

Proposed development: Outline planning application (Regulation 4) with all matters reserved for residential development of up to 165 dwellings

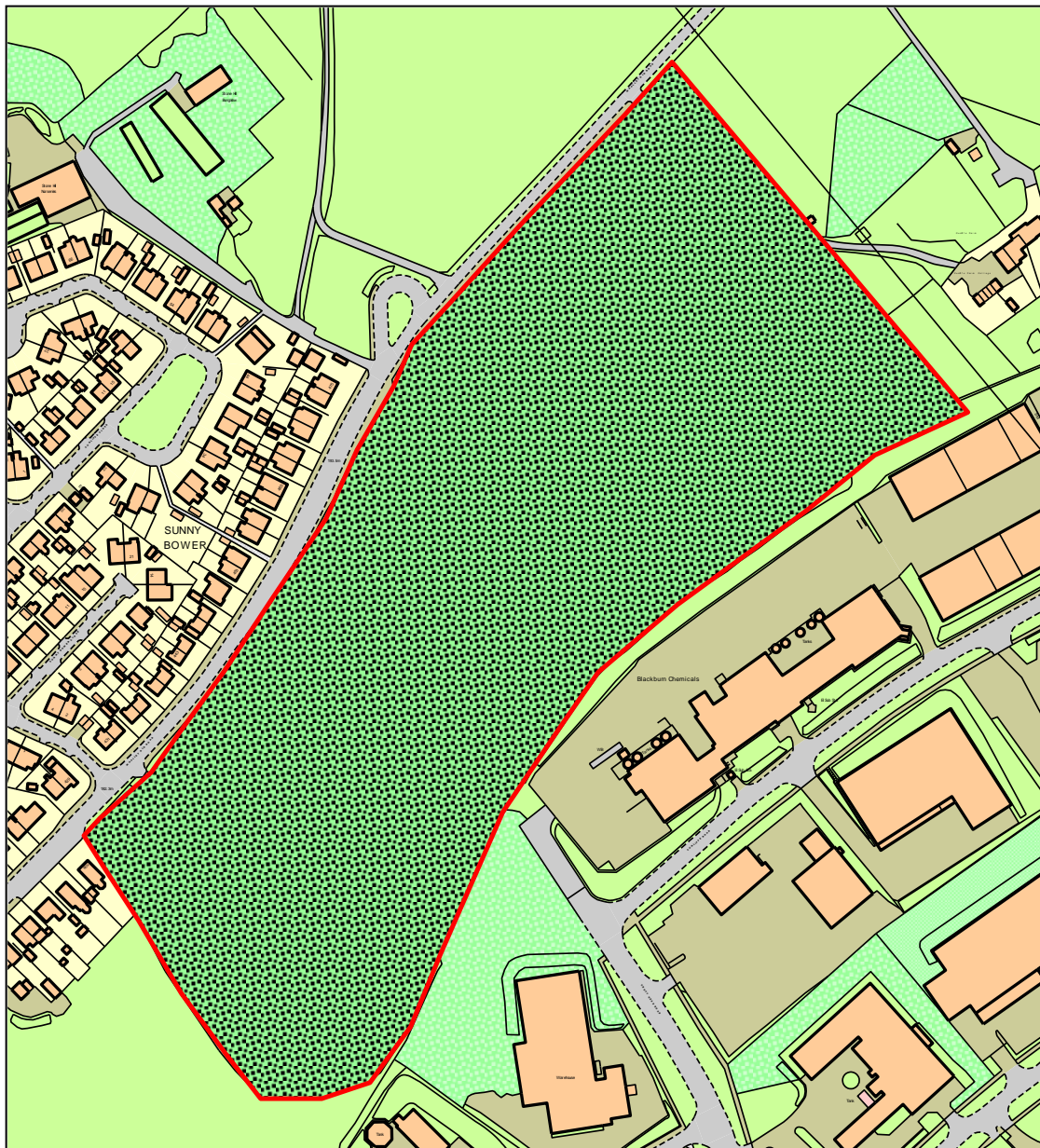
Site address:

**Land to the South of Whalley Old Road
Blackburn**

Applicant: Graham Trehella - Cass Associates

**Ward: Little Harwood & Whitebirk: Councillors: Pat McFall
Abdul Patel
Mustafa Desai**

UPDATED REPORT



1.0 SUMMARY OF RECOMMENDATION –

1.1 APPROVE – Subject to conditions as detailed at section 4.1 of this report.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 Members supported the resolution to approve this planning application at the 21st January 2021 meeting of the Committee. Members agreed with the recommendation that the proposal will deliver a housing development, which will widen the choice of family housing in the Borough. The proposed development supports the Borough's planning strategy for housing growth as set out in the Core Strategy. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.

2.2 Members are advised that where a resolution to grant or refuse the application is made at a committee meeting this does not constitute the decision notice. As a consequence planning permission has not yet been granted until the decision notice has been formally issued.

2.3 Members will be aware that following the meeting on the 21st January, officers sought further clarification with the applicants regarding the Minerals Safeguarding Area issue that was debated by Members and officers at the meeting. It was considered notwithstanding the resolution approved by the Committee to approve the planning application, the issue with regards to the Minerals Resource within the application site should be addressed, to ascertain whether this would have any implications regarding the recommendation to approve the planning application. This has now been addressed with the formal submission of a Minerals Resource Assessment on the 4th February 2021, and the details of this have been included in the relevant sections of this main report to be presented to the committee (paragraphs 3.5.15 to 3.5.23).

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site forms part of land allocation 4/1, as identified by Policy 4: 'Land for Development Beyond the Plan Period', within the adopted Local Plan Part 2

3.1.2 The site falls at the north eastern edge of Blackburn in the neighbourhood of Sunny Bower. It is positioned to the south of Whalley Old Road, which serves as a link between Brownhill Drive (Blackburn Ring Road) and the rural settlements in Hyndburn beyond the borough boundary.

3.1.3 The land is broadly characterised by dense and scattered scrub, tall ruderal vegetation, poor semi-improved grassland, marshy grassland and moderately

species-rich grassland. The majority of trees are located in the south western parts of the site. Across the site, there is a fall in levels from Whalley Old Road towards the southern boundary, but this is interrupted by an embankment alongside Blackburn Chemicals which appears to have been formed when the industrial estate was constructed.



Figure 2 Aerial Photograph

Extract from submitted Design & Access Statement, received 30th July 2020:

- 3.1.4 The site has a long frontage to Whalley Old Road, which is generally of open character. This frontage is partly defined by a dry-stone wall and partly by a hedge and fence. On the opposing side of Whalley Old Road is the neighbourhood of Sunny Bower. This is an enclave of housing, most of which is detached and semidetached and largely dates from the post-war period. A pedestrian link through the Sunny Bower neighbourhood leads onto Brownhill Drive to provide a clear route from the site via Bank Hey Lane towards Blackburn Cemetery, Roe Lee Park Primary School and Roe Lee Park. At the northern margin of the neighbourhood is a garden centre. This lies at the

interface with open countryside and is served by an access adjacent to a bus turning area.

3.1.4 To the south of the site is the Whitebirk Industrial Estate. This contains a range of businesses but the premises which is closest is Blackburn Chemicals. There is a significant fall in levels between the site and the industrial estate as a result of the earthworks operations to create reasonably level platforms for the business units and the roads that serve them.

3.1.5 There is an even greater difference in level between the site and the recreational field, which lies to the west. The difference in level is accommodated by a steep embankment where woodland has become established. The recreational field is not intensively used but there is a public right of way, which runs along its southern margin. This starts at Brownhill Drive and follows an alignment between the site and Whitebirk Industrial Estate. At the eastern edge of the application site, the public right of way continues into the open countryside to provide a recreational link to the Leeds – Liverpool canal corridor.

3.1.6 The application site is owned by three landowners, including the Council. Below is an extract from the land ownership plan.



3.2 Proposed Development

3.2.1 This outline planning application is for residential development across the application site, up to a maximum provision of 165 dwellings. All matters are reserved for subsequent approval and as such, this application deals with the principle of residential development.

3.3 Development Plan

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

3.3.2 Core Strategy

- CS1 – A Targeted Growth Strategy
- CS5 - Locations for New Housing
- CS6 – Housing Targets
- CS7 – Types of Housing
- CS8 – Affordable Housing Requirements
- CS16 – Form and Design of New Development
- CS18 – The Borough’s Landscapes
- CS19 – Green Infrastructure

3.3.3 Local Plan Part 2

- Policy 1 – The Urban Boundary
- Policy 4 – Land for Development Beyond the Plan Period
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 12 – Developer Contributions
- Policy 16/9 – Housing Land Allocations (Gib Lane Development Site, Blackburn)
- Policy 18 – Housing Mix
- Policy 36 – Climate Change
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development

3.3.4 Joint Lancashire Minerals & Waste Local Plan (JLMWLP):

Core Strategy Parts 1 and 2 (2009):

Policy CS1: Safeguarding Lancashire’s Mineral Resources

Site Allocation and Development Management Policies (Parts 1 and 2) (2013):

Policy M2: Safeguarding Minerals

3.4 Other Material Planning Considerations

3.4.1 Residential Design Guide Supplementary Planning Document

This document provides targeted advice to ensure high quality new homes. It aims to ensure that new development reflects the individual and collective character of areas of the Borough and promotes high standards of design. The document also seeks to ensure a good relationship between existing and proposed development in terms of protecting and enhancing amenity.

3.4.2 National Planning Policy Framework (NPPF) (2019)

Particular emphasis upon section 4 of the NPPF, which relates to decision making, section 5: delivering a sufficient supply of high quality homes, and Section 8; promoting healthy and safe communities.

3.4.3 Guidance Note on Policy M2 – Safeguarding Minerals (Minerals Safeguarding Areas) – December 2014 – Appendix C – Minerals Resource Assessment.

3.5 Assessment

3.5.1 The main issues for Members to consider when determining this application are as follows;

- Whether the principle of development can be supported;
- Highways and Access;
- Drainage and Flood Risk;
- Public Protection Issues
- Ecology;
- S106 contributions.

3.5.2 Principle of Development:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

3.5.3 **Current Local Plan Position:**

Blackburn with Darwen Borough Council currently has a two-part local plan (made up of the Core Strategy and Local Plan Part 2: Site Allocations and Development Management Policies) that sets out the land use planning strategy for the Borough up to 2026.

3.5.4 The application site forms part of *safeguarded land allocation '4/1: Brownhill'* within the Council's current development plan (Local Plan Part 2: Site Allocations and Development Management Policies: adopted December 2015). Policy 4 of the Local plan states;

"Within the areas identified as Land for Development Beyond the Plan Period on the Adopted Policies Map, planning permission will not be granted for permanent development. Land will only be released for permanent development following a Local Plan review which proposes the development".

3.5.5 The explanatory text accompanying Policy 4 offers context to the allocation;

"The Local Plan has been informed by a review which identified areas of the original Blackburn and Darwen Green Belts (designated in the late 1970s) which were able to be released for development without adversely affecting the overall integrity of the Green Belt. A number of these areas are allocated for residential development in this plan and are expected to be developed, or largely developed, within the next 15 years. The remaining areas have the potential to accommodate some of the Borough's longer term development needs in the 2030s and beyond.

It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this. Policy 4 sets out a framework for protecting these areas to allow for the longer term planning of development in Blackburn with Darwen to take place at the appropriate time.

The identification of an area of land in this policy does not guarantee that the whole of that area will be deemed suitable for development at some future stage. A future Plan review considering the release of any land identified under this policy will need to undertake a full appraisal of the area suitable for release, and the impact on landscape and other considerations of doing so".

3.5.6 The Local Policy position is consistent with Paragraph 139 of the National Planning Policy Framework (the Framework) that states that planning permission for the permanent development of safeguarded land should only be granted following an update to a plan, which proposes the development.

3.5.7 Given that the current application seeks to develop the safeguarded site it is evident that a conflict with Local Plan Policy 4 and Framework paragraph 139 exists unless the caveat relating to the local plan review is met. This issue forms the principle point of objection in many of the public responses, as detailed at section 9 of this report.

3.5.8 **Local Plan Review**

New planning regulations were published by the Government in late 2017, that required local authorities to review Local Plans at least every five years from the date of their adoption. In response to the new regulations, an assessment of the two adopted local plan documents was undertaken.

3.5.9 The Council therefore approved a new Local Development Scheme in February 2018, which set out the intention to develop a single new Local Plan to replace the Core Strategy and the Local Plan Part 2. An initial “Issues and Options” public consultation was subsequently carried out in February-April 2019, and the Local Development Scheme was again updated in January 2020.

3.5.10 In the intervening period since the ‘Issues and Options’ consultation, the Council has prepared a significant package of evidence base material to assist in developing its new Local Plan. This suite of technical reports and studies, along with wider strategies of the Council and partner organisations, have helped to inform the ‘Consultation Draft’ paper. In accordance with Regulation 18 “Preparation of a Local Plan”, the draft Local Plan and draft Policies Maps along with the supporting evidence are available for a six week consultation period from the 8th January until the 19th February 2021. Of the Growth Housing Sites identified in the Consultation Draft Plan, the application site is identified as a “housing allocation site” under reference S196 (see extract below). Additional influences have been a further revision to the NPPF (February 2019) and publication of proposed Government planning reforms set out in the Planning White Paper ‘Planning for the Future’ (August 2020).

Site plans of ‘Growth – Housing’ sites

Site Ref: S196 Site Name: Land off Whalley Old Road, Blackburn



| | |
|----------------------|------|
| Gross Area (Ha): | 8.24 |
| Maximum Yield: | 165 |
| U/C – Units unbuilt: | |

3.5.11 The application site has, along with other sites earmarked as housing allocations within the emerging plan, been through a sustainability appraisal exercise to consider whether it is suitable to contribute towards meeting the Council’s housing needs in the period up to 2037. The supporting document to the local plan review “Interim SA Report – Blackburn With Darwen Local Plan – Sustainability Appraisal” – December 2020”, has highlighted that the application site is in a sustainable location. Extracts from the report are below:



| | | | | |
|------------------------------------|---|--------------------------------------|--|-------------------------------------|
| Likely to promote positive effects | Possible positive effects, though not significant | Unlikely to have significant effects | Possible negative effect (mitigation possible) | Likely to generate negative effects |
|------------------------------------|---|--------------------------------------|--|-------------------------------------|

The above effects are a broad indication of effects and specific colour coding should be interpreted in reference to the site assessment methodology.

| Objectives and Site Assessment Criteria | | |
|---|---|--|
| 3A.1 | Efficient Use of Land <i>Greenfield</i> | |
| 3A.2 | Current Occupancy of Site <i>Site undeveloped</i> | |
| 3A.3 | Topography <i>Slight to sloping (mixed topography)</i> | |
| 3A.4 | Flood Risk (Fluvial) <i>100% within flood zone 1</i> | |

| | | |
|-------|--|-------------|
| 3A.5 | Flood Risk (other/pluvial) <i>No significant risk of surface water flooding (Level 1 SFRA)</i> | Green |
| 3A.6 | Contaminated Land <i>Contaminated land would also need to be considered in the usual way.</i> | Yellow |
| 3A.7 | Soil Quality <i>98 % Grade 4. 2 % Urban.</i> | Yellow |
| 3A.8 | Visual Impact/Landscape Character <i>Strategic Landscape Character Appraisal (June 2020)</i> | Yellow |
| 3A.10 | Heritage Assets <i>No nearby heritage assets identified</i> | Green |
| 3A.11 | Ecological Networks <i>Site is not on or adjacent to an identified ecological network</i> | Grey |
| 3A.12 | Trees, Woodland and Hedgerows <i>Site largely clear of trees, where they are present mitigation or retention possible</i> | Green |
| 3A.13 | Priority Species and Habitats <i>Ecological Asset Desktop Assessment August 2020 identifies features within the locality but outside of the site</i> | Yellow |
| 3A.14 | Air Quality <i>Site is classified as large, but not within an area of concern.</i> | Yellow |
| 3A.15 | Amenity Issues (noise/odour) <i>No potential issues identified, despite presence of industrial estate nearby adequate buffering ought to be possible.</i> | Green |
| 3B.1 | Accessibility by Walking and Cycling <i>Active transport route immediately adjacent or on site</i> | Green |
| 3B.2 | Accessibility by Public Transport: Bus <i>282 metres from a bus stop. Medium service, 1-2 services per hour (peak time)</i> | Light Green |
| 3B.3 | Accessibility by Public Transport: Train <i>2577 metres from Ramsgreave and Wilpshire</i> | Yellow |
| 3B.4 | Accessibility to the Strategic Road Network <i>519 metres from strategic road network</i> | Green |
| 3B.5 | Accessibility to major employment area <i>709 metres from Primary Employment Area</i> | Green |
| 3B.6 | Accessibility to town/district centre <i>1155 metres from Whalley Old Road</i> | Yellow |
| 3B.7 | Accessibility to primary school <i>1356 metres from ROE LEE PARK PRIMARY SCHOOL</i> | Red |
| 3B.8 | Accessibility to doctors surgery <i>1362 metres from Little Harwood HC GPs within 800m: 0</i> | Red |
| 3B.9a | Accessibility to designated natural greenspace <i>329 metres from green space</i> | Green |
| 3B.9b | Site potential to provide onsite green space <i>8.3 ha</i> | Green |
| 3B.10 | Accessibility to existing sports/play facilities <i>1530 metres from Physique Gym</i> | Red |
| 3C.1 | Highways Access <i>Access available off Whalley Old Road, no issues Accessibility scores measured from site access point on Whalley Old Road</i> | Green |
| 3C.2 | Highways Capacity <i>Unknown at this stage</i> | White |
| 3C.4 | Drainage <i>Site is within FZ1 and not within an area affected by surface water flood risk -low risk site. Small watercourse which can be left open. No major issues with developing the site from drainage perspective. SuDS will be required onsite.</i> | Yellow |
| 3C.5 | Formalised Open Space / Green Infrastructure Network <i>Very minor loss</i> | Green |
| 3D.1 | Coal Workings <i>Small area in north of site is high risk</i> | Yellow |

Extract from Interim SA Report – Blackburn With Darwen Local Plan – Sustainability Appraisal” – December 2020:

3.5.12 Paragraph 48 of the Framework allows weight to be given to relevant policies in emerging plans.

3.5.13 Whilst the emerging Local Plan and the final selection of housing allocations will be determined through the local plan examination process, the local plan review recognises that land currently safeguarded in Policy 4 for development needs beyond the end of the existing plan period in 2026, is considered to be a viable and sustainable option. It is considered, therefore, to attach emerging weight to the Local Plan review, such that the current proposal may be supported in principle.

3.5.14 Applicant's case:

"It is recognised that Policy 4 requires the further consideration of the three areas designated for potential longer term development through a review of the development plan but there are particular circumstances that relate to the site at Whalley Old Road to justify the granting of planning permission for new housing development now. These are :

a) A Discrete Parcel of Land

This is a discrete parcel of Land that is contained by Whalley Old Road and the established industrial area to the south. It can be considered in a way that does not affect or prejudice the planning and development of the broader zone governed by Policy 4 of the Local Plan Part 2 at Brownhill. This broader zone should be given further consideration through the emerging replacement local plan for Blackburn with Darwen.

b) An Appropriate Location

Policy CS5 of the Core Strategy requires that the first preference for locating urban extensions is land that is not in the Green Belt. The subject land has been removed from the Green Belt through the provisions of the Local Plan Part 2 and its identification as a potential location to meet longer term development needs reinforces the fact that this is an appropriate location for new housing development. It is an appropriate location by virtue of its close spatial relationship with the existing built up area and the ability to make the efficient use of existing infrastructure networks to support new housing.

c) The Growth Target

The Targeted growth strategy inherent in Policy CS1 of the Core Strategy drives ambitious targets for new development. There is a requirement to balance economic growth and housing growth but also to improve the range and quality of housing that is available. In relation to the latter, Policy CS5 of the Core Strategy recognises that high quality housing is needed in locations and environments that are sufficiently attractive to compete with alternatives beyond the boundaries of the borough. The subject site presents an opportunity to deliver high quality housing in a sustainable location, which will act to support the ambitions for growth in Blackburn with Darwen. There has been some delay in the delivery of housing at some of the larger urban

extension sites around Blackburn and Darwen. New housing on the subject site can be delivered without delay. It represents another component in the strategy to deliver housing at the right place. There have been other instances in the borough where planning permission has been granted for new housing development on land that is not allocated in order to maintain an adequate supply of housing land and to meet housing targets. One example is the hybrid planning permission for up to 450 dwellings on land designated as “countryside” at Brokenstone Road granted in 2019 (10/18/1116). Such decisions are material as they demonstrate that positive action is being taken to support growth and to ensure that housing targets are met.

d) A Sustainable Location for Development

Policy 7 of the Local Plan Part 2 relates to sustainability and viability. It calls for a positive approach and support for development which is sustainable. The Framework highlights three aspects of sustainable development that are relevant. The new housing development at the subject site will accord positively with these three components of sustainable development :

i) Economic Objectives

The delivery of the new housing will support construction jobs over a period that is estimated to be two years. There will also be indirect support for those in the construction supply chain. Overall this will add value to the local economy. In addition, new households will provide support to local businesses through general expenditure and will add to Council Tax receipts. New Homes Bonus payments that follow the completion of the development will be available to support local services and facilities.

ii) Social Objectives

The delivery of market housing to meet a need for upper market sector housing (in support of the growth strategy and in support of economic growth) will meet a clear social objective but in addition there will be social benefits to be gained through the integration of affordable housing into the overall mix. The affordable housing will meet identified local needs. All households will have opportunities to access a range of facilities and services in the neighbourhood including schools and healthcare. Many services and facilities are within reasonable walking distance but there is the option of public transport links to services and facilities that are further away. There will be accessible greenspace within the development itself but there is also a public recreational playing field to the immediate south of the subject land. The health, social and wellbeing needs of households will be well catered for.

iii) Environmental Objectives

This is not a valued landscape and the nature conservation interests are limited. There are public rights of way that cross the subject land. New development will make the effective use of this well-placed land but will also provide opportunities to improve public access routes and links with surrounding areas together with opportunities to enhance biodiversity value. There will be zones of greenspace where environmental renewal will provide gains for both public recreation and habitats. A sustainable approach to

surface water drainage is feasible with the potential to introduce attenuation ponds which add to landscape interest and increase biodiversity.

3.5.15 Joint Lancashire Minerals & Waste Local Plan (JLMWLP):

The application site is located within a Minerals Safeguarding Area, outside the Blackburn designated urban area, and has therefore been assessed against Policy M2 of the JLMWLP, and the 2014 associated Guidance Note. The submitted Minerals Resource Assessment (MRA) considers whether there are resources present and, if that is the case, whether it is feasible to extract them.

3.5.16 The extent of the MSA within the application site is illustrated on the extract below from the submitted MRA.

3.5.17 The MSA abuts Whalley Old Road to the west, Whitebirk Industrial Estate to the east, and then crosses under overhead lines to the north.

3.5.18 Evidence from historical mapping shows that sandstone has previously been extracted at the application site and from within the approximate area as defined below in Figure 11 extract from the submitted MRA. This area presents an area of 2.33 hectares, just under 30% of the proposed development site. The issues relating towards this previous quarrying within the application site, would be addressed through the submission of a Phase 1 and 2 ground investigation reports, which are recommended within Condition No.7 (refer to Section 4.1). Also refer to paragraph 3.5.48 to 3.5.49 below with regards to the ground investigation.

3.5.19 The submitted MRA has fully taken into account the environmental considerations associated with mineral extraction from the application site, including the relationship of the application site to residential and commercial receptors, and other constraints, such as overhead electricity lines, and utilities, and the impacts that would arise as a result of extracting the minerals.

3.5.20 The submitted MRA has concluded there would be no conflict with Policy M2 or the Guidance Note by virtue of the following points:

- There is no potential value in extracting the minerals, the extent and nature of which would not be commercially viable;
- There is no prospect of prior extraction;
- There is an overriding need for the development;
- The introduction of residential receptors will not result on proximal sterilisation of the wider MSA;
- The mineral is effectively sterilised by the land use context.

3.5.21 There is no prospect of minerals ever being worked in the future on the application site, so there is no conflict with paragraphs 204 and 205 of the NPPF.

3.5.22 There is a clear, identified need for the development in contributing to the borough's housing delivery targets in the medium term.

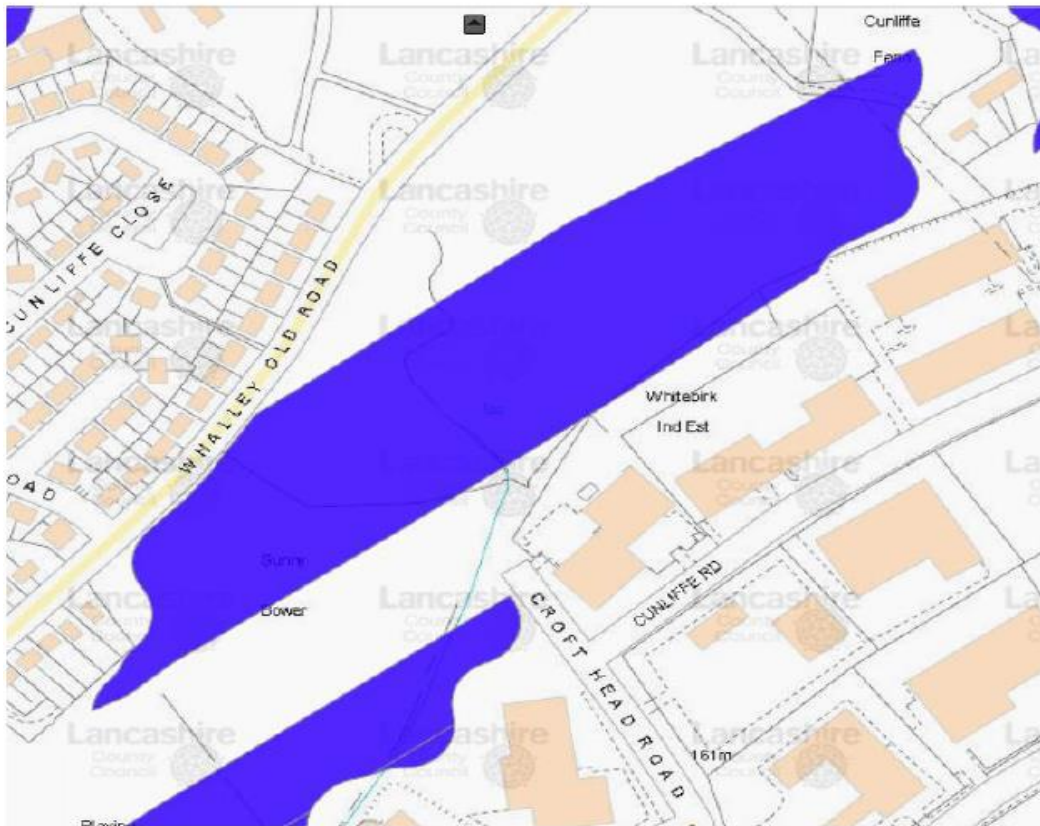


Figure 10: MSA Within the Site



Figure 11: Extent of Previously Quarried Area

3.5.23 Summary

Notwithstanding the limitations provided by Local Plan Policy 4 in relation to the safeguarded status of the site, the requirement under the Town and Country Planning (Local Planning)(England)(Amendment) Regulations 2017 is that local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Having reviewed the performance of the adopted Development Plan when these regulations came into force in December 2017, the Council concluded that an update was necessary and therefore approved a new Local Development Scheme in February 2018, acknowledging that the plan, in part, was out of date and required updating. Work on the new Local Plan therefore commenced in 2018, and the second stage of public consultation is currently underway (Blackburn.gov.uk/localplan). The draft new Local Plan includes the identification of the application site as a housing allocation. Given the progress to-date, it is considered that the consultation draft Local Plan can be afforded emerging weight in accordance with paragraph 48 of the Framework. Consequently, the proposed scheme can be considered to meet the caveat within Policy 4 relating to the release of land for permanent development following a local plan review. Overall, the proposal is otherwise considered to be consistent with the Council's growth agenda and specifically Core Strategy Policy CS1, with policies in the NPPF, and the JLMWLP.

3.5.24 Highways:

Core Strategy Policy 22: Accessibility Strategy and Local Plan Policy 10: Accessibility and Transport, aim to ensure that new developments provide appropriate provision for access, car parking and servicing so as to ensure the safe, efficient and convenient movement of all highway users is not prejudiced, as well as ensuring the wider sustainability agenda is supported. The NPPF also provides a focus on the promotion of sustainable transport and emphasises that an early assessment of potential impacts on the transport network should be conducted so that mitigation can be considered and opportunities to promote walking, cycling and public transport can be fully explored.

3.5.25 The proposal's outline form with all matters reserved means that there are no fixed details of the access arrangements for the development, though indicative details are provided within the submission and identify two new junctions with Whalley Old Road, see drawing below.



Figure 7 Movement Framework

Extract from submitted Design & Access Statement, received 30th July 2020:

3.5.26 The highway and traffic impacts of the proposed development have been assessed in the Transport Assessment (TA) submitted with the application, which proposes a series of improvements intended to mitigate the effects of the proposal on the highway network.

3.5.27 The key findings of the original TA submission were as follows;

Accident Analysis: The TA has reviewed the DfT database for accidents and a map has been provided showing the locations of the accidents, and their severity.

Our own review of the Crashmap Database shows that the data present within the TA is correct and for the most recent five-year period. There are no significant issues with the road safety around the proposed site.

Trip Generation: Within the TA the trip generation for the proposed development site has been established using trip rates calculated using the TRICS database. It is stated that “TRICS land use class 03 – Residential – A – Houses Privately Owned has been used for all the plots, even though part of the development will be affordable housing.” Comparing the TA TRICS output

against the results in TRICS output for 'land use class 03 – Residential – B – Affordable/Local Authority Houses' there is minimal difference between the trip rates generated, therefore using the "*TRICS land use class 03 – Residential – A – Houses Privately Owned*" is deemed appropriate.

The TRICS Output is presented in Appendix H of the TA, the TRICS data has been checked and no issues have been found.

Traffic Data: The TA states that traffic survey data was obtained on Thursday 28th November 2019. The data outlines the AM peak hour between 07:30-08:30 and the PM peak hour between 16:30-17:30.

An ATC count survey was conducted on Whalley Old Road (N) for a week commencing Wednesday 27th November 2019 to capture the average speeds and the 85thile road speeds along Whalley New Road (N) where the proposed access would be located.

Assessment Scenarios: "With Development" and "Without Development" scenarios have been presented for the Whitebirk Drive/Whalley Old Road signalised junction, and only a "With Development" scenario have been presented for the site accesses. It is stated within the TA that the Whitebirk Drive/Whalley Old Road Signalised junction has been recently upgraded and improved as part of the Growth Deal 3. As such, the TA report states that the proposed development site at Sunnybower was incorporated into the growth for the area via TEMPRO local growth, i.e. the development has already been considered. This has been checked and has been deemed acceptable.

Growth Factors: TEMPRO growth factors calculated for both AM and PM peak hours for a future year of 2025, from 2019 traffic flow data. A growth factor has not been calculated for the proposed opening year, 2023. The TEMPRO growth factors presented are identical for both AM and PM peak hours at 1.769. A calculation was run to check the present growth factors and the results were as following, AM Peak 1.0701 and PM Peak 1.0691. These differ from the growth factors presented in the TA but as the TA factors are marginally higher these are considered to be acceptable.

Committed Developments: The TA states that they used Committed Development flows calculated by Capita from the assessment for Growth Deal 3. The committed development flows were taken from Capita's BCR Note and replicated in Appendix K. The data presented has been checked and match the flows in the Capita Report.

Modelling: Modelling has been completed for site accesses using Junctions 9 Software, the modelling has been completed for the future year 2025, for both the AM and PM peak hours.

The modelling results are presented in Appendix M and show no adverse effects upon the road network.

- 3.5.28 The TA has been reviewed by the Council's consultant, Capita, who offered an initial position that based on the information provided, the proposed development would be recommended for approval subject to confirmation/provision of the following information and potential conditions/contributions:

- Update site location map to highlight the site extent and provide the site area within the description;
- Ensure all swept path manoeuvres can be completed with ease, and update Appendix F accordingly;
- Ensure that it is mentioned within the TA if the overgrown shrubbery on Whalley Old Road will be maintained to allow for suitable visibility splays;
- Local parking standards should include the provision of electrical charging points, this should be amended and updated;
- Explanation of the walking route in Appendix A which connects the site to Whitebirk Industrial Estate;
- Confirm if the uncontrolled pedestrian crossing located next to the more westerly exit is to be implemented, if so, the TA should be updated accordingly;
- Update the TA to state the cycling and disabled provision at Ramsgreave and Wilpshire train station;
- Describe the distance to the closest bus stop from the centre of site to ensure it adheres to CIHT guidelines;
- Check the TEMPRO growth factor calculations and update accordingly;

Should this planning application be recommended for approval it is recommended that the following mitigation measures should be sought to improve the sites accessibility:

- The developer should consider connectivity improvements for pedestrians and cyclists to access the Whitebirk Industrial Site to improve the sites overall accessibility and promote sustainable transport use;
- A contribution to upgrading the cycle parking/storage provision at Ramsgreave and Wilpshire rail station to encourage active travel; and
- Contributions towards the improvement of bus service provision to the site.

3.5.29 The applicant subsequently provided an addendum to the initial TA to address the points highlighted above. The Council's Highway team have advised that the main points have been addressed successfully and works to mitigate the impacts of the development can be secured through S106 or 278 agreement. Those requirements being;

Highway improvement works as follows are to be funded via s278 works, secured via a suitably-worded planning condition:

- 1 x priority access bellmouth junction with associated widening to create visibility splays and 2m footways on either side;
- New footway across the site frontage;
- 2 x crossing points; and

- Extend the 30mph zone eastwards and provide traffic calming in the form of prominent markings to increase driver awareness.

At subsequent Full Planning / Reserved Matters stage, the following contributions will be secured via a s106 agreement:

- Off-site Highway Works: A developer contribution of £250,000 towards a new junction at Whalley Old Road, which will link into the potential future link road at North East Blackburn. The contribution will either go towards the cost of the larger junction, or it will be used to deliver a bellmouth junction if the Link Road does not progress.
- Sustainable Transport Initiatives: - A developer contribution of £330,000 (£2,000 per unit) to improve sustainable transport, including cycle storage at Ramsgreave Train Station and subsidising the bus service at Sunny Bower for 10 years.

3.5.30 In summary, given the location of the site and its accessibility by sustainable transport modes, and subject to the range of improvements proposed to mitigate the effects of additional traffic on the road network, which could be secured by condition and legal agreement, it is considered that the proposed development would not result in an unacceptable impact on highway safety or a severe impact on the operation of the road network. Accordingly, it would comply with paragraphs 103 and 109 of the Framework and with the requirements of Policy 10 of the Local Plan

3.5.31 **Ecology:**

Policy 9 of the LPP2 supports development where there is no unacceptable impact upon environmental assets, including habitats and protected species. Furthermore, a key element of the National Planning Policy Framework is to minimise impacts to biodiversity and provide enhancements. Paragraph 170 states that '*Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity*'. Paragraph 175 also states that '*when determining planning applications, local planning authorities should ...*' encourage '*opportunities to incorporate biodiversity improvements in and around developments*'.

3.5.32 An Ecological Impact Assessment of the application site, informed by surveys of habitats and protected species, was submitted with the application. The submission advises that there are no statutory designated wildlife sites within 1.5 km of the site. The site falls within an Impact Risk Zones (IRZ) for Harper Clough and Smalley Delph Quarries Site of Special Scientific Interest (SSSI), located approximately 2 km north-east of the application site. There is a single non-statutory wildlife site within 1.5 km of the site. Parsonage Reservoir Biological Heritage Site (BHS) is situated approximately 1.1 km north of the application site.

- 3.5.33 Within the site, unmanaged poor semi-improved grassland, scattered scrub, tall ruderal vegetation and marshy grassland are all commonly occurring in the surrounding area and are of limited botanical and structural diversity. Whilst these habitats are generally considered to be of low ecological value, they do provide some foraging and shelter opportunities for fauna. Unmitigated, any loss of these habitats is considered to be a minor negative ecological impact at a site level.
- 3.5.34 Impacts to foraging and commuting bats will be mitigated through measures to ensure habitat connectivity to nearby broadleaved woodland. In addition, a sensitive lighting scheme should be incorporated into the development, in accordance with the appropriate guidance (IPL 2018). Key considerations include: switching off lighting at night or using motion sensors and careful direction of lighting to avoid light spillage onto bat roosting/foraging habitats.
- 3.5.35 Habitats suitable for nesting birds, including ground nesting species are present within the site. Therefore, it is recommended a condition is imposed to ensure that vegetation removal is undertaken outside of the nesting bird season (March to August, inclusive). Where this is not possible, a nesting bird check should be undertaken immediately prior to construction taking place.
- 3.5.36 Although no Badgers were recorded during site surveys, habitats on the site are suitable to support Badgers and it is noted that badgers are mobile in their habits. GMEU recommend that a pre-construction survey for Badgers is carried out. Surveys should be carried out by suitably qualified persons and to appropriate standards. If Badger setts are found a Method Statement will need to be prepared giving details of measures to be taken to avoid any possible harm to Badgers during the course of any approved works given that badgers and their setts are protected under the terms of the Protection of Badgers Act 1992. A suitably worded condition is recommended in accordance with this advice.
- 3.5.37 The site has some habitats suitable for use by amphibians. Although the probability of the site supporting amphibians is low, nevertheless a precautionary approach is advised. GMEU recommend as a condition of any approval which may be granted to the application.
- 3.5.38 Non-native invasive Himalayan balsam and Japanese knotweed are both present on site. Japanese knotweed only occurs at a single location and its cover is not extensive, therefore it is recommended that eradication and ongoing control of the species is carried out by a specialist contractor prior to and during development.
- 3.5.39 Although the proposal would involve a major urban development of the site, it also provides the opportunity to retain, manage and enhance the existing habitats of value on site and introduce new habitats for nature conservation, as part of the landscaping, open space and sustainable drainage proposals for the site. One such example is the presence of a water main that bisects the site from north to south and will restrict development in this area; instead this offers an opportunity to integrate a green corridor through the site.

3.5.40 Both the Council's ecological consultants', GMEU, and the arboricultural officer have fully appraised the submission, concluding that the presented information provides an appropriate baseline for any potential ecological issues to be appraised and that there are no concerns in relation to ecology within the site and the impact of the development, subject to the use of planning conditions relating to the following areas; construction environmental management plan to be agreed, landscape and habitat creation and management plan; tree and vegetation removal outside bird nesting season (March to August) unless absence of nesting birds established; reasonable avoidance measures for amphibians; re-survey of site for badgers within 2 months of work commencing; invasive species eradication and management plan to be agreed; and external lighting scheme to be agreed.

3.5.41 It is considered that providing the recommended conditions are applied to the planning approval, the impact of the development upon ecology will be suitably mitigated and compliant with Policy 9 of the Local Plan and the Framework.

3.5.42 **Amenity:**

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

3.5.43 **Living Standards for Future Occupants**

The site is bordered to the south-east by industrial development, the most noteworthy being Blackburn Chemicals Ltd, which is a site regulated by the Environment Agency. In addition to the Blackburn Chemicals site, there are two Environment Agency permitted sites on Whitebirk Industrial Estate that have potential to cause odour complaints. Both sites manufacture pet food and are operated by the same company.

3.5.44 Members will note the objection from Blackburn Chemicals to the scheme, as set out within section 9 of this report. The objection cites concerns relating to matters of noise, odour, drainage, visual impact and amenity relating to the interaction of the two pieces of land. Issues relating to noise and disturbance arising from the industrial site are also referenced in several of the other public objections.

3.5.45 The Environment Agency have also offered some concerns regarding loss of amenity to future occupants, advising;

"We have no objection to the proposed development, however it will be located within 30 metres of an Environment Agency regulated site. The close proximity to operational activities we regulate could result in future occupants / residents of the new dwellings being exposed to the impacts of odour and noise pollution. The severity of these impacts will depend on relevant local

factors e.g. the size of the facility, the nature of the activities or prevailing weather conditions”.

3.5.46 Planning policy requirements (paragraph 182 of the Framework) state that new development should integrate effectively with existing businesses and not place unreasonable restrictions upon them. Where the operation of an existing permitted facility could have significant adverse effects on new development, the applicant should be required to provide suitable mitigation for these effects. Mitigation can be provided through the design of the new development to minimise exposure to the neighbouring permitted facility and / or through financial contributions to the operator of the facility to support measures that minimise impacts

3.5.47 It is accepted that the close relationship, topography and nature of the adjoining businesses has potential to adversely impact on the amenity of future occupants. However, the current application is in outline format only, with matters including the layout and design of future dwellings being reserved for future assessment. As such, a full assessment cannot be completed at this time. Nonetheless, the Council’s head of Public Protection has offered no objection to the scheme subject to conditions including the submission of a residential amenity impact assessment at reserved matters stage. Such a condition, which will inform the location, orientation, design and necessary mitigation within the new homes is considered sufficient to safeguard the living standards of future occupants, as well as ensuring the proposal will not impose upon the operations of the adjacent commercial uses.

3.5.48 Contaminated land: The application is supported by a phase 1: preliminary risk assessment. The report details the historic uses of the site and acknowledges the presence of former quarries and risks associated with historic coal working.

3.5.49 The submission concludes that a phase II ground investigation should be undertaken and reported to the Council. Dependent upon the findings a phase III remediation statement and phase IV validation report may also be required. That position is agreed by the Council’s environmental protection officers and Members are advised that these matters can be adequately addressed through the use of the Council’s standard land contamination conditions and a further condition relating to unexpected contamination, should it be found.

3.5.50 Coal Mining Legacy & Ground Stability: This application is supported by a Walkover Survey and Desk Study Technical Report. The report is supported by an appropriate range of geological and coal mining information from a range of sources such as a Mining Report supplied by The Coal Authority, BGS borehole records and Maps and Historical OS Maps.

3.5.51 The report author has reviewed the available geological and coal mining information and has concluded that there is a potential risk posed to development from past coal mining activity and has recommended that

intrusive site investigations are undertaken to establish the exact situation in respect of coal mining legacy on the site.

3.5.52 The Coal Authority concurs with the recommendations of the Walkover Survey and Desk Study Technical Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. The Coal Authority would also expect consideration to be given to the risks posed to the development by mine gas.

3.5.53 Impact upon existing residents:

With regard to impact of the proposed development on the privacy and outlook of the occupiers of residential properties adjacent to the site, whilst their view would change from open fields to houses, there is no evidence that this would result in harm to living conditions through overlooking or an overbearing outlook. As layout and appearance are reserved matters, the Council would be able to control the detailed design of the development to ensure adequate separation distances between the new and existing dwellings. As such the proposal would not conflict with Policy 8 (i) of the Local Plan and paragraph 127(f) of the Framework, which seeks a high standard of amenity for existing and future occupiers. Accordingly, this matter does not weigh against the proposal.

3.5.54 Given ground stability remains to be explored – as discussed under coal mining legacy – it is not currently known whether pile driven foundations will be required within the development. In order to safeguard residential amenity it is recommended that a condition be attached to require a noise and vibration monitoring and control scheme be agreed should pile foundations be necessary.

3.5.55 Additional controls to secure residential amenity standards include the use of an hours of construction condition, which would limit site operations to; Monday to Friday 8am to 6pm, and Saturdays 9am to 1pm. Furthermore, a scheme for dust suppression will also be necessary.

3.5.56 Subject to the above matters, compliance with Policy 9 and the Framework is achieved.

3.5.57 Drainage and Flood Risk

Local Plan Policy 9 sets out that development will be required to demonstrate that it will not be at an unacceptable risk of flooding. This correlates with the Framework's objectives to promote sustainable development, avoiding flood risk and accommodating the impact of climate change.

3.5.58 The Flood Risk Assessment and Drainage Strategy shows that the site falls in Flood Zone One where there is a low likelihood of flooding. As such, the proposal would meet with the expectations of paragraph 158 of the Framework, to steer new development to areas with the lowest risk of

flooding. The increased surface water runoff from the development will need to be addressed. The first option is infiltration but if that is not practical then above ground attenuation of surface water will be necessary, possibly in the form of detention ponds that will allow the controlled discharge of surface water to watercourses.

3.5.59 The Environment Agency response advises;

“The proposals identify the use of sustainable urban drainage techniques (SUDS). While we would support the use of SUDs in principle, site specific circumstances will occasionally have an impact on their suitability. In this instance, natural seepage routinely occurs from the embankment adjacent to Blackburn Chemicals and this is managed accordingly by the company. Changes to the natural drainage such as the use of soakaways, ponds or swales on the proposed development site have the potential to significantly change this. We are concerned that any change to the current drainage regime on to the Blackburn Chemicals site has the potential to overwhelm their kerbed yard areas which are necessary to provide containment for pollution prevention purposes. The comments regarding the use of lined ponds and swales by Cass Associates is acceptable. Any drainage attenuation measures would need to be suitably sized to accommodate this requirement”.

3.5.60 The applicant’s agent has responded to this matter;

“From a review, we understand that Blackburn Chemicals is located to the north-east / east of the site and is topographically lower. Whilst infiltration features in the northern extent of the site may be unsuitable because of concerns downslope, we would suggest that, if you were in agreement, ponds and swales are still suitable drainage features as they can be lined (no infiltration) and would discharge surface water at a restricted rate to a watercourse (avoiding any above ground or sub-surface flows towards Blackburn Chemicals)”.

3.5.61 The Council’s drainage team have offered no objection to the application, subject to the applicant demonstrating the routing of exceedance flows and the measures that may be necessary to ensure that the depot area and any existing properties will not be flooded. This matter can be controlled via condition. A further condition requiring that no above ground works shall take place until a scheme for the disposal of foul and surface water from the site has also been requested.

3.5.62 **Planning Obligations:**

Local Plan Policy 12: Developer Contributions, which accords with the Framework, indicates that where request for financial contributions are made the Council should be mindful of the total contribution liability incurred by developers and the overall impact upon the scheme’s viability.

3.5.63 Core Strategy Policy CS8 advises that all new residential development will be required to contribute towards the Borough's identified need for affordable housing; this being achieved through on-site provision, or through a financial contribution towards off-site delivery. The overall target for affordable housing is set at 20% and the applicant has indicated this shall be provided on-site, subject to full assessment at reserved matter stage.

3.5.64 As detailed within sections 3.3.15 to 3.3.20 of this report, highway improvements are necessary to ensure the proposal is acceptable in planning terms. This necessitates the following;

Off-site Highway Works

- A developer contribution of £250,000 towards a new junction at Whalley Old Road, which will link into the potential future link road at North East Blackburn. The contribution will either go towards the cost of the larger junction, or it will be used to deliver a bellmouth junction if the Link Road does not progress.

Sustainable Transport Initiatives

- A developer contribution of £330,000 (£2,000 per unit) to improve sustainable transport, including cycle storage at Ramsgreave Train Station and subsidising the bus service at Sunny Bower for 10 years.

3.5.65 As part of the application site is in Council ownership the above matters cannot be secured by a s106 legal agreement, therefore a planning condition will be imposed on the outline decision to secure the necessary works at the reserved matters stage.

3.5.66 **NHS Request for Financial Contributions**

The NHS submit that the proposed 165 dwellings would generate a requirement for a financial contribution of £228,372 to be used directly to provide services to meet patient demand generated by the future occupants of the development.

3.5.67 The submission summaries the NHS position as;

“As our evidence demonstrates, the Trust is currently operating at full capacity in the provision of acute and planned healthcare. The contribution is being sought not to support a government body but rather to enable that body to provide services needed by the occupants of the new homes. The development directly affects the ability to provide the health service required to those who live in the development and the community at large. Without contributions to maintain the delivery of health care services at the required quality standard and to secure adequate health care for the locality the proposed development will put too much strain on the said service infrastructure, putting people at significant risk. This development imposes an additional demand on existing over-burdened healthcare services, and failure to make the requested level of healthcare provision will detrimentally affect safety and care quality for both new and existing local population. This will

mean that patients will receive substandard care, resulting in poorer health outcomes and pro-longed health problems. Such an outcome is not sustainable.

One of the three overarching objectives to be pursued in order to achieve sustainable development is to include b) a social objective – to support strong, vibrant and healthy communities ... by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being:" NPPF paragraph 8. There will be a dramatic reduction in safety and quality as the Trust will be forced to operate over available capacity as the Trust is unable to refuse care to emergency patients. There will also be increased waiting times for planned operations and patients will be at risk of multiple cancellations. This will be an unacceptable scenario for both the existing and new population. The contribution is necessary to maintain sustainable development. Further the contribution is carefully calculated based on specific evidence and fairly and reasonably related in scale and kind to the development. It would also be in the accordance with Council's Adopted Local Plan".

3.5.68 Members are advised that the submitted evidence to justify the proposed commuted sum is currently insufficient to implement a consistent and justified developer tariff, which meets the statutory tests for securing planning obligations which requires them to be:

- 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.

3.5.69 The Council will work with local health partners, and other key infrastructure stakeholders, to update the Borough's Infrastructure Delivery Plan alongside our emerging new Local Plan. Any proposed health services tariff will be considered as part of the Local Plan process and via our Duty to Co-operate. In order to meet the statutory tests for planning obligations, the health funding data requires thorough review to ensure matters such as the number of new residents yielded by a development compared to those moving within the area is correctly accounted for, no other central funding alternative is available, the suggested population multiplier per dwelling is accurate, the activity rate is correct (the whole Trust area is used rather than the BwD area), if the principle of using planning obligations for the costs identified is appropriate, and development build rates are fully taken into account.

3.5.70 **Summary:**

Members are advised that the submission of the MRA does not offer any material change to the scheme previously considered at the meeting in January, in that there are no additional conditions to be imposed in paragraph 4.1 below.

3.5.71 Notwithstanding the limitations provided by Local Plan Policy 4 in relation to the safeguarded status of the site, the requirement under regulation 10A of the Town and Country Planning (Local Planning)(England)(Amended) Regulations 2017 (as amended) is that local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Having reviewed the performance of the adopted Development Plan when these regulations came into force in December 2017, the Council concluded that an update was necessary and therefore approved a new Local Development Scheme in February 2018, acknowledging that the plan, in part, was out of date and required updating. Work on the new Local Plan therefore commenced in 2018, and the second stage of public consultation is currently underway (Blackburn.gov.uk/localplan). The draft new Local Plan includes the identification of the application site as a housing allocation. Given the progress to-date, it is considered that the consultation draft Local Plan can be afforded emerging weight in accordance with paragraph 48 of the Framework. Consequently, the proposed scheme can be considered to meet the caveat within Policy 4 relating to the release of land for permanent development following a local plan review. Overall, the proposal is otherwise considered to be consistent with the Council's growth agenda and specifically Core Strategy Policy CS1, with policies in the NPPF, and the JLMWLP.

3.5.72 There are no technical or environmental impediments to the development. Ecology, trees, air quality, odours, noise, drainage and land quality are all considerations for the detailed design of the housing development but none of these considerations, subject to the suggested conditions, are likely to impede the new development.

4 RECOMMENDATION

4.1 Approve subject to:

(i) Delegated authority is given to the Director of Growth and Development to approve planning permission subject to the following conditions:

- 1) The development hereby permitted shall be begun not later than the expiration of two years from the date of the approval of the last of the reserved matters to be approved.
REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) Details of the following matters (subsequently referred to as the reserved matters) for each phase of development shall be submitted to and be approved in writing by the Local Planning Authority before the commencement of any works:-
 - a) Access
 - b) Appearance.
 - c) Landscaping.
 - d) Layout
 - e) Scale

REASON: Because the application is in outline only and no details have yet been furnished of the matters referred to in the Condition, these are reserved for subsequent approval by the Local Planning Authority.

- 3) At the same time or prior to the submission of the First Reserved Matters application for the development hereby permitted, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall include details of the maximum number of dwellings and other development to be implemented within each phase of the development. The development shall only be implemented in accordance with the approved Phasing Plan.

[The Phasing Plan may be amended from time to time with the written approval of the Local Planning Authority unless the proposed phasing is likely to give rise to any significant environmental effects which have not been assessed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 then such amended Phasing Plan shall be accompanied by an Environmental Statement prepared in accordance with the said 2011 Regulations.]

REASON: To ensure the satisfactory phasing of the development and to ensure that the development is delivered in a coordinated, planned way.

- 4) The construction of the development hereby permitted shall not take place outside the hours of 08:00 and 18:00 Monday to Friday, 09:00 to 15:00 on Saturdays and not at all on Sundays or Bank Holidays.

REASON: To safeguard the amenities of the adjoining premises and the area generally in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

- 5) Each dwelling with a parking space or garage will have its own dedicated electric vehicle charging point. Each charging point will have a Type 2 connector and a minimum rating of 16A. External points will be weatherproof and have an internal switch to disconnect electrical power.

REASON: To facilitate electronic vehicle charging and to mitigate air quality impacts arising from the development, in accordance with Policy 36 of the Blackburn with Darwen Borough Local Plan Part 2 and Paragraph 110 of the National Planning Policy Framework 2019

- 6) Prior to commencement of the development hereby approved a scheme employing the best practicable means for the suppression of dust during the period of demolition/construction shall be submitted to and approved in writing by the LPA. The approved measures in the scheme shall be employed throughout this period of development.

REASON: To safeguard the amenity of existing and future occupants in accordance with the requirements of Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2

- 7) Prior to the commencement of development hereby approved, the developer must submit to the Local Planning Authority for written approval:
 - (i) Two copies of a comprehensive desk study report, including a preliminary conceptual site model (CSM) in text, plan and cross-section form. Where necessary, detailed proposals for subsequent site investigation should also be included, clearly based on the CSM.
 - (ii) Two copies of the findings of the approved site investigation work (where necessary), including an appropriate assessment of risks to both human health and the wider

environment, from contaminants in, on or under the land (including ground gas). If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, along with an updated CSM. No deviation shall be made from this scheme without the written agreement from the Local Planning Authority.
REASON: To ensure that all reasonable steps have been taken to identify contamination at the site in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Local Plan Part 2

- 8) Prior to the occupation of the development hereby approved, two copies of a comprehensive Validation Report shall be submitted to and approved in writing by the Local Planning Authority. The Validation Report shall demonstrate effective remediation in accordance with the agreed remediation scheme and updated CSM. All the installed remediation must be retained for the duration of the approved use, and where necessary, the Local Planning Authority should be periodically informed in writing of any ongoing monitoring and decisions based thereon.

REASON: To ensure that all reasonable steps have been taken to identify contamination at the site, that the risks it presents have been appropriately assessed, and that the site can be made 'suitable for use', as such, does not pose a risk to future users of the site or the wider environment in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Local Plan Part 2

- 9) Should contamination be encountered unexpectedly during the development, all works should cease, and the Local Planning Authority should be immediately informed in writing. If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, and agreed in writing by the LPA. No deviation shall be made from this scheme without the written express agreement of the LPA.

REASON: To protect the health of future occupiers of the site in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

- 10) Prior to the commencement of the development hereby approved the following shall be undertaken and submitted to the Local Planning Authority for written approval;
- An appropriate scheme of intrusive site investigations to establish the exact situation in respect of coal mining legacy on the site;
 - The submission of a report of findings arising from the intrusive site investigations;
 - The submission of a scheme of remedial works necessary to mitigate the findings of the intrusive site investigations.

The development shall be in accordance with the agreed details.

REASON: To ensure the development provides for a safe environment for future occupants and users, in accordance with the requirements of Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 and paragraphs 178 and 179 of the National Planning Policy Framework.

- 11) No security floodlighting during the construction phase shall be provided until a scheme detailing the location and luminance has been submitted to and approved in writing by the Local Planning Authority. The floodlights shall be installed in accordance with the agreed details.

REASON: To safeguard the amenity of existing and future occupants in accordance with the requirements of Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2

- 12) No pile driving shall occur until a programme for the monitoring of noise & vibration generated during demolition & construction work has been submitted to and approved in writing by the Local Planning Authority. The programme shall specify the measurement locations and maximum permissible noise & vibration levels at each location. The development shall be undertaken in accordance with the agreed details.
REASON: To safeguard the amenity of existing and future occupants and the area generally, in accordance with the requirements of Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2
- 13) Prior to commencement of the proposed development, a written assessment that determines likely noise and odour impacts on the proposed use and, where appropriate, identifies mitigating measures to alleviate those impacts shall be submitted to and approved in writing by the Local Planning Authority. Reference should be made to the National Planning Policy Framework and Noise Policy Statement for England. The agreed measures shall be implemented prior to first occupation of the development and thereafter retained.
Reason: To safeguard residential amenity standards for future occupants, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2
- 14) Prior to the occupation of any of the dwellings hereby approved, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.
REASON: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of highway safety, in accordance with the requirements of Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2
- 15) Prior to the construction of any of the streets referred to in condition 14, full engineering, drainage, street lighting and constructional details of the streets shall be submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.
REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with the requirements of Policies 8, 9 and 10 of the Blackburn with Darwen Borough Local Plan Part 2
- 16) Prior to commencement of the development hereby approved, a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority.
The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- I) the parking of vehicles of site operatives and visitors
 - II) loading and unloading of plant and materials
 - III) storage of plant and materials used in constructing the development
 - IV) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - V) wheel washing facilities
 - VI) measures to control the emission of dust and dirt during construction

VII) a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: In order to avoid the possibility of the public highway being affected by the deposit of mud/or loose materials which could create a potential hazard to road users, in order to protect the amenity of the occupiers of the adjacent properties, in order to protect the visual amenities of the locality and to comply with Policies 8 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

17) No development shall occur until a scheme of off-site highway works has been submitted to and approved in writing. The scheme shall provide for the following;

- 1 x priority access bellmouth junction with associated widening to create visibility splays and 2m footways on either side;
- New footway across the site frontage;
- 2 x crossing points to Whalley Old Road; and
- Extension of the 30mph zone eastwards and provide traffic calming in the form of prominent markings to increase driver awareness.

REASON: In the interests of the safe, convenient and efficient movement of all highway users, in accordance with the requirements of Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2

18) The development permitted by this planning permission shall not be started by the undertaking of a material operation as defined in Section 56(4)(a-d) of the Town and Country Planning Act 1990 until a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 has been made and lodged with the Local Planning Authority, and the Local Planning Authority has given its approval in writing. The planning obligation will provide that a commuted sum, as required by Policies 10 and 12 of the Local Plan Part 2, is made to the local planning authority for the provision of off-site highway works and sustainable transport facilities.

REASON: In the interests of the safe, convenient and efficient movement of all highway users, in accordance with the requirements of Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2

19) Foul and surface water shall be drained on separate systems.

REASON: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policy 9 - Blackburn with Darwen Borough Local Plan Part 2 (2015), and the National Planning Policy Framework.

20) No development shall occur until a scheme demonstrating the routing of exceedance flows and the measures that may be necessary to ensure that the adjacent site occupied by Blackburn Chemicals and any other existing premises will not be flooded.

REASON: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policy 9 - Blackburn with Darwen Borough Local Plan Part 2 (2015), and the National Planning Policy Framework.

21) No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the scheme shall include;

- (i) Separate systems for the disposal of foul and surface water

- (ii) A detailed drainage strategy to demonstrate that the post-development surface water discharge rate to any soakaway, watercourse or sewer does not exceed the pre-development (greenfield) rate. The drainage strategy shall include details of the peak surface water run-off rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year (+40% climate change allowance) rainfall event, and shall demonstrate that the peak post-development runoff rate does not exceed the peak pre-development greenfield run-off rate for the same event.
- (iii) Details of the necessary flow attenuation measures, including the use of SUDS where appropriate.
- (iv) Details of the measures taken to prevent flooding and pollution of any receiving groundwater and/or surface waters (including watercourses) and any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (including refurbishment of existing culverts and headwalls or removal of unused culverts where applicable)
- (v) Flood water exceedance routes, both on and off site
- (vi) Means of access for maintenance and easements (where applicable)
- (vii) A timetable for implementation, including any phasing of works

The approved scheme shall be implemented before above groundworks are commenced within any other timescale first agreed in writing by the Local Planning Authority.

REASON: To ensure the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are in place for the disposal of foul and surface water, in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2

- 22) No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
 - b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

REASON: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible

organisation/body/company/undertaker for the sustainable drainage system, in accordance with Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2

23) Prior to any on site works for each phase of development, an arboricultural method statement and tree protection plan for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The method statement shall clearly state how the tree(s) to be retained on site and overhanging the site will be protected during demolition and/or construction works. The agreed method statement shall be implemented in full prior to the undertaking of any on site works

REASON: Trees represent a public benefit by way of visual amenity and should therefore be protected at all times in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan part 2

24) No development should take place until a management plan for the control (treatment and prevention of spread) of Schedule 9 Invasive species is submitted to the LPA for approval. This should be based on the most up to date survey work available, and follow best practice methodologies. Once approved in writing by the LPA the method statement should be carried out in full.

REASON: To safeguard biodiversity interests, in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2

25) No development shall occur until A Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, details for the protection of the retained habitats on and adjacent to the site, from factors such as run-off, light spill, noise and dust pollution.

REASON: To safeguard biodiversity interests, in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2

26) Protective fencing shall be installed around all trees being retained within each phase the application site, in accordance with British Standard 5837: Guide for trees in relation to construction. This fencing should be installed prior to the commencement of any building works, ground works, demolition works or storage of any machinery, equipment or materials on site on that particular phase. This fencing should remain intact and in place until all works are completed on the relevant phase of the site. This fencing should be considered sacrosanct and no soil levels should be altered within the perimeter of this fence and no building materials or waste products should be stored inside the fence line.

REASON: The existing trees represent a public benefit by way of visual amenity and should therefore be protected at all times in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan part 2

27) Tree and shrub removal should be undertaken outside of the nesting bird season (March to August, inclusive). Where this is not possible, a nesting bird check should be undertaken immediately prior to construction taking place. Should any nests be observed a suitable buffer will be installed and remain in place until the nest is no longer in use.

REASON: In order to protect biodiversity and ecological features in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2

28) Prior to the commencement of development a pre-construction survey for badgers must be undertaken and the results and recommendations submitted to the Local Planning Authority, including proposed mitigation to be agreed where necessary.

REASON: In order to protect ecology and biodiversity in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

29) Prior to the commencement of development a Reasonable Avoidance Measures method statement in relation to safeguarding amphibians during the course of any site clearance of groundworks, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to protect ecology and biodiversity in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

30) Prior to the commencement of development an external lighting scheme demonstrating measures sensitive to nocturnal wildlife shall be submitted to and approved in writing by the Local Planning Authority. The development shall be in accordance with the agreed details

REASON: In order to protect ecology and biodiversity in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

31) Prior to the commencement of development a comprehensive Landscape and Habitat Creation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be in accordance with the agreed details

REASON: In order to protect ecology and biodiversity in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

32) Prior to the construction of any dwelling hereby approved, samples of all external walling, roofing materials, and their colour to be used in the construction of the building work shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2 and the adopted Blackburn with Darwen Design Guide Supplementary Planning Document

33) Notwithstanding the submitted details, prior to the commencement of development a plan detailing the finished floor levels of each dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be in accordance with the approved details.

REASON: To safeguard the amenity of neighbouring properties in accordance with Policy 8 of the Blackburn with Darwen Local Plan Part 2.

5.0 PLANNING HISTORY

5.1 There is no planning history relevant to the determination of this application.

6.0 CONSULTATIONS

6.1 Environment Agency:

We have no objection to the proposed development, however it will be located within 30 metres of an Environment Agency regulated site. The close proximity to operational activities we regulate could result in future occupants / residents of the new dwellings being exposed to the impacts of odour and noise pollution. The severity of these impacts will depend on relevant local factors e.g. the size of the facility, the nature of the activities or prevailing weather conditions.

Planning policy requirements (paragraph 182 of the National Planning Policy Framework) state that new development should integrate effectively with existing businesses and not place unreasonable restrictions upon them. Where the operation of an existing permitted facility could have significant adverse effects on new development, the applicant should be required to provide suitable mitigation for these effects. Mitigation can be provided through the design of the new development to minimise exposure to the neighbouring permitted facility and / or through financial contributions to the operator of the facility to support measures that minimise impacts.

Environmental Permitting Regulations require operators to demonstrate that they have taken all reasonable precautions to mitigate impacts of their operations. This is unlikely to eliminate all emissions and there is likely to be residual impacts. In some cases, these residual impacts may cause local residents concern. There are limits to the measures that the operator can take to prevent impacts to residents. Consequently, it is important that planning decisions take full account of paragraph 182 of the NPPF. When a new development is built near to an existing permitted facility this does not automatically trigger a review of the permit.

This amended application is essentially unchanged and our previous comments are still applicable. While the specification of a buffer zone along the southern boundary of the site is helpful, it is doubtful that this will be sufficient to constitute a meaningful difference especially when the topography of the site is considered. It is our view that if this development was permitted there would be significant amenity issues for the proposed properties. However, it is for the LPA to determine if a residential development should be located next door to an industrial site.

If the development proceeds we would request that the following planning condition be included: "The development hereby permitted shall not be commenced until such time as a scheme for the management of surface water drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall not include the discharge of surface water to ground via infiltration. The approved scheme shall be implemented as approved".

6.2 Head of Public Protection:

No objection subject to conditions relating to the following matters;

6.2.1 *Noise*

Condition requiring a residential amenity impact assessment that determines likely noise and other impacts on the proposed use and, where appropriate, identifies mitigating measures to alleviate those impacts.

Additionally, it is also necessary to impose a condition relating to the need to agree noise and vibration monitoring and controls should pile driving be required.

6.2.2 *Dust*

In accordance with the submitted air quality assessment it is suggested that a condition be attached requiring a scheme to be agreed in relation to dust suppression

6.2.3 *Hours of Site Works*

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

6.2.4 *Contaminated Land*

In accordance with the recommendations of the Walkover Surevy and Desk Study Report, it is recommended that the Council's standard land contamination condition, validation condition and unexpected land contamination condition be attached.

6.2.5 *Lighting*

A floodlighting scheme for the construction phase shall be agreed prior to work commencing and the development to be undertaken in accordance with the agreed details.

6.2.6 *Air Quality*

The submitted air quality assessment is noted and agreed. No objection subject to conditions relating to the provision of electric vehicle charging facilities and boiler emissions being limited to 40mg NO_x/kWh.

6.3 GMEU – Ecology:

An ecological assessment of the site was undertaken in August 2019 (Bowland Ecology, November 2019 Reference BOW17/1084). This appears to have been undertaken by a suitably qualified ecologist.

No legally protected sites are present within the development site or directly adjacent to the site. However the site is within the Impact Risk Zone for Harper Clough and Smalley Delph Quarries SSSI, however does not meet the description of developments that require consultation with Natural England. No objection to the application subject to conditions relating to the following areas; construction environmental management plan to be agreed, landscape and habitat creation and management plan; tree and vegetation removal outside bird nesting season (March to August) unless absence of nesting birds established; reasonable avoidance measures for amphibians; re-survey

of site for badgers within 2 months of work commencing; invasive species eradication and management plan to be agreed; and external lighting scheme to be agreed.

6.4 Arboriculture Officer:

The submitted arboricultural impact assessment plotted 22 individual trees across the site and 16 groups, and also included are 3 hedgerows for assessment. All of the trees surveyed were given a C grade which suggests they are of a low quality and value

No objection subject to condition that an 'Arboricultural Method Statement' is submitted along with the relevant 'Tree Protection Plan'. Also required would be a detailed high quality landscape scheme that compensates for the loss of the vegetation across the site.

6.5 Highways & Public Rights of Way:

Footpath 48, Blackburn runs along the south east side of the development site. Any change of surface to the path must first be authorised by the Highway Authority prior to any improvements /alterations made including adding steps, stiles, gates or any other structures. The construction is likely to impact on the use or safety of the public footpath whilst under way, as such the applicant needs to apply for a temporary closure of the footpath.

The application is supported by a transport assessment that has been reviewed by the Council's transport consultant, Capita, who advised;

Based on the information provided, the proposed development would be recommended for approval subject to confirmation/provision of the following information and potential conditions/contributions:

- Update site location map to highlight the site extent and provide the site area within the description;
- Ensure all swept path manoeuvres can be completed with ease, and update Appendix F accordingly;
- Ensure that it is mentioned within the TA if the overgrown shrubbery on Whalley Old Road will be maintained to allow for suitable visibility splays;
- Local parking standards should include the provision of electrical charging points, this should be amended and updated;
- Explanation of the walking route in Appendix A which connects the site to Whitebirk Industrial Estate;
- Confirm if the uncontrolled pedestrian crossing located next to the more westerly exit is to be implemented, if so, the TA should be updated accordingly;
- Update the TA to state the cycling and disabled provision at Ramsgreave and Wilpshire train station;
- Describe the distance to the closest bus stop from the centre of site to ensure it adheres to CIHT guidelines;
- Check the TEMPRO growth factor calculations and update accordingly;

Should this planning application be recommended for approval it is recommended that the following mitigation measures should be sought to improve the sites accessibility:

- The developer should consider connectivity improvements for pedestrians and cyclists to access the Whitebirk Industrial Site to improve the sites overall accessibility and promote sustainable transport use;
- A contribution to upgrading the cycle parking/storage provision at Ramsgreave and Wilpshire rail station to encourage active travel; and
- Contributions towards the improvement of bus service provision to the site.

The applicant has provided an addendum to the transport assessment, 8th October 2020, that successfully addresses all the points raised by Capita.

Two vehicular access points have been indicated on plan, these are to be taken from Whalley Old Road. To enable and support development, the proposal recognises the following mitigation works would also be required to facilitate development

- Full footway along the Whalley Old Road site frontage.
- Street lighting extension to the highway network for the site boundary
- Traffic calming to Whalley Old Road
- Widening of the carriageway along the site frontage
- Two pedestrian crossover point shave been indicated.

We would request that all works associated with the above, and to also include changes to the TRO, associated drainage works cycling infrastructure are to be delivered through a Section 278. Please attach a Grampian condition in support.

Indicative details of the internal road layout are offered, and it is acknowledged that there will be connective routes, to incorporate all types of users. (Walking and Cycling). This should include walking routes to the employment and green spaces to the south for recreational use. When and if a reserved matters application comes forward, consideration should be given to 'Manual For Street', connective and permeable routes for all users of the highway. (Walking and Cycling). Swept of a 3 axle refuse vehicle when undertaken will assist in informing the road layout. The adopted parking standards should be compiled with.

6.6 Drainage:

There is a chemical storage depot adjacent to the downstream side of the site. The applicant is required to demonstrate the routing of exceedance flows and the measures that may be necessary to ensure that the depot area and any existing properties will not be flooded. This matter can be controlled via condition.

A further condition requiring that no above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless

otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- (i) separate systems for the disposal of foul and surface water;
- (ii) a detailed drainage strategy to demonstrate that the post-development surface water discharge rate to any soakaway, watercourse or sewer does not exceed the pre-development (greenfield) rate. The drainage strategy shall include details of the peak surface water runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year (+40% climate change allowance) rainfall event, and shall demonstrate that the peak post-development runoff rate does not exceed the peak pre-development greenfield runoff rate for the same event;
- (iii) details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- (iv) details of the measures taken to prevent flooding and pollution of any receiving groundwater and/or surface waters (including watercourses) and any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (including refurbishment of existing culverts and headwalls or removal of unused culverts where applicable);
- (v) flood water exceedance routes, both on and off site;
- (vi) means of access for maintenance and easements (where applicable);
- (vii) a timetable for implementation, including any phasing of works.

6.7 United Utilities:

Development is proposed close to a significant United Utilities water main and the applicant must provide clarity the exact location of the main and ensure the necessary easements are considered in future layouts. This includes any road crossings and proposed landscaping. We require access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', Suggested conditions relate to; foul and surface water being drained on separate systems, surface water drainage scheme to be agreed; details of future maintenance and management of the SuDs to be agreed.

6.8 The Coal Authority:

Part of the application site (north and southern part) falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority concurs with the conclusion / recommendations of the Coal Mining Risk Assessment, February 2020 based on the professional opinion of LK Consult that there is currently a potential risk to the redevelopment of this site from coal mining legacy. In order to mitigate the

risk (confirm the exact ground conditions present beneath this site) and inform the extent of remedial / mitigatory measures that may be required to ensure that the development is safe and stable (NPPF paras. 178-179), intrusive site investigations should be undertaken prior to commencement of development.

Accordingly, the Coal Authority recommends the imposition of the following conditions:

* No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

* Where the findings of the intrusive site investigations (required by the condition above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

6.9 Lancs Fire & Rescue:
No objection.

6.10 Education Department:
No comments.

6.11 Environmental Services:
No objections.

6.12 East Lancashire Hospitals NHS Trust:
The NHS submit that the proposed 165 dwellings would generate a requirement for a financial contribution of £228,372 to be used directly to provide services to meet patient demand generated by the future occupants of the development.

6.13 Public Consultation:
510 neighbouring properties have been individually notified by letter; a press notice and site notices have also been displayed. 78 letters of objection and 3 comments have been received. The objections relate to:

- Proposal is in conflict with Policy 4 of the Local Plan;
- Traffic and road safety concerns;
- Environment and impact on local surroundings;
- Impact on wildlife;
- Increase in pollution;
- Infrastructure will not be able to cope with the increase in population;
- Loss of green open space.

A full summary of the public representations is set out within section 9 of this report.

7.0 CONTACT OFFICER: Martin Kenny, Principal Planner

8.0 DATE PREPARED: 5th February 2021

9.0 SUMMARY OF REPRESENTATIONS

Objection – JWPC LTD on behalf of Blackburn Chemicals. Rec – 20/01/2021



19th January 2021

Letter to Cllrs
Planning Committee
Blackburn with Darwen Council
Via e-mail

Dear Cllr,

PLANNING AND HIGHWAYS COMMITTEE - Thursday 21st January 2021

Item 4.1 - Planning Application 10/20/0716 - Land to the South of Whalley Old Road

I write regarding the above planning application for 165 dwellings due to be heard at Planning Committee on Thursday, on behalf of Blackburn Chemicals Ltd whose premises lie immediately adjacent to the application site.

Blackburn Chemicals submitted an objection to this planning application due to severe concerns regarding the potential impact of development on their premises, and the potential impact on new residents from the operation of the business. These considerations are set out in detail in our initial objection letter in section 9 of the Report for the Committee item.

Our objection still stands principally as we do not consider that sufficient evidence has been presented through this outline application to demonstrate that a scheme for 165 dwellings could be developed on this site from a technical point of view without significant impact on the adjacent industrial use. This is due to the proximity of the Blackburn Chemicals premises across most of the southern boundary of the site, with the site levels also creating drainage impacts on the premises, and visual and noise impacts for any future residents.

The recommendation for approval does to some degree consider the potential for mitigation to the technical matters to be included through reserved matters, secured by condition, but our objections would remain in terms of the potential visual impact and noise impacts from locating a residential development immediately adjacent to a busy premises on a prestige employment site that deals with the processing and storage for a range of chemicals. Much of the length of the rear of the premises, closest to the proposed development, consists of well utilised open storage area, which involves manoeuvring forklift trucks and delivery vehicles during operation. The site has no restrictions on its hours of operation in planning or permit terms and is currently operating up to 24 hours a day. The potential for odour and noise impacts must be carefully considered in making a decision on this and any future applications, to ensure the

operation of this business is protected and protecting any future residents from amenity issues due to the operations of the site. Other concerns relating to visual impact and security must also be taken on board in the determination of this and future applications, with any proposed development or mitigation measures having no unreasonable restrictions placed on the existing business, as required by paragraph 182 of the NPPF.

The future development of this site should not impact the future operation or potential future expansion of this existing business premises designated on a prestige employment site in the Local Plan. The company employs more than 75 people on this site and has been in operation there since 1972. A decision to permit potentially incompatible residential development in close proximity to this premises needs very careful consideration in terms of both local planning policy, national planning guidance and the technical matters as outlined above. The Environment Agency share our concern as to the proximity of new dwellings to the existing business, and whilst a buffer area between the two could mitigate some impact, the width that this buffer zone would need to be is undetermined and the potential this has to limit the size of development is one of our concerns with approving planning consent for 165 dwellings at this stage. As the Council is progressing the allocation of the site through the Local Plan, approval of this scheme would seem to be being taken in advance of the necessary information being in place to make a decision on the extent of development that could be accommodated on this site without impacting on the adjacent use.

Blackburn Chemicals principle concern in this matter is to protect its business from potential threats to the future operation of the premises in which they have heavily invested and that supports a significant number of local jobs. They wish to place on record that they have significant concerns in this regard from a decision that would lead to the direct placement of new dwellings close to their operations.

We also consider that determining this planning application would be contrary to Policy 4. The arguments put forward in the Report to Committee with regard to Policy 4 are not sufficient to state that the development is consistent with the Development Plan. We consider this would be a departure from the Local Plan.

Yours sincerely,

Objection – Gordon Wilson, 476 Whalley Old Road, Blackburn. Rec – 06/08/2020

We received a notice of planning application for 165 dwellings ,on land to the south of Whalley Old Road Blackburn. When we bought 476 whalley old Road our solicitor told us there was a covenant on the land behind our property, saying no building can be done for a 100 years , also the main road is all ready more like a motorway with the amount of traffic comeing up and down, we fell the amount of extra traffic will course believable problems for existing residents the road will become more like a car park than a road , as the traffic lights at the dottom of the road will be close to the proposed build . The land also is home to wild life there are often Deer on the field , but my main problem is how the covenant has been got round to allow building on the land, is this not dreaking the law.

Objection Mr Ian Sykes, 4 Sunny Bower Road, Blackburn. Rec – 10/08/2020

Good evening,

I email you in reference to the above planning application which involves the 165 dwellings.

I would like to object to these dwellings in the strongest possible terms. My reasons are below:

1. First and foremost, since my family moved to Sunny Bower Road this year, we love the area and the environment. Having an abundance of greenery around you is wonderful for your mental health and we do have panoramic views over Blackburn from our location. This includes the views of Oswaldtwistle Fells. Should the development go ahead, the views we have from our property would be curtailed severely. I live opposite where the development would start, so this affects me directly.
2. The area has an abundance of wildlife of which it is a pleasure to observe, again if the development goes ahead, I fear that there will be a significant detrimental effect on the local wildlife population.
3. Since my wife and I moved to Sunny Bower, my wife has noticed that she is able to breathe a lot easier and that the air quality is a lot cleaner. Should that development go ahead, I fear that her health would be affected by poorer air quality from the increased local population.
4. The current peace and tranquility of the area was what attracted us to Sunny Bower Road, this would be shattered and destroyed should the development be approved, this is because of the sheer volume of people who would be living in the area and the additional unwanted traffic.

Affordability, it is my belief that this development would not benefit those who really needed housing and would only benefit those

Objection – Kate Hollern on behalf of Mr Ian Sykes. Rec – 10/08/2020

I write on behalf of my constituent, Mr Iain Sykes of 4 Sunny Bower Road, Blackburn BB1 5QT.

Mr Sykes has written to my office further to a recently announced planning application which sets out proposals for the construction of a new housing estate on land to the south east of Whalley Old Road.

My constituent is concerned about the impact of the proposed housing development on the local environment.

As you will note from his email, Mr Sykes moved to his current address earlier this year, and the local setting was a major factor in their decision to move. There is currently an open aspect from Sunny Bower Road across Whalley Old Road to the South East, which my constituent fears being lost if this development goes ahead.

In light of this, I would be most grateful if my constituent's concerns could be included with the responses to the public consultation on this planning application and if my interest in this matter could be noted.

With all good wishes

Objection Mr Ian Sykes, 4 Sunny Bower Road, Blackburn. Rec – 11/08/2020

Good Evening,

I would like to add to my below submission. Having read the following article regarding a

development on Whalley New Road which has actually been refused (<https://www.thisislancashire.co.uk/news/18643051.blackburn-mill-flats-plan-rejected-council/>),

Blackburn with Darwen Borough Council have been quoted as saying:

“The proposed development would establish the principle to develop apartment type dwellings, which have not been fully justified by the applicant, in a location where market conditions do not favour such forms of development.

“It would thus provide a poor contribution to the borough’s dwelling mix.”

The decision notice also highlights the site’s high vulnerability to flooding.

I would like to point out that the proposed development on Whalley Old Road would also not offer favourable dwellings, with the fact that the land they are proposed to be built on also carries a significant flooding risk as they would be on soggy ground. There is no justification for these dwellings to be built on this land.

Objection – Nicola Jackson. – Rec – 10/08/2020

I am writing to express my concern for the potential housing estate on Whalley Old Road.

My reason for concern are several.

One being the excess traffic which currently is impossible. I would ask if anyone tries to leave the junction at Sunny Bower between 8.15am and 8.45am when schools are open and it is set with delays and frustration. The traffic is non-stop from Rishton towards Blackburn.

In addition my house facing the potential development is on for sale and will now be unlikely to be sold due to the traffic issues associated with the extra traffic which will occur with such a development. I am currently seeking legal advice as to whether any loss, from sale of my house, associated with the development should be met by Blackburn Council or the housing developers.

Objection – Anthony G.Ford MBE, 2 Higher Cunliffe Farm, Whalley Old Road, Blackburn. Rec – 12/08/2020

Dear Sir,

I write in relation to the above planning application. I reside at 2, Higher Cunliffe Farm Cottage, Whalley Old Road, Blackburn, BB14AA, and have done so for the past 17 years. There are two other cottages attached, namely, 1, Higher Cunliffe Farm Cottage and, Higher Cunliffe Farm. All are occupied.

You will be aware that we are not overlooked and the cottages are set amidst farmland used, until recently, for grazing animals.

We had witnessed surveying activity taking place on the meadows over the last few months and had enquired as to the nature of this activity and the intention but we were told nothing.

In the last few days and on the day the plan was revealed in the Lancashire Telegraph, we received a letter from yourself.

If you have been to the site and are aware of our properties, you will understand how devastated we are all feeling right now.

It would appear that no one has given any consideration to us as residents. If this were not the case, surely we would have been visited by someone from your department to give at least a little disclosure and so that we could ask questions. We had to find out just like all the readers of the local newspaper that our lives were about to be devastatingly impacted upon.

Is this how you normally conduct this sort of business?

If you haven't been to our address, can I ask that you do so so that you will understand just how much the presence of an urban settlement within yards of our properties will severely impact upon our quality of life and our emotional wellbeing.

I have read and tried to understand, the best I can, the planning information you have attached to the application. In short, none of it makes any sense. The drawings describing vehicular relief from the proposed estate are ambiguous to say the least and infer encroachment onto our personal property. Further to this, Whalley Old Road is already unable to cope with local and Ribble Valley traffic commuting into Blackburn each day such that at peak times, traffic queues reach from the junction at Brownhill Drive, right back as far as the Spice Lounge in the Hyndburn Borough.

I will have to stop myself from thinking of the irreparable damage that would be caused not just to the environment, the wildlife but also to the mental and physical health of the residents, including myself, here at Cunliffe Farm Cottages.

I appeal to you and your department to take responsibility for the welfare of us residents and to arrange a face-to-face meeting where the many questions we all have can be heard.

Surely, as a department of Blackburn with Darwen Borough Council, you have a duty to safeguard the health and wellbeing of the Borough's residents? I see no evidence of this at this stage of your plan.

I look forward to hearing from you at your very earliest convenience.

Objection – Kathryn Crossley, Cunliffe Farm, Whalley Old Road, Blackburn. Rec – 13/08/2020

Dear Sir,

I am writing in relation to the development plans to put 165 houses on the land to the south of Whalley Old Rd.

I live with my husband at Cunliffe Farm, a mid property of 3 houses off Whalley Old Rd. We purchased the property in March 19 to get away from living on a main rd in a built up area. Our solicitor search picked up nothing towards planning of building in the area. The area is quiet and we see various wildlife, deer, foxes, bats and have a resident barn owl that we like to watch hunting for his evening meal.

We found out about the development via the Lancashire Evening Telegraph as both myself and my husband work and did not receive the letter till the evening. Not a nice way to find out I assure you and we feel we have been given no consideration at all.

So the properties will bring 300 + cars to the rd. as most families have 2 cars.I will send in a separate e mail as I m rubbish at IT 2 photographs I took when leaving home at 8 am in a weekday morning to go to work.I t was late last year before the lockdown when schools were active and people were in work.You can see the queue was rather horrendous ! I am a NHS nurse and work several " on call " and my husband works also "on call" for United Utilities so it is hoped we can get to our destination quick as I am working with covid patients.I also work night shifts so would hope whilst building I would get sleep during the movement of machinery etc.

The overall damage to mine and my husbands quality of life and mental health will be severely damaged.I would like you to take this email seriously as this development would upset a lot of people and our wildlife, also including our resident heron, kestrels and newts that I have seen

I look forward to hearing from you



Objection-Faisal Zaman. Rec – 13/08/2020

I am writing to you after receiving a letter in the post for application that has been put in place for dwellings to be built

On the south of Whalley Old Road.

I have been on the website advising where it can be seen where the dwellings will be. I can't find anything it also asks for an application number which you have not provided on the letter.

I object to this application as it will ruin the view for myself. It will make it an even more busier area than it already is.

Objection – Charlotte Hammond, Higher Colliers Cottage, Whalley Old Road, Blackburn. Rec – 13/08/2020

Dear planning people

I am emailing in relation to the proposed housing development off Whalley old Road, I am very concerned that traffic will undoubtedly increase all along Whalley Old Road, the Billington and Langho end of the road is particularly rural, with many bends and natural hazards such as trees, wild animals such as deer, foxes and badgers, there is no footpath due to the narrowness of the road, the traffic is already fast and there are frequent accidents, as noted by memorials by the roadside. People regularly walk and cycle the route. Increased housing coming off Whalley Old Road will add to the already alarming speed and volume of traffic on that road.

I have copied in RV planning as it appears that the impact of this development will also impact on Ribble Valley residents.

Please take great care when considering this proposal, it has the potential to cost lives.

Objection – A B Duckworth, Sunny Bower Close, Blackburn. Rec – 14/08/2020

I am not against the development per say, but my concern is traffic, Whalley Old Rd. has been used as a rat run to Whalley & Rishton, the traffic early morning & evening is tremendous queuing as far back as the garden center.

Unless there is adequate provision to alleviate the situation I don't see how another 165 properties could not make the situation worse.

Objection – Sufyaan Rafiq, 433 Whalley Old Road, Blackburn. Rec – 14/08/2020

writing this email in regards to the new houses being built on the south of whalley old road.

I moved to this particular area and the main reason for moving to this area was for the view opposite me which is the south of whalley old road. I am very upset and furious with receiving this letter from the council about these new houses being built. I have spoken to neighbours who have said this land has been empty for many many years. Myself and other neighbours are angry that we were NOT consulted about the plan before so we could put our views forward. I have been living at my property now for almost 2 years and now thinking of moving and putting the house up for sale!

I assure you others on my block will also be leaving this area once the sale of the property goes through.

Also there has been recent works going on in the area with gas pipes which have been a nightmare, with temporary traffic lights and a build up of traffic, not to mention the mess and inconvenience and inconsideration from the workers who leave a load of mess and untidy work. With the recent work that has been going on, on the main road and the build up of traffic I have been unable to park my own vehicle in my own driveway and was forced to park it in the side street (sunnybower road).I am not looking forward to having to put up with this for years to come and would advise not to continue with this application.

Objection – Robert Valentine, 443 Whalley Old Road, Blackburn. Rec – 14/08/2020

Dear Sir,

Having lived at this address for over 50 years, we have seen a steady increase in traffic. At peak times it is backed up to way past the bus terminus and everyone has huge problems getting their cars out of their drives, also we have a problem with speeding traffic doing between 50-60 mph at all times of the day. This road seems to be the only access to the estate for the would be new residents. Taking into consideration most families would probably have 2 or more cars. Maybe the highways dept. would also find a problem with this. Directly opposite our house there are many established trees including Hawthorn, Rowan and other broad leaf trees, while we realise the need for more housing the Government is encouraging the planting of trees all over the country NOT destroying them !

There is also an abundance of wild life in this area, we regularly see deer, hares, rabbits, foxes and many species of birds such as sparrowhawks and kestrels.

This area has had planning application turned down in the past because of the proximity of the industrial est. Who would want to live with this at the bottom of their garden?

Objection – Tony Disley, 453 Whalley Old Road, Blackburn. Rec – 17/08/2020

I wish to put forward my strong objections to this 'development'

My reasons for objection, first off, is my love of the natural world and nature. I have been and still am a keen and knowledgeable birdwatcher although I would call myself a birder. I have a love and fascination for the natural world having spent the last 35 years watching birds and illustrating various bird books including Gambia, Seychelles and others and being generally fascinated and in awe of the natural world.

My main objection is the destruction of habitat that will arise from this development. I would like to make the point that I think that all housing development as far as can be, should be made on previous brownfield sites rather than destroying and encroaching further into the green belt land that surrounds our towns and cities. I thought the main reason for the idea of green belt was to create a barrier to the further encroachment of urbanisation into the countryside. So as an example, this housing development will turn a little wild area of grassland and bushes where I regularly see a Kestrel hunt everyday (the ecology report you had commissioned by Bowland Ecology mentions that they saw it hunting on the day/days they did their survey). We on the other hand see it EVERY day, we watch it EVERY day, we ENJOY it EVERY day. We also enjoy the Barn Owl (photo attached) that also uses the area of fields in the evenings to find food in the rough grassland which is ideal for Owls. (This is one of the main reasons we bought this house, the chance to watch wildlife and enjoy the wonderful views that we currently have from our house.) Although not as regular as the Kestrel it is still a frequent user of this space and is probably a lot more regular than we have observed due to its nocturnal nature. We also enjoy the almost daily sightings of up to 4 Roe Deer that also regularly use the area to feed. A Fox (photo attached) is regularly seen as it makes its way through the fields most evenings on its feeding route. Alongside the previously mentioned species there are also Whitethroats, Reed Bunting and Linnet that nest in the expanse of bushes and grassland that encompass part of the site of proposed 'development'. The latter species, Linnet nest in the small areas of Gorse bushes on the site and is listed as a declining species, the following is taken from Wikipedia:

'The common linnet is listed by the UK [Biodiversity Action Plan](#) as a priority species. It is protected in the UK by the [Wildlife and Countryside Act 1981](#).

In Britain, populations are declining, attributed to increasing use of herbicides, aggressive scrub removal and excessive hedge trimming; its population fell by 56% between 1968 and 1991, probably due to a decrease in seed supply and the increasing use of herbicide. From 1980–2009, according to the Pan-European Common Bird Monitoring Scheme, the European population decreased by 62%'

I remember being told by a local birdwatcher of Corn Buntings that used to nest at the top of the road in the mid 1970's, I never saw them and they are now extinct as a breeding bird in East Lancashire, I wonder how long it will be before the Linnet is heading the same way. As we encroach further, we are denying more species a home and causing the fragmentation of more habitat. The area of proposed house building will largely cut off a finger of natural land that extends to the A6119 Whitebirk Drive, Roe Deer use this land as a wild corridor to travel down to Blackburn Cemetery nearby. Recently during the Covid-19 Lockdown a male Roe Deer was observed to have been locked in to the Cemetery due to it being closed due to the Virus - a great example of the pressure we are putting on wildlife in the local area and nationwide with the fragmentation of wild spaces and yet more encroachment into the countryside.

My partner and I bought our house here firstly because of the fantastic views and because of the green space across the road, both of these will be utterly ruined if this housing development goes ahead, no doubt knocking value off our house and leaving us feeling depressed. It will also change the nature of the road and of the area forever. We will go from enjoying a fabulous view of Blackburn and the surrounding hills and countryside over to Accrington and beyond to a view of houses totally blocking all of that wonderful view, all without any thought or compensation to our feelings or mental anguish at what we will be losing.

The traffic will inevitably increase on the road, with a rough 165 cars possibly double that added to the daily traffic in the mornings? Its already difficult trying to get out in the morning with traffic sometimes backed up all the way to the Spice Lounge, other neighbours have said the same thing many times.

There will be a loss of privacy to our house, we already have the possibility of a development directly behind our property now we have the horrendous possibility of 165 houses totally blocking our wonderful view and changing the light and entire front aspect of our property, our lives will be adversely affected by this be in no doubt, the thought horrifies me.

Flood risk will increase with the further addition of so much concrete and tarmac which will inevitably mean more water running down the road, already an issue with prolonged heavy rain.

The area is also used by locals to walk their dogs and just generally take exercise and enjoy the green space as it is. If anything, the area could be used to increase the nature that uses it and enhance it's potential not to destroy it with a housing development! Why is it that people look on areas of grassland and bushes as areas that can be 'developed' - they are the homes of many species already, it is an ecosystem with lots of wildlife which should be encouraged not destroyed

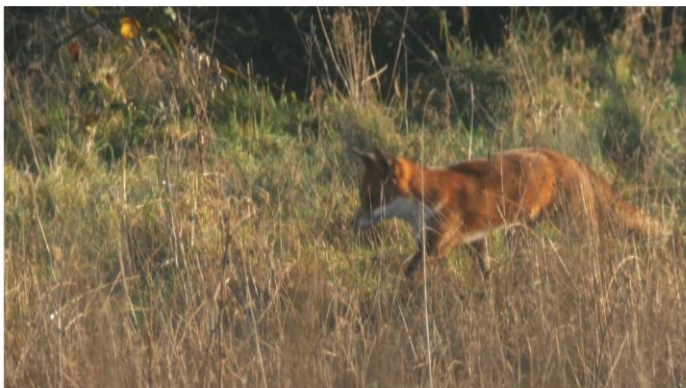
And in terms of mitigation - this is such a cop out green wash term if ever there was one. You can't mitigate for the loss of the area you are proposing to build on. If mitigation really was for real you would be regaining land from urban areas of the same area size and turning them back to wildlife

when in reality what is happening is habitat is being lost to a housing development with the tiniest amount of offset mitigation like putting some bird boxes up or some bat boxes, maybe plant some trees. If you compare that to what you are losing it doesn't compare at all so it is a net loss to wildlife yet again.

It would seem Blackburn is not a green council at all, a real green council with a true green agenda and outlook wouldn't plan on extending more outward into the green belt land of the countryside but would instead rejuvenate brownfield sites within the urban area. As I look throughout Blackburn there is plenty of areas where small numbers of houses could be built without extending the urban sprawl.

As with most new housing development, it isn't that affordable a fact confirmed by the reply I received enquiring about this - no one will know the price of this housing it will be determined by a multitude of factors outside of the developer's control and certainly the councils, like the economy and the depreciation of the currency among others. In fact, it remains out of reach of many in society so I remain to be convinced that this housing will be affordable, it should also be built on existing brownfield sites otherwise it makes a mockery of the council's recent declaration of a climate emergency: <https://www.climateemergency.uk/blog/blackburn-with-darwen/> For the council then to come up with the plan to further expand the urban area of Blackburn into yet more countryside is a joke and is a classic example of saying one thing and doing another.

I remain utterly depressed by this possible new housing development all around this lovely area, you will destroy the character of this area and the reason why so many of us chose to buy the property we have here!! You will also destroy the very reason we bought our house here. I wholeheartedly OBJECT to this housing 'development' and hope it is not given the go ahead.



Objection – Mrs Michelle Walton, 8 Sunnybower Close, Blackburn. Rec – 17/08/2020

Good afternoon

I wish to object against the proposed building of 165 residential dwellings in the area to the south of Whalley Old Road, Blackburn.

The main road is difficult enough with heavy traffic at certain times of the day, which has been made worse by the new housing buildings near Parsonage Road, Blackburn.

We have also had disruption with the ongoing road/maintenance works and the alterations of traffic signalling at the bottom of Whalley Old Road and the dual carriageway.

The area suggested for building permission is the home of wildlife and this as such the land should not be disturbed.

Furthermore, any building on this site would potentially devalue the residential properties already in existence and as such, homeowners should be compensated should the planning permission be granted.

Yours faithfully

Objection – Mosan Hussain, 439 Whalley Old Road, Blackburn. Rec – 17/08/2020

To whom it may concern, I am a resident at 439 Whalley Old Rd, Blackburn BB1 5QL, UK. I am writing to object against the plans for the 165 dwellings on South of Whalley Old road.

The grounds which I object are as follows-

There will be an impact on the wildlife as there is a vast amount of land, there are many trees, bushes and grass.

There will be an impact on traffic and pollution on such a narrow road. There is no space for parking on Whalley Old road outside my house and once for a short period of time I did park my car outside, my wing mirror was broken due to another car driving on the narrow road.

The road is used by public from Great Harwood, Whalley and as far as Clitheroe to go to work and Shop at Blackburn Mall on the weekends. This can create a traffic jam leading into the dual carriageway and then further impact when more 165!!! more residents with multiple cars all use the same junction at the same time. Quite simply the road cannot handle any further traffic.

Companies when delivering have issues loading and turning on the road due to the narrowness of the road, this will further impact when the road become more busy.

The sun rises directly onto our houses and houses would then be impacted as there would be less light.

The design of our houses blend in with the fields, new houses with red bricks would look very bad in amongst the fields.

The dry stone wall would have to move to make space for a path or extra space on the road for cars. This would be such as shame for the personality and heritage of the fields and the dry stone walls to be demolished due to houses being built.

Within the area approx 1 mile radius 3 new estates are currently under construction, which aren't sold as of yet.

Thank you for the opportunity to voice our opinion and hopefully make the correct decision by supporting the residents of Sunnybower.

Objection – Cameron Disley, 470 Whalley Old road, Blackburn. Rec – 17/08/2020

Dear Ms Hollern,

We met briefly at Jeremy Corbyn's rally in Nelson and again at Keir Starmer's visit to the Blackburn CLP (where I took our photo). I am contacting you in order to lodge my objection to the proposed housing development at Sunny Bower. I have forwarded the detailed email my uncle has submitted to the planning department and I hope that you get the chance to read it, also.

I have lived on Whalley Old Road all of my life. I am still here because I love this area of Blackburn. It is relatively quiet despite being close to the motorway link and have spent countless hours in the green areas surrounding my home. The nature of Sunny Bower has been a great positive aspect for my mental health over the years (which hasn't always been entirely positive). But it has not always been without disruption. Over the years this road and its junctions have become increasingly busier, boosting air, noise and traffic pollution in the area. Building and utility works have all contributed to major traffic disruption in the area - and any incident on the roads can cause long tailbacks. Given the nature of the proposed development and the number of dwellings (and many of their 'upper class' status) I am even more concerned about what this would do for the local roads.

I am also dreading the prospect of seeing so many of the lush green views I love turfed up, paved over and blocked. The surrounding fields have been popular with children, teens, walkers & pet owners (myself included) my entire life. They are a quiet retreat with some of the best views of Blackburn and the surrounding area available **anywhere** in the borough. They are also teeming with wildlife. I hear the owls regularly at night - as well as the bats. We see foxes and deer in good measure, roaming and grazing. It is a lively ecosystem on our back door and I personally see it as being invaluable to the area and the residents of Whalley Old Road & Sunny Bower.

I, like many residents of the area, strongly believe that this development will be to the **detriment** of Sunny Bower. I support the need for affordable homes, especially on former brownfield & disused sites - of which there are plenty still to choose from in Blackburn. What I absolutely do not support is an encroachment on the green belt. I sincerely hope that my local and national Labour Party values the same. Especially during a climate emergency!

The planning statement states the following:

"This is not a valued landscape and the nature conservation interests are limited."

I and we, the residents of Sunny Bower, **STRONGLY** disagree with that assessment. I implore the planning department not to take this land from us and I hope that as our Shadow Minister for Housing (for which I was pleased to see you selected), you will be able to take our concerns seriously. If this goes ahead, I will be increasingly inclined to leave the area after 27 years and that would be with an incredibly heavy heart indeed.

Thank you very much for your time,



Objection – Lou Harg. Rec – 17/08/2020

Dear Sir/Madam

I write to you to ask that you reconsider the development planned for Sunnbower Blackburn. I live not far away and not only is this my route to work (which will not cope well with another potential 300 cars) but I moved to the area partly because of the greenery and wide open spaces. I think the recent lockdown due to the pandemic shows how much we need those spaces. Soon there will be no green areas of this town left... gobbled up by greedy developers who insist on covering every inch with boxes crammed close together under the guise of 'affordable housing' I don't know many people with faith in this towns council.

Objection – Mrs C Carney, 5 Sunny Bower Road, Blackburn. Rec – 17/08/2020

I am writing to inform you of our objections to the above proposed development.

I have several concerns as outlined below however my main one is keeping my family safe. My 5year old son is under a respiratory consultant and the thought of construction work and the dust, fumes and other contaminates this may spread in the air is worrying. I know that it will come towards us as we can often smell the Pets Choice factory. We live at 5 Sunnybower

Road so we will be very much impacted by the development and the construction phase in particular.

Having read the reports and digested as much as I can I would like to raise the following concerns;

With regard to the climate crisis, BwD council declared a climate emergency surely Greenfield areas should be kept as such to help? Mass building developments to fuel the rich and powerful should be scrapped and instead the council should be looking at how they can improve the current state of housing and poverty in the area. These green sites should be developed into more fertile land to enable native wildlife and flora and fauna to develop and flourish.

(From Phase 1 preliminary risk assessment report 12th feb 2020 pg 13) the site historically occupied by 2 quarries and has a watercourse. There is a potential instability risk associated with historic underground mining!

There are contaminants that pose moderate to high risks for our area. Gas monitoring will be required as there is high risk for the migration of gas into buildings causing explosion and asphyxiation!

Moderate risks are the contamination of water and a risk to water pipes. Also the risk of contaminants posing a problem to users via dermal contact, ingestion and inhalation of soil, dust, fibres etc especially during the construction phase. I also grow food along with several other residents and would not want any form of soil contamination or vegetation diseases spread.

Mass developments do not future proof with regard to finite resources in the area. Many schools, sure start services and GP practices in the area do not have the capacity to take on more residents and they do not have the resources, space or staff to expand to accommodate such an influx

I know you cannot stop something just because of a view but it's not just a view it's an open green space used by the community. Community green spaces are known to have an increased positive effect on people's social, physical and mental health. There are many older people to whom this provides comfort, socialisation and familiarity.

The area is quite wild and this in turn provides perfect habitats for small mammals and birds and I personally have seen owls, kestrels, bats and deer. The development would cause damage and disruption to nests and animal homes and their resources for foraging. The light pollution from an estate will also negatively affect nocturnal foraging species such as bats.

As previously stated above, the extra traffic congestion and traffic related pollution would increase with such a large development. This will negatively impact on people's physical and mental health.

During construction the noise and disruption to the area will be horrendous and quite frightening, I for one will be worried in case there is a land collapse or contaminants released that would be hazardous to myself and my family and the community.

At present it is great for the night sky but this will be lost due to light pollution from the new development and again the negative impact this will have on nocturnal animals.

Whalley Old Road is not suitable for the current volume of traffic, it has limited footpath areas, and vehicles seem to use it as a race track. It is difficult and dangerous to cross at present and this will get worse if traffic increases.

Apparently the existing utility infrastructure 'appears' to support a development of 120 dwellings, do we find out too late that actually it doesn't?

I would also like to make it known that it feels that there has been no consideration as to how you have communicated this information to people, unless this was what you hoped so that there would be less objections.

If you know about Sunnybower you would know that it has a significant proportion of older and vulnerable people, often living alone. Letters sent through the post with minimal information except to go to a website is not good enough, many I have talked to do not have smart phones nor access social media, so how do they find out more information? I know they could ring you but to be given lots of verbal information over the phone can be intimidating and difficult to take all the information in at once, people need time to digest it. I am aware that Covid makes it all the more difficult however a small summarised information pack could be made available on request, this could be added to a letter so that people can understand what exactly is happening to their home area. Several people who received the letter had no idea where it was going to be thinking it was further south – a visual picture would've been useful too. Choosing areas to put information in to be shared on the estate or even a portacabin for a week with the information displayed and to allow for questions to be asked. Also having a designated person to come and talk face to face but socially distant for certain people.

I am aware that the letter states that 'due to high volumes of correspondence received we will be unable to acknowledge comments submitted', with regard to the points I've made that's fine however I would like some form of response as to how you will improve your communication of such matters to the older and more vulnerable in the affected area.

Objection – Jav. Rec – 17/08/2020

I email you in reference to the above planning application (reference: 10/20/0716) which involves the development of 165 dwellings on the land bordering Whalley Old Road.

I would like to object to these dwellings in the strongest possible terms. My reasons are below:

1. Wildlife:

The area has an abundance of wildlife, such as newts, deer and bats, which are indigenous to the development area. Should the development be approved, Blackburn with Darwen Borough Council will be sounding the death knell for the majority of our local wildlife population.

2. Noise and air pollution:

The current peace and tranquility of the area is what attracts many people to the area. Approving this development would see a significant increase in the population to the area. This would have the 'knock on' effect of increased noise and air pollution, an increased health risk to some vulnerable residents.

3. Road safety concerns:

Being one of the main through roads for routes to Rishton, Great Harwood and Whalley, Whalley Old Road is already a very busy road as it is and gets congested very easily. Ahead of any approval for development, the council needs to answer exactly how would improve the safety of both pedestrians and road users. For example: How would the lack of pavement on the side of the development be addressed? If the solution was to add a pavement, would there be a road widening scheme? Road safety concerns have to be addressed for the safety of both children and the elderly, as the vast majority of motorists do not obey the speed restrictions whilst travelling up and down the hill. The council needs remember that with 165 houses and an average of two cars per household, they are adding at least 330 cars to the area.

4. Our environment:

I value the area and the environment we are blessed with here. Having an abundance of greenery around you is wonderful for your mental health and we do have panoramic views over Blackburn from our location. This includes the views of Oswaldtwistle Fells. Should the development go ahead, the views we have on our doorstep will be destroyed and replaced with yet another housing estate.

To conclude, in the Lancashire Telegraph article, Cllr Phil Riley makes the point that this development is not even in the target housing area. This means that the only benefit to this council is financial. Additionally, as per the comment in the Lancashire Telegraph article dated 14 August 2020, Cllr Riley is quoted as saying: "It is well known that the council has housing targets set by the government which were progressing favourably before the onset of the pandemic. We are pleased that applications of this sort are coming forward which show there is confidence by developers in the borough."

I would like to add that while the council may indeed have housing targets to meet, it would be truly shameful and irresponsible for these targets to be reached at the expense and destruction of these fields and natural open space.

Objection – Anne Wright. Rec – 17/08/2020

I wish to object to Planning Permission being granted for the above development. I am a resident of Sunny Bower and feel that an , estate of such size would be entirely out of keeping for this area. Most properties in this area are semi detached houses and bungalows with small numbers of occupants. To build an estate with 5 bedroom houses and containing 165 properties would lead to an unacceptable increase in traffic which is a problem at the moment and could only get worse. Therefore I am not in favour of this development and hope that my concerns will be considered.

Objection – Mr Faruk Bobat, 26 Bank Hey Lane South, Blackburn. Rec – 17/08/2020

Dear Sir/Madam

I am writing regarding the above application reference as we wish to object the planning application. The reasons are due to increase in traffic and congestion surrounding this area. Increase in traffic is already prominent, therefore this would impact this further. Therefore we wish to object this application.

Objection – Philip Holden, 16 Cunliffe Close, Blackburn. Rec – 17/08/2020

I email you in reference to the above planning application (reference: 10/20/0716) which involves the development of 165 dwellings on the land bordering Whalley Old Road.

I would like to object to these dwellings in the strongest possible terms. My reasons are below:

1. Wildlife:

The area has an abundance of wildlife, such as newts, deer and bats, which are indigenous to the development area. Should the development be approved, Blackburn with Darwen Borough Council will be sounding the death knell for the majority of our local wildlife population.

2. Noise and air pollution:

The current peace and tranquility of the area is what attracts many people to the area. Approving this development would see a significant increase in the population to the area. This would have the 'knock on' effect of increased noise and air pollution, an increased health risk to some vulnerable residents.

3. Road safety concerns:

Being one of the main through roads for routes to Rishton, Great Harwood and Whalley, Whalley Old Road is already a very busy road as it is and gets congested very easily. Ahead of any approval for development, the council needs to answer exactly how would improve the safety of both pedestrians and road users. For example: How would the lack of pavement on the side of the development be addressed? If the solution was to add a pavement, would there be a road widening scheme? Road safety concerns have to be addressed for the safety of both children and the elderly, as the vast majority of motorists do not obey the speed restrictions whilst travelling up and down the hill. The council needs remember that with 165 houses and an average of two cars per household, they are adding at least 330 cars to the area.

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I value the area and the environment we are blessed with here. Having an abundance of greenery around you is wonderful for your mental health and we do have panoramic views over Blackburn from our location. This includes the views of Oswaldtwistle Fells. Should the development go ahead, the views we have on our doorstep will be destroyed and replaced with yet another housing estate.

To conclude, in the Lancashire Telegraph article, Cllr Phil Riley makes the point that this development is not even in the target housing area. This means that the only benefit to this council is financial. Additionally, as per the comment in the Lancashire Telegraph article dated 14 August 2020, Cllr Riley is quoted as saying: "It is well known that the council has housing targets set by the government which were progressing favourably before the onset of the pandemic. We are pleased that applications of this sort are coming forward which show there is confidence by developers in the borough."

I would like to add that while the council may indeed have housing targets to meet, it would be truly shameful and irresponsible for these targets to be reached at the expense and destruction of these fields and natural open space.

Objection – Robert & Patricia Marsay, 38 Cunliffe Close, Blackburn. Rec – 18/08/2020

Dear Sir

We are writing to you with regard to the above planning application and would like to register our objection.

1 Whalley Old Road can barely cope with the volume of traffic today and when any type of work is carried out traffic comes to a complete standstill. Add the volume of cars parking whilst construction is taking place plus the volume of Lorries and other forms of equipment this can only cause absolute mayhem for the residents.

2 Also no information has been given as to entry and exit of the site as again we do not believe Whalley Old Road can cope.

Objection – H F Cotton, 449 Whalley Old Road, Blackburn. Rec – 18/08/2020

Dear Sir,

I am writing to complain about the proposed development on Whalley Old Rd.

The traffic on the road is heavy now so 165 houses will make it even worse.

We are aware of mines underneath this land what will happen if the houses subside

With all these houses obviously our view is going to be obscured. How would you like it if you lived up here?

These are supposed to be executive homes, but who would want to live behind Blackburn Chemicals? running 24 hours a day?

What about the wild life and flora? That will be destroyed

When we moved here 20 years ago we were told that nothing could be built on this land for another 100 years. Is this another broken promise?

Objection – Miss K Marsden, 12 Cunliffe Close, Blackburn. Rec – 18/08/2020

I am writing in regards to the new housing development that has been proposed for Sunnybower. As a resident in this area I am very upset and annoyed regarding this news, I moved here so I could be near the countryside and near the wildlife, I take my dog out twice a day through the woods and fields and love the peace and fresh air.

Building 165 houses will take away more green land which is home to lots of wildlife including deers, it will cause traffic congestion on Whalley old road, not forgetting to mention months and months of MORE roadworks.

Our local GP is already stretched so who will accommodate the new residents who move into those houses?

Where will the children go to school, as school places are very limited now?

There are plenty of unused houses which could be knocked down and redeveloped without having to build on more green space.

Objection – Ken Moulden. Rec – 19/08/2020

Regarding the above mentioned planning application for 165 high quality dwellings, I and many of my neighbours have serious concerns that the Council is riding roughshod over its own policies. For the reasons stated below this planning process should be halted as soon as possible.

The proposed development at Whalley Old Road forms part of plot 4/1 Brownhill as referenced in Local Plan Part 2.

Policy 4. “Land for Development Beyond the Plan Period” clearly states: *“Within the areas identified as Land for Development Beyond the Plan Period on the Adopted Policies Map, planning permission will not be granted for permanent development. Land will only be released for permanent development following a Local Plan review which proposes the development.”*

and para. 2.7 states: *“The remaining areas have the potential to accommodate some of the Borough’s longer term development needs in the 2030s and beyond.”* The Whalley Old Road proposed development is part of the remaining area.

similarly para. 2.1 of the Local Plan Part 2 states: *“The policies in this Local Plan will apply to every development proposal that requires planning permission”*

Para. 2.8 states: *“It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this”*. This application represents piecemeal change and development to the wider Brownhill site identified.

Para. 2.9 states: *“A future Plan review considering the release of any land identified under this policy will need to undertake a full appraisal of the area suitable for release, and the impact on landscape and other considerations of doing so.”* No Local Plan review has happened so the Whalley Old Road site cannot be approved for development.

Ergo, any part of plot 4/1 Brownhill should not be considered for development before the end of the current plan for development needs in 2030 and beyond. It is not possible to pick and choose which developments the policies apply to and the Council should not deliberately violate one of its own key policies this makes a mockery of making policies in the first place.

The Application Plan (00034591.pdf) acknowledges that the application breaches Policy 4 and provides the following justifications:

- A) It is a Discrete Parcel of Land
- B) An Appropriate Location
- C) The Growth Target
- D) Sustainable Location for Development
 - a. Economic Objectives
 - b. Social Objectives

c. Environmental Objectives

The arguments against the breach of Policy 4 are as follows:

A) Discrete Parcel of Land

From the Application Plan: *“This is a discrete parcel of Land that is contained by Whalley Old Road and the established industrial area to the south”.*

It is NOT a discrete parcel of land since it forms part of the 4/1 Brownhill site identified by the Local Plan Part 2 where para. 2.8 states: *“It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this.”*

What the Council is advocating is piecemeal development against its own Policy.

From the Application Plan: *“It can be considered in a way that does not affect or prejudice the planning and development of the broader zone governed by Policy 4 of the Local Plan Part 2 at Brownhill”*

No it cannot. The Council is not following Policy 4 of the LPP2 thus prejudicing the planning and development of the whole 4/1 Brownhill area. Para. 2.8 of the Local Plan Part 2 clearly states that piecemeal change or development in advance of a Local Plan review may compromise the potential of the wider site.

From the Application Plan: *“This broader zone should be given further consideration through the emerging replacement local plan for Blackburn with Darwen”*

The broader zone must include the Whalley Old Road development through a Local Plan review as required by Policy 4.

B) An Appropriate Location

It cannot be an appropriate location since it is in an area governed by Policy 4 where development is not allowed until there has been a Local Plan review.

Furthermore the site is on a congested (at peak times) country road which brings up road safety concerns. This is highlighted further on in this objection document.

The Planning Application proposes a majority of “high quality houses” in a rural setting. Gentlemen, this site is on a hill overlooking a chemical factory and large industrial estate. Not, I think, where your average executive would want to live.

C) The Growth Target

From the Application Plan: *“The subject site presents an opportunity to deliver high quality housing in a sustainable location which will act to support the ambitions for growth in Blackburn with Darwen”*

Maybe in the future, but, at the moment the site is protected under Policy 4.

From the Application Plan: *“There has been some delay in the delivery of housing at some of the larger urban extension sites around Blackburn and Darwen”*

This is not relevant to the application. Indeed, Paragraph 5.1 of the Planning Statement states *“Blackburn with Darwen Council can demonstrate a housing land supply in excess of five years and local delivery of housing in excess of that required by the National Planning Policy Framework (NPPF).”*

According to the Council’s 5 year Housing Supply Statement, the Council already has a 9.9 year supply of housing land when it is only expected to have a 5 year supply.

From the Application Plan: *“It represents another component in the strategy to deliver housing at the right place”*

The housing is NOT in the right place. It is on land protected by Policy 4 where development is prohibited until there has been a Local Plan review.

From the Application Plan: *“There have been other instances in the borough where planning permission has been granted for new housing development on land that is not allocated in order to maintain an adequate supply of housing land and to meet housing targets. One example is the hybrid planning permission for up to 450 dwellings on land designated as “countryside” at Brokenstone Road granted in 2019 (10/18/1116).”*

Just because the Council has previously breached its own policies in the past does not make it right. In fact it makes a mockery of making policies in the first place as already stated further up in this document. The justification given at that time was that the Council only had a 3.6 year supply of housing and needed 5 years supply. It is clearly not the case this time round since we know the Council, from its own figures, has a 9.9 year supply. In any case, a previous permission on the opposite side of town is immaterial to this development which should be assessed on its own merits.

From the Application Plan: *“Such decisions are material as they demonstrate that positive action is being taken to support growth and to ensure that housing targets are met.”*

This is simply not true. Since the Housing Supply Statement dated June 2019, an additional 450 houses at Brokenstone Road and 600 houses off Bog Height Lane have been added. Therefore the site at Whalley Old Road is not required to meet housing targets.

Again I reiterate para. 5.1 of the Application Plan: *“Blackburn with Darwen Council can demonstrate a housing land supply in excess of five years and local delivery of housing in excess of that required by the National Planning Policy Framework (NPPF).”*

The exact opposite of the argument for violating Policy 4. Are the Council meeting targets or not? The Application Plan says both!

D) Sustainable Location for Development

Not relevant!

It cannot be developed until there has been a thorough Local Plan review as mandated by Policy 4 of the Local Plan Part 2.

To sum up:

- The development is in breach of Policy 4. The Council have tried to justify this but my arguments prove their justifications to be totally false.
- I have shown that the development is not necessary since the Council have more than enough land to meet their 5 years needs, in fact I have shown they have 9.9 years+
- The increase in traffic caused by the development when it is fully occupied will further congest an already busy road putting both the existing and the new residents in danger. I do not believe your “Travel Plan will in any way alleviate this.”
- There will be an increase in pollution locally affecting in particular elderly, infirm and children.

In short there is no need for this development and therefore the planning process should be halted or approved denied.

The Council should not be violating its own published policies. It is not what we the public would expect from from our Council.

Thank you for reading this and I look forward to any comments you may have.

Objection – Cheryl Rudd, 43 Oakwood Avenue, Blackburn. Rec – 19/08/2020

Dear Planning Officer ,

I am writing to object to the above planning application of 165 houses on Whalley Old Road , my objections are as follows

1. This is an area which is full of wildlife and local residents use this area for walking which is extremely important in promoting well being which will dramatically reduce if this development goes ahead. Noise pollution in the area will increase due to the extra traffic which these houses will generate.
2. The pressure on local services if these houses go ahead e.g. pressure on local schools and doctors surgeries in the area. I am a patient at Little Harwood Surgery which would be the closest surgery to the new houses , and it is already difficult to get an appointment now without the added pressure of an extra 165 houses .
3. Increased traffic on Whalley Old Road . Although this is a main road it is not particularly wide especially when cars are parked on the road so the prospect of additional traffic which the new development would bring is frightening. Plus there is not a pavement currently on that side of the road where the houses are due to be built.
4. I understand from residents who have lived here for a number of years that there is a landfill site at the start of the new development, surely you cannot be considering building on this unstable land ?

Objection Iain Sykes. Rec – 19/08/2020

Reference: 10/20/0716 for outline planning application at Whalley Old Road

Dear Councillor,

Regarding the above mentioned planning application for 165 high quality dwellings, I and many of my neighbours have serious concerns than the Council is riding rough shod over its own policies. For the reasons stated below this planning process should be halted as soon as possible.

The proposed development at Whalley Old Road forms part of plot 4/1 Brownhill as referenced in Local Plan Part 2.

Policy 4. "Land for Development Beyond the Plan Period" clearly states: ***"Within the areas identified as Land for Development Beyond the Plan Period on the Adopted Policies Map, planning permission will not be granted for permanent development. Land will only be released for permanent development following a Local Plan review which proposes the development."***

and para. 2.7 states: ***“The remaining areas have the potential to accommodate some of the Borough’s longer term development needs in the 2030s and beyond.”*** The Whalley Old Road proposed development is part of the remaining area.

similarly para. 2.1 of the Local Plan Part 2 states: ***“The policies in this Local Plan will apply to every development proposal that requires planning permission”***

Para. 2.8 states: ***“It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this”.*** This application represents piecemeal change and development to the wider Brownhill site identified.

Para. 2.9 states: ***“A future Plan review considering the release of any land identified under this policy will need to undertake a full appraisal of the area suitable for release, and the impact on landscape and other considerations of doing so.”*** No Local Plan review has happened so the Whalley Old Road site cannot be approved for development.

Ergo, any part of plot 4/1 Brownhill should not be considered for development before the end of the current plan for development needs in 2030 and beyond. It is not possible to pick and choose which developments the policies apply to and the Council should not deliberately violate one of its own key policies this makes a mockery of making policies in the first place.

The Application Plan (00034591.pdf) acknowledges that the application breaches Policy 4 and provides the following justifications:

- A) It is a Discrete Parcel of Land
- B) An Appropriate Location
- C) The Growth Target
- D) Sustainable Location for Development
 - a. Economic Objectives
 - b. Social Objectives
 - c. Environmental Objectives

The arguments against the breach of Policy 4 are as follows:

A) Discrete Parcel of Land

From the Application Plan: ***“This is a discrete parcel of Land that is contained by Whalley Old Road and the established industrial area to the south”.***

It is NOT a discrete parcel of land since it forms part of the 4/1 Brownhill site identified by the Local Plan Part 2 where para. 2.8 states: ***“It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this.”*** What the Council is advocating is piecemeal development against it’s own Policy.

From the Application Plan: ***“It can be considered in a way that does not affect or prejudice the planning and development of the broader zone governed by Policy 4 of the Local Plan Part 2 at Brownhill”***

No it cannot. The Council is not following Policy 4 of the LPP2 thus prejudicing the planning and development of the whole 4/1 Brownhill area. Para. 2.8 of the Local Plan Part 2 clearly states that piecemeal change or development in advance of a Local Plan review may compromise the potential of the wider site.

From the Application Plan: ***“This broader zone should be given further consideration through the emerging replacement local plan for Blackburn with Darwen”***

The broader zone must include the Whalley Old Road development through a Local Plan review as required by Policy 4.

B) An Appropriate Location

It cannot be an appropriate location since it is in an area governed by Policy 4 where development is not allowed until there has been a Local Plan review.

Furthermore the site is on a congested (at peak times) country road which brings up road safety concerns. This is highlighted further on in this objection document.

The Planning Application proposes a majority of “high quality houses” in a rural setting. Gentlemen, this site is on a hill overlooking a chemical factory and large industrial estate. Not, I think, where your average executive would want to live.

The Growth Target

From the Application Plan: ***“The subject site presents an opportunity to deliver high quality housing in a sustainable location which will act to support the ambitions for growth in Blackburn with Darwen”***

Maybe in the future, but, at the moment the site is protected under Policy 4.

From the Application Plan: ***“There has been some delay in the delivery of housing at some of the larger urban extension sites around Blackburn and Darwen”***

This is not relevant to the application. Indeed, Paragraph 5.1 of the Planning Statement states ***“Blackburn with Darwen Council can demonstrate a housing land supply in excess of five years and local delivery of housing in excess of that required by the National Planning Policy Framework (NPPF).”***

According to the Council’s 5 year Housing Supply Statement, the Council already has a 9.9 year supply of housing land when it is only expected to have a 5 year supply.

From the Application Plan: ***“It represents another component in the strategy to deliver housing at the right place”***

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From the Application Plan: ***“Such decisions are material as they demonstrate that positive action is being taken to support growth and to ensure that housing targets are met.”***

This is simply not true. Since the Housing Supply Statement dated June 2019, an additional 450 houses at Brokenstone Road and 600 houses off Bog Height Lane have been added. Therefore the site at Whalley Old Road is not required to meet housing targets. Again I reiterate para. 5.1 of the Application Plan: ***“Blackburn with Darwen Council can demonstrate a housing land supply in excess of five years and local delivery of housing in excess of that required by the National Planning Policy Framework (NPPF).”*** The exact opposite of the argument for violating Policy 4. Are the Council meeting targets or not? The Application Plan says both! **D)**

Sustainable Location for Development

Not relevant!

It cannot be developed until there has been a thorough Local Plan review as mandated by Policy 4 of the Local Plan Part 2.

To sum up:

- The development is in breach of Policy 4. The Council have tried to justify this but my arguments prove their justifications to be totally false.
- I have shown that the development is not necessary since the Council have more than enough land to meet their 5 years needs, in fact I have shown they have 9.9 years+
- The increase in traffic caused by the development when it is fully occupied will further congest an already busy road putting both the existing and the new residents in danger. I do not believe your "Travel Plan will in any way alleviate this."
- There will be an increase in pollution locally affecting in particular elderly, infirm and children.

In short there is no need for this development and therefore the planning process should be halted or approved denied.

The Council should not be violating its own published policies. It is not what we the public would expect from our Council.

Thank you for reading this and I look forward to any comments you may have.

Objection – Sharon Frayne, 2 Bank Hey Close, Blackburn. Rec – 19/08/2020

Hi

Many thanks for your letter regarding potential housing development bordering off Whalley Old Road. I am writing to object to this proposal given that there are three other housing developments already going ahead in this locality. Those being at Lammack, Roe Lee and Ramsgreave, with a further one planned close to the rugby club on Ramsgreave Drive. There is going to be a huge strain on the NHS in that there are already too few doctors and dentists. Not to mention the already oversized primary schools.

I live on Bank Hey Close and can hear rumbling sounds all night from the work units already established close to the proposed site. Can I suggest you investigate this further as this will cause complaints from any new householders if this plan goes ahead?

Look forward to your reply

Objection – Ms Carol Hartley, 461 Whalley Old Road, Blackburn. Rec – 19/08/2020

**LETTER REGARDING PLANNING PERMISSION TO THE SOUTH OF WHALLEY OLD ROAD
REFERENCE 10/20/0716**

I have been a resident on Whalley Old Road over many years, and I am writing to formally object to the proposed building of 165 family homes being built across the road. My reasons for objection are:

1. This road is always busy, especially so during rush hour traffic, mornings and evenings. There is also a popular garden centre which draws many visitors in cars, creating more traffic onto this already busy road, causing congestion. It's down to sheer good fortune that no one has been killed so far. Although there is a 30mph speed restriction, very few motorists heed it, I have personally witnessed speeding cars going up and down. How long will it be before a child is involved in a serious accident once these homes are built?
 2. This residential area has a lot of family homes already. The current road is not suitable for even more heavy traffic, not to mention the increased air pollution created by all the extra traffic. Where will the access roads to this new estate be? The road at present is not able to take any such roads. Whitebirk drive is always very busy and increased traffic will only cause more congestion. At present in the bungalows live elderly residents, some of whom are suffering with dementia. I am concerned for the safety of these people.
suffering with dementia. I am concerned for the safety of these people.
 3. What about any infrastructure? Are there to be any more schools to take in extra pupils? Is another reservoir going to be built to provide extra water for these new family homes? Is there a plan to build a children's play area where children can play safely? The only schools at present are based in Little Harwood and Roe Lee and are already full and they do not cater for secondary pupils, so from eleven years upwards children will have to attend secondary schools. This begs another question as to how pupils of all ages will travel to school? At the moment the bus service in this area is restricted to one bus hourly, none after 5pm. So does this mean that school buses will be coming onto Whalley Old Road?
 4. Is there to be any medical centre or GP practice to cater for the increase in these new residents? At the moment there is a Health Centre in Little Harwood, and another Practice in Brownhill. Both these health services are full. Regarding dental hygiene – there is only one centre down in Bastwell, which already serves a large community.
 5. Lastly I would like to point out the destruction of any wild life habitat. At the moment we have a variety of wild life visiting here – for example deer, a white owl, a sparrow hawk, rabbits, and lots of other birds. There are also creatures living in the hedgerows so their homes will be destroyed.
-

Dear Martin Kelly,

As a mother of a child who was knocked down, I would like to raise my objections to the proposed development just off Sunny Bower Rd and going past the garden Centre off Whalley Old Rd.

The chaos from the increased traffic would make life intolerable. It is bad enough now negotiating the way out of side roads onto Whalley Old Rd.

The water pressure where I live is a problem in that we have very low pressure. Another 165 dwellings would make a bad situation worse. Another factor to be considered would be the effect of the ecological devastation to the environment affecting birds, meadows and wild life.

Can you guarantee that the new development would not create flooding of gardens further down the hill. Whalley old Rd is not a suitable road for the extra volume of traffic that this would create.

In this area there is also a shortage of primary schools, this would lead to higher class numbers or people having to travel out of the area, both of which would be unsatisfactory. I hope you take my concerns seriously before making your decisions. I will look forward to your reply.

Objection - R M Turner, 41 Sunny Bower Road, Blackburn. Rec - 20/08/2020

HEREWITH MY OBJECTION
TO THE ABOVE PLANNING
APPLICATION, FOR YOUR RECORDS.

Objection – Heidi Lunt, Loop Photography, Unit C3, Cunliffe Road, Whitebirk Industrial Estate, Blackburn. Rec- 20/08/2020

I would like to comment on the above planning application.

We have a few concerns

i - We would be very worried about the security of our property. The housing estate would be in very close proximity making it very easy to cause damage to the property, vandalism and breaking and entry.

ii - We have an issue with the water run off from the land at the back of our premises and feel that building on the land would create more flooding, which would cause a great deal of damage to our business and intern render the property uninsurable against flood.

Objection – David Slater, 1 Cunliffe Close, Blackburn. Rec – 20/08/2020

To Martin Kelly

1 A lot of extra traffic.

2. The preservation of wildlife.

3. A builder I worked with was refused planning permission in 1965 because it was a green belt what as changed

4. Extra patients for Doctors.

Objection – Mr & Mrs Pickup, 455 Whalley Old Road, Blackburn. Rec – 20/08/2020

Plans to build 165 dwellings on land opposite our bungalows at Whalley Old Rd, B' Born.

This is not a suitable site for various reasons.

Traffic concerns at peak times brings large volumes of cars etc onto this road, causing back-ups and will be made worse by more cars from

more residents. There is a
blind bend + blind entrance
to a garden centre entrance,
off this road.
All in all it is my opinion,
the land in question is not
fit for building. I was born
at Gunliffe farm, (that is
the farm on the plan) and
know for a fact it is unsuitable
building land.

Objection – Sarah Bates. Rec - 21/08/2020

Dear Sir/Madam,

I am writing to object to the proposed planning on Whalley Old Road.

My reasons for this are as follows:

* Traffic - The area is a main through fare for Blackburn, Whalley, Clitheroe, Great Harwood and Lango. Whalley Old Road is a notoriously busy road and I fear that adding the proposed amount of housing would be a detriment to the community and possibly increase the accident rate in the area.

* Wildlife & Nature - One of the benefits of living in this area is the beauty that surrounds us and the views, this will all but be destroyed should the planning be allowed to go ahead

* Crime - I am concerned that by building new housing this will lead to an increase in crime in the area, I believe there will be an increase in thefts and again make this a less desirable area to live in.

I think these opinions are held by all members of the community and would urge that the planning be declined so we can continue to enjoy this lovely area.

**Objection – Ken & Charmaine Moulden, 3 Bank Hey Cottages, Bank Hey Lane, South, Blackburn.
Rec – 24/08/2020**

INTRODUCTION

We wish to strongly object to the proposed development on Whalley Old Road.

In our reasons stated below we have used, as far as possible, the Council own figures and quotes from the Councils planning reports.

THE PROPOSED DEVELOPMENT IS CONTRARY TO LOCAL PLANNING POLICY

The proposed development at Whalley Old Road forms part of plot 4/1 Brownhill as referenced in Local Plan Part 2, December 2015.

Within this document Policy 4. “Land for Development Beyond the Plan Period” clearly states: ***“Within the areas identified as Land for Development Beyond the Plan Period on the Adopted Policies Map, planning permission will not be granted for permanent development. Land will only be released for permanent development following a Local Plan review which proposes the development.”***

and para. 2.1 of the Local Plan Part 2 states: ***“The policies in this Local Plan will apply to every development proposal that requires planning permission”***

similarly para. 2.7 states: ***“The remaining areas have the potential to accommodate some of the Borough’s longer term development needs in the 2030s and beyond.”*** The Whalley Old Road proposed development is part of the remaining area.

Para. 2.8 states: ***“It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this”.*** This application represents piecemeal change and development to the wider Brownhill site identified.

Para. 2.9 states: ***“A future Plan review considering the release of any land identified under this policy will need to undertake a full appraisal of the area suitable for release, and the impact on landscape and other considerations of doing so.”*** No Local Plan review has happened so the Whalley Old Road site cannot be approved for development.

Ergo, any part of plot 4/1 Brownhill should not be considered for development before the end of the current plan for development needs in 2030 and beyond. It is not possible to pick and choose which developments the policies apply to and the Council should not deliberately violate one of its own key policies this makes a mockery of making policies in the first place.

The Application Plan (00034591.pdf) acknowledges that the application breaches Policy 4 and provides the following justifications:

- A) It is a Discrete Parcel of Land
- B) An Appropriate Location
- C) The Growth Target
- D) Sustainable Location for Development
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A) Discrete Parcel of Land

From the Application Plan: ***“This is a discrete parcel of Land that is contained by Whalley Old Road and the established industrial area to the south”.***

It is NOT a discrete parcel of land since it forms part of the 4/1 Brownhill site identified by the Local Plan Part 2 where para. 2.8 states: ***“It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this.”***

What the Council is advocating is piecemeal development against it’s own Policy.

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No it cannot. The Council is not following Policy 4 of the LPP2 thus prejudicing the planning and development of the whole 4/1 Brownhill area. Para. 2.8 of the Local Plan Part 2 clearly states that piecemeal change or development in advance of a Local Plan review may compromise the potential of the wider site.

From the Application Plan: ***“This broader zone should be given further consideration through the emerging replacement local plan for Blackburn with Darwen”***

The broader zone must include the Whalley Old Road development through a Local Plan review as required by Policy 4.

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It cannot be an appropriate location since it is in an area governed by Policy 4 where development is not allowed until there has been a Local Plan review.

Furthermore the site is on a congested (at peak times) country road which brings up road safety concerns. This is highlighted further on in this objection document.

The Planning Application proposes a majority of “high quality houses” in a rural setting. Gentlemen, this site is on a hill overlooking a chemical factory and large industrial estate. Not, we think, where your average executive would want to live.

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Maybe in the future, but, at the moment the site is protected under Policy 4.

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development which should be assessed on its own merits.

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Again we reiterate para. 5.1 of the Application Plan: ***“Blackburn with Darwen Council can demonstrate a housing land supply in excess of five years and local delivery of housing in excess of that required by the National Planning Policy Framework.”***

The exact opposite of the argument for violating Policy 4. Are the Council meeting targets or not? The Application Plan says both!

D) Sustainable Location for Development

Not relevant!

It cannot be developed until there has been a thorough Local Plan review as mandated by Policy 4 of the Local Plan Part 2.

TRAFFIC & ROAD SAFETY CONCERNS

As referenced in SK Transport Plan (00034584.pdf) sec. 2.16, you have already identified Whalley Old Road as a busy road attracting drivers from surrounding areas who use it as a “rat-run.” we know this from experience since getting out of Bank Hey Lane South, where we live, can be a nightmare at peak times. Indeed, the peak hour AM traffic count taken in 2019 mentioned in sec. 2.15 and table 2.1 of the SK Transport Plan identifies 581 vehicles driving down Whalley Old Road to the A6119. That is almost 10 vehicles per minute!

The proposed development of 132 executive houses and 33 affordable houses (165 dwellings in total) will introduce even more vehicles onto a narrow already congested road.

We are assuming each house has an average of 2-3 cars, in line with the remarks Cllr Riley made in a recent newspaper article: ***“I would expect the new houses to be mainly executive homes - detached and semi-detached houses with three, four or five bedrooms.”*** This makes an average number of 412 additional vehicles introduced into the area. If, say, 30% go down Whalley Old Road at the peak AM hour then this represents a 21.3% increase in vehicle numbers.

SK Transport Plan sec. 6.1 states that the net impact will only be 3.07% in the AM. We fail to see how this can be possible when you are introducing 400+ vehicles into the area.

Does this low net impact assume that the Travel Plan (sec. 5.28 of SK Transport Plan) will work in full? I.E all residents car sharing or walking to all amenities.

Your estimates of walking times are inaccurate and mis-leading. The table 5.1 of SK Transport Plan gives the time to travel to Little Harwood Health Centre as 16 minutes. Using Google maps the distance is given as 1 mile which at a walking speed of 2.5 m.p.h would take 24 minutes. It will be a lot longer coming back since it is uphill all the way --- there is no substitute for local knowledge and this will impact on your Travel Plan. In any case, the amenities in Little Harwood and area are not what they used to be and this will further impact on the uptake of your Travel Plan.

This leads me to road safety. Assume, for argument's sake, the average house contains 2 parents + 2 children inline with the type of housing you are expecting. That is a total of 660 new persons in the area, some may be elderly or infirm and some children. The bottom section of Whalley Old Road up to the A6119 has cars parked on both sides of the road and this together with the increased traffic and the expectation of the new residents to walk everywhere (see your Travel Plan) is a recipe for disaster.

We assume the adoption of the Travel Plan will be a condition of granting planning permission and that you will have the resources in place to ensure it is adhered to. Will it be a condition of living on the new estate or merely voluntary?

ENVIRONMENT & IMPACT ON LOCAL SURROUNDINGS

The following is an abstract from an article published on pubmed.gov. Similar findings can be found from many sources.

“Despite growing evidence of public health benefits from urban green space there has been little longitudinal analysis. This study used panel data to explore three different hypotheses about how moving to greener or less green areas may affect mental health over time. The samples were participants in the British Household Panel Survey with mental health data (General Health Questionnaire scores) for five consecutive years, and who relocated to a different residential area between the second and third years (n = 1064; observations = 5320). Fixed-effects analyses controlled for time-invariant individual level heterogeneity and other area and individual level effects. Compared to premove mental health scores, individuals who moved to greener areas (n = 594) had significantly better mental health in all three postmove years (P = .015; P = .016; P = .008), supporting a “shifting baseline” hypothesis. Individuals who moved to less green areas (n = 470) showed significantly worse mental health in the year preceding the move (P = .031) but returned to baseline in the postmove years. Moving to greener urban areas was associated with sustained mental health improvements, suggesting that environmental policies to increase urban green space may have sustainable public health benefits.”

In short, green does us good! Once a green area has been built on it is gone for ever and we as a society are all the worse for it. Locally this bit of green you want to build on is much loved by walkers, with or without dogs. It is something we can look at as we walk or even drive past and it helps to keep us sane in this crazy world of ever increasing demands. we reiterate, once it is built on it is lost for ever!

With this proposal of 165 dwellings will come 400+ vehicles and this does not include the necessary service vehicles. This will inevitably increase local pollution and noise levels. Is this something we as a town should be doing? We are replacing a soothing green space with toxins!

As postulated above, this development will introduce 660 new persons into the area. From BwD 2011 census statistics for Little Harwood (which includes Sunny Bower, parts of Brownhill and Whitebirk) we get the following:

2001 population 6185

2011 population 6752

2020 population 7319 (calculated from 2001 & 2011 assuming a linear rise)

The introduction of 660 persons increases the population by 9% of the Little Harwood area as a whole, or, since Sunny Bower is roughly 1 third of the inhabited area, then a 27% increase locally.

Now, we don't know about you, but it takes on average 2 weeks to get a doctor's appointment and these additional persons can only make things worse. The 2 weeks becomes 3? There are only two health centres in the immediate vicinity.

Along the same lines we will have maybe 300+ children of various ages who will need educating. Are the local nurseries, schools and colleges capable of accommodating these?

We note that from your “Flood assessment & drainage strategy” (00034579.pdf) that 50% of the site is covered by hard standing. This will generate a significant amount of surface water. Will the solutions offered in your strategy be a condition of granting planning permission? As our planners it is your responsibility to see that everything in this matter is correctly in place since if it goes wrong many homes and businesses could be damaged further down the hill or even laterally and the Council will be held responsible.

WILDLIFE

As with all rural green spaces there is an abundance of wild life. Concerned neighbours have shown me pictures of deer, an owl and a red fox on the site. This development will impact on the wildlife (plants, animals and birds) as laid out in The Ecological Impact Assessment prepared by Bowland Ecology.

Para. 6.4 of the Application Plan suggests the building of habitat corridors through the site. Whilst the habitat corridors may seem like a good idea on paper, this is a relatively small area and they will bring animals, for example, foxes (which are seen on the site) into contact with the human inhabitants (or their dogs) causing a nuisance to the inhabitants as well as being a danger to the indigenous animals concerned. In the rural green spaces the wildlife should take precedence over human habitation or we are a very slippery slope.

Para. 2.6 of the Application Plan says the site is characterised by dense and scattered scrub. Scrub is an important habitat for certain species, for example, Nightingales like dense scrub punctuated with open patches also certain moth types may be found.

Para. 2.6 also states that the site contains marshy grassland and various tall vegetation. Birds of prey, such as the barn owl hunt small mammals that hide in tall grasses. As mentioned above, we have photographic evidence that barn owls visit the site.

The Ecological Impact Assessment prepared by Bowland Ecology has made several recommendations concerning habitat loss and impact on wildlife. These recommendations are designed to comply with legal requirements and national and local planning policy.

Para. 4.3 of this report states that “Habitats of Principal Importance” outside of the site boundary will be affected by the development.

Similarly, para. 4.5 says “*Areas of dense scrub and moderately species-rich semi-improved grassland located in the south-western section of the site (TN14) are of greater ecological value. Unmitigated, loss or indirect impacts to these habitats (such as dust/chemical pollution and damage to root systems), is anticipated to result in a moderate negative ecological impact.*” Para. 5.5 states that these areas should be retained.

Para. 7.13 of Policy 40 in the Local Plan Part 2 states: “*The dramatic landscape setting of Blackburn with Darwen is one of its principal assets. The visibility of open upland countryside from many parts of the urban area helps convey a sense of place, and is a factor in the attractiveness of Blackburn and Darwen as a place to live and invest. In addition the countryside is easily reached from all parts of the urban area; and once within it the open landscape creates a sense of unspoilt beauty which is highly attractive.*”

Para. 7.13 above is very true and we are proud of our countryside around Blackburn. Unfortunately the Council seems intent on driving it away from us.

CONCLUSIONS

- The development is in breach of Policy 4. The Council have tried to justify this but our arguments prove their justifications to be totally false.
- We have shown that the development is not necessary since the Council have more than enough land to meet their 5 years needs, in fact we have shown they have 9.9 years+
- The increase in traffic caused by the development when it is fully occupied will further congest an already busy road putting both the existing and the new residents in danger. We do not believe your Travel Plan will in any way alleviate this.
- There will be an increase in pollution locally affecting in particular elderly, infirm and children.

- We have shown that the infrastructure (GP's & schools etc) will not be able to cope with the population increase locally.
- There may or may not be a flood risk depending on whether the developers follow your flood mitigating instructions and if those mitigations are sound in practice.
- There will inevitably be a loss of wildlife and habitat both on and off the site as a result of this development.
- We have demonstrated that the loss of green open space is not good for us. Reduction of green space in our area. Lack of green spaces leads to higher air temperatures and more ground level ozone, with fewer trees and plants to clean the air and provide oxygen.

The development should NOT be approved.

Objection – Mr Abdulrauf Parkar, 1 Rowan Close, Blackburn. Rec – 24/08/2020

Good Morning,

I am writing with regards to the proposed planning on Whalley Old Road (Ref: 10/20/0716) which I totally object to.

I have several concerns about this proposal of which some are highlighted below:

1. The traffic on Whalley Old Road is already an existing problem with congestions during peak hours causing long delays. Nearby residents that live off Whalley Old Road have a lot of difficulty joining the road whether they commuting to work or doing a school run. The development will add to this considerably by up to 500 or more cars.
2. The safety of pedestrians and road users is a concern with there being parked cars on both sides of Whalley Old Road. The increased number of vehicles that the development brings will cause further safety problems.
3. The area for proposal is a natural habitat for an array of wildlife and plants and is considered an area of natural beauty. I am concerned that the development will have a negative impact on the wildlife and plants.
4. The development will also have a negative impact on people who use it for walks. The current situation with Covid 19 has meant that many peoples mental health has suffered and this green area has served as a sanctuary for those people. If the development goes ahead, that is lost forever.

Objection – Philip Holden, 16 Cunliffe Close, Blackburn. Rec – 24/08/2020

Dear Sirs,

I am writing to you to express my objection to the above planning application, which involves the proposed building of 165 new houses on land to the south of Whalley Old Rd.

My objections include :

1] The land is protected under Policy 4 which means the land can only be released for development after the current local plan ends, which I believe is not until 2026. Any proposal to build before that period would be a violation of that policy.

2] The size of the development means we would have an estimated 600 + new people in the area with only one main thoroughfare (Whalley Old Rd), which is already an extremely busy road. This would make traffic issues intolerable for local residents.

3) The proposed development site is in an area that has been a site of previous surface coal mines and quarries, this could in turn lead to localised flooding after building.

4) There is no allowance for a pavement or overflow parking around the development , which could lead to vehicles parking on Whalley Old Rd. causing a significant traffic hazard. The local infrastructure will not cope with the large number of vehicles and people generated by this development.

5) The natural beauty of this site and the surrounding countryside would have a serious effect on local wildlife, both plants and animals if this development was to go ahead. It is one of the few remaining parts of Blackburn to retain its natural beauty and the reason many people (including myself) chose to live here.

In conclusion, I would also like to register a formal complaint against the development and hope that mine and the many other objections you no doubt will receive, will be taken seriously.

I will also be forwarding a copy of this e-mail to Kate Hollern to let her know of my objection to this proposal.

Objection – Russell Howard. Rec – 25/08/2020

Dear Sir or Madam,

I would like to raise an objection to the proposed housing development at Sunny bower/ Whalley old Rd.

1: The development contravenes The Housing Land Position Statement 2018-2028 for the amount of houses built.

And contravenes Policy 4

2: I am concerned about the affect the development will have on wildlife and the loss of trees

3: The impact on my and others health due to increased car pollution due to the fact no local facility's exist for people to walk or cycle too and from. This would mean an extra 2-3 cars per household with visitors. This development will have a negative affect on schools and Doctors Surgery and parking in the local area.

4 The development is not in keeping with the area within its style and design.

5: The position of the development as wholly unsuitable built on land that is filled with asbestos and other waste over looking a chemical factory.

6: If approved this would create a precedent making it hard to object to other developments.

Objection Diana & Jong Grayston. Rec – 25/08/2020

I am writing with deep concern regarding the plans for 165 to be built at Sunnybower, our main concern is the traffic by 6pm there is no parking on our road, the amount of traffic up and down the Road is a hazard already, the safety aspect is worrying to say the least.

The layout and the amount of houses to be built, is inappropriate for the size of the area and will take away all grass area for the local children to play on, the local children will miss out on outside areas to play and with the amount of extra traffic will not be able to be on the Streets.

I look forward to hearing from you regarding this, and will be taking this further if no action is taken.

Objection from Kathryn Crossley, Cunliffe Farm, Whalley Old Road, Rec. 25.08.2020

I live with my husband at Cunliffe Farm, Whalley old Rd Sunnybower Bb14aa. We moved in March 19 and were attracted to the peace and countryside. My objections to the development of 165 houses are as follows.

1. I work as a GP practice nurse in Blackburn and know that our practice and many others incl Little harwood and Brownhill are over populated with patients and shortage of GP s is a national problem.
2. The wildlife in the area will severley be affected. I regularly walk my 4 dogs in the fields and come accross deer and have seen newts and bats also.
3. The traffic is extremely busy along the main rd, being the main route for people from Ribble Valley and Rishton, Gt Harwood. See attached pic taken last sept at "rush hour" I do hope these 2 points will be taken into consideration



Regards Kathryn Crossley (Mrs.)



Objection from Razina Bahadur Rec 25.08.2020

In regards to the above application at South of whalley old road.

I am a resident on whalley old road and have been here for 18 years now.

I would like to object the planning permission of the above which would mean more cars and the road will get busier with the traffic flowing from everywhere.

That land is used by most residents for walks with their kids and dogs.

It will take the greenery away from all residents living opposite.

There are more elderly living near there who have been there for years. They like the peace and quiet bur with these houses being built this will all be gone .

Please reconsider the application.

Thank you

Objection from Jaffer Hussain, 421 Whalley Old Road, Blackburn, Rec 25.08.2020

Hi,

I purchased this property just over 12 months ago and moved into the house in December 2019. The main reason for purchasing the property was due to the location/peace and tranquillity the area provides. Hearing about this new development plan has shaken myself and the family members.

I would like to strongly object the development plans on Whalley Old Road, below are some of the reasons why:-

Traffic – Will up to 165 dwellings on the plan, the amount of local pollution and traffic will be greatly increased.

At the moment there are cars constantly speeding down the hill (No speed bumps) and cars parked on both sides of the road, it's only a matter of time before someone is hit, this will be a lot more likely with more people moving into the area.

Strain on current services – Currently there is already a high demand and waiting lists for schools/ doctors etc, this will only make the situation worse and make it more difficult for existing children in the area to get a place in the local school.

Wildlife – Whilst living in the area I have seen owls, deer and foxes on many occasions, destroying one of the only greenery places left in the area will only put a strain on these animals who will lose their homes/food etc. Not to mention the loss of a beautiful view for all residents in the area.

Location – The site is close to a landfill site therefore causing a risk of methane gas. The area is already lacking local shops and businesses, another 165 families moving into the area will only make this worse, making people travel via car to do shopping frequently.

There are many more issues and problems with the new plans for the development which I can mention if needed in the future or if required.

Please do not hesitate to contact me.

Thank you,

Jaffer Hussain

Objection from Mr Frank Walsh, 10 Cunliffe Close, Sunnybower, Rec 26.08.2020

FAO Martin Kelly

This email has been sent on behalf of Mr Frank Walsh

10 Cunliffe Close

Sunny Bower

Tel 01254 580744

1 congestion of traffic on Whalley old road at least another 200 cars

2 Wildlife

3 more pressure at Little Harwood Health Centre

4 it was classed as a green belt only a few years ago

Regards Mr Frank Walsh

Objection from Jason A Teal, Rec 27.08.2020

Dear Sirs

Thank you for your letter advising us of the proposed development case number 10/20/0716

We would like to **object** to the proposed development on the following grounds

Noise complaints from nearby residents

Security light complaints

Out of hours access complaints

Security concerns in relation to people accessing our site from the rear (from the proposed development)

Not sure how the changes will affect the risk of flooding

The development may place restrictions on how we can develop or use our site in the future

Our normal hours of business operation are 0730 to 1730 Monday to Friday, but we do occasionally work extended hours (0500 to 2200), over 7 days

Please can you keep me informed in relation to this matter via email to the address above

If you require any further information, please do not hesitate to contact me

Objection from Enid Duckworth, 14 Sunnybower Close, Blackburn, Rec 27.08.2020

I would like to register a formal complaint re the above project and set out my objections below:-

1. Road congestion

20 years ago when I worked full time, there were problems getting out of Sunny Bower Rd onto Whalley Old Rd at peak periods. It appears that traffic has increased threefold since then. With 165 dwellings I predict at least 80 cars more trying to get onto the dual carriageway?

2. Environment

The land on which the proposed dwellings would occupy is at present a beautiful haven for wild flowers etc thus helping to cancel out the negative impact of the industrial estate with its foul smelling pet food and chemical works.

I have lived in Sunny Bower for 48 years and the encroachment of industry and traffic load has been very disappointing. A couple of years ago I had to make a formal complaint regarding a strong smell of varnish or toxic substance which affected my speech as I chatted to a neighbour outside. This impediment gradually wore off over a few days. The incident was investigated and no blame was found. Since then I have noticed a sticky substance on the velux roof window vent at the rear of my bungalow and rainwater beading on my Windows. I presume both these are due to chemical processes on the industrial estate.

165 dwellings here will not improve matters but will impoverish the area and reduce the quality of our life. When I came to live here I relished the thought of retirement; living on the edge of Blackburn, being able to walk in the fields and up the road to the New Inns. In actual fact, most footpaths are now fenced off and walking on the roadside is very unpleasant with fast moving traffic and litter in the grass.

I know more houses are needed, and there are always builders who are ready to make money on such schemes. But I would ask the Council to "take a walk on the Wild Side", consider the impact the project will have on the environment as well as the lives of inhabitants, many of whom paid exorbitant housing rates for many years and now find themselves trapped between housing estates and industrial estates.

If you got to the end of this email, I thank you for bearing with me.

Enid Duckworth 14 Sunny Bower Close.

Objection from Ms Janette Thorne, 20 Stonehill Drive, Sunnybower, Blackburn, Rec 27.08.2020

Dear Sir,

As a long-term resident of Sunny Bower living in the last development (I think) that took place on the estate (1982-84) I feel I must respond to this unwelcome news: the 'whispers' have been circulating for over 3 years so I must assume this issue is by now "in the bag" never the less I need to take the opportunity to put forward reasons why this location is ill advised.

- (1) This land is an area of unimproved acid pasture which has grown areas of natural regenerated scrub, an increasingly uncommon environment which should be regarded as precious in the concrete jungle we now live in.
 - (2) Your letter does not specify the type of dwelling houses so I assume they will be "family houses" with all that this will bring usually mostly negative.
 - (3) The question then arises where will this "keeping the construction industry happy" exercise end? There are no amenities in this area so the next thing will be demand for amenities and therefore further development.
 - (4) The vexing question of the ever increasing traffic pressure to the ring road i.e. 10 sets of traffic lights not counting the nightmare which Whitebirk and Brownhill roundabouts have become including their breeding traffic lights. This has significantly impacted on the use of Whalley Old Road and therefore the residents of Sunny Bower for whom this road is the only access/exit route for the estate:-
 - heavy traffic flow AM/PM at peak periods
 - seemingly never ending road works affecting all above mentioned points
 - the apparent ignorance of what the function of Whalley Old Road actually is: this was beautifully demonstrated just over three years ago when the road was closed without warning: I challenged one of the contractors (Kays) whose response was "well it's only a backroad" indicating he had not been fully informed plus the lack of knowledge from the people whose job it was to inform him.
-
- Not only is it the only access/exit route to the estate unless a 4 or 5 mile scenic detour is undertaken the current congestion is due to it being used as a "rat run" by Ribble Valley/Great Harwood residents and delivery drivers, all in my opinion, to avoid the traffic complexes mentioned previously. What this means for residents are problems getting out of the estate especially 07:30-09:00 approximately, from 1600onwards (in normal times): I have seen traffic backed up to York Village.
 - it begs the question where is all the extra traffic this development will generate going to access/exit "their" estate: and indeed just how much more traffic are residents expected to suffer.

What I have described is what happens on the ground every day not projections from computer models. This area of Blackburn is "full up" with traffic it does not need the increase this development will create.

Yours Faithfully

Objection from JJ Nutter, Rec 27.08.2020

The proposals for more housing in Sunny will cause more traffic on Whalley Old Road and more disruption at peak times at the junctions with Whitebirk Road.

These roads are already choc a block at busy periods and there have already been accidents there.

Please do not allow more housing to be built there.

Objection from Michael Roger Bagnall and Dorothy Ann Bagnall (Severely sight impaired so is unable to write personally), 52 Cunliffe Close, Sunnybower, Blackburn, Rec 28.08.2020

Dear sir / Madam

I am writing concerning the proposed outline planning application REFERENCE: 10/20/0716 for The land adjacent Whalley old road for a proposed 165 dwellings.

I would object on the following grounds.

1. I understand that this application is contravening national Local Govt policy 4.
 - a) This land cannot be developed until 2026 when the local review has been fulfilled.
 - b) The land maybe protected under policy 4 so no new plans can be accepted until the local policy ends.
 - c) A local review of the plan needs to be carried out.
2. This development would not be in keeping with the current housing style. It is not on land suited to this type of development and is overlooking an Industrial estate. The land has been used as a local amenity and has provided a safe place to walk and enjoy fresh air especially during the COVID 19 lock down.
3. An additional 165 dwellings would put a strain on local resources, Schools, Doctors and service utilities. Currently water pressure at the top of Cunliffe close is so low 2 taps cannot be run at the same time. There is also the extra traffic involved which would be an additional burden for an over used Whalley Old Road. The number of cars parked on Whalley Old Road already cause problems with accessing the road from side roads and so many extra vehicles accessing the road from the new development would provide and facilitate many possible accidents. There will also be an increase in the number of vehicles making deliveries again facilitating an environment for accidents.
4. By violating Policy 4 then the council would set a precedent in overriding their own policy then in future any scrap of land is vulnerable to development. When the council has spent time and council tax payers money developing a policy this is making a mockery of a developed policy criteria.
5. Is this site not protected by Policy 4 Part 2? This part does not allow piecemeal development. This then removes and compromises ,prospect future long term development
6. Environmental impact.
 - a) Those of us with severe lung deficiency will be affected by additional air pollution. It can be difficult to avoid fuel pollution I notice a change when the Nursery is busy with cars driving in and out at busy times. What is it going to be like with and additional 165 to 300 more cars using this country road.

b) When we purchased our home in 2008 we were informed there was an old landfill site nearby and old quarry and mineral mining in the area. It may be possible that this development this land may produce further environment complications.

7. So far I have mentioned the impact on humans. I am also concerned about the wildlife in the area. We regularly have Deer, foxes, Squirrels roaming wild. There is also a Barn owl, Bats and other birds of prey feeding themselves from mice rabbits and other small animals in the fields adjacent Whalley Old Road.

I trust you will take our observations and objections seriously and recommend refusal of this outline planning application.

Yours sincerely

Objection from Stephen Atherton, 48 Cunliffe Close, Rec 28.08.2020

I am writing to express my concerns and objections over the propose development on South of Whalley Old Road.

1. The idea of building an additional 165 houses in this area is frankly absurd when the road traffic infrastructure barely copes with the existing traffic using the dual carriageway from Whitebirk Roundabout turning right into Whalley Old Road as it is. At peak times, it can take up to 35 minutes to make this journey already. With an additional 165 houses and a potential additional 300 cars, (although given the nature of the high specification houses proposed, it wouldn't be unreasonable to suggest there may be more than 2 cars per household), this would greatly increase traffic flow in this area, along with increase in both noise and exhaust pollution.

Even with the most recent improvements made to the junction at the dual carriage way intersection, the peak time queues on Whalley Old Road trying to access the dual carriageway can see traffic backed up right to the top of the hill. Again, with an additional 300 cars trying to exit the proposed housing area this will increase the waiting times to access the dual carriage way.

The access using a car to the single traffic dirt road leading to Stonehill Garden Nursery off Whalley Old Road is already challenging, even when the roads are quiet as there is little or no visibility when exiting. The increase in traffic on Whalley Old Road will only make this worse.

Should everyone who currently lives on Whalley Old Road express their right of parking their cars on the road outside their house instead of on driveways etc, this would make it impossible to have constant 2 way traffic on Whalley Old Road due to the width of the road. The proposal of adding an additional potential of 300 plus cars travelling this road on a daily basis assumes that people will continue to park their cars on driveways. Should this not be the case access to and from the proposed housing development will be very difficult. Not to mention the difficulty in being able to develop the area using construction equipment and traffic.

2. The proposed housing is not in keeping with the rest of the houses in the area. In addition, the proposal to build high specification housing overlooking a chemical plant and industrial area actually beggars belief. Who in their right mind is going to spend their hard earned money to have the view and noise of an industrial area next to their house?

3. The loss of this land will have a massive impact on the local community that currently spend quite a lot of time using it for recreation, relaxation and wild life watching.

4. Local infrastructure: There are no local amenities near the proposed housing site, which will mean each household will need to drive to access them. In addition the extra population will have an impact on local doctors surgeries and schools. There will be an increase in council traffic of refuse collection and buses to the area, creating yet more traffic.

5. Under the proposal to remove the current recreational area and replace it with 165 dwellings with a mix of 1 to 4 bedroom houses this could be 600 plus new individuals to the immediate area. I can't see any provisions being made to replace the current green area to cope with this increase and provide additional green areas for recreational use.

In general I believe this to be a very poor thought out application based on the proposed location and will have a negative impact on the local area, rather than making a positive contribution as required under Policy 11 of the Local Plan Part Two.

Sincerely

Objection from Ian Kent, Oakwood Avenue, Blackburn, Rec 28.08.2020

Good Afternoon,

With reference to your letter dated 12th August regarding the planned residential development at the land to the South of Whalley Old Road Blackburn.

We live on Oakwood Avenue, Sunny Bower, and have lived here for 35 years. During that time, we have seen a steady increase in the volume of traffic on Whalley Old Road with cars travelling at dangerously high speeds.

The traffic at peak times is extremely heavy and can back right up from the lights on the main road to the Indian Restaurant at the top of the hill. This planned dwelling of 165 houses will significantly increase the volume of traffic in the area.

The proposed development site provides one of the few remaining green spaces in the area and we feel strongly that this proposal will significantly impact on the quality of life for local residents.

Also this development will significantly impact local amenities such as schools.

We hope these objections will be taken into consideration.

Kind regards,

Ian Kent and Catherine Catley

Objection from Derek & Jean Entwistle, 33 Sunnybower Road, Blackburn Rec 28.08.2020

Objections to Outline Planning 165 New Homes.

from Derek and Jean Entwistle. 33 Sunnybower Rd

2020 marks our 50th year residency at Sunny Bower.

The large escalation of vehicular traffic has been significant in recent years.

A6119 is an arterial/dual carriageway more suited to such change BUT Whalley Old Rd is acting as a feeder to every neighbouring ward/town within a 20 mile radius.

These routes + M65 access, various industrial estates/retail parks + Blackburn itself cause 2 directional flow serious problems.

The 30mph speed limit between garden centre and traffic lights is commonly abused, with parking on uneven pavements making walking (taking exercise) a challenge.

165 new homes may spawn 300+ more vehicles,

daily commuting + deliveries/service vehicles

is there a plan to upgrade Whalley Old Rd

install traffic controls

provide public transport

increase health care capacity

increase school capacity

all of which must be part of project

any effort to bypass the

LOCAL PLAN REVIEW CURRENT TO 2026

NEEDS to be immediately CHALLENGED

Objection from Peter Thompson, 35 Bank Hey Lane South, Blackburn Rec 01.09.2020

For The Attention Of Martin Kenny

Dear Sir,

I object strongly to the proposed residential development of up to 165 dwellings on the vacant land situated to the south of Whalley Old Road.

This development would serve to destroy the character of the area and add considerably to the volume of traffic on the particular stretch of Whalley Old Road where the new houses would be situated. Indeed, the volume of traffic is already considerable, particularly at peak times and to add to this, would result in increased traffic congestion and delays for daily commuters. There is also the distinct possibility of an increase in traffic leading to an increase in accidents and injuries.

Yours faithfully,

Peter Thompson

Objection from Kath Black, 508 Whalley Old Road, Sunnybower, Blackburn, Rec 01.09.2020

To Planning Department,

We would like further information about the proposed planning application, 10/20/0716. Our property borders the proposed development.

We have read through the planning application documents and would like to know more about the section of land immediately to the right of our property, this is currently a steep gradient containing dense shrubbery and trees. This section runs up towards the side field where houses and a footpath are outlined. We would like to know if this section of fauna will remain as it serves 2 important roles, privacy, and security.

Would the new development be built at the top of this gradient or would the land be levelled out as a continuation of Whalley Old Road and if the land were levelled out would the fauna also disappear?

The tree report documents (pages 17 and 23) that the cluster of trees, G1, are **proposed** to be retained, alongside H1 (page 19). As stated above this area offers a lot of protection and privacy to our property. We cannot be accessed or overlooked from the existing footpath on this field. In the 19+ years we have lived here this has been a habitat for animals, we feed a wide array of birds, we see bats in the early evening, there have been foxes and deer in the garden. We have purposely allowed the trees to mature and planted more trees and hedging around the perimeter of our property. This provides security and privacy; it also minimises the noise from the busy road as well as providing a habitat for wildlife. The planning details provide insufficient information about this piece of land.

I know the proposal indicates a continuous path to run parallel to our property and then drop down to the field behind. How close to our property is this path and

how far from the borderline are the houses and gardens?

I appreciate at this stage you have not got an actual developer to provide a more detailed map and information. However, I would expect that our concerns are raised and answered, as much as possible by yourselves and then by the proposed developer.

Regards

Objection from Sarah Needham, 93 Stone Hill Drive, Blackburn, Rec 01.09.2020

I wish to submit my objection to the above proposed development off Whalley Old Road, Sunnybower. REFERENCE 10/20/0716

The proposed housing estate development, in its current proposed state, would be extremely detrimental to the area as a whole. The land that this estate will be situated is currently a beautiful area of green belt land which is a haven to local wild life, badgers, rabbits, birds, bats and even on occasion some deer. The loss of this habitat would be damaging to the environment and also a great loss to the surrounding residents that enjoy this currently.

There is concern that the land, as it is bordered by a chemical factory, and various other manufacturing premises including two pet food factory sites, may contain higher levels of chemical infusion than would necessarily be considered safe for people to live on. Certainly the odour from such factories would be unpleasant at best and unbearable at worst for any proposed residents.

The size of the proposed area is disproportionate to the existing dwellings, a development of this size would look out of place and the loss of this current open area would impact significantly on current residents well being.

There are 165 dwellings proposed on the first phase of this project, the huge increase in traffic and exhaust fumes would create a negative environment, on which is an already busy main road. The estate would have two access points onto Whalley Old Road, this Road is not only used by the residents of Sunnybower, but serves as access to Blackburn and the surrounding infrastructure by residents as far away as Whalley and Clitheroe, to add such large numbers of extra traffic especially at peak times would be horrendous and have a significantly detrimental effect on day to day life for current residents. Some of the houses on the proposed development will be four bedroom if, as a conservative estimate, you assume two cars per household - and some may even be double - you are looking to introduce at least 330 extra vehicles, with all the parking, traffic violations, and extra pollution this will bring. The plans include a measure of traffic calming further up Whalley Old Road but will be no means negate the risk that this amount of extra traffic will bring. As there are no shopping amenities within easy walking distance, people will have no option but to drive. There is a bus service but the times are quite irregular and, as it is a privately run service, may be withdrawn at any time as the council withdrew their service a few years ago.

The schools in the surrounding area are already oversubscribed and there seems to be no plans to review this, how are people expected to get their children into a local school? The same issues apply to the local GP surgeries, it is very difficult already to get an appointment as the services are overstretched and unable to adequately service the residents that already live in the area.

Lastly, the fact that Blackburn with Darwen Borough Council seem to be violating their own policies by supporting this development is huge cause for concern. Under policy 4 this land is currently protected and should not even be being considered for development until said plan ends. The council seem to be disregarding this point.

I wish to lodge a formal stage 1 complaint regarding this issue, and would like clarification that your response to said complaint will be ready ahead of any plan in decision made.

Regards
Sarah Needham

Objection from S Farran, 112 Stone Hill Drive, Blackburn, Rec 01.09.2020

Dear Sir,

I am writing to you, in objection to the Development of dwellings on Whalley Old Road. Regarding the size of Development, traffic, and green land wasted.

Objection from Frank Meadows, Oakwood Avenue, Blackburn, Rec 01.09.2020

Dear Mr Kenny

I wish to object in the strongest terms to the plan of building homes on land at the South end of Whalley new road. For the reasons of.,

1, Congestion,

Even though an upgrade to the junction at the bottom of Whalley new road has been completed, an increase in traffic congestion at busy times will occur, if the development goes ahead. The new filter system will lead to drivers taking risks at such times and may lead to an increase in accidents.

2, Water run off.

On August the 25th of this year we had heavy, though not uncommon rain in this area which turned Whalley new road in to a river. A delivery driver described the road as a waterfall. The water ran down Whalley new road, across the dual carriageway and on towards little Harwood, at a depth hazardous to traffic. Building on the land proposed and covering this essential soak away which protects little Harwood can only increase the danger to traffic and the little Harwood area from flooding.

This can be easily investigated by your department, by simply going to the area when it's been raining heavily for several hours. It's there for you to see.

3, Habitat.

I have been using this area for recreational purposes for over 20 years and have noted. Deer, fox, hedge hogs and ground nesting birds, plus little owls and hawks feeding from it. It is, a desperately needed haven for flora, fauna and humans such as yourself and your family.

4, houses are surplus to requirements.

According to a government report in 2019, there were 2,717, empty houses in Blackburn. Building more homes on top of those already under construction must inevitably lead to their being more empty homes in Blackburn with resulting costs falling upon the council and tax payers.

Even if the 165 new homes sell, the people who buy them will mostly come from existing houses in Blackburn. Leading to the potential result of the doughnut effect which has been suffered by many cities already. You can simply investigate this by researching Hartlepool for example.

5, Lack of amenities,

Poor to no public transport. The last bus from Blackburn town centre leaves at 17.15. Monday to Friday. And on Saturday and Sunday there is no public transport at all, leading to the need for people to drive into the town centre if they wish to leave it after 17.15 or they need to go into town on a Saturday or Sunday, increasing congestion and air pollution.

On the above points I object to the building of these 165 houses. I hope and trust they will be taken into consideration.

Yours

Frank Meadows

Objection from Mike Bagnall, 52 Cunliffe Close, Blackburn, Rec 01.09.2020

Dear sir / Madam

I am writing concerning the proposed outline planning application REFERENCE: 10/20/0716 for The land adjacent Whalley old road for a proposed 165 dwellings.

I would object on the following grounds.

1. I understand that this application is contravening national Local Govt policy 4.
 - a) This land cannot be developed until 2026 when the local review has been fulfilled.
 - b) The land maybe protected under policy 4 so no new plans can be accepted until the local policy ends.
 - c) A local review of the plan needs to be carried out.
2. This development would not be in keeping with the current housing style. It is not on land suited to this type of development and is overlooking an Industrial estate. The land has been used as a local amenity and has provided a safe place to walk and enjoy fresh air especially during the COVID 19 lock down.
3. An additional 165 dwellings would put a strain on local resources, Schools, Doctors and service utilities. Currently water pressure at the top of Cunliffe close is so low 2 taps cannot be run at the same time. There is also the extra traffic involved which would be an additional burden for an over used Whalley Old Road. The number of cars parked on Whalley Old Road already cause problems with accessing the road from side roads and so many extra vehicles accessing the road from the new development would provide and facilitate many possible accidents. There will also be an increase in the number of vehicles making deliveries again facilitating an environment for accidents.

4. By violating Policy 4 then the council would set a precedent in overriding their own policy then in future any scrap of land is vulnerable to development. When the council has spent time and council tax payers money developing a policy this is making a mockery of a developed policy criteria.

5. Is this site not protected by Policy 4 Part 2? This part does not allow piecemeal development. This then removes and compromises ,prospect future long term development

6. Environmental impact.

a) Those of us with severe lung deficiency will be affected by additional air pollution. It can be difficult to avoid fuel pollution I notice a change when the Nursery is busy with cars driving in and out at busy times. What is it going to be like with and additional 165 to 300 more cars using this country road.

b) When we purchased our home in 2008 we were informed there was an old landfill site nearby and old quarry and mineral mining in the area. It may be possible that this development this land may produce further environment complications.

7. So far I have mentioned the impact on humans. I am also concerned about the wildlife in the area. We regularly have Deer, foxes, Squirrels roaming wild. There is also a Barn owl, Bats and other birds of prey feeding themselves from mice rabbits and other small animals in the fields adjacent Whalley Old Road.

I trust you will take our observations and objections seriously and recommend refusal of this outline planning application.

Yours sincerely

Michael Roger Bagnall

and

Dorothy Ann Bagnall (Severely sight impaired so is unable to write personally).

Objection from Mr Faizal Mahmed, 459 Whalley Old Road, Blackburn, Rec 30.08.2020

Dear Mr Prescott,

I am writing this email to object to the planning application for 165 houses on Whalley Old Road (WOR) in Sunnybower.

I reside at 459 WOR.

My first grounds for objection is to do with traffic safety. 165 new households would increase traffic congestion on WOR massively. This section on WOR is already busy during peak hours with speeding vehicles as there are no traffic controls on this section of WOR. The risk of accidents would go up due to the increase in traffic volume and lack of speed controls.

The other grounds for objection is to do with 'Blackburn Chemicals' factory on Whitebirk industrial estate. They have bright security lights on during the night and they also generate noise day and night. I notice both these things however due to the distance of my home i can live with it. Residents on the proposed site would be alot nearer to the factory.

Therefore I predict the 165 new residents (who will be alot closer to Blackburn Chemicals than me) will complain to the council about the lights and noise at night. This will lead to conflict between residents and the factory and could lead to Blackburn Chemicals closing down or moving out of the area.

Your sincerely

Mr Faizal Mahmed.

Objection from 48 Cunliffe Close, Blackburn, Rec 01.09.2020

Dear Sir,

For attention of Mr. Martin Kelly.

We are writing re the circular dated 4th August 2020, received recently regarding the proposed building of 165 houses just off Whalley Old Rd.

We have lived in this house since it was built by Northern Estates, fifty two years ago!

We have seen the traffic on Whalley Old Road increase until now it is a major problem to access the road early morning, due to the traffic coming down to join the dual carriageway. How these extra cars are going to access that is not stated in your letter.

We need less traffic not more and we therefore object strongly to this "Growth and Development".

We are therefore 100% against it!

Yours sincerely,

Objection from Adam Patel, 437 Whalley Old Road, Sunnybower, Blackburn, Rec 01.09.2020

REFERENCE: 10/20/0716 – Objection to the proposed development identified for Whalley Old Road, Sunnybower Blackburn

To BwD Planning Department,

I am writing this correspondence to strongly object to the proposed development on Whalley Old Road.

In my reasons stated below I have used the Council own figures and quotes from the Councils planning reports.

TRAFFIC & ROAD SAFETY CONCERNS

As referenced in SK Transport Plan (00034584.pdf) sec. 2.16, you have already identified Whalley Old Road as a busy road attracting drivers from surrounding areas who use it as a “rat-run.” I know this from experience as I live on the road, it can be a nightmare at peak times. Indeed, the peak hour AM traffic count taken in 2019 mentioned in sec. 2.15 and table 2.1 of the SK Transport Plan identifies 581 vehicles driving down Whalley Old Road to the A6119. That is almost 10 vehicles per minute!

The proposed development of 165 dwellings will introduce even more vehicles onto a narrow already congested road.

I am assuming each house has an average of 2-3 cars, in line with the remarks Cllr Riley made in a recent newspaper article: ***“I would expect the new houses to be mainly executive homes - detached and semi-detached houses with three, four or five bedrooms.”*** This makes an average number of 412 additional vehicles introduced into the area. If, say, 30% go down Whalley Old Road at the peak AM hour then this represents a 21.3% increase in vehicle numbers.

SK Transport Plan sec. 6.1 states that the net impact will only be 3.07% in the AM. I fail to see how this can be possible when you are introducing 400+ vehicles into the area.

Road safety – Making the assumption the average house contains 2 parents + 2 children inline with the type of housing that is being proposed. That is a total of 660 new persons in the area, some may be elderly or infirm and some children. The bottom section of Whalley Old Road up to the A6119 has cars parked on both sides of the road and this together with the increased traffic and the expectation of the new residents to walk everywhere (see your Travel Plan) is a recipe for disaster.

I assume the adoption of the Travel Plan will be a condition of granting planning permission and that you will have the resources in place to ensure it is adhered to. Will it be a condition of living on the new estate or merely voluntary?

WILDLIFE

Myself and other concerned neighbours have photographs of deer, an owl and a red fox on the site. This development will impact on the wildlife (plants, animals and birds) as laid out in The Ecological Impact Assessment prepared by Bowland Ecology.

Para. 6.4 of the Application Plan suggests the building of habitat corridors through the site. Whilst the habitat corridors may seem like a good idea on paper, this is a relatively small area and they will bring animals, for example, foxes (which are seen on the site) into contact with the human inhabitants (or their dogs) causing a nuisance to the inhabitants as well as being a danger to the indigenous animals concerned.

Para. 2.6 of the Application Plan says the site is characterised by dense and scattered scrub. Scrub is an important habitat for certain species, for example, Nightingales like dense scrub punctuated with open patches also certain moth types may be found.

Para. 2.6 also states that the site contains marshy grassland and various tall vegetation. Birds of prey, such as the barn owl hunt small mammals that hide in tall grasses. Neighbours on my street have photographic evidence that barn owls visit the site.

The Ecological Impact Assessment prepared by Bowland Ecology has made several recommendations concerning habitat loss and impact on wild life. These recommendations are designed to comply with legal requirements and national and local planning policy. Para. 4.3 of this report states that "Habitats of Principal Importance" outside of the site boundary will be affected by the development.

Similarly, para. 4.5 says ***"Areas of dense scrub and moderately species-rich semi-improved grassland located in the south-western section of the site (TN14) are of greater ecological value. Unmitigated, loss or indirect impacts to these habitats (such as dust/chemical pollution and damage to root systems), is anticipated to result in a moderate negative ecological impact."*** Para. 5.5 states that these areas should be retained.

Para. 7.13 of Policy 40 in the Local Plan Part 2 states: ***"The dramatic landscape setting of Blackburn with Darwen is one of its principal assets. The visibility of open upland countryside from many parts of the urban area helps convey a sense of place, and is a factor in the attractiveness of Blackburn and Darwen as a place to live and invest. In addition the countryside is easily reached from all parts of the urban area; and once within it the open landscape creates a sense of unspoilt beauty which is highly attractive."***

Para. 7.13 above is very true and I am proud of our countryside around Blackburn. Unfortunately the Council seems intent on driving it away from us.

ENVIRONMENT & IMPACT ON LOCAL SURROUNDINGS

The following is an abstract from an article published on pubmed.gov. Similar findings can be found from many sources.

"Despite growing evidence of public health benefits from urban green space there has been little longitudinal analysis. This study used panel data to explore three different hypotheses about how moving to greener or less green areas may affect mental health over time. The samples were participants in the British Household Panel Survey with mental health data (General Health Questionnaire scores) for five consecutive years, and who relocated to a different residential area between the second and third years (n = 1064; observations = 5320). Fixed-effects analyses controlled for time-invariant individual level heterogeneity and other area and individual level effects. Compared to premove mental health scores, individuals who moved to greener areas (n = 594) had significantly better mental health in all three postmove years (P = .015; P = .016; P = .008), supporting a "shifting baseline" hypothesis. Individuals who moved to less green areas (n = 470) showed significantly worse mental health in the year preceding the move (P = .031) but returned to baseline in the postmove years. Moving to greener urban areas was associated with sustained mental health improvements, suggesting that environmental policies to increase urban green space may have sustainable public health benefits."

Locally this bit of green you want to build on is much loved by walkers, with or without dogs. It is something we can look at as we walk or even drive past and it helps to keep us sane in this crazy world of ever increasing demands, once it is built on it is lost for ever.

With this proposal of 165 dwellings will come 400+ vehicles and this does not include the necessary service vehicles. This will inevitably increase local pollution and noise levels. Is this something we as a town should be doing? We are replacing a soothing green space with toxins.

As postulated above, this development will introduce 660 new persons into the area. From BwD 2011 census statistics for Little Harwood (which includes Sunny Bower, parts of Brownhill and Whitebirk) we get the following:

2001 population 6185

2011 population 6752

2020 population 7319 (calculated from 2001 & 2011 assuming a linear rise)

The introduction of 660 persons increases the population by 9% of the Little Harwood area as a whole, or, since Sunny Bower is roughly 1 third of the inhabited area, then a 27% increase locally. Now, I don't know about you, but it takes on average 2 weeks to get a doctors appointment and these additional persons can only make things worse. The 2 weeks becomes 3? There are only two health centres in the immediate vicinity.

Along the same lines we will have maybe 300+ children of various ages who will need educating. Are the local nurseries, schools and colleges capable of accommodating these?

I note that from your "Flood assessment & drainage strategy" (00034579.pdf) that 50% of the site is covered by hard standing. This will generate a significant amount of surface water. Will the solutions offered in your strategy be a condition of granting planning permission? As our planners it is your responsibility to see that everything in this matter is correctly in place since if it goes wrong many homes and businesses could be damaged further down the hill or even laterally and the Council will be held responsible.

THE PROPOSED DEVELOPMENT IS CONTRARY TO LOCAL PLANNING POLICY

The proposed development at Whalley Old Road forms part of plot 4/1 Brownhill as referenced in Local Plan Part 2, December 2015.

Within this document Policy 4. "Land for Development Beyond the Plan Period" clearly states: ***"Within the areas identified as Land for Development Beyond the Plan Period on the Adopted Policies Map, planning permission will not be granted for permanent development. Land will only be released for permanent development following a Local Plan review which proposes the development."***

and para. 2.1 of the Local Plan Part 2 states: ***"The policies in this Local Plan will apply to every development proposal that requires planning permission"***

similarly para. 2.7 states: ***"The remaining areas have the potential to accommodate some of the Borough's longer term development needs in the 2030s and beyond."*** The Whalley Old Road proposed development is part of the remaining area.

Para. 2.8 states: ***"It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this"***. This application represents piecemeal change and development to the wider Brownhill site identified.

Para. 2.9 states: ***“A future Plan review considering the release of any land identified under this policy will need to undertake a full appraisal of the area suitable for release, and the impact on landscape and other considerations of doing so.”*** No Local Plan review has happened so the Whalley Old Road site cannot be approved for development.

Ergo, any part of plot 4/1 Brownhill should not be considered for development before the end of the current plan for development needs in 2030 and beyond. It is not possible to pick and choose which developments the policies apply to and the Council should not deliberately violate one of its own key policies this makes a mockery of making policies in the first place.

The Application Plan (00034591.pdf) acknowledges that the application breaches Policy 4 and provides the following justifications:

- A) It is a Discrete Parcel of Land
- B) An Appropriate Location
- C) The Growth Target
- D) Sustainable Location for Development
 - a. Economic Objectives
 - b. Social Objectives
 - c. Environmental Objectives

The arguments against the breach of Policy 4 are as follows:

A) Discrete Parcel of Land

From the Application Plan: ***“This is a discrete parcel of Land that is contained by Whalley Old Road and the established industrial area to the south”.***

It is NOT a discrete parcel of land since it forms part of the 4/1 Brownhill site identified by the Local Plan Part 2 where para. 2.8 states: ***“It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not compromised by piecemeal change or development in advance of this.”***

What the Council is advocating is piecemeal development against it's own Policy.

From the Application Plan: ***“It can be considered in a way that does not affect or prejudice the planning and development of the broader zone governed by Policy 4 of the Local Plan Part 2 at Brownhill”***

No it cannot. The Council is not following Policy 4 of the LPP2 thus prejudicing the planning and development of the whole 4/1 Brownhill area. Para. 2.8 of the Local Plan Part 2 clearly states that piecemeal change or development in advance of a Local Plan review may compromise the potential of the wider site.

From the Application Plan: ***“This broader zone should be given further consideration through the emerging replacement local plan for Blackburn with Darwen”***

The broader zone must include the Whalley Old Road development through a Local Plan review as required by Policy 4.

B) An Appropriate Location

It cannot be an appropriate location since it is in an area governed by Policy 4 where development is not allowed until there has been a Local Plan review.

Furthermore the site is on a congested (at peak times) country road which brings up road safety concerns. This is highlighted further on in this objection document.

The Planning Application proposes a majority of "high quality houses" in a rural setting. This site is on a hill overlooking a chemical factory and large industrial estate. Not, I think, where your average executive would want to live.

C) The Growth Target

From the Application Plan: ***"The subject site presents an opportunity to deliver high quality housing in a sustainable location which will act to support the ambitions for growth in Blackburn with Darwen"***

Maybe in the future, but, at the moment the site is protected under Policy 4.

From the Application Plan: ***"There has been some delay in the delivery of housing at some of the larger urban extension sites around Blackburn and Darwen"***

This is not relevant to the application. Indeed, Paragraph 5.1 of the Planning Statement states ***"Blackburn with Darwen Council can demonstrate a housing land supply in excess of five years and local delivery of housing in excess of that required by the National Planning Policy Framework."***

According to the Council's 5 year Housing Supply Statement, the Council already has a 9.9 year supply of housing land when it is only expected to have a 5 year supply.

From the Application Plan: ***"It represents another component in the strategy to deliver housing at the right place"***

The housing is NOT in the right place. It is on land protected by Policy 4 where development is prohibited until there has been a Local Plan review.

From the Application Plan: ***"There have been other instances in the borough where planning permission has been granted for new housing development on land that is not allocated in order to maintain an adequate supply of housing land and to meet housing targets. One example is the hybrid planning permission for up to 450 dwellings on land designated as "countryside" at Brokenstone Road granted in 2019 (10/18/1116)."***

From the Application Plan: ***"Such decisions are material as they demonstrate that positive action is being taken to support growth and to ensure that housing targets are met."***

This is simply not true. Since the Housing Supply Statement dated June 2019, an additional 450 houses at Brokenstone Road and 600 houses off Bog Height Lane have been added. Therefore the site at Whalley Old Road is not required to meet housing targets.

Reiterating para. 5.1 of the Application Plan: ***"Blackburn with Darwen Council can demonstrate a housing land supply in excess of five years and local delivery of housing in excess of that required by the National Planning Policy Framework."***

The exact opposite of the argument for violating Policy 4. Are the Council meeting targets or not? The Application Plan says both.

D) Sustainable Location for Development

This is not relevant - It cannot be developed until there has been a thorough Local Plan review as mandated by Policy 4 of the Local Plan Part 2.

CONCLUSIONS

- The development is in breach of Policy 4. The Council have tried to justify this but my arguments prove their justifications to be totally false.
- The development is not necessary since the Council have more than enough land to meet their 5 years needs, in fact I have shown they have 9.9 years+
- The increase in traffic caused by the development when it is fully occupied will further congest an already busy road putting both the existing and the new residents in danger. I do not believe your Travel Plan will in any way alleviate this.
- There will be an increase in pollution locally affecting in particular elderly, infirm and children.
- The infrastructure (GP's & schools etc) will not be able to cope with the population increase locally.
- There may or may not be a flood risk depending on whether the developers follow your flood mitigating instructions and if those mitigations are sound in practice.
- There will be a loss of wildlife and habitat both on and off the site as a result of this development.
- The loss of green open space is not good for us. Reduction of green space in our area. Lack of green spaces leads to higher air temperatures and more ground level ozone, with fewer trees and plants to clean the air and provide oxygen.

Please kindly take all of the above demonstrated comments in this objection above in to considerations of this development not being necessary.

Kind regards,

Martin Kelly.

I refer to my telephone conversation with you concerning out line planning permission re land bordering Whalley Old Road. May I say I am considerably opposed to this developement for 165 houses. and would like you to make a note of my objection.

Thanking you in anticipation

DEAR MR. KELLY,

I AM WRITING TO REGISTER MY TOTAL OPPOSITION TO THE PROPOSAL TO BUILD 165 HOMES, OFF WHALLEY OLD ROAD.

THIS WOULD MOST CERTAINLY ADD TO THE STATIONARY QUEUES OF TRAFFIC IN THE MORNING TO ACCESS THE DUAL CARRIAGEWAY AND AT TEA TIME THE STATIC QUEUE TO ACCESS WHALLEY OLD ROAD FROM THE DUAL CARRIAGEWAY. STATIONARY TRAFFIC IS UNHEALTHY AND POSSIBLY DANGEROUS.

THE LAND PROPOSED FOR BUILDING UPON, WHEN HEAVY DOWNPOURS OCCUR SOAKS UP VAST AMOUNTS OF WATER. TO TARMAC OVER A LARGE SWATHE, JUST ACTS AS A RUN OFF PARTICULARLY ON HIGH GROUND. CULVERTS STRUGGLE NOW IN A DELUGE AND THE LOWER REGIONS WOULD BE MORE VULNERABLE TO FLOODING OBVIOUSLY.

BLACKBURN IS NOT COPING TOO WELL AS REGARDS THE PANDEMIC, AND THE PEOPLE IN THIS AREA HAVE COMPLIED EXCELLENTLY IN SOCIAL DISTANCING, SO THIS PROPOSAL WILL MOST SURELY..

MAKE RESIDENTS GATHER TOGETHER IN PROTEST MEETINGS, WHICH FOR OBVIOUS REASONS WE DO NOT NEED,

THIS PROPOSAL SHOULD BE THEREFORE FIRMLY DENIED ON BOTH ENVIRONMENT AND HEALTH ISSUES.

Objection from Michael Coar, 125 Stone Hill Drive, Blackburn, Rec 02.09.2020

Whalley Old Road Housing Development Objection

REFERENCE: 10/20/0716

The proposed development will significantly increase traffic congestion in the area. Whalley Old Road is extremely busy most of the time. Another 165 family homes will add to this congestion. Many of these high quality houses will have multiple vehicles, many trying to access the already congested road. This road is a main link Blackburn from the Ribble Valley and is a single lane road. Potentially cars from the development will need extra car parking which could lead to parking on Whalley Old Road which already has street parking on both sides. These houses would need to drive to access shops & amenities. This isn't good for the environment. There would be added pollution from extra cars, deliveries and service vehicles such as the bin wagons.

Around 600 extra inhabitants will cause extra strain on our already stretched local amenities such as schools and doctors.

The site is protected by Policy 4 of the Local Plan Part 2 which does not allow piecemeal development. Once this has been allowed it sets a dangerous precedent for future developments in the area.

The development is 50% hard standing which will cause excess standing water which could lead to flooding in the area.

We will lose valuable green field space which is part of the attraction of the area & enhances the residents' feelings of wellbeing.

The development is not right for the area. 600 plus residents are being housed between a chemical factory and a narrow country road. The only access will be onto this already congested road.

This area is populated by wildlife such as deer, owls and foxes. They will be crowded out by this development. There will be significant loss of trees and plants. Some of which have protection orders in place.

Objection from Sharon Teschner, 441 Whalley Old Road, Blackburn Rec 02.09.2020

To Mr Kenny

We are writing to you in regards to the recent planning application for houses on Whalley Old Road.

We don't agree with this application for a number of reasons. The road is a very busy road and therefore building more houses would create more traffic on the roads. Drivers are constantly breaking the speed limit which is supposed to be 30 but often drivers reach speeds of 50 on average which makes the road quite unsafe. We have lived at the address for 13 years and had wing mirrors knocked off the car 3 times due to speeding vehicles as the road is quite narrow where our house is situated. Also there is plenty of wildlife on the field such as a family of deer which obviously will affect them if houses are built there. There is a public footpath that runs along the edge of the proposed fields, which from my understanding has to be left open for access.

We hope that our reasons along with other residents of Sunnybower are listened to and also considered and we look forward to hearing from you.

Objection from Bushra Parveen, Rec 02.09.2020

To whom it may concern,

I object the proposal of the building development at the top of sunny bower. The land outlined is known for its beauty, natural landscape and abundance of wildlife. Building here would endanger all that. The nature and the wildlife need to be protected for it to continue to thrive.

The road is an 'A' road and therefore has a lot of traffic at all hours of the day. It is difficult to join the road due to the heavy traffic and with the additional cars that will come with the homeowners it will be near impossible.

I would like to lodge a stage 1 complaint as i dont believe the residents are being taken seriously.

Kind regards

Bushra

Objection from Mrs Margaret Cooper, 10 Sunnybower Close, Rec 02.09.2020

Ref.10/20/0716

Mrs Margaret Cooper
10 Sunny Bower Close

BB1 5QU Dear Sir I should like to lodge a formal complaint against the proposed planning application for the development of the land to the south of Whalley Old Road.

Firstly there is already congestion on Whalley Old Road at certain times of day when the traffic is often backed up to the top of the hill.Extra housing would obviously generate much more traffic, affecting access and possibly creating safety problems.

Secondly the site overlooks an industrial park with a chemical works and a pet food factory which causes noxious smells that affect the existing homes that are further away.

Thirdly it would destroy a wonderful environmental area,full of a wealth of wild flower species and visited by the wild herd of Roe deer that roam the neighbourhood,as well as owls and other mammals.

Finally the infrastructure of the area would be insufficient to support the proposed development and the impact of it should be considered by the local council.

Sent from my iPad

Yours sincerely

Margaret Cooper

Objection from Stephen Blane, 506 Whalley Old Road, Blackburn, Rec 02.09.2020

Dear Mr Gavin Prescott and Mr Martin Kelly

I am writing to you, on behalf of myself Mr Stephen Blane and my partner Ms Donna Walters, regarding the proposed planning application for 165 new homes to be built very near to our

property, 506 Whalley Old Road, Blackburn, BB1 5QL. We are both vehemently opposed to the development and do not think it will bring any worthwhile benefit or growth to the area.

The reasons for our strong opinions against this proposal are as follows:

1. Destruction to countryside and wildlife - There is very little countryside within in the town of Blackburn itself, most of it is on the outskirts, Sunnybower being one of those few areas where there is greenery and open space. As we know these outdoor areas benefit people's health and wellbeing providing open space to walk, run and carry out recreational activities that are not as enjoyable and harder to do in built up areas. Not to mention the wildlife that we have observed in the fields were the proposed houses will be built. People have even visited the area to explore the herd of deers that frequently graze in the field. There are many different species of birds such as barn owls, kestrels and hawks. There are also the wildflowers that naturally grow and attract bees and butterflies that are essential in pollenating and contributing to the growth of plants and vegetables.

2. More congestion on the road - Whalley Old Road is a busy road that is already overused by people commuting to and from the Ribble Valley and other local boroughs. The access from the proposed houses will only create more and there have already been concerns and campaigns raised to the council in regards to traffic that use the road, especially in the evenings, speeding up and down it.

3. The lack of Nursey, Primary and Secondary School provision - Blackburn with Darwen already have over-populated schools and waiting lists for children. Many parents have had to send their to children schools that are not where they want to send them and in some cases not even in the areas where they live. These houses are more likely to be occupied by families so how are you going to accommodate this need as there does not seem to be any proposals for any decent new schools to be built?

4. Residents in this area have paid more money to specifically own homes that have aspects that are not overlooked, in a more rural location that have less of the disadvantages of being overly developed. People who want to live on the outskirts instead of the more suburban areas will begin to move out of the town to obtain this and contribute to other boroughs rather than Blackburn.

We would be grateful that you take our concerns seriously and make deliberate considerations to the objections raised against this planning proposal, as we know we are not alone in our views on how it will negatively impact our neighbourhood.

Thank you

Kind regards

Mr Stephen Blane and Ms Donna Walters

Objection from Russ Bedford, Bedford's of Blackburn Ltd, Rec 02.09.2020

Subject: Reference 10/29/0716

Dear Martin Kenny and Gavin Prescott,

Thank you for your letter advising us of the proposed development case number 10/20/0716 on land to the South of Whalley Old Road.

We would like to **object** to the proposed development on the following grounds:

Complaints regarding noise from residents

Security light complaints

Complaints regarding noise from deliveries which can start from 6am

Concerns in regard to people accessing our site from the rear (from the proposed development)

Possibility of flooding issues

Concerns in regard to current electricity problems

The development may also place restrictions on how we can develop or use our site in the future

Our normal hours of business operation are 0330 to 1730 Sunday to Friday, but we do occasionally work outside of these hours.

Please can you keep me informed in relation to this matter via email to the address above

If you require any further information, please do not hesitate to contact me

Yours faithfully

Russ Bedford

Company Director

Bedford's of Blackburn Ltd

Objection from David Skidmore, 668 Preston Old Road, Blackburn, Rec 03.09.2020

Sir,

I wish to strongly object to the proposed development on Whalley Old Road, Sunny Bower.

In particular I am alarmed by the increase in traffic and congestion that will cause.

Regards

Objection from Mr Alan Slater, Rec 03.09.2020

I am writing to register my objection to planning permission for upto 165 new dwellings on Whalley Old Road, Sunny Bower, Blackburn. Congestion on the road mentioned is already at a ridiculously high volume at peak times, which already causes dangerous conditions to existing residents. The parking on the main road already causes issues with a danger with cars trying to gain access to the main road. Can local utilities cope with the extra drain on resource, i.e. water, sewerage etc. there is also disruption to wildlife of which there is preciously little nowadays. I hope that while you make your decision, you take into account the strong feelings of local residents against this proposed development, Yours Hopefully Mr Alan Slater.

Objection from Stuart Booth, c/o Blackburn Chemicals, Rec 03.09.2020

We write to object to the above outline application, with all matters reserved, for residential development of up to 165 dwellings. This objection is made on behalf of Blackburn Chemicals Ltd whose premises lie immediately adjacent to the south-eastern boundary of the application site.

Blackburn Chemicals Ltd have been operating on the Whitebirk Industrial Estate since 1972 and are world leaders in the development and manufacturing of foam control agents, serving a global market. The company employs over 75 people on this prestige employment site within the borough and have secured planning consents in recent years for continued expansion at the Cunliffe Road site, with two new buildings on the northern boundary adjacent the application site.

Their premises and adjacent employment uses are designated under Policy 14 of the Blackburn with Darwen Local Plan as a Primary Employment Area, which are areas protected under planning policy to accommodate the highest-quality employment uses in the Borough. The site therefore represents one of the most important areas of Blackburn with Darwen for industrial employment uses and is offered protection from non-employment uses by the Local Plan.

Blackburn Chemicals Ltd object to this planning application principally as it has the potential to have a detrimental impact on the operation of their business premises and their neighbours on the industrial estate. The National Planning Policy Framework (NPPF) states at Paragraph 182 that decisions on planning applications should ensure that new development can be integrated effectively with existing businesses. It clearly states that existing businesses:

...should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

It is clear from both national and local policy that existing businesses should be protected from conflict with new development and this fundamental principle needs to be considered in this planning application for 165 dwellings in close proximity to a protected employment area.

The application has been made in outline with all matters reserved, meaning it deals only with the principle of the development of the land rather than any issues relating to the location of particular properties, the access, or specific details of any mitigation measures that may be proposed to protect existing businesses. The lack of detail on the planning application means that it is difficult (if not impossible) to make a clear distinction that there will be no significant impact on the business and its future operation from the introduction of residential development, and conversely that residents of the new development will not be impacted by the business in operation. Such conflicts should clearly be considered in determining this application.

The Blackburn Chemicals Ltd site is accessed from Cunliffe Road and extends over 300m along this road and also to its rear boundary with the application site. The business operates out of several buildings on the site which contain processing and storage facilities for a range of chemicals. Much of the length of the rear of the premises, which lies adjacent to the proposed development, consists of a well utilised open storage area, which also includes manoeuvring of forklift trucks and delivery vehicles during operation. The site has no restrictions on its hours of operation in planning or permit terms and is currently operating close to 24 hours a day. This is one of the reasons why the premises is located within an area protected for industrial uses. The potential for odour and noise impacts must be taken on board during the consideration of any future developments in proximity to this business, and we trust the Council will practise caution and detailed assessment in making a determination on this application in these terms.

We note the planning statement submitted with the application and consider that the case made is insufficient to justify the release of the site for development for residential use. We

acknowledge that the site forms part of the wider Policy 4/1 designation in the 2015 Local Plan (below), and note the clarity with which this policy defines the designation.

Policy 4. Land for Development Beyond the Plan Period

Within the areas identified as Land for Development Beyond the Plan Period on the Adopted Policies Map, planning permission will not be granted for permanent development. Land will only be released for permanent development following a Local Plan review which proposes the development.

| Ref | Site |
|-----|------------------|
| 4/1 | Brownhill |
| 4/2 | Preston New Road |
| 4/3 | Marsh House Lane |

The site is identified in the district Local Plan under Policy 4 - Land for Development Beyond the Plan Period (Site Ref 4/1 Brownhill). This policy states that within the area identified, **planning permission will not be granted for permanent development. Land will only be released for permanent development following a Local Plan review which proposes the development.** These two statements that form the policy are categorical in their designation of the site for consideration of development beyond the Plan period. The preamble to the policy in the Local Plan states at Paragraph 2.7 that these areas under Policy 4 have been released from the Green Belt by the 2015 Local Plan and have the potential to accommodate some of the borough's longer-term development needs in the 2030s and beyond.

Paragraph 2.8 states that the areas' development potential should not be compromised by piecemeal change or development in advance of this date and the policy protects the areas to allow for the longer-term planning of development in Blackburn with Darwen to take place at the appropriate time.

Paragraph 2.9 states that the identification of the area of land in the policy does not guarantee that the whole of that area will be deemed suitable for development at some future stage. It then clarifies that a future Plan review considering the release of any of the land within that policy will need to undertake a full appraisal of the area suitable for release, and the impact on landscape and other considerations of doing so. The policy itself and the supporting justification text in the

Local Plan is abundantly clear that any development prior to 2030 on the application site will not be acceptable.

The policy does not actually provide a clear indication that development of the land will be required, will be suitable or will be deliverable at any future stage, but simply that it is land safeguarded with potential to meet future need. As the sites were formerly within the Green Belt, the 2015 Local Plan effectively removed the formal long-term designation as Green Belt but specifically does not allocate these sites for development until a further Local Plan review is complete. Development of this site through the application proposed is therefore in direct conflict with this policy and would be a departure from the Local Plan.

Blackburn Chemicals Ltd are concerned by the application's proposals for new residential homes on this site. These concerns relate to matters of noise, odour, drainage, visual impact and amenity relating to the interaction of the two pieces of land, such that they can only be addressed through detailed assessments of the site and the proposals. An outline scheme with no details other than the number of dwellings cannot be adequately assessed. Full consideration should be given to the operations of Blackburn Chemicals Ltd and other business at the Whitebirk industrial estate, and the potential for future conflict not to be introduced, as set out in the NPPF.

The potential for an increase in flood risk and surface water run-off that could affect the Blackburn Chemicals Ltd site is also a concern. The application site is considerably higher than the adjacent site in terms of topography and as such any change in how water drains towards the Blackburn Chemicals Ltd site has the potential to seriously impact the current drainage regime of the business, particularly in relation to the outdoor storage area adjacent the site where chemicals are stored. This issue must be considered directly by the relevant bodies in looking at the potential for drainage solutions to develop this site.

In addition, there are concerns regarding security of the premises from the urban development of the land behind the premises, which largely sits above the premises and looks down into the rear external storage areas. There is an obvious need to provide assurances to customers regarding the security of the product kept on site, and whilst existing arrangements are suitable, the development of the land to the rear that currently serves as a suitable buffer to the urban areas would likely create the need for additional physical security measures that themselves could have an impact on future residents of the development, such as higher security fences and floodlighting systems.

There are also concerns regarding the 24-hour operation of the site, which is unencumbered by planning conditions, and that particularly the outdoor storage operations that lie closest to the application site could create issues in terms of noise and amenity. There are also odour implications from the use of ammonia in production that is appropriate for an industrial use but would not be compatible with residential uses adjacent the boundary of the site. We note that the application includes initial odour and acoustic assessments, but given the proximity of the application site to Blackburn Chemicals Ltd and other businesses on this protected industrial site, further detailed assessments should be undertaken to satisfy the Local Authority that no issues will be created for the existing businesses by granting consent with no details attached.

We would encourage the planning officer to come onto the Blackburn Chemicals Ltd site to see the operation and establish the potential impact there would be from locating new housing development in such close proximity.

We wish to formally object to this application and reserve the right to object directly to the planning committee when this application is presented for a decision.

The application provides no detail regarding the landscape or visual appraisal of the application site, or the future development of the site for 165 dwellings. The land sits above the Blackburn Chemicals Ltd site, immediately adjacent to it and other neighbours on this prestige employment area. The open storage and cooling towers of Blackburn Chemicals Ltd will be visually prominent from the application site such that a thorough assessment should be required for any future development to be considered acceptable on this application site. As referenced above, the policy designation in the Local Plan does not define the development as acceptable in principle for residential use, it simply reserves the land for future consideration for development. As the applicant makes reference to the site being somewhat unrelated to the wider Policy 4/1 designation, an argument could be made that the land should serve as a buffer between any future development and the existing businesses on the Whitebirk estate, or could perhaps serve as an extended area of employment land.

As you are aware, the Local Planning Authority's position of having a five-year land supply and meeting their requirements under the Housing Delivery Test provides a robust indication that the Local Plan is successful and sufficient housing is being delivered in the Borough. We consider the

justification put forward by the application's planning support statement to be inconsistent with the principles of the NPPF and the policies of Local Plan and as such, the application should be refused.

The planning support statement's justifications, that the site is relatively unconnected to the wider allocation, also runs contrary to the specific reference to piecemeal development in Paragraph 2.8. The policy designation in the Local Plan could not be clearer that this planning application should be refused.

**Objection from Christine Hill & Liz Whittall, Higher Cunliffe Farm, Whalley Old Road, Rec
03.09.2020**

Dear Sir,

We are writing in relation to the planning application to build 165 residential properties on Whalley Old Road South and wish to register our opposition to the proposal.

We have lived in our property for over 15 years and were attracted to it by its semi-rural location, surrounded by fields, which farmers used to graze their animals on. It offered us a great deal of privacy, peace and seclusion. The fields have a rich habitat which attracts and supports an abundance of wildlife – deer, foxes, hedgehogs, bats and an array of birds including herons and buzzards. Building on these fields will not only displace the wildlife but will take away a rich habitat of trees which counteracts the effects of pollution within the area. On a personal level it will no longer offer us the peace and privacy that attracted us to this property and in addition, we feel this development will negatively affect the value of our home.

Looking at the initial plan it indicates that it crosses over one of the access tracks to our property, which we find rather concerning. The Council have always denied responsibility for maintaining this access road, yet we now find you appear to be selling off part of this track for this development. Could you please clarify how the proposed development will affect our access track?

A major concern we have is in relation to the extra traffic this will create on Whalley Old Road. Trying to exit our property onto Whalley Old Road at commuter time can be a nightmare due to the amount of traffic and the speed at which cars travel down this road. Very often it is backed up past our property. If each one of the proposed properties has 1 car, that is another 165 vehicles using this road, which is just going to create a massive car jam leading to extra pollution from car fumes. We understand that Blackburn is committed to the climate change agenda, however these extra properties will not help to reduce carbon dioxide emissions or improve air quality. As a pedestrian walking down from our property and trying to cross Whalley Old Road is a nightmare due to the amount of traffic, the speed of traffic and lack of visibility due to parked cars. The fact the Council only cuts the grass verges once a year makes it a precarious task. The addition of more vehicles from this development will not make the life of the pedestrian any easier.

Another concern is the lack of infrastructure to support this development in terms of health care services, schools and public transport. There are already major housing developments within Blackburn and particularly on this side of the town – at Brownhill and just further up off Yew Tree Drive. These housing developments will also have needs in terms of health support and education and we feel there is not capacity to support these never mind any other new developments. I understand that Blackburn has already met government targets around housing so we wonder why you continue to look at developing more housing on green field sites. If there is a need for more housing why cannot you look at innovative ways of using structures already in place ie old mill buildings.

This proposed development is described as executive housing, however we were under the impression that any new development had to incorporate an element of social housing and we would ask that you clarify whether this would be the case. We do wonder how many people who want to purchase an 'executive' property would really want a property that overlooks a chemical factory and would want to put up with the noise and smell that this factory emits?

We realise that many councils are struggling financially, but we would hope that Blackburn Council do not think that selling off land for housing is a quick solution to this issue. We would hope that Council decisions are based on maintaining and supporting the physical, emotional and economic health and well-being of the residents of the various communities within the town. In addition we would also hope that the Council acknowledge the importance of existing habitats, wild-life and the need for green spaces within which these can survive, because this also supports the well-being of the human race.

We would ask that you take on board the concerns raised and do not pass this proposal for the development of housing on this site.

Yours faithfully,

Objection from Michael & Karen Parker, 12 Sunnybower Road, Blackburn, Rec 03.09.2020

Dear Mr. Kenny, Ref. Application: 10/20/0716

Comments on OPA for residential development on land to south of Whalley Old Road.

- Assumptions:
 - Average household size = 2.4 (165 houses = 396 people)
 - Average cars per household = 1.3 (165 houses = 215 cars)
- We have the following concerns regarding infrastructure planning for this new estate:
 - Whalley Old Road can only just cope with current levels of traffic at peak times following improvement of its junction with A6119. How will the road be improved to accept the extra traffic from this estate?
 - There is currently a 30mph speed limit in force which begins at the current housing boundary which is constantly ignored, especially by those travelling downhill.
 - Will this 30mph zone be extended further up the hill?
 - How do you propose to enforce this?
 - Are you planning traffic calming measures before the 30mph zone to ensure traffic slows to a safe speed?
 - How many exits have been planned from the estate, and will there be exits onto alternative roads (eg. Philips Road/Cunliffe Road in the industrial area) to reduce congestion?
 - Has access to schools and medical services been considered, and how will these be improved to cope with extra demand, given that the current system is almost at breaking point?
- Concerns regarding construction traffic and works access:
 - Given the traffic situation and width of Whalley Old Road (Cars routinely park on the pavement to enable two-way traffic on the road), will access to the site be from Whalley Old Road or from the Industrial Estate on Philips Road/Cunliffe Road?
 - If access is to be from Whalley Old Road, will there be consultation with current residents to address the safety concerns?
- Wildlife, Conservation & the Environment:
 - There is a huge population of wildlife over this area, not least many deer. How do you intend to preserve their natural habitat?
 - How do you intend to make this development project Carbon Neutral in line with UK national policies?
- Concerns over future development
 - Given that there are possible future plans to develop this area of the town on land all the way over to Parsonage Road (which could potentially hold a couple of thousand houses, and consequently thousands of cars) would it not be prudent and logical to develop infrastructure now before any housing development begins rather than waiting until the area is developed and then wondering why the infrastructure cannot cope?

Regards,

Objection from Mrs Kathleen Counsell, 23 Oakwood Avenue, Blackburn, Rec 03.09.2020

My name is Mrs Kathleen Counsell

23 Oakwood Avenue Blackburn

BB15QY

I am opposed to the development of 165 dwellings at land to the south of Whalley old road Blackburn.

I feel it would add to traffic congestion and unwanted pollution as well as damage to wildlife.

I am opposed as I feel Sunny bower is a quiet restful place to live with beautiful views that are second to none.

I have seen an abundance of deer , fox and all manner of birds and wildlife which I feel would suffer greatly from this development .

Thank you

Yours sincerely

Kathleen Counsell

Objection from Anthony Ford & Christina M Thompson, 2 Higher Cunliffe Farm Cottage, Whalley Old Road, Blackburn, Rec 03.09.2020

Dear Sir/Madam,

I write in relation to the above planning application and to raise objections in the strongest possible terms.

I reside at 2, Higher Cunliffe Farm Cottage, Whalley Old Road, Blackburn, BB1 4AA.

The objections to the application are based on two concerns; Human Impact and Environmental Impact.

HUMAN IMPACT

It goes without saying that the construction phase of the proposed build would be massive and would result in disruption and pollution for all local residents. The size and scale of the build could not be achieved without complete disfigurement of the neighbourhood. There would be long-suffering in the initial phase for the residents caused by the use of construction machinery, vehicles and plant moving close to residential properties resulting in noise pollution, atmospheric pollution and increasing the risk to residents of road accidents on already severely congested roads that cannot cope with the current level of commuting traffic. This would, without any doubt, have a detrimental impact on the physical, psychological and emotional wellbeing of residents.

The building phase would continue to affect residents in exactly the same way but anxieties would be increased as the removal of the natural surroundings begin to take effect and people have to come to terms with their living environment being changed forever.

ENVIRONMENTAL IMPACT

The land on which the application is based is a natural haven/habitat for an abundance of wildlife that includes, field mice, weasels, hedgehogs, deer (Roe and occasional Red), foxes, owls, kestrel, sparrowhawk and merlin, Bunting, Peewit and many other residents. The land also sustains a healthy population of insects including bees, dragonflies and damselflies.

To have such an abundance of wildlife so close to a town centre is surely something that should be protected not destroyed!

The wildlife exists in harmony with the human population and is a true wonder and blessing.

In addition to these concerns are issues in relation to the unseen yet inevitable impact when one considers not just the increased number of new residents to this small area but the consequence of it. These would include, for example, a rise in the number of visitors, service providers and other non-residential users and visitors to the neighbourhood.

In conclusion, your plan is to site a large residential site amidst a quiet, semi rural population, and such a plan could not be undertaken without complete disregard for the current residents, animal and human, their welfare or wellbeing.

This matter is already causing enormous stress and anxiety for us all, made worse by the fact that the Council made no attempts or effort to solicit the views of the local residents and kept hidden the plan (even though work had been taking place on it for over 12 months) until the very last moment when it was revealed in the local newspaper. Prospective house purchasers looking to buy properties in this area have, in the last 12 months, paid for local searches for exactly this sort of planning application and the searches found nothing.

This application is unreasonable, perhaps even unlawful and, together with the other residents in this area, we will continue to resist it.

Yours faithfully,

Anthony G Ford

Christina M Thompson

Objection from Martin Counsell, 467 Whalley Old Road, Blackburn, Rec 03.09.2020

Dear Sir, Madam

I own 467 Whalley Old Road, and I would like to reject his application Planning number 10/20/0716

Kind regards

Martin Counsell

Objection from James Cooper, 10 Sunnybower Close, Blackburn, Rec 04.09.2020

Dear Mr Kenny,

I would like to make a formal complaint against the proposed outline planning application on the land to the south of Whalley Old Road.

The proposed development would be built overlooking a large industrial estate, which has a large chemical works that would be right next to the new homes, and there is the obnoxious smell that comes from the pet food factory which makes it unpleasant to spend time outside.

Whalley Old Road is a very busy road, with queuing to the top of the hill at times. Adding to this congestion will cause problems and add safety worries.

I am also concerned about the wealth of wild flowers that grow on the land which will be lost, and the wild Roe Deer that roam on this land, as well as Owls and other animals.

I have also been made aware that BWDBC need a local Plan Review before they can grant planning permission for the development. The current plan runs till 2026 so you cannot develop the land until the current plan comes to an end. Knowing this I cannot believe that the council would even consider this, it seems to be disregarding its own rules, which is worrying as it means they cannot be trusted to look after the people of Blackburn.

Yours Sincerely

Objection from Martin Counsell, 467 Whalley Old Road, Blackburn, Rec 04.09.2020

Dear Sir/Madam,

My name is Martin Counsell and I am the owner of 467 Whalley Old Road, Blackburn, BB15QL.

I wish to strongly object to the proposed development on Whalley Old Road for the following reasons:

The proposed development is contrary to local planning policy whereby the land cannot be developed on without violating Policy 4. The land is protected under policy 4 which can only be released for development after the current Local Plan ends, therefore, the land cannot be developed on until a local Plan review has been carried out. Violating key policies, which would occur in the case of this development, makes a mockery of creating them in the first place.

The proposal is a partial redevelopment of an area, which is against the councils own Local Plan Part 2, paragraph 2.8 which states: "It is important that these areas remain able to accommodate development in the longer term, and that their development potential is not

compromised by piecemeal change or development in advance of this.".....The site is protected by Policy 4 of the Local Plan Part 2 which does not allow piecemeal development.

The proposed development would not suit the local environment, the area overlooks a chemical factory and a large industrial estate. The proposed development would put a large strain on local utilities and services creating a very unpleasant environment through, noise, smells, overlooking, loss of daylight, loss of privacy, dust, vibration and an increase in late night activities.

The addition of these dwellings will create a large increase in the local population overloading schools, GP surgery's and will produce a significant amount of pollution locally. The potential for up to an additional 300/400 cars would not only dramatically add to the increase in pollution but would significantly increase traffic congestion, on an already very busy road. This is only reinforced with the addition to service vehicles such as deliveries, bin collections, etc. This increase in pollution locally would affect in particular the elderly, infirm and children. The local infrastructure would not cope with the increase in people and vehicles generated by this development.

I believe the site is on or near an old landfill site therefore posing a risk of methane gas. In the distant past there have been many surface coal mines and quarries in this area causing potential ground contamination. 50% of the development I have no doubt will be hard standing (buildings and roads) which will generate a large amount of surface water. If this is not managed then we could have floods in the area.

I fear safety concerns over cars parked on both sides of Whalley Old Road from the development with no allowance for additional or overflow parking in or around the area, causing a significant traffic hazard.

The land is a green area and once built on it's gone forever and we as a society are all the worse for it. Locally this bit of green you want to build on is much loved by walkers, with or without dogs.

Paragraph. 6.4 of the Application Plan suggest the building of habitat corridors through the site. Whilst the habitat corridors may seem like a good idea on paper, many things do, in reality this is a relatively small area and they will bring animals, for example, foxes (which are seen often on the site) coming into contact with the human inhabitants, or their dogs, causing a nuisance to the inhabitants as well as being a danger to the indigenous animals concerned.

On the subject of wild life, all rural green spaces have an abundance of wild life, both plants and animals. This site is no different. With frequent sightings of deer, owls, red fox, etc these will be crowded out dramatically by the development.

I trust that the above objections will be taken fully into account in determining this application and the proposed development should not be approved.

Yours sincerely

Martin Counsell

Objection from On Behalf of the Sunnybower Community Group, Rec 30.09.2020

Dear Councillors,

We have recently been furnished with a copy of the Joint Health & Wellbeing Strategy 2018 – 2021, as well as some recent newspaper articles featuring quotes from your good selves, which my fellow neighbours and I would like to present counter arguments to.

I would like to start by referring to the following paragraph on page 8 of the aforementioned Joint Health & Wellbeing Strategy 2018 – 2021, I have highlighted some particularly relevant sections below:

Healthy Neighbourhoods and Localities

It is important to re-focus existing health and social care services towards prevention and integrate them further with wider local authority departments and voluntary, community and faith services within local communities to provide out of hospital prevention and care services. This approach will support the building of wider community capacity for prevention, self-help and social support at locality, neighbourhood and community levels and enable earlier intervention and detection of disease and illness. For example:

»» Re-design and integrate existing out of hospital services to create a system capable of earlier intervention and prevention and greater provision of care and support in communities.

»» **Support communities to take action on local healthy environments such as access to local green-space, allotments and active travel (cycling and walking)**

»» **Establish and support local support groups that help those with established long term conditions to live independently in their own homes and neighbourhoods – especially local support groups that seek to end loneliness and social isolation**

»» **Provide access to information on support available within local communities that help citizens lead active fulfilled healthy lives e.g. through sport, volunteering etc**

The particular mention of “access to **local** green-space” would seem to indicate that BwD is in agreement with the science, on paper at least! This is not so when it comes to practice. The Whalley Old Road site potentially due for development is the only green space between the Sunny Bower community and an industrial estate. A green space which is healthy to look at and walk in, and, is used extensively by residents not to mention wild life.

We note (as a collective community group) that Cllr Mustafa Desai has been strangely quiet about Sunny Bower residents complaining of the potential loss of our green space. Since he is on the board that produced the Health and Well-being Strategy 2018-2021, mentioned above, we would have thought he would be shouting it from the roof tops. As a collective group, it is our joint opinion that we can only conclude that BWDBC is only paying lip service to its own reports and that these are for show, not action.

In relation to the last point in the above paragraph, the newly formed Sunny Bower Community Group is one such group established by like-minded individuals from all over the estate, with the common aim of supporting each other. Therefore it is also in BWDBC’S interests to support us in creating something good out of the land on WOR in order to maintain the tranquil green space, rather than building on it. We are all willing to volunteer to make this green space into something that, as a community we would be able to appreciate and nurture. We do not want this to be taken away from us.

In a “This is Lancashire” article dated 22nd Sept 2020, Cllr Pat McFall said of the Whalley Old Road site: “New homes are never going to go to waste but it depends on the area and it has been vacant for a long time.” So the inference from this is, if it has been vacant for a long time then build on it! Cllr McFall, for your information, the defining feature of any green space is that it is vacant! Using your logic, the UK would soon be coast to coast brick and tarmac!

Could it be that using green field sites is an easy target and BWDBC should be looking at developing housing on urban sites rather than rural. BWDBC needs to think more creatively about the housing situation vs green space.

In a press release “PM: A New Deal for Britain” dated 30th June 2020, Boris Johnson set out changes to the planning system. Some are quoted below.

Reforming our planning system

We will make it easier to build better homes where people want to live.

New regulations will give greater freedom for buildings and land in our town centres to change use without planning permission and create new homes from the regeneration of vacant and redundant buildings.

Under the new rules, existing commercial properties, including newly vacant shops, can be converted into residential housing more easily, in a move to kick start the construction industry and speed up rebuilding.

The changes include:

- More types of commercial premises having total flexibility to be repurposed through reform of the Use Classes Order. A building used for retail, for instance, would be able to be permanently used as a café or office without requiring a planning application and local authority approval. Pubs, libraries, village shops and other types of uses essential to the lifeblood of communities will not be covered by these flexibilities
- A wider range of commercial buildings will be allowed to change to residential use without the need for a planning application
- Builders will no longer need a normal planning application to demolish and rebuild vacant and redundant residential and commercial buildings if they are rebuilt as homes
- Property owners will be able to build additional space above their properties via a fast track approval process, subject to neighbour consultation.
- These changes, which are planned to come into effect by September, will both support the high street revival by allowing empty commercial properties to be quickly repurposed and reduce the pressure to build on green fields land by making brownfield development easier.

So with some creative thinking, BWDBC could, for instance, offer a developer a “package” of redundant buildings for development into dwellings. We realise that this would add cost compared with developing a green field site, but, in mitigation there would be a ready to go infrastructure. If BWDBC were more adept at managing their finances (e.g. Blackburn bus station cost £8.4m not the original estimate of £4.7m etc etc) then they could even offer a subsidy to the developer. Everybody wins. Developers get work, BWDBC get houses, green spaces saved.

In the BWDBC Climate Emergency Action Plan, published February 2020, BWDBC pledges to reduce its carbon footprint and effect on the environment. We completely and utterly fail to see how this sits with the addition of 165 executive homes on the Whalley Old Road site. We would estimate that

165 executive homes will add 400+ cars onto Whalley Old Road which is essentially a narrow country lane. BWDBC Annual Monitoring Report 6 – 2009-2010 highlights the same required actions as the Emergency Action Plan mentioned above. Why, oh why, have we got to the emergency stage? What has been going on in the intervening 10 years?

In a Sky News article dated 28th Sept 2020, Boris Johnson says: "We must act now, right now. We cannot afford to dither and delay because biodiversity loss is happening today and it is happening at a frightening rate. Left unchecked, the consequences will be catastrophic for us all. Extinction is forever - so our action must be immediate." **The same can be said of green spaces. Once they are built on they are gone for ever!**

We look very much forward to you addressing the above points.

Yours faithfully,

Iain Sykes

Ken Moulden

Stephen Atherton

Acting on behalf of and speaking for fellow members of The Sunny Bower Community Group

Objection from Lisa Grogan, Rec 04.01.2021

Hi

I am writing to put to you my objection to the proposed planning application for the land off Whalley Old Road. This land is used regularly by the locals and would have a detrimental impact on our lives and the environment. There are plenty of brown plots available to rebuild on which would regenerate derelict land and buildings. The traffic these proposed properties would add to our already busy roads would only cause more queueing traffic.

Thankyou for taking the time to read my email.

Regards Lisa Grogan

Comment – Tony Disley, 453 Whalley Old Road, Blackburn. Rec – 10/08/2020

Hello,

I am interested in further information about the proposed building of up to 165 residential houses just off Whalley Old Road, Sunny Bower BB1 5QL - Planning Application Number: 10/20/0716

Specifically I would be interested to know what the artists visual representation of the proposed housing development will look like, ie the type of housing that is being proposed to be built, could you provide a link? Also what would be the cost of the housing upon completion to buy, if possible I would like to know the range of pricing of the houses?

Any such information would be gratefully received.

Many thanks in advance

Comment – Jeff Cooper. Rec – 19/08/2020

Dear Mr. Kenny,

Reference: 10/20/0716

Thank you for sending me details of the proposed development to the south of Whalley Old Road. I see the necessity for increasing the number of houses, and the Council is to be commended for their approach to this problem. However, may I make a couple of comments?

The planners need to think of this plan in terms of providing a community, rather than simply 165 houses set down in a field. It will need shops and perhaps a community centre. This would also help provide facilities for those living in Sunny Bower, and help to lessen the increase in traffic on Whalley Old Road if facilities are near at hand. Because at the moment it is only just coping with the amount of traffic, and if the only shops available to the new residents are in Little Harwood and Brownhill, the increase in traffic will be enormous.

Comment – Jacqueline Farrand, 21 Stone Hill Drive, Blackburn. Rec – 20/08/2020

recently received a letter of a planning application near my property. I live at 21 StoneHill Drive Sunnybower.

I have a few questions I would like to ask regarding the planning.

1. How does the building of the properties affect my road to my property ie will I have access to my driveway whilst the houses are being built. There is only one road and one route to my property.
 2. Will the building of the properties affect my gas, electric, water supplies at any point and the foundations of my property?
 3. With the building of 165 dwellings which I understand are 3-4 bedroom houses so the community of people will increase at least three-fold will there be other facilities available i.e. public transport, shops, other roads, doctor surgeries, schools, churches etc.
 4. Will the building of these properties affect my council tax in any way?
 5. What provision is being made for the wildlife in our area and what greenland would be left available for public and wildlife use?
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