

Proposed development: Full Planning Application for Proposed new first floor with rear balcony and access steps to create a community room and changing rooms, improvements to car parking and new ramped access

Site address: Cherry Tree Cricket Club, 459 Preston Old Road, Blackburn, BB2 5ND

Applicant: Mr Dave Wallacy - Cherry Tree Cricket Club

Ward: Livesey With Pleasington

**Councillor Alan Cottam
Councillor Derek Hardman
Councillor John Williams**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – subject to conditions

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The proposal provides for a first floor extension to the existing sports and social club in order to provide a multi-functional community facility and additional changing facilities for players and officials. The proposal is satisfactory from a technical point of view, with all issues having been addressed through the planning application. Revisions to the existing vehicular access to Preston New Road will provide for a two-way route to/from a dedicated parking facility, which conforms to the Council's adopted parking standards. The proposed extension has been designed to limit potential for activities within the site to be injurious to the amenity of neighbouring residents, whilst revisions to the existing building fabric will address existing acoustic weaknesses. Subject to appropriate planning controls, including agreement of a noise management plan, the proposal is not considered to be injurious to the amenity of neighbouring residents.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site relates to the existing Cherry Tree Cricket Club, which is positioned to the south of Preston Old Road. The club house is currently a single storey red brick building that is accessed via a narrow un-adopted track between no.461 Preston Old Road and the United Reformed Church. Parking for the club is on an elevated parcel of land adjacent to the club house, which is independently accessed via a track adjacent to no.449 Preston Old Road that also serves the Cherry Tree Bowls Club. The immediate locality is predominantly residential in character, though the rear of the site is bounded by community and recreational uses.

3.2 Proposed Development

3.2.1 The proposal seeks full planning approval for the construction of a first floor extension covering the entire footprint of the existing clubhouse. Following the receipt of amended details, the proposal seeks to provide accommodation to be used for players and official changing, sponsors lounge and a multi-functional space for community use. The proposed design replicates the general form of the host building and seeks to use matching walling and roofing materials. The southern elevation also includes a glazed balcony at first floor spanning the full length of the building and overlooking the cricket ground. The balcony extends to the west in order to provide pedestrian access directly from the club's car park into the first floor of the building.

3.2.2 The submission also sets out alterations to the existing access to the building in order to allow two-way vehicle movements to the car park through the removal of the existing vegetation on the party boundary with no.461. 48no.

spaces will be provided on the car park. Due to differing internal site levels this manoeuvre also necessitates the construction of a new ramp adjacent to the club house, though due to the close proximity of the United Reformed Church's nursery building the ramp is only single width.

3.3 Development Plan

3.3.1 In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.3.2 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:

3.3.3 Core Strategy:

- CS1 – A Targeted Growth Strategy
- CS16 – Form and Design of New Development

3.3.3 Local Plan Part 2 (LPP2)

- Policy 1 – The Urban Boundary
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (The Framework).

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking, this means approving development proposals that accord with the development plan without delay (paragraph14).

3.5 Assessment

3.5.1 Principle of the development

The application lies within the Inner Urban Area, not otherwise allocated; as defined on the Adopted Policies Map of the Local Plan Part 2. The principle of the development is, therefore, accepted, in accordance with Local Plan Policies and The Framework's presumption in favour of sustainable development, which should proceed without delay and its requirement for planning to support economic development, identifying and responding

positively to opportunities for growth and promoting the vitality of urban areas, taking into account their different roles and characters.

3.5.2 Design and Layout:

Policy 11 of the Local Plan requires development to present a good standard of design, demonstrating an understanding of the wider context and make a positive contribution to the local area. The policy sets out a list of detailed design requirements relating to character, townscape, public realm, movement, sustainability, diversity, materials, colour and viability. This underpins the main principles of sustainable development contained in the NPPF which seeks to secure high quality design.

3.5.3 The proposed design layout provides access to changing facilities without necessitating the opening of bars and function suite. The recently refurbished existing ground floor bar and layout will continue unchanged from the present use and the proposals are designed deliberately to ensure that no disturbance to the ground floor occurs.

3.5.4 The proposed extensions and alterations, in the main, follow the form of the host building, including the use of a hipped roof to reduce the overall massing. The building will increase in height from the current 5.4m ridge level to 8.2m. New fenestration is restricted to the southern elevation and will be in white PVC. The exterior finish of the building will be a contrasting weather boarding to the walls, which the submission indicates will provide “a pavilion feel”. The roofing will match that within the current building. An important feature is the provision of a glazed balcony detail sited on the rear of the building, overlooking the cricket pitch. The balcony bridges across to the car park and will provide pedestrian access directly in to the building.

3.5.5 Overall the form and appearance of the extensions are considered to harmonise effectively with the host building. The use of weather boarding will introduce a new material in to the locality, but the pavilion narrative is compelling and justifies the material choice. Importantly, the existing building is set back circa 50m from Preston old Road and this distance serves to reduce the overall impact of the development upon the character and appearance of the locality.

3.5.6 Thus, subject to appropriate conditions relating to submission of materials, the proposal is considered to meet the requirements of Policy 11 of the LPP2

3.6 Highways

3.6.1 Local Plan Part 2, Policy 10 sets out that development will be permitted provided it has been demonstrated that road safety and the safe, efficient and convenient movement of all highway users is not prejudiced; that appropriate provision is made for vehicular access, off street servicing and parking, in accordance with the Council’s adopted standards and that the needs of disabled people should be fully provided for, including those reliant on community transport services.

- 3.6.2 The cricket club is currently served by two access points. The first is an un-adopted track situated adjacent to no.461 Preston Old Road that provides pedestrian access to the clubhouse and is also used for deliveries. The second is some 100m to the south, adjacent to no.449 Preston Old Road, and provides vehicular access to the club's car park via an open parcel of land that also serves the adjacent Cherry Tree Bowls Club.
- 3.6.3 The proposal seeks to consolidate the access arrangements by widening the access point adjacent to no.461 to enable two way movements. The internal arrangements are also modified via the provision of a new access ramp and revised car park layout to provide 48 parking spaces. As a consequence the secondary access adjacent to no.449 Preston old Road will no longer be in use.
- 3.6.4 The new extension warrants a parking requirement of 9 spaces when applying the Council's adopted parking standards for D2 uses, giving an overall need of 19 spaces. Consequently the proposed 48 space car park represents an over-provision. However, justification is formed by the fact the car park area is already in-use and the proposal is not increasing parking provision overall. Generally the layout of the car park is satisfactory, with adequate manoeuvring areas and disabled parking provision in accordance with the Council's adopted standards of 10% of overall provision. Cycle stand facilities are also provided adjacent to the clubhouse.
- 3.6.5 The Council's Highway team identify that the current access arrangements are unsatisfactory. The access adjacent to no.461 is single width and has poor sightlines. The car park access adjacent to no.449 is also single width with effectively zero sightlines when existing the site and looking west. Consequently the proposed alterations to the site access to provide for two-way access are considered to provide a safer and more convenient solution than the existing arrangements. In turn they are likely to promote greater use of the car park and offset the existing position whereby sports and social users of the club are currently parking on-street and contributing to an unsafe environment.
- 3.6.6 Subject to conditions requiring the new access arrangements and car park layout being implemented prior to first occupation of the first floor facilities, the proposal is consistent with Policy 10 of the LPP2

3.7 Amenity:

- 3.7.1 Policy 8 sets out that development will be permitted where it can be demonstrated that it would secure a satisfactory level of amenity and safety for surrounding uses and for occupants or users of the development itself, with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy / overlooking, and the relationship between buildings.
- 3.7.2 The Council does not have any prescribed minimum separation distances between dwellings and community buildings, such as the cricket club. However, minimum distances of 21m between habitable room windows or 13.5 m between windows and two storey blank gables are identified within the

Residential Design Guide SPD. Those figures that can be revised upwards by 3m if there is a substantial difference between building heights or levels.

- 3.7.3 The proposed first floor extension has no windows within the north elevation which opposes the rear of dwellings on Preston Old Road. Accordingly the 25m distance between the extended building and those nearest properties is considered to be adequate to offset the potential for loss of amenity due to privacy issues and the relationship between the buildings.
- 3.7.4 The most contentious element of the scheme is the intended provision of the new 'community facility' within the first floor and the potential harm to the amenity of surrounding residents from increased noise and activity within the site, and from users of the premises arriving and leaving, particularly late at night. Indeed this element has generated the overwhelming majority of the public objections received.
- 3.7.5 The application has been supplemented by a noise assessment produced by Miller Goodall. Despite a public objection that critiques elements such as the timing of the survey work and overall methodology; the overall scope of the report has been accepted by the Council's Head of Public Protection as being consistent with the relevant British Standards (BS 8233:2014 and BS 4142:2014) as well as guidance provided by the Institute of Acoustics and the World Health Organisation.
- 3.7.6 The submitted acoustic report advises that when accounting for background noise measurements the proposed development had some potential to cause adverse impact to amenity of surrounding residents. As a consequence mitigation measures have been explored to provide sufficient protection to local residents. The mitigation measures are set out by the agent as follows;
- (a) Compulsory vehicular Dropping off/collections at the rear car park area will be formerly introduced and signage to that effect installed.
 - (b) Windows are now omitted from the ground floor bar areas which face the nearest residents. New sound baffled a/c will ventilate the premises to CIBSE regulations.
 - (c) A further window is now removed from new first floor proposals, resulting in no windows from noise source rooms facing local residents located adjacent to Preston Old Rd. New sound baffled a/c will ventilate the premises to CIBSE regulations
 - (d) All new walls and roofs will be insulated in accord with the Miller Goodall Noise Assessment.
 - (e) The access road will be a no parking zone with yellow lines
 - (f) A pedestrian ramped accessible route is now proposed from the upper car park to the first floor as new elevations and plans enclosed.
 - (g) A new Noise Management Plan is being introduced as detailed below and highlighted in section 9 of the Noise Assessment

(h) All recommendations in the Specialist Noise Assessment are 'fully' implemented.

(i) The new room at first floor level is proposed as a 'Community Room', to reflect that the room will have multiple uses including, Sporting Seminars, Pilates, Aerobics, Yoga, Spinning, Sports clinic,

3.7.7 The Council's Public Protection team have critically reviewed the proposal, the submitted acoustic report and the suggested mitigation measures. Their response concludes that in relation to noise from within the extended building that the matter can be adequately resolved through the suggested mitigation. However, elements including the wall construction and specification of the mechanical ventilation system would need to be controlled via suitably worded planning conditions.

3.7.8 Concern is raised, however, in relation to the potential for noise and disturbance from outdoor activities associated with the late night use of the premises, such as the slamming of car doors, shouting and other anti-social behaviour from late night revellers.

3.7.9 The concerns are acknowledged, though there are several factors that should be considered when reviewing the potential harm that will result from the development;

- The club already operates in the evening/night. Hence the proposal is not introducing a new use, but rather it is potentially intensifying the use of the site. However, the applicant is keen to stress that the use of the new first floor community space will not coincide with use of the existing ground floor lounge for functions.
- The proposal makes arrangements for users of the site to be dropped-off and collected from the car park area. The effect of which is to move activity from Preston Old Road, where there is potential for conflict with surrounding residents, to the rear of the site. This represents an improvement on the current situation.
- Safeguards exist through the club's licensing restrictions and other controls such as statutory noise nuisance assessments.
- The mitigation measures highlighted by the applicant's agent.

3.7.10 Given the above mitigation, it is considered that on balance the development will not be injurious to the amenity of surrounding and neighbouring residents and the proposal can be considered to be compliant with Policy 8 of the LPP2 in that regard.

4.0 RECOMMENDATION

4.1 **APPROVE** subject to the following conditions;

- Commence development within 3 years
- Materials to be submitted and agreed
- External lighting scheme to be agreed

- Car park layout and access ramp to be implemented and available for use prior to occupation of the first floor extension.
- Landscaping
- Scheme relating to the proposed wall construction and ventilation system to be submitted

5.0 PLANNING HISTORY

5.1 10/95/0129 - Demolition of the existing clubroom, modifications of the existing brick building and extensions to create a new clubroom and changing facility. Creation of new car park (Approved)

10/12/0710 - Creation of an all-weather cricket practice facility with new playing surface and surrounding fencing (Approved)

10/17/0035 – Retrospective: Side canopy and rear and side raised seating area. (Approved)

5.2 There have also been a number of applications for telecommunications equipment within the cricket grounds, though none are considered to be relevant to the determination of this planning application

6.0 CONSULTATIONS

6.1 Highways:

No objection. Car parking amounts to an over-provision, though acknowledged that this is the existing position and can be justified on that basis. Revised access arrangements are satisfactory and an improvement on the existing position. Conditions required relating to construction methods, and first use of the extension only once the car park and revised access are completed

6.2 Public Protection:

Noise from inside the club - Specification of the ventilation system (although this could be resolved by imposing a suitable condition) – The noise report submitted in support of the application states that, “It is important that the methods used to ventilate the building do not negatively impact the sound insulation performance of the building fabric. Specialist advice should be sought at the appropriate stage to assess any such ventilation strategies. The aim shall be that the ventilation system negates the need to open windows during a function.

Noise from outdoor activity associated with the club - Unfortunately, the issue of external noise is more difficult to resolve.

The increased capacity of the proposed venue has the potential to significantly intensify activity at the site. If the use intensifies it is likely that there will be more people leaving on foot, which we know causes problems for

residents, and it is likely that some cars/taxis will still deposit/collect customers at the entrance to the site.

However, information submitted in support of the application states that, "It is highly unlikely that the ground floor bar room and the community room will be used simultaneously for a function and so intensification of use in this sense will not be a regular occurrence." Is the applicant willing to accept a condition that would prevent significant intensification, such as a condition prohibiting the use of the ground floor lounge when the first floor function is being used from late evening onwards?

I recommend that any approval is subject to conditions requiring the implementation of sound control measures identified in the noise report submitted in support of the application. These recommendations include:

- Ventilation
- Building Envelope Requirements (walls, roof, acoustic glazing specification)
- Modifications to the smoking shelter

If consent is granted I recommend that the following condition is imposed:

External lighting Condition

External lighting at the development hereby approved shall not give rise to light intrusion at residential premises and luminaire intensity in excess of the obtrusive light limitations for exterior lighting installations specified for an E2 Environmental Zone Table 2 of the Guidance Notes for the Reduction of Obtrusive Light GN01:2011 produced by the Institution of Lighting Professionals. The proposed development is considered to be within an E2 Environmental Zone

Reason: To minimise potential loss of amenity at residential premises caused by obtrusive light pollution.

6.3 Local Authority Drainage:
No objection.

6.4 Environmental Services:
No comment.

6.5 Canal and River Trust:
No comment.

6.6 Public Consultation:
64 neighbouring properties have been individually consulted by letter and a site notice displayed. Following the receipt of amended details 20th November 2017 and 2nd February 2018 two further rounds of consultation have been undertaken. 17 letters of objection have been received. The objections can be summarised as;

- Loss of amenity to surrounding residents due to noise (music) from within building and from patrons arriving and leaving late at night

- Anti-social behaviour in locality
- Sub-standard access arrangements and associated highway safety concerns
- Existing car park problems being exacerbated by increase in use associated with extension
- Loss of sunlight to neighbouring premises
- Loss of privacy due to overlooking
- Shortcomings of methodology and assumptions set out within acoustic report

7.0 CONTACT OFFICER: Martin Kenny, Principal Planner

8.0 DATE PREPARED: 2nd March 2018

9.0 SUMMARY OF REPRESENTATIONS

Objection Angela McKay, 97 Old Gates Drive, Blackburn

Dear Planning,

On behalf of the residents of Old Gates Drive nos 93 to 101

We object to these plans on the grounds of noise and disturbance to our wellbeing particularly sleep. If functions are held regularly there will be no respite.

The application for the music and alcohol licence last year resulted in the agreement being breached on a few occasions when loud music was played until 12.45 a.m. rather than ending at midnight as agreed.

Despite the club agreeing to keep windows closed and have speakers facing only inwards to the dance area we are experiencing very loud music with a predominant bass beat.

Those inside the club must be experiencing noise levels above the maximum db level recommended by the H.S.E. Apparently it should be possible to hold a conversation with the person next to you, without shouting, when music is playing; levels above this may cause hearing damage. If we can hear it from across the canal it must be too loud

We all feel that the addition of a function suite will inevitably result in regular noisy nights accompanied by loud behaviour from those attending functions, e.g. weddings, spilling out onto the balcony if this is added.

We cannot see how this noise can be controlled as no monitoring seems to be taking place at relevant times and so, on these grounds, we object to the proposal. If the proposal is accepted will the council be able to monitor the noise at the times it is in use at night time. and ensure there is no change to the present arrangement regarding music ending at midnight and the number of functions limited to 12 per year.

Objection Arthur & Susan Carter, 33 Firtrees Drive, Holly Tree, Blackburn

we write to state our objections to the proposal by the cricket club to add a first floor extension with rear balcony with patio doors opening onto the balcony and with access steps to create function suite and changing rooms, improvement to the car park and new ramped access. . Our home is situated directly opposite the club across the canal. The club are not adhering to an agreement regarding unsocial noise late at night, so the proposed addition of a first floor extension will result in further unsocial noise especially on warm summer evenings when folk will congregate on the upper storey with patio doors open and loud music playing.

Objection Claire Jackson, 504 Preston Old Road, Blackburn

I write in connection with the above planning application. I have examined the plans and wish to object to the development outlined within the plan in relation to the following:

Insufficient car parking to meet the needs of the increased activity at the club and increased traffic, affecting our property which is directly across from the entrance to the club
This in turn could affect the value and saleability of our property
Increased noise associated with the function room, particularly evenings and weekends
Increased anti-social behaviour, particularly evenings and weekends

I am also concerned about the level of noise and traffic during the proposed build.

As local residents we are supportive of developments which improve the community but feel the extent of these proposals will have a detrimental effect on our day to day lives.

I would be grateful if these concerns could be included within any reports to be considered by the Planning Committee.

Objection Denise Penney, 10 Fir Trees Drive, Blackburn

here Dear Mr Kenny

Re planning above application ref no. 10/17/1278

I would like to formally lodge a complaint and my concerns re the above planning application with the following reasons:

1. The noise assessment was not a true assessment as the club knew it was being undertaken and the band stopped at 23.45

Normally any band/disco does not stop until 00.30. Clearly the management ensured this happened as they knew the assessment was taking place.

2. Why were the NSR's placed where they were? Where I live there is NOTHING to stop the noise reaching my house - no trees, boarding - NOTHING. Why wasn't a sensor placed where there are no barriers to sound reaching local residents?????

3. Are windows REALLY going to stay closed in the summer?? I think not.

4. Has there been any consideration throughout this that noise will be doubled if there are two function rooms?

5. Has it been considered that noise at a higher level i.e the proposed extension, will travel quicker?

6. Wind also plays a part in noise.

7. Doors WILL be left open - especially in the summer - they are already being left open.

8. There is a health issue here - there already is. It is detrimental to a person's health to be deprived of sleep. The Noise Statement for England March 2010 states

" to avoid significant adverse effects on health and quality of life" and " where possible, CONTRIBUTE to the importance of health and quality of life".

This club is already affecting my health when I am unable to sleep due to the noise coming from it. I often work weekends and my job includes driving and prescribing controlled drugs for seriously ill people. In order to do this I have to be alert and able to concentrate - which I cannot do if I have been deprived of sleep. I am sure nobody involved in this farcical application would want a sleep deprived and potentially ill person to be caring and prescribing for either themselves or their loved one in this state of ill health.

The Noise Statement for England March 2010 also states

" all reasonable steps should be taken to mitigate and minimise effects on health and quality of life".

My quality of life and health has already been adversely affected by the noise - to consider an extension to double the amount of noise being emitted from the club is utterly inconceivable for me and I will not be able to continue working if this planning application is accepted and I have no doubt my health will be further affected by the noise.

9. Re the management available to take any complaints about noise from local residents - let me tell you what already happens. I telephone the club after 00.15 hours when the noise stops me from sleeping (I only do this if I am working the next day.) The response I have received so far have been mostly no reply despite letting the phone ring for a very long time. On one occasion - and only one - the phone was answered. Their reply was vial abusive language and finally told to phone the police if I had a problem. Which I did do and when they arrived they closed the club. Why should I believe this will change if this planning application is accepted - just because you have told them to do so? I can assure you this will not change because of the type of people running this club.

These are the major, but not complete, objections I have to this planning application. Please remember this club is in a wholly residential area. At the moment it is sought after area to live, already people considering moving to the area are asking about the noise from this club - if the planning permission goes ahead house prices will plummet - and it will no longer be a sought after area to live in. Is the club prepared to pay me compensation for this? There are already two houses next door to the club for sale - perhaps the council should ask the owners of these houses should why.

I hope you will take the time to read my concerns and pass them on to the relevant people involved in the decisions regarding this planning application.

Objection Mr. Larry & Bernadette Moriarty, 469 Preston Old Road, Blackburn
PLANNING APPLICATION 10/17/1278

We wish to object to the above proposed application.

There are already considerable problems for local residents with Car Parking in the vicinity of the Club location and the proposed increase in numbers of cars coming and going will no doubt only exacerbate the existing problems which the local residents already experience in parking outside their own houses. Getting in and out of drives becomes much more difficult when more and more drivers park without consideration often blocking private driveways.

In addition to the parking problems the noise issues connected with the club still remain a concern and cause of annoyance and nuisance especially when this lasts until after midnight.

Objection Mr M Ashcroft, 467 Preston Old Road, Blackburn

I wish to object to the above planning application, for the following reasons.

The site at Preston Old Road as limited access, is in a residential area, shares boundaries with local housing, and a care home. These people & the local residents, are the ones, who, will have the most cause for alarm, at the prospect of, traffic / noise problems, on a regular basis, probably on a weekly basis, if this application is approved.

" There is only one access, to & from the car park, which leads directly on to the main road. This could cause problems & disruption to the main road traffic flow, especially if a function, clashed with a church service.

Problems of access, could lead to motorists, resorting to parking on the

main road, which already as a problem with parked vehicles.

Cherry tree cricket club is on a site, which is just not suitable, for this type of development of its social side.

The Function suite part of the application, is the only part of the application to which I object

May we urge you to refuse the above planning application for Cherry Tree Cricket Club. On occasion there is far too much late night and early morning noise disruption now due to revelers standing on the existing verandah and the smoking shelter. Also if the weather permits, the patio style doors and windows are open at night allowing everybody on our road to hear the music whether we wish to listen or not especially after midnight. Before midnight is reasonably acceptable but getting on for 0100 hrs is not.

The proposed development will mean more functions at night and the number of doors and windows in the plan will allow even more noise from the building which will presumably have discos and live bands playing till all hours as the ground floor does now. Plus there will be even more revelers in total occupying the upper planned balcony as well as the ground floor balcony.

We have been told that the club has a music licence till midnight. Who is stopping the music now when we're in bed trying to get to sleep well after midnight. Also the number of people shouting and screaming till until well after 1am. All this used to be kept under control with the previous owners apart from one isolated incident but since it was taken over it has become intolerable some weekends. Imagine what it is going to be like when another floor is added and even more party goers are present.

It may be ok for the planning committee to pass these sort of applications but they don't have to live here. Please please try to consider the feelings of the clubs neighborhood.

i would like to first off all make an official complaint :-

You have deliberately not contacted or informed residents on Fir Trees Drive in particular No's 4,6,8,10,12,14,16

These properties have their main bedroom facing Cherry Tree Cricket Club, where as 19,21,23,25,27, have their second bedroom facing the cricket club,

Fir Trees Drive is 80% inhabited by elderly/retired people, who mainly sleep in the Main Bedroom

In my particular case No 10 my bedroom faces between the two opposite houses with a clear view of the cricket club, decking and the patio doors leading out onto the decking.

Currently i have made 17 complaints to the council regarding the noise coming from the decking area from 9pm onward and in one instance 1pm in the morning, when we are trying to sleep, we sleep with the window wide open. the noise is usually by people speaking in high voices, swearing, loud screaming, drunkenness, with no regards that it is a residential area,

My partner is a Palliative Care Specialist working for a Hospice in the community, the role requires her to carry out drug calculation with some very restricted drugs, concentration is paramount, A good nights sleep is of the essence, working weekend is part of her duties, 5am get up is required with a 10 pm curfew, Yet on 3 occasions due to the noise coming from the cricket club (decking) this has not been possible, it has been 12:30 before she has been able to sleep,

The proposal is to have a balcony on this extension facing the cricket pitch which will only exasperate the noise problem even further as it is higher off the ground and the noise will travel even further,

The Balcony will attract even more people to stand / drink, it will be a main focal point, the noise will increase 10 fold

i request a noise screen be put in place that can be drawn across the balcony and the decking below at 9pm to deflect noise away from Fir trees Drive

Objection Mrs Joyce Helen Duckworth, Cricklewood, 498 Preston New Road, Blackburn

Dear Mr. Kenny,

Regarding the above application amendment, I have studied the amended drawings and from what I can ascertain the changes are only detail, as my computer skills are somewhat limited. However, this does not affect my continued objection to any further development of the present site.

As I have previously stated this establishment is now a night club / public house with its associated problems re- noise, general behaviour and inconsiderate parking. I note from the proposed plans that there will be parking available, if this does come to fruition I hope that the customers use the car parking spaces more responsibly and with more consideration than when they park on Preston Old Road

I am sure that the establishment already displays notices requesting customers to consider the local residents when leaving the premises and will continue to do so in the future. I personally feel that customers leaving after a few drinks presently completely ignore these notices and will continue to do so in the future.

I eagerly await any comments you may have on my observations. As I have previously mentioned this establishment has completely changed the quiet nature of a residential area and further development should not be permitted.

Objection Peter R Storry, 461 Preston Old Road, Blackburn

Concerning the above application, which we object to:-

The amount of traffic with passengers, when attending any event (etc) is bad enough as it is now, if the plans go ahead for such proposals, the amount of traffic, can/will only increase, with further personnel attending such events; when taxi's/minibuses, disembark or leaving said premises, is a very hazardous procedure, an accident waiting to happen, with perhaps a fatal one, heaven forbid; the personnel, especially when leaving, either very drunk, or partly drunk (or whatever) have NO REGARDS to the residents nearby, by shouting ,swearing or very noisy, upto one a.m. in the morning, stated taxi's just stopping in the middle of the roadway, causing on coming traffic to take avoiding action, sometimes sounding their respective horns at well beyond the time limit, plus parking and stopping outside nearby driveways, and many times waiting for respective passengers, for quite sometime,when asked to move, whether it be taxi drivers, or friends picking up people, all one gets is abuse, rather vehemently, this is just not on, especially in a residential area, the already parking of vehicles, makes for a very congested presence hence the 'delivery'of passengers making it much worse for road users.

Things will only get worse, not better; the local people, feel that, it is nothing to do with 'people' of the area,as by the amount of incoming fare paying passengers, who appear to be from other area's, and not 'local' more a question of making more money, no doubt the loudness of their music systems will also get more noisy as well!

A for instance, on October 20th-22nd. A function of a Beer & Cider Festival took place; the day after, Monday 23rd. at 3:30a.m. until 4:30 a.m. a person was witnessed running up and down the access lane to the Club, swearing, with strong lights from the car park, then a dark coloured Transit type van, roared off, in the direction of Blackburn. this would appear to be a peculiar time for 'packing' up, again, very unfair. To advertise this event, large notices were attached to the metal fencing, at the Club,and to the railings adjacent the pavement/roadway, these notices are still up, why! This just does not auger well in a residential area, which once was a desirable area of Blackburn.

Objection Peter R Storry, 461 Preston Old Road, Blackburn

Further to our previous comments on the above Club and its projects; another concern, and from 'experience' regarding the 'Highrise' walkway access, from the car park, to the (seemingly) first floor entrance, it could very well be that, this part of the building would be used as a meeting/drinking/loud talking extra place to do same, as, in the past they have done this, albeit, at the rear of the Club, which was supposed to be a fire exit! This again at the end of the day will/would encroach on our privacy, etc., especially, during the summer months.

Coupled with the above is, the probable light sign, advertising the Club, the present one even now is left on all Night; and, is obtrusive to us, seemingly, such establishments, can get whatever they want, at the cost of near-by residents, no doubt the new one when it goes up, will be even worse, the building being very much higher, we object most strongly to this, probable extra inconvenience,

Objection Stewart Keighley, 10 Firtrees Drive, Blackburn

i wish to make a formal complaint against the above planning application in particular the noise aspect

The Noise Management Consultant company study which was carried out over the weekend 10-13 November 2017 is totally flawed and a fresh study be carried out for the following reasons

1) the noise assessment was carried out over 1 weekend only , (52 weeks in a year) these results can vary dramatically depending on changing meteorological conditions which can easily cause fluctuations in sound by 10 - 20 db, ground conditions, wind direction, Atmospheric absorption of sound, temp variation all have a dramatic influence Obstacles and barriers significantly affect sound transmission .
The more direct line of the sound transmission point to source the less fluctuation in noise

2) the assessment was carried out in November, most people are not prepared to venture out onto the club decking when it is cold wet and dark, (not a true reflection of the noise that is coming from the club during the summer months)

3) The group stopped play at 11:45, this is very unusual as when a group is playing it is well after 12:45 before they finish, (the noise nuisance team have twice caught the club playing music after its midnight licence, i have personally complained about noise from bands playing on 10 occasions to the noise nuisance team, i have also been present when this has happened as i am a member of this club)

4) the club where fully aware of the Noise study being carried out, (The club commissioned the study) Making sure they kept noise to a minimum and within their music licence conditions.

5) the location of NSR 2 (noise sensor receptor) is not in the direct line of the source of the noise (patio doors leading onto decking) the NRS 2 was place in a heavily overgrown shrubbery with large trees to either side causing a direct barrier to noise.

i am quite happy to have a NSR placed upon my bedroom window which is in direct line of the patio doors and decking with no barriers what so ever,

6) The report assumes that only 30 people will at any one time access the 1st floor balcony, ground floor decking and the smoking area, i consider this well underestimated, the club proposes the new function room to hold 150 people, the proposed balcony will only be a magnet for people to congregate on and admire the view, i would put a figure in excess of 50, during the summer month this year on the ground floor decking area i have counted in excess of 30 people sitting/standing on the decking until well after 11pm

7) The noise management consultancy company refers to figures and stats from the "Red Book noise type, The cricket club is not a night club or live music venue it is a cricket club in a residential area

8)With a proposed 1st floor added it has been proved that the higher the source is from the ground the less distortion and reflection the further it will travel, (the noise from the 1st floor created by 10 people will be heard louder than that from the same number of people on the ground floor.

9)The Management Control Proposals are unrealistic:-

The placement of notice to be quite are useless who reads these or even takes any notice, (NOT DRUNKEN PEOPLE ONLY INTERESTED IN HAVING A GOOD TIME) with no respect for local residence.

it is proposed to fit closing arms on the patio doors to make sure they close, this is easily over come by propping chairs against the doors to wedge them open, as is being carried out currently on the ground floor patio doors in full view of management and bar staff, decking

How can the club management be trusted?, they have on two occasions blatantly ignored their music licencing law being caught by the noise nuisance team, and on another 10 occasions by my self who has complained about both music noise and shouting from the decking to the noise nuisance team, (the noise nuisance team have only been monitoring the front of the building not the rear where all the noise comes from.

i have on several occasions spoken to the management on ways to reduce the noise from the decking (place the cricket screens in front of the patio doors after 8pm reflecting the noise back towards the club) none of which have been acted upon,

The management make a lot of noise about working with the community and local residence, i have seen none of this, coming to the conclusion that the management of the club are not to be trusted and have no respect for the residents concerns

Finally, Firtrees Drive is a cul de sac and has a residence of mainly retired people, from 9pm onward their is hardly any movement on the road, as one could say you can here a pin drop, the noise from the club is detrimental to our health and quality of life, causes myself to be woken up from my sleep and unable to get the necessary quality sleep on every occasion the club holds a function at weekends

Objection Mr & Mrs Parkar

I am emailing you to let you know of our disappointment in regards to an application that has been put in from the Cherry Tree Cricket Club ref 10/17/1278.

We would like to make sure our interest is put forward that we would like to object about the application, as it is not in our favour, we already have a lot of disruption with parking and many other issues that happen because of cherry tree club customers.

There is also a great amount of noise disruption during late hours of the night, as the days are now getting smaller and darker nights we can only hope that we have some consideration for residents of in this area.

Objection N Allen, 103 Old Gates Drive, Blackburn

Further to the revised planning application at Cherry Tree Cricket Club I wish to make the following observations.

The addition of a first floor balcony will significantly increase noise disturbance when used by a number of patrons, especially on warm evenings when there is reduced background noise from inclement weather. Based on previous history this is likely to cause increased disturbance to ourselves, at present we are unable to keep windows open on hot nights when events are held at the cricket club due to the noise levels emitted.

I note the noise assessment recommends that doors leading onto the balcony are kept closed during functions. I would question the practicality of this especially given that the ground floor doors and windows are kept open in the summer months until late into the night whilst the club is operating.

Even if doors were fitted with closures I suspect these would be held open using a chair or similar object and that the policing of open doors or windows would be extremely difficult without having someone permanently present at each door location.

Whilst the number of doors within the rear facade has been reduced the balcony can still be accessed by patrons.

We already suffer some noise disturbance within the summer months from the ground floor even though this is reduced due to the vegetation / bushes located on the site boundary. Any noise coming from first floor level will pass above the existing bushes resulting in increased noise levels.

Whilst I am not against the original application I object to the alterations due to the points noted above.

The following measures could be put in place or included as part of the planning consent to mitigate potential noise disturbance:

Ensuring the balcony is fully glazed floor to ceiling height.

Installation of air conditioning to mitigate the need to keep doors / windows open. Planting more sound absorbing screening to the site boundary.

Restricting access to the balcony only up to 9pm although this is dependent upon good management by the club operators and may be difficult to enforce.

If you wish to clarify any of the points noted above please contact me at your convenience.

Objection Joyce Helen Duckworth, 498 Preston Old Road, Blackburn

I feel compelled to compose this letter to register my objection to the further expansion of Cherry Tree Cricket Club. I have inspected the plans and I am very unhappy with what I see. It is my opinion that the club has expanded as far as is necessary and should not be permitted to develop further, in size or permitted opening hours.

The owner / developers of this establishment are obviously business people, all very well but what about the local residents who now have an already extended clubhouse on their doorsteps. A brief glance around the locale will reveal three properties presently for sale (as at date above) is this just coincidence? I think not, if questioned the vendors of these properties will be reticent and probably not reveal the true reason (Cherry Tree Cricket Club) for selling, for fear of devaluation of their properties.

To clarify my opinion there is already underlying discontent with this establishment with most local residents in its existing form, without the planned possible extension. Upon inspection of the application it is proposed that the road leading to the clubhouse is to be widened and the existing long-established hedgerow is to be removed. What about the privacy of the adjacent properties and noise from vehicles, in particular taxis using this access, not to mention drunken behaviour which already exists.

As for the proposed second storey extension I feel that the existing development has expanded far enough. What about the two immediate established properties and other properties which will look at the rear elevation of this proposed development. I feel that the cricket club has expanded much more than it should and that cricket is only a front for a drinking and late-night venue for revellers. Recently the club has hosted a beer festival, what relevance has this to the game of cricket? Perhaps it should be renamed Cherry Tree Cricket Pub and Night Club.

As a footnote to my comments I must ask where the manager / owner / licensee / business partner (s) etc live? not in the immediate vicinity I would care to wager.

I eagerly await any comments you may have on this application, should it be approved it will only further change the nature of a residential area of Cherry Tree, which was at one time a quiet and peaceful place.
