

Council Forum

Thursday, 25th January, 2024

6.00 pm

Council Chamber, Blackburn Town Hall

[Link to Webcast](#)

AGENDA

1. Prayers by Mayor's Chaplain followed by Welcome and Apologies
2. Minutes Of The Previous Meeting
Policy Council Nov 23 4 - 13
3. Declarations of Interest
DECLARATIONS OF INTEREST FORM 14
4. Mayoral Communications
5. Council Forum
To consider any questions from members of the public under Procedure Rule 10.
6. Motions
To consider the following Motion received under Procedure Rule 12:

Foster Carers and Council Tax

Council acknowledges the importance of Foster Carers in providing a safe, loving home to children who are unable to live with their birth parents. In recent years, we have become concerned that the recruitment of Foster Carers by the Council has stagnated. We are of the view that the Council must do more to both reward existing Foster Carers for their brilliant work and to attract new Foster Carers into the sector. By doing so, children in need will continue to receive the same or better care at a fraction of the cost of other placements.

Accordingly, in addition to paying Foster Care fees, Council resolves to consider providing existing and new Foster Carers with an exemption from the payment of Council Tax with effect from the next financial year. It is our view that the cost of this will,

in time, be met from reduced costs for Children who, otherwise, would be put in expensive placements often out of the Borough.

***Moved by Councillor John Slater
Seconded by Councillor Denise Gee***

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12.	Questions from Members	
	To consider any questions received from Members under Procedure Rule 11.	
13.	Year Planner 2024/25	
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	To approve the final version of the Year Planner for 2024/25, following submission of the draft version at the Policy Council Meeting in December.	

Date Published: Wednesday, 17 January 2024
Denise Park, Chief Executive

POLICY COUNCIL **Thursday 30th November 2023**

PRESENT – *The Deputy Mayor Councillor Sylvia Liddle, Akhtar H, Baldwin, Brookfield, Casey, Connor, Desai M, Desai S, Fazal, Fielding, Floyd, Gee, Gibson, Gunn, Hardman, Humphrys, Hussain I, Hussain M, Hussain S, Irfan, Imtiaz, Jackson, Khonat, Mahmood, Marrow, McCaughran, McGurk, Patel Ab, Patel Alt, Patel S, Raja, Riley, Russell, Shaw, Shorrocks, Sidat, Slater Jacq, Slater Jo, Slater Ju, Slater N, Smith D, Smith J, Talbot, Taylor and Whittingham.*

RESOLUTIONS

36 Welcome and Apologies

The Chief Executive read out the notice convening the meeting.

There then followed Prayers by the Mayor's Chaplain, followed by a Minutes Silence in memory of all the victims of the conflict in Israel and Gaza, former Councillors Len Proos and Maurice Whittle, and members of staff who had recently passed away.

Apologies were received from the Mayor, Councillor Parwaiz Akhtar, and Councillors Ali, Harling, Khan S, Khan Z and Rigby.

37 Minutes Of The Previous Meeting

RESOLVED – That the Minutes of the Council Forum Meeting held on 5th October 2023 were agreed as a correct record.

38 Declarations of Interest

No Declarations of Interest were received.

39 Devolution to Lancashire – Proposal and Consultation

A report was submitted, which advised that as part of the Autumn Budget Statement on 22 November 2023, the Government announced the opportunity for a devolution deal for Lancashire and proposed the creation of a Combined County Authority for the administrative area covered by the three upper tier councils, Blackburn with Darwen Council, Blackpool Council and Lancashire County Council.

To progress the potential devolution deal, under the Levelling-up and Regeneration Act 2023, consultation was required on the draft Combined

County Authority (CCA) Proposal ('the Proposal'), which was attached at Appendix A.

Following consultation, the three Councils would need to submit their final Proposal to Government, which would take account of the outcome of the consultation, and which, if appropriate, would formally propose the creation of the CCA.

Council was asked to approve the draft Proposal and agree to consult formally upon it with the residents and other stakeholders of the wider CCA area for a period of 8 weeks commencing on 1 December 2023.

It was anticipated that a further meeting of each of the three Councils in March 2024 would consider the results of the consultation and agree whether or not to formally submit the final Proposal to Government.

All three Councils were considering the same report and recommendations at respective Full Council meetings at the end of November 2023.

RESOLVED –

That Policy Council:

- i. note the Deal Document as announced by the Government, linked here <http://www.gov.uk/government/publications/lancashire-devolution-deal>
- ii. approve the draft Proposal attached at Appendix A to this report to create a Lancashire Combined County Authority (CCA) for the administrative areas of Blackburn with Darwen, Blackpool and Lancashire
- iii. approve a formal consultation on the draft Proposal with the residents and other stakeholders of the wider CCA area, in a partnership between Blackburn with Darwen Council, Blackpool Council and Lancashire County Council
- iv. approve the approach to the consultation as set out in the Proposal document
- v. delegate authority to the Chief Executive to approve any minor amendments to the draft Proposal or consultation arrangements. This delegation is to be exercised in consultation with the Leader of the Council and is conditional upon such amendments being agreed by all three upper tier Councils
- vi. note the draft Equality Impact Assessment at Appendix B
- vii. receive and consider the results of the consultation and whether to formally submit a final Proposal document to Government at a meeting of Full Council in March 2024 and

- viii. reschedule the Council Forum meeting from 21st March 2024 to 14th March 2024, and consequently reschedule the meeting of the Planning & Highways Committee from 14th March 2024 to 13th March 2024.

40 **Motions**

The Chief Executive announced that one Notice of Motion had been submitted under Procedure Rule 12 as follows:

Motion on the situation in Gaza

This Council notes with horror, the increasing number of deaths in Gaza as a result of the Israeli response to the Hamas attack on Israel of the 7th October.

The Council condemns Hamas for its unprovoked attack on Israel, and in taking over 200 hostages – many being civilians, including innocent women and children.

Israel's response to the attack has, however, been utterly out of proportion, with over 12,000 innocent Gazan citizens killed at the time of writing. In addition to those killed, over 2 million Gazans have been impacted either through the loss of their homes, loss of family members, lack of food, water, energy or medicine supplies – all of which have been stopped by Israel. This Council believes such measures which amount to collective punishment to be in breach of international humanitarian law.

This Council also recognises that there will inevitably be large numbers of orphaned children as a result of the continuing violence and calls upon the government to put in place a scheme whereby such orphans can be adopted by families in the UK – this would be similar to the schemes introduced for Ukrainian orphans.

The only sustainable solution to the dispute in Palestine and Israel is for peaceful negotiations to take place with the ultimate aim of a two state

solution where both Palestinians and Israelis can exist independently in autonomous states.

This Council therefore calls for an immediate ceasefire; the release of the hostages taken by Hamas and a resumption of all humanitarian aid including food, water, sanitary products and fuel to the population of Gaza. We call on our national leaders of all political parties to support the calls for a ceasefire, following which we ask our Prime Minister to work with other world leaders to facilitate peace talks.

This Council calls on our Chief Executive to write to the Prime Minister, Foreign, Commonwealth and Development Secretary, and our Members of Parliament, to seek the implementation of these requests.

Moved by: Cllr Shaukat Hussain

Seconded by: Cllr Sabahat Imtiaz

Following debate, an Amended Motion was circulated to Members as follows (amendments in italics and bold):

Amendment to the motion on the situation in Gaza

This Council notes with horror, the increasing number of deaths in Gaza as a result of the Israeli response to the Hamas attack on Israel of the 7th October.

The Council condemns Hamas for its unprovoked attack on Israel, and in taking over 200 hostages – many being civilians, including innocent women and children.

Israel's response to the attack has, however, been utterly out of proportion, with over **14,500** innocent Gazan citizens killed at the time of writing **and thousands unaccounted**. In addition to those killed, over 2 million Gazans have been impacted either through the loss of their homes, loss of family members, lack of food, water, energy or medicine supplies – all of which have been stopped by Israel. This Council believes such measures which amount to collective punishment to be in breach of international humanitarian law. ***The council stresses the need for accountability for the actions taken by Israel and Hamas, emphasising that this accountability must be***

pursued through the international Criminal Court for crimes against humanity.

The council stands against any form of violence or indiscriminate attacks targeting Palestinian or Israeli civilians. We call on Hamas and Israel to release all hostages and for our political leaders to take definitive action to ensure that the freedoms and human rights of all people within the region are realised. We call on our politicians to stand against all human suffering without discrimination or generalisation.

The only sustainable solution to the dispute in Palestine and Israel is for peaceful negotiations to take place with the ultimate aim of a two state solution where both Palestinians and Israelis can exist independently in autonomous states.

This Council therefore calls for an ***immediate, unconditional and permanent humanitarian*** ceasefire and a resumption of all humanitarian aid including food, water, sanitary products and fuel to the population of Gaza. We call on our national leaders of all political parties to support the calls for a ceasefire, following which we ask our Prime Minister to work with other world leaders to facilitate peace talks.

This Council also recognises that there will inevitably be large numbers of orphaned children as a result of the continuing violence and calls upon the government to put in place a scheme whereby such orphans can be adopted by families in the UK – this would be similar to the schemes introduced for Ukrainian orphans.

This Council calls on our Chief Executive to write to the Prime Minister, Foreign, Commonwealth and Development Secretary, and our Members of Parliament, to seek the implementation of these requests.

Moved by: Cllr Mustafa Desai

Seconded by: Cllr Salim Sidat

This amendment was put to the vote and carried, the amended Motion, now being the Substantive Motion, was put to the vote.

RESOLVED – That the Motion be carried.

Councillor Phil Riley, moved suspension of Council Procedure Rule 1 ahead of the next agenda item, which was agreed by Policy Council.

Procedure Rule 1 suspended for the following item:

41 Council Appointments Update

Members received an update on the composition and the political balance of the Council as detailed in Appendix 1 of the report submitted, and were asked to approve the revised Council appointments for the remainder of Council year 2023/24.

Further to the updated Council Appointments approved at Council Forum on 5 October 2023 (reporting the updated political composition and appointments following the resignation of Councillor Hussain Akhtar from the Council's Labour Group, and Councillor Altaf Patel from the Conservative Group), Councillors Mustafa Desai, Sajid Ali, Salim Sidat, Samim Desai, Suleman Khonat, Salma Patel and Abdul Patel had formally resigned from the Council's Labour Group. Councillor Mohammed Irfan had also left the Council's Labour Group.

Under Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, a new political group, "4BwD Independent Group" had been constituted consisting of: Councillors Mustafa Desai, Sajid Ali, Salim Sidat MBE, Samim Desai, Mohammed Irfan, Suleman Khonat, Salma Patel, and Abdul Patel. The Leader of new political group was Councillor Mustafa Desai and the Deputy Leader(s) were Councillor Salim Sidat MBE and Councillor Suleman Khonat.

In light of the change to the political composition, the proportionality and allocation of seats on council committees to political groups had been reviewed and detailed in Appendix 2 of the report submitted.

Councillor John Slater advised of a couple of minor errors in the list of his Group's appointments, which had been amended and the agenda pack updated accordingly ahead of the meeting.

RESOLVED –

That Policy Council:

- 1) notes the current political composition and political balance on the Council, as referred to in **Appendix 1**;
- 2) note the Leader's appointment of the Executive Board Members, Deputy Leaders and Assistant Executive Members; (as detailed in the **Appendix 2**)
- 3) notes the Shadow Executive Members and Shadow Assistant Executive Members; (as detailed in the **Appendix 2**),

- 4) Approve the appointment of Chairs, Vice Chairs and Members to the Committees as detailed in **Appendix 2**.

42 Polling Districts Review

Policy Council was asked to consider and approve the final recommendations following the recent Polling Districts Review and public consultation.

The latest compulsory review period was between 1 October 2023 and 31 January 2025, but in view of the volume of anticipated changes and the impact of boundary changes for UK Parliamentary constituencies, the review had been undertaken at the earliest time during the compulsory period.

The review has taken into consideration the recommendations for changes to the UK Parliamentary constituency boundaries and the impact of the voter ID requirements introduced by the Elections Act 2022.

The review of parliamentary polling districts had been combined with that of local polling districts and covered both parliamentary and local government polling arrangements within the administrative boundary of Blackburn with Darwen. This would ensure that polling districts for local elections were the same as for parliamentary elections. The (Acting) Returning Officer for the Rossendale and Darwen constituency had been formally notified of the Council's review and proposals and was invited for any representations during the consultation period.

The Returning Officer's proposals and representations were published on the Council website for public consultation, which took place between 2 October 2023 and 10 November 2023.

During the consultation period representations and comments were invited from any interested parties, including Members, the two Members of Parliament, the Returning Officer for the Rossendale and Darwen constituency, local disability groups and other interested parties. A hard copy of the Returning Officer's proposals and representations was also available for inspection at the Town Hall by contacting the Elections Team (Appendix 1 of the report submitted).

The review and the recommendations involved considering the feedback received from the recent election held and visiting/accessing a number of existing and proposed polling places and stations in Blackburn and Darwen.

All comments and representations received during the consultation period were considered before the Returning Officer's final recommendations were prepared and, subsequently, these were published on the website on 22 November 2023, including ward maps. The web link of the final recommendations was also sent to all Members, the offices of the two MPs, and the (Acting) Returning Officer for the Rossendale and Darwen constituency.

The Council's approval of the final recommendations would complete the review and the new polling arrangements would be implemented at the next scheduled local government elections on 2 May 2024 (or earlier in the event of a General Election or a referendum).

The implementation of the new polling arrangements will require some changes to the electoral register. The new electoral register would be published on 1 February 2024, following a statutory 14 day notice period.

Finally, acknowledging that there may be circumstances that require changes to polling districts, polling places and/or polling stations before the next formal review, the Council was requested to note the existing delegated authority to the Chief Executive, to make such changes as and when the need to do so arose.

RESOLVED –

The Council:

- 1 Note the review of polling districts, polling places and polling stations commenced on 2 October 2023.
- 2 Approve the final recommendations of the review and changes to polling districts, polling places and polling stations for parliamentary and local government elections.
- 3 Subject to 2 above, note the publication date (1 February 2024) of the revised electoral register and implementation of the review from 2 May 2024 (or earlier in the event of a General Election or a referendum).
- 4 Note the existing delegation to the Chief Executive to make any appropriate changes to the polling districts, polling places and polling stations following approval of the final recommendations whenever such needs arise, until the next formal review.

43 Draft Year Planner

Policy Council received the draft Year Planner for 2024/25, ahead of submission of the final version to Council Forum on 25th January 2024.

RESOLVED – That the draft Year Planner for 2024/25 be noted.

In line with the Constitution page 111 (3.2 (ii)) The Policy Council meeting moved into Committee.

44 National Policy Reflections and Delivering on our Corporate Plan Core Missions

Members were asked to note progress and key achievements since the Corporate Plan (2023-2027) was adopted, and were provided with an update on performance against core missions. The report also identified some of the main national policy challenges impacting on the Council and invited Members to debate the Council's position on these issues.

The Autumn Statement set out the Government's tax and spending plans for the year ahead, and the report highlighted the key measures and updates within the Statement.

The report also updated Members on:

- The King's Speech
- Electoral Changes
- Devolution and Levelling Up
- The Procurement Act
- Health and Social Care Integration
- Social Care Reform
- Housing Reform
- Children's and Education Reform
- Covid Inquiry
- Environment Act
- Partnership Conference Plans
- Core Missions
- Portfolio Priorities
- Managing Performance
- Corporate Peer Challenge.

RESOLVED –

That Policy Council:

- Note the report
- Note the current national policy drivers
- Note the Council's core missions
- Note the key actions by portfolio
- Note the performance against the Corporate Plan
- Note the progress against the Corporate Peer Challenge Action Plan.

The Meeting then moved out of Committee.

At the close of the Meeting, Councillor Phil Riley thanked the Deputy Mayor for her Chairing of the Meeting.

Signed at a meeting of the Council Forum

On Thursday 25th January 2024

(being the ensuing meeting of the Council) by

MAYOR

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: COUNCIL FORUM

DATE: 25th JANUARY 2024

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)



REPORT OF: CHIEF EXECUTIVE

TO: Council Forum

ON: 25th January 2024

COUNCIL APPOINTMENTS 2023/24 - Update

1. PURPOSE OF THE REPORT

- 1.1 To provide an update on the composition, the political balance of the Council and the allocation of Committee seats following a change in membership to one of the Council's Political Groups.

2. BACKGROUND

- 2.1 Council Appointments for 2023/24 were initially approved at Annual Council on 18 May 2023. There have been subsequent updates to Council since then as a consequence of changes in the composition of the Council's Political Groupings.
- 2.2 Since the last report on this matter to Policy Council in November 2023, Cllr Mohammed Irfan has resigned from the 4BWD Independent Group' and will sit as an Independent Councillor. The change in the Political Groups of the Council is summarised in the table below:-

	November 2023	January 2024	Change
Labour	30	30	-
Conservative	11	11	-
4BWD Independent Group	8	7	-1
Independent Councillors	2	3	+1
Total	51	51	-

- 2.3 The Local Government and Housing Act 1989 ("the Act") imposes a duty on the Council to allocate seats on committees to political groups in accordance with the size of each group as a whole, unless alternative arrangements are notified to all Members and agreed without any councillor voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:

- a) that not all seats on the Body are allocated to the same group;
- b) that the majority of seats on the Body are allocated to a particular Political Group if the number of persons belonging to that Group is a majority of the authority's membership;

- c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary Committees of a relevant authority which are allocated to each Political Group bears the same proportion to the total of all the seats on the ordinary Committees of that authority as is borne by the number of Members of that group to the membership of the authority; and
 - d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each Political Group bears the same proportion to the number of all the seats on that body as is borne by the number of Members of that Group to the membership of the authority.
- 2.4 In light of the change to the political composition and the review of proportionality, the Labour Group gain one additional seat and the 4BWD Independent Group have one less seat. This change is applied to the Standards Committee. The updated proportionality and allocation of seats on Council Committees to Political Groups is provided **Appendix 1**.

3 RECOMMENDATIONS

- 3.1 That Council notes the current composition, political balance and the updated allocation of seats on the Council as referred to in **Appendix 1**;

Denise Park
Chief Executive
17th January 2024

Background Papers: The Local Government and Housing Act 1989,
Local Government (Committees and Political
Groups) Regulations 1990, Council Constitution
(all published)

Contact Officers: Asad Laher, Deputy Director - Legal &
Governance

Appendix 1 Proportionality – Political Balance

Summary of seats – January 2024

GROUP	SEATS on the Council	Seat percentage entitlement based on 48 Councillors	Seats on Committees based on 81 seats	Rounded to
Labour	30	62.50%	50.63	51
Conservative	11	22.92%	18.56	18
4BwD Independent Group	7	14.58%	11.81	12
TOTAL for Proportionality	48	100%	81	
Independent	3			
TOTAL SEATS	51			81

There is no requirement to consider an independent member when calculating proportionality based on Council political groups size

The proposed overall allocation of seats at January 2024 based on the proportions and numbers above:

Committee	Places	Labour	Con	4BwD Indpt Grp
Policy & Resources OSC	9	6 (66.67%)	2 (22.22%)	1 (11.11%)
Children's & Young Persons OSC	9	5 (55.56%)	2 (22.22%)	2 (22.22%)
Health & Social Care OSC	9	5 (55.56%)	2 (22.22%)	2 (22.22%)
Place OSC	9	6 (66.67%)	2 (22.22%)	1 (11.11%)
Planning & Highways Committee	13	8 (61.54%)	3 (23.08%)	2 (15.38%)
Licensing Committee	11	7 (63.64%)	2 (18.18%)	2 (18.18%)
Audit & Governance Committee	6	4 (66.67%)	1 (16.67%)	1 (16.67%)
Standards	9	6 (66.67%)	2 (22.22%)	1 (11.11%)
Charitable Funds Committee	6	4 (66.67%)	2 (33.33%)	0 (0.0%)
Total	81	51	18	12

COUNCIL APPOINTMENTS FOR 2023/2024

This is the pro-forma for appointments in 2023/2024

The Executive Members and Assistant Executive Members

EXECUTIVE BOARD		
Leader of the Council and Chair of Executive Board	Phil Riley	
The following appointments have been made by the Leader of the Council:		
Deputy Leaders of the Council	1: Quesir Mahmood (senior) 2: Julie Gunn	
Vice Chair of Executive Board	Quesir Mahmood	
PORTFOLIOS	Executive Member	Assistant Executive Member
Adult Social Care & Health	Jackie Floyd	Anthony Shaw Sonia Khan Vacant
Public Health, Prevention & Wellbeing	Damian Talbot	Brian Taylor Zamir Khan
Children’s, Young People & Education	Julie Gunn	Katrina Fielding Tasleem Fazal Vacant
Environment and Operations	Jim Smith	Jim Casey Shaukat Hussain
Growth & Development	Quesir Mahmood	Matthew Jackson Jim Shorrocks
Digital & Customer Services	Mahfooz Hussain	Elaine Whittingham
Finance & Governance	Vicky McGurk	Dave Harling Vacant
The remainder of appointments are for completion by the Group Leaders.		
Opposition Member on Executive Board		
John Slater		

4. Appoint Members of Committees

Committee	Labour	Conservative	4BwD	
Policy & Corporate Resources Overview and Scrutiny Membership Chair: Tony Humphrys Vice-Chair: Kevin Connor	Tony Humphrys Sylvia Liddle Brian Taylor Shaukat Hussain Tasleem Fazal Katrina Fielding	Kevin Connor Neil Slater	Salim Sidat	
Place - Overview and Scrutiny Committee Membership Chair: Brian Taylor Vice Chair: Paul Marrow	Zamir Khan Brian Taylor Katrina Fielding Sonia Khan Stephanie Brookfield Shaukat Hussain	Paul Marrow Mark Russell	Suleman Khonat	
Children & Young People Overview and Scrutiny Committee Membership Chair: Sylvia Liddle Vice-Chair: Martin McCaughran	Sylvia Liddle Martin McCaughran Ehsan Raja Matt Gibson Matthew Jackson	Julie Slater Denise Gee	Abdul Patel Salma Patel	
Health & Social Care Overview and Scrutiny Committee Membership Chair: Jacquie Slater Vice Chair: Elaine Whittingham	Elaine Whittingham Dave Harling Dave Smith Tony Humphrys Anthony Shaw	Jacquie Slater Derek Hardman	Saj Ali Mustafa Desai	

Committee	Labour	Conservative	4BwD	
Call In Committee Chair: Kevin Connor				
Planning & Highways Committee Membership Chair: Dave Smith Vice-Chair: Sabahat Imtiaz	Dave Smith Zamir Khan Jim Casey Quesir Mahmood Martin McCaughran Sabahat Imtiaz Matthew Jackson Jim Shorrock	Paul Marrow Jacquie Slater Jon Baldwin	Suleman Khonat Salma Patel	
Licensing Committee Membership Chair: Iftakhar Hussain Vice-Chair: Matt Gibson	Iftakhar Hussain Brian Taylor Jim Casey Ehsan Raja Tasleem Fazal Sabahat Imtiaz Matt Gibson	Denise Gee Derek Hardman	Salim Sidat Saj Ali	
Audit and Governance Committee Membership Chair: Dave Harling Vice Chair: Elaine Whittingham	Dave Harling Matthew Jackson Elaine Whittingham Matt Gibson	Neil Slater	Salim Sidat	
Standards Committee Membership Chair: Ehsan Raja Vice-Chair: Kevin Connor	Jim Casey Elaine Whittingham Ehsan Raja Anthony Shaw Iftakhar Hussain	Kevin Connor Neil Slater	Mustafa Desai	

Committee	Labour	Conservative	4BwD	
Health & Wellbeing Board Membership Chair: Damian Talbot	Julie Gunn Jackie Floyd Damian Talbot	Derek Hardman		
Charitable Funds Committee Membership Chair: Damian Talbot	Damian Talbot Dave Smith Matthew Jackson Anthony Shaw	Jean Rigby Julie Slater		

APPOINTMENT TO GROUPS AND PANELS

Committee	Labour	Opposition	4BwD
Appeals Panel Membership 15	Iftakhar Hussain, Sylvia Liddle, Jackie Floyd, Brian Taylor, James Shorrocks, Tony Humphrys.	Julie Slater, Jacqui Slater	
Chief Executive's Employment Committee Membership 4	Phil Riley Quesir Mahmood Julie Gunn	John Slater	

Committee	Labour	Opposition	4BwD
Chief Officer's Employment Committee Membership 4	Phil Riley Quesir Mahmood Julie Gunn	John Slater	

The Membership of the Chief Executive and Chief Officer Employment Committees is the Leader of the Council, the two Deputy Leaders and the Leader of the Opposition.

The appointments within Political Groups

LABOUR GROUP	Councillors
Leader	Phil Riley
Deputy Leaders	Quesir Mahmood (Senior), Julie Gunn
CONSERVATIVE GROUP	Councillors
Leader	John Slater
Deputy Leaders	Denise Gee (Senior) Derek Hardman

Shadow Cabinet	Shadow Executive Member	Shadow Assistant Executive Member
Adult Services & Prevention	Jacquie Slater	Mark Russell
Public Health & Wellbeing	Derek Hardman	Kevin Connor
Children's, Young People & Education	Denise Gee	Julie Slater
Environmental Services	Jean Rigby	John Slater
Growth & Development	Paul Marrow	Mark Russell
Digital & Customer Services	Julie Slater	Neil Slater
Finance & Governance	Neil Slater	Jon Baldwin
Opposition Committee Spokespersons		
Planning & Highways	Paul Marrow	
Licensing	Denise Gee	
4 BwD	Councillors	
Leader	Mustafa Desai	
Deputy Leaders	Salim Sidat and Suleman Khonat	



REPORT OF: The Executive Member for Finance and Governance

TO: Council Forum

ON: 25th January 2024

SUBJECT Council Tax Support Scheme 2024/25

1. PURPOSE OF THE REPORT

To outline changes to the Council Tax Support scheme and seek approval for its adoption for 2024/25.

2. OPTIONS

None to consider.

3. RECOMMENDATIONS

That Council Forum:

- i. Notes the contents of the report, and;
- ii. Approves the Council Tax Support Scheme for the financial year 2024/25

4. BACKGROUND

The Welfare Reform Act contained provisions which abolished the national Council Tax Benefit scheme and recommended localised schemes to be administered by Local Authorities throughout England. This report incorporates amendments to the scheme that are as a consequence of the budget savings programme.

In accordance with the legislation, the Council is obliged to formally adopt a new scheme and make any adjustments prior to the 31st March 2024. This report seeks to fulfil the necessary legal requirements and to confirm Blackburn with Darwen's Council Tax Support scheme for 2024/25.

The full Council Tax Support scheme is detailed in Appendix A.

5. RATIONALE

The Council's savings programme has required all service areas to assess potential changes that could be implemented to meet the financial challenges facing the council. To contribute to these challenges, the overall cost of the Council Tax Support Scheme has been reviewed to identify changes that could be implemented that would have the least impact on low income households. Following consideration of the options, it has been proposed that for working age claims, non-dependent deductions would be increased, and, in addition, the overall maximum amount of support would be reduced.

The administration of the Council Tax Support Scheme is closely linked to other welfare benefit assessments. In order to ensure that the calculations remains valid, the Applicable amounts, Premiums, and Disregards used in the assessment of scheme will be uprated in line with Department of Work and Pensions annual circular.

6. POLICY IMPLICATIONS

Incorporated into the new scheme is the increase in non-dependent deductions for working age claims from £7 per week to £8 per week from April 2024, the reduction in the maximum award, and the uprating of Applicable amounts, Premiums, and Disregards in line with Department of Work and Pensions A1/2024 circular.

The full Council Tax Support Scheme for 2024/25 is detailed in Appendix A.

7. FINANCIAL IMPLICATIONS

Whilst the Council Tax Support caseload and financial cost to the council can vary over the financial year, it is anticipated that the increase in non-dependent deductions will decrease the overall expenditure of Council Tax Support, and result in additional income of an estimated £258,035.

8. LEGAL IMPLICATIONS

To adhere to the legislative requirement, the Council is obliged to agree a Council Tax Support Scheme before the 31st of March each year. This report and the attached policy fulfils the Council's obligation and ensures that a scheme is in operation for 2023/24.

9. RESOURCE IMPLICATIONS

There are no other resource implications associated with this report.

10. EQUALITY IMPLICATIONS

In preparing for the transfer of Council Tax Benefit to local authorities, the DCLG completed an initial Equality Impact Assessment in January 2012, with a further updated Impact Assessment in June 2012. In addition, Blackburn with Darwen Borough Council has also completed Equality Impact Assessments prior to the introduction of changes to its own scheme. An assessment for these proposed changes is attached as an Appendix to this report.

11. CONSULTATIONS

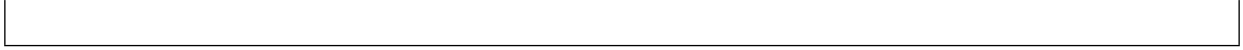
The Council, as a Billing authority, is required to consult with the public and major precepting authorities on any proposed changes to the existing Council Tax Support Scheme. A full consultation exercise was undertaken from 23rd of October 2023 to 5th December 2023. The questions and a summary report of the findings are attached as background papers.

Chief Officer

Contact Officer:	Dean Langton, Strategic Director of Finance and Resources
Date:	January 2024
Background Papers:	Appendix A – Council Tax Support Scheme 2024/25 Council Tax Support Questionnaire results December 2024



COUNCIL TAX SUPPORT SCHEME
2024-25
S13A and Schedule 1a of the
Local Government Finance Act 1992



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Introduction

1. Since April 2013, all council tax billing authorities in England are required to set up a scheme to help people in financial need pay their council tax. This document describes the scheme in Blackburn with Darwen, for the period 1st April 2024 until 31st March 2025.
2. The scheme is called a Council Tax Reduction Scheme because any support usually takes the form of a reduction in council tax liability, and therefore a reduction in the applicant's council tax bill. But it is also known as council tax support and that is the term generally used in this document.
3. Although this document provides a comprehensive account of the scheme in Blackburn with Darwen, further information on those aspects which have to be included in all schemes can be found in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (and subsequent amendments).

Overview of the scheme

4. There are different arrangements for pension-age and working-age applicants.

Pension-age applicants

5. The Government has decided that pensioners should have broadly the same level of support that they had in the old Council Tax Benefit scheme. This means that the Council has to follow the rules decided by central Government, and has no discretion to alter them.¹
6. Subject to some overall conditions, there are three groups of pensioners in financial need who the scheme is designed to help:
 - those whose income is no greater than the set amount allowed for living expenses; these pensioners qualify for 100% reduction on their council tax bill;
 - those whose income is greater to a certain extent than the set amount allowed for living expenses; these pensioners will have 20% of the difference between their income and the amount for living expenses deducted from the maximum amount of council tax support that would otherwise be payable;
 - those where there is a second adult sharing the household who would normally be expected to contribute towards the council tax bill, but who cannot afford to do so; these pensioners will see a reduction in the council tax bill of either 7.5%, 15%, 25% or 100%, depending on the circumstances of the second adult living in the household. (See Appendix 2.)

¹ Set out in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (as amended from 2013 to 2023).

7. Where a pensioner is receiving the guarantee part of State Pension Credit his income and capital are ignored for the purposes of council tax support, so the pensioner receives 100% reduction on their council tax bill (minus any non-dependant deductions if applicable). Where a pensioner is receiving only the savings credit part of State Pension Credit, the amount of income and capital used in the Department for Work and Pensions assessment is used for the calculation of council tax support.

Working-age applicants

8. The Council has devised its own scheme for working-age applicants.
9. Subject to some overall conditions, there are two groups of working-age applicants in financial need who the scheme is designed to help:
 - those whose income is no greater than the set amount allowed for living expenses; these working-age applicants qualify for a 78% reduction on their council tax bill but, if they live in a property in band C or above, they qualify for a 78% reduction of the council tax bill set by the Council for a band B property;
 - those whose income is greater to a certain extent than the set amount allowed for living expenses; these working-age applicants will have 20% of the difference between their income and the amount for living expenses deducted from the maximum amount of council tax support that would otherwise be payable.
10. The overall conditions for an applicant to receive financial assistance from the scheme are that he:
 - lives in the property as his main home; and
 - is liable to pay council tax; and
 - meets the residence rules; and
 - has capital not exceeding £16,000; and
 - has income at or below a certain amount; and
 - has made an application for assistance from the scheme.

Living Allowances

11. In the calculation of council tax support, the amount allowed for living expenses is made up of the following components:
 - an amount for the applicant or, if he is a member of a couple, an amount for both of them;
 - if appropriate, an amount for children or young persons who are members of his family, together with an additional amount (family premium)²;
 - if appropriate, additional amounts, or premiums, as set out in Appendix 1, for example to cover expenses associated with disability.

² The family premium was withdrawn from 1st May 2016 in the Prescribed Requirements regulations, but the Council have nevertheless decided to include it both for pensioner and working age applicants.

12. There are special arrangements for polygamous marriages – see Annex 2.

Treatment of income

13. The income of an applicant's partner is treated as belonging to the applicant.

14. Income is calculated on a weekly basis. In order to arrive at the weekly amount of earnings and other income to be taken into account, a monthly payment is multiplied by 12 and divided by 52: in other cases the amount is converted to a daily amount and multiplied by 7. Where applicable, an assumed income from capital is added (see paragraph 35) and, where relevant and subject to certain conditions, childcare charges are deducted. The weekly maximum amounts to be deducted are £175 for one child and £300 for two or more children. (For applicants receiving Universal Credit, the maximum amounts to be deducted are 85% of these figures.)

15. Where incurred, childcare charges can be deducted from income where the applicant is:

- A lone parent who is working at least 16 hours a week;
- A member of a couple both of whom are working at least 16 hours a week;
- A member of a couple one of whom is working and the other is incapacitated, in hospital or in prison.

16. Annex 3 explains these childcare provisions in more detail and also contains a definition of the childcare charges which can be deducted.

Earnings from employment

17. Where an applicant has earnings from employment, the weekly amount of earnings is averaged over 5 weeks prior to the first week in which support is payable if the applicant is paid weekly, and 2 months if the applicant is paid monthly. However, where an applicant's earnings fluctuate, earnings can be averaged over any reasonable period. If an applicant has been working for less than 5 weeks or 2 months, the average weekly earnings are estimated on the basis of either any earnings received, if representative of future earnings, or an estimate provided by his employer. If earnings change during the period of an applicant receiving council tax support, average earnings are estimated over any reasonable period but not more than 52 weeks.

18. Earnings are taken into account from the date of application even if they were not received during the week of application. Where an applicant begins remunerative work after an application for council tax support has been made, earnings are taken into account from the first support week after he began work, even if they were not actually received in that week. Similar arrangements are made when earnings change.

19. See Annex 4 for the definition of earnings as an employed earner.

Self-employment

20. An applicant for council tax support is treated as self-employed if:

- self-employment is his main job; and
- he gets regular work from self-employment; and
- his work is organised, for example there are invoices and receipts, or accounts; and
- he expects to make a profit.

21. Where an applicant is self-employed, weekly earnings are estimated over a reasonable period but no more than over 52 weeks. See Annex 5 for a description of how self-employed earnings are calculated.

22. Working-age self-employed applicants are assumed to have a certain level of income (the Minimum Income Floor) after 2 years of self-employment. The level of income is calculated using the National Minimum Wage for the applicant's age group, multiplied by the number of hours he is expected to look for and be available for work. For most people that is 35 hours a week, but is 24 hours a week if the applicant meets certain requirements (for example is a carer receiving Carer's Allowance, a lone foster parent with a foster child in placement under the age of 5, a lone parent with a child under the age of 5, or a lone parent who has caring responsibilities for a child who has a physical or mental impairment of any age for whom they receive Child Benefit). From the resulting figure, a notional deduction for tax and National Insurance is deducted.

23. If the applicant ceases self-employment during the 2 year period but becomes self-employed again within 6 months, the periods of self-employment are treated as continuous for the purpose of calculating the 2 year period. Where this occurs the Council will review the application to ensure that this change in employment status has not been made to take advantage of the council tax support scheme.

Other income

24. Income other than earnings is fully taken into account unless specified in Appendix 4 which lists income that is ignored. Weekly income other than earnings is also estimated over a reasonable period but no more than over 52 weeks. See Annex 6 for a description of how income other than earnings is calculated.

25. Benefit income is taken into account over the period in which it is paid. The period over which a tax credit payment is taken into account varies depending on whether the payment is a daily, weekly, two-weekly or four-weekly instalment.

26. In most cases, income that the applicant has not obtained (for example, a deferred pension) but is available on application is treated as possessed by him, but only from the date it could be obtained.³
27. If it appears to the Council that an applicant has come to an arrangement with a non-dependant member of the household specifically to take advantage of the council tax support scheme, where the income and capital of the non-dependant exceeds that of the applicant, the income and capital of the non-dependant is treated as if it were the applicant's, and the applicant's income is ignored. This rule does not apply in the case of an applicant in receipt of Income Support, income-based Jobseeker's Allowance or income-related Employment and Support Allowance.

Treatment of capital

28. If an applicant has more than £16,000 no support is payable under this scheme.
29. All capital is taken into account, including income treated as capital, unless it is listed in Annex 7 in which case it is ignored. The capital of a child or young person who is a member of the applicant's family is also ignored. The capital of an applicant's partner is treated as if it belonged to the applicant.
30. Certain types of income are treated as capital. See Annex 7 for a full list.

Notional capital

31. If an applicant deliberately disposes of capital in order to obtain council tax support, it is assumed that the applicant still possesses that capital and it is therefore taken into account. This notional capital is reduced over time by the amount that the applicant would have received in council tax support if he had not been treated as having that capital. With certain exceptions, where an applicant fails to realise capital which he owns, that capital is also taken into account. Most payments of capital made to a third party on behalf of the applicant are taken into account.

Calculation of capital

32. Capital which an applicant possesses in the United Kingdom is calculated at its current market or surrender value less:
- 10% if there are expenses attributable to its sale, and
 - the amount of any monetary claim secured against it.
33. Capital which an applicant possesses outside the United Kingdom is treated in the same way except that it is calculated:

³ See paragraph 22 of Schedule 1 to the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.

- at its current market or surrender value in that country if it can be transferred to the United Kingdom; or
- if it cannot be transferred to the United Kingdom, at a price which it would realise if it were sold in the United Kingdom to a willing buyer.

34. Where an applicant owns capital jointly with one or more persons, each share is treated as equal unless there is evidence to the contrary.
35. Where an applicant has capital exceeding £6,000 (£10,000 for pensioners), income of £1 is assumed for every complete £250 (£500 for pensioners) up to a maximum of £16,000. In making this calculation, if the final part of the excess is not a complete £250 (£500 for pensioners), an income of £1 is nevertheless taken into account.

Calculation of council tax support

Maximum council tax support

36. Council tax is calculated on a daily basis. For any day for which an applicant is liable to pay council tax, the maximum amount of council tax support for pensioners is 100% of the amount of council tax set by the council for the applicant's dwelling, less any appropriate discount, divided by the number of days in that financial year. For working-age applicants, the maximum amount of council tax support is 78% of the amount of council tax set by the council for the applicant's dwelling, but if they live in a property in band C or above the maximum is 78% of the amount of council tax set by the Council for a band B property.

Where income is more than the amount for living expenses

37. Where an applicant's income is greater than the amount allowed for living expenses in his case, council tax support is withdrawn gradually (sometimes known as the taper) as income increases until entitlement is extinguished altogether. This avoids a cliff-edge effect of suddenly ending all support as soon as income becomes greater than the amount for living expenses.
38. For example, if an applicant's weekly maximum council tax support is £15, and the amount for living expenses in his case is £100 a week, he is entitled to maximum support of £15 as long as his income is not greater than £100. If his income increases to £120, a sum equal to 20% of the difference between his income (£120) and the amount for living expenses (£100) is deducted (20% of £20 = £4) from his maximum council tax support, so he receives £15 less £4 = £11 a week. If his income increases further to £180, the amount deducted from his maximum council tax support is £16 (20% of £80 is £16) and there is therefore no entitlement to council tax support because £16 is greater than the maximum of £15.

Other aspects of the calculation

39. In calculating the amount of council tax support, fractions of less than half a penny are rounded down and fractions of half a penny or more are rounded up.
40. Where an applicant is jointly liable for council tax with other residents at the same dwelling, the council tax set by the authority (less any discount) is divided by the number of people jointly liable and the applicant's council tax support is based on his share. This does not apply in the case of a student who is excluded from entitlement to council tax support, or a partner of the applicant.

Non-dependant deductions

41. A non-dependant is a person living as a member of the applicant's household who is not his partner or a child/young person for whom he is responsible. There are certain exceptions such as joint-occupiers, boarders and paid carers. Non-dependants aged 18 or over are usually expected to contribute to household expenses such as council tax.

(Pension Age scheme - points 42-47)

42. For pensioners, the weekly deduction for a non-dependant aged 18 or over in work is normally £14.15 and for a non-dependant aged 18 or over not in work, £4.60. However, where the applicant can demonstrate that a non-dependant in work has relatively low gross weekly earnings, the deduction is as follows:
- less than £236.00, the deduction is £4.60;
 - not less than £236.00, but less than £410.00, the deduction is £9.40;
 - not less than £410.00, but less than £511.00, the deduction is £11.80.
 - £511.00 or above, the deduction is £14.15

***These figures are for the 23/24 scheme – Prescribed Pensioner Regulations, including the new Non-Dependent Deduction rates will not be issued until January 24. Once received the scheme will be updated prior to the commencement of 2024/25.**

43. In the case of non-dependant couples only one deduction is made, but all their gross income is taken into account.
44. Where there is joint liability for council tax in a household, any non-dependant deduction is divided equally between the liable persons.
45. No non-dependant deductions are applied if the applicant or his partner:
- is blind;
 - is receiving Attendance Allowance, the care component of Disability Living Allowance, the daily living component of Personal Independence Payment, any historical child abuse payment, any Windrush payment or an Armed Forces

Independence Payment, including where these benefits and payments are temporarily suspended, for example through hospitalisation.

46. No non-dependant deductions are applied where the non-dependant:

- normally lives elsewhere;
- is receiving a training allowance paid as part of a youth training scheme;
- is a full-time student;
- has been a hospital in-patient for more than 52 weeks;
- is not living with the applicant because he is a member of the armed forces away on operations;
- is receiving a payment for a disability caused by the Thalidomide drug;
- is receiving Income Support, State Pension Credit, income-based Jobseeker's Allowance or income-related Employment and Support Allowance;
- is entitled to an award of Universal Credit where the award is calculated on the basis that the non-dependant does not have any earned income;
- is a person disregarded for the purposes of council tax discount.

47. In calculating a non-dependant's income the following are ignored:

- Attendance Allowance, Disability Living Allowance, Personal Independence Payment or Armed Forces Independence Payment;
- payments made under certain specified trust funds including analogous payments.

(Working Age Scheme – points 48-49)

48. For working-age applicants, there is one deduction for all non-dependants of £8 a week. The exemptions listed in paragraphs 45 and 46 above do not apply.

49. In the case of non-dependant couples only one deduction is made, but all their gross income is taken into account.

Temporary Absences

50. An applicant can be regarded as living in his home and therefore eligible for council tax support even if he is temporarily absent for certain periods. Council tax support is payable during periods of temporary absence if the applicant:

- is liable for council tax and the address he is temporarily absent from is his sole or main residence;
- intends to return to live in his home;
- is not letting or sub-letting that part of the home that he normally occupies;
- is unlikely to be away for more than the time allowed (see below).

51. In calculating the period of absence, the first day of absence is included and the day of return is excluded.

52. For absences in Great Britain, a period of absence from home must not be (or must not be expected to be) more than 13 weeks. However, this is extended to 52 weeks where the applicant is:

- a remand prisoner awaiting trial or sentence;
- living in a bail or probation hostel, or bailed to live away from home;
- a hospital patient or living in accommodation other than residential accommodation for the purpose of receiving medically approved treatment or care;
- providing medically approved care to someone else, or caring for a child under 16 whose parent or guardian is away from home because he is receiving medically approved care;
- absent because of fear of violence in the home or domestic abuse;
- on an approved training course;
- a student who is eligible for council tax support (for example, if they have to study abroad as part of their course);
- in a residential care home, other than on a trial basis.

53. For absences outside Great Britain, a period of absence from home must not be (or must not be expected to be) more than 4 weeks. However, if the applicant is absent from Great Britain because of the death of a close relative and it unreasonable for him to return within the first 4 weeks, the Council may decide that council tax support can be paid for up to 8 weeks.

54. And the 4 week period can be extended to 26 weeks where the applicant is:

- a member of the armed forces on operations overseas;
- receiving medical treatment in hospital;
- absent because of fear of violence in the home or domestic abuse;
- undergoing (or his partner or dependent child is undergoing) medical treatment or medically approved convalescent care in accommodation other than residential accommodation;
- a mariner or continental-shelf worker.

Extended support - the run-on

55. Extended council tax support (sometimes known as the run-on) can be awarded to people who have been (or their partners have been) receiving Income Support, income-based Jobseeker's Allowance or income-related Employment Support Allowance for at least 26 weeks, and who come off that benefit because they or their partners start employment as an employed or self-employed earner, or increase hours or earnings where that employment is expected to last 5 weeks or more. This also applies to those who were receiving certain contributory benefits which end for the same reason. The qualifying contributory benefits are Incapacity Benefit, contributory Employment and Support Allowance, and Severe Disability Allowance.

The qualifying rules are broadly the same as for those coming off income-related benefits.

56. Extended support can be made for up to 4 weeks starting from the beginning of the week after entitlement to a qualifying benefit ends. Support lasts for 4 weeks unless the applicant's liability for council tax ends first.
57. The amount of the extended payment is usually the amount that the applicant was entitled to during the last week he was receiving a qualifying benefit. However, if for any reason entitlement to council tax support after the change of circumstances is higher, the higher amount is paid.
58. Where an applicant who is entitled to extended support moves from one local authority to another, extended support may take the form of a payment from one local authority to the other, or directly to the applicant. The amount of extended payment remains the same, that is, the amount payable in respect of the last week before entitlement to a qualifying benefit ceased. Where an applicant continues to be liable for council tax, the second authority must reduce the new amount of council tax support by the amount of the extended support already awarded.
59. Entitlement to council tax support does not end until the end of the extended support period, even if entitlement would otherwise have ended based on the applicant's new circumstances. The general rules for calculating changes of circumstances do not apply.

Universal Credit

60. The calculation of council tax support for those households receiving Universal Credit is slightly different.⁴ Income is compared to an amount for living expenses in broadly the same way as for other applicants but the definitions are different.
61. For the amount for living expenses, the scheme uses the Universal Credit maximum award, including all elements such as housing. This ensures consistency of treatment between Universal Credit and the council tax reduction scheme in deciding what a person needs to live on.
62. For income, the scheme uses the assessment of income in Universal Credit which is provided by the Department for Work and Pensions, to which is added the actual award of Universal Credit. The way that Universal Credit works means that housing and childcare costs are taken into account under both 'income' and 'living expenses', in effect cancelling each other out. The figure for capital used in the assessment of Universal Credit is used for the calculation of council tax support.

⁴ Schedule to the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012, paragraphs 28 and 37

63. And it is also possible to treat the income as belonging to a non-dependant (and the non-dependant's income as the applicant's) if the Council decides that an arrangement has been made to take advantage of the scheme.

64. Monthly figures are converted to weekly figures by multiplying by 12 and dividing by 52.

People treated as not in Great Britain

65. Council tax support is payable only to those applicants who live in Great Britain and in some circumstances people are treated as if they are not in Great Britain and are therefore excluded from the scheme. This applies where they do not satisfy the habitual residence test and where they are subject to immigration control.

66. The habitual residence test is in two parts: first, an applicant must show that he is habitually resident (intends to settle and make his home in the UK, Channel Islands, Isle of Man, or the Republic of Ireland). Secondly, EEA nationals (people from EU countries together with Norway, Iceland, Switzerland and Liechtenstein) must have a legal right to live in the UK and claim benefits, i.e. a 'right to reside' in the UK. For example, workers, students, people who are self-sufficient or have lived in the UK for at least 5 years normally have the right to reside. From 1 April 2014, an EEA national who is a jobseeker, is not treated as having the right to reside for the purposes of applying for council tax support simply by being a jobseeker (although he may have a right to reside on some other basis, for example, as a family member of a worker).

67. An applicant will normally pass the habitual residence test if he is receiving Income Support, income-based Jobseeker's Allowance or income-related Employment and Support Allowance. But from 1 April 2015 this does not apply if a new applicant is receiving income-based Jobseeker's Allowance and his right to reside was decided only on the basis that he was a jobseeker or the family member of a jobseeker.

68. British citizens returning to the UK after a period of living or working abroad have an automatic right to reside in the UK but they do need to show that they are habitually resident in the UK.

69. Non-EEA and non-UK nationals may be subject to immigration control and an applicant who is subject to immigration control is excluded from applying for council tax support. For example, this applies where an applicant:

- needs permission to enter or remain in the UK but does not yet have it;
- has permission to enter or remain in the UK, but only if he does not claim benefits or use other public services;
- has been given permission to enter or remain in the UK because someone formally agreed to support him.

Citizens resident within England who have arrived as part of the Afghan Citizens Resettlement Scheme (ACRS) will be eligible to claim Council Tax Support where Indefinite leave to remain has been granted.

Citizens arriving from the Ukraine in connection with the Russian invasion will not be required to demonstrate habitual residence and therefore can access support from the council tax support scheme.

Individuals granted leave to enter or remain in the UK outside the Immigration Rules and with recourse to public funds will not be required to demonstrate 'habitual residence' and will therefore be eligible for support from the Local Council Tax Support scheme.

Citizens arriving from the EU by the 31st December 2020 will need to show evidence that they have, or applied for pre settled or settled status in order to make a claim for Council Tax Support.

Citizens arriving in the UK from 01st January 2021 will have their benefit entitlement(s) standardised with non-EEA migrants. This means they will have no entitlement to State Pension Credit, Housing benefit and Local Council Tax Support schemes.

Students

70. A property that is wholly occupied by full-time students, for example a hall of residence, is exempt from council tax. Most students are not eligible for council tax support but some students who are liable for council tax can get support in specified circumstances. See Annex 8 for a full account, including treatment of student income.

Effective dates

Date entitlement begins

71. An applicant's entitlement to council tax support begins from the start of the support week (Monday to Sunday) which follows the date of application. However, if an applicant becomes liable for the first time for council tax in Blackburn with Darwen and he is entitled to council tax support, his entitlement begins from the support week in which he applies. Entitlement to council tax support for persons in receipt of universal credit will start on the universal credit effective date where an award notice from the Department for Work and Pensions is received.

Date from which changes in circumstances take effect

72. Changes in circumstances also take effect from the Monday following the date of change, apart from these exceptions:

- changes in applicant's income arising from legislative changes affecting rates of income tax, personal tax reliefs, National Insurance contributions, and tax credit rates are ignored for a period of up to 30 weeks (pensioners only);
- a change in the amount of council tax payable takes effect from the date of change;
- a change in the amount a person is liable to pay by way of council tax (for example changes to a discount) also takes effect from the date of change;
- if the change applies to an applicant who now has a partner, or a partner has died, or they have separated, it takes effect from the date of the change;
- backdated payments of income are generally taken into account over an appropriate period as if they had been paid on time.

73. For working-age applicants, a change of circumstance which results in a change in entitlement to council tax support of £2 a week or less is not implemented in the way set out above. Instead, the change is recorded and is implemented only when:

- a subsequent change (or changes) during the current financial year bring the total effect of all the changes to more than £2; or
- the end of the financial year is reached, in which case the change is implemented in calculating the amount of council tax support for the new financial year.

74. The purpose of this modification is to ensure that the Council does not repeatedly send out amended council tax bills to applicants when the effect of the changes is relatively minor.

Application procedure /online applications

75. Only one partner in a couple (or a polygamous marriage) can apply for council tax support in respect of the same dwelling. If the partners cannot agree who should apply, the Council will decide for them.

76. Where a person who is liable to pay council tax is unable to act for himself and someone has been appointed to act on their behalf (for example an attorney) the person appointed can make an application on behalf of that person. Where there is no-one to act on the person's behalf, the Council may appoint someone to act. An appointee must be aged over 18 and must apply for the appointment in writing. The Council may accept as an appointee someone who has already been appointed by the Department for Work and Pensions to act in respect of a social security benefit. The Council has the power to revoke the appointment at any time and the appointee may resign on giving 4 weeks' notice. If, subsequently, another person is authorised to act on the applicant's behalf (for example, an attorney) the former appointeeship ceases. The appointee must take full responsibility for all aspects of the application and is made fully aware by the Council of the duties involved, including the consequences of failing to comply with those duties.

77. An application may be made:

- in writing; or
- online; or
- by telephone in exceptional circumstances.

78. Universal Credit award notices received from the Department for Work and Pensions are treated as an application for council tax support.

79. Assisted digital support is available at Blackburn and Darwen Town Halls.

80. An application made in writing has to be made to the Council office on a form provided by the Council free of charge. Where an application is made on the correct form but is not properly completed, the Council may ask the applicant to complete the form correctly. Where an application is made in writing but not on the correct form, the Council may either supply the applicant with the correct form or ask for further information and evidence.

81. If an application is made online or by telephone and the Council considers that all the required information has not been provided, the Council will give the applicant the opportunity to provide the required information.

Date on which an application is made

82. The date to be taken as the date on which the application is made is normally the date the application is received by the Council, or the date the applicant first notified the Council of his intention to apply, if this is followed up within one month by a properly completed application. There are some exceptions to this general rule:

- if an applicant has been awarded State Pension Credit which includes a guarantee credit, Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance, or Universal Credit and the Council tax support application is received within one month of the claim for any of the above listed benefits, the date of application for council tax support is the first day of entitlement to one of those benefits;
- if an applicant or his partner is in receipt of one of the above listed benefits when he becomes liable for council tax for the first time, and the council tax support claim is received within one month of becoming liable, the date of application for council tax support is the date he became liable;
- where a couple's relationship comes to an end either due to the separation or death of one of them and the former partner was entitled to council tax support and the application is made within one month of the death or separation, the date of application for council tax support is the date of death or separation;
- where an application is not properly completed and is corrected within one month (or longer if the Council considers reasonable) the date of application is

the date on which the first contact is made. If the incomplete application is not corrected within one month or other reasonable period, the date of application for council tax support is the date when sufficient information becomes available to decide the application.

Advance applications

83. An applicant may submit an application up to 8 weeks in advance if he anticipates that he will become liable for council tax during that period. The application is treated as made on the day on which liability for council tax begins.
84. Other than where an applicant is a person treated as not being in Great Britain, the Council may treat an advance application as made in the support week before the first week of entitlement to council tax support. This applies where an applicant is not entitled to council tax support in the week after the actual date of application, but the Council considers that he will become entitled within the next 13 weeks (17 weeks for a pensioner) unless there is a change in circumstances.

Date applications are treated as made and backdating

85. Where a pensioner applies and qualifies for council tax support, his application is treated as made 3 months before it was actually made (effectively all applications from pensioners are automatically backdated for a period of 3 months). Where an applicant applies for council tax support within one month of being awarded State Pension Credit including the guarantee credit, the three month period cannot go back any earlier than the date of his State Pension Credit claim.
86. Where an applicant requests his application to be backdated to an earlier date and shows a good reason for not making the application earlier, the application can be backdated to the latest of:
- the first day from which continuous good cause is shown;
 - 6 months before the application was made (or the request for backdating was made);
 - the start of the financial year (if over 6 months) if the Council considers exceptional circumstances are shown.

Evidence and information

87. Where appropriate, the Council can accept evidence submitted online or by telephone to support an application.
88. An applicant to council tax support must provide a National Insurance number for himself and if appropriate, others for whom he is applying, or evidence that he has applied for a National Insurance number. This requirement does not apply to a:
- child or young person;
 - person from abroad;

- person subject to immigration control.
89. An applicant to council tax support must provide such evidence in support of his application as the Council considers reasonable, within one month of being notified of his duty to do so. This does not apply to an applicant who is a pensioner in respect of specified income which is ignored in the calculation of council tax support or whose income has been verified by The Pensions Service, where the Council has been notified of that income. The Council informs the applicant of his duty to notify any change of circumstances, and if asked by the applicant, which change of circumstances must be notified.
90. The Council can require an applicant to whom council tax support has been awarded (or any partner) who is at least the qualifying age for Pension Credit, to supply information about pension fund holders and suppliers of pension fund schemes.
91. Before a decision has been made on an application, an applicant may amend or withdraw the application by notifying the Council either in writing, by electronic communication or by telephone.

Duty to notify changes in circumstances

92. An applicant, or a person acting on behalf of the applicant, has a duty to report changes in circumstances either before an application has been decided by the Council or after council tax support has been awarded. The changes to be reported are those which the applicant might reasonably be expected to know would affect entitlement, and the changes must be notified in writing, by telephone or online within a period of 21 calendar days from the day when the change occurs, or as soon as reasonably practicable afterwards. Some types of change of circumstance do not need to be reported:
- changes in the amount of council tax payable to the council;
 - changes in the ages of the applicant and his family or any non-dependants except where someone ceases to be a child or young person;
 - changes which affect the amount of Income Support, income- based Jobseeker's Allowance, income-related Employment Support Allowance or Universal Credit but not the amount of council tax support, except where the benefit ceases.
93. An applicant who receives State Pension Credit and who has been awarded council tax support does not need to report changes in circumstances except:
- any changes relating to a non-dependant's income or residency;
 - any absence from the home exceeding or likely to exceed 13 weeks.
94. And where State Pension Credit comprises only of Savings Credit, the applicant does not need to report changes in circumstances except:

- changes affecting a child living with him other than age;
- a change in an applicant's capital which takes, or may take, the total to more than £16,000;
- certain changes in the income or capital of a non-dependant or partner⁵

95. All changes in circumstances must be reported in a timely manner. If the applicant is late in notifying the Local Authority of a relevant change of circumstances, the Council Tax Support award will be adjusted accordingly from the date of change and the claimant will be responsible for paying the new liability as billed.

96. If an adjustment is made to the claim which results in a reduction of Council Tax Support and is deemed to be as a result of a Local Authority error (and the applicant could not reasonably have known their award was incorrect) the Local Authority will make the adjustment unrecoverable so as not to disadvantage the applicant.

Decisions and awards

97. Once the Council is satisfied that an application for council tax support has been completed in the proper manner together with all the required evidence and information, it will make the decision within 14 days or as soon as practicable thereafter.

98. Having made the decision on an application, the Council will notify the applicant, or a person appointed to act on behalf of the applicant, immediately, and within 14 days in the case of any other decision. The notification of a decision on an application is normally in the form of a revised council tax bill which includes:

- a reminder about the duty to report changes in circumstances and an explanation of the consequences of failing to do so;
- examples of changes that might affect entitlement to council tax support or its amount;
- information about the effect of the decision on the applicant's council tax liability;
- information about appeal procedures.

99. The revised council tax bill issued by the Council advises the applicant that he can request a written breakdown of the calculation showing how the decision was reached. The Council will respond to such a request within 14 days or as soon as practicable afterwards.

⁵ See paragraph 9 (8) (c) of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

100. Where the Council makes an award of council tax support the applicant's council tax account is credited, and any refunds that may be due are paid by bank transfer.
101. Where the Council revises a decision and the amount of council tax support increases, the Council will credit the applicant's council tax account, and if as a result the account is in credit a refund will be made as soon as reasonably practicable. For working-age applicants, revised decisions amounting to £2 or less are not processed immediately but rolled forward until either the total including subsequent changes reaches more than £2 or the end of the financial year.
100. Where an award of council tax support is due but the applicant has died, the Council will credit any outstanding entitlement to council tax support to the applicant's council tax account, and any credit refund will be made to the executor or administrator as soon as practicable.
101. Where an award of council tax support is revised and the new entitlement is greater than the original entitlement, the amount already awarded for the same period is offset against the new entitlement.

Use of information

102. Where it is lawful to do so, the Council uses information provided by the Department for Work and Pensions and Her Majesty's Revenues and Customs in order to calculate entitlement to council tax support. Similarly, the Council shares information with those departments when it is required to do so.
103. The Council may receive, obtain, verify, record and store information relating to applications for council tax support, from:
- the applicant;
 - other persons in connection with applications;
 - other local authorities;
 - central government departments.
104. The Council may forward information to anyone in the Council or others authorised to act on behalf of the Council, in processing applications for council tax support. This is in accordance with the Council's privacy notice and the General Data Protection Regulation (GDPR).

Revisions and written statements

105. The Council may revise or further revise a decision at any time. On request, the applicant or the person appointed to act on his behalf, may request a written or online explanation of the revision, as long as the request is received within one month of the date of the revised decision.

106. The Council may terminate an award of council tax support, in whole or in part, if the Council considers that:

- the conditions of entitlement have not been met;
- an award should be revised or superseded;
- the applicant has failed to provide information requested;
- the application is fraudulent and/or there is deliberate misrepresentation of the facts in order to take advantage of the scheme.

Appeals

107. If an applicant is dissatisfied with the Council's decision on entitlement to Council Tax Support or the amount awarded, he may write to the Council setting out why he is dissatisfied within one calendar month of the date of the notification/bill. The Council will then consider the matter and notify the applicant in writing, either that he does not have a case stating the reasons why, or that action has been taken to address his concerns. If the applicant is still dissatisfied, or if the Council does not address his concerns within 2 months, he may appeal to the Valuation Tribunal www.valuationtribunal.gov.uk

An individual cannot appeal against the authority's scheme, and accordingly, it is not a decision against which there is a right of appeal to the authority or to the Valuation Tribunal Service.

An applicant can only appeal against the amount of reduction awarded for the reasons below –

- The applicant considers that, under the rules of the local Council Tax Support scheme, the council should have given a reduction on the council tax they have to pay.
- The applicant considers that the amount of reduction the council have given under the local Council Tax Support scheme is not correct.

Discretionary awards

108. If the Council considers it appropriate, it may award council tax support or additional council tax support on a discretionary basis. Applications may be made in writing or online and should be accompanied by supporting evidence. Awards will be made where a customer demonstrates financial hardship. (Also known as an exceptional hardship payment).

109. If the Council decides that a particular group of people should receive support from the discretionary scheme, it may treat an application to the main scheme as an application to the discretionary scheme as well. Any awards are credited to the applicant's council tax account. No cash awards are made.

110. Further information about the Council's discretionary scheme can be found at www.blackburn.gov.uk/benefits

Electronic communication

111. The Council may use electronic communication (for example via computer networks or mobile phones) in administering council tax support and may receive electronic communications including applications online, subject to the following conditions:

- there is an explicit authorisation given by the Council's chief executive;
- there is an approved method of authentication;
- approved forms are used;
- records are maintained in a way specified by the chief executive.

112. Any applications which are not submitted in the approved manner are treated as invalid. The Council may authorise another person or persons to act as intermediaries in connection with the delivery of information electronically and its authentication.

113. Any information delivered electronically is treated as if it were delivered in any other way required by the Council's scheme, as long as the above conditions are met. Information is treated as not delivered until it is accepted by the Council's official computer system. If, for legal reasons, it becomes necessary to prove the identity of the sender or recipient of information sent or received electronically, it is presumed to be the person named on the official computer system. Similarly, if it is necessary to prove that information sent electronically has actually been delivered to the Council, it is treated as received if it is recorded on the official computer system. By the same token, if it is not recorded as received on the official computer system it is treated as not received. And the time, date and content of any electronic communication is presumed to be that recorded on the computer system.

Fraud and compliance

114. The Council is determined to combat fraud in order to protect both its finances and the wider interests of all taxpayers. The Council makes every effort to prevent and detect fraud by using due diligence, and will take appropriate action where an application is found to be fraudulent or misrepresented to take advantage of the scheme.

115. In order to minimise the opportunity for fraud, the Council will:

- verify applications for council tax support rigorously;
- employ sufficient staff to meet its commitment to combat fraud;
- actively tackle fraud where it occurs;
- co-operate with the Department for Work and Pensions and Her Majesty's Revenue and Customs in joint-working, including prosecutions;
- in all cases seek to recover all outstanding council tax.

116. In order to ensure that the above actions are carried out successfully, the Council will put in place all the required administrative policies, procedures and processes.

Annex 1 – Glossary of terms

Alternative maximum council tax support	A way of calculating council tax support for pensioners where there is a second adult sharing the household who would normally be expected to contribute towards the council tax bill, but who cannot afford to do so.
Amount for living expenses	An amount of money assumed to be sufficient to cover day-to-day living expenses.
Applicant	A person who has made an application to the Council for council tax support.
Application	An application for council tax support.
Armed Forces Independence Payment	A payment made in accordance with an armed and reserve forces compensation scheme.
Attendance Allowance	A benefit for people aged 65 and over that helps with the extra costs of long-term illness or disability, which can be either physical and/or mental. It is paid regardless of income and savings, and is tax-free.
Carer's Allowance	A benefit for someone caring for another person for at least 35 hours a week. It is paid regardless of income and savings but can be taxable.
Child	A person under the age of 16.
Child Benefit	A non means-tested benefit (below income of £60k) to help with the cost of children. It is usually paid monthly to a person who is responsible for a child either aged under 16 or aged 16 to 20 in full-time education or training.
Child Tax Credit	A payment to help with the cost of children aged under 16, or 16 to 20 in full-time education or training, for whom a person is responsible. It is income-related and paid in addition to Child Benefit to people in work and out of work.
Close relative	A parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister. Where any of these close relatives is one member of a couple, the definition includes the other member of that couple.
Concessionary payment	A payment made in certain circumstances to compensate a person for the non-payment of a benefit or a tax credit.
Council	Blackburn with Darwen Borough Council.
Council Tax Reduction Scheme	A scheme designed to help people in financial need pay their council tax.

Council tax support	A term generally used to describe a council tax reduction scheme.
Couple	Two people who are married to, or civil partners of, each other, or are living together as though they were married or civil partners, in the same household.
Disability Living Allowance	A non means-tested, non-taxable benefit paid to people who need supervision or help with their daily or nightly care, or who have mobility problems. It has now been replaced for most people by Personal Independence Payment but is still paid for children.
Earnings	Any remuneration or profit derived from employment
Employed earner	A person who is gainfully employed under a contract of service.
Employment and Support Allowance	A benefit paid to working-age people who have an illness, health condition or a disability which makes it difficult or impossible to work. Contribution-based Employment and Support Allowance is not means-tested but based on National Insurance contributions. Income-related Employment and Support Allowance is means-tested.
Estrangement	A breakdown of a relationship between 2 persons.
Extended reduction	A set amount of council tax support made for a specified period, usually 4 weeks.
Family	A couple, or a couple where one or both have responsibility for a child or young person living in the same household, or a lone parent who has responsibility for a child or young person living in the same household.
Financial or tax year	The period beginning 6th April in one year to 5 th April in the following year.
He, him, his	In this document these terms have the same meaning as she, her and hers.
Household	Not defined as such but given its every-day meaning, taking account of factors such as the overall relationship between the parties, living arrangements and the degree to which facilities are shared. Children and young people are treated as part of the household even when temporarily absent but are not part of the household in certain specific circumstances, such as when they are living in care or formally placed with the applicant.
Housing Benefit	An income-related (means-tested) benefit paid to tenants on low incomes (either in or out of work) to help pay their

	rent. The scheme is administered by local authorities in accordance with national legislation.
Income Support	An income-related (means-tested) benefit paid to working-age people on low income such as carers and lone parents. It is not usually paid to someone receiving Jobseeker's Allowance or Employment and Support Allowance.
Jobseeker's Allowance	A benefit paid to working age people who are not working (or working less than 16 hours a week) and who are available for, and actively seeking full-time work. Contribution-based Jobseeker's Allowance is not means-tested but depends on National Insurance contributions. Income-based Jobseeker's Allowance is means-tested.
Local authority	An authority responsible for issuing council tax bills and providing a scheme for council tax support.
Lone parent	A person who has no partner and who is responsible for a child or young person living in the same household.
Macfarlane Trust	A charitable trust established to help relieve poverty or distress among those suffering from haemophilia.
Maternity leave	A period during which a woman is absent from work because she is pregnant or has given birth to a child, and after which she has the right to return to work.
Medically approved	Certified by a medical practitioner.
National Minimum Wage	The minimum amount that legally must be paid to an employed earner.
National Insurance	A form of taxation on earnings and self-employed profits paid into a fund from which some social security benefits are paid. The Department for Work and Pensions issues National Insurance numbers which are unique to each person and required when applying for council tax support.
Net earnings	The amount of earnings after specified deductions such as income tax and National Insurance contributions.
Net profit	The amount treated as self-employed earnings which is the applicant's total profit less specified deductions such as allowable expenses.
Non-dependant	A person living as a member of the applicant's household who is not his partner, or a child or young person for whom he is responsible, with certain exceptions such as joint-occupiers, boarders and paid carers.

Non-dependant deduction	A set amount deducted from an applicant's council tax support as a contribution made by a non-dependant towards household expenditure.
Occupational pension	Any pension or other periodical payment made under an occupational pension scheme.
Official computer system	A computer system maintained by or on behalf of a local authority for sending, receiving, processing or storing of any information.
Partner	The person who is the other member of a couple.
Paternity leave	A period of leave during which a father or partner is absent from work in order to care for his new-born or newly- adopted child, after which he has the right to return to work.
Pensioner	A person who has reached the qualifying age for State Pension Credit and is not (or where there is a partner the partner is not) receiving a working-age income-related benefit.
Personal Independence Payment	A replacement benefit for Disability Living Allowance designed to provide help to people over 16 who need care or who have mobility needs. It is not means-tested or taxable.
Personal pension scheme	A pension that a person arranges individually which is based on how much is paid into the scheme and how successful the pension provider's investments are.
Polygamous marriage	A person who is a husband or wife as a result of a marriage entered into under a law which permits polygamy and either party to the marriage has an additional spouse.
Public authority	A body or organisation which has a public function, for example the NHS and local authorities.
Relative	A close relative (as defined above) as well as a grandparent, grandchild, uncle, aunt, nephew or niece.
Remunerative work	Where a person is working for at least 16 hours a week (which may be an average) for which payment is made or which is done in expectation of payment.
Resident	An applicant is resident in a dwelling if he occupies it as his sole or main home.
Residence rules	Qualifying conditions whereby an applicant has to establish that he has the right to live in the UK and

	intends to settle in the UK, Isle of Man, Channel Islands or Ireland and make it his home.
Second adult reduction (or second adult rebate)	Another term for alternative maximum council tax support (see above).
Self-employed earner	A person who is gainfully employed in Great Britain otherwise than in employed-earners employment.
Service user	A person who is consulted by, or on behalf of, certain public bodies.
State Pension Credit	An income-related (means-tested) benefit paid to pensioners on a low income. It has two components: the minimum guarantee and an additional 'savings credit' designed to reward those who have put by savings and income for retirement.
Sports award	An award made by certain specific sports councils from funds derived from the National Lottery.
Student	A person who is attending or undertaking a defined course of study at an educational establishment or on a qualifying course.
Support or reduction week	A period of 7 days commencing on a Monday and ending on a Sunday.
Temporary absence	A period not exceeding a specified number of weeks where a person is temporarily absent from their home and intending to return to that home, and has not sub-let that part of the home they normally occupy.
The Trusts	The Macfarlane Trust, the Macfarlane (Special Payments Trust) and the Macfarlane (Special Payments) (No.2) Trust.
Universal Credit	An income-related (means-tested) benefit for people of working-age who are on a low income. It replaces four existing means-tested benefits, including Housing Benefit and two tax credits.
Voluntary organisation	A body other than a public or local authority whose activities are carried out on a not-for-profit basis.
War Disablement Pension	A payment paid to people who have been injured or disabled as a result of any service in Her Majesty's Armed Forces. The amount paid depends on the severity of the disablement.
War Widow's Pension	A pension payable to the widow, widower or in some circumstances the children of someone killed in the

	Armed Forces or who died later as a result of injury in the Armed Forces.
Working-age applicant	A person who has not reached the qualifying age for State Pension Credit or who has reached that age but is receiving (or where there is a partner the partner is receiving) a working-age income-related benefit.
Working Tax Credit	An income-related payment made to someone in paid work but on a low income. Different qualifying conditions apply depending on age and hours worked.
Young person	A person who is a qualifying young person for Child Benefit purposes. The young person must be over 16 and under 20 and on a course of full-time, non-advanced education or in approved training, or in appropriate full-time education.

Annex 2 - Polygamous marriages

A polygamous marriage means any marriage where one party is married to more than one person, and the ceremony of marriage took place under the law of a country which permits polygamy. The amount for living expenses for polygamously married couples is calculated by awarding the highest amount applicable to the applicant and one of his partners. An additional amount is awarded for each other partner and is the difference between the allowance for a single person aged 25 or over and a couple aged 18 or over (See Appendix 1). The amounts awarded for children and other components are the same as for other applicants.

Where an applicant is polygamously married he is treated as possessing the income and capital of all partners to the marriage with whom he shares the household.

Where a person who is polygamously married lives as a non-dependant member of an applicant's household, only one non-dependant deduction is made, but the amount deducted is the highest applicable after taking account of the circumstances and income of all partners in the marriage.

Annex 3 - Childcare charges

Where incurred, childcare charges can be deducted from income where the applicant is:

- A lone parent who is working at least 16 hours a week;
- A member of a couple both of whom are working at least 16 hours a week;
- A member of a couple one of whom is working and the other is incapacitated, in hospital or in prison.

For the purposes of childcare charges an applicant can be treated as working during the first 28 weeks of a period of sickness as long as he was in work immediately before getting a specified sickness or disability benefit (or appropriate National Insurance credits). Also, an applicant can be treated as working if he is absent from work, on maternity, adoption, shared parental, parental bereavement or paternity leave, as long as he was in work immediately before the leave began and is entitled to statutory, maternity, adoption, paternity or shared parental pay or maternity allowance.

To be eligible, the childcare charges must be:

- paid by the applicant or his partner;
- in respect of a child who is a member of the applicant's family;
- for care provided by specified care providers, for example registered child minders;
- in respect of a period before the first Monday following the child's 15th birthday (16th birthday if the child is disabled).

The charges cannot be for care provided by a member of the applicant's family or for care which mainly takes place in the applicant's home. And the charges cannot be payments in respect of the child's compulsory education.

Childcare charges are estimated over an appropriate period of no more than one year in order to arrive at an accurate average weekly charge.

Annex 4 - Definition of earnings as an employed earner

The definition of earnings includes the following:

- any bonus or commission;
- payments to compensate for loss of earnings but not redundancy payments;
- payments in lieu of notice or payments intended as compensation for loss of employment;
- holiday pay but not if it is paid more than 4 weeks after employment ends;
- payments made for a period when no actual work has been carried out, for example a retainer;
- any expenses which are not 'wholly, exclusively and necessarily incurred' in connection with employment such as travelling expenses between home and work;

- compensation for unfair dismissal from work and any other payment made under employment rights legislation;
- any statutory sick pay, maternity pay, paternity pay and adoption pay;
- payments made by or on behalf of an employer to an applicant who is on maternity or paternity leave, adoption leave or is absent from work because of illness;
- non-cash vouchers which have been counted when calculating liability to pay National Insurance contributions.

The definition of earnings does not include:

- payments in kind with the exception of non-cash vouchers as above;
- expenses which are 'wholly, exclusively and necessarily incurred' in connection with employment;
- any occupational pension;
- expenses arising from participation in consultation exercises on behalf of specified public authorities.

Annex 5 - Calculation of self-employed earnings

The earnings of a self-employed earner are the gross income from the employment. Local authority payments to foster parents, and certain kinship carers are not treated as self-employed earnings but as income other than earnings.

Royalties, copyright, design, patent, trademark and Public Lending Right Scheme payments are taken into account over a set period of weeks. The number of weeks is obtained by dividing the amount of the payments by the amount of council tax support which would be payable had the applicant not received the payments, plus the amount that would normally be ignored in his case.

The earnings to be taken into account are the net profit from the business less any amount which is ignored under Appendix 3. Where a self-employed applicant is a partner (or a share fisherman) the net profit is his share of the profit.

In order to arrive at a figure for net profit, the following expenses are deducted from gross earnings:

- any expenses 'wholly and exclusively' incurred including repayments of capital on business loans for the replacement of equipment or machinery, or the repair of existing business assets (after any insurance payments);
- appropriate income tax and National Insurance contributions;
- one half of any sum paid periodically in respect of a personal pension scheme;
- net payments of VAT and interest payments on loans taken out for the purposes of the applicant's business.

The following items are not considered to be expenses:

- capital expenditure;
- depreciation of any capital asset;
- any sum earmarked for setting up or expanding the business;
- losses incurred before the period over which the earnings are calculated;
- repayment of capital on business loans;
- any debts owed to the business except certain irrecoverable debts;
- expenses that the Council consider have not been reasonably incurred;

Special arrangements apply in assessing the net profit of childminders. The net profit is one third of the earnings less income tax, National Insurance contributions and one half of the payments to a personal pension scheme.

Where an applicant has more than one employment as a self-employed earner, any losses incurred in any one of his employments cannot be offset against his earnings in any other of his employments.

Annex 6 - Calculation of income other than earnings

The following are examples of how an applicant's income other than earnings is calculated:

- where a benefit payment, for example Income Support, includes a deduction to recover an overpayment, it is the gross amount of the benefit that is taken into account;
- where an applicant is receiving a reduced rate of contributory Employment and Support Allowance because of a sanction, it is the full amount that is taken into account;
- where tax credit for the current tax year includes a deduction to recover an overpayment of tax credits for the previous year, it is the tax credit less the deduction that is taken into account;
- where a student applicant in receipt of a student loan leaves their course prematurely, he is treated as having the same weekly income from the loan as if he had completed the course, but only for the period during which he attended the course.

Annex 7 - Income which is treated as capital

- occasional bonus payments to part-time coastguards, fire-fighters, and those manning lifeboats;
- refunds of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E;
- any holiday pay which is paid more than 4 weeks after the employment ends;

- with some exceptions (see Appendix 5) any income derived from capital but only from the date it is normally due to be credited to the applicant's account;
- any advance of employed earnings or any loan made by the applicant's employer;
- with the exception of payments made by certain specified⁶ trust funds, any charitable or voluntary payment which is not made or due to be made at regular intervals;
- the gross receipts of any commercial activity undertaken by a self-employed applicant receiving council tax support, but only if those receipts were payable into a special account;
- any arrears of subsistence allowance which are paid to an applicant as a lump sum;
- any arrears of working tax credit or child tax credit;
- any payment made through an approved trust for providing assistance to a disabled person whose disabilities were caused by the Thalidomide drug.

Annex 8 - Students

To be eligible for council tax support, a student must be liable for council tax and be in one of the following categories:

- receiving Income Support, income-based Jobseeker's Allowance or income-related Employment and Support Allowance;
- a lone-parent;
- student couples with responsibility for a child or young person;
- disabled and would be entitled to a disability premium;
- a single foster carer;
- treated as incapable of work (or having limited capability for work) for a continuous period of at least 156 days;
- under 21 and not in higher education;
- under 20 and someone receives Child Benefit for them;
- receiving a Disabled Student's Allowance for deafness;
- have interrupted their course due to illness or caring responsibilities (with the approval of their college or university) for the period between their illness or caring responsibilities ending and when they return to University, but only if they do not receive student finance during that time;
- pension-age, or whose partner is pension-age;
- covered by a sick note saying that they have not been able to work due to illness or disability for at least 28 weeks;
- part-time students.

⁶ Schedule to the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012, paragraph 64 (7)

Calculation of grant income

A student's grant income is taken fully into account, except payments for the following:

- tuition or examination fees;
- in respect of disability;
- residential study away from their normal place of study;
- maintaining a home away from their normal place of study;
- £390 for the cost of books and equipment, £303 for travel expenses (but only where the student does not have or treated as having a student loan) and childcare costs;
- higher education bursary for care leavers;
- the grant for dependants known as the parents' learning allowance.

Where a student receives other income (for example a gift) to cover expenditure necessarily incurred in respect of the above items, it is ignored but only to the extent that it exceeds the amount ignored from grant income (for example, £390 for the cost of books).

Grant income is normally taken into account over the period of study for which it paid. This generally means the period beginning with the start of the course and ending with the last day of the course. In the case of a sandwich course, any periods of work experience are excluded from this calculation.

Calculation of student loans

A student loan (or a postgraduate master's degree loan) is treated as income. This also applies where a student doesn't actually have a loan but could obtain one. And if a student is treated as having a loan it is the maximum amount available (or in the case of a postgraduate master's degree loan 30% of the maximum available) which is treated as income.

£10 of the weekly amount is ignored. A fixed amount of £390 towards the cost of books and equipment, and £303 towards the cost of travel is deducted from the loan income, whether or not the costs are actually incurred.

Any loan taken out by a student to pay their fee contribution to an educational establishment is ignored.

Any discretionary access funds paid periodically by a college or university are ignored unless intended for and used for specified basic needs, in which case the funds are fully taken into account less £20 a week. Where access funds are paid by way of a lump sum, the lump sum is treated as capital. However, where the lump sum is used for items other than specified basic needs it is ignored for a period of 52 weeks from the date of payment.

Where a student's partner has been assessed for a contribution to his grant or loan, that contribution is taken into account as income, but an equal amount of the partner's income is ignored.

Appendix 1 - Living expenses

***The amounts shown in the tables below are the rates currently applicable for 2023/24. The new rates for the 2024/25 scheme will not be released by the Department of Work and Pensions until January 2024. Once received, the tables will be updated with the new figures for the 2024/25 scheme.**

The amounts for living expenses consist of amounts for the applicant and where appropriate his partner (known as personal allowances), amounts for children and young people, and additional amounts, known as premiums, mainly for disability and caring responsibilities.

Amounts for the applicant	£ per week
Single person aged between 18 and 24	67.20
Single person on full Employment and Support Allowance	84.80
Single person aged between 25 and pension age	84.80
Lone parent below pension age	84.80
Couple below pension age	133.30
Single person or lone parent who has reached pension age (before 1 st April 2021)	217.00
Couple, one or both have reached pension age (before 1 st April 2021)	324.70
Single claimant who has attained pensionable age on or after 1 April 2021	201.05
Lone parent who has attained pensionable age on or after 1 April 2021	201.05
Couple, Both members have attained pensionable age on or after 1 April 2021	306.85
Amounts for children, young people	£ per week

Dependent child/young person aged under 20 ⁷	77.78
Premiums	
Family premium	18.53
Family premium (lone parent in certain circumstances)	22.20
Disabled child premium (for each child)	74.69
Carer premium	42.75
Disability premium for single claimant	39.85
Disability premium for a couple	56.80
Enhanced disability premium for single claimant	19.55
Enhanced disability premium for a couple	27.90
Enhanced disability premium for a child	30.17
Severe disability premium for single claimant	76.40
Severe disability premium for a couple (one qualifies)	76.40
Severe disability premium for a couple (both qualify)	152.80
For certain applicants in receipt of Employment and Support Allowance	£ per week
Work related activity component	33.70
Support component	44.7

⁷ This was limited to 2 children from 6th April 2017 in the prescribed scheme but the Council has decided to include all children and young persons in its scheme.

****The rates above are set by the Department for Work and Pensions annually and the Council Tax scheme is amended/maintained to reflect any changes accordingly set by them, and used within the calculation of any Council Tax Support award.**

A brief explanation of qualifying conditions for the various premiums:

Family Premium

This applies where the applicant's family includes at least one child or young person. It was abolished from 1st May 2016 in the prescribed scheme but the Council has decided to retain it.

Disabled child premium

This applies where an applicant or partner is responsible for a child or young person living in their household who meets at least one of the following conditions:

- is blind;
- receives Disability Living Allowance;
- receives Personal Independence Payment;
- would receive one of these benefits if they were not in hospital.

The disabled child premium is paid for each child who satisfies one of the above conditions.

Carer Premium

This applies where an applicant or partner is entitled to Carer's Allowance (including where Carer's Allowance is not paid because of overlapping benefit rules). The applicant must have actually made a claim for Carer's Allowance in order for the premium to apply.

If both the applicant and his partner qualify for carer premium, two premiums are paid.

Disability premium

This applies where an applicant or his partner is under the qualifying age for State Pension Credit and either registered blind or receiving:

- Disability Living Allowance;
- Personal Independence Payment;
- Armed Forces Independence Payment;
- Working Tax Credit with a disability element;
- Attendance Allowance;
- Constant Attendance Allowance;

- War Pensioners Mobility Supplement;
- Severe Disablement Allowance;
- Incapacity Benefit.

It is also paid in certain circumstances where an applicant has been unable to work for at least a year.

Enhanced disability premium

This applies where an applicant or his partner is under the qualifying age for State Pension Credit and receiving the disability premium or income-related Employment Support Allowance, and one of the following:

- Personal Independence Payment daily living component at the higher ('enhanced') rate;
- Armed Forces Independence Payment;
- Disability Living Allowance care component at the highest rate.

Or an applicant is in the support group for income-related Employment Support Allowance.

Severe disability premium

This applies where an applicant is receiving the disability premium or income-related Employment Support Allowance, and one of the following qualifying benefits:

- Personal Independence Payment daily living component;
- Armed Forces Independence Payment;
- Disability Living Allowance care component at the middle or highest rate;
- Attendance Allowance (or Constant Attendance Allowance paid with Industrial Injuries Disablement Benefit or War Pension).

A further condition is that no-one aged 18 or over is living with the applicant, unless they're in one of these situations:

- they receive a qualifying benefit;
- they are registered blind;
- they are a boarder or sub-tenant (but not a close relative);
- they make separate payments to the landlord.

The severe disability premium is not paid if someone is receiving Carer's Allowance or the carer's element of Universal Credit for looking after the applicant.

Couples receive the higher amount of severe disability premium if both of them are eligible, or the lower amount if:

- someone receives Carer's Allowance or the carer's element of Universal Credit for looking after only one member of the couple; or

- only one member of the couple meets the eligibility criteria and the other is registered blind.

Appendix 2 - Alternative Maximum Council Tax Reduction (or Second Adult Reduction) - Pensioners

Pensioners may qualify for council tax support through the alternative maximum council tax reduction, sometimes known as the second adult reduction or rebate. This is where there is a second adult sharing the household who would normally be expected to contribute towards the council tax bill, but who cannot afford to do so. The amount of the reduction depends on the income of the second adult:

Where the second adult or second adults are in receipt of Income Support, income-related Employment and Support Allowance, income-based Jobseeker's Allowance or State Pension Credit.	25%
Where the gross income of the second adult, or where there is more than one second adult, their aggregate income (ignoring income from income-related benefits) is less than £222.00 per week.	15%
As above, but where the income is £222.00 per week but less than £288.00 per week.	7.5%
Where a dwelling would be wholly occupied by students (who are not entitled to council tax support under the main scheme) but for the presence of one or more second adults in receipt of an income-related benefit.	100%

In calculating a second adult's gross income, payments of Attendance Allowance, Disability Living Allowance, Personal Independence Payment or Armed Forces Independence Payment are ignored. Payments from certain specified trusts such as the Macfarlane Trust are also ignored.

Appendix 3 - Earnings that are ignored fully or in part

Earnings paid before the first day of entitlement

Where an applicant ceases employment as an employed earner because of retirement and is entitled to retirement pension (or would be if he satisfied the contribution conditions), his earnings are ignored from the date after the employment has been terminated.

Where an applicant ceases employment as an employed earner for reasons other than retirement before the first day of entitlement to council tax support, his earnings are ignored except for certain specified payments such as retainers and compensation for unfair dismissal.

Where an applicant has not ceased employment but his working hours have decreased to fewer than 16, or he is ill or she is on maternity leave before the first day of entitlement to council tax support, the earnings are ignored other than specified payments such as statutory sick pay, statutory maternity pay, paternity, shared parental pay or parental bereavement pay.

The above paragraphs also apply when an applicant has been working part-time (fewer than 16 hours a week) and that employment either comes to an end or is interrupted.

Similar arrangements apply when employment or part-time employment as a self-employed earner comes to an end: earnings, other than royalties or analogous payments, are ignored from the date the employment ended.

Earnings paid when council tax support has been awarded

The applicant's earnings which are ignored are shown in the table below.

Amount ignored	Circumstances which must apply
All	Where the applicant is receiving Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance or Universal Credit because earnings will already have been taken into account in assessing entitlement to these benefits.
£20	Entitled to a disability or severe disability premium, work-related activity or support component of Employment and Support Allowance or a carer premium. (NB £20 in total for couples.)
£25	Lone parent.
£10	Couples where £20 is not ignored.
£20	Where the applicant receives earnings from employment as a part-time fire fighter, auxiliary coastguard, manning or launching a lifeboat or being a member of any territorial or reserve force. (NB £20 in total for couples if they are both employed in this way.)
£5	Single person where £20 is not ignored.
All	Earnings of a child or young person.

If earnings are paid abroad and cannot be transferred to the United Kingdom they are ignored whilst the situation exists. If earnings paid in a different currency have to be converted into sterling any banking charge or commission is ignored.

In addition to the amounts listed in the table above a further £17.10 is ignored where the applicant:

- qualifies for a 30 hour element in the calculation of their working tax credit;

- is aged at least 25 and who works for at least 30 hours a week or who has a partner who does so;
- has a partner and one of them is working 16 hours or more a week and whose family includes at least one child or young person;
- is a lone parent working 16 hours a week or more;
- is working or his partner is working 16 hours or more a week and is entitled to a disability premium, a work-related activity component or a support component of Employment and Support Allowance.

Appendix 4 - Income other than earnings that is ignored fully or in part

Income wholly ignored – benefit payments:

- Attendance Allowance, Disability Living Allowance, Personal Independence Payment Armed Forces Independence Payment and any mobility supplement paid to members of the armed forces;
- all income when the applicant is receiving Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Universal Credit;
- any concessionary payment made to compensate for non-payment of any of the benefits mentioned immediately above;
- War Disablement Pension, a War Widow's or War Widower's Pension and certain analogous payments;
- Christmas bonus for pensioners;
- Guardian's Allowance;
- Child Benefit;
- Discretionary Housing Payments;
- payments made under a local welfare provision (formerly part of the Social Fund);
- any increase in the rate of social security benefits for a dependant who is not a member of the claimant's family.
- An overlap of a Universal Credit award (relevant assessment period) where someone who becomes of pensionable age moves from Universal Credit to State Pension as a result.
- Any new Adult Disability Payment established by the Scottish Government, where the customer moves to England.

Income wholly ignored – expenses:

- any payment made for travelling or other expenses relating to participation in a recognised work programme;
- any payment made for expenses incurred for unpaid voluntary work;
- payments arising from participation in consultation exercises undertaken by certain public bodies;

- payments for expenses to attend a court of law (for example, travel, subsistence and accommodation), for example jury service or acting as a witness;
- any payment of expenses in respect of an employed earner that is 'wholly, exclusively and necessarily incurred'.

Income wholly ignored – other:

- charitable and voluntary payments, but not where the payment is made by a former partner of the applicant, or former partner of any member of the applicant's family or the parent of a child or young person where they are a member of the applicant's family;
- certain personal injury payments including payments under an annuity or court order;
- any payment made to the applicant as a holder of the Victoria Cross, the George Cross or any analogous payment;
- payments made from the Macfarlane and similar trusts, and certain analogous payments;
- any payment made under the Assisted Prison Visit's Scheme set up to help relatives or other persons to visit persons in custody;
- payments akin to education maintenance allowance;
- certain specified training allowances;
- any payment made under the Employment Services Access to Work scheme for disabled people;
- direct payments made to disabled people to buy services and direct payments in lieu of health care;
- payments made by a local authority to enable the applicant or his partner to live independently;
- a parental contribution taken into account in calculating a student's grant or loan, and payments where there is not a grant or loan up to a limited extent;
- payments made to the applicant by a child, young person or non-dependant;
- child maintenance payments except when paid by the applicant or his partner;
- certain payments made in respect of adoption, fostering and provision of respite care;
- payments made in lieu of vouchers for Healthy Start food and vitamins or for milk tokens;
- income in kind;
- income derived from capital in most circumstances;
- income from abroad that cannot be transferred to the United Kingdom;
- any banking charges or commission to convert a payment of income into sterling;
- payments received under an insurance policy taken out against the risk of being unable to maintain certain loan repayments;
- tax on income which is otherwise taken into account;
- payments of income which are treated as capital under this scheme;

- payments in respect of certain NHS charges, for example dental treatment;
- sports awards, unless they are intended for certain basic needs.
- Any payment made by the Childs Migrants Trust (registered charity number 1171479) under the scheme for former British child migrants
- Any cost of living award as determined by the Social Security (Additional Payments) Act – Section 8(a).
- Any pensioner cost of living award (including the winter fuel payment) as determined by the Council Tax Reduction Schemes (prescribed requirements) (England) Regulations 2012.
- Monthly payments made to sponsors in respect of the Homes for Ukraine scheme.

Income partially ignored

Subject to a combined maximum of £20:

- £15 of any Widowed Mother's Allowance or Widowed Parents' Allowance;
- £15 of maintenance payments other than child maintenance;
- £20 of payments to the applicant made by sub-tenants of the applicant's home with a formal liability to pay rent;
- £20 of payments made by a boarder plus half the amount in excess of £20;
- payments of Working Tax Credit up to £17.10 where earnings are too low to use the whole amount ignored under standard arrangements.

Appendix 5 - Capital that is ignored

Property

- the dwelling normally occupied by the applicant as his home including any garden, garage and outbuildings;
- premises occupied wholly or partly by a partner, relative or any member of the applicant's family as his home where that person has attained the qualifying age for State Pension Credit or is incapacitated;
- premises occupied by a former partner as his home providing that the applicant is not estranged or divorced from his former partner, nor where the applicant had formed a civil partnership that has been dissolved;
- any premises that the applicant acquires and intends to occupy as his home within 26 weeks from the date of acquisition or within a longer period if the Council considers reasonable;
- any sum solely attributable to the sale of premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises that he intends to occupy as his home within 26 weeks of the sale, or a longer period if the Council considers reasonable and necessary to secure the purchase;
- any future interest in property (for example where a person has been left property for life that the applicant is due to inherit on their death) but not where the applicant has granted a lease or tenancy including sub-leases or sub-tenancies;

- the business assets owned wholly or partly by the applicant while working for the business, but where he ceases working, the value of the business assets are ignored only for a period in which the Council decides is reasonable to allow for the disposal of such assets;
- payments for repair to, or replacement of, personal possessions, repairs or improvements to the home are ignored for 26 weeks or a longer period if the Council considers it reasonable;
- the applicant's former home which he left following estrangement, divorce or dissolution of a civil partnership for a period of 26 weeks from the date on which the applicant left the home. Where the applicant's former home is occupied by the former partner who is a lone parent, the value of the home is ignored so long as the former partner continues to occupy the home;
- for 26 weeks or longer if reasonable, the value of any premises which the applicant is taking reasonable steps either to dispose of, or to obtain possession of, or which he intends to occupy after essential repairs or alternations;
- deposits held by a housing association, and (for 26 weeks or a longer period if the Council considers reasonable) deposits that were so held and earmarked for buying a home;
- for 26 weeks or longer if reasonable, any grant made by a local authority in order to help purchase premises that an applicant intends to occupy as his home or for essential repairs or alterations to be carried out and make fit for occupation.

Benefits

- capital already taken into account when the applicant is receiving Universal Credit, Income Support, income-based Jobseeker's Allowance, or income-related Employment and Support Allowance;
- payments of arrears or compensation in respect of any income-related benefit, discretionary housing payment and tax credit for a period of 52 weeks from the date of receipt of those arrears;
- payments made under a local welfare provision (formerly part of the Social Fund) sometimes known as occasional assistance;
- compensation for late payment of a social security benefit;
- any payment to rectify or compensate for an official error relating to specified social security benefits, but where the payment is £5,000 or more, only as long as the payment is made on or after the date on which council tax support is awarded and only for the duration of that award;
- for 52 weeks any payment of council tax support;
- where an applicant is entitled to council tax support solely through the alternative council tax support route (see Appendix 2), all his capital is ignored.
- any payment made under the Energy Rebate Scheme 2022. The Energy Rebate Scheme 2022 means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022

Compensation

- any payments made from the Macfarlane and similar trusts and certain other analogous trusts;
- any payment made to the applicant or his partner as a result of personal injury but only for a period of 52 weeks;
- compensation paid to children and young people for personal injury or the death of a parent while the capital is held by a court or administered by a responsible person;
- any £10,000 ex gratia payment made as a result of imprisonment or internment by the Japanese during the Second World War;
- the value of certain trust funds derived from payments made as a result of personal injury;
- certain trust payments made to the applicant or a member of his family to compensate those who suffer from or who have died from variant Creutzfeldt-Jakob disease;
- payments made to people who were slaves or forced labourers, suffered property loss or personal injury, or who were parents of a child who died during the Second World War;
- payments made to those with an annuity policy from the Equitable Life Assurance Company.
- Payments received via the Grenfell Tower Residents Discretionary fund
- Windrush payments received via the Windrush Compensation Scheme (Expenditure) Act 2020(4).
- A historical child abuse payment
- Any compensation awarded via the infected blood support scheme.

Other

- personal possessions unless they have been bought to secure or increase entitlement to council tax support;
- cash payments made by a local authority to help children in need;
- payments made by a local authority to a person aged 18 or over who was formerly in the applicant's care and continues to live with the applicant and who gives the payments to the applicant;
- any payments in kind made by a charity or made from the MacFarlane or similar specified trusts;
- the health-in-pregnancy grant paid to pregnant women to help them prepare for the birth of the baby;
- any payment other than a training allowance made to assist disabled people to obtain or retain employment;
- any payment made by a local authority under specified provisions to a blind homemaker;
- any payment made to the applicant as holder of the Victoria or George Cross;

- for 52 weeks, any arrears of a specified military pension;
- payments akin to an education maintenance allowance;
- for 52 weeks, any arrears of subsistence allowance;
- payments made by a local authority intended to enable an applicant or his partner to live independently in their accommodation;
- any direct payments for health care;
- certain payments made in respect of adoption, fostering and guardianship support;
- for 52 weeks, payments made in respect of certain NHS charges, hospital travel costs, payments in lieu of Healthy Start food vouchers, milk tokens or the supply of vitamins, and for assisted prison visits;
- the surrender value of annuities or the right to receive income under them;
- the surrender value of any life insurance policy;
- where a payment of capital is made by instalments, the value of the right to receive outstanding instalments;
- payments made to help people select, train for, obtain and retain employment under the Employment and Training Act 1973;
- for 52 weeks, any payment to a self-employed person in order to establish or develop his business;
- for 26 weeks, sports awards unless intended for basic needs;
- the value of the right to receive any income payable abroad which cannot be transferred to the United Kingdom;
- any banking charges or commission to convert a payment of capital into sterling;
- the right to receive any income under a life interest or life rent;
- the value of the right to receive an occupational or personal pension;
- the value of any funds held under a personal pension scheme;
- the value of the right to receive any rent except where the applicant has a reversionary interest in the property where rent is due.

Executive Member Briefing

Date of Briefing

Council Tax Support Consultation

Background

- Open for 6 weeks
- Proposals for changes to assist budget challenges
- Limited options
- Only working age claimants of CTS
- Approximately 10,100 households (16% of properties)



Engagement

Advertised via:

Emails, Letter / notices, web

Additional targeting from:

Telephone calls, visitors into Town Hall

Major precepting authorities also contacted

Results

Total respondents = 93

79 WA, 10 Pensioners, 4 not declared

32 in receipt of CTS, 58 not in receipt of CTS

19 declared as disabled (7 not declared)

40 female 35 men 18 not declared

36 white British, 25 ND, 13 Pakistani, 8 Indian,



Q1. Do you agree the increase of non-dep deduction to £8.00 per week?

45 Agree, 41 Disagree, 7 Don't Know

Working Age

42 agree (17% CTS claimants, 83% not CTS)

33 disagree (60% CTS claimants, 33% not CTS)

Pensioners

3 agree (66% CTS claimants, 33% not CTS)

6 disagree (50% CTS claimants, 50% not CTS)

Q2. Do you agree to reduce the maximum award to 78%?

29 Agree, 57 Disagree, 7 Don't know

Working Age

23 agree (13% CTS claimants, 87% not CTS)

50 disagree (11% CTS claimants, 89% not CTS)

Pensioners

5 agree (20% CTS claimants, 60% not CTS)

5 disagree (40% CTS claimants, 40% not CTS)

Q3. Do you agree to reduce the maximum award to 79%?

15 Agree, 71 Disagree, 7 Don't know

Working Age

11 agree (9% CTS claimants, 91% not CTS)

64 disagree (34% CTS claimants, 66% not CTS)

Pensioners

3 agree (0% CTS claimants, 100% not CTS)

6 disagree (67% CTS claimants)

Other suggestions to change the CTS scheme

Leave it alone

Apply to all - including pensioners

Do not change in the Cost of Living Crisis

Non-dep deductions to be reduced

Non-dep deductions increased further

Give extra help for those with children under 2

Don't offer a scheme to pensioners

Make it easier to understand

Other suggestions for budget savings

Less waste

Increase costs of social care

Reduce number of Cllrs

Cut out diversity job roles

Pay freeze for higher ranking staff

Review free services and add charges

Stop wasting money on car parks / new buildings

Charge for pest control

General comments

Q1 48.4% Agree, 44% Disagree, 8% Don't Know

Q2. 31% Agree, 61% Disagree, 8% Don't know

Q3. 16% Agree, 76% Disagree, 8% Don't know

- Those in receipt of CTS predominately disagree with proposals



Questions?

Page 83

Second Homes Premium

- Royal Assent 26th October (law from 28th Nov)
- Potential to implement 2nd home premium of 100%
- Must give 12 mths notice to residents
- Approximately 220 properties in BwD
- Exemptions still unknown – no response to consultation..... still
 - Properties undergoing probate (time to be disregarded)
 - Properties being actively marketed for sale / let



Second Homes Premium

Recommendation

- See what happens to the exemptions
- Learn from LA's who are implementing from 1/4/24
- Once more information is received – more accurate view of additional income / evidences and work required
- Potential for introduction for 2026

Name of the activity being assessed	Assessment of proposed changes to Council Tax Support for the financial year 2024/25				
Directorate / Department	Resources / Finance	Service	Revenues & Benefits	Assessment Author	Andy Ormerod
Is this a new or existing activity?	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	Responsible manager / director for the assessment		Andy Ormerod	
Date EIA started	04/12/2023	Implementation date of the activity		01/04/2024	

SECTION 1 - ABOUT YOUR ACTIVITY

How was the need for this activity identified? i.e. Why are we doing this activity? Page 5	<p>The Council is required to review its Council Tax Support scheme for working age recipients each year. As part of this review, options have been explored to assist the Council with its budget challenges for 2024/25. The proposed changes tis is one of the areas proposed by the Finance Department.</p> <p>These proposals seek to reduce the amount of Council Tax Support currently awarded to some households. This reduction increases the Council Tax due, and in turn results in additional income to the Council.</p>
What is the activity looking to achieve? What are the aims and objectives?	<p>Reduce the total cost / award of the Council Tax Support scheme which will result in additional Council Tax income.</p> <p>To reduce the Council Tax Support reductions to working age individuals / households in the borough. The totality of these reductions will then increase the amount of Council Tax for collection, and ultimately income for the Council.</p>
Services currently provided (if applicable)	The Council Tax Support scheme is designed to give those on lower income in the borough a financially assessed reduction in their Council Tax liability based on the income, capital and household make up.
Type of activity	<div> <input checked="" type="checkbox"/> Budget changes <input type="checkbox"/> Decommissioning <input type="checkbox"/> New activity </div> <div> <input type="checkbox"/> Change to existing activity <input type="checkbox"/> Commissioning <input type="checkbox"/> Other [please state here] </div>

SECTION 2 - UNDERSTANDING YOUR CUSTOMER**What resources will support in undertaking the equality analysis and impact assessment?**

Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.

The resources for the EIA are provided from the Revenues and Benefits Service. The data needed for this EIA is extracted from the Revenues and Benefits system.

Who are you consulting with? How are you consulting with them? *(Please insert any information around surveys and consultations undertaken)*

There has been an extensive consultation process of these proposed changes. The consultation was undertaken for 6 weeks and included:

- An open survey on the Council's website to all residents of the borough.
- Direct mailing of the Major Precepting Authorities (Fire and Rescue Service and the Police Authority)
- Requesting all telephone callers for Council Tax and Benefits to undertake the survey
- Requesting via outgoing emails to Council Tax and Benefits customers to undertake the survey
- Requesting visitors to the Town Hall to undertake the survey
- Requested local Voluntary Organisations to undertake the survey

The survey includes questions relating to whether individuals are paying Council Tax, in receipt of Council Tax Support, as well as the standard demographical data.

The consultation results were presented and discussed at the Finance and Governance Executive Members briefing on 6th December. In total 93 surveys were completed. Of which 79 were from those of working age, whilst 10 were Pensioners, and 4 chose to not specify.

Demographically, the surveys were completed by 40 females, 35 men and a further 18 did not declare. The three main ethnicity groups were 36 White British, 13 Pakistani and 8 Indian. A further 25 preferred not to state their ethnicity.

Who does the activity impact upon?*	Service users	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Members of staff	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	General public	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Indirectly			
	Carers or families	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Indirectly			
	Partner organisations	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Indirectly			
Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?*	Positive impact	<input checked="" type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Negative impact	<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input checked="" type="checkbox"/> Vulnerable groups

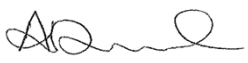
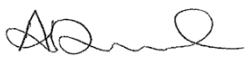
The groups in blue are not protected characteristics <i>(please refer to p. 3 of the guidance notes)</i>		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input checked="" type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Deprived communities	<input checked="" type="checkbox"/> Carers
	No impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers

***If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? *Refer to p.3 of the guidance for more information*
A public authority must have 'due regard' (i.e. consciously consider) to the following:

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	The proposed changes have no direct impact on <i>eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act</i> . The changes proposed relate to all Working Age claimants of Council Tax Support irrespective of circumstance.
Advance equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	The proposed changes have no direct impact on the proposition of <i>advance equality of opportunity between those who share a protected characteristic and those who do not</i> . The changes proposed relate to all Working Age claimants of Council Tax Support irrespective of circumstance.
Foster good relations between people who share a protected characteristic and those who do not <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	The proposed changes have no direct impact on <i>the 'foster of good relations between people who share a protected characteristic and those who do not.'</i> The changes proposed relate to all Working Age claimants of Council Tax Support irrespective of circumstance.

ASSESSMENT	Is a full EIA required?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			
<p>Whilst the impact of the proposed changes does not target or specifically impact any specific equality group. It is felt that a full EIA should be undertaken to ensure full consideration can be made in the decision making process.</p>			

Author Signature		Date	15/12/2023
Head of Service/Director Signature		Date	15/12/2023
The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.			
Departmental E&D Lead Signature		Date	Click here to enter a date.

SECTION 3 – ANALYSIS OF IMPACT

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

N.B. Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

Characteristic	Positive	Negative	Don't know	Reasons for positive and/or negative impact Please include all the evidence you have considered as part of your analysis	Action No.
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed changes to the Council Tax Support scheme only affects working age claimants and recipients. All of these claims will receive a reduced amount of Council Tax Support.</p> <p>Pensioner claimants are not affected and are protected by the Governments Prescribed Scheme.</p> <p>It should be noted that not all working age Council Tax payers receive Council Tax Support. Only 10,059 households will be affected by this (as at the end of November 2023). For information, in total there were 63,406 Council Tax properties listed on the Valuation List as at the end of November.</p>	1.
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed changes to the Council Tax Support scheme only affects working age claimants and recipients. All of these claims will receive a reduced amount of Council Tax Support.</p> <p>A significant percentage of those with disabilities can be in receipt of welfare payments. As such, a greater percentage of cases from working age disability groups will possibly be affected by these changes.</p> <p>Pensioner age individuals who have disabilities will not be affected by the proposed changes.</p>	2.
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There are no details on the number individuals who are seeking or considering gender reassignment who are in receipt of Council Tax Support, as such, it is not possible to ascertain the impact on these individuals.</p>	

Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Those within a marriage or a civil partnerships are no more affected by the proposed changes than any other group in the borough.	
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The changes to the scheme takes no account of pregnancy and maternity of a Council Tax Support recipient. As such, it is not possible to ascertain the impact on these individuals.	
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Race does not play a part in the proposed changes. Different races would be equally affected by the changes if they are in receipt of Council Tax Support.	
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed changes to the scheme takes no account of religion or belief.	
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The changes to the scheme takes no account of gender. However, a higher percentage of single females are currently in receipt of Council Tax Support. As working age recipients of Council Tax Support will be adversely affected by the proposed changes, a higher percentage of females will possibly be affected.	3.
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed changes to the scheme takes no account of sexual orientation.	
Vulnerable Groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are a higher percentage of households in receipt of Council Tax Support who are from vulnerable groups. As such, these changes are more likely to directly affect working age vulnerable individuals.	4.
Deprived Communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are a higher percentage of households in receipt of Council Tax Support who are from deprived communities. As such, these changes are more likely to directly affect working age in deprived areas.	5.
Carers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Whilst the proposed changes to the scheme takes no account of whether an individual is a carer, this group does tend to have a higher proportion in receipt of welfare benefits and as a consequence may be disproportionately affected by the changes.	6.
Other [please state]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

Does the activity raise any issues for community cohesion? Does the activity contribute positively towards community cohesion?	There are no cohesion issues associated with these proposed changes.
---	--

Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998? Details of which can be found here	The proposed changes do not raise any Human Rights issues.
Does the activity support / aggravate existing departmental and/or corporate risk?	<p><i>Is the activity on the departmental risk register? If it is not, should it be?</i></p> <p>No.</p>

CONCLUSIONS OF THE ANALYSIS

Action following completion of the impact assessment			
<p><i>It is important that the correct option is chosen depending on the findings of the analysis.</i></p> <p><i>The action plan must be completed as required.</i></p>			
<input type="checkbox"/> No major change in the activity	<input type="checkbox"/> Adjust activity	<input checked="" type="checkbox"/> Continue with activity	<input type="checkbox"/> Stop and reconsider activity
<p>Please explain how you have reached your conclusion</p> <p>The changes outlined in this document are part of a much wider list of financial saving considerations. Based on the financial challenges facing the council, and the mitigation that can be put in place for these changes, it has been agreed by the Executive Member and Full Council to move forward with these changes.</p>			

ACTION PLAN

Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date
1.	Adverse impact on the age characteristic - working age individuals / households in receipt of Council Tax Support.	<p>The Council has a process that allows individual recipients of Council Tax Support to apply for hardship support which if successful, would provide additional reduction to the Council Tax bill.</p> <p>This mitigation will ensure that there is the ability to review those most affected by the changes to the scheme and minimise the impact.</p>	Resources will be taken from within the Benefits team	Andy Ormerod & Kristina Watson	Ongoing
2.	Adverse impact on the disability characteristic - a proportion of working age residents with disabilities in receipt of Council Tax Support will be affected.	<p>The Council has a process that allows individual recipients of Council Tax Support to apply for hardship support which if successful, would provide additional reduction to the Council Tax bill.</p> <p>This mitigation will ensure that there is the ability to review those most affected by the changes to the scheme and minimise the impact.</p>	Resources will be taken from within the Benefits team	Andy Ormerod & Kristina Watson	Ongoing
3.	Adverse impact on the sex characteristic - a proportion of working age female residents in receipt of Council Tax Support will be affected.	<p>The Council has a process that allows individual recipients of Council Tax Support to apply for hardship support which if successful, would provide additional reduction to the Council Tax bill.</p> <p>This mitigation will ensure that there is the ability to review those most affected by the changes to the scheme and minimise the impact.</p>	Resources will be taken from within the Benefits team	Andy Ormerod & Kristina Watson	Ongoing
4.	Adverse impact on a proportion of residents characterised as Vulnerable Groups - a proportion	The Council has a process that allows individual recipients of Council Tax Support to apply for hardship support which if successful,	Resources will be taken from within the Benefits team	Andy Ormerod & Kristina Watson	Ongoing

	of working age residents considered vulnerable who are in receipt of Council Tax Support will be affected.	would provide additional reduction to the Council Tax bill. This mitigation will ensure that there is the ability to review those most affected by the changes to the scheme and minimise the impact.			
5.	Adverse impact on a proportion of residents characterised as Deprived Communities - a proportion of working age residents from deprived communities who are in receipt of Council Tax Support will be affected.	The Council has a process that allows individual recipients of Council Tax Support to apply for hardship support which if successful, would provide additional reduction to the Council Tax bill. This mitigation will ensure that there is the ability to review those most affected by the changes to the scheme and minimise the impact.	Resources will be taken from within the Benefits team	Andy Ormerod & Kristina Watson	Ongoing
Page 94 6.	Adverse impact on a proportion of residents who are carers - a proportion of working age residents who are carers and in receipt of Council Tax Support will be affected.	The Council has a process that allows individual recipients of Council Tax Support to apply for hardship support which if successful, would provide additional reduction to the Council Tax bill. This mitigation will ensure that there is the ability to review those most affected by the changes to the scheme and minimise the impact.	Resources will be taken from within the Benefits team	Andy Ormerod & Kristina Watson	Ongoing

MONITORING AND REVIEW


The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.

Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.

If applicable, where will the EIA Action Plan be monitored?

The impact on residents and the mitigation undertaken will be embedded within the customer interactions and procedures of the Benefits Service. As such, it is not felt that an Action Plan is required.

How often will the EIA Action Plan be reviewed?	The impact of the changes will be monitored via a plethora of performance indicators. Issues arising will be reported and reviewed via the Team, Service and Director meetings that are already part of the existing monitoring process and undertaken monthly.
When will the EIA be reviewed?	As outlined above, the process of review is constant and will be undertaken several times a month through the various meetings.
Who is responsible for carrying out this review?	Team Managers - Jason Kay and Philip Gardner Service Leads - Kristina Watson & Nicola Gardner Head of Service – Andy Ormerod Strategic Director – Dean Langton

Author Signature		Date	15/12/2023
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the full EIA, the responsibility for the associated Action Plan (if applicable) and the responsibility to publish the completed full EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.



REPORT OF: EXECUTIVE MEMBER FOR GROWTH AND DEVELOPMENT

TO: COUNCIL FORUM

ON: 25th JANUARY 2024

SUBJECT: Adoption of the Blackburn with Darwen Local Plan 2021-2037

1. PURPOSE OF THE REPORT

- 1.1 To present the Local Plan 2021-2037 for adoption, incorporating the changes set out by the Planning Inspectors following independent public examination.

2. OPTIONS

- 2.1 Not applicable. The need for a review of the Local Plan is not optional, but a requirement set out by government. The process of preparing/updating a Local Plan is also prescribed in secondary regulation and a Planning Inspector(s) will only find the plan 'sound' if it meets the relevant legal and procedural requirements in terms of its preparation.

3. RECOMMENDATIONS

- 3.1 To adopt the Blackburn with Darwen Local Plan 2021-2037, incorporating the recommended main modifications set out in the appendix to the Inspectors' report dated 11th December 2023 (attached as Background Papers 1 and 2). For the purposes of the Council Forum meeting, the Local Plan documents (the Written Statement and the Policies Maps) incorporating all the main modifications will be made available to view on a separate weblink that will be circulated in advance of the meeting.

4. BACKGROUND

- 4.1 Blackburn with Darwen Borough Council currently has a two-part Local Plan made up of the Core Strategy (adopted 2011) and Local Plan Part 2: Site Allocations and Development Management Policies (adopted 2015). Together these documents set out the land use planning strategy for the Borough up to 2026.
- 4.2 Local Plans are now required to be reviewed every five years from the date of their adoption. The Council first approved a new Local Development Scheme in 2018, subsequently updated, setting out the intention to develop a single new Local Plan to replace the Core Strategy and Local Plan Part 2.

- 4.3 Since then, extensive work has been undertaken in preparing the new Local Plan for the Borough, which covers the period 2021 to 2037. A portfolio of evidence base documents to support the policies set out in the new Local Plan have been publically available on the Council's website. A number of widely promoted statutory consultations have also taken place including:
- A Regulation 18 Issues and Options Consultation (approved at Executive Board of 10th January 2019);
 - A Regulation 18 Consultation Draft (approved at Executive Board of 10th December 2020); and
 - A Regulation 19 Submission Local Plan Consultation (approved at Executive Board of 13th January 2022).
- 4.4 At all stages of preparation and consultation, the Council has engaged with members of the community in line with, or over and above, its commitments set out in the published Statement of Community Involvement. The [Regulation 22 Consultation Statement](#) summarises for each stage of statutory consultation set out above, who has been consulted, how, and a summary of the key/common issues raised. At the Regulation 18 Consultation Draft Local Plan stage, every single residential and commercial property in the Borough was directly informed of the consultation via a letter and leaflet drop (around 70,000 address points).
- 4.5 In addition to the statutory consultation periods, more informal consultation has also taken place on a regular basis with key stakeholders. For example:
- An initial development management policy consultation in July-August 2021;
 - Ongoing and regular Duty to Cooperate discussions with neighbouring authorities; and
 - Meetings/engagement with a wide range of infrastructure delivery partners to inform the Local Plan's accompanying Infrastructure Delivery Plan (IDP).
- 4.6 At the Council Forum meeting of the 28th July 2022, approval was granted for submission of the Local Plan and its accompanying documents to the Secretary of State for independent examination. The Planning Inspectorate appointed two Planning Inspectors who conducted public hearings which took place between 31st January and 2nd March 2023. This was followed by a further consultation period on a series of [draft Main Modifications](#) to the submission version Local Plan, held between August and October 2023. The Examination process has now concluded with the issuing of the Inspectors' report on 11th December 2023.
- 4.7 The table below summarises the key stages in producing the plan:

KEY WORK ACTIVITIES	DATES
Consultation on Regulation 18 Issues and Options Local Plan	February – April 2019
Consultation on Regulation 18 Draft Local Plan	January – February 2021
Consultation on Regulation 19 Submission Local Plan	February – March 2022
Submission of draft plan to the Planning	August 2022

Inspectorate (PINS) for independent examination	
Public Hearing sessions	January – March 2023
Consultation on draft Main Modifications to the Submission version plan	August – October 2023
Receipt of final version Inspectors' report	December 2023
Presentation to Council Forum for adoption	January 2024

4.8 The role of the Local Plan is principally to set out the Council's:

- i. Vision and a supporting framework for the future development and growth of the Borough in relation to housing, the local economy, community facilities and infrastructure, the environment and design; and
- ii. Planning policies that will be applied in guiding decisions on individual planning applications.

4.9 The examination process is now complete. The Council has received the Planning Inspectors' Final Report on their assessment of the plan. The non-technical summary in the report concludes that:

'The Blackburn with Darwen Local Plan 2021-2037 provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it.'

4.10 The recommended modifications (included as an appendix to the Inspectors' Final Report – see Background Paper 2) predominantly relate to matters discussed at the examination hearings and do not alter the overall strategy or the scale of development proposed to secure delivery of the Council's corporate ambitions for economic growth and transformation. In summary they include:

- Changes to Policy CP1: A Balanced Growth Strategy to prioritise and maximise the use of brownfield land.
- Changes to Policy CP2: The Spatial Approach to ensure consistency with the Framework in respect to development in the countryside.
- Amendments to Policy CP4: Housing Development to provide clarity that the Plan will deliver at least 7,152 net new homes during the Plan period and what action the Council will take if the supply of homes does not keep pace with the annual requirement.
- Consolidation of policy relating to affordable housing into Policy CP4: Housing from Policy DM5: Rural Exception Sites.
- Changes to Policy CP4: Housing to ensure the policy approach to the provision of self-build and custom build homes is effective and to clarify the requirement for Gypsy and Traveller accommodation over the Plan period.
- Deletion of Site Policy H217: Land at St Silas' Church, Blackburn.
- Changes to Policy CP5: Climate Change for effectiveness to explain the policy expectations in relation to the Council's Climate Impact Framework (CIF).

- Redrafting of Policies CP6: The Natural Environment and DM15: Biodiversity regarding the Natural Environment and Biodiversity to take account of the requirements of the Environment Act.
- Clarification of Primary and Secondary Employment sites in Policies DM30 and DM31.
- Amendments to the Key Development Considerations (KDCs) to a number of site allocations to achieve sustainable development.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

4.11 The Inspectors have also concluded that the Council has engaged constructively, actively and on an ongoing basis in the preparation of the Plan and that the Duty to Cooperate has therefore been met.

4.12 In terms of legal compliance, the Inspectors conclude that the Plan:

- Has been prepared in accordance with the Council's Local Development Scheme (LDS).
- Consultation on the Plan was carried out in compliance with the Council's adopted Statement of Community Involvement and met the consultation requirements of the Regulations.
- Are satisfied that the Council's Sustainability Appraisal work is fit for purpose and provides a sufficiently robust assessment, proportionate to the work needed for the preparation of the Local Plan.
- That the potential likely significant effects of proposals in the Plan have been appropriately considered through the HRA and that the Plan is legally compliant with respect to the Habitat Regulations.
- That the Plan, taken as a whole, includes policies designed to ensure that the development and use of land in Blackburn with Darwen contributes to the mitigation of, and adaptation to, climate change.
- That the Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

4.13 In light of the above, the Inspectors consider that with the recommended main modifications set out in the appendix to their report, the Local Plan 2021-2037 is sound, legally compliant and capable of adoption.

4.14 The Blackburn with Darwen Local Plan 2021-2037 is therefore presented to Council Forum for adoption under Section 23(3) of the Planning and Compulsory Purchase Act 2004 (as amended).

5. RATIONALE

4.15 Planning legislation and national planning policy requires local planning authorities to have a local plan in place and be up-to date.

4.16 With an up-to-date local plan in place the Council is in a strong position to positively guide development decisions in line with the delivery of corporate objectives for growth, health and well-being, community cohesion and place

making. It equally enables the Council to resist development which is of a poor quality or not in keeping with its strategy for the future of the Borough.

- 4.17 Under national planning legislation, the main modifications recommended in the Inspectors' report are binding. A local planning authority is not able to adopt a Local Plan that does not include the changes set out by the appointed Planning Inspector(s).
- 4.18 The majority of the changes recommended by the Inspectors have been suggested by the Council following discussions held during the hearing sessions earlier in 2023. They therefore reflect consensus between the Council and the Planning Inspectors, rather than being imposed on the Council. The modifications improve clarity, ensure consistency, and respond to national requirements that have emerged since the conclusion of the Hearings and which have implications for relevant policies in the plan.

6. POLICY IMPLICATIONS

- 4.19 Once adopted, the Council will, as required by the [National Planning Policy Framework](#) (NPPF), have an up-to-date Local Plan in place to positively guide and deliver the Council's growth and place-making agenda to the end of the plan period.
- 4.20 The Local Plan 2021-2037 will form the non-minerals and waste element of the statutory local development plan. Policy designations and site allocations contained in the Local Plan are reflected on the accompanying Policies Map, which also forms part of the development plan. The Council must have regard to the development plan when it determines planning applications and the determination must be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.21 The new plan will replace the policies in the Blackburn with Darwen Core Strategy (adopted in 2011) and the Local Plan Part 2: Site Allocations and Development Management Policies (adopted in 2015) in all of the decisions made on planning applications.
- 4.22 The monitoring of the performance and delivery of the Local Plan will be set out in the annual Authority Monitoring Report (AMR) which is [published on the Council's website](#).

7. FINANCIAL IMPLICATIONS

- 4.23 The costs of producing the Local Plan have been met through agreed Local Plan budget allocations and existing Growth Team revenue budgets.
- 4.24 The small cost in printing and distribution of final versions of the adopted Local Plan and posting of copy adoption statement to all who have asked to be notified (in accordance with Regulations) will be met from existing budgets.
- 4.25 It is not intended to print a large number of copies of the document. A copy of the

adoption statement, Local Plan document and supporting material will be published on the Council's website and made available at both Blackburn and Darwen Town Halls and at libraries throughout the Borough.

8. LEGAL IMPLICATIONS

- 4.26 Local Planning Authorities have a statutory requirement to produce, and keep up to date, a Local Development Plan, as described by the National Planning Policy Framework, the National Planning Practice Guidance, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Planning & Compulsory Purchase Act 2004. The adoption of the new Local Plan therefore meets this statutory requirement.
- 4.27 The Inspectors are satisfied that all legal requirements associated with the preparation of the plan have been met.
- 4.28 The Local Plan 2021-2037 is being adopted in accordance with S23 (3) of the Planning and Compulsory Purchase 2004 as amended.
- 4.29 Having an up-to-date local plan in place will satisfy the requirements of planning legislation and the National Planning Policy Framework.
- 4.30 Following Council Forum's decision, Council officers will take early action to ensure that the requirements set out in S26 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for publicising the adoption of the Local Plan and the availability of supporting documents for inspection including the Inspectors' report are carried out.
- 4.31 The Regulations confirm that any person who is aggrieved by the adoption of the plan may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act (as amended) on the grounds that:
- a) The document is not within the appropriate power;
 - b) A procedural power has not been complied with.
- 4.32 An application, challenging the adoption of the plan, must be made within 6 weeks of the date of adoption of the plan.

9. RESOURCE IMPLICATIONS

- 4.33 The adoption of the Local Plan will be managed by existing resources within the Council (Growth and Development service, IT etc.).

10. EQUALITY IMPLICATIONS

- 10.1 The Publication (Regulation 19) Local Plan was originally screened in November 2021 using the Council's Equality Impact Assessment (EIA) methodology to assess whether a full EIA was required. This determined that an EIA was not needed.

- 10.2 Subsequently, in June 2022 to support the Submission Version Local Plan, a review of the [EIA](#) was undertaken to take account of any amendments made to the Plan through Publication consultation. This did not identify any additional equality implications for plan preparation, content or delivery.
- 10.3 In line with good practice that advises an EIA is reviewed on a regular basis, a further review of the EIA document has been completed for the Adoption Version Local Plan. This has concluded that a full EIA is not required.

11. CONSULTATIONS

- 11.1 All of the requirements for consultation set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 relating to the preparation and examination of the local plan have been met.
- 11.2 At all stages of preparation and consultation, the Council has engaged with members of the community in line with, or over and above, its commitments set out in the published Statement of Community Involvement. The Council went to specific efforts to go over and above the minimum requirements at Regulation 18 (Consultation Draft) stage, to ensure that all residents were informed of the new Local Plan. Every single residential and commercial property was informed directly of the consultation via a letter and leaflet drop through the door (around 70,000 address points).
- 11.3 The Inspectors are satisfied that the consultations, including feedback to residents and other stakeholders, have been appropriate, responsive and thorough.
- 11.4 As noted above in the Section: Legal Implications, following Council Forum's decision, Council officers will make arrangements for an adoption statement and information on the availability of supporting documents including the Inspectors' report to be published.

Chief Officer/Member

Contact Officer: Martin Kelly (Strategic Director, Growth and Development)

Date: 16th January 2024

Background Papers:

- 1) Inspectors' Final Report on the Blackburn with Darwen Local Plan 2021-2037
- 2) Schedule of Main Modifications Appendix to the Inspectors' Final Report



Report to Blackburn with Darwen Borough Council

**by Helen Hockenhull BA(Hons) B.PI MRTPI and Guy Davies
BSc (Hons) DipTP MRTPI**

Inspectors appointed by the Secretary of State

Date: 11 December 2023

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Blackburn with Darwen Local Plan 2021- 2037

The Plan was submitted for examination on 5 August 2022

The examination hearing was held between 31 January 2023 and 2 March 2023

File Ref: PINS/M2372/429/3

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Abbreviations used in this report.

BNG	Biodiversity Net Gain
CIF	Climate Impact Framework
CP	Core Policy
dpa	dwellings per annum
DtC	Duty to Cooperate
EIA	Environmental Impact Assessment
ELR	Employment Land Review
EOA	Environmental Opportunity Area
The Framework	National Planning Policy Framework
GTAA	Gypsy and Traveller Accommodation Assessment
HENA	Housing and Economic Needs Assessment
HMO	House in Multiple Occupation
HRA	Habitats Regulations Assessment
KDC	Key Development Consideration
LDS	Local Development Scheme
lpd	litres per person per day
MM	Main Modification
NDSS	Nationally Described Space Standards
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
RUFC	Rugby Union Football Club
SA	Sustainability Appraisal
SCB	Self and Custom Build
SCI	Statement of Community Involvement
SHELAA	Strategic Housing Economic Land Availability Assessment
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest

Non-Technical Summary

This report concludes that the Blackburn with Darwen Local Plan 2021-2037 provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. Blackburn with Darwen Borough Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearing, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over a six-week period. In some cases, we have amended their detailed wording and added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the SA and HRA and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Changes to Policy CP1 to prioritise and maximise the use of brownfield land.
- Changes to CP2 to ensure consistency with the Framework in respect to development in the countryside.
- Amendments to Policy CP4 to provide clarity that the Plan will deliver at least 7,152 net new homes during the Plan period and what action the Council will take if the supply of homes does not keep pace with the annual requirement.
- Consolidation of policy relating to affordable housing into Policy CP4 from Policy DM5.
- Changes to Policy CP4 to ensure the policy approach to the provision of self-build and custom build homes is effective and to clarify the requirement for Gypsy and Traveller accommodation over the Plan period.
- Deletion of Site Policy H217.
- Changes to Policy CP5 for effectiveness to explain the policy expectations in relation to the Council's Climate Impact Framework (CIF).
- Redrafting of Policies CP6 and DM15 regarding the Natural Environment and Biodiversity to take account of the requirements of the Environment Act.
- Clarification of Primary and Secondary Employment sites in Policies DM30 and DM31.
- Amendments to the Key Development Considerations (KDCs) to a number of site allocations to achieve sustainable development.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Blackburn with Darwen Local Plan 2021-2037 in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) (the 2004 Act). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. Paragraph 35 of the National Planning Policy Framework (the Framework) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound and legally compliant plan. The Blackburn with Darwen Local Plan 2021-2037 Regulation 19 Publication Local Plan, submitted in August 2022, is the basis for our examination. It is the same document as was published for consultation in January 2022.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM001**, **MM002** etc, and are set out in full in the Appendix.
4. Following the examination hearing, the Council prepared a schedule of proposed MMs and, where necessary, carried out SA and HRA of them. The MM schedule was subject to public consultation for six weeks between the end of August and beginning of October 2023. We have taken account of the consultation responses in coming to our conclusions in this report and, in this light, we have made some amendments to the detailed wording of the MMs and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA/HRA that has been undertaken. Where necessary we have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission Policies Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted local plan. In this case, the

submission Policies Map comprises the set of plans identified as Blackburn with Darwen Local Plan 2021-2037 Regulation 19 Publication Policies Map as set out in SD3 a) - e).

6. The Policies Map is not defined in statute as a development plan document and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the Policies Map. In addition, there are some instances where the geographic illustration of policies on the submission Policies Map is not justified and changes to the Policies Map are needed to ensure that the relevant policies are effective.
7. These further changes to the Policies Map were published for consultation alongside the MMs in the Schedule of proposed changes to the Submission Policies Map.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted Policies Map to include all the changes proposed in the Schedule of proposed changes to the Submission Policies Map.
9. Appendix E of the Plan provides information about the Policies Map and sets out that the online version is the definitive reference map. This is because some mapping layers may alter over time and render a print version out of date. **MM137** sets this out clearly for effectiveness. The Appendix also provides guidance about policy constraints and lists five constraints that are not shown on the Policies Map as they may be subject to regular alterations. These are to be provided in a separate planning constraint map which should be viewed alongside the Policies Map. For effectiveness, **MM138** adds a further six constraints not shown on the Policies Map including flood zones, Water Catchment Land, Biological Heritage Sites, District Wildlife Sites, Environmental Opportunity Areas and heritage assets.

Context of the Plan

10. The Blackburn with Darwen Local Plan is proposed to replace the Local Plan Part 1: Core Strategy adopted January 2011 and the Local Plan Part 2: Site Allocations and Development Management Policies adopted 2015. The new Plan will constitute the full development plan for the Borough.
11. Blackburn with Darwen is a key geographical and cultural gateway to Pennine Lancashire. The Borough is characterised by relatively compact urban areas to create a hierarchy of settlements with almost 40% of the surrounding land being designated as Green Belt. The Borough has a range of environmental assets including two Sites of Special Scientific Interest (SSSIs), many Biological

Heritage Sites, several Local Wildlife Sites and four Local Nature Reserves. The Borough's landscape setting, falling between the Lancashire Valleys and the Southern Pennines National Character Areas, is one of its assets adding character and bringing environmental and economic benefits. The Borough declared a climate emergency in 2019 and has set a goal to be carbon neutral by 2030.

Public Sector Equality Duty

12. Throughout the examination we have had due regard to the aims expressed in S149(1) of the Equality Act 2010. Amongst other things, this sets out the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.
13. The Plan contains specific policies to provide for Gypsies and Travellers, accessible environments for people with disabilities, accessible and adaptable dwellings for older people, sustainable design and community and leisure facilities. These policies should directly benefit people with these protected characteristics.
14. The Council prepared an Equality Impact Assessment for the Publication Plan (BwD003). Subject to the recommended MMs, there is no compelling evidence that the Plan as a whole, would bear disproportionately or negatively on people who share protected characteristics, neither does it reflect the potential for discrimination. The opportunity to foster greater equality and positive impacts for protected groups has been sought and incorporated within policies where appropriate.

Assessment of Duty to Co-operate

15. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
16. The Council's Duty to Cooperate (DtC) Statement (BwD010b) identifies the strategic cross boundary issues which are relevant to Blackburn with Darwen and which have been the subject of engagement with neighbouring authorities and prescribed bodies. These issues include the provision of housing and economic development, retail and town centre proposals, the natural environment, transport, Gypsy and Traveller provision and infrastructure.
17. The DtC Statement provides details of the constructive, active and ongoing process of engagement. Appendix A sets out a record of engagement and demonstrates a clear pattern of joint working in order to consider the important issues relevant to the Plan. It also demonstrates that clear arrangements are in

place for joint working with adjoining authorities such as County wide Officer Groups and Forums covering issues including, amongst other things, Climate Change and Local Transport.

18. As a result of the close links with Hyndburn Borough Council, with a shared Housing Market Area and Functional Economic Market Area, a number of jointly prepared evidence documents have been produced. These include the Housing and Economic Needs Assessment, Gypsy and Traveller Accommodation Assessment and the Playing Pitch and Outdoor Sport Facilities Strategy and Assessment Report. The Council has also worked collaboratively with infrastructure providers to inform infrastructure planning for the Borough.
19. A series of Statements of Common Ground have been prepared with a number of adjoining authorities and statutory bodies including Hyndburn Borough Council, Chorley Borough Council, Bolton Metropolitan Borough Council, Lancashire County Council, National Highways, Blackburn with Darwen Clinical Commissioning Group and United Utilities.
20. It is clear that the Council has engaged actively and constructively with a wide range of organisations and bodies on a number of cross boundary issues. This joint working has resulted in positive outcomes shaping the preparation of the Plan and is reflected in the policies and proposals it includes. Discussion has taken place with neighbouring authorities on development needs. Whilst adjoining authorities are at different stages in preparing their own local plans, no requests have been received to meet their unmet housing or employment land needs in the Borough.
21. Given the above, we are satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Other Aspects of Legal Compliance

Local Development Scheme

22. Section 19(1) of the 2004 Act requires development plan documents to be prepared in accordance with the Local Development Scheme (LDS). The Local Plan preparation commenced in 2018 with consultation on Issues and Options in February 2019 and consultation at Regulation 18 stage in January 2021. The Publication draft was consulted on in January 2022 with submission for examination taking place just one month later than anticipated in August 2022.
23. We are satisfied that the Plan has been prepared in accordance with the Council's LDS.

Consultation

24. Development plans must be prepared in accordance with the statutory requirements for consultation, which are set out in the 2004 Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations).
25. The Council's Regulation 22 Consultation Statement confirms that at each stage, public consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement. (SCI) (SD9). Involvement in the plan making process was promoted through direct mailing, through the sending of emails and letters to those on the consultation database. All consultation materials were made available online at Regulation 18 and 19 stages, with a video to summarise the Local Plan. In addition, digital display boards were used throughout the Borough, exhibition boards put up in the market, articles put in the local press and social media used. At Regulation 19 stage, consultation drop in events were held as well as Planning Aid workshops and youth engagement events. These steps exceeded the SCI requirements.
26. The Covid restrictions impacted on the consultation of the Regulation 18 stage in January/February 2021. It was not possible to have documents on display at the Town Hall and libraries, and public events could not take place. In an attempt to inform all residents in the Borough, the Council carried out a leaflet and letter drop to all 70,000 households and commercial properties. Some residents did not receive this correspondence, or it arrived too late to take part in the consultation. The Council took steps to chase this up with Royal Mail (BwD0049) when they became aware of the issue. Whilst this situation was unfortunate, this was not the only method used to engage with residents as outlined above.
27. Consultation responses were accepted by email, letter and through the Council's online form. Some members of the community found the online system difficult to use and some questions were hard to understand when planning jargon was used such as legal compliance or soundness tests. We recognise that this may have been problematic for some, however, other forms of response were available and accepted by the Council.
28. Overall, we conclude that consultation on the Plan was carried out in compliance with the Council's adopted SCI and met the consultation requirements of the Regulations.

Sustainability Appraisal

29. The Council carried out a sustainability appraisal (SA) of the Plan. It formed part of the plan making process, culminating in a report of the findings of the

appraisal on the submission Plan. The report was published along with the Plan and other submission documents under Regulation 19. A subsequent addendum to the SA was published which assessed the implications of the MMs on sustainability objectives.

30. The SA assessed the Plan against a range of economic, social and environmental objectives, as well as assessing reasonable alternatives for both housing and employment growth. The appraisal was used to inform plan-making and the preferred strategy for the Plan.
31. Overall, we are satisfied that the Council's SA work is fit for purpose and provides a sufficiently robust assessment, proportionate to the work needed for the preparation of the Local Plan.

Habitats Regulation Assessment

32. In line with the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations), a Habitats Regulation Assessment (HRA) (SD5) accompanies the Blackburn with Darwen Local Plan 2021-2037. The HRA identified seven relevant European Sites, including Special Areas of Conservation, Special Protection Areas and Ramsar Sites, which could potentially be affected by the Plan.
33. The HRA report concluded that none of the policies in the Plan were likely to result in adverse effects on the integrity of European Sites. This was due to a lack of impact pathways and suitably worded policies that aim to protect the environment and promote the sustainable and managed use of natural resources. The HRA also found that none of the specific allocations would be likely to result in adverse effects to the integrity of European sites. Accordingly, an Appropriate Assessment has not been necessary. Natural England have reviewed the HRA and had no comments to make.
34. We conclude that the potential likely significant effects of proposals in the Plan have been appropriately considered through the HRA and that the Plan is legally compliant with respect to the Habitat Regulations.

Other Legal Requirements

35. Sections 19(1B) and 19(1C) of the 2004 Act require development plans, taken as a whole, to include policies to address the strategic priorities for the development and use of land in the plan area. The Local Plan sets out 12 Strategic Objectives to assist the delivery of the Plan Vision. The objectives are centred on three themes, People, Place and Economy. The Strategic Core Policies (CPs) of the Plan, Policies CP1 – CP12, provide the main strategic policy framework for the Borough to deliver sustainable development. The strategic policies ensure new housing and employment growth are

accompanied by supporting infrastructure and environmental improvements. Taken as a whole, the Plan meets the statutory requirement set out in the Regulations.

36. Section 19(1A) of the 2004 Act requires that development plan documents must, taken as a whole, include policies designed to ensure that the development and use of land in the Council's area contribute to the mitigation of, and adaptation to, climate change. Policies CP5, DM12, DM13, DM14, DM15, DM16 and DM17 achieve this in the Plan. They include requirements relating to clean and green energy, flooding, environmental opportunity areas, biodiversity, green and blue infrastructure and trees and woodland.
37. We therefore conclude that the Plan, taken as a whole, includes policies designed to ensure that the development and use of land in Blackburn with Darwen contributes to the mitigation of, and adaptation to, climate change.

Conclusions of Legal Compliance

38. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

39. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing, we have identified 12 main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Whether the balanced growth strategy and spatial approach are positively prepared, justified and effective and will enable the delivery of sustainable development in accordance with national planning policy.

40. The Local Plan adopts a 'balanced growth strategy' to replace the current Local Plan's core strategic focus on 'targeted growth'. The Strategy is broken down in three ways: the quantum of development, the distribution of development and the overall approach to development. This is set out in Policy CP1 (A Balanced Growth Strategy).
41. In terms of the quantum of development, the Plan matches housing growth to planned economic growth to ensure that the housing needs of the labour market

are met locally and the historic levels of net out migration are stemmed. In relation to the distribution of growth, a balanced distribution is promoted to ensure that settlements receive levels of growth that are broadly proportionate to their existing size and role. Finally, in terms of the overall approach, the Plan seeks to ensure that development proposals consider their impact on people, place and the economy and therefore achieve net gains in social, environmental and economic objectives of the Plan, to achieve sustainable development. We consider this to be a positively prepared and justified approach.

42. To ensure that Policy CP1 is consistent with paragraphs 119-121 of the Framework and effective, **MM003** is necessary to promote the effective use of land, prioritising and maximising the use of suitable brownfield land and supporting land remediation.
43. The balanced growth strategy is based on six key ideas. These include the Blackburn Growth Axis, the Darwen Town Centre Investment Plan, North East Blackburn Strategic Housing Site (H195), South East Blackburn Strategic Employment Site (E179), Blackburn Town Centre Major Development Sites and the Infrastructure Delivery Plan. These are supported by the spatial approach in Policy CP2 (The Spatial Approach).
44. Policy CP2 sets out how the balanced distribution of growth set out in Policy CP1 ii) will take place. It establishes clear roles for the two main settlements of Blackburn and Darwen.
45. The Policy sets out that the majority of new development will be in the urban areas of Blackburn and Darwen. In Blackburn, the Strategic Housing Site and Strategic Employment Site will accommodate most of the Borough's strategic development needs. Additional growth sites and infrastructure improvements will support the Growth Axis. This is an economic framework of strategic and local development sites and opportunities. They link the M65 and key growth corridors, including the Samlesbury Enterprise Zone, BAE Systems, and the recently established National Cyber Force HQ, close to the north western edge of the Borough, to Blackburn Town Centre. In Darwen, growth will provide for general development needs of an appropriate scale including housing, mixed use, employment and educational development supporting the Darwen Town Investment Plan.
46. Policy CP2 also sets out the strategic approach to development in the Rural Villages, Countryside Area, Green Belt and Safeguarded Land designations. In relation to countryside areas, the policy is not entirely consistent with paragraph 80 of the Framework which permits residential development in the countryside to secure the reuse of heritage assets and redundant buildings and the subdivision of existing residential buildings. **MM004** amends the policy accordingly. **MM005** is necessary for effectiveness to explain, in the supporting text, how major redevelopment proposals in the countryside will be assessed.

Conclusion

47. Subject to the MMs identified above, the 'balanced growth' strategy and spatial approach of the Plan is positively prepared, justified and effective and will enable the delivery of sustainable development in accordance with national policy.

Issue 2 – Whether the Plan sets out a positively prepared strategy for employment growth and development which is justified, effective and consistent with national policy and whether the employment land requirement in the Plan is soundly based.

Employment land requirement and supply

48. Regional and local economic strategies seek to improve the Borough's economic prosperity by promoting its economic strengths, increasing skills, attracting investment and improving infrastructure. Access to good quality employment land of the right size and in the right location is seen as an important element in achieving those economic aims as well as social aims such as reducing inequality and improving social mobility. We are satisfied that the Plan supports delivery of these economic strategies by setting out a clear economic vision which encourages sustainable economic growth in accordance with national planning policy.
49. The employment land requirement is based on the employment growth scenario set out in the Housing and Economic Needs Assessment (HENA) 2018 (E31), updated in 2021 (E32). This draws on economic strategies, planned investment and local market knowledge to provide an alternative forecast to a baseline projection. It identifies a need for at least 46.4ha of new employment land over the Plan period. The employment growth scenario represents a more optimistic forecast in relation to jobs growth than the baseline projection. However, based as it is on local knowledge and conditions, underpinned by data on past completion rates, we are satisfied that it represents a justified approach to forecasting employment land requirements over the Plan period.
50. Employment land supply is set out in the Employment Land Review 2019 (ELR) (E21), as updated by the Strategic Housing and Economic Land Availability Assessment 2021 (SHELAA) (E69). This identifies a realistic supply of 47.04ha of employment land. In quantitative terms, employment land supply and demand are nearly in parity over the Plan period. However, we accept that there is a need for a buffer to ensure market choice and flexibility and replace the loss of existing employment land to other uses which historically has been in the region of 1.7 hectares per annum. Having regard to the need for flexibility, the Council has calculated a need for some 34.3ha of additional employment land over the course of the Plan period. We consider this to be reasonable and to justify the

release of additional land to meet employment needs. **MM019** and **MM020** are required to clarify this point in order that Policy CP10 is effective.

51. There is also a strong qualitative argument for employment land that meets modern industrial and distribution business needs. Those needs require sites that are large enough to allow co-location with other businesses, have large floorplates and, crucially, good access from the motorway. Employment land with these characteristics is lacking in the supply of employment land identified in the ELR (E21) and SHELAA (E69). It is these factors that, in particular, support the release of further employment land and has led the Council to seek a strategic employment site (E179) that meets those requirements as part of the economic strategy in the Plan.
52. To achieve that strategy, the strategic employment site needs to not only be a reasonable size but also be located in a position with good access from the motorway. Within the Borough, such potential sites are limited. Reasonable alternative sites to E179: Junction 5 Strategy Employment Site have been assessed in the Strategic Employment Site Planning Case (E64a), including Blackamoor Road North and North East Blackburn. For the reasons set out in the evidence, neither of these or the other sites that have been assessed would achieve the objectives of size and location required by the strategic employment site. We therefore consider that the inclusion of site allocation E179 as a strategic employment site is justified and would be effective in delivering an important element of the economic strategy of the Plan.
53. Notwithstanding recent economic uncertainties caused by Brexit and Covid, the Employment Topic Paper (BwD011) and supporting documents demonstrate that there has been a good uptake of new employment land located close to the motorway and at a rate that supports the forecast in the updated HENA (E32). Such growth provides us with confidence that the employment strategy adopted in the Plan is likely to be achieved.

Conclusion

54. Subject to the MMs above, we conclude that the Plan sets out a positively prepared strategy for employment growth and development which is justified, effective and consistent with national policy and is soundly based.

Issue 3 – Whether the Plan has been positively prepared and is justified and consistent with national planning policy in relation to the overall housing provision and the housing requirement.

55. The minimum housing need figure for Blackburn with Darwen, calculated using the standard method, is 153 dwellings per annum (dpa). Planning Practice Guidance (PPG) for Housing and Economic Needs Assessments, provides that where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately

reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point.¹ The PPG is clear that the standard method is a minimum number and recognises there may be circumstances where planning for a higher need than the standard method may be appropriate. These include growth strategies that are likely to be deliverable, strategic infrastructure improvements or where an authority agrees to take on unmet need for a neighbouring authority.

56. In the case of Blackburn with Darwen, there are no significant infrastructure projects planned in the Borough that would boost the demand for housing. Furthermore, the unmet need from neighbouring authorities does not form part of the housing requirement. However, the implications of growth strategies in the area are significant, such as the Pennine Lancashire Housing Zone and the Pennine Lancashire Growth and Prosperity Plan 2016-2032 (BwD006). Together these strategies seek to accelerate economic growth and housing development in Pennine Lancashire and support the delivery of 30,000 homes in the region. The Pennine Lancashire Growth and Prosperity Plan 2016-2032 promotes eight strategic sites in Blackburn with Darwen providing 3,115 homes. The Lancashire Enterprise Partnership Strategic Economic Plan (BwD005) also identifies priorities and programmes which have the ability to attract funding streams contributing to economic growth. These strategies support the need for the Council to consider a higher level of housing provision.
57. The PPG also notes that where previous levels of housing delivery are significantly greater than the standard method, this should be taken into account when considering a higher level of need. This is the case in Blackburn with Darwen. The Borough has achieved an average of 432 dpa in the four years 2018/19 to 2021/22, nearly three times more than the requirement calculated under the standard method. It is notable that this period included the Covid pandemic when delivery rates were likely to have been lower.
58. The HENA update (E32) considers the economically active population growth and the required supply of labour to support the economic growth forecast in the Borough. The assessment uses an economic housing need model which considers demographic growth projections, migration, economic activity rates, double jobbing, unemployment levels and commuting patterns, to provide an estimate of the housing need. The analysis concludes there would be a need to provide up to 447 net additional dwellings per annum, i.e. at least 7,152 dwellings over the Plan period.
59. We consider that the approach taken to calculate economic led housing need is appropriate and robust and justifies an increase to the standard method calculation. Having regard to the delivery rates outlined above, we are confident

¹ Paragraph: 015 Reference ID: 2a-015-20190220

that the level of housing being planned is achievable. The Plan is consistent with paragraphs 60-61 of the Framework which seek to boost significantly the supply of housing and ensure that Local Plans make sufficient provision to meet local housing need.

60. Policy CP4 sets out the amount of housing the Plan will seek to deliver per annum. In the interests of effectiveness and clarity, **MM008 and MM009** are necessary to state what this equates to over the Plan period in the policy and in the supporting text.

Conclusion

61. Subject to the MMs set out above, the Plan has been positively prepared and is justified and consistent with national planning policy in relation to the overall housing provision and the housing requirement.

Issue 4 –Whether exceptional circumstances exist at a strategic level to justify the release of Green Belt for employment purposes. Is the Plan’s approach towards the Green Belt effective and consistent with national policy?

Exceptional Circumstances

62. The Green Belt covers nearly 40% of the Borough, mainly comprising land to the south and west of Blackburn and to the east and west of Darwen.
63. The Local Plan proposes one housing site in the Green Belt, Springside Works in Belmont (H080). This site is previously developed and its redevelopment for housing would comply with paragraph 149 g) of the Framework. It is not proposed to be released from the Green Belt and no other Green Belt release is required to provide housing over the Plan period.
64. In terms of employment land, one employment site, the Junction 5 Strategic Employment site (E179), is proposed for Green Belt release.
65. Paragraph 137 of the Framework 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. Once established, the Framework in paragraph 83 states that Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of a Local Plan.
66. The Council has undertaken a comprehensive assessment of potential employment sites within the urban area to understand its capacity to

accommodate development needs. Sites were identified through the SHELAA (E69), the ELR (E21), the Call for Sites, the brownfield land register and Local Plan consultations.

67. The assessment of sites involved a screening process ruling out those that were unsuitable due to a range of factors such as being located in an area recognised for conservation or environmental importance, poor connection to the urban area, flood risk, size and availability. This produced a shortlist of potential sites for detailed appraisal assessing environmental factors, accessibility, infrastructure provision and policy constraints. Site selection has also been informed by the SA and the need to locate development in sustainable locations in accordance with 'balanced growth'.
68. The assessment has sought to maximise the use of brownfield land. It has also tried to optimise the density of development. The assessment work has been robust, and the Council's approach has been consistent with paragraph 141 of the Framework.
69. The HENA update (E32) concludes a need for 46.4 hectares of additional land for employment uses. However, the SHELAA (E69) and the trajectory of sites in the Employment Topic Paper (BwD011) demonstrate that there is insufficient deliverable/developable non-Green Belt employment land in terms of both quantity and quality to meet the identified need in the Borough.
70. The release of Green Belt for employment uses would allow the Council to meet its economic growth aspirations. It would align with the overall spatial strategy for the Borough and ensure the balanced growth strategy can be implemented, contributing to a sustainable pattern of development in the Borough.
71. In the absence of reasonable alternatives and having regard to the benefits of economic growth for the Borough, we are satisfied that exceptional circumstances exist at the strategic level to justify the release of land from the Green Belt to deliver identified employment needs.
72. An assessment of the Green Belt Review and exceptional circumstances for the release of site E179 are dealt with in Issue 7.

Other changes to the Green Belt boundary

73. Several other minor changes to the Green Belt boundary are proposed to improve the alignment of digitised data and address inaccuracies with previous mapping at a lower scale.
74. As submitted, the Council had proposed to revise the Green Belt boundary and also urban/village boundaries. However, it came to light that some of the

inconsistencies were more significant than first thought. Amendments to urban and village boundaries are not justified by the evidence as no exceptional circumstances have been demonstrated. Revisions to the Borough boundary are minor and justified. In the interests of effectiveness, **MM005** makes the necessary changes to the supporting text to Policy CP5, to explain the minor boundary changes proposed. As all the proposed changes were the subject of consultation at Regulation 18 and 19 stages, consequential revisions to the submitted Policies Map will also be required.

75. We acknowledge that the 2013 Green Belt Study, which informed the current Local Plan, identified a number of sites which made a limited contribution to the Green Belt and had development potential, though not all were released for development at that time, for example Meins Road, Blackburn. In the 2019 Green Belt Study (E22), Meins Road was considered to result in low/moderate harm to the Green Belt if released. Whilst the site may have potential to be removed from the Green Belt, it is not necessary as there are sufficient non-Green Belt sites to provide the required housing land for the Plan period. The fact that the Green Belt boundary has not been revised in this location does not make the Plan unsound.

Safeguarded Land

76. The Local Plan proposes two areas of safeguarded land. Policy CP2 vi) of the Plan explains these sites will not be granted planning permission for permanent development during the Plan period unless a Local Plan review has commenced and proposes the development or other specific circumstances are justified.
77. Land south of Whalley Road, Brownhill forms part of a wider area of safeguarded land, the majority of which has been allocated in this Plan for the Strategic Housing Site (H195). It was removed from the Green Belt and allocated as safeguarded land in the previous Plan, at which point exceptional circumstances would have been demonstrated. As this land is not required to be released for development in this Plan, it is to remain as safeguarded. We consider this to be justified as the site has the potential to consolidate sustainable growth in this part of the Borough with the Strategic Housing Site immediately to the north west and an existing housing commitment to the south west.
78. The second area of land proposed to be safeguarded lies to the south of School Lane, Guide. It adjoins the Junction 5 Blackburn Strategic Employment site (E179) and is currently within the Green Belt. We address the issue of whether there are exceptional circumstances for the release of land from the Green Belt, including land to be safeguarded beyond the Plan period, to support the strategic employment allocation under issue 7.

79. The Plan also proposes to change the designation of an area of safeguarded land off Preston New Road/Wyfordby Avenue, Blackburn and re-designate it as Countryside Area under Policy CP2. The site was assessed as a reasonable alternative to the Strategic Housing Site (H195) in the SA. However, it was concluded that the allocated strategic site was a more appropriate option, given its strong links with employment opportunities and good access to public transport.
80. The reasons why this site was safeguarded are important to consider. The current Local Plan Part 2 adopted in 2015 planned for a much higher housing requirement than this Plan (720 dpa). The Council wished to ensure its housing requirement could be achieved within the Plan period and beyond so sought to release a significant amount of land from the Green Belt. The current Plan proposes a much lower housing requirement (447 dpa) and therefore, with the exception of land south of Whalley Road site which we have discussed above, the Council considers it unnecessary to safeguard land in this location for development beyond the Plan period. Based on the evidence before us, we consider this to be a sound approach.
81. Given the above, the question is whether the site should be returned to the Green Belt or whether it should be designated as Countryside Area. Paragraph 140 of the Framework is clear that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully justified and evidenced. This is not the case here. Exceptional circumstances were demonstrated to take the site out of the Green Belt. It is therefore difficult to justify exceptional circumstances for the site to revert back to Green Belt.
82. The landscape character of the Preston New Road site along with two other sites was appraised in 2014 (BwD050) to support the adopted Local Plan Part 2. Whilst the site was viewed as being very attractive and of high quality, it was released from the Green Belt as it was considered to have some capacity to accommodate small-scale low-density housing.
83. In light of the site's high landscape sensitivity, the Council considers it to be an appropriate strategy to designate the site as Countryside Area. This appears contradictory to the landscape appraisal and the recognition that the site is suitable for development. However, as outlined above, it is unnecessary to safeguard land to meet future housing needs. We therefore consider it is justified to designate the site as Countryside Area in this Plan.

Conclusion

84. In summary, in the absence of capacity within the urban area and reasonable alternatives and having regard to the benefits of economic growth for the Borough, we are satisfied that exceptional circumstances exist at the strategic level to justify the release of land from the Green Belt for employment purposes

The Plan's approach towards the Green Belt is effective and consistent with national policy.

Issue 5 – Whether the proposed housing allocations are justified, positively prepared in meeting the Borough's needs, effective in terms of deliverability over the Plan period and consistent with national planning policy in enabling sustainable development.

Site selection

85. The methodology used by the Council to assess the suitability, availability and achievability of individual sites is set out in the Site Assessment Methodology (E61). This exercise involved three stages: site identification, site screening and detailed appraisal. The detailed appraisal considered environmental factors, accessibility factors, infrastructure such as highways access and capacity as well as other policy constraints such as coal/mineral workings, landfill gas, minerals and waste safeguarding areas.
86. The outcomes of this assessment identified the sites considered to be the most suitable for allocation in the Plan. The site assessment framework is integrated into the SA to help inform site selection. The assessment criteria are comprehensive and ensure a consistent objective analysis of site suitability. Identified constraints and mitigation measures were considered through the SA and the site selection process. We consider this approach to be robust and justified.

Housing Growth Site Allocations

All Allocations

87. Modifications to Policy CP12: Infrastructure and Delivery (**MM024**) remove Table 3 which outlines the minimum planning contributions that a new development would be expected to provide. Such details are to be put in a separate Developer Contributions and Affordable Housing Supplementary Planning Document (SPD). This means that further consequential modifications to remove reference to Table 3 are necessary for effectiveness in all of the site allocations policies with the exception of the North East Blackburn Strategic Site (H195). This is achieved by **MM079, MM080, MM082, MM088, MM090, MM092, MM094, MM095, MM098 and MM101**.
88. As proposed to be modified and consulted on in the MM consultation, the above MMs also referred to the Developer Contributions and Affordable Housing SPD. We have removed this text from the above MMs in the Schedule attached to this report, to give the appropriate weight to this document.

89. In relation to the requirements for open space provision, a KDC included in a number of allocation policies sets out the type of open space required and a sum of money in lieu of on-site provision. In the interest of effectiveness and flexibility, reference to a fixed contribution should be removed as any figure could become out of date during the Plan period and may not cover the actual costs of provision. Accordingly, a modification is required to this KDC in a number of site allocations and is provided by **MM079, MM080, MM082, MM084, MM092, MM095, MM097 and MM103**.
90. Several of the allocations require archaeological assessment before development commences. In the interest of effectiveness, the Archaeology KDC needs to be amended to delete reference to some level of archaeological mitigation 'in all likelihood being required' to state it 'may' be required. (**MM082, MM084, MM086, MM092 and MM101**).

Policy H009: Blackburn Golf Course Practice Ground

91. This site of just over 3 hectares in size is allocated for approximately 73 residential units. Access to the site is proposed from Clarence Park. However, there is a ransom strip at the access point in the control of the adjacent landowner. Dialogue to resolve this matter is ongoing. Whilst this may take some time to resolve, we are satisfied that all parties are willing to work together to overcome this issue. The development is anticipated to deliver in 2026-2031 ensuring adequate time for this matter to be resolved. The site is being marketed and the site promoter has had initial discussions with housebuilders. It is a suitable location for residential development and there is a realistic prospect of it being delivered at the point envisaged. The site is therefore considered to be developable.
92. In the interest of effectiveness, **MM079** is required to add to the flooding/water management KDC to ensure applicants engage with United Utilities to agree an appropriate drainage strategy for the site taking account of all potential sources of flooding. The same MM adds an additional KDC requiring dialogue with United Utilities due to the presence of utilities infrastructure on the site, also for effectiveness.

Policy H029: Fishmoor Drive Site 4, Blackburn

93. This former social housing site, now cleared, is in Council ownership and forms Phase 2 of the redevelopment of the Fishmoor area of Blackburn. The housebuilder completing dwellings on Phase 1 is committed to bringing dwellings forward on this site as well. The site is a suitable location for housing with a reasonable prospect that the site will deliver housing from 2026.
94. **MM080** is necessary for effectiveness to clarify that dialogue is required with United Utilities, as they have land interests and infrastructure in the site, and to

amend the reference to Local Wildlife sites, which are now termed District Wildlife sites.

Policy H039: Haslingden Road (Fishmoor Reservoir), Blackburn

95. Since the submission of the Local Plan, this site has gained planning permission for a total of 310 dwellings, comprising full planning permission for 160 dwellings and 50 key worker apartments and outline planning permission for a further 100 apartments. **MM081** updates the key site information accordingly and revises the anticipated delivery to 90 units in 2021-2026 and 220 units in 2026-2031. A commencement on site is anticipated early in 2024. The site is available and there is clear evidence that it will deliver in the next five years.
96. As United Utilities have infrastructure and land interests within and adjacent to the site, **MM082** is necessary for effectiveness. For the same reason, and due to the proximity of Fishmoor Reservoir, the MM ensures that the development should have no impact on water quality/water supply.

Policy H042: Land at Bank Hey, Blackburn

97. This site, in multiple ownership, has been secured and is being brought forward by a volume housebuilder. A planning application has been submitted with a commencement on site anticipated in 2024/25. It is necessary to update the key site information as the overall number of dwellings has been reduced from 650 to 600 with delivery slightly pushed back, with fewer dwellings anticipated in the five-year supply and beyond the Plan period. **MM083** makes the necessary changes for effectiveness.
98. In 2020 the Council adopted a masterplan for the site to inform its development (E5). The masterplan identified a number of suitable access points as well as several junction improvements that would be necessary to facilitate the development. A West Blackburn Transport Assessment (BwD017) undertaken in 2019 appraised the cumulative impact on the local highways network arising from several developments in the western part of Blackburn, including this site. One of the recommendations was for the delivery of the Bog Height / Ashwood Avenue Link Road to overcome the over capacity at the junction of Bog Height Road and the A666 Bolton Road. It is understood that there is a ransom strip at the end of Ashwood Avenue, however we are advised that positive discussions are ongoing with the landowner.
99. This Link Road has been designed by the Council and is anticipated to be completed in 2026/27. The Transport Assessment accompanying the masterplan envisages that 455 units can be delivered before the Link Road is required. Therefore, if the Link Road is delayed there should be no significant implications for the delivery of this site. The site is available with no physical

constraints that cannot be overcome by mitigation. There is clear evidence that housing completions will begin in the next five years.

100. As a result of United Utilities land interests within the site, not just infrastructure, and to ensure an appropriate drainage strategy and connection to the public sewer, early dialogue will be required with the company. **MM084** achieves the above amendments for effectiveness.

Policy H044-46: Land at Holden Fold, Darwen

101. The Council is the principal landowner of this site and has been working with other landowners to bring the site forward. A tender process has been completed with a preferred developer identified. A planning application has been submitted. **MM085** updates the key site information to reflect a reduction in total capacity from 397 to 367 units within the Plan period and an amended delivery trajectory. The site was identified as comprising three land parcels in the SHELAA: H044-46. **MM085** amends this in the Plan to H044 for consistency with other policies and to avoid confusion.
102. In February 2021 the Council adopted a masterplan for the site to guide its development (E30). The KDCs in the Plan reflect the mitigation measures identified to address issues of biodiversity, contamination, landscape impact, flooding and drainage, heritage and archaeology. The highway improvements identified in the masterplan for the Moor Lane access are to be delivered by the Council. The site is suitable for housing and viable with clear evidence it will be delivered in five years.
103. **MM086** amends the third KDC relating to Utilities Infrastructure so that it is clear that United Utilities have both infrastructure and land interests within the site. It also amends KDC3 relating to Landscape Character to name the adjacent woodland, Polyphemus Woods, and correctly state that it is not an Ancient Woodland. These modifications ensure the policy is clear and effective.

Policy H068: Queen's Park, Blackburn

104. This allocation involves two separate, closely related sites owned by the Council and is allocated for market housing including self-build plots. Planning permission has been granted for 13 two bed bungalows for the plot on Borrowdale Avenue to be delivered by a Registered Provider. The second plot, for 8 custom and self-build homes is being progressed by the Council with Brownfield Land Release Funding. Now that planning permission has been granted on one site, **MM087** is necessary to amend the amount of development from 20 to 21 dwellings, update the anticipated delivery information and the planning history for effectiveness.

105. The allocation is suitable and available, and the development is viable with clear evidence both plots will be delivered within five years. In line with the modification to Policy CP4 – Housing Development (**MM008**), an additional KDC is included in **MM088** to ensure a design code is prepared to ensure a consistent and cohesive approach to the self-build units. This ensures consistency and effectiveness.

Policy H072: Roe Lee Mills, Blackburn

106. This site is allocated for residential development in the current Local Plan Part 2. The allocation is brought forward into this Plan. The site has a temporary planning permission for car sales for a period of 2 years. The landowner has confirmed the intention to bring a scheme forward for 26 dwellings in 2023/24. In the housing trajectory it was anticipated that the site would contribute towards the first 5 years of supply in the Plan, 2021/2026. In light of the anticipated timeframe for the site coming forward, for effectiveness **MM089** pushes the site's delivery back to 2026-2031. Based on the evidence, the site is suitable for housing and is developable with a realistic prospect of delivery as envisaged.
107. There is a weaving shed to the south of the site which is a non-designated heritage asset. A Heritage Impact Assessment prepared for the site concludes that there would be no harm to this building because of the site development. For effectiveness, **MM090** removes KDC6 relating to Heritage assets as an assessment of the impact on the building's significance has already been undertaken.

Policy H080: Springside Works, Belmont

108. This former paper mill and industrial site is located in the Green Belt near the village of Belmont. Planning permission to remediate and restore the 'new tip' part of the site was granted in 2017 and is being implemented. There is an expired planning permission for 110 dwellings on the site, but a new application has been submitted for 116 units. The site is to be brought forward by a volume housebuilder with delivery anticipated to commence in 2024/25. **MM091** amends the key site information for effectiveness, to reflect the slightly increased number of units proposed in the planning application and amend the delivery figures accordingly.
109. As the site is previously developed land located in the Green Belt, it is not proposed to be released from the Green Belt. Its redevelopment for housing would in principle comply with paragraph 149 g) of the Framework, providing that the proposal would not have a greater impact on the openness of the Green Belt than the existing development. KDC1 in the policy makes it clear that in this regard the development must comply with relevant planning policy. We are satisfied that this is achievable. A reduction in built volume on the site is highly

likely, as the large industrial buildings are proposed to be replaced by 2/3 storey housing.

110. The site lies near a reservoir flood zone and part of the site is within Flood Zone 3b, an area with the highest risk of flooding. The Strategic Flood Risk Assessment (E67) accompanying the Plan concludes that flood risk associated with the site should be manageable through careful consideration of design and layout. The policy is ineffective as it does not adequately address these issues, in particular the presence of utilities infrastructure along the access road, the impact on United Utilities land interests, the operational reservoir and the site's location close to a reservoir flood zone. **MM092** amends the policy to include these matters for clarity and effectiveness.

111. The site is also in close proximity to the West Pennine Moors SSSI. The potential impact of the development through recreational disturbance should be considered at an early stage of project planning. **MM092** also adds this requirement to the policy for effectiveness.

112. The site is available for housing, and there are no physical constraints that cannot be resolved. The site is therefore deliverable / developable.

Policy H094: Land at Scotland Bank Terrace, Blackburn

113. This site is allocated for 30 dwellings with delivery in 2026-2031. The site promotor and a national housebuilder are bringing the site forward for development. Pre-application discussions have taken place with a view to an application being submitted in late 2023. In light of this, **MM093** is necessary to revise the capacity of the site from 30 to 41 dwellings for effectiveness. The site is suitable for housing, the viability has been tested through the Plan Viability Study (E55) and there are no insurmountable constraints. The site is therefore considered to be developable.

Policy H181: Land at Marsh House Lane, Darwen

114. This allocation for 140 dwellings comprises land either side of Marsh House Lane. Land immediately to the north forms an existing housing allocation in the adopted Plan, which itself lies to the west of an existing housing development. The site can be described as forming part of the eastern expansion of Darwen.

115. The site is available and there are no insurmountable constraints to the development coming forward. The varied topography of the site and existing trees, woodland and hedges can be addressed through site layout and design. The site is being promoted by the landowner and has reasonable access to local services and facilities. There is a reasonable prospect it can be viably developed when envisaged, commencing in the period 2026-2031.

116. For effectiveness, the need for the development to address the presence of United Utilities infrastructure within the site should be stated in the policy (**MM095**). The site lies adjacent to an identified Environmental Opportunity Area (EOA) for woodland planting. The respective KDC is unclear as to what would be expected from the development. In order to be effective, **MM095** addresses this by explaining that the site would be expected to contribute towards woodland improvements to the adjacent EOA.

Policy H195: North East Blackburn Strategic Housing Site

117. This strategic site of just over 97 hectares has the capacity to accommodate around 1,500 dwellings. The majority of the site forms safeguarded land in the Local Plan Part 2 and in line with national and local plan policy, is being brought forward for development beyond that plan period, through the new Plan.
118. The site is in multiple ownership with the Council owning approximately half of the land area. A Memorandum of Understanding (BwD033) has been signed by all parties to provide for the costs of bringing the site forward. There are therefore no land ownership constraints.
119. A Development Framework for the site was prepared in December 2020 (E46) as well as other technical documents. This evidence analyses the site, identifies constraints, provides an outline development framework, considers site delivery and the need for infrastructure to support it. This work will provide the foundation for the preparation of a masterplan, design code and infrastructure and delivery strategy, required by KDC1 in the policy. It will ensure a comprehensive coordinated development. The masterplan is to be prepared by the Council and it is anticipated that a start on it will be made in October 2023 with completion in early 2025 following consultation with all stakeholders and the local community. Discussions have been held with Homes England regarding potential support options including help with the masterplan, technical work and achievement of planning consent.
120. Upper Mickle Hey Farmhouse and attached buildings, Eddy Holes Stable and Shippens to Eddy Holes, as well as Myles Wife Hey, are all located outside of, (but inset or within close proximity to) the site boundary and are listed buildings. There are also a number of non-designated heritage assets in close proximity to the site. A Heritage Impact Assessment was prepared for the allocation which identified a number of mitigation measures. In raising concerns about the impact of the development on heritage assets, Historic England requested an addendum Impact Assessment be undertaken. This confirmed that the development would result in less than substantial harm to the heritage assets and suggested a series of further, more specific mitigation measures.
121. The Council and Historic England have agreed a Statement of Common Ground which includes the agreed revised mitigation measures. **MM097** amends the

heritage KDC to require two no development zones around Upper Mickle Hey Farm and Eddy Holes, additional landscaping to the south of Eddy Holes and the reintroduction/reinforcement of the historic route that runs east-west across the site as an integral part of the proposed public open space provision. This ensures the policy is justified and effective in regard to heritage matters.

122. A range of utilities infrastructure, easements and rights of way are present within the site. **MM097** is necessary for effectiveness to ensure that utility infrastructure is protected and maintained, and that early dialogue takes place with United Utilities prior to the preparation of the masterplan.
123. In terms of public water supply, Eddy Holes Service Reservoir lies outside of, (but inset within) the site boundary. Early discussion with United Utilities should take place and measures taken to ensure that the reservoir and access road are protected during the construction process and during the lifetime of the development. **MM097** adds these requirements to the public water supply KDC for effectiveness.
124. With regard to Brownhill Drive A6119, the Borough wide transport studies (E42a and E42b) included an assessment of the highway implications of the proposed housing development. Two highway schemes are identified. Firstly the North East Blackburn Link Road, a new distributor road through the site, and secondly upgrades to the A6119 Brownhill Drive/Whalley Old Road junction. Both of these schemes are included in the Council's Infrastructure Delivery Plan to be funded by section 106 contributions and delivered by the Council.
125. The Development Framework for the site includes an access and movement strategy. This confirms the intention to provide segregated pedestrian and cycle routes as well as public transport through the site. Overall, we are satisfied, based on the evidence before us, that a safe and suitable access can be achieved, and mitigation measures will alleviate any highway capacity and safety issues.
126. A site-specific viability appraisal has been prepared for the site. Taking account of construction and infrastructure costs, the development is anticipated to be viable. In recognition of the timeline for a site of this size to come forward and deliver houses, for effectiveness **MM096** amends the key site information to push delivery back, reducing the number of homes to be delivered in the Plan period from 750 to 690 dwellings, and increasing the number of homes anticipated beyond the Plan period to 810 dwellings.
127. Additional KDCs are required to Policy H195 to achieve a well-planned sustainable development. In relation to ecology, the potential ecological impacts of the development should be assessed. The Preliminary Ecological Appraisal (E47) for the site identifies areas of habitat importance and ecological

constraints as well as mitigation measures which should be considered in the design and to achieve biodiversity net gain. As the southern part of the site falls within a Coal Authority High Risk Area, a Coal Mining Risk Assessment would be required. **MM097** adds two further KDCs to ensure the policy is justified and effective.

128. The Clinical Commissioning Group (CCG) in their Statement of Common Ground (SD15) with the Council, provided details of health care requirements generated by the North East Blackburn Strategic Housing site. The short-term solution would be to expand existing health facilities with the potential for a new primary health care facility on site to meet longer term needs. There is still some uncertainty whether this facility would be required and in what form. To provide flexibility, there is a need for it to be kept under review as the masterplan is prepared and the site progresses. The position is reflected in a new KDC for effectiveness (**MM097**).
129. There is also the potential for a local centre within the site which could incorporate the above health facility. This should be in a central location and be accessible. Again, **MM097** adds a new KDC to address this to ensure the policy is effective.
130. In summary, the North East Blackburn Strategic Housing site forms a suitable location for development and identified constraints can be overcome through the masterplan and high quality design. The scheme is viable and can contribute to housing supply throughout the Plan period and beyond. It is deliverable and developable.

Policy H198: Land at Former Longshaw HOP, Crosby Road, Blackburn

131. This Council owned site is allocated for 18 residential units and is to be brought forward using Brownfield Land Release funding. The Council is in discussion with a partner Registered Provider to construct homes for affordable rent. The site is viable and deliverable.
132. **MM098** adds a new KDC to highlight the need for early dialogue with United Utilities due to the presence of utilities infrastructure within the site in order for the policy to be effective.

Policy H217: Land at Silas' Church, Preston New Road, Blackburn

133. This small site is allocated for 10 dwellings. The church is a Grade II* listed building. A Heritage Impact Assessment has been prepared which concludes that the development of 10 dwellings would cause harm to the significance of the heritage asset. It is recommended that a much smaller scheme be brought forward, in the region of 2 dwellings.

134. There has been limited progress in the development of the site and no evidence to indicate that at the current time the site is viable and deliverable. Furthermore, the Local Plan has adopted a threshold of 5 dwellings or more and does not allocate sites of this size. Should the site come forward for development it would be considered to be a windfall site. We therefore consider it is justified that the site be deleted from the plan (**MM099**) and the housing trajectory. A corresponding change to the Policies Map would also be required.

Policy H222: Land at Blackburn RUFC, Ramsgreave Drive, Blackburn

135. This site of just over a hectare in size is allocated for 23 dwellings. In 2017 the Council adopted the North Blackburn Masterplan to provide a comprehensive development framework for this site as well as adjoining land. It was recognised that the delivery of North Blackburn would likely be phased over several years in response to local market conditions. Some sites have been completed; others are under construction.
136. The development of the site involves the loss of a playing pitch currently used as the rugby club's practice ground. The policy requires that a replacement pitch be provided prior to the commencement of development or that subject to agreement, improvements be made to the existing main pitch. The anticipated timescale for delivery should be amended to provide time for this policy requirement to be met.
137. The allocated site is being promoted for development by the landowner. Developers are actively being sought with a preferred bidder to be identified. The site is a suitable location for housing, there is a realistic prospect of delivery and therefore the site can be considered to be developable.
138. Considering the above, **MM100** amends the key site information to push anticipated delivery back to 2026-2031. **MM101** adds the requirement for early dialogue with United Utilities to secure an appropriate drainage strategy for the site and also adds a new KDC to require that any ecological impacts must be considered as part of any planning application. In addition, the MM deletes reference to the site's proximity to a known Roman road which is not relevant. These modifications ensure the policy is justified and effective.

Policy H224: Land off Bog Height Road, Blackburn

139. This site allocated for 75 dwellings forms an existing residential allocation in the Local Plan Part 2. It lies immediately adjacent to the Bank Hey Housing Growth Allocation (H042) for which a masterplan has been prepared and adopted (E5). Whilst the masterplan does not include this site, it is justified in the interests of consistency and good design, that its development should be brought forward in line with these principles.

140. Access to the site is proposed from a new link road connecting Bog Height Road to Ashwood Avenue. The Council is committed to the delivery of the link road and envisages completion in 2026/27. Should the road be delayed, there should be no impact on the delivery of this site as there are a number of other access options that could be explored in advance of the link road completion. **MM103** makes this clear in the policy for effectiveness. In recognition of the issues to be resolved, **MM102** revises the key site information pushing the delivery of the majority of the site to 2026-2031.
141. The site promoter has confirmed the commitment to bring the site forward for development early in the Plan period. It is a suitable site for housing and there are no insurmountable constraints to its development. The site is therefore deliverable/developable.
142. The policy wording is ineffective for a number of reasons. Firstly, it does not require a development to consider and mitigate any potential ecological impacts. Secondly, it should be highlighted that early dialogue with United Utilities is necessary due to the presence of their infrastructure and land interests in the site. Finally, as the site is located adjacent to the West Pennine Moors, the development should be designed to minimise any impacts on landscape character, ecology and recreational value of this area. Important on-site landscape features should also be retained. **MM103** makes the necessary revisions for effectiveness.

Gypsy and Traveller Growth Site Allocations

143. There is an identified need for Gypsy and Traveller pitches in the Borough over the Plan period. We discuss this in detail in Issue 8. The following two sites are allocated to meet the need in the first five years of the Plan.

Policy GT213: George Street West, Blackburn

144. This site owned by the Council is allocated to provide 5 pitches for Gypsies and Travellers. It forms an existing Household Waste Recycling Centre which is to be vacated following the development of a new facility in Darwen designed to serve the Borough as a whole. This new facility features in the Infrastructure Delivery Plan, has been designed and the Council is committed to bringing it forward in the next 2-3 years. Given the above, this site is considered to be deliverable.
145. **MM129** is necessary for effectiveness to add a new KDC requiring development to retain and protect the existing trees on the site and the stone wall frontage to ensure a high-quality sustainable design. We have added a further MM to the Schedule of MMs in the Appendix to amend the anticipated delivery of the site to 2024/25 in recognition of the delay in the relocation of the Household Waste Recycling Centre (**MM129a**).

Policy GT215: Land adjacent Intack Bus Depot, Blackburn

146. This former bus depot site owned by the Council is to provide 5 transit pitches for Gypsies and Travellers. **MM130** amends the key site information to update the anticipated delivery date from 2022/23 to 2023/24.
147. An Outline Feasibility Report (E24) has been prepared to consider the opportunities and constraints of the site and to demonstrate its viability and deliverability.
148. We accept that the site could also be appropriate for residential use as many of the considerations for the suitability of a transit site are similar, for example access to local services and facilities, being located in an area of low flood risk and providing a satisfactory level of amenity for occupants. However, the allocation of the site for a transit site rather than for residential development does not make the Plan unsound. We are satisfied that the allocation is reasonable and justified.

Conclusion

149. In summary, we conclude that the proposed housing allocations are justified, positively prepared in meeting the Borough's needs, effective in terms of deliverability over the Plan period and consistent with national planning policy in enabling sustainable development.

Issue 6 – Whether the Plan identifies a sufficient supply of sites to ensure that the identified need for additional homes in the Borough will be met and whether a five-year supply of deliverable housing sites will be identified on adoption.

Housing Supply

150. The total housing requirement over the Plan period is 7,152 dwellings. The updated supply position as stated in the Council's updated housing trajectory figures (BwD056) shows a projected supply of 7,508 dwellings. It therefore exceeds the housing requirement by 356 dwellings and provides a 5% buffer. In this regard, the Plan is consistent with paragraphs 60 and 66 of the Framework which seek to boost significantly the supply of housing and ensure that local plans meet the identified housing need.
151. The supply comprises commitments that have not commenced, commitments that have started, Local Plan allocations, windfalls and reoccupied long term empty properties.

152. In relation to sites with planning permission, the Council has applied a lapse rate of 15% to recognise that not all permissions will be implemented. In addition, a lapse rate of 5% is applied to committed sites under construction to take account of the possibility that sites may stall. This forms a robust approach which ensures that the overall supply figure is reasonable and justified.
153. In terms of windfalls, the Housing Topic Paper (BwD012) illustrates that windfall delivery rates from small sites under 5 units in the last five years, 2017/18 to 2021/22, have demonstrated an average of around 68 dpa. These include sites in existing residential use (e.g. redevelopment or conversion), other urban land, former offices, agricultural conversions and other ('sui generis') land uses. These uses are likely to continue as future sources of supply. Furthermore, new permitted development rights, which came into force on the 1 August 2021, allow for changes of use from the new use Class E (Commercial, business and services) to C3 residential. Such proposals further contribute to the supply of windfall sites.
154. The Housing Trajectory rounds up the average windfall figure to 70 dpa from 2024/25, excluding the first three years of the Plan period to avoid double counting. An allowance of 10 units is included for large sites over 10 dwellings. This is justified in light of the large number of windfall completions achieved in the Borough over the period 2017-2022 detailed in EL7.A42. A figure of 10 units is deducted to take account of demolitions which is line with the numbers achieved over the last five years.
155. We are satisfied that, in line with paragraph 71 of the Framework, this analysis provides compelling evidence that windfalls will provide a reliable source of supply and make a significant contribution to meeting housing needs.
156. Long term empty properties that have been brought back into use also form part of the supply. The Council has, in recent years, invested in bringing empty properties back into use across the Borough. It is difficult to estimate the number of long-term empty homes that will be reoccupied, due to various factors including funding. The Council anticipates a slight reduction over time, with the housing trajectory including a figure of 20 dwellings in 2023/24, 29 in 2024/25, 28 in 2025/26 and 27 in 2026/27. Based on the evidence, the inclusion of long-term empty properties in the housing supply is reasonable and justified.
157. In assessing deliverability, the Council has adopted a prudent approach, assuming a maximum delivery rate of 25-30 dwellings per year on large scale sites. An uplift is applied in relation to affordable housing schemes and where more than one volume housebuilder is involved. Where available, estimates from developers, landowners and site promoters are also used. The Council has provided completion rates for major housing sites in the Borough (BwD032) which provides local data supporting the Council's build rate assumptions. We

are satisfied that the Council has adopted a robust and justified approach to delivery rates which seeks to ensure that, where possible, sites are supported by clear evidence that completions will begin when anticipated.

158. Some sites will also continue providing new housing beyond the Plan period. This is due to their strategic size and infrastructure requirements. These include Land at Bank Hey (H042), with 233 dwellings beyond the Plan period out of an allocation of 650 dwellings, Land at Holden Fold (H044), with 6 dwellings beyond the Plan period out of an allocation of 367, and the North East Blackburn Strategic Housing Site (H195) with 810 dwellings anticipated to be delivered after the Plan period out of a total of 1,500 dwellings to be delivered across the site.
159. The Framework in paragraph 68 seeks a supply of specific deliverable sites for years 1-5 of the Plan period and specific developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15 of the Plan. We shall deal with the supply for the first 5 years of the Plan below. Expected delivery for years 6-10 and 11-15 is provided in the Council's Revised Housing Trajectory which includes site-specific details.
160. The housing trajectory is based on reasonable evidence and assumptions and identifies a sufficient supply of housing to meet the minimum housing requirement consistent with national policy. We are therefore satisfied that there is a supply of specific, developable sites for years 6-10 and 11-15 as required by paragraph 68 of the Framework.
161. The Housing Topic Paper update (BwD012) sets out that around 17% of homes are identified to be provided on sites of less than a hectare in size. This exceeds the 10% requirement in paragraph 69 of the Framework.
162. The Council has committed to closely monitor the housing supply position through its annual monitoring process. If the supply of new homes does not keep pace with the minimum annual requirement over three consecutive monitoring periods and the housing trajectory over the full Plan period, the Council have committed to produce a housing delivery action plan to help assist delivery or will commence a review of the Plan. For effectiveness and to ensure the Plan is positively prepared, this is set out in **MM009**. We are satisfied that should sites fail to come forward or are delayed, with the 5% buffer and effective monitoring, the Plan provides adequate flexibility and contingency.
163. For effectiveness, modifications to the housing trajectory are required to reflect the most up-to-date housing supply position, clarify the components of housing land supply and set out the expected rates of delivery from the strategic sites. This is achieved by **MM134**.

Five Year Housing Land Supply

164. Paragraph 74 of the Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their requirements, with an additional buffer of 5% to ensure choice and competition in the market for land.
165. The Council are looking to confirm the 5-year housing land supply through the Local Plan examination process. This allows the supply to be fixed from the date of the Plan's adoption for the appropriate period set out in national policy. In these circumstances, Planning Practice Guidance sets out the requirement for a minimum 10% buffer to be added to the housing requirement to account for any fluctuations in the market during that year. Paragraph 75 of the Framework states that the delivery of sites in the five-year supply should be produced through engagement with developers and others having an impact on delivery. The Council has complied with this requirement.
166. Monitoring evidence shows that housing delivery in Blackburn with Darwen for the five years between 2017/18 and 2022/23 has exceeded the housing requirement. Therefore, for the purposes of the Framework, there has been no persistent under delivery of housing.
167. The total housing requirement, including the 10% buffer, for the 5-year period 2023-2028 is 2,459 dwellings. The anticipated housing supply over the same period is 3,425 dwellings. This equates to a 7-year supply.
168. Around 1,536 dwellings in the 5-year supply are from sites under construction with 880 dwellings from commitments not yet started, 624 from site allocations, 280 from windfalls and 105 from reoccupied long term empty properties. It is notable that just under half of the 5-year supply comes from sites under construction which provides reassurance that the anticipated supply will be achieved.
169. With regard to the deliverability of sites without planning permission in the 5-year supply, the majority of which form allocations in the Plan, the Council has engaged with the respective site promoters to request estimates on predicted start dates, build rates and deliverability. Details of the responses are provided in Appendix D to the Housing Topic Paper (BwD012). A Memorandum of Understanding has been prepared and signed by all the landowners who have an interest in the North East Blackburn Strategic Housing site (H195) (BwD033). This confirms the commitment of landowners to bringing the site forward.
170. The above evidence, together with the lapse rates applied which we have outlined above, provides confidence that the sites in the five-year supply will

deliver as anticipated and a five-year supply of deliverable sites will be available on the adoption of the Plan.

Conclusion

171. Subject to the MMs we have described, the Plan identifies a sufficient supply of sites to ensure that the identified need for additional homes in the Borough will be met and that a five-year supply of deliverable housing sites will be available on the adoption of the Plan.

Issue 7 – Whether the proposed employment and mixed use allocations are justified, positively prepared in meeting the Borough's needs, effective in terms of deliverability over the Plan period and consistent with national planning policy in enabling sustainable development.

Employment Growth Site Allocation Policies

Policy E047: Hollins Grove Mill, Darwen

172. This is the site of a former mill, now cleared, lying within the built-up area of Darwen. Permission was granted in March 2022 for the erection of 2 industrial warehouse buildings on the northern part of the site. In order to be effective, the capacity of the site consequently needs revising, which is achieved in **MM104**. A private developer has an option agreement on the remainder of the site.

173. Because of the proximity of a wastewater treatment plant and industrial uses, for effectiveness, it is necessary to undertake noise as well as odour impact assessments prior to further development taking place on the site. It is also necessary for foul and surface water drainage to be considered at an early stage. The additional requirements are inserted in the policy by **MM105**.

Policy E145: Issa Way North, Blackburn

174. The site is owned by the Council and lies within the built-up area of Blackburn. Access would be gained from the recently built Issa Way link road. The site lies below a reservoir and therefore early dialogue with United Utilities is required. A small part of the site lies within Flood Zone 3, which is to be omitted from the developable part of the site. Anticipated delivery of development on the site has changed from 5 to 2 years; for clarity and effectiveness the policy is updated by **MM106**.

Policy E149: Carl Fogarty Way, Blackburn

175. The policy encompasses 5 separate plots whose development potential has been unlocked by completion of Carl Fogarty Way as a new distributor road. Plots 1, 4 and 6 have planning permission. Options are being considered for the remaining plots. For clarity and effectiveness, the amount of development potential specified in the policy and anticipated delivery requires updating, which is achieved by **MM107**. For the avoidance of doubt, there is no plot 5, as land formerly labelled as such is being used as public allotments, which are intended to remain.
176. For effectiveness it is also necessary to amend the policy to make it clear that United Utilities infrastructure and/or drainage area applies to plots 1, 2 and 3, and that surface water will need to be discharged in accordance with Policy DM13. For clarity and consistency with the Framework, it is also necessary to reference the setting of the Grade II listed Imperial Mill lying to the north of the canal. These changes are made by **MM108**.

Policy E158: Balle Street Mill, Darwen

177. The site is previously developed land in the built-up area, now cleared and available for development. Planning permission has recently been granted for employment uses, and construction is expected shortly. In the interests of effectiveness, **MM109** is needed to require further dialogue with United Utilities due to the presence of drainage infrastructure on the site.

Policy E167: Evolution Park (Medipark), Blackburn Hospital

178. The site lies within the built-up area adjacent to the Royal Blackburn Teaching Hospital. The site is owned by the Council, who has been working with the East Lancashire Hospitals Trust to develop a business park based around medical training and associated uses. The Trust is currently developing a proposal for an educational building on part of the site. The proposed site capacity is in addition to this concept building, and in the interests of effectiveness, it is necessary to clarify this point through **MM110**, as well as updates to the site capacity and anticipated delivery.
179. A small part of the site lies within Flood Zone 3, which is to be omitted from the developable area of the site. The presence of drainage infrastructure on the site, and a potential risk to foul drainage, requires additional supporting text, as contained in **MM111**, for effectiveness.

Policy E168: Plot C, Shadsworth Business Park, Blackburn

180. This site lies within the built-up area, in an established business park. It is already allocated for employment use in the Local Plan Part 2 and remains suitable for such a use. The potential for ground contamination and the need for

remediation is recognised in KDC3. The Council has sold the site to a local business for expansion. Permission has been granted for development, which has now commenced. For clarity and effectiveness, an update to the anticipated delivery date is necessary, through **MM112**.

Policy E172: Chapels Park South, Darwen

181. The land lies within the built-up area of Darwen and has been acquired by the Council and a local firm as a joint venture partnership. Town Deal funding is to be used to underground the electricity supply currently bisecting the site, making it commercially viable. Manufacturing firms adjoin the site and land to the north (outside the site) is proposed to be used for a new household waste recycling centre.
182. For effectiveness, updates to the developable site area and anticipated delivery are necessary and are achieved through **MM113**. Further modification through **MM114** is required to ensure developers agree an appropriate drainage strategy and are alert to the presence of drainage infrastructure on the site, also for effectiveness.

Policy E179: Junction 5 Strategic Employment Site

183. The site comprises 2 parcels of land: Parcel 1 of 19ha to be accessed from the Haslingden Road; and Parcel 3 of 2.8ha to be accessed from School Lane. A third parcel of land (Parcel 2) of 16.2ha lies in between Parcels 1 and 3. It does not form part of the site allocation and is proposed to be safeguarded with potential for future employment use beyond the Plan period.
184. The purpose of the site is to provide employment land for industrial and warehousing uses in accordance with the economic strategy of the Plan. As submitted, the policy refers only to B class uses. Subsequent changes to the Use Classes Order, with the introduction of Use Class E subsuming some but not all the B class uses, means that the expected uses for the site need to be redefined to identify B2 (general industrial) and B8 (storage and distribution) as the primary intended uses for effectiveness. This is achieved by **MM115**. Supporting ancillary uses will be considered on a case-by-case basis.
185. The updated HENA (E32) forecasts a need for broadly equal amounts of industrial and warehousing land over the Plan period. As industrial employment is more valuable in terms of its economic and social benefits, the Council wishes to ensure that at least 50% of floorspace on the site would be general industrial. Some degree of flexibility is desirable between the parcels, subject to the overall proportions being met on the site as a whole. **MM116** introduces a new KDC to clarify this point for effectiveness.

186. An option has been taken out on Parcel 1 by a developer of employment sites, and Parcel 3 is owned by the Council. There are therefore no ownership constraints on the land being brought forward during the Plan period. The site is identified in Policy CP8 as one of the strategic sites requiring a masterplan. Because of the split nature of the parcels of land within it, the first KDC requires modifying to make it clear that the requirement for masterplanning applies to each of the parcels, which will each need their own masterplan. **MM116** makes the necessary change for effectiveness.
187. Both site parcels and the safeguarded land are to be removed from the Green Belt. The strategic case for removal of land from the Green Belt is examined under Issue 4. There we conclude that there are exceptional circumstances at the strategic level to justify the release of land from the Green Belt to deliver identified employment needs.
188. Within the Borough, there are limited opportunities to meet the qualitative requirements for a strategic employment site, as summarised in the commentary on Issue 2. The Council undertook an assessment of reasonable alternative sites in its Strategic Employment Site Planning Case (E64a). Following an assessment process, two other sites in addition to E179 were considered in more detail (Blackamoor Road North and North East Blackburn). For the reasons set out in the planning case, neither of these alternative sites meet all of the requirements sought for a strategic employment site.
189. It is also proposed to release an area of land from the Green Belt that is not required to meet forecast employment needs over the Plan period but is to be safeguarded for possible future employment use beyond that period. Paragraph 143 of the Framework advises that where necessary, areas of safeguarded land should be identified between the urban area and the Green Belt to meet longer-term development needs stretching well beyond the Plan period. Given that the economic strategy of the Council is one of promoting economic growth, it is sensible to safeguard land for that purpose. Safeguarding such land would also avoid the need to alter Green Belt boundaries again at the end of the Plan period. The safeguarded land is well related to the two parcels contained in E179.
190. The site and safeguarded land do contribute to some of the purposes of the Green Belt, in particular helping to check the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment. They also contribute moderately to preventing neighbouring settlements merging into one another, although in this case we consider that sufficient land would remain between the site and Belthorn to maintain a sense of separation. The site and safeguarded land play a lesser role in assisting in urban regeneration, and do not contribute to preserving the setting and special character of historic towns.

191. The harm so caused to the purposes of the Green Belt identified above has to be weighed against the conclusion that there are exceptional circumstances at a strategic level to justify the release of Green Belt for employment use; and also the lack of reasonable alternative sites that would meet the size and locational requirements needed. Having regard to these factors, we consider that exceptional circumstances do exist for the release of Green Belt on E179 and the safeguarded land.
192. The revised Green Belt boundaries would follow physical features on the ground. These consist of field boundaries defined either by stone walls, hedging or access tracks and clearly delineate the boundaries of the site. Potential compensatory improvements to the environmental quality of the site and accessibility to remaining Green Belt land have been explored in Employment Site Potential Compensatory Improvements to the Green Belt 2021 (E65), and Green Belt Compensatory Measures (BwD041). These or other suitable enhancements form a requirement of KDC3 of the policy.
193. In landscape terms the site is relatively open and it will be necessary for a comprehensive landscaping and planting scheme to be included in development proposals for both parcels of land. The design and landscaping of new development will need to take into account the topography of the site, ensure adequate land around the perimeter of both parcels for planting, and maintain the setting of buildings at Blackhill Farm and along Haslingden Road and School Lane. We consider a greater emphasis on landscape mitigation is required in the policy for effectiveness. **MM116** introduces such a change by revising KDC9.
194. The design and landscaping of the two parcels also needs to address the safeguarded land in between, not only while it remains safeguarded, but also in the longer term to enable it to be functionally and visually linked to both adjacent parcels. It is necessary to ensure that this point is considered as an integral part of the site development. **MM116** adds an additional KDC13 for clarity and effectiveness.
195. The Council has assessed the highway safety and transport impacts of the site in a number of documents, including the Local Plan Transport Study (baseline and mitigation) (E41, E42a and E42b), the South East Blackburn Transport Strategy (E90), and the M65 Junction 5 Strategic Employment Site Transport Study (E66). The Council has consulted throughout the preparation of the Plan with National Highways and Lancashire County Council, who raise no objection to the highway safety or transport implications of the site allocation. Based on the evidence, we consider that there is no reason in principle why the two parcels cannot be accessed safely from Haslingden Road and School Lane respectively.
196. In the interests of highway safety, it is necessary that the site accesses are constructed prior to development of the respective parcels. It is also necessary

to ensure that in due course, the safeguarded land can be accessed from Parcel 1 without hindrance. **MM116** makes changes to KDC12 in the interests of effectiveness to address these points.

197. It is recognised that improvements will need to be made to M65 Junction 5 to improve its capacity, not only for the proposed strategic employment site but also to accommodate forecast demand on the motorway network. During the course of the examination, the Council was able to confirm that it has secured Levelling Up Funding for such improvements. This provides us with confidence that the necessary works are likely to be achievable within the Plan period. It is necessary to link occupation of the site to completion of these highway works. That link is included in **MM116** by an addition to KDC12 for effectiveness. We have considered whether development on the site should not be permitted to take place before the Junction 5 improvements are complete. In our view that would be an excessive restriction, as the demand on the junction arising from the site would be generated mainly when it was operational.
198. Means of transport to the site other than by the motor car is at present limited. It will therefore be necessary to ensure improvements to bus services, cycling and walking routes are carried out to improve accessibility to both site parcels. The Strategic Employment Site Transport Study (E66) sets out a range of enhancements that could apply, including extending bus services to the site parcels, adding bus shelters and upgrading a pedestrian crossing, widening footpaths for pedestrian and cycle use. A requirement for future occupiers to provide travel plans could also be used to restrict car-borne traffic and encourage more sustainable methods of transport. These matters would all be subject to planning obligations, informed by the masterplans, under KDCs 1 and 4 of the policy.
199. The site can be reached by a high-level footbridge over the motorway. Although access to the site is not solely reliant on the footbridge, further consideration needs to be given to its use and enhancement as a means of accessing Parcel 1. For effectiveness, **MM116** introduces a new KDC14 to the policy to address this point.
200. The Plan Viability Study (E55) provides evidence of the general viability of development sites within the Plan, including that at E179. Contributions, either financial or in kind, towards infrastructure or public services arising from demand generated by individual schemes will be sought in accordance with Policy CP12.
201. Development of the site will be required to demonstrate ecological sensitivity and provide biodiversity net gain in accordance with Policies CP6 (The Natural Environment) and DM15 (Biodiversity). The Ecological Assessment (E20a) undertaken for the purposes of SA, identifies the potential for priority species and species with European protection on the site but does not otherwise record the land as having particular ecological significance. We are satisfied that in

principle, and subject to suitable site-specific assessments at the planning stage, there is no ecological reason to prevent development on the site.

202. There are no plans to widen the B6232 Grane Road to the east of the site identified as necessary in the M65 Junction 5 Strategic Employment Site Transport Study (E66), and therefore it is unlikely to be required solely as a result of the development of this site. Were alterations to Grane Road to be proposed in the future, they would be subject to assessment at that time, including any ecological impact on peatland.
203. Various utilities are present on the site, including drainage infrastructure and high voltage electricity cables carried on pylons. Recognition of these utility assets, in particular the need to ensure adequate safety clearances are maintained, is necessary for effectiveness of the policy. **MM116** introduces additional text to KDCs 5 and 6 to address these points.
204. A Preliminary Risk Assessment (E63) has been carried out to identify any known risks to developing the site. The assessment addresses matters relating to former mining activity, landfill and disposal of nuclear waste in a former mine shaft at Bye Pit, to the east of the site in the early 1950s. It concludes that there is sufficient information on the potential contaminative status of the site to establish that employment development could be carried out safely. More detailed assessment would be carried out at the application stage to identify any localised contamination that required mitigation, as required by KDC6 of the policy.

Mixed Use Growth Site Allocation Policies

Policy MU008: Issa Way South, Blackburn

205. This site lies on the southern side of the Issa Way link road, opposite the allocated site E145 Issa Way North, in the built-up area. As a mixed-use allocation, the policy allows for either residential, employment or a mix of the two uses. The Council anticipates a capacity of 56 dwellings and 8,000sqm of employment on this site. Estimates of that capacity and its anticipated delivery have changed since submission, and **MM117** is required to provide an update for clarity and effectiveness.
206. Modifications to Policy CP12 (**MM024**) remove the minimum planning contributions that a new development would be expected to provide. Consequential modifications to the first KDC of the policy as set out in **MM118** are necessary to address these changes for effectiveness.
207. The site contains an attenuation basin that forms part of the surface water drainage system on this and adjoining land. The need to retain the basin and to recognise that the site contains land within the ownership of United Utilities are necessary additions to the policy. **MM118** provides the necessary changes.

Policy MU091: Former East Lancashire Coachbuilders Site, Whalley New Road, Blackburn

208. The site is previously developed land in the built-up area within an area of mixed-use character. Changes to the site capacity estimate since submission now suggest that the site has a capacity of some 4,000sqm of employment/commercial/community uses, and a later anticipated delivery period of 2029/30. Permission has been granted for a commercial scheme although development had not commenced at the time of the examination hearing. For clarity and effectiveness, **MM119** is necessary to update the capacity and delivery key site information.
209. The north-western boundary of the site lies adjacent to the River Blakewater. In addition to riparian responsibilities the bank of the river lies within Flood Zone 3 and should therefore be omitted from the developable area. Any development would also have to take account of the proximity of an adjacent wastewater pumping station within the ownership of United Utilities, and the potential difficulties of achieving adequate foul and surface water drainage on the site. Recognition of these matters as additions to the supporting text of the policy is necessary for effectiveness. **MM120** provides the necessary changes.

Policy MU096: Site of former Larkhill Health Centre, Barbara Castle Way, Blackburn

210. This site within the built-up area and close to Blackburn town centre is previously developed land, now cleared. It is allocated for residential or employment/commercial/community development, or a mix of any of those uses. The previous health centre has been relocated, and there is no policy requirement for a replacement community or health use on the site.
211. Anticipated delivery of the site has been delayed from 2025/26 to 2032/33. For effectiveness, the key site information therefore needs updating. **MM121** makes the necessary revision.

Policy MU197: Whinney Heights, Haslingden Road, Blackburn

212. This Council owned site lies close to the Royal Blackburn Teaching Hospital and adjacent to a small cluster of commercial uses around the junction of Haslingden Road with Old Bank Lane. It has potential for a mix of residential and commercial uses enhancing the local centre as well as providing new dwellings. The anticipated delivery date has changed from 2025/26 to 2030/31. **MM122** is needed for effectiveness in updating the key site information.
213. A public sewer runs through the site. Early discussion will therefore be necessary between the developer and United Utilities to ensure that this constraint is taken into account. For effectiveness, an additional KDC covering this point is added by **MM123**.

Policy MU210: Former Thwaites Site, Starkie Street, Blackburn

214. The site is previously developed land (formerly a brewery) in Blackburn town centre. It has now been cleared and is available for redevelopment. It lies in a highly sustainable location with good access by public transport. The land is owned in a joint venture partnership by the Council and a developer with the objective of redevelopment of this and the adjacent site MU211 as a comprehensive regeneration scheme for the town centre.
215. The Blackburn Town Centre East Development Framework (E6a) envisages the relocation of the Morrisons superstore to the former brewery site, with the current store site being redeveloped for residential and the multi-storey car park acquired for public use. In the event of that scheme not proceeding, the site would be suitable for a range of town centre activities, including residential, commercial and community uses. Both alternative proposals are compatible with the town centre strategy adopted by the Plan.
216. The site capacity and anticipated delivery date need updating having regard to the current position on site development. These changes are made by **MM124** for effectiveness. Policy CP8 requires masterplans for both MU210 and MU211.
217. Blackburn town centre is identified as an area with potential for a heat network development. This potential has not been developed in any detail and remains an aspiration rather than an expectation. To avoid unnecessary delay or expense to development of this site and MU211, which is important for the vitality and viability of the town centre, **MM125** and **MM127** introduce a degree of flexibility on this matter in the respective policies for clarity and effectiveness.
218. As submitted, vehicular access to the site was to be from Penny Street. There are other potential access points from other streets around the site, not just for vehicles but also for pedestrians and cyclists. To allow for flexibility in the design and access to the site, **MM125** introduces changes to allow other access points to be used, in discussion with the Council's Highways Team, for effectiveness.

Policy MU211: Former Markets Site, Penny Street, Blackburn

219. The site is previously developed land in Blackburn town centre. It was formerly used as a market, which is now housed on the lower floor of the adjacent shopping centre. The site is currently being used as a surface car park. In conjunction with MU210, the land forms part of a joint venture partnership between the Council and a developer and its redevelopment will form part of a comprehensive regeneration scheme for the town centre.
220. The relocation of the current car park use is dependent on relocation of the Morrisons superstore and the repurposing of its multi-storey car park for public use. If that scheme does not proceed, further consideration will need to be given to the use of the site as part of the wider Blackburn Town Centre East

Development Framework (E6a) or by a masterplan, as required by Policy CP8. We are satisfied that the policy is sufficiently flexibly worded to allow for alternative town centre uses on the site while remaining part of a comprehensive scheme for the wider Town Centre East Investment Area. Updates to the amount of development and anticipated delivery are necessary for effectiveness and are included in **MM126**.

221. Significant drainage infrastructure and the culverted watercourse of the River Blakewater runs through the site. These place significant constraints in how the site may be developed. The culverted watercourse also raises the issue of flood risk and how that can be addressed. Early engagement with United Utilities and the Environment Agency will be necessary to ensure these aspects are taken into account in the development of the site. Appropriate modifications to the supporting text of the policy are introduced by **MM127** for effectiveness.

Policy MU220: Land north and south of Wood Street, Livesey Fold (Orchard Mill), Darwen

222. This site is currently occupied for commercial purposes but is anticipated to be vacated shortly, with the occupier relocating to another site. It is adjacent to Darwen town centre and Duckworth Street district centre, with residential streets to the west. The site has potential for commercial or residential use, or a mix of the two.
223. The Level 2 Strategic Flood Risk Assessment (E68) identifies the potential for fluvial, groundwater and surface water flood risks on the site. United Utilities has also identified the need to agree a drainage strategy. These are likely to place constraints on the site and may constrain site capacity. It is therefore important that they are addressed at an early stage in the design. Changes to the supporting text are necessary for effectiveness and are incorporated in **MM128**.

Conclusion

224. In summary, we conclude that the process of selecting the employment and mixed-use site allocations was robust, and subject to the recommended MMs, the allocations are justified, effective and capable of being developed over the plan period.

Issue 8 – Whether the Core Policies of the Plan for People are justified and effective having regard to national planning policy and local context.

Core Policy 3 (CP3): Health and Well-being

225. Policy CP3 seeks to influence new development in ways that improve the physical and mental health and well-being of all those living in, working in or visiting the Borough. Policy CP3 operates in combination with other strategic policies (for example CP4 Housing, CP5 Climate Change and CP8 Securing High Quality and Inclusive Design) in promoting healthy and safe communities. In this respect it is consistent with national planning policy as set out in Chapter 8 of the Framework and local strategies, such as the Eat Well Move More Strategy 2022-2025 (E19) and Joint Health and Wellbeing Strategy 2018-2021 (E10).
226. An additional criterion to the policy is required for effectiveness to explicitly recognise the needs of the Borough's ageing population and their health and well-being needs. This is achieved through **MM006**.
227. The Council intends to use Health Impact Assessments to aid consideration of the effect of development on health. This is a procedural requirement rather than a policy. There is also no good justification for linking Health Impact Assessment only with development requiring Environmental Impact Assessment (EIA). Consequently, **MM006** is necessary to delete the reference to EIA development in the policy, and **MM007** is necessary to provide guidance on when Health Impact Assessments may be required, by reference to a screening toolkit that is included in the Planning for Health Supplementary Planning Document.
228. The supporting text to the policy references a number of accreditation schemes which could be used to demonstrate how the design of new development takes into account impacts on health and well-being. The mandatory use of these schemes would run counter to the Government's approach of rationalising many differing standards into a simpler set of optional technical housing standards, now incorporated in the Planning Practice Guidance. It is therefore necessary for effectiveness to clarify that the use of these accreditation schemes is encouraged rather than mandatory, except where specified in other policies. **MM007** achieves this aim.

Core Policy 4 (CP4): Housing Development

229. Policy CP4 considers the delivery of housing of all types. The first section of the policy sets out the housing requirement for the Plan period and considers location and delivery. We have discussed this in detail in Issue 3. We address the other sections of the policy below.

Affordable Housing Needs

230. The second section of Policy CP4 addresses affordable housing needs. The 2018 HENA (E31) assesses the requirements in the Borough over the Plan period using the methodology set out in the PPG and indicates a need for the delivery of 108 homes per annum. The need for 108 affordable homes per year

is not stated in the Plan. **MM009** adds this to the supporting text for effectiveness.

231. The policy requires that in developments of 10 or more dwellings at least 20% of homes delivered would be expected to be affordable units, based on an assumed tenure split of 50% affordable rent, 25% shared ownership and 25% First Homes. This figure has been tested in the Plan Viability Study (E55). This document concludes that for greenfield sites providing more than 15 dwellings, schemes are likely to be viable. However, for smaller schemes, it may be difficult to achieve policy compliance except in the higher value locations.
232. Older brownfield sites close to the town centre would also be unlikely to be viable except in the higher value areas. However, the Council has provided evidence of a number of brownfield sites that have been able to provide some level of affordable housing. Such opportunities should be maximised. In all likelihood, negotiations on a site-by-site basis would be required. This is recognised in the policy.
233. Given the above, we conclude that the requirement in Policy CP4 strikes an appropriate balance between meeting needs and ensuring that the housing allocations are viable and deliverable. The policy is a reasonable, justified and appropriate response to the evidence prepared to inform the Plan.
234. As submitted, the Plan included two policies relating to the delivery of affordable housing. Policy CP4 sets out the requirement for affordable housing and Policy DM5 provides further guidance on how viability will be considered and the type of affordable housing to be delivered. In the interests of effectiveness, it would be better for the Plan to provide one single policy. **MM030, MM031 and MM032**, delete the affordable housing elements of Policy DM5 and its associated supporting text and **MM008 and MM009** adds these to Policy CP4.
235. The requirement in Policy CP4 to provide 'at least' 20% affordable homes, suggests that schemes would be expected to provide a higher amount. **MM008** removes this phrase for effectiveness and adds a new part to the policy to explain that schemes providing more than the policy requirement will be supported subject to demand in the local area. The modification also requires schemes to have regard to the Council's Developer Contributions and Affordable Housing SPD for clarity and effectiveness.

Self and Custom Build Housing

236. The third part of Policy CP4 relates to self and custom build (SCB) housing. The Self Build and Custom Housebuilding Act 2015 requires Councils to keep a register of those seeking a SCB home. The Council's Update on SCB housing (EL7.A14) states there are 36 persons registered, whilst Table 1 of that update

confirms the numbers of persons registered in each annual base date. In accordance with national planning policy, a Council has three years in which to grant permission to an equivalent number of plots as there are persons on the register for that base period.

237. There is no set approach to calculating future demand. PPG advises that Councils should use demand data from their Register supported by other secondary data sources. Assessing the Register, an average of 4.5 new persons have been added to the Register each year since 2015/16. Rounding this figure up to 5 persons, equates to a need for 15 plots to achieve a rolling 3-year supply. An alternative calculation based on the National Custom and Self Build Association's data, suggests a need for 11 dwellings per 100,000 population in Blackburn with Darwen. This would equate to a demand for 18 plots over the Plan period, approximately 1-2 plots per year and between 3-6 plots to achieve a rolling 3-year supply.
238. Having regard to historic trends in demand and delivery, the actual need is likely to be somewhere between the two approaches and is likely to be similar to the current demand of around 5 persons requiring a plot each year. We recognise that other data sources may suggest higher demand figures in the Borough. However, based on the evidence before us, we are satisfied that the Council's assessment is sufficiently robust.
239. The Update Paper demonstrates that since 2019/20 the Council have been meeting and, in fact, exceeding their supply requirement. This is in the main met through windfall development. Having regard to the historic windfall levels in the Borough, it is highly likely that the need will continue to be met in this way.
240. The Local Plan does not prescribe a minimum number of SCB units to be delivered. This provides flexibility to respond to the fluctuations in the number of persons on the Register. We consider this general approach to be justified. To contribute positively to future needs, the Plan allocates eight SCB plots in Policy H068: Queens Park. We are satisfied that the Plan adequately provides for the likely SCB needs in the Borough over the Plan period.
241. The Levelling Up and Regeneration Act intends to bring forward legislation to amend the Self Build and Custom Housebuilding Act 2015. These proposed changes clarify that only land granted planning permission explicitly for self and custom build homes would qualify towards the Council's statutory duty to meet demand for SCB homes in their area. Once the necessary secondary legislation is passed, this may have implications for single dwelling windfall permissions which are counted towards the supply. It is therefore important that the Council continues to monitor both the supply and the demand on the Register. **MM009** makes this clear in the supporting text to the policy for effectiveness.

242. **MM008** amends part 5 of the policy and **M009** revises the supporting text, to make the Council's approach to supporting SCB housing clear in the Plan and to ensure the policy is effective. This includes a requirement for a design code for development proposing multiple SCB plots. It also sets out that where SCB plots are not taken up, evidence of marketing to establish a lack of demand would be required before plots can be developed for market housing. We have amended the wording of **MM009** in the schedule of MMs in the Appendix after the MM consultation to require a holistic site wide approach to the design and delivery of on-site infrastructure e.g. water and wastewater, in the interest of effectiveness.

Housing for Older and Vulnerable People.

243. The fourth part of Policy CP4 concerns the provision of Housing for Older and Vulnerable People.
244. The HENA 2018 (E31) demonstrates that Blackburn is expected to see a notable increase in older persons with the total number of persons over 65 expected to increase by 30% between 2016 and 2036. This is slightly higher than that projected for the region and nationally. There is also a higher level of disability compared to the national average and, with an increasing aging population, the number of people with disabilities is likely to increase. The report goes on to estimate a total need of around 1,700 units of housing for older people and around 400 dwellings for wheelchair users in the period to 2036. Making provision for older and vulnerable persons in the Plan is therefore justified.
245. As drafted, Part 6 of Policy CP4 requires residential developments of 10 dwellings or more to provide at least 20% of homes appropriate to accommodate the needs of older and vulnerable people. Further detailed guidance is provided in Policy DM03 which results in some duplication and ambiguity.
246. Policy CP4 is a Core Policy so it is appropriate and justified that it provides a strategic policy position with Policy DM03 providing more detail of the Council's expectations in this regard. **MM008** amends and simplifies Policy CP4, so that it requires new development to contribute towards the needs of older and vulnerable persons accommodation in line with Policy DM03. **MM009** revises the supporting text to the policy accordingly for effectiveness.

Gypsy and Traveller pitch requirement, location and delivery

247. The Council, working jointly with Hyndburn Borough Council, undertook a Gypsy and Traveller Accommodation Assessment ('GTAA') (E23) in 2019. The purpose of the report was to understand current and future accommodation needs. It was carried out in accordance with the Planning Policy for Traveller

Sites ('PPTS') and used desk-based research, stakeholder interviews and engagement with members of the travelling community.

248. The GTAA considered the needs of those meeting the planning definition of Gypsies and Travellers set out in the PPTS, households for whom their status could not be determined as they could not be interviewed (unknown households) and those who do not meet the PPTS definition. Having regard to the Smith case², as the GTAA included an assessment of the needs of Travellers not meeting the planning definition, we are satisfied that the GTAA has adequately assessed the needs of all Gypsies and Travellers in the Borough regardless of their status.
249. The Assessment concluded that over the period of its assessment 2018-2037, there is a cultural need³ for 42 permanent pitches and a PPTS need of 17 permanent pitches and 5 transit pitches. With the Plan covering the period 2021-2037, and since there have been no additional pitches provided during that period, the Plan period need is assumed to be the same. An explanation of the terms cultural need and PPTS need should be set out in the Plan for clarity and effectiveness. This is achieved by **MM010**.
250. The PPTS requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets. There is an identified need of 6 pitches over the first five years of the Plan. The Plan allocates GT213, George Street West to contribute towards this need with an indicative capacity of 5 pitches. A further site at Branch Road, Blackburn has been recently developed providing a further 5 pitches. The site does not have the benefit of planning permission; however, the Council is working with the landowner to secure the submission of a planning application. It is notable that the GTAA⁴ would have counted the Branch Road site as an 'unauthorised site which could offset permanent pitch need by becoming regularised' and would have counted it as part of the supply. It is therefore reasonable and justified to include this site as part of the five-year supply.
251. The remaining PPTS need over the Plan period would be met through windfall pitch developments that come forward in the urban area. Such proposals would be assessed against Policy DM04. The Council has provided evidence of windfall Gypsy and Traveller sites that have been granted planning permission in the urban area since 2006. This provides some confidence that further sites will come forward over the Plan period to meet the identified need. The Council will need to monitor the situation over the Plan period to ensure that the policy is

² Smith v SSLUHC & Ors [2022] EWCA 31 October 2022

³ ie unknown need and those not meeting the PPTS definition

⁴ GTAA 2019 (E23) Page 57 paragraph 7.33

being successful in meeting the Borough's needs. **MM009** adds to the supporting text to set out this commitment for effectiveness.

252. The Plan meets the need for 5 transit pitches on GT215, land adjacent Intack Bus Depot, Blackburn. The GTAA identified no need for plots for Travelling Showpeople.

253. Further modifications are required to the policy for effectiveness and to ensure that the policy is justified. They include the identification of the need over the Plan period, removal of reference to the allocation of sites and further text to ensure that the loss of allocated sites, not just existing pitches, to other development will only be supported with appropriate evidence (**MM008**). **MM009** provides consequential changes to the supporting text, setting out the need over the Plan period, the allocation of sites and the Plan's approach to meeting need, also for effectiveness.

Conclusion

254. Subject to the MMs set out above, we conclude that the Core Policies of the Plan for People are justified and effective having regard to national planning policy and local context.

Issue 9 – Whether the Core Policies of the Plan for Place are justified and effective having regard to national planning policy and local context.

Core Policy 5 (CP5): Climate Change

255. The Council declared a climate emergency in 2019 and has set a goal to be carbon neutral by 2030. The Council's Climate Emergency Action Plan 2021 (BwD021) seeks to achieve a reduction in carbon emissions and Policy CP5 forms a mechanism through which a contribution can be made to these carbon neutral ambitions. The Framework in paragraph 153, requires plans to take a proactive approach to mitigating and adapting to climate change and support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts. In principle, Policy CP5 is consistent with this national policy.

256. As submitted however, the policy is not positively prepared, justified or effective. It requires developers to use the Council's Climate Impacts Framework (CIF) to inform what would be expected from a new development, to identify opportunities for enhancement and demonstrate climate change resilience and adaptation. It was discussed at the hearing that the CIF was still under development, though a demonstration version was made available to the examination. It is unclear to decision makers, developers and the local

community what the CIF requires, whether additional supporting technical work would be necessary to accompany a planning application, whether the policy would apply to all developments and how it would be used in the determination of planning applications.

257. **MM011** addresses these issues by redrafting the policy and the supporting text so that the expectations for development proposals are clear and the policy is effective. The modification sets out that all new residential development, and commercial proposals over 1,000 square metres, would be required to evidence that they have considered climate mitigation and adaptation. The CIF assessment tool would be a validation requirement for these application types. The online CIF assessment tool will comprise a series of questions that relate to the climate emergency based policies in the Plan. The Tool will be accompanied by a CIF SPD which will explain the link to the Plans policies and provide supporting guidance on design.

258. The Council's revised Local Development Scheme (EL7.A24) confirms the commitment to commence the preparation of the CIF SPD in the Autumn of 2023 with adoption in early 2024. The SPD was approved for consultation by the Executive Board on 12 October 2023.

Core Policy 6 (CP6): The Natural Environment

259. This core policy seeks to conserve and enhance biodiversity, geodiversity and landscape features. It is complemented by Policy DM15: Biodiversity which provides more detailed guidance to ensure that new development can help address the ecological crisis, restore eco-systems and achieve environmental net gain.

260. Since the submission of the Plan, there has been new guidance on the requirements of the Environment Act which has led the Council to review Policies CP6 and DM15. The Council's suggested revisions to these policies were considered at the hearing. These changes remove duplication between the two policies and ensure that Policy CP6 contains the strategic core policy relating to the natural environment, including that relating to biodiversity net gain (BNG) and ecological networks. Policy DM15 is amended to focus on designated habitat sites. Policy DM15 is discussed later in the report.

261. The Council commissioned a Climate Change and Natural Capital Study (E11) to look at the potential contribution of the Local Plan to the Council's goal of achieving net zero carbon status by 2030 and to assess policy requirements of the Environment Act. This has informed Policy CP6 and ensures it is justified.

262. **MM012** incorporates the changes put forward by the Council and other modifications required to ensure the policy and supporting text is justified and

effective. In summary, the modification clarifies how a BNG of at least 10% should be evidenced and delivered. It also ensures that developments are designed to facilitate new and enhanced habitats and create links between habitats and open spaces. It also sets out that locally defined ecological sites identified in the Local Nature Recovery Strategy, when established, will be the primary focus of off-site net gain delivery networks. The modification also ensures that the policy is consistent with the Framework footnote 58 in relation to the development of agricultural land.

263. Part 6 of the policy requires major developments to seek to achieve the Building with Nature Design Award. As drafted the policy is ineffective in explaining what this award entails, when it should be sought and how the Council will consider it as part of the determination of a planning application. **MM012** amends the policy and supporting text to address these issues.

264. We have amended the wording of this modification in the Schedule of MMs in the Appendix after the MM consultation for effectiveness, to make it clear in the supporting text that evidence and justification will be required to support the purchase of statutory biodiversity credits in preference to on-site or off-site provision in the local area.

Core Policy 7 (CP7): The Historic Environment

265. Policy CP7 sets out a strategy for safeguarding and enhancing the Borough's historic assets, identifying in broad terms the key architectural and historic elements that contribute towards its identity and distinctiveness. This approach is consistent with paragraph 190 of the Framework, which requires the Plan to have a positive strategy for the conservation and enjoyment of the historic environment. It also has the support of Historic England. Policy CP7 provides a framework to the more detailed policy requirements set out in Policy DM26: Heritage Assets.

266. As submitted, part of the policy identified a series of management and procedural intentions relating to heritage matters. While laudable, these are not policy objectives and are therefore not justified as part of the policy itself. Consequently, they have been deleted from the policy and moved to the supporting text as part of **MM013** and **MM014**.

267. Paragraph 192 of the Framework expects local planning authorities to maintain or have access to a historic environment record. For the Borough, those records are held by Lancashire County Council. For effectiveness, reference to those historic environment records have been made in the key supporting documents section of the policy under **MM013**, and associated clarification added to the supporting text through **MM014**.

Core Policy 8 (CP8): Securing High Quality and Inclusive Design

268. Policy CP8 provides strategic support for a high standard of design being an integral feature of all development. It sets expectations for design in accordance with the National Design Guide, and when masterplans and design codes will be required. It is complemented by Policy DM27: Design in New Developments, which provides further detailed requirements.
269. The Council already has a number of local design documents, including Blackburn and Darwen character studies, and Borough wide and residential design guides, which it intends to retain and update as necessary. This approach accords with paragraphs 127-128 of the Framework, which promotes the preparation and use of design guides or codes consistent with the National Design Guide and National Model Design Code that reflect local character and design preferences. For effectiveness, **MM015** is necessary to make explicit reference to local design guidance in the policy and as key supporting documents.
270. The requirement for masterplans applies to strategic scale developments. As submitted, the policy does not adequately define what might constitute such a development. Amendments to Part 2 of the policy, as set out in **MM015**, are therefore required to identify site allocations H195, E179, MU210 and MU211 as being strategic scale development for which masterplans will be required for effectiveness.
271. Part 3 of the policy requires any development considered to have a significant impact on local townscape or landscape to complete a design review at an early stage in its design. For effectiveness, it is necessary to provide further clarification as to which sites this may apply. **MM016** amends the supporting text to address this point.

Core Policy 9 (CP9): Transport and Accessibility

272. The potential impacts of planned growth on strategic transport networks have been the subject of a number of studies, including the Local Plan Transport Study: Assessment and Mitigation Report (E42a) and Southeast Blackburn Transport Study (E90). Further focused studies have also been undertaken where particular issues are forecast to arise, for example the M65 Junction 5 Strategic Employment Site Transport Study (E66) and M65 Junction 6 and 7 Study (E88). Where necessary the studies have identified mitigation schemes, which are incorporated into the list of highway works in the Infrastructure Delivery Plan. Modelling of those mitigation schemes indicates that a combination of highways measures and sustainable transport measures will be sufficient to mitigate the impacts of planned growth to an acceptable degree.

273. Policy CP9 sets out the approach the Council will adopt in managing the transport implications of development. It requires new development to be located to minimise the need to travel and be easily accessed by public transport, walking and cycling. New development that is likely to generate significant traffic is required to provide a travel plan setting out how car borne traffic can be minimised, and to identify, and where necessary mitigate, adverse effects on the transport network. This approach is consistent with Chapter 9 of the Framework in promoting sustainable transport.

274. As submitted, Part 3 of the policy referred to an intention of the Council to prepare a Travel Plan SPD. Although this would be helpful to developers, it is not a policy requirement and should therefore be deleted for effectiveness. **MM017** makes the necessary modification.

275. Within the overall approach to minimising the need to travel, the Council recognises that in exceptional circumstances some forms of development may be appropriate even where poorly accessible, for example the conversion of buildings in the countryside. For effectiveness of the policy, it is necessary to clarify when such exceptional circumstances may apply. The additional supporting text in **MM018** provides this clarification.

276. During the course of the Examination, the Council has decided it would expand the purpose of the SPD to include not only guidance on travel plans, but also parking standards and local cycling and walking infrastructure plans. For clarity and effectiveness, the expanded Sustainable Transport and Movement SPD needs to be added to the list of key supporting documents and its purpose explained in the supporting text. It is also necessary to identify the link between sustainable transport and the Council's Climate Impact Framework. These changes are contained in **MM017** and **MM018**.

Conclusion

277. Subject to the MMs set out above, we conclude that the Place policies of the Plan are justified and effective having regard to national planning policy and local context.

Issue 10 – Whether the Core Policies of the Plan for the Economy are justified and effective having regard to national planning policy and local context.

Core Policy 10 (CP10): The Economy and Skills

278. In accordance with the economic strategy adopted by the Plan, this policy sets out the requirement for at least 46.4ha of new employment land over the Plan

period, the allocation of land for employment and mixed uses, and the safeguarding of existing employment areas and educational establishments. Those requirements underpin delivery of the economic strategy and related social aims and are consistent with national policy in the Framework for building a strong, competitive economy. Paragraph 81 of the Framework puts significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The policy would help to achieve that aim.

279. The updated HENA (E32) identifies a greater need for a buffer in employment land supply to cater for flexibility in the market and to replace employment land lost to other uses. While the policy sets out a requirement to safeguard existing employment areas, particularly those that meet modern business needs, it is prudent to anticipate some loss of existing employment sites where they are poorly located or where alternative uses may not be controlled by the Council, for example under permitted development rights. Changes to the policy necessary to clarify these points are contained in **MM019**.

280. Also arising from updated employment land supply figures is the need to update the supporting text to the policy in respect to the amount of new employment floorspace and the proportion of that which is a buffer. **MM020** makes the necessary changes for effectiveness.

Core Policy 11 (CP11): Town Centres and Commercial Development

281. The Plan identifies a hierarchy of centres in the Borough: Blackburn Town Centre (Tier 1), Darwen Town Centre (Tier 2), District Centres (Tier 3) and Local Centres (Tier 4). Policy CP11 sets out the types of town centre uses that are appropriate in each tier and which would enhance their vitality and viability. The policy allows for a range of uses in identified centres, including residential and education, and provides flexibility in situations where a sequential test is applicable.

282. The Council has demonstrated commitment to town centre development and renewal through initiatives such as the Blackburn Town Centre East Development Framework (E6a), Darwen Town Investment Plan, and support for the Business Innovation District. We are satisfied that Policy CP11 is consistent with paragraph 86 of the Framework and takes a positive approach to town centre growth, management and adaptation.

283. There is an incorrect policy reference in Part 3 of the policy. **MM021** corrects this reference to DM35 for accuracy and effectiveness.

Core Policy 12 (CP12): Infrastructure and Delivery

284. The Council recognises that planned growth will put additional pressure on existing physical, social and green infrastructure. It has not adopted a Community Infrastructure Levy but instead intends to identify and negotiate infrastructure requirements on a case-by-case basis, secured by legal agreements, obligations or conditions.
285. Policy CP12 requires development proposals to contribute towards infrastructure based on the need to mitigate their respective impacts and sets out, in broad terms, the categories of infrastructure that would be considered. It takes account of such liabilities in ensuring that the overall level of contribution allows developments to remain viable, subject to essential infrastructure being secured. Where a development cannot meet its infrastructure mitigation costs, the onus will be on the developer to provide viability evidence.
286. The policy sets out a requirement for minimum contributions that sites are expected to provide, with details of those contributions assigned to primary, secondary and tertiary sites. As submitted, we are concerned that the requirement for minimum contributions, indicative though they may be, conflicts with the overall approach to negotiating infrastructure contributions and the need to maintain viability. Furthermore, there is a lack of clarity of the viability assessment typologies, these not having been defined spatially.
287. To ensure the approach to seeking infrastructure contributions is justified and effective, the requirement for minimum contributions should be deleted, as should related footnotes and supporting text, including Table 3 (indicative minimum planning contributions). This is achieved through **MM022**, **MM023** and **MM024**. It is open to the Council to include guidance to developers on indicative contributions in a Planning Contributions and Affordable Housing SPD, but that would be subject to negotiation, including development viability, on the case-by-case approach adopted by Policy CP12.
288. Part 6 of the policy refers to developers negotiating a reduction in 'standards'. As these are not defined, a change in terminology to 'policy requirements' is required for effectiveness. **MM022** makes the necessary change.

Conclusion

289. Subject to the MMs set out above, we conclude that the Economy policies of the Plan are justified and effective having regard to national planning policy and local context.

Issue 11 – Whether the development management policies of the Plan are justified, effective and consistent with national planning policy.

People – Policies DM 1-11

DM Policy 2 (DM2): Protecting Living and Working Environments.

290. This policy seeks to manage new development so that it does not have a direct impact on people's lives, for example through noise, dust, privacy, air quality or crime. **MM025** is necessary for effectiveness to make it clear that development identified as being located in Coal Authority High Risk Areas should submit a Coal Mining Risk Assessment. The MM also makes reference to the Council's Residential Amenity Planning Advisory Note as a key supporting document and **MM026** adds this to the supporting text for effectiveness.

DM Policy 3 (DM3): Housing Mix, Standards and Densities

291. Policy DM3 seeks to widen the choice of housing in the Borough, requires new dwellings to comply with the nationally described space standards (NDSS) and higher water efficiency standards, sets requirements for accessible and adaptable homes, and minimum density standards.

292. The Council's Housing Standards Topic Paper (SD14) provides analysis of the dwellings currently being built in the Borough. This concludes that, overall, around 60% of dwellings fall below the minimum standard with the greatest shortfall across the 3 and 4 bed properties. Blackburn with Darwen have existing Local Housing Space Standards adopted in June 2012, which apply to new dwellings and Houses in Multiple Occupation (HMOs). As the standards were published prior to the NDSS, there is some variance; however, they are broadly comparable. Despite these standards being in place there are still a high number of properties failing to meet the minimum standards. This provides justification for the policy requirement of meeting national standards. This has been viability tested in the Plan Viability Study.

293. Policy DM3 also requires a higher water efficiency standard, equivalent to 110 litres/person/day (lpd). All new homes have to meet the mandatory national standard set out in the Building Regulations (125 lpd). The PPG states that local authorities can set out policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 lpd where there is evidence of local need and where the viability of development is not compromised by its application.

294. It is recognised that Blackburn with Darwen is not an area subject to water stress. Nevertheless, the Council's Housing Standards Topic Paper (SD14) sets

out that nationally and regionally, greater water efficiency is being encouraged. The delivery of the Water Framework Directive objectives in the region is set out in River Basin Management Plans for the North West River Basins. This includes action on water efficiency. Furthermore, in 2022 the Environment Agency published a National Framework for meeting future water needs setting out the case for making ambitious demand saving.

295. Whilst United Utilities do not include higher water efficiency standards in their current Water Resource Management Plan 2019-2045, they produced a Drought Plan in 2022 which encourages water efficiency through domestic metering and behavioural change. The company has given support to Policy DM3, which would assist to make more efficient use of water resources. Given the above, we consider this Policy is justified. The cost of securing water efficient fittings to target 110 lpd is minimal and has been taken into account in the Plan Viability Study (E55).
296. As discussed earlier in this report, Policy DM3 provides detail on the implementation of Strategic Policy CP4 Housing Development. Due to duplication and ambiguity between the two policies, particularly with regard to housing for older and vulnerable people, **MM027** amends DM3, and **MM028** adds to the supporting text, so that it is clear that CP4 provides a strategic policy position and DM3 sets out the Council's expectations in this regard. This ensures the policies are effective.
297. Policy DM3 in part 3 requires that in schemes of 10 dwellings or more, 20% should be built to accommodate the needs of older and vulnerable people unless specific site conditions make this impractical or unviable. The nature of this provision is to be determined on a site-by-site basis depending on demand in an area and may include bungalow provision or accessible and adaptable homes in line with Part M4(2) of the Building Regulations. Part 4 of the policy requires 5% of new homes in schemes of 10 or more dwellings to be adaptable in accordance with Part 4 M(3a) of the Building Regulations. These requirements are justified by the increasing older population and level of those with a disability in the Borough set out in the HENA (E31).
298. The Plan Viability Study (E55) has tested these requirements assuming an additional cost allowance for such provision. It concludes that schemes would be viable. The Study does not test a specialist older persons' homes typology as none is proposed in the Plan. There is, however, flexibility built into the policy to take account of viability in respect of such schemes.
299. In the interests of effectiveness **MM027** is necessary to require Design and Access Statements to be submitted to set out which of the relevant standards required by Policy DM3 are met through development and to explain that the policy applies to all new dwellings as well as conversions and subdivisions.

DM Policy 4 (DM4): Assessing Planning Applications for Gypsy, Traveller and Travelling Showpeople Sites

300. This policy sets out detailed criteria against which to assess planning applications for Gypsy, Traveller and Travelling Showpeople Sites. It is consistent with the approach to Gypsy and Traveller sites in the PPTS and will be used to assess planning applications coming forward within the Borough. To ensure clarity and effectiveness, and ensure such sites are sustainable, the policy criteria should require reasonable proximity to public transport accessibility. **MM029** achieves the required amendment for effectiveness.

DM Policy 5 (DM5): Affordable Housing and Rural Exception Sites.

301. As already discussed in relation to Policy CP4, it is appropriate for affordable housing policy requirements to be in one policy of the plan i.e. Policy CP4. Accordingly, **MM30, MM31 and MM32** are required to remove references to affordable housing from Policy DM5 and its supporting text for effectiveness. Policy DM5 therefore solely relates to rural exception sites.

DM Policy 6 (DM6): Houses in Multiple Occupation (HMOs)

302. The growth of HMOs in Blackburn has been significant over the last decade. The Council's Article 4 (HMO) Justification Paper (E82) suggests that in 2011 there were around 129 HMOs concentrated in seven wards in the inner urban area. In 2022 this had increased to around 390. These areas have high incidences of anti-social behaviour, high deprivation, low house prices and high numbers of vacant properties. This brings amenity issues with families discouraged from living in these areas, impacting negatively on achieving a balanced community and resulting in poor quality housing damaging local character.

303. In 2012 the Council introduced an Article 4 Direction for these seven wards to remove permitted development rights for the conversion of residential properties to HMOs. The Council are looking to extend this across other parts of the Borough.

304. Against this context, Policy DM6 is justified to seek to restrict the provision of new HMOs including hostel accommodation. The policy also proposes to impose occupancy conditions on planning applications for other uses to prevent them being converted to HMOs in the future. So that the supporting text is effective in outlining the policy approach, **MM033** is required.

DM Policy 7 (DM7): Conversion of Buildings in the Countryside

305. This policy permits the conversion of buildings in the countryside subject to a range of criteria. For effectiveness, **MM034** removes part 2 of the policy, which

refers to keeping the Council's Conversion of Buildings in the Countryside SPD up to date. This is already referred to in the supporting text and gives the appropriate weight to this policy document.

DM Policy 8 (DM8): Replacement Dwellings in the Countryside

306. This policy ensures that replacement dwellings in the countryside are appropriate to the rural area in terms of siting, materials and design and have no significantly greater impact on the countryside than the dwelling being replaced. **MM035** makes it clear how a proposal would be assessed in terms of landscape character areas and adds reference to relevant key policy links and key policy documents for effectiveness.

307. Part 2 of the policy seeks to remove permitted development rights in appropriate cases. The policy however is ineffective as to how this would be considered and in what circumstances such rights may be removed. **MM036** adds to the supporting text for effectiveness to set out the Council's approach.

DM Policy 9 (DM9): Rural Workers' Dwellings in the Countryside

308. This policy sets out criteria for considering planning applications for new rural workers' dwellings in the countryside. However, the policy lacks consistency with paragraph 80a) of the Framework as dwellings both within the landholding and nearby may be appropriate to ensure effective operation of the enterprise. **MM037** makes the necessary amendments to the policy wording to be consistent with national policy.

Place - Policies DM 12- 29

DM Policy 12 (DM12): Clean and Green Energy

309. This policy aims to encourage enhanced emissions reduction in new development, complementing Core Policy CP5. It assists to address the Council's goal of achieving net zero carbon by 2030. In order to make the policy effective and ensure that the energy hierarchy is considered in design, **MM038** is necessary. It requires the submission of an Energy Statement or the use of the Council's CIF, to set out how a proposal has considered reducing energy demand, supplying energy efficiently and using low carbon or renewable energy.

310. Part 3 of the policy requires commercial developments over 2,500sqm to achieve BREEAM Good standard. Further explanation of the Council's expectations of planning applications and an explanation of the energy hierarchy is provided by **MM039** for effectiveness.

311. The Plan Viability Study (E55) has assessed the cost of achieving BREEAM Good standard in commercial developments. Development on a speculative basis is generally unviable in the Borough. Requiring higher standards of BREEAM would therefore be unviable in some cases but not in others. The Plan recognises these potential difficulties and CP12 permits development to provide evidence of financial viability where it is considered that standards cannot be achieved on viability grounds. The policy therefore achieves an appropriate balance between supporting the delivery of net zero and maintaining scheme viability.
312. As drafted, Part 5 of the policy, which concerns wind energy development is ineffective as it does not give consideration to the repowering and life extension of renewable sites and does not require the restoration of non-operational renewable energy sites. **MM038** makes the necessary revisions. It also adds further key policy links and key supporting documents for effectiveness.
313. In September 2023, after the hearing the Government revised national planning policy on onshore wind development. Suitable locations can be identified in a number of ways including through Local Development Orders, Neighbourhood Development Orders and Community Right to Build Orders. In addition, the revised Framework provides local authorities with more flexibility to address the planning impacts of onshore wind projects identified by local communities. So that Policy DM12 is consistent with this revision, we have amended the supporting text and added a footnote through the addition of **MM039a** in the Schedule of MMs in the Appendix.

DM Policy 13 (DM13): Flooding/SuDS

314. This policy sets out the steps necessary when considering development on land liable to flood from any source. Unless a site is allocated in the Plan (in which case it will have already been subject to a strategic flood risk assessment), this comprises a sequential test and, where necessary, an exception test. For clarity and effectiveness, the first two paragraphs in the policy need to be switched so that their requirements follow the hierarchy of tests set out above. **MM040** provides the necessary change. Subject to this, the approach taken by the policy is consistent with the national policy on planning and flood risk in the Framework.
315. Where appropriate, applications need to be supported by a site-specific flood risk assessment. Such assessments are expected to apply climate change allowances in accordance with the PPG. **MM041** provides a footnote to the policy to that effect for clarity and effectiveness.
316. The policy also promotes the use of sustainable drainage systems as the preferred means of disposing of surface water. This is consistent with paragraphs 167 and 169 of the Framework and helps relieve pressure on

surface or combined sewerage systems as well as often having benefits for biodiversity. For effectiveness, it needs to be clarified that Part 6 relates to surface water rather than foul drainage. **MM040** makes the necessary change.

DM Policy 14 (DM14): Environmental Opportunity Areas

317. The Council's Climate Change and Natural Capital Study (E11) reviews the natural capital assets and ecosystems in the Borough to identify areas where there is the potential to enhance habitats, facilitate carbon management and mitigate flood risk. This has assisted in identifying Environmental Opportunity Areas (EOAs). Such areas form a key part in the development of nature recovery networks and biodiversity net gain in the Borough.

318. Policy DM14 seeks to ensure that development proposals protect, enhance and maintain the natural capital of the EOAs identified on the Policies Map. **MM042** is necessary for effectiveness, to make it clear that consultation with relevant agencies such as Natural England and the local wildlife trust will be expected in the development of the Environmental Opportunity Areas and in relation to any proposed off setting schemes.

DM Policy 15 (DM15): Biodiversity

319. We have already outlined in relation to Policy CP6 that since the submission of the Plan, there has been new guidance on the requirements of the Environment Act which has led the Council to review Policies CP6 and DM15. The Council's suggested revisions to these policies were considered at the hearing. These changes remove duplication between the two policies to ensure that Policy DM15 focusses on designated habitat sites and Policy CP6 provides the strategic policy for the natural environment.

320. **MM043** sets out the required changes to the policy and the supporting text to ensure consistency with the Framework and for effectiveness. These remove reference to the proposed Nature Recovery Strategy which the Council is still progressing as well as Nature Recovery Networks. It also emphasises the importance of biodiversity resources being protected and requires development to be designed to protect and enhance existing habitats and ecological networks. In addition, the MM adds the requirement that development should minimise any potential disturbance to species and habitats such as through lighting, air pollution or noise.

DM Policy 16 (DM16): Green and Blue Infrastructure

321. This policy requires all development to be designed to make a positive contribution to green and blue infrastructure. As drafted, it is unclear what is expected in the provision of features in the built fabric to support and enhance

key local species. For effectiveness, **MM044** sets out examples such as nest and bat boxes.

DM Policy 17 (DM17): Trees and Woodland

322. Policy DM17 aims to ensure that where new development is proposed, existing trees, hedgerows and other shrub masses of value should be protected unless their loss is unavoidable. Where trees have to be removed the policy seeks their replacement on a 3:1 basis. This level of replacement planting is recommended by the Woodland Trust. Compensatory tree planting helps to support the Council's strategic objectives to tackle the climate emergency. The Council's Climate Emergency Action Plan seeks to increase tree cover in the Borough. The policy requirement also assists developments to meet their obligations for biodiversity net gain. It is therefore justified.
323. The Local Plan Viability Study (E55) makes generic allowances for tree planting. This is because the level of replacement planting will differ on a site-by-site basis. There may be viability issues with individual developments. Policy CP12 provides general guidance for the negotiation of a reduced provision on a case-by-case basis.
324. To achieve consistency with Policy CP12 of the Plan and to be effective, **MM045** is required to set out that replacement trees will be required unless viability evidence demonstrates this is not achievable. The same MM, for effectiveness, removes the reference to the Framework and sets out what it actually states in relation to development resulting in the loss or deterioration of irreplaceable habitats.
325. The Council intends to prepare a Tree and Woodland Strategy to inform and guide tree planting in the Borough. This is unnecessary and inappropriate to be stated in the policy itself. **MM045** removes this wording and **MM046** adds it to the supporting text for effectiveness, along with references to other strategies relevant to woodland and forestry.

DM Policy 18 (DM18): Public Open Space in New Developments

326. This policy sets out a requirement for additional or improved public open space as part of new development. Such a requirement is not necessarily applicable to all residential development, and for effectiveness **MM047** makes that clear in Part 1 of the policy.
327. The Council intends to use its Open Space Audit (E53) to identify which areas are deficient in public open space, and of what type. Further details, including standards for provision of open space, will be included in a Developer Contributions & Affordable Housing SPD and Residential Design Guide SPD.

Although it is intended to base these requirements on 'Fields In Trust' principles, they will be free-standing documents applicable to the Borough. For that reason, references to thresholds for certain types of play space provision would be more appropriately contained in the SPDs and should be deleted from the supporting text. **MM048** makes that change for consistency and effectiveness.

DM Policy 19 (DM19): Development of Open Spaces

328. This policy is intended to resist the loss of existing designated open space unless specific criteria are met. These criteria relate to the open space being surplus to requirements, being replaced by new provision of an equivalent or better quality, or for alternative sports or recreational use whose public benefit would clearly outweigh the loss of the open space. To clarify that the policy applies to designated open space, as identified on the Policies Map, an amendment to Part 1 is required for effectiveness. **MM049** sets out this change.

DM Policy 20 (DM20): Playing Fields, Indoor and Outdoor Sports Facilities

329. This policy seeks to protect existing indoor and outdoor sports facilities unless specific criteria are met (similar to those in DM19), and also to support the provision of new facilities. A third objective is to ensure that major residential developments contribute towards new or improved sports facilities in proportion to the demand arising from them.

330. As drafted, the policy refers to the primary uses for sport. For most facilities, particularly those used for outdoor sport, ancillary facilities such as changing rooms and pavilions are also important to support the sporting activities. Supporting text to the policy needs revising to clarify that such ancillary facilities are protected under the terms of the policy. **MM050** makes this change for effectiveness.

331. The Council has published a Built (Sports) Facility Strategy (E7) to provide evidence of the need for built sports facilities. Additions and amendments to the criteria and footnotes used to support the provision of new sports facilities are required in light of this evidence for effectiveness. **MM051** and **MM052** make the necessary changes, which include new facilities being readily accessible, to maximise their usage including community use, of an appropriate scale, and meeting a deficiency in provision in the relevant area. Consequential changes to the supporting text are made by **MM053** to provide further guidance on the revised criteria for effectiveness. The new text includes reference to Sport England tools for calculating demand for new sports facilities and the investment required to deliver them. The proposed wording makes clear that these tools are for guidance only, with Policy CP12 remaining the Plan's policy on the requirement for infrastructure funding.

332. **MM131**, **MM132** and **MM133** add definitions of the terms LAP (Local Area for Play), LEAP (Locally Equipped Area for Play) and NEAP (Neighbourhood Equipped Area for Play) to the Plan Glossary in the interests of effectiveness.

DM Policy 21 (DM21): Local Green Space

333. This policy protects land identified on the Policies Map as Local Green Space. The designation is in addition to other open space or recreational designations and arises from national policy in paragraph 101 of the Framework where the designation of such land through local plans allows communities to identify and protect green spaces that are of particular importance to them. The wording of the policy is consistent with the Framework.
334. Through preparation of the Local Plan, two sites have been put forward by their respective communities as being demonstrably special to them: Whitehall Road, Blackburn and Kingsley Close, Blackburn. Both are areas of informal open space that have been used as, or were intended to be used as, incidental amenity space by those living near them. Both areas have been designated as Assets of Community Value as contributing to the social wellbeing and/or cultural, recreational or sporting interests of the local community.
335. The owner of the land at Kingsley Close opposes its designation as Local Green Space. However, during the course of the examination, an appeal decision upheld an enforcement notice (with modification) requiring cessation of the use of the land as private enclosed land and to allow unrestricted access by members of the public. This decision confirms the lawful use of the land as public open space.
336. Assessing the land at Kingsley Close against the criteria in paragraph 102 of the Framework, we are satisfied that it is in reasonably close proximity to the community it serves, that being primarily the residents of Kingsley Close; it is demonstrably special to that local community for its recreational value as evidenced by the representations made during the preparation of the Local Plan; and is local in character and is not an extensive tract of land. Having regard to those matters, we conclude that designation of the land as Local Green Space is justified.

DM Policy 22 (DM22): The Borough's Landscapes

337. This policy seeks to protect key features of landscapes throughout the Borough and make best use of them in promoting leisure and tourism where compatible with their protection.
338. The Lancashire Landscape Character Assessment (E36) and Landscape Strategy (E1) define different character areas in the Borough and provide a basis for the assessment of individual development schemes. Further

supporting text is necessary to link the requirements of the policy with these character assessments, which remain the most up-to-date evidence on landscape in the Borough. For sites that are particularly sensitive in landscape terms, a Landscape and Visual Impact Assessment should be undertaken, which again needs to be made clear in the supporting text to the policy. **MM054** introduces the necessary additional wording for clarity and effectiveness.

DM Policy 24 (DM24): Outdoor Advertisements

339. Advertisement applications are determined solely in relation to their effect on visual amenity and public safety. The policy provides guidance in respect of both criteria. As drafted, references to 'specific' considerations are confusing and should be deleted. A further Part should also be added to provide guidance on digital/LED displays that are becoming more common. The necessary changes are included in **MM055** for effectiveness.

DM Policy 25 (DM25): Telecommunications

340. This policy sets out criteria for assessing new telecommunications equipment where that requires planning permission. It is consistent with the Framework in supporting high quality communications. For effectiveness, **MM056** and **MM057** add to the supporting text and footnote to clarify that health concerns should not be a determining issue where a proposal meets guidelines for public exposure to microwave radiation, consistent with paragraph 118 of the Framework.

DM Policy 26 (DM26): Heritage Assets

341. This policy aims to protect, conserve and enhance the Borough's heritage assets. While generally consistent with the approach taken in the Framework to conserving and enhancing the historic environment, as drafted there are some phrases that are not entirely in line with national policy. **MM058** introduces amended wording to Parts 2 and 3 to correct these sections for consistency and effectiveness.

342. Part 6 sets out a requirement for proportional supporting information to be included with any proposal that affects a heritage asset. This is consistent with paragraph 194 of the Framework. **MM058** adds to this part to ensure that, as a minimum, the relevant historic environment record and heritage guidance is included, for effectiveness.

343. Part 7 sets out a list of possible information and assessments that might accompany a proposal. While helpful in terms of advice to prospective applicants, this list amounts to guidance rather than policy and is better included as supporting text rather than as a part of the policy. For effectiveness, **MM058** therefore deletes the list from the policy and **MM059** adds it to the supporting text.

DM Policy 27 (DM27): Design in New Developments

344. This policy sets out the design requirements expected of new development in the Borough. It is consistent with the National Design Guide and National Model Design Code and supports the strategic direction placed on design in Policy CP8: Securing High Quality and Inclusive Design.

345. As with Policy CP8, for effectiveness, it is necessary to make explicit reference to local design guidance as key supporting evidence to inform and guide new development. **MM060** provides these references in the policy and **MM061** includes a related reference in the supporting text.

DM Policy 28 (DM28): Development Affecting Watercourses, Bodies and Catchment Land

346. This policy relates to development adjacent to a watercourse or other body. It sets out criteria for consideration in appropriate circumstances, including the need to avoid flood risk, maintain the integrity of watercourses, contribute to informal recreation and ecology, and be used to enhance development.

347. Two changes are necessary to provide additional clarification and for effectiveness. **MM062** amends Part 1 to define the functional floodplain and make it consistent with the Framework. It also adds an additional Part 7 for the protection of groundwater resources from pollution and to safeguard water supplies.

DM Policy 29 (DM29): Transport and Accessibility

348. This policy sets out an expectation for new development to be accessible by a range of transport options other than just the car. It supports the strategic approach to sustainable transport set out in Policy CP9: Transport and Accessibility.

349. The Council intends to publish a Local Cycling and Walking Infrastructure Plan, to provide a framework for improvements to cycle and pedestrian routes in the Borough, and to provide guidance on standards for cycling and walking infrastructure in new development. It is necessary to link this and the assessment tool in Healthy Streets to the policy. **MM063** does this for Part 1 criterion v of the policy and **MM064** makes an associated addition to the supporting text, both for effectiveness.

Economy - Policies DM 30-39

DM Policy 30 (DM30): Primary Employment Areas

350. Employment areas are divided into primary, secondary and other areas. Primary employment areas are those which are the most desirable for employment use due to their scale and location and are designated on the Policies Map. The policy seeks to protect these areas for continuing employment use.
351. As drafted, the policy refers to suitable employment uses only by reference to use class orders. For clarity and effectiveness, it is necessary to set out in wording what is intended as suitable employment uses in the primary employment areas. **MM065** makes that change in Part 1 of the policy.
352. Part 1 also refers to flagship employment locations. These are a subset of primary employment areas which are prestigious areas capable of competing for investment in the regional marketplace. Further clarification is needed of the location of these areas. **MM066** and **MM067** add the necessary supporting text and a footnote for effectiveness.
353. The supporting text lists the primary employment areas, but as submitted only partially. For clarity and effectiveness, it is necessary to list all thirteen sites. **MM066** makes the necessary addition.

DM Policy 31 (DM31): Secondary Employment Areas

354. Secondary employment areas are those which accommodate employment uses and therefore play an important role in supporting the economic growth strategy of the Plan. They are also designated on the Policies Map. However, it is recognised that there may be instances when land so designated is no longer needed or appropriate for employment use, and where an alternative use may be considered favourably. The policy sets out criteria for assessing such proposals.
355. As drafted, the role of secondary employment areas, and why alternative uses may be acceptable, is not clear. Further explanation is needed in Part 1 of the policy, and conjunctions added to clarify whether sub-criteria are additive or alternatives. **MM068** makes the necessary changes for effectiveness.
356. The supporting text lists some but not all of the secondary employment areas. For clarity and effectiveness, it is necessary to list all seventeen sites. **MM069** makes this addition.

DM Policy 32 (DM32): Protection and Re-use of Existing Employment Sites

357. This policy applies to existing employment sites that do not lie within designated primary and secondary employment areas. It provides criteria by which to assess the redevelopment of such sites for uses other than solely employment.

358. As drafted, the explanation of how the policy would operate is confusing and requires redrafting for clarity and effectiveness. It is also necessary to explain how a developer is expected to demonstrate that no other employment use could be attracted to the site. **MM070** provides amended and additional text to Parts 1 and 2 to address these points, for clarity and effectiveness.

DM Policy 33 (DM33): Town Centres

359. This policy applies to Blackburn and Darwen town centres. It supports town centre uses within the designated town centre areas and requires a sequential test where a town centre use is proposed outside a town centre. As drafted, the wording in Part 3 of the policy could be read as requiring a sequential test for development in a town centre, which is not intended to be the case and would be inconsistent with the Framework. **MM071** provides the necessary redrafting to make this point clear, for effectiveness.

360. The Council intends to provide further detail and guidance for development in town centres in SPDs and masterplans. While that would be of benefit to prospective developers, it is not a policy intention and is better included in supporting text. **MM071** deletes the reference from the policy, and **MM072** adds it to the supporting text, for effectiveness.

DM Policy 34 (DM34): District and Local Centres

361. This policy applies to district and local centres within the Borough and sets out the type of commercial or other town centre uses that will be supported in those centres. District centres are intended to accommodate small-scale town centre uses while local centres are intended to provide a small range of shops and other local services which help to meet the day-to-day needs of residents. Where town centre uses, including retail, are proposed outside these centres a sequential test would be applicable.

362. The definition of what constitutes 'small-scale' is lacking in the policy as drafted. **MM073** provides the necessary definition by reference to the thresholds in Policy DM35: Assessing Applications for Main Town Centre Uses in the supporting text, and **MM074** does likewise for the policy text, for clarity and effectiveness.

DM Policy 35 (DM35): Assessing Applications for Main Town Centre Uses

363. This policy recognises the potential for out-of-centre commercial development to compete with town and district centres, potentially reducing their vitality and viability. To underpin the strategic support for town and district centres as set out in Core Policy CP11: Town Centres and Commercial Development, Policy DM35 sets a framework for how out-of-centre commercial proposals will be assessed, and when sequential and retail impact tests will be required. The approach taken is consistent with national policy on ensuring the vitality of town centres in the Framework.

364. Some changes to the policy are needed for clarity and effectiveness. **MM075** identifies the major town centre as Blackburn and the town centre as Darwen in Part 1, consistent with Policy CP11. **MM076** adjusts the floorspace threshold for retail development within 500m of a district or local centre boundary from 250sqm to 280sqm to be consistent with Sunday trading laws. A reference to locations outside the urban area is unnecessary and is deleted.

DM Policy 36 (DM36): Local and Convenience Shops

365. This policy guides assessment of proposals for small retail developments outside defined centres. These are recognised as being able to meet the day-to-day needs of residents and reduce the need for travel, so long as they do not compete with the role of existing town, district or local centres. For consistency with Policy DM35, **MM077** changes the maximum gross floor area for individual units from 250sqm to 280sqm.

DM Policy 37 (DM37): Tourism

366. This policy supports tourism related development, focusing on the Borough's main attractions, including its cultural heritage and landscape. Ewood Park, home of Blackburn Rovers Football and Athletics Club, is identified as one such attraction. Further clarification is required that policy support for uses associated with the operation of the club is dependent on benefits to the visitor economy being demonstrated. **MM078** adds this clarification, for effectiveness.

Conclusion

367. Subject to the MMs we have described above, the development management policies of the Plan are justified, effective and consistent with national planning policy.

Issue 12 - Whether the strategy for implementation, monitoring and review is appropriate and robust.

368. The Plan includes a Monitoring Framework at Appendix D which includes a series of indicators by which the effectiveness of policies in the Plan will be monitored. It is important that these indicators are clear and measurable. This is because in monitoring key elements of the Plan, such as housing delivery and the distribution and take up of employment land, should they be found to be underperforming, the Council would need to consider appropriate measures to rectify the situation.
369. The indicators set out in the Plan lack clarity in some cases and are insufficient to set out how the policies of the Plan will be monitored. So that the Plan is justified and effective, **MM136** provides revised indicators.

Conclusion

370. Subject to the MMs set out above, the strategy for implementation, monitoring and review is appropriate and robust.

Other Soundness Matters

371. In case of updates to the Framework during the lifetime of the Plan, **MM001** removes the quoted paragraph numbers in the Introductory section to the document. In addition, **MM002** outlines areas of the Borough historically identified by Natural England as priorities for investment in flood management for clarity and effectiveness.
372. Appendix G to the Publication Plan sets out a list of evidence base documents which have informed the preparation of the Plan. This list is now out of date as numerous additional documents have been used to develop policies or to evidence the deliverability of the Plan. **MM139** deletes this list for effectiveness.

Overall Conclusion and Recommendation

373. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
374. The Council has requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix, the Blackburn with Darwen Local Plan 2021-2037 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

375. We conclude that if adopted promptly (with the recommended MMs) the Plan establishes a five-year supply of deliverable housing sites. Accordingly, we recommend that in these circumstances the LPA will be able to confirm that a five-year housing land supply has been demonstrated in a recently adopted plan in accordance with paragraph 75 and footnote 40 of the Framework.

Helen Hockenhull and Guy Davies

INSPECTORS

This report is accompanied by an Appendix containing the Main Modifications.

BLACKBURN WITH DARWEN LOCAL PLAN 2021-2037

SCHEDULE OF MAIN MODIFICATIONS

NB. The modifications are shown in the same order as the Local Plan. Changes to text are expressed either in the conventional form of ~~striketrough~~ for deletions and **bold underlining** for additions of text.

The page numbers and paragraph numbering below refer to the Submission Blackburn with Darwen Local Plan 2021 to 2037 and may not be the same as the final adopted Plan.

SCHEDULE OF MAIN MODIFICATIONS TO THE BLACKBURN WITH DARWEN LOCAL PLAN 2021-2037

MM. No.	Page/Policy/Para of Publication Local Plan (SD1)	Proposed Main Modification
MM001	Page 9; Chapter 1: Introduction (Paragraph 1.9)	The development plan is at the heart of the planning system with a requirement set out in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. Adopted Plan documents (and associated guidance documents) will continue to be applied and be the starting point for the determination of planning applications until they are formally replaced by adoption of the new Local Plan. Policies emerging in this new Local Plan may however be given some weight in determining planning applications. This will be determined in line with paragraph 48 of the NPPF.
MM002	Page 14, Place (Paragraph 2.19)	Blackburn is situated on the River Blakewater and Darwen is located within the valley of the River Darwen. A number of rural areas in the south of the Borough have been categorised as high priority areas, as has most of Darwen. <u>Natural England has historically identified several areas as priorities for investment in flood management measures at the catchment-wide level. This includes measures such as stewardship agreements and land management arrangements. There are several such areas within Blackburn and Darwen, mostly to the south of the Borough around Darwen itself and the rural areas.</u> The built up areas of Blackburn and Darwen are vulnerable to pluvial flood risk on a localised basis so consideration should be given to permeability of surfaces, SUDs and green infrastructure as well as urban heat island effect. Good design can maximise the benefits of the natural surroundings to ensure the development site responds positively to the natural and existing built surroundings.
MM003	Page 21, CP1: A Balanced Growth Strategy (Part 1(ii))	CP1: A Balanced Growth Strategy The distribution of development – a balanced distribution of growth will take place to ensure that settlements receive levels of growth that are broadly proportionate to their existing size and role; <u>to promote an effective use of land, development should seek to prioritise and maximise the use of suitable brownfield land and, where relevant, support land remediation;</u> and
MM004	Page 23: CP2: The Spatial Approach (Part iv)	Countryside Areas - outside villages, within the designated Countryside Areas, the amount of new development will be tightly limited. Individual opportunities that help to diversify the rural economy or support tourism will be supported where they are appropriate in nature and scale to the rural area. <u>Support will also be given to residential developments that propose the viable re-use of heritage assets (to secure their future); that propose the re-use of redundant or disused buildings and can enhance immediate settings; or that propose the subdivision of existing residential buildings.</u> If major developed sites within the open countryside become available for redevelopment, the priority will be

MM. No.	Page/Policy/Para of Publication Local Plan (SD1)	Proposed Main Modification
		to minimise the amount of new development that takes place and the level of activity that a new use generates, while securing a satisfactory outcome of renewal considering landscape and biodiversity impacts.
MM005	Page 24; CP2: The Spatial Approach (Paragraphs 3.14-3.17)	<p>Additional minor modifications to the existing Green Belt boundary are included on the Policies Map. These relate to improving the alignment of the urban/village boundaries with ground features and resolving improving the alignment of the Green Belt with the borough boundary to address mapping anomalies inconsistencies or errors from the previous Local Plan which did not include the same level of digitisation and online map provision. These can only be rectified through a Local Plan review process.</p> <p>The Policies Map identifies the revised Green Belt boundary for Blackburn with Darwen. Land within the Borough's Green Belt will be strictly protected from inappropriate development in accordance with national policy.</p> <p>Countryside Areas</p> <p>In addition to the Borough's Green Belts, which have a specific purpose in preventing the uncontrolled growth of the urban area, Blackburn with Darwen also has large areas of open countryside. These areas are a valuable resource, serving environmental functions as important habitats and landscapes, social functions as areas for our communities to enjoy and interact with the countryside, and economic functions as the base of our rural economy.</p> <p>These economic uses will include development needed to sustain or encourage local employment as part of the diversification of the rural economy as opposed to that which could be more appropriate in urban or village areas. Policy CP2: The Spatial Approach aims to preserve what is important in the countryside and manage change in a way that balances sometimes competing pressures. <u>Where major redevelopment is proposed, planning applications will need to identify a clear need for the use, assess the impacts on the countryside and provide any appropriate mitigation measures.</u></p>

MM. No.	Page/Policy/Para of Publication Local Plan (SD1)	Proposed Main Modification
MM006	Page 27, Policy CP3: Health and wellbeing	<p>1. To help tackle health inequalities in the Borough, new development will be required, as far as it practicable, to:</p> <ul style="list-style-type: none"> i. Maximise its contribution to enable and support health and wellbeing outcomes; ii. Avoid or mitigate any potential negative impacts of new development (such as adverse impact on air or water quality, loss of shared or open space and the Green and Blue Infrastructure network, including Nature Recovery Networks); iii. Support healthy lifestyles, including the adoption of Active Design and active travel principles to make physical activity an easy, practical and attractive choice; and iv. Consider the local food environment, including access to local food shops and integration of community food growing; and v. <u>Ensure that the needs of the Borough's ageing population are addressed, and that older people have increased access to support, care, companionship and appropriate accommodation (in line with Policy CP4).</u> <p>2. A Health Impact Assessment (HIA) is required for all development that requires an Environmental Impact Assessment (EIA) and any other proposal where the local planning authority considers it appropriate.</p>

MM. No.	Page/Policy/Para of Publication Local Plan (SD1)	Proposed Main Modification
MM007	Page 28; Policy CP3: Health and wellbeing (Paragraphs 3.25-3.26)	<p>Policy CP3 will ensure these design principles and guidelines are central to all development proposed in the Borough. <u>To help developers demonstrate good design, the Council encourage the use of accreditation schemes including BREEAM, Home Quality Mark (HQM) and CEEQUAL, (each designed by the Building Research Establishment (BRE)), to evidence that buildings are well designed and sustainable with positive impacts on health and wellbeing and low impacts on the environment at all stages</u> are all schemes that can be used to ensure that the high-level principles of active design are met and implemented where possible during each stage of a project's lifecycle. <u>Whilst encouraged, the use of these schemes is optional, with the exception of the BREEAM requirements set through Policy DM12. The Council will also apply Healthy Streets principles where relevant, in line with Policy DM29.</u></p> <p>To ensure that development promotes and contributes to a healthy living environment, proposals should consider health outcomes at pre-application stage, taking into account relevant adopted strategies and policies. Policy CP3 requires a Health Impact Assessment to accompany the most significant new development proposals over the plan period to maximise the opportunities for promoting healthy lifestyles within new development. This will include any application subject to Environmental Impact Assessment but also additional schemes that the Council considers significant in terms of their proposed use and/or location. <u>A screening toolkit is included within the Planning for Health Supplementary Planning Document (SPD) which applicants can use to assess whether their proposal would require a HIA. The Council will update this SPD following adoption of the new Local Plan.</u> The fundamental principles of how to carry out good quality Health Impact Assessments are set out in the Department of Health's 'Health Impact Assessment Tools' (2010).</p> <p>Developments should consider how their proposals can improve the local food environment for both consumption and production of healthier food options, for example through incorporating on-site community food growing spaces, ensuring landscaping is flexible so that spaces may be adapted for growing opportunities and increasing access to healthy food convenience stores.</p>

MM008	Page 29; Policy CP4: Housing Development	<p>Housing requirement, location and delivery</p> <ol style="list-style-type: none"> 1. The Council will seek to deliver a minimum of 447 net new dwellings per annum (dpa) over the plan period in 2021-2037 in line with the mix set out in Policy DM03. <u>This equates to a total of 7,152 dwellings over the 16-year Plan period.</u> Suitable land will be allocated. 2. A range of site sizes and locations will be provided, <u>along with support for development on urban windfall sites (including underutilised or previously developed land).</u> Site allocations are identified in the Housing Growth Allocation Policies. A new strategic housing site (Policy H195) in North East Blackburn will be allocated to ensure delivery of the qualitative and quantitative housing requirement for this plan period, and provide additional land for beyond the plan period. 3. The housing trajectory sets out the projected rate of housing delivery over the plan period. The Council will monitor delivery rates annually and take action as necessary to ensure that adequate delivery rates are maintained. <p>Affordable housing needs</p> <ol style="list-style-type: none"> 4. On developments of 10 or more dwellings at least 20% of homes delivered will be expected to be affordable units <u>and to have regard to</u> in accordance with Policy DM5 and the Council's Affordable Housing Guide for Developers SPD <u>Developer Contributions and Affordable Housing SPD.</u> 5. <u>Developments that propose to include a higher number of affordable homes on site than required by Policy CP04 will be supported in principle subject to a detailed assessment of demand in the wider housing area.</u> 6. <u>In meeting the identified Affordable Housing target, the Council will take into account issues affecting delivery including: availability of grant; evidence on the economic viability of individual developments; and up to date evidence on market conditions.</u> 7. <u>The type of affordable housing provided should meet the requirement for at least 25% of the affordable units to be First Homes and then seek to meet the needs identified in the latest housing evidence in terms of type, tenure, size and suitability to meet the needs of specific groups. Any local eligibility criteria will be set out in the Council's Developer Contributions and Affordable Housing SPD.</u> <p>Self and Custom Build Housing</p> <ol style="list-style-type: none"> 5. The Council will identify sufficient plots and grant planning permission for self-build and custom-build housing to meet the need set out on the Council's register.
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		<p><u>8. The Council will support proposals for self-build or custom-build housing (that accord with other relevant policies).</u></p> <p><u>9. For sites proposing multiple self-build or custom-build units, the Council will require a Design Code to be prepared to ensure that there is a consistent and cohesive approach to design.</u></p> <p>Housing for Older and Vulnerable People</p> <p>6. In residential developments of 10 dwellings or more, at least 20% of homes should be deemed appropriate to accommodate the needs of older and vulnerable people. The nature of this provision will be determined on a site-by-site basis depending on demand in a particular area and the site context and may incorporate bungalow provision, lifetime homes, or accessible and adaptable homes in line with Policy DM3.</p> <p><u>10. New development will be expected to contribute towards meeting the needs of older and vulnerable persons' accommodation in line with Policy DM03.</u></p> <p>11. The overall need for new care home beds, and housing units with support and care over the plan period will be identified through a local strategic assessment (which will be updated by commissioners on a regular basis). The Council will support applications for supported and extra care housing as a component of this supply that are:</p> <ul style="list-style-type: none"> a. In line with strategic demands and supported by the Council's commissioning team; and b. Are in accessible locations and in accordance with other relevant policies in the Plan; <p>Gypsy and Traveller pitch requirement, location and delivery</p> <p><u>12.</u> A need for a minimum of 17 net additional gypsy and traveller pitches is identified between <u>2021-2037</u> 2018-2037, along with a need for 5 new transit pitches. The Council will allocate specific sites to provide at least five years' supply of gypsy and traveller provision. Site allocations are identified in the Gypsy and Traveller Growth Site Allocation Policies.</p> <p><u>13.</u> Development that would result in the loss of existing permanent pitches <u>or allocations</u> or sites that are authorised for gypsy and traveller use will not be supported unless evidence is provided:</p> <ul style="list-style-type: none"> a. clearly demonstrating that there is an overall surplus of pitches in the Borough; or b. alternative provision is proposed elsewhere in accordance with policy DM04.
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MM009	Page 30; Policy CP4 (Housing Development) (Paragraphs 3.30-3.44)	<p>Housing requirement, location and delivery</p> <p><u>The Council will make provision for at least 7,152 net new homes across the Borough during the Plan period 2021-2037.</u> The Council's updated Housing and Economic Needs Assessment (HENA) (2021) estimates a need for 447 net new dwellings per annum to support the economic growth scenario for the Borough. This is an increase from the estimated need of 411 net new dwellings in the 2018 HENA. The 447 new dwellings per annum is to be seen as a minimum requirement, with no maximum cap.</p> <p>The increase in the housing needs figure (from 411dpa to 447 dpa) is explained by:</p> <ul style="list-style-type: none"> i. updated demographic data showing changes in the base population and economically active population in the Borough; ii. an updated economic growth scenario which is driven by historic performance as well as known market signals and planned investment (further details are set out under CP10); and iii. the tie of housing requirements to forecast jobs growth over the plan period assuming a commuting ratio of 1:1 (i.e. no net in commuting)²² <p>Policy CP4 confirms that the Council will plan to deliver housing to align with the economic growth scenario. Sufficient Housing Growth Allocations are identified to provide flexibility and for competition and choice. This will help to support an increase in household formation rates in the Borough which the HENA highlights as having been suppressed over recent years. This in turn will help to reduce overcrowding which is believed to have played a significant contributing factor to the spread of Covid-19 in Blackburn with Darwen.</p> <p><u>The Council will continue to keep the housing supply position in the Borough under annual review through its annual monitoring process. If the supply of new homes does not keep pace with the minimum annual requirement over three consecutive monitoring periods and the housing trajectory over the full plan period, then the Council will produce a housing delivery action plan to help assist delivery or trigger a review of the Plan if deemed necessary.</u></p> <p>Further details of the specific sites that will help meet the identified housing need are provided in the Housing Growth Allocation section of this Plan, and the housing trajectory is set out in Appendix B.</p> <p>Affordable housing need</p> <p>The HENA identifies the need for affordable housing in the Borough – <u>analysis suggests a need for 108 affordable homes per annum in Blackburn with Darwen; however, the study does note that this should not be directly taken as a target.</u> The evidence suggests that affordable housing delivery should be maximised where opportunities arise, particularly of affordable housing to rent. NPPF's definition of affordable housing now also includes households who are unable to access the private rented sector but who cannot afford to buy. The HENA highlights that there is limited evidence for a need for this</p>
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	<p>type of housing in Blackburn with Darwen – the typical cost of housing to buy in the area (in the second-hand market) is sufficiently affordable such that there is no need for a discounted new build product. Affordable housing that provides rental or shared ownership products should be retained in perpetuity, either through retaining benefits for all future occupiers, or for the subsidy to be recycled for alternative affordable housing provision. The Council will provide further details in its Affordable Housing Guide for Developers SPD.</p> <p><u>Further to the findings set out in the HENA, and the requirements of the NPPF for at least 10% of the total number of homes to be available for affordable home ownership, the Council has prepared the Local Plan (and its viability evidence) based on the following assumed tenure split: 50% affordable rent, 25% shared ownership, and 25% first homes. Details as to how the Council will approach this on a site-by-site basis are set out in the Affordable Housing Guide for Developers SPD. The Council will provide further information through successor documents (such as the proposed Developer Contributions & Affordable Housing SPD).</u></p> <p><u>In the first instance the Council will look to secure affordable housing on site however Policy CP4 acknowledges that off-site provision via commuted sums may be appropriate in limited circumstances. This would be discussed at pre-application/planning application stage with applicants and would be based on a number of factors existing at that point in time, including areas of identified affordable housing need and land availability. Final proposals will rely on Registered Provider (RP) partners' deliverability and scheme viability. Further details on the mechanisms and circumstances for off-site provision of affordable housing will be provided in the Developer Contributions & Affordable Housing SPD.</u></p> <p>Self and custom build housing</p> <p>In line with the Government's aspirations to enable more people to build their own homes, the Council will consider applications for self- <u>and custom-</u> build properties favourably. <u>Since 2015, the Government have required Councils to keep a 'Self and Custom Build (SCB) Register' to record demand for self and custom build housing in their area. Councils must then grant permission for enough suitable development plots to meet the demand for SCB homes (in accordance with accompanying national guidance). The Council continue to manage and monitor demand and supply, using their SCB Register and planning data. It expects the majority of SCB supply to be provided through small-scale windfall sites, but the Council are also supportive of SCB housing delivered as part of larger development sites.</u> Since 2016, the Council has kept a register of people who are interested in self or custom built housing and have used this (alongside planning permissions previously granted) to identify sufficient sites to meet the requirement in the Borough. <u>In addition, The Local Plan identifies eight self-build plots in Queen's Park, Blackburn as part of Housing Growth Site allocation H068 which</u></p>
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		<p><u>are expected to support the supply of SCB housing. The Council will seek to ensure that sufficient numbers of appropriate plots are granted permission to meet the need identified by the Council's Self and Custom Build Register.</u></p> <p><u>For sites involving the provision of multiple self- or custom-build plots, the Council will expect a Design Code to be prepared, to provide relevant guidance on design, including a holistic site-wide approach to the design and delivery of on-site infrastructure (e.g. water and wastewater), building heights, roof-lines, colour palettes, materials, boundary treatments and sustainability considerations. This is to ensure that a consistent and cohesive design is achieved, whilst still providing freedom for individual developers.</u></p> <p><u>The Council consider this provides a flexible approach to support the delivery of SCB serviced plots. To safeguard SCB delivery where a major residential site allocation or planning permission commits to the delivery of SCB plots and SCB housing is subsequently not deemed to be deliverable, then the Council will expect evidence of appropriate marketing (for a minimum of 12 months) to be provided before considering whether those plots can be built out as market housing. This is to ensure there is sufficient opportunity for persons wanting a SCB plot to obtain a SCB plot.</u></p> <p><u>The demand, supply and delivery of SCB plots/housing will be reported through the Council's Authority Monitoring Report.</u></p> <p>Housing for older and vulnerable people</p> <p>The HENA highlights a notable increase projected in the older person population over the plan period, with the total number of those aged 65 and over expected to increase by over 28%, and those aged 80 and over expected to increase by 46%. Given this trend and the higher levels of disability and health problems amongst older people other vulnerable groups, there is likely to be an increased requirement for suitable housing. This could include bungalows and/or homes built to the M4 (2) and/or M4 (3) accessibility standards.</p> <p>New development will be expected to contribute towards meeting the needs of older and vulnerable persons' accommodation. However aAttitudes and demand for housing with care have changed dramatically over the last few years which will impact upon previous projections of need for specialist housing options moving forward.</p> <p>The need for these forms of housing will be set out by the Council in a local strategic assessment¹, and include an annual statement. The Council may also provide a formal Market Position Statement in partnership with the County Council and the Health and Social Care Partnership. These will be used by</p>
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the Council's commissioning team to inform whether or not new developments can be supported in line with Policy CP4.

Figures set out below show the latest strategic assessment for specialist housing types indicated by 5-year period. These are provided as indicative only as these will be subject to change through the annual statements to be published by the Council. All figures provided are cumulative requirements over the period stated and represent lease/sale requirements (no rented units).

Table 2: Indicative needs for specialist housing types

	2021	2025	2030	2037
Sheltered housing	22 units	105 units	163 units	257 units
Enhanced sheltered housing	5 units	26 units	43 units	69 units
Extra care housing	0 units	0 units	0 units	20 units
Registered care beds	0 units	52 units	135 units	267 units

The adopted Blackburn with Darwen Residential and Supported Accommodation Planning Advice Note provides further advice and clarification on how the Council will ensure that good quality accommodation is available in appropriate premises and locations within the Borough to meet the needs of vulnerable people requiring care and support. Policy DM39: The Effect of Development on Public Services will be particularly relevant in such decisions.

Gypsy and travellers

The Council's Gypsy and Traveller and Travelling Showperson Accommodation Assessment (GTAA) evidenced a 'cultural' the need for 42 additional permanent pitches and a PPTS need for 17 additional permanent and 5 transit gypsy and traveller pitches in the Borough over the period 2018-2037. With the plan now covering the period 2021-2037 there is a need to extrapolate these figures to identify the requirement over the plan period. Since no additional pitches have been provided between 2018 and 2021, it can be concluded that this need remains. An overall need for 17 pitches will therefore be required between 2021-2037. ~~need to extrapolate these figures to identify the 5 year Local Plan need for additional pitches between 2021-2026.~~

The GTAA identified a residual need for 4 additional permanent pitches between the 6 year period 2018/19 – 2023/24. As there has been no new pitches delivered within the Borough since 2018/19, it can be assumed that this need remains. In addition to providing an extra 2 pitches to cover years 2024/25 and 2025/26, a total requirement of 6 additional pitches is needed between 2021-2026.

		<p>The Council has identified <u>a specific, deliverable sites at George Street West (GT213) which will provide 5 permanent pitches within the 5 year period. An additional site at Branch Road, Lower Darwen has recently been developed which will ensure the 5 year requirement is fully met. Although currently unauthorised, the Council is working with the landowner to submit a planning application to formalise the site.</u> to meet this requirement through Policy CP4 and Gypsy and Traveller Growth Allocations of the Local Plan. <u>It is envisaged the remaining need over the plan period, including any additional need arising from those Gypsies and Travellers in the Borough meeting the cultural definition, will be met through windfall pitch developments that come forward in the urban area in line with Policy DM04.</u> Broad locations for growth are also identified for years 6-15 of the plan within the urban area of the Borough. Any proposals for new pitches coming forward in these broad locations will be subject to consideration of Policy DM04. No requirement for travelling showperson plots was identified in the GTAA. <u>The Plan's approach to Gypsy and Traveller pitch provision will be considered again at Local Plan review stage to ensure it remains effective in meeting the pitch requirements over the plan period to 2037.</u></p> <p>To ensure that the number of unauthorised developments and encampments are minimised, existing sites approved for Gypsy and Traveller use will be safeguarded from re-development. The only circumstances under which re-development of existing sites will be approved is where clear evidence can be provided that there are sufficient pitches in the Borough over the plan period, or alternative provision that satisfies all other relevant policies (particularly DM04) can be provided.</p>
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MM010	Page 32; Policy CP4: Housing Development (additional footnotes in Paragraph 3.41)	<p>[Following word 'cultural'] <u>Which includes the needs of Gypsies and Travellers who have stopped travelling on a permanent basis.</u></p> <p>[Following word 'PPTS need'] <u>Those Gypsies and Travellers meeting the definition contained within the Planning policy for traveller sites (PPTS); DCLG August 2015</u></p> <p>[Following word '17 pitches'] <u>Based on PPTS need</u></p>
MM011	Page 34; Policy CP5: Climate Change and supporting text	<i>[Due to length of changes please refer to Appendix A of this schedule / consolidated plan for details of changes]</i>
MM012	Page 37; Policy CP6: Natural Environment and supporting text	<i>[Due to length of changes please refer to Appendix B of this schedule / consolidated plan for details of changes]</i>
MM013	Page 39; Policy CP7: Historic Environment	<ol style="list-style-type: none"> 1. The Council will, through decision making and fulfilling its wider functions, proactively manage and work with partners to protect and enhance the significance, character, appearance, and archaeological and historic value of the Borough's heritage assets. This will include exploring opportunities to aid the promotion, understanding and interpretation of important heritage assets as a means of reinforcing the Borough's identity and maximising wider public benefits. 2. The Council will support proposals that positively conserve and where appropriate enhance the Blackburn and Darwen's Historic Environment and heritage assets, including their setting. 3. Key elements which contribute to the Borough's identity and distinctiveness, and which therefore will be a priority for safeguarding and enhancing into the future, includes: <ol style="list-style-type: none"> i. The Borough's distinctive historic character predominantly of stone and red brick buildings set against the significant backdrop of the West Pennine Moors; ii. The legacy of mill buildings and their associated infrastructure including engine houses, chimneys and mill lodges and the relationship to nearby terraced workers housing; iii. The network of historic open spaces, parks, gardens, and cemeteries; iv. Pre-industrial farmhouses and weavers cottages;

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		<p>v. The Leeds and Liverpool canal which forms part of the strategic and local green-blue infrastructure network, linking development opportunities, urban and rural communities, as well as habitats, and is an important non-designated heritage asset;</p> <p>vi. The significant number of undesignated assets from the period of prolific historical growth in the 19th Century that are not protected and could be under threat from loss.</p> <p>4. In addition to fulfilling its statutory obligations, the Council will:</p> <p>i. Develop a positive strategy to safeguard the future of any heritage assets at risk;</p> <p>ii. Promote heritage-led regeneration and development;</p> <p>iii. Seek to recognise currently unidentified local heritage assets;</p> <p>iv. Produce / update conservation area appraisals and management plans;</p> <p>v. Maximise opportunities to increase the understanding and interpretation of the Borough's historic environment.</p> <table><tr><td>Key strategic objective links</td><td>SO5: Built and Historic Environment</td></tr><tr><td>Key policy links</td><td>DM26: Heritage Assets</td></tr><tr><td>Key supporting docs/evidence</td><td>Blackburn with Darwen Conservation Area Character Appraisals and Development Guides (various) Heritage assets local list Lancashire Local List (local-heritage-list.org.uk) Energy Efficiency and Historic Buildings Historic England <u>Lancashire Historic Environment Record</u> <u>Historic England Guidance Notes</u> <u>Historic Town Assessment Reports (LCC 2005)</u> <u>Lancashire Historic Landscape Character Report (LCC 2002)</u></td></tr></table>		Key strategic objective links	SO5: Built and Historic Environment	Key policy links	DM26: Heritage Assets	Key supporting docs/evidence	Blackburn with Darwen Conservation Area Character Appraisals and Development Guides (various) Heritage assets local list Lancashire Local List (local-heritage-list.org.uk) Energy Efficiency and Historic Buildings Historic England <u>Lancashire Historic Environment Record</u> <u>Historic England Guidance Notes</u> <u>Historic Town Assessment Reports (LCC 2005)</u> <u>Lancashire Historic Landscape Character Report (LCC 2002)</u>
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MM014	Page 39; Policy CP7: Historic Environment (Paragraphs 3.62-3.63)	As a result, our area has a rich historic environment. It is essential that the most important elements of this are protected as positive assets which will promote ongoing growth. At the same time, the Council does not wish the area to stand still. A key objective therefore is to ensure that change comes forward in a managed way, and is informed by a proper understanding of the evidential, historic, aesthetic and communal significance of the heritage asset.							

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		<p><u>To ensure the historic environment is protected and enhanced, in addition to fulfilling its statutory obligations, the Council will:</u></p> <p><u>I. Develop a positive strategy to safeguard the future of any heritage assets at risk;</u> <u>II. Promote heritage-led regeneration and development;</u> <u>III. Seek to recognise currently unidentified local heritage assets;</u> <u>IV. Produce / update conservation area appraisals and management plans;</u> <u>V. Maximise opportunities to increase the understanding and interpretation of the Borough's historic environment.</u></p> <p>In addition to our designated heritage assets, Blackburn with Darwen also contains a number of building and other structures <u>and archaeological sites</u> that are not formally designated as heritage assets, but which nevertheless contribute to the character of the area. <u>Some of t</u>These are identified on the Blackburn with Darwen Local List which will be updated as necessary to ensure a comprehensive record of locally important assets, <u>others are included on the Lancashire Historic Environment Record (maintained by the County Council) or may be identified during the planning process.</u> Policy CP7 offers protection to both nationally and locally designated heritage assets <u>as well as to undesignated assets including archaeological sites, aiming</u> and aims to maximise opportunities to enhance these assets <u>and,</u> including their settings.</p>				
MM015	Page 40; Policy CP8: Securing High Quality and Inclusive Design	<p>1. The Council will require all new development to be of a high standard of design consistent with principles set out in the National Design Guide, and the National Model Design Code, <u>and relevant local design guidance.</u> Development that is not well designed will be refused;</p> <p>2. The Council will require the preparation of masterplans by developers for strategic scale developments¹, which will <u>may</u> include design codes. The Council will consider the use of planning briefs and design codes on other development sites where appropriate.</p> <p>3. Any proposed development considered to have a significant impact on local townscape or landscape will be expected to complete a design review at an early stage in its design.</p> <table><tr><td>Key strategic objective links</td><td>SO1: Health and Well-being SO5: Built and Historic Environment</td></tr><tr><td>Key policy links</td><td>DM27: Design in New Developments</td></tr></table>	Key strategic objective links	SO1: Health and Well-being SO5: Built and Historic Environment	Key policy links	DM27: Design in New Developments
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		Key supporting docs/evidence	National Design Guide (2019) National Model Design Code (2021) Sport England and Public Health England Active Design (2015) <u>Local Design Guide documents as referenced in Policy DM27</u>
MM016	Page 41; Policy CP8: Securing high quality design (Paragraph 3.67)	Developments will be planned carefully with the use of masterplans and design codes including community engagement through the process. This will help to ensure the integration of new and existing communities as well as creating attractive places to live. In appropriate cases, the Council will expect applicants to complete a design review to consider the design quality of proposals. <u>Such cases may include proposals that are considered likely to have a significant impact on local townscape or landscape, through size, scale or location, or include proposals that set a standard for a local area or where design is a central issue. To maximise effectiveness, a design review should begin in the early stages of a development design.</u> The Places Matter design review is an independent organisation, hosted by RIBA, and comprised of local design experts <u>who sit together as a panel to consider schemes and provide advice on design.</u> The aim of the panel is to promote and encourage high standards in design of the built environment across the North-West.	
MM017	Page 41; Policy CP9: Transport and Accessibility	<ol style="list-style-type: none"> 1. New development will be located in the most sustainable locations to minimise the need to travel by car and is easily accessed by non-car means including public transport, walking and cycling. Development which is poorly accessible by non-car means will only be permitted in exceptional circumstances. 2. New development which is likely to generate significant numbers of car journeys will be required to: <ol style="list-style-type: none"> i. provide a travel plan setting out the measures that the developer, either alone or in conjunction with neighbouring uses, shall adopt to reduce reliance on the use of the private car for journeys to and from the site; and ii. be supported by a transport statement or transport assessment, identifying the effects of the proposals on existing transport systems. Where necessary, developers or operators will provide or contribute to such enhancements of the transport network as are necessary to accommodate these effects. 3. The Council will prepare a Travel Plan SPD to provide further guidance on their formulation, implementation and monitoring arrangements. 	

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		Key strategic objective links	SO1: Health and Well-being SO2: Accessibility SO4: Sustainable Transport
		Key policy links	DM29: Transport and Accessibility DM38: Major Infrastructure Schemes
		Key supporting docs/evidence	Connectivity Studies (2020) Local Plan Transport Study: Volume 1 Baseline Report (2020) Local Plan Transport Study: Volume 2 Assessment and Mitigation Report (2021) Strategic Employment Site Transport Study (2021) South-east Blackburn Transport Strategy (2021) Local Transport Plan (2011-2021) – LTP3 Emerging Joint Lancashire Local Transport Plan – LTP4 DfE Manual for Streets (2007) DfE Manual for Streets (2010) Appendix H: Travel Plan SPD (TBC) <u>Sustainable Transport & Movement SPD</u>
MM018	Page 42; Policy CP9: Transport; (Paragraphs 3.70-3.76)	<p>A number of transport evidence base documents have been prepared to support the Local Plan. These appraise the potential impact of proposed growth sites on the local pedestrian, cycling, public transport and highway networks. They have also identified a wide range of potential interventions and a strategy for improvements to adequately support new developments. These improvements range in scale from strategic to local in nature. Suggested improvements are identified in the Council's Infrastructure Delivery Plan which sits alongside the Local Plan.</p> <p><u>Local policy encourages all new development to be located in the most sustainable locations to minimise the use of private transport and encourage the use of public transport and active travel. Development which is poorly accessible by non-car means will only be permitted in exceptional circumstances and where sufficient justification is provided. This may include proposals in rural</u></p>	

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		<p><u>areas, for example the conversion of buildings in the countryside, where public transport services are limited or pedestrian access by road is difficult.</u></p> <p>The Blackburn with Darwen Local Transport Plan (LTP3) provided a long term strategy and delivery programme of transport investment and service improvements for the period 2011-2021. A number of transport schemes identified in LTP3 have been successfully delivered, including the Freckleton Street link road, Clitheroe to Manchester rail enhancements and the Pennine Reach rapid bus transport scheme. Work is now progressing between the three Transport Authorities of Blackburn with Darwen, Blackpool and Lancashire to prepare a Joint Lancashire Local Transport Plan 4 (LTP4) covering the period 2021-2046. Emerging key themes are:</p> <ul style="list-style-type: none"> • Improving access into, between and within areas of economic growth and regeneration; • Improving people's health, safety, quality of life and wellbeing; • Reducing the environmental impact of transport; and • Maintaining our assets. <p>Additional work is ongoing on other transport plans and strategies such as a local Bus Service Improvement Plan (BSIP) and a Local Cycling and Walking Infrastructure Plan (LCWIP). These will be incorporated into a local delivery/implementation plan for the Borough once complete.</p> <p>Public health considerations including the direct health impacts of air pollution, road transport emissions and an invigorated focus on active travel modes are likely to feature prominently within the plan. LTP4 is programmed for adoption in 2022.</p> <p>Initial projects identified in the emerging LTP4 are contained within the IDP and include electric charging vehicle points in the town centres, Blackburn Railway Station redevelopment and the development of new Public Rights of Way in and around Darwen. Any additional updates required to the IDP following adoption of LTP4 will be made accordingly.</p> <p>The policy agenda around smart cities is expected to develop considerably in future years and has the potential to radically change the Borough by the end of the plan period, helping the area to function more effectively. Ambitions and opportunities in this policy area that will have implications on new development in the Borough will be taken into account at the next Local Plan Review stage.</p>

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		<p>The Council will prepare a Travel Plan <u>Sustainable Transport and Movement</u> Supplementary Planning Document (SPD) to provide additional guidance on implementing <u>and monitoring</u> Policy CP9 <u>(and Policy DM29)</u>. <u>The SPD's scope will cover Travel Plans (their formulation, implementation and monitoring arrangements), Car Parking Standards, and the Council's Local Cycling and Walking Infrastructure Plans.</u></p> <p><u>To help support the transition to carbon neutrality, the Council's Climate Impact Framework (CIF) will be used to assess the extent to which relevant developments have appropriately considered accessibility and transport: for example, whether developments are within reasonable walking distance of bus stops, rail stations and key services. More information will be provided through the Climate Impact Framework SPD.</u></p>
MM019	Page 44; Policy CP10: The Economy and Skills (Part 1)	<p>The Council will seek to deliver at least 46.4ha of new employment land over the period 2021-2037. A range of employment and mixed-use sites will be allocated <u>(or permitted)</u> to ensure that sufficient, suitable land can provide a minimum of 198,000sqm of new employment floorspace ⁴¹ over the Plan period to support future jobs growth, to <u>provide increased choice to the market, and to account for future anticipated losses (replacement demand).</u></p>
MM020	Page 45; Policy CP10: The Economy & Skills (Paragraphs 3.81 – 3.85)	<p>Policy CP10 plans for the minimum land requirement to ensure that the economic growth scenario is fully supported. A portfolio of sites is identified in the Local Plan (including existing commitments) that can accommodate around <u>270,000sqm</u> 230,000sqm of new employment floorspace. This equates to a buffer of around 46% <u>47%</u> (on identified floorspace requirements). This approach will allow sufficient flexibility and ensure that a choice of sites is made available to support delivery of the minimum floorspace requirements.</p> <p>Available land includes a proposed new strategic employment site at Junction 5 of the M65, and a range of other employment and mixed-use land allocations. Details of all sites and their expected delivery of new employment floorspace are set out in Appendix C.</p> <p>Development of the new strategic employment site will be expected to follow a masterplan-based approach to avoid potential piecemeal development and ensure that appropriate infrastructure is delivered at the right time. The Council will need to agree on any masterplan prior to development taking place.</p> <p>Existing Employment Areas</p>

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		<p>Alongside the provision of new employment sites, the Council will focus on protecting existing employment areas. A number of Development Management policies (DM30-32) set the detailed policy framework for these areas.</p> <p>Education establishments</p> <p>Existing educational establishments (referring to all types of provision including further and higher education) will be protected and enhanced through the Plan period in accordance with Policy CP10. This will help ensure that the Borough attracts and retains skilled and qualified people. Policy CP10 is also clear in supporting new facilities in principle to help ensure the faster delivery of public service infrastructure in line with paragraph 96 of the NPPF. Where the loss of educational facilities may impact on school playing fields Policy DM20: Playing Fields, Indoor and Outdoor Sports Facilities, will apply.</p>
MM021	Page 47; Policy CP11: Town centres and commercial development (Part 3)	Retail proposals located outside the hierarchy of designated centres and above gross floorspace thresholds set out in Policy DM33 DM35 will also be required to undertake a retail impact assessment.
MM022	Page 49; CP12: Infrastructure and delivery (Parts 5 & 6)	<p>5. The Local Plan Viability study has informed the minimum contribution that sites are expected to be able to provide and these are set out in the relevant Growth Allocations policies and supporting text to Policy CP12 for non-allocated sites. These will be used to help determine appropriate S106 requirements taking into account expected sales values, development densities and cost assumptions on each development. A Developer Contributions SPD will be prepared to support delivery of Policy CP12.</p> <p>6. Where a developer seeks to negotiate a reduction in standards the policy requirements that would normally apply to development, or a form of development that would not normally be acceptable, on grounds of financial viability, the Council will require the developer to supply evidence as to the financial viability of the development.</p>
MM023	Page 49; CP12: Infrastructure and delivery (Footnote 35)	<p>The policy approach of identifying minimum feasible contribution rates is provided as an indication only. The onus is on the developer to assess their application prior to submission in the context of the findings and assumptions set out in the Plan Viability Study which will then inform any S106 requirement.</p>
MM024	Page 50; CP12: Infrastructure and delivery	In order to determine the level and range of developer contributions (including 'in kind' or financial contributions that can be sought without prejudicing the financial viability of different types of development in different areas of the Borough), a Plan Viability Study has been prepared as part of the Local Plan

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	(Paragraphs 3.99-3.103 & Table 3	<p>evidence base. This has been used to identify the expected minimum contributions set out in the respective Growth Allocation policies and Table 3 below. Any S106 requirements will be sought in line with the full findings of the Plan Viability Study and paragraph 57 of the NPPF where they are:</p> <ul style="list-style-type: none"> • Necessary to make the development acceptable in planning terms; • Directly related to the development; and • Fairly and reasonably related in scale and kind to the development. <p>The Council will prepare a Developer Contributions SPD to help support the delivery of infrastructure in the Local Plan. It will provide further clarity to developers, officers, stakeholders and local residents about the overall approach to seeking developer contributions. This will include how the Council will apply the Plan Viability Study to determining appropriate S106 requirements for non-allocated sites. It will also expand upon aspects such as how calculations on education contributions will be determined, and how the Sport England Sports Facility Calculator and Playing Pitch Calculator will be used.</p> <p>Environmental Opportunity Areas are identified on the Policy Map Policies Map. Some of these areas are identified as playing a role in the delivery of biodiversity net gain where this is not feasible on-site. Such schemes would be considered to be part of the appropriate matters to be funded under part 2ix of Policy CP12. The Council will use any Developer Contributions SPD to provide further details on the role that an Environment Fund in the Borough could play in delivering such infrastructure.</p> <p>It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment to be submitted at the application stage. A clear explanation for the reasons why, in accordance with the Planning Practice Guidance² (PPG), will be expected. Any reduction in planning contributions will then only be permitted where it can be clearly justified through a robust site-specific financial viability appraisal (FVA). The FVA should be prepared on an open book basis in accordance with the requirements of the PPG and associated RICS Guidance and will include full supporting evidence and explanation to justify all costs and revenues.</p> <p>The level of detail required in such an appraisal will always be proportionate to the scale and complexity of the development proposed. The FVA will be expected to include details of the purchase price for the land and expected developers profit return together with an assessment of benchmark land value</p>

² <https://www.gov.uk/guidance/viability>

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		<p>prepared in accordance with the PPG. FVAs will be independently appraised and the developer will be expected to pay for this³.</p> <p>A Phasing and Delivery Strategy will be required for larger developments that are to be delivered over a number of years/phases. The Strategy must demonstrate communication with infrastructure providers and outline how each phase interacts with other phases. When necessary, the Strategy must be updated to reflect any changing circumstances between each phase(s). Any associated strategies must be consistent with the updated site wide Infrastructure Strategy.</p> <p>Where planning contributions are secured (regardless of the mechanism of securing those funds) the Council will report annually on total payments received, works committed and projects delivered. This information will be set out in the Infrastructure Funding Statement (IFS) and published on the Council's website. The IFS also details the approach to charging monitoring fees as part of S106 agreements in the Borough.</p> <p>Table 3 provides an indication of the expected minimum levels of planning contributions that proposals for new residential development will be expected to be able to bear on non-allocated sites where infrastructure/mitigation is required. Further details will be set out in an SPD including how these values are likely to change over time. An SPD will also cover instances whereby S106 contributions may be sought for minor residential windfall sites (<10 dwellings) which are not subject to affordable housing or open space contributions.</p> <p>Figures set out in Table 3 are in addition to the specific policy requirements set out elsewhere in the Local Plan that will have direct cost implications on new development (e.g. affordable housing provision at 20%, water efficiency measures, SuDs, onsite open space and play, playing pitch contributions, biodiversity net gain and provision of electric vehicle charging points). They are based on cost and density assumptions set out in the Local Plan Viability Study and therefore represent indicative minimums only. Where these assumptions vary to specific proposals coming forward then any S106 requirements will also vary.</p> <p>Contributions are split by the following site typologies as defined in the Local Plan Viability Assessment:</p> <ul style="list-style-type: none"> • Primary sites are predominantly greenfield sites in higher value areas, many of which are located on or close to the existing settlement boundary. These sites are likely to be developed at a density of around 30 dwellings per net developable hectare, and will provide a range of house types including detached dwellings and a number of larger 4 and possibly 5 bed houses;

³ Full details, including costs, are set out on the Council's webpage at <https://www.blackburn.gov.uk/planning/planning-permission-applications/developer-contributions>

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		<p>• Secondary sites are in the majority brownfield site although there are also a small number of greenfield sites. The sites are mainly infill sites within the existing settlement areas and in some cases may be situated in slightly lower value areas in comparison with the primary sites. Development will typically take place at a slightly higher density of 35 dwellings per net developable hectare; and</p> <p>• Tertiary sites are brownfield sites situated in the older, inner urban areas of the Borough and will be developed at a higher density of around 45 dwellings per hectare with a greater number of smaller dwellings.</p> <p><i>Table 3: Indicative minimum planning contributions that new development is expected to be capable of providing (assuming Local Plan Viability study assumptions and in addition to other Local Plan policy requirements including 20% affordable housing provision and play provision on-site)</i></p> <table> <tr> <th>Site Type</th><th>Greenfield</th><th>Brownfield</th></tr> <tr> <td>Primary (30dph)</td><td> 10-49 units (£1,200/dwelling) 50-99 units (£0/dwelling) 100-149 units (£3,300/dwelling) 150-249 units (£3,400/dwelling) 250-499 units (£5,800/dwelling) 500-749 units (£8,600/dwelling) 750+ units (£9,000/dwelling) </td><td> 10-249 units (£0/dwelling) 250+ units (£2,400/dwelling) </td></tr> <tr> <td>Secondary (35dph)</td><td> 10-24 units (£0/dwelling) 25-49 units (£1,500/dwelling) 50-149 units (£0/dwelling) 150+ units (£2,600/dwelling) </td><td>£0/dwelling</td></tr> <tr> <td>Tertiary</td><td>n/a</td><td>£0/dwelling</td></tr> </table>	Site Type	Greenfield	Brownfield	Primary (30dph)	10-49 units (£1,200/dwelling) 50-99 units (£0/dwelling) 100-149 units (£3,300/dwelling) 150-249 units (£3,400/dwelling) 250-499 units (£5,800/dwelling) 500-749 units (£8,600/dwelling) 750+ units (£9,000/dwelling)	10-249 units (£0/dwelling) 250+ units (£2,400/dwelling)	Secondary (35dph)	10-24 units (£0/dwelling) 25-49 units (£1,500/dwelling) 50-149 units (£0/dwelling) 150+ units (£2,600/dwelling)	£0/dwelling	Tertiary	n/a	£0/dwelling
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MM025	Page 57; Policy DM2: Protecting Living and Working Environments	<p>1. Development will be permitted where it can be demonstrated that:</p> <ol style="list-style-type: none"> It will, in isolation and in conjunction with other planned or committed development, contribute positively to the overall physical, social, environmental and economic character of the area in which the development is sited; It would secure a satisfactory level of amenity and safety for surrounding uses and for existing and future occupants or users of the development itself, with reference to noise, 												

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	standards and densities	<p>2. All new dwellings must comply with the nationally described space standards, and optional higher water efficiency standards (equivalent to 110 litres/person/day).</p> <p>3. <u>In residential developments of 10 dwellings or more, at least 20% of homes should be deemed appropriate to accommodate the needs of older and vulnerable people unless specific site conditions make this impractical or unviable. The nature of this provision will be determined on a site-by-site basis depending on demand in a particular area and the site context and may incorporate bungalow provision or accessible and adaptable homes in accordance with Part M4(2) of the Building Regulations.</u> In residential schemes of 10 dwellings or more, at least 20% of homes should be built to the 'accessible and adaptable' standard in Part M4 (2) of the Building Regulations, unless specific site conditions make this impractical.</p> <p>4. <u>In residential schemes of 10 dwellings or more,</u> the Council will also seek 5% of new homes to be wheelchair <u>adaptable</u> accessible (or easily adaptable) in accordance with Part M4(3a) of the Building Regulations <u>unless site specific factors or other circumstances are demonstrated to make the site unsuitable or unviable.</u></p> <p>5. To ensure the best use of land and buildings new housing developments will be expected to achieve minimum density standards of 45 dwellings per hectare (dph) (net developable area) in town centres and other locations that are well served by public transport. Minimum densities of between 30 -35dph (net developable area) will be considered appropriate in other locations.</p> <p>6. Other variations in density may be needed, <u>for example</u> in order to mitigate harm to a heritage asset and/or relate to local character, for example. Densities will be expected to have a positive relationship with the existing character of a place, any distinctive features, the historic environment and the surrounding landscape. Site-specific densities may be introduced through area-based character assessments, design guides, design codes or masterplans in line with paragraph 125 of the NPPF.</p> <p>7. <u>Design and access statements will be required to clearly set out which of the relevant standards required by Policy DM03 will be met through the development. Requirements of Policy DM03 apply to all new dwellings, including those created through conversion or subdivision.</u></p>	
		Key strategic objective links	SO1: Health and Well-being

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			SO3: Housing needs SO5: Built and historic environment
		Key policy links	CP4: Housing Development <u>CP12: Infrastructure and Delivery</u>
		Key supporting docs/evidence	Housing and Economic Needs Assessment (2018) Housing and Economic Needs Update (2021)
MM028	Page 59; Policy DM3: Housing mix, standards and densities (Paragraph 4.25)	<p>The National Planning Practice Guidance provides the basis for the Council to set standards relating to the optional technical standards on space, water and accessibility. The Council has used its HENA and Plan Viability Study to inform the requirements for these standards in the new Local Plan. The construction costs of the optional technical standards have all been applied in the Local Plan Viability Study. This work has involved specific consultation with the development community. Evidence demonstrates that the standards are needed and deliverable. <u>In accordance with Policy CP12(6), applicants will therefore need to submit evidence of any site-specific factors or other circumstances that can demonstrate why the site may be unsuitable or unviable and therefore policy requirements cannot be met, for example where step free access cannot be achieved.</u></p> <p><u>The HENA highlights a notable increase projected in the older person population over the plan period, with the total number of those aged 65 and over expected to increase by over 28%, and those aged 80 and over expected to increase by 46%. Given this trend and the higher levels of disability and health problems amongst older people other vulnerable groups, there is likely to be an increased requirement for suitable housing. This could include bungalows and/or homes built to the M4 (2) and/or M4 (3) accessibility standards.</u></p>	
MM029	Page 60; DM4: Assessing Planning Applications for Gypsy, Traveller and Travelling Showpeople Sites (Part 1 (v))	Have good vehicular and pedestrian access from the highway, <u>be in reasonable proximity to public transport accessibility</u> , and prioritise walking and cycling;	
MM030	Page 61;	DM Policy 5 (DM05): Affordable Housing and Rural Exception Sites	

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	Policy DM5: Affordable Housing and Rural Exception Sites (Paragraph 4.32)	The provision of affordable housing to meet the Borough's identified need is an important objective of the Local Plan and is set out in Core Policy CP4: Housing Development. Policy DM05 sets out below provides additional detail on affordable housing requirements in addition to our approach to assessing proposals for development located outside of village boundaries to meet a local affordable housing need.
MM031	Page 61; Policy DM5: Affordable Housing and Rural Exception Sites (Parts 1 & 2)	<p>Affordable Housing</p> <p>1. In meeting the identified Affordable Housing target set out in CP4: Housing Development, the Council will take into account issues affecting delivery including: availability of grant; evidence on the economic viability of individual developments; and up to date evidence on market conditions.</p> <p>2. The type of affordable housing provided should meet the requirement for at least 25% of the affordable units to be First Homes and then seek to meet the needs identified in the latest housing evidence in terms of type, tenure, size and suitability to meet the needs of specific groups. Any local eligibility criteria will be set out in the Council's Affordable Housing Developers Guide.</p>
MM032	Page 62; Policy DM5: Affordable Housing and Rural Exception Sites (Paragraph 4.33)	4.33 In accordance with Policy CP4, and the expectation set out in paragraph 63 of the NPPF, affordable housing should be on-site unless robustly justified. In assessing any potential variation to the overall target requirement set out in Policy CP4: Housing Development for affordable housing within a new development scheme, consideration will be given, through negotiation with the Council, to "open book" evidence supplied by the developer relating to the viability of individual developments.
MM033	Page 64; Policy DM6: Houses in Multiple Occupation (HMO) (Paragraph 4.42)	Where appropriate justified the Council may impose occupancy conditions on any planning permission application for other forms of accommodation that may otherwise revert to HMO use or alternative inappropriate accommodation (for example temporary sleeping accommodation such as Airbnb) without the need to seek further planning approval. This is to ensure the Council can continue to manage HMO/temporary accommodation to protect local amenity. Conditions will be justified where the Council determine occupancy restrictions are needed to protect local amenity.
MM034	Page 65: DM7: Conversion of Buildings in the Countryside (Part 2)	2. The Council has prepared, and will keep up to date, The Conversion of Buildings in the Countryside SPD.

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MM035	Page 66: DM8: Replacement Dwellings in the Countryside	<div><div><div>1. Outside the defined Urban Area and Village Boundaries, the replacement of an existing dwelling will be permitted provided the proposal satisfies all the following criteria:<div><div>i. The existing dwelling can be lawfully used for residential purposes at the present time;</div><div>ii. The size of the proposed dwelling does not result in an increase in the scale or footprint of the existing building to an extent that would unacceptably impact on the character and openness of the rural area or on biodiversity;</div><div>iii. The proposed dwelling and any boundary treatments are appropriate in terms of siting, materials, design, and do not detract from the landscape character areas <u>in which the dwelling is sited</u>, or the residential amenity of any adjacent property.</div></div></div></div><div>2. In order to maintain control over the future development of the site, the Council will consider removing permitted development rights in appropriate cases.</div><div><table><tr><td>Key strategic objective links</td><td>SO5: Built and Historic Environment SO9: Rural Areas</td></tr><tr><td>Key policy links</td><td>CP4: Housing Development <u>DM22: The Borough's Landscapes</u></td></tr><tr><td>Key supporting docs/evidence</td><td><u>A Landscape Strategy for Lancashire, LCC 2000</u> <u>Landscape Character Assessment, LCC 2000</u></td></tr></table></div></div>	Key strategic objective links	SO5: Built and Historic Environment SO9: Rural Areas	Key policy links	CP4: Housing Development <u>DM22: The Borough's Landscapes</u>	Key supporting docs/evidence	<u>A Landscape Strategy for Lancashire, LCC 2000</u> <u>Landscape Character Assessment, LCC 2000</u>
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MM036	Page 66: DM8: Replacement Dwellings in the Countryside (new paragraph following 4.49)	<u>As Part (2) states, permitted development rights may be removed in certain appropriate cases. This will be assessed on a case-by-case basis. Examples of such use may include development in sensitive locations or where the relationship with neighbouring properties or amenity considerations such as parking could be affected.</u>						
MM037	Page 67: Policy DM9: Rural workers Dwellings in the Countryside (Part 1)	<div><div>1. Outside existing settlements, planning permission will only be granted for a new rural worker's dwelling within the land holding of <u>at, or in close proximity to</u>, the source of employment where it is demonstrated that the proposal satisfies all the following criteria:</div></div>						

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		<ul style="list-style-type: none"> i. The worker is full time or primarily employed in agriculture, forestry or another <u>similar</u> use demonstrably requiring them to be present on site almost <u>all</u> of the time <u>to ensure effective operation</u> and a condition can be imposed restricting occupancy to a worker in this position; ii. There is a clear operational need for an additional dwelling for the worker to live <u>at or</u> close to the enterprise; iii. The enterprise is established and economically viable; iv. The accommodation can be related to an existing group of buildings connected to the business. The Council will not consider applications for isolated dwellings unless it can be shown that this is the only practical solution, or where other exceptional circumstances apply; and v. In the case of agricultural dwellings, there is no evidence of farm buildings which were suitable for conversion to a dwelling having been sold off separately from the farmland concerned.
MM038	Page 70; Policy DM12: Clean and Green Energy	<p><u>1. All new residential dwelling and commercial development must consider the energy hierarchy through its design. Applications should set out, through an Energy Statement (or the Council's Climate Impact Framework), how the proposal has considered i) reducing energy demand (be lean), ii) supplying energy efficiently (be clean), and iii) the use of low carbon or renewable energy (be green).</u></p> <p><u>2.</u> The Council will encourage enhanced emissions reduction from new development through:</p> <ul style="list-style-type: none"> i. Energy efficiency measures above the requirements of current Building Regulations; ii. Connection to a heat network in within an area already served by a heat network or connection-ready within an area proposed for heat network development; iii. Incorporation of renewable and low carbon energy infrastructure <p><u>All major development proposing enhanced emissions reduction should be accompanied by an Energy Statement.</u></p> <p><u>3.</u> Commercial development (Use Classes B2, B8 and E) of 2,500m² or more should achieve, as a minimum, BREEAM Good or an accepted equivalent standard⁴;</p>

⁴ And meet the standard required by any subsequent revisions to Building Regulations

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		<p>4. Planning permission will be granted for renewable or low carbon energy developments provided that they:</p> <ul style="list-style-type: none">i. Do not cause demonstrable harm to residential living environment; andii. Do not harm the historic environment; andiii. Can demonstrate no adverse effect on the natural environment, including statutory and non-statutory designated sites, priority habitats and species, and soils of high environmental value, such as peatlands and wetlands; andiv. Do not have an unacceptable visual impact which would be harmful to the character of the area; andv. Will not have a detrimental impact on highway safety. <p>5. Wind energy development will be permitted in areas of the Borough identified as potentially suitable for Wind Energy Development (as shown on the Policies Map) where, in addition to satisfying requirements of 3i -v above, it can be clearly demonstrated that:</p> <ul style="list-style-type: none">i. Following consultation, the planning impacts identified by any local community that would be affected have been fully <u>appropriately</u> addressed <u>in line with national policy</u>;ii. The proposal would not cause significant harm, both individually and cumulatively with other developments, to the quality and enjoyment of the landscape and related views; andiii. There would be no unacceptable impact on amenity or safety in terms of noise, shadow flicker, vibration, topple distance, air traffic safety, radar and telecommunications or visual dominance;iv. There is no risk to the public water supply. Where proposals are proposed on catchment land used for public water supply, a risk assessment of the impact on public water supply may be required with the identification and implementation of any necessary mitigation measures;v. <u>Full consideration should be given to the re-powering and life-extension of existing renewable sites as appropriate. Where renewable energy installations become non-operational for longer than 12 months, the Council will expect the facility to be removed and the site fully restored to its original condition within one year of that use ceasing.</u> <table><tr><td>Key strategic objective links</td><td>SO5: Built and Historic Environment SO7: Climate Change</td></tr></table>	Key strategic objective links	SO5: Built and Historic Environment SO7: Climate Change
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		Key policy links	CP5: Climate Change <u>DM27: Design in New Developments</u>
		Key supporting docs/evidence	Climate Change and Natural Capital Study (2021) Heat Network Masterplanning Study (2019) Blackburn with Darwen Wind Energy Report (2015) Climate Impacts Framework (2021) <u>National Design Guide (2021)</u>
MM039	Page 71; Policy DM12:Clean and Green Energy (Paragraphs 4.59-4.60)	<p>The energy hierarchy <u>aims to encourage developers to reduce the energy demands of new developments.</u> is a classification of energy options prioritised to assist progress towards a more sustainable energy system and carbon reduction goals. <u>Whilst the Local Plan has stopped short of setting targets for energy efficiency at this time, the Council are keen to encourage improved energy efficiency in new homes and buildings to help meet the borough's carbon reduction targets and future-proof buildings from the need for later retro-fitting. Its The Council will look favourably on those developments that seek to achieve higher levels of energy efficiency, using the energy hierarchy</u> inclusion in Policy DM12 is to encourage progress towards these objectives over the Local Plan period. The hierarchy is <u>encourages proposals to:</u></p> <ul style="list-style-type: none"> i. <u>Be</u> Lean: use less energy – by reducing demand and using energy more efficiently; ii. <u>Be</u> Clean: supply energy efficiently – seek to maximise delivery of space heating requirements such as through district heating; iii. <u>Be</u> Green: use renewable or low carbon energy - generate heat or electricity on site to further reduce emissions from the development. <p>All stages in the hierarchy may be implemented in development and developers can use the Climate Impacts Framework to set out their proposals. <u>Applications for all new residential dwellings and major commercial development should detail how they have considered the Energy Hierarchy through an Energy Statement or the Council's Climate Impacts Framework. This includes the adaptation of existing buildings (where appropriate). Conversely, where any part of the hierarchy cannot be achieved, then an explanation should be provided as to why. The Energy Hierarchy will form a component of the Climate Impact Framework assessment tool and further details to guide the content and scope of Energy Statements will be provided through the proposed Climate Impacts Framework SPD.</u></p>	

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MM039a	Page 72; Policy DM12:Clean and Green Energy (Paragraph 4.66)	<p><u>Wind Energy</u></p> <p>The NPPF refers to the need to identify suitable areas for renewable and low carbon energy in Local Plans 'where this would help secure their development' <u>[add footnote as below]</u>. Whilst the identification of suitable areas is considered unnecessary to help secure development for most renewable technologies in Blackburn with Darwen, onshore wind energy developments are a different case. National planning policy and guidance currently restricts the granting of new on-shore wind energy developments to areas that are identified as suitable for wind energy development only in a Local or Neighbourhood Plan. Policy DM12 therefore provides a framework to help facilitate new onshore wind energy development where they meet other relevant criteria set out in the policy.</p> <p><u>New Footnote: In line with National Planning Policy Framework (NPPF), wind energy developments can also be permitted through Local Development Orders, Neighbourhood Development Orders and Community Right to Build Orders</u></p>
MM040	Page 73; DM13: Flooding/SuDS	<ol style="list-style-type: none"> <li data-bbox="607 754 1863 938"><u>1. Development proposed in a flood risk location from any source will be required to demonstrate that there is no sequentially preferable location in which the development could take place, and if necessary, that the development complies with the Exception Test. Where planning applications come forward on sites allocated in the development plan where the source and location of flood risk has been the subject of the sequential test, applicants need not apply the sequential test again.</u> <li data-bbox="607 970 1863 1058"><u>2.</u> Development will be required to demonstrate that it is safe from all types of flooding and that it will not exacerbate flood risk elsewhere in the Borough, including neighbouring agricultural land. Where appropriate, applications should be supported by a site-specific flood risk assessment. <li data-bbox="607 1090 1863 1177"><u>3.</u> Where appropriate this will include a requirement to demonstrate that there is no sequentially preferable location in which the development could take place, and if necessary, that the development complies with the Exception Test. <li data-bbox="607 1209 1863 1393"><u>4.</u> Surface water should be managed as close to its source as possible and drained using a sustainable drainage system (SuDS), unless there is clear evidence that this would be inappropriate, to reduce or have a neutral effect on flood risk, minimise water pollution and enhance biodiversity. Natural flood management techniques should be prioritised wherever possible as part of any mitigation scheme. Measures such as rainwater recycling, green roofs, water butts and permeable surfaces will be encouraged to mitigate the impact of potential flood risk.

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		<p>5. Surface water should be discharged in the following order of priority:</p> <ul style="list-style-type: none"> i. An adequate soakaway or some other form of infiltration system; ii. An attenuated discharge to surface water body; iii. An attenuated discharge to public surface water sewer, highway drain or another drainage system; iv. An attenuated discharge to public combined sewer. <p>6. Applicants wishing to discharge surface water to the public sewer will need to submit clear evidence demonstrating why alternative options are not available as part of the determination of their application.</p> <p>7. Applications for detailed approval will be expected to be supplemented by appropriate maintenance and management regimes for the lifetime of any surface water drainage schemes.</p>
MM041	Page 73, Policy DM13: Flooding/SuDS (Footnote 50)	<p>In line with paragraph 167 of the NPPF. <u>Any FRA will be expected to apply climate change allowances in accordance with the latest guidance issued on gov.uk.</u></p>

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MM042	Page 75, Policy DM14: Environmental Opportunity Areas (Paragraphs 4.78-4.80)	<p>The Council has identified indicative Environmental Opportunity Areas on the Policies map that shows priority areas for well-designed mitigation schemes that provide multiple benefits in terms of habitats, carbon sequestration and water management. Offsetting away from the application site will only be countenanced when the hierarchy of avoidance, mitigation and compensation on or, failing that, close to an application site has been properly examined and found wanting. <u>Any schemes on such land will be expected to involve consultation with relevant agencies (such as Natural England, Wildlife Trust etc.) before implementation.</u></p> <p>The Environmental Opportunity Areas set out on the Policies Map are informed by the Council's Climate Change and Natural Capital Study: particularly Chapter 7 (Natural capital and ecosystem services), Chapter 8 (Green infrastructure mapping) and Chapter 9 (Habitat mapping, connectivity and biodiversity net gain). The potential for carbon sequestration and storage by habitat type is set out in Appendix F.</p> <p>Where appropriate, Environmental Opportunity Areas may be linked to statutory and non-statutory designated sites and ultimately form part of nature recovery networks in the Borough and in neighbouring authorities. Further appropriate guidance will be provided through a Supplementary Planning Document after Defra has determined the responsible authorities for nature recovery strategies, and the Council has developed the Environmental Opportunity Areas concept further, <u>including consultation with all relevant stakeholders.</u></p>
MM043	Page 76; Policy DM15: Biodiversity and supporting text	<i>[Due to length of changes please refer to Appendix C of this schedule / consolidated plan for details of changes]</i>
MM044	Page 78; Policy DM16: Green and Blue Infrastructure (Part 1(iii))	Incorporation of features in the built fabric that support and enhance key local species, <u>such as nest and bat boxes incorporated within the fabric of new developments.</u>
MM045	Page 79; DM17: Trees and Woodland	<ol style="list-style-type: none"> Proposals for new woodlands will be supported and should consider any relevant woodland and forestry strategies to guide and support their management and expansion. The Council will prepare a new Tree and Woodland Strategy to inform and guide tree planting and management in the Borough. All development should: <ol style="list-style-type: none"> Include appropriate landscaping plans, which incorporate suitable tree planting that integrates well with existing trees. This should be done in accordance with guidance contained in national guidance BS.5837:2012 and any subsequent document;

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		<ul style="list-style-type: none"> b. Incorporate existing trees and hedgerows into the design and layout of the scheme; c. Both new and existing trees should be maintained by the owner of the site in accordance with guidance contained in BS.5837:2012 and any subsequent document; d. Promote an increase in tree cover where it would not threaten other vulnerable habitats; and e. Avoid encroachment into the root protection area of trees considered worthy of retention. <p>3. If the removal of one or more trees is permitted as part of a development, compensatory planning must take place at a ratio of at least 3:1⁵⁴ <u>(unless viability evidence is provided in accordance with Policy CP12(6)).</u> Where this level of tree planting is not achievable on site, it may be appropriate to contribute to tree planting in the Borough through a planning contribution (including for appropriate long-term maintenance) in line with Policy CP12.</p> <p>4. Development that would result in the loss of, or damage to, woodlands or trees of significant amenity, screening, wildlife or historical value will only be permitted where:</p> <ul style="list-style-type: none"> a. The development is required to meet a need that could not be met elsewhere; and b. Where the benefits of the development clearly outweigh the loss or damage. <p>5. Impacts on the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be <u>refused unless significant, exceptional reasons can be demonstrated, and appropriate compensation is to be provided.</u> assessed in line with the NPPF.</p>
MM046	Page 80; DM17: Trees and Woodland (new paragraph following 4.96)	<p>Consistent with the NPPF's advice on protecting valued landscapes, the presumption of this policy is that existing trees, hedgerows and other shrub masses of value should be protected unless their loss is unavoidable. Where new development is proposed the preference will always be to incorporate trees, significant hedges, and shrub masses into the development.</p> <p><u>The Council will prepare a new Tree and Woodland Strategy to inform and guide tree planting and management in the Borough. Other strategies, approaches and principles relevant to woodland and forestry will include the Natural Environment SPD, Local Nature Recovery Strategies (Policy CP6), Environmental Opportunity Areas (Policy DM14), Authority-Based Insetting (Policy CP5) and Biodiversity Net Gain (Policy CP6). The Council's Climate Emergency Action Plan (CEAP) also sets an objective to increase tree planting within the Borough.</u></p>
MM047	Page 81; Policy 18: Public Open Space in New	All New residential development will contribute to the provision of high quality open space

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	Developments (Part 1)	
MM048	Page 82; DM18: Public Open Space in New Developments (Paragraph 4.104)	<p>4.104 With respect to play areas the Council has used the thresholds set out below for provision on-site and these costs have been included in the supporting plan viability evidence and are reflected in the anticipated contributions set out in Policy CP12 and relevant growth allocation policies.</p> <ul style="list-style-type: none"> • Local Area Play (LAP) — 50-99 dwellings • Local Equipped Area for Play (LEAP) — 100-499 dwellings Neighbourhood Equipped Area for Play (NEAP) — 500+ dwellings
MM049	Page 83; DM19: Development of Open Spaces (Part 1)	Development affecting designated open space (as identified on the Policies Map) will not be permitted unless:
MM050	Page 83; Policy DM20: Playing Fields, Indoor and Outdoor Sports Facilities (Paragraph 4.108)	Indoor sport and recreation facilities are also important to supporting the health and wellbeing of communities. Often these indoor facilities are linked to outdoor facilities as ancillary uses to and help enhance their usefulness and capacity, for example changing rooms and pavilions. Indoor sport and leisure facilities, including buildings and associated development in ancillary use , are also protected under Policy DM20, unless they are shown to be surplus or are to be replaced.
MM051	Page 84; Policy DM20: Playing Fields, Indoor and Outdoor Sports Facilities (Footnote 57)	Footnote 57 to read: Improved alternative provision means a full quantity and quality replacement to accord with paragraph 99 of the NPPF and Sport England Policy, unless alternative (different type of) provision can be demonstrated to better meet future sport and physical activity needs.
MM052	Page 84; Policy DM20: Playing Fields, Indoor and Outdoor Sports Facilities	<p>In order to provide appropriate sports facilities for the communities of Blackburn with Darwen, the Council will:</p> <p>1. Protect existing playing fields, indoor and outdoor sports facilities, unless:</p> <p>Either:</p> <p>i. They are proven to be surplus to need or</p>

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		<p>ii. Improved alternative provision will be created in a location well related to the functional requirements of the relocated use and its existing and future users.</p> <p>And in all cases:</p> <p>iii. The proposal would not result in the loss of an area or facility important for its amenity or contribution to the character of the area in general.</p> <p>2. Support provision of new playing fields, indoor and outdoor sports facilities where:</p> <ul style="list-style-type: none"> i. They are readily accessible by public transport, walking and cycling; and ii. <u>They are located to maximise usage, are publicly accessible with community use policies built in as part of the development proposals; and</u> iii. The proposed facilities are of a type and scale appropriate to the size of the settlement, <u>need and catchment identified;</u> and iv. They are listed <u>in, and subject to recommendations</u> in, an action plan in any emerging or subsequently adopted Sports Strategy (currently BwD Playing Pitch and Outdoor Sports Strategy and Built Sports Facilities Strategy). <p>3. Ensure that major residential developments contribute, through land assembly and/or financial contributions, to new or improved sports facilities where development will increase demand and/or there is a recognised shortage in the locality that would be exacerbated by the increase in demand arising from the development.</p>
MM053	Page 85; Policy DM20: Playing Fields, Indoor and Outdoor Sports Facilities (new paragraphs following 4.111)	<p><u>In terms of built / indoor sports, publicly accessible facilities have a vital role to play in helping to promote more healthy lifestyles. The existing built / indoor sports facilities of the district represent important assets serving the communities in which they are located and, in some instances, the wider Borough. Any proposal affecting a built / indoor sports facility will be assessed in relation to the Sports Facility Strategy or subsequently adopted strategies.</u></p> <p><u>When providing new built / indoor sports facilities (including club relocations), the following should be considered: location; community use; quality and other criteria set out in relevant Sports Facility Strategies. All new and enhanced sports facilities must be designed in accordance with the relevant Sport England and (where applicable) National Governing Body (NGB) design guidance in order to ensure that the facilities are fit for purpose and of a suitable quality.</u></p>

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		<p><u>To assist in evaluating the impact of new development, Sport England has developed tools for determining the impact of new development on demand for sports facilities and they should be used to guide the investment required in facilities from new development:</u></p> <ul style="list-style-type: none"> <u>i. The Sport England Facility Calculator considers the needs for sports halls and swimming pools and indicates how much demand will be created by a new development and the cost associated with this; and</u> <u>ii. The Playing Pitch Calculator estimates the demand that may be generated for the use of playing pitches by a new development and its additional population.</u>
MM054	Page 86; Policy DM22: The Borough's Landscapes (Paragraph 4.120)	<p>Proposals should have regard to the Lancashire Landscape Character Assessment and Landscape Strategy (2000) which are both still remain relevant (until such time as an update is produced). <u>In doing so, proposals should identify and consider the variety of different landscape characters that can be found across the borough and the recommendations contained in the strategy for their conservation and enhancement. Where relevant, proposals should also have regard to the Character Assessment for the Three Blackburn Sites and the guidance provided for the development of those areas.</u> The Council has adopted 'The Conversion of Buildings in the Countryside Supplementary Planning Guidance', which provides additional guidance on proposals potentially affecting the Borough's landscapes.</p> <p><u>Where relevant, landscape strategies should be included as either supporting information or as part of Design and Access Statements or EIAs. For sites that are considered to be particularly sensitive in landscape or visual terms, a Landscape and Visual Impact Assessment (LVIA) should be undertaken and submitted to support the planning application. The Council's Validation Checklist provides more information on when an LVIA will be required.</u></p>

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MM055	Page 88; DM24: Outdoor Advertisements (Part 1)	<p>Proposals for advertisement consent will be permitted providing the following specific amenity and public safety considerations are satisfied:</p> <p>Specific Amenity Considerations:</p> <ul style="list-style-type: none"> i. The number, size and siting of signs in the area or on the building will not create clutter or excessive advertising; <p>Specific Public Safety Considerations</p> <ul style="list-style-type: none"> ii. The proposal does not obscure visibility or distract the attention of users of the highway; and iii. The colours of the advertisement or its illumination would not obscure or reduce the clarity of any functional or traffic sign; and iv. <u>Any visual movement, for example that of digital / electronic / LED advertisement displays, does not distract the attention of users of the highway; and</u> v. Pedestrian movement is not hindered.
MM056	Page 89; DM25: Telecommunications (new paragraph following 4.128)	<p><u>The Council must determine all telecommunication planning applications on planning grounds. Health safeguards are not a consideration if the proposal meets the guidelines for public exposure¹.</u></p>
MM057	Page 89; DM25: Telecommunications (new footnote following 'public health exposure')	<p><u>International Commission on Non-Ionising Radiation Protection guidelines</u></p>

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MM058	Page 89; DM26: Heritage Assets	<ol style="list-style-type: none"> 1. The Council will support proposals which conserve or, where appropriate, enhance the historic environment of Blackburn with Darwen. 2. Development that affects a designated heritage asset (or an archaeological site of national importance), including their setting, should sustain or enhance elements which contribute to the significance of the asset. <u>Less than substantial harm</u> to such elements will only be permitted where there is a clear justification and this is outweighed by the public benefits of the proposal... 3. Development that affects an <u>non-designated heritage</u> undesigned asset that has been identified by the Council as having local significance or value will only be permitted where it does not <u>any harm the significance does not cause undue loss of significance to the character of the local area and where the harm or loss of significance cannot be balanced as part of a wider planning judgement.</u> of the asset and where the benefits are considered sufficient to outweigh the harm to the asset or the character of the local area. 4. Development that affects an archaeological site of less than national importance will only be permitted where its significance is sustained or enhanced in line with the importance of the remains. Preference will be for in situ preservation, unless the public benefits of the proposal can be demonstrated. Where this is not justified, the proposal will be required to carry out a programme of excavation and recording before or during development. 5. Development within or affecting the setting of a conservation area will only be permitted where it conserves and enhances its special character and appearance, in particular those elements that have been identified as making a positive contribution to its significance in any conservation area appraisal. 6. Proposals affecting all heritage assets (including conservation areas) will be expected to be accompanied by detailed information which allows the full impact of the development proposal on the heritage asset to be properly assessed. This should include the significance of the heritage asset, in isolation and as part of a group or as an area as appropriate; including its contribution to the character or appearance of the area and its setting. <u>As a minimum, the Lancashire Historic Environment Record and relevant heritage guidance documents should be considered.</u> 7. The level of information required will be proportionate to the assets significance and to the scale of the impact of the proposal. This will include (but are not limited to): <ol style="list-style-type: none"> i. The analysis of the significance of the asset including its history and evolution.

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		<ul style="list-style-type: none"> ii. The retention and restoration of historic features and details (both external and internal, above and below ground) that contribute to the asset's significance; iii. The detailed design of any work to be carried out, including scale and proportions, materials and construction details; iv. The compatibility of the proposed use with the protection of the asset's significance. v. The condition of the asset and the cost of any repairs and enhancement works that need to be undertaken; vi. The wider setting and significance of the asset/area including open spaces, landscape, views, historic surfaces, materials and other features that contribute to the significance of the heritage asset. vii. Identification of positive elements of its character and appearance.
MM059	Page 91; Policy DM26: Heritage Assets (Paragraph 4.132)	<p>Where development is proposed within the Borough which affects a designated heritage asset, a heritage assessment will be required that is appropriate to the level of significance of the asset. The assessment needs to explain its significance and the impacts of the proposals. <u>The level of information required will be proportionate to the assets significance and to the scale of the impact of the proposal. This will include (but are not limited to):</u></p> <ul style="list-style-type: none"> i. <u>The analysis of the significance of the asset including its history and evolution.</u> ii. <u>The retention and restoration of historic features and details (both external and internal, above and below ground) that contribute to the asset's significance;</u> iii. <u>The detailed design of any work to be carried out, including scale and proportions, materials and construction details;</u> iv. <u>The compatibility of the proposed use with the protection of the asset's significance.</u> v. <u>The condition of the asset and the cost of any repairs and enhancement works that need to be undertaken;</u> vi. <u>The wider setting and significance of the asset/area including open spaces, landscape, views, historic surfaces, materials and other features that contribute to the significance of the heritage asset.</u> vii. <u>Identification of positive elements of its character and appearance.</u> <p>Substantial harm or loss of significance should be wholly exceptional and could only be justified if it is necessary to achieve substantial public benefits that outweigh the harm or loss, taking into account the significance and benefits of conserving the asset. Conservation area appraisals (where they exist) are the starting point for understanding significance and significant features and assets of conservation areas.</p>

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MM060	Page 92; Matter 11; Policy DM27: Design in New Developments; Key supporting docs / evidence	<table><tr><td>Key supporting docs/evidence</td><td>National Model Design Code (MHCLG, January 2021) National Design Guide (MHCLG, January 2021) <u>Blackburn Character Study SPD</u> <u>Darwen Character Study SPD</u> <u>Borough wide Design Guide SPD (2006)</u> <u>Residential Design Guide SPD (2012, to be updated 2023)</u></td></tr></table>	Key supporting docs/evidence	National Model Design Code (MHCLG, January 2021) National Design Guide (MHCLG, January 2021) <u>Blackburn Character Study SPD</u> <u>Darwen Character Study SPD</u> <u>Borough wide Design Guide SPD (2006)</u> <u>Residential Design Guide SPD (2012, to be updated 2023)</u>
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MM061	Page 92; Policy DM27: Design in New Developments (Paragraph 4.137)	Although Policy DM27 focuses on ensuring new development meets the design quality principles set out in the National Design Guide, applicants will also be expected to demonstrate how their proposals meet the requirements and principles in other relevant policies of this plan and in additional <u>local</u> design-related <u>studies and</u> guides, including those identified above		
MM062	Page 93; DM28: Development Affecting Watercourses, Bodies and Catchment Land	<ol style="list-style-type: none">1. Development will not be permitted within the functional floodplain <u>(as defined on the mapping published and updated by the Environment Agency)</u> unless development is <u>for water compatible uses or essential infrastructure that have met the requirements of the exception test.</u>2. Development alongside watercourses or bodies should, wherever possible, make active use of the water through the layout and orientation of development and the integration of the water and its environs into the development's public space. Such developments should provide positive engagement/frontages to the waterway wherever possible.3. Development alongside watercourses or bodies should enhance the waterside environment and boost the green infrastructure function of the watercourse or body.4. Development close to watercourses or bodies should not sever recreational routes, prejudice recreational uses, reduce water quality, diminish the ecological value of the water body or environs, increase flood risk or interfere with culverts or drainage unless required to enable the development and appropriate mitigation measures are provided as part of the development proposals.5. Development alongside watercourses or bodies will only be permitted if it can be demonstrated that it would not adversely impact on the structural integrity of the waterway or its related infrastructure and assets.		

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		<p>6. Development proposals on land used for public water supply catchment purposes (as shown on the Policy Map Policies Map) will be required to consult with the relevant water undertaker. The first preference will be for proposals to be located away from land used for public water supply purposes. Where proposals are proposed on catchment land use for public water supply, careful consideration should be given to the location of the proposed development and a risk assessment of the impact on public water supply may be required with the identification and implementation of any required mitigation measures.</p> <p>7. <u>Development should ensure that groundwater resources are protected from pollution and safeguard water supplies.</u></p>
MM063	Page 94; DM29: Transport and Accessibility (Part 1(v))	Measures are included to encourage access on foot and by bicycle with reference to in accordance with the Local Cycling and Walking Infrastructure Plan, and in accordance with Healthy Streets principles⁷⁵ where appropriate;
MM064	Page 95; Policy DM29: Transport and Accessibility (Paragraph 4.142)	<p>The Council's latest car parking standards were adopted in 2014. The Council is commencing a review of car parking standards to include clearer guidelines on minimum/maximum car parking provision (including both vehicle and cycling provision) <u>and whether requirements over and above building regulations are justified.</u> The review will also consider a suitable approach to electric vehicle charging in new developments and whether requirements over and above building regulations are considered necessary.</p> <p><u>The Council is currently preparing a Local Cycling and Walking Infrastructure Plan (LCWIP) for the Borough. To ensure that the outputs of this work are properly integrated into local planning and transport policies and delivery plans, the Council will aim to adopt its LCWIP as an SPD. This will ensure that future decision making gives sufficient weight to cycling and walking matters. Specific schemes may also be included to the Infrastructure Delivery Plan where relevant.</u></p>
MM065	Page 96; Policy DM30: Primary Employment Areas (Part 1)	Primary Employment areas are the highest quality areas in the Borough ⁶⁹ and will be retained for employment uses (<u>general industrial; storage and distribution; office, research and light industry – respectively Use Classes B2/B8/E(g) –</u> and sui generis uses of a similar nature and character to the area). Proposals to redevelop land for other uses will be strongly resisted, with those in the Borough's flagship employment locations only permitted in exceptional circumstances.
MM066	Page 96; DM30: Primary	Primary employment areas are considered to be those that can accommodate the highest quality employment uses, and which, in most cases, are also the most straightforward to develop. <u>This includes areas identified as flagship employment locations⁸¹ – which, due to their location, scale and</u>

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	Employment Areas (Paragraphs 4.145-4.146)	<p><u>setting, are prestigious, high-quality areas capable of competing for investment in the regional market-place.</u> These sites are a limited resource, and so it is essential that we manage the mix of uses that is located on them to ensure that they provide the maximum benefit to the local economy and remain available to accommodate a wide range of investment. At the same time it is essential that these business areas remain sustainable, and provide an environment which makes them appealing for people to work in and hence for operators to locate in.</p> <p>There are a total of thirteen Primary Employment Areas identified in the Local Plan on the Policies Map which are: the largest of which include:</p> <ul style="list-style-type: none"> • Shadsworth Business Park, Blackburn (66ha) • Walker Park, Blackamoor Road, Blackburn (49ha) • Whitebirk Industrial Estate, Blackburn (47ha) • Greenbank, Blackburn (32ha) • Glenfield Business Park, Blackburn (32ha) • Roman Road/Davyfield Road, Blackburn (24ha) • Goose House Road, Darwen (14ha) • Land at M65 (J4), Commercial Road, Darwen (12ha) • <u>Burnley Road, Blackburn (11ha)</u> • <u>Lower Eccleshill Road, Darwen (8ha)</u> • <u>Paul Rink Way / Riversway Drive, Lower Darwen (3ha)</u> • <u>Hollins Grove, Darwen (1ha)</u> • <u>Furthergate, Blackburn (1ha)</u>
MM067	Page 96; DM30: Primary Employment Areas (new footnote within Paragraph 4.145)	<u>As identified in the Council's Employment Land Review Study (2019)</u>

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MM068	Page 97; Policy DM31: Secondary Employment Areas (Part 1)	<p>Secondary Employment Areas play an important role in supporting jobs and economic growth. Proposals to redevelop land for other uses in these areas⁷⁰ will be resisted <u>to safeguard the areas for employment use. However, development proposals in secondary employment areas will be</u> but considered more flexibly than <u>those proposals</u> in Primary Employment Areas. <u>In doing so,</u> they will be expected to demonstrate that:</p> <ul style="list-style-type: none"> i. The site/premises are no longer suitable or reasonably capable of being redeveloped for employment purposes; <u>and either</u> ii. The site/premises has been actively marketed for employment purposes for a reasonable period of time (minimum of 12 months) at a reasonable market rate (i.e. rent or capital value) as supported through a documented formal marketing strategy and campaign; or iii. There will be a significant community benefit which outweighs the impact of losing the employment site/premises.
MM069	Page 98; Policy DM31: Secondary Employment Areas (Paragraph 4.151)	<p>There are seventeen Secondary Employment Areas identified in the Local Plan on the Policies Maps:- The largest of these include:-</p> <ul style="list-style-type: none"> • Copy Nook/Higher Eanam/Gorse Street, Blackburn (46ha) • Hollins Grove, Darwen (42ha) • Goose House Road and land east of the railway, Darwen (16ha) • Bank Top/George Street West/Wensley Road, Blackburn (13ha) • Cross Street/Junction Street, Darwen (10ha) • <u>Griffin/Queen Victoria Street, Mill Hill, Blackburn (9ha)</u> • <u>West side of Bolton Road adjacent Railway Line, Blackburn (8ha)</u> • <u>India Mill Complex, Hindle Street, Darwen (8ha)</u> • <u>Livesey Fold, Darwen (7ha)</u> • <u>Branch Road, Lower Darwen (6ha)</u> • <u>Whitebirk Road, Intack, Blackburn (4ha)</u> • <u>Nova Scotia, Blackburn (4ha)</u> • <u>Standcliffe Street, Griffin, Blackburn (3ha)</u> • <u>Stakes Hall Place / Charnley Street, Blackburn (3ha)</u> • <u>Lower Hollin Bank Street, Blackburn (2ha)</u> • <u>Moss Street, Daisyfield Blackburn (2ha)</u> • <u>Grange Road/Selous Road, Blackburn (1ha)</u>

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MM070	Page 98; Policy DM32: Protection and Re-use of Existing Employment Sites	<p>1. The re-development of existing employment sites away from employment uses that do not sit within identified Employment Areas will be supported in the following circumstances:</p> <p>1. <u>The re-development of existing employment sites, located outside identified Employment Areas, for a use other than employment, will be supported in the following circumstances:</u></p> <ul style="list-style-type: none"> i. The present (or previous, if vacant or derelict) use causes significant harm to the character or amenities of the surrounding area; <u>or</u> ii. It is demonstrated that no other appropriate viable alternative employment use could be attracted to the site; or iii. Mixed-use redevelopment would provide important community and/or regeneration benefits with no significant loss of jobs, potential jobs, and the proposed mix of uses accords with other planning policies. <p>2. Where employment premises not meeting any of the criteria set out in Paragraph 1 fall vacant, the Council will work with partners to secure their re-use or the redevelopment of the site for a new employment use. In cases where a site remains suitable for employment development but it is demonstrated that this is not economically viable, the Council may give favourable consideration to an element of higher-value “enabling” development, having regard to the balance of uses that would result on the site and in the wider area. <u>The Council will expect applicants to provide evidence of appropriate marketing and/or economic viability to demonstrate an employment site/premise is no longer appropriate for employment use.</u></p>
MM071	Page 99; Policy DM33: Town Centres (Part 3)	<p>1. Within the Town Centres as defined on the adopted Policy Map <u>Policies Map</u>, planning permission will be granted for development which contributes to one or more of the following objectives:</p> <ul style="list-style-type: none"> i. Strengthening and focusing the shopping offer; ii. Expanding the role of the town centres to support vitality and viability; iii. Protecting and enhancing the leisure offer and developing an evening economy; iv. Establishing a vibrant town centre residential population (except where it would cause unacceptable harm to the operations of existing town centre uses). <p>2. Development proposals within the town centres should (where applicable) demonstrate how the proposal contributes to enhancing the following key attributes of the centre:</p>

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		<ul style="list-style-type: none"> i. The overall attraction of the centre to local communities; ii. The accessibility from/to the centre and within it; and iii. The amenity of the local environment within the town centre. <p>3. Proposals that may include town centre uses retail use (including Class E(a) retail) will be directed to expected to be located in the Primary Shopping Areas in the first instance through the application of the sequential test. Where this is not the case, the sequential test will be applied in line with policy DM35. In Darwen Town Centre, the town centre boundary will be interpreted as the Primary Shopping Area.</p> <p>4. The Council will support and encourage a mix of complementary uses in the town centres.</p> <p>5. Planning permission for specific types of development may be restricted to ensure that no unacceptable impacts on sensitive land uses occur, or over proliferation of uses occur. Sensitive uses include but are not limited to residential uses, educational uses or businesses which operate in a quiet setting. The Council will maintain appropriate Supplementary Planning Documents to support these aims.</p>
MM072	Page 100; DM33: Town Centres (new paragraph following 4.159)	<p>The Councils ambitions around regeneration and renewal of both Blackburn and Darwen town centres set out in this Local Plan will be progressed with the key attributes around the attractiveness of the centre, the accessibility, and the amenity of the local environment foremost in mind. Amenity considerations include issues around reducing congestion, improving air quality and provision of enhanced public/shared space.</p> <p><u>The Council will maintain appropriate Supplementary Planning Documents, including Town Centre SPDs and Masterplans, to provide additional guidance.</u></p>
MM073	Page 100, Policy DM34: District and Local Centres (Paragraph 4.160)	<p>There will be a general presumption in favour of development within District Centres (Tier 3). As set out in Policy CP11, one of the roles of District Centres is to facilitate more sustainable living by providing localised facilities and services. The presumption therefore is that smaller scale facilities, as defined by Policy DM35, are brought forward within the District Centres, in line with their position on the retail hierarchy below the defined Town Centres. Larger scale proposals that seem out of proportion with the role of a District Centre may be required to demonstrate their predicted impacts on other centres within the hierarchy, and on traffic and general amenity. Local Centres (Tier 4) are also designated in the Local Plan to help support development of 20-minute neighbourhoods in the Borough.</p>

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MM074	Page 101; DM Policy 34: District and Local Centres	<ol style="list-style-type: none"> The Borough's District Centres are defined on the Policy Map Policies Map and include: <ul style="list-style-type: none"> In Blackburn: Audley Range, Bastwell, Bolton Road, Ewood, Johnstone Street, Little Harwood, Mill Hill, Roe Lee, Whalley Banks, Whalley Range In Darwen: Duckworth Street Within the defined District Centres planning permission will be granted for small-scale proposals, as defined by Policy DM35, for commercial or other main town centre uses (including residential). For the purposes of applying the sequential test, as set out within Policy DM35(2), for proposals that may include retail use (Class E(a)) the District Centre boundary will be interpreted as the Primary Shopping Area. The location of the Borough's Local Centres are identified on the Policy Map Policies Map and include: <ul style="list-style-type: none"> In Blackburn: Accrington Road (St Jude's); Audley Range; Bastwell; Blackburn Cemetery; Bolton Road (Ewood Bridge); Brookhouse; Brownhill; Cherry Tree North; Cherry Tree South; Copy Nook; Earcroft; Feniscowles; Fishmoor Drive; Four Lane Ends; Griffin; Hancock Street; Haslingden Road (Blackburn Hospital); Higher Eanam; Holly Tree; Infirmary Waterside; Intack; New Bank Road; Preston New Road East; Preston New Road West; Ramsgreave and Wilpshire; Redlam; St. James; Witton In Darwen: Blackburn Road (Birch Hall); Bolton Road (Sough); Bolton Road (Whitehall); Suddell Road; In the rural areas: Edgworth, Hoddlesden Local Centres will provide a small range of shops and other local services which help meet the day to day needs of residents. Local shopping opportunities and facilities within Local Centres will be supported and safeguarded where possible. Due to their small-scale nature Local Centres do not have defined boundaries. Planning permission will be supported for small-scale proposals, as defined by Policy DM35, for commercial or other main town centre uses that can demonstrate they it will support and enhance existing provision of the Local Centre. New Local Centres will be supported as part of any significant new developments where they can be demonstrated to support and enhance the existing network of Local Centres and support the concept of 20-minute neighbourhoods.

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MM075	Page 102; DM35: Assessing Applications for Main Town Centre Uses (Part 1)	Centre Tier	Indicative maximum unit size		
		1 – Major Town Centre (Blackburn)	No limit		
		2. Town Centre (Darwen)	4000sqm...		
MM076	Page 103; DM35: Assessing Applications for Main Town Centre Uses (Part 4 table);	Location of development		Floorspace threshold	Centres required to be assessed for potential impact
		Within 500m of any district centre boundary or a local centre		250 280 sqm	All district centres or local centres within 500m
		Darwen urban area (south of the M65)		500sqm	Darwen town centre plus all district centres / local centres within 500m
		Blackburn urban area (north of the M65)		1,000sqm	Blackburn town centre plus all district / local centres within 500m
		Any location outside of the defined urban area		100sqm	To be determined on a case by case basis
		<i>Note: Development close to the boundary between Blackburn and Darwen meeting the floorspace thresholds may require impact assessments on both town centres.</i>			
MM077	Page 105; DM36: Local and Convenience Shops (Part 1i)	The proposal caters for local needs only and individual units do not exceed a maximum of 250sq.m 280sqm in gross floor area;			
MM078	Page 106; DM37: Tourism (Part 1 iii)	... At or in vicinity of Ewood Park, for uses associated with the operation or development of Blackburn Rovers Football and Athletic Club, and where benefits to the visitor economy can be demonstrated;			
MM079	Page 115, Policy H009: Blackburn Golf Course Practice Ground (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) – a planning contribution may be required to help mitigate the impacts of development. Specific infrastructure requirements and planning contributions will be identified in line with Policy CP12 and the 'Primary' site typology set out in Table 3; 2. Housing mix and standards (DM03 and DM05) - development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; 			

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		<p>3. Flooding / water management (DM13) –</p> <ul style="list-style-type: none"> a) a small area of the site is located within Flood Zone 3b (see SFRA Level 1) which should be omitted from the developable area of the site; b) flood risk should be manageable through careful consideration of site layout and design around the flood risk early on in the planning stage; c) early dialogue with United Utilities and the Council's Drainage team will be required prior to the submission of a planning application for developing the site due to its location within an identified drainage area; and d) <u>applicants will be required to engage early with United Utilities to agree the approach to a drainage strategy and connections to the public sewer, incorporating mitigation measures where necessary. Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> <p>4. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application to develop the site due to its greenfield nature;</p> <p>5. Open space (DM16 and DM18) - the Council's Open Space Audit (2021) identifies a deficiency of both amenity greenspace and natural and semi-natural greenspace in the Blackburn North Neighbourhood Area. Development proposals should seek to address these deficiencies wherever possible, along with provision of a LAP onsite (or contribution <u>towards off site provision where justified</u> of £35,000, in addition to costs under para 1, for provision elsewhere);</p> <p>6. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation. The development will in all likelihood may require a level of archaeological mitigation, which might take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>7. Highways and access (DM29) – suitable vehicular access to the site is available off Clarence Park.</p> <p>8. <u>Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</u></p>

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MM080	Page 117, Policy H029: Fishmoor Drive Site 4 (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution will be expected to help mitigate the impacts of development in line with the 'Secondary' site typology set out in Table 3 of Policy CP12. This includes funding provision of a replacement playing field and any other specific infrastructure requirements identified in line with Policy CP12; 2. Housing mix and standards (DM03 and DM05) - development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; 3. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to presence of utilities infrastructure and land interests within the site; 4. Ecology (DM15) - potential ecological impacts must be considered and mitigated against as part of any planning application to develop the site due to its greenfield nature, District Local Wildlife Site status of part of the site, and its location immediately adjacent to Darwen Valley Parkway Biological Heritage Site (BHS). An adequate buffer and access management infrastructure may be required to protect sensitive habitats and species; 5. Public Rights of Way (DM16) - the development layout and scheme detailing should provide good connectivity to the established Public Rights of Way network including mitigation of any adverse impacts; 6. Trees (DM17) - there are a number of trees both within and around the perimeter of the site (including some TPOs to the south east boundary). Development will be required to avoid loss of and minimise harm to existing trees; 7. Open space (DM18) – development proposals will be expected to provide a LEAP onsite (or contribution towards off site provision where justified of £80,000, in addition to costs under para 1, for provision elsewhere); 8. Playing pitches (DM20) - the area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field of equivalent or better quality; and of equivalent or greater quantity; and in a suitable location; and subject to equivalent or better accessibility and management arrangements;

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		<p>9. Archaeology (DM26) - any planning application to develop the site will require an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation. The development will in all likelihood may require a level of archaeological mitigation, which might take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>10. Highways and access (DM29) – suitable vehicular access to the site is available off Fishmoor Drive.</p>
MM081	Page 118, Policy H039: Haslingden Road (Fishmoor Reservoir) (Key site information)	<p>Amount/type of development 300310 residential units</p> <p>Anticipated delivery years (units) 2021-26 420 90 units 2026-31 480 220 units</p>
MM082	Page 119, Policy H039: Haslingden Road (Fishmoor Reservoir) (Key Development Considerations)	<p>1. Planning obligations (CP12) - a planning contribution will be expected to help mitigate the impacts of development in line with the ‘Secondary’ site typology set out in Table 3 of Policy CP12. Specific infrastructure requirements will be identified in line with Policy CP12;</p> <p>2. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to presence of utilities infrastructure <u>and land interests</u> within <u>and adjacent to</u> the site;</p> <p>3. Housing mix and standards (DM03 and DM05) - development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05;</p> <p>4. Flooding / water management (DM13) – due consideration will need to be given to the potential for flooding from the adjacent Fishmoor reservoir. Incorporation of appropriate measures to control surface water run-off will be required; <u>There should be no impact on water quality / water supply as a result of the development’s proximity to Fishmoor Reservoir;</u></p> <p>5. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature and its location in close proximity to Fishmoor and Guide reservoirs. Mitigation measures for habitat loss should be met within the local area;</p>

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		<p>6. Public Rights of Way (DM16) - the development layout and scheme detailing should provide good connectivity to the established Public Rights of Way network including mitigation of any adverse impacts;</p> <p>7. Open space (DM18) – development proposals will be expected to provide a LEAP onsite (or contribution towards off site provision where justified of £80,000, in addition to costs under para 1, for provision elsewhere);</p> <p>8. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation due to presence of farmstead and small terrace sites pre 1848 in close proximity to the site. The development will in all likelihood may require a level of archaeological mitigation, which might take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>9. Highways and access (DM29) – suitable vehicular access to the site is available off Haslingden Road.</p>
MM083	Page 120, Policy H042: Land at Bank Hey (Key site information)	<p>Amount/type of development 650 600 residential units (427 367 within the Plan period)</p> <p>Anticipated delivery years (units) 2021-26 97 37 units 2026-31 150 units 2031-2037 180 units Beyond 2037 223 233 units</p>
MM084	Page 121, Policy H042: Land at Bank Hey (Key Development Considerations)	<p>1. Adopted masterplan - Development is to be brought forward in line with the principles set out in the Bank Hey Masterplan (adopted March 2020) and associated Infrastructure Delivery Strategy;</p> <p>2. Planning obligations (CP12) - a minimum planning contribution of £9,692 per dwelling will be required to help mitigate the impacts of development in line with the Bank Hey Masterplan. This will contribute towards additional primary school places in West Blackburn, highways infrastructure improvements (Bog Height Link Road and improvements to Jack Walker Way/A666) and other specific infrastructure requirements identified in line with Policy CP12;</p>

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		<ol style="list-style-type: none"> 3. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to presence of utilities infrastructure <u>and land interests</u> within the site; 4. Contamination / site safety (DM02) - due to the presence of infilled land in the area and a known landfill on the site, completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any required mitigation measures. In addition, the overhead lines present on the site will be incorporated into the design of development and statutory safety clearances between overhead lines, the ground, and built structures must not be infringed; 5. Housing mix and standards (DM03 and DM05) - development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; 6. Flooding / water management (DM13) – <ol style="list-style-type: none"> a. a small area of the site is located within Flood Zone 3b (see SFRA Level 1) which should be omitted from the developable area of the site; b. surface water flood risk should be manageable through careful consideration of site layout and design around the flood risk early on in the planning stage; c. a holistic drainage strategy is to be agreed prior to the submission of planning application, with the ponds and drains running west to east through the site to be retained within the development design; d. <u>applicants will be required to engage early with United Utilities to agree the approach to a drainage strategy and connections to the public sewer, incorporating mitigation measures where necessary. Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> 7. Environmental Opportunity Areas (DM14) – the site is expected to include new strategic green infrastructure links and/or habitat, biodiversity, carbon management and flood risk mitigation measures; 8. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature and its location in close proximity to

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		<p>Higher Bog Pasture Biological Heritage Site and the presence of important species and habitats within the site;</p> <p>9. Public Rights of Way (DM16) - the development layout and scheme should incorporate existing Public Rights of Ways and create a new network of routes for both pedestrians and cyclists;</p> <p>10. Trees (DM17) - important features present on the site such as woodlands (two areas of trees present within the site are protected by TPOs) and hedgerows should be protected;</p> <p>11. Open space (DM16 and DM18) - proposals will be expected to provide a NEAP onsite (or contribution towards off site provision where justified of £140,000, in addition to costs under para 1, for provision elsewhere);</p> <p>12. Heritage assets (DM26) – the New Row Wesleyan Methodist Chapel is a Grade II listed building located adjacent to the western boundary of the site on Heys Lane and is in a poor state of repair. Bog Bank Farmhouse, a Grade II listed building is also located close to the site. As the site is on exposed, high ground, development is likely to have a significant visual impact upon the surrounding area and these listed assets. The Heritage Impact Assessment prepared for the site identifies a number of mitigation measures to minimise any impact on these assets. Development should maintain the visual connection to these assets and maintain some sense of openness, limiting development directly opposite and in close proximity to the listed Chapel. A landscape buffer should be retained on the western edge of the site and development on the southern parts of the site should be limited as these areas will appear more visually prominent;</p> <p>13. Archaeology (DM26) - any planning application to develop the site will be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation. The development will in all likelihood may require a level of archaeological mitigation, which might take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>14. Highways and access (DM29) – the Bank Hey Masterplan identifies a number of suitable vehicular access points to the site off Jack Walker Way, Heys Lane, Moorland Road and Bog Height Road.</p>
MM085	Page 123; Policy H044-46: Land at Holden Fold,	<p>Policy H044-46: Land at Holden Fold, Darwen</p> <p>Housing Growth Site H044-46: Key site information</p>

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	Darwen (Key site information)	<p>Amount/type of development 397-367 residential units delivered within plan period with development continuing beyond 2037 (total of 433 units to be delivered across the sites)</p> <p>Anticipated delivery years (units) 2021-26 67 37 units 2026-31 150 units 2031-37 180 units Beyond 2037 36 66 units</p>
MM086	Page 124, Policy H044-46: Land at Holden Fold (Key Development Considerations)	<ol style="list-style-type: none"> 1. Adopted masterplan - Development is to be brought forward in line with the principles set out in the Holden Fold Masterplan (adopted February 2021) and associated Infrastructure and Delivery Plan. A co-ordinated approach to phased development in line with supporting infrastructure works will be required; 2. Planning obligations (CP12) - a minimum planning contribution of £4,618 per dwelling will be required to help mitigate the impacts of development in line with the Holden Fold Masterplan. This will contribute towards additional primary and secondary school places, off-site highways and Square Meadows upgrade and other specific infrastructure requirements identified in line with Policy CP12. 3. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required due to presence of utilities infrastructure and land interests within the site and its location in close proximity to an identified drainage area. More detailed assessments will be required in conjunction with United Utilities to determine the most appropriate option to establish a new clean water connection; 4. Contamination (DM02) - completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any required mitigation measures due to former mining activities on the site and its location in close proximity to a former landfill site; 5. Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05;

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		<p>6. Flooding / water management (DM13) – the site is partially located within a Critical Drainage Area. A holistic drainage strategy is to be agreed prior to the submission of any planning application for developing the site;</p> <p>7. Environmental Opportunity Areas (DM14) – the site includes the green infrastructure opportunities identified in the Holden Fold Masterplan as potential Environmental Opportunity Areas;</p> <p>8. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature;</p> <p>9. Public Rights of Way (DM16) - a network of Public Rights of Way cross the site and run along the northern boundary. The development layout and scheme detailing will be required to provide good connectivity to this established network including mitigation of any adverse impacts;</p> <p>10. Open space (DM16 and DM18) - the Council's Open Space Audit (2021) identified a deficiency of amenity greenspace in the Darwen Neighbourhood Area which development proposals should seek to address wherever possible. A community sports pitch known locally as Square Meadow is located on the eastern boundary of the site and development proposals should explore the opportunities to extend/enhance this use and create linkages with the on-site and surrounding network of open spaces;</p> <p>11. Heritage assets (DM26) – the site is located adjacent a number of designated heritage assets and their settings, including Manor House Farm Cottage and the church buildings at Lower Chapel and Church of St James' that must be protected. The proposed development site falls uphill of Manor House and development is likely to impact on its setting. The Heritage Impact Assessment prepared for the site requires a landscape buffer to be retained in the south east corner of the site whilst retaining glimpsed views of the listed Manor House Cottage. The levels of any development in this part of the site will need to be maintained to avoid development dominating views within the wider setting;</p> <p>12. Archaeology (DM26) - any planning application to develop the site will be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation. The development will in all likelihood may require a level of archaeological mitigation, which might take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p>

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		<p>13. Landscape character (DM22) - the site is located within the West Pennine Moors. Development proposals will be required to be designed so as to minimise the potential impacts of development on the landscape character, ecological and recreational value of the West Pennine Moors. Important landscape features such as the area of adjacent ancient woodland (<u>Polyphemus Woods</u>) will be protected;</p> <p>14. Highways and Access (DM29) – the Holden Fold Masterplan identifies suitable vehicular access points to the site at Holden Fold, Moor Lane and Roman Road.</p>
MM087	Page 126; H068: Queens Park (Key site information)	<p>Amount/type of development 20 <u>21</u> residential units (including <u>8</u> self-build plots)</p> <p>Anticipated delivery years (units) 2021-26 48 <u>15</u> units 2026-31 2 <u>6</u> units</p> <p>Recent planning history None <u>Full planning permission for 13 bungalows on Borrowdale Avenue parcel (planning application ref. 10/22/0223)</u></p>
MM088	Page 127, Policy H068: Queens Park, Blackburn (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) – a planning contribution may be required to help mitigate the impacts of development in line with the ‘Secondary’ site typology set out in Table 3 of Policy CP12. Specific infrastructure requirements and planning contributions will be identified in line with Policy CP12 and Table 3; 2. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to presence of utilities infrastructure within the site; 3. <u>Securing High Quality and Inclusive Design (CP8) - in line with Policy CP4: Housing Development, the Council will prepare a design code to ensure there is a consistent and cohesive approach to design for the site.</u> 4. Contamination (DM02) – the completion of appropriate ground investigation works and gas risk assessment will be required to establish the extent of any ground contamination and any required

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		<p>mitigation measures due to site's former use as a quarry and its location close to a known landfill site;</p> <ol style="list-style-type: none"> Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature; Heritage assets (DM26) - the site is located adjacent to a Grade II listed Park and Garden (Queen's Park). The Heritage Impact Assessment prepared for the site recommends development of the parcel adjacent Queen's Park to be 2 storey terrace or linked properties set at road level to replicate the typical urban character of the area. The properties should be set back off the road with low garden walls to the front; Highways and access (DM29) – suitable vehicular access to the site is available off Queens Road and Borrowdale Avenue.
MM089	Page 128; Policy H072: Roe Lee Mills, Blackburn (Key site information)	<p>Anticipated delivery years (units)</p> <p>2021-26 26 units 0 units</p> <p>2026-31 <u>26 units</u></p>
MM090	Page 129; Policy H072: Roe Lee Mills, Blackburn (Key Development Considerations)	<ol style="list-style-type: none"> Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development in line with the 'Tertiary' site typology set out in Table 3 of Policy CP12. Specific infrastructure requirements and planning contributions will be identified in line with Policy CP12 and Table 3; Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to the presence of utilities infrastructure within the site; Safeguarding amenity (DM02) – adequate mitigation measures will be required within development proposals to ensure any amenity impacts associated with the site's proximity to the railway line are adequately addressed;

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		<p>4. Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05;</p> <p>5. Flooding / water management (DM13) - the Level 2 SFRA identifies a need for a Drainage Strategy to be prepared at the FRA stage to manage surface water risk on and off the site. There is an open channel watercourse running along the southern boundary of the development site. Any development proposals on the site should ensure an 8m riparian buffer is retained along this watercourse;</p> <p>6. Heritage assets (DM26) – any development proposed on the site must assess the potential impacts on the unlisted weaving shed located to the south of the site and minimise any impact on the asset and its setting;</p> <p>7. Highways and access (DM29) – suitable vehicular access to the site is available off Campbell Street.</p>
MM091	Page 130, Policy H080: Springside Works, Belmont (Key site information)	<p>Amount/type of development 1160 residential units</p> <p>Anticipated delivery years (units) 2021-26 25 units 2026-31 85 91 units</p>
MM092	Page 131, Policy H080: Springside Works, Belmont (Key Development Considerations)	<p>1. Green Belt (CP2) - The site is previously developed land located within the Green Belt. Development proposals must therefore comply with relevant national policy;</p> <p>2. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development in line with the 'Primary' site typology set out in Table 3 of Policy CP12. Specific infrastructure requirements and planning contributions will be identified in line with Policy CP12 and Table 3;</p> <p>3. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to a range of issues and its location within close proximity to a reservoir flood zone; which include the presence of utilities infrastructure along the proposed access road, the impact on United Utilities' land interests,</p>

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		<p><u>the operational reservoir and associated infrastructure, and due to the location of the site in a reservoir flood zone;</u></p> <ol style="list-style-type: none"> 4. Contamination (DM02) – a number of landfills were formerly present on the site which has resulted in significant contamination issues. This must be thoroughly investigated and resolved prior to development of the site; 5. Housing mix and standards (DM03 and DM05) – development of the site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; 6. Flooding / water management (DM13) – the SFRA Level 1 highlights an area of the site is located within Flood Zone 3b which is to be omitted from the site’s developable area. Flood risk should be manageable through careful consideration of site layout and design around the flood risk early on in the planning stage. Attention will be required to drainage within and from the site to ensure that there is no impact on the nearby watercourse; 7. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site and appropriate buffers included where required due to its rural location, proximity to nationally and regionally important wildlife sites (SSSI, BHSs, nature reserve), watercourses and its position within an ecological network. <u>The potential impact of recreational disturbance on the West Pennine Moors SSSI should also be considered at early project stage;</u> 8. Public Rights of Way (DM16) - the development layout and scheme detailing should provide good connectivity to the established Public Rights of Way network including mitigation of any adverse impacts; 9. Open space (DM18) – development proposals will be expected to provide a LEAP onsite (or contribution towards off site provision where justified of £80,000, in addition to costs under para 2, for provision elsewhere); 10. Landscape character (DM22) - <ol style="list-style-type: none"> a. the site is located within the West Pennine Moors. Development proposals will be required to be designed so as to minimise the impact of development on the countryside and to enhance access to the countryside;

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		<p>b. development must be informed by a landscape masterplan identifying strategic areas of planting that are required to integrate the development into the surrounding countryside;</p> <p>c. development will be required to be compatible with the rural character of the surrounding area, with particular attention to the massing and distribution of buildings, architectural vernacular, materials and landscaping / boundary treatments;</p> <p>11. Heritage assets (DM26) - two Grade II listed buildings are located in close proximity to the site – Lower Folds Farmhouse to the north west and Dingle House to the south east. The Heritage Impact Assessment prepared for the site requires any new development to preserve the wooded framework enclosing the site to screen views and minimise harm to these listed buildings. The assessment also identifies the Springside Works site itself as a non-designated heritage asset. Some further recording of the above ground structures to capture the evidential value of the site will mitigate the very low level loss of the building;</p> <p>12. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation. The development will in all likelihood may require a level of archaeological mitigation, which may take the form of preservation in situ, or by record, depending on the significance of the features encountered.</p> <p>13. Highways and access (DM29) – suitable existing vehicular access point to the site is available.</p> <p>14. Proposals for development will need to be accompanied by a comprehensive plan for the long term management of the wider land holding that accompanies the industrial site.</p>
MM093	Page 133; Policy H094: Land at Scotland Bank Terrace, Blackburn (Key site information)	<p>Amount/type of development 4130 residential units</p> <p>Anticipated delivery years (units) 2026-31 30 41 units</p>
MM094	Page 134; Policy H094: Land at Scotland Bank Terrace, Blackburn	<p>1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development in line with the 'Tertiary' site typology set out in Table 3 of Policy CP12. Specific infrastructure requirements and planning contributions will be identified in line with Policy CP12 and Table 3;</p>

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	(Key Development Considerations)	<ol style="list-style-type: none"> 2. Utilities infrastructure (CP12) - early dialogue with United Utilities and the Council's Drainage team will be required prior to the submission of a planning application for developing the site due to its location in close proximity to an identified drainage area; 3. Contamination (DM02) - completion of appropriate ground investigation works to establish the extent of any ground contamination and whether any mitigation measures are required due to site's former use as mill; 4. Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; 5. Highways and access (DM29) – suitable vehicular access to the site is available off Heys Lane/Scotland Bank Terrace.
MM095	Page 136, Policy H181: Land at Marsh House Lane (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution will be expected to help mitigate the impacts of development in line with the 'Primary' site typology set out in Table 3 of Policy CP12. This includes funding provision of additional primary and secondary school places and any other specific infrastructure requirements identified in line with Policy CP12; 2. Utilities infrastructure (CP12) - early dialogue with United Utilities and the Council's Drainage team will be required prior to the submission of a planning application for developing the site due to its location in close proximity to an identified drainage area; <u>the dialogue with United Utilities will need to address the presence of utilities infrastructure within the site;</u> 3. Contamination (DM02) - completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any required mitigation measures due to former mining workings on the land; 4. Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; 5. Environmental Opportunity Areas (DM14) - the site is located adjacent to an identified Environmental Opportunity Area for woodland planting <u>the site is expected to contribute towards woodland improvements to the adjacent Environmental Opportunity Area</u> to reduce flood risk within <u>the</u> associated river catchment.

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		<p>6. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature. There is a pond located in the northwest corner of the site to the south of Marsh House Lane which should be retained as part of any new development;</p> <p>7. Public Rights of Way (DM16) - the development layout and scheme detailing should provide good connectivity to the established Public Rights of Way network including mitigation of any adverse impacts;</p> <p>8. Open space (DM16 and DM18) - the Council's Open Space Audit (2021) identified a deficiency of amenity greenspace in the Darwen Neighbourhood Area which development proposals should seek to address wherever possible. Proposals will also be expected to provide a LEAP onsite (or contribution towards off site provision where justified of £80,000, in addition to costs under para 1, for provision elsewhere);</p> <p>9. Archaeology (DM26) – an archaeological desk-based assessment and walkover will be required as part of any planning application for developing the site to assess potential archaeological features on site – farmsteads, colliery and pits known;</p> <p>10. Highways and access (DM29) – suitable vehicular access to the site is available off Marsh House Lane.</p>
MM096	Page 137; Policy H195: North East Blackburn Strategic Housing Site (Key site information)	<p>Amount/type of development 750 690 residential units delivered within plan period with development continuing beyond 2037 (total of 1500 units to be delivered across the site)</p> <p>Anticipated delivery years (units) 2021-26 90 30 units 2026-31 300 units 2031-27 360 units Beyond 2037 750 810 units</p>
MM097	Page 138; Policy H195: North East Blackburn Strategic	<p>1. Masterplan - the site is to be brought forward in line with a masterplan including the preparation of a Design Code and Infrastructure and Delivery Strategy covering the whole of the allocation. The</p>

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	Housing Site (Key Development Considerations)	<p>masterplan must be agreed by the Council prior to the granting of planning permission on any part of the site;</p> <p>2. Planning obligations (CP12) - a planning contribution of at least £9,750 per dwelling will be expected to help mitigate the impacts of development in line with the site specific financial appraisal set out in the Plan Viability Study. This will include funding provision of additional primary and secondary school places, a new link road and any other specific infrastructure requirements identified in line with Policy CP12 and the masterplan;</p> <p>3. Utilities infrastructure (CP12) –</p> <p>a. <u>early dialogue with United Utilities will be required prior to the preparation of a masterplan and submission of a planning application due to the presence of utilities infrastructure and land interests, including easements and rights of way, within the site.</u></p> <p>b. United Utilities has confirmed that the existing clean water network in the immediate vicinity of the development site is not currently able to support the additional demand required to provide connections for the proposed development. It is anticipated that network reinforcement works will be required to provide adequate capacity to service the development site. United Utilities should be contacted at the earliest opportunity to confirm the extent of reinforcement works required.</p> <p>c. a holistic drainage strategy is to be agreed prior to the submission of planning application and early dialogue with United Utilities will be required due to presence of utilities infrastructure within the site; <u>This utilities infrastructure includes a Well, Hydraulic Ram and associated pipework serving Middle Mickle Hey Farm, and there are legal requirements in place to safeguard water provision in respect of that site. United Utilities can provide relevant details;</u></p> <p>4. <u>Infrastructure and Delivery (CP12) - Land is to be reserved on the site for development of a new primary healthcare facility. The need for such a facility will be kept under review;</u></p> <p>5. Site safety (DM02) – a high voltage power line crosses the site on pylons. An overall easement corridor must be incorporated into scheme design in accordance with National Grid guidance;</p> <p>6. Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05;</p> <p>7. Flooding / water management (DM13) –</p>

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		<ul style="list-style-type: none"> a. the SFRA Level 1 highlights a small area of the site is located within Flood Zone 3b which should be omitted from the site's developable area. b. opportunities to de-culvert the watercourse flowing from east to west through the southern end of the development site before flowing under Brownhill Drive should be explored as part of the site's development to provide biodiversity net gain, river restoration and natural flood management benefits; c. flood risk should be manageable through careful consideration of site layout and design around the flood risk early on in the planning stage; <p>8. <u>Ecology (DM15) - development of this site will be required to consider and mitigate against potential ecological impacts. The Preliminary Ecological Appraisal identified areas of habitat importance and ecological constraints, opportunities and mitigation measures for the site, which should be considered in the design of the development and for the delivery of biodiversity net gain. Areas of high ecological importance should not be lost. Further survey work will be required to inform mitigation and compensation within the proposed development. Development proposals will be required to undertake all relevant, additional ecological survey work at the appropriate time(s) of year;</u></p> <p>9. Public Rights of Way (DM16) –</p> <ul style="list-style-type: none"> a. the existing Public Rights of Way network provides the opportunity for development of the site to make connections to the communities at the edge of the site and to the open countryside to the north and east; b. development will be required to provide new footpath routes to connect to existing communities and the surrounding open countryside, facilitating sustainable travel to the range of facilities and services that are established there; c. development will be required to improve the quality of the existing Public Rights of Way and ensure routes are clearly defined and legible; <p>10. Open space (DM16 and DM18) - the Council's Open Space Audit (2021) identified a deficiency of both amenity greenspace and natural and semi-natural greenspace in the Blackburn North Neighbourhood Area. Development proposals should seek to address these deficiencies wherever possible. Proposals will also be expected to provide a NEAP onsite (or contribution <u>towards off site provision where justified</u> of £140,000, in addition to costs under para 1, for provision elsewhere);</p>

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		<p>11. Landscape character (DM22) – the Landscape Character Assessment prepared for the site identifies a number of requirements for development, including:</p> <ul style="list-style-type: none"> a. retain, enhance and conserve existing woodlands and hedgerows and seek to create a stronger landscape structure to integrate development by increasing the presence of hedgerow trees and provide native woodland planting; b. retain, enhance and conserve the network of drystone wall field boundaries, in particular along the Whalley Old Road frontages; c. include appropriate soft landscape zone around the perimeter of the location in the context of existing dwellings which ‘back on’ to development; d. form a strong landscape character treatment along the eastern boundary to integrate development into the wider rural area; e. avoid visually intrusive development on more elevated areas of the site; f. maintain an adequate buffer between the hard edge of development and the site boundary to allow for an appropriate transition to the open land that is characteristic of the Green Belt and to also ensure the permanence of the adjacent Green Belt boundary located within Hyndburn; <p>12. Heritage assets (DM26) – Upper Mickle Hey Farmhouse and attached buildings (Grade II listed) and Eddy Holes Stable and Shippens to Eddy Holes (Grade II* listed) are both located within the site boundary. Myles Wife Hey (Grade II* listed) is located to the south of the site. There are also a number of non-designated heritage assets located within and in close proximity to the site which include Brownhill House and associated farm buildings, the site of Hollin Hall, the site of the former ropewalks (both in the south western corner), Bank Hey and Stone Hill Quarry site along the southern boundary. The Heritage Impact Assessment and Addendum prepared for the site identifies a number of mitigation measures that will be required as part of any development proposed on the site for developing the site and includes:</p> <ul style="list-style-type: none"> a. consideration of the setting of both the designated and non-designated assets located within and in close proximity to the site will be required at masterplanning stage to preserve an appreciation of the assets within the landscape; b. the development layout will be required to retain the visual connection and some sense of openness between the land and the listed buildings located on site. Protecting the prominence of these sites, the historic access roads, stone boundary walls in the vicinity and the intervisibility between Eddy Holes and Upper Mickle Hey will be required as part of developing the site. The buffer zone required either side of the power line provides a good basis for identifying an area of open land which preserves the intervisibility and setting of these assets; c. housing development should be limited on more elevated parts of the site.

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		<p><u>a. two proposed zones of no development around Upper Mickle Hey Farm and Eddy Holes designated assets;</u></p> <p><u>b. additional landscaping to the south of Eddy Holes to reinforce the existing enclosure; and</u></p> <p><u>c. reintroducing/reinforcing the historic route that runs east-west across the site which provides an opportunity for this route/path to form an integral part of a comprehensive POS provision.</u></p> <p>13. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation due to the presence of sites of potential archaeological interest including Hollin Hall, the site of Stone Hill Quarry and a former Ropewalk off Bank Hey Lane. The development will in all likelihood require a level of archaeological mitigation, which may take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>14. Public water supply (DM28) - Eddy Holes Service Reservoir is located within the site <u>and therefore early dialogue will be required with United Utilities.</u> Careful masterplanning is required to mitigate the risk of pollution to public water supply and the water environment and to safeguard the vehicular access to the reservoir and associated network assets connecting to and from the reservoir <u>both during the construction process and during the operational life of the development;</u></p> <p>15. Highways and access (DM29) – primary access to the site will be gained from two new junctions onto the highway network. These form links onto Brownhill Drive along the western boundary and to Whalley Old Road along the southern boundary. A distributor road will arc through the site between these two junctions.</p> <p>16. <u>Coal mining (DM2) - The southern part of the site falls within a Coal Authority High Risk area. Development will be expected to submit a Coal Mining Risk Assessment in accordance with Policy DM02.</u></p> <p>17. <u>Local Centre (DM34) - Development will be required to create a strong sense of place and community, focused around a central, accessible and mixed-use local centre. Facilities that could be provided within the local centre may include small-scale retail units and healthcare facilities.</u></p>

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MM098	Page 142, Policy H198: Land at former Longshaw HOP, Crosby Road (Key Development Considerations)	<div>1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development in line with the 'Tertiary' site typology set out in Table 3 of Policy CP12. Specific infrastructure requirements and planning contributions will be identified in line with Policy CP12 and Table 3;</div> <div>2. Contamination (DM02) – a contaminated land desk study will be required as part of any planning application for developing the site to assess levels of contamination and identify any required mitigation measures;</div> <div>3. Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05;</div> <div>4. Highways and access (DM29) – suitable vehicular access to the site is available off Crosby Road;</div> <div>5. <u>Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</u></div>																													
MM099	Page 143, Policy H217: Land at Silas' Church, Preston New Road	<div>Policy H217: Land at Silas' Church, Preston New Road, Blackburn</div> <table><tr><th colspan="5">Housing Growth Site H217: Key site information</th></tr><tr><td>Site area</td><td colspan="4">0.39ha</td></tr><tr><td>Site Location (and Ward)</td><td colspan="4">Urban area (Billinge and Beardwood)</td></tr><tr><td>Amount/type of development</td><td colspan="4">-2 residential units</td></tr><tr><td rowspan="2">Anticipated delivery years (units)</td><td>2021-26</td><td>2026-31</td><td>2031-37</td><td>Beyond 2037</td></tr><tr><td>-2 units</td><td></td><td></td><td></td></tr></table>	Housing Growth Site H217: Key site information					Site area	0.39ha				Site Location (and Ward)	Urban area (Billinge and Beardwood)				Amount/type of development	-2 residential units				Anticipated delivery years (units)	2021-26	2026-31	2031-37	Beyond 2037	-2 units			
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		Recent planning history	None	



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		<p data-bbox="678 368 1512 400">Policy H217: Land at Silas' Church, Preston New Road, Blackburn</p> <p data-bbox="678 432 1102 464">Key Development Considerations</p> <ol data-bbox="633 496 1839 1362" style="list-style-type: none"> <li data-bbox="633 496 1839 619">1. Planning obligations (CP12) – a planning contribution may be required to help mitigate the impacts of development in line with the ‘Secondary’ site typology set out in Table 3 of Policy CP12. Specific infrastructure requirements and planning contributions will be identified in line with Policy CP12 and Table 3; <li data-bbox="633 651 1839 746">2. Utilities infrastructure (CP12) – early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to presence of utilities infrastructure and land interests within the site; <li data-bbox="633 778 1839 842">3. Contamination (DM2) – completion of appropriate ground investigation works to establish the extent of any ground contamination and required mitigation measures; <li data-bbox="633 874 1839 938">4. Housing mix and standards (DM3 and DM5) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM3 and DM5; <li data-bbox="633 970 1839 1273">5. Heritage assets (DM26) – the site is located within the Revidge conservation area and adjacent to the Church of St Silas, a Grade II* listed building. The Derbyshire Almhouses, a locally listed building also adjoins the site to the north of the Church. The Heritage Impact Assessment prepared for the site requires any development to be limited (in both numbers and density) and to retain the general open character of the land adjacent to the Church in order to minimise harm to the heritage assets. Development to the north of the Church would significantly detract from the immediate setting of the listed building and should be excluded from the site. Any harm to the conservation area and almhouses could be mitigated by detailed bespoke design approach and by limiting the scale and extent of any new development, especially in the area directly adjacent the locally listed building; <li data-bbox="633 1305 1839 1362">6. Highways and access (DM29) – suitable existing vehicular access to the site off Preston New Road.

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MM100	Page 145, Policy H222: Land at Blackburn RUFC (Key site information)	<p>Anticipated delivery years (units)</p> <p>2021-26 0 23 units</p> <p>2026-31 23 units</p>
MM101	Page 146, Policy H222: Land at Blackburn RUFC (Key Development Considerations)	<ol style="list-style-type: none"> 1. Adopted masterplan - Development is to be brought forward in line with the principles set out in the North Blackburn Masterplan (adopted February 2017); 2. Planning obligations (CP12) - a planning contribution will be expected to help mitigate the impacts of development in line with the 'Primary' site typology set out in Table 3 of Policy CP12. Specific infrastructure requirements will be identified in line with Policy CP12; 3. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to presence of utilities infrastructure within the site and its location within an identified drainage area; 4. Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; 5. Flooding / water management (DM13) – the SFRA Level 1 identifies an area of Flood Zone 3b within the site which is to be omitted from the site's developable area. Flood risk should be manageable through careful consideration of site layout and design around the flood risk early on in the planning stage. <u>Applicants will be required to engage early with United Utilities to agree the approach to a drainage strategy and connections to the public sewer, incorporating mitigation measures where necessary. Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> 6. <u>Ecology (DM15) – potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature;</u> 7. Open space (DM16 and DM18) - the Council's Open Space Audit (2021) identified a deficiency of both amenity greenspace and natural and semi-natural greenspace in the Blackburn North Neighbourhood Area. Development proposals should seek to address these deficiencies wherever possible;

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		<p>8. Playing pitches (DM20) - development of the site would result in the loss of a playing pitch currently used as the Rugby Club's practice ground. The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field of equivalent or better quality; and of equivalent or greater quantity; and in a suitable location; and subject to equivalent or better accessibility and management arrangements unless agreement is obtained⁵ that pitch improvements are adequate compensation;</p> <p>9. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation due to its location in close proximity to a known Roman Road. The development will in all likelihood <u>may</u> require a level of archaeological mitigation, which might take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>10. Highways and access (DM29) – suitable vehicular access to the site is available off Ramsgreave Drive.</p>
MM102	Page 147; Policy H224: Land off Bog Height Road, Blackburn (Key site information)	<p>Anticipated delivery years (units)</p> <p>2021-26 66 6 units</p> <p>2026-31 9 69 units</p>
MM103	Page 148; Policy H224: Land off Bog Height Road, Blackburn (Key Development Considerations)	<p>1. Adopted masterplan - due to location of site adjacent to the Bank Hey Housing Growth Allocation (H042), any development proposals must be consistent with the adopted Bank Hey Masterplan (adopted March 2020) and should not compromise delivery of the wider allocated site;</p> <p>2. Planning obligations (CP12) – a minimum planning contribution of £9,692 per dwelling will be required to help mitigate the impacts of development in line with agreement for the adjoining site H042 and the Bank Hey Masterplan This will contribute towards additional primary school places in West Blackburn, highways infrastructure improvements (Bog Height Link Road and improvements to Jack Walker Way/A666) and other specific infrastructure requirements identified in line with Policy CP12;</p>

⁵ from both the Rugby Football Union (RFU) and Sport England

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		<ol style="list-style-type: none"> 3. Housing mix and standards (DM03 and DM05) – development of this site will be required to provide an appropriate mix of housing tenure, types and quality in line with Policies DM03 and DM05; 4. Flooding / water management (DM13) – the SFRA Level 1 highlights an area of Flood Zone 3b within the site which is to be omitted from the site’s developable area. Flood risk should be manageable through careful consideration of site layout and design around the flood risk early on in the planning stage; 5. <u>Ecology (DM15) – any planning application for developing the site will need to consider and mitigate against potential ecological impacts;</u> 6. Open space (DM18) – development proposals will be expected to provide a LEAP onsite (or contribution –towards off site provision where justified of £80,000, in addition to costs under para 2, for provision elsewhere); 7. Archaeology (DM26) – an archaeological desk-based assessment and walkover will be required as part of any planning application for developing the site to assess potential archaeological features on the site; 8. Highways and access (DM29) –access to the site is to be provided off the new link road connecting Bog Height Road to Ashwood Avenue. <u>Alternative access to the site could be provided through Housing Growth Allocation H042 (Land at Bank Hey, Blackburn) if the site were to be brought forward in advance of the link road’s delivery.</u> 9. <u>Utilities infrastructure (CP12) - Early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within the site.</u> 10. <u>Landscape Character (DM22) - The site is located adjacent the West Pennine Moors. Development proposals will be required to be designed so as to minimise the potential impacts of development on the landscape character, ecological and recreational value of the West Pennine Moors. Important on-site landscape features, such as hedgerows, will be protected.</u>

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MM104	Page 150; Policy E047: Hollins Grove Mill, Darwen (Key site information)	Amount/type of development 48,788 12,094 m ² B class use; 48,788 12,094 m ² E class use
MM105	Page 151, Policy E047: Hollins Grove Mill, Darwen (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 2. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to the presence of utilities infrastructure within the site and its location in close proximity to an identified drainage area; 3. Contamination (DM02) – completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any mitigation measures required due to the presence of two historic landfills on site, its prior use as a mill and its location in close proximity to an existing EA IPPC Regulated site, active landfill and other EA Regulated facilities; 4. Safeguarding amenity (DM02) - due to the site's location close to a wastewater treatment works, an impact assessment, including an odour and noise impact assessment, will be required prior to any development taking place to ensure the proposed development can secure an acceptable level of amenity. Any development proposals must consider impacts on the West Pennine Moors SSSI, particularly in relation to potential air quality impacts; 5. Flooding / water management (DM13) – the Level 2 SFRA...The site is located adjacent to the River Darwen (main river) and will require an 8m riparian buffer/easement to be incorporated in scheme design between the watercourse and development. <u>Applicants will be required to engage early with United Utilities to agree the approach to a drainage strategy and connections to the public sewer, incorporating mitigation measures where necessary. Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> 6. Public Rights of Way (DM16) - the development layout and scheme detailing should provide good connectivity to the established Public Rights of Way network including mitigation of any adverse impacts;

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		<p>7. Heritage assets (DM26) – a number of unlisted mills are located to the north west of the site. Any development proposals must assess the impact on these assets and identify any mitigation measures required;</p> <p>8. Highways and access (DM29) – suitable vehicular access to the site is available off Lower Eccleshill Road.</p>
MM106	Page 152; Policy E145 Issa Way North, Blackburn (Key site information)	<p>Anticipated delivery</p> <p>Anticipated 2 5-year build out, earliest commencement 2023/24</p>
MM107	Page 154; Policy E149: Carl Fogarty Way (Key site information)	<p>Amount/type of development</p> <p>11,536 8075m² B class use (across all parcels)</p> <p>Anticipated delivery</p> <p>Anticipated 2 5-year build out, earliest commencement 2023/24 2/23</p>
MM108	Page 155, Policy E149: Carl Fogarty Way (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 2. Utilities infrastructure (CP12) – <ol style="list-style-type: none"> a. early dialogue with United Utilities will be required prior to the submission of a planning application for developing Plots 1, 2 and 3 due to the presence of utilities infrastructure within the site, and the site's location within close proximity to an identified drainage area; b. United Utilities has confirmed the existing clean water services immediately adjoining the development are not currently able to support the additional demand required to provide connections for the proposed development. It is anticipated that network reinforcement works will be required to provide the required capacity to service the development site and United Utilities should be contacted at the earliest opportunity to identify the works needed; c. a 3 metre easement is required to be maintained between development and the electricity and BT cables located on Plot 1; 3. Contamination (DM02) - completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any mitigation measures required for all plots;

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		<ol style="list-style-type: none"> 4. Safeguarding amenity (DM02) - careful consideration should be given to the design and use of developments on Plots 3 and 6 which are located in close proximity to the residential dwellings on Burnley Road; 5. Flooding / water management (DM13) - the SFRA Level 1 highlights an area of Plot 4 is located within Flood Zone 2 which is to be omitted from the site's developable area. <u>Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> 6. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to features identified within Plots 2 and 3 and within close proximity to Plot 1; 7. Canal asset (DM28) – Plot 2 is located adjacent to the Leeds and Liverpool canal where it is within a cutting. Any development on the plot would need to be offset from the top of the canal cutting to protect its structural integrity. Development should have a good relationship with the adjacent transport gateway and the adjoining Leeds and Liverpool Canal. 8. Archaeology (DM26) - any planning application to develop the plots will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation due to likely presence of buried remains of 19th Century occupation. The development will in all likelihood require a level of archaeological mitigation, which might take the form of preservation in situ, or by record, depending on the significance of the features encountered; 9. Heritage assets (DM26) - the Grade II listed Imperial Mill is located to the north of Plot 2. As identified in the Heritage Impact Assessment for the site, careful consideration of scheme design and the extent/scale/height of development on Plot 2 will be required to minimise the visual impact on the <u>setting of the</u> listed building. Large, single mass buildings will obscure direct views across the site and should be avoided and any development should consider retaining views northwards through the site; 10. Highways and access (DM29) – new vehicular access points will be created for Plots 1 and 6, Plots 2 and 3 can be accessed directly off Carl Fogarty Way and Plot 4 can be accessed off Thornley Avenue.

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		11. Tourism (DM37) – development of Plot 2 will be expected to take account of any specific proposals emerging from the Pennine Lancashire Linear Park.
MM109	Page 158, Policy E158: Balle Street Mill, Darwen (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 2. Contamination (DM02) - completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any mitigation measures required due to site's former use as a mill; 3. Flooding / water management (DM13) – part of the site is located within Flood Zone 3 which should be omitted from the site's developable area. A Main River (River Darwen) flows in culvert along the western side of the site; 4. Heritage assets (DM26) – a number of listed mills are located to the North of the site, including the Grade II* India Mill Chimney and Grade II India Mill. The Heritage Impact Assessment prepared for the site highlights the level of the visual impact on these assets will depend on the design and extent/scale/height of any new development. A scale similar to the adjacent 2 storey warehouse building will unlikely result in any discernible harm to the setting of either India Mill or India Mill Chimney; 5. Highways and access (DM29) – suitable vehicular access to the site is available off Balle Street; 6. <u>Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</u>
MM110	Page 159, Policy E167: Evolution Park (Medipark), Blackburn Hospital (Key site information)	<p>Amount/type of development 5,200 4,800m² B class use with remaining part of the site to be brought forward for supporting uses for hospital (including teaching). <u>(The 4,800m² of B class use does not include the floorspace of the Trust's proposed building.)</u></p> <p>Anticipated delivery Anticipated 4 5-year build out, earliest commencement 2022/23 2025/26</p>

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MM111	Page 160, Policy E167: Evolution Park (Medipark), Blackburn Hospital (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 2. Flooding /water management (DM13) - the SFRA Level 1 highlights a small area of the site is located within Flood Zone 3b which is to be omitted from the site's developable area. Flood risk should be manageable through careful consideration of site layout and design around the flood risk early on in the planning stage; <u>applicants will be required to engage early with United Utilities to agree the approach to a drainage strategy and connections to the public sewer, incorporating mitigation measures where necessary. Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> 3. Ecology (DM15) – potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature. There is a linear pond located along the north western boundary of the site which should be retained and incorporated into the site's development; 4. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation. The development will in all likelihood require a level of archaeological mitigation, which may take the form of preservation in situ, or by record, depending on the significance of the features encountered; 5. Highways and access (DM29) – existing suitable vehicular access to the site off Shadsworth Road; 6. <u>Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</u>
MM112	Page 161; Policy E168: Plot C, Shadsworth Business Park, Blackburn (Key site information)	<p>Anticipated delivery</p> <p>Anticipated 2 3-year build out, earliest commencement 2024/25 <u>2025/26</u></p>
MM113	Page 163; Policy E172: Chapels Park	<p>Site area</p> <p>5.47 <u>5.30</u>ha</p>

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	South, Darwen (Key site information)	Anticipated delivery Anticipated 2-year build out, earliest commencement 2022/23 2023/24
MM114	Page 164, Policy E172: Chapels Park South (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 2. Contamination (DM02) - completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any mitigation measures required due to the location of an EA regulated Integrated Pollution Prevention and Control (IPPC) site within 150m of the site; 3. Safeguarding amenity (DM02) - careful consideration should be given to the design and use of employment developments in close proximity to the existing residential dwellings which adjoin the southern boundary of the site; 4. Flooding / water management (DM13) – the SFRA Level 1 highlights a small area of the site is at high risk from surface water flooding. This should be manageable through careful consideration of site layout and design around the flood risk early on in the planning stage. Early dialogue with United Utilities and the Council's Drainage team will be required prior to the submission of a planning application for developing the site due to its location within an identified drainage area; <u>applicants will be required to engage early with United Utilities to agree the approach to a drainage strategy and connections to the public sewer, incorporating mitigation measures where necessary. Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> 5. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature and the presence of ecological features within the site. Any development proposals must consider impacts on the West Pennine Moors SSSI, particularly in relation to air pollution; 6. Heritage assets (DM26) - any development proposals should conserve the setting and significance of the nearby listed chapel located to the south east of the site (Lower Chapel, Grade II). A Heritage Assessment will be required to be prepared as part of any planning application for developing the site identifying the significance of the asset, the contribution the proposed development would make to its

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		<p>significance, the harm development of the site would have (if any) and the mitigation/enhancement measures needed;</p> <p>7. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation due to potential of early sites being located within the boundary. The development will in all likelihood require a level of archaeological mitigation, which may take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>8. Highways and access (DM29) – suitable vehicular access to the site is available off Goose House Lane/unnamed road.</p> <p>9. <u>Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure within the site.</u></p>	
MM115	Page 165; E179: Junction 5 Strategic Employment Site (Key site information)	Amount/type of development	<u>c.72,000</u> 71,952m2 of <u>employment floorspace (use class B2 General Industrial, B8 Storage and Distribution</u> B-class use and supporting ancillary uses)
MM116	Page 166; E179: Junction 5 Strategic Employment Site (Key Development Considerations)	<p>1. Masterplans – each of the two site parcels are to be brought forward in line with a site-wide its own masterplan and infrastructure delivery strategy covering the whole of the parcel. The<u>Each</u> masterplan must be agreed by the Council either at the time of, or prior to, the granting of planning permission; At least 50% of new floorspace on the site should be industrial (B2);</p> <p>2. <u>Employment Uses - at least 50% of new floorspace on the site should be industrial (B2)</u>⁷⁴⁸³ <u>Planning permission will be refused on one parcel (or part thereof) where the proposed uses would restrict remaining areas of the site to a predominance (more than 75%) of B2, unless exceptional circumstances are demonstrated. Any retail uses (Class E(a) or (b)) should be ancillary, and support those employed in the strategic site;</u></p>	

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		<ol style="list-style-type: none"> 3. Green Belt (CP2) – any development brought forward on the site will be required to provide compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. This should contribute to offsetting the impact of removal of this site from the Green Belt⁶; 4. Planning obligations (CP12) - a planning contribution will be required to help mitigate the impacts of development, particularly in relation to transport impacts⁷ and green belt compensation measures set out above. Any further specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 5. Utilities infrastructure (CP12) – <u>Development will take a comprehensive and co-ordinated approach including respecting existing site constraints including utilities situated within sites;</u> a holistic drainage strategy is to be agreed prior to the submission of a planning application and early dialogue with United Utilities will be required due to <u>the</u> presence of utilities infrastructure within the site and its location in close proximity to an identified drainage area; 6. Contamination/site safety (DM02) - incorporation of overhead lines into the design of development will be required. Statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. <u>A strategy for responding to the National Grid electricity assets present within the site is required which demonstrate the National Grid Design Guide and Principles have been applied at the masterplanning stage and how the impact of the asset has been reduced through good design.</u> In addition, a contamination and geotechnical assessment will be required to set out an appropriate remediation strategy for the site; 7. Flooding / water management (DM13) – the SFRA Level 1 highlights a small area of the site is located within Flood Zone 3b which is to be omitted from the site's developable area. Flood risk should be manageable through careful consideration of site layout and design early on in the planning stage; 8. Public Rights of Way (DM16) – development will be required to improve the quality of the existing Public Rights of Way and ensure routes are clearly defined and legible; 9. Landscape character (DM22) - the Landscape Character Assessment prepared for the site identifies a number of requirements for <u>its</u> development of the site, including:

⁶ Possible measures are set out in the 'Potential Compensatory Improvements to the Green Belt' report (LUC, 2021)

⁷ As set out in the M65 J5 Strategic Employment Site Transport Study (Section 7)

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		<p>a. integrating a strong landscape structure into the boundary treatment including an appropriate buffer zone around the perimeter. Any change should enhance and conserve existing field boundaries and public rights of ways; and avoid visually intrusive development on the more elevated areas</p> <p>b. retain, enhance, and conserve and enhance the network of drystone wall field boundaries;</p> <p>c. retain an appropriate area to maintain a setting around the existing farmsteads of Blackhill Farm and the cottages on Haslingden Road and School Lane; form a strong landscape character treatment along the western boundary adjacent to the M65 motorway to integrate development into the wider setting</p> <p>d. avoid visually intrusive development on the more elevated areas of the location in the south east corner of the site, <u>including the south-eastern corner off Haslingden Road. Design should take into account the topography of each parcel and proposed buildings should be appropriately scaled and located to minimise impacts on the landscape;</u></p> <p>e. <u>design of the northern and southern parcels must incorporate natural features and boundary treatments (tree planting, landscaping etc.) to minimise the visual impact of their development on the safeguarded land and the surrounding area;</u></p> <p>f. <u>the topography of the site should be used to inform the most suitable locations for B2/B8 employment uses to minimise the visual impacts of development;</u></p> <p>10. Heritage assets (DM26) - careful consideration should be paid to ensure the integrity of the local war memorial on Haslingden Road is maintained;</p> <p>11. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation due to potential features on site. The development will in all likelihood require a level of archaeological mitigation, which may take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>12. Highways and access (DM29) - construction of a new site access junction on the B6232 Haslingden Road and on the B6231 School Lane will be required prior to site commencement</p> <p><u>a. the sites access on to the B6232 Haslingden Road will be required to be constructed prior to development commencing on the larger (southern) parcel of the allocation. The gateway access to the southern parcel must be designed to ensure unfettered access and prevent the subsequent creation of ransom strips to the safeguarded land to the</u></p>

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		<p><u>north. The B6231 School Lane access will be required to be constructed prior to development commencing on the smaller (northern) parcel of the allocation.</u></p> <p><u>b. an improvement scheme (to be agreed with National Highways) at Junction 5 of the M65 should be completed prior to the first occupation on any parcel of Site E179 to ensure highway safety and mitigate the predicted traffic impacts;</u></p> <p>13. <u>Design (DM27) - proposals for both parcels must account for the central area of safeguarded land in their design. This is to ensure that any future development of the safeguarded land is not compromised, and any development can functionally and visually connect with both the adjacent parcels;</u></p> <p>14. <u>Pedestrian and cycleways (DM29) - the enhancement of the existing footbridge (over the M65) will be encouraged as part of a wider package of cycling/walking improvements to help enhance connection of the site to the wider area.</u></p>
MM117	Page 169; Policy MU008: Issa Way South, Blackburn (Key site information)	<p>Anticipated delivery <u>Residential:</u> <u>2021-26 6 units</u> <u>2026-31 50 units</u></p> <p>Anticipated 3-year build out, earliest commencement 2023/24 <u>2025/26</u></p>
MM118	Page 170, Policy MU008: Issa Way South, Blackburn (Key Development Considerations)	<p>1. Planning obligations (CP12) - a planning contribution will be expected to help mitigate the impacts of residential development in line with the 'Secondary' site typology set out in Table 3 of Policy CP12 <u>and the Developer Contributions and Affordable Housing SPD.</u> Additional planning contributions may be required to help mitigate the impacts of commercial development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12;</p> <p>2. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to the presence of utilities infrastructure within the site and its location in close proximity to an identified drainage area <u>as well as land within the ownership of United Utilities;</u></p> <p>3. Flooding / water management (DM13) –</p>

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		<ul style="list-style-type: none"> a. development will be required to incorporate a suitable easement for the culvert crossing the site or incorporate measures to ensure that any development does not impact on the integrity of this culvert; b. the developer should explore the option of de-culverting to improve ecology and reduce dangers of blocked/collapsed culvert; c. consideration will need to be given as part of development proposals to the potential for flooding from Fishmoor reservoir; d. <u>development will be required to retain the on-site attenuation basin</u> <p>4. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application to develop the site due to its greenfield nature;</p> <p>5. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation. The development will in all likelihood require a level of archaeological mitigation, which might take the form of preservation in situ, or by record, depending on the significance of the features encountered;</p> <p>6. Highways and access (DM29) – suitable vehicular access to the site is available off new link road/Roman Road.</p>
MM119	Page 171; Policy MU091: Former East Lancashire Coachbuilders site, Whalley New Road, Blackburn (Key site information)	<p>Amount/type of development Potential employment/commercial/community (~46,000 m² Class B, E and/or F)</p> <p>Anticipated delivery Anticipated 2-year build out, earliest commencement 2022/23 <u>2029/30</u></p>
MM120	Page 172, Policy MU091: Former East Lancashire Coachbuilders site, Whalley New Road, Blackburn (Key Development Considerations)	<p>1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12;</p> <p>2. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to the presence of utilities infrastructure <u>and land interests</u> within the site and its location within close proximity to an identified drainage area and reservoir flood zone. <u>The layout should be prepared in accordance with any</u></p>

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		<p><u>necessary offset distance from the adjacent wastewater pumping station following agreement with United Utilities;</u></p> <ol style="list-style-type: none"> 3. Contamination (DM02) - completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any mitigation measures required due to the site's previous use as a coach works; 4. Flooding / water management (DM13) - the River Blakewater (main river) runs along the north western boundary of the site. Any development must maintain an 8m riparian buffer/easement along this watercourse. The SFRA Level 1 highlights an area of Flood Zone 3b which follows the course of the river which should be omitted from the site's developable area; <u>applicants will be required to engage early with United Utilities to agree the approach to a drainage strategy and connections to the public sewer, incorporating mitigation measures where necessary. Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> 5. Archaeology (DM26) - any planning application to develop the site will need to be accompanied by an Archaeological Desk Based Assessment and/or the results of an archaeological field evaluation. The development will in all likelihood require a level of archaeological mitigation, which may take the form of preservation in situ, or by record, depending on the significance of the features encountered; 6. Heritage assets (DM26) – a number of unlisted mills are located to the west and south west of the site. Any development proposals must assess the impact on these assets and identify any mitigation measures required. Sensitive development with appropriate mitigation could enhance the local area; 7. Highways and access (DM29) – suitable vehicular access to the site is available off Whalley New Road.
MM121	Page 173; Policy MU096: Site of former Larkhill Health Centre, Barbara Castle Way, Blackburn (Key site information)	<p>Anticipated delivery</p> <p>Anticipated 1-year build out, earliest commencement 2025/26 <u>2032/33</u></p>

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MM122	Page 175; Policy MU197: Whinney Heights (Key site information)	Anticipated delivery Anticipated 1-year build out, earliest commencement 2025/26 <u>2030/31</u>
MM123	Page 176, Policy MU197: Whinney Heights (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 2. Contamination (DM02) – a contaminated land desk study will be required as part of any planning application for developing the site; 3. Safeguarding amenity (DM02) - potential amenity issues associated with noise from the adjacent Observatory Public House and road network, and odour impacts from KFC to be assessed as part of any planning application for the site, and any required mitigation measures integrated into scheme design; 4. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature; 5. Highways and Access (DM29) – suitable vehicular access to the site is available off Haslingden Road; 6. <u>Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application due to the presence of utilities infrastructure and land interests within the site. A significant sewer runs through the site and options must be assessed early to ensure the layout of the proposed development fully considers limitations posed by the sewer.</u>
MM124	Page 177; Policy MU210: Former Thwaites Site, Starkie Street (Key site information)	<p>Amount/type of development Potential for residential and commercial/community uses (~1480 11,000 m² Class E and/or F)</p> <p>Anticipated delivery Anticipated <u>1</u> 4-year build out, earliest commencement 2023/24 <u>2025/26</u></p>
MM125	Page 178, Policy MU210: Former Thwaites Site,	<ol style="list-style-type: none"> 1. Masterplan – proposals for any specific uses or new development on this site will be considered and supported in line with any proposals for investment and regeneration that may be set out in a masterplan or SPD for the wider Town Centre East Investment Area (identified on the Policies Map);

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	Starkie St Blackburn (Key Development Considerations)	<ol style="list-style-type: none"> 2. Planning obligations (CP12) - a planning contribution may be required, depending upon specific uses proposed, to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 3. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to the presence of utilities infrastructure and its location in close proximity to an identified drainage area. A significant sewer runs through the site and options must be assessed early to ensure the layout of the proposed development fully considers limitations posed with such assets <u>by all utility assets</u>; 4. Heat networks (DM12) - the site is of strategic significance and identified as being adjacent to an area with potential for heat network development. Development of this site should be designed to be connection ready <u>in accordance with the energy hierarchy approach set out in Policy DM12, unless it can be demonstrated that there are more effective alternatives for minimising carbon emissions or such connection is impracticable or financially unviable</u>; 5. Flooding / water management (DM13) – the SFRA Level 1 highlights an area of Flood Zone 2 within the site which is to be omitted from the site's developable area; 6. Archaeology (DM26) – an archaeological desk-based assessment and (surviving) building assessment will be required as part of any planning application for developing the site as some areas of survival are possible; 7. Heritage assets (DM26) – a cluster of Grade II listed buildings are located to the east of the site within the Eanam Wharf Conservation Area (warehouses of Entwistle and Oddy Ltd; British Waterways Office; Canal House; Bank Cottage and iron structure at east end of warehouses west of Navigation Bridge). Holy Trinity Church (Grade II), St Johns Church (Grade II) and Blackburn Cathedral (Grade II*) are prominent buildings in the skyline which are likely to be seen in the same context as development on the site. The Heritage Impact Assessment prepared for the site highlights the level of visual impact on these assets will greatly depend upon the design and extent/scale/height of any new development, especially on the eastern edge. Any development should consider wider townscape views across the site especially when viewing westwards off Barbara Castle Way towards Blackburn Cathedral and St John's Church. The alignment and layout between buildings should consider glimpsed views of Blackburn Cathedral's tower and steeple;

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		8. Highways and access (DM29) - suitable <u>pedestrian, cycle and</u> vehicular access to the site is available <u>may be achieved from multiple points around the site. The most appropriate access and egress points should be discussed with the Council's Highways Team in the initial stages of design work</u> off Penny Street.
MM126	Page 179; Policy MU211: Former Markets Site, Penny St, Blackburn (Key site information)	Amount/type of development Potential for commercial/community uses (~36,000 m ² Class E and/or F) Anticipated delivery Anticipated 2-year build out, earliest commencement <u>2023/24 2027/28</u>
MM127	Page 180, Policy MU211: Former Markets Site, Penny St, Blackburn (Key Development Considerations)	<ol style="list-style-type: none"> 1. Masterplan - proposals for any specific uses or new development on this site will be considered and supported in line with any proposals for investment and regeneration set out in a masterplan or SPD for the wider Town Centre East Investment Area (identified on the Policies Map); 2. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 3. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to the presence of utilities infrastructure within the site and its location in close proximity to an identified drainage area and reservoir flood zone. <u>Significant utility infrastructure runs through the site and options must be assessed early to ensure the layout of the proposed development fully considers limitations posed by all utility assets;</u> 4. Contamination (DM02) - completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any mitigation measures required due to the site's industrial history; 5. Heat networks (DM12) - the site is of strategic significance and identified as being adjacent to an area with potential for heat network development. Development of this site should be designed to be connection ready <u>in accordance with the energy hierarchy approach set out in Policy DM12,</u>

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		<p><u>unless it can be demonstrated that there are more effective alternatives for minimising carbon emissions or such connection is impracticable or financially unviable;</u></p> <p>6. Flooding / water management (DM13) –</p> <ul style="list-style-type: none"> a. the Level 2 SFRA identifies significant issues with flood risk on the site. The River Blakewater (Main River) runs through the centre of the site as a culverted watercourse and both fluvial and surface water risk from climate change are present on the site; b. additional modelling and investigative works will be required to identify suitable mitigation options <u>a suitable flood mitigation strategy has been prepared for the site and agreed with the Environment Agency. Applicants will be required to undertake further design and flood modelling work to test the preferred solution</u> prior to any development progressing on the site. c. development proposals should explore opportunities to de-culvert the River Blakewater to allow Biodiversity Net Gain, river restoration and natural flood management to be achieved. If this is not possible, an 8 metre easement between the culvert and new development will be required; <p>7. Ecology (DM15) - potential ecological impacts must be considered as part of any planning application for developing the site due to its greenfield nature;</p> <p>8. Archaeology (DM26) – an archaeological watching brief on investigation works on the site has identified buried remains. A desk-based assessment and walkover is therefore required as part of any planning application for developing the site to assess potential archaeological features on the site;</p> <p>9. Heritage assets (DM26) – the site is located immediately adjacent to the Richmond Terrace conservation area which contains a number of listed buildings including the Grade II listed Church of St John Evangelist. Sensitive development with appropriate mitigation could enhance the local character of the area. The Heritage Impact Assessment prepared for the site highlights that the level of visual impact on both the conservation area and the listed building will depend on the design and extent/scale/height of any new development, especially on the western edge. Any development should consider wider townscape views across and through the site and the alignment of development should allow any glimpsed views of the St John's Church West Tower to be retained;</p> <p>10. Highways and access (DM29) – suitable vehicular access to the site is available off Brown Street.</p>

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MM128	Page 183; Policy MU220; Land north and south of Wood Street, Livesey Fold (Orchard Mill), Darwen (Key Development Considerations)	<ol style="list-style-type: none"> 1. Planning obligations (CP12) - a planning contribution may be required to help mitigate the impacts of development. Any specific infrastructure requirements and planning contributions will be identified in line with Policy CP12; 2. Utilities infrastructure (CP12) - early dialogue with United Utilities will be required prior to the submission of a planning application for developing the site due to presence of utilities infrastructure within the site and its location in close proximity to an identified drainage area; 3. Flooding/water management (DM13) - the Level 2 SFRA identifies fluvial, groundwater and surface water flood risk on the site <u>and so appropriate consideration must be given to the layout and design of development on the site.</u> As a result, any development proposed on the site should be confined to the southern part of the site with the northern part of the site undeveloped. Additional modelling work should also be undertaken to update the 2012 Darwen Model, taking into account deculverting works that have taken place adjacent to the site. <u>Applicants will be required to engage early with United Utilities to agree the approach to a drainage strategy and connections to the public sewer, incorporating mitigation measures where necessary. Surface water will only be allowed to discharge to the public sewer in accordance with the hierarchy for surface water management set out in Policy DM13;</u> 4. Archaeology (DM26) - potential archaeological impacts should be assessed prior to the submission of a planning application due to possible features within the site; 5. Heritage assets (DM26) – the site is located in close proximity to a locally listed building and Darwen Town Centre Conservation Area. Due to the site's current industrial use, there is an opportunity for new development to positively contribute towards and improve the historic character of the area. The Heritage Impact Assessment prepared for the site requires any development to be of an appropriate scale and mass and to retain the long linear (enclosed) views created by road frontage blocks to fit the urban grain and wider character of the town; 6. Highways and access (DM29) – suitable vehicular access to the site is available off Duckworth Street.
MM129	Page 186; Policy GT213: George St West (Key Development Considerations)	<ol style="list-style-type: none"> 1. Contamination (DM02) – The completion of appropriate ground investigation works will be required to establish the extent of any ground contamination and any mitigation measures required due to site's present use as a household waste recycling centre and the location of a historic landfill to the north of the site;

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		<p>2. Flooding / water management (DM13) –</p> <ul style="list-style-type: none"> a. the Level 2 SFRA identifies a need to prepare a Flood Risk Assessment and Drainage Strategy with a focus on groundwater conditions as part of any planning application for developing the site; b. the River Blakewater (main river) runs along the northern boundary of the site and will require an 8m riparian buffer/easement to be incorporated in scheme design between the watercourse and development; c. early dialogue with United Utilities and the Council's Drainage team will be required prior to the submission of a planning application for developing the site due to its location within an identified drainage area; <p>3. Archaeology (DM26) - potential archaeological impacts should be assessed prior to the submission of a planning application due to possible features within the site;</p> <p>4. Heritage assets (DM26) - any development proposal should ensure it conserves the setting and significance of the unlisted mill located to the west of the site;</p> <p>5. Highways and access (DM29) – suitable existing vehicular access to the site off George Street West;</p> <p>6. <u>Design (DM27) – any development proposal should seek to retain and protect the existing trees on site, and stone wall frontage on George Street West, to ensure a high quality, sustainable design.</u></p>
MM129a	Page 185; Policy GT213: George St West; Key site information	<p>Amount/type of development (<u>indicative</u>)</p> <p>5 permanent Gypsy and Traveller pitches</p> <p>Anticipated delivery</p> <p>Anticipated 1 year build out, earliest commencement 2023/24 <u>2024/25</u></p>
MM130	Page 187; Policy GT215: Land adj. Intack Bus Depot (Key site information)	<p>Anticipated delivery</p> <p>Anticipated 1 year build out, earliest commencement 2022/23 <u>2023/24</u></p>

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MM131	Page 189; Appendix A: Glossary	<u>Local Area for Play (LAP): A small area of open space specifically designated and primarily laid out for very young children to play close to where they live. LAPs require no play equipment as such, relying more on just positively encouraging play.</u>
MM132	Page 189; Appendix A: Glossary	<u>Locally Equipped Area for Play (LEAP): An area of open space specifically designed and laid out with features including play equipment and structures for children who are beginning to play independently.</u>
MM133	Page 189; Appendix A: Glossary	<u>Neighbourhood Equipped Area of Play (NEAP): An area of open space specifically designated, laid out and equipped mainly for older children but potentially with play opportunities for younger children as well. It can provide play equipment and a hard surface area for ball games or skating/ skateboarding / cycling / shelters for meeting and socialising. NEAPs can often be combined with LEAP provision.</u>
MM134	Page 201; Appendix B – Housing Trajectory	<i>[Amendments to Appendix B – Housing Trajectory are shown in Appendix D of this schedule]</i>
MM135	Page 208; Appendix C – Employment Trajectory	<i>[Amendments to Appendix C – Employment Trajectory are shown in Appendix E of this schedule]</i>
MM136	Page 212; Appendix D - Monitoring Framework	<i>[See Appendix F for revised Table D.1 List of monitoring indicators]</i>
MM137	Page 232; Appendix E (Paragraph E.1)	E.1 The Blackburn with Darwen Local Plan Policy ies Map shows the location of allocations and policy constraints relevant to (and referenced within) this Local Plan. Please note that the online version of the Policy ies Map is the definitive reference map as some mapping constraint layers may alter over time (for example Local District Wildlife Site or Biological Heritage Site updates) and therefore render any print version out of date.
MM138	Page 232; Appendix E (Paragraph E.2)	E.2 The Local Plan Policy ies Map shows some key policy constraints that are referenced within the Local Plan written document. However not all relevant constraints are identified on the Policy ies Map. For example, constraint layers that may be subject to regular alterations and updates and therefore not shown on the Policy ies Map include: <ul style="list-style-type: none"> • <u>Flood Zones;</u> • <u>Water Catchment Land;</u>

MM. No.	Page/Policy/Para of Publication Local Plan (SD1)	Proposed Main Modification						
		<ul style="list-style-type: none">• <u>Biological Heritage Sites;</u>• <u>District Wildlife Sites;</u>• <u>Environmental Opportunity Areas</u>• <u>Heritage Assets (incl. Listed Buildings, Conservation Areas, Local Listings etc)</u>-Listed buildings;• Tree preservation orders;• SSSI consultation zones;• Public Rights of Way; and• Coal Authority High Risk areas. <p>These are provided via a separate planning constraints reference map that should be consulted alongside the Local Plan Policy Map Policies Map if you are considering submitting an application for development: go to Planning map Blackburn with Darwen Borough Council.</p>						
MM139	Page 239; Appendix G – List of evidence base documents	<p>Appendix G – List of evidence base documents</p> <p>G.1 The following is a list of evidence base documents that have informed the Local Plan and are directly referenced within the Reg19 document. Other reports will have been used to develop specific policies, or to evidence deliverability of sites, however these are not all referenced and so are not listed below. Where relevant these will be made available on request and form part of the package of evidence submitted for the Examination in Public process. t Online resources have also been used to support the plan's development and adopted Supplementary Planning Documents. SPDs are included within the key supporting docs/evidence table for relevant policies and are listed in Appendix H.</p> <p style="text-align: center;">Table G.1 – List of evidence base documents</p> <table><tr><th>Doc. Ref</th><th>Evidence base document</th></tr><tr><td>E1</td><td>A Landscape Strategy, LCC (2000)</td></tr><tr><td>E2</td><td>Active BwD Strategy (2021-25) (TBC)</td></tr></table>	Doc. Ref	Evidence base document	E1	A Landscape Strategy, LCC (2000)	E2	Active BwD Strategy (2021-25) (TBC)
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E1	A Landscape Strategy, LCC (2000)							
E2	Active BwD Strategy (2021-25) (TBC)							

MM. No.	Page/Policy/Para of Publication Local Plan (SD1)	Proposed Main Modification	
		E3	Air Quality Planning Advisory Note (2018)
		E4	Alcohol Strategy (2020-22) (TBC)
		E5	Bank Hey Masterplan (2020)
		E6	Blackburn Town Centre East Development Framework (2021)
		E7	Built Sports Facilities Strategy (2021)
		E8	BwD Joint Strategic Needs Assessment (Summary Review 2020)
		E9	BwD Good Food Plan (2020)
		E10	BwD Joint Health and Well-being Strategy 2018-2021
		E11	Climate Change and Natural Capital Study (2021)
		E12	Climate Impacts Framework (2021)
		E13	Connectivity Study – Darwen (2020)
		E14	Connectivity Study – North Blackburn (2020)
		E15	Connectivity Study – South East Blackburn (2020)
		E16	Connectivity Study – West Blackburn (2020)
		E17	Darwen Town Investment Plan (TIP) (2021)
		E18	Drainage Planning Guidance (2020)
		E19	Eat Well Move More Shape Up Strategy (2022-25)
		E20	Ecological Desktop Assessments (2020)
		E21	Employment Land Review (2019)
		E22	Green Belt Study (2019)
		E23	Gypsy and Traveller Accommodation Assessment (2019)
		E24	Gypsy and Traveller Site Selection Outline Feasibility Study, Intack Bus Depot
		E25	Gypsy and Traveller Site Selection Outline Feasibility Study, George Street West
		E26	Gypsy and Traveller Site Selection Methodology (2020)
		E27	Habitats Regulations Assessment (2021)
		E28	Heat Networks Masterplanning Study (2019)
		E29	Heritage Impact Assessments (2021)
		E30	Holden Fold Masterplan (2021)

MM. No.	Page/Policy/Para of Publication Local Plan (SD1)	Proposed Main Modification	
		E31	Housing and Economic Needs Assessment (2018)
		E32	Housing and Economic Needs Assessment update (2021)
		E33	Infrastructure Delivery Plan (2021)
		E34	Joint Lancashire Local Transport Plan – LTP4 2021- 46 (TBC)
		E35	Landscape Character Appraisal of Three Sites within Blackburn (Cass Associates, June 2020)
		E36	Landscape Character Assessment, LCC (2000)
		E37	Council Position Statement – Education Requirements (2021)
		E38	Local Authority Declaration on Healthy Weight (2017)
		E39	Local Centres Methodology (2021)
		E40	Local Flood Risk Management Strategy for Lancashire 2021-27
		E41	Local Plan Transport Study: Volume 1 Baseline Report (2020)
		E42	Local Plan Transport Study: Volume 2 Assessment and Mitigation Report (2021)
		E43	Local Transport Plan (2011-2021) – LTP3
		E44	Local Strategic Assessment for Specialist Housing Types (TBC)
		E45	Mineral Resource Assessments (2021)
		E46	North East Blackburn Strategic Housing Site Development Framework (2020)
		E47	North East Blackburn Strategic Housing Site Preliminary Ecological Appraisal (2020)
		E48	North East Blackburn Strategic Housing Site Flood Risk Assessment and Drainage Strategy (2020)
		E49	North East Blackburn Strategic Housing Site Geo-environmental Desk Study (Phase 1) (2020)
		E50	North East Blackburn Strategic Housing Site Heritage Review (2020)
		E51	North East Blackburn Strategic Housing Site Landscape Visual Appraisal (2020)
		E52	North East Blackburn Strategic Housing Site Utility Study Level 2 (2020)
		E53	Open Space Audit (2021)
		E54	Pennine Lancashire Childhood Obesity Trailblazer Joint Planner Agreement (2021)
		E55	Plan Viability Study (2021)
		E56	Playing Pitch Strategy and Outdoor Sports Strategy (2021)

MM. No.	Page/Policy/Para of Publication Local Plan (SD1)	Proposed Main Modification	
		E57	Pupil Place Forecasting (2021)
		E58	Queens Park Self Build Feasibility Study (2020)
		E59	Retail and Leisure Study (2019)
		E60	Retail and Leisure Study update (2021)
		E61	Site Assessment Methodology (2021)
		E62	South-east Blackburn Transport Strategy (2021)
		E63	Strategic Employment Site Preliminary Risk Assessment (2021)
		E64a	Strategic Employment Site Planning Case (2020)
		E64b	Strategic Employment Site Economic Case (2020)
		E65	Strategic Employment Site Potential Compensatory Improvements to the Green Belt (2021)
		E66	Strategic Employment Site Transport Study (2021)
		E67	Strategic Flood Risk Assessment Level 1 (2020)
		E68	Strategic Flood Risk Assessment Level 2 (2021)
		E69	Strategic Housing and Employment Land Availability Assessment (2021)
		E70	Sustainability Appraisal (2021)
		E71	Tree and Woodland Strategy (TBC)
		E72	Utilities Study — Blackamoor (2020)
		E73	Utilities Study — Haslingden Road (2020)
		E74	Utilities Study — Holden Fold (2020)
		E75	Utilities Study — Medipark, South East Blackburn (2020)
		E76	Utilities Study — North East Blackburn (2020)
		E77	Utilities Study — Plots 1-5 Furthergate (2020)
		E78	Walking and Cycling Plan 2021-2024
		E79	Wind Energy Report (2015)

Appendix A: MM011 Revised wording of Policy CP5

Core Policy 5 (CP5): Climate Change

Buildings (new and existing) and transport are major contributors to greenhouse gas emissions in the Borough. The Local Plan is therefore a key mechanism through which the spatial aspects of decarbonisation and climate adaptation can be addressed. The Council's Climate Emergency Action Plan and Adaptation Strategy both reinforce this point.

Policy CP5 seeks to ensure that the Local Plan contributes to the Council's carbon neutral ambitions alongside the UK's ambition to limit global warming to 1.5°C by 2050. **The Council's Climate Emergency Action Plan (2021) states that, at current carbon emissions levels, the Borough needs to achieve a 13% reduction in carbon emissions every year to help meet the 1.5°C global target. With a climate emergency declared, alongside a biodiversity crisis, it is important that all new development seeks to reduce carbon emissions.** ~~It expects that all new development will seek to provide~~ **climatic and** environmental enhancements wherever possible¹, and leave the natural environment in a better state than before.

Core Policy 5 (CP5): Climate Change

1. Development will be required to contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.
2. **The extent to which the design of a development has considered i) reducing carbon emissions and mitigating climate change and ii) improving resilience and adaptation to climate change will be considered in the assessment of each planning application. Developments that can demonstrate they have considered climate mitigation and adaptation in the design of their proposed scheme will be afforded positive weight in the determination of the planning application. Applicants for specific new residential and commercial developments will be required to complete the Council's online Climate Impacts Framework (CIF) assessment tool⁸ to demonstrate the extent to which the design of the development has considered climate change mitigation, resilience and adaptation.**

~~Developers will be required to use the Council's Climate Impacts Framework to inform what will be expected from a new development, to identify opportunities for enhancement, and to demonstrate appropriate climate change resilience and adaptation of the proposed scheme.~~

⁸ to be published as a standalone document accompanying the Local Plan and be developed into an SPD

Core Policy 5 (CP5): Climate Change

~~Planning permission will not be granted for development that would, as assessed by the Council's Climate Impacts Framework:~~

- ~~i. Lead to an unacceptable contribution to climate change;~~
- ~~ii. Be itself at high risk from the effects of climate change; or~~
- ~~iv. Cause an increase in the level of risk from the cumulative effects of climate change in another location.~~

3. Mitigation measures that must be implemented off-site (after the hierarchy of avoidance, mitigation and compensation has been exhausted) will be directed to priority Environmental Opportunity Areas (EOA). These areas will play a key strategic role in the enhancements of biodiversity and green space, assisting in carbon management and flood risk mitigation over the plan period.
4. Policy DM12 provides further details on renewable and low carbon energy. Areas identified as potentially suitable for renewable and low carbon energy schemes are identified on the Policyies Map.

Key strategic objective links	SO6: Natural Environment SO7: Climate Change
Key policy links	DM12: Clean and Green Energy DM13: Flooding/SuDS DM14: Environmental Opportunity Areas DM15: Biodiversity <u>Protection and Enhancement of Wildlife Habitats</u> DM16: Green and Blue Infrastructure DM17: Trees and Woodland

Core Policy 5 (CP5): Climate Change	
Key supporting docs/evidence	<p>Climate Change and Natural Capital Study (2021)</p> <p>Climate Impacts Framework (2021)</p> <p>Strategic Flood Risk Assessment Level 1 (2020)</p> <p>Strategic Flood Risk Assessment Level 2 (2021)</p> <p>BwD Drainage Planning Guidance (2020)</p> <p>Heat Network Masterplanning Study (2019)</p> <p>Open Space Audit (2021)</p> <p>Playing Pitch and Outdoor Sports Strategy and Built Sports Facilities Strategy (2021)</p> <p>Appendix H:</p> <p>Climate Impacts Framework SPD (TBC)</p> <p>Renewable and Low Carbon SPD (TBC)</p>

Proposals for new development will be evaluated against the Council's Climate Impacts Framework (CIF). **To help meet the Council's ambitions of carbon neutrality by 2030, All new development is required will be expected to demonstrate how it contributes to cutting carbon emissions as part of mitigation and adaptation to climate change and the CIF is the practical means of doing so and adapting to climate change.**

To evidence the extent to which developments have considered climate mitigation and adaptation, applicants for all new residential dwellings and major commercial schemes (more than 1000sqm of new floorspace) will be required to Applicants must complete and submit **an online Climate Impact Framework (CIF) assessment as part of their planning application** in support of new development applications. **The Council will then use this information in the determination of the planning application.**

The CIF will be a validation requirement for those specific application types. All other developments, likely to have an impact on the climate or environment, should provide information, as relevant, through supporting documents to the planning application. for them to be validated for development management purposes.

The online assessment tool will be accompanied by a CIF Supplementary Planning Document providing relevant guidance. The CIF SPD will also set out any transitional arrangements which may apply in respect of the tool's introduction.

The online CIF Assessment will comprise a series of questions that relate directly to the climate- and environmental- based policies within the Plan. As it is expected that developers will have used the Plan to ensure their development is compliant with policy, it is not expected that there will be significant undue administrative burdens placed upon applicants. Applicants will be required to answer all of the relevant questions in the CIF assessment. Most of the questions will be answerable using common knowledge or from supporting evidence prepared as part of the planning application. For other questions, interactive mapping will be available to help applicants complete the form. The Council will use the responses provided in the determination of the planning application. Developments that can demonstrate they have considered climate mitigation and adaptation in the design of their proposed scheme will be afforded positive weight in the planning balance.

Once the CIF form is submitted, answers to specific key questions will be given automated ratings to indicate how well the development responds to, and performs against, planning policies relating to the climate and biodiversity emergencies. 'RAG assessment' colours will be assigned to indicate whether the development exceeds, meets, almost meets, or fails to meet policy requirements (e.g. dark green, green, amber or red, respectively). Officers will have access to the CIF, and accompanying RAG ratings, in the early stages of the planning application and can seek to address any significant shortcomings in design as part of the planning application process. Where improvements are made, the CIF can be updated internally. A final tabularised summary of the RAG assessments will be presented through the planning application report as a visual indicator of how well the development accords with climatic and environmental policies, to ensure that the relevant emergencies are given due consideration in the application's determination. The CIF SPD (and a Natural Environment SPD) will set out further guidance on design considerations and how the CIF will be assessed and used in determining planning applications.

The CIF will be the key tool to aid decision-making on climate impacts an important assessment tool to promote good design (in accordance with the NPPF) and to support decision making on climatic and environmental impacts, increasing transparency and accountability in decision-making. This will help support the Council's Climate Emergency Action Plan (CEAP) and the CIF will be updated as required to support the CEAP or as and when climate change policy evolves.

The CIF will help to ensure that the climatic and environmental based policies of the Plan are given the necessary importance and focus demanded by the joint climate and biodiversity emergencies. It will help ensure that the concept of the '20-minute neighbourhood' is embedded into future developments in Blackburn with Darwen, ~~It will also take into account~~ alongside a range of criteria around sustainable transport, the natural environment, flooding/SUDS and energy. ~~It~~ **The CIF** will be used to inform discussions during the application process on how a development can be improved from a climate mitigation, adaptation and biodiversity perspective. Where necessary the CIF may **also** be used as a basis to develop proposals and charging to an environment fund (for carbon offsetting) in the Borough, in line with the expectation for planning contributions set out in Policy CP12.

Both the NPPF and the Council's Local Plan are clear that new developments must take into account implications on climate change. Where adverse impacts cannot be adequately mitigated on-site, off-site mitigation measures will be required. Off-site mitigation within the Borough will be preferred to ensure co-benefits (funding an equivalent carbon dioxide saving within the local authority boundary). The Council is looking to further develop the idea of Authority **Area** Based Insetting (ABI) to help stimulate investment in carbon-saving such projects. **ABI seeks to ensure that carbon-**

saving projects are focused and delivered within the Borough so that the benefits of such projects and investment are felt and shared locally. In the absence of projects/opportunities within the Borough then offsetting (funding an equivalent carbon dioxide saving elsewhere to compensate for emissions) could be used. **It is anticipated this off-setting would be sought through hierarchical spatial scales relative to a development – i.e. with a preference for local, then regional and then national level off-setting.**

The Council has identified Environmental Opportunity Areas (further details set out in Policy DM14) to help focus delivery of such measures within the Borough. Priority Environmental Opportunity Areas denote locations where there is potential to improve existing green and blue infrastructure for one or more purposes, such as enhancing or creating important habitat, carbon sequestration, flood risk management, recreation, heritage and accessibility and well-being. ~~Due to their poor condition, heather moorland and peat bog habitats are.~~ **These interventions can provide multi-functional benefits.**

The Borough has a large amount of peat-land which, when in good condition, acts as a sink to store (or ‘sequester’) carbon. However, ~~Due to their poor condition, heather moorland and peat bog habitats are potentially losing around 2,400 tonnes of carbon to the atmosphere each year. The priority must be to improve the condition of moorlands to ensure neutral carbon emissions (as a minimum), and that the carbon stored is depleted no further,~~ **and to protect and restore peatland resources, including re-wetting opportunities, to improve carbon sequestration.**

Enhancements to EOAs will also augment the Borough's green and blue infrastructure, improving connectivity across the Borough and with neighbouring authorities and, where appropriate, create new recreational facilities. Where opportunities can be linked to statutory and non-statutory designated sites they will ultimately form part of the nature recovery network. Policy DM14 provides further details on how these areas will be used in decision-making.

If Blackburn with Darwen is to achieve its ambitious target of becoming carbon neutral by 2030 then energy demand from existing buildings, new development and transport must be minimised and generation of energy from low carbon and renewable sources increased. The Policy ~~ies~~ **ies** Map identifies areas that are potentially suitable for wind and heat networks in the Borough based on initial feasibility work. Further work around the potential for solar schemes is planned, along with more detailed techno-**economic** feasibility studies on the potential for heat networks. Policy DM12 provides further policy on Clean and Green Energy in decision-making and the Council will prepare an SPD on **Low Carbon and** Renewable Energy to provide further policy guidance on this work.

Appendix B: MM012 Revised wording of Policy CP6

Core Policy 6 (CP6): The Natural Environment

3.54 The natural environment has to be protected and enhanced to sustain wildlife habitats, species and natural capital. Nature Recovery Networks (to be defined by a Local Nature Recovery Strategy²⁶) have to be strengthened and connected to stem the loss of nature and deliver a significant net gain in the Borough's overall biodiversity value, allowing nature to recover, flourish and have greater resilience to the changing climate.

The Nature Emergency is every bit as critical as the Climate Emergency and the two are closely intertwined. The Council want to take urgent action to conserve the natural environment – to sustain and enhance habitat and species and deliver multifunctional benefits and natural capital.

New developments will be required to delivery Biodiversity Net Gain (BNG) to help improve habitats and strengthen how species and habitats connect. Nature Recovery Networks will play a key strategic role in strengthening ecological networks, and the development of a Local Nature Recovery Strategy²⁵ (LNRS) will be informed by a variety of locally identified designations and strategies. Together, and supported by other local policies, these interventions will help stem the loss of nature and deliver a significant net gain in the Borough's overall biodiversity value, allowing nature to recover, flourish and have greater resilience to the changing climate.

Policy CP6 (aside and Environmental Opportunity Areas set out in Policy CP5) provide a the strategic policy framework within the Local Plan to support and facilitate this.

Core Policy 6 (CP6): The Natural Environment

1. New development will be required to conserve and enhance biodiversity, geodiversity and landscape features ensuring:
 - i. That statutory and non-statutory protected sites are protected, enhanced and supported;
 - ii. That recognised priority species and habitats are protected, enhanced and supported;
 - iii. A measurable biodiversity net gain of no less than 10% is achieved **which must be evidenced through the latest recognised metric⁹ and preferably delivered on-site. Where this is not possible on-site net gain cannot be delivered on-site, local off-site compensatory habitat or development contributions financial payments will be sought in line with Policy DM15 required in line with the latest national and local requirements¹⁰. All proposals should apply the mitigation hierarchy in accordance with the NPPF;**
 - iv. That appropriate and long-term management of new or existing habitats is secured to ensure a network of nature recovery.
2. Development is required to protect, enhance and extend the Nature Recovery Network²⁶ and the green and blue infrastructure network in the Borough by helping to maximise their extent, interconnectedness, multi-functionality, and quality.

⁹ currently Natural England's Biodiversity Metric 3.1

¹⁰ including the Environment Act (2021), secondary legislation and accompanying guidance, Local Plan Policy CP12 and the Natural Environment SPD

2. Development should be designed to facilitate new and enhanced habitats and the creation of links between habitats and open spaces to provide a network of green and blue spaces that can help support species and their movement. The locally defined ecological sites and networks identified in the Local Nature Recovery Strategy (LNRS), when established, will be the primary focus for off-site net gain delivery. When designing biodiversity net gain, whether on-site or off-site, consideration should be given to how the proposed development can link to existing strategies, including the LNRS, and tie in with policy objectives and natural capital opportunities.

3. Development should:

- i. Safeguard the long term capability of the best and most versatile **(BMV)** agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification (ALC)) as a resource for the future. **Where significant development of agricultural land is necessary, this should be directed to areas of poorer quality agricultural land rather than higher quality (BMV) agricultural land;**
- ii. Avoid disturbance or damage of soils, especially those of high environmental value, such as peatlands and wetlands;
- iii. Ensure soil resources are conserved and managed in a sustainable way;
- iv. Be able to demonstrate that it will not be at an unacceptable risk of unstable or contaminated land.

4. Proactive management of the upland areas (heather moorland and peat bog habitats) for the benefit of carbon retention, biodiversity and natural flood management will be supported;

5. All development should have a neutral or positive impact on air and water quality;

6. Major developments **are strongly encouraged to should seek to achieve the Building with Nature Design Award^[27] to demonstrate that high-quality green and blue infrastructure is designed and delivered within the development. To support good design, this accreditation should be sought in the early stages of a development as part of pre-application or outline planning permission approval. The Council will give positive weight to those development achieving the Building with Nature Award.**

Key strategic objective links	SO1: Health and Well-being SO6: Natural Environment SO7: Climate Change
Key policy links	DM15: Biodiversity <u>Protection and Enhancement of Wildlife Sites</u> DM16: Green and Blue Infrastructure DM17: Trees and Woodland DM18: Public Open Spaces in New Developments DM19: Development of Open Spaces DM20: Playing Fields, Indoor and Outdoor Sports Facilities DM21: Local Green Space DM28: Development Affecting Watercourses, Bodies and Catchment Land

Key supporting docs/evidence	Strategic Flood Risk Assessment (2020) Climate Change and Natural Capital Study (2021) Heat Network Masterplanning Study (2019) Open Space Audit (2021) Playing Pitch and Outdoor Sports Strategy and Built Sports Facilities Strategy (2021) Appendix H: Natural Environment SPD (TBC)
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[25] Environment Act (2021)

[26] Once defined in a Local Nature Recovery Strategy

[27] Or alternative accepted/recognised award scheme

[28] HM Government, The Ten Point Plan for a Green Industrial Revolution, Nov 2020

3.56. Natural capital as a concept offers a balanced focus on natural assets in ecological terms (their quantity, condition and sustainability) and the social and economic benefits that derive from those assets. It re-frames nature positively as an asset, rather than simply as a constraint on or a victim of development. A natural capital assessment may be required where the local planning authority considers it appropriate where the nature or scale of a proposal merits it.

The Nature Emergency is every bit as critical as the Climate Emergency. Central Government has committed²⁸ to protect and improve 30% of UK land by 2030 to combat biodiversity loss and adapt to climate change. The Council has a similar ambition to make space for nature to allow it to recover and become more abundant. A total of 5,272ha of land (38% of land in the Borough) is identified as some form of 'green infrastructure' (in line with Policy DM16: Green and Blue Infrastructure), with 1,750ha of this (13% of the Borough) having some form of biodiversity designation. Policies set out in this Local Plan, and forthcoming Local Nature Recovery Strategies and designation of Nature Recovery Networks will be a means of achieving this aim. **There are diverse opportunities to deliver environmental improvements across the borough, helping to provide multi-functional benefits and address both the nature and climate emergencies.** When healthy, natural habitats sustain more wildlife and provide benefits for people such as: reducing the risk of flooding; improving people's health and wellbeing; as well as maintaining healthy soils; **storing carbon; providing cleaner air and water; and supporting the** pollinators needed for crops to promote a balanced ecosystem.

Under the Environment Act (2021), if or when enacted, all planning applications granted (with few exemptions) will be required to deliver at least 10% Biodiversity Net Gain, measured through the application of the most up-to-date, and relevant, Biodiversity Metric and necessitating the submission of a Biodiversity Gain Plan¹¹. However, it is expected that some application types will be excluded from the requirements of the Environment Act and so the relevant regulations should be referred to once in effect. In advance of the national introduction of net gain, the Council will require all developments (excluding 'de minimis', householder applications, minor change of use or permitted development) to submit a recognised Metric and a Biodiversity Gain Plan to demonstrate a minimum 10% gain will be delivered. The Council's Plan Viability Study confirms that delivery of a 10% net gain is viable. In the event that the Environment Act (2021) is revised by the Secretary of State (at a later date) to determine

¹¹ 53 Or in another relevant document such as a preliminary ecological assessment so long as informed is prepared in accordance with the requirements set out in the Environment Act (2021) (Schedule 7a, Part 2, 14(2))

that a higher percentage of biodiversity net gain must be delivered than that national figure shall apply. However, 10% will remain the minimum local requirement for biodiversity net gain within the borough.

All proposals for biodiversity net gain should apply the mitigation hierarchy. This hierarchy prioritises avoiding damage to habitat, then, if that cannot be achieved, mitigating by reducing the impact where possible and, if there is a loss of habitat, providing appropriate compensation. Compensation must be greater and better than that which has been lost.

The biodiversity net gain approach also adopts a spatial hierarchy for habitat delivery – with a preference for on-site first, then local off-site. The Council may provide opportunities whereby multiple developments could secure BNG through the sale of smaller parcels of biodiversity unit uplift on a site. Only in exceptional circumstances, where evidence and justification is provided, should developers seek to purchase statutory biodiversity credits from government. As per national requirements, biodiversity net gain must be subject to long term management (a minimum of 30 years) and ongoing monitoring. Delivery will also be subject to legal agreements, for example, conservation covenants.

Ecological networks must be strengthened and connected to stem the loss of nature and deliver a significant net gain in the Borough's overall biodiversity value, enabling nature to recover and have greater resilience to the changing climate. Nationally, through the Environment Act (2021), the Government are introducing Nature Recovery Networks as the tool to help achieve this and so it is intended that the Local Nature Recovery Strategy (LNRS) will be the primary focus for biodiversity net gain delivery in the borough. The LNRS will be informed, in part, by the local ecological designations and policies set out in this Local Plan, including Environmental Opportunity Areas (DM14), designated wildlife habitats (DM15), green and blue infrastructure (DM16) and trees and woodland (DM17). 3.58. Strategic areas identified as being suitable for biodiversity net gain are shown as part of the Environmental Opportunity Areas (EOAs) on the Policies Map. These EOAs also form a strategic part of Policy CP5: Climate Change, as they are intended to deliver multi-functional benefits to help both the climate and nature emergencies – including reducing flood risk, increasing carbon storage and improving habitats.

When considering biodiversity net gain, whether on-site or off-site, developers should consider how their development can link to existing strategies and policy objectives, including the LNRS. As explained above, it is intended that the LNRS will be the primary focus for biodiversity net gain. However, due to Government delays in providing the relevant guidance and funding needed to establish an LNRS, it is expected that there will be a minimum 18-month delay before an LNRS is in effect within the Borough. Therefore, in advance of the introduction of the LNRS, consideration should be given to existing biodiversity strategies, including the Green Infrastructure and Ecological Networks SPD (2015), the Environmental Opportunity Areas (DM14) and potential enhancements to District Wildlife Sites and/or Biological Heritage Sites (DM15). This will help maximise the extent, interconnectedness and quality of nature-networks and deliver multi-functional benefits. Linking development biodiversity net gain to these strategic objectives will also help determine the 'strategic significance' score contained within the biodiversity metric.

Natural capital takes the approach that nature is an asset that provides social and economic benefits to people, for example a market value (minerals, timber, freshwater) or non-market value (such as good health, outdoor recreation, landscape amenity). The quantity, quality and location of different types of nature can affect the value of natural capital. This approach frames nature as a positive asset, not a constraint. A Natural Capital Assessment may be required where the local planning authority considers it appropriate where the nature or scale of a proposal merits it. This could include proposals likely to have an impact on the management of (habitat) land, the atmosphere, water quality, wildlife, raw or natural resources or opportunities for nature-based outdoor recreation. Further information on natural capital will be provided through the Natural Environment SPD.

Natural Capital Assessments may also be submitted to demonstrate the positive benefits a development may create to natural capital for consideration as part of a balanced planning judgement. One such example is the NATURE Tool [footnote to include link], available as an Excel spreadsheet, which can be used to help assess the impact of land-use and management changes on natural capital performance with the aim of achieving environmental net gains. Development achieving environmental net gains will be given positive weight in planning determinations.

A Natural Environment Supplementary Planning Document (SPD) will be prepared to provide further guidance for on-site and off-site biodiversity net gain this and other natural environment matters (including green infrastructure and trees/woodland).

Appendix C: MM043 Revised wording of Policy DM15

Policy DM Policy 15 (DM15): **Biodiversity Protection and Enhancement of Wildlife Habitats**

Policy DM15 provides the basis on which the Council will ensure that new development can help address the ecological crisis, helping to restore **for the protection and enhancement of designated wildlife habitats to help protect** eco-systems and **support** environmental net gain.

DM Policy 15 (DM15): Biodiversity Protection and Enhancement of Wildlife Habitats	
<p>1. Demonstration of biodiversity net gain (Policy CP6) will be required as part of all new developments 51 through application of the latest Biodiversity Metric⁵² and submission of a Biodiversity Gain Plan⁵³.</p> <p>12. Biodiversity resources will be protected such that any dDevelopment likely to harm, damage or destroy statutory or non-statutory designated sites (as shown on the Policyies Map) or habitats or species of:</p> <p>i. International or national importance (Sites of Special Scientific Interest) will not normally be permitted;</p> <p>ii. Principal importance, (Biological Heritage Sites or habitats and species listed in the Lancashire Biodiversity Action Plan) will not be permitted unless the harm caused is significantly and demonstrably outweighed by other planning considerations and an appropriate mitigation strategy can be secured;</p> <p>iii. Local importance (Local District Wildlife Sites and Local Nature Reserves) will not be permitted unless the harm caused is outweighed by other planning considerations and an appropriate mitigation strategy can be secured.</p> <p><u>2. Development should be designed to protect and enhance existing habitats and ecological networks, including wildlife corridors and stepping stones. Development should minimise any potential disturbance to species and habitats, for example from site lighting, air pollution, noise.</u></p> <p>3. Nature Recovery Networks, as identified in the Local Nature Recovery Strategy should not be compromised;</p> <p>4. Where it has been comprehensively demonstrated that negative impacts on habitats or species cannot be avoided or mitigated on site, local compensatory habitat or a development contribution to a local offsetting scheme will be required in accordance with the principles of biodiversity net gain.</p>	
Key strategic objective links	SO6: Natural Environment
Key policy links	CP5: Climate Change CP6: The Natural Environment
Key supporting docs/evidence	Biodiversity Biodiversity net gain: good practice principles for development (2016) Biodiversity Biodiversity net gain: good practice principles for development: a practical guide (2019) Local Nature Recovery Strategy (expected 2023)

51-excluding householder applications or permitted development

52-currently Biodiversity Metric 3.0;

53-Or in another relevant document such as a preliminary ecological assessment so long as informed is prepared in accordance with the requirements set out in the Environment Act (2021) (Schedule 7a, Part 2, 14(2))

~~4.82. Nature Recovery Networks have to be strengthened and connected to stem the loss of nature and deliver a significant net gain in the Borough's overall biodiversity value, enabling nature to recover and have greater resilience to the changing climate. Existing wildlife site designations, along with identified Environmental Opportunity Areas (see Policy DM14) are expected to support this aim and feed into any future Local Nature Recovery Strategy.~~

Wildlife site designations are intended to identify discrete areas of national, regional and local importance. These are identified on the Policyies Map. If overlap occurs the higher designation takes precedence and the remainder of the site is reviewed to establish if it still qualifies as an area of wildlife importance.

A small number of Local (District) Wildlife Sites coincide with Biological Heritage Sites. Boundaries have been re-drawn to separate the designations on the Policyies Map. All Local (District) Wildlife Sites ~~are to be~~ **were** resurveyed in 2022 and assessed against site selection guidelines to bring the designations and boundaries up to date. Lancashire County Council is to carry out a review of all (County) Biological Heritage Sites, which will include an assessment of the sites overlapped by the West Pennine Moors SSSI.

New development will be required to protect and enhance habitats and ecological networks. In advance of a Local Nature Recovery Strategy being prepared then Environmental Opportunity Areas and wildlife site designations set out on the Policyies Map will be used to identify whether habitats have 'strategic significance' in the context of **Policy CP6 and** the Biodiversity Metric. **Developments should also seek to protect and enhance ecological networks, including wildlife corridors and stepping stones. These are areas of land (like canals, woodlands, road verges, and ponds) that connect habitats allowing wildlife to move between the spaces. By improving these connections, we can help strengthen ecological networks to support the movement of nature and address habitat fragmentation.**

To satisfy Policy DM15 the consideration of negative impacts on habitats or species should include:

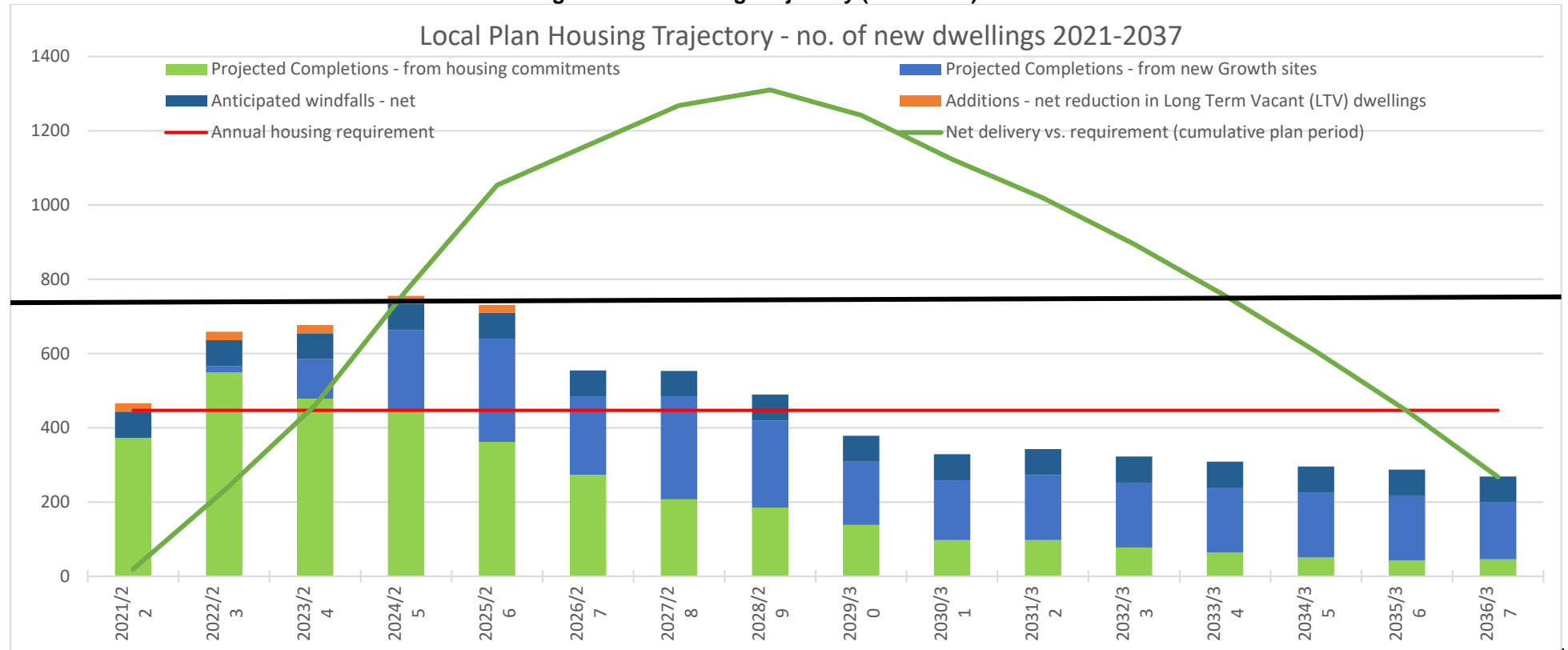
- air quality impacts (e.g. traffic impacts from new development, new agricultural developments (such as pig and poultry intensive farming) and the associated air quality impacts on SSSIs. Policy DM2 provides further details;
- water related impacts (water quality, and/or quantity); and
- **recreational disturbance;**
- **noise and**
- light pollution impacts.

~~4.87. Any compensatory habitat provided as part of addressing the policy requirements of DM15 to address biodiversity net gain must ensure that appropriate management and protection of such habitat is secured for the long term. Compensation must also be greater and better than that which has been lost.~~

Where necessary, further guidance will be provided as part of the Natural Environment SPD proposed under Policy CP6: The Natural Environment.

Appendix D – Housing Trajectory (Replacement of Figure B.1 – Housing Trajectory & Table B.1 – List of housing commitments)

Figure B.1 – Housing Trajectory (2021-2037)



Year	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	Beyond plan period
Annual housing requirement	447	447	447	447	447	447	447	447	447	447	447	447	447	447	447	447	
Actual Completions - net																	
Projected Completions - from housing commitments	373	549	479	449	362	274	207	185	139	98	98	77	64	51	43	46	183
Projected Completions - from new Growth sites	0	17	106	215	278	211	276	234	170	161	175	175	175	175	175	153	1026
Anticipated windfalls - net	70	70	70	70	70	70	70	70	70	70	70	70	70	70	70	70	
Additions - net reduction in Long Term Vacant (LTV) dwellings	23	23	22	22	21												
Net delivery vs. requirement (cumulative plan period)	19	231	461	769	1054	1161	1268	1310	1242	1123	1019	894	756	605	446	268	

Table B.1 – List of housing commitments

Site Name	Town	Ward	Land Type	Planning application ref.	Gross Area (Ha)	Estimated Delivery (units)			
						2021-26	2026-31	2031-37	Beyond Plan Period
Alaska Street Housing Site	Blackburn	Blackburn Central	Brownfield	10/18/0270	1.72	23	0	0	0
Albion Mill, Albion Street Blackburn	Blackburn	Ewood	Brownfield	10/16/0835	1.02	5	0	0	0
Ellison Fold Way Phase 2	Darwen	Darwen East	Greenfield	10/21/0122	18.82	97	150	36	0
Beechwood Garden Centre, Roman Road	Blackburn	Blackburn South & Lower Darwen	Brownfield	10/16/0838	0.49	5	0	0	0
Belgrave Mill site	Darwen	Darwen West	Brownfield	10/05/1095	1.40	67	20	0	0
Brokenstone Road, Blackburn	Blackburn	Livesey with Pleasington	Mixed	10/18/1116	38.45	67	150	180	53
Lomond Gardens (St Bede's)	Blackburn	Livesey with Pleasington	Greenfield	10/21/0277	1.23	35	0	0	0
Charles Street Development Site	Blackburn	Ewood	Brownfield	10/11/0068	0.42	12	0	0	0
Clarendon Road East	Blackburn	Little Harwood & Whitebirk	Greenfield	10/19/0467	1.83	60	0	0	0
Land at Cranberry Lane	Darwen	Darwen South	Greenfield	10/17/1313	9.22	46	0	0	0
Salisbury Road (formerly Greenways)	Darwen	Darwen West	Brownfield	10/20/0513	0.32	9	0	0	0
Fenisccliffe Bank Tower Rd/Hillcrest Rd	Blackburn	Livesey with Pleasington	Mixed	10/19/0677	1.29	15	0	0	0
Fishmoor Drive (Parcel 1) – former TGH land	Blackburn	Blackburn South East	Greenfield	10/20/0934	5.13	120	80	0	0
Fishmoor Drive (Parcel 2) – former T2000	Blackburn	Blackburn South East	Brownfield	10/20/0934	1.68	69	0	0	0

Table B.1 – List of housing commitments

Site Name	Town	Ward	Land Type	Planning application ref.	Gross Area (Ha)	Estimated Delivery (units)			
						2021-26	2026-31	2031-37	Beyond Plan Period
Fishmoor Drive (Parcel 3)– Roman Road/Newfield School– 16/8	Blackburn	Blackburn South East	Brownfield	10/20/0934	5.14	97	17	0	0
Gib Lane Phase A	Blackburn	Livesey with Pleasington	Greenfield	10/14/1331	9.85	59	0	0	0
Gib Lane Phase C	Blackburn	Livesey with Pleasington	Greenfield	10/17/0211	11.37	125	20	0	0
Gib Lane Phase D	Blackburn	Livesey with Pleasington	Greenfield	10/19/0662	9.09	106	49	0	0
Gib Lane Phase E	Blackburn	Livesey with Pleasington	Greenfield	10/19/0662	8.01	43	97	0	0
Gib Lane Phase F	Blackburn	Livesey with Pleasington	Greenfield	10/19/0662	6.60	0	75	65	0
Griffin Development Site	Blackburn	Blackburn Central	Brownfield	10/19/1145	3.97	141	0	0	0
Hoddlesden Mill	Hoddlesden	West Pennine	Brownfield	10/21/0008	2.90	59	20	0	0
Hollins Grove	Darwen	Darwen East	Brownfield	10/20/0107	1.49	37	0	0	0
Old Blackburnians Memorial Ground, Lammack Road	Blackburn	Billinge & Beardwood	Greenfield	10/19/0617	1.94	42	0	0	0
Tower View, Marsh House Road	Darwen	Darwen South	Brownfield	10/18/1048	0.55	17	0	0	0
Ellison Fold Way Phase 1	Darwen	Darwen East	Greenfield	10/21/0122	3.29	60	0	0	0
Milking Lane, Lower Darwen	Lower Darwen	Blackburn South & Lower Darwen	Brownfield	10/18/1149	4.79	72	0	0	0
North Blackburn – Phase 1 Land at Yew Tree Drive/Whinney Lane	Blackburn	Billinge & Beardwood	Greenfield	10/17/0578	12.45	125	92	0	0
Land West of Rugby Club	Blackburn	Billinge & Beardwood	Greenfield	10/20/0265	3.99	62	0	0	0
Pole Lane North	Darwen	Darwen South	Greenfield	10/16/0789	5.42	101	0	0	0
Pole Lane South	Darwen	Darwen South	Greenfield	10/19/0317	6.97	110	58	0	0
Land off Queen Victoria Street, Mill Hill	Blackburn	Mill Hill & Moorgate	Brownfield	10/19/0056	1.27	68	0	0	0

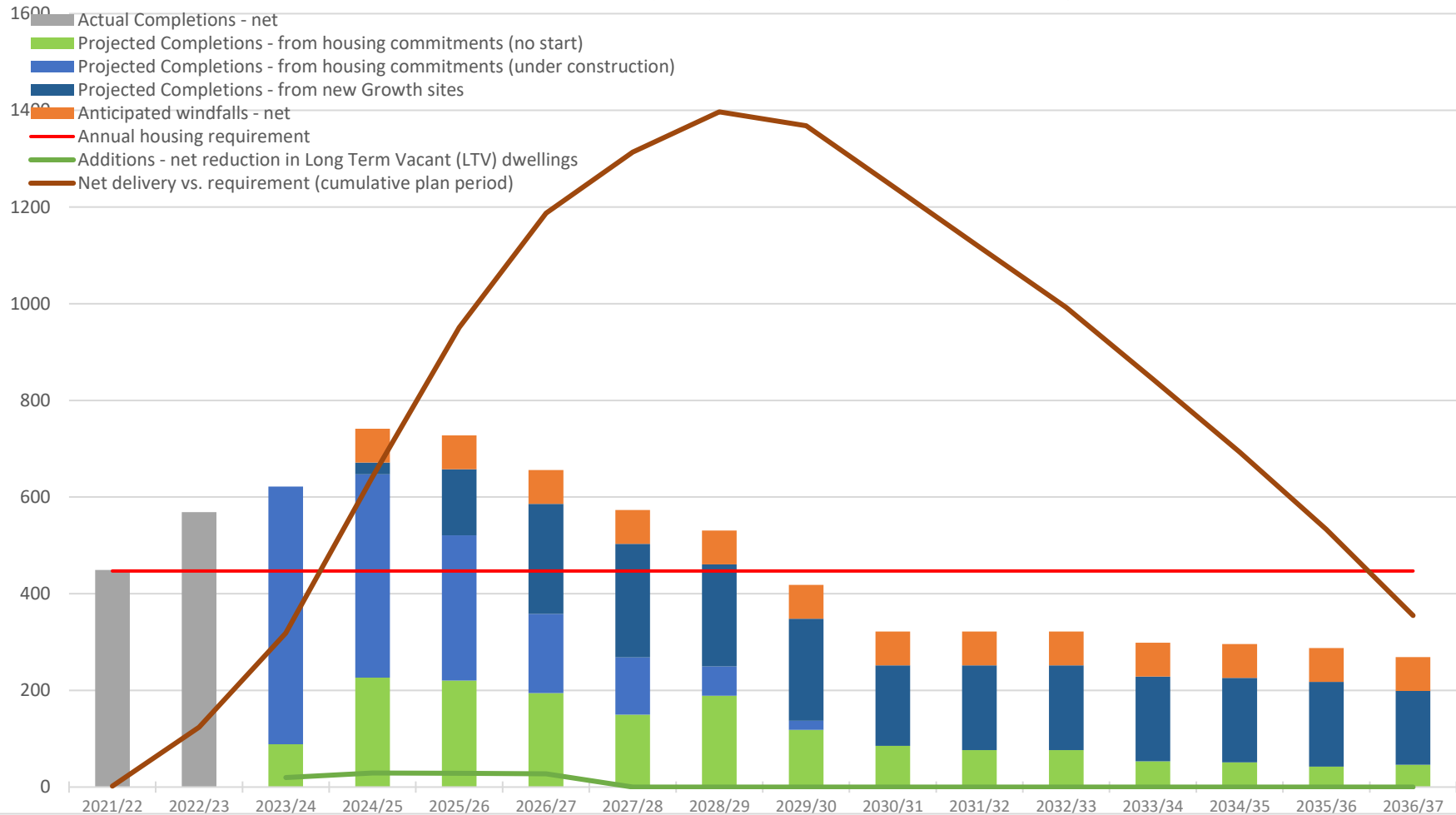
Table B.1 – List of housing commitments

Site Name	Town	Ward	Land Type	Planning application ref.	Gross Area (Ha)	Estimated Delivery (units)			
						2021-26	2026-31	2031-37	Beyond Plan Period
Roe Lee – Phase 1 North Site	Blackburn	Roe Lee	Greenfield	10/18/0895	9.30	132	0	0	0
SAPPI (Phase 1A)	Blackburn	Livesey with Pleasington	Greenfield	10/18/0290	3.32	95	0	0	0
SAPPI (Phase 1B)	Blackburn	Livesey with Pleasington	Greenfield	10/18/1097	5.46	37	113	0	0
SAPPI (Phase 4A)	Blackburn	Livesey with Pleasington	Brownfield	10/18/1098	8.76	0	37	134	0
SAPPI (Phase 4B)	Blackburn	Livesey with Pleasington	Brownfield	10/18/1099	1.97	0	0	30	0
Land off School Lane, Guide	Blackburn	Blackburn South East	Greenfield	10/18/0075	1.17	26	0	0	0
Albert Street	Huddlesden	West Pennine	Greenfield	10/18/0326	1.15	14	0	0	0
Laneside, Shorrocks Lane	Blackburn	Mill Hill & Moorgate	Brownfield	10/19/1182	0.28	8	0	0	0
Land to East of Rugby Club	Blackburn	Roe Lee	Greenfield	10/21/0636	1.83	47	0	0	0
Land off Whalley Old Road	Blackburn	Little Harwood & Whitebirk	Greenfield	10/20/0716	8.24	84	84	0	0
St Stephen's Conservative Club, Robinson Street	Blackburn	Little Harwood & Whitebirk	Brownfield	10/19/0275	0.56	13	0	0	0
Land at Bowen Street	Blackburn	Mill Hill & Moorgate	Brownfield	10/19/1062	0.44	25	0	0	0
St Chad's, 216 Pleckgate Road	Blackburn	Roe Lee	Brownfield	10/19/1057	0.15	6	0	0	0
Land at Fountain Street	Darwen	Darwen West	Greenfield	10/19/0113	0.40	10	0	0	0
Vacant land off Victoria Buildings, Waterside	Darwen	West Pennine	Brownfield	10/19/0807	0.60	10	0	0	0
Land between Haslingden Rd/Brandy House Brow/Old Bank Lane	Blackburn	Blackburn Central	Greenfield	10/09/0414	3.46	0	0	0	56
Land and properties off Billinge End Road	Blackburn	Billinge & Beardwood	Brownfield	10/18/0396	1.97	5	0	0	0
14 East Park Road	Blackburn	Shear Brow & Corporation Park	Brownfield	10/18/0404	0.16	7	0	0	0

Table B.1 – List of housing commitments

Site Name	Town	Ward	Land Type	Planning application ref.	Gross Area (Ha)	Estimated Delivery (units)			
						2021-26	2026-31	2031-37	Beyond Plan Period
Rockcliffe Works, Paterson Street	Blackburn	Blackburn Central	Brownfield	10/19/0509	1.60	0	0	0	88
Ellersie House, Bury Fold Lane	Darwen	Darwen South	Greenfield	10/19/0642	1.40	0	0	0	18
Palm Tree Islamic School (Former Montague Health Centre), Oakenhurst Road	Blackburn	Wensley Fold	Brownfield	10/19/0706	0.40	76	0	0	0
Land off Wellington Street, Mill Hill	Blackburn	Mill Hill & Moorgate	Brownfield	10/20/0346	0.63	42	0	0	0
Wayoh Barn, Blackburn Road	Edgworth	West Pennine	Brownfield	10/20/0464	0.43	5	0	0	0
Land at Moulding Close	Blackburn	Wensley Fold	Greenfield	10/20/0637	0.34	9	0	0	0

Local Plan Housing Trajectory - no. of new dwellings 2021-2037



Year	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	Beyond plan period
Annual housing requirement	447	447	447	447	447	447	447	447	447	447	447	447	447	447	447	447	
Actual Completions - net	449	569															
Projected Completions - from housing commitments (no start)			89	226	220	195	150	189	118	85	77	77	54	51	43	46	119
Projected Completions - from housing commitments (under construction)			533	421	300	163	119	61	19	0	0	0	0	0	0	0	
Projected Completions - from new Growth sites			0	24	137	228	235	211	211	167	175	175	175	175	175	153	1116
Anticipated windfalls - net				70	70	70	70	70	70	70	70	70	70	70	70	70	
Additions - net reduction in Long Term Vacant (LTV) dwellings			20	29	28	27	0	0	0	0	0	0	0	0	0	0	
Net delivery vs. requirement (cumulative plan period)	2	124	318	642	951	1187	1313	1397	1368	1243	1118	992	844	693	533	355	

TABLE B.1 –List of sites making up the Local Plan housing trajectory 2021-2037

Housing commitments (no start)

Site Ref	Site Name	Town	Planning app. Ref	Gross Area (Ha)	Estimated Delivery (units)			
					2021-26	2026-31	2031-37	Beyond Plan Period
<u>H007</u>	<u>Belgrave Mill Site</u>	<u>Darwen</u>	<u>10/05/1095</u>	<u>1.40</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>87</u>
<u>H010</u>	<u>Brokenstone Road, Blackburn (Taylor Wimpey & Barratt)</u>	<u>Blackburn</u>	<u>10/21/1083</u>	<u>38.45</u>	<u>67</u>	<u>150</u>	<u>180</u>	<u>53</u>
<u>H015</u>	<u>Clarendon Road East</u>	<u>Blackburn</u>	<u>10/19/0467</u>	<u>1.83</u>	<u>60</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H020</u>	<u>Salisbury Road (formerly Greenways)</u>	<u>Darwen</u>	<u>10/20/0513</u>	<u>0.32</u>	<u>11</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H024</u>	<u>Ellersie House, Bury Fold Lane</u>	<u>Darwen</u>	<u>10/22/0413</u>	<u>1.40</u>	<u>6</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H035</u>	<u>Gib lane Phase E (Kingswood)</u>	<u>Blackburn</u>	<u>10/19/0662</u>	<u>8.01</u>	<u>67</u>	<u>75</u>	<u>0</u>	<u>0</u>
<u>H036</u>	<u>Gib Lane Phase F (Kingswood)</u>	<u>Blackburn</u>	<u>10/19/0662</u>	<u>6.60</u>	<u>0</u>	<u>77</u>	<u>63</u>	<u>0</u>
<u>H037</u>	<u>Griffin Development Site</u>	<u>Blackburn</u>	<u>10/19/1145</u>	<u>3.97</u>	<u>60</u>	<u>35</u>	<u>0</u>	<u>0</u>
<u>H039</u>	<u>Haslingden Rd (Fishmoor Reservoir) Site</u>	<u>Blackburn</u>	<u>10/21/1426</u>	<u>6.74</u>	<u>90</u>	<u>220</u>	<u>0</u>	<u>0</u>
<u>H059</u>	<u>Palm Tree Islamic School (Former Montague Health Centre), Oakenhurst Road</u>	<u>Blackburn</u>	<u>10/19/0706</u>	<u>0.40</u>	<u>57</u>	<u>19</u>	<u>0</u>	<u>0</u>
<u>H069</u>	<u>Rockcliffe Works, Paterson Street</u>	<u>Blackburn</u>	<u>10/19/0509</u>	<u>1.60</u>	<u>37</u>	<u>51</u>	<u>0</u>	<u>0</u>
<u>H075</u>	<u>SAPPI (Phase 1B)</u>	<u>Blackburn</u>	<u>10/18/1097</u>	<u>5.46</u>	<u>37</u>	<u>104</u>	<u>0</u>	<u>0</u>
<u>H076</u>	<u>SAPPI (Phase 4A)</u>	<u>Blackburn</u>	<u>10/18/1098</u>	<u>8.76</u>	<u>0</u>	<u>37</u>	<u>134</u>	<u>0</u>

<u>H077</u>	<u>SAPPI (Phase 4B)</u>	<u>Blackburn</u>	<u>10/18/1099</u>	<u>1.97</u>	<u>0</u>	<u>0</u>	<u>30</u>	<u>0</u>
<u>H196</u>	<u>Land off Whalley Old Road (Vistry)</u>	<u>Blackburn</u>	<u>10/20/0716</u>	<u>8.24</u>	<u>67</u>	<u>98</u>	<u>0</u>	<u>0</u>
<u>H228</u>	<u>Wayoh Barn, Blackburn Road</u>	<u>Edgworth</u>	<u>10/20/0464</u>	<u>0.43</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H229</u>	<u>Land at Moulding Close</u>	<u>Blackburn</u>	<u>10/20/0637</u>	<u>0.34</u>	<u>9</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H230</u>	<u>Land at Corner of Harcourt Road and Cheltenham Road</u>	<u>Blackburn</u>	<u>10/19/0952</u>	<u>0.30</u>	<u>8</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H231</u>	<u>Land attached to 378 Bolton Road on corner of Bury Fold Lane</u>	<u>Darwen</u>	<u>10/21/1134</u>	<u>0.10</u>	<u>8</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H232</u>	<u>Land at Borrowdale</u>	<u>Blackburn</u>	<u>10/22/0223</u>	<u>0.80</u>	<u>13</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H233</u>	<u>Land west of Moorgate Street</u>	<u>Blackburn</u>	<u>10/21/1218</u>	<u>0.47</u>	<u>20</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H234</u>	<u>Land at Lower Barn Street</u>	<u>Darwen</u>	<u>10/21/0953</u>	<u>0.19</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H235</u>	<u>Former Bar Java, 16 Wellington Fold</u>	<u>Darwen</u>	<u>10/21/1034</u>	<u>0.03</u>	<u>7</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H239</u>	<u>Land adjoining Moorthorpe Cottage, Park Road</u>	<u>Darwen</u>	<u>10/22/1002</u>	<u>0.96</u>	<u>9</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H240</u>	<u>Land at School Lane</u>	<u>Guide</u>	<u>10/21/0331</u>	<u>0.46</u>	<u>14</u>	<u>0</u>	<u>0</u>	<u>0</u>

Housing commitments (under construction)

<u>Site Ref</u>	<u>Site Name</u>	<u>Town</u>	<u>Planning app. Ref</u>	<u>Gross Area (Ha)</u>	<u>Estimated Delivery (units)</u>			
					<u>2021-26</u>	<u>2026-31</u>	<u>2031-37</u>	<u>Beyond Plan Period</u>
<u>H004</u>	<u>Ellison Fold Way Phase 2</u>	<u>Darwen</u>	<u>10/21/0122</u>	<u>18.82</u>	<u>150</u>	<u>115</u>	<u>0</u>	<u>0</u>
<u>H011</u>	<u>Lomond Gardens (St Bede's)</u>	<u>Blackburn</u>	<u>10/21/0277</u>	<u>1.23</u>	<u>9</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H014</u>	<u>Charles Street Development Site</u>	<u>Blackburn</u>	<u>10/11/0068</u>	<u>0.42</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H017</u>	<u>Land at Cranberry Lane</u>	<u>Darwen</u>	<u>10/17/1313</u>	<u>9.22</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H026</u>	<u>Fishmoor Drive (Parcel 1) - former TGH land</u>	<u>Blackburn</u>	<u>10/20/0934</u>	<u>5.13</u>	<u>90</u>	<u>110</u>	<u>0</u>	<u>0</u>
<u>H027</u>	<u>Fishmoor Drive (Parcel2) - former T2000</u>	<u>Blackburn</u>	<u>10/20/0934</u>	<u>1.68</u>	<u>40</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H028</u>	<u>Fishmoor Drive (Parcel 3) - Roman Road/Newfield School</u>	<u>Blackburn</u>	<u>10/20/0934</u>	<u>5.14</u>	<u>82</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H031</u>	<u>Gib Lane Phase A (Kingswood)</u>	<u>Blackburn</u>	<u>10/16/1132</u>	<u>9.85</u>	<u>11</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H033</u>	<u>Gib Lane Phase C (Story Homes)</u>	<u>Blackburn</u>	<u>10/17/0211</u>	<u>11.37</u>	<u>75</u>	<u>9</u>	<u>0</u>	<u>0</u>
<u>H034</u>	<u>Gib Lane Phase D (Kingswood)</u>	<u>Blackburn</u>	<u>10/19/0662</u>	<u>9.09</u>	<u>90</u>	<u>49</u>	<u>0</u>	<u>0</u>
<u>H038</u>	<u>Land between Haslingden Rd/Brandy House Brow/Old Bank Lane</u>	<u>Blackburn</u>	<u>10/09/0414</u>	<u>3.46</u>	<u>37</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H043</u>	<u>Hoddlesden Mill</u>	<u>Hoddlesden</u>	<u>10/22/0064</u>	<u>2.9</u>	<u>79</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H051</u>	<u>Old Blackburnians Memorial Ground, Lammack Road</u>	<u>Blackburn</u>	<u>10/19/0617</u>	<u>1.94</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H055</u>	<u>Tower View, Marsh House Road</u>	<u>Darwen</u>	<u>10/18/1048</u>	<u>0.55</u>	<u>13</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H056</u>	<u>Ellison Fold Way Phase 1</u>	<u>Darwen</u>	<u>10/21/0122</u>	<u>3.29</u>	<u>25</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H057</u>	<u>Milking Lane, Lower Darwen (Elan Homes)</u>	<u>Darwen</u>	<u>10/21/1001</u>	<u>4.79</u>	<u>75</u>	<u>1</u>	<u>0</u>	<u>0</u>
<u>H060</u>	<u>North Blackburn - Phase 1 Land at Yew Tree Drive/Whinney Lane</u>	<u>Blackburn</u>	<u>10/17/0578</u>	<u>12.45</u>	<u>75</u>	<u>68</u>	<u>0</u>	<u>0</u>
<u>H062</u>	<u>Land West of Rugby Club</u>	<u>Blackburn</u>	<u>10/20/0265</u>	<u>3.99</u>	<u>36</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H064</u>	<u>Pole Lane North</u>	<u>Darwen</u>	<u>10/16/0789</u>	<u>5.42</u>	<u>72</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H065</u>	<u>Pole Lane South</u>	<u>Darwen</u>	<u>10/19/0317</u>	<u>6.97</u>	<u>90</u>	<u>26</u>	<u>0</u>	<u>0</u>
<u>H070</u>	<u>Roe Lee - Phase 1 North Site</u>	<u>Blackburn</u>	<u>10/18/0895</u>	<u>9.3</u>	<u>70</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H074</u>	<u>SAPPI (Phase 1A)</u>	<u>Blackburn</u>	<u>10/19/1072</u>	<u>3.32</u>	<u>77</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H078</u>	<u>Land off School Lane, Guide</u>	<u>Blackburn</u>	<u>10/18/0075</u>	<u>1.17</u>	<u>4</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H082</u>	<u>Albert Street</u>	<u>Hoddlesden</u>	<u>10/18/0326</u>	<u>1.15</u>	<u>14</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H189</u>	<u>Land to East of Rugby Club</u>	<u>Blackburn</u>	<u>10/21/0636</u>	<u>1.83</u>	<u>47</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H200</u>	<u>St Stephen's Conservative Club, Robinson Street</u>	<u>Blackburn</u>	<u>10/19/0275</u>	<u>0.56</u>	<u>9</u>	<u>0</u>	<u>0</u>	<u>0</u>

<u>H203</u>	<u>Land off Fountain Street</u>	<u>Darwen</u>	<u>10/19/0113</u>	<u>0.32</u>	<u>10</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H204</u>	<u>Vacant land off Victoria Buildings, Waterside</u>	<u>Darwen</u>	<u>10/19/0807</u>	<u>0.6</u>	<u>10</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H225</u>	<u>Land and properties off Billinge End Road</u>	<u>Blackburn</u>	<u>10/18/0396</u>	<u>1.97</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H236</u>	<u>Land at Davyfield Farm, Roman Road, Eccleshill</u>	<u>Blackburn</u>	<u>10/20/1036</u>	<u>1.60</u>	<u>13</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H238</u>	<u>Heys Lane/Dove Lane (Orchard Park)</u>	<u>Darwen</u>	<u>10/03/0385</u>	<u>0.75</u>	<u>3</u>	<u>3</u>	<u>0</u>	<u>0</u>

Housing Growth Allocation Sites

<u>Site ref</u>	<u>Site Name</u>	<u>Town</u>	<u>Gross Area (Ha)</u>	<u>Estimated Delivery (units)</u>			
				<u>2021-26</u>	<u>2026-31</u>	<u>2031-37</u>	<u>Beyond Plan Period</u>
<u>H009</u>	<u>Blackburn golf course (practice ground)</u>	<u>Blackburn</u>	<u>3.04</u>	<u>0</u>	<u>73</u>	<u>0</u>	<u>0</u>
<u>H029</u>	<u>Fishmoor Drive (Parcel 4) - South Site</u>	<u>Blackburn</u>	<u>10.58</u>	<u>0</u>	<u>67</u>	<u>174</u>	<u>0</u>
<u>H042</u>	<u>Land at Bank Hey</u>	<u>Blackburn</u>	<u>41.12</u>	<u>37</u>	<u>150</u>	<u>180</u>	<u>233</u>
<u>H044</u>	<u>Land at Holden Fold</u>	<u>Darwen</u>	<u>5.38</u>	<u>37</u>	<u>150</u>	<u>180</u>	<u>66</u>
<u>H068</u>	<u>Queen's Park Sites</u>	<u>Blackburn</u>	<u>0.94</u>	<u>2</u>	<u>6</u>	<u>0</u>	<u>0</u>
<u>H072</u>	<u>Roe Lee - Phase 3 Mill 1 Site - 16/3</u>	<u>Blackburn</u>	<u>0.75</u>	<u>0</u>	<u>26</u>	<u>0</u>	<u>0</u>
<u>H080</u>	<u>Springside Works - 16/18</u>	<u>Belmont</u>	<u>12.25</u>	<u>25</u>	<u>91</u>	<u>0</u>	<u>0</u>
<u>H094</u>	<u>Mill, Scotland Bank Terrace</u>	<u>Blackburn</u>	<u>0.82</u>	<u>0</u>	<u>41</u>	<u>0</u>	<u>0</u>
<u>H181</u>	<u>Marsh House Lane</u>	<u>Darwen</u>	<u>6.66</u>	<u>0</u>	<u>6</u>	<u>134</u>	<u>0</u>
<u>H195</u>	<u>North East Blackburn Strategic Housing Site</u>	<u>Blackburn</u>	<u>98.08</u>	<u>30</u>	<u>300</u>	<u>360</u>	<u>810</u>
<u>H198</u>	<u>Site of former Longshaw HOP Crosby Road</u>	<u>Blackburn</u>	<u>0.50</u>	<u>18</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>H222</u>	<u>Land at Blackburn RUFC</u>	<u>Blackburn</u>	<u>1.04</u>	<u>0</u>	<u>23</u>	<u>0</u>	<u>0</u>
<u>H224</u>	<u>Land off Bog Height Road</u>	<u>Blackburn</u>	<u>3.35</u>	<u>6</u>	<u>69</u>	<u>0</u>	<u>0</u>
<u>MU008</u>	<u>Issa Way South (Mixed Use)</u>	<u>Blackburn</u>	<u>4.27</u>	<u>6</u>	<u>50</u>	<u>0</u>	<u>0</u>

Appendix E – Revised employment trajectory (Revised Appendix C of Publication Draft Local Plan)

The tables and graph below outline the projected employment trajectory over the plan period 2021-2037. Whilst annual projected completions vary against the average annual employment floorspace requirement (of 12,375 ~~12,483~~m²), sufficient sites are identified to secure delivery of the plan requirement.

The table below identifies the employment commitments and anticipated floorspace to be delivered. The employment trajectory includes a 10% lapse rate from commitments. Anticipated floorspace from new growth sites includes expected 'B' and 'E' Use Class yields from Employment Growth Sites and Mixed Use Growth Sites.

Table C.1 – Employment need (supply/demand)

Demand (m ²)	E(g) (former B1)	B (former B2/B8)	Total
Employment floorspace requirement (HENAS, 2021)	38,572	159,879	198,451
Total Demand			198,451
Supply (m ²)			
Anticipated floorspace (from commitments — see below)	0	38,413	38,413
Anticipated floorspace (from new Employment & Mixed Use Growth Allocations — Sections 5.4 & Sections 5.5)	37,597	155,352	192,949
Total supply			231,361
Net supply/demand balance	-975	33,886	32,910

Table C.2—List of employment commitments

Site Name	Town	Ward	Land Type	Planning application ref.	Gross Area (Ha)	Yield (m ²)
Suez—proposed new Energy from Waste Centre	Darwen	West Pennine	Brownfield	10/19/0495	7.41	0
Dock Street, Higher Eanam	Blackburn	Blackburn Central	Brownfield	10/20/0251	0.47	1,400
Hollins Grove Site—Employment Parcel	Darwen	Darwen East	Brownfield	10/20/0107	1.38	5,175
Plot 5, Connect 4, Chancel Way	Lower Darwen	West Pennine	Greenfield	10/18/0743	0.65	1,424
Premier Way, Walker Park	Blackburn	Blackburn South East	Greenfield	10/19/0555	2.52	9,235
Frontier Park (Whitebirk Strategic Site)	Hyndburn	Rishton (Hyndburn Borough Council)	Greenfield		2.02	7,590
Sappi Site, Star Drive, off Preston Old Road	Blackburn	Livesey with Pleasington	Brownfield	20/18/1101	3.10	3,875
Mill Bank Business Park (Greenbank Terrace)	Lower Darwen	Blackburn South & Lower Darwen	Brownfield	10/21/0597	4.64	8,250
Land at junction of Gladstone Street and Gorse Street	Blackburn	Little Harwood & Whitebirk	Brownfield	10/19/0253	0.36	1,332
Former Newman's Shoes Factory, Garden Street	Blackburn	Blackburn Central	Brownfield	10/18/0282	1.10	2,142
Old Fire Station, Canterbury Street	Blackburn	Blackburn Central	Brownfield	10/18/1093	0.53	1,146

Site Name	Town	Ward	Land Type	Planning application ref.	Gross Area (Ha)	Yield (m ²)
Plot 1 Vacant land to the corner of Challenge Way and Blakewater Road, Challenge Way	Blackburn	Little Harwood & Whitebirk	Brownfield	10/19/1207	0.32	1,112

Figure C.1 – Employment Trajectory (2021-2037)

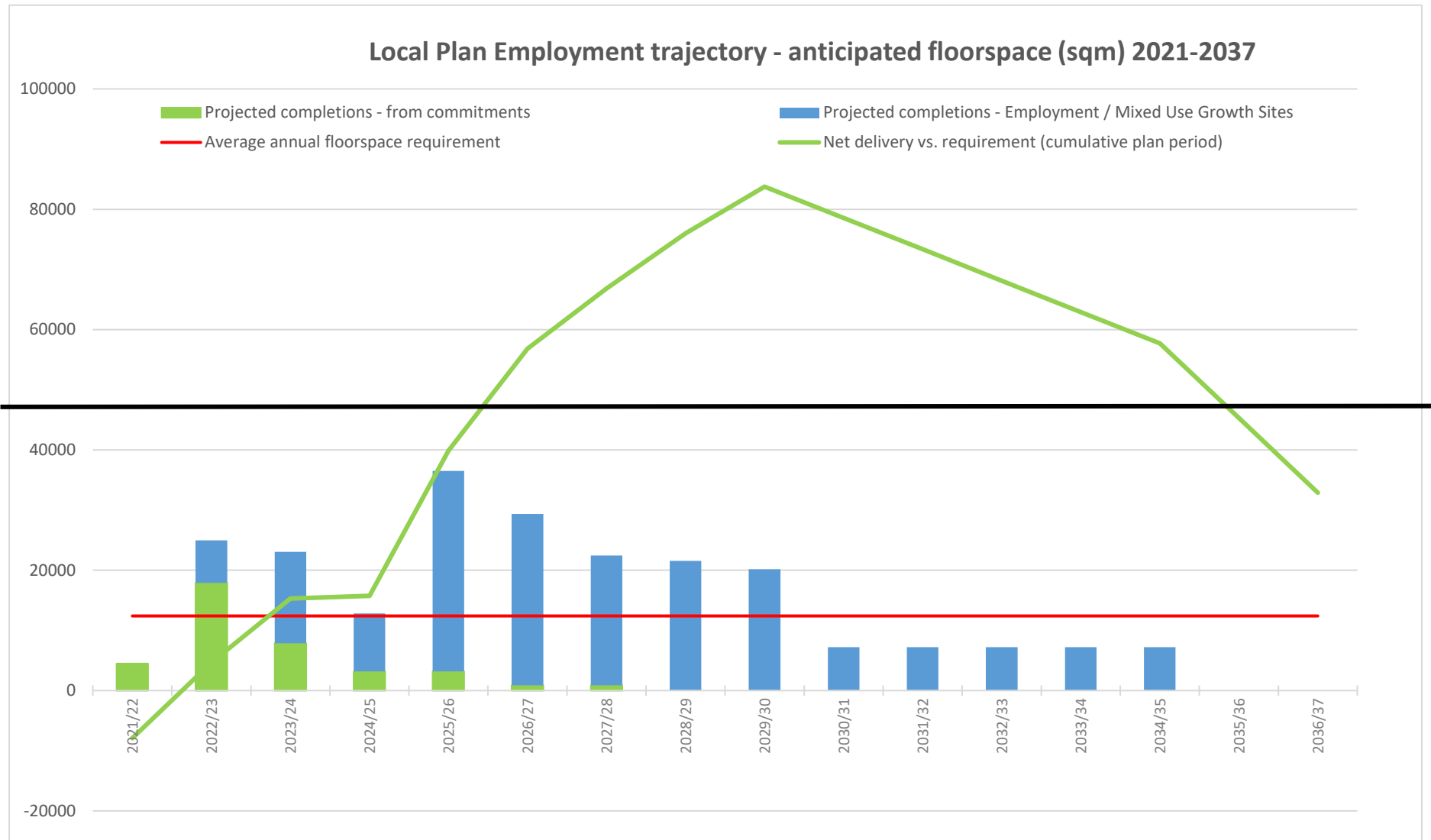


Table C.1 – Employment need (supply/demand)

<u>Demand (m²)</u>	<u>E(q) (former B1)</u>	<u>B (former B2/B8)</u>	<u>Total</u>
<u>Employment floorspace requirement (HENAS, 2021)</u>	<u>38,572</u>	<u>159,879</u>	<u>198,451</u>
<u>Total Demand</u>			<u>198,451</u>
<u>Supply (m²)</u>			
<u>Completions 2021-22</u>	<u>3,263</u>	<u>10,569</u>	<u>13,832</u>
<u>Completions 2022-23</u>	<u>3838</u>	<u>4409</u>	<u>8247</u>
<u>Anticipated floorspace to be delivered from commitments (listed below with 10% lapse rate applied)</u>	<u>3,526</u>	<u>101,217</u>	<u>104,743</u>
<u>Anticipated floorspace (from new Employment & Mixed Use Growth Allocations – Sections 5.4 & Sections 5.5)</u>	<u>32,482</u>	<u>132,342</u>	<u>164,824</u>
<u>Total supply</u>	<u>43,109</u>	<u>248,537</u>	<u>291,646</u>
<u>Net supply/demand balance</u>	<u>4537</u>	<u>88,658</u>	<u>93,195</u>

Table C.2 – List of employment commitments

<u>Ref</u>	<u>Site Name</u>	<u>Town</u>	<u>Ward</u>	<u>Land Type</u>	<u>Application Ref.</u>	<u>Gross Area (Ha)</u>	<u>B Use Class yield (m²)</u>	<u>E Use Class yield (m²)</u>	<u>Earliest Commencement</u>	<u>Delivery years</u>
<u>E047</u>	<u>Former Darwen Paper Mill Site, Lower Eccleshill Road, Darwen</u>	<u>Darwen</u>	<u>Darwen East</u>	<u>Brownfield</u>	<u>10/22/0856 (10/21/1294)</u>	<u>3.57</u>	<u>9,112</u>		<u>on site</u>	<u>2022-24</u>
<u>E149</u>	<u>Land off Carl Fogarty Way, Blackburn (Parcel 1)</u>	<u>Blackburn</u>	<u>Audley & Queens Park</u>	<u>Greenfield</u>	<u>10/21/0826</u>	<u>0.60</u>	<u>4,168</u>		<u>2023/24</u>	<u>2024/25</u>
<u>E149</u>	<u>Land on corner of Carl Fogarty Way & Thornley Avenue (Plot 4)</u>	<u>Darwen</u>	<u>Little Harwood & Whitebirk</u>	<u>Brownfield</u>	<u>10/22/0067</u>	<u>0.32</u>	<u>2,940</u>		<u>2023/24</u>	<u>2024/25</u>
<u>E158</u>	<u>Balle Street Mill</u>	<u>Darwen</u>	<u>Darwen South</u>	<u>Brownfield</u>	<u>10/22/0041</u>	<u>1.06</u>	<u>3,075</u>		<u>2023/24</u>	<u>2024/25</u>
<u>E159</u>	<u>Dock Street, Higher Eanam</u>	<u>Blackburn</u>	<u>Blackburn Central</u>	<u>Brownfield</u>	<u>10/22/0373</u>	<u>0.47</u>	<u>1,196</u>		<u>on site</u>	<u>2023/24</u>
<u>E162</u>	<u>Hollins Grove Site - Employment Parcel</u>	<u>Darwen</u>	<u>Darwen East</u>	<u>Brownfield</u>	<u>10/20/0107 (0326/2); 10/21/1311 (RMA)</u>	<u>1.38</u>	<u>2,280</u>		<u>on site</u>	<u>2023/24</u>
<u>E170</u>	<u>Premier Way, Walker Park</u>	<u>Blackburn</u>	<u>Blackburn South East</u>	<u>Greenfield</u>	<u>10/19/0555 (0460/1)</u>	<u>2.52</u>	<u>9,235</u>		<u>on site</u>	<u>2023-29</u>

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

<u>Ref</u>	<u>Site Name</u>	<u>Town</u>	<u>Ward</u>	<u>Land Type</u>	<u>Application Ref.</u>	<u>Gross Area (Ha)</u>	<u>B Use Class yield (m²)</u>	<u>E Use Class yield (m²)</u>	<u>Earliest Commencement</u>	<u>Delivery years</u>
<u>E173</u>	<u>Frontier Park (Whitebirk Strategic Site)</u>	<u>Hyndburn</u>	<u>Rishton (Hyndburn Borough Council)</u>	<u>Greenfield</u>		<u>2.02</u>	<u>6,914</u>		<u>on site</u>	<u>2022/23</u>
<u>E176</u>	<u>Sappi Site, Star Drive, off Preston Old Road</u>	<u>Blackburn</u>	<u>Livesey with Pleasington</u>	<u>Brownfield</u>	<u>10/15/0496 (Out); 10/18/1101 (Phase 3)</u>	<u>3.10</u>	<u>3,875</u>		<u>2024/25</u>	<u>2024-28</u>
<u>E180</u>	<u>Mill Bank Business Park (Greenbank Terrace)</u>	<u>Lower Darwen</u>	<u>Blackburn South & Lower Darwen</u>	<u>Brownfield</u>	<u>10/18/1149 (Out); 10/21/0597 (Plots 1-3); 10/21/1328 (Plot 4)</u>	<u>4.64</u>	<u>4,520</u>		<u>on site</u>	<u>2022-24</u>
<u>E207</u>	<u>Land at junction of Gladstone Street and Gorse Street</u>	<u>Blackburn</u>	<u>Little Harwood & Whitebirk</u>	<u>Brownfield</u>	<u>10/19/0253 (0441/1)</u>	<u>0.36</u>	<u>1,332</u>		<u>on site</u>	<u>2022/23</u>
<u>E208</u>	<u>Former Newman's Shoes Factory, Garden Street</u>	<u>Blackburn</u>	<u>Blackburn Central</u>	<u>Brownfield</u>	<u>10/18/0282 (0464/1); 10/20/0169</u>	<u>1.10</u>	<u>2,142</u>		<u>on site</u>	<u>2023/24</u>

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

<u>Ref</u>	<u>Site Name</u>	<u>Town</u>	<u>Ward</u>	<u>Land Type</u>	<u>Application Ref.</u>	<u>Gross Area (Ha)</u>	<u>B Use Class yield (m²)</u>	<u>E Use Class yield (m²)</u>	<u>Earliest Commencement</u>	<u>Delivery years</u>
<u>E230</u>	<u>Plot 1 Vacant land to the corner of Challenge Way and Blakewater Road, Challenge Way</u>	<u>Blackburn</u>	<u>Little Harwood & Whitebirk</u>	<u>Brownfield</u>	<u>10/19/1207 (0470/1), 10/21/0058</u>	<u>0.32</u>	<u>1,112</u>		<u>2023/24</u>	<u>2024/25</u>
<u>NEW</u>	<u>Burnside Mill Works, Weir St, Blackburn</u>	<u>Blackburn</u>	<u>Blackburn Central</u>	<u>Brownfield</u>	<u>10/20/0927</u>	<u>0.20</u>	<u>1,050</u>		<u>2023/24</u>	<u>2024/25</u>
<u>NEW</u>	<u>Land adjacent Roe Lee Business Park, Rosewood Avenue</u>	<u>Blackburn</u>	<u>Roe Lee</u>	<u>Mixed</u>	<u>10/21/1104</u>	<u>0.99</u>	<u>3,117</u>		<u>2023/24</u>	<u>2024/25</u>
<u>NEW</u>	<u>Mire House, Duttons Way, Blackburn</u>	<u>Blackburn</u>	<u>Blackburn South East</u>	<u>Brownfield</u>	<u>10/21/0323</u>	<u>0.20</u>	<u>2,554</u>		<u>2023/24</u>	<u>2024/25</u>
<u>NEW</u>	<u>Sough Works, Sough Road, Darwen</u>	<u>Darwen</u>	<u>Darwen South</u>	<u>Brownfield</u>	<u>10/20/0223</u>	<u>0.37</u>	<u>905</u>		<u>2023/24</u>	<u>2024/25</u>
<u>NEW</u>	<u>Land adjacent Challenge Way, Glenfield Park, Blackburn</u>	<u>Blackburn</u>	<u>Little Harwood & Whitebirk</u>	<u>Brownfield</u>	<u>10/21/0689</u>	<u>0.85</u>	<u>3,930</u>		<u>2023/24</u>	<u>2023-25</u>
<u>NEW</u>	<u>Land off Greenbank Road, Blackburn</u>	<u>Blackburn</u>	<u>Little Harwood & Whitebirk</u>	<u>Brownfield</u>	<u>10/21/1033</u>	<u>3.90</u>	<u>14,223</u>		<u>2023/24</u>	<u>2024-26</u>

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

<u>Ref</u>	<u>Site Name</u>	<u>Town</u>	<u>Ward</u>	<u>Land Type</u>	<u>Application Ref.</u>	<u>Gross Area (Ha)</u>	<u>B Use Class yield (m²)</u>	<u>E Use Class yield (m²)</u>	<u>Earliest Commencement</u>	<u>Delivery years</u>
<u>NEW</u>	<u>Land to south-east of Lower Phillips Road, Whitebirk Ind Est</u>	<u>Blackburn</u>	<u>Little Harwood & Whitebirk</u>	<u>Brownfield</u>	<u>10/21/1345</u>	<u>4.33</u>	<u>11,112</u>		<u>2022/23</u>	<u>2023/24</u>
<u>NEW</u>	<u>Brentwood House, Whitebirk Ind Estate</u>	<u>Blackburn</u>	<u>Little Harwood & Whitebirk</u>	<u>Brownfield</u>	<u>10/21/1347</u>	<u>1.00</u>	<u>985</u>		<u>2023/24</u>	<u>2024/25</u>
<u>NEW</u>	<u>Land at Haslingden Road Blackburn</u>	<u>Blackburn</u>	<u>Blackburn South East</u>	<u>Greenfield</u>	<u>10/21/0428</u>	<u>1.59</u>	<u>2,506</u>	<u>2,505</u>	<u>2023/24</u>	<u>2023-25</u>
<u>NEW</u>	<u>Suez Recycling & Recovery Park, Lower Eccleshill Road</u>	<u>Darwen</u>	<u>Darwen East</u>	<u>Brownfield</u>	<u>10/22/1006</u>	<u>7.4</u>	<u>3097</u>	<u>570</u>	<u>2023/24</u>	<u>2025/26</u>
<u>NEW</u>	<u>Units 1-4 Lower Audley Centre, Kent Street, Blackburn</u>	<u>Blackburn</u>	<u>Blackburn Central</u>	<u>Brownfield</u>	<u>10/22/0341</u>	<u>0.5</u>	<u>884</u>		<u>2023/24</u>	<u>2024/25</u>
<u>NEW</u>	<u>Land off Philips Road, Blackburn</u>	<u>Blackburn</u>	<u>Little Harwood & Whitebirk</u>	<u>Brownfield</u>	<u>10/22/0517</u>	<u>2.8</u>	<u>13043</u>	<u>843</u>	<u>2023/24</u>	<u>2025-27</u>
<u>NEW</u>	<u>Land off Carl Fogarty Way</u>	<u>Blackburn</u>	<u>Audley & Queens Park</u>	<u>Brownfield</u>	<u>10/22/1202</u>	<u>0.6</u>	<u>4000</u>		<u>2023/24</u>	<u>2024/25</u>
<u>Total</u>						<u>46.19</u>	<u>112,464</u>	<u>3918</u>		

Table C3. Updated list of Growth Sites' trajectory information

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

<u>Ref</u>	<u>Location</u>	<u>Ward</u>	<u>Proposed Use</u>	<u>Brownfield / Greenfield / Mixed?</u>	<u>Use Class</u> <u>Opt</u> <u>ion</u>	<u>Gross Area</u> <u>(ha)</u>	<u>Net Dev</u> <u>: Area</u> <u>a</u>	<u>Ind. Plot ratio</u>	<u>B Use Class - assumed Yield (m2)</u>	<u>E Use Class - assumed Yield (m2)</u>	<u>Est. build out</u>	<u>Earliest Commence. Year</u>	<u>Delivery 2022-27</u>	<u>Delivery 2027-32</u>	<u>Delivery 2032-37</u>
<u>E047</u>	<u>Hollins Grove Mill (southern area - not committed)</u>	<u>Darwen East</u>	<u>Employment</u>	<u>Brownfield</u>	<u>B, E(g)</u>	<u>6.45</u>	<u>75%</u>	<u>50%</u>	<u>12,094</u>	<u>12,094</u>	<u>5 years</u>	<u>2025/26</u>	<u>24188</u>	<u>0</u>	<u>0</u>
<u>E145</u>	<u>Issa Way North (Employment)</u>	<u>Blackburn SE</u>	<u>Employment</u>	<u>Greenfield</u>	<u>B</u>	<u>7.28</u>	<u>75%</u>	<u>50%</u>	<u>27,300</u>		<u>2 years</u>	<u>2023/24</u>	<u>27300</u>	<u>0</u>	<u>0</u>
<u>E149</u>	<u>Carl Fogarty Way (Further gate) - Plot 2</u>	<u>Ltl. Harwood & Whitebirk</u>	<u>Employment</u>	<u>Brownfield</u>	<u>B</u>	<u>2.06</u>	<u>50%</u>	<u>25%</u>	<u>1,285</u>	<u>1,285</u>	<u>2 years</u>	<u>2025/26</u>	<u>1285</u>	<u>1285</u>	<u>0</u>

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

<u>Ref</u>	<u>Location</u>	<u>Ward</u>	<u>Proposed Use</u>	<u>Brownfield / Greenfield / Mixed?</u>	<u>Use Class</u> <u>Option</u>	<u>Gross Area</u> <u>(ha)</u>	<u>Net Dev</u> <u>: Area</u>	<u>Ind. Plot ratio</u>	<u>B Use Class - assumed Yield</u> <u>(m2)</u>	<u>E Use Class - assumed Yield</u> <u>(m2)</u>	<u>Est. build out</u>	<u>Earliest Commence. Year</u>	<u>Delivery 2022-27</u>	<u>Delivery 2027-32</u>	<u>Delivery 2032-37</u>
<u>E149</u>	<u>Carl Fogarty Way (Further gate) - Plot 3</u>	<u>Ltl. Harwood & Whitebirk</u>	<u>Employment</u>	<u>Brownfield</u>	<u>B</u>	<u>0.97</u>	<u>75%</u>	<u>50%</u>	<u>3,619</u>		<u>2 years</u>	<u>2023/24</u>	<u>3619</u>	<u>0</u>	<u>0</u>
<u>E149</u>	<u>Carl Fogarty Way (Further gate) - Plot 6</u>	<u>Ltl. Harwood & Whitebirk</u>	<u>Employment</u>	<u>Brownfield</u>	<u>B</u>	<u>0.57</u>	<u>75%</u>	<u>50%</u>	<u>1,886</u>		<u>2 years</u>	<u>2023/24</u>	<u>1886</u>	<u>0</u>	<u>0</u>
<u>E167</u>	<u>Evolution Park (Medipark), Shadsworth Rd</u>	<u>Blackburn SE</u>	<u>Employment</u>	<u>Greenfield</u>	<u>B</u>	<u>3.91</u>	<u>75%</u>	<u>50%</u>	<u>4,800</u>		<u>4 years</u>	<u>2025/26</u>	<u>1200</u>	<u>3600</u>	<u>0</u>

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

<u>Ref</u>	<u>Location</u>	<u>Ward</u>	<u>Proposed Use</u>	<u>Brownfield / Greenfield / Mixed?</u>	<u>Use Class Option</u>	<u>Gross Area (ha)</u>	<u>Net Dev. Area</u>	<u>Ind. Plot ratio</u>	<u>B Use Class - assumed Yield (m2)</u>	<u>E Use Class - assumed Yield (m2)</u>	<u>Est. build out</u>	<u>Earliest Commence. Year</u>	<u>Delivery 2022-27</u>	<u>Delivery 2027-32</u>	<u>Delivery 2032-37</u>
<u>E168</u>	<u>Plot C, Shadsworth Business Park</u>	<u>Blackburn SE</u>	<u>Employment</u>	<u>Greenfield</u>	<u>B</u>	<u>1.72</u>	<u>75%</u>	<u>50%</u>	<u>6,450</u>		<u>2 years</u>	<u>2025/26</u>	<u>6450</u>	<u>0</u>	<u>0</u>
<u>E172</u>	<u>Chapels Park South</u>	<u>Darwen East</u>	<u>Employment</u>	<u>Greenfield</u>	<u>B</u>	<u>5.47</u>	<u>75%</u>	<u>50%</u>	<u>3,623</u>		<u>2 years</u>	<u>2023/24</u>	<u>3623</u>	<u>0</u>	<u>0</u>
<u>E179</u>	<u>J5 Strategic Employment Site (Sites 1 & 3)</u>	<u>W. Pennine</u>	<u>Employment</u>	<u>Greenfield</u>	<u>B, E(g)</u>	<u>21.94</u>	<u>75%</u>	<u>50%</u>	<u>64,757</u>	<u>7,195</u>	<u>10 years</u>	<u>2025/26</u>	<u>7197</u>	<u>35975</u>	<u>28780</u>
<u>MU008</u>	<u>Issa Way South (Mixed</u>	<u>Blackburn SE</u>	<u>Mixed Use</u>	<u>Greenfield</u>	<u>B, C,</u>	<u>4.27</u>	<u>75%</u>	<u>50%</u>	<u>4,003</u>	<u>4,003</u>	<u>3 years</u>	<u>2025/26</u>	<u>0</u>	<u>8006</u>	<u>0</u>

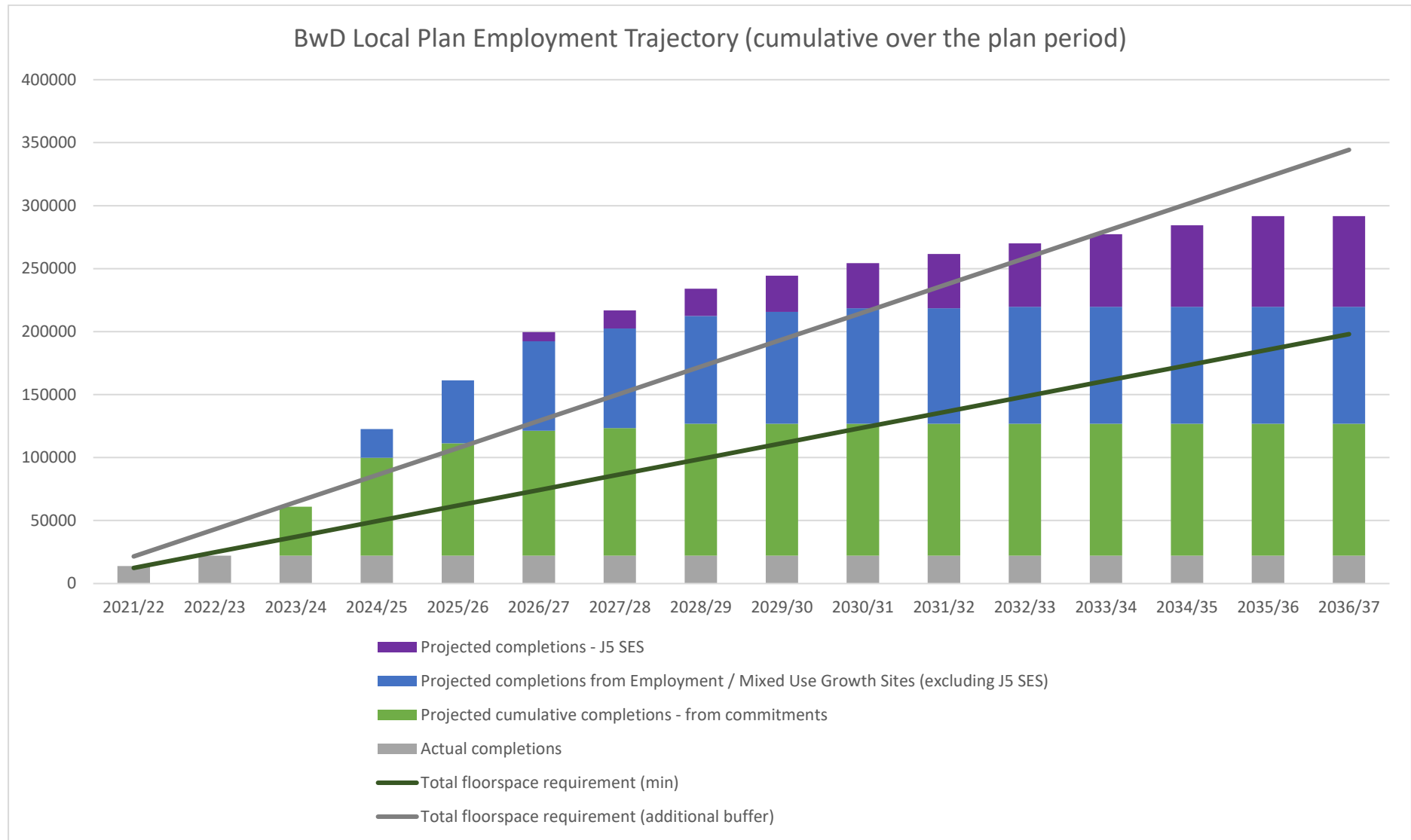
Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

<u>Ref</u>	<u>Location</u>	<u>Ward</u>	<u>Proposed Use</u>	<u>Brownfield / Greenfield / Mixed?</u>	<u>Use Class</u> <u>Opt</u> <u>ion</u>	<u>Gross Area</u> <u>(ha)</u>	<u>Net Dev</u> <u>: Area</u> <u>a</u>	<u>Ind. Plot ratio</u>	<u>B Use Class - assumed Yield (m2)</u>	<u>E Use Class - assumed Yield (m2)</u>	<u>Est. build out</u>	<u>Earliest Commence. Year</u>	<u>Delivery 2022-27</u>	<u>Delivery 2027-32</u>	<u>Delivery 2032-37</u>
	<u>Use) - 16/8</u>				<u>E(g)</u>										
<u>MU091</u>	<u>Fmr East Lancs Coach Builders, Whalley New Road</u>	<u>Bastwell & Daisyfield</u>	<u>Mixed Use</u>	<u>Brownfield</u>	<u>B, E(d-g), F1, F2</u>	<u>1.53</u>	<u>75%</u>	<u>50%</u>	<u>1,913</u>	<u>1,913</u>	<u>2 years</u>	<u>2029/30</u>	<u>0</u>	<u>3826</u>	<u>0</u>
<u>MU096</u>	<u>Site of Lark Hill Health Centre, Barbara Castle Way</u>	<u>Blackburn Central</u>	<u>Mixed Use</u>	<u>Mixed</u>	<u>B, C, E, F</u>	<u>0.49</u>	<u>75%</u>	<u>50%</u>	<u>613</u>	<u>613</u>	<u>1 year</u>	<u>2032/22</u>	<u>0</u>	<u>0</u>	<u>1226</u>
<u>MU197</u>	<u>Whinney Heights,</u>	<u>Blackburn SE</u>	<u>Mixed Use</u>	<u>Greenfield</u>	<u>C, E</u>	<u>0.51</u>	<u>75%</u>	<u>50%</u>		<u>956</u>	<u>1 year</u>	<u>2030/31</u>	<u>0</u>	<u>956</u>	<u>0</u>

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

<u>Ref</u>	<u>Location</u>	<u>Ward</u>	<u>Proposed Use</u>	<u>Brownfield / Greenfield / Mixed?</u>	<u>Use Class Option</u>	<u>Gross Area (ha)</u>	<u>Net Dev : Area</u>	<u>Ind. Plot ratio</u>	<u>B Use Class - assumed Yield (m2)</u>	<u>E Use Class - assumed Yield (m2)</u>	<u>Est. build out</u>	<u>Earliest Commence. Year</u>	<u>Delivery 2022-27</u>	<u>Delivery 2027-32</u>	<u>Delivery 2032-37</u>
	<u>Haslingden Road</u>														
<u>MU210</u>	<u>Former Thwaites Site, Starkie Street, Blackburn</u>	<u>Blackburn Central</u>	<u>Mixed Use</u>	<u>Brownfield</u>	<u>C, E, F</u>	<u>2.96</u>	<u>20%</u>	<u>50%</u>		<u>1,480</u>	<u>1 year</u>	<u>2025/26</u>	<u>1480</u>	<u>0</u>	<u>0</u>
<u>MU211</u>	<u>Former Markets Site, Penny Street</u>	<u>Blackburn Central</u>	<u>Mixed Use</u>	<u>Brownfield</u>	<u>E, F</u>	<u>1.57</u>	<u>75%</u>	<u>50%</u>		<u>2,944</u>	<u>2 years</u>	<u>2027/28</u>	<u>0</u>	<u>2944</u>	<u>0</u>
<u>Total</u>						<u>61.69</u>			<u>132,342</u>	<u>32,482</u>					

Figure C1: Employment trajectory – cumulative delivery to 2037



Appendix F – Revised Table D.1 – List of monitoring indicators

Table D.1 – List of monitoring indicators

Policy	Monitoring Indicator	Targets (if applicable)	Data Source
The Spatial Strategy: Core Policies			
<i>Spatial Principles</i>			
Core Policy 1 (CP1): A Balanced Growth Strategy	Covered by other monitoring indicators set out below relating to quantum, distribution and overall approach to development		
Core Policy 2 (CP2): The Spatial Approach	Number / <u>proportion</u> of new housing completions located within and out of the urban area	New housing developments to be focused within the urban areas of Blackburn and Darwen	Council tax/ <u>site visits</u> /annual housing completions data Business rates/annual completion data
	Location of completions outside the urban area (<u>residential/employment developments</u>)	New development outside the urban boundary <u>to be</u> located within settlement boundaries of Edgworth, Chapelton, Hoddlesden, Belmont and Pleasington Limited new growth in Tockholes	GIS mapping of completions
	Number of completions located within the Green Belt contrary to CP2 (<u>residential/employment developments</u>)	No loss of designated Green Belt from development contrary to CP2	

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

	Number of completions located within the Countryside Area contrary to Policy CP2 <u>(residential/employment developments)</u>	No loss of designated Countryside Areas from development contrary to CP2	
	Number of completions located on Safeguarded Land <u>(residential/employment developments)</u>	No loss of Safeguarded Land within plan period	
People			
Core Policy 3 (CP3): Health and Well-being	Levels of deprivation in the Borough	<u>(Relative) reduction in</u> Improve levels of deprivation in the Borough	NOMIS — Official Labour Market Statistics <u>Indices of Multiple Deprivation (gov.uk)</u>
	Amount of open space per 1000 population	No net loss of open space	Open Space Audit annual review
	Levels of physical activity	Increased levels of physical activity in the Borough	Public Health England local authority health profile data – percentage of physically active adults

Core Policy 4 (CP4): Housing Development Housing requirement, location and delivery	Number of housing <u>annual dwelling</u> completions / planning permissions granted / windfall sites (<u>including</u> update of housing trajectory)	Delivery of <u>minimum of 447</u> net additional dwellings per annum over the plan period	Council tax/ <u>site visits</u> /annual housing completion data Planning application/consents data Appeal decisions Housing and Economic Need Assessment Housing Land Monitoring Housing trajectory updates
	Number of housing <u>dwelling</u> completions on Housing Growth Sites	Delivery of the strategic housing <u>growth sites, including H195</u> at North-East Blackburn	Council tax/ <u>site visits</u> /annual housing completions data GIS mapping of housing completions
	Number / <u>proportion</u> of <u>dwellings</u> completed ed on brownfield sites	Delivery of <u>Majority of new housing to be delivered on brownfield sites (or greenfield allocations)</u> for housing development	Council tax/ <u>site visits</u> /annual housing completions data
Core Policy 4 (CP4): Housing Development	Number of affordable housing units completed	Ensure <u>To meet</u> affordable housing	Council tax/ <u>site visits</u> /annual housing completions data

Affordable housing need		needs of the Borough are met	
	<p><u>Number/proportion of major sites (developments of 10 or more dwellings) granted planning permission which provide at least 20% of homes as affordable units</u></p> <p>Number of housing completions that provide at least the minimum 20% affordable housing provision</p>	<p>Delivery of a minimum of 20% affordable housing granted on sites of 10 or more dwellings</p>	<p>Council tax/<u>site visits</u>/annual housing completions <u>permissions</u> data</p> <p>Housing and Economic Need Assessment</p>
Core Policy 4 (CP4): Housing Development Self and Custom Build Housing	<p>Number of completed self-build and custom-build housing developments <u>dwellings completed / permitted</u></p>	<p>Delivery of self-build and custom build housing to meet needs identified on the Borough's Self-Build Register</p>	<p>Council tax/<u>site visits</u>/annual housing <u>permissions / completions</u> data</p> <p>GIS mapping of completions</p> <p>Self-Build Register</p>
Core Policy 4 (CP4): Housing Development Housing for Older People	<p><u>Number / proportion of major sites (developments of 10 or more dwellings) granted planning permission which provide at least 20% of homes as appropriate for older and vulnerable people</u></p>	<p>Delivery of a minimum of 20% housing for older people on sites of 10 or more dwellings</p>	<p>Council tax/<u>site visits</u>/annual housing <u>permissions / completions</u> data</p> <p>Housing and Economic Need Assessment</p>
	<p>Number of housing <u>proportion of dwellings</u> for older <u>vulnerable</u> people units completed</p>		

<p>Core Policy 4 (CP4): Housing Development</p> <p>Gypsy and Traveller pitch requirement, location and delivery</p>	<p>Number of permanent Gypsy and Traveller pitches consented and/or delivered</p>	<p>Delivery of a minimum of 17 net additional gypsy and traveller pitches between 2014²⁰²¹-2037</p>	<p>Planning <u>Permissions / completions</u> applications/consents</p> <p>Appeal Decisions</p> <p>Council tax data/BwD licensing</p> <p>Gypsy and Traveller Accommodation Assessment (GTAA)</p>
	<p>Number of transit Gypsy and Traveller pitches consented and/or delivered</p>	<p>Delivery of 5 new transit pitches for gypsy and travellers</p>	<p>Planning applications/consents <u>permissions / completions</u></p> <p>Appeal Decisions</p> <p>Council tax data/BwD licensing</p> <p>Gypsy and Traveller Accommodation Assessment (GTAA)</p>
	<p>Location of Gypsy and Traveller completed developments</p>	<p>Delivery of Gypsy and Traveller pitches <u>to be located</u> within Gypsy and Traveller Growth Site Allocations</p>	<p><u>Planning permissions/ completions</u></p> <p>Council tax data</p> <p>GIS mapping of Gypsy and Traveller completions</p>

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

	Number of consents on existing <u>or allocated</u> Gypsy and Traveller <u>pitches</u> sites <u>lost to</u> for non-Gypsy and Traveller use	No net loss of Gypsy and Traveller pitches	Planning applications/ consents <u>permissions / completions</u> Appeal Decisions
<i>Place</i>			
Core Policy 5 (CP5): Climate Change	Number and location of projects taken forward in Environmental Opportunity Areas (EOAs)	Year on year increase in delivery of projects in Environmental Opportunity Areas	On site monitoring of project delivery within EOAs Planning applications/consents Appeal Decisions GIS mapping of projects completed within EOAs <u>Climate Change and Natural Capacity Study</u>
	Location of wind energy development completions/planning permissions	Delivery of wind energy proposals only in areas identified as suitable for such development	Onsite monitoring of delivery of renewable energy development consents Planning applications/consents Appeal Decisions GIS mapping of wind energy development completions

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	Number of planning permissions granted for renewable energy technology	Delivery of renewable and low carbon energy infrastructure through new developments	Planning applications/consents Appeal Decisions
	MW of solar, wind, hydro, biomass energy installed (total)		Planning applications/consents Appeal Decisions Annual on-site monitoring of renewable energy development completions
	Carbon emissions per capita for transport, buildings and industry	Reduction in carbon emissions per capita for transport, buildings and industry in the Borough	BEIS local authority emissions statistics
Core Policy 6 (CP6): The Natural Environment	Proportion % of completions of relevant development sites granted planning permission which provide secure a biodiversity net gain of 10% or more	Delivery of a minimum of 10% biodiversity net gain by new development	Annual completion planning permissions data
	Area of Grade 1, 2 or 3a or above agricultural land lost agricultural use as a result of all to <u>non-agricultural</u> development	No loss of <u>agricultural</u> Grade 3a or above land in agricultural use	Agricultural Land Classification (Natural England) <u>Permissions &</u> Completion data GIS mapping of completions

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

	Number / <u>proportion</u> of major developments completed achieving <u>securing</u> Building with Nature Design Award	Major developments to achieve Building with Nature Design Award as part of pre-application or outline planning permission approval	Annual <u>permissions/</u> completions data Planning application records
Core Policy 7 (CP7): The Historic Environment	Number of Conservation Area Appraisals and Management Plans completed	Work to update current Conservation Area Appraisals and Management Plans and prepare additional ones where required	Growth Lancashire Heritage Team
	Number of sites and buildings added to National Heritage at Risk Register	No buildings to be added to the National Heritage at Risk Register	Growth Lancashire records
	Number of sites and buildings removed from the National Heritage at Risk Register		Historic England records
Core Policy 8 (CP8): Securing High Quality and Inclusive Design	Number of design codes prepared to support planning applications	Improve the quality of design across all developments in the Borough	Planning application records
	Number of planning applications subject to Design Review process		Appeal Decisions
Core Policy 9 (CP9): Transport and Accessibility	Modal share of private vehicle, public transport, walking or cycling	No increase in modal share of private vehicle journeys Increase in modal share of public transport, walking, cycling	Local transport data (<u>as available</u>), including <u>that from Local Authority transport team and partner agencies (see also DM29)</u>

	<u>Proportion % of dwellings permitted / completed</u> within 800m of a range of public transport options (of sufficient frequency and route option)	Increase in modal share of public transport, walking and cycling <u>Majority of new dwellings to be in sustainable locations with good access to public transport</u>	Council tax/ <u>site visits/</u> annual housing completion / <u>permissions</u> data Business rates/annual employment completion data Annual monitoring of completed developments Local transport data GIS mapping of completions and local transport data
<i>Economy</i>			
Core Policy 10 (CP10): The Economy and Skills	Amount of employment land developed (B2/B8/E(g))/ planning permissions granted <u>planning permission</u> (employment land trajectory update)	Delivery of a minimum of 46.4ha of new employment land (B2/B8/E(g)) between 2021-2037	Business rates returns/annual employment completions data Housing and Economic Need Assessment GIS mapping of completions data
	Locations of employment completions	Majority of new <u>Majority of new</u> employment development to be directed to Employment Growth Site Allocations Delivery of strategic	Business rates returns/annual employment completions / <u>planning permissions</u> data GIS mapping of completions data

		employment site at Junction 5 M65	NOMIS – Official Labour Market Statistics
	Number of <u>planning permissions granted</u> completions for non-employment uses on existing <u>or allocated</u> employment sites	No development of existing <u>or allocated</u> employment land for alternative uses.	
	<u>Proportion</u> number of economically active/inactive residents	Increase in number <u>proportion</u> of economically active residents	
	Average earnings of residents in the Borough.	Increase in earnings of residents	
Core Policy 11 (CP11): Town Centres and Commercial Development	Amount of retail and leisure development completed	Completion of sufficient retail development to meet identified needs	Annual retail and leisure completions data Retail and Leisure Study
	Location of retail and leisure development completions	Delivery of Blackburn Town Centre Major Development Sites (Mixed Use Growth Allocation Sites MU210 and MU211) <u>Delivery of commercial uses and other main town centre uses to be primarily in town centres, district centres and local centres</u>	Annual retail and leisure completions data Planning applications/consents Appeal Decisions GIS mapping of retail and leisure completions

	<u>New retail / leisure floorspace granted planning permission / completed in relation to Blackburn town centre major development sites.</u>	<u>Delivery of Blackburn Town Centre Major Development Sites (Mixed Use Growth Allocation Sites MU210 and MU211)</u>	
	Amount and type of completions/consents granted in town centre, district centre or local centre locations	Delivery of commercial uses and other main town centre uses in town centres, district centres and local centres	
	Percentage of non-commercial uses completed/consented in town centre, district centre or local centre locations		
	Percentage of town centre uses completed/granted consent outside the hierarchy of designated centres		
Core Policy 12 (CP12): Infrastructure and Delivery	Number and amount value of Section 106 planning obligations (or other legally binding agreements)	Increase in revenue from Section 106 planning obligations (or other legally binding agreements)	Planning applications/consents Appeal Decisions Infrastructure Delivery Plan Annual Infrastructure Funding Statement
Development Management Policies			
People			
DM Policy 1 (DM1): Health	Number of consents granted for new health facilities	Provision of new or improved health	Planning <u>permissions/completi</u>

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

	Number of health facilities lost to new development	facilities through new developments and protection of existing facilities	ns applications/consents data Appeal Decisions
	Number of Hot Food Takeaways granted planning permission	No Hot Food Takeaways granted planning permission contrary to Policy DM1	BwD Public Health
	Number of Shisha Cafes granted planning permission.	No Shisha Cafes granted planning permission contrary to Policy DM1	
	Number of Year 6 pupils classed as obese within the Borough	No increase in levels of childhood obesity	National Child Measurement Programme (Public Health England) BwD Public Health
	<u>Number of premises annually awarded 'Recipe 4 Health'</u>	<u>Increase in premises awarded Recipe 4 Health</u>	<u>BwD Public Health</u>
DM Policy 2 (DM2): Protecting Living and Working Environments	<u>Number of AQMA's data measurements</u>	No increase in number or extent of AQMA	AQMA annual update reports
	Air pollution levels measured by environmental health	Minimise any increases in air pollution levels across the Borough	Local A uthority <u>(Environmental Health)</u> air quality monitoring data
DM Policy 3 (DM3): Housing Mix, Standards and Densities	Types/mix of housing completions	Mix of tenures, size, type to be provided in line with latest housing evidence	Council tax/ site visits/ annual completions data Planning applications records

		Housing and Economic Needs Assessment
<u>Proportion % of housing completions dwellings granted planning permission</u> which fail to meet national described space standards	All new housing completions to meet national described space standards	Council tax/annual housing <u>permissions / completions data</u>
<u>Number of Proportion % of housing completions new dwellings granted on major residential development sites complying with the requirement to</u> provide at least the minimum 20% 'accessible and adaptable' standard in homes	Delivery of a minimum of 20% homes, <u>on major residential developments,</u> being built to 'accessible and adaptable' standard	Planning applications/consents
<u>Number of housing completions which provide new homes with Proportion of new dwellings granted on major residential development sites complying with the requirement to provide 5% of new homes</u> with wheelchair accessibility	Delivery of a minimum of 5% of homes, <u>on major residential developments,</u> to be wheelchair accessible	
<u>Proportion % of housing completions of residential development sites granted planning permission</u> which provide minimum density requirements	Minimum density of 45 dwellings per hectare in town centre and other locations well served by public transport Minimum density of 30-35 dwellings per hectare in other locations	

	<u>Proportion of new residential development consents which achieve water consumption rates of 110 litres or less per person per day</u>	<u>All new residential development which to achieve water consumption rates of 110 litres or less per person per day</u>	<u>Planning application/consents records</u> <u>Appeal decisions</u>
DM Policy 4 (DM4): Assessing Planning Applications for Gypsy, Traveller and Travelling Showpeople Sites	Monitoring indicators as per Policy CP4. No additional indicators required		
DM Policy 5 (DM5): Affordable Housing and Rural Exception Sites	Number of planning consents <u>Proportion of dwellings granted planning permission</u> on rural exception sites	No more than 50% market housing to be delivered on rural exception sites	Planning applications/consents Appeal decisions
DM Policy 6 (DM6): Houses in Multiple Occupation (HMOs)	Number of HMO developments granted planning permission	No planning applications for HMO development to be granted planning permission in line with Policy DM6	Planning applications/consents Appeal decisions
DM Policy 7 (DM7): Conversion of Buildings in the Countryside	Number / proportion of dwellings completed <u>residential conversions granted planning permission</u> in the countryside/outside the urban area and village settlements	Limited new development outside existing settlements	Annual housing completions data Planning application records GIS mapping of completions data
DM Policy 8 (DM8): Replacement Dwellings in the Countryside	Number <u>/ proportion</u> of replacement dwellings completed outside the urban area and village settlements		
DM Policy 9 (DM9): Rural Workers' Dwellings in the Countryside	Number of rural workers' dwellings completed outside existing settlements		
DM Policy 10 (DM10): Residential Gardens and Boundaries	Number of planning applications granted for extensions to residential gardens and boundaries contrary to Policy DM10	No planning applications granted contrary to Policy DM10	Planning application records Appeal decisions

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

DM Policy 11 (DM11): Safeguarding Community Facilities	Number of Assets of Community Value (ACV) lost to development	No loss of assets of community value in line with Policy DM11	Annual completions data
	Number of Assets of Community Value (ACV) applications granted		Application records for ACV designation
Place			
DM Policy 12 (DM12): Clean and Green Energy	% of residential development consents which achieves water consumption rates of 110 litres or less per person per day	Delivery of residential development which achieves water consumption rates of 110 litres or less per person per day	Planning applications/consents records Appeal decisions
	% of non-residential consents <u>Proportion of commercial developments (of 2500m2 or more) granted planning permission</u> which achieve a minimum of BREEAM Very Good or accepted equivalent standard	<u>All new</u> Delivery of commercial development (of 2,500sqm or more) which to achieves a minimum of BREEAM Good or accepted equivalent standard.	
	Number of consents <u>developments granted planning permission</u> which connect to/are connection ready for heat networks	Delivery of development which <u>(can)</u> connects to/is served by heat networks	
	<u>Proportion of wind energy developments granted planning permission which are located in areas identified as potentially suitable for Wind Energy Development</u>	<u>Delivery of wind energy proposals to be sited only in areas identified as suitable for such development</u>	<u>On site monitoring of delivery of renewable energy development consents</u> <u>Planning applications/consents</u> <u>Appeal Decisions</u>

			<u>GIS mapping of wind energy development completions</u>
	<u>Number / capacity (MW) of low carbon / renewable energy schemes granted planning permission</u>	<u>Delivery of renewable and low carbon energy infrastructure to increase (e.g solar, wind, hydro, biomass energy) in response to climate emergency and goals to reduce carbon emissions</u>	<u>Planning applications/consents</u> <u>Appeal Decisions</u> <u>Annual on-site monitoring of renewable energy development completions</u>
DM Policy 13 (DM13): Flooding/SuDS	Number of flooding events recorded in the Borough	No increase in flood events in the borough	Lead Local Flood Authority (BwD) data Environment Agency records
	Number of consents granted against Environment Agency flood advice	No permissions granted contrary to EA advice	Planning applications/consents Environment Agency records
DM Policy 14 (DM14): Environmental Opportunity Areas	Monitoring indicators as per Policy CP5. No additional indicators required		
DM Policy 15 (DM15): Biodiversity	Monitoring indicators as per Policy CP6. No additional indicators required		
DM Policy 16 (DM16): Green and Blue Infrastructure	Monitoring indicators as per Policy CP6. No additional indicators required		
DM Policy 17 (DM17): Trees and Woodland	Number of consents granted <u>developments</u> granted planning permission without adequate replacement <u>tree</u> planting (CIF, Criteria 5 & 6)	No net loss of trees and woodlands without adequate compensatory planting	Annual completions data Planning application details

			<u>Climate Impact Framework</u>
DM Policy 18 (DM18): Public Open Space in New Developments	Data on the quantity, quality and accessibility of open spaces within the Borough	<u>To secure s106 agreements to</u> increasing quantity <u>and</u> quality and accessibility of open spaces in the Borough in line with recommendations in Open Space Audit	<u>Planning permissions and S106 contributions data</u>
DM Policy 19 (DM19): Development of Open Spaces	<u>Number and value of S106 agreements securing contributions for public open space</u> <u>Area of new open space created / existing open space lost to other uses</u>	<u>No net loss of open space</u>	Open Space Audit annual review
DM Policy 20 (DM20): Playing Fields, Indoor and Outdoor Sports Facilities	Data on the quantity and quality of playing pitches within the Borough <u>Number of new playing pitches created / existing pitches lost to other uses</u>	Continue to make progress on meeting recommendations set out in Playing Pitch & Outdoor Sports Assessment	<u>Annual planning permission data</u> Playing Pitch & Outdoor Sports Assessment annual review
DM Policy 21 (DM21): Local Green Space	Number of <u>new</u> developments completed <u>granted planning permission</u> on designated Local Green Spaces	No development to be <u>permitted</u> on designated Local Green Spaces	Annual completions <u>permissions</u> data GIS mapping of completions data
DM Policy 22 (DM22): The Borough's Landscapes	Number of planning applications refused on grounds of the development adversely affecting or destroying landscapes	No developments which have an adverse effect of destroy landscapes by detracting from their distinctive features to be given planning permission	Planning application data Appeal decisions
DM Policy 23 (DM23): Equestrian Development	Number / <u>proportion</u> of equestrian developments permitted contrary to Policy DM23	No equestrian developments granted planning permission	

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

		contrary to Policy DM23	
DM Policy 24 (DM24): Outdoor Advertisements	Number / proportion of outdoor advertisement applications permitted contrary to Policy DM24	No outdoor advertisement developments granted planning permission contrary to Policy DM23	
DM Policy 25 (DM25): Telecommunications	Number / proportion of telecommunication developments permitted contrary to Policy DM25	No telecommunications developments granted planning permission contrary to Policy DM23	
DM Policy 26 (DM26): Heritage Assets	Monitoring indicators as per Policy CP7. No additional indicators required		
DM Policy 27 (DM27): Design in New Developments	Monitoring indicators as per Policy CP8. No additional indicators required		
DM Policy 28 (DM28): Development Affecting Watercourses, Bodies, and Catchment Land	Number of planning permissions granted within functional floodplain	No development granted within functional floodplain	Planning applications/consents Appeal decisions GIS mapping of planning permissions
DM Policy 29 (DM29): Transport and Accessibility	<u>Proportion</u> % of new residential development <u>granted planning permission</u> within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major retail centre	Ensure new developments are well connected to public transport links <u>Majority of new developments to be within 30 minutes public transport time of key services</u>	Planning Permissions data Council tax/annual housing completions data Local accessibility GIS data
	Bus patronage in the Borough	Increase <u>accessibility and</u> d	Local transport data <u>provided by Local</u>
	Rail patronage in the Borough	use of public transport	

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

			<u>Authority or partner groups</u>
	Number of cyclists entering Blackburn and Darwen town centres	Increase levels of walking and cycling in the borough	Local A authority <u>produced</u> cycling and walking annual cordon data
	Number of pedestrians entering Blackburn and Darwen town centres		
<i>Economy</i>			
DM Policy 30 (DM30): Primary Employment Areas	Number/ <u>proportion</u> of completions/planning permissions granted within Primary Employment Areas for non-employment uses	Retain Primary Employment Areas for employment uses (B2/B8/E(g) and sui generis uses of a similar nature and character to the area	Annual completions/planning permission data GIS mapping of completions and planning permissions
DM Policy 31 (DM31): Secondary Employment Areas	Number/ <u>proportion</u> of completions/planning permissions granted within Secondary Employment Areas for non-employment use	Resist development of non-employment uses within Secondary Employment Areas	
DM Policy 32 (DM32): Protection and Re-use of Existing Employment Sites	Monitoring indicators as per Policy CP10. No additional indicators required		
DM Policy 33 (DM33): Town Centres	Monitoring indicators as per Policy CP11. No additional indicators required		
DM Policy 34 (DM34): District and Local Centres	Monitoring indicators as per Policy CP11. No additional indicators required		
DM Policy 35 (DM35): Assessing Applications for Main Town Centre Uses	Monitoring indicators as per Policy CP11. No additional indicators required		
DM Policy 36 (DM36): Local and Convenience Shops	Number / <u>proportion</u> of planning permissions granted <u>for retail developments</u> outside defined centres which meet requirements of Policy DM36	New local and convenience shops to be supported in line with Policy DM36	Planning applications/consents Appeal decisions
DM Policy 37 (DM37): Tourism	Number and location of tourism-based developments completed <u>granted planning permission</u>	Tourism based development to be supported in line with Policy DM37	Annual completions <u>permissions</u> data GIS mapping of completions data

Schedule of Proposed Main Modifications to the Blackburn with Darwen Submission Local Plan (SD1)

DM Policy 38 (DM38): Major Infrastructure Schemes	Delivery of major infrastructure schemes identified in Policy DM38	Year on year delivery of Policy DM38 major infrastructure requirements	Annual completions data Infrastructure Delivery Plan <u>Infrastructure Funding Statement</u>
DM Policy 39 (DM39): The Effect of Development on Public Services	Number of developments completed/ <u>granted planning permission</u> to cater or provide accommodation for publicly-provided support services	Any publicly provided support services development to meet requirements of Policy DM39	Annual completions data Blackburn with Darwen Residential and Supported Accommodation Planning Advice Note Adults Social Care and Support Accommodation PAN

Name of the activity being assessed	Blackburn with Darwen Borough Council Local Plan 2021-2037 Adoption Version				
Directorate / Department	PLACE: Growth & Development	Service	Strategic Planning	Assessment Author	Laura Ainscow-Gorst
Is this a new or existing activity?	<input checked="" type="checkbox"/> New <input type="checkbox"/> Existing	Responsible manager / director for the assessment		Helen Holland	
Date EIA started	27/11/2023	Implementation date of the activity		25/01/2024	

SECTION 1 - ABOUT YOUR ACTIVITY

<p>How was the need for this activity identified?</p> <p>Why are we doing this activity?</p>	<p>Local Planning Authorities have a statutory requirement to produce a Local Development Plan, as described by the National Planning Policy Framework, the National Planning Practice Guidance, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Planning & Compulsory Purchase Act 2004.</p> <p>The Blackburn with Darwen Local Plan's main purpose is to set out and deliver the strategic planning priorities for Blackburn with Darwen. It includes policies that will deliver sustainable development to meet the Borough's identified development needs and objectives up to 2037, including policies for the delivery of new housing, employment, mixed use and gypsy and traveller sites. The Plan identifies where development should be located and how and when it will be delivered.</p> <p>The plan has been prepared in consideration of the evidence base, National Planning Policy and guidance, feedback from previous public consultations, a Sustainability Appraisal and Habitats Regulations Assessment.</p> <p>Once the Local Plan is adopted (scheduled for January 2024), it will replace the Blackburn with Darwen Core Strategy 2011 (Local Plan Part 1) and Site Allocations & Development Management Policies (Local Plan Part 2). It will form the overall development plan alongside the Lancashire Minerals and Waste Local Plan and following adoption, will be the 'starting point' for considering whether planning applications can be approved.</p>
<p>What is the activity looking to achieve?</p> <p>What are the aims and objectives?</p>	<p>The Local Plan sets out how much land should be provided for development in the Borough during the plan period from 2021 to 2037. The Plan allocates individual pieces of land for future development that will deliver the required amount of development to meet the Borough's identified needs. In addition, the plan identifies improvements to infrastructure, services and facilities that are required to support new development, for example, schools and open space, as well as planning for their delivery. It also includes policies to help the council determine planning applications.</p> <p>A key aim of the plan is to encourage development in the Borough that achieves the Council's aspirations for sustainable growth and regeneration. The strategic objectives and subsequent policy framework set out in the plan seek to address the inherent conflicts of development: the Council's strong ambitions for growth and regeneration; challenging carbon neutral goals and environmental net gains; and improving people's quality of life and well-being.</p>

Services currently provided (if applicable)	The plan will be used to support delivery of the Council’s planning service; the service provides advice and guidance on development opportunities and has a decision making role on planning applications.		
Type of activity	<input type="checkbox"/> Budget changes <input checked="" type="checkbox"/> Change to existing activity	<input type="checkbox"/> Decommissioning <input type="checkbox"/> Commissioning	<input type="checkbox"/> New activity <input checked="" type="checkbox"/> Other [new planning policy]

SECTION 2 - UNDERSTANDING YOUR CUSTOMER**What resources will support in undertaking the equality analysis and impact assessment?**

Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.

- The Local Plan is prepared in accordance with the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) and relevant legislation, regulations and national policy set out in the [National Planning Policy Framework \(NPPF\)](#).
- Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications. Blackburn with Darwen Borough Council's Statement of Community Involvement can be viewed at [Statement of community involvement | Blackburn with Darwen Borough Council](#).

Who are you consulting with? How are you consulting with them? *(Please insert any information around surveys and consultations undertaken)*

During the preparation of the Local Plan there has been ongoing consultation with the community, professional/interest groups and other stakeholders.

Planning legislation requires local authorities to have a Statement of Community Involvement (SCI) in place to support plan preparation. The SCI outlines how the Council will involve all sections of the community, including the use of targeted community involvement methods in appropriate cases, in the planning process, including in the preparation of local plans. It includes information and guidance on:

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- Consultation techniques – these cover a range of recognised consultation methods that will present information and invite involvement via a range of different media;
- The importance of an inclusive approach that offers an opportunity for all groups to engage;
- Consultees - the SCI identifies a range of groups: specific consultation bodies and general consultation bodies that should be included in the consultation. The document recognises that some groups may reorganise and new ones establish; it therefore includes a commitment to amend the list to include successor bodies. The Council has an element of discretion regarding the general consultation bodies involved depending on the nature and scope of each document
- How community feedback will be taken into account and be used to inform the content of the document in preparation;
- Contact information for the Council

The Blackburn with Darwen SCI is available to view on the Council's website at [Statement of community involvement | Blackburn with Darwen Borough Council](#) and is used to inform every consultation undertaken within Strategic Planning, including the Local Plan consultations.

The Local Plan has been developed following several rounds of public consultation; an initial Issues and Options Consultation in February 2019 followed by a public consultation on a Draft Local Plan in January 2021 (Regulation 18) and Regulation 19 consultation on a Publication Version Local Plan in February 2022. A further consultation on the draft Main Modifications was also undertaken in August 2023. As part of these consultations, the Council consulted directly with a wide a range of stakeholders including:

- Local Plan database contacts
- Neighbouring local authorities
- Voluntary and community groups
- Residents and business owners

A wide variety of methods to ensure public consultation was as effective as possible were used which went above and beyond the commitments made in the Council's Statement of Community Involvement. General methods of engagement included:

- Local Plan webpage providing the draft Local Plan, supporting documents (Sustainability Appraisal, evidence base portfolio), and consultation material (e.g. Local Plan video, electronic copy of the exhibition boards, leaflet etc.);
- Email/letter notification of the consultation and how to submit comments, including link to 'How to Respond Guidance Note'
- Letters sent to every resident and business within the locality of a proposed development allocation summarising the Local Plan and how they could view the documents and submit comments;
- Two public consultation events at Blackburn Library and Darwen Youth Centre;
- Exhibition Boards – online and in Blackburn and Darwen Market Halls throughout the consultation periods;
- Vinyl banners outside Blackburn and Darwen Market Halls;
- Billboards;
- Digital display boards;
- An extensive social media and PR campaign.

It is considered that this range of consultation opportunities and methods has afforded the widest possible group of people the chance to influence both the process and outcome of the consultation i.e. the plan. Further details on the consultations undertaken throughout the preparation of the Local Plan are included within the [Regulation 22 Consultation Statement](#), available to view on the Local Plan examination webpage.

The Localism Act 2011 places a legal duty (duty to cooperate) on local planning authorities such as Blackburn with Darwen Borough Council and other identified bodies to cooperate with each other to address strategic cross boundary matters in the preparation of their development plan. The intention is that councils engage constructively, actively and on an on-going basis throughout the preparation of their local plan/development plan documents and other matters. As part of the Local Plan examination, the Council prepared a supporting statement to explain how the Council considers it has met the duty to cooperate. A copy of this statement – 'Statement of Compliance with the Duty to Cooperate (November 2022)' has been published on the Council's website: [Statement-of-Compliance-with-Duty-to-Cooperate.pdf \(blackburn-darwen.org.uk\)](#).

The Planning Inspectors have confirmed that the Council has met the relevant legal requirements for consultation during the preparation of the Local Plan.

Who does the activity impact upon?*	Service users	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly	The Local Plan will provide a planning framework for the Borough to 2037. It sets out potential development opportunities (site allocations) and the policies that will be used to inform development in the Borough including decisions on planning applications. The framework has been structured to support the achievement of the Council's corporate agenda for economic and housing growth. As and when landowners, developers and other stakeholders are interested in developing sites, further consultation as well as EIAs (as necessary) that are site
	Members of staff	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly	
	General public	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly	
	Carers or families	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly	
	Partner organisations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly	

					<p>specific will be carried out in accordance with the Council's planning procedures.</p> <p>There may be a perception by some members of the community and/or partner organisations, particularly commercially driven organisations, that the plan gives advantage or preference to some sectors, for example, landowners and developers, over others. It is acknowledged that delivery of the plan including new housing/jobs/improvements to the town centres/infrastructure and local services will in the future be heavily dependent on private sector investment.</p> <p>The allocation of sites has been based on a robust, objectively based methodology, including a sustainability appraisal, which has considered a range of factors including community feedback, development viability, infrastructure requirements, highway capacity and location. However whilst acknowledging the reliance on private sector investment, the plan's main aim is to ensure that the delivery is undertaken within a framework (the development plan) that is based on the Council's intention to create opportunities/choice and an improved quality of life for all residents and stakeholders including all who are currently established in the Borough and those who may move into the area in the future.</p> <p>The plan's policies will be applied equitably to all proposals and to all groups and do not differentiate or discriminate between any of the protected characteristic groups. A future review of the SCI is part of the Council's on-going activity to ensure that it is using the most effective means of engaging with its residents and communities. This would include ensuring people who could not communicate in a standard way were still able to engage in the Local Plan process (perhaps someone who was blind or partially sighted and were unable to read the Plan). In such cases, more targeted community involvement methods (as included in the SCI) would be used to address ensure they could engage in the process.</p>		
Does the activity impact positively or negatively on any of the protected characteristics as stated	Positive impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers




within the Equality Act (2010)?* The groups in blue are not protected characteristics <i>(please refer to p. 3 of the guidance notes)</i>	Negative impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Neutral impact	<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input checked="" type="checkbox"/> Gender reassignment	<input checked="" type="checkbox"/> Marriage & Civil Partnership	<input checked="" type="checkbox"/> Pregnancy & maternity	<input checked="" type="checkbox"/> Vulnerable groups
		<input checked="" type="checkbox"/> Race	<input checked="" type="checkbox"/> Religion or belief	<input checked="" type="checkbox"/> Sex	<input checked="" type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Deprived communities	<input checked="" type="checkbox"/> Carers

***If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? *Refer to p.3 of the guidance for more information*
A public authority must have 'due regard' (i.e. consciously consider) to the following:

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i></p>	<p>Yes: The Local Plan aims to ensure the sustainable development of Blackburn with Darwen over a 16 year period (2021-2037). The promotion of balanced and inclusive communities that benefit all is integral to achieving this. The policies set out within the plan guide development and promote opportunities, for example they include policies for the allocation of housing and gypsy and traveller sites to meet identified needs (Policies CP4, DM03, DM04, DM05, Housing Growth Site Allocation Policies and Gypsy & Traveller Growth Site Allocation Policies), allocation of strategic employment sites and spaces for commercial development to boost and support the economy (Policies CP10 and Employment Growth Site Allocation Policies), as well as protecting and enhancing the natural and built environment (Policies CP6, CP7, CP8, DM12 – 28).</p> <p>Proposals and policies will apply equally to all persons and organisations that come forward with development proposals and/or are involved/considered as part of the consideration and decision-making relating to planning applications.</p>
<p>Advance equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i></p>	<p>Yes: The Local Plan supports the three principal dimensions of sustainable development: economic, social and environmental. It seeks to achieve net gains across all three for all persons. Policy CP1 sets out the overarching policy framework of a 'Balanced Growth Strategy'.</p> <p>The Local Plan's over-arching vision is to promote economic growth across the Borough for the benefit of all established people/organisations and to encourage newcomers to establish and invest in the Borough. The Plan sets the framework to achieve growth via the delivery of a neutral, complementary and viable choice of employment opportunities, housing mix (location/type/size and tenure), supporting infrastructure including school provision/attractive town and district centres and access to jobs and services. The Council considers that these improved choices will provide a greater range of prospects and promote an equality of opportunity for everyone.</p> <p>Whilst the plan does set the framework, it is recognised that delivery is market driven. However, the Council will monitor delivery outputs to ensure these align with the Local Plan's intentions and any emerging need within the Borough.</p>
<p>Foster good relations between people who share a protected characteristic and those who do not <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i></p>	<p>The Local Plan and the policies set out within it are inclusive and aim to foster good relations with all sections of the community; this includes those within the protected characteristics classifications. For example, Policies CP4, DM04 and Gypsy & Traveller Growth Site Allocation Policies) ensure the identified needs of the Borough's Gypsy and Traveller population are met.</p>

ASSESSMENT	Is a full EIA required?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			
<p>This EIA has been completed with full consideration of the policies and proposals that are included in the Local Plan.</p> <p>The Local Plan is a strategic planning document intended to guide and inform development and decision making on planning applications. The plan policies have been robustly prepared in consultation at various stages in plan preparation, with a wide range of residents and organisations, as set out in the Regulation 22 Consultation Statement available to view on the Local Plan Examination webpage. This engagement has been consistent with the Council's adopted Statement of Community Involvement (SCI).</p> <p>The Local Plan policies will be applied equally and equitably to all development proposals and decision making on planning applications. As such, the Local Plan is not considered to impose any negative or adverse impacts on residents generally and/or those people with any of the protected characteristics set out in the Equality Act 2010. With regard to provisions for particular groups both in policy content and application, overall the plan's policies promote the Council's requirements for sustainable, high quality development that meets the needs of all residents: both established residents including the business community and newcomers to the Borough. The plan's policies equally act as safeguards to ensure that any possible negative impacts from development are mitigated or compensated for as far as is reasonable.</p> <p>The Local Plan benefits some landowners and developers whose land/ property is allocated for development purposes. It will also bring wider benefits to Blackburn with Darwen's residents by contributing towards future sustainability and vibrancy of the Borough's town centres and rural communities. It will contribute positively to the health and well-being of residents through the provision of new homes, new jobs, new/ improved community facilities and services and enhancement of the natural and built environment which will be accessible to all the community. The Plan makes provision to meet the housing needs of particular groups e.g. older people, people with disabilities, households on lower incomes and the gypsy, traveller and travelling showpeople communities (Policy CP4: Housing Development). Through its policies it promotes equality and social inclusion, seeks to provide a mix of market housing that better meets the needs of Blackburn with Darwen residents (Policy DM3: Housing Mix, Standards and Densities) and seeks to increase the supply of affordable housing to assist those who cannot otherwise access the housing market (Policy DM5: Affordable Housing and Rural Exception Sites). The Local Plan sets out an overall approach to development of a balance of ensuring that development proposals consider their impact on people, place and the economy through Policy CP1: A Balanced Growth Strategy. Development is expected to demonstrate social, environmental and economic net gains against the strategic objectives of the plan.</p> <p>Overall, the Local Plan should therefore have a positive impact. In summary, it will bring more housing (including affordable and specialist housing), provide traveller sites to meet need, economic growth (providing more jobs), improve local facilities and services, promote social inclusion, as well as enhancing the natural environment and ensuring that Blackburn with Darwen remains a special place to live, work and invest. It is concluded that the Local Plan policies will not have a negative impact on those with protected characteristics, neither does it reflect the potential for discrimination. The opportunity to foster greater equality and positive impacts for protected groups has been sought and incorporated within policies where appropriate. Accordingly, it is considered that the Council is acting in accordance with the public sector equality duty contained in section 149 of the Equality Act 2010.</p> <p>Performance of the Local Plan will be measured against a series of key indicators which are set out in the Monitoring section of the Plan. Indicators include the size of homes by number of bedrooms, the number of affordable homes and the number of Gypsy, Traveller and Travelling Showpeople's pitches that have been delivered. By monitoring the Plan, the Council will be able to ascertain whether or not it is providing adequately for the needs of these groups. If any groups needs are not being adequately met this will be raised at the five year Local Plan review.</p>			

Author Signature		Date	02/01/2024
Head of Service/Director Signature		Date	03/01/2024
<i>The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	03/01/2024

Council Forum, 25th January 2024

Overview and Scrutiny Committees Update

Purpose of the Report

To update the Council Forum on the latest meetings of the Policy and Corporate Resources, Health and Social Care, Children and Young People and Place Overview and Scrutiny Committees, plus the recent Call-In Committee Meetings held.

Health and Social Care Overview and Scrutiny Committee

At the meeting on 9th October 2023, the meeting was dedicated to scrutiny of the CQC Self-Assessment process, and Mark Warren presented a report and delivered a supporting presentation which provided an update on the key changes relating to the Regulation of Local Authorities by the Care Quality Commission (CQC) and to provide an update on the local authority's preparations. The Committee noted the progress made to date in preparation for the inspection, also noting that the local authority had a good story to tell, but there needed to be a very good evidence base to support this. The Committee hoped a reasonable score would be achieved, with continuing work on producing a sound evidence base for future inspections. The Committee agreed that an update on the inspection at a future meeting was required, but not whilst any inspection and action planning was in progress in order that Officers could focus on the inspection and its outcomes.

The next meeting will focus on scrutiny of Care Homes in the Borough, and Members will receive a report from the Task and Finish Group who have been looking at this, as well as receiving an update on the progress of the Integrated Care Board, following the information received at the August meeting.

Children and Young People Overview and Scrutiny Committee

At the meeting on 6th November 2023 the Committee received an update from the Youth MP and Youth Forum on their recent events and activities, as well as receiving information on changes to Corporate Parenting Meetings, to strengthen governance arrangements, following an internal review, which also took account of recommendations from the recent Peer Review.

The main agenda item was an update on the Local Safeguarding Assurance Partnership, following the update at the June meeting, with much of the last six months focussed on the JTAI and Action Plan and embedding of the new arrangements. Members commented on the improvements already been seen of the move to a place-based approach, which gave more assurance.

Additionally, following on from the recent LGA training, the Committee have requested that key performance dashboards should be attached to reports wherever possible, and also that reports be circulated in good time to ensure that Members can digest all the information and prepare questions.

At the next meeting, on 12th February 2024, Members will scrutinise the School Improvement Strategy, and there will also be an agenda item on Academic Outcomes.

Place Overview and Scrutiny Committee

The Committee received a report and presentation on at its meeting on 13th November 2023 on Highways Infrastructure in the Borough, and Members made a number of comments and observations relating to issues with traffic lights, contacting the Highways team, the funding and quality of road repairs, issues with road marking and line painting, and street signage.

At the next meeting on 4th March, the Committee will receive a report containing responses from the Highways Team to the issues raised, and the report will also contain the responses relating to Environmental Crime from the previous meeting, and the Committee will consider potential recommendations relating to both Work Programme items.

Also at the next meeting, the Committee will focus on that scrutiny of plans to purchase electric & alternative fuel vehicles and develop a fleet strategy for alternative fuels.

Policy and Corporate Resources Overview and Scrutiny Committee

At the Meeting held on 8th January 2024, the Committee received an update on the recent meetings of the Call-In Committee (see below) and received an update on Finance, with an overview of the latest budgetary position.

Significant costs in Children's Services were reported, which was a demand led budget, and the issues raised in the recent MacAllister report into the Children's Social Care system, which highlighted the problems within the sector nationally, with local authorities being unable to compete with independent agencies, who could pay staff more and charge local authorities higher prices. Similar issues existed with Adult Social Care, which led to higher costs and demand and made budget forecasting difficult.

The Executive Member highlighted a reduction in debts, and a focus on no new borrowing. Members asked a number of questions and made observations to the Executive Member and Strategic Director for Resources.

At the next meeting, the Committee will receive an update on Digital Management at the Council.

Call-In Committee

Two Meetings of the Call-In Committee have recently been held - on 21st December (Burial and Cremations Fees) and 4th January 2024 (Car Park Fees).

Both meetings were chaired by Councillor Kevin Connor, and following debate and discussion, the original decisions by the Executive Members were upheld.

Following an update at the Policy and Resources Overview and Scrutiny Committee on 8th January 2024, the Committee agreed that training should be arranged that would cover the Scrutiny and Call-in process, highlighting the different roles of both for existing and new Members.

Councillor Tony Humphrys, Chair of the Policy and Corporate Resources Overview and Scrutiny Committee.

Councillor Jacqueline Slater, Chair of the Health and Social Care Overview and Scrutiny Committee.

Councillor Sylvia Liddle, Chair of the Children and Young People Overview and Scrutiny Committee.

Councillor Brian Taylor, Chair of the Place Overview and Scrutiny Committee.

Councillor Kevin Connor, Chair of the Call-In Committee.

REPORT OF THE LEADER OF THE COUNCIL

COUNCILLOR PHIL RILEY

PORTFOLIO CO-ORDINATING
CHIEF OFFICER: Chief
Executive

Thursday, 25 January 2024

A more prosperous borough where no-one is left behind.

Strategic growth

We know the challenges we face around budgets and the cost of living, and our vision is always driven by wanting to do better for our residents – creating a more prosperous borough where no-one is left behind. Central to that core mission is building a stronger local economy with opportunities for people to get on in life and live the best lives they can.

That's why we're delighted to start off 2024 with the news that Government inspectors have approved our Blackburn with Darwen Local Plan 2021-2037. We're therefore bringing it to this Council Forum with a recommendation it is formally adopted, following which it will then guide future planning decisions. In development since 2018, the plan provides a 'blueprint for the future' – identifying sites for new homes and business developments up to 2037. Residents were invited to have their say throughout the process.

And I was delighted to see one such new homes scheme come to reality just before Christmas, when I cut the ribbon on more than 60 new and affordable homes at the £9.6million Heathfields development in Darwen. The Great Places homes, a mix of shared ownership and affordable rented properties, form part of a much larger, new neighbourhood off Ellison Fold Way which, once completed, will house a total of 353 new homes. I visited some of the new properties and it was really touching to meet some of the local people whose lives have been transformed by moving into quality new affordable homes. It really brought home how transformative improving the quality of housing in our borough is; I truly believe it to be one of the very best ways to help improve the health and wellbeing of our residents and better their life chances. It reconfirmed our desire to continue to take every opportunity to work with developers to keep improving our housing stock.

Elsewhere, major Darwen employer, Brookhouse Aerospace, is set to expand into a brand-new HQ being developed at the 41,650sq ft Balle Mill site in Darwen, brought forward with support from the £100m Darwen Town Deal to help cement the businesses' long-term growth plans. The new investment will help retain 100 jobs in the town and will pave the way for more than 60 new roles over the next five years. We're also busy working through the new guidance from Government for up to £20m of support for Darwen announced through its Long-Term Plans for Towns scheme. We want to ensure we can secure as much as possible and put it to the very best use – just like we've successfully done with the Darwen Town Deal. Detailed plans will need to be submitted by August to secure the funding with it expected to be available to spend from 2025.

As we move into 2024, we're also hoping to reveal some exciting plans soon around our status as a Government Levelling Up Partner – which has unlocked £20m of new funding. Our proposals are with the Government with a view to securing formal agreement and, if successful, will further support our Blackburn town centre cultural investment programme, as well as providing further improvements to the physical and social environment and supporting entrepreneurship and growing the economy.

This is all alongside the major schemes we're already delivering on around the Blackburn Town Centre Masterplan, the Cultural Quarter, Darwen Town Deal and the Youth Investment Fund investments plus wider inward investment work.

Place promotion

As Leader of Blackburn with Darwen Council, I am a proud ambassador for our borough – a job made easy given we have so much to celebrate. Let's continue to talk up our place, we really have a lot to shout about. On that note, December 1st saw the finest craft beers finally 'on tap' in Blackburn's new £50m Cultural Quarter. The award-winning Blackedge Brewery opened the doors of the new Ribblesdale Tap at number 35 Northgate. The striking 19th Century building Opposite King George's Hall, was formerly the Ribblesdale Hotel, Gladstone's and Baroque. We worked really hard to find the right tenant for this iconic building - which underwent an impressive £350,000 transformation as part of the Blakey Moor Townscape Heritage Project with the National Lottery Heritage Fund. Blackedge Brewery feels like a really good fit and we're so happy the doors are now open. I hope as many people as possible support this quality establishment.

I mentioned in my last report that our Making Rooms in Blackburn town centre had received the brilliant news that it had won a bid to host a European Creative Hubs Network workshop. That event took place at the start December with 15 hub leaders from Milan to Stockholm, Barcelona and across Europe and the UK coming to Blackburn for four days to learn and share various making technologies, makerspace models and to hear from our creative economy partners. It was brilliant to be able to give a warm Blackburn with Darwen welcome to all of our European and UK friends in attendance. We feel incredibly lucky and proud to have The Making Rooms in Blackburn and this event – as well as the recent visit from Government's Levelling Up Minister, Jacob Young, was a perfect showcase for it.

Devolution

Before Christmas, the Government announced that it was willing to enter into a historic devolution deal putting greater power into the hands of local communities in Lancashire. The move follows extensive negotiations between Government and the three upper tier local authorities of Blackburn with Darwen Council, Lancashire County Council and Blackpool Council, who agreed to cooperate on the creation of a new devolution deal that would cover the Lancashire area by establishing a Combined County Authority (CCA).

The proposals were given unanimous approval by the three constituent councils in November after which we moved into an eight-week period of public consultation which closes tomorrow, January 26th. The consultation has given residents, businesses and anyone else in the region a chance to feedback on a number of important areas included in the proposals, including improving public transport, boosting economic prosperity, and improving employment and skills. Gathering people's views and ideas has been important to make sure the deal meets the aspirations and priorities of people locally and across the county. At the time of writing this report, 1,089 people had responded. Each area has also hosted public information sessions for people to drop-in and receive information and engage directly with officials, with two drop-in sessions taking in Blackburn and Darwen during January which were well attended.

Overall, we have made a big step here to accessing more funding and creating opportunities that will directly benefit people in Blackburn, Darwen and more widely across Lancashire and is something that can lead to real improvements over time. I will keep you updated on developments as they happen, and a new website has been launched at lancashiredevolution.co.uk where you can find out more about the deal and what it means.

REPORT OF THE EXECUTIVE MEMBER FOR ADULTS SOCIAL CARE & HEALTH

COUNCILLOR JACKIE FLOYD

**PORTFOLIO CO-ORDINATING
CHIEF OFFICERS: Strategic Director
of Adults and Health
Thursday, 25 January 2024**

Build happier, healthier and safer communities

Social Work Teams

Over the past twelve months, the Integrated Neighbourhood Social Work teams have continued to complete statutory assessments and interventions for adults with care and support needs across the Borough. The teams work closely with partners both within and outside of the Council, including Health colleagues across community and acute services, local care providers and the Voluntary sector. The teams focus on managing risk and promoting the best outcomes for residents within a strength-based approach to assessment and care planning. This is in line with the vision set out in the departmental Target Operating Model: supporting people to lead the lives they want to live, in a place they call home.

The Social Work teams have continued to evolve and improve over the past year and have engaged in development work across several areas of provision. Advanced Practitioner Social Work roles have been introduced across a number of teams, to increase the leadership capacity and the resilience of our services, as well as providing opportunities for staff progression and professional development.

The teams have supported the development of a new approach to conducting statutory Safeguarding work across the Directorate which will result in Safeguarding investigations being undertaken within Neighbourhood Teams as well as within our dedicated Safeguarding Team. The Local Safeguarding Adults Board continues to oversee the strategic safeguarding function across the whole partnership and assure practice and learning. The Board is now supported by a Place based Blackburn with Darwen Business Unit, rather than a Lancashire wide Business Unit which was previously the case.

The Learning Disability Team recently attended a transition event at Newfield School to share information regarding transitions and provide an opportunity for young people and their families to ask questions as they prepare for the transition to adulthood.

The Mental Health Team are currently involved in supporting the wider Mental Health transformation programmes alongside the Integrated Care Board (ICB) and Lancashire and South Cumbria Foundation Trust (LSCFT). Enhanced multi-disciplinary teams will be in place from February 2024, enabling collaborative working and ensuring that those with the most complex mental health needs are supported through a holistic offer from Health, Social Care, and the Voluntary sector. The BwD Place Based Partnership Board is supporting the oversight of the mental health transformation work to help ensure best outcomes for the residents of the Borough.

Further developments have taken place with respect to Palliative and End of Life Care. Coordinated by the ICB, this work brings together Social Work, District Nursing, the Hospice, Primary Care, Marie Curie, the Acute Trust, Healthwatch and local faith leaders. The aim is to improve and ensure best quality within this essential aspect of treatment, care, and support, provided at a time when our residents are at their most vulnerable and when good quality, person-centred approaches to care often have the greatest impact.

The social work teams have also been active participants in the directorate-wide work to take stock of our services in readiness for CQC inspection, as we prepare to demonstrate the value and quality of our services within this new regulatory framework.

Intermediate Tier

The Reablement, Home First and Hospital Social Work Teams are operating to full capacity throughout the winter period. The teams are working closely with our partners in Health to respond to hospital discharges in a timely manner and prevent people staying in hospital for longer than is necessary. The intermediate Care Service based at Albion Mill continues to provide a residential rehabilitation service to people who need additional support before they return home from hospital. This service is currently undergoing transformation to a single provider model, at which time, full bed capacity will be operationalised. The intermediate tier services are central to the winter planning requirements described later within this report.

Integrated Neighbourhood Arrangements

A review of our integrated neighbourhood working arrangements in Blackburn with Darwen took place as planned during Quarter 3. The aim of the review was to:

- Assess ambitions for integrated neighbourhood working.
- Identify and agree what works well with regards to current service delivery and what could be improved.
- Define and agree support requirements for next steps.

Over 150 health, care and community neighbourhood practitioners engaged in the neighbourhood review process via an online survey, one to one interviews, direct observation and stakeholder focus groups with colleagues from the Local Government Association (LGA).

A Next Steps to Evolving our Neighbourhoods event took place on 17th November where colleagues from the LGA presented back key findings from the review. A wide range of integrated care representatives from Primary and Secondary Care, NHS Community Health Services, Social Care and key members from the Voluntary, Community, Faith and Social Enterprise Sector attended. We received some great feedback on our current ways of working and the strength of our integrated working was acknowledged by the LGA, but as ever, we recognise there is lots more we can do to make care and support for our residents even better. Facilitated breakout sessions were held on the day for delegates to start shaping the next steps with a view to Refocusing, Refreshing, Reconnecting and Re-energising our neighbourhoods. Feedback from the event and themed actions will be shared with stakeholders for initial feedback and refinement. Following this, a co-produced action plan will be developed with system partners which will enable us to build on the existing strengths of our integrated working arrangements.

Employment, Skills and Support Hub

Adult Learning and Employment support teams are forging a new partnership approach across Blackburn with Darwen to support residents and businesses and to tackle economic inactivity. The Employment, Skills and Support Hub will take a lead in bringing together organisations and providers from across the Borough which provide employability and employment support services.

The Hub will provide a single point of contact for local people to access the most appropriate support for them. Further aims include the development of an Employer arm, bringing employers together to discuss and identify barriers to recruitment to specific roles. The Hub will support collaborative programmes which help to ensure potential applicants have the relevant skills, behaviours, and qualifications to apply for sector specific job roles. Upcoming plans include establishing a base within the education and skills campus which will be located in Blackburn town centre and be central to the implementation of the Lancashire-wide Local Skills Improvement Plan and Blackburn with Darwen's Employment and Skills Strategy. A hard launch of the Employment, Skills and Support Hub will take place in March 2024.

Commissioning, Finance and Performance

A review of the integrated commissioning, finance and performance functions within Adults & Health has progressed and the initial phase of the team restructure has concluded with appointments to Head of Service roles within the integrated team. The Head of Finance, Performance and Business Support and the Head of Commissioning (People services) will commence in role in early January and will take forward the next stages of the review.

The development of our strategic commissioning plans is well underway with programmes of work being undertaken for carers services, ageing well and specialist services, all of which are aligned to corporate priorities and the department's business plan objectives. The Council continues to work closely with the ICB and wider partners within Blackburn with Darwen to ensure alignment of the plans across Health and Social care.

Provider forums have taken place during September and October and are now scheduled throughout the year to build on our engagement with the care market and embed our quality improvement work across care provision within the Borough. The Overview and Scrutiny Committee Task and Finish Group have also concluded their review of our care homes and any recommendations for improvement have been progressed by the Commissioning and Quality team. Work is now underway with the sector to consult on proposed provider fees for 24/25 in line with the Council's budget process.

Winter plans across Health and Social Care are in place and are focussed on ensuring that we are as prepared as possible to meet the likely challenges of winter. Utilising the Discharge Grant, Winter Plans are developed and agreed collaboratively to add resilience across all aspects of the Health and Care system. As in the last few years, we have utilised the grant to build capacity into some of the critical short term intervention services, including crisis/domiciliary care and respite/short term care. This capacity is intended to support both hospital discharge and admission avoidance and aligns to existing pathways.

Our Performance team continue to lead on progress with our CQC (Care Quality Commission) Assurance preparations. CQC commenced formal assessment of local authorities in September 2023 and have so far completed their inspections of the 5 pilot sites and have issued indicative ratings for each of these authorities. A further 3 South of England authorities have recently been announced. We are embedding the learning from pilot sites within our preparation activity as we continue to collate evidence and make improvements against our own self-assessment. With respect to staff and Partner engagement – sessions are scheduled for early in the new year.

Finally, we have a Directorate Business Planning Day arranged for Wednesday 17th January at which we will evaluate the implementation of our objectives from the 23/24 plan and refresh and renew our priority actions for the year ahead.

REPORT OF THE EXECUTIVE MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION

COUNCILLOR JULIE GUNN

**PORTFOLIO CO-ORDINATING
CHIEF OFFICERS: Strategic Director
of Children & Education (DCS)
Thursday, 25 January 2024**

Every child and young person to have opportunities to fulfil their potential.

New Children's Services & Education Priorities

Following a period of consultation with the workforce, new priorities for the Children's Services & Education department have been agreed. These will guide our combined efforts towards a future in which children and young people in Blackburn with Darwen can grow up to have a happy and healthy life, experience success and overcome challenges:

1. **Stable homes built on love** - deliver a transformation programme to support the delivery of services in line with Working Together and community needs.
2. **Right support, right time, right person** - review and redesign our pathways to services to enable better aligned approach to service delivery.
3. **Effective transitions for all ages and needs** - support children in navigating changes effectively, setting them up for success in their educational and personal journeys.
4. **Raising aspirations and fulfil potential** - provide children and young people with the necessary resources, opportunities, and support to develop their skills, talents, and abilities.
5. **We are Systemic** - promote holistic and effective support for children and their families.
6. **Best start in life** - setting children on a path of healthy development and well-being.

Corporate Parenting Panel launched.

In line with the council's commitment to providing looked after children with secure, nurturing, and positive experiences, we have taken the decision to revamp our corporate parenting governance arrangements to enhance their effectiveness. This both complements and is central to the wider Children's Social Care improvement journey ahead of the upcoming Ofsted ILACS (Inspecting local authority children's services) inspection.

Both the Corporate Parenting Specialist Advisory Group (CPSAG) and the Corporate Parenting Executive Board have now evolved into a more robust and streamlined entity: the new Corporate Parenting Panel. Its inaugural meeting took place on January 10, 2024, and this incorporated a training session conducted by the Local Government Association (LGA), adding both value and expertise. The Panel boasts a diverse membership of councillors, officers, and representatives from partner agencies, each well-equipped to make meaningful contributions to improving the lives of care experienced children and young people.

Youth Justice Service (YJS)

The YJS has continued to get out and about into schools in the borough to deliver its prevention focused programme, 'In Your Corner', with the most recent round of delivery taking place at Darwen Vale. The programme aims to deliver educational and advisory messages to class groups around subjects such as substance misuse, knife crime, peers influences and exploitation, amongst others. Much of the programme content is interactive, engaging children in fun activities whilst ensuring that key lessons are learnt. It is planned that delivery of the programme will be offered and extended to more schools in the New Year.

Young People's Services (YPS)

YPS delivers a residential experience in every Holiday activities, and food (HAF) holiday programme. The Targeted Youth Support (TYS) and SEND full Christmas HAF programmes was delivered from 2nd Jan to 7th Jan 2024, and include a range of centre-based activities – including food and various trips and visits. Trips organised included visits to Lightopia in Manchester, Smithhills farm to see Father Christmas and trips to Sea life centre, crazy golf, Lazer fazez and Play Factor (indoor play areas) & Chill Factor (indoor skiing). SEND HAF programme is fully booked with a waiting list and YYS expect up to 100 of their caseload to engage over the programme.

Youth Work Week Event - YPS and Blackburn Youth Zone (BYZ) organised and delivered a celebration of local youth work to coincide with the national [Youth Work Week 2023 – NYA](#) in November at Blackburn Youth Zone. Over 100 Young people (YP) attended and engaged in a range of activities including Game design, Climbing, Music, arts and crafts and consultations on Blackburn Town Centre regeneration schemes. The event also helped launch of the new infrastructure charity 'Young BwD'. Blackburn Rovers

Football Club (BRFC) first team player Harry Pickering attended and got involved in the sports activities on the roof top pitch. The event was hosted by BwD Youth Forum.

Targeted Positive Activity Programme with DACA - YPS have developed an ongoing relationship with DACA where a group of Year 11 students in need of additional support, are put on a 10 week programme of team building, challenging activities and self-development. This is the third consecutive programme commissioned by DACA who have seen evidence of the programme working in regard to improving school attendance, behaviour and attainment. The YPS Positive Activity Team are in discussions with other schools/academy trusts to offer similar programmes.

Schools and Education

As an Education Department, we have strong relationships with all our schools and settings working collaboratively to ensure that, *'Every child and young person has the opportunities to fulfil their potential.'* Over the latter half of this academic term, we have shared our new co-produced School Effectiveness Strategy for 2023-2026 with all partners. The strategy clearly details our collective missions, public commitments and shares how we will work towards achieving six agreed joint priorities which are:

- A common speech, language, and communication framework delivered across all Early Years settings.
- Improving attainment for all children.
- Improving emotional health and wellbeing of all children of young people.
- A consistent approach to improving school attendance.
- Delivering on a high-quality Relationships, health, and sex education (RSHE) curriculum.
- Improving provision for children with Special Educational Needs and Disabilities.

This academic year to date, we have had four schools in our borough inspected: one independent, one maintained primary school, one primary academy and one multi-academic trust special school. All schools performed well and were judged to be at least good or outstanding across all areas including overall effectiveness.

Special Educational Needs and Disabilities (SEND)

This term we have strengthened our partnership working across Blackburn with Darwen as we continue our focus on improving outcomes for all our children and young people including those that are vulnerable and have SEND. Across Blackburn with Darwen the partnership has agreed four key priorities that are based on our current self-evaluation and the last Area SEND Ofsted inspection which last took place in June 2019. Our priorities for the next three years are:

- Ensuring children and young people are well prepared for their next steps including adulthood.
- Commissioning across the partnership fully reflects and meets local needs.
- There is good sufficiency of SEND educational specialist places to meet needs.
- Ensuring strong multi-agency working that ensures children's needs are identified and met without delay.

Vulnerable Learners - Emotional Health and Wellbeing

The emotional health and wellbeing of our school population is one of the most important issues to come out of the post-pandemic era and continues to affect all parts of our school community from pupils and staff to their parents and carers. Last academic year many of our schools (primary and secondary) referred pupils to the Mental Health Support Team for emotional support and it is widely acknowledged that this type of early help, advice and support is vital for our young people.

In response to this, a multi-agency partnership worked together and produced an Emotional Health and Wellbeing (EHWB) Audit which was piloted in 13 schools last September. Following this pilot, the final version of the audit tool and accompanying service appendix was rolled out to all schools in Blackburn with Darwen at the beginning of this year. An Early year's version of this Audit toolkit has now been developed and will be trialled in 8 of our private, voluntary, and independent's (PVI's) in January 2024 with the roll out to all nurseries by Easter 2024.

Working in partnership with the Mental Health Support Team (MHST), Kooth, Blackburn Rovers in the Community, the Special Educational Needs and Disability Support Service (SENDSS), Social emotional and mental health (SEMH) team and Virtual School, we strengthened and co-ordinated the Y6-7 transition offer for pupils with SEND through both in-school intervention and a brand new Y6-7 Transition Information Sharing event was attended by all high schools and primaries. For this academic year, the event will be extended to cover all vulnerable pupils, with the school's SENCO and Designated Safeguarding Lead (DSLs) attending. This is planned for June 2024.

Social Care

Early Help

We continue to lead our strategic partner work on our Family strategy' approach. This is looking at how we can develop further our approach to supporting families, ensuring the right support at the right time. We are moving into our third partnership workshop in February 2024.

Children's Advice and Duty Service (CADS), Duty and Assessment and Safeguarding and Support

As we continue our focus on recruitment, we have seen previous Social Workers return to the Service showing we are an employer of choice and have a positive reputation. Social Work Apprentices have started in the service and are enjoying their placements. Our agency usage remains lower than in comparison to other Local authorities (LAs), although it has increased slightly to 15 agency workers in this area of the service which also reflects a recent increase in demand in the service.

We continue to embed the learning and actions from our Joint Targeted Area Inspection (JTAI) with partners and within our front door, the impact of this is being measured through our Quality Assurance framework. We have a relentless focus on achieving consistency in practice within the service.

We are preparing for our annual Peer Challenge with Senior Leaders of other LAs in January and our annual conversation with OFSTED in February 2024.

Engage

An independent review by the Innovate team of the Engage service took place in October 2023. The key findings that were identified, evidenced how the service can build on the already strong foundations and excellent practice. Some of the highlights noted how passionate and skilled the team and their managers are, that children's voices are heard and understood.

SEEDS

The SEEDS have recently held a girl's group, this consisted of 6 girls attending weekly sessions. Through the sessions the girls looked at ways to improve confidence and self-esteem and build on positive relationships. They were rewarded with being taken to Manchester Christmas Markets on the 19.12.2023. Five young people have also attended swimming lessons, and all have improved their confidence with water skills.

The SEEDS held a consultation with the young people in October to ask them how they wanted to celebrate Christmas with us. The young people were given options and the activities we have completed with them have been:

- Pantomime.
- Fun Factor and Father Christmas Experience.
- Ice Skating
- Meal Out

All the young people have given positive feedback, and some have had new experiences by attending their chosen session.

The recent Ofsted inspection (14th and 15th November) rated the SEEDS as GOOD and stated:
The short-break service offers children a safe environment where they can enjoy activities and experiences, they may not otherwise access.

A strong safeguarding culture underpins practice in the home and staff are effective in keeping children safe.

The manager demonstrates aspirational leadership. She is supported by an experienced and highly motivated staff team.

Ofsted heard from our young people who stated that the Seeds has helped them to:

- Rebuild relationships with your family,
- Make new friends.
- Enjoy going to school.
- Develop your confidence.
- Manage your emotions much better.

The list could go on, but you would be reading for a long time!

Children in our Care

The updated strategy is being formed next year and will be co-produced with children and parents. Recent audits have taken place within the service to support us further strengthening our practice for our children.

Fostering

The new Recruitment Hub for Fostering, which BwD are the lead across the cluster of Lancashire County Council (LCC), Blackpool and North and South Cumbria, has seen the launch of all the Hub design groups this month. Colleagues from various departments across each LA and foster carers representatives coming together to coproduce a whole new service and front door experience for perspective foster carer enquiries.

In addition to the Fostering Recruitment Hub, we are introducing the Mockingbird Model, which is part of the Stable Homes, Built on Love, social work reform agenda. The Mockingbird Model delivers sustainable foster care through an evidence-based model structured around the support and relationships an extended family provides. The model nurtures the relationships between children, young people and foster families supporting them to build a resilient and caring community.

REVIVE

3 members of the team have now completed Level 2 training in Developmental Dyadic Psychotherapy (DDP): a specialist therapy and framework for supporting children and families with trauma and attachment needs.

With supervision in place, they would like to go on now to become certified practitioners. Based on the principles of DDP, the team have now run 3 'foundations of attachment groups', with the 4th to start mid-February. This is a 6-week course for carers to help support them in their relationships with their children/young people. Feedback has been very positive to date.

Leaving care

The leaving care service hosted a winter event on the 11th December 2023 to celebrate the end of the year which was a great success and was supported by Darwen Influencer Sophie Lee. Sophie met with some of our care experienced young people sharing her story as well as listening to their inspirational achievements.

Christmas gifts for our care experienced young people were distributed in December after generous donations from local businesses, partner agencies and local councillors.

Blackburn with Darwen Council staff also contributed. In particular, the Highways department who always excel themselves. The gifts totalled £2000, and this generosity has ensured that all care experienced young adults aged 18-25 years received a gift for Christmas.

REPORT OF THE EXECUTIVE MEMBER FOR DIGITAL AND CUSTOMER SERVICES

COUNCILLOR MAHFOOZ HUSSAIN

PORTFOLIO CO-ORDINATING
CHIEF OFFICERS: Director CE
Thursday, 25 January 2024

Being a forward thinking and innovative Council

Digital Services and Transformation

The Transformation Team along with the IT team are currently delivering 18 projects.

The Fostering Service Transformation continues to be successful. The team have approximately 4 months of work left and are discussing with Service Leads how the engagement with Foster Carers will continue into business as usual.

The project team for Idox implementation (Public Protection system) has 5 full time staff members. Configuration of the system has begun, and we are still on target to go live by 24 April 2024.

A further 13 online forms have gone live in the past 2 months on the Digital Customer Portal, bringing the total number to 233 across 45 service areas. The Portal will be upgraded around March 2024 with a GDS version and work is ongoing to prepare for this including engagement with customer and community groups to ensure the change is as smooth as possible.

The User Research team were heavily involved in the Budget Consultation providing face to face support for residents to fill in the survey. Additional funding has been acquired to secure an additional Junior User Researcher to assist with the NHS Adults Survey work and the Northwest Fostering Recruitment and Retention Hub.

Website and Intranet

The new BwD Intranet successfully launched in October and has received great feedback. A paper is being worked on to assess what a Phase 2 of this project looks like to include additional development.

The Family Hubs microsite is well underway and content workshops are progressing well.

As well as conducting content audits within Adults Services, the team have successfully fulfilled over 200 web content requests in the past 2 months.

Information and Communications Technology

The IT Team has made planned progress in key areas.

These include:

1. The new Backup and Recovery system is now fully operational and is protecting critical assets.

2. The tender for the Unified Communications Environment is out for competition as planned.
3. A large programme of security penetration testing has been completed and we are using the result to harden our security posture.
4. All Council staff have received new Microsoft working environments through the deployment of Microsoft 365.
5. The new core network infrastructure has now been implemented. This has enhanced performance, security and recoverability.
6. There has been a rise in cyber-attacks of varying sophistication. None have penetrated our defences in any meaningful way. However, increased sophistication of attack requires to respond with increased vigilance and capability during 2024.

Work continues to ensure we create a sustainable team of professionals through the recruitment of talent that has potential to make a long term contribution to the work of the team.

Performance and Business Intelligence

The new suite of corporate performance indicators was formally reported for the first time at Policy Council in November. Work has started on Business Planning for 2024/25 and this will see each department review it's set of performance measures and update targets as required.

The team are also developing Customer Insight reports for a range of council services, these will include data on interactions with residents, response timescales, wait times, customer satisfaction and progress with feedback and complaints.

Customer Services

Quarter 3 saw another busy few months for our customer services teams. We handled nearly 37,000 calls, with three quarters of these answered in less than 1 minute. 83% of callers were very satisfied with the service they received. We also dealt with over 7,000 web chat messages and over 5,000 emails. All three of these contact methods have seen increases since last year.

With more residents choosing to use digital methods to contact us, visitor numbers to our receptions have decreased. This allows our staff to spend more time helping those customers who chose not to, or are unable to, use digital contact methods. We helped 2,400 customers in quarter 3, serving all of these within five minutes of their arrival.

Complaints/Feedback

The data below relates to Quarter 2 of the current municipal year)

The Feedback Team dealt with 178 enquires from MPs offices (a 52% increase from the same period last year). The enquires related to matters including Planning, Council Tax, Highways, Environment, Housing Needs, School Admissions and SEND.

The Feedback team received 271 informal complaints, including statutory Adults Social Services and Children's Social Services complaints. Only 13 of these escalated to the formal Stage 1 of the process. The team also dealt with 16 'Stage 1' complaints (11 from the same period last year) (11) and related to safeguarding (Children's Services), SEND and Housing Needs. Of these only 3 complaints were upheld/partially upheld.

Apologies were provided for the upheld/partially upheld complaints, and service improvement mechanisms have been put forward to avoid such complaints in the future. 11 complaints were submitted to the Local Government & Social care Ombudsman, of which 4 were investigated by the Ombudsman. No cases of maladministration were found, and 2 cases are still open.

We recorded 96 compliments, which is a 37% increase from the same period last year. Social Care continue to see an increase in compliments for Home First and Reablement teams. There was also an increase in compliments in Children's Services - for Residential and Children's Homes, YPS and the Children with Disabilities team.

Registrars

October and November 2023 saw an 18% increase in the number of marriages/civil partnerships, 33% increase in the number of notices of intent to marry/form a civil partnership, 11% increase in the number of births being registered and 37% increase in the number of new British Citizens compared to October and November 2022. Appointment waiting times and levels of customer satisfaction across all statutory services remains excellent at 100%

October November 2023 Registrations

Marriages/Civil Partnerships – 67

Notice of intention to marry/form a civil partnership – 150

Births/ Birth Declarations – 38

Deaths/Death Declarations – 479

British Citizenship - 115

REPORT OF THE EXECUTIVE MEMBER FOR ENVIRONMENT & OPERATIONS

COUNCILLOR JIM SMITH

**PORTFOLIO CO-ORDINATING
CHIEF OFFICERS: Strategic Director
of Environment & Operations
Thursday, 25 January 2024**

Build happier, healthier and safer communities

Waste and Recycling

Waste composition study findings - What are we throwing away?

It is important that the Council has a good understanding of what residents are throwing away through their rubbish and recyclables bin collection service, for service planning and development, especially in light of new and existing legislation being introduced with waste and recycling.

To understand this better, as in previous years (2014, 2018, 2021), a waste analysis took place in October and November 2023. The key findings from the waste analysis we have undertaken are as follows: -

Burgundy bin (household waste) – as in previous years, food waste makes up the largest element in the burgundy bin at almost 42% which is higher than the national average per household. This is slightly down on the 2021 study (almost 44%), with edible food comprising 24%. About 14% of the bin contents contained recyclables that could have been recycled in either the grey or blue bins.

Grey recycling bin (mixed glass, cans and plastic) – glass and plastics made up the largest element of the bin.

Blue recycling bin (clean paper and card) – the main grades of paper/card made up 80% of the bin.

The Council will use the findings to help plan for government proposals to introduce new recycling collections for food waste and plastic films. The findings will also be useful as part of the future procurement of waste disposal and recycling processing contracts which are due for renewal in 2026.

Waste Enforcement

The Environment team continue to progress with a zero-tolerance approach to waste and flytipping offences. An update on prosecutions this financial year has seen a slow down in the courts progressing cases, with a number of cases backlogged, but once they have been submitted, they will not become statute barred – out of time – and will be heard at some point in the future. This financial year we have seen: -

- 38 successful prosecutions through the courts. For the whole of the last financial year there were 99 successful prosecutions.
- At present, there are 213 outstanding cases with the Magistrates team or progressing through the Council's Legal Services team for prosecution. Some of the cases with the Magistrates relate to 2022/23 financial year but have not yet been heard.

- 63 Fixed Penalty Notice's paid. For the whole of last financial year, there were 69 FPNs for waste and flytipping issued.

Waste and Recycling Service – Above and Beyond

A crew of 4 staff from our waste and recycling service, were driving along Lower Eccleshill Way, when they noticed a young girl in distress on the motorway bridge. The staff parked the vehicle and quickly rang the emergency services. They climbed the banking of the bridge on to the motorway. She was clearly in distress and was threatening to jump. Thankfully the crew members took a hold of her and pulled her from the opposite side of the barriers on to the motorway where the Police promptly arrived within minutes and took care of the situation.

The crew members were shaken by the incident and are now receiving full support. Due to their quick thinking and heroic actions the young girl is now getting the help and support she needs.

Public Protection and Environmental Health - Seizure of Illicit e-cigs

The Trading Standards Team seized a large quantity of illegal e-cigs in an intelligence-led operation in November 2023.

The operation, which was supported by the Police and a sniffer dog supplied by Trading Standards North West, netted illegal e-cigs with a street value estimated to be around £500,000 from a storage location in Blackburn. £20,000 in cash was also seized by the Police, and this has been passed to the Council pending investigation by an Accredited Financial Investigator. Enquiries are ongoing.

Parking Services – Income

Parking Services income has been adversely affected over the last two financial years due to the pandemic, however we are for the first-time seeing usage and income levels return to pre-pandemic levels. Over the first 6 months of this financial year, income from Pay and Display is around 98% of the income generated pre-pandemic, with the number of vehicle movements being around 96% of pre-pandemic levels.

REPORT OF THE EXECUTIVE MEMBER FOR FINANCE AND GOVERNANCE

COUNCILLOR VICKY MCGURK

**PORTFOLIO CO-ORDINATING
CHIEF OFFICERS: Strategic Director
of Finance and Resources
Thursday, 25 January 2024**

Business Rates

The Government has confirmed that the Retail, Hospitality and Leisure relief will continue for at least another year with all eligible businesses receiving the 75% reduction from the 2024/25 bills. The relief will be automatically applied to the bills and there will be no need for businesses to apply for the relief.

Benefits

The Department of Work and Pensions has confirmed that the roll out and migration of residents to Universal Credit will continue throughout 2024/25. It is still expected that all residents receiving tax credits will receive 'migration notices' by the end of March 2024. Other welfare benefits will now be migrated from April 2024 under clear timelines. Housing Benefit from April 2024, Income Support (April – June 2024), Employment Support Allowance with Child tax credits (July – September 2024) and Jobseekers Allowance (September 2024).

The migration to Universal Credit is a fundamental change to many individuals in the borough. The success of the migration and the impact on residents will continue to be monitored as it unfolds.

The Council Tax Support scheme has been reviewed and several amendments have been proposed in a separate report elsewhere on the Agenda for this meeting. In summary, the non-dependent deduction will be increased to £8 per week, and the maximum percentage of reduction will be reduced from 80% to 78%.

Statement of Accounts 2021/22 and 2022/23

Subject to work being completed on our Council Asset valuations and the External Auditor being satisfied with this, it is envisaged that audit of the Statement of Accounts for 2021/22 will be completed early in the new year.

Work on the production of the unaudited Statement of Accounts for 2022/23 is almost complete. Again, this has been held up due to work on the 2021/22 Statement of Accounts and on a small number of our Asset valuations which are expected to be completed soon.

Budget 2024/25

The Finance Team are working with Directors and Budget Holders developing the detail behind the Medium-Term Financial Plan for the 2024/25 financial year budget. Running alongside this piece of work is the revenue and capital budget monitoring for quarter 3 which will be taken to February Executive Board.

Audit & Assurance

The Audit & Assurance team reported its progress delivering the 2023/24 audit plan to the Audit & Governance Committee meeting on 29 November. This covered the internal audit, counter fraud, and governance activity. The Committee also received a report updating members on the progress of actions being taken to address the significant issues noted in the 2022/23 Annual Governance Statement and the planned timetable to produce the 2023/24 Statement.

The Quarter 2 Risk Management Report was also presented to the Committee. This included a summary of the 23 strategic risks recorded as of 30 September and the movement in any residual risk score. The report also noted the outcome of the re-procurement of the contract for insurance broker services. This is a three-year contract with an option to extend for up to a further three years.

Procurement

The Procurement team have continued to support on a range of procurements. Notable procurements include the maintenance of Highways Structures, security for King George's Hall and a new contract for mobile phones which will reduce this to £20k per annum generating £88k worth of savings as well as providing access to the 5G network in the Council. The team have also been advising colleagues in Public Health and Commissioning teams on the new Provider Selection Regime which will come into force on 1st January for all Health Contracts.

Pay Award

The 2023 pay award for Green Book employees has been confirmed and all employees affected have received their new salary and back pay in their November salary.

Equal Pay

The Executive Member for Finance and Governance has given approval to establish a small project team to undertake an equal pay audit, which will ensure that the Council is fully compliant with all aspects of Equal Pay and implement actions to address any identified issues.

Legal

The Litigation Team continues to support the Council's Licensing Team by providing ongoing advice and representing them at court when a taxi driver appeals a decision to refuse and revoke licenses where a driver is not deemed to be fit and proper.

The same legal support continues for the enviro-crime team. 15 prosecutions in the Magistrates Court were finalised with a range of penalties from Conditional Discharges to fines. Total figures Costs £2400; Fines: £2800.

The Litigation Team has been dealing with difficult circumstances in the Magistrates' courts over the last three months due to the sudden closure of both Preston and Blackpool Magistrates Courts. This has led to many of Blackburn with Darwen Borough Council's cases being adjourned or vacated. CPS cases are prioritised by the Courts due to a defendant potentially being in custody. The Litigation Team's cases have also been moved without prior notice to Burnley or Lancaster. Despite these issues, the team has attended all the hearings of which they were made aware and have made progress with several cases. However, it is expected that this situation will continue into the spring and is affecting all local Councils across Lancashire.

Governance

All stages of the Annual canvass were completed, and the revised electoral register was published on 1st December 2023. The Governance team also assisted in carrying out the statutory polling district/polling place/polling station review in October. This was reported to Policy Council in December and all recommendations were approved.

REPORT OF THE EXECUTIVE MEMBER FOR GROWTH AND DEVELOPMENT

COUNCILLOR QUESIR MAHMOOD

**PORTFOLIO CO-ORDINATING
CHIEF OFFICER: STRATEGIC
DIRECTOR & DEPUTY CHIEF
EXECUTIVE: MARTIN KELLY
DATE: 25 JANUARY 2024**

ALL PRIORITIES:

New Local Plan to 2037

Our ambitious new Local Plan (2021-2037) has now completed its Examination in Public (EiP) process. The Planning Inspectors appointed to conduct the EiP have issued their report, advising that the Plan is considered to be legal and sound subject to the main modifications presented in the appendix to the report. Further details, along with the recommendation to adopt the new Local Plan, is presented to the Council Forum under a separate agenda item and the Leader's Update report.

Two key Supplementary Planning Documents (SPD) that support the new Local Plan are also underway, as these were advised to be in place by the Planning Inspectors as soon as possible following adoption. These are:

1. The [Climate Impacts Framework SPD](#) – a public consultation on a draft of this SPD concluded on 24th November 2023. A report is expected to be brought to February's Executive Board setting out the outcomes of the consultation, amendments to the SPD where relevant, and recommending its adoption; and
2. The [Developer Contributions and Affordable Housing SPD](#) – a public consultation on a draft of this SPD concludes on 15th January 2024, following which responses will be considered. Outcomes of the consultation, along with amendments to the SPD where relevant, and a recommendation to adopt, is expected to be brought to April's Executive Board meeting.

Further SPDs that the Council has committed to preparing through 2024 and 2025 to support the new Local Plan are set out in the [Local Development Scheme](#) (adopted in September 2023).

PLACE, PRIORITY 4: CONNECTED COMMUNITIES

Cultural Services - Venues

Darwen Library Theatre has recently enjoyed sell-out shows, including Abbamania, Rachel Fairburn, Dan Nightingale and two Afternoon Variety Shows.

King George's Hall has hosted sell-out shows from Tom Allen, Paul Smith, Tom Stade, Romesh Ranganathan and The Lancashire Hot Pots. Aladdin was our second highest box office grossing pantomime ever. Paul Weller and Scouting For Girls are already sold out for 2024, with further big names being announced soon, see [Home Page - BwD Venues](#)

Our annual **Children's Literature Festival**, started in 2018 is a real highlight in the libraries' event calendars. The 2023 Festival extended over 7 days in October and included activities and workshops in each of the Borough's libraries and local SEND

schools. Supported by Arts Council England, celebrated authors, poets, illustrators and performers and entertained over 3,700 visitors from school classes and weekend family audiences.

The **Rekindle** arts development programme, funded over 3-years by Arts Council England, was launched with a mix of performances and creative activities for adults and family audiences in our libraries. The programme is one of 5 partnerships between library services and touring arts schemes across the country and is coordinated locally by Sport On Lancashire. More information about future events in BwD's libraries can be found on [this link](#)

Through the latter part of 2023 there has been extensive work undertaken on the Museum roof. Predominantly funded through funding from Arts Council England. The closure at the end of last year enabled the entrance hall and galleries to be redecorated and painting rehung ready to welcome visitors back into the building.

2024 is going to be an exciting year for Blackburn Museum not only is it one of Arts Council England's National Portfolio Organisations, which will see exciting opportunities for the Borough's young people to get involved and shape how the story of Blackburn's past is told, but the Museum is also celebrating its **150th anniversary**. Blackburn Museum and Art Gallery was the first free to visit museum to open outside London. To mark this historic milestone there will be an exciting year-long celebration with events and activities focussed on community involvement and will also include a special Birthday Party on 11 June, the date the Museum first opened.

PLACE PRIORITY 5: SAFE & CLEAN ENVIRONMENT

Climate Emergency Action Plan

Delivery of the Climate Emergency Action Plan continues apace. Key activities underway since the last Council Forum update include:

- a natural flood management study which will help identify interventions to slow the flow of water from our moors to reduce flooding, aid peatland restoration and improve biodiversity.
- Planting of 50 tree standards this year at four locations and a Miyawaki-style micro-wood created at Queen's Park. A further 12 sites are currently being assessed for tree planting, including creation of community orchards, in 2024/25.
- New electric vehicles have been introduced to the Council's fleet, reducing reliance on diesel. Trial sites for EV charge points to serve residential areas have been identified and will be rolled out in early 2024.
- A communications campaign led by the People's Jury will be rolled out early in 2024. A Climate Community comprising key stakeholders from the public, private and third sectors in the Borough is to be brought together early in 2024 to share information on our response to the climate crisis and identify areas where joint working might be beneficial.

The Council has also received an "A" grade rating by the global Corporate Disclosure Project, in recognition of our environmental leadership, action on climate change, and in demonstrating best practice in strategy and action.

PLACE, PRIORITY 6: STRONG, GROWING ECONOMY TO ENABLE SOCIAL MOBILITY

Employment Developments

The Council's key employment sites, within the agreed Growth Programme for 2023/24, continue to make good progress. For example:

- Dock St - A new commercial unit was completed in October.
- Carl Fogarty Way – New commercial units at Plot 4 are due to complete in early 2024. A new unit at Plot 1 is also under construction, and works are due to start soon at Plot 3.
- Wainwright Way – Works have commenced at development Plot 1, to provide 6 new commercial units.
- Commercial units at Millbank Business Park (joint venture with the Barnfield Group) continue to be completed and occupied.

A planning application has also been submitted for a new manufacturing research centre at Chapels. This is a site that has been brought forward with support from the £100m Darwen Town Deal. Barnfield Blackburn Ltd – a joint venture between the Barnfield Group and the Council. Discussions are well advanced with Sheffield University's AMRC to be the anchor tenant – hosting its first-of-its-kind Additive Manufacturing Accelerator.

Housing Developments

Further to the Council's agreed Growth Programme for 2023/24, the following major housing projects involving Council land are continuing to progress:

- Holden Fold Housing Site – sale successfully concluded with Countryside Homes on the 21st of December. Countryside Homes have secured planning approval (Planning & Highways Committee November 2023) to build 477 new homes, including 170 affordable homes for rent and home ownership. The proposal also includes new open spaces and car park for the adjacent sports pavilion. The development also secures developer contributions towards new primary, secondary and special needs school places, highway improvement works, upgrades to the Square Meadow Sports Facility and additional GP capacity. Countryside Homes plan to start on site in early 2024.
- Haslingden Road Housing Site – Keepmoat Homes plan to complete the purchase of the site in January to develop 305 new homes, including 148 family homes for sale and 57 keyworker & affordable homes in the first phase. A revised planning application was approved at Planning & Highways Committee in October 2023. Keepmoat plan to commence on site in early 2024.

Supporting highway works started in early January and will take 16 weeks to complete, including a new entrance and dedicated right turn lane off Haslingden Road. Highway alignment through this section of Haslingden Road will also be improved.

- Whalley Old Road Housing Site – the construction of 165 high quality family homes has commenced; the first site to offer Bovis Homes in Lancashire.
- New affordable homes have recently been completed and occupied at the Ellison Fold Way housing site.

- Development of new housing also continues to progress at Fishmoor Drive, Tower View, Roe Lee and Milking Lane.

Empty Properties

As at the end of Q3, the empty properties team have brought 764 properties back into use, 214 in Q1, 250 in Q2 and 300 in Q3. Properties brought into use included 8 properties that had stood empty for over 10 years and are now refurbished and occupied. 9 that had stood empty for over 5 years and 91 that had been unoccupied for over 2 years. During this year, 4 successful CPO's have been made on properties blighting their communities.

PLACE, PRIORITY 7: SUPPORTING OUR TOWN CENTRES AND BUSINESSES

Townscape Heritage Project - Blakey Moor/Northgate/Lord Street West

Over the last few years, the Townscape Heritage Project has fully restored and remodelled 35 Northgate in order to secure its future as a landmark heritage building and to bring it back into use as a public house. Blackedge Brewery opened the new Ribblesdale Tap in December and has been trading well in the run up to Christmas, outperforming the company's other two established bars in Westhoughton and Horwich. The Ribblesdale Tap is currently open Wednesday to Sunday. They hope to expand their opening hours, food offer and create an outdoor seating area in 2024.

New signage has been installed at 54-58 Northgate for Rummage Rescuers after their relocation to the former Ladbroke's unit. As part of the works to improve the external façade of the property, the business was rebranded as Books & Blooms.

Work at Blakey Moor Terrace continues to progress at pace and the majority of the external brickwork is now complete. The new arched windows will be installed in the early New Year followed by internal joinery, electrics and plumbing to the new extension. First phase external landscaping works should complete by the end of March.

Morrisons Relocation

Planning submission for the proposed relocation of the existing Morrisons store to the former Thwaites site is expected by the end of January. Following submission of planning, Morrisons will progress the detailed design and tender of the works with an expected start on site late 2024 subject to viability and approvals.

St John's Refurbishment Project

Planning was secured in October with design work completed by February. Procurement will also commence in January with final bids expected by June 2024. The project is on programme to commence on site in late 2024.

South East Blackburn Levelling-Up Project

Project 1 Update – Walking and Cycling Network

The Walking and Cycling project will provide around 18 km of improved walking and cycling routes throughout South East Blackburn, giving residents better access to local

amenities and new developments and opportunities for physical activity. Further resident and stakeholder engagement is planned in the coming months. Detailed design work will then follow on, along with obtaining all necessary approvals including planning approval if required. It is anticipated construction works will commence late 2024. Further reports will be submitted to the Executive Board for consideration and final approval.

Project 2 Update – M65 Junction 5 Improvement Works

This project delivers highway improvement works to the M65 Junction 5 to increase capacity to support growth in South East Blackburn. Balfour Beatty has been appointed through the Scape Civil Engineering Framework as a Design & Build Contractor.

A competitive tender process administered by Balfour Beatty, involving the Council, has selected a lead designer, Ramboll, a major multi-discipline engineering consultancy with expertise in undertaking similar schemes for local authorities and National Highways across the UK.

The Council has also selected WSP as its lead Technical Advisor. WSP are a leading multi-discipline engineering consultancy with expertise in undertaking similar roles for local authorities around the UK.

Preliminary and detailed designs will be developed in 2024 with construction works commencing in early 2025 with completion of the scheme in 2027.

REPORT OF THE EXECUTIVE MEMBER FOR PUBLIC HEALTH, PREVENTION & WELLBEING

COUNCILLOR DAMIAN TALBOT

**PORTFOLIO CO-ORDINATING
CHIEF OFFICERS: Director of Public
Health
Thursday, 25 January 2024**

Build happier, healthier and safer communities

Public Health

Association of Directors of Public Health (ADPH) National Quality Improvement Award

Blackburn with Darwen's Public Health team has been awarded the National Association of Directors of Public Health (ADPH) Quality Improvement Award for its work on bringing down the rates of children's tooth decay in the borough. In 2019, 51% of the borough's five-year-olds had decayed, missing or filled teeth – the highest proportion in England.

This award recognises a public health team for establishing ways to improve public health practice. This was in partnership with Blackburn Rovers Community Trust, dental care provider AP Smilecare and Blackburn with Darwen Healthy Living. Actions which form part of the Borough's oral health improvement strategy 2021 – 2026 include an oral health communications campaign; introducing tooth brushing in nurseries and schools; working with partners including Blackburn Rovers Community Trust to educate children on the dangers of sugary and fizzy drinks and community outreach to help make sure all parents know about the importance of regular tooth brushing with fluoride toothpaste, and the hidden sugars in foods targeted to young children.

By working with community health champions, and supporting initiatives to support those in the most isolated communities, the team are now seeing incredibly positive results and Blackburn with Darwen is no longer the local authority with the highest rate of dental decay for five-year-olds in England.

Sustainable Food Places Bronze Award

The Blackburn with Darwen Food Alliance, supported by Public Health, have been working hard to achieve the Sustainable Food Places Bronze award which is a national award to celebrate places that take a joined-up, holistic approach to championing sustainable and healthy food. In November 2023, it was announced that Blackburn with Darwen had achieved this prestigious award in recognition of the hard work being undertaken collaboratively across the borough to tackle some of our greatest social challenges; from food poverty and diet-related ill-health to the disappearance of family farms and the loss of independent food retailers.

Achieving this award is recognition of the excellent work that is going on across the borough by many different and varied organisations and businesses from all sectors of our community. We will continue to use the Sustainable Food Places award framework to support our implementation of the 'Food Environment' workstream under the Eat Well Move More Strategy as we strive to provide a healthy, vibrant, equitable and more sustainable food environment for all.

World AIDS Day (WAD) – 1st December 2023

Our vision for sexual health in Blackburn with Darwen is that: 'All our residents have equal access to sexual health services throughout their life and they can enjoy a life of good sexual health, free from prejudice or bias'.

As part of World Aids Day held on 1st December 2023 this year we have promoted and delivered online HIV training which has been available to anyone working in Blackburn with Darwen. The content included an update on HIV, routes of transmission, what it PrEP and how it to access, as well as promoting the undetectable = untransmissible health messages. In addition we utilised Patricia the mobile outreach bus to raise awareness of HIV and PrEP with our community partners.

On world aids day a candle lit vigil was held, providing a space for reflection, remembrance, and solidarity with individuals living with HIV. The event was supported by local singer song writer, Teri Birtwistle who played two acoustic songs that resonated with the emotional tone of the event. The event offered an opportunity for guests to stay, share hot refreshments, and participate in signing the book of remembrance.

Neighbourhoods Wellbeing and Prevention

NHS Enhanced Health Checks: Community delivery by Health and Wellbeing Team

Enhanced Health Checks (EHC's) aim to focus on prevention and reducing ill-health from cardiovascular disease (CVD), which still causes 24% of deaths, by taking a holistic view that addresses the social and wider determinants of health. An EHC also provides additional time with a healthcare professional to fully discuss and understand the needs of the individual.

EHC's in the community have been delivered by Health & Wellbeing Coaches over the past 6 months with good uptake. There is now the drive to focus on engaging with harder to reach, vulnerable individuals for maximum impact on health inequalities. Adopting a collaborative approach, the Health and Wellbeing team are bringing together Health & Wellbeing Coaches, Social Prescribing Link Workers, GP Surgeries and Housing Needs to work closely together. Delivery has successfully taken place within Oakenhurst and Little Harwood GP surgeries and will be moving to Shifa Surgery and the Pheonix Hub in January 2024.

Household Support Fund

Household Support Fund (HSF) is now well established across Blackburn with Darwen and well accessed by both resident and professionals. So far this year a quarter of the applications are submitted by professionals (e.g. social workers) supporting our most vulnerable residents. Since April 2023 HSF4 has received 3420 applications and is currently receiving up to 150 applications per week with 93% of households applying receiving direct financial support. Those ineligible for financial support receive broader advice, information and connection to community partners.

Following recent Government announcements, there are no plans for this funding to continue beyond March 2024. The Neighbourhood, Wellbeing and Prevention teams are working to identify risks, and plan for a future without HSF and liaising with community partners.

Interfaith Week

The Integration & Community Engagement Team (formerly Social Integration) supported the Council in delivering a successful interfaith week in November 2023. The team worked with the Interfaith Forum to create a panel of faith leaders who were asked questions by pupils from St.Bede's, Tauheedul Boys and Girls High Schools, Darwen Aldridge Community Academy and Pleckgate High. The event in the Council Chambers helped raise awareness and understanding of other faiths. The team also supported the week by arranging events through its Asylum Multi-agency Forum (ASMAF). These events were open to the community and included a mosque tour (Masjid al-Momineen, first purpose-built mosque in Blackburn), an interfaith walk in Darwen and drop-ins for interfaith discussions, storytelling and refreshments and at our Asylum Seeker & Refugee Hubs in both Blackburn and Darwen.

Year Planner 2024-25

Please note that all meeting dates are subject to change

As submitted to Council Forum on 25th January 2024

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YEAR PLANNER 2024

	May	June	July	August	September	October
Wednesday	1					
Thursday	2 Elections			1		
Friday	3 Elections count			2		
Saturday	4	1		3		
Sunday	5	2		4	1	
Monday	6 Early May Bank Holiday	3 Schools re-open HSC OSC	1 PLACE OSC	5 HSC OSC	2 Schools re-open PLACE OSC	
Tuesday	7	4 GLSC DTC	2 DTC	6 DTC	3 DTC	1 DTC
Wednesday	8	5 CFC	3	7	4 CFC	2
Thursday	9	6	4 CPP	8 EB	5 HWB	3 CF
Friday	10	7	5	9	6	4
Saturday	11	8	6	10	7	5
Sunday	12	9	7	11	8	6
Monday	13 New Member Inductions	10	8	12	9	7 HSC OSC
Tuesday	14 GLSC DTC	11	9 GLSC	13 GLSC	10 GLSC	8 GLSC
Wednesday	15	12	10	14	11	9
Thursday	16 AC	13 EB	11 EB	15 PH	12 EB	10 EB
Friday	17	14	12	16	13	11
Saturday	18	15	13	17	14	12
Sunday	19 Civic Sunday	16 Eid al-Adha begins	14	18	15	13
Monday	20	17 Eid al-Adha ends CYP OSC	15 RESOURCES OSC	19 CYP OSC	16 RESOURCES OSC	14
Tuesday	21	18 LASC	16 L	20 LASC	17	15 L
Wednesday	22	19 HWE	17	21	18 CPP	16
Thursday	23 PH	20 PH	18 PH	22	19 PH	17 PH
Friday	24 Schools Close	21	19	23	20	18 Schools close
Saturday	25	22	20	24	21	19
Sunday	26	23	21	25	22	20
Monday	27 Spring Bank Holiday	24	22	26 Summer Bank Holiday	23	21
Tuesday	28	25 AUD	23 Schools close	27	24 AUD	22 LASC
Wednesday	29 CPP	26 SC	24 CI/T	28	25 SC	23
Thursday	30 CI/T	27 CI/T	25 CF	29 CI/T	26 CI/T	24
Friday	31	28	26	30	27	25
Saturday		29	27	31	28	26
Sunday		30	28		29	27
Monday			29		30	28 Schools re-open
Tuesday			30			29
Wednesday			31			30
Thursday						31 CI/T

YEAR PLANNER 2024/2025

	November	December	January	February	March	April
Wednesday			1 New Year's Day			
Thursday			2			
Friday	1		3			
Saturday	2		4	1	1	
Sunday	3	1	5	2	2	
Monday	4 CYP OSC	2 PLACE OSC	6 Schoools re-open RESOURCES OSC CI/T	3 HSC OSC	3 PLACE OSC	
Tuesday	5 DTC	3 DTC	7 CPP	4 LASC	4 DTC	1 L Eid al-Fitr ends
Wednesday	6	4 HWB	8	5	5 HWB	2 AUD
Thursday	7	5 PC	9 EB	6 DTC	6	3 DTC
Friday	8	6	10	7	7	4 Schools Close
Saturday	9	7	11	8	8	5
Sunday	10 Remembrance Sunday	8	12	9	9	6
Monday	11 Armistice Day	9	13	10	10 RESOURCES OSC	7
Tuesday	12 GLSC	10 GLSC	14 GLSC	11 GLSC	11 GLSC	8 GLSC
Wednesday	13	11	15	12	12 CFC	9
Thursday	14 EB	12 EB	16 PH	13 EB	13 EB	10 EB
Friday	15	13	17	14 Schools close	14	11
Saturday	16	14	18	15	15	12
Sunday	17	15	19	16	16	13
Monday	18	16	20	17 CYP OSC	17	14
Tuesday	19	17 LASC	21 L	18	18	15 LASC
Wednesday	20 CPP	18 SC	22	19	19	16
Thursday	21 PH	19 PH	23	20 PH	20 PH	17 PH
Friday	22	20 Schools close	24	21	21	18 Good Friday
Saturday	23	21	25	22	22	19
Sunday	24	22	26	23	23	20
Monday	25	23	27	24 Schools re-open FC	24	21 Easter Monday
Tuesday	26 AUD	24	28	25	25 CPP	22 Schools re-open
Wednesday	27 CI/T CFC	25 Christmas Day	29 CI/T	26	26 SC	23
Thursday	28	26 Boxing Day	30 CF	27 CI/T	27 CF	24 CI/T
Friday	29	27	31	28	28	25
Saturday	30	28			29	26
Sunday		29			30 Eid al-Fitr begins	27
Monday		30			31 CI/T	28
Tuesday		31				29
Wednesday						30

YEAR PLANNER 2025

	May	June	KEY
			<u>Council & Committee Meetings</u>
			AC – Annual Council 6.00 pm
Thursday	1		FC – Finance Council 6.00 pm
Friday	2		CF – Council Forum 6.00 pm
Saturday	3		PC – Policy Council 6.00 pm
Sunday	4	1	EB – Executive Board 6.00 pm
Monday	5 Early May Day Bank Holiday	2 Schools re-open HEALTH OSC	PH – Planning & Highways Committee 6.30 pm
Tuesday	6	3 HWB	AUD – Audit and Governance Committee 6.30 pm (when training held first – some meetings commence at 6pm, see agenda each time for start time).
Wednesday	7	4	SC – Standards Committee 6.00 pm
Thursday	8	5	LASC – Licensing Act 2003 Sub-Committee & GLSC General Licensing Sub Committee 6.00 pm
Friday	9	6 Eid al-Adha begins	L – Licensing Committee 6.00 pm
Saturday	10	7 Eid al-Adha ends	CFC – Charitable Funds Committee
Sunday	11	8	
Monday	12	9	
Tuesday	13 GLSC DTC	10 GLSC DTC	
Wednesday	14	11	Overview and Scrutiny Committees
Thursday	15 AC	12 EB	PLACE OSC – Place Overview & Scrutiny Committee 6.00 pm
Friday	16	13	RESOURCES OSC – Resources Overview & Scrutiny Committee 6.00 pm
Saturday	17	14	HSC OSC - Health and Social Care Overview and Scrutiny Committee 6.00pm
Sunday	18 Civic Sunday	15	CYP OSC -Children and Young People Overview & Scrutiny Committee 6.00pm
Monday	19	16 CYP OSC	CI/T – provisional dates assigned for Call Ins or Member Training
Tuesday	20	17 LASC	
Wednesday	21	18	
Thursday	22 PH	19 PH	
Friday	23 Schools close	20	Partnership Meetings:
Saturday	24	21	HWB – Health & Wellbeing Board 5.30 pm
Sunday	25	22	CPP – Corporate Parenting Panel 6.00 pm
Monday	26 Late May Bank Holiday	23	
Tuesday	27	24 AUD	
Wednesday	28 CPP	25 SC	
Thursday	29 CI/T	26 CI/T	Other Meetings:
Friday	30	27	DTC Darwen Town Council 7.00 pm
Saturday	31	28	
Sunday		29	
Monday		30	
Tuesday			
Wednesday			