway movements.

3.5.16 The main vehicular access and private drives accessed from Gib Lane feature appropriate site lines, ensuring the safety of pedestrians close to the site entrance and beyond. A feature 'Arrival Green' will distinguish the entrance, presenting an attractive and readily identifiable gateway to the site. Streets are designed to minimise the risk of speeding vehicles, through inclusion of green build out areas.

3.5.17 A hierarchy of streets is proposed within the site, with a main carriageway through the site measuring 5.5 metres in width, with 2 metre wide footways. Tertiary streets and private / shared space streets range from 4.5 metres to 6 metres in width. Swept path analysis shows that the layout works and is capable of accommodating a three-axle bin lorry. Sufficient off street parking is provided, with a total of 2 spaces for three bed dwellings and 3 spaces for four and five bed dwelling, including garages. The garages, whilst acknowledged as failing the Council's 6 metres x 3 metres internal size standard (measuring 5.34 metres x 2.28 metres) are, on balance, considered acceptable, when considered against the overall off street parking provision allocated to the site.

3.5.18 The proposed site layout provides a 3 metre wide pedestrian / cycle way through Green Hill Wood and along the length of the western and northern boundary to the site, securing provision of sustainable transport links to the surrounding locality and contributing to the rural feel of the development, in accordance with the Masterplan recommendations.

3.5.19 A construction management plan will be required through application of a condition, 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. The plan will include the following:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Erection and maintenance of security hoardings, including decorative displays for public viewing;
- Wheel washing type and location;
- Control of dust and dirt;
- Recycling and disposing of waste.

3.5.20 Concern from local residents and Ward Councillors has been expressed about the width of Gib Lane along the length of the application site, the quality of the sub-surface, drainage and the danger posed from speeding drivers, particularly during winter months and at night. The width of the carriageway is deemed acceptable by the Council's highways engineers and adequate to cope with the additional volume of traffic the development will generate, following a review of the site and surrounding network. Moreover, it is considered that widening the carriageway could encourage greater use and at increased speeds. The pre-existing width and the proposed introduction of traffic calming and street lighting are considered appropriate to safeguard highway users. Appropriate drainage will be secured by condition. No upgrade to the sub-surface of Gib Lane is proposed. However, application of a condition is recommended to require the submission a 'Condition Survey' of the road prior to the commencement of the development, to secure a record of its condition and to ensure that excessive damage caused during construction is remedied.

3.5.21 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, subject to compliance with the aforementioned conditions, it is in accordance with the requirements of the Masterplan and Policy 10 of the Local Plan Part 2.

3.5.22 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.

3.5.23 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. The application site will feature a series of drainage attenuation swales, to correspond with the natural southerly to northerly land fall.

3.5.24 Drainage colleagues have scrutinised the proposed drainage details, and have confirmed that the drainage design, in principle, is acceptable, subject to the application of suitably worded conditions to ensure their effective construction and future management.

3.5.25 Subject to adherence to the principles within the drainage strategy and compliance with the aforementioned conditions, the development is considered acceptable, in accordance with the requirements of the Masterplan and Policy 9 of the Local Plan Part 2.

3.5.26 Design and Layout

The Masterplan identifies the application site as Phase C, the Green Hills character area, and anticipates a low density residential development of approx. 15-20 dwellings per hectare (dph), with an emphasis on bespoke designs with varying footprints, a leafy environment, to provide a soft edge to Gib Lane, with retention of stone walls and a general rural feel through creation of informal green corridors with storage ponds and connectivity to Green Hills Wood and Cockerage Wood, in recognition of the proximity of the site to the West Peninne Moors and rural village of Tockholes to the south.

3.5.27 Detailed Design and Access and Planning statements have been provided, as well as a Landscape and Visual Impact Assessment. They each set out the key design principles, derived from the Masterplan, which have informed the site layout:

- To create a sense of place upon arrival;
- Position roads to make most efficient use of the land;
- Respect the interface distances within the local planning policy;
- Retention of existing trees where possible;
- Well designed street termination and vistas in and out of the site;

- Overall well designed layout giving access to all, shortening pedestrian travel distances where possible;
- Due consideration towards landscape impact.

The development concept takes its cue from the existing landscape features, within and around the site; *“these features will present the opportunity to create a unique scheme that will work in harmony with the public spaces and urban form, providing a strong sense of place and local character”*.

3.5.28 The applicant’s design team has placed an emphasis on a network of well connected green spaces to assist assimilation and enhance the sites ecological value and for well designed buildings that face the public realm, ensuring natural surveillance. Priority to the needs of people before the needs of cars is also a key theme, with a focus on sustainable transport links. The design also seeks to take advantage of the sites topography in responding to the Masterplan’s identified benefit of panoramic views and has been influenced by a landscape and visual impact assessment, to considered views through the site and beyond.

3.5.29 In terms of housing mix, the proposal includes 36 no. 3 bedroom houses, 141 no. 4 bedroom houses and 28 no. 5 bedroom houses. Of the total number of units to be built, 87% are detached and 13% semi-detached. Policy 18 of the Local Plan Part 2 illustrates that the Council requires a detached and semi-detached housing offer 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.

3.5.30 The proposed gross density of 16 dph is in accordance with that envisaged within the Masterplan (15-20 dph), although it is acknowledged that the net density brings the density figure up to 24 dph. The Masterplan is, however, advisory and not prescriptive and it does not stipulate the number of units to be provided. It is suggested that the proposed layout is sufficiently informal, with clusters of dwellings and open spaces to create a rural character. In accordance with the principles of the Masterplan, the proposed density falls well short of the national accepted density of 30dph and a density lower than that proposed would threaten the viability of the scheme. On balance, it is considered that the proposed density aligns with the Masterplan, ensuring sufficient green space to distinguish from a typical sub-urban development. Moreover, the applicant has demonstrated that the economic viability of the scheme, through their Viability Appraisal submission, is dependent on delivery of the proposed number of units. It is, therefore, considered that the social and economic benefits of the development, including its contribution towards the boroughs housing obligations, outweigh potential concern regarding the number of units per hectare.

- 3.5.31 Queries were raised regarding the treatment of the corner of Brokenstone Road and Gib Lane, regarding whether to the prominent corner demonstrated sufficient landmark qualities. The applicant has responded citing the use of three of their largest and most prestigious house types, each different in character and the use of private drives and landscaping to create a rural sense. They also highlight the proposed introduction of a roundabout in this location, thereby altering the pre-existing rural character. A street scene of the corner location has been provided to aid assessment and it is considered that the balance of house types and open space provides a sufficiently rural aspect.
- 3.5.32 The house types represent an appropriate variety of styles and, together with their orientation, will create varied and attractive street scenes. Indicative external materials have been submitted but a full plot by plot assessment will be carried out through application of a condition to require prior approval of submitted materials.
- 3.5.33 Details of the proposed boundary treatments have been provided, alongside a detailed layout to illustrate the boundary treatments for each part of the site. A stone wall will be provided along the length of the Gib Lane, frontage and treatments within the site will include a mix of brick walls and iron railings to street frontages and close boarded timber fencing as boundary definition between properties.
- 3.5.34 Lancashire Constabulary has raised concern regarding the permeability of the site and links to the wider Masterplan site and surrounding area, as having the potential to encourage crime, stressing the need for well-lit public areas that are afforded natural surveillance and consideration given to density, height and siting of proposed landscaping. Whilst the comments are acknowledged, the sites permeability is considered central to the sustainable principles set out in the Masterplan, which should not be undermined. The orientation of the open spaces and corresponding buildings should ensure a high degree of natural surveillance is achieved.
- 3.5.35 An Arboricultural Report has been submitted in support of the application which identifies the trees within the site. Most are located within Green Hills Wood. The rest are located along sections of the western and northern site boundary and along the section of Brokenstone Road beyond Green Hills Wood. Four trees are identified as either dead or in very poor condition and are proposed to be removed. All are located along the boundary between Green Hills Wood and Brokenstone Road and their loss is not considered significant, in the context of the woodland area that they occupy. Trees to be retained should be protected during construction, through application of a suitably worded condition.
- 3.5.36 Submission of a comprehensive landscape scheme for the overall site and a management plan for the communal areas, to include

maintenance of the SuDS should also be secured by planning condition.

3.5.37 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.

3.5.38 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.

3.5.39 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 (AQMA) 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, based on modelling and some assumptions recommended by the Air Quality Helpdesk, which is an impartial Defra fund advice service. The assessment report predicts the following outcomes:

- Even without the proposed development, nitrogen dioxide exposure at homes by the junction of Livesey Branch Road and Moorgate Street will increase during 2017 to a level that will exceed the threshold of an AQMA;
- The proposed development will bring about a small increase in exposure at the above junction, thereby increasing exposure above the AQMA threshold, predicted to be moderate adverse but considered to be within the narrowest margin of significant adverse;
- Elsewhere, the increase in exposure is of negligible significance;
- Fine dust exposure both with and without the development is likely to be well under the relevant air quality objectives;
- With the implementation of mitigation recommended in 11.3 of the report, the residual impacts are considered to be not significant.

3.5.40 Given the predicted exposure at homes by Livesey Branch Road and Moorgate Street junction, the overall impact of the development is considered "moderate adverse". This conclusion is, however, based on modelling, so some uncertainty exists with the anticipated outcomes. Application of appropriately worded conditions is recommended to ensure suitable mitigation.

3.5.41 A condition is also recommended to limit on site hours of working, to safeguard neighbouring amenity.

3.5.42 Subject to the implementation of these measures, the impact of the development, including during construction, will be suitably controlled.

3.5.43 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.

3.5.44 Following assessment and receipt of an amended layout, the separation distances between the proposed properties within the site are broadly in accordance with the Council's aforementioned adopted standards, though the occasional marginal sub-standard interface exists. In addition to separation distances, the SPD also refers to 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."

3.5.45 The application site is well separated from existing properties, ensuring no overlooking.

3.5.46 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 proposed house types that are designed to present a tight grain and narrower streets in some character areas which makes reference to the village \ rural upland Pennine Village that the residential design guidance refers to. Allowing some occasional instances of marginal sub-standard separation is considered to be appropriate given the design intent described above.

3.5.47 The overall impact of the proposed development is considered to accord with the provisions of the adopted Masterplan and Local Plan Part 2.

3.5.48 Ecology

The ecology impact of the proposal has been fully assessed, following receipt of an Ecology Survey and Bat Report and found to be acceptable. The ecology survey confirmed that the site does not support species of high value and that the trees proposed to be felled have either no potential or low potential to support bat roosts. Regardless, it is recommended that the process of tree felling should adopt reasonable avoidance measures, including:

- A pre-felling check of any features by a licensed bat surveyor;
- Followed by a more cautious 'soft-felling' approach, using lowering and cushioning;
- Techniques to reduce the impact of felling limbs that may still have bats within cavities.

Additionally, the recommendations of the Ecology Survey Report in Section 5.5 should be adopted, summarised as:

- Maintaining existing linear corridors;
- Retaining a buffer along the woodland edge and along the stone wall
- Using a sensitive lighting scheme:
- Ensuring the integral bat roost features are incorporated into the development to provide bat roosting features.

It is recommended that the landscaping scheme required by condition should include habitat retention features.

3.5.49 The overall impact of the proposed development is considered to accord with the provisions of the adopted Masterplan and Local Plan Part 2.

3.5.50 Contaminated land

A contaminated land Geo-Environmental Site Assessment has been reviewed, which confirms that the site is not likely to present a significant risk from contamination. An addendum Ground Gas Report confirms an appropriate remediation strategy and implementation of gas protection measures for each dwelling. Construction should, therefore, be carried out in accordance with the recommendations set out in the reviewed report, which will be captured by application of an appropriately worded condition. The standard validation condition will also be applied to confirm that the necessary gas protection measures have been installed.

3.5.51 Affordable Housing

A Viability Assessment has been submitted suggesting that there is no viability within the development for the provision of affordable housing, having regard to land value, market conditions, construction costs and agreed Section 106 commitments relating to offsite highway works and sustainable travel. Following appraisal of the assessment and subsequent dialogue with the developer, a contribution of £210,000 towards off-site provision of affordable housing has been recommended, to be captured through a Section 106 legal agreement.

3.5.52 Summary

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

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

The supporting Planning Statement submitted (para 5.5) states that some of the homes will qualify for the New Homes Bonus (NHB), despite its expected end by March 2020 and the time lag in building and rating assessment. There is no confirmation at this time that NHB is to end and, therefore, it remains included as a potential economic benefit.

Concern with lack of provision of 'starter homes'. The development offers a reasonable number of three bed houses, considered suitable for first time buyers and the developer offers a help to buy scheme. A commuted sum for the provision of affordable housing in the borough is proposed.

Tenure: Is it the developer's intention to charge ground rent on the dwellings or will they be freehold? Will a management company be appointed to oversee maintenance of public spaces and what are the likely management charges per dwelling? Though not material to the assessment of the application, ground rent is not proposed. A management company will be set up to maintain public space areas, for which a management fee will be levied. The fee is not, however, currently identified.

Concern as to who will buy the houses, competing market conditions, withdrawal from the European Union. These matters are not considerations material to the assessment of the application.

Ecological impact on Cockeridge Wood and its future enhancement. The wood is outside the application site and its enhancement is not a consideration of this application. A comprehensive ecology assessment has, however, been undertaken addressing habitat / biodiversity impact and mitigation measures are proposed with the scheme.

Concern that new residents may push for street lighting to Gib Lane. Will the Council guarantee that any such requests will be refused. The Council is unable to offer any guarantees. Regardless, this is not a material consideration.

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 £550,000 towards: off-site highway improvements to access the A666 via Bog Height Road; sustainable transport measures; footway extension on Gib Lane and affordable housing.

Should the Section 106 agreement not be completed within 6 months of the date of the planning application being received, the Director of Growth and Development will have delegated powers to refuse the application.

- (ii) Conditions which relate to the following matters:
- Commence within 3 years
 - Materials to be submitted and implemented
 - Landscaping scheme to be submitted and implemented
 - Landscaping management and maintenance plan to be submitted and implemented
 - Off-site highways works to be submitted and implemented
 - Submission of junction visibility splays and dropped kerbs for access / egress points onto Gib Lane
 - Submission of a pedestrian / cycle way through the site to link with Gib Lane
 - Submission of road surface materials
 - Visibility splays to be protected
 - Retention of householder parking spaces (and garages)
 - Construction management plan to be submitted and implemented
 - Drainage scheme to be submitted and implemented, including maintenance proposals
 - Foul and surface water to be drained on separate systems
 - Green infrastructure areas to remain undeveloped
 - Arboricultural method statement to be submitted and implemented
 - Tree protection during construction
 - Site clearance works outside bird nesting season
 - Proposed finished floor levels to be implemented
 - Permitted development rights to be removed
 - Gas protection measures to be implemented
 - Gas protection validation to be submitted
 - Unexpected contamination
 - Coal mining investigations
 - 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 submitted and implemented

5 PLANNING HISTORY

- 5.1 No planning history exists for the site.
- 5.2 Pre-application enquiry reference: 6988 (June 2016), for proposed residential development. The pre-application enquiry received a favourable response.

6 CONSULTATIONS

- 6.1 Arboricultural Officer
No objections.

- 6.2 Drainage Section
Confirmed the drainage design is acceptable in principle, subject to recommendation of the following conditions:
- Construction of surface water drainage in accordance with the submitted Flood Risk Assessment;
 - Submission of full details of the surface water drainage system and construction phasing;
 - Details of a management and maintenance plan for the SuDS for the lifetime of the development

- 6.3 Education Section
No objections.

- 6.4 Environmental Services
No objections.

- 6.5 Public Protection
Noise

Recommendation condition:

- Site working hours to be limited to between 8am-6pm (Monday-Friday) and 9am-1pm on Saturdays. No works on Sundays or Bank Holidays.

- 6.5.1 *Dust*

Recommended condition:

- Implementation of the identified dust mitigation measures, prior to on site works.

- All heavy commercial vehicles carrying bulk dusty materials into or out of the site to be sheeted – this condition is considered unreasonable and unenforceable, given the limited control the applicant can exert on alternative contractors / suppliers away from the site.

6.5.2 *Air Quality*

- Provision of a dedicated electric vehicle charging point at all dwellings.

6.5.3 *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.

6.6 Highways Authority

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

- Parking spaces proposed at 5.0m below the 5.5m standard;
- Consider additional connectivity to reduce number of dead ends ie. plots 29 – 38 and 151 - 158;
- Consider further emphasis on controlling flow of traffic, through introduction of buildouts with low level planting;
- The street servicing nos. 129-139 could be rearranged as a through route to connect onto the main street;
- Requirement of sight lines for private drives and main access to Gib Lane;
- Request removal of block paving to be replaced with Tekgrip DSR (a resin bound material);
- Request materials for private drives;
- Request secondary pedestrian / cycle connection onto Brokenstone Road;
- Consider features to better identify Gib lane pedestrian crossover;
- Requirement;
- Tracking plan to be revised;
- Off-site highway works to be required by (Grampian) condition and delivered through Section 278 agreement as follows;

- Street lighting to be extended to the upper section of Gib Lane;
- Drainage to Gib Lane;
- Traffic calming to Gib Lane;
- provision of a new footway along the frontage of the application site;
- connective route to the new footway on the opposite side of the carriageway;
- Improvements along Brokenstone Road where the footway/cycleway joins the highway.
- Construction method statement is required;
- Section 106 requirement for off-site highway works;

6.6.1 In response to the above comments, a revised layout has been submitted, including sightlines and a revised tracking plan. However, no concessions on footpath connection to Brokenstone Road on grounds highway safety, due to absence of a footway along Brokenstone Road and proposed introduction of roundabout at Gib lane / Brokenstone Road junction or additional connectivity / removal of dead ends at plots 29 – 38, 129 – 139 and 151 – 158 due to detract from road hierarchy and rural character.

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.

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 that the principles of "Secured by Design Homes 2016" to achieve "Gold" accreditation or "Silver" as a minimum standard. Recommendations include:

- Adequate lighting;
- Natural surveillance of public spaces;
- Appropriate species and siting of landscaping ;
- Consideration towards alternative boundary treatments
- External ground floor windows and doors to be certified in accordance with Building Regulations Approved Document Q.

6.10.1 The proposal is considered to achieve the majority of recommendations. However, the alternative boundary treatment of close boarded timber fencing to replace the proposed stone wall is considered inappropriate for the location.

6.11 Coal Authority

Substantive concern was expressed due to the site falling within a defined Development High Risk Area and a formal objection lodged on the basis that the submitted information failed to demonstrate that the application site is safe, stable and suitable for development.

6.11.1 Subsequent dialogue with the applicant resulted in the following recommendation:

The Coal Authority concurs with the recommendations made within email from the agent (Colin Wardle) acting on behalf of the applicant, submitted to The Coal Authority on 2 May 2017, that further intrusive site investigations are required to establish the coal mining legacy in the south-east section of the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to treat the areas of shallow coal mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

A condition should therefore require prior to the commencement of development:

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

The Coal Authority therefore withdraws its objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

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

No objection. Recommendations include:

- Recommended that the process of tree felling should adopt reasonable avoidance measures.
- Recommendations of the Ecology Survey Report in Section 5.5 should be adopted.
- Ecological enhancements to ensure biodiversity is achieved 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. This should be achieved through and appropriate landscaping scheme.

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; as required by the Local Flood Authority.

6.16 Livesey Parish Council & Tockholes Parish Council.

Unanimous objection, for the following reasons:

- *Proposed density of 24.46 dph on 8.38 hectares is well in excess of the 20 dph on 6.1 hectares specified in the Masterplan, representing an increase from 122 dwellings to the proposed 205.*
- *The Masterplan specifies the site to remain open in character, with views out of and through the site to the north west, as illustrated in the Masterplan layout approved by the Executive Board in February 2015.*
- *The Council's response to the pre-application enquiry dated 12th July 2016 regarding design and layout have been largely ignored. Councillors feel that the Masterplan design should be adhered to.*
- *An apparent failure to address drainage, which is a major worry for local residents.*
- *Phase C should not be allowed to commence until other Phases A & B have been completed.*
- *Increase in traffic onto Brokenstones Road and Bog Height Road, especially at the Black Bull crossroads and A666 junction with Bog Height Road.*
- *Inaccuracy contained within the Design and Access Statement.*
- *Wish to ensure no visibility of dwellings from the south over the ridge to the north of Brokenstone Road and no obscurity of the view west from for the southern part of Gib Lane.*

A response to the points relating to layout / density is set out in paragraph 3.5.30 and drainage in paragraphs 3.5.23 - 3.5.25 (inc).

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, eleven letters of objection have been received which are shown within the summary of representations below.

7 CONTACT OFFICER: Nick Blackledge, Assistant Planner - Development Management.

8 DATE PREPARED: 23rd June 2017.

9. Summary of Representations

Objection Christine & David Donnelly, Potters Farm Brokenstone Road Livesey BB3 0LL

We are writing to you to express our objection to the above planning application for 205 dwellings on the land West of Gib Lane in Blackburn.

Having lived in this area for over 50 years, we have seen how the beautiful countryside and local environment around us has been ruined by excessive development. We fully understand that there needs to be more housing for our growing population, however it does not seem necessary to spoil green fields when there are plenty of brown field sites in the borough which could be regenerated first.

We have grandchildren who are wanting to buy their first homes but are being driven to other areas in the county due to the lack of affordable and suitable housing. There is also an aging population and those with mobility problems who are in need of single story housing which would meet their requirements. This would alleviate family homes when people were down sizing. Knowing this, why do the council and property developers insist on building executive, 4-5 bedroom houses? To build a community, surely a mixture of all housing types would be more beneficial. Is this a purely financial decision rather than an ethical one? Where are these so-called executives expected to come from?

Over the years, we have attended numerous meetings and obligatory consultations, Local opinions have been vehemently vocalised, however they never seem to be listened to as the intent of financial reward by those involved always takes priority, with planning rules warped accordingly.

This application is for 205 dwellings. We are sure at the 'consultation' the density of houses was far less. This application exceeds the recommended maximum of 20 houses per hectare.

How will local roads cope with this vast increase in usage? During peak times, Bog Height Road, Moulden Brow and the M65 motorway are already over capacity with commuters subject to lengthy delays. Building yet more housing will only exacerbate these problems further, and drive hard working people to live in other areas.

One of the biggest concerns of local residents is the drainage of the land, and this has been validated during the build of the Bluebell Walk development on Gib Lane, where builders have said it is the wettest site that they have ever worked on. Continuing to build on this land and even higher up the hill where there are multiple artesian aquifers, will only add to these problems further. You only have to ask local farmers who historically came to use the water on this land during drought conditions. All because of the natural springs.

We ask every decision maker and stakeholder to look at the view, (attempting to avoid the speeding cars on country lanes), enjoy the panorama, be it on your conscience to deny this view from everyone forever. A view where you can see as far as Blackpool, the Lake District and beyond, arguably the best view in the borough.

Does naming the new developments 'Green Hills' and 'Bluebell Walk' seek to serve as a reminder to future generations of what might have been? What a joke there will be no green hills or bluebells left the way development is being allowed in the countryside .

When will landowners, developers, and the council start to think about the environment and existing communities, rather than their own financial gain?

We object once again to yet another development on our precious countryside. Once it is gone it is gone forever.

Objection Mr & Mrs C Gorman 19 Holly Tree Way Feniscowles BB25AB

We are writing to highlight present and future parking issues at the top of Pinewood. As our home is situated opposite the shops at the top of Pinewood we anticipate that present parking issues will be exacerbated as more new homes are built. This will be due to increased traffic to local shops ie. Newsagents, Chinese, Chip Shop, Sandwich Shop, Pizza Take Away, Hairdressers etc.... These shops are established with high ratings and reputations so may well be the choice of new residents despite shops being built on their new estate i.e. 5 star chip shop winning national awards.

At present we rarely use our drive on Pinewood as it is continually blocked by cars as well as cars constantly parking in front of our house particularly at lunchtime and teatime. When we have asked shop customers to move their cars we have experienced verbal aggression and threats. It is impossible for us to load and unload or park our car many times. There is no signage outside the shops indicating that either side of the road outside the shops is the parking for shop customers. One side of the road suggests one hour waiting time only. Cars are frequently parked in front of our home when there are very few cars parked outside the shops.

To prevent the present problems increasing and as part of the planning process please could you advise us regarding the following :

- * Signage indicating parking for shops at both sides of the road outside the shops
- * Signs preventing parking particularly on to across our drive on Pinewood
- * Any way we can reserve a space outside of our home on Holly Tree Way These issues affect very few houses on Holly Tree Way.

We are both pensioners and suffer from diabetes and other conditions. We struggle with shopping etc.. when our car is not parked outside our home.

Thank you for your attention regarding this issue and we look forward to your suggested solutions.

Objection Tockholes Parish Council

With reference to the above planning application, Tockholes Parish Council wish to object and make comments as follows;

Objections:

We wish to object to this particular application on the grounds of non compliance with the Gib Lane Masterplan, and indeed non compliance with the pre-application advice given to the applicants by the Council.

1. The pre-application advice refers to a proposal for 192 dwellings, and points out that this would mean housing density of just under 25 per hectare, compared to the Gib Lane Masterplan density of 15 - 20. The number of dwellings has been increased to 205, therefore increasing the density further. Not only that, but the south west corner of the site will not have any housing, so the density on the part where the housing is proposed will be approaching DOUBLE that in the Masterplan.

2. The pre-application advice and the Masterplan envisage small groups of houses with spaces between them. This is partly to provide a transition between more densely planned housing to the north, and more scattered housing in the

countryside and green belt areas, and partly to fulfill the Council's desire for this to be an inspirational area to live. We believe that this application makes no serious attempt to achieve either.

Comments:

1. Tockholes Parish Council accept that this site is earmarked for housing development. However, we have been led to believe that Phase C would represent the last part of the development covered by the Gib Lane Masterplan. We contend that this should still be the case, and no work should be allowed to start on Phase C until the earlier Phases are completed.
2. We have serious concerns about the traffic increase on Brokenstone Road and Bog Height Road, especially at the Black Bull Crossroads and the Bog Height Road/A666 junction. We note that this latter junction is to be improved, but it is difficult to see how that will cope with the existing problems, never mind the increased traffic. The Black Bull crossroads have been the scene of several near misses in recent times.
3. The Design and Access Statement contains some remarkable inaccuracies that raise the question as to whether it should be relied upon at all. A simple example of this is the illustration under paragraph 2.5 which is headed Conformity with the Gib Lane Masterplan. This illustration shows a significant area of existing woodland which is to be retained on the western side of Gib Lane towards the Brokenstone Road junction. No such woodland exists.
4. It is not clear from the application, but we hope that housing will not be visible from the south over the ridge which runs just to the north of Brokenstone Road. We also hope that it will not be allowed to obscure the view for the southern part of Gib Lane westwards towards the coast.

We would be pleased if the Parish Council could be copied into any further correspondence if that is possible.

Objection Josephine Bunyan

I wish to object to the above planning application for 205 houses on land to the west of Gib Lane.

I understood from the Master plan that there was a proposal for 120 houses not 205.

When was it agreed for 205 as originally there had to be open space for views?

I am told it will take approx 7 years to complete, so we are going to have 7 years of disruption in Gib Lane on top of the current disruption which is horrendous.

Can you confirm that all the utilities will be able to cope with the extra residents.

Currently the water in the field to the west of Gib Lane seems to be causing a problem with the current builders. It will be even worse with an additional development.

The extra traffic alone will make Gib Lane and the junction at the top even more dangerous than it currently is. At the moment there are heavy lorries constantly going up and down the lane and vehicles are being parked in the lane which is causing a traffic hazard.

How many more vehicles will 205 houses generate and what measures will be put in place to eliminate the chance of accidents.

At 8.10 am and 3.00 pm each day cars are parked in Gib Lane waiting to pick up pupils from St Bede's school and turning into Gib Lane from Livesey Branch Road at these times can be very tricky.

The Royal Blackburn Hospital is so overcrowded that it was featured on a BBC News programme very recently, showing the serious waiting times in A & E. What measures have been put in place to cope with all the extra patients from all the houses being built in this area?

Are the residents' views ever taken into consideration?

Blackburn with Darwen still seem intent on ruining the nicest part of the town.

Objection Konrad Tapp Shadow Exec Environment Meadowhead Ward

I write as an elected representative of the Meadowhead residents who will be most affected by this development. My first concern is for their welfare and peace during any construction activities.

The Gib Lane Masterplan indicates 6.1 hectares available for development at a maximum density of 20 dwelling per hectare -122 total. The proposal is for 205 dwellings on 8.38H at a density of 24.46 dwellings is an increase of 68% over that included in the Masterplan. The Masterplan strategy was for the site to remain openly spaced with views out of and through the site to the North West, as indicated by the blocks shown on the Masterplan layout, approved by the Executive Board in February 2015.

The Council's response to the pre application enquiry (dated 12th July 2016) regarding Design and Layout have largely been ignored, the Council must ensure the Masterplan, design guidance etc. are complied with.

Planning and Access Statement

There are some questionable claims in this statement:-

Where is the bus stop in Gib Lane? Where do I catch a bus to Bromley Cross and Bent Bridge and how frequently do they run? I presume these are school service buses only, not for the general public use, will you confirm. The only convenient bus services run along Livesey Branch Road or down Green Lane.

Planning Statement 5.5

It is doubtful that any homes will qualify for New Homes Bonus as assuming some are built during 18/19 there will then be at least a 6 months lag for rating assessment and council tax notices to be issued. The NHB is expected to end March 2020.

Social Benefits

We have not seen any opportunities for local suppliers or employment on the other two local sites, subcontractors and material supplies are coming from outside the borough from the developer's usual sources, this site is likely to be similar.

Please advise, what are considered as starter homes, they do not fit the concept of "aspirational housing" intended for this site.

Paras 6.16-21

These are an excuse to justify the increased densities and developable area of the site. The 621 figure quoted (para 6.17) is for deliveries up to March 2026 only, not the total site numbers. The limitations for Wainhomes was caused by the need to provide space for SUDS and consequently a number of dwellings had to be removed. Para 6.21 does not meet the requirements of the Masterplan.

When viability is a concern for the developer, it should reflect the site requirements and drive down the land value for purchase, it should not be used as an excuse for not paying affordable housing contributions or increasing housing density on more of the proposed green space to increase profit.

Landscape and visual impact.

There is no recognition of the landscape views required through the site which is a result of fewer dwellings on less of the site than proposed.

Para 6.45 At a cost of almost £100 per property, what is the travel plan expected to contain and will it be of any value to residents?

Para 6.46. The off site highway improvements of traffic lights next to the Golden Cup are budgeted at £260,000. This would be better spent on upgrading the section of Gib Lane adjacent to the site, what is proposed on the submitted highway drawing is inadequate and dangerous, particularly in winter months and at night.

Para 6.47 No offsite contribution to affordable homes is proposed, a saving to the developer of over £0.4million and a loss of much needed affordable homes to the Borough.

A contribution should be a condition of approval.

Summary and Conclusions

Most of the points here have been addressed above however there will be detriment to local residents, seven years of disruption, noise, dust, inconvenience from site traffic and connections to utility supplies in Gib Lane and Brokenstone Road with associated temporary traffic lights and road closures for some of the work.

There will be impact on the road junction at Gib Lane to Livesey Branch Road due to increased traffic, particularly at peak times. A mini roundabout will probably be necessary to avoid long queues at this junction for Gib Lane residents when the user base is increased from the present 120 users to above 600.

Traffic calming and the proposals for upper Gib Lane ref Drg.SCP/16450/SK03

Regrading of the road surface towards the open ditch is a wholly inappropriate way of dealing with road drainage. The open ditch is a potential hazard and will require constant maintenance. This part of Gib Lane suffers from heavy flooding each time there is heavy rain and adequate provision for road drainage is essential. The majority of runoff water from Bunkers Hill falls to this part of Gib Lane, either directly from the hill or via Brokenstone Road which turns into Gib Lane at the junction.

Appropriate gully drainage is required for both sides of the road due to the volume of water to be dealt with and should be connected to the drainage system of lower Gib Lane. The open ditch regularly blocks, requires coarse stone to be replaced and the trash trap needs constant maintenance to remove blockages, it is currently being replaced and upgraded but is unsuitable for the increased residential use now proposed for the area.

It is essential an adequate road width is provided from the end of the current kerbing to the top of Gib Lane. The 4.36 narrowest section needs to be increased to at least 5.5 metres to allow for hazardous conditions in winter when the road is often icy and

vehicles less easily controlled. Using this narrowness for traffic calming is dangerous and a poor excuse for not widening the road sufficiently.

The existing footpath on the east of Gib Lane should continue broadly along the same kerb line but without narrowing further and will require effective means of dealing with run off water from Bunkers Hill which flows down the hillside and presently runs directly into the ditch. The west side should similarly follow its same kerb line , probably leading to removal of three young trees. A small price to pay when compared with the proposed wholesale removal of much of the woodland undercloak of rhododendrons in later development phases.

The remainder of Gib Lane also requires widening to allow for refuse collection from those dwellings fronting onto Gib Lane. Currently there is only one adequate passing place and large vehicles have to use the grass verge to provide the space needed to pass oncoming traffic, clearly evident from the wheel marks on the grass verge.

Tenure

Is it the developer's intention to charge ground rent on these dwellings or will they be freehold? If ground rent is charged does the developer intend selling on this facility to a management company and how will the new residents be protected from ground rent increases? What are the likely charges and what is the likely management fee per dwelling?

Upper Gib Lane

The road subsurface is not considered to be adequate for heavy traffic and the top surface is presently badly crazed where it was not resurfaced about three years ago. It is intended to rectify this where the new mini roundabout is to be installed by deepening the subsurface layer and the same should apply to the full length of the upper part of Gib Lane as part of this development. Brokenstone Road was similarly upgraded some years ago.

Developer Method Statement

None has been provided to date but sufficient site access, onsite parking for deliveries and all site vehicles must be provided as a first priority and should be a condition of any planning approval. When deliveries are sometimes difficult to unload the number of vehicles can quickly build up and adequate holding space for these will be required on site. This part of Gib Lane is not wide enough to permit any on road parking at all during construction due to the hazards and inconvenience which will be caused to other road users. The presence of large HGV's on the road will prevent other vehicles passing safely.

Control of tramp mud on road.

With the experience of issues on the Wainhomes site, immediate provision of wheel wash or other form of mud and debris control should be provided from the outset and be a condition of approval. Road sweeping is largely ineffective.

Site deliveries

These should not be via Gib Lane due to the narrow and steepness of the road close to the Cockridge Wood. Please ensure the delivery path is clearly identified and the developer is responsible for ensuring their subcontractors comply and deliveries are scheduled after

8-30am. to avoid clashing with school traffic.

Hours of work

While the site is more remote from existing dwellings it should be remembered that there will be at least three separate sites under construction in the area for some years, all creating noise, dust and additional traffic. It is unreasonable to expect local residents to endure daily activities before 8-00am and after 6-00pm. Saturday working should be restricted to 1-00pm.

Objection Michael & Diane Calvert The Old Coach House Lower Stockclough Stockclough Lane BB2 5JR

We are writing to objection to the above planning application for 205 new homes on the land West of Gib Lane in Blackburn. We fully understand that there needs to be more housing for our growing population, however it does not seem necessary to spoil green fields when there are plenty of brown field sites in the borough which could be regenerated first.

We have both lived in this area all our lives. We have witness how the countryside and environment has been disregard by excessive development. Why do we need more executive houses with four and five bedrooms? Surely houses for young people and first time buyers should be catered for. Also single storey homes for the ever growing elderly population and people with mobility problems should be considered important too. There are many older people who would love to down size but there are very little properties available. The council and property developers must know this but insist on building executive, four and five bedroom houses, why? To build an inclusive community, there must be a mixture of all housing types. Is this a purely financial decision rather than a thoughtful and logical one?

We wonder how on earth the highways infrastructure will cope with the extra traffic that this dewing are going to bring. The road are already stretched to capacity. It seems blizzard that at the side of town with single traffic roads if expected to manage additional traffic when with other side of town with dual carriageways is left unconsidered!

another major concern is the drainage of the land. This concern been validated during the build of the Bluebell Walk development on Gib Lane, where the builders working there have said it is the wettest site that they have ever worked on and they wouldn't buy a house there! To build on land even higher up on the same hill where there are multiple natural springs is ludicrous. Local farmers talk of how they historically came to use the aforementioned springs during drought conditions.

It is very sad and disconcerting that local resident opinions never seem to be considered, and the irony of that is that they are the ones who have to live with the consequences of the councils ill-judged decisions and developers greed.

We strongly object to this application. Please, please protect our countryside and use brown field sites instead. Remember once the countryside it is gone it is gone forever. and we needed green places for people to feel well.

Objection Michael Maher 7 Risedale Grove BB2 5BT

1. *Thank you for the opportunity to comment on this application.*
2. *I wish to object to the application as submitted, on the grounds that it does not comply in significant respects with the Council's approved Gib Lane Master Plan. I am particularly concerned about the radically changed proposals for the eastern (Gib Lane) frontage of the site.*
3. *The application site is the highest and the most environmentally sensitive part of the whole Master Plan area. Unsympathetic development of it will intrude unacceptably into the one truly exceptional panoramic view across the Master Plan area. That is the unrestricted vista westwards towards Preston, the Ribble Estuary, the West Coast and Morecambe Bay, at present enjoyed by walkers, cyclists, equestrians and motorists using Broken Stones Road and Gib Lane. The effect on this panorama seems to be only fleetingly addressed in the documentation supporting the planning application.*
4. *I am one of those who always believed that intensive housing development should not be permitted south of the ridge forming the natural skyline across the Master Plan site and continuing east of Gib Lane. Of course that argument was, however regrettably, lost long since. But I had taken some comfort from the mitigating assurances in the Master Plan that*
 - i. *development would respond sympathetically to the topography of the site;*
 - ii. *the outstanding panoramic views across the site would be maintained;*
 - iii. *the application site would consist of informal irregular plots of a rural character, to help effect the transition to the countryside remaining to the south of Broken Stones Road*
 - iv. *there would be a single access point to the site from Gib Lane ;*
 - v. *the existing dry stone wall on Gib Lane and Broken Stones Road would be retained and reinforced by edge planting. All the indicative plans at Master Plan stage showed an internal access street between the dry stone wall and the new houses closest to Gib Lane. The existing stone walls were to be integrated into the development to form feature backgrounds to streets or landscaped areas*
5. *My comments on the effect of the submitted application on each of these numbered points are*
 - i. *I have not seen a vertical profile of the Story Homes proposals, but believe that the plan to create seven additional access points directly onto Gib Lane (see below) must involve higher build platforms closer to the crucial eastern edge of the site;*
 - ii. *the houses at the eastern edge of the site would thus present a much starker barrier intruding on the most valuable panoramic view across the site;*
 - iii. *the Story Homes proposals, though using several slightly different house layouts, are of an entirely uniform and conventional "pleasant suburban estate" character;*
 - iv. *eight access points are proposed onto this narrow, unsafe and increasingly busy section of Gib Lane. The proposal to totally change the rural character of this stretch of road by creating the*

seven additional access points seems to have been advanced by Council officials as a means of artificially boosting the case for a 30mph speed limit- in my view a totally incorrect approach . There is without doubt a case for traffic management measures on Gib Lane but these should be developed in the context of the original single access proposal;

- v. *removing the internal access street and putting in the direct accesses brings the nearest houses much closer to Gib Lane. It raises the house levels, and means demolishing much, if not all, of the existing stone wall. The opportunities for effective landscaping or screening between Gib Lane and the nearest houses are almost entirely lost; any new stone wall would reinforce the suburban characteristic of the application proposals .The green wedge promised between the houses and Gib Lane seems to have shrunk to a few square metres of grass.*

6. I fully understand Story Homes' wish to maximise their returns from their relatively small portion of the Master Plan site, and the pressures facing the Council to meet unrelenting new build targets imposed by Central Government. But I consider that planning permission should not be granted until the applicants have amended their proposals to meet more satisfactorily the Master Plan objectives summarised in my paragraph 4.

7.I fear that permitting development of a clearly urban character on the southern flanks of the Master Plan site will in future decades be cited as a precedent for the inevitable proposals to infill the area between Broken Stones Road and the M65. I have watched this process take place throughout the country for many years. Anyone doubting that it is inexorable need look no further than the current developments on the countryside left between the north of Preston and the M55 Motorway.

Objection Martin Powell 59 Gib Lane BB2 5BP

I have consistently opposed housing plans for the Gib Lane Development Site for a number of well documented reasons. In particular I am opposed to development on the higher parts of the site specifically the south eastern corner of the site which includes the land covered by this proposal. My reasons are:

1. It was a long held policy of the local authority not to permit building on the skylines around Blackburn. This part of the site can clearly be seen from many parts of the borough and permitting building here would seriously damage the scenic amenity of the town.
2. This is a rural site adjacent only to farmland and woodland. It is not an infill site nor an extension of existing developed land. The areas covered by phase E may be developed at a future date but it seems perverse to develop the higher areas of the site prior to the lower areas.
3. The original forecasts for the housing needs of the town were thought up by the planners several years ago and eventually adopted in the amended local plan in 2015. Since these numbers were created several factors have changed:
 - a) The considerable amount of housing permissions granted in neighbouring boroughs, in particular Ribble Valley

b) The withdrawal from the European Union and the intended reduction in net immigration. Already we are reading of a reduction of migrants from Europe and an increase in those leaving the UK

c) The former Sappi Paper Mill site has planning approval for 500 homes. This site is very close to the Gib Lane Development site and the development will compete for sales with the Gib Lane development and add further to the current traffic congestion and the greatly increased traffic congestion which will result from the various local developments.

d) On page 59 of the Local Plan Part 2 it states that the Gib Lane Development Site would be brought forward in line with a masterplan to be produced covering the whole of the site which takes account of site 16/10 east of Heys Lane and the area south of Broken Stones Road previously granted planning permission for a holiday village. A Gib Lane Masterplan was produced but this made no reference to the other two sites. I understand that the plan (adopted by the Council) was funded by some of the landowners but others did not participate.

Referring to the specific application:

1. On page 71 of the Gib Lane Masterplan a housing trajectory of 400 houses completed by 2015/26 is shown. This application is for 205 units, work is under way building 79 units on the Wain Homes site and ground works have started on the 145 unit site at Livesey Green. No doubt the developers intend to complete the 419 units well before 2025/26.
2. In paragraph 2.11 of the application it states that the nearest properties to the site are off Risedale Road. I presume the developers mean Risedale Grove but there are 4 houses on Gib Lane nearer to the site
3. There is 1 principal access to the site plus a further 7 shared private driveways and an access road to the proposed electricity substation - all on Gib Lane. Gib Lane is a rural road bounded by dry stone walls.. These proposals will change completely the nature of the area and cause considerable increased traffic congestion. Surely there should only be one access onto Gib Lane and maybe another on Broken Stone Road?
4. Gib Lane is classed as an ancient highway (in that it predates the original local authority) and is a stone road with a surface dressing. The surface dressing is replaced from time to time but after one winter the surface starts to break up and potholes appear. In the present financial climate these are very slow to repair. I understand that there are no proposals to relay any part of Gib Lane.
5. Page 63 of the Gib Lane Masterplan states that existing stone walls are to be integrated in to the development. I see no evidence of this in the proposal. There is a boundary shown on the plan with a height of 0.75 metres this is considerably lower than the existing boundary walls. The plans show a new 2 metre footway to be provided and that the existing width of Gib Lane is to be maintained. This will mean the demolition of the existing stone walls. Presumably the stones from this wall and the walls within the site will be sold off? So much for the Gib Lane Masterplan
6. Again on page 63 of the Gib Lane Masterplan it states that this is to be a low density development of 15-20 dwellings per hectare. The application does not state the number of dwellings per hectare but I understand that is around 24 dwellings per hectare.
7. Continuing with the Gib Lane Masterplan again on page 63 it states that the dwellings will be of two storeys. The application shows 5 Weybridge v4 designs which are of 3 storeys but the house type section of the application omits a plan of the second floor. Perhaps we are not supposed to notice? One of these houses is on the highest point of the site at the junction of Gib Lane and Broken Stones Road and 3 others are on the Gib Lane frontage. If the Masterplan is to be ignored and 3 storey houses are permitted surely these should be built on the lower parts of the development. Again I quote the Masterplan *'Opportunity for skyline emphasis onto*

Gib Lane and key corners with gables or front of buildings fronting Gib Lane in an informal arrangement broken up by areas of landscape and tree planting'

8. Again I quote *Buildings to reflect rural Pennine vernacular predominantly stone and slate with opportunity for contemporary accents such as glazing to maximise views'* I am not sure what that means but the house types shown seem fairly standard to me although there does seem to be an option for stone cladding.
9. Surface water drainage is to be by SUDS with the water eventually draining into the stream in Cockridge Wood, then onto the Wain Homes development and then into retention tanks at the rear of the houses on Livesey Branch Road and finally into the Old Gates Drive culvert. According to the Local Plan this culvert is in poor condition in parts and undersized and requires enhancement and maintenance. This has not taken place and I do not believe there are any plans to do so. Surely it would be better to see if the drainage schemes for the lower parts of the overall site function adequately before adding further load to the scheme. The heavy rain experienced yesterday (1st April) overwhelmed the inadequate drainage on Gib Lane.
10. I understand that the drainage attenuation swales will be the responsibility of the developer and that they are likely to set up a management company whereby householders will pay an annual contribution towards up keep of the swales and other communal areas. After the developers leave the site what guarantees do we have of the continuation of the management company and the contributions of the residents? Will the Council step in to ensure continuation of the maintenance and collection of the management fees?
11. I understand that there will not be any street lights on Gib Lane. If the residents decide to press for street lighting will the Council guarantee that any such requests will be refused?
12. It is proposed to improve the junction of Gib Lane and Broken Stones Road and also construct a footway on the East side of Gib Lane from where the current path stops outside 61 Gib Lane to a point opposite the start of the proposed site. I understand that this work will not be carried out until a percentage of the new dwellings are occupied. The road junction needs improvement whether new dwellings are built or not and if we are to be subjected to the traffic arising from construction work the need becomes urgent.
13. Gib Lane is inadequately drained at present. There is a ditch on part of the East side of the Lane which has recently had remedial work undertaken and it functioned well during yesterday's downpour. To the north of the culvert rain poured off the former quarry site onto Gib Lane. The west side of Gib Lane has no street drainage and I see no mention of this in the application. Yesterday water was running down the length of Gib Lane until it reached the street drains to the north of the Wain Homes site access.
14. The residents of Gib Lane are currently suffering from the large number of heavy goods vehicles accessing the Wain Homes site. Apart from the traffic and noise there is frequently mud on the road. There is supposed to be a wheel washer on site but this has 'disappeared'. Sometimes a road sweeping vehicle appears but the work undertaken is often inadequate. I believe the road sweeper is also supposed to include the Council's usual road sweeping tasks during the period of construction but this is not done adequately. I have complained to your officials but they seem powerless to act. We are now faced with a much larger development; what steps will be taken to protect the interests of the existing residents? From the plans I learn that sewer access will be along Gib Lane to an existing sewer on Gib Lane to the north of the Wain Homes access. Presumably this means major excavations at the front of mine and neighbouring houses for a considerable period along with the accompanying noise and dirt. In addition there will be road works involved in connecting the gas and BT networks and possibly the Virgin networks. I am not sure how close to the site the electricity cables are but that will probably be further cause for disruption. What compensation will be offered to the residents for this disruption? Surely it would be preferable to access services from within the development which

brings us back to the illogicality of developing the southern parts of the site before the northern parts are developed

15. Will restrictions be placed on the developers that all vehicles involved in the construction access the site from Broken Stones Road and not up Gib Lane from Livesey Branch Road?
16. Cockridge Wood has been sadly neglected by its owners in the nearly 44 years that I have lived on Gib Lane and it has suffered from trail bikers, pickers of wild flowers, campers and their litter and minor vandalism. The surrounding of the Wood with further housing development will add to the pressure on the Wood. It has been suggested that the Wood be improved and a radical overhaul of the adjacent former quarry site be undertaken but that this will not happen until Phase E is developed and the cost will be met by the developer of that site and the maintenance paid for by the residents. Will this ever happen - what if the developer is unwilling to undertake the work and the residents unwilling to pay? One feels that this good intention has been pushed down the road with the hope that it will be forgotten about and that it will never happen. It would be much better if the costs of the works and maintenance was shared across the development.
17. The erection of 205 houses on this site will bring 400 or more vehicles to the locality being used daily for travel to work, ferrying children to school (too far to walk) and other journeys. There are currently 105 properties on Gib Lane, Risedale Close and Ernouen Close. Add the 79 properties on the Wain Homes development plus the proposed 205 dwellings on this development and we have nearly 400 units accessing Gib Lane, many of them with 2 or more vehicles. All this with no improvements to the infrastructure. Many of the existing residents have lived here a long time and a good number are retired and with only one vehicle per household but the new dwellings are intended for more affluent families with two or more cars per household.

In conclusion I am opposed to this development in its entirety but also consider that its design has taken little account of the aims expressed in the Gib Lane Masterplan and in Local Plan 2.

Please acknowledge receipt of this submission. If there any points which are unclear please contact me. If you are able to answer any of my queries and/or provide any adequate answers to my questions again please contact me.

Objection Margaret Powell 59 Gib Lane BB2 5BP

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

Why are these plans and developments being rushed through? Initially the new houses were to be within the next 15 years, not 5 years

Phase C should not go ahead as it is using too much green space. This is a rural area and not near any other houses, therefore spoiling an area from where the coast can be seen. There are far too many houses on this plan. The building work for new houses already in progress should be sufficient.

This development will destroy precious countryside – Blackpool Tower can be seen from Gib Lane in this area, and the view further up the road for walkers will be spoilt by these houses. The plans have changed from the initial Masterplan – what has happened to this? Certain points were made at meetings regarding the Masterplan, but this plan now seems to have been abandoned. Why?

The plan for the area in the Masterplan was for detached executive type houses. This new plan shows semi-detached houses; also 3 storey houses which will be too high for the area. If semi-detached houses are now included, what about 3-bedroomed bigger bungalows for older people, as used to be built? Why are these not being built? I feel that this is discrimination.

The plan has too many exits onto Gib Lane, destroying ancient dry stone walls. I counted 7 at least on the plan. Gib Lane is an ancient highway and should be kept as it is.

Houses should not be built on the skyline. This spoils the overall look of the area.

Gib Lane is already a rat run – 250 more houses means at least 400 more cars in this area which cannot be good for this road or environment. The road surface will not take it. Cars come up and down Gib Lane sometimes in excess of 40 mph. Also more litter will be thrown out onto Gib Lane, which happens a lot.

Who will buy these houses? There are existing new and older houses for sale that are not selling. With Brexit the population of the country could reduce. New houses could remain empty.

Nobody is maintaining Cockridge Wood and more houses built round it will increase the number of people in the wood, possibly creating more antisocial behaviour, which already happens. Litter is left, including bottles from alcoholic drinks, trees burnt and sometimes pulled down. We are woken in the night sometimes with young people in the wood. Will occupants of the houses agree to pay a maintenance fee and will it be collected once the builders have gone? Will the upkeep of the wood by any maintenance company be adhered to, and followed up if not done? The local council should make sure this happens.

There are owls in Cockridge Wood. Will the owls still be there when more houses are built? Bats are present in the area - they fly around in our gardens and on Gib Lane in the evenings in summer. Building more houses would jeopardise the opportunity for bats to 'roost'. Also there are deer in Cockridge Wood on occasions. Building more houses would be to the detriment of wildlife.

The building of even more new houses will create more disruption for residents already living in the area. The builders are not adhering to their promises about keeping the area mud-free and are parking wherever they want to.

The provision of electricity, gas and drains will cause massive disruption and inconvenience to us as existing residents and we would be looking for some compensation for this.

Will Gib Lane be provided with more drains further down the road – we are still waiting after 40 years for promised drains, and water pours down Gib Lane.

Of the people who may buy the houses, many of them will be commuters heading for the M65 and not working in Blackburn.

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

Objection Mrs S Stanton 22 Risedale Grove

I wish to submit an objection to the above application bordering Brokenstone Rd.

The lanes serving and providing access to this application - Gib Lane, Heys Lane, Brokenstone Rd and Bog Height Rd are already too narrow for the existing volume of traffic using them.

Any additional traffic generated by 205 new homes will exacerbate the hazards.

As a local resident who likes to take local walks I already find that the lanes are increasingly dangerous because of the speed and volume of traffic. Without wider lanes the whole area will become unsafe to both pedestrians, drivers and cyclists.

There is also very very limited public transport serving this proposed development and so all journeys will be have to made by car. It would not be safe for any pedestrians in the future.

I am also concerned at the effect on the local drainage as the whole area around the proposed development causes water to flow rapidly down the hill whenever there is a moderate or above rainfall. These occasions are increasingly frequent.

Objection Livesey Parish Council

At the last Parish Council Meeting held on 7 April 2017, councillors unanimously objected to the above scheme .The Scheme includes the erection of 205 dwellings, access, landscaping and associated works, at land west of Gib Lane Blackburn.

Councillors objected to the scheme for the following reasons:

- The Gib Lane Master Plan indicated 6.1 hectares available for development at a maximum density of 20 dwellings per hectare, which would equate to 122 dwellings. The proposal is for 205 dwellings on 8.38 hectares which is a density of 24.46 dwellings per hectare. This is an increase of 68% over what was originally included in the Master Plan.
- The strategy in the Master Plan was for the site to remain openly spaced with views out of and through the site to the Northwest. This was clearly indicated by the blocks shown on the Master Plan layout which had been approved by the Executive Board in February 2015.
- It would appear that the Council's response to the pre application enquiry (dated 12 July 2016) regarding the design and layout have largely been ignored. Councillors feel that the Council must ensure that the Master Plan design guidance which includes the design and layout should be complied with .
- A final concern was the drainage which throughout this process does not appear to have been addressed and is a major worry for local residents for the future.

Can you please bring this objection to the members of the Planning Committee.

REPORT OF THE DIRECTOR

Plan No: 10/17/0457

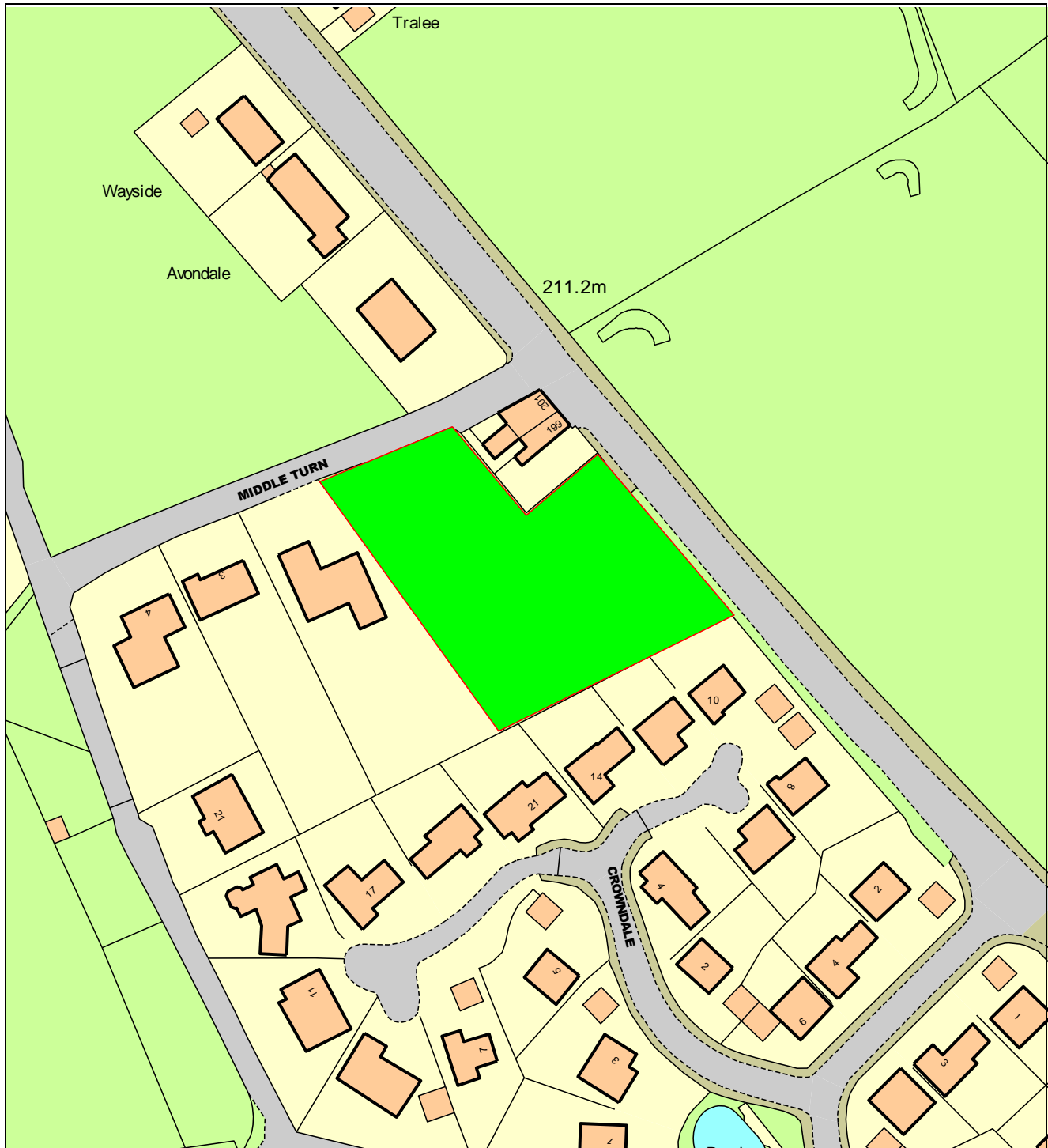
Proposed development: Variation of condition/minor material amendment for substitution of house type on plot 2 pursuant to a variation of condition 15 of application 10/14/0037: General amendments to design including: substitution of Velux window to the rear elevation, pediment to the roof removed, window removed from the rear elevation and installation of new window in the side elevation.

Site address: Former, 1 Middle Turn, Edgworth, BOLTON, BL7 0PG

Applicant: Mr D Owen

Ward: North Turton With Tockholes

Councillor Colin Rigby	
Councillor Jean Rigby	



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – subject to conditions

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The proposal seeks a substitution of house type to that previously approved at Plot no. 2, Middle Turn, Edgworth, by means of an application under Section 73 of the Town and Country Planning Act 1990 to vary the condition attached to the original permission relating to the approved drawings.

2.1.1 The key issues to be considered are as follows:

- Impact of the proposed alterations on neighbouring residential amenity
- Appropriateness of the design

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site is a detached dwelling located at plot no. 2, along the western boundary of a continuing development of 3no. executive dwellings within the former garden space of No. 1 (Burnside) Middle Turn; granted planning permission in January 2011. A subsequent planning permission was granted in April 2014 for a substitution of house type at plot 2. The site is located to the northern side of Edgworth, within the village envelope and is accessed from the west of Blackburn Road.

3.2 Proposed Development

3.2.1 Retrospective planning permission is sought for a substitution of house type on Plot 2 to include the removal of a previously approved ornamental pediment to the front elevation; substitution of previously approved standard Velux windows within the rear roof plane with 3no. larger Velux Cabrio Balconey style openings, removal of a bedroom window to the southern flank of the rear elevation and introduction of an alternative window to the southern side elevation; as set out in the submitted drawings:

3.2.2 The introduction of larger Velux openings to the rear is intended to maximise light into the habitable roof space. Removal of the pediment is for financial reasons and the alternative side window is to benefit from its south facing aspect.

3.3 Development Plan

- Policy 6 – Village Boundaries
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 11 - Design

3.4 Other Material Planning Considerations

3.4.1 Supplementary Planning Document "Blackburn with Darwen Residential Design Guide" is also relevant, which was adopted in 2012.

3.4.2 In addition, the adopted Core Strategy and the National Planning Policy Framework (NPPF) are of relevance.

3.5 Assessment

3.5.1 Principle of Development

3.5.2 The principle of residential development has been established through the previous planning permission granted for the redevelopment of the site. The principle of the alterations is, therefore accepted, in accordance with the Blackburn with Darwen Local Plan Part 2 and the NPPF's presumption in favour of sustainable development, which should proceed without delay, unless demonstrable adverse impacts which significantly outweigh the benefits of a proposal are identified.

3.5.3 Impact Upon Residential Amenity

3.5.4 Local Plan Part 2 Policy 8, amongst other criteria, requires development to contribute positively to the overall physical, social, environmental and economic character of the area and secure satisfactory levels of amenity for surrounding uses, with regard to loss of light, privacy/overlooking and relationship between buildings.

3.5.5 The omission of the pediment to the front elevation and the introduction of a new window to the side elevation are appropriate in ensuring no impact on neighbouring residential amenity.

3.5.6 The replacement Velux openings within the rear roof plane are larger than those previously approved and feature a balcony style opening system. It is, however, important to recognise that they serve circulation space at the top of the stairwell leading into the habitable roof area and not either of the two adjacent bedrooms. Consequently, they are not considered to result in an unacceptable level of overlooking onto the neighbouring dwelling at no. 2 Middle Turn.

Moreover, the rear of 2 Middle Turn features a balcony that results in a degree of overlooking onto the rear of the application site.

3.5.7 Design

3.5.8 The loss of the pediment to the front elevation is unfortunate, as it would provide decorative relief to a lengthy stretch of otherwise uninterrupted roof plane. Its loss is not, however, considered harmful and the dwelling retains sufficient common characteristics with the neighbouring plots.

3.5.9 The alternative Velux openings and window to the side elevation are also considered appropriate in design terms.

4.0 **RECOMMENDATION**

4.1.1 **APPROVE** subject to the following conditions, to be applied in accordance with the conditions imposed on the original approval.

- Material samples
- Submission of tree planting scheme
- No existing trees or hedges to be lopped, topped, felled, uprooted, pruned, or sustain root severance, without prior written consent from the Local Planning Authority
- Implementation of Bat Survey recommendations
- Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds not to be carried out between March and July
- Submission of boundary treatments
- Removal of Permitted Development rights
- No conversion of garages to habitable rooms
- Samples of obscure glazing to Plot 2
- No commercial use of garages
- Submission of existing and proposed slab levels
- Restricted hours of construction
- Submission of a Validation Report

5.0 **PLANNING HISTORY**

5.1.1 10/10/0609; 10/14/0047.

6.0 **CONSULTATIONS**

6.6.1 11 neighbouring properties were consulted by letter. 1 letter of objection has been received concerning the impact of the Velux openings on privacy.

6.6.2 An objection was also received from ward Councillor Colin Rigby, concerning the excessive and intrusive nature of the amendments, considering the proximity of the neighbouring homes.

6.6.3 Summary of public representations

Objection Mr & Mrs Manning, 2 Middle Turn Edgworth Bolton BL7 0PG

Please accept this email as an official objection to the planning application detailed above. We feel that the inclusion of the Velux Cabrio Balcony systems in the roof (which have already been installed) to be an enormous invasion of our privacy. These balconies look directly down into our entire back garden and our house and we feel that the resulting loss of privacy for our family will be unacceptable. The existing first floor windows that have been permitted on the property are deemed as non living areas (a dressing room and 2 obscured glass bathrooms/en-suites) - the area of the roofspace where these balconies are is very much a living space and the occupants will undoubtedly spend some significant time there.

When we were granted planning permission for our redevelopment we were asked not to have any windows with direct views over our neighbour's house along the western elevation and we were only too happy to comply with this. It would seem appropriate for the development on plot 2 to conform to similar requirements.

Objection Cllr Colin Rigby OBE

I wish to object on the following grounds.

The proposed amendments are excessive and intrusive considering the proximity of the neighbouring homes,

Objection North Turton Parish Council

The Parish Council *objects* to these proposed amendments, as the introduction of velux windows to the rear may lead to overlooking of neighbouring properties.

7.0 CONTACT OFFICER: Nick Blackledge ,Assistant Planner - Development Management.

8.0 DATE PREPARED: 27th June 2017

REPORT OF THE DIRECTOR

Plan No: 10/17/0584

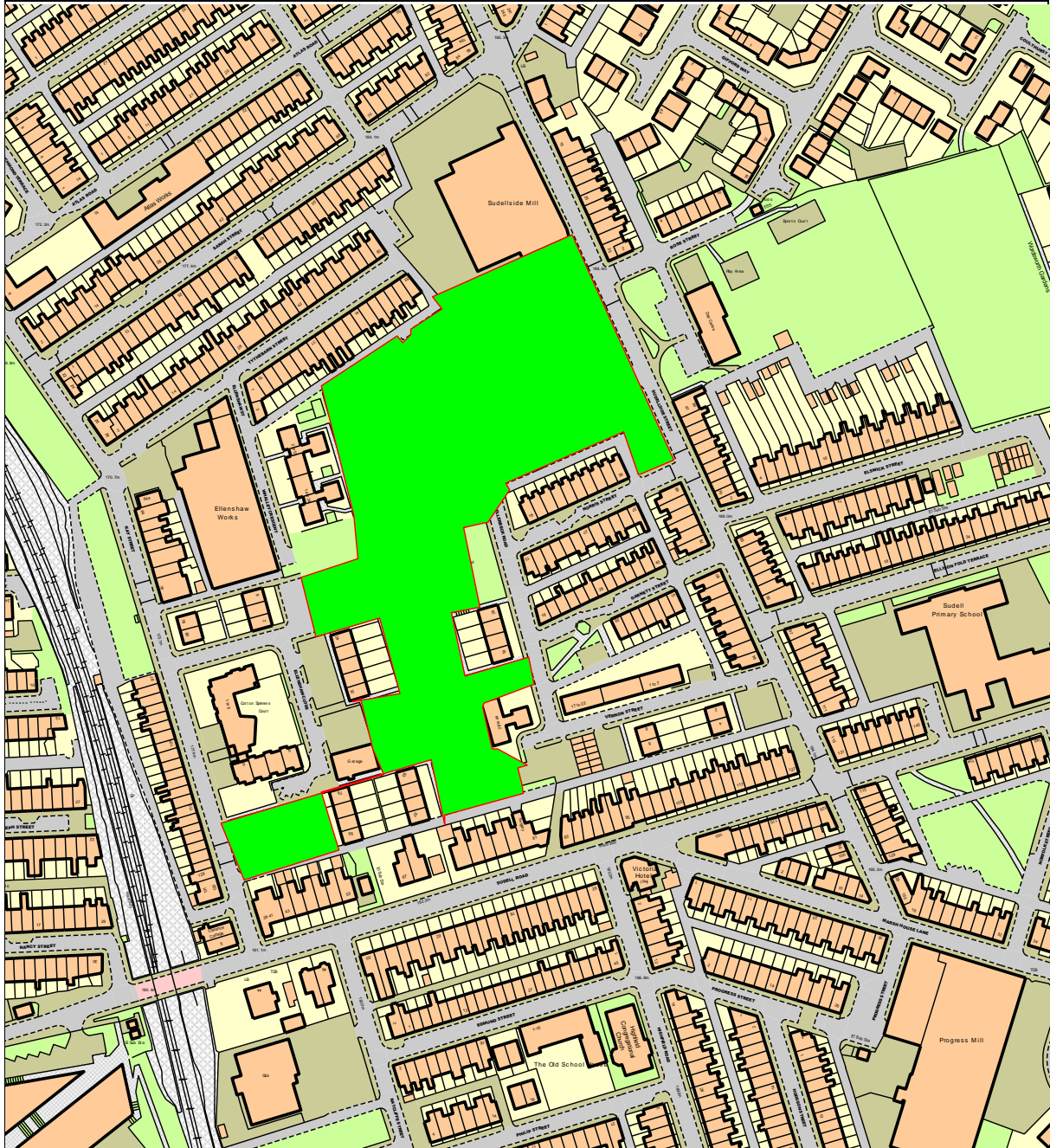
Proposed development: Removal of S106 Agreement pursuant to planning application 10/13/0410 – “Demolition of Elizabeth House and erection of 46 affordable dwellings”

Site address: Elizabeth House, Sudellside Street, Darwen BB3 3EW

Applicant: Together Housing

Ward: Sudell

Councillor Jane Oates	
Councillor Eileen Entwistle	
Councillor Roy Davies	



1.0 SUMMARY OF RECOMMENDATION

- 1.1 It is recommended that Members **agree** to the removal of the Section 106 Agreement in order for the development to proceed fully.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 The developers for the site, Together Housing, have encountered significant economic difficulties in developing this site. This mainly due to land title, access issues, asbestos, and most significantly the Bat Surveys and mitigation strategy relating to the demolition of the former Elizabeth House, which caused severe delays to the project. Therefore, officers and the developer have been working together to find a practical solution to ensure that the development proceeds, which brings a derelict vacant site back into use to the betterment of the local community. Members must determine whether the removal of the Section 106 Agreement is acceptable in order to facilitate the development at this site, which will provide 46 affordable new dwellings for the area.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site comprises an irregular shaped parcel of land, circa 1.5Ha in area, situated within the Ellenshaw area of Darwen. At the time planning application 10/13/0410 was assessed and determined in 2014/15, the site was occupied by a mix of vacant land, part-occupied housing including Elizabeth House (a residential facility for elderly residents). These buildings have now subsequently been demolished as the housing stock was in poor or very poor physical condition, thereby offering low aesthetic value. The surrounding area is dominated by terraced residential properties, though a play area and commercial premises also abut the site. The site also contains areas of landscaping and mature tree coverage.

3.2 Proposed Development

- 3.2.1 The proposed development pursuant to planning application 10/13/0410, granted planning permission under delegated powers on the 30th January 2015, was for redevelopment of the application site for 21no. three bed dwellinghouses, and 25no. two bed bungalows for affordable rent (total 46no. new homes).
- 3.2.2 The approval granted under 10/13/0410, was subject to the applicants entering into a Section 106 Agreement, to covenant a financial contribution to provide for the provision and/or maintenance of public open space in the locality. The adopted Supplementary Planning Guidance for open space at the time of the assessment of the planning application necessitated a payment of £1600 per dwelling, which equates to £73,600 (46 x £1600).

3.2.3 The applicants under this current application are contesting that the scheme is no longer financially viable, and therefore are proposing to remove the Section 106 Agreement relating to the financial contribution of £73,600, and have submitted a viability appraisal under the HCA's Developer Appraisal Toolkit (DAT).

3.3 Development Plan

3.3.1 Blackburn with Darwen Borough Local Plan Part 2 (December 2015):

Policy 11: "Design"
Policy 8: "Development and People"
Policy 10: "Accessibility and Transport"
Policy 12: "Developer Contributions"

3.3.2 Core Strategy (January 2011):

Policy CS1: "A Targeted Growth Strategy"
Policy CS5: "Locations for New Housing"
Policy CS7: "Types of Housing"
Policy CS8: "Affordable Housing Requirements"

3.4 Assessment

- 3.4.1 The applicants have faced a number of challenges in bringing this development site forward, which have been well documented. The issues referred to in paragraph 2.1 above, at one point led to the applicants seriously considering stopping the development altogether, which would leave a vacant derelict site to the detriment of the local surrounding area.
- 3.4.2 Extensive discussions have been undertaken between the applicants and officers to look at ways of facilitating the development ensuring it will be brought forward. The submitted HCA DAT viability appraisal has been assessed by the Integrated Growth Team, and it is considered that the appraisal clearly shows a deficit on the project making the project unviable. As such, the applicants have requested that the financial contribution of £73,600 is removed which will assist in bringing the site forward.
- 3.4.3 The proposed development will provide much needed housing for the local community, and the Council will be given nomination rights so that the Council can allocate these homes to those in need across the borough. All the new homes will provide council tax revenue to the Council (thereby contributing towards the Growth Agenda), and will be eligible for New Homes Bonus at the current government rate.
- 3.4.4 The concerns of local ward Councillor Davies, in terms of waiving this financial contribution towards the provision and maintenance of public open space in the locality are acknowledged. However, these concerns must be weighed against the benefits of bringing a vacant derelict site back into use for much needed housing in the borough. The applicants have proven to Council officers that the scheme is unviable as it stands, and any assistance in helping

to facilitate the development should be supported. As such, it is considered in this particular instance, that the request to remove the financial contribution of £73,600 towards off-site public open space should be supported.

4.0 RECOMMENDATION

- 4.1 Approve – remove the Section 106 Agreement pursuant to application 10/13/0410

5.0 PLANNING HISTORY

- 5.1 10/13/0410 – demolition of Elizabeth House and erection of 46no.affordable dwellings- approved under delegated powers30th January 2015

6.0 CONSULTATIONS

- 6.1 Strategic Housing Development Manager: 13th June 2017:- no objections. The submitted HCA DAT viability appraisal clearly shows a deficit on the project making the scheme unviable. Having fully evaluated the scheme, it is considered the financial contribution should be waived to allow a scheme to come forward which will provide much housing to the area.
- 6.2 Councillor Roy Davies: 5th June 2017:- I object to the 106 monies being waived, I have already sent an email regarding this £73,600 sum which can be used in the Sudell ward to bring local play areas more safely minded considering problems in the ward which I would like to point out is the most deprived in the Borough and stands at 160 in England.
- 6.3 Councillor Jane Oates: 12th June 2017:- Councillor Entwistle and I both agree that we want to see this development going ahead. If they would consider a lower contribution we would be happy to receive that and would be grateful if that could be negotiated. If not, it is of course essential that this housing moves forward as quickly as possible.

7.0 CONTACT OFFICER: Gavin Prescott, Development Manager

8.0 DATE PREPARED: 29th June 2017

DEPARTMENT OF GROWTH & DEVELOPMENT

ORIGINATING SECTION: Planning.

REPORT TO: 12th July 2017 Planning & Highways Committee.

TITLE: Petition regarding; Full Planning Application 10/17/0321 - Proposed change of use to turn the existing empty building (previously a public house) into a community centre - Former Lockside Tavern, 197 Bolton Road, Blackburn

Applicant: Mr Imran Ahmed - Ahmadiyya Muslim Community Centre

Ward: Ewood

Councillor Maureen Bateson	
Councillor Jim Casey	
Councillor Jamie Groves	

1.0 **PURPOSE OF REPORT**

1.1 To inform Members of the receipt of a petition objecting to planning application 10/17/0321. Copies of the petition are available in Democratic Services.

2.0 **BACKGROUND AND DETAILS**

2.1 Planning application reference 10/17/0321 was submitted to the Planning Authority on 21st March 2017. The application seeks consent for a change of use from public house (currently vacant) to a community centre.

2.2 Public consultation letters were issued on the 10th April 2017 and 4 objections to the proposal were received.

2.3 Following the receipt of amended/additional details there was a further public consultation 23rd May 2017, 3 more objections and a petition have been received.

2.4 The petition was received 5th June 2017 and contains 8 signatories

The grounds of objection relate to:

- A community centre already exists at Ivy St, within a short distance of the site. In addition, there are several mosques within a short distance of the development meaning residents who attend such

establishments are well catered for. It follows that the proposed development is not needed or necessary.

- The proposal will increase vehicle movements and activity at the site, including strangers to the local community. This will restrict the use of the area by children and inevitably impact on the quiet enjoyment of the area that is evident at present.
- The traffic situation would become intolerable, resulting in an unhealthy and dangerous place to live

3.0 **RECOMMENDATION**

3.1 It is recommended that the Committee note the petition, that the issues raised inform the assessment of the proposal and that the lead petitioners be informed of the decision once made.

4.0 **BACKGROUND PAPERS**

4.1 None

5.0 **CONTACT OFFICER** – Martin Kenny (tel: 585639)

6.0 **DATE PREPARED** – 29th June 2017