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Planning and Highways Committee

Thursday, 20th September, 2018

6.30 pm

Meeting Room A, Blackburn Town Hall

AGENDA

1. **Welcome and Apologies**
2. **Minutes of the Previous Meeting**
Minutes 16th August 2018 **3 - 6**
3. **Declaration of Interest**
Declaration of Interest **7**

PLANNING MATTERS

4. **Planning Applications**
Planning Applications Summary **8**
- 4.1 **Planning Application 10/18/0230 - Old School Grounds, Edgworth, BL7 0PU**
Planning Application 10-18-0230 - Old School Grounds, Edgworth, BL7 0PU **9 - 63**
- 4.2 **Planning Application 10/18/0396 - Land and Properties off Billinge End Road, Blackburn BB2 6PY**
Planning Application - 10-18-0396 - Land and Properties off Billinge End Road, Blackburn BB2 6PY **64 - 132**
- 4.3 **Planning Application 10/18/0502- 11 Vale Street, Edgworth, Bolton BL7 0EB**
Planning Application - 10-18-0502 - Planning Application - 11 Vale Street, Edgworth, Bolton, BL7 0EB **133 - 146**
5. **Implementation of the Revised National Planning Policy Framework (2018) and Other Relevant Updated/New National Planning Guidance**

Implementation of NPPF 2018 and other NPPG	147 - 157
6. Petition objecting to a planning application for the proposed change of use of 282 Blackburn Road, Darwen from a Bed and Breakfast to a 6 bed Therapeutic Centre	
Petition 282 Blackburn Road Darwen	158 - 159
 PART 2 - THE PRESS AND PUBLIC MAY BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS:	
7. Enforcement Report	
Enforcement report	160 - 166
 Update Report	 167 - 168

Date Published: Wednesday, 12 September 2018
Harry Catherall, Chief Executive

PLANNING AND HIGHWAYS COMMITTEE
16th August 2018

PRESENT – Councillors; Smith D (in the Chair), Akhtar H, Casey, Daley, Davies, Groves (substitute for Cllr Riley), Jan-Virmani, Khan Z, Khonat, Marrow (substitute for Cllr Hardman), Oates, Slater Ja

OFFICERS – Gavin Prescott (Development Manager), Michael Green (Legal), Saf Alam (Highways Development Control Engineer) and Wendy Bridson (Democratic Services).

RESOLUTIONS

13 Welcome and Apologies

The Chair welcomed everyone to the meeting. Apologies were received from Councillors Hardman, Richards and Riley.

14 Minutes of the last Meeting held on 12th July 2018

RESOLVED – That the minutes of the last meeting held on 12th July 2018 be confirmed and signed as a correct record.

15 Declarations of Interest

There were no Declarations of Interest received.

16 Planning Applications

The Committee considered reports of the Director of Growth and Development 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>
10/18/0075	Wainhomes (North West) Ltd & Bowsall Ltd	Site address: Land at School Lane, Guide, Blackburn, BB1 2JX Proposed development: Full Planning Application for Full application for 45 dwellings with associated new access, landscaping and parking and associated works	Approved subject to delegated authority being given to the Head of Service for Planning to approve planning permission subject to an agreement under Section 106 of the Town and Country Planning Act 1990,

			<p>relating to the payment of financial contributions which relate to matters highlighted in the Director's Report.</p> <p>Should the s106 agreement not be completed within 6 months of the date of this resolution, the Head of Service for Planning will have delegated powers to refuse the application.</p> <p>With conditions as detailed in the Director's Report and additional conditions as detailed in the Update Report.</p>
10/18/0183	Mr & Mrs J Czutkwona	<p>Site address: Wayoh Barn, Blackburn Road Edgworth, Bolton, BL7 0PZ</p> <p>Proposed development: Outline Planning Application for demolition of existing building, residential development of up to 5no. dwellings and site access; with all other matters reserved</p>	Approved subject to the conditions highlighted in the Director's Report.
10/18/0417	Mr Simeon Stuttard	<p>Site address: The Arches, 581-583 Preston Old Road, Blackburn, BB2 5HD</p> <p>Proposed development: Full Planning Application (Retrospective) for Retrospective change of use from A1 convenience store to A3 cafe-restaurant</p>	Approved subject to the conditions highlighted in the Director's Report and additional condition as detailed in the Update Report, with further approval for Sunday hours to be extended from 10:00 to 18:00 hours.
10/18/0581	Blackburn with Darwen Borough Council	<p>Site address: Blakewater Lodge Rest Home, Swallow Drive, Blackburn, BB1 6LE</p> <p>Proposed development: Prior Notification - Demolition (Regulation 4) of former rest home</p>	Noted that prior approval was not required subject to works being undertaken in accordance with the submitted and reviewed information as detailed in the Director's Report.
10/18/0612	Blackburn With Darwen Borough Council	<p>Site address: Land at Bank Top / Redlam Brow, Blackburn</p> <p>Proposed development: Full Planning Application (Regulation 4) for Demolition of former Griffin Public House, Nos. 35-41 Stansfeld Street and Nos. 12-24 Hancock Street, site enabling works and other associated works.</p>	Approved subject to the conditions highlighted in the Director's Report.

17 Planning Service Performance Report – Processing Planning Applications

A report was submitted informing Members of the Committee of the Planning Service's current performance in processing planning applications which followed the Secretary of State for Communities and Local Government published document in November 2016 "Improving Planning Performance – Criteria for Designation", which set out the criteria the Government intended to use for designating a Local Planning Authority as underperforming and the thresholds that Authorities would be assessed against.

The report highlighted the Council's performance for the rolling period of 2 years up to 30th June 2018 and confirmed that the Council was currently meeting the Government's thresholds.

The Committee expressed their thanks and congratulations to the Officers and Chair.

RESOLVED – That the Committee Note the content of the Report.

18 Petition – Display of a free standing advertisement on land at Whalley Old Road

A petition was submitted informing Members of the Committee of the receipt of a petition relating to the display of a free standing advertisement on land at Whalley Old Road, Blackburn.

The Committee were informed that the application had been approved on the 8th March 2018 and had been on display since. Members were advised that there was no statutory duty to carry out a public consultation for an application for Advertisement Consent.

RESOLVED – That the Committee note the petition and that the Lead Petitioner be notified of the decision.

19 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.

20 Enforcement Report

A report was submitted seeking authorisation to take enforcement action against all persons having an interest in land at 23B Randal Street, Blackburn, BB1 7HP.

Background information including grounds for the request were outlined in the report.

RESOLVED - That authorisation be given to the proposed enforcement

action at 23B Randal Street, Blackburn, BB1 7HP.

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 Disclosable Pecuniary Interest or an Other Interest under paragraph 16.1 of the Code of Conduct, 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 Democratic Services Officer 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:

DISCLOSABLE PECUNIARY/OTHER (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 17 of the Code of Conduct for Members of the Council refer)



BwD Council - Development Control

General Reporting

REPORT NAME: Committee Agenda.

REPORT OF THE DIRECTOR OF GROWTH & DEVELOPMENT

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, Development 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: 20/09/2018

Application No	Applicant	Site Address	Ward
10/18/0230	Mr Shaun Readey The Brook House Bury Road Edgworth Bolton BL7 0AR	Old School Grounds Edgworth BL7 0PU	North Turton With Tockholes
Full Planning Application for Erection of a single dwellinghouse (C3 Use Class) with associated access, parking and landscaping (resubmission of 10/17/0278)			
RECOMMENDATION: Refuses			
10/18/0396	Mr Sauban Issa C/o agent	Land and Properties off Billinge End Road Blackburn BB2 6PY	Beardwood With Lammack
Full Planning Application for Residential development of 5 no. dwelling following demolition of existing buildings			
RECOMMENDATION: Permits			
10/18/0502	Mr Mark Gregory 11 Vale Street Edgworth Bolton BL7 0EB	11 Vale Street Edgworth Bolton BL7 0EB	West Pennine
Full Planning Application for Demolition of existing dwelling and erection of replacement dwelling			
RECOMMENDATION: Permits			

REPORT OF THE DIRECTOR

Plan No: 10/18/0230

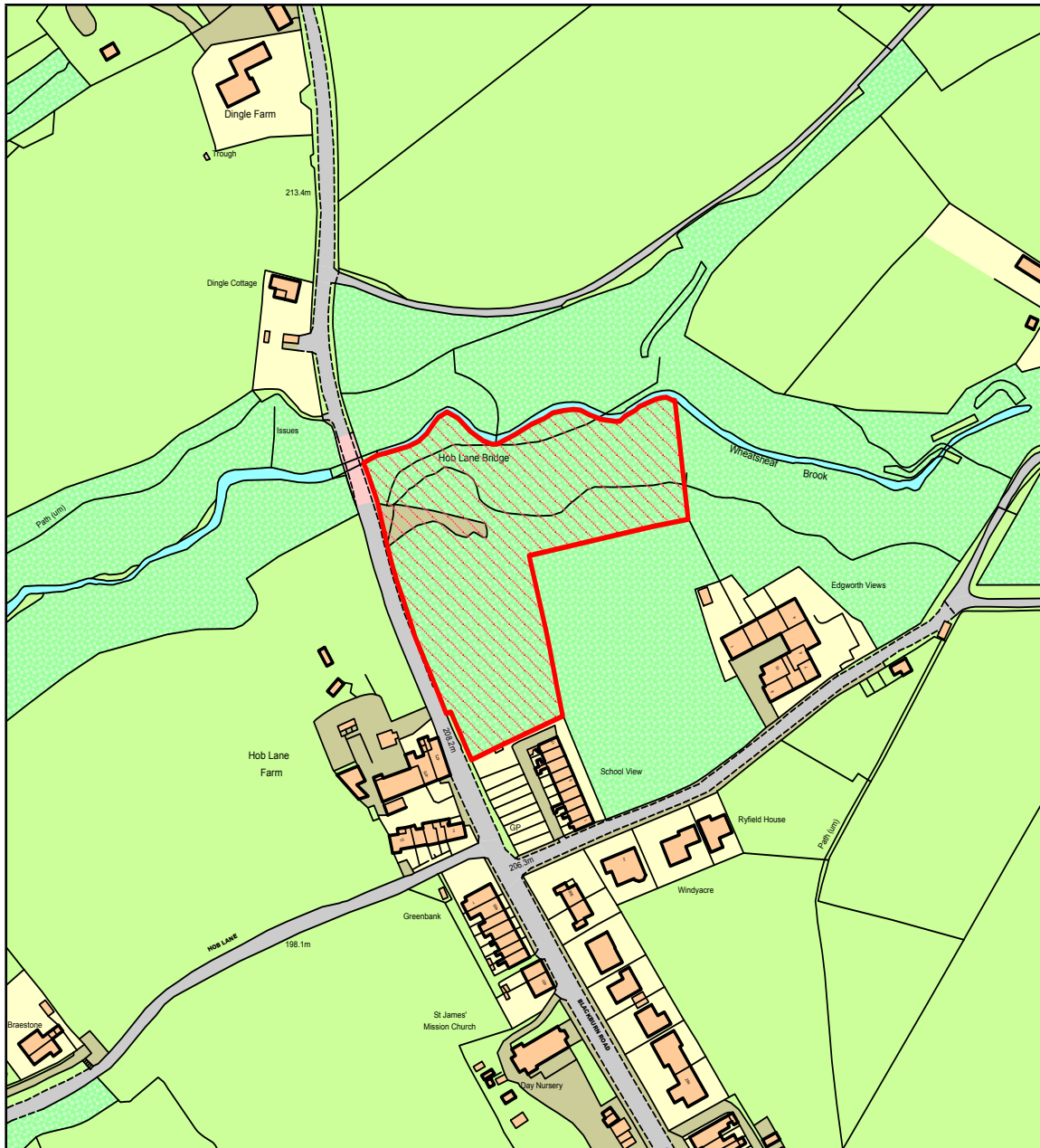
Proposed development: Full Planning Application for Erection of a single dwellinghouse (C3 Use Class) with associated access, parking and landscaping (resubmission of 10/17/0278)

**Site address:
Old School Grounds
Edgworth
BL7 0PU**

Applicant: Mr Shaun Readey

Ward: West Pennine

**Councillor Colin Rigby
Councillor Jean Rigby
Councillor Julie Slater**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 The proposed development is **recommended to be refused** planning permission for the reasons as stated in paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This application is presented to the Committee through the Chair Referral process in accordance with the Scheme of Delegation. The proposed development has been the subject of wide publicity with the local community. As a result, a total of 13no. objections have been received relating to the proposal. A summary of the objections is provided at 6.1 below.
- 2.2 The key issue to be addressed is whether the house would be appropriate development in the West Pennine Moors Green Belt, with particular reference to the following:
- Local and national planning policy considerations – impact on the Green Belt
 - Is the design truly outstanding or innovative and does it represent the highest standards of architecture?
 - Would the design significantly enhance its immediate setting?
 - Would the design be sensitive to the defining characteristics of the local area?
 - The Ecological context
 - Highways considerations
 - Drainage and related issues
- 2.3 At the outset, Members are advised that on 24th July 2018, the Government replaced the original NPPF with a revised version. Central to the applicant's rationale for the proposed dwelling and to the objections raised against it is Paragraph 55 of the NPPF (March 2012).
- 2.4 Paragraph 55 stated: "Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:
- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
 - where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
 - where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
 - *the exceptional quality or innovative nature of the design of the dwelling*. Such a design should:
 - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - reflect the highest standards in architecture;
 - significantly enhance its immediate setting; and

- be sensitive to the defining characteristics of the local area.”

- 2.5 In the new NPPF (July 2018), these issues are dealt with in Paragraph 79, which states: “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
 - d) the development would involve the subdivision of an existing residential dwelling; or
 - e) the *design is of exceptional quality*, in that it:
 - is truly *outstanding or innovative*, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area”.[author’s emphasis]

2.6 It is considered that for the purpose of this assessment, the rationale behind the application remains unchanged, and that the only criterion in both the original and the new NPPF that the proposed dwelling could aspire to meet would be the quality of its design. But to ensure that this report is in accordance with latest policy, it will be referring to Paragraph 79 rather than Paragraph 55.

2.7 Where Paragraph 79 is referenced already in objectors’ letters, they are referring to the paragraph in the original NPPF (March 2012) where the purpose of the Green Belt is set out as follows: “*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*”. This wording is incorporated into the new NPPF, unchanged, in Paragraph 133.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The site of the proposed development is located alongside Blackburn Road, between School View to the south and Wheatsheaf Brook to the north. The land lies outside the Edgworth village boundary and within the West Pennine Moors, on land designated as Green Belt.

3.1.2 School View, to the south of the site, is comprised of a row of modest stone-fronted terraced cottages, presenting their rear elevations to Blackburn Road,

most of these rear elevations being rendered and having single storey extensions. The cottages are set back from Blackburn Road and separated from the main highway by long strips of garden in between. School View is located on the northern-most tip of the village boundary.

- 3.1.3 Wheatsheaf Brook, to the north of the site, runs through a narrow, steeply-sided valley, with a dense covering of trees and vegetation on both banks. The course of the brook, along with the woodland on both banks, forms an eastern limb to the Wayoh Reservoir Biological Heritage Site. This watercourse, although not in the ownership of United Utilities, feeds the Wayoh Impounding Reservoir. The south bank of the Brook and its woodland lie within the ownership of the applicant, although this is excluded from the proposed curtilage area. The land rises steeply from the Brook towards the south and the proposed site for the dwelling.
- 3.1.4 The application site is not the original school grounds, but land adjacent to the school grounds. Access is by way of a rough track that climbs up a steep slope from Blackburn Road onto the land proposed for the dwelling.
- 3.1.5 To the rear of the site is located Edgworth Views, a modern housing development off School Lane, also located within the Green Belt. This development was formed from buildings that had previously served as a school, and therefore represented the redevelopment of a previously developed site which, whilst pre-dating the NPPF, accords with Paragraph 145 of the new Framework.

3.2 Proposed Development

- 3.2.1 The proposal is for full planning permission to be granted for a detached dwelling.
- 3.2.2 The proposal is the resubmission of planning application 10/17/0278 for two detached dwellings which was withdrawn by the applicant on 21st September 2017.
- 3.2.3 The rationale for the new application is that the design of the dwelling has been “set to meet the criteria of outstanding design under Paragraph 55 (now 79) of the NPPF (National Planning Policy Framework)”. Members are advised that Design Review Panels are set up for the purpose of reviewing proposals for Paragraph 79 applications prior to those applications being submitted to the Local Planning Authority. A presentation is made to the panel of proposals and advice is given both verbally at the presentation and later in a formal written form to the applicant. The proposed dwelling before the Committee has been through such a process (Places Matter Design Review), and the matter is discussed further under 3.5.8 below.
- 3.2.4 The proposed dwelling is comprised of modular box units sunk into the hillside on the east of the application site and emerging towards the west in widening arc formation. The building is single storey with a flat roof characterised by undulating gradual pitches. The grass covering is designed to provide a

continuation of the landscape when viewed from the east. The west-facing elevations are characterised by glazed frontages, each modular unit comprising of two floor-to-eaves windows/French windows. The proposed dwelling's total floor area including the garaging, plant rooms and corridor links amounts to approximately 745 square metres (8,019 square feet).

- 3.2.5 The dwelling is designed in such a way that the dwelling can be occupied either as a single dwelling, or as a dwelling with a 'granny annex' that can have a measure of privacy from the main house. At the outset to this application, the main house was to have been made up of four modules comprised of an open plan kitchen and communal living space, with separate dining room and five en-suite bedrooms. The annex was to have been made up of three modules, with similar internal layout but three bedrooms.
- 3.2.6 Throughout this application process on-going discussions have been taking place between the LPA and the applicant and his agent, mainly centred around the principle of residential development in the Green Belt and the potential impact of the dwelling on the Green Belt – and this issue is addressed further on in this Report. In response to the concerns expressed by the LPA, the original proposals have been modified, with one module being removed from the main house thereby reducing the number of bedrooms from five to three. The communal living space and the annex remain as originally proposed. It is these amended plans that are before the Committee.
- 3.2.7 The main garden area is to the west of the dwelling, between the modules and Blackburn Road. Parking is provided to the rear for both the main dwelling and the annex, with a large central courtyard to the rear of the main dwelling and two smaller grassed areas behind the annex.
- 3.2.8 Access from Blackburn Road utilises the existing opening, with the driveway being located above the southern bank of Wheatsheaf Brook, approaching the property on its eastern aspect. There is also a proposed footpath leading from the dwelling to Blackburn Road close to existing residential terrace off School Lane.

3.3 Development Plan

3.3.1 Blackburn with Darwen Borough Local Plan Part 2 – Site Allocations and Development Management Policies (December 2015)

Policy 3: The Green Belt
Policy 6: Village Boundaries
Policy 9: Development and the Environment
Policy 41: Landscape
Policy 10: Accessibility and Transport
Policy 11: Design

3.3.2 Blackburn with Darwen Borough Local Plan Part 1 – The Core Strategy (January 2011)

Policy CS5: Locations for New Housing

Policy CS14: Green Belt

Policy CS15: Protection and Enhancement of Ecological Assets

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (NPPF) (July 2018):

Section 13: Protecting Green Belt Land

Section 15: Conserving and Enhancing the Natural Environment

Section 5: Delivering a Sufficient Supply of Homes

Section 12: Achieving Well-Designed Places

3.5 Assessment

There are seven issues for Members to consider relating to the proposed development. These are:

- Local plan and National planning policy
- Is the design truly outstanding or innovative and does it represent the highest standards of architecture?
- Would the design significantly enhance its immediate setting?
- Would the design be sensitive to the defining characteristics of the local area?
- Ecological context
- Highway considerations
- Drainage and related issues.

Local Plan Policy Considerations.

3.5.1 The application site is situated outside the Edgworth village boundary and is designated in Policy 3 of the Local Plan Part 2 as being located within the Green Belt. Policy CS 14 of the Core Strategy (2011) indicated that the general extent of the Borough's Green Belt would be maintained. The adoption of Local Plan 2 in December 2015 following consultation on minor alterations to its boundaries, amongst other policy issues, left the application site unaffected by the changes and still within the Green Belt.

National Planning Policy Framework (NPPF) Considerations (2018).

3.5.2 The National Planning Policy Framework describes the fundamental aim of Green Belt policy as being 'to prevent urban sprawl by keeping land permanently open' – and stating that it is their openness and permanence that are the essential characteristics of the Green Belt (NPPF Paragraph 133). The NPPF (Paragraph 145) states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt except in the following cases:

- buildings for agriculture and forestry;

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

These requirements are enshrined in Policy 3 of the Local Plan Part 2. The proposed development does not conform to any of these categories in particular the latter two elements relating to “infilling”. The application site is located outside the main body of the village and there is a clear definition on the ground, between the edge of the settlement and the loose arrangement of buildings to the south-west, north-west and south-east along Blackburn Road and School Lane. The greener surroundings in which the application site is located sets the area apart from the main built-up area and the existing buildings along Blackburn Road. Members are therefore advised that the proposal would be inappropriate development in the Green Belt.

Impact on the openness of the Green Belt

3.5.3 The fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The application site lies behind a roadside dry stone wall and undulating elevated land with pockets of landscaping. Paragraph 3.1.1 to 3.1.5 describes in detail the context of the application site with its surroundings. The application site is at a higher level to the road level along Blackburn Road and is partly obscured by the undulating land, however the site is visible from the wider area to the west and east. The proposal would result in the introduction of a substantially proportioned dwelling and areas of hardstanding (driveway, turning area) that is at odds to the immediate surrounding area (745 square metres in total). Whilst the proposed design of the dwelling aims to reduce its visual impact by utilising the topography of the land and introducing a “green roof” and landscaping, it is considered that the proposed dwelling would still introduce a prominent substantial presence of a building in an otherwise open landscape. As such, Members are advised that the proposal would result in the loss of a substantial part of an open area of land to built development, thereby harming the openness of the Green Belt.

3.5.4 In Paragraph 79, the revised NPPF addresses the issue of the development of isolated homes in the countryside generally and states this:

- 3.5.5 *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
 - d) the development would involve the subdivision of an existing residential dwelling; or*
 - e) the design is of exceptional quality, in that it:*
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”*
- 3.5.6 The term ‘*isolated homes in the countryside*’ was recently defined in the Court of Appeal (*Braintree District Council v Secretary of State for Communities and Local Government 2018*). In his judgement, Lord Justice Lindblom stated that the term “*simply differentiates between the development of housing within a settlement – or village – and new dwellings that would be ‘isolated’ in the sense of being separate or remote from a settlement*”.
- 3.5.7 The first four statements of Paragraph 79 would not be relevant to the proposal before the Committee. For consideration, then, are the criteria at point ‘e’, and whether or not the proposed dwelling “*is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas*” and, “*would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*”

Is the design truly outstanding or innovative and does it represent the highest standards of architecture?

- 3.5.8 The design of the proposal has been peer reviewed at the pre-application stage by Places Matter Design Review Panel, which is a respected method of improving the quality of new development by offering constructive, impartial and expert advice. Design Review Panel meetings allow local planning authorities, clients, developers and design teams to present their schemes at the pre-planning stage to a panel of experts from the built environment sector and benefit from the discussion and constructive advice of the panel. Specifically, the Places Matter Design Review consists of a panel of respected built environment professionals providing expertise from a range of fields including: Development, Architecture, Engineering, Planning, Landscape Architecture, Urban Design, Public Art and local planning.

3.5.9 The Review Panel's final response dated 19th January 2018, encouraged the applicant to take a step back, to clearly define the narrative of the proposition, and then to ensure that they take the design development a stage further on to create a more delightful and detailed approach. It went further by advising the applicant *"that there needs to be a real understanding of the landscape, which must not be treated as cosmetic, but as a defining feature of the proposition"*. At that time the Panel felt the proposal was a *"RIBA Stage behind that required for a detailed planning submission, particularly a paragraph 55 (now 79) application."*

3.5.10 The proposed design is explained in the architects' amended supporting statement dated 5th September 2018 in the following manner:

"Feedback following the Design Review solidified some of the exceptional design features previously proposed. In particular the design was commended for the courtyard which "opens to the sky" breaking the traditional garden typology, re-locating the garden to the heart of the home, providing a close connectivity to the outdoors and promoting an exceptional quality of health and well-being. Another aspect of the design that impressed the Design Review panel - the "Slip views" that provide a progressional movement throughout the building. Upon arrival, access to the main dwelling is through the open courtyard that presents a series of internal vistas that lead the occupants around the home.

"In response to 'Paragraph 79e' of the NPPF, the proposed dwelling has a strong environmental remit. A Septic Tank will be installed, constructing a bore hole too, that recycles grey water into fresh water for the family and reducing the dependency on the local utility infrastructure. Another environmental design aspect is the installation of a Ground Source Heat Pump, which will heat the home using the substructure. Despite a need for electricity to be supplied to the new dwelling, the ground source heat pump will reduce the overall electricity consumption.

"The proposed dwelling provides a range of thermal properties, both natural and man-made. Firstly, the home is naturally insulated as one side of the building is built into the embankment. Secondly, the dwelling is to be constructed out of ICF - Insulated Concrete Formwork. This allows the home to be constructed rapidly, reducing construction time and minimising disruption to the neighbouring properties. This highly innovative form of construction is 40% more efficient than conventional construction. The central courtyard allows the home to be naturally ventilated and heated with cross flow ventilation throughout the building and solar gain. The proposed renewable energies will 'raise standards of design more generally in rural areas' and make people aware of the possibilities of dwellings that can be environmentally friendly using natural assets of these rural areas.

"An important aspect of the design is to ensure it harmonises with the existing local vernacular and aesthetic. The external finishes have taken precedent from the existing immediate context. Local stone will be applied to the dwelling, promoting local businesses, reducing travel

distances of loading on site and ensuring the dwelling is 'sensitive to the defining characteristics of the local area...

"The proposed dwelling merges the roof into the existing topography, lowering the building into the ground and allowing a minimal impact to the immediate properties with NO visual intrusion, yet creates landmark architecture on the peninsula outcrop".

- 3.5.11 It is considered that the design is in accordance with the requirements of Policy 11 of the Local Plan 2 in expressing a high quality architectural style. The proposal is a bespoke response to the site and the surroundings. The structure is considered to work well, splaying out from the hillside, the modular structure and grassed-roof form integrating well. The insulated concrete structure is proposed for giving efficiency of construction and minimising disruption to neighbouring properties. The finished building includes dry stone wall cladding, a material that takes account of the surrounding vernacular. Glazing is of good proportion and sufficient to allow light into the interior of the dwelling, which is additionally lit – and ventilated – by the open central courtyard.
- 3.5.12 The assessment, however, is not whether the proposal is vernacular or modern/incongruous, but rather whether it is a truly outstanding or innovative design and helps raise the standard of design more generally in the rural area. More specifically, the assessment must determine whether or not the design is of such outstanding quality as to negate the general presumption against inappropriate development in the Green Belt.
- 3.5.13 Whilst submission documents describe the building as 'innovative', the dwelling is not considered to be so. The modular style of the living accommodation, the materials proposed to be used in the dwelling's construction, and the use of renewable technologies are known and used in the construction industry, and therefore not considered to be innovative. The employment of the sloping landscape into which to insert the building has been previously used also; and although providing a high quality design response to the question of integrating a new dwelling into the Green Belt site, the proposal is not considered to be so outstanding or innovative as to outweigh the harm to the Green Belt.
- 3.5.14 In considering an appeal against a refusal for a Paragraph 55 (now 79) house in Solihull, an Inspector noted the evolution of the design following analysis and critique from a design review panel; and although there were strong positives in the proposal, found that the design "*would not elevate the building to such a level that it would clearly outweigh the harm to the Green Belt by reason of inappropriateness*" (decision dated 8th May 2018 - appeal reference APP/Q4625/W/17/3189652). Similarly in the application before Committee, it is considered that there are strong positives within the design that, in a countryside area might tip the balance in favour of the proposal. However, given the status of the application site as Green Belt, it is considered that the harm accrued would not be outweighed by the design.

Would the design significantly enhance its immediate setting?

- 3.5.15 The immediate setting is comprised of a wide expanse of unimproved grassland habitat. The land banks up towards the site from Blackburn Road on its western side. To the east the land continues in open vein across the former school playing field to Edgworth Views. To the south the land is bounded by School View, a small row of terraced dwellings whose gable end abuts the northern boundary of the village of Edgworth. To the north the land drops steeply to Wheatsheaf Brook. The application site, with its relatively wide frontage set above Blackburn Road, represents a definite visual break, marking a point where the village of Edgworth tapers out at School View and giving way to open countryside that drops down on the northern side of the site to Wheatsheaf Brook.
- 3.5.16 The Design Review Panel expressed a view that there needed to be “*a real understanding of the landscape, which must not be treated as cosmetic, but as a defining feature of the proposition*”. The submitted Ecological Management Plan demonstrates to a degree that this advice has been acted upon. The woodland, which lies outside the designated curtilage, is proposed to have bird and bat box provision installed. The grassland upon which the proposed dwelling is to be sited is to remain in situ and is designated as an ‘enhanced grassland management’ area, with the sowing of appropriate wild flower grassland seed, and with native fruit trees and hedgerow marking the eastern boundary of the site.
- 3.5.17 However, a fundamental aim of Green Belt policy, as set out in Paragraph 133 of the NPPF, is to prevent urban sprawl by keeping land permanently open, with openness and permanence identified as being two of the essential characteristics of Green Belt.
- 3.5.18 To this extent, introducing a dwelling to this site would result in built development where there is presently none. Even with the proposal to merge the dwelling into the hillside and to manage the landscape around it, the emergence of the dwelling on its western aspect, and the projection of the building and roof above, is considered to have an unacceptable impact on the openness and permanence of the Green Belt, notwithstanding the presence of the ribbon of terraced dwellings to the south of the site. Consequently, it is considered that the design fails to significantly enhance the immediate setting, contrary to Policies 3 and 8 of Local Plan Part 2 and the NPPF.

Would the design be sensitive to the defining characteristics of the local area?

- 3.5.19 Earlier this year, a subterranean dwelling house in a field in Egerton, Bolton, was dismissed at appeal (decision dated 15th May 2018 – appeal reference APP/N4205/W/18/3192935). The design was found to have won the Northern Design Awards 2016, that it would take into account the topography of the site, the materials would take into account those used in the setting, and that it

would be carbon neutral and eco-friendly. However, the proposed dwelling was not considered by the Inspector to be isolated, in that its site, although lying in Green Belt, was also located close to a settlement. She considered that the bullet point allowing for 'exceptional or innovative design' was therefore not relevant and the development remained inappropriate. What is considered of particular relevance in this case is that, where a development site is located within the Green Belt, but is also in close proximity to a built-up area, the site's defining characteristics is drawn from both, and the proposed development must take account of both.

- 3.5.20 The wider context in which the application site is located encompasses the northernmost tip of the village of Edgworth, the woods along the watercourse that feeds into Wayoh Reservoir and open countryside to the east and west.
- 3.5.21 Paragraph 79 of the NPPF relates to isolated dwellings in the countryside. In geographical terms, the proposed dwelling is not isolated, but is proposed for land that abuts the village boundary and the terraced dwellings on School View. The context required to be assessed by Policy 11 of the Local Plan Part 2 therefore includes taking into account the built and landscape features in which the development is to be set (11. 2.i)) and the long distance views of and into the development (11. 3.vii)).
- 3.5.22 The village boundary is drawn in such a way that, journeying northwards along Blackburn Road, the village of Edgworth integrates gradually into the surrounding countryside – the School View properties being set above the main road to the east, and the village boundary projecting further out on the west side to encompass the buildings at Hob Lane Farm. The fields then fall away to Wheatsheaf Brook. And so the vista currently looks over the dry stone walling, with unimpeded views of the tops of the trees that line the Brook. The proximity of the proposed dwelling to the village is such that it changes the nature of the relationship between the site and Edgworth. Notwithstanding the proposal to utilising stone as a vernacular material in the dwelling's construction, it is considered that the proposal fails to connect with the movement from the newer dwellings located further into the village, to the more traditional rural cottages and farm buildings that stand against its northern boundary.
- 3.5.23 Moreover, it is considered that the proposed new dwelling would have a greater footprint and be higher and bulkier than the buildings within the immediate setting. On that basis, it would result in the introduction of a significant quantum of development into what is currently a relatively development-free area, resulting in loss of openness contrary to the exceptions regarding development in the green belt set out in the NPPF. It is considered that introducing the urban form of the building and its environs into the landscape compromises the village boundary and significantly harms the Green Belt landscape as it stretches away from the village towards the Brook and encroaches into the Green Belt gap between Blackburn Road and Edgworth Views. It is therefore considered that the proposed development fails to be sensitive to the defining characteristics of the local area. The incongruous nature of the form of the development is insensitive to the

manner in which the village tapers off into countryside and to the setting of Wheatsheaf Brook.

3.5.24 Approaching the site from the north, Blackburn Road drops down from Dingle Farm to Hob Lane Bridge, where the road crosses Wheatsheaf Brook. The road bends slightly eastwards, with the trees thinning out beyond the Brook. The vista encompasses Hob Lane Farm at the top of the rise to the west, with the application site being on the hillside to the left (east) of the highway. Currently, the village opens gently, with the School View cottages being visible only above their eaves level. It is towards the North and the Brook that the proposed dwelling presents the most prominent aspect of its form, with the roof being a rising feature that breaks into the vista. Irrespective of the landscape proposals, it is considered that the urban form would be an abrupt interruption in the landscape, in the open skyline and the open approach to Edgworth. Moreover, it is considered that the urbanisation of the site would be detrimental to the setting and experience of Wheatsheaf Brook.

3.5.25 Existing views along School Lane to the east provide an open vista between Edgworth Villas, adjacent to the Lane, and the terraced dwellings along School View in the background. The view for walkers through the gap provided by the original playing fields and the application site is of the woodland that lines the course of Wheatsheaf Brook and the hills beyond. The proposed dwelling would be substantially screened from view, although it is not considered likely that the developed site would fully integrate with the wider field network. However, this openness of the land formed part of the reason for the Inspector upholding the Council's decision to refuse a planning application for two dwellings on land to the south side of School Lane (Application reference: 10/16/0134, Appeal Reference: APP/M2372/W/16/3150769, dated 8th September 2016). The proposed dwelling, if approved, may add to the pressure to continue development into the Green Belt along School Lane as an 'infill' up to Edgworth Views.

3.5.26 With regards to the built characteristics of the setting: the immediate area to the south of the site comprises the end of the village envelope and is characterised by a small cluster of stone built dwellings around Hob Lane and School lane which contribute to a distinctive village townscape representing a former pre-industrial hamlet. The proposed dwelling would have a significantly larger footprint and mass and in its emergence from the hillside would appear dominant in the countryside setting which would be at odds with the tight grain and modest proportions of the existing buildings and detract from the openness of the Green Belt. The use of modular buildings splaying out across a wide footprint within this context is considered at odds with the simpler proportions and modest character of the rural Pennine vernacular. In this respect they are considered to fail the criteria set out in Policy 11 of Local Plan 2 in that they fail to complement local character.

3.5.27 Paragraphs 5.10 and 5.11 of the Supporting Planning Statement make the case that the proposed dwelling represents infill dwelling and therefore has limited impact on the Green Belt. Paragraph 3.5.2 above illustrates why it is considered that the proposed development is not "infill development". It is

considered that infill development is applicable to village development only and does not constitute an exception to Green Belt development, either in the NPPF or the Local Plan Part 2. The land is open to the north, east and west of the application site. Development therefore would not represent infilling but, by its proximity to Edgworth, it would appear as an extension to the village boundary (rather than being an isolated dwelling in the Green Belt). Paragraphs 133 and 136 of the NPPF emphasise the permanence of Green Belt and that 'Green Belt boundaries should be altered only in exceptional circumstances'.

3.5.28 In these respects, the proposal is considered to be insensitive to the defining characteristics of the area, contrary to Policies 3, 8 and 11 of the Local Plan 2 and the NPPF.

Ecological context:

3.5.29 Policy 9 of the Local Plan Part 2 sets out specific considerations in terms of the ecological context of the development if the proposed dwelling is to significantly enhance its immediate setting in accordance with Paragraph 79 of the NPPF.

3.5.30 The Preliminary Ecological Appraisal submitted with the application indicated that the development will result in the levelling of areas of unimproved grassland habitat (Paragraph 4.1), which would represent a net loss of biodiversity on site and would therefore be contrary to the aims of the National Planning Policy Framework (NPPF) in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006.

3.5.31 However, the Ecological Management Plan' referred to at 1.4 and 3.96 of the Appraisal has since been submitted. Principle in its summary of the site's significance is the potential of the woodland and brook on the northern boundary of the development to provide habitats for various species. The semi-natural woodland is part of the Biological Heritage Site providing 'high' bird nesting potential, and 'low' to 'moderate' bat roosting potential. The woodland and watercourse provide a potential 'dark corridor' for commuting otters, whilst the Brook itself offers 'good habitat for white-clawed crayfish due to lack of disturbance from humans/livestock, the rocky substrata and good water clarity' (paragraphs 5.3, 5.2, 5.7 and 5.8). Badger paw prints were noted in the north-east corner of the site.

3.5.32 The Ecological Management Plan (EMP) has been assessed by Capita Ecology on behalf of the Council. The EMP has demonstrated that development mitigation proposals would result in a positive management and enhancement of areas of unimproved grassland habitat and enhancement to the Biological Heritage Site. This is therefore considered to be a net gain for biodiversity on the site and therefore in accordance with both the NPPF and Policy CS15 of the adopted Core Strategy, which requires the Borough's ecological assets to be protected, enhanced and managed with the aim of

establishing and preserving functional networks which facilitate the movement of species and populations, and so helping achieve sustainable development. The Ecological Management Plan would need to be secured by condition, should the Committee approved the application, along with the requirement to plan for the eradication of Japanese knotweed.

- 3.5.33 The proposed site for the septic tank, received only on the 5th September, appears to be right on or outside of the curtilage of the proposed dwelling, on the edge of the woodland to the north-east of the development site. This proposal is considered to be contrary to Policy 9 of Local Plan 2. Capita Ecology have provided additional comments on this. The presence of the septic tank and road curtilage immediately adjacent to the Wayoh Reservoir Biological Heritage Site represents an indirect and direct risk to ground water, disturbance and increased pressure upon the habitats through access, light spill, nutrients, and water quality. Its current siting is considered to be an infringement of a buffer area between the development and the Biological heritage Site. According to the design the septic tank is located under a tree. There are concerns as to the practicalities of installation and access during normal operations due to the location and long-term survival of the tree.
- 3.5.34 The Environment Agency have refrained from commenting directly on this matter, but advise that the operator of a septic tank or small sewage treatment plant must check to see if they meet the General Binding Rules, and if not must then apply for an Environmental Permit from the Environment Agency. Further comments on the proposed siting of the septic tank from the Council's Drainage Engineers will be reported in the Update Report.
- 3.5.35 It is noted that septic tank is located under a tree. The proposal fails to consider the practicalities of installation and access during normal operations, and would result in interference in the root protection area and potential root perforation of the tank. The proposal is therefore considered to undermine the Ecological Management Plan. If the Committee is minded to approve the application, it is advised that the decision be deferred to allow time for negotiating a more acceptable site for the septic tank.

Highways considerations:

- 3.5.36 Policy 10 of Local Plan 2 requires development to ensure that the safe, efficient and convenient movement of all highway users is not prejudiced and that appropriate provision is made for vehicular access and parking in accordance with the Council's adopted standards. Measures are required by the policy to encourage access by foot and bicycle.
- 3.5.37 The existing vehicular access currently allows for irregular access into the field which forms the application site. It is noted that this gated entrance requires vehicles to turn into and pull out of the site at a point along the highway located in a valley between steep gradients where vehicle speeds are permitted up to 40mph. The entrance to the site is not clearly visible from the northern approach until Hob Lane Bridge is reached. Adequate sightlines have not been demonstrated on the plans, and visibility for drivers exiting the

application site is likely to be difficult. The requirement to improve sightlines is considered likely to compromise the trees and natural habitats along the Brook. It is considered that road safety and the safe, efficient and convenient movement of all highway users is not secured, and the proposals therefore not in accordance with Policy 10 of the Local Plan 2.

3.5.38 The Council's parking standards requirements associated with the application are based on the number of bedrooms. The property is to have three bedrooms in the main area and three in the annex. Highways comments treat the dwelling as two dwellings, which would equate to an allowance of three spaces per property. However, the application is being assessed as a single dwelling (and would be conditioned to remain as such if being recommended for approval). The details offer four parking spaces to the rear of the site, (the space dimensions being adequate). Parking arrangements are considered satisfactory and in accordance with Policy 10.

3.5.39 The lack of footpath alongside the highway between the site and the village is to be mitigated by a proposed pedestrian walkway along the walled embankment that fronts the site. Whilst this is considered to be in accordance with Policy 10 lack of detail as to how the path will visually affect the embankment and how it will break out of the site to join the highway makes an assessment of its impact on the setting difficult.

Drainage and related issues.

3.5.40 The watercourse adjacent to the proposed development site feeds Wayoh Impounding Reservoir and it is critical that water quality is protected, in accordance with Policy 9 of the Local Plan 2. It would appear that appropriate protection measures have been identified and agreed directly between the applicant and United Utilities (confirmed by both). The applicant has forwarded a list of catchment provisions that United Utilities would expect them to follow. These are general provisions dealing with fuel, plant and machinery, pesticides, and spillages. United Utilities have confirmed that they are happy with the proposals.

3.5.41 Whilst the amended plans show water run-off being directed down the driveway to a soakaway, general details relating to drainage have not been provided, although requested. However, the Committee is advised that a request for more detailed information can be conditioned should the Committee decide to approve the application.

3.5.42 Details have been provided in regards to the discharge of human waste into a septic tank, and have been assessed at 3.5.32 and 33 above.

Conclusion

3.5.43 To conclude: Paragraph 133 of the NPPF states that "*The Government attaches great importance to Green Belts. The fundamental aim of Green belt policy is to prevent urban sprawl by keeping land permanently open; the*

essential characteristics of Green Belts are their openness and their permanence”.

3.5.44 Paragraph 79e of the NPPF requires decisions to avoid the development of isolated homes in the countryside unless the design is of exceptional quality, in that it:

- *is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

3.5.45 It is considered that:

- whilst being a high quality design, the proposed dwelling does not meet the criteria for being truly outstanding or innovative;
- that the immediate setting is not enhanced in that, whilst the proposals provide mitigation for the impact of the setting, the proposed dwelling would lead to the loss of openness and permanence to land in the Green Belt;
- that, whilst showing awareness of local materials, the dwelling fails to be sensitive to the overall defining characteristics of the local area as set out in 3.5.19 above.

4.0 RECOMMENDATION

4.1 The proposed development is **recommended to be refused** planning permission for the following reasons:

- The proposal is considered to represent inappropriate development in the Green Belt as defined by Paragraph 145 of the NPPF. There are no special circumstances that would outweigh the harm caused to the Green Belt by reason of inappropriateness, and the harm caused to the openness and permanence to the of the Green Belt. As such, the proposal would be contrary to the requirements of Paragraphs 143, 144 and 145 of the National Planning Policy Framework (NPPF 2018) and Policy 3 of the Blackburn with Darwen Borough Local Plan Part 2.
- The proposed dwelling fails to meet the criteria within Paragraph 79 of the NPPF by virtue of it not being a truly exceptional, outstanding or innovative design and which would harm the defining characteristics of the local area due to it being detrimental to the character and visual amenity of the surrounding area, contrary to Paragraph 79 of the NPPF and Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2.
- The proposed dwelling, by virtue of its scale and position in relation to both the adjacent built and natural environment, has failed to adequately address the connection between the development, the Green Belt and the end-of-village setting, contrary to Paragraphs 127 and 131 of the NPPF (2018) and Policy 11 of the Local Plan Part 2.
- The proposed dwelling, by virtue of the characteristics of Blackburn Road and its position in relation to the bend to the north of Hob Lane Bridge, has failed to demonstrate adequate sightlines to ensure clear

visibility is achievable when exiting the site. Furthermore, to achieve the required site lines would require the removal of trees along the Blackburn Road frontage which would cause further harm to the visual amenities of the area contrary to Policies 10 and 11 of the Blackburn with Darwen Local Plan Part 2.

- The proposed dwelling, by virtue of the position of the septic tank, has failed to adequately address the potential harm to the trees and adjacent watercourse of the development, contrary to Policies 8 and 9 of the Local Plan Part 2.

5.0 PLANNING HISTORY

- 5.1 10/17/0278 - Proposed erection of 2no. detached dwelling houses and new access road. Application withdrawn 21st September 2017.
- 5.2 10/87/1713 - Construction of a vehicular access off Blackburn Road. Refused under delegated powers 16th December 1987.

6.0 CONSULTATIONS

- 6.1 30 neighbouring properties were consulted and a site notice was erected. 13 letters of objection have been received (Copies of the objection can be found in Section 9). The objections can be summarised as follows:
- Land is in the Green Belt and development would harm its openness.
 - Land is beyond the recognised limits of the village.
 - Access is on a dangerous bend and close to a dangerous rise.
 - Application form and documentation wrong or misleading.
 - Danger of Wheatsheaf Brook being contaminated by construction materials and chemicals.
 - Ownership of land adjacent to the Wheatsheaf Brook disputed (the applicant has responded by providing land registry documents to illustrate that they are the owners of the application site as defined within the red and blue boundaries).
 - Development site is not infill but outside the development boundary of Edgworth Village.
 - Construction of oversized dwelling on the site would result in development where currently there is none.
 - Development is not affordable housing.
 - Development is contrary to fundamental aim of keeping the Green Belt open – the loss of openness would be significant. The introduction of access gates and the domestication of the countryside harmful to visual amenity.
 - Design and layout not in keeping with adjoining dwellings due to size and modern appearance.
 - Size of the development dwarfs School View.
 - Site overlooked by windows in Edgworth Views.

- The proposed building would be detrimental to a footpath across the field.
- Detrimental to wildlife – bats, owls, badgers and deer.
- Access onto Blackburn Road from the property dangerous owing to bend and trees obscuring view. The proposal would aggravate traffic congestion.
- Design does not conform to Paragraph 55 (now 79) of the NPPF – does not raise standards of design, nor be sensitive to or significantly enhance the immediate setting.
- If approved, a precedent could be set, making further Green Belt development difficult to resist.
- A clear statement needs to be made about the safe or allowable distance that a dwelling can be erected in relation to a Biological Heritage Site. What will the long term effects of a building so close to a BHS be on wildlife and on the watercourse?
- The legality of building on a BHS.

6.2 Public Protection. No objections on environmental health grounds.

6.3 United Utilities. The proposed development is on water catchment land that is not in the ownership of United Utilities. The watercourse adjacent to the proposed development site feeds Wayoh Impounding Reservoir and it is critical we protect water quality. To afford appropriate protection to water quality, United Utilities require additional information to inform their formal response to the application. Matters for discussion would include potential site drainage and potential construction methods.

6.4 Arboricultural Manager. Trees along Wheatsheaf Brook have protected status. Therefore a tree survey would normally be required prior to determination.

6.5 Drainage. We have no objections to the proposals but require the following condition: “Prior to commencement of the development a drainage scheme shall be submitted and approved in writing by the Local Planning Authority. The drainage scheme must include detailed design of any soakaway which must be compliant with BRE Digest 365. The drainage scheme shall be implemented in accordance with the approved details, prior to occupation of the development. REASON: To ensure a safe form of development that poses no unacceptable risk of flooding and water pollution in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.”

6.6 North Turton Parish Council. The Parish Council has no objection in principle to the erection of a dwelling on this site, but *objects* to the siting of the proposed access, on the grounds that it is unsafe, located in a dip on a blind bend within a 40mph section of road.

6.7 Highways. Although the description suggests a single dwelling house, the drawings depict 2 properties. The parking requirements associated with the

application are based on the no of beds. Each property is to have 4beds+ which would equate to an allowance of 3 spaces per property. The details offer two parking spaces within a double garage, (the space dimensions are adequate). There is no mention on where the third parking space is to be accommodated. Vehicular access to the site is form an existing gated farm entrance. No details of sightlines have been offered. These need to be received to ensure clear visibility is achievable when exiting the site. Any gates to be located should be set back at least a car width in from the edge of the carriageway. The most crucial aspect of the site is safety of vehicles when exiting the site. This has not been presented within the details received with the submission.

6.8 Ecology. No objection is held in relation to ecological receptors. The proposals offer compensation and enhancement for the Wayoh Reservoir Biological Heritage Site and provide potential gains for biodiversity through the sympathetic management of the land. However, encroachment on the Green Belt will be a consideration, Green belt being essential in managing growth and preventing urban sprawl. If the application is to be approved, the Environmental management Plan should be reinforced by condition to ensure its recommendations are carried out. Non-invasive plant species should be remediated. The septic tank location is close to a brook and reservoir and represents a risk to groundwater. Its proximity to a tree risks interference in the root protection area and potential root perforation of the tank.

7.0 CONTACT OFFICER: John Wilson, Planner. 01254 585142.

8.0 DATE PREPARED: 11th September 2018

9.0 SUMMARY OF REPRESENTATIONS

Objection Mr Andrew Tighe, 1 School View, Edgworth, Rec - 28/03/2018

FAO Mr John Wilson.

Dear Mr Wilson,

Thank you for your recent letter dated 13/3/18 and the opportunity to comment on the above referenced planning application, which as you rightly state in your letter is a resubmission of application reference 10/17/0278.

I and my partner Joanne Ordish object to this i.e. permission should not be granted.

It is my recollection that last year application 10/17/0278 was withdrawn by the applicant Mr. Ready at pretty much the last minute because it was apparent that that application would be rejected for numerous reasons, including that the land is protected green belt, there were misleading claims that the land is 'former school grounds', which it is not, and because the application absolutely did not meet the environmental aspects/criteria, which this new application also doesn't. Furthermore I do not believe this new application meets the strict NPPF criteria.

I believe that many of my previous objections are still relevant and so would ask that you continue to take them into account.

I must also point out that this new application is supposedly for 'a single dwellinghouse' yet numerous times in the many documents submitted by the applicant it states that it is 2 houses/homes. The application is clearly for 2 very large houses, so once again the applicant is being deliberately misleading/deceptive.

I would also like to make the point that a turfed/grassed roof inevitably will require regular maintenance i.e. routine gardening activities. The CDM 2015 regulations require that safe & practicable maintenance access & activities are taken into account in new designs. Therefore I would expect as a minimum some form of access & a protective barrier would be needed on the perimeter of those roofs, but they would then result in an increase in the overall height & be an additional eyesore.

Finally I'd like to again emphasise the proposed access to the site is on a 40mph dangerous bend in the road & vehicles such as rubbish carts and delivery vans would be introducing & indeed having to contend with regular hazardous traffic situations.

I trust that you will again take my comments into account during the review process.

Yours sincerely,

Andrew Tighe of 1 School View, BL7 0PP.

Objection (2) Mr Andrew Tighe, 1 School View, Edgworth. Rec - 15/08/2018

Having reviewed the recent re-submitted application details and other info that I have become aware of I have the following comments that are additional to my previously submitted objections:-

-- The proposed access from Blackburn Rd is extremely unsafe, such that everyday activities such as emptying the rubbish bins, delivering the post etc would put the relevant personnel at significant risk, which in this day and age of litigation could potentially result in a lawsuit against the planning dept.

Furthermore, the existing 'access track' was built totally in contravention of a previous planning application that has been refused by the planning committee - WHAT DOES THIS TELL US ABOUT THE HONESTY AND INTEGRITY OF THE APPLICANT?

-- The ecological impact will be significant loss, damage and detriment to the habitat of wildlife such as dormice, bats, reptiles, badgers, curlews, barn owls. This general area of Green Belt land is precious and treasured and should be protected for future generations to enjoy.

Furthermore I must say that the submitted ecology documentation is woefully inadequate in its scope and the extent of meaningful surveying. It is also noticeable that the author of the ecology documents is age 22, not a chartered engineer and of very limited experience. Elements of the documents seem to be a 'cut & paste' from another document, which if so suggests to me a lack of real acceptance of the importance of this aspect.

-- There are significant similarities between this application and application 10/16/0134, which was refused and the refusal was upheld by appeal ref APP/M2372/W/16/3150769 e.g the effect on the openness of the Green Belt and the proposed development not justifying such detrimental impact.

-- Whilst I acknowledge that the proposed design is totally different to any other property in the village, I do not consider it to be 'truly outstanding nor innovative' - all of the building features and materials have been used around the world for many years! It is definitely not in keeping with the local vernacular.

It is also fundamentally clear that this is a development of 2 properties not 1 (there are many occurrences in the application that state this) and the scale is grossly disproportionate to the existing School View and Edgworth Views properties.

-- The amended diagram of the road elevation (dated 2/8/18) clearly shows a significant line of trees that would hide much of the properties from being seen from the road. These trees would of course also obstruct the views from the properties, so realistically we all know that those trees would not be implemented or if they initially were they would not be retained/maintained, thereby the properties would become highly visible and an eyesore.

Please ensure that these new objection comments are taken into consideration.

Thank You in advance,

For Attention of Mr John Wilson

Please find our written and formal objection to the proposed new build at:-

Old School Grounds
Edgworth
BL7 0PU

Following receipt of your letter dated 19th March 2018 reference the resubmission of full planning application for erection of single dwelling house (C3 Use Class) with associated access, parking and landscape, I refer to the first submission against reference **10/17/0278** which was already rejected by Blackburn with Darwen council.

We hereby submit our strong objection to this second application for the following reasons:-

Our first objection is that this situated within a green belt area, which as a resident of this area we would ask the council to strongly consider the impact this new build will have on the surrounding countryside.

Description of Proposed Build & Design

The design intention is to produce a contemporary scheme that is part of the surrounding landscape, considering orientation, massing, materiality and building function. The proposed redesign of single storey building, housing 2 families, is completely out of context with surrounding properties in and around the immediate area.

The proposal quotes 'Site is located from and runs adjacent to Blackburn road, continuing on from the end row of terraces at the same postcode, the suggest materials for the build do not blend with the authenticity of these terraces.

Accessibility to Site

The access point from both the left and right hand side is in our opinion considered unsafe, whereby the approach is in the bottom of an incline, with no street lighting is, and can be considered an unsafe access, considering speeds of vehicles, motor cyclists and regular bike users who frequent this road on a regular basis.

This is also compounded by the comment stating that large waste bins, that would be stored in garage in the property would be taken down from the property to the roadside and we are aware of how local council workers would be put in jeopardy.

These bins, being the large industrial and not domestic size, what impact will these larger bins have on the rotation of consumer waste and hygiene in the property?

This picture from the PDF files on submission clearly show the elevation left and right of exit and the trees blinding the exit on right.



The blind spot in the road for access to the right and left as shown by photo – no street lighting



No direct view on the entrance approaching from right or left as shown on aerial view



Quote from application

'Space has been provided for 4x240L bins in both garages to aid the storage and separation of recyclable waste'

Question also associated with comment that consideration was given to the health of the 'deteriorating householders over time', how can these larger industrial size bins be taken to and from the property safely and in very inclement weather which is frequent in this area and be stored safely and carefully in this section of the road without impact on and HSE concerns.

If the bins were to be collected from the property, application suggests not, what impact will these larger bins have on the hygiene of waste whilst being stored.

View of the incline to bring down the 240 L bins to the roadside?



There is no mention on how foul sewage will be disposed of and the box is ticked that they will not be connecting to the local sewage systems.

Building Materials

There is mention of the preferred environmental friendly material of Hempcrete mentioned, I took this extract from the Financial Times which mentioned the following, Extract.

Hempcrete — which is weaker than concrete and non-structural — is made by mixing the woody hemp fibres, called shiv, with lime binder and water to form a porridge-like consistency. This is poured into wooden shuttering over a timber frame and tamped down by hand. Yet this method can be problematic. Hempcrete takes several weeks to cure and wet weather hampers construction This is a very new product in the market place including UK, Europe & America, this adds evidence to the product not fitting the construction products used in the surrounding areas.

Trees on the site

What effect could roots have on the foundations of any building in the future? If root growth begins to undermine the structure of a building after a number of years, could this lead to requests for their removal, how much research has been given to buildings using Hempcrete with trees located directly and adjacent to the site. These trees currently would be the drainage for the water table rolling down the incline of the hill.

The property is being built into a sloping hill, we have concerns about the impact the proposed works could have on the stability of the property, any excavation work could have serious impact on the stability of the higher ground in the old school playing fields which have remained untouched for over 4-5 generations.

We ask that you take our objection to this new build on the greenbelt land that with the proposal of this build will change the outlook feature on this rural community in Turton & Edgworth.

Objection (2) K & S Naylor, Ryfield House, School Lane, Edgworth. Rec – 16/08/2018

Objection to the Application Ref 10/18/0230,

These are my additional objections to the previous submission made by Kim & Simon Naylor, Ryfield House, 6 School Lane Edgworth BL7 0PR .

Old School Grounds, Blackburn Road, Bolton, BL7 0PR.**Application Number: 10/18/0230.****Review of Preliminary Ecological Appraisal (PEA) -**

The ecology document was not available for viewing until beginning of August, however the report says the findings were revised 21st Feb 2018, submission made on this application on 12th Mar 2018.

I do not recall seeing this environmental document on the first submission and as I understand from any planning application the Ecology report forms part of the documentation.

How did the Planning committee allow the re-application to even be put forward and presented without this key document or indeed sufficient time for residents to review when it only came to the public portal less than 2 weeks.

Is the correct legal protocol being followed on this application?

I also viewed the Blackburn website for the overview, why are the

The CHECKS stating the following, this is misleading and data is not up to date.

Planning application search

Checks Page for Planning Application - 10/18/0230	
Site Address	Old School Grounds Edgworth BL7 0PU
Checks	
Pending?	No
Permitted Development?	
Site Notice Required?	
Encroachment?	
Press Advert Required?	
Time Extension?	
Readvertise?	
Constraints?	
Env Assesment	No
Required?	Site History?
Env Statement Required?	
App Owns Adjoining	
Land?	

In view of the fact that the land, environment and ecology in this area is of significant importance on this Green Belt land, my initial view of the submitted Ecological Report appeared to be vague in its appearance, and missing paramount features, on this basis I chose to take out an independent review of the report once uploaded to the Blackburn portal.

This ecology document was not available for viewing until beginning of August, however the report says the findings were revised 21st Feb 2018?

I do not recall seeing this document on the first submission and as I understand from any planning application the Ecology report forms part of the documentation, how has the Planning committee given permission for the application to even be put forward?

We have had little time to review the ecology report and with very limited time to review the ecological impact.

These items listed below were the findings of a qualified, practising UK Senior Ecologist and if an ecology investigation were to be carried out by other approved Ecologist the comments I received back were the same 'obvious failings' would be found. The Senior Ecologist is happy to submit his name and qualification if requested.

The Planning Committee must review all the elements and object this planning application as this any approval will have lasting and damaging impact on this Greenbelt

1. Green Belt (Policy 3)

Firstly, the application falls within Green Belt and as such falls under Policy 3 of the Adopted Policies of the Local Plan for Blackburn and Darwen (2015), which states; *...Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances or where another policy in the Local Plan specifically supports a proposal. The construction of new buildings is inappropriate development except:*

- a) Buildings for agriculture and forestry;*
- b) Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- f) Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. □*

Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- g) Mineral extraction;*
- h) Engineering operations;*
- i) Local transport infrastructure, which can demonstrate a requirement for a Green Belt location;*
- j) The re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- k) Development brought forward under a Community Right to Build Order.*
- l) Development in the Green Belt will only be granted planning permission where it is demonstrated that it will preserve the openness of the Green Belt and will not give rise to a conflict with the purposes of including land within it.*

The proposed development clearly does not fall within these categories.

2. Habitats

Woodland

Of note is the Wayoh Reservoir Biological Heritage Site (BHS), which falls within the northern perimeter of the site application. The riparian woodland corridor of the Wheatsheaf Brook flows from east to west into the Wayoh reservoir.

The PEA identifies the riparian woodland as semi-natural woodland, a UK Habitat of Principal Importance (UKHPI) in its own right, however the northern bank of the brook is also identified as **Ancient Semi-Natural Woodland** (ASNW) and is ecologically important not only locally but also on a national level (www.magic.defra.gov.uk).

The PEA (**Section 3.12**) gives no reference to the ASNW within its appraisal, however ancient woodland species are cited (wood anemone, hazel under-storey), which could indicate that the woodland that falls within the site boundary could also be categorised as ASNW.

If so, there should be a minimum of a 30m buffer between the woodland edge and the development footprint.

It is recommended that a full NVC Phase 2 botanical survey be undertaken to determine if the woodland that falls within the application boundary can be classified as ASNW.

Grassland

The PEA describes the southern part of the site to be unimproved grassland (**Section 3.7**), a UKHPI and Lancashire Biodiversity Action Plan (BAP) - Unimproved Species Rich Grassland.

Under NPPF all LPAs have a duty to make sure that there is no net loss of habitat, however the recommendations given within the PEA does not mention any form of mitigation or compensation for the loss of species-rich unimproved grassland to development.

The description of the grassland in Section 3.7 is vague and species composition does not constitute unimproved grassland, moreover it is more akin to woodland ground flora. Meadow foxtail as mentioned within the report would not create the tussocky formation of the unmanaged grassland as described, a valuable habitat for protected species such as reptiles, foraging birds such as barn owl and foraging bats and small mammals.

It is recommended that a full NVC Phase 2 botanical survey be undertaken at an appropriate time of year to determine if the grassland that falls within the application boundary can be classified as species-rich unimproved grassland and, if so, recommendations should be given as to mitigation and potential compensation for the loss.

Running Water

Wheatsheaf Brook falls on the northern boundary of the site application, which forms part of the Wayoh Reservoir BHS. Although mentioned within the PEA no recommendations have been given with regards to Pollution Prevention methods to be put in place during development.

**My comment to this observation - this oversight could have serious HSE issues if not challenged, the site being on an incline would mean any run off would be toward the stream, into the water table and potentially into the water system?*

3. Protected Species

Bats

The PEA has taken into account any trees that fall within the development boundary and has excluded them from further surveys, however the stone culvert identified as **Target Note 5** (T5) has not been taken into consideration for potential bat roosting. The supporting photograph clearly shows the culvert to be dry and has numerous features to support roosting bats.

The unimproved tussocky grassland offers suitable commuting and foraging habitat for bats, and development and management would result in the loss of valuable connectivity. The desk study clearly identifies bats active within the wider landscape.

It is recommended that a preliminary roost assessment (PRA) be undertaken of the culvert (T5) for the potential for roosting bats. If the level of potential is sufficient to support roosting bats additional activity surveys should be undertaken at an appropriate time of year (May – September).

It is also recommended that a bat transect and static monitoring of the site is undertaken to determine the level of use of the site by commuting bats, in particular the unimproved grassland and riparian woodland corridor.

Barn Owl

The PEA clearly identifies the unimproved grassland to be unmanaged and tussocky with thick underlying thatch. This is perfect habitat for small mammals such as field vole. Barn owl (Schedule 1 (WCA) protected species) has been identified within the desk study and the grassland is suitable habitat for barn owl foraging.

Although barn owl are only protected from disturbance whilst nesting, good practice would recommend that a grassland habitat management plan is put in place to retain/restore this valuable foraging habitat for barn owl.

To support these findings, I as resident on School Lane which overlooks the planned application, I have seen a white barn owl in the area daily, this bird has been seen on a daily basis both at nightfall and early morning.

Additional Objections

Single Dwelling

The initial application states 'contemporary' in the design, the concept even after resubmission does not fit the surrounding properties and is completely out of context, with no other design of this feature seen across the borough.
2 separate halves suggest 2 buildings, independent of each other.

The design intention is to produce a contemporary scheme that is part of the surrounding landscape, considering orientation, massing, materiality and building function. Consisting of one complete dwelling that can act as two separate halves for both the clients family and his parents to live in, maintaining independence for both families whilst allowing for necessary care and attention to be accessible as health deteriorates. The scheme is to consist of a modular design to integrate different family functions with the views of the landscape surrounding it, whilst being respectful and conscious of the surrounding dwellings. Our scheme is set to meet the criteria of outstanding design under Paragraph 55 of the NPPF and has been taken to MADE Design Review Panel to be assessed as such.

Foul Sewage

Based on the review of the ecology report, the tick box shows 'Unknown' and connecting to existing drainage system NO
What and how is this going to controlled and managed if outside the regular options

11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer	<input type="checkbox"/>	Package treatment plant	<input type="checkbox"/>	Unknown	<input checked="" type="checkbox"/>
Septic tank	<input type="checkbox"/>	Cess pit	<input type="checkbox"/>	Other	<input type="checkbox"/>

Are you proposing to connect to the existing drainage system? Yes No Unknown

Trees

On the initial application the 2nd option has been ticked as NO.
Had the Ecology report submitted looked at this feature in more depth, clearly the feedback from the findings on the review of the ecology report do show Trees & Hedges can influence the development.

15. Trees and Hedges

Are there trees or hedges on the proposed development site? Yes No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? Yes No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

This overview shows 2 access points to the site, one with vehicular and the 2nd with 'footpath' that leads to the main road. Is this access outside the boundary of the property? See the right bottom of this picture. This suggest that further removal of tress, flora and fauna to the greenbelt would be necessary next to the terrace properties. There is no footpath on this side of the main Blackburn road and entering to and from via this exit brings further opportunities to accidents.

The layout places a clear divide on the property, one to the left with garage with what looks like 6 rooms and the 2nd, another garage and 4 rooms.



The Planning Committee need to recognise that this application does not meet the criteria laid out for building on Green Belt and to seriously consider the overall impact this single dwelling will have to this area, the environment, ecology and how any approval will lay a precedent to other developments.

Objection Hannah & James Stokes, 5 Edgworth Views, School Lane, Edgworth. (On behalf of 16 residents). Rec – 05/04/2018

Objection to Planning Application at Land at Old School Grounds BL7 OPU

Application Reference: 10/18/0230

Dear Mr Prescott

I write to you as a resident of Edgworth Views and in response to receipt of your letter dated 19th March 2018 which provides notice that you are considering planning permission at the land referenced above.

I write to you as a resident of Edgworth Views and in response to receipt of your letter dated 19th March 2018 which provides notice that you are considering planning permission at the land referenced above.

The use of the access road coming off the main road to access the new property (not school lane), if you actually go and look at it, it a dangerous spot for pulling out and will cause further road accidents in the village. The current bridleway of School Lane is not fit for purpose for the existing properties and therefor could not to be used as an alternative access and not for builders/contractors access. If they join up the 2 access roads and plan to use The School Lane bridleway , it is far too narrow meaning that any dwellings on the land referenced would encroach far too intrusively onto the current residences of Edgworth Views. Increased traffic on the bridleway will lead to further erosion of School Lane, the main road and the access road, some of which is already in a very poor state of repair.

Vulnerable wildlife are resident in this area will be put at risk and the residents do not want to see the pair of nesting Barn Owls, which use this land to hunt, driven away from the area along with deer, and several other bird species.

The residents unanimously feel that building new residencies would increase the ambient noise levels to unacceptable levels despite the plans for it being 'eco-friendly'

Those residents immediately facing this piece of land would have an open aspect removed which is the main attraction of being resident in this location notwithstanding the eco design element.

This land is 'greenbelt' land and any building of dwellings would detract from this status and all of the residents feel strongly that this would be extremely detrimental and will lead to an influx of further properties being built on greenbelt within the village which is already facing overcrowding etc. If this planning were to be accepted the flood gates would open and our beautiful village will become full of new buildings at a detriment to the open countryside

For your information, I have listed below the names and addresses of each of the Co-Directors of Edgworth Views Management Limited who are unified in this objection and extremely concerned about the possible outcome. This letter is written for and on behalf of all of the following;

Margarent and Terry Whittaker, 1 Edgworth View:

Ian and Mandy Parkinson, 2 Edgworth Views

David and Lucy Kenyon, 3 Edgworth Views

Bryce and Brenda Lea, 4 Edgworth Views

James and Hannah Stokes, 5 Edgworth Views

Nick Guy and Hannah Jones, 6 Edgworth Views

Julie.Tod and Phil Young, 7 Edgworth Views

John Harwood, 8 Edgworth Views

Paul Smedley, 9 Edgworth Views

Objection (2) Hannah & James Stokes, 5 Edgworth Views, School Lane, Edgworth. Rec – 08/06/2018

Thank you. Also please to add to our appeal against building we have recently discovered that there are crested newts in the pond at no 3 edgworth views and therefore i suspect also in the river alongside the plot, once again raising the issue of protecting the local endanged wildlife.

Objection Mrs Michele Openshaw, 3 School View, School Lane, Edgworth. Rec – 06/04/2018

Dear Mr Prescott,

RE: Planning Application 10/18/0230

Old School Grounds Edgworth BL7 0PU

I am writing in connection to the above planning application. I have examined the plans and know the site well as I have lived at my current address for over 20 years.

I wish to **STRONGLY OBJECT** to the development of this property in this location.

My reasons are as follows;

The application site is still in the Green Belt. Whilst I acknowledge that Blackburn with Darwen has an undersupply of housing, it is my understanding that the National Planning Policy Framework categorically states that when housing policies are out of date planning permission, developments in certain areas should be restricted, and Green Belt land is specifically one of these areas, see Footnote 9 of paragraph 14 of the NPPF.

Paragraph 89 of the NPPF is clear that;

"A local planning authority should regard the construction of new buildings as inappropriate in Green Belt".

One of the few exceptions is the limited infilling of villages and limited affordable housing. This proposal is neither and it would remain that it would result in an extension to the village boundary. It is apparent therefore that the proposal is clearly contrary to local and national green belt policy and should be refused on this basis. This proposed structure would erode the contribution that the existing field makes to the open countryside on the outskirts of the picturesque village of Edgworth.

The design and layout of the property does not appear to integrate well with the appearance of other adjoining dwellings due to its significant size and modern appearance. The very presence of a house on that field would have a significant negative impact for those walking/riding/cycling on the local footpaths which adjoin the plot.

Having read the submission, it is clear that the applicant is trying to override Green Belt policy (NPPF Section 9) by attempting to say that this proposal constitutes a paragraph 55 dwelling.

Paragraph 55 of the NPPF deals with the dwellings in the countryside. It is clear that national policy states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. One such thing is the exceptional quality or innovative nature of the design of the dwelling. It advises such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- Significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

The design of the dwelling utilises the topography of the site so that it is set within the sloping site. This together with the green roof would assimilate the dwelling in to the countryside. However, these grass roofs are no longer seen to be outstanding or innovative or exceptional design. This therefore fails the first requirement of the last bullet point of paragraph 55.

Importantly, the visuals in the submitted Design and Access Statement and the Proposed Elevations drawings illustrate the house would have extensive glazing. In views from Blackburn Road when travelling towards the village the glazing in the side elevation will be visually prominent and would appear completely at odds with the rural appearance of the locality. In views, travelling in the opposite direction, the rising land marked on the drawing by grey hatching, caused by the introduction of the dwelling proposed and the introduction of double gates set on rising land would be extremely visible in the landscape and would result in the marked domestication of the countryside. This would be seriously harmful to the rural appearance of the village. Moreover, the transition from the village to the countryside and vice versa is abrupt and in the interests of protecting the visual qualities of the area this should be retained.

It is asserted that the main area of glazing in the front elevation would not be seen. However, this would not be the case. There will be views of this glazing from the public footpath/bridleway on School Lane to the east of my house and also in view from the public footpaths which run across the moor located also to the north-east of my property.

The extent of domestic curtilage is also very concerning and would be very visible in the landscape. The domestication of the countryside by both the introduction of the dwelling, its associated parking area, hard landscaping and associated domestic items which come with houses, for example, washing lines, garden furniture, solar lights, and plants and will all domesticate this field to the detriment of the areas visual amenity.

Overall it is my opinion that the proposal cannot be considered to be a paragraph 55 dwelling as this house would not 'significantly enhance its immediate setting' and would not 'be sensitive to the defining characteristics of the local area'. For this reason I urge you to recommend refusal of the application on this basis also.

It is also noted, the Committee Report recommending the previous proposals for refusal states in paragraph 3.5.12;

"The impact of the proposed development on the natural environment. Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the essential characteristics of the Green Belt being its openness and its

permanence. Paragraph 55 does not supersede this, but requires exceptional development to 'significantly' enhance the immediate setting and to be sensitive to the defining characteristics of the local area."

This proposal in no way addresses this aspect and should therefore be refused by the Council.

Another matter of great concern, is the precedence the allowance of this dwelling would set in the village. As I am sure you are aware, the whole village is surrounded by Green Belt land. The approval of this would render the resistance of other similar proposals impossible to the detriment of the proper planning of the area and the visual amenities of the village.

As stated previously I have lived at my current address on school view for over 20 years and there has never been an access road to this plot until the applicant excavated access without seeking planning permission. This was done in a very underhand way with the long term goal of building on this piece of land. The site is accessed from a dip in the road and safety is a major concern. The visibility in this area is dangerous and there is no getting away from this. The visibility is very poor due to the many trees which obscure the view and cars approach this dip at high speed. The plan on the internet titled 'site visibility' appears to be incorrect. Please will you check this?

The huge red edge illustrating the proposed curtilage illustrates trees on the banking from Wheatsheaf Brook. He may say some of these can be felled. The removal of trees will further harm the rugged rural landscape and due to the access being in a dip their removal would assist little in providing sufficient visibility. The safety of all users of that road will be compromised by the allowance of a domestic access here. Please say no to this development.

My final point takes into consideration the family of barn owls that reside in the barn opposite the plot on Blackburn Road. These owls have been thriving in this location for many years and spend every evening catching prey on this piece of green belt land. I am sure a property on this site would have a detrimental impact on their feeding patterns and their ongoing breeding success.

To conclude, I believe the proposals should be refused for the following reasons:

1. The sites location is the Green Belt. Paragraph 89 of the NPPF clearly states development in the Green Belt should be treated as **inappropriate**.
2. The dwelling fails to accord with paragraph 55 of the NPPF as the dwelling would in no way 'significantly enhance its immediate setting' and would also not 'be sensitive to the defining characteristics of the local area', both of which are required by paragraph 55 of the NPPF.
3. The design of the dwelling, the introduction of access gates, and the domestication of the countryside would be seriously harmful to the visual amenities of the area.
4. The access in bottom of the dip is extremely dangerous.

Many thanks for taking the time to consider my objections; I trust you will do you upmost to refuse this application for the above reasons.

Reference 10/18/0230, Planning Application - Erection of a single dwelling house with associated access, parking & landscaping at Old School Grounds, Edgworth BL7 0PU

I am writing in reference to the above application, to put forward my absolute objection for this project.

I would like to object for the following reasons:

1. The proposed development remains on greenbelt. Recent applicants have had planning applications refused on the basis of them being on greenbelt land. My understanding is that a local planning authority should consider the construction of new buildings on greenbelt land as inappropriate. The family who have submitted this application already have two very large purpose built dwellings in the heart of the village. I see no benefit to any other families or residents of the village if this development goes ahead.
2. The applicant has stated that he feels his development reflects the highest standards in architecture, will enhance the views and is so innovative that the planning authority should basically disregard the greenbelt land and allow this to go ahead. Please could you give some attention to appendix one. This is the house that the 'Teletubbies' live in. It looks remarkably like the project proposed by the applicant. I see no place for this in this beautiful village. It is not in keeping with any of the local houses, stonework or other buildings. I do not feel it will enhance in any way the views I paid for when I purchased my house. Our garden will be looking directly at this monstrosity for years to come.
3. Access to this house is on a very dangerous dip in the road, which is already hazardous to turn out of school lane onto Blackburn Road. Having another entrance here would pose a risk to motorists, people riding horses, cyclists and pedestrians
4. There is a lot of precious local wildlife. Including bats and barn owls. The local barn owls can be seen usually on a daily basis hunting and nesting around this area. A sudden onset of noisy building works and destruction of this ground does not in any way care for this protected wildlife.

5. Further to point 1. A local man who recently applied to build a single storey building for his disabled wife in the field on School Lane was refused. Whilst I agreed with the refusal, I could understand that this was a genuine case of him trying to improve his life and that the building would help him do this. If the application above is agreed - I believe there should be an investigation. There is evidence that Councillor Rigby, for reasons unbeknown to the people of Edgworth - seems to approve of this. Despite the potential harm it would do to the local environment he proposes to care so passionately about. I have some questions about this. I understand that Mr Rigby is in fact very close to the family who have put forward this application and I would like these questions answered if this application is approved. Please see appendix 2.

I really hope on the basis of the above, you consider the impact this will have on the local residents of Edgworth. It is an unnecessary project. Not only will this project cause stress and concern for local residents and wildlife. There are many surrounding areas of green belt land that are privately owned. This could mean that we could be seeing lots of successful planning applications. Destroying our wildlife and the beauty of our currently unspoiled village. The local amenities are already overstretched. This can be evidenced in a lack of local school places. So I would like to ask you to think about the future implications should this planning application be approved.

Objection Mr & Mrs Whittaker, 1 Edgworth Views, School Lane, Edgworth.

We have lived within 300 yards of the proposed site for 30 years, firstly at 1 Hob Lane and then Dingle Cottage, now we are at 1 Edgworth Views, School Lane. So as 'villagers' there are specific points we would address.

1 GREENBELT reference paragraph 79 of the NPPF is to prevent urban sprawl, the building of this massive property would mean that the openness and permanence of the greenbelt in this location would be lost forever!

2 SIZE and STRUCTURE the proposed building for 1 family is larger than All the cottages in School View.

The ultra contemporary design is not in keeping with the picturesque village of Edgworth, all surrounding properties are stone or red brick.

3 Mr. Readey is trying to use Paragraph 55 of the NPPF, but we strongly disagree that this build would enhance its immediate setting and is insensitive to surrounding areas and adds nothing to the attractive village of Edgworth.

4 Safety aspect for access and exit of site.

Over the last 10 years traffic from the M65 motorway to Bolton and Bury via Blackburn Rd., has increased immensely.

After living for 20 years within 200 yards from the proposed site (Dingle Cottage) I can vouch for the volume and speed of passing traffic. Many motorists called at Dingle Cottage when they had caught the curb edge avoiding on coming traffic and suffered tyre and wheel damage.

No mobile phone signal in the dip so they would ask for use of our landline and await recovery vehicle.

Pedestrians, dog walkers, hikers and cyclists risk serious injury on that stretch of dangerous road, even more so if vehicles are braking to enter suggested site.

5 The wild life, deer and owls are often to be seen over this field.

6 If planning is allowed on this GREENBELT area it would then open all the other greenbelt areas in Edgworth for similar unattractive designs, even where planning has been previously refused.

We hope that you take these points into consideration and refuse planning on this contemporary glass design and help us keep Edgworth proud of our traditional village.

RE: Planning Application 10/18/0230

Old School Grounds Edgworth BL7 0PU

I am the owner of a property located on School View, Edgworth and am aware of the planning application referenced in the header to this letter (the "Application").

My preliminary observations regarding the Application are as follows: -

1. The site's location is within the "Green Belt". Paragraph 89 of the National Planning Policy Framework ("NPPF") clearly states development in the Green Belt should be treated as inappropriate.
2. The dwelling fails to accord with paragraph 55 of the NPPF as the dwelling would in no way 'significantly enhance its immediate setting' and would also not 'be sensitive to the defining characteristics of the local area', both of which are required by paragraph 55 of the NPPF.
3. The design of the dwelling, the introduction of access gates, and the domestication of the countryside would be seriously harmful to the visual amenities of the area.
4. The access in bottom of the dip is extremely dangerous.

Green Belt

The application site is still in the Green Belt. Whilst I acknowledge that Blackburn with Darwen has an undersupply of housing, it is my understanding that the NPPF states that housing policies and developments in certain areas should be restricted notwithstanding the shortage. Green Belt land is specifically one of these areas.

I believe that the construction of new buildings is inappropriate in Green Belt. One of the few exceptions is the limited infilling of villages and limited affordable housing. The Applications contains a proposal that is neither of those.

Design and Layout

The design and layout of the proposed property does not appear to integrate well with the appearance of other adjoining dwellings due to its significant size and modern appearance. In my view the very presence of a house on that field would have a significant negative impact for those walking/riding/cycling on the local footpaths which adjoin the plot.

I understand the national policy demands that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. One example is the exceptional quality or innovative nature of the design of the dwelling. I am not aware of any element of the proposal which is of exceptional quality or innovative in its design.

The extent of the proposed curtilage is also very concerning. Not least the visibility within the landscape. The domestication of the countryside by both the introduction of the dwelling, its associated parking area, hard landscaping and associated domestic items which come with houses, for example, washing lines, garden furniture, solar lights, and plants and will all domesticate this field to the detriment of the visual amenity of the area.

My belief is that the proposed dwelling will not 'significantly enhance its immediate setting' and would not 'be sensitive to the defining characteristics of the local area'. For this reason I urge you to recommend refusal of the application on this basis also.

I am now aware that the NPPF (paragraph 79) provides a cornerstone of Green Belt policy being the prevention of urban sprawl. Land is to be kept open and where appropriate accessible. I understand a prior application has been refused because of the possibility of "urban sprawl". I do not see how the position has altered in any way at all and reiterate my earlier comments as to the requirement for exceptional development to enhance the setting.

Adverse Precedent

Edgworth is surrounded by Green Belt land. Those of us fortunate enough to live here enjoy those surroundings.

I do not advocate a view that says no development in my area. Indeed in some respects the village would be further advantaged by sympathetic development or re-development (one example being the works undertaken to the former school at Crowthorne). However, the Application (if approved) opens the council to further applications which might have to be granted to the detriment of the proper planning of the area and the visual amenities of the village.

Conduct

I have lived in Edgworth for almost a decade. I have never noticed or been aware of any access road to the proposed development land until the applicant excavated an access without seeking planning permission.

In my assessment this was done with the long term goal of building on this piece of land. This type of conduct ought to be sufficient to justify a rejection of the Application. It offends common decency.

Access

The access to the site is at a dip in the road and safety to road users and the ultimate home owner/occupier ought to be a major concern. The visibility of traffic when exiting the proposed development land is limited and presents a clear and present risk. This cannot be ignored.

Tree Felling

The huge red edge illustrating the proposed curtilage illustrates trees on the banking from Wheatsheaf Brook. The applicant and/or his representative may aver that some of these can be felled. Why should that be permitted?

The removal of trees will further harm the rugged rural landscape. Moreover I am sceptical about a removal assisting in giving sufficient visibility of the existence of the "driveway" or the possibility of motorised traffic being visible either travelling along Blackburn Road or indeed accessing or leaving the proposed dwelling.

The safety of all users of that road will be compromised by the allowance of a domestic access here.

Summary

I have set out a series of my concerns. I am not alone in being troubled by the Application and what might follow its approval.

Thank you for taking the time to consider my objections; I trust you will reach a reasonable and rational decision which in my view leads to the refusal of the Application.

Objection Jack Shaw, 5 School View, Edgworth. Rec – 12/04/2018

Planning Application 10/18/0230

Old School Grounds Edgworth BL7 0PU

Dear Sir/Madam,

My reasons for objecting to the planning on the Old School Grounds are as follows:

- I am a first time buyer and i spent all my savings on purchasing my home, if this plan goes ahead which I strongly believe it should not. I know my house will be significantly devalued and I will have lost a significant sum of money which I will not be able to recoup from.

- I am a Paramedic and work night shifts and the building work in the area will significantly disturb my sleep which will affect my mental and physical health and will make me very tired for work which is very dangerous in Emergency Medicine.

- The local wildlife of the area will suffer, specifically a family of Barn Owls that live in a barn opposite the proposed development site. These owls have been using this Green Belt land for years to catch prey and this property would have significant negative impact on their survival and breeding success. This should be taken into consideration.

- I believe the allowance of this application will set a precedences for building on green belt land and will eventually lead to Edgworth losing the "charm" it had.

- "A local planning authority should regard the construction of new buildings as inappropriate in green belt" - NPPF paragraph 89. The exception to this is limited infilling of villages and limited affordable housing. This proposal is neither and it would remain that it would result in an extension to the village boundary. It is apparent therefore that the proposal is clearly contrary to local and national green belt policy and should be refused on this basis. This proposed structure would erode the contribution that the existing field makes to the open countryside on the outskirts of the picturesque village of Edgworth.

- Whereas I recognise that Blackburn with Darwen Council has a housing problem I do not believe that building on green belt land when there has already been significant development in the area already, with the construction at Crowthorn, on Blackburn Road and more land for sale throughout Edgworth.
- NPPF section 9 paragraph 55 states that local planning authorities should avoid new isolated homes in the countryside unless the design is able to be:
 - truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - reflect the highest standards in architecture;
 - Significantly enhance its immediate setting; and
 - be sensitive to the defining characteristics of the local area”

This house will use a grass roof to help it assimilate into the countryside, however grass roofs are no longer seen as outstanding, innovative or exceptional in design. therefore fails the requirements of paragraph 55.

- Paragraph 55 also states that the house should be sensitive to the defining characteristics of the area, the glass frontage of the building is completely at odds with the rural appearance of the locality. This glazed front will be visible from Blackburn Road when traveling towards the village. In views, travelling in the opposite direction, the rising land marked on the drawing by grey hatching, caused by the introduction of the dwelling proposed and the introduction of double gates set on rising land would be extremely visible in the landscape and would result in the marked domestication of the countryside. This would be seriously harmful to the rural appearance of the village. Moreover, the transition from the village to the countryside and vice versa is abrupt and in the interests of protecting the visual qualities of the area this should be retained.
- It is stated that the main area of glazing on the front of the property would not be seen. However, this would not be the case. There will be views of this glazing from the public footpath/ bridleway on School Lane to the east of my house and also in view from the public footpaths which run across the moor located also to the north-east of my property.
- It is also concerning that the curtilage of the proposal would be visible. Domestication of this countryside would have a detrimental effect on the visual amenity of the area because of the house itself, the parking area, garden furniture, plants, solar lights and washing lines to name a few.
- The proposal cannot be considered to be in accordance with paragraph 55 as the house would not “significantly enhance its immediate setting” and would not “be sensitive to the defining characteristics of the local area”
- I strongly urge you to recommend refusal of the application on this basis and also.
- The new proposal does not address the previous ruling by the committee, and therefore should be refused.

“The impact of the proposed development on the natural environment. Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the essential characteristics of the Green Belt being its openness and its permanence. Paragraph 55 does not supersede this, but requires exceptional development to ‘significantly’ enhance the immediate setting and to be sensitive to the defining characteristics of the local area.”

Edgworth is a picturesque village which has been made so by being surrounded by fields and countryside. This proposal will further erode Edgworth as village and as a community.

Edgworth is haven for walking, cycling and riding. This house would have a negative impact on the rural setting of the village. Many businesses in the area rely on trade from these groups and “building up” the area will have a detrimental effect on the trade of these businesses.

- Acceptance of this application would set a precedence that would make any resistance to future proposals to build on green belt surrounding the village impossible, which will harm proper planning of the are and the visual amenities of the village.
- I am also concerned about traffic in the area, with planning permission already given to 98 new home to be built in Bromley Cross (the neighbouring area) and congestion into Bolton (the nearest town to the proposal) is already a great concern, I believe traffic will be further congested by this dwelling long term and by its building process and by subsequent proposals should this be accepted.
- The site access to this dip was taken without planning permission. The access is also situated on a road that cars approach at high speed. The dip also impedes visibility and is dangerous, safety of road users will be compromised. This will be compounded during construction of the dwelling with the use of plant vehicles gaining access to the site. The proposer has stated that he felling some trees to make visibility better however this will further damage the rural landscape and not have a significant impact on visibility.

In conclusion, this proposal should be rejected for the following reasons

1. The detrimental impact on house values in the area
2. The site is on Green Belt land and thus the development should be treated as inappropriate (NPPF, paragraph 89)
3. The dwelling does not comply with paragraph 55 of the NPPF as it does not ...
“...– Significantly enhance its immediate setting; and
– be sensitive to the defining characteristics of the local area”

4. The design of property specifically the introduction of access gates, the domestication of the countryside would be extremely damaging to the visual amenities of the area.
5. Traffic congestion in the area is already a problem, the building of the dwelling (both the building process and the long term structure) and subsequent dwelling (due to the erosion of proper planning laws) would further aggravate an already major issue in the area and its surroundings
6. The access to the property (in the dip) would put road users at risk and is extremely dangerous

Thank you for considering my objections and I trust the committee will do their best to refuse this application.

Objection Mrs G Curtis. 17 School View, Edgworth. Rec – 16/04/2018

Dear Mr Wilson

My reasons for above application being turned down.

As in a previous planning application on this site nothing has changed for the reasons to refuse planning permission for building.

The site is outside the village boundary and therefore on green belt land, see paragraph 89 of the NPPF "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt" It also states in paragraph 55 which deals with countryside dwellings clearly states that new isolated homes, unless there are special circumstances should be avoided.

The layout of the proposed property does not fit in well with the surrounding dwellings and as it comes very close to my boundary they should be aware that two of my side windows overlook where the proposed house will be sited.

There is a public footpath across the field and the proposed building would hinder walkers or riders.

I have lived in the village for the past 5 years and have noticed that traffic coming along the Blackburn road is extremely busy and fast coming into the village. It is very difficult leaving School Lane and can be quite dangerous therefore for any vehicle coming out the proposed entrance from the field would be even more dangerous as it is very obscured by the bend and trees.

A family of barn owls who nest in a nearby barn use the field for their prey therefore building on this field would be very detrimental to their wellbeing.

Thank you for taking time to read and consider my objections and I sincerely hope that you will do your utmost to refuse the application

Objection Colin John Wilkinson, 7 School View, Edgworth. Rec – 16/04/2018

I would like to object to the planning application above for the following reasons.

This new application is still in the Green Belt area and it is my understanding that the National Planning Policy Framework categorically states that developments in certain areas should be restricted with Green Belt land being specifically one of these areas.

Paragraph 89 of the NPPF is clear on this point stating that; "A local planning authority should regard the construction of new buildings as *inappropriate* in Green Belt".

I understand, from talking to neighbours, that the applicant is trying to bypass Green Belt policy (NPPF Section 9) saying that this proposal will fall underneath a paragraph 55 dwelling.

Paragraph 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. I do not believe that this design conforms to these special circumstances and should be refused as it does not help to raise standards of design in our very rural area, nor does it significantly enhance its immediate setting, or is it sensitive to the defining characteristics of the local area of Hob Lane. It is completely out of character.

I live on the very outskirts of Edgworth Village and understand that this application would be

- a. Outside of the current development zone of Edgworth and
- b. Go against Paragraph 79 of the NPPF which states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

If this land is built on it would be a clear contradiction of the local and national policy.

The Hob Lane area is a very open region of the village and would not benefit in any way from the erection of any new houses, especially any planned in the existing Green Belt. The people in the area would lose the openness of the land which will be eroded away and the small hamlet would also lose its character.

The plans submitted do not seem to be in keeping with any of the houses in our area, it has a modern appearance and is very large in size. The proposed site is next to our tiny row of cottages and opposite a row of cottages belonging to the old farm. It is certainly not in keeping for the area.

The access road planned is also in a very dangerous area and has only recently been opened as an access by the applicant. It is on a very fast moving section of the main Darwen to Edgworth road which has seen many traffic collisions over the years.

I have lived in School View for many years with my children attending Hob Lane School some 50 years ago. The piece of land referred to has always been used as an agricultural field for livestock. It has never been used as part of the school grounds and is incorrectly being referred to as such.

And finally, one major point to consider is the precedence which could be set if this application was to be allowed. I have major concerns that someone may then want to build on the field directly in front of my row of houses and this is something we also do not want to happen in our lovely part of the village. A recent application was refused on School Lane as it was deemed inappropriate and also not being an infill site within the village. Surely this point has to be remembered when considering the new application.

Objection Paul Smedley, 9 Edgworth Views, School Lane, Turton. Rec – 16/04/2018

Dear Mr Prescott,

I wish to object to the application referenced above with the following points.

- The development proposed is in a Green Belt area which is located across an open field (also Green Belt) opposite my house. The plans submitted show one huge dwelling which will in my opinion take away the openness of the countryside where I live. The extent of domestic curtilage at the property raises concerns being very visible on the landscape. I believe the design would be seriously harmful to the visual amenities of the area.
- The proposed application also does not fall within the development boundary for Edgworth.
- Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the essential characteristics of the Green Belt being its openness and its permanence. The reason for me choosing to live in School Lane was for myself and my young son to be able to enjoy the openness and beauty of the countryside. We will lose this forever if the plans are passed.
- Paragraph 55 requires exceptional development to ‘significantly’ enhance the immediate setting and to be sensitive to the defining characteristics of the local area.” This application fulfils neither of these criteria.
- The plans submitted are not in keeping with local buildings in the area. The shape and style will in my opinion take away the character of the local area of Hob Lane and School Lane. The design is very modern and contains an excessive amount of glazing which is certainly not in keeping with the area.
- The access road planned is located on a dangerous part of Blackburn Road and will inevitably cause traffic disturbance issues, especially when the bad winter weather hits the outskirts of the village
- I would also not like to see this proposal accepted as it might set a precedence which could mean the building of properties on the ex-playing field in front of my house along with all other land deemed as Green Belt.
- A similar application was made on land directly facing my home and it was deemed that this was in Green Belt and was an inappropriate development as it did not constitute infill within the village. This must surely be the case with this application too.

Objection Neil Isherwood, 9 School View, Edgworth. Rec – 17/04/2018

I recently received notification of the planning application referenced above.

Please find below my comments which make up myself and my partners objections to the application.

Firstly, the proposed development and it's new access is wholly located in a Green Belt area and as such should immediately be treated as inappropriate as set out in Paragraph 89 of the National Planning Policy Framework.

1. The proposed site lies just to the north of School View, but is outside of the development boundary of Edgworth Village. The development site cannot be regarded as an infill site as it is at this point where the character of School View changes from village to open countryside.
2. The construction of an oversized dwelling on the site, albeit partially underground, would result in built development where there is presently none. The construction can by no means be identified as affordable housing.
3. Looking at the footprint of the dwelling, the resultant bulk, scale and massing, would therefore lead to a loss of openness. This is particularly the case as the site currently has no buildings or other development on it.
4. The fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open, with openness identified as one of the essential characteristics of the Green Belt. The framework policy clearly states this. This development would erode the contribution that the existing field makes to the open countryside on the outskirts of the village.
5. The proposed site forms part of a predominantly open landscape, viewed from Edgworth Views and School Lane to the West and with School View southerly adjacent to its boundary, with the land rising within the site toward the backdrop of further open countryside. The loss of openness arising from the development would, therefore, be significant.
6. The design and layout of the property is not in keeping with adjoining dwellings due to its significant size and modern appearance. These factors would have a significant negative impact for those walking/riding/cycling on the local footpaths which adjoin the plot.

It is apparent therefore that the proposal is clearly contrary to local and national green belt policy and should be refused on this basis.

I understand from reading the planning application that the applicant is trying to somehow bypass Green Belt policy (NPPF Section 9) saying that this proposal constitutes a paragraph 55 dwelling. Please also find my comments about the paragraph 55 proposal.

It is clear that the national policy clearly states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. One special circumstance being the "exceptional quality or innovative nature of the design of the dwelling".

It advises such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

Looking at the plans I am not personally aware of any aspect of design which shows exceptional quality or innovative nature of the design of the dwelling. The sheer size of the modern design along with its extensive use of glazing, which will be seen from all directions, are not in keeping with the old stone cottages of Hob Lane. The applicant has stated that the main area of glazing in the front elevation would not be seen. However, this would clearly not be the case. There will be views of this glazing from the public footpath / bridleway on School Lane (east of School View) and also from the public footpaths which run across the moor (north-east of School View).

The views of the property would result in the marked domestication of the countryside. This would be seriously harmful to the rural appearance of the village. Hob Lane is a very rural area and the introduction of a modern design will have a serious negative impact on the quaint area.

Paragraph 55 requires any exceptional development to ‘significantly’ enhance the immediate setting and to be sensitive to the defining characteristics of the local area.” This development will do exactly the opposite. I reiterate point 2 from earlier where I stated that this would result in built development where there is presently none.

I have been told on good authority that whilst this new design is using the natural slope of the site (partially built in) and has a green/grass roof to try and blend into the countryside, that grass roofs are no longer seen to be “outstanding or innovative or exceptional design”.

Domestic curtilage is also an issue and would be highly visible in the landscape. This along with the house itself, the introduction of associated lighting, will seriously impact the visual amenity of the field. When looking north towards Blackburn from School View, no lights can be seen at the moment and this will change for the worse if the proposal is allowed to go ahead.

In allowing this proposal, the local planning authority will effectively be opening the door for any piece of Green Belt land to be built on. I have lived in this village for 52 years and know personally people who have bought up pieces of Green Belt land, which are outside the development area of Edgworth, with the sole intention of building future dwellings wherever possible.

One such application in 2016, off School Lane, was rightly refused at Appeal level as it was deemed inappropriate under Green Belt. Allowing the proposal would surely mean that this proposal will be re-submitted to the detriment of School Lane and School View.

The precedence set by allowing the proposal to be passed would be catastrophic for the village of Edgworth with the resistance of other similar proposals being impossible to the detriment of the proper planning of the area and the visual amenities of the village. Every piece of open land would effectively be available to build on as long as it passes the criteria set out in Paragraph 55.

I have lived in School View for 12 years and lived in the village for 52 years. I know that there has never been an access road on to this land in the proposed place until the applicant created an access without seeking planning permission. Blackburn with Darwen Council decided not to fight this access issue on the grounds that it might lose a costly case. This was done in a very underhand way with the long term goal of building on this piece of land.

The access to the land is situated at the bottom of a blind bend in a valley with very little visibility and is subject to fast moving traffic passing by from both directions. The access road is therefore at an extremely dangerous point in the road and would create potential disturbance on an already busy stretch. In fact on Friday 13th April at 2 pm there was a serious road traffic crash 100 metres away from the proposed site, demonstrating the speed and danger associated to this part of the road. The safety of all users of this road will be compromised by the allowance of a domestic access here.

To conclude, I believe the proposals should be refused for the following reasons:

1. The sites location is the Green Belt. Paragraph 89 of the NPPF clearly states development in the Green Belt should be treated as **inappropriate**.
2. The dwelling fails to accord with paragraph 55 of the NPPF as the dwelling would in no way 'significantly enhance its immediate setting' and would also not 'be sensitive to the defining characteristics of the local area', both of which are required by paragraph 55 of the NPPF.
3. The design of the dwelling, the introduction of access gates, and the domestication of the countryside would be seriously harmful to the visual amenities of the area.
4. The access in bottom of the dip is extremely dangerous.

I trust this information is of assistance to you with your decision.

Additional comments and objections to be taken into consideration from Neil Isherwood and Shameem Ahmad of 9 School View, Edgworth, Bolton BL70PP against:

Application Number: 10/18/0230.
Old School Grounds, Blackburn Road, Bolton, BL7 0PR.

After reviewing the ecology report that was sent to me and subsequently added to the revised submittal document and also after reviewing the additional recent document submittals from the applicant, I have the following additional comments.

Looking at page 41 of the ecology report, Appendix 3 LERN Biological Heritage Site (Wayoh Reservoir – forming part of the application site) shows the site boundary of the Wayoh Reservoir Biological Heritage Site shaded in red. In this Appendix the red shaded area overlaps onto the land which is proposed by the applicant for development. This suggests that part of the applicants land is indeed a Biological Heritage Site and as such might be subject to conditions included in the 115 page Biological Heritage Site Document which is widely available from the Lancashire County Heritage Sites Scheme.



This information is hugely important and I think many points need to be clarified on this point:

eg.

1. A clear statement needs to be made about the safe or allowable distance that a dwelling can be erected in relation to a BHS.
2. What are the long term effects of building a dwelling so close to a BHS and is it allowable. (taking into account change of land use, effect on wildlife, effect on land, effect on streams/rivers, drainage, pollution)
3. Is the applicant actually allowed to build on a piece of land designated as BHS even if they own it?
4. Is it legal to change the status of this piece of land from a BHS to a site fit for dwellings?

Primary Site Access

It cannot be stressed enough how dangerous the approach to the proposed site is. Living just around the corner from this entrance and regularly walking my dog on the nearby footpath down to Edgworth reservoir I am regularly forced into the bushes by cars passing at high speeds, especially when two cars are passing each other in opposite directions.

The site access lies in the bottom of a dip on Blackburn Road which is used daily by a huge number of varying types of vehicles (Cars & Vans, Wagons & Farm vehicles, Council vehicles) which on the whole do not adhere to the recommended speed limit for the area. Whilst the area is well sign posted with speed limit signs, these restrictions are never followed resulting in this particular stretch of road being one of the most dangerous in the area. There have been accidents on this stretch of road before.

Although I cannot submit video evidence in my comments, I have witnessed, on most occasions that I walk this road with my dog, that vehicles persistently drive in excess of the speed limit.

It is impossible to enforce any type of speed calming prevention (sleeping policemen, chicane bollards) at this part of the road due to the fact that road follows a very short but steep gradient from both directions and also a sideways gradient which naturally forces cars to cross over the white lines in the middle of the road.

In the winter time, this part of the road is always subject to flooding and becomes even more dangerous during this period. When we have a significant snowfall, the road also then becomes even more dangerous than usual.

It should be noted that street lighting in this area is very poor and taking into consideration the amount of light we have in early morning during winter months in an already dark section of the road, I would suggest any vehicles turning into this access along with the drivers/staff (Council vehicles – Refuse collections) are at a high risk of collision with oncoming, fast moving vehicles.

I believe there would be a significant and constant risk to the public, be it drivers or pedestrians, should an entrance be allowed on to the field where the applicant seeks to build. As I have said, it is already hazardous walking to the nearby public footpath, when cars are rushing along the narrow, kerbless, section of the road when both carriageways have cars on them.

Secondary Site Access

The applicant is proposing an access to the property from an existing style. There is no existing style at the South West part of the property and there is also no existing footpath at the South West part of the property. There is only a wall which is approx. 6 ft in height. The adjoining land to this wall are overgrown garden fronts at the bottom part of School Views back gardens. There is no footpath on this side of the street. This has to be made perfectly clear.

Design and local vernacular

The submittal documents reference, many times throughout, that the buildings “Incorporate a contemporary striking front that responds to the surrounding context”. The documents also state that the buildings are “respecting and showing influence from the surrounding vernacular”. It should be noted that this area of Edgworth in no way could be considered as an area with buildings including “contemporary striking fronts” as suggested in the plans or should this design be in any way respecting or showing influence from the surrounding vernacular”. This region of Hob Lane is wholly made up of old farm buildings and its cottages (of which some are grade

listed) and the existing mill cottages of School View originally built for the now flooded works at Know Mill. This build will not adapt the countryside or in any way enhance the region. I know of no local buildings that resemble anything referenced on page 33 of the design proposal and suggest that the precedence images included are not from the local area and should be discounted from the proposal.

Local wildlife

The PEA does mention the fact that there is evidence of Bats, Owls, Badgers and Deer along with smaller types of wildlife species in the local vicinity. It would only take a single visit by any ecological expert now to confirm that we have nesting barn owls who use the field for feeding purposes. These barn owls have been present in the local area for a number of years and have frequently been photographed by local birdwatchers. In early evening/ dusk one can see bats hunting in the applicants field which directly neighbours the nearby woods in which they inhabit.

Visibility

Whilst the access document 18_0230 Access Plan Rec 20.04.18.pdf shows a 2.4M x 70M visibility splay, this gives the false impression that the site access is visible. The site access is in fact hidden, being totally set back from the main road, with only a kerb on either side of the bridge to the left of the main access, which actually narrows the road width considerably at its fastest point. There is no kerb on either side of the road in the direction of Edgworth village as road width does not allow this. Nothing can be done to improve visibility on this fast stretch of road and any hesitation driving in or out of the property could result in a serious accident.

Looking at The Highway Code table of stopping distances, there is no way that a car would stop in time or avoid a collision with the current site visibility. A car travelling at 20MPH would take 12 Metres to stop safely, this goes up to 23 Metres at 30MPH and 36 Metres at 40MPH, which is in excess of 50% of the suggested visibility splay. These measurements are average distances recommended for a car and “change depending on the drivers attention, the road surface, the weather conditions and type of vehicle.”

Again, nothing can be done to change this situation.

I hope these comments can be considered and added to your report.

Objection David & Zoe Greenhalgh, Windy Acre, School Lane, Edgworth. Rec – 17/07/2018

Re: Old School Grounds Edgworth BL7 0PU - Application No. 10/18/0230

Further to the above application, we would like to formally object to this application. In particular we are concerned about the access route from Blackburn Road and the nature of the flow of traffic along this section of highway.

The proposed access point to the site is on a 40mph section with blind corners/hills in both directions from the point of access. Traffic coming from the north is typically travelling in excess of the permitted speed limit and vehicles accessing and egressing the site and also service delivery vehicles are extremely likely to increase the risk of a significant accident along this section of road. From the application details we have seen on your website, there is no evidence that a site access assessment or road safety audit has been carried out.

In view of the above, we confirm our objection to this planning application.

Objection John Richardson, Hill Top Farm. Rec -16/04/2018

John

Enclosed the comment I made on the previous application for the same site. I am dismayed that the latest application still shows a red line ownership down to the Wheatsheaf brook and a Schedule A declaration of ownership of the land. I have challenged the Architect to prove ownership and nothing has been forthcoming apart from confirmation that he believes the boundary is correct. However looking on your planning website at this application the Architect has used a program with overlays. If you look quickly you can see the true land boundary followed by the proposed building then the gap between their clients land and Wheatsheaf brook is filled in with trees making out his client owns the whole land area.

Why is this important, Well the proposed gateway is not actually owned by his clients. They have carved in an access way using fly tip material contaminated with Japanese Knotweed and blocked the Access to Wheatsheaf Brook which goes back prior to the Edgworth Enclosure Act of 1795. I hope the matter can be resolved and the Access to Wheatsheaf Brook reinstated with the contaminated soil disposed of safely. Obviously the Architect could quite easily design a curving access using his clients land.

I am available for a site visit if you think it would help.

18/05/2017

I am concerned with the above application as the Northern Boundary is stated to be the river (Wheatsheaf Brook). This is clearly not the case as the land is owned by myself and my neighbor. To confirm this look on the 1890's OS map and you will see two land holdings 184 and 185 which belong to the farm and 264 which belongs to my neighbor. Fast forward to the 1960's OS map found in the Site Map & Contours of the online application bundle and my land is now labelled 5471 and my neighbors 4577. The applicants land was 186 and 154 on the 1890's map and 4464 on the 1960's map.

I am also concerned that the temporary access which was created on Blackburn Road for access to the field is now envisaged to become permanent blocking the access to my land with the contaminated spoil that was used which contained Japanese Knotweed.

May I suggest a site visit to point out the offending spoil heap and access blockage and point out the site boundary marker installed approx 2005 whilst defending another attempt by a developer to obtain the land.

Objection (2) John Richardson, Hill Top Farm. Rec – 24/04/2018

John

My primary concern is whether they will restore the access down to Wheatsheaf Brook, There is a fallen tree from the storms last year that needs to be removed. It can be tackled by other means but the access track would make life easier. Also concerned if they do restore the track what will happen to the Japanese Knotweed they remove.

REPORT OF THE DIRECTOR

Plan No: 10/18/0396

Proposed development: Full Planning Application for Residential development of 5 no. dwelling following demolition of existing buildings

Site address: Land and Properties off Billinge End Road, Blackburn, BB2 6PY

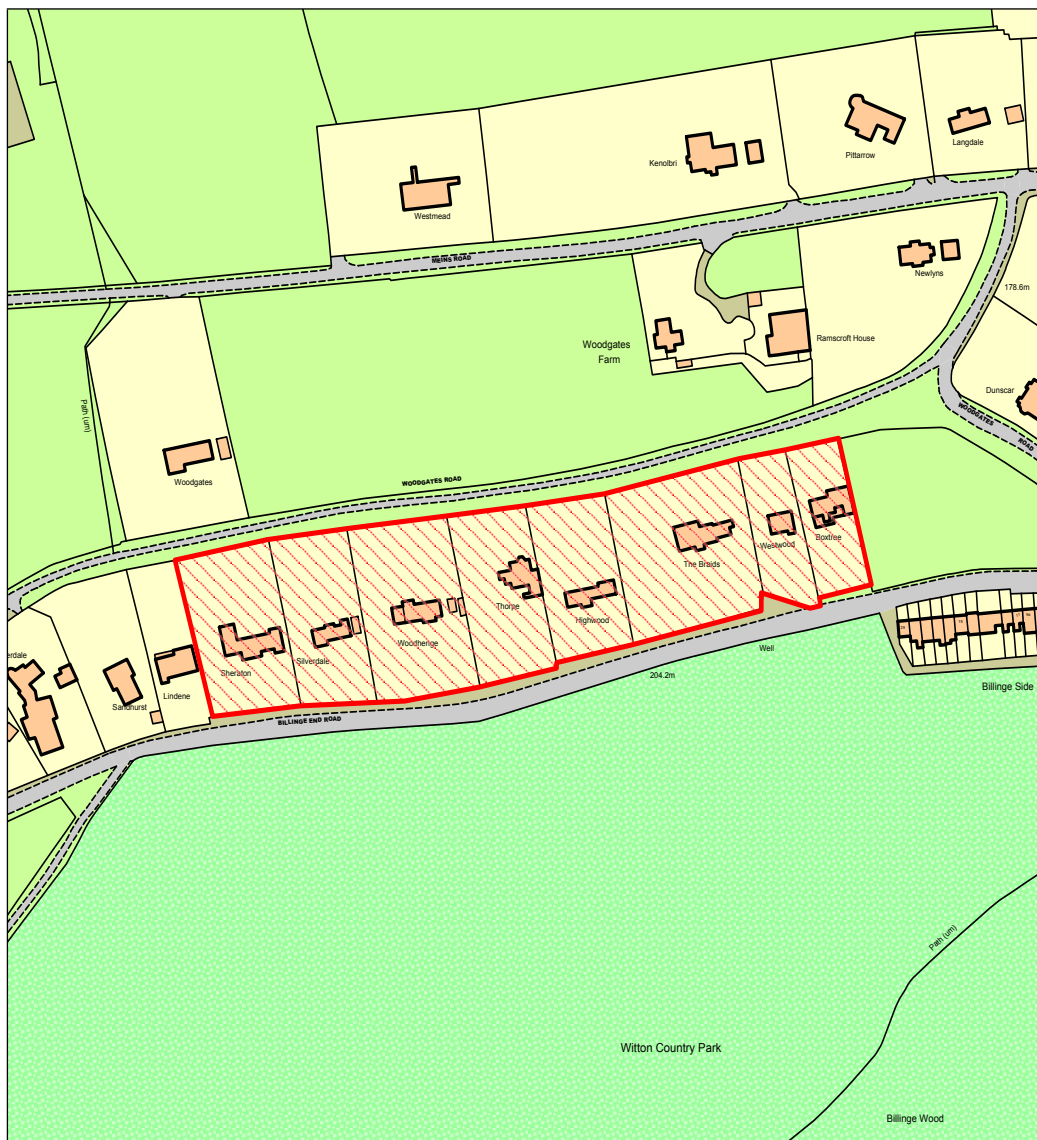
Applicant: Mr Sauban Issa

Ward: Billinge & Beardwood

Councillor Jackie Floyd

Councillor Julie Daley

Councillor Tasleem Fazal



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to recommended conditions (see section 4.0)

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The proposal will deliver a high quality housing scheme consistent with the Council's planning strategy for growth and widening the choice of accommodation within the Borough. 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 comprises 8 no. existing residential properties on Billinge End Road, Blackburn. The existing properties, which are sited in a liner formation, from west to east are known as Sheraton, Silverdale, Woodhenge, Thorpe, Highwood, The Braids, Westwood and Boxtree. A private tennis court also lies within the application site, on land associated with The Braids.

3.1.2 The existing dwellings are all detached, large family homes but differ in style and design, although most of the properties are constructed out of red brick, with some incorporating areas of white render and are either two or three storeys in height. The existing dwellings are set back some considerable distance from the road and at a lower level: there is a significant fall in levels from street level to the centre of the plots where most of the existing properties are situated. All the existing properties have vehicular access taken from Billinge End Road to the south.

3.1.3 The site is bounded to the west by a further 4no. detached dwellings, the nearest property being Linden. The application site and those 4 units are all situated within the urban boundary. Beyond Billinge End Road to the south lies an area of woodland, whilst a bridle way bounds much of the site's northern boundary, with the remainder formed by an un-adopted section of Woodgates Road. Also in close proximity are large detached properties to the north and Billinge Side, a traditional terrace holding an elevated position above Billinge End Road, to the south east.

3.2 Proposed Development

3.2.1 Full planning approval is sought for the demolition of 8no. existing dwellings and redevelopment of the site to provide 5no. detached dwellings, with associated access, boundary treatment and landscaping.

3.2.2 The replacement dwellings will remain orientated with their principle elevation to the south, facing Billinge End Road. The natural contours of the site have been utilised to insert a lower ground floor to the rear of the properties. This ensures the scale of the buildings to the South, facing the highway are

maintained as 2 storey, while advantage is taken of the longer views to the North from all 3 storeys with terraces to the main living spaces.

- 3.2.3 The buildings have an irregular footprint, but the basic dimensions have a depth of 18m and a width of 29.75m, rising to 43.55m when including the adjoined single storey garage block. The principle elevation has a floor to ridge height of 9.2m, however due to the site's topography the rear elevation has three storeys and would be 12.3m in height. The proposed dwellings are all of the same design, though some are mirrored.
- 3.2.4 The houses take their influence from neo-classical architecture, incorporating pediment details and columns providing a recessed entrance canopy. Recesses and bays have been utilised to add articulation and interest to the elevation. Large traditional timber sash windows with simple fenestration have principally been employed, though the rear elevation does also incorporate patio windows and french doors opening out on to terraces. The materials used for the proposed dwellings are red facing brick, with natural stone detailing and a blue slate roof.
- 3.2.5 The proposal also provides for new driveway accesses connecting to Billinge End Road. The new driveway is to be formed with self-binding gravel with a brick sett edge detailing. The existing boundary treatment is also to be replaced. The wall fronting Billinge End Road will be in approximately the same location as that currently in-situ, ranging from 1.2m to 1.5m in height and constructed of red brick with stone pillars and coping detail. The rear boundary will include a 1.5m high retaining wall due to level differences between the site and the adjacent bridleway., which is again to be faced with red brick and stone pillars and coping detail. In addition a 500mm railing detail is also included to offer security. The internal boundaries are to be formed by close boarded timber fencing, 1.5m in height at the front of the properties, and 1.8m to the rear of the plots.

.Development Plan

3.2.5 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:

3.2.6 Core Strategy

- CS1 – A Targeted Growth Strategy
- CS5 - Locations for New Housing
- CS6 – Housing Targets
- CS7 – Types of Housing
- CS8 – Affordable Housing Requirements
- CS13 – Environmental Strategy
- CS16 – Form and Design of New Development

3.2.7 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 18 – Housing Mix
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development

3.3 **Other Material Planning Considerations**

3.3.1 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.

3.3.2 National Planning Policy Framework (NPPF) – 2018:

3.3.3 The National Planning Policy Framework (Framework) is a material consideration in planning decisions. The Framework sets out a presumption in favour of sustainable development, which is the “golden thread” running through both plan-making and decision-taking. Paragraph 11 of the Framework explains that for decision taking, this means approving development proposals that accord with the development plan without delay. Section 5 of the Framework relates to delivering a wide choice of high quality homes, and Section 8 relates to promoting healthy communities.

4.0 **ASSESSMENT**

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

- Principle;
- Highways and Access;
- Design and Layout;
- Aboricultural Impact
- Amenity Impact;
- Drainage;
- Ecology; and
- Affordable Housing.

4.2 Principle of Development:

Policy 1 of the Local Plan states that the defined Urban Area is to be the preferred location for new development. Development in the Urban Area will be granted planning permission where it complies with the other policies of this Local Plan and the Core Strategy. The site is located within the urban area boundary defined on the proposals map.

4.2.1 Policy 7 on Sustainable and Viable Development echoes the presumption in favour of sustainable development set out in the NPPF. Thus, applications that accord with policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.2 Core Strategy Policy CS5: *Locations for New Housing* identifies the preferred location for new housing as being within the inner urban areas of Blackburn and Darwen, beyond this housing development will also take place in accessible locations elsewhere within the urban area, where it is demonstrated that market conditions mean it cannot be delivered in the inner urban areas. Given the development amounts to a replacement housing scheme there is clear justification in considering the proposal as meeting the secondary test within the policy. The proposal is also consistent with Policy CS7 which indicates that a range of housing will be required in order to widen the choice available in the local market. The policy identifies specific categories of housing that includes at section (iii) housing that meets the needs of high wage earners; 'higher market' and 'executive homes'.

4.2.3 Policy CS6 provides guidance on housing targets within the borough. The policy is now out of date following the adoption of the revised NPPF, though it is still fair to conclude that at present the borough has an under-provision in terms of housing delivery. This forms the basis for a number of the public objections, which in simple terms offer the position that the Council should not in principle support the removal of eight units to provide five new homes, ie a net reduction of three. When appraising this position Members should be mindful of recent appeal decisions, notably including that linked to application 10/17/478, where the Inspector concluded that proposals that only have a minor impact upon the overall delivery of housing targets should afford significant weight to the other policy assessments. Thus the matter of the net reduction should be weighed in the planning balance, but not be an absolute position dictating the overall success of the application.

4.3 Highways and Access:

4.3.1 Core Strategy Policy 22: *Accessibility Strategy* and Local Plan Policy 10: *Accessibility and Transport*, aim to ensure that new developments provide appropriate provision for access, car parking and servicing so as to ensure the safe, efficient and convenient movement of all highway users is not prejudiced.

4.3.2 The development will provide for five individual accesses and driveways. The existing accesses that serve the properties currently in-situ will be blocked off

as part of the landscaping and boundary treatment works. The new accesses incorporate gates that are set in to the site to enable waiting vehicles to be parked clear of the highway. Parking is accommodated on a bound gravel area in front of the dwelling, or within the adjoined triple garage.

- 4.3.3 Highway's colleagues have appraised the application and concluded that the visibility spays associated with the new accesses are acceptable. Further the positions of the gates are also considered to avoid obstruction of the highway. The proposed parking arrangements are also compliant with the Council's adopted parking standards.
- 4.3.4 The site is bounded to the north by Bridleways 168 & 167 Blackburn (Woodgate's Road) and to the west, on the boundary with Linden, by public right of way 83. The Council's PROW officer has offered no objection to the application though has indicated that should access during development be required from Woodgates Road then priority must be given to other users due to the Bridleway status. Furthermore, it is the intention of the PROW officer to survey the entire route prior to development and post-development to appraise whether any damage has been used. In such an event any damage caused to the route will have to be made good by the developers, in conjunction with the Public Rights of Way department. Works on the western boundary, adjoining footpath 83, will need to be mindful of the requirement to apply for a temporary footpath closure order if the route is likely to be disturbed.
- 4.3.5 The submission is supported by demolition and construction method statements that offer broad detail of the access arrangements, parking of contractors' vehicles, delivery routes and servicing of the development site. Highway colleagues have indicated that there is not sufficient information on all aspects, or regarding wheel wash arrangements. It is therefore considered to be necessary to impose the Council's standard construction methods and wheel wash condition, should the proposal be supported. Subject to that position the development is considered to satisfactorily meet the requirements of CS22 and LPP2 Policy 10

4.4 Design and Layout:

- 4.4.1 Core Strategy Policy CS16 and Policy 11 of the Local Plan strive for high quality design within all new developments. Policy 11 specifically 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. Additional support is also set out within the Council's adopted Residential Design Guide
- 4.4.2 The NPPF also forms a material consideration and guidance is provided within section 12 of the document. Paragraph 127 sets out the general parameters of assessment, whilst paragraph 130 advises that "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and*

the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”

- 4.4.3 The site is currently occupied by 8 individually designed properties. The properties range in age from the Edwardian period to mid to late 20th century. The existing units are of differing design and form, with a wide range of materials including red facing brick, painted render, upvc cladding, clay roof tile and natural slate all being present. The units share a loose build line, which is commonly set back from Billinge End Road; as are the adjacent properties to the west of the site. The majority of the properties sit within large garden areas within mature landscaping. The units are enclosed by a variety of boundary treatments, with coursed and random stone walling being prevalent. All the houses have their principle entrances on the southern side, though many are designed to take advantage of the open views to the north. Although the properties are generally of a high quality, they are not identified individually or collectively as being of special architectural or historic merit and thus have no special designation.
- 4.4.4 The proposal seeks to remove the 8 existing houses and replace with 5no. detached dwellings, with associated access, boundary treatment and landscaping. The replacement dwellings will remain orientated with their principle elevation to the south, facing Billinge End Road. The natural contours of the site have been utilised to insert a lower ground floor to the rear of the properties. This ensures the scale of the buildings to the South, facing the highway are maintained as 2 storey, while advantage is taken of the longer views to the North from all 3 storeys with terraces to the main living spaces. The buildings have an irregular footprint, but the basic dimensions have a depth of 18m and a width of 29.75m, rising to 43.55m when including the adjoined single storey garage block. The principle elevation has a floor to ridge height of 9.2m, however due to the site’s topography the rear elevation has three storeys and would be 12.3m in height. The proposed dwellings are all of the same design, though some are mirrored.
- 4.4.5 The public objections are dominated by concerns with the design of the houses. Common concerns relate to their overall size and massing, as well as questioning how the loss of the existing attractive properties can be justified. The overall impact on the character of the locality is questioned, as is why the properties cannot be individually designed rather than having a repetitive form. Members can note the objections further within section 9 of this report.
- 4.4.6 An important trait of the Council’s design policies is the need to enhance and reinforce the character of the locality. Various elements are used to form this judgement, including; layout, orientation, building shapes, plot sizes, heights, materials and frontage treatment. When appraising the current position there are some elements that are evident such as; the generous proportions of the plots; the common build line set back from the carriageway; the orientation of units to front Billinge End Road, yet maximise views to the north, the prevalence of hipped roof design – often with steep pitches. Other elements

demonstrate variety, including, but not limited to; facing materials, size and form of the houses, the proportion of hard landscaping and boundary treatment.

- 4.4.7 The proposal seeks to impose a similar architectural form to all the new properties, albeit with some mirrored plots to break up the rhythm of the row and due to the need to retain trees. There are several elements of the design that meet the current characteristics of the area; the orientation of the houses, the generous plots, the use of hipped roofing with steep pitches, the common but not regimented build line. Conversely some elements would not conform, again including but not limited to; the use of a repeated design, the overall scale and massing, the introduction of a pediment design at roof level.
- 4.4.8 The proposed design and appearance is not considered to be harmful in itself, in many regards they form an attractive and well-designed executive home, with high quality features including sliding timber sash windows and stone detailing. Instead the overall size and massing is the most compelling argument against the chosen design. The buildings will undoubtedly be greater in height than those to be removed, having a ridge height on the principle elevation of 12.3m, compared to others in the existing group estimated at between 8 and 9m. The objections also raise concern with the close setting of the buildings, which it is argued would form a continuous block of development harmful to character of the locality.
- 4.4.9 It is submitted here, though, that given the generous proportions of the plots and the lack of a coherent roof-scape forming an abiding feature of the locality the raising of ridge levels can be justified. Further, the arguments in relation to the overall massing must be set against the current position. Presently the gaps between properties range from just 5m between Thorpe and Highwood to 30m between Thorpe and The Braids. The common gap between the new buildings is 10m, though in all but one of the plots the main house is massed against the adjoined garage block, which is single storey (albeit with plant within the roof void). The effect is to provide in all but one of the plots a distance of 25m between the two storey sections of the buildings when viewing the design from Billinge End Road. Indeed between plots 3 and 4 the distance between the two storey sections is 40m. Allied to the retained tree coverage (see section 4.5) that offers some screening from the carriageway it is considered that the overall size and massing is not sufficient to warrant refusal when considering the requirements of the Policies and guidance at the local and national level.
- 4.4.10 Members are advised, therefore, that on balance the proposal is consistent with the requirements of Policies CS16 and 11 of the LPP2, as well as the supplementary guidance and that contained within the NPPF. That position is subject to the use of planning conditions relating to the agreement of facing materials and the materials and appearance of the new boundary treatment. Furthermore, given the scope for changes normally permitted under the allowances of the General Permitted Development Order (GPDO), that could substantially alter the overall design and appearance, as well as affecting neighbouring amenity, it is also considered necessary to restrict permitted development allowances within classes A to E of the GPDO.

4.5 Arboricultural Impact:

- 4.5.1 Policy 9 of the LPP2, at sections 11 to 14, provides guidance in relation to the development and the impact on trees. The policy offers a general requirement that development will be expected to incorporate existing trees into the design and layout of the scheme and should avoid the future conflict between buildings and trees. Where development would result in the loss of protected trees then planning permission will only be granted where (i) the removal of one or more trees would be in the interests of good arboricultural practice; or (ii) the desirability of the proposed development outweighs the amenity and/or nature conservation value of the trees. The removal of trees will require a condition that an equivalent number or more trees are planted on or near the site, unless otherwise justified.
- 4.5.2 The application site has extensive tree coverage. Most significantly this includes 11 trees with TPO status and a further TPO group order that is principally contained within the Braids grounds.
- 4.5.3 The scheme is supported by a full tree survey and arboricultural method statement, the latter having been amended on several occasions due to the receipt of amended proposals. The amended proposals have been, in part, to limit the impact on the loss of trees and retain the most important specimens fronting Billinge End Road. Nonetheless the scheme will result in the removal of 51 trees, 13 due to their current condition and 39 as a result of the proposed development. Of the trees being lost 3 have TPO status; one is lost due to the development (a Sycamore to the rear of the site on the boundary between the new plots 3 and 4) and two are justified for removal due to their poor condition (a sycamore with crown decline and a weeping ash with major stem decay). In mitigation the application provides for 64 extra heavy standard trees, along with hedge and shrub planting.
- 4.5.4 A significant proportion of the public objections cite tree loss as an issue. Members should note section 9 of this report for full details.
- 4.5.5 The Council's Arboricultural Manager has appraised the amended proposals and advises;

"The driveways have been moved in accordance with our recommendations which have secured the retention of all appropriate trees fronting onto Billinge End Road. This is a significant benefit and retains the character of the road/area. My second major concern was two groups of trees within plots 4 and 5 that front onto Woodgates Road. All of these trees were originally highlighted for removal. Five of these trees have now been retained which will benefit the Woodgates Road aspect and the wider aspect viewed from the north and west.

There are a significant number of trees to be removed. However, the majority could be removed lawfully due to no protection, whilst those with TPO status have significant flaws/conflicts that would justify removal. The application is also proposing a significant number of replacement trees which will mature and contribute significantly to the area. On balance the proposals will

eventually have a positive effect on the character of the area and therefore I have no objections to the proposals”.

4.5.6 Members are therefore advised that the proposed tree loss can be justified on this occasion. The overwhelming proportion of trees identified for removal are set within the site, offering limited amenity value to the wider locality. Further they are insignificant specimens and typical of most gardens with a high proportion of conifer and ornamental species. The proposed loss of protected trees T21 and T22 (as identified within the submitted tree survey report and planning drawings) is justified due to poor condition; a position that could be substantiated independent of any redevelopment proposal. This provides justification under the provisions of Policy 9, part 13 (i) as being good arboricultural practice. The loss of T9 is as a consequence of the proposals, though in this instance the substantial mitigation offered through replacement planting has been identified as meeting the test within Policy 9, part 13 (ii) in that the scheme will offer a greater contribution to the amenity value of the locality in time than the individual specimen currently offers.

4.5.7 Accordingly, the proposals are, on balance, considered to meet the requirements of Policy 9, subject to the development being undertaken in accordance with the tree protection methods and working practices set out in the Arboricultural method Statement received 7th August 2018, and the replacement planting identified on the landscape and planting drawings received 3rd August 2018 - all planting to be undertaken in the first available planting season following the completion of each affected plot.

4.6 Residential Amenity:

4.6.1 Policy 8 of the LPP2 relates to the impact of development upon people. Importantly, at section (ii) of the policy there is a requirement for all new development to secure satisfactory levels of amenity for surrounding uses and future occupiers of the development itself. Reference is made to matters including; noise, vibration, odour, light, dust, privacy/overlooking and the relationship between buildings.

4.6.2 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. For each additional storey above 2 storeys, or where land levels create an equivalent difference in the heights, an additional set back of 3 metres shall be required.

4.6.3 The proposed 5 houses have satisfactory relationships with one another when regarding separation requirements. An assessment of the relationship to the closest residential properties, Lindene, Woodgates and Woodgates Farm has also demonstrated compliance. Notably there are substantial level differences to the latter two, which are situated to the north of the application site. They are, however, in excess of 60m from the windows within the proposed

dwellings and that distance comfortably complies with the separation requirements.

4.6.4 The applicant's submission includes a construction methods statement that indicates the proposed hours of works as being 7am to 7pm Monday to Friday and 7am to 2pm on Saturdays. Those hours are significantly more permissive than the Council's standard hours of use condition that is applied in locations where there is potential for conflict with the amenity of neighbouring residents. It is therefore submitted here that in order to comply with Policy 8 the hours of both the demolition and construction work should be restricted to 8am to 6pm Monday to Friday and 9am to 1pm on Saturday, with no site operations on Sundays or Bank Holidays.

4.6.5 In order to safeguard residential amenity the Council's Head of Public Protection has also requested two further conditions requiring that prior to work commencing a scheme for dust suppression and noise and vibration monitoring be agreed. Finally a condition relating to 'unexpected land contamination' should also be applied in order to safeguard future residents of the site. Subject to those controls and the suggested hours restriction the development would be compliant with Policy 8 of the LPP2

4.7 Drainage:

4.7.1 Policy 9 sets out that development will be required to demonstrate that it will not be at an unacceptable risk of flooding and impact on environmental assets or interests.

4.7.2 The application site is located in a Flood Zone 1, which identifies it as being at low risk from flooding (less than a 1 in 1000 annual probability). The site is however in excess of one Hectare and in compliance with the NPPG and Environment Agency's requirements the application has been accompanied with a flood risk assessment (FRA).

4.7.3 The FRA indicates that the proposed development does not propose a material change of use of land but merely seeks to replace 8 no. existing dwellings with 5 no. new properties. The proposals therefore do not seek to introduce a new vulnerable use on the site. Further, there are no watercourses within 20m of the site, which itself is identified as being at low risk when considering the Environment Agency's own mapping for flood risk from surface water.

4.7.4 The FRA concludes that the risk of flooding on the site is low and can therefore be considered to meet the relevant test within Policy 9. The submission has been considered by the Lead Local Flood Authority and United Utilities who have offered no objections subject to conditions relating to; foul and surface water being drained on separate systems; surface water scheme to be submitted and agreed; and a scheme for the management and maintenance of the surface water system to be agreed prior to first occupation of the site.

4.8 Ecology:

- 4.8.1 Core Strategy Policy CS15 seeks to provide protection and enhancement of ecological assets. Policy 9 of the LPP2 also provides protection for ecological assets, indicating that development likely to damage or destroy habitats or harm species of international or national importance will not be permitted. Biodiversity is also a material consideration within the NPPF
- 4.8.2 The application was submitted with a daytime bat survey and ecological scoping survey. The survey concluded that two properties at the western end of the site, Sheraton and Silverdale, provided evidence of bat activity and had high bat roost suitability. The remaining properties were well sealed and devoid of evidence of bat activity. Additionally the survey noted the presence of several man-made ponds that offered less than optimum breeding habitats for great crested newts, though could support more common species, such as the smooth newt. No evidence of other protected species, such as badgers, was noted
- 4.8.3 At the request of Capita Ecology further bat emergence surveys were commissioned in relation to Sheraton and Silverdale. The survey work identified the presence of three common Pipistrelle bats emerging from Silverdale and one from Sheraton, concluding that the properties are day roosts for a small number of Common Pipistrelle bats, consistent with the findings of the initial survey work.
- 4.8.4 It is agreed by both Capita Ecology and the applicant's own consultant that a low impact Class Licence for bats will be need to be secured from Natural England in order to demolish Sheraton and Silverdale, though demolition could occur to the remaining 6 units immediately. It is also suggested that obtaining the licence would require enhancement and mitigation to be demonstrated and that this could be satisfactorily addressed by a planning condition. In addition there are also suggested conditions agreed by both parties in relation to; the draining of the man-made ponds within the site to occur under trained ecological supervision and avoidance measures to be employed; tree removal should not occur during bird nesting season, commonly March to September, unless the absence of nests has been verified by a suitably qualified ecologist; should demolition of properties occur more than 2 years from the date of this permission the site shall be re-surveyed for the presence of bats. Subject to the suggested conditions the proposal is considered to meet the relevant requirements set out within Policy 9 of the LPP2 and CS15

4.9 Affordable Housing:

- 4.9.1 Core Strategy Policy CS8 advises that all new residential development will be required to contribute towards the Borough's identified need for affordable housing; this being achieved through on-site provision, or through a financial contribution towards off-site delivery.
- 4.9.2 The development falls below the 10 unit threshold set by the Government in relation to tariff based policies requiring financial contributions, though,

importantly, there is a caveat based upon large units that exceed 1000m² of floor space, such as those proposed. Accordingly the development must adhere to the requirements of Policy CS8 and when applying the tariff set out in the Council's affordable housing guidance note for developers there is a requirement of £2,500 per unit. This equates to a total payment of £12,500 to be secured via a section 106 planning agreement.

5.0 RECOMMENDATION

4.1 Approve subject to:

(i) That delegated authority is given to the Head of Service for Planning to approve planning permission subject to an agreement under section 106 of the Town and Country planning Act 1990, relating to the payment of financial contributions relating to the following matters;

- £12,500 as a contribution to the provision of Affordable Housing in the Borough, payable on the commencement of development

Should the s106 agreement not be completed within 6 months of the date of this resolution, the Head of Service for Planning will have delegated powers to refuse the application

(ii) Conditions relating to the following matters;

- Commence development within 3 years
- Materials to be submitted and agreed
- Construction management plan to be agreed
- Permitted development rights to be removed (Part 1, Classes A to E)
- Scheme for materials and appearance of boundary treatment to be submitted and agreed
- Foul and surface water to be drained on separate systems
- Surface water scheme to be submitted and agreed
- Scheme for management and maintenance of surface water drainage system to be submitted and agreed prior to first occupation
- Unexpected land contamination
- Limitation of demolition and 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.
- Scheme for suppression of dust during demolition and construction to be submitted and agreed
- Scheme for the monitoring of noise and vibration during demolition and construction to be agreed
- Provision of an electronic vehicle charging point for all new dwellings to be installed prior to first occupation
- Maximum emission of all gas fired heating boilers not to exceed 40mg NO_x/kWh
- No vegetation during bird nesting season (Mar to Aug) unless absence of bird nests established by suitable qualified ecologist

- No demolition shall occur to 'Sheraton' or 'Silverdale' properties until such time that a licence has been obtained from Natural England
- Scheme detailing the number, location and form of bat boxes shall be submitted and agreed prior to demolition.
- If site clearance is delayed more than 2 years from the date of this permission, the buildings present on site shall be re-surveyed for the presence of bats and, as necessary, an updated mitigation scheme agreed
- Pond drainage to be undertaken under supervision of trained ecologist, and avoidance measures during site clearance employed.
- Tree protection measures as detailed in arboricultural method statement received 7th August 2018
- Landscaping in accordance with details received 3rd August 2018, to be undertaken in first available planting season following the completion of the affected plot

6.0 PLANNING HISTORY

6.1 Woodhenge:

10/17/0080 – TPO works: Crown lift up to 1/3 total tree height. (Approved February 2017)

6.2 The Braids:

10/15/0436 - Erection of a detached dwelling with garage. (Refused August 2015). Appeal dismissed July 2016 (Ref. APP/M2372/W/16/3144143).

10/11/0567 - Erection of a detached dwelling with garage. (Refused December 2011). Appeal allowed September 2012 (Ref. APP/M2372/A/12/2171380).

10/08/0435 - Erection of Private Dwelling. (Approved 16th June 2008)

6.3 Thorpe:

10/12/0271 - Single storey extension to rear. (Approved April 2012).

10/03/1254 - 2 storey extension and conservatory. (Approved March 2004)

6.4 Sheraton:

10/05/0342 – Rear Conservatory and extension to existing patio with storage space below. (Approved May 2005).

7.0 CONSULTATIONS:

7.1 Public Consultation:

Public consultation has taken place, with 26 neighbouring premises being individually consulted by letter and site notices being displayed. There have been three further rounds of consultation following the receipt of amended proposals. In response a total of 32 letters of objection have been received, including multiple objections from the same individuals. A summary of the written objections are set out within section 9.0 of this report

7.2 Highways:

The proposals provide for adequate parking in line with the Council's adopted parking standards. The visibility splays for the 5 access drives are acceptable. Gates are proposed, but are sufficiently set back to avoid obstruction and enable vehicles to wait clear of the highway before entering the site. No objection subject to a condition requiring construction methods statement, including details of wheel wash facility, to be agreed.

7.3 PROW

Bridleways 168 & 167 Blackburn (Woodgate's Road)

We have concerns that construction vehicles will be using Woodgate's Road as access to the site for demolishing the existing houses followed by the construction of the New developments. Although the majority of Woodgate's road is of a tarmac surface, there are some grassy sections and a short section from Meins Road which is a pitched stone surface and not suitable for heavy construction vehicles. As the entire route is a Public Bridleway, any vehicles using the route will have to give priority to other users on the road at all times. The entire route will be surveyed prior to works commencing and again when all works are complete, any damage caused to the route will have to be made good by the developers and in conjunction with the Public Rights of Way department.

Footpath 83 Blackburn

There is a Public Footpath running between Lindene and Sheraton. The property named Sheraton is to be demolished as part of the application, the developers need to be mindful of any excavation works that may undermine the footpath. If any works are to disturb the surface then a temporary closure order needs to be applied for.

7.4 Head of Public Protection:

No objection subject to conditions relating to (i) Land contamination (ii) Restriction of development hours to 8:00 – 18:00 Monday to Friday, 09: - 13:00 Saturday, no works Sunday and Bank Holidays (iii) Scheme for dust suppression during demolition and construction to be agreed (iv) Programme

for the monitoring of noise and vibration generated during demolition and construction to be agreed (v) Each dwelling to have provision for electric vehicle charging (vi) Gas boiler emission restricted to 40mg NOx/kWh (vii) Floodlighting scheme to be agreed, if necessary.

7.5 Environmental Services:

No objections

7.6 Arboricultural Manager

Following discussions with the developers with regards to the construction of five new houses on Billinge End Road I can confirm my final position as significantly more positive than those offered following the original submission.

The driveways have been moved in accordance with our recommendations which have secured the retention of all appropriate trees fronting onto Billinge End Road. This is a significant benefit and retains the character of the road/area. My second major concern was the two groups of trees within plots 4 and 5 that front onto Woodgates Road. All of these trees were highlighted for removal. Five of these trees have now been retained which will benefit the Woodgates Road aspect and the wider aspect viewed from the west.

There remain a significant number of trees to be removed. However, the majority could be removed lawfully due to no protection and also many of the trees have significant flaws/conflicts that would justify and enable removal of the limited number of protected trees being removed.

The application is also proposing a significant number of replacement trees which will mature and contribute significantly to the area. Thus the proposals will eventually have a positive effect on the character of the area and therefore I have no objections to the proposals, subject to conditions requiring appropriate tree protection measures and replacement planting.

7.7 Capita Ecology

No objection, though consideration to be given to; Demolition of 'Sheraton' and 'Silverdale' properties should not occur until an appropriate licence has been obtained from Natural England and submitted to the Council. Further conditions relating to the following matters (i) If site clearance is delayed more than 2 years from the date of this permission, the buildings present on site shall be re-surveyed for the presence of bats and, as necessary, an updated mitigation scheme agreed (ii) Scheme detailing the number, location and appearance of bat boxes to be agreed. (iii) No removal of vegetation through the bird nesting season (March to August) unless the absence of nests has been verified (iv) pond removal to be undertaken under supervision of suitably qualified ecologist and avoidance measures to be employed to safeguard newts and amphibians

7.8 Lead Local Flood Authority:

No objection subject to a condition requiring drainage scheme to be agreed

7.9 United Utilities:

No objections subject to conditions relating to; (i) Foul and surface water to be drained on separate systems (ii) Surface water drainage scheme to be agreed (iii) Scheme for maintenance and management of surface water drainage system to be agreed

8.0 CONTACT OFFICER: Martin Kenny, Principal Planner, Development Management

9.0 DATE PREPARED: 10th September 2018

9.0 SUMMARY OF REPRESENTATIONS:

Objection Richard Prest, Ramscroft House, Meins Road, Blackburn. Rec – 04/05/2018

Dear Martin

Planning Application 10/18/0396

Full Planning Application – Residential Development of 5 no. Dwelling (sic) following demolition of existing buildings. At Land and Buildings off Billinge End Road, Blackburn, BB2 6PY.

I am not writing to comment on the above application as invited in your letter of 27th April 2018.

The purpose of this letter is to point out the ambiguity and confusion in the detail of the application which has resulted in a number of adjoining property owners to question ownership issues.

I must make it clear that whilst I have had some discussions with a representative of the applicants, I have, in my own capacity and on behalf of adjoining owners made it clear to the representative that the land north of Woodgates Road, west of Ramscroft House and Woodgates Farm, extending as far as Woodgates is **not for sale**. So that there is no confusion I can confirm there is no contract for sale in place or in circulation for this land.

A number of the detailed plans within the application documents show the field in question within a red edge. Furthermore, the northerly boundary of the proposed 5 new dwellings encroaches beyond the current physical boundary of the properties it is proposed to demolish. From my enquiries of adjoining property owners, no notices have been served upon them and the ownership certificate on the application forms makes no reference to third party ownerships in question.

No site notices have been displayed by the applicant or press notices to notify unknown or unregistered land owners

In conclusion, I must question the validity of the application.

Please consider and respond – you will appreciate that this point is important with particular reference to the 21 day consultation period referred to in your recent letter

Objection (2) Richard Prest, Ramsgreave House, Meins Road, Blackburn. Rec – 29/05/2018

Dear Martin

**Planning Application Reference No 10/18/0396
Residential Development of 5 Dwellings following Demolition
of Existing Buildings at Billinge End Road, Blackburn BB2 6PY**

I'm responding as the owner of a property situated adjacent to and on the north side of several of the eight properties which it is proposed be demolished to make way for five virtually identical unusually large family homes.

My principal concern is the lack of detail demonstrated by the applicants in relation to a comparison between existing roof lines and proposed roof lines of the proposed five individual properties.

My property is located between Woodgates Road and Meins Road and will be directly overlooked by one if not two of the properties in question, and my property is significantly lower in height due to the steep topography.

Whilst the proposed development is within the Borough's published guidance in relation to distance between overlooking windows, the minimum distances do not reflect the topography of the steel hillside situation.

Reassurance that the most easterly properties will have no higher roof lines than the existing dwellings would be a reassurance.

However, my fundamental objection is the wider breaches of the planning authority's stated policy on detail and interpretation offered in previous planning applications for infill plots between at least two of the subject properties.

Less than five years ago an application for a modest sized infill house was recommended for refusal on the basis that these eight individual properties were all situated within large garden curtilages which formed part of the important street scape, which it was felt worthy of retention.

The eight properties it is proposed to be demolished offer a snapshot of the Towns development throughout the 20th century.

The Braids is a fine example of an Edwardian/Arts & Crafts individual architect designed house of substantial proportions, elements of which are also mirrored in the other two storey dwellings to the west – Highwood, Thorpe, Woodhenge and Silverdale.

Several of the houses exhibit typical architectural characteristics and features of the immediate pre and post second world war era, and several are believed to have been the work of one local architect.

Such features as prominent tall chimney stacks, steep pitched Cumbrian green slate roofs and cut stone window surrounds.

The most westerly property is a fine example of a later 20th century bungalow with eyebrow dormer and a largely original rockery/conifer garden of notable interest on the north side.

The applicants planning statement is grossly inaccurate in suggesting that these five replacement dwellings "are slightly larger than that of the existing dwellings" is in reality grossly misleading.

The gross internal floor areas quoted clearly indicates that these dwellings will have a gross internal floor area of just under 1,000m² (just over 10,000ft²).

In addition there is a further 100m² of garage/under-croft i.e. each house will have an overall floor area of 11,620ft² x 5 = 58,000ft² of floor space.

From my own knowledge of domestic high-quality housing within the Blackburn area, I would judge the average size of the eight properties to be demolished to include garages, to be no more than 26,000ft² (3,250ft² per dwelling) and this is a generous estimate bearing in mind that both Westwood and Boxwood (the most easterly properties) are relatively modest.

The proposed five dwellings therefore represent a doubling of floor space.

The five dwellings are less than 10 metres apart and will clearly therefore dominate the individual plot curtilages.

It is a relevant planning consideration that these eight properties are highly visible from a number of important landmark view points to the north – Mellor, Longridge Fell and Fairsnape/Parlick.

At present the tree cover between individual properties provides a natural break between each house but clearly the visual effect from some distance away, particularly at a slight oblique angle will be of a terrace of five mansions of identical appearance, in effect therefore a terrace or parade of urban style housing in an otherwise rural suburb.

Billinge Wood to the south has an important status in the Local Plan and the land to the north is designated greenbelt.

I would argue therefore that by any objective test, this proposed development breaches many of the specific policies and guidance set out within the Local Plan and accompany design guidance.

I would also argue that the demolition of eight perfectly sound well maintained houses cannot comply with the general aim of sustainability.

The applicants' aspirations to construct five impressive homes could relatively easily be achieved by sympathetic extensions to some and the localised demolition and redevelopment of other plots.

For example, demolishing Boxwood and Westwood would create a plot for a reasonable sized house, The Braids is itself capable of being extended on to its former tennis court (an existing building plot) and in similar fashion the properties to the west could be rationalised/extended without losing the interesting individual character of some of the more notable properties.

I hope these concerns will be given serious consideration by the Planning Authority.

Failure to consider published policy and guidance will clearly leave the Authority open to independent review.

I would ask that you keep me informed as to the progress of this application.

Objection Richard Crest, Ramscroft House, Meins Road, Blackburn. Rec- 03/08/2018

Dear Martin,

App No 10/18/0396

Many thanks for the opportunity of commenting on the amended application referred to above.

The amended detail, particularly the proposed section drawing ref m17.120 006D reinforces my principal concern highlighted in my letter of June – paragraph 2 “ My principal concern is the lack of detail demonstrated by the applicants in relation to a comparison between existing roof lines and proposed roof lines of the proposed properties”

House Plot 1 is directly above Ramscroft House on the site of the current houses Boxtree and Westwood – both of these existing houses are of 2 storey configuration.

Scaling from the section drawing referred to above the height of plot 1 roof line is 12 metres above stated ground level (the red line on the drawing). Ground level equates approximately to basement floor level at the rear of the proposed house, with basement, ground and first floor above this datum point and the second floor roof space accommodation (i.e. 4 levels of living accommodation) floor to ceiling heights at both ground and basement levels are significantly above the normal measurement of 2.2 metres.

By comparison, the height above ground level of Ramscroft House (to top of ridge) is 7 metres and I would estimate that the roof lines of Boxtree and Westwood are significantly less. Thus the roof line of the proposed “House Plot 1” is likely to be 5 metres above the existing dwellings roof line.

I attended a meeting arranged by our local councillor, Julie Daley, with the applicant and his project manager 3 weeks ago. This specific concern about a comparison of existing and proposed roof line heights was discussed and the parallels highlighted by the debacle in planning / overlooking terms of the demolition and redevelopment of Longacre, Billinge End Road, of which both Julie and the applicant were well aware was acknowledged. The applicant agreed that in his view, this earlier development was of an inappropriate scale.

Consequently, the applicant and his project manager agreed to our suggestion that the amended drawings should include sections / plans to demonstrate more clearly both plot positions and roof heights of both the existing and proposed dwellings. The applicant’s failure to provide such detailed overlays suggests to me that my fears of serious overshadowing at Ramscroft House, from proposed Plot 1 are well founded and understood by the applicants.

Please consider these comments, particularly in the light of the case of Longacre and other recently reported Ombudsman decisions in cases brought against the Planning Authority by neighbours affected by inappropriate development

Objection Jim Waltom, 4 Pall Mall, Blackburn. Rec – 08/05/2018

How can you allow eight houses to be demolished and replaced by five houses. There is a shortage of housing in Blackburn and if this type of application was repeated all over Blackburn it would result in thirty per cent less houses in the town.

Objection Angela Hoyland, Billinge End Road, Blackburn. Rec – 16/05/2018

Dear Sir

I am a resident of Billinge End Road, BB2 6QY. My Husband and I moved here in 1984,

and it was because of the lovely rural location and easy access to town and schools.

I love my home and the surrounding area including the variety of properties that have evolved here over more than a hundred years. The new builds are not varied in any way and again they are properties of little merit apart from the size. I would like the builds to be varied in design and materials with more stone used rather than all brick. The

Planned buildings will not sit in the landscape as well as the present ones and have the

Very real risk of looking like a housing estate.

Objection Mr Martin White, Westmead, Meins Road, Blackburn.

Re - Application Number 10/18/0396

Site Address Land and Properties off Billinge End Road Blackburn BB2 6PY

Proposed Land Use Class C3 Dwelling houses

Development Type Dwellings Minor

I have just recently been made aware of the proposed development 10/18/0396 and would like to raise my objections as follows.

1. My property immediately faces the proposed development yet I was not considered relevant to be advised of the development
2. The existing seven houses seem to me to be of good stock and in keeping with the quality of the houses that are to remain. The demolition of seven good property's to replace with five property's would seem to go against the councils overall local plans to maintain 4/5 bedroom houses and increase housing stock within the borough.
3. The existing properties have a broken line of gardens, fences and buildings and is unobtrusive to the eye. The proposal to build a 200m long, (approximately), façade of buildings and fence line on the northern border of the combined properties will create a huge terrace like landmark that will be visible from many miles away.
4. The site at present contains seven individual properties. The development creates a boundary around all five of the new properties, in effect creating an individual community, isolating it from the neighbourhood.
5. I would suggest that this is an over development of the site in terms of both bulk and size
6. The councils own website states as grounds for objection "Is the design of the development compatible with the surrounding area"? I would suggest that it most certainly is not.
7. The developers approach to TPO's seems to be to manipulate the spirit of the scheme to achieve the development that they want to achieve.

Dear Sirs

OBJECTION Ref Planning Application 10/18/0396

I am extremely concerned that the entrances from Billinge End Road to 4 of the 5 plots may damage trees subject to TPOs.

I have tried to suggest way to avoid all this possible damage in exchange of EMAILS with Mr Irfan Ali project manager for this scheme.

But he has refused to agree to any of my 4 proposals.

So I am now formally objecting to these 4 entrances as specified in the Planning Application - affecting Houses 1, 3,4 and 5 .

The following shows what I have done to try and overcome the problem with Mr Irfan Ali – his reply and my follow explaining I am not satisfied that he f refuses to change to location of the 4 entrances

MR IRFAN WRITES TO ME (WIW)

Relocating the entrances would have implications from a highways perspective and the environment more generally, as such it is not proposed to change these at this point in time.

As for the concerns you have noted, please see below for a response to each (HE REPLIES IN RED) :

- WIW First comment :- Access to House number 1 interferes with Tree number T15 on corner of existing Silverdale house.

IRFAN REPLY :- T15 is untouched by the development and retained.

WIW REPLY TO IRFAN:- It is good that this tree will be retained – but according to the plan this tree appears to be very close to the corner of the existing left hand boundary of Silverdale – which is extremely close to the entrance to house number 1. It seems certain that Tree 15 will be adversely affected. The entrance could be moved to avoid damaging T15

- WIW First Comment to Mr Irfan:- Access to House number 3 interferes with Tree number T7 on corner of existing Thorpe house

IRFAN REPLY :- T7 is not a TPO and again is retained in the proposals.

WIW REPLY TO IRFAN:- You say T7 is not a TPO tree. But it is clearly marked as a TPO tree on the Plan I have from Blackburn Borough. It T7 is very close to the right hand corner boundary of existing house Thorpe. The entrance to House 3 seems to be extremely close to this point. So T7 will most likely be damaged. The entrance could be moved to avoid damaging T7.

- WIW FIRST COMMENT to Mr Irfan:- Access to House number 4 interferes with 2 Trees in Copse G1 of existing The Braids house

IRFAN Reply :- Relocating the entrance will affect more trees.

WIW REPLY TO IRFAN :-It seems you are agreeing that the proposed entrance in the Plan will involve felling at least 2 trees in the Copse 1 . Relocating the proposed entrance to avoid damaging any TPO trees in that Copse can be achieved - namely by keeping the entrance where it now enters this plot at the right hand corner of the boundary to the existing house The Braids. If this was done the no trees would be damaged in the Copse G1 covered by TPO of all trees in that area.

- WIW FIRST COMMENT TO Mr IRFAN:- Access to House number 5 interferes with Tree number T1 on side of Billinge End Road of existing small house next to The Braids.

IRFAN REPLY :-T1 is not a TPO tree and the tree is in poor health and has been recommended in the tree report to be felled.

WIW reply to IRFAN :-T1 is a TPO tree as shown on the Blackburn Borough Tree Preservation Order. T1 is a tree in the top left hand corner of the house on the right of The Braids. If the entrance to House 5 was moved a little to the right then this tree need not be felled.

IRFAN Conclusion :-
I hope this eases your concerns.

WIW CONCLUSION --- I am afraid your comments do not ease my concerns. I have made constructive proposals to solve all 4 difficulties . All my helpful proposals are rejected by you . So I will have no option but write to the Planning Officer to oppose your Planning Application when I submit my comments on Thursday (tomorrow) to meet the 21 day deadline for submissions.

Kind regards
Ian Woolley

Objection (2) W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 17/05/2018

Dear Sirs

Re Full Planning Application REF 10/18/0396

Objection

I wish to object to this application on the grounds that the 5 dwellings proposed are completely out of scale, appearance and design to all the other houses in this highly desirable residential area. If permitted it would have a most serious effect on the character of the area where 6 of 8 houses to be demolished are all well-spaced between each other with very attractive gardens.

A meeting of neighbours has indicated unanimous and extreme concern for this monstrous development quite apart from the undesirable loss of 3 house as the scheme specifies loss of 8 hoses to be demolished and only 5 to replace - although I would agree that the two houses to be demolished to make way for new house number 5 are of little merit . The local plan is not to reduce such housing – rather it is to preserve and increase if possible.

But several of the other 6 houses have considerable architectural merit and are excellent examples of their type all in top condition – namely **Sheraton** which is a very desirable quite large bungalow with an attractive mature garden and excellent for a wheel-chair bound resident ; ALSO **Woodhenge** is an excellent family house designed by Blackburn's leading Domestic Architect Billy Greenwood with a most interesting garden including many specimen Rhododendrons and Azaleas , a rock garden, a butterfly garden, trees, shrubs and flowers etc. ; Also **The Braids** which is a superb large family house with a mature garden including a large G1 copse of mature healthy TPO trees.

However it is a major concern that each new house is far larger than other houses in the surrounding area. The façade of each house is identical (which is appallingly monotonous) and is approximately 30 metres wide plus the 11 metre width of the garages plus approximately 3 metres for the link between house and garage . This totals a façade width of 44 metres. This leaves only an 8 metres gap between houses - totally out of keeping in the area. The overall appearance will be a solid row of 5 identical houses over 250 metres long - it will look appalling - like some fearsome institution.

To be constructive I believe this problem could be overcome as follows.

If the houses have to be as big as the proposed 407.114 sq metre floor plan then this could be achieved by reducing current façade width of each house by 25 % - ie from

30 metres width to say 22.5 metres width - and increasing the depth to 18 metres from current depth of approx. 13.5 metres . So $22.5 \times 18 = 405$ sq metre floor plan area – almost identical to the plan submitted. Internally the layout could easily be modified to achieve very similar space for all rooms required. Could also eliminate the 3 metre link between the House and Garage. If this suggestion was adopted then the overall width of each house façade plus garage would then reduce from 44 metres to 33.5 metres allowing much more space between houses. This would be similar to other large houses in the area – for example my house Woodgates has a façade width including garage of approx. 34 metres.

Next I would propose that instead of each house appearing to be almost exactly the same external design that it would be entirely possible to vary the external appearance **significantly - so each house would look quite different externally although internally they could be identical.**

Finally I am concerned that 4 of the 5 entrances to these properties from Billinge End Road appear to be too close to TPO trees. I have written to Mr Irfan who acts as project manager for these new houses pointing this out. I have made a constructive suggestion for each of the 4 entrances to overcome the problems. But regrettably Mr Irfan has refused to accept any of my suggestions and says the entrances will not be moved. It seems that any trees interfering with development will be removed regardless of any TPO. We are very nervous about this unacceptable uncompromising attitude to mature TPO trees - recalling the mass felling of trees on the old Bishops House which completely ignored TPOs. I am also concerned that the boundary wall along Billinge End Road may be completely rebuilt. If that happens then more TPO trees will be damaged. This should not be allowed?

The proposals I have made to avoid damage which seems likely to TPO trees at the entrances to 4 of the houses are contained in a separate email to Planning objecting to these 4 entrances. Mr Irfan refuses to move the entrances. So I have no alternative but object – see separate email.

Next we all believe that as this will be a massive 2 year building project (as indicated to us by Mr Irfan) with a great deal of disturbance over a very long time scale in a residential area – that it would be reasonable that tighter than usual restrictions should be placed on all hours of work - including work on site , deliveries, and not least the parking of workmen's vehicles which is out of control at a house development nearby on Billinge End Road.

Finally I am concerned that the scheme is undesirable as it seems to run the risk of creating another gated community on Billinge End Road. Many people of all races in Blackburn are concerned that it is essential to encourage social integration – not racial separation. Without question house owners have a right to reasonable privacy. The Bishops House development has gone too far with extra high walls, solid large and very tall wood main entrance gates kept permanently closed, post boxes on the

outer wall which give no indication which post box is for which house. My own house Woodgates has an open driveway. And low fences either side down the field – so any one can look over into our garden and enjoy our beautiful garden including many people who walk along the Woodgates Bridal Way and along the Public Footpath on the west side of our property. I really hope we can avoid in Blackburn the segregation caused by gated communities.

At all times in this objection I have tried to be constructive to show how each problem can be overcome and not destroy the character of this invaluable special residential area.

I am quite willing to present my objection to the Planning Committee..

Objection W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 16/07/2018

I wish to let you know about our total lack of success at a friendly meeting last Saturday July 14th of 3 neighbours trying to negotiate a compromise with Mr Zuber Issa re the huge size and identical appearance of the 5 houses which is causing us so much concern . He refused to budge in any way on this question of size and appearance. As a minor concession he agreed to check the height of the houses and soften the landscaping.

So we can only conclude that the Planning Department in the light of Objections from the Consultation have not asked the Issas to make any modification to the size and appearance of the 5 houses. If they had done Mr Zuber Issa would have told us because he knew how important this issue is to us.

If that is the case then can you explain why the Planning Dept appears to be approving the planned house size and appearance in spite of Planning Guidance? That guidance clearly states “Planning considerations will also take into account the Scale, Appearance, and Design of the proposal --- and the impact of the proposal on the character of the area -----”.

Local residents are firmly of the opinion that the Plan for these 5 houses is not in keeping with any of the other very desirable houses in this prime residential area. And so we conclude that the plans do not comply with Planning Guidance quoted in red above. This was a major complaint which I made in my original Letter of Objection sent to you 17th May. I also sent a separate letter of Objection on the same date about Trees subject to TPOs being damaged by the proposed entrances – which is quite separate. That problem appears to have been resolved.

I hope this query that it appears this Planning Application is not in compliance with Planning Guidance can be resolved . Mr Zuber Issa told us at the meeting that the plans will probably be going out this Thursday for 2 weeks Re-Consultation with neighbours.

Yours sincerely
Ian Woolley

PS. Logically it seems to me that if you were to advise me why I am wrong to conclude that the plans are not in compliance with Planning Guidance then I would withdraw my objection. But if you agree I may be right then I would hope that you could request EuroGarages to submit amended plans as you have done re the Driveway Entrances off Billinge End Road to avoid TPO damage . For example to request a reduction of the width of the façade, at the front and at the rear, by say 25%. And also to introduce significant variations to the external cladding so the houses do not all look the same. This might involve some small delay. But this matter is so important affecting A PRIME RESIDENTIAL SITE IN BLACKBURN – it’s a chance in a lifetime to get it right and produce houses which will be a real legacy we can all be proud of.

PPS

You may prefer to reply to me by phone (01254 53294). Or I could meet you as soon as you like at the Town Hall for very short meeting together about the points made above. You may remember I had a short discussion over the phone soon after I sent in my original OBJECTION .

Objection W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 10/08/2018

However I find that nothing has been done about my previous Objection as regards the plans violating the character of the area.

So I have reworded my objection to make it clear why I must insist that this matter is given the attention it deserves.

REVISED OBJECTION

Planners are no doubt quite correct that there is nothing in the plans size or appearance which is illegal .

However that is not my objection.

It is about Planning Guidance – which states clearly in what I have read that Planners should -- “take into account the scale, appearance and design of the proposal – and the impact of the proposal on the character of the area”. That may be a matter of opinion. But these new house clearly violate the existing character for several reasons which can be briefly summarised as follows.

The existing larger houses in this area are all individually designed ; are no more than 500 sq metre; are well spaced out between each other; with attractive gardens which also encourage a wide variety of wildlife.

The planned new houses will completely destroy all those attractive features of the area with a 250 metre stretch of 5 mega houses totally out of character with any other house in this top class prime site for senior executive houses .

The new house have no individual features as they are all IDENTICAL as regards the house appearance and gardens ; are just over 1500 sq mtr (ie 3 times larger than is normal in the area); are over 4.5metres taller than any other houses locally; are laid out with very little space between each house in a close packed 250 metre row; and the proposed gardens will do almost nothing to attract wildlife.

It will be unattractive row of terraced housing more appropriate to a city than a rural suburb – totally out of keeping on Billinge End Road.

I have live here for over 50 years and I never thought I would be faced by plans which will destroy a big part of the character of this very special area.

If the existing plans are judged by Planners not to violate the existing character -- then how much bigger would the houses have to be before such consideration would be relevant ?

The revised plans to soften the landscaping does not deal with the basic problem. The Plan for these 5 houses **blatantly disregards** the existing character of the area. And that is an opinion held by all the neighbours I have talked to. **We deserve protection from this sort of development. And the only people who can protect us are the Planners and The Planning Committee.**

Objection W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 05/09/2018

Dear Sirs,

I attach a further Objection—the 5th I have sent you. This is because further National Policy Planning Framework only just released July 24th makes it clear that for some reason these plans are being allowed to ignore this National Policy as well as important parts of Blackburn Local Plan Part 2.

My Objection Letter is very clear why I am making such comment— and how I suggest it could be dealt with by deferring consideration of the Plan at the next Councillors Planning Meeting scheduled for Sept 20th. This would allow proper time to make Major changes to the Plans. Then I would hope we can all agree that National Planning Policy and Local Plan Part 2 is being properly observed. If that happens then Local Residents would be pleased to welcome what could be a most prestigious development.

You will be aware that so far you have totally ignored my very serious concern about these houses— that they are completely out of character with all the other very desirable executive houses in the area . I even offered to meet you and withdraw my objection if you could give me proper reasons why the Planning Application does comply with National and Local Policies.

So because no progress has been made on this aspect of my concerns I must advise you that this attached “Objection” document attached has reluctantly been released to the Lancashire Telegraph. It is likely they publicise my concerns— those concerns are shared with many other local residents.

Planning Application 10/18/0396 OBJECTION

5th Letter of OBJECTION submitted Wed 5th September 2018

For the attention of Martin Kenny,

Since the plans first appeared earlier this year I have written previously 4 emails to the Planners in Blackburn OBJECTING to the plans. Firstly on May 17. Then again on 16th July and 25th July and Aug 10th after certain amendments had been made to the plans and those revised plans were subject to re-consultation. My 4th email sent Aug 10th was even more urgent complaining to the Planners that Planning Guidance was still being ignored as regards the size, scale and design of the 5 new houses— if allowed it would have a serious impact on the existing character of the area .

When I wrote those 4 emails I was not aware of the July 24th latest National Policy Planning Framework .But it is an extremely important document , cannot be ignored and adds weight to everything I have said previously.

I am now also aware that it seems Blackburn’s own Local Plan Part 2 is also being ignored as regards essential Core Policies . Please see paragraph on Page 2 named BLACKBURN CORE PLAN PART 2 which appears before my CONCLUSION .

Those 4 emails spelt out in the clearest possible terms my extreme concern that the plans for these five house were completely unacceptable because they were blatantly out of character with all the other prime executive houses in this area of Billinge End Road - particularly as regards their excessive overall size, their monotonous architecture all having exactly the same external appearance , and concerns about all the gardens being destroyed. As such it was clear that the Plans did not comply with Planning Guidance .

A separate email also dealt with the fact that the original plan included deliberate felling of a number of trees subject to Tree Preservation Orders . This was hardly a surprise as the new owners of this amazingly beautiful 250 metre stretch Billinge End Road had ignored TPOs on a massive scale when re-developing a large nearby residential plot – formerly known as Richardson House.

I have not spoken to a single local resident who finds the plans in any way acceptable . They all believe these plans ruin this exceptionally beautiful prime residential area. Many others have also objected pointing out that it is regrettable that 8 houses will be destroyed to make way for only 5 new houses when the Council Policy is that more not less executive house are required . Other Objections have drawn attention to the undesirable appearance of the plans when this row of identical houses are viewed from a distance as one approaches Blackburn.

In my previous Objection emails I have made specific very positive suggestions as to how the Plans could be modified as regards both size and external appearance which might make the plans a lot more acceptable . I offered on July 16th to meet the Planner to discuss the apparent non-compliance with very important Planning Guidance. I also even offered the Planner to withdraw my Objection if he could explain that I was wrong to conclude the Plans did not comply with Planning Guidance . I was never contacted. And I believe that nothing has been done to request EuroGarages to modify the size, appearance and layout of the houses – so they remain non-compliant with Planning Policy.

Several local Residents met Mr Zuber Issa for a very friendly meeting in late July to see if we could persuade him to scale down the size and height of the houses – and also make each house have its own individual external appearance. We explained that the plans for these huge houses were not liked by many local residents and were not in character with the locality. We were told by Mr Issa that the size and appearance was none of our business. He would decide how big the houses would be and what they looked like. He would not budge an inch. So regrettably we made no progress at that meeting.

So why is our group of local Residents so insistent that Planning Policy is being ignored? The National Planning Policy Framework provides Authorities with overarching Planning Guidance – which is upheld on Appeal- has just been revised by the Government on July 24th. It is bang up to date. And says important things relevant to this Planning Application. It is not discretionary.

The advice is very clear. Para 127 in the section headed “Achieving well designed places” states :-

“ Planning --- decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping --- are sympathetic to local character and history, including the surrounding built environment and landscape setting. “

These houses are objectionable in this area because they are so big being over 1500 sq mt when all other executive houses in this area are approx. no more than 500 sq mt and over 4.5 metres taller than other house because they have an extra floor. **They will look monstrously big and by no stretch of any imagination are they “Sympathetic to local character “**. It is also objectionable that the houses are identical in external appearance when they could each have a very attractive individual external appearance - even if internally they all had the same facilities. This is totally out of character as all the other executive houses in this area are individually architect designed and are laid out with plenty of valuable mature garden space between them including lots of mature trees and shrubs essential for all the varied wild life that thrives in this area adjacent to Billinge Wood. The plans submitted look like a long monotonous 250 mt row of houses squeezed together - looking more like an institution as compared to the present charming collection of very desirable executive houses.

Blackburn Local Plan Part 2

Chapter 2 contains the Core Policies. Of these policies 8,9, and 11 are most relevant, with Policy 11 critical. I would specifically refer to para (i) and (ii) in Policy 8 [development and people]; also to paras (1) and (11) in Policy 9 (no unacceptable impact on environmental assets; trees – development expected to incorporate existing trees (irrespective of Tree Preservation Orders) which we believe should not allow felling of over 100 trees as now planned. And most importantly Policy 11 paras 1, 2 and 3 [design – practically every point mentioned in paras 2 and 3 is relevant – but is PRESENTLY BEING IGNORED.] The Plans do not comply with the Blackburn Local Plan Part 2. We believe this should not be allowed to happen.

VERY URGENT CONCLUSION .

Because the plans clearly do not comply with both the latest July 24th National Policy Planning Framework and the Local Plan Part 2 -- I am suggesting that the right and proper thing to do is to defer consideration of this Planning Application at the Sept 20th Planning Meeting.

This would allow proper time to make MAJOR changes to the Plans in order that we can all agree that National Planning Policy and the Local Plan Part 2 is being properly observed.

At the moment it seems that these plans for some reason are being allowed to ignore both the new National Policy Planning Framework and Local Plan Part 2.

I have lived in this area of Billinge End Road for 54 years. I never thought this area could be under such a threat as posed by this non-compliant development. The plans must surely be revised so that local residents would be pleased to welcome what could be a most prestigious development.

Local residents should be able to rely on Planners and Councillors to protect us from plans which do not comply.

Objection Aidan & Deborah Broughton, 9 Pall Mall, Blackburn. Rec 17/05/2018

We wish to object to the above proposal on the following grounds

- It is stated that the properties that are to be demolished are architecturally insignificant. The properties were generally built in the early part of the 20th century, they are of good quality and design and they fit into general area. If they are to be demolished another part of Blackburn's heritage has gone. Has Blackburn not lost enough of its heritage in the last 40 to 50 years?
 - The proposed properties are all the same, with no individuality or character. They are too large and they would take over the landscape and not blend in. They are generally designed the same as all other new developments in Blackburn.
 - Government policy is for more houses to be built, why are eight to be demolished and only five replacing them.
 - The impact on the local environment would be dramatic. Where would all the rubble etc go, the huge amount of waste involved would take up a large part of the local landfill sites.
 - The site is approached by a narrow country lane, the amount of wagons taking away the waste, and wagons bringing in new materials would be enormous and have a significant impact and danger to all the other road users in the area.
 - Local wildlife and trees would be greatly affected.
-

Objection Mr & Mrs P J Clancy, Pittarrow, Meins Road, Blackburn. Rec – 17/05/2018

Re- Application Number: 10/18/0396

Land and Properties off Billinge End Road, Blackburn BB2 6PY
Proposed Land Use - Class C3 Dwelling Houses
Development Type – Dwellings Minor

We, like several other local residents, have just been made aware of the proposed development 10/18/0396. Our objections are as follows:

1. The line of properties on Meins Road running below and parallel to the proposed development were not advised by the Planning Department even though they will have a clear view directly up to the development.
2. The majority of the eight houses to be demolished are attractive, well built houses with significantly varied architecture which is characteristic of the Billinge End Road/Meins Road area.
3. The proposed five new dwellings will have a continuous perimeter wall round them. This will create an individual community, as at Billinge Wood Park. This wall and the size of houses behind it will be seen as a continuous block of a building from the North as far afield as Longridge.
4. There is huge a shortage of executive homes for the people of Blackburn to live in and replacing eight with five will encourage more migration to the Ribble Valley.
5. There is no doubt that the design of the development is totally incompatible with the surrounding area both in size, style and plot size.
6. The local residents are all united in their huge concern for the destruction of long established trees, hedges etc. and the affect this will have not just on the overall look of the area but also on our native birds and wild animals who both live in our gardens and use them to safely pass through them on their journeys.
7. As seen with Billinge End Park the developers disregard for TPO rules in the past is hugely worrying.

We would, of course, be happy to discuss our concerns with you.

Objection Gwyn Williams, Linden, Woodgates Road, Blackburn. Rec 01/05/2018

We've noticed plans have been submitted for the construction of five large houses on Billinge End Road.

We live in Linden, which is the house adjoining the proposed construction on the Western side.

Based on an initial look at the plans submitted we have two concerns:

- 1) We're not sure how the new house next to ours would affect our view. We currently have un-obstructed views of Pendle Hill and we would not want to lose this.
- 2) It looks like the bridal path on Woodgates Road is being reduced in width. We just want to check that this is not the case.

Please could we have an opportunity to discuss these points?

Objection (2) Gwyn Williams, Linden, Woodgates Road, Blackburn. Rec – 29/05/2018

Dear Sirs,

Whilst appreciating the substantial investment in our neighbourhood that this planning application represents, we'd like to raise some concerns and queries.

1) The existing houses and gardens are part of a well known and much loved area of Blackburn that I believe the whole community is rightly proud of. The proposed houses in this application are out of keeping with this character; in particular the large scale and also the fact that the five houses are identical.

2) The trees of Billinge woods extend into all of our gardens along Billinge End Road and help our houses blend into the surrounding countryside. We would kindly request the Planning Committee ensure all healthy protected trees are preserved.

3) The height of the proposed houses is not clear to us. Could we request the Planning Committee ensure the height of the new houses is not more than the current houses?

4) We're fearing considerable disruption during the building period. Please could we request the Planning Committee lay down restrictions to working hours and type of building equipment used - this is both for the sanity of the neighbours and protection of the wildlife living in this area.

We'd be happy to provide further details if required.

Objection (3) Gwyn Williams, Linden, Woodgates, Blackburn. Rec – 03/08/2018

Dear Mr Kenny,

Further to my other correspondence on this subject I would like to re-iterate the following concerns:

- the scale and uniform appearance of the proposed houses remains out of character with the rest of this neighbourhood and we still feel the council should control this.

- the height of the proposed houses is still not clear to us and we are worried they will tower above existing houses, including ours.

- we've noticed that the requested working hours on this development be 7am to 7pm. We feel this is not appropriate for a development in a residential area such as this. Could we request this be limited to 8am to 5pm Monday to Friday and up to 1pm on Saturday?

- we have a concern about the location of a works compound for this development. As our house (Linden) and Woodgates both on Woodgates Road are the only properties bordering this proposed development we would like to request the compound be situated away from these properties.

Objection Mark Tuchmann, Tanamera, Billinge End Road, Blackburn. Rec – 18/05/2018

Dear Mr Kenny, I live at Tanamera, Billinge End Road, Blackburn, BB2 6PY. I wish to object to the above Planning Application Reference 10/18/0396, 'Full Planning Application-Residential development of 5no. dwelling following demolition of existing buildings At Land and properties off Billinge End Road Blackburn BB2 6PY'. I did not receive a letter from you about this application even though I live at the same postcode. I regularly walk along Billinge End Road past the existing buildings due for demolition, if the planning application is approved. I have not seen any planning application public notices displayed in this area, as is usually the case and did not know of the planning application until a neighbour brought it to my attention. These eight handsome houses which could be demolished are of historical interest, are all individual in their designs, are set in beautifully landscaped gardens and are a pleasure to walk past and greatly contribute to the area. I am also concerned about the potential loss of mature trees growing in the gardens of these eight properties.

The five proposed properties are larger than the existing ones and are all of the same design and would not enhance the character of this area. I would ask the planning department to turn down and not approve this planning application. Thank you for your kind assistance in this matter.

Objection (2) Mark Tuchmann, Tanamera, Billinge End Road, Blackburn. Rec – 01/08/2018

Further to my email to you of 18th May 2018.

I understand that further comments can now be submitted to you.

My original email to you stated:

I live at Tanamera, Billinge End Road, Blackburn, BB2 6PY.

I wish to object to the above Planning Application Reference 10/18/0396, 'Full Planning Application-Residential development of 5no. dwelling following demolition of existing buildings At Land and properties off Billinge End Road Blackburn BB2 6PY'.

I did not receive a letter from you about this application even though I live at the same postcode. I regularly walk along Billinge End Road past the existing buildings due for demolition, if the planning application is approved. I have not seen any planning application public notices displayed in this area, as is usually the case and did not know of the planning application until a neighbour brought it to my attention.

These eight handsome houses which could be demolished are of historical interest, are all individual in their designs, are set in beautifully landscaped gardens and are a pleasure to walk past and greatly contribute to the area.

I am also concerned about the potential loss of mature trees growing in the gardens of these eight properties. I understand that even more mature trees would now be felled if the planning application is approved. This should never be allowed.

The five proposed properties are larger than the existing ones and are all of the same design and would not enhance the character of this area.

I also understand that the demolition contractors are seeking operation hours of 7am to 7pm (Monday to Friday) and 7am to 2pm (Saturday). Billinge End Road is already too busy at times with school traffic and commuters and these operation hours should not be granted to the demolition contractors.

I still ask most strongly that the planning department turn down and not approve this planning application.

Thank you for your kind assistance in this matter. _____

Objection Mrs M Bolton, 15 Chapel Lane, Hoghton, Preston. Rec – 18/05/2018

Dear Sir

I wish to object to the above proposal.

The size of the development far out ways the setting. I grew up at 'Boxtree' and I still frequent the area. All the houses in the proposed development site have their own character and some are sheltered/made private by well established trees and woodland. This all adds to the character of the area, especially with Billinge Woods being opposite. If high walled, gated developments continue to be built along Billinge End Road it will change the area irreversibly.

Should the Planning Department approve this application , assurances have to be made that the existing trees which are earmarked for retention are retained and not felled as was allowed to happen at the development of the old Richardson House site lower down Billinge End Road.

Objection Allen & Lindsay Evans, Southworth, Billinge End Road, Blackburn. Rec – 20/05/2018

To Whom this May Concern.

Having seen and noted the recent above application, we would take this opportunity to express concerns about a number of aspects of the proposal.

Firstly, it is our concern that a development such as suggested will have a very detrimental effect upon what is a lovely area of our town.

The houses on Billinge End Road are each unique, attractive and, over the years, the progressive addition of properties in a proportionate and tasteful manner has led to them becoming woven into the fabric and the character of the town. People who live in the area have cherished their homes and the community in which they are located, brought up families there, in a beautiful location which forms a vital blending of the town area of Blackburn with the surrounding countryside.

Areas like this section of Billinge End Road have not developed overnight but grown over generations into the fabric of the district surroundings. They have, at the same time, provided pleasure and amenity, not just for those who live in the area but for others who may wish to come and visit this part of the town for whatever reason – it is not just a nice place to live but it is a nice place to be!

Having viewed the plans for the new properties we feel that they are garish, over-stated and distasteful – characteristics which no council should be wishing to impose upon the town or its residents.

The architects concerned suggest that the current properties are “of no significant architectural value!”

Difficult to accept having seen what they propose as a replacement!

We would further suggest that, the destruction of EIGHT properties in order to build five is not an appropriate suggestion given that, as a whole, the country has a current, enormous net deficit between the number of available properties and the number of people requiring them.

This does not make sense!

Further to this, we feel that, as representatives of ALL the people in Blackburn, the council needs to consider and account for the huge net deficit this project will create in terms of the "carbon footprint" it will create. Is this necessary? Is this appropriate? Is this part of the remit of the council's responsibilities to consider?

What are the council's proposals for the maintenance of Billinge End Road whilst this work is ongoing? The road is currently in poor condition, much of it having no footways or pavements. It is used constantly by horse riders, walkers, cyclists etc. All the houses in the area, excepting the others previously built by the Issa brothers, have been built at different times over a hundred years or more and with minimal disruption.

Are the council insisting on any "affordable" homes being built, given that this is effectively a new development of "luxury, executive" homes, what provision is being made for "balance?"

These are all questions which we feel the council needs to answer here and now, prior to any consents being given.

In consideration of our own property and the issuing of warnings prior to this project:

We feel that we should have been included in the consultation process which has been evoked. Our reasons for saying this are primarily due to the size and the extent of this development. This is no small scale undertaking, it is likely to disrupt the area for some considerable time and, given the previous track record of the applicants when building other property in the area (which I will come to shortly), we feel it is the duty of the council to have considered us from the outset, given that we are directly on the only access road to this proposed site and will be subject to disturbance on a huge scale.

Why has this not happened?

Further to my point about the previous track record of these people in Billinge End Road:

Let us not forget that these are the same people who previously acquired the site at the old Richardson House! Since their arrival at Billinge End Road, the Issa brothers have been ambassadors for segregation, not something this council should be promoting.

Their building efforts have resulted in Billinge Wood Park – effectively, a fortified compound of houses built solely for one family which never interacts with anyone in the surrounding community.

In fact, their only communications with other community members are done via agents, only interacting with other residents when they want something – as has been the case in acquiring the eight properties in question here. Incidentally, the gate house at this development has never been finished off and has been left in a dilapidated state, simply because it isn't of immediate use to the Issas – again, this does not demonstrate any interest in community or amenities.

Does Billinge End Road really require more of the same segregationist housing to be built?

Does Blackburn require this at all?

Since their arrival at that location, they have proved that they simply cannot be trusted to comply with any rules and regulations which govern the rest of us.

Wholesale demolition of trees and the disruption of wildlife, traffic and the lives of their neighbours, erection of scaffolding in the middle of Billinge End Road, unregulated highway obstructions, all undertaken without any consideration for acquiring the proper permissions, have been the trademarks of the Issa brothers, ever since they began the demolition of Richardson House.

In that case, they were seen to ride roughshod over the authority of the council planners and were never sanctioned in any way, despite the wilful destruction of the ecology in the area. The perimeters of this compound are deliberately netted to prevent wildlife moving around and we feel that adoption of the same kind of methods will be inevitable at the new location.

This will potentially be far more disruptive to wildlife, given that this area has a number of deer, badgers etc, often seen in the grounds of houses in the area, as we regularly do so at Southworth.

How does the council propose to deal with the free access to the section of Woodgates Road which runs at the rear of these proposed houses? This is an access only road but is also a bridle path used frequently by walkers, cyclists and horse riders. The council has recently spent a lot of money to attract cyclists and walkers to the area with the cycle track and Weavers Way initiatives in the locality.

This scheme will surely have an adverse impact on those activities will it not!

We would ask that the council should consider past experiences with these people and the way they treat others in the community. Hopefully this will weigh heavier than simply considering how many business interests these people have in the Blackburn area.

Finally, the suggestion to remove numerous mature trees from the new site despite the fact that most of these are protected by TPOs made by this very same council in the past. It should be noted that, in 2014 we made a very small planning application for our house "Southworth," which is also covered by these very same TPOs.

Our application was to remove two, very poor quality Sycamores in order to create a small annex to accommodate our elderly parents, both in their eighties and very frail. This was for the very best of motives for two people who have given and paid in to Blackburn with Darwen all their lives and now need support. This was immediately pounced upon by council officers including your tree consultant Russell CRITCHLEY and the Planning Department and we were denied permission.

Mr CRITCHLEY has also been instrumental in protecting very poor quality trees in Woodgates Road recently and preventing residents from having them pruned or felled. These trees are within the same TPO as the ones this plan proposes to remove so we would ask the council to please explain why the felling of approaching 60 trees could possibly be deemed appropriate in the case of this application?

We would expect from the council, a very clear explanation of any inconsistencies in these cases and full justification to be provided. These trees have taken much more than the lifetimes of the Issa brothers to grow and develop so it is our opinion that their split second desire to remove them forms no kind of justifiable plan.

In our view, development should take into account ALL the existing trees, as the council has previously insisted upon this in other cases highlighted here.

Recently, we had a visit from a planning officer (who I could name if necessary) about another planning application nearby and my wife and I were told,

“It doesn’t matter whether these people get permission or not! They just do it anyway, knowing they will not be challenged by the council and then get retrospective permission later”

Hopefully, this matter will get proper consideration!

In closing, we would also ask this question:

“Why is it that anyone would want to move into a rural area and then choose to urbanise it by destroying the very features which make it attractive?”

We would ask that the council finds us an answer to this question, prior to considering any permissions for this development.

Objection Mrs E Beaumont, 7 Billinge End Road, Blackburn. Rec – 22/05/2018

Dear Sir,

I am writing with regards to the above planning application, which, as you will see from my address will have huge impact directly on my neighbourhood.

It is quite shocking to know that it is deemed allowable that 8 large period family houses that are in pristine condition, well designed and with beautiful mature gardens, should be allowed to be demolished and be replaced by 5 newly built homes. I understood that the council has a policy of increasing the areas stock of these type of family homes, not reducing it.

The five houses under threat of demolition is seen by residents of the area, and the many who spend their leisure time walking, running, cycling and motoring in this part of our borough, as an aesthetically pleasing environment with the established gardens and trees attracting wildlife. This group of house forms a feature that any town would be proud of and has added to the diversity of homes in our area. The mass demolition of these beautiful dwellings and their gardens is a shocking act of destruction. I understand that the architectural value of some of these properties also should be considered, having been designed by architects of historical note.

I believe that included in the application is the felling of 60 mature trees. Again I find it appalling that a council which highlights and promotes the importance of preserving the green spaces and conservation of nature in our borough, should agree to this desecration of an area of natural beauty. Three years ago the residents of Billinge Side applied to the council to reduce the height of a number of trees directly facing our row of cottages. We are trustees of the field facing Billinge Side, the trees were within that land and had grown to block the much loved views from our cottages. We did not wish to fell the trees, only reduce their height. We were refused permission on the grounds that we needed to preserve trees in this area. In the short time since then, I have to ask you if this policy has changed? Are the council now going to agree to **60** mature and beautiful trees, only a few metres from the ones Mr Critchley was so adamant should be preserved, being felled.

Compared to the previously mentioned issues the one I am about to raise is less significant, as you would argue it is short term, but none the less important to resident and users of Billinge End Road. The amount of traffic/plant associated with this planning proposal will be huge and very disruptive to road users. This disruption(and often danger) is currently being experienced with the present building development taking place on our road at the very tricky corner where a huge modern house is under construction – I am sure you are very aware of the building to which I am referring. Daily, myself and other drivers travelling towards the junction of our road and Preston New Road, face large vehicles and plant parked on a dangerous corner, to say nothing of the hazards facing pedestrians there. We are now faced with similar prospects should this planning application be successful.

I feel the council should take a very careful look at the implications of this proposal and the impact on an area of such unique character in our town. It is bewildering why these beautiful houses are not on the market for families to purchase and allow residents to enjoy the amenities of the stunning location they offer, in accordance with what our council promote as their housing policy.

Please seriously consider the refusal of this planning application.

Objection Dr John Merrill, Kenolbri, Meins Road, Blackburn. Rec – 23/05/2018

I am writing to express concern over the above planning application.

Having grown up on Billinge End Road and my Grandmother living in one of the properties earmarked for demolition I have fond memories of the area. The stretch of Billinge End Road between both ends of Woodgates Road has some of the most desirable and disparate properties in Blackburn that have beautiful views over the across the Ribble Valley. They can be seen not just from Woodgates Road and Meins Road, but from miles to the north. In the proposed plans, eight of the twelve properties along the northern border of Woodgates Road will be replaced by five enormous and identical buildings of doubtful architectural merit that will, to my mind, constitute an eyesore.

Billinge End Road in its entirety will become less desirable as a place to live for those of well above average means and this is likely to have repercussions for attracting and retaining investment in the town.

In recent years one property of outstanding architectural merit has been built immediately to the west of the proposed developments and the next three properties have been substantially enlarged whilst retaining the character and facades of the original buildings. If a similar approach was taken for the proposed development my concerns, and most likely those of other local residents, would be satisfied.

For example:

- the two houses to the east could be demolished and replaced by a new build
- the Braids (the largest house on Billinge End Road and to my mind the most beautiful) could be retained
- two of the next five houses could be demolished with the three that remain subjected to architecturally sensitive modifications that significantly increase their size whilst still being in keeping with the area

Objection Ian Riley & Julie Hall Rec – 24/05/2018

Dear Sir/Madam

We hereby raise our objections to above proposal on following grounds:

- Environmental impact of demolition of eight houses (all in excellent condition) therefore use of unnecessary building materials & removal of sound building materials probably to end up in landfill sites
 - Environmental impact to wildlife by large scale clearance of mature shrubbery and trees (this is evident on plans – much to be replaced by patio areas and pathways) This will FOREVER destroy the micro environment/habitat of many species of wildlife found in the Billinge Side area. The plan shows retention of some trees but removal of adjacent trees may lead to the established nests being abandoned or harmed, which is a breach of the “Wildlife and Countryside Act 1981”.
 - Detrimental impact of building 5 large properties that are not in keeping with the natural beauty & character of Billinge Side area
 - Destruction of some character property, some buildings ARE of historical interest and are part of Blackburn’s rich & interesting heritage
 - We also query if the Arboricultural Officer, Mr. Russell Critchley CAN justify any removal of “worthy” trees (as in above planning application) BUT when Billinge Side Trust tried to have trees that were obscuring view enjoyed by Billinge Side residents, & numerous walkers and cyclists simply “trimmed” NOT removed, a TPO was imposed protecting every tree around perimeter of field opposite Billinge Side Cottages. We find this EXTREMELY contradictory.
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Objection John Aspin, 5 Billingside, Blackburn. Rec – 28/05/2018

Dear Sir/Madam

I'm writing in reference to the above Planning Application to demolish eight dwelling houses on Billinge End Road & replace them with five enormous identical Mansions. I normally support redevelopment of the town but this particular scheme is totally unnecessary & unwarranted in my view. The existing houses are not slums, they form part of the unique character of Billinge which has evolved over many decades into one of Blackburn's most aesthetically pleasing & desirable residential environments; an interesting mix of architectural styles in the midst of mature gardens, in scale and at one with the surrounding countryside.

I've lived in Billinge for thirty two years & I feel that these houses & their gardens constitute an essential component of the heritage of Western Blackburn and I'm very disappointed that their owners consented to sell them knowing their probable fate.

I think for the council to allow them to be torn down to indulge a Vanity Project would amount to Cultural Vandalism. It would inevitably involve the mass felling of mature trees, further environmental damage caused by hundreds of tons of rubble & building materials being transported in & out, disruption to local people's lives due to noise pollution and traffic chaos on Billinge End Road for months if not years.

I cannot believe that all this is reconcilable with the stated aims of Blackburn with Darwen's 'Core Strategy' and would urge you to reject this grandiose scheme and save one of the finest corners of the Borough from destruction.

Objection (2) John Aspin, 5 Billingside, Blackburn. Rec – 03/08/2018

Dear Sir/Madam

Ref your letter of 19/07/18 detailing amendments to Planning App 10/18/0396, I can see no significant changes to the scale of the proposed development or its impact, therefore my initial objections detailed below still stand. I would not be opposed to the demolition of 'Boxtree' & 'Westwood' but strongly object to the other six houses being demolished.

If this development is given the go-ahead as I suspect it will, I think the hours of working should be restricted to 8am till 5pm Mon to Fri & 8am till 1pm on Saturdays.

Objection Nancy Olander, Billinge End Road, Blackburn. Rec – 26/05/2018

When I first moved to Blackburn from Bournemouth in 1962, Billinge End Road felt like home. It is one of the most pleasant places to live in Blackburn, if not the most pleasant. Over the past hundred years, hard-working, successful members of the community have built houses which take advantage of the sweeping views over the Ribble Valley to the north and woodland to the south.

These houses, mainly built between the wars, are large but manageable and, in many cases, have beautiful gardens. They have mostly been lovingly maintained and have merged over time into a peaceful, leafy environment so that anyone walking along the road (and many do) is presented with views of interesting gardens and various very different houses - a pleasant scene en route to the open country of the Yellow Hills, all within five minutes' walk of the centre of Blackburn.

The current application to demolish eight of these houses and replace them with five very large (identical) ones seems to go against common sense since Blackburn is particularly short of houses in the category which the eight represent. The proposal for this mass demolition totally sweeps aside consideration of any possible merit in the existing houses: some of them must be of historical interest, representing as they do a period and style of building which can never return and this interest will become even greater in the future.

A further cause for concern is the certain destruction of a large number of trees, many of which must have tree preservation orders on them. I thought that Blackburn was keen to keep its trees and not allow them to be destroyed at will.

However, my main objection to the proposed development is based on my understanding that these five new (identical) houses will not be for sale on the open market. If I am right, the proposal is to construct a self-contained walled, gated estate for the family and friends of the new owner, thus removing a large area of the best real estate in Blackburn from the public domain - what arrogance! Surely the council cannot accept a proposal so clearly against the interests of the public in this area as a whole. We do not need enclosed, gated communities - as many people as possible should be able to enjoy the beauty of a countryside atmosphere so near to a town.

Objection J Alcorn, 2 Pall Mall, Blackburn. Rec – 29/05/2018

Re: planning application 10/18/0396

I was disappointed to learn of the proposal to demolish eight individual properties (each different in design and together presenting an interesting variety of architecture) which add character to Billinge End Road and replace them with five much larger, near identical, residences. The visual impact to both Billinge End Road and Woodgates Road will be substantial.

Particularly concerned about the impact on the environment, I would ask that **any** development here retains the many mature trees that stand within the existing plots which not only enhance the surroundings but are also very important to wildlife.

With safety in mind it is important that the broad strip of land (from the garden walls at the front of the existing properties to the road edge) remains obstacle-free and accessible to pedestrians.

A good number of people – and not just local residents – walk along this road. It makes safety sense for them to have an alternative to walking in the roadway itself which is busy at peak times (work/school runs) but which, even at quieter times, sees vehicles traveling at well over the 30mph speed limit.

Finally, it would be appreciated if any development (which will undoubtedly be a lengthy and disruptive process) fully takes into account pedestrian and traffic safety, and the on-going state of the road and surroundings.

Objection Rebecca Walsh Rec - 31/05/2018

I am writing regarding the application process which is taking place for 5 houses at Billinge End Road. I have family living in the area who are devastated by these plans. This is an area of natural beauty and green belt. The views would be ruined and character of the area as well.

I live in the Netherlands now and showed these plans to a number of Dutch planners in the South of Holland. They were astounded that these plans would even be considered.

Objection Paul Fletcher, Woodgates Farm, Meins Road, Blackburn. Rec – 31/07/2018

Martin,

Further to our discussion yesterday (thank you for your time) I would like to record our objection to the working hours requested within the subject application. There is going to be a considerable amount of noise, from a very large building site around fifty meters from our back door for several years during the demolition and construction phases.

It is unacceptable therefore for weekday hours of seven to seven (plus extended Saturday hours) to be requested by the land owners.

We would hope therefore that the Planning Team at BwD would consider our own position and that of the surrounding properties, by reducing the permitted working hours to eight through to five/six for the working week, and nine to one (if absolutely necessary) on Saturday. Would you also please give consideration to how the building sites will be "lit" during the months with limited seasonal daylight.

Would you please confirm that you have received this email.

Objection Ian Whalley, 1 Billinge Side, Blackburn. Rec – 29/05/2018

Dear Sirs,

Planning Application – Residential development of 5 no. dwelling following demolition of existing buildings at land and properties off Billinge End Road Blackburn – ref: 10/18/0396

My initial reaction to discovering there was an intention to demolish 8 houses along Billinge End Road was one of complete shock and horror. For me, these houses are part of our local history; they are embedded in the local landscape. They are part of the place where I have lived and continue to live. I first walked past them in the 60's on my way up to Yellow Hills. In the 70's my friends and I would admire them on our way to the Clog and Billycock (then called the Bay Horse, but since reverting to its original name). In the mid-90's I came to live on Billinge Side, a beautiful area of town and these houses part of its heritage.

The more I thought about it, the more incredible the plan seemed. I couldn't believe that such an extensive, intrusive, destructive scheme could possibly be compatible with the town's planning strategy. So, I had a look at it. The Core Strategy [2011] did actually give me some reassurance. But it is still very worrying to think that despite the vision and principles it lays out, the Council (some of its Councillors and/or planning officers) have given enough of a nod to let these people invest millions and make the matter a fait accompli. The letter of notification I received said only comments relating to planning considerations will be taken into account when deciding the application. Having read the relevant sections of the Core Strategy document, I can only conclude that if the Council did provide encouragement to these people at the pre-planning stage then it was not based on such planning considerations. Of course, the elephant in the room here is money, lots of it. Maybe these people are philanthropic. But it would not be right to reward that by ignoring the principles laid out in the planning strategy. Let me now turn to it.

The first point relates to the Council's concerns over the shortage of supply of large and higher market houses. On p.87 at para.8.22 it says, "***The Borough is significantly under-represented in large and higher market houses. 9.9% of housing stock has 4 or more bedrooms compared to the national average of 34%, and only 12.95% of properties in Council Tax Band D or above, compared to 20.79% across the North-west. This lack of accommodation for high-wage earners has a knock-on effect on the economy...Addressing this shortfall is a key mechanism by which economic transformation will be delivered.***"

Reducing 8 houses to 5 clearly does not fit in with the strategy.

There are other things I could say about the reduction aspect. Firstly, it is obvious that the proposed development is not being carried out for commercial reasons. The houses proposed are not intended for the public at large. The plan is clearly for a 'compound' (similar to the development at Billinge Park), presumably for family members or others closely related. In effect, 8 homes to the outside public will be lost, not 3. Also, the existing houses offer a variety of size and price (from £350K to £1m), which can facilitate a number of different levels of high-income families.

The Core Strategy mentions existing housing stock.

P.93 sets out Policy CS9: "*Strategic housing policy will ensure the overall stock following new housing development will provide a balanced quantity and mix of residential offer to meet the needs of existing residents and attract new residents to the Borough.*" It goes on say, "*In addressing clearance, local circumstances and distinctiveness will be taken into account. Consideration will be given in the first instance to the retention, repair and reuse of properties, which form part of the fabric of the historic local identity and which are valued by the community.*"

I cannot think of a better example to illustrate this latter point. Here we have 8 properties, all forming part of the fabric of the historic local identity. They are all valued by the community.

Demolishing these properties will be contrary to Core Strategy CS9.

We then move on to the environmental effects of such development.

Policy CS13 on p.109: **“Development will only be permitted where it creates no unacceptable environmental impact.”** It then goes on to give examples of such impact. Paragraph 3(v), again p.109 is relevant here. *“Development which results in the loss of or unacceptable damage to environmental resources including habitats...landscapes and built heritage.*

It is against Blackburn with Darwen Borough Council’s CS13 to permit development that results in loss or unacceptable damage to landscapes and built heritage.

The strategy elaborates on built heritage.

Policy CS17 (p.127) – Built and Cultural Heritage and **CS18** (on p.128/9) – The Borough’s landscapes, apply here. On p.128, para.11.6. – *“the area’s built and natural heritage is a major asset in its attractiveness and local distinctiveness. Importantly, this does not relate solely to designated buildings or specified areas. The less distinctive buildings and spaces in between form a glue that joins key features together and are crucially important in maintaining the overall character of our place.”*

P.130 of the Strategy, para.11.10. says, *“some areas are sensitive. Landscape on edge of towns will be protected and in particular the key features that make the landscape valuable and unique.*

There is an important point here, which to me is *the* crucial aspect to all of this. A landscape develops over time; it becomes part of the local community. It gains a cultural aspect. This goes back to what I mentioned before about walking past these properties in the 60’s and 70’s. They are part and parcel of the landscape, embedded within it. They are part of our local heritage and have value as such. They are not there for knocking down on a whim. What I

find most contemptible about this proposal is its utterly ruthless indifference to local community, landscape and heritage. They may well be philanthropic people but the mindset displayed here is the polar opposite.

And then there’s the trees. Please bear with me while I relate the following. I can assure you, it is relevant.

In 2006, a then resident of “Dunscar” on Woodgates, informed the Council that residents at Billinge Side were planning to fell unprotected trees around the field across. (This area is directly adjacent to the present intended development site.) As a result, the Council **immediately** imposed a Woodland TPO, 30-40 trees included. The residents of Billinge Side subsequently tried to vary it. It was submitted that the trees, which had grown from seed could be felled to restore the panoramic views on offer from this unique vantage point. In January 2011, the Council refused the request. An appeal to the Planning Inspectorate followed. An informal hearing took place in September 2011. The appeal was refused on the same grounds the Council refused to vary the TPO, i.e. that Billinge was a “well treed hill” - trees forming an important part of the amenity of the area and should not be removed.

I sent an email very recently to the Tree Protection Officer at Blackburn with Darwen Borough Council. I asked him why the Council hadn't moved as fast (or indeed, hadn't moved at all) to protect the 60 or 70 trees that remain unprotected on the present development site, given the obvious imminent threat to trees, one far more real than that which applied in the Billinge Side Woodland TPO case. So far, I have received no reply.

But what could he say? Why should the Council's attitude be any different? It is clear these people intend to fell almost all the trees within the gardens of these 8 houses, including the few that are protected by the Billinge/Woodgates/Meins Road TPO. These people have form when it comes to tree removal. The mass felling at Richardson House testifies to that.

The mass felling of trees and the demolition of Richardson House gave way to a private estate in respect of which no one benefits other than its owners and guests. It is not a part of the community. It is walled off, isolated and if the current proposal goes ahead it will be just like it, the only difference being that the houses will form a row rather than a square. But the same walling-off would still apply. I object to this proposal first and foremost on the basis that it necessarily would involve the total destruction of perfectly good houses, an act of monumental vandalism. However, I also object to the size, appearance and design of the monoliths proposed. Consult any thesaurus to find adjectives approximating to vulgar, bland, egotistic, unimaginative, gross, materialistic, grandiose. The planning consultants or some other agent working on these people's behalf had the audacity to describe the existing houses as lacking any merit. It is patently untrue. I walk past the houses now standing (like a row of silent prisoners on death row, which may yet be reprieved!). They offer such variety; they are so aesthetically pleasing; their gardens are beautiful (especially so at this time of year). The shock and horror still grabs me. But what truly depresses is the worry of a fait accompli where the Council has already given the go-ahead in all but word and this despite their anticipation of entirely reasonable objections made by local residents, and of course the obvious turning a blind eye to the Borough's own Core Strategy Planning document.

Objection (2) Ian Whalley, 1 Billinge Side, Blackburn. Rec – 07/08/2018

Dear Sirs,

Planning application – Residential development of 5 no. dwelling houses following demolition of existing buildings and properties off Billinge End Road Blackburn – ref: 10/18/0396

I remain of the opinion that the proposal is unnecessarily destructive. I am against it.

I have been informed that the Planning Office received a total of 23 comments from local residents following the initial proposal submission. There were 25 separate households on the Council's 'Neighbour list'. I am aware of at least 2 households who were not on the Neighbour List who submitted comments but it still probably means that the majority of those who were on the list responded. I do not know what they all said but I can say that I have spoken to at least 20 local households (17 on the Neighbour list) and all but 3 said they strongly objected. 2 of the 3 households said they'd like the development go ahead, the reason being their belief that part of the works would be the removal of the unsightly solid row of evergreens planted by the previous owner of Boxtree along its eastern boundary. My study of the latest arboriculture report however suggests this row of trees is being retained, permanently, as a screen.

The updated arboriculture report is more of the same, i.e. requiring tree destruction. A lot of the trees in this report are included under a heading, G (for group). The total trees to be felled is not clearly stated. You have to look at the details for the individual groups, add up all the trees within those groups to arrive at an approximate total. Taking into account all the trees in these groups, along with all the individual trees listed, there are over **100** trees required to be felled. The total required is of course exacerbated by the developers requiring exact equilibrium of distance between driveways (and houses). This is an illustrative example of the destructive nature of this scheme.

Blackburn with Darwen Borough Council's overall strategy is that development is expected to accommodate existing trees.

The Council's strategy also says that development which has an unacceptably high environmental impact will be refused planning permission. Examples of unacceptable impact include but are not limited to: - development which results in the loss or unacceptable damage to environmental resources including habitats, landscapes and built heritage.

Is the destruction of 8 perfectly sound properties (some would say, highly desirable residences) together with their trees and gardens not unacceptable damage to environmental resources (habitats, landscapes, built heritage)?

I do not see how it is possible to argue otherwise.

The proposed build is destructive in another sense. It will ruin the area. It does not adhere to any sense of proportion. In terms of size, scale or appearance the mansions depicted in the plans bear no resemblance to anything around them. The houses immediately in the vicinity, 'Woodgates' on Woodgates Lane and those houses to the west of 'Sheraton' on Billinge End Road/Woodgates are substantially smaller, their designs individual. There has always been a strict policy imposed by the Council on disallowing any 'inbuilding' between these houses (targeted for demolition) because of the need to maintain openness and a rural, leafy feel. 5 huge mansions with little space between them will completely destroy that. Further, it will look like some Victorian asylum institution (or prison) when viewed from places like Mellor or by incoming traffic travelling east along Preston New Road. These properties will not be there in isolation, but, they will certainly look that way.

It will not be a big deal to the developers if permission is refused. If they spent £6.25m acquiring the properties and another few hundred thousand on fees, it is still only small change for billionaires. I appreciate that the vast majority of us will never know what it feels like to deal with such huge sums of money but if you think logically it's only like a child with £5 pocket money losing 3p. It's not even that, because the properties, which are still assets, can be spruced up and put back on the market for sale. The area, the community, the houses, the gardens and the trees will all breathe a sigh of relief.

However, should that sensible course of action not be followed, demolition contractors want to work from 7am to 7pm Monday to Friday and 7am to 2pm on Saturday -not only destroying the properties but also my peace and quiet enjoyment. I don't want them destroying at all. But if they do (and who knows, the Councillors might just pass this) can we have this done during more reasonable hours?

Dear Sirs,

Planning Application – Residential development of 5 no. dwelling following demolition of existing buildings at land and properties off Billinge End Road Blackburn – ref: 10/18/0396

The present 'revised' plans testify to how little attention has been paid by the Council to all those local residents who between them have spent many hours troubling themselves over this diabolical proposal. It is quite frankly an absolute disgrace.

I'd be interested to know how many out of the 25 households written to, have actually expressed agreement with this proposal (excepting those who gave it thinking they'd end up getting a better view). I may decide to make a FOI request at some point. I believe 23 commented in the first round. That number probably dropped second time of asking and this third request may well suffer from 'resident fatigue'.

The truth is, we residents haven't done enough. Nobody wants this. I've spoken to a number of people further along Billinge End Road, in Pleasington and in the wider Blackburn area. They all say the same thing, "Terrible, isn't it? But what can you do? They're going to get it, aren't they? The Council are in their pocket."

The audacity of this proposal is staggering. Only such a family of local multi-millionaires could have lodged it. So, it's going to be tailor-made for them, their own little bit of private planning. It is going to destroy 8 homes and create 5, thus reducing the available high-income residences in the Blackburn area. It is going to demolish 8 houses, most of which, whilst not special enough to be listed are, nevertheless fine examples of pre-war architectural design and construction. But more importantly, they are part of the town's heritage and culture. They are established, settled. Nature has grown around them. They are aesthetically pleasing. They are perfectly spaced, the gardens and trees in balance. They are typical of an English suburban landscape. They should not be pulled down. The gardens should not be bulldozed. The trees should not be felled. Environmentally, it is an abuse of resources.

But it's quite clear that this Labour Council doesn't give a damn about Blackburn, its history, its culture or even its environment. And just for the record, I'm not a Tory.

Then there's the proposed build. Nobody has spent more time writing to the Council about this than Ian Woolley of Woodgates. He is absolutely right. The buildings proposed are way out of proportion to all others in the area (save perhaps those other monsters behind the wall

at 'Billinge Park' half a mile down the road). Both in terms of scale, size and appearance they are plain wrong. There is planning guidance about this. We mention it but look what happens. It gets ignored. Think of the size of Woodgates, of Billinge Crest and Dunscur. Think of Stonegarth and those others adjacent to Sheraton. They are large properties, but compared to the ones proposed they are still **2 to 3 times smaller!**

A good point was made by Richard Prest of Ramscroft House, Meins Road. From a distance these 5 buildings will appear unsightly. Given their massive size, with relatively little space between them they will look like one, long, industrial unit perched on the hillside (with little or no tree cover) ironically resembling an old 19th Century mill, or perhaps some modern open prison.

This plan has nothing to do with Blackburn's Core Strategy. It has everything to do with pandering to its shiniest stars. Among the residents I have spoken to, there is no envy, only despair. I strongly suspect that the vast majority, if not all the comments you receive (and have received in previous rounds) are against this. What is the point in having a consensus if you simply chose to ignore it?

Our ultimate sense is, those proposing this scheme are simply going through the motions, letting us residents blow off a bit of steam, paring their finger nails as we clatter away on our keyboards. What a way to treat your neighbours.

Objection Nicola Beswick, 8 Pall Mall, Blackburn. Rec – 26/05/2018

Dear Mr Kenny,

SUBJECT: PLANNING APPLICATION NO. 10/18/0396 DEMOLITION OF 8NO. PROPERTIES AND ERECTION OF 5NO. PROPERTIES

I am writing to you to record comments on planning application no. 10/18/0396. As residents of Billinge End Road, my neighbours and I have several misgivings about the proposed demolition and development. I have outlined these concerns in brief bullet points below and then explained my points in more detail afterwards. Although the development directly affects us as neighbours, it impacts homes on Meins Road, residents of Mellor who look out on to the valley, as well as the wider borough of Blackburn with Darwen.

Blackburn faces many challenges and has areas in need of vast improvement, so it is of paramount importance that high quality areas are not undermined by insensitive development. The proposed scheme in its current form has the potential to jeopardize the character and charm of the area, which, I feel would have a negative impact on the whole borough.

My principal concerns are:

1. Loss of character. The demolition of 8 individually designed, desirable, family homes representing trends of detached semi-rural residential development throughout different decades of the 20th century.
2. Loss of housing. The demolition of 8 homes to be replaced with 5 homes, a loss of three family homes, is in direct contravention of one of Blackburn with Darwen's core planning policies within its Local Plan as well as national planning guidance.
3. Further loss of local properties and characterising features if this development goes ahead in its current form. It is understood the applicant has purchased a number of adjacent properties on Billinge End Road and the agricultural field between Woodgates Road and Meins Road to the north of the proposed development. So, the future of more unique properties might be under threat.
4. Poor design quality and limited sustainable features of the proposed design.
5. Loss of character through the unnecessary loss of mature trees.
6. Loss of ecological corridor connections and continuity by removing mature trees within the site.
7. Damage to the tree canopy of trees within the curtilage of Billinge Woods on the opposite side of Billinge end Road by large construction vehicles.
8. Boundary treatment. The height, regularity and design of the proposal are detrimental to the local character.
9. Pavement / pedestrian safety both during construction and on completion. Local residents want to see a clearly defined pavement between the highway and the site boundary to improve pedestrian safety along this section of Billinge End Road. We would also like assurances that a safe pedestrian route is defined, and access maintained throughout the construction period.
10. Parking, deliveries, access and traffic during construction works.
11. Keeping Billinge End Road clean and safe during construction works. The proposed designs require significant earthworks, with the removal of large amounts of soil offsite. We request that measures are taken to mitigate the impact of these works on local residents and through traffic such as on-site wheel wash facilities, conditions to enforce clean up if spoil or other construction rubbish is deposited on the highway, works carried out

12. Lack of consultation with local residents. There have been no notifications of the planning application on lamp posts. None of the properties on Meins Road have been notified despite the fact that they will be most affected by the massing, scale and potential overlooking. A number of the neighboring properties are owned by the applicant so the number of neighbours notified should have been widened.
13. Many locals feel let down by planners in recent years, having objected to proposals in large numbers in the past (including the Longacre development which ignored its original planning approval and conditions entirely).

Expanding upon the points above.

Reduction in housing, poor design quality and limited sustainability

The reduction in housing, albeit small sets an undesirable precedent in ignoring planning policy, there is no justification for the loss of housing other than the applicants desire to build 5 extremely large residential properties. Both the Core Strategy (Local Plan Part 1) and Local Plan Part 2 clearly stress the need for additional housing across the borough, and a loss of three existing houses takes the authority further away from its annual targets, which if replicated on other schemes would become a problem. In the Local Plan Part 2, *Spatial Intervention 2: Quantity, quality and mix of housing - Core Strategy Policy – CS5 to CS8* the proposed development conflicts with the aspirations and measures of these policies. Also, in *CS9 Existing housing stock* the number of demolitions is a key performance indicator.

To permit this sort of development surely the scheme would have to enhance the character of the local area and wider borough. Referencing National Planning Policy Framework Section 6 *Delivering a wide choice of high quality homes* Paragraph 55 describes rational for residential development that would not ordinarily be permitted. While the site on Billinge End Road may seem exceptionally close to the town centre to be described as *rural*, it is wrapped by green belt to its north, south and west. From its northerly aspect it enjoys exceptional views across rolling green pastures to Mellor, Forest of Bowland, Longridge Fell, Parlick, Fair Snape Fell and the west coast. From its southerly aspect it is on the fringe of Billinge Wood. The

character of the existing properties on site are more akin to rural developments than town centre. So perhaps the loss of homes could be compensated by *the exceptional quality or innovative nature of the design of the dwelling*, which is further defined as:

- *be truly outstanding or innovative;*
- *helping to raise standards of design;*
- *reflect the highest standards in architecture;*
- *significantly enhance its immediate setting;*
- *be sensitive to the defining characteristics of the local area.*

The current design proposal takes 8 high quality, uniquely designed, desirable, generously-sized family homes with large gardens and creates a linear housing estate of identical super-sized mansions. The character of the area is typified by individually designed residential detached homes, two small rows of stone cottages along Billinge End Road, a set of stone-built semi-detached properties, the Clog and Billycock stone-built pub/restaurant, farmsteads, individual property boundary treatments, woodland, open-rolling green pastures of farm land, Billinge Woods and large country houses surrounded by large grounds.

The design of the development proposals can be described by the term *McMansions* with sheer size dominating over design quality. There is a superficial nod to classism with the addition of stone or reconstituted stone columns, but none of the rules of proportion and hierarchy that typify high quality classical design. The elevations and visuals of the proposal look more like offices or Holiday Inns than houses. Nor does there seem to be any sustainability innovations above and beyond adhering to current English Building Regulations.

Blackburn with Darwen planning documentation, supplementary documents and national planning guidance all reiterate a commitment to achieving high quality design across the borough. Taken from *SPD/2015 DL Borough Wide Design Guide SPD – Blackburn with Darwen Design Guide*:

“The Council is committed to improving the quality of the development”

“Design which is inappropriate in its context, or which fails to take opportunities available for improving the quality of an area and the way it functions should not be accepted.”

“The design guide applies to all development across the Borough’s urban and rural settlements”

The NPPF sets out a set of 12 core land-use principles which should underpin plan making (and decision making) (17) including “Secures high quality design and a good standard of amenity”. The Core Strategy includes a specific policy covering the form and design of new development (Policy CS16). It requires that development must be of a high standard of design, and respect and reinforce local character. It is my opinion that the current design does not reflect these policy statements. The repetition of the design of these colossal buildings five times, in an area where all other buildings are individual, further exacerbates

the problem and wholly “fails to take opportunities available for improving the quality of an area and the way it functions”.

Adopted Supplementary Planning Guidance (SPGs)

Supplementary Planning Guidance – Blackburn with Darwen Borough Local Plan

SPD Residential Design Guide

“Design is a material planning consideration when determining planning applications and poor quality or inappropriate design may be a reason for refusing planning permission.”

At the very least the five proposed properties should be individually designed and be distinctive from one another.

Loss of mature trees and boundary wall treatment – quality of place, character and ecology

The Local Plan and supporting documents identify “quality of place” and “place-making” is not only created by the built environment, the natural environment also plays a big part.

Green-Infrastructure-and-Ecological-Networks-SPD

Green infrastructure therefore needs to be integral to the design of development, reflecting and enhancing an area’s character, and contributing to the development and extension of the network’s physical and functional connectivity.

Section 11 of the NPPF ‘Conserving and Enhancing the Natural Environment’ expands upon this and states that the planning system should “contribute to and enhance the natural and local environment”.

The loss of the mature trees along the boundary comes as a result of unnecessarily re-locating the vehicular entrance gates to all of the properties. If the properties were individually designed in line with the local character the property approaches could be designed around the existing entrance points along the boundary.

Recognising the intrinsic character and beauty of the countryside:

Policy CS18: The Borough’s Landscapes requires that the key features of landscapes throughout the Borough will be protected. The policy recognises that the Borough’s landscape setting is one of its key assets, for its environmental value and for its economic role in making the Borough an attractive place to invest.

The replacement of around 300m of boundary wall will also have a significant impact on the street. At present the boundaries to all 8 existing properties vary in size and construction. Building a new straight, uniformly regular boundary wall could have a detrimental impact on the look and feel of the street, particularly if the wall is too high.

The removal of trees along this boundary will further exacerbate the impact, taking away features that soften hard landscape structures.

SPD The Conversion of Buildings in the Countryside

“Boundary treatments

*Boundaries should be defined by the use of stone walling or hedging. Hedging must be of a traditional type which would not include rows of conifers or Leylandii. Ornate entrance features will not be acceptable. Gateways should be in traditional styles. Access to the building must be capable of being provided without the need for new lengths of track across open fields or **alterations to the point of access which would detract from the character of the area.**”*

Loss of mature trees - conserving and enhancing the natural environment:

While it would be easy to look at the number of trees in Billinge Wood and think that the loss of mature trees along the boundary of the properties would be inconsequential from an ecological perspective, there are wider issues to consider.

The Core Strategy seeks to protect the key characteristics of valued landscapes and minimise the impact of development on biodiversity. The Council recognises that people need green spaces close to where they live and Green Infrastructure can provide for a natural and healthy environment. The Core Strategy includes several policies which aim to deliver these objectives. Policy CS15 seeks to protect and enhance ecological assets. Additionally, Policy CS18 sets out the Council's approach to landscapes in the Borough. The policy requires new development to take advantage of its landscape setting and protect key features of the landscapes. Development will only be permitted where there is no unacceptable impact upon the landscape. The policy also seeks the proactive management of upland areas, for the benefit of carbon retention, biodiversity and flood prevention. Policy CS19 sets out the Council's approach to Green Infrastructure in the Borough. The policy seeks the protection, enhancement, extension and creation of networks of green and open spaces between major land uses and between urban and rural areas.

The value of the trees scheduled to be felled as part of the development should be evaluated not only in terms of the value of individual specimens of trees in terms of species and condition, but their overall contribution to the wider ecological network.

Trees of the periphery of wooded areas like Billinge Wood, such as those along the boundary line of the proposed development, may act as a movement corridor for some species and part of a wider ecological network. In this case especially, as the canopies of both sets of mature trees branches interlock at high level, bridging the road, diminishing the impact of the road as a buffer via the connection of the trees' branches.

Background Paper for Ecological Networks, Blackburn with Darwen Local Plan submission supporting documents:

"hedgerows and tree rows that are common along field and parcel boundaries are believed to provide movement corridors for some species (e.g., Hinsley et al 1995)"

"There are, at least, three contexts for evaluating the relationship of core sites to the ecological network:

- They might be large or productive in which case they are likely to produce surplus offspring that could disperse across the landscape (e.g., source/sink metapopulations as described by Pulliam (1988));*
- They might be well connected to other sites and therefore provide intermediate connections or refugia between core sites, even if they are not particularly large (e.g., dispersal among habitat fragments); and*
- They might provide a bridge or stepping stone connecting otherwise disconnected elements of the landscape (e.g., "spreading of risk" metapopulation model (den Boer 1968, Levins 1969). The idea of 'connectivity' between patches or within an ecological network depends on the distance between habitat patches, the presence of movement corridors, and the resistance of the matrix to species movements."*

"Sites that are connected to a network that includes larger sites are at less risk of local extinction than sites not connected to a network"

"Forestry - Just 14,000 acres of land in Lancashire is wooded, and there is approximately 4.6% woodland cover in the county. Despite these low levels, a significant segment of the biodiversity in Lancashire is dependent on these woodland tracts. The limited woodland tracts can face competing interests as economic factors could drive an increase or decrease in woodlands. Lancashire's semi-natural woodlands tend to be small and lie on steeply sloping land posing management difficulties."

Furthermore, Supplementary Planning Guidance – Blackburn with Darwen Borough Local Plan:

Supplementary Planning Guidance – Blackburn with Darwen Borough Local Plan

Natural Environment 1: Landscaping & Wildlife Habitat Creation

"Existing trees, hedges and significant shrubs should be retained where appropriate. Planning for the retention and protection of trees should follow the guidelines of British Standard 5837 'Code of Practice for Trees in Relation to Construction.'"

"Existing natural features incorporated into a development immediately provide identity and character to a scheme and continuity with the past."

Heritage

The value of many building typologies are not appreciated until enough time has elapsed for them to be seen as "historic". This can be seen in the appreciation of Victorian and Industrial Age buildings today, that have previously been torn down in the borough to make way for new developments. The same could be true

for the houses earmarked for demolition as part of this scheme. Each house represents a trend in detached residential home building from different decades of the 20th Century and as such tells an interesting architectural and historical narrative. At the least, this history should be preserved in the form of professional photographic record.

BwD Heritage Strategy 2011-2016

1.4 The historic environment in the Borough faces significant challenges and opportunities over the next few years.

1.5 Overarching Objective To conserve and enhance the historic environment, recognising its contribution to economic vitality, and culture, civic pride and the quality of life, and its importance as a resource for future generations. 1.6 The aims of the strategy are set out below; Aim 1: To carry out statutory duties with respect to the conservation and enhancement of the historic environment. Aim 2: Promote the opportunities presented by conservation and heritage in terms of improving the image, sustainability and economic development in the Borough. Aim 3: Engage local people in discovering, presenting and conserving the Borough's heritage. Aim 4: The strategy is to provide the basis for the future service planning of the historic environment by identifying priorities for action.

6.3 The Borough has a rich historic legacy, that is evidenced in the wider open and built up landscape, it can take the form of historic field boundaries or industrial infrastructure. The surviving features all contribute to local distinctiveness and sense of place.

Parking, deliveries, access and traffic during construction works.

On going construction at the nearby Longacre property involves contractors' vehicles parked blocking one side of the carriage way on Billinge End Road, forcing traffic heading towards Blackburn on to the wrong side of the road on a blind corner. This is not a good precedent. The residents of Billinge Side, the terrace on the opposite side of Billinge End Road to the proposed development already park on one side of the carriageway, often leaving just one side of the carriageway to pass – in this situation it is not dangerous because lines of sight are good and vehicles usually take turns at giving way to oncoming traffic. However, if site vehicles park outside the development site on the opposite side of the road problems and safety issues are likely to arise.

Disruption to local residents

In which ever form the development goes ahead, the scale of development will be significant for the local area. It is imperative that the contractor takes as many measures as possible to mitigate the impact for local residents, road users, wildlife / ecology and users of Billinge Woods. Measures to suppress dirt, dust, noise, vibration, traffic, other pollution or nuisance.

Other points worth noting are that there are no site levels shown, there are no site sections through each proposed new home shown the extent of land reprofiling and cut and fill required. There are no drawings showing the individual ridge heights of each proposed property. There are no dimensions on any of the drawings, which is important because drawings reprinted on different printers at different sizes make the original drawing scale meaningless.

I would reiterate again that there has been a lack of consultation with local residents. There have been no notifications of the planning application on lamp posts. No drawings or notifications in the local pub (approx. 500m away). Notices in the Lancashire Telegraph have limited impact due to falling readership. Because of the open aspect of the site, residents as far away as Mellor will be impacted by the look and feel of the proposed buildings.

Many locals feel let down by planners in recent years, having objected to proposals in large numbers in the past (including the Longacre development which ignored its original planning approval and conditions entirely). The enforcement of measures to mitigate the impact of developments on the local community has been perceived to be nonexistent. We would ask that that is not the case in this instance.

PLANNING APPLICATION NO. 10/18/0396 DEMOLITION OF 8No. PROPERTIES AND ERECTION OF 5NO. PROPERTIES

Properties earmarked for demolition to make way for 5no. even larger properties



1 Boxtree	7 Silverdale	13 Land – future plans unknown
2 Westwood	8 Sheraton	14
3 The Braids	9 Lindene	15
4 Highwood	10 Sandhurst	1 Billinge End Road
5 Thorpe	11 Ingledene – empty	2 Woodgate Road
6 Woodhenge	12 Billinge Side	3 Meins Road

Above red numbers indicate properties proposed for demolition under this planning application



(1) Boxtree from Billinge End Road

(2) Westwood from Billinge End Road [below top] and Woodgates Road [below bottom] not appreciated now but could have future historical value:





(3) The Braids from Billinge End Road [below]:



(2) The Braids from Woodgates Road [below]:



(2) [above] mature trees on garden dividing boundaries

(3) Highwood from Billinge End Road [below]:



[above] note nature trees on boundary

(3) Highwood from Woodgates Road [below]:



[above] note mature trees and hedges on garden boundaries

(4) Thorpe from Billinge End Road [top] and Woodgates Road [bottom]:



(5) Woodhenge from Billinge End Road [2 below]



Woodhenge from Woodgates Road [below]:



(7) Silverdale from Billinge End Road [below]:



(7) Silverdale from Woodgates Road [below]:



(8) Sheraton from Billinge End Road [below]:



(8) Sheraton from Woodgates Road [below]:



(11) Ingledene – not part of this scheme, but has also been purchased and sits empty, assumed to be part of a future scheme:

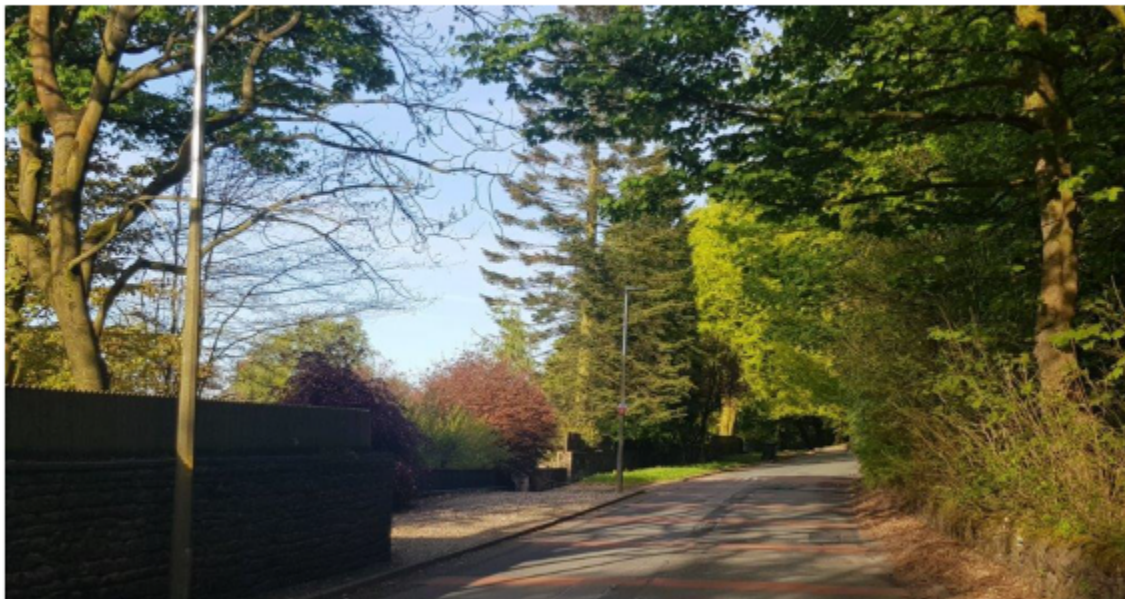


View along Billinge End Road [below] looking west:



Note the tree canopies of the mature trees on the boundary of the houses connects with the canopies of the trees on the edge of Billinge Woods.

Billinge End Road looking east [below]:



Woodgates Road looking southeast [below]:



REPORT OF THE DIRECTOR

Plan No: 10/18/0502

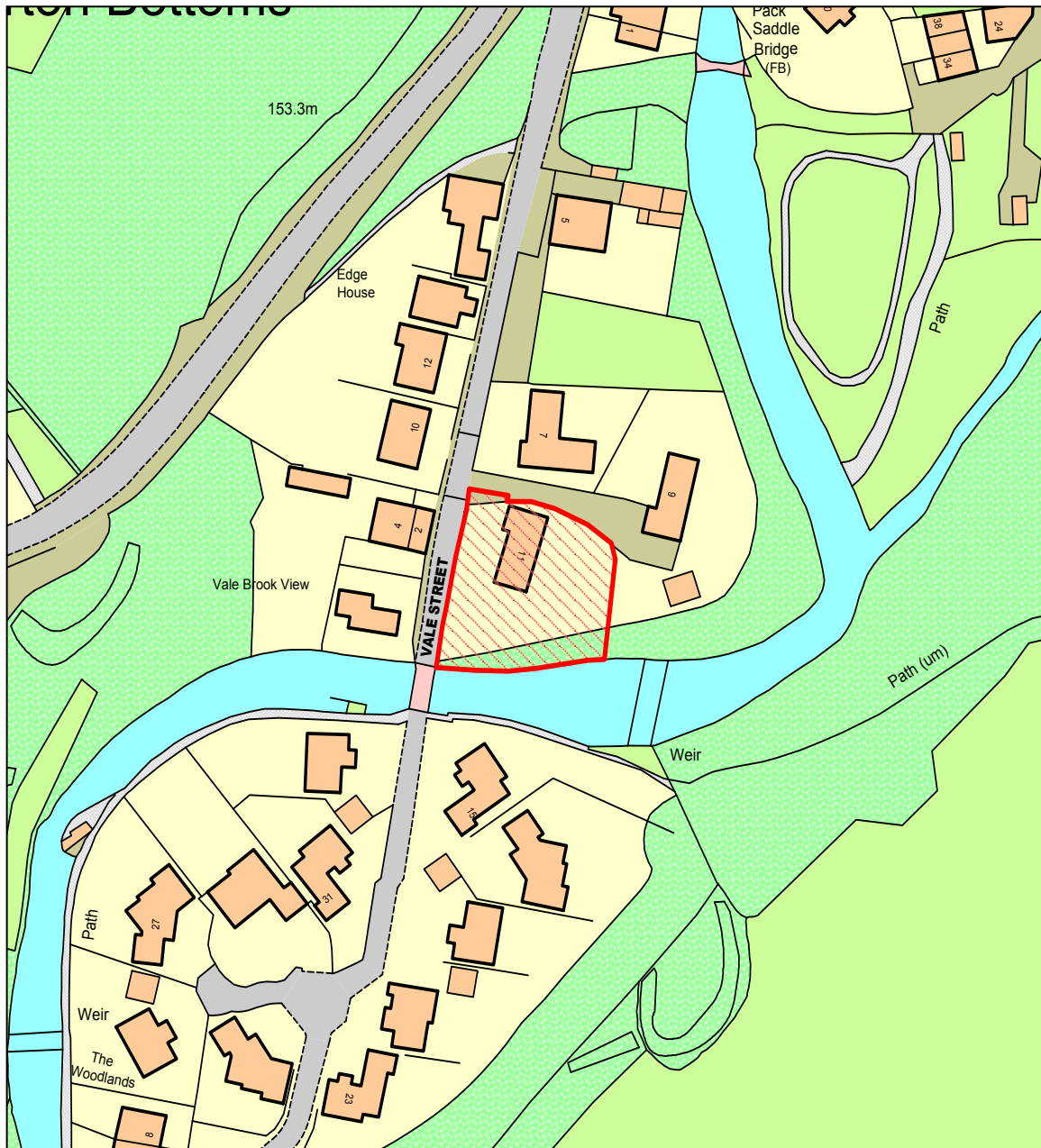
Proposed development: Full Planning Application for Demolition of existing dwelling and erection of replacement dwelling

Site address: 11 Vale Street, Edgworth, Bolton, BL7 0EB

Applicant: Mr Mark Gregory

Ward: West Pennine

**Cllr Colin Rigby
Cllr Jean Rigby
Cllr Julie Slater**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to the recommended conditions (see paragraph 5.0)

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 This application has been referred to the Committee for consideration following the receipt of objections from the North Turton Parish Council and members of the public

2.2 The proposal will deliver a high quality bespoke housing development which will widen the choice of family housing in the Borough. It supports the Borough's planning strategy for housing growth as set out in the Core Strategy. 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 is an existing residential plot positioned on the eastern side of Vale Street, within the Edgworth village envelope. The site is currently occupied by a large two storey dwelling constructed with buff facing brick and concrete tiled roof. The property has been previously extended and has an extant approval to be further extended to the rear. The plot is generously proportioned and has a large side and rear garden, which includes a folly and bank of protected trees on the southern boundary.

3.1.2 The site is accessed via a narrow cobbled section of Vale Street. The plot is bounded to the south by Bradshaw Brook and is designated as being flood risk 2 by the Environment Agency. The surrounding area is characterised by large detached dwellings of differing architectural form and styles; including vernacular stone properties to the north and west and modern detached homes to the south, principally constructed with render walling. The area has extensive tree coverage throughout.

3.2 Proposed Development

3.2.1 Planning approval is sought for the demolition of the existing property and structures within the garden area and construction of a detached dwelling. The new building will closely align to the footprint of the existing property and the extant approvals for its extension, with an 'L' shaped configuration massed towards the eastern and northern boundaries. The ground floor level of the new building has been raised 600mm as part of flood defence measures.

3.2.2 The replacement property has a two storey gable fronted section massed towards the north east corner of the site, which is to be principally constructed in natural stone and slate, with some timber cladding detail. Single storey sections of the building project from this to the south and east. The southern

section is again constructed with stone and slate and provides the main living space; it incorporates a glazed gable detail overlooking the side garden and Bradshaw Brook beyond, as well as large expanses of glazing within the rear elevation. The eastern outrigger will accommodate a swimming pool and is constructed with zinc cladding to the wall and roof, again with glazing overlooking the rear garden area.

3.3 Development Plan

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

3.3.2 Core Strategy

- CS1 – A Targeted Growth Strategy
- CS5 - Locations for New Housing
- CS6 – Housing Targets
- CS7 – Types of Housing
- CS16 – Form and Design of New Development

3.3.3 Local Plan Part 2

- Policy 1 – The Urban Boundary
- Policy 6 – Village Boundaries
- 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 18 – Housing Mix

3.4 Other Material Planning Considerations

3.4.1 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.

3.4.2 National Planning Policy Framework 2018 (NPPF)

The National Planning Policy Framework (Framework) is a material consideration in planning decisions. The Framework sets out a presumption in favour of sustainable development, which is the “golden thread” running through both plan-making and decision-taking. The Framework explains that

for decision taking, this means approving development proposals that accord with the development plan without delay. Section 5 of the Framework relates to delivering a wide choice of high quality homes, and Section 8 relates to promoting healthy communities.

4.0 ASSESSMENT

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

- Principle;
- Highways and access;
- Design;
- Amenity impact;
- Flood Risk;
- Ecological and Arboricultural impact

4.2 Principle:

4.2.1 Policy 6 of the Local Plan states that development in the rural areas shall be located within village boundaries unless it is specifically supported by another policy of the Local Plan. The application site is within the Edgworth village boundary and the proposal is therefore consistent with Policy 6.

4.2.2 Policy 7 on Sustainable and Viable Development echoes the presumption in favour of sustainable development set out in the NPPF. Thus, applications that accord with policies in the Local Plan will be approved without delay unless material considerations indicate otherwise. Subject to the ecological, arboricultural and flood risk assessments set out further in this report, the development is considered to be consistent with Policy 7

4.3 Highways and Access:

4.3.1 Core Strategy Policy 22: Accessibility Strategy and Local Plan Policy 10: Accessibility and Transport, aim to ensure that new developments provide appropriate provision for access, car parking and servicing so as to ensure the safe, efficient and convenient movement of all highway users is not prejudiced.

4.3.2 The proposal provides for a driveway access off Vale Street, leading to an integral garage accommodating 2 vehicles. The new driveway is in the general position of that serving the existing property. The Council's Highway team have indicated that the proposed parking provision is in accordance with the Council's adopted parking standards. Further, the proposed access and driveway arrangement is also considered to be satisfactory.

4.3.3 The public objections cite concerns regarding construction traffic affecting movement along Vale Street. This point is noted and accepted, though can be satisfactorily addressed by the use of the Council's standard condition requiring construction methods and wheel wash details to be agreed.

4.4 Design:

- 4.4.1 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.
- 4.4.2 The existing property is of non-vernacular appearance, incorporating the use of a mix of buff facing brick and white render. The property has been previously extended by way of a upvc conservatory to the rear; whilst it also has an extant permission for a single storey rear extension to accommodate a swimming pool. The property also has a 'folly' within the side rear garden that is exposed to views across Bradshaw Brook, which forms the southern boundary of the site. The surrounding area is generally characterised by large detached dwellings of differing architectural form and styles; including vernacular stone properties to the north and west and modern detached homes to the south, principally constructed with render walling. The area has extensive tree coverage throughout.
- 4.4.3 Planning approval is sought for the demolition of the existing property and structures within the garden area and construction of a detached dwelling. The new building will closely align to the footprint of the existing property and the extant approvals for its extension, with an 'L' shaped configuration massed towards the eastern and northern boundaries. The ground floor level of the new building has been raised 600mm as part of flood defence measures. The replacement property has a two storey gable fronted section massed towards the north east corner of the site, which is to be principally constructed in natural stone and slate, with some timber cladding detail. Single storey sections of the building project from this to the south and east. The southern section is again constructed with stone and slate and provides the main living space; it incorporates a glazed gable detail overlooking the side garden and Bradshaw Brook beyond, as well as large expanses of glazing within the rear elevation. The eastern outrigger will accommodate a swimming pool and is constructed with zinc cladding to the wall and roof, again with glazing overlooking the rear garden area. The proposal is identified within the submission as having excellent sustainability credentials, equivalent to Code 5
- 4.4.4 The proposal is considered to form a successful contemporary addition to the existing streetscape. The building is massed in a similar position to the existing property and others along the eastern side of Vale Street. The use of vernacular materials including stone walling and slate roofing help further assimilate the development to those other properties in the area, whilst the use of large expanses of glazing to selected elevations and areas of timber cladding and sections of zinc roofing to the rear add architectural interest.

4.4.5 The Council has received an objection from the North Turton Parish Council on the grounds that the proposal would amount to an overdevelopment of the site. The objection is difficult to substantiate on the basis that the replacement dwelling would only amount to a minor increase (circa 15%) in the footprint of the existing property when allowing for the previous additions and those allowed by extant approval 10/16/0224. Furthermore, the development will also lead to the removal of the 'folly' within the side rear garden. Notwithstanding all of that the plot is identified as being generously proportioned and capable of accommodating the development without detriment.

4.5 Residential Amenity

4.5.1 Policy 8 of the LPP2 relates to the impact of development upon people. Importantly, at section (ii) of the policy there is a requirement for all new development to secure satisfactory levels of amenity for surrounding uses and future occupiers of the development itself. Reference is made to matters including; noise, vibration, odour, light, dust, privacy/overlooking and the relationship between buildings.

4.5.2 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. The development is consistent with these requirements.

4.5.3 The Council's Head of Public Protection has no objection to the proposal, subject to an unexpected land contamination condition. It is also considered necessary to require details of the method of demolition, including dust suppression, to be agreed. In line with the Council's standard procedures in areas where residential amenity can be compromised it is also necessary to control the hours of work to 8am to 6pm Monday – Friday, 9am to 1pm Saturday, with no work on Sunday and Bank Holidays. Subject to those controls the development would be consistent with Policy 8 of the Local Plan Part 2.

4.6 Flood Risk:

4.6.1 Policy 9 sets out that development will be required to demonstrate that it will not be at an unacceptable risk of flooding and impact on environmental assets or interests.

4.6.2 The site is identified as being split between Flood Zones 2 and 3, with the northern section, where the existing building and replacement dwelling are positioned, being within Zone 2. The side garden area on the southern boundary adjoins Bradshaw Brook and is within Zone 3

4.6.3 The proposal is supported by a flood risk assessment, which indicates that the development is consistent with the sequential and exceptions tests set out in

the NPPG. The proposed development is also designed to comply with the NPPF requirement of 300mm above the general ground level of the site, or 600mm above the estimated river level, whichever is the higher. The resulting development has a datum level of 140.60, which exceeds the required 140.31 datum level when applying the NPPF requirements. The result is the development being less susceptible to flooding than the existing property is. Furthermore the proposal also provides for five cubic metres of underground attenuation of flood water beneath the rear patio.

4.6.4 The Lead Local Flood Authority has offered no objection to the proposal. The environment agency have also reviewed the submission and requested that a condition be applied that development should not commence until a plan showing ground levels being lowered for flood compensation (to provide the attenuation) has been submitted and agreed. Subject to that position, the application is considered to meet the relevant tests within Policy 9.

4.7 Ecology and Arboricultural Assessment:

4.7.1 Policy 9 also requires successful proposals to safeguard ecological assets and where appropriate to seek to retain trees within application sites.

4.7.2 The application site has mature trees on its southern boundary that have tree protection orders upon them. There is further shrub and tree coverage at the rear (east) of the plot.

4.7.3 The application is supported by tree survey and arboricultural method statement. Having reviewed the submission the Council's arboricultural manager is satisfied that the development will not affect the TPO's on the southern boundary, notwithstanding some minor pruning in line with good arboricultural practice. Furthermore the removal of the small group of juvenile trees and shrubs on the eastern boundary is also considered to be without detriment to the wider amenity of the locality. Consideration has also been given as to whether the attenuation proposals required as part of the flood defence would affect the TPO's within the site. However confirmation has been provided by the Environment Agency that the attenuation must occur outside of Flood Zone 3 and as the root protection zones of the TPO's are wholly within zone 3 there is no potential for conflict to arise. Subject to the development being undertaken in accordance with the working methods set out in the Arboricultural Method Statement, the proposal satisfies the relevant sections of policy 9.

4.7.4 The proposal is also supported by a bat roost assessment. The report is consistent with the findings of an earlier assessment in 2015 (as part of application 10/15/0092) that there is an absence of bat roosts within the roof void. Notwithstanding the lack of evidence of bat activity, as part of the 2015 approval mitigation has already been provided by way of the erection of a bat box on the adjacent trees. Accordingly there are no concerns with the development adversely affecting ecological assets and the relevant requirements of Policy 9 are met

5 RECOMMENDATION: Approve subject to conditions which relate to the following matters:

- Commence within 3 years
- Approved details and drawings
- Materials to be submitted and agreed
- Demolition method statement, including dust suppression, to be agreed
- Construction Methods
- Hours of demolition /construction limitation (Mon to Fri, 8am to 6pm, Sat, 9am to 1pm, no work on Sun and Bank Holidays)
- Scheme for boundary treatment to be agreed
- Plan detailing ground levels to be lowered for flood compensation to be submitted and agreed
- Development in accordance with tree protection measures detailed within submitted Arboricultural Method Statement
- Removal of Permitted Development Rights (Part 1, Classes A to E)
- Unexpected land contamination
- Development to be undertaken with working methods set out in the submitted Arboricultural Method Statement

6 PLANNING HISTORY

6.4 The following planning applications are material considerations for the assessment of the current proposal;

10/15/0092 - Rear single storey and side extension above garage with remodelling works

10/16/0224 - Single storey rear extension to accommodate a swimming pool.

7 CONSULTATIONS

7.1 Environment Agency

Initial objection as the flood risk assessment (FRA) supplied with the submission was not in accordance with the requirements of NPPF. Amended FRA received 16th July 2018 resulted in objection being removed subject to a condition being imposed relating to the submission of a plan detailing ground level reduction is agreed.

7.2 Lead Local Flood Authority

No objections.

7.3 Highways

No objections subject to condition relating to construction methods

7.4 Capita Ecology

Requirement for bat roost assessment met within the application. No roost present within the site and mitigation measures previously imposed upon permission 10/16/0224 has already provided for a bat box within the site.

7.5 Arboricultural Manager

No objection subject to development being undertaken in accordance with the submitted Arboricultural Method Statement

7.6 Public Protection

No objections subject to condition relating to; demolition method to be agreed, control of demolition and construction hours (Mon to Fri, 8am to 6pm, Sat, 9am to 1pm, no work on Sun and Bank Holidays) and unexpected land contamination control

7.7 North Turton Parish Council

Objects on the grounds that the development would be an over-development of the site

7.8 Public Consultation

Public consultation has taken place with nine neighbouring properties being individually consulted by letter. 4 letters of objection have been received; these are set out in section 9.0 of this report

8 CONTACT OFFICER: Martin Kenny, Principal Planner – Development Management

8.1 DATE PREPARED: 7th September 2018

9 SUMMARY OF REPRESENTATIONS

Objection from Dean & Tracy Gee

Dear Mr Kenny

Whilst we understand that due to recent flooding, the resident may wish to adapt his property to prevent any future damage, we would like you to note our concerns/objections to the above planning application for 11 Vale Street.

The dwelling is on an unadopted, single-lane, cobbled road which has been repaired several times (by joint contributions of some of the residents) and is not able to cope with heavy

vehicular traffic and we are extremely concerned that if this planning permission gets passed, then it will leave permanent damage to the already fragile road.

The road gets broken up by light traffic and will be worsened by the heavy traffic during construction. The disruption to all of the residents within the street will be significant as it is a cobbled single track road with no room for passing, also, leaving no access for emergency vehicles.

The current driveway at no.11 is a shared driveway, which has only got enough space to accommodate 2 cars and not lorries or construction vehicles, therefore the whole street will be blocked during many occasions throughout the demolition/construction.

Whilst the planned works are significant enough for the resident to leave the property - the plans do not show any consideration whatsoever, to the other residents/visitors/deliveries/emergency vehicles regarding access to/from the single-lane road during demolition or construction.

We therefore object on the basis of the permanent damage that will be caused to the road.

Vale Street has several properties within close proximity to one another, no. 11 included. The report states that the current dwelling is not in keeping with the surrounding properties - not only are there 2 similar designed properties within extreme close proximity but the new planned design is even further apart from this.

We therefore ask you to consider the following extract from the application which needs to be seriously addressed as it is completely incorrect:

[More significantly however, is the lack of architectural merit of the existing dwelling, it is proposed that the appearance of the building is poor and does not contribute in any way to the exceptional site context and its wider surrounding's](#)

The application shows examples of similar designs that have been approved by council. However, those dwellings are either a reasonable distance from other properties or amongst properties 'with a variety of architectural styles'. No. 11 Vale Street is extremely close to other properties and a design of this external appearance will look completely out of place and is not inkeeping with any other properties on the street and therefore, plans of this nature would change the appearance and concept of the street.

We trust that you will take our comments into consideration when deciding on this planning application.

Kind Regards

Objection from Debbie Connor, 2 Vale Street, Turton, BL7 0EB

Dear Sirs

I am contacting you with regard to the planning application for 11 Vale Street as I am seriously concerned about the volume of traffic this will cause on a single width street. The project will involve a high volume of heavy duty vehicles/machinery during the demolition, clearing of the site and then the build itself.

On reviewing the application there does not appear to be any information on how the site will be operated i.e. Where is the site plan? Where is the site compound? Where is the traffic management plan?

I know from experience that this is a highly constrained site due to its location on a very busy single track street with over 50 properties using it frequently.

I would not expect to see any site vehicles parked on the road at any time as this would cause massive and unacceptable inconvenience to the local community. Arrangements should be made for all vehicles to be parked off the road and on the site itself during the works.

Further, I would hope that as a condition of planning that any vehicle bigger than a Ford a Transit should not be allowed to make delivery to site during commuter hours i.e. 07.00 to 10.00 and 16.00 to 19.00 hours.

The road is cobbled and is highly likely to be damaged by large vehicles and so there should also be a condition of planning to take record photographs before the work commences such that it can be reinstated on completion of the project so that it can be returned to its original condition. To protect the historic cobbled street a vehicle weight limit should also be imposed. This should be dictated by your Highway Engineers as a condition of planning.

Finally, all of the above points would be addressed by the use of the 'Considerate Contractors' Scheme' on this project. This should be a condition of planning consent to help minimise the impact on the local community.

I hope my concerns are taken seriously as if the measures suggested are not incorporated this project could have a significant detrimental impact to the local environment and community.

Yours faithfully

Objection from Glenys Syddall, North Turton Parish Council

North Turton Parish Council objects to application 10/18/0502 for the demolition of existing dwelling at 11 Vale Street, Turton and replacement with a new dwelling, on the grounds that it is an over-development of the site.

Objection from K J Coleman, 19 Vale Street, Turton, BL7 0EB

Dear Sir,

I write with regard to the above planning application regarding 11 Vale Street Turton Bolton BL7 0EB.

I live at 19 Vale Street and am mystified why I wasn't notified about this as the proposed changes will impact on all residents in Vale Street and not just those on either side of the development.

Vale Street is a single track private road, the upper end is cobbled, then there is a bridge over a stream, then there is a paved road in front of properties numbers 15, 17, 19, 21, 23, 25, 27, 29, 31 and 33 Vale Street. Beyond this are further properties - around 6 houses in total. None of whom have been notified.

The road itself already has some damage and will only be further damaged by the heavy lorries etc that a demolition and rebuild would require. The bridge over the stream is also old and would not stand a lot of heavy traffic without suffering significant damage.

The proposed building is out of character with the other houses on Vale Street, which presently has the air of a rural hamlet.

The proposed development is larger than the current house and as it is next to the river I worry about the integrity of the riverbank on that side particularly in the event of heavy rain.

In December 2015 there was particularly heavy rain and the river started to burst its banks. Indeed there was some flooding of the lawns of 11 Vale Street itself.

The police came and advised evacuation of the properties in Vale Street for fear of flooding and the risk of the bridge giving way.

Any large construction at the site of 11 Vale Street that potentially diverts the river water (in the event of a flood) towards the houses distal to the bridge would have disastrous consequences.

The exit of Vale Street onto Wellington Road is very awkward and in many ways is an accident waiting to happen. A lot of additional heavy traffic will make it even more dangerous.

Access to the houses beyond number 11 Vale Street will be very difficult during the works as Vale Street is single track and even now cars attempt to park on it.

For these reasons I would oppose this application.

Yours faithfully

Comment from C Chadwick

In respect of the above Planning Application in relation to [No.11 Vale St, Turton BL7 0EB](#).

I have no objections to the proposals shown in the architects drawings, I am sure it will be a very high quality construction.

One issue I do have great concern for is associated with both the demolition and construction/fitting out stages through to completion of the project.

This being the high amount of vehicular traffic that will be present during the works (Heavy Plant/Machinery during demolition/construction, various contractors private/company vans etc) and parking on the already congested, narrow Street.

See attached image

Beyond No.11 and down to the end of Vale St (cul-de-sac) there are approximately 20 properties owning in the region of 50 cars.

This traffic should not be delayed/inconvenienced during the works.


A solution to reduce the effect of the project would be to ensure that as conditions of the planning permission:

- 1/ Provide off Vale St parking for all vehicles during drop off/on site activities
- 2/ Ensure that Vale St is kept in a clean condition throughout the project as a result of site vehicles depositing dirt etc.
- 3/ No parking is permitted on Vale St for any vehicle associated with this project through to completion
- 4/ Any damage to the surface of Vale St caused by project related traffic is repaired
- 5/ A nominated Site agent/Foreman is employed to monitor and ensure compliance with the above conditions who's contact details shall be made available to residents on Vale St.

As a solution to 1/ above I would suggest that a section(s) of No.11 perimeter wall to Vale St is temporarily removed to create a lay-by facility for large vehicles so as not to block Vale St at any time.

I would also suggest that a section of the lawned area to the south of the plot is protected and made available for contractors to park their vehicles until project completion



 <p>BLACKBURN <i>with</i> DARWEN BOROUGH COUNCIL</p>	<p>REPORT OF: THE DEPUTY CHIEF EXECUTIVE ON BEHALF OF THE DIRECTOR OF GROWTH & DEVELOPMENT</p> <p>TO: PLANNING AND HIGHWAYS COMMITTEE</p> <p>ON: 20th SEPTEMBER 2018</p> <p>ORIGINATING SECTION: PLANNING (DEVELOPMENT MANAGEMENT SERVICE)</p> <p>WARDS AFFECTED: ALL</p> <p>COUNCILLORS: ALL</p>
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TITLE OF REPORT:

**Implementation of the Revised National Planning Policy Framework (2018) and
Other Relevant Updated/New National Planning Guidance**

1. PURPOSE OF THE REPORT

- 1.1 To inform Members of implementation of the revised National Planning Policy Framework (NPPF) in July 2018, and other National Planning Guidance and what this means in terms of the changes to the planning system in particular what Blackburn With Darwen Borough Council (BwD) considers to be important matters for the borough.

2. BACKGROUND

- 2.1 The NPPF sets out the Government's planning policies for England, and how these are expected to be applied. It provides a framework to enable Local Planning Authorities (LPAs) to produce their own local and neighbourhood plans, which reflect the needs and priorities of their communities. The NPPF was initially adopted in March 2012. Policies within the NPPF were updated due to legal challenges, appeal decisions, the issuing of ministerial statements, and revisions to the Planning Practice Guidance. The new NPPF therefore collates all these changes in addition to the latest planning policy being forward by the Ministry of Housing, Communities and Local Government (MHCLG).
- 2.2 The revised NPPF was published by the (MHCLG) on the 24th July 2018, consolidating previous changes together with including new and updated policy. This emanated from the 2017 Housing White Paper, and the "Planning for the right homes in the right places" consultation in 2017. The revised NPPF was initially released in draft form during a consultation period between the 5th March 2018 and 10th May 2018. At the same time, the Government also published

Planning Practice Guidance, the Housing Delivery Test (draft measurement rule book), and Supporting Housing Delivery through Developer Contributions.

- 2.3 As the revised NPPF was published, the Secretary of State Rt Hon James Brokenshire on the 24th July said, “*Building attractive and better-designed homes in areas where they are needed is at the centre of new planning rules.*” In response to this challenge the new Framework proposes several key changes, which are predominately focussed on plan-making, housing supply and development density.
- 2.4 The guidance set out in the revised NPPF came into effect immediately, which means local planning authorities must take it into account in their review or production of new local plans, and in decision making. This report provides Members with a concise summary of the main issues and proposed changes set out in the new NPPF and other guidance.

3. RATIONALE

3.1 The NPPF and Planning Practice Guidance

The structure of the 2018 NPPF differs markedly from the 2012 edition, bringing forward the chapters on plan-making and decision making, and on housing. A new chapter has also been added on “making efficient use of land”. The new version is considered to adopt a more logical approach, and includes elements from the Planning Practice Guidance and relevant case law. Reference is now made to policies maps rather than proposals maps (with key diagrams for broad locations of development). In addition, the emphasis on up-to-date plans is also included, together with the emphasis on joint-working, and the increased reference to the role of statutory and non-statutory consultees. The revised NPPF places significant emphasis on design, with high quality buildings and places seen as fundamental to the planning process. In particular, the guidance places great emphasis on high quality design for new homes. The NPPF’s focus remains firmly on housing.

3.2 The presumption in favour of sustainable development

The Government in the new NPPF has now attempted to be clear how this principle is applied and when, which arises from the many legal cases that have debated its application for decision taking since the publication of the 2012 version. Footnotes have now been included to help explain what is meant, and in paragraph 11, a footnote has been inserted which confirms that for decision taking, where policies most important for determining applications are out-of-date, permission should be granted unless the site is protected from development or where the adverse impacts would significantly and demonstrably outweigh the benefits. The footnote now emphasises that the presumption will now include for housing schemes, situations where there is no 5 year supply or where the Housing Delivery Test (HDT) has not been met (refer to paragraph 3.8 below).

3.3 **Objective Assessment of Need and Five Year Supply**

As was anticipated following the enactment of the 2016 Housing and Planning Act, the main thrust of the new NPPF is on housing delivery. Section 5 of the NPPF focuses on the delivery of a sufficient supply of homes. The section introduces the standard method for determining housing need which was initially flagged in the Housing White Paper in March 2017, with a subsequent publication of an initial set of housing numbers for each local authority in England in September 2017. The attendant detail for how the methodology has calculated the housing numbers is contained in updated Planning Practice Guidance .

3.4 However, the guidance is light on detail and this is acknowledged by the Government in their statement that the, “...*new guidance does not constitute the full guidance for this section - further content will be added in due course.*” No date has been given for when additional detailed information will be published but it is dependent on the publication of updated household forecasts that are expected in September 2018.

3.5 Paragraph 67 still requires local planning authorities to set policies that identify a supply of specific, deliverable sites for a 5 year period. However, the assessment of this has now changed with the definition in the glossary of what constitutes “deliverable development” now being updated. The definition now specifically adds the following:

“Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

3.6 This change is clear from the 2012 version of the NPPF, in that sites should now only be included if there is certainty rather than being capable of being completed. Whilst there is no definition of what “clear evidence” is required, it is likely that local authorities will need to obtain more detailed information from developers and landowners setting out their intentions to develop individual sites.

3.7 BwD published its latest five year land supply report in July 2018. This set out that there is a 4.4 year supply of deliverable housing land in the Borough for the period from 1 April 2018 to 31 March 2023. The Table below is an extract from the five year land supply report which shows the rate of housing delivery since the commencement of the current local plan.

TABLE 1: Housing supply in relation to Core Strategy targets

Plan period (01 April – 31 March)	Cumulative requirement	Net completions and conversions pa	Reoccupied long term empties	Completions pa	Cumulative completions	Cumulative supply against target/requirement
2011/2012	530	19	-	19	19	-511
2012/2013	1060	191	-	191	210	-850
2013/2014	1590	225	152	377	587	-1003
2014/2015	2120	213	207	420	1007	-1113
2015/2016	2650	99	110	209	1216	-1434
2016/2017	3275	130	167	297	1513	- 1762
2017/2018	3900	279	148	427	1940	- 1960
TOTAL		1156	784			

3.8 Housing Delivery Test

The Housing Delivery Test (HDT) is a new mechanism introduced by the Government to assess housing completions within each area and to enable further action to be taken if sufficient housing is not being delivered. This will be introduced for local authorities in November, and will measure the number of homes created against local housing need and penalise Councils that under-deliver against various thresholds over a three year period. It will be based on either the housing target in a Local Plan, or the minimum annual local housing need figure as set out by Government, and whichever is the lower figure being used. In the case of BwD this will be the minimum annual local housing need figure from Government.

- 3.9 It is important to note the different approaches between the figures used for the five year land supply and HDT calculations. BwD, in common with a number of other authorities across the country, includes reoccupied long term empty properties within the count of additional dwellings. This approach was accepted by the Planning Inspector who conducted the examination of the Site Allocations and Development Management Policies Plan (Local Plan Part 2).¹ The five year land supply calculation is based on considering delivery against the adopted local plan targets, whilst the HDT will use the minimum annual local housing need figure produced by Government. Work is in hand to consider a new local plan housing requirement. It is expected that a consultation on the issues and options stage of the new local plan will take place in early 2019, including consideration of a range of options for a new housing requirement.

- 3.10 Paragraph 75 of the NPPF states:

“Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous three years, the authority should prepare an action plan in line with national planning

¹ Inspector’s Report (<http://www.blackburn.gov.uk/New%20local%20plan%202/Inspectors-Final-Report.pdf>)

guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.”

Further details on the HDT are contained in accompanying technical guidance ² that sets out how housing delivery will be measured when the HDT commences in November 2018. A calculation for BwD is set out below that is based on the HDT Measurement Rule Book methodology.

Requirement (based on HDT approach using 2012 and 2014 Household Projections 10 year averages)	
2015/16	282
2016/17	283
2017/18	152
TOTAL	717

Completions (ONS Figures from Live Table 122 for 2015/16 and 2016/17; BwD figure for 2017/18)	
2015/16	95
2016/17	139
2017/18	279
TOTAL	513

Housing Delivery Test (%) = Total net homes delivered over three year period/
Total number of homes required over three year period

For BwD therefore:

HDT = 513/717

= **71.6%**

Note: This calculation is subject to potential amendment when the official figures are published in November 2018.

The presumption penalty would apply from November to local authorities delivering below 25% of housing need in the three years to March 2018. Authorities will have to show that they have delivered at least 45% of housing need in the three years to March 2019, and 75% in the three years to March 2020, to avoid the presumption penalty in November 2019 and November 2020 respectively. From the calculation above, it can be seen that BwD are meeting the threshold set from November 2018.

Paragraph 75 of the NPPF makes reference to where LPAs delivery has fallen below 95% of the local planning authority’s housing requirement over the previous three years, they will be expected to produce an action plan that sets out how delivery rates will be improved. . In essence BwD can argue that an action plan is being produced with the growth pipeline work and tracker that is reported to the Growth Board.

² The Housing Delivery Test Measurement Rule Book

3.11 Additional aspects to note in section 5 include:

- Confirmation that **affordable housing** contributions cannot be sought from development of ten or fewer dwellings reiterating the previous Ministerial Statement that set out this expectation.
- A minimum 10% affordable housing contribution on sites of 11 or more dwellings with certain exemptions identified (schemes that will deliver solely for build to rent or self-build, specialist accommodation typically for elderly persons or students, and entry-level and rural exception sites).
- Promotion of **small and medium sized sites** whereby local authorities are expected to "...identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved."
- An option to produce **an annual position statement on five year land supply** that would be then be submitted and considered by the Secretary of State (in all likelihood it would be subjected to some form of examination by the Planning Inspectorate).
- There are also some changes to **rural housing policy**. Paragraph 79 now replaces Paragraph 55 in the previous NPPF relating to proposals where the design is of exceptional quality i.e. truly outstanding, innovative etc. However, the paragraph also introduces a new element of allowing new housing in the countryside in that it involves the sub-division of an existing residential property. Whilst this does not involve further new building in the countryside, it does expand residential uses in rural areas which are not necessarily sustainable in terms of growth. However, there are instances in the borough where there are significantly large residences which could benefit from sub-division.

3.12 **Plan Making (paras 15-37)**

The updated NPPF confirms that local plans should be reviewed at least once every five years with the first review taking place no later than five years from adoption. It goes further by reinforcing the position that relevant strategic plan policies will require updating once every five years if the local housing need figure has changes significantly or earlier review if housing need is expected to change significantly in the near future (paragraph 33).

- 3.13 This follows the position set out in the 2017 Housing White Paper, which formalised the Government's expectation that Local Plans should be reviewed at least every five years. BwD's Core Strategy was adopted in January 2011, so is over seven years old. As such, justification was approved earlier this year to start the Local Plan review. A review is critical to maintaining a pipeline of development sites, for both housing and commercial schemes. Existing development sites are progressing at pace, and there is a particular shortage of allocated employment land. For example, there is an urgent need for the consideration of the early release of the sites which are currently allocated for development beyond 2026, such as the North East Blackburn housing site, the allocation of the former Pleasington Lakes site for housing and the creation of a

strategic employment site at Guide to the south of the M65 between junctions 4 and 5. An updated Local Plan is essential to allow these sites to be released for development.

- 3.14 The Borough's housing and employment requirement figures were set by the Core Strategy, which is over 5 years old, and therefore in need of urgent review. Some of the evidence work for the Core Strategy dates back to the mid-2000s. The review will allow us to engage with landowners in areas where development has not previously been envisaged, and help us to lever in landowner / promoter resources to develop a site evidence base. An updated strategy for addressing and justifying further Green Belt release will also be fundamental to the maintenance of our development pipeline.
- 3.15 The updated NPPF has a number of changes that apply to planning policy and the production of Local Plans. Section 3 of the NPPF is concerned with plan-making.
- Plans should at a minimum include strategic policies that, *"...address each local planning authority's priorities for the development and use of land in its area."* Beyond this specific remit, plans can include non-strategic policies to deal with any locally specific issues that need to be addressed.
 - An additional aspect to the existing duty to cooperate is introduced in the form of a statement of common ground. This requires that local authorities prepare a statement of common ground with relevant neighbouring councils and other organisations on any strategic matters that require cross boundary cooperation.
 - A requirement that councils review adopted local plans within five years of the date of their adoption. This does not necessarily mean a plan will have to be revised; the requirement is to consider whether a revision is necessary and if so to then commence a review of the plan.
 - Setting out what contributions are expected from development. This is placing a considerable additional emphasis on local plans to test and then set out what levels of developer contributions will be required for any identified affordable housing need; and also for any other forms of infrastructure required to deliver the plan. The intention is for local plans to effectively set out the infrastructure requirements that may have previously been negotiated within individual planning applications. The NPPF is accompanied by updated Planning Practice Guidance which provides comprehensive details on how to deal with viability within local plans. This is welcomed as it provides a stronger position for local planning authorities to request upfront information from site promoters. It also states that developers should have regard to policies in the Plan as the price paid for land is not a justification for not according with relevant policies.
 - Paragraph 57 says applications that comply with contributions policies "should be assumed to be viable". It goes further by stating it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The paragraph also emphasises that viability assessments "should be made publicly available". This is welcomed as

it will make the process more accountable and open to both Members and the public, in that being more open and allowing a greater understanding of how figures are calculated is a positive step forward.

- The importance of well-designed places is consolidated in the revised NPPF within section 12. This places a stronger emphasis on the role of local plans in developing a suitable framework for encouraging good design.
- Setting out the revised tests of soundness that largely follow what was previously expected with three notable changes:
 - Under the positively prepared test highlighting the links between local authorities where unmet needs (primarily housing but could be employment) need to be considered.
 - With respect to the justified test, plans will now have to demonstrate they are “an appropriate strategy” as opposed to the previous “most appropriate strategy” approach. This potentially provides a more flexible interpretation of this test than previously applied.
 - For the effective test a continued emphasis on demonstrating joint working between local authorities and any other strategic organisations with the inclusion of the statement of common ground as a key element of the evidence required to demonstrate the test has been met.

3.16 Green Belt

Section 13 covers Green Belt and additional guidance is included for local authorities where changes are being proposed to remove land from the Green Belt via the Local Plan process.

“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”

3.17 **Development Management**

The updated NPPF now incorporates a four page section on decision making with a focus on the importance of pre-application discussions and front loading. Paragraph 46 also sets out the Government's view that applicants and local planning authorities should consider voluntary Planning Performance Agreements (PPAs) where this might achieve a "faster and more effective application process". This relates to the larger complex planning applications. This is welcomed at BwD as the Enhanced Services which included the provision of PPAs were formally adopted in April this year. The Development Management working with the Growth Team are actively promoting this service relating to the larger major applications identified in the Growth Pipeline.

- 3.18 The most fundamental change in the new NPPF which raises concerns is within Paragraph 55 where the use of pre-commencement conditions is now more difficult. These are the conditions that usually require a certain action to be taken before the development commences. The Government now advise in the paragraph and subsequent footnote, that their use should be kept to a minimum and only be used when they are agreed with the applicant. This comes into force from the 1st October 2018. Officers consider this will place a greater burden on applicants to provide more detailed information in advance of the grant of planning consent, thereby delaying the determination of the application. So in effect, will this speed up the overall process of development? Members should also be aware when they are considering and assessing a planning application presented to them at Committee, a pre-commencement condition cannot be imposed by the Members. It will require the application being deferred to allow discussions to take place between the officers and applicants to ensure the applicants are in agreement. This will further delay the determination of the application.

3.19 **Developer Contributions: S106 and Community Infrastructure Levy**

The LPA often on major development schemes require a legal agreement to accompany a planning approval to ensure the provision of affordable housing, green infrastructure, education requirements, highways and other forms of on and off-site contributions. The Community Infrastructure Levy (CIL) was brought in a number of years ago as an alternative to a legal agreement (S106), however following extensive work it was determined that CIL was not a viable option in BwD. As such, S106 Agreements would continue to be used. When CIL was introduced in April 2010, the Government restricted the use of S106 Agreements to an upper limit of five for any one piece of infrastructure, which was known as "pooling". However, this made it more difficult for local authorities to deliver infrastructure. It required officers to use precise wording within the covenants of S106 Agreements.

- 3.20 At the same time as the updated NPPF consultation, the Government published a consultation document titled "Supporting Housing Delivery Through Developer Contributions" – Reforming developer contributions to affordable housing and infrastructure. This reflects many of the changes to the operation of the Community Infrastructure Levy (CIL) and S106 contributions that were outlined

within the Autumn Budget in 2017. It was anticipated that Regulations would be laid at the same time as the publication of the NPPF in the summer, however this has not happened. One of the main changes being proposed is the removal of the “pooling” restriction subject to certain criteria being met, but these have not yet been confirmed.

4. POLICY IMPLICATIONS

- 4.1 The policy of the Council does not change in respect of this report. However, the emphasis of the updated NPPF for local planning authorities to have up-to-date local plans particularly where the current local plan is over five years old, has brought forward BwD’s review of the Local Plan. A revised Local Development Scheme (LDS) was formally adopted in January 2018, which identifies the work programme for the next three years. It has been agreed by the Council's Executive Board and came into effect on 16th February 2018. The timetable set out in the LDS shows that the new Local Plan is proposed to be adopted in the autumn of 2021.

5. FINANCIAL IMPLICATIONS

- 5.1 The Growth Team are leading on the review and adoption of the new Local Plan. Resource implications will be met from within existing Growth Team budgets. This will include: Update evidence documents to establish up-to-date housing and employment land requirements; and produce an updated Retail Capacity Study, to understand quantity and type of retail developments needed in the Borough to support sustainable economic growth. A number of potential areas of search for strategic development land have been identified at a high level. Initial technical assessments are needed, along with a Green Belt review of those areas.

6. LEGAL IMPLICATIONS

- 6.1 None.

7. RESOURCE IMPLICATIONS

- 7.1 None

8. EQUALITY IMPLICATIONS

- 8.1 An Equality Impact Assessment is not required. These are changes to national policy and guidance, therefore no local equality impact assessment has been made.

9. CONSULTATIONS

- 9.1. This report will be presented to the Planning Cross Party Working Group at its next meeting on the 16th October 2018.

10. RECOMMENDATION

- 10.1.1 (i) That the Committee note the content of the revised NPPF and the Housing Delivery Test Measurement Rule Book from the Ministry of Housing, Communities and Local Government

Contact Officer: Gavin Prescott, Planning Manager (Development Management)

Date: 6th September 2018

Background Papers:

National Planning Policy Framework (July 2018)

Housing Delivery Test Measurement Rule Book (July 2018)

If you have any queries about this report or wish to inspect any of the background papers, please contact the author.

DEPARTMENT OF GROWTH AND DEVELOPMENT

ORIGINATING SECTION: Planning

REPORT TO: Planning & Highways Committee on 20th September 2018.

TITLE: Petition objecting to a planning application for the proposed change of use of 282 Blackburn Road, Darwen from a Bed and Breakfast to a 6 bed Therapeutic Centre. Ref. 10/18/0779.

WARD: Darwen West

Councillor: Dave Smith

Councillor: Brian Taylor

Councillor: Stephanie Rose Brookfield

1.0 PURPOSE OF THE REPORT

1.1 To inform Members of the receipt of a petition objecting to the proposed change of use of 282 Blackburn Road, Darwen, from a Bed and Breakfast to a 6 bed Therapeutic Centre.

2.0 BACKGROUND AND DETAILS

2.1 On 27th July 2018, the Local Planning Authority received the application for the aforementioned proposed change of use. 22 neighbouring properties were consulted by letter.

2.2 Following consultation, the subject petition was received on 29th August 2018. It represents objections to the proposed change of use from 10 residents of The Gables, St Albans Road, Darwen, which is a supported housing development catering for older people located on the adjacent corner to the applicant site, at the junction of Blackburn Road and St Alban's Road, Darwen. The objection relates to the possibility of increased anti-social behaviour from residents of the proposed use.

2.3 The proposed change of use was subject to pre-application advice which set out the Council's support in principle, subject to satisfactory detailed assessment of highway and noise impacts of the development. A Case Officer recommendation is yet to be finalised, pending receipt of outstanding consultee responses. The recommendation will be presented to the Chair, under the Chair Referral Scheme, in due course.

3.0 RECOMMENDATION

3.1 That the petition be noted by Members and that the lead petitioner be informed of any decision taken.

4.0 BACKGROUND PAPERS

4.1 Pre-application response - Enq. 07999

4.2 Current planning application - 10/18/0779

5.0 CONTACT OFFICER Nick Blackledge – Tel. 585112.

6.0 DATE PREPARED 6th September 2018.

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

PLANNING & HIGHWAYS COMMITTEE
THURSDAY, 20th SEPTEMBER 2018
UPDATE:

10/18/0230- The Old School Grounds, Blackburn Road, Edgworth

The following additional comments have been received:

United Utilities dated 13th September 2018: If installed correctly, the proposed septic tank should not cause United Utilities any significant water quality issues. However the developer would need to confirm whether the optional high level telemetry alarm will be installed and made operable, as this would reduce the risk of untreated effluent escaping into the watercourse. It is recommended to Committee that, if the application is approved, the installation and retention of the high level telemetry alarm be included as a condition of planning permission being granted.

Jeanette and Neil Ramsbottom, 3 Edgworth Views, School Lane, Edgworth (neighbour consultees) dated 12th September 2018: Myself and family have recently moved up to School Lane from elsewhere in Edgworth (for the last 8 years), and to find that someone wishes to build (exceptional design or not) within the greenbelt of Edgworth is beyond me. I fully believe that by allowing this application to go through will open up the surrounding greenbelt, that makes the village so stunning, to a whole host of other developers that wish to spoil our treasured natural areas. Demolishing the lavish green home to our wonderful wildlife to build an overly lavish home to a single selfish homeowner. I find it disgusting. It will be the beginning of a downward spiral for our beautiful village. Please do not let this application go through.

In the fourth bullet point at Section 4.1 of the Committee Report, the inadequate sightlines are set out as a reason for recommending refusal of the application. In an e-mailed response dated 16th September, the architect has proposed the further clearing of trees, bushes and other foliage. Members are referred back to Paragraph 3.5.37, where it is accepted that sightlines could be approved, but that *“the requirement to improve sightlines is considered likely to compromise the trees and natural habitats along the Brook”*. The loss of trees and vegetation would fail to preserve the character and appearance of the Biological Heritage Site along the course of Wheatsheaf Brook, contrary to Policy 9 of the Local Plan Part 2.

In the same e-mail, the architect addresses the reason for refusal posed by the septic tank. It is proposed to work through a scheme to connect the drains to the existing village drain network adjacent to the neighbouring terraced houses at School View. If Members are minded to approve the application it is advised that the decision be deferred to allow details of this proposal to be submitted and assessed by the Local Planning Authority and the Council's Ecological and Drainage advisers. It is considered that such details need to be agreed prior to determination rather than secured by condition in order to

fully assess the impact of the scheme on the Green Belt and the local ecological habitats.

Gavin Prescott
Planning Manager (Development Management)
20th September 2018